



## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

January 22, 2020

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

#### 1. ANNOUNCEMENTS

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

#### 2. CITIZEN COMMENTS

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

#### 3. APPROVAL OF MINUTES

- a. December 18, 2019
- b. January 8, 2020

#### 4. PROCLAMATIONS/RECOGNITIONS - *None Scheduled*

#### 5. APPOINTMENTS

- a. Franklin Cultural Council: Theodore D. Cormier-Leger

#### 6. HEARINGS - *None Scheduled*

#### 7. LICENSE TRANSACTIONS - *None Scheduled*

#### 8. PRESENTATIONS/DISCUSSIONS

- a. OPEB (Other Post Employment Benefits) Presentation

#### 9. SUBCOMMITTEE REPORTS

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

#### 10. LEGISLATION FOR ACTION

- a. Zoning By-Law Amendment 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations, And Use Regulations Schedule Updates-**Referral to the Planning Board**  
**(Motion to Refer Zoning Bylaw Amendment 20-849 to the Planning Board - Majority Vote)**
- b. Zoning By-law Amendment 20-850: Zoning Map Changes On Or Near Highland, Maple and Lincoln Streets- **Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-850 to the Planning Board - Majority Vote)**
- c. Zoning By-law Amendment 20-851: Zoning Map Changes On Or Near Oak Street and Dailey Drive- **Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-851 to the Planning Board - Majority Vote)**

- d. Resolution 20-08: 2020 - 2021 Town Council Goals (**Motion to approve Resolution 20-08 - Majority Vote**)

**11. TOWN ADMINISTRATOR'S REPORT**

**12. FUTURE AGENDA ITEMS**

**13. COUNCIL COMMENTS**

**14. EXECUTIVE SESSION**

a. *Collective Bargaining*

- i. *I request a motion that the Board vote to convene in Executive Session for the purpose of discussing strategy with respect to collective bargaining, because an open meeting may have a detrimental effect on the bargaining position of the Board.*

**15. RETURN TO OPEN SESSION FOLLOWING EXECUTIVE SESSION:**

**LEGISLATION FOR ACTION, CONTINUED**

- a. Resolution 20-06: Request for Legislation- Exempting all Positions in the Fire Department from Civil Service Laws (**Motion to Approve Resolution 20-06 - Majority Vote**)
- b. Bylaw Amendment 20-852: Chapter 82 Municipal Service Fees- **1st Reading (Motion to Move Bylaw Amendment 20-852 to a Second Reading - Majority Vote)**
- c. Resolution 20-07: Ratification of the Franklin Permanent Firefighter Association Local 2637 Contract (**Motion to Approve Resolution 20-07 - Majority Vote**)

**16. ADJOURN**

*Note:*

*Two - Thirds Vote: requires 6 votes*

*Majority Vote: requires majority of members present and voting*

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

A meeting of the Town Council was held on Wednesday, December 18, 2019, at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

**ANNOUNCEMENTS:** ► Chair Mercer announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

**CITIZEN COMMENTS:** ► None.

**APPROVAL OF MINUTES:** ► *October 2, 2019 and November 13, 2019.* ► **MOTION** to Approve the October 2, 2019 meeting minutes by Dellorco. **SECOND** by Hamblen. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION** to Approve the November 13, 2019 meeting minutes by Dellorco. **SECOND** by Hamblen. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

**PROCLAMATIONS/RECOGNITIONS:** None.

**APPOINTMENTS: *Historical Commission, Associate Member: Alan Earls.*** ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Alan R. Earls to serve as associate member of the Franklin Historical Commission with a term expiring on June 30, 2022, by Jones. **SECOND** by Kelly. **Discussion:** ► Ms. Pellegrini stated she would like this to be postponed as the procedure for the appointment was not followed correctly. She stated some of the Historical Commission members did not know this was being done. ► Chair Mercer explained that the appointment procedure was followed correctly based on the Charter. ► Mr. Hellen explained the appointment process. He noted committee recommendations are often requested when there are multiple applicants for a seat. He stated Mr. Earls requested to be an associate member of this committee. Under the code, there can be an unlimited number of associate members. He noted that associate members have no legal vote on the committee. He stated Mr. Earls is very qualified to be an associate member of the Historical Commission. Discussion continued about the procedural process for recommendations for appointments. ► Ms. Pellegrini requested that in the future the same procedure be followed for a regular member or an associate member appointment. ► **VOTE: Yes-8, No-0, Absent-0, Abstain-1.** (Mr. Earls abstained.)

**HEARINGS:** None.

**LICENSE TRANSACTIONS:** ► *La Cantina Winery Company, Farmer Winery, Farmer's Market.* ► Mr. Jones read the license transaction. ► **MOTION** to **Approve** the issuance of a Farmer Winery, Farmer's Market License to Robert Vozzella, La Cantina Winery Company, by Dellorco. **SECOND** by Hamblen. **Discussion:** ► Mr. Hellen stated that Mr. Vozzella completed all required paperwork with the State to be part of the winter Farmers' Market. ► Mr. Vozzella stated he was asked by the owners of Fairmount Farms to attend their monthly winter Farmers' Market. He stated that all correct pouring procedures and bylaws will be followed. ► **VOTE: Yes-9, No-0, Absent-0.**

► *The Chateau Restaurant of Franklin, Change of Hours, 466 King Street.* ► Mr. Jones read the license transaction. ► **MOTION** to **Approve** the Change of Hours for The Chateau Restaurant of Franklin, Inc. pursuant to the instructions sent by the ABCC by Dellorco. **SECOND** by Hamblen. **Discussion:** ► Mr. Hellen stated this was a correction of the hours that were to be on the license. There are about twelve other

restaurants in Town with the same hours. ► A representative from The Chateau Restaurant stated it was an oversight on the original application regarding the submitted hours. He reviewed the hours for serving alcohol. ► Mr. Kelly confirmed the bar is not staying open later than food service. ► **VOTE: Yes-9, No-0, Absent-0.**

► ***Acapulcos Mexican Restaurant, License Modification, Change of Location, 371 Union Street.*** ► ***Mr. Bissanti recused himself.*** ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Avocado Inc., d/b/a Acapulcos Mexican Restaurant for a change in location from 15 Main Street, Franklin, MA, to 371 Union Street, Franklin, MA, pending successful final inspections from the Board of Health, Fire Department, and Building Commissioner, by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated the owners will be moving their location. As the transition takes place, the owners need signoffs from various departments. He reviewed the procedure for handling a liquor license request when it comes into his office. ► Representatives from the restaurant attended the meeting. ► **VOTE: Yes-8, No-0, Absent-0.**  
 ► ***Mr. Bissanti re-entered the meeting.***

► ***GlenPharmer Distillery, LLC, New Farmer Series Pouring Permit for a Farmer-Distillery, 860 West Central Street.*** ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by GlenPharmer Distillery LLC, d/b/a Glen Pharmer Distillery for a New Farmer Series Pouring Permit for a Farmer-Distillery by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated Mr. Patrick Downing is a local resident who has invested money in the former Incontro building. This will be Franklin's first distillery. ► Mr. Jon Aieta, Attorney, and Mr. Patrick Downing, applicant, provided an overview of GlenPharmer Distillery and the permitting process. Mr. Aieta stated that in order to to serve samples and sell alcohol that they produce and manufacture at this location, a pouring permit is required and requested. He explained there will be seating for 72 people; they would like to serve food as well as alcohol. He reviewed Mr. Downing's background and experience. ► Mr. Downing stated he has looked forward to opening a distillery. He reviewed the process for finishing the construction and obtaining the approvals for an opening at the end of January/beginning of February. ► Mr. Chandler stated it is great that Mr. Downing is a Franklin resident; he hopes it all works out for him. ► Mr. Dellorco stated he is very excited about this; he wished Mr. Downing the best. ► Mr. Jones stated he is looking forward to this; he thanked Mr. Downing for repurposing the building. ► Mr. Bissanti confirmed the property was purchased. He confirmed food would be served on the ground floor. ► **VOTE: Yes-9, No-0, Absent-0.**

► ***2020 Annual Alcoholic Beverages License Renewals.*** ► Mr. Jones read the license renewal motion and the 2020 Town of Franklin Alcohol License Renewals list. ► **MOTION to Approve** the renewal of alcoholic beverages licenses listed on the attached Renewal List for the year 2020 with the issuance of licenses that have inspections, fees or taxes outstanding to be withheld (physically held in the Town Administrator's Office) until all items are resolved by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated liquor licensing in Massachusetts is an annual renewal. He noted that there was a hold on La Cantina Winery; it has since passed inspection. He gave credit to the staff for their hard work on this process. ► **VOTE: Yes-9, No-0, Absent-0.**

**PRESENTATIONS/DISCUSSIONS:** ► ***Plastic Bag Waste Reduction.*** ► Numerous high school students attended the meeting and gave a plastic bag waste reduction presentation. ► Ethan Salvison, 17 Howard Street, stated that he, many high school students, and many community members, believe that the bylaw mandating the switch from plastic bags to a more renewable option would benefit the Town. He thanked the Town Council members for their time and consideration. ► William Carrier stated that plastic bags do not biodegrade. ► Hannah Burr, 4 Reagan Avenue, stated plastic bags are not able to be recycled in Franklin and are a common source of litter. ► Lila Delbou, 179 West Central Street, stated the plan includes a year-long transition period that will allow businesses to use their current supply of plastic bags. ► Ms. Singh, 205 Partridge Street, noted that there is a similar plastic bag bill in the State legislature. ► Bridget Flaherty, 34 Concetta Lane, noted the bills are similar; however, the mandatory \$.10 fee for paper bags sold by vendors is not included in the Franklin bill. ► Ms. Alshawabkeh, 21 Berkshire Drive, discussed successful examples of similar bylaws in other towns. ► A student reviewed towns in the process of implementing a similar bylaw.

► Kathryn Garrigan, 564 Chestnut Street, noted that entire states have implemented proposals similar to this. ► A student, 4 Rona Lane, stated the community has given a great deal of support for this as shown by the number of people in attendance at this meeting. She reviewed local businesses that have approved the proposal. ► Nora Kennedy, 356 Union Street, stated Franklin has always been a leader; Franklin should continue to be a leader in this effort. ► Charlotte Healey, 399 Oakland Parkway, discussed that Franklin is a town that cares about the environment; they should continue this trend with this cause. ► Chair Mercer applauded the efforts of the students to get this before the Town Council and get it passed. ► Ms. Hamblen, Chair EDC, stated this group of students has come before the EDC four times. They were asked to get more signatures on the petition and reach out to more businesses. She reviewed the Senate bill which says if the State's legislation is passed, all town bills will be nullified. She asked for consideration of what would happen if this Town bylaw were to pass and then the State passed legislation. ► Ethan Salvison stated he could see that as a concern; however, there is never any assurance that State government will act in any certain way. If the House passes the legislation, he thinks the bill is very similar to that of the proposed Town bylaw. ► Ms. Hamblen suggested the Town of Franklin send the House a request to pass the State legislation and possibly add stricter language. ► Mr. Jones read aloud the draft of the proposed bylaw amendment, New Chapter 130, Plastic Checkout Bag Reduction Bylaw. ► Mr. Hellen pointed out that the proposal Mr. Jones just read aloud was a proposal the Town Council considered some years ago. He noted this draft can be amended, just like any other legislation. ► Mr. Cerel stated the House passed a bill; the Senate then passed a somewhat different bill. The two bills must be reconciled. He understands that at some point, there will be a joint committee to do that. ► Mr. Earls stated he did some additional research into this matter. He read a prepared statement. He stated he has concerns with the proposed plastic bag ban. He discussed other important environmental issues such as recycling, trash, and water quality. The bag ban is a feel-good measure that has garnered much emotional support; however, it may not deliver on what it promises. The reusable bags are heavier and often use more plastic and eventually end up in the trash as well. He noted a study of California's statewide ban which shows there was a 30 percent greater purchase of heavier gauge plastic bags after the ban was implemented. He discussed that much ocean pollution is from developing countries doing garbage dumping into the seas. Money spent to help those countries with proper disposal methods would be more effective than Franklin's plastic bag ban. He stated that we should be looking at better polymer plastic disposal overall such as materials from Amazon deliveries and large single use plastic containers. The bag ban is a form of regressive taxation. Paper bags are renewable, but the pollution associated with paper bag manufacturing is legendary. The State legislation will eventually pass their bill; when it does, it will force those in the community to adjust again. He stated he is as concerned as anyone about waste and pollution. He asked the Town Council members to pass over the current proposed legislation and instead draft and send a letter of support to Beacon Hill urging the State legislature to adopt a standard policy that benefits citizens, businesses, commerce, and the environment. ► Mr. Bissanti thanked Mr. Earls for his statement. He stated his concerns included if it would affect jobs and/or the elderly, and he did not want to get ahead of the curve with the State. He said his concerns have been satisfied. He said the young people have worked hard and have not given up. He wants to see this generation of students get this bylaw through these chambers and get it done in Franklin. He would like to see this pushed forward. ► Mr. Dellorco stated one of his biggest concerns in 2016 was the small businesses. However, the students have answered that concern with the proposal of one year for the businesses to comply. ► Ms. Hamblen stated that the plastic bag reduction plans are not perfect; we have to try things to make it better. One thing the bans have done is to encourage people to try different materials. It starts people thinking innovatively. ► Mr. Kelly stated he was pleased this was changed from a ban to a reduction. He asked the students, assuming this bylaw passes, what they will be working on next. ► Students discussed some possible causes they may work on. ► Mr. Jones congratulated the students on their efforts and hard work. ► Ms. Christine Manns, 18 Dover Circle, stated she was proud of what these young people have done; she supports this issue. ► Chair Mercer stated he was very proud of the work these students have done. ► Mr. Hellen stated that the Town is in the process of a land swap with the Commonwealth of Massachusetts at the Beaver Street Recycling Center. The State can move slowly. They hope to gain the support of the community with the plans for the parcel after the land swap; some of these students may be involved with that. ► Chair Mercer stated tonight was a presentation of information; there is no formal vote on anything. He stated there were three options: sending a resolution to the State, starting to write a bylaw, or waiting for the State to come through with their

legislation. He asked for the Town Council members decisions on the next step: resolution or bylaw. ► **Mr. Bissanti-bylaw; Mr. Earls-resolution; Mr. Kelly-bylaw; Mr. Jones-bylaw; Mr. Chandler-bylaw; Ms. Hamblen-bylaw; Ms. Pellegrini-bylaw; Mr. Dellorco-bylaw.** ► Chair Mercer stated there is a clear decision that a bylaw is the direction the Town Council would like to proceed. He asked the Town Administrator to work with the Town Attorney on this bylaw. He explained the process of how a bylaw gets written and brought to Town Council. ► Mr. Cerel reviewed the possible time frame for this bylaw. ► Mr. Hellen said he thinks this could be brought back to the Town Council in January. ► Mr. Earls recommended an additional section be added under definitions for biodegradable bags at checkout. ► Mr. Cerel asked Mr. Earls to provide him with something in writing.

*Chair Mercer called a two-minute recess.*

► **Town Administrator Annual Evaluation.** ► Chair Mercer stated the Town Administrator Annual Evaluation is part of the contract the Town Administrator signed. The Town Council is required to do an annual evaluation. Part of the evaluation is a written summary that has to be voted on by the Town Council and provided to the Town Administrator. He discussed the mutually agreed upon goals and stated the Town Administrator is evaluated based on the achievement of those goals. He stated he provided the written summary to the Town Council members via email for their review; the document was not provided as part of the Town Council members' meeting packets. He asked the Town Council members if there were any additions, deletions, or changes that they would like to make. He stated that after the document is agreed upon and voted, it will become a public document. ► Mr. Bissanti stated his computer has not been working, and he did not have an opportunity to review the document; Mr. Earls allowed Mr. Bissanti to review the document from his computer. ► Chair Mercer stated Mr. Hellen has been in the position for seven-months; he is very happy with Mr. Hellen's performance. ► Town Council members informally agreed the written statement was good. They agreed that Mr. Hellen has accomplished a very smooth transition and has been doing a great job. Mr. Hellen has been handling the job well and is very accessible and responsive. ► Chair Mercer stated Mr. Hellen shows up at every meeting, every function, and every event. He thanked Mr. Hellen and stated that means a lot to the Town Council and to the townspeople. ► **MOTION to Approve** the written summary statement that was provided to the Town Council members by the Chair by **Dellorco. SECOND** by **Hamblen. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► Ms. Pellegrini stated a meeting is scheduled for January 15, 2020. She noted she has been attending the Finance Committee meetings.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated a meeting is scheduled for January 8, 2020 at 5:30 PM. Discussion items include lot line clean up and residential solar zoning bylaw.

#### **LEGISLATION FOR ACTION:**

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

- a. **Resolution 19-89: Gift Acceptance – Franklin Veteran's Services Department, \$1,480 (Motion to Approve Resolution 19-89 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-89: Gift Acceptance – Franklin Veteran's Services Department, \$1,480 by **Dellorco. SECOND** by **Hamblen. Discussion:** Mr. Hellen thanked the Police Association for their generous donation. ► **VOTE: Yes-9, No-0, Absent-0.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Hellen stated the curbside recycling Pink Bag Program has collected 24,000 lbs. in two weeks. He thanked Chris White, Environmental Affairs Coordinator, for a great job. He congratulated Ms. Chrissy Whelton and Ms. Alecia Alleyne as graduates of the six-week Municipal Finance Certificate program sponsored by the Mass Municipal Managers Association. He stated that in following up some concerns mentioned at the last Town Council meeting, he spoke with Karen Alves at the Senior Center relative to the transitional assistance/homelessness issues in Town. He stated there is a

great partnership between the Senior Center and St. Vincent de Paul; they do one-on-one meetings with people and address many types of social issues. It is a great service. Citizens can contact the Senior Center for additional information or call 508-528-0020. He wished everyone a safe and happy holiday season.

**FUTURE AGENDA ITEMS:** ► Ms. Pellegri requested additional discussion on an issue that came up at the Finance Committee meeting regarding the downtown merchants having to clean out the front of their buildings. ► Mr. Bissanti asked for additional discussion on the transitional assistance/homelessness issue in Franklin. ► Mr. Dellorco also requested a discussion on the downtown merchants having to clean out the front of their buildings.

**COUNCIL COMMENTS:** ► Mr. Earls, Mr. Kelly, Mr. Chandler, Ms. Hamblen, Ms. Pellegri, Mr. Jones, Mr. Dellorco, and Chair Mercer wished everyone happy holidays. ► Ms. Hamblen reminded everyone that Fairmount Fruit Farm has a Winter Farmers' Market on December 21<sup>st</sup> from 10-2 PM. ► Ms. Pellegri asked for a report about the MBTA meeting with Representative Jeff Roy. She asked if the sidewalks on Beaver Street were going to be a reality. ► Mr. Kelly stated he could provide Ms. Pellegri with an update on the sidewalks after the meeting. ► Mr. Jones stated he was proud of his son who is going to Petty Officer Leadership training. ► Mr. Dellorco thanked the Middlesex Savings Bank for their large donation to the library.

**EXECUTIVE SESSION: Purpose #6: to consider the purchase, exchange, lease or value of real property (majority roll call vote).** ► Chair Mercer stated the Town Council needs to meet in an Executive closed session for the following purpose: **to consider the purchase, exchange, lease or value of real property.** He declared that an open meeting may have a detrimental effect on the litigation position of the public body. The open session will not reconvene at the conclusion of the Executive session.

► **MOTION to Move** that the Franklin Town Council go into Executive Session by **Jones**. No **SECOND** given. **No Discussion.** ► **ROLL CALL VOTE:** Bissanti-YES; Chandler-YES; Dellorco-YES; Earls-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES. ► **VOTE: Yes-9, No-0, Absent-0.**

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

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

# Memorandum

December 16, 2019

**To:** Town Councilors

**From:** Thomas D. Mercer, Chair, Franklin Town Council

**Re: 2019 Administrator Annual Review**

As part of the contract the Council signed with the Administrator a year ago, we are required to do an annual review and provide a written summary statement of that review. Our contract with Jamie states:

**“The Council shall establish mutually agreed upon goals for the Town Council and Hellen to achieve during any two-year legislative session. The Council shall review Hellen’s progress toward meeting the Council’s goals on an annual basis. Said annual review and evaluation shall be in accordance with the goals developed jointly between the Council and Hellen. Said goals may be added to or deleted from as the Council and Hellen determine from time to time. Further, the Council shall provide Hellen with a written summary statement of the findings of the Council and provide adequate opportunity for Hellen to discuss his evaluation with the Council.”**

**“Goals shall generally be attainable within the time limitations as specified in Section 7, within the annual operating budget and capital budgets and appropriations provided by the Council.”**

To fulfill our obligation of the contract, I am submitting to you a draft written summary statement that meets these criteria to be discussed on Wednesday evening. I have also included the list of Town Council Goals accomplishments from our two-year session that was distributed at the September 4th Council meeting as a reference guide to the progress Jamie has made on our mutually agreed upon goals. I realize Jamie has only formally been the Administrator since May, however, I think it is not a secret that he has actively worked on all our goals over the past two years, even while Jeff was the Administrator. I feel this is an excellent point in this transition to fulfill the contract obligation we signed with him by discussing the accomplishments as well as areas of improvement or focus that folks may have.

Looking forward, we the Council and Town Administrator will have a goal setting session for the next two years at our first meeting in January. Given the myriad of issues that need to be addressed or that we want addressed in this community, we will all need to prioritize in 2020-2021 to ensure realistic expectations are set of what we can put on our collective plates. At a minimum, the town’s operating budget and ancillary financial issues will be a heavy focus throughout the two-year term and will require a significant amount of time from all of us.



## Written Summary Statement

### Town Council & Town Administrator Goals

The attached goals update indicates that Jamie has done a great job in fulfilling the goals the Town Council put forth in 2018-2019. Every item has received attention, and where applicable, the job has gotten done. In other areas, such as the Recycling Center or the Old South Church, progress was achieved even though there are other external entities or factors that make completion of a goal very difficult to achieve, or impossible to achieve within a two-year session. Jamie had a large influence in achieving many of these goals, if not all of them, along with Jeff. Given the resources and tools at his disposal, he has shown the ability to be an effective project leader, a successful departmental manager and steward for the community.

We should be proud as a community that the transition in town leadership was very smooth. Much of this has been due to Jamie's commitment to excellence, responsiveness, creativity and passion. His positive attitude, spirit and work ethic have allowed us all to accomplish a tremendous amount of work together in town.

After seven full months, we have complete confidence that we made the correct decision in hiring Jamie as the Administrator. Furthermore, we should be proud as a Council that we helped pave the way for this type of succession planning, which unfortunately is not always the norm in the public sector.

### Additional Points

Additionally, as this is Jamie's first review, I think we want to also highlight some other aspects of his job performance not on our list of goals that should be noted because they depict his successful transition into the Administrator's position:

1. Jamie has provided exemplary customer service and effective responsiveness to the Town Council, town stakeholders, businesses and residents;
2. Jamie has developed great working relationships with the town department heads, town staff and the school department. We believe there is a strong trust between the Town's staff and Jamie, which is a great hallmark;
3. Jamie has established many positive relationships with town stakeholders, e.g. the S.A.F.E. Coalition, Dean College and their staff, the YMCA, Downtown Partnership, various arts organizations, downtown events sponsors, local business owners, residents and so on. Jamie is always available and is very present in the community;
4. Jamie completed a flawless process in hiring a new Fire Chief to get the best candidate we could for the job and to help set the department up for future success;
5. Jamie has also overseen successful staff succession planning transitions, including Human Resources Director, Treasurer-Collector's Office, Finance Director, Conservation Agent, Fire Chief, Health Director, and (soon) the Senior Center Director, in addition to many other leaders within town departments. Jamie has hired dozens of new town employees in every department to fill enormous shoes at every level of our organization and we have great confidence in our staff to deliver great services for our citizens;
6. Finally, he has successfully navigated some extremely unique and challenging unforeseen circumstances in the past year, most notably in the personnel and legal departments. We are grateful for his investment and compassion on behalf of our employees, as well as assembling a team around him who share those values. We compliment him on his creative strategies to protect the community.

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
January 8, 2020**

A meeting of the Town Council was held on Wednesday, January 8, 2020 at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

**ANNOUNCEMENTS:** ► Chair Mercer announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

**CITIZEN COMMENTS:** ► Mr. Colin Cass, 146 Longhill Road, stated he has attended many Town Council meetings, and it is often difficult to hear the proceedings. He requested the microphones be positioned so the speakers' voices can be amplified in the room for the audience members to hear better.

**APPROVAL OF MINUTES:** ► *December 4, 2019 and December 11, 2019.* ► **MOTION to Approve** the December 4, 2019 meeting minutes by **Dellorco. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** the December 11, 2019 meeting minutes by **Dellorco. SECOND** by **Hamblen. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

**PROCLAMATIONS/RECOGNITIONS: None.**

**APPOINTMENTS: None.**

**HEARINGS: None.**

**SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► Ms. Pellegrini stated a meeting is scheduled for January 15, 2020 at 6:00 PM for the Capital Plan review that was approved by the Finance Committee. ► Mr. Hellen stated all departments will give their presentations in one evening, including the School Department.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated the subcommittee met earlier tonight. Discussions included revising a solar bylaw in residential districts and cleaning up lot lines. ► Mr. Hellen stated the three proposals before the EDC tonight will come before the Town Council on January 22, 2020. The proposals are for referral to the Planning Board. The Planning Board will then have a public hearing. Depending on the hearing outcome, if the proposals are moved forward, they will come back to the Town Council for a first reading, second reading, and vote. ► Ms. Hamblen stated the next EDC meeting is scheduled for February 5, 2020 at 5:30 PM.

**LEGISLATION FOR ACTION:**

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

- b. **Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal - First Reading (Motion to Move Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading - Majority Vote).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading by **Dellorco. SECOND** by **Hamblen.** **Discussion:** Mr. Hellen stated this is an attempt to reinstate a snow and ice bylaw that had been adopted in 1975 and was repealed in 2017 which required businesses to shovel snow off sidewalks in front of their premises, notably in the downtown area. He displayed and discussed a map showing the locations.

He stated the debate in 2017 leading to repeal surrounded better enforcement of the bylaw or repeal the bylaw altogether. At a recent Finance Committee meeting, this issue was raised again. He stated this is the exact bylaw that was approved in 1975 with the only exception being a revised enforcement section. This bylaw was made consistent with other Town bylaws regarding enforcement in terms of fines and enforcement agents. He stated that putting this bylaw in place will take 20 percent relief off the DPW from cleaning those sidewalks, help people more easily walk downtown, and help businesses attract customers. ► Mr. Earls expressed concern regarding some of the bylaw wording and questioned if this bylaw regards only the small businesses. He noted there are residences and home businesses operating in those areas as well. ► Mr. Hellen stated he thinks the wording would encompass all of the above-mentioned entities. ► Mr. Kelly asked if the business owners in the affected areas were notified or sent letters and if the Downtown Partnership was notified. ► Mr. Hellen stated neither the businesses nor the Downtown Partnership was notified. ► Mr. Kelly stated he did not think the businesses would be against this; however, he stated they should have been reached out to about this. He stated before the second reading on this item, the businesses and Downtown Partnership should be notified. He noted concern that, for instance, on Dean Avenue there are both commercial businesses and residences. This would require the commercial businesses to shovel, but not the residences. He asked why the proposed bylaw is not inclusive. He is not against this, but wants it done the right way. He asked if this bylaw was vetted through the EDC. ► Mr. Hellen said it was not. ► Mr. Kelly stated he would like to hear the EDC's opinion on this before it comes back for a second reading. He asked if there should also be a senior exemption for this. ► Mr. Jones stated he agrees with both Mr. Earls' and Mr. Kelly's points. More explicit detailed locations need to be included in the bylaw. ► Mr. Dellorco stated he agreed with the opinions of Mr. Earls, Mr. Kelly, and Mr. Jones. ► Ms. Hamblen stated confusion about the sidewalk areas that the DPW would and would not plow. She stated the EDC should discuss this item. ► Mr. Hellen reviewed the high priority list of streets to be plowed. ► Mr. Chandler asked for confirmation of who would actually give the tickets. ► Mr. Hellen stated the DPW will be charged with giving tickets and sending letters of education. ► Ms. Pellegrini stated this item such be further discussed. She asked if the businesses could be required to shovel out before they are allowed to open for business. ► Mr. Cerel stated that is above the authority of the Town Council. ► Chair Mercer confirmed the enforcement fines are based on the calendar year. Based on comments from the Town Council members, he stated that he would like to see this motion withdrawn and started over again. ► **MOTION to Withdraw the Motion to Move** Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading by **Dellorco. SECOND by Jones. No Discussion. No Vote.** ► **MOTION to Send** Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to the EDC by **Dellorco. SECOND by Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

**LICENSE TRANSACTIONS:** ► *Franklin Brewing Company, LLC d/b/a 67 Degrees, New Farmer Series Pouring Permit for a Farmer-Brewery, located at 158 Grove Street.* ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Franklin Brewing Company, LLC d/b/a 67 Degrees, for a New Farmer Series Pouring Permit for a Farmer-Brewery, located at 158 Grove Street, pending successful final inspection from the Building Commissioner by **Jones. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that a few years ago the Town Council changed many bylaws to encourage wineries, breweries, and distilleries in Town. In the last few years, this is the fourth application. He noted this is good for economic development. ► Mr. Olivier Edouard, owner and co-partner with Laury Lucien, provided an overview of the company. They have put together a business plan and are partnering with Master Brewer Timothy Morse. He reviewed his experience and interest in creating this business; they are looking forward to opening the doors. He is planning for this to be a very family-friendly environment. He stated the requested pouring permit is critical to their business. ► Town Council members asked questions and stated this would be good for the Town's economic development; they are excited about the opening of the business. ► **VOTE: Yes-9, No-0, Absent-0.**

**LEGISLATION FOR ACTION (continued):**

- a. **Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition - First Reading (Motion to Move Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to a Second Reading - Majority Vote).** ► **MOTION to Waive** the reading by **Kelly**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Move** Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to a Second Reading by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** Mr. Hellen stated the Town has been debating a plastic bag prohibition. A discussion was held on this item at the last Town Council meeting. Based on the poll that was taken of the Town Council members, it was clear that a bylaw was the preference. Through the Town Attorney, this bylaw was put together; it can be amended. He noted a new definition was added regarding a biodegradable bag. He pointed out this bylaw has been approved by the Attorney General in other communities. He noted the effective date is July 1, 2020 with a waiver extension for businesses to use the plastic bag stock they already have. ► Mr. Earls proposed two amendments. He requested to change wording in Section 130-3; he read aloud his changes. ► Chair Mercer stated Mr. Earls' proposed wording would be incorporated for the second reading. ► Mr. Earls proposed a second amendment to add wording to Section 130-3, creating a subsection D regarding a fee. ► Mr. Cerel stated the Town had no authority to impose a fee; that would have to come from the State. ► **MOTION to Amend** Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to amend the wording of Section 130-3 to read for subsection A, if any retail establishment as defined in Section 130-2 provides checkout bags to customers, the bag must be a recyclable paper bag, a biodegradable plastic bag, or a reusable checkout bag as defined in Section 130-2 by **Earls**. **SECOND** by **Kelly**. **No Discussion.** ► **VOTE (for the amendment): Yes-9, No-0, Absent-0.** ► **VOTE (to Move Bylaw Amendment 20-847, as Amended, to a Second Reading): Yes-8, No-1, Absent-0.** (Mr. Earls voted No.)
- c. **Bylaw Amendment 19-846: Chapter 153, Stormwater Management - Second Reading (Motion to Adopt Bylaw Amendment 19-846: Chapter 153, Stormwater Management - Majority Roll Call Vote).** ► Mr. Jones began to read the bylaw amendment. ► **MOTION to Waive** the balance of the reading by **Hamblen**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Adopt** Bylaw Amendment 19-846: Chapter 153, Stormwater Management by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated this is the second reading for establishing the utility. ► Mr. Earls asked if this should be reviewed with the ad hoc committee, recommendations made, and then put before the Town Council. ► Mr. Hellen discussed why the framework of the utility should be established first. He stated there will probably be a few tweaks needed and noted this will get people's attention. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Earls-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 20-01: Gift Acceptance - Franklin Police Department, \$2,675 (Motion to Approve Resolution 20-01 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-01: Gift Acceptance - Franklin Police Department, \$2,675 by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen thanked the community members for their generous donations. ► **VOTE: Yes-9, No-0, Absent-0.**
- e. **Resolution 20-02: Gift Acceptance - Franklin Council on Aging, \$1,500 (Motion to Approve Resolution 20-02 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-02: Gift Acceptance - Franklin Council on Aging, \$1,500 by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen thanked Fletcher Hospital Corporation for their generous donation and stated donations are greatly appreciated by the Senior Center. ► **VOTE: Yes-9, No-0, Absent-0.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Hellen requested the Town Council discuss the Town Council 2020-2021 Legislative Session Goals agenda item.

**PRESENTATIONS/DISCUSSIONS:** ► **Town Council 2020-2021 Legislative Session Goals.** ► Mr. Hellen stated that every two years, after the election, the Town Council holds its first meeting in January to go through a series of goals for the next two legislative sessions. Traditionally, the administration has put

forth a series of recommendations of projects and goals that they feel have come from the departments. He stated these goals reflect the vast majority of the big picture items that our agencies and departments are requesting to achieve this year. This is by no means a comprehensive list as there will be issues that will come up, items added to this list, and possibly items taken off; however, this is a starting place. He read aloud and discussed each section of the three-page document titled Town Council Meeting 2020 and 2021 Goals, Town Council Workshop, January 8, 2020, which was provided in the Town Council members' meeting packets. The document contained the following sections: Fiscal, Economic Development-to the EDC, Facilities, DPW, Recreation/Open Space, Community-Generally, Civic Engagement (New), Presentations/Discussions (tentatively/confirmed scheduled dates), Thoughts/Questions/Ideas from Town Councilors. ► Town Council members commented on and/or added items to each section; Mr. Hellen took note of this information. ► Chair Mercer stated this is a very aggressive list of 2020-2021 goals. He thanked Mr. Hellen for bringing these goals forward. He stated the Town Council looks forward to striving to achieve as many of these goals as they can over the next two years.

**FUTURE AGENDA ITEMS:** ► Mr. Bissanti stated he met with a homeless advocate, and he and Ms. Pellegrini have been working together on this issue. He stated they will be bringing food to Gilly's House. As well, he confirmed Milford offers shelter to the homeless through three of their churches on a rotating basis on very cold nights. He has been trying to find warm rooms for the nights that get below 18 degrees; they have not found anything in Franklin, yet. He is still working on this issue. He noted the Rod & Gun Club will be hosting their breakfast on Sunday, January 12, 2020.

**COUNCIL COMMENTS:** ► Ms. Hamblen stated happy new year to everyone. ► Ms. Pellegrini stated Mr. John Crehan, former animal control officer and DPW employee, passed away this week. Former Police Chief Stephan Semerjian's wife, Susan Semerjian, passed away this week. She discussed small nip bottles and said the Town of Falmouth is looking into putting some type of deposit on these. She thanked Mr. Earls and Mr. Cantoreggi for representing the Town at the Mass Municipal Association. She noted the Rod & Gun Club will be hosting their breakfast on Sunday, January 12, 2020. She discussed the process to register to vote. She stated that the problem is not getting people to register to vote, it is getting people to get out to vote on the election day. If anyone has ideas about how to get people to get out to vote, please get in touch with her. ► Mr. Bissanti stated it came to his attention on social media that there are some chronic runaway dogs in Franklin. He would like a question and answer session with the new dog officer about this. Many people are confused about what happens when these dogs get away on a chronic basis. ► Mr. Hellen stated he will add this item to the agenda after the current dog officer retires. ► Mr. Kelly and Mr. Jones gave prayers to the Semerjian and Crehan families. ► Mr. Jones congratulated Lyndon Gruner, senior at Franklin High School, who was recently promoted to the highest rank of Chief in the U.S. Naval Sea Cadet Corps; this is a huge undertaking and a tremendous honor. He congratulated his son who recently completed Petty Officer Leadership Training during his vacation. ► Mr. Dellorco gave condolences to the Semerjian and Crehan families. ► Chair Mercer gave his condolences and prayers to the Semerjian and Crehan families. He requested that Mr. Hellen ask the high school students who were involved in the Plastic Bag bylaw to attend the Town Council meeting when the bylaw will be voted through. ► Mr. Hellen stated he would coordinate that. ► Ms. Pellegrini suggested a proclamation be prepared for the high school students.

**EXECUTIVE SESSION: None.**

**ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:57 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

# APPOINTMENTS

## Franklin Cultural Council

**Theodore D. Cormier-Leger**

3 Ashbury Drive  
Franklin, MA 02038



The Franklin Cultural Council has recommended the appointment of Theodore D. Cormier-Leger to serve as a member of the Franklin Cultural Council with a term to expire on June 30, 2022.

**MOTION** to ratify the appointment by the Town Administrator of Theodore D. Cormier-Leger to serve as a member of the Franklin Cultural Council.

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**DATED:** \_\_\_\_\_, 2020

**A True Record Attest:**

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

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

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**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:** December 17, 2019

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**Name:** Theodore D Cormier-Leger

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**Home Address:** 3 Ashbury Drive  
Franklin

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**Mailing Address:** 3 Ashbury Drive  
Franklin

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**Phone Number(s):**

---

**Email Address:**

---

**Current Occupation/Employer:** Realtor/Artist/Dad

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**Narrative:** I have my Bachelors in Fine Art and have been exhibiting my work for more than 20 years throughout Mass. I also have experience with community theatre and sitting on local boards. I have more than 20 years of professional experience in the non profit sector, focused primarily on fundraising and program development which included the writing and submission as well as follow up for many grants.

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**Board(s) / Committee(s):** \_\_\_ Franklin Cultural Council

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**POST RETIREMENT BENEFITS ACTUARIAL VALUATION  
OF  
THE TOWN OF FRANKLIN**

June 30, 2019 Actuarial Valuation Report

GASB 74 & 75



**TABLE OF CONTENTS**

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## **Introduction**

This report presents the Governmental Accounting Standards Statements 74 & 75 based on the findings of an actuarial valuation as of July 1, 2019, of the Franklin OPEB Plan. The liabilities were rolled forward from July 1, 2019. The Net Position Restricted for OPEB was not.

The actuarial valuation is based on:

- Plan Provisions as of July 1, 2019.
- Employee data provided by the Town
- Asset provided by the Town as of June 30, 2019
- Actuarial assumptions approved by the Sherman Actuarial Services and the Town

The valuation and forecast do not account for any subsequent changes in the plan.

## **GASB Statements No. 74 and No. 75**

Effective for periods beginning after June 15, 2015, the Governmental Accounting Standards Board (GASB) requires the disclosure of Other Post Employment Benefits (OPEB) related liabilities for public employer financial statements in accordance with Statements 74 and 75. These statements, which amend GASB Statements No. 43 and No. 45, must be adhered to by any public employee retirement system that follows Generally Accepted Accounting Principles (GAAP).

These disclosures are intended to establish a reporting framework that distinguishes between:

- current financial information about plan assets and financial activities,
- actuarially determined information from a long-term perspective,
- the funded status of the plan, and
- progress being made in accumulating sufficient assets to pay benefits when due.

The statement requires the system to present two financial statements – a statement of fiduciary net position and a statement of changes in fiduciary net position. The statement of fiduciary net position presents the following items as of the end of the plan’s reporting period, as applicable:

- Assets
- Deferred outflows of resources (consumption of net assets by the employers that is applicable to a future reporting period)
- Liabilities
- Deferred inflows of resources (acquisition of net assets by the employers that is applicable to a future reporting period)
- Fiduciary net position (Assets + Deferred outflows – Liabilities – Deferred inflows)

The system is considered a single employer OPEB plan since obligations exist for employees of one employer and plan assets can be used to pay the benefits of the employees of the employer.

This report does not include all items required under GASB Statements No. 74 and No. 75. Rather, it provides all items required that are not readily available from other sources and investment reports prepared by the plan’s investment consultant.

### Discount Rate

The discount rate, and all other actuarial assumptions, are those as those described in Exhibit 4. The discount rate was selected based on a projection of employer and employee contributions, benefit payments, expenses and the long term expected rate of return on trust assets.

Based on these laws and assumptions, the OPEBs plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on OPEB plan investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

The Town selected 7.5% as the long term expectation of investment returns.

### Net Position Restricted for OPEB

The Net Position Restricted for OPEB Plan Benefits as of June 30, 2019 is \$5,706,986. The 2019 Annual Statement of the Financial Condition contains the values for previous years and the changes in Net Position Restricted for OPEB Plan Benefits. Investments are reported at fair value.

June 30, 2018 Net Position	4,488,685
Employer Contributions	3,346,111
Employee Contributions	0
Other Payments	0
Benefit Payments	(2,404,111)
Expenses	(4,010)
Investment Income	<u>280,311</u>
June 30, 2019 Net Position	5,706,986

**OPEB Liability as of June 30, 2019**

The following presents the changes in the OPEB liability during FYE 2019.

June 30, 2018 Liability	78,437,012
Service Cost	2,355,858
Interest on Liability and Service Cost	5,960,335
Change in Plan Provisions	0
Experience (Gain) and Loss	(7,641,391)
Change in Assumptions	(2,157,806)
Benefit Payments	(2,692,152)
Other	<u>0</u>
June 30, 2019 Liability	74,261,856

**Net OPEB Liability as of June 30, 2019**

The following presents the net OPEB liability of the system calculated using the discount rate of 7.5%, as well as what the system's net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5%) or 1-percentage-point higher (8.5%) than the current rate. The Plan Fiduciary Net Position as a percentage of the Total OPEB Liability is 7.7%.

	<b>1% Decrease (6.5%)</b>	<b>Current Discount Rate (7.5%)</b>	<b>1% Increase (8.5%)</b>
Total OPEB Liability	85,217,044	74,261,856	65,276,470
Plan Fiduciary Net Position	<u>5,706,986</u>	<u>5,706,986</u>	<u>5,706,986</u>
Net OPEB Liability	79,510,058	68,554,870	59,569,484

The following presents the net OPEB liability of the system calculated using the current trend rates, as well as what the system's net OPEB liability would be if it were calculated using trend rates 1-percentage-point lower for all years or 1-percentage-point higher than the current rates.

	<b>1% Decrease</b>	<b>Current Trend</b>	<b>1% Increase</b>
Total OPEB Liability	87,974,513	74,261,856	63,256,534
Plan Fiduciary Net Position	<u>5,706,986</u>	<u>5,706,986</u>	<u>5,706,986</u>
Net OPEB Liability	82,267,527	68,554,870	57,549,548

### **OPEB Expense for FYE 2019**

Service Cost	2,355,858
Interest	5,960,335
Difference in Experience - Amortization	(1,168,408)
Change in Assumptions - Amortization	(329,940)
Changes in Plan Provisions	0
Employee Contributions	0
Projected Earnings	(371,190)
Administration Expense	4,010
Other Changes in Fiduciary Net Position	0
Asset (Gain) / Loss Amortization	<u>(71,523)</u>
Total Expense	6,379,141

### **Schedules of Required Supplementary Information**

	<u>2019</u>
Total OPEB Liability – Beginning	78,548,421
Total OPEB Liability – Ending (a)	74,261,856
Plan Fiduciary Net Position – Beginning	4,488,685
Plan Fiduciary Net Position – Ending (b)	5,706,986
Net OPEB Liability – Ending (a) – (b)	68,554,870
Plan Fiduciary Net Positions as a percentage of the Total OPEB Liability	7.7%
Covered-employee payroll	62,576,672
Net OPEB Liability as a percentage of Covered-employee Payroll	109.6%

### Schedule of Net Position Restricted for OPEB Plan Benefits Amortization Recognition

Below is the schedule of amortization adjustments to the OPEB Expense for the coming years. A positive number indicates that the actual return was less than the expected return and will be added to the OPEB Expense.

#### Investment Return

<u>FYE</u>	<u>(Gain) / Loss</u>	<u>Period</u>	<u>Increase (Decrease) arising from (Gains) or Losses</u>					
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	
2019	90,880	5	18,176	18,176	18,176	18,176	18,176	18,176
2018	(105,310)	5	(21,062)	(21,062)	(21,062)	(21,062)	(21,062)	
2017	(343,186)	5	(68,637)	(68,637)	(68,638)			

#### Experience

<u>FYE</u>	<u>(Gain) / Loss</u>	<u>Period</u>	<u>Increase (Decrease) arising from (Gains) or Losses</u>						
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
2019	(7,641,391)	6.54	(1,168,408)	(1,168,408)	(1,168,408)	(1,168,408)	(1,168,408)	(1,168,408)	(630,943)

#### Assumptions

<u>FYE</u>	<u>(Gain) / Loss</u>	<u>Period</u>	<u>Increase (Decrease) arising from (Gains) or Losses</u>						
			<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
2019	(2,157,806)	6.54	(329,940)	(329,940)	(329,940)	(329,940)	(329,940)	(329,940)	(178,166)

### Reconciliation of Net OPEB Liability for 2019

NOL Beginning of Year	73,948,327
OPEB Expense	6,379,141
Employer Contributions	(3,634,152)
Deferred Outflow Changes	72,704
Deferred Inflow Changes	(8,211,150)
Revenue	0
NOL End of Year	68,554,870

## **EXHIBITS**



## EXHIBIT 1 – MEDICAL PREMIUM

### Monthly Premiums effective July 1, 2019

Health benefits are available to employees and retirees through a number of plans. The following are gross monthly rates per subscriber for plans in which current Town employees and/or retirees are enrolled:

Harvard Pilgrim HMO Town (individual)	\$795.80
Harvard Pilgrim HMO Town (family)	\$2,033.70
Harvard Pilgrim HMO School (individual)	\$954.96
Harvard Pilgrim HMO School (family)	\$2,440.44
Harvard Pilgrim High Deductible (individual)	\$678.62
Harvard Pilgrim High Deductible (family)	\$1,734.27
Harvard Pilgrim PPO (individual)	\$988.51
Harvard Pilgrim PPO (family)	\$2,753.05
Harvard Pilgrim Medicare (individual)	\$339.34

Post 1990 retirees contribute towards their coverage in the amount of 32% of stated premiums, with the PPO plan and surviving spouses, which is paid at 50% by the Town. Pre-1990 retirees contribute 13% and 32%.

## EXHIBIT 2 – MEMBERSHIP DATA

As of July 1, 2019

Number of Participants included in valuation

	<b>School</b>	<b>Town</b>	<b>Water</b>	<b>Total</b>
Actives	713	227	6	946
Retired & Spouses	466	177	0	643
Total	1,179	404	6	1,589

## **EXHIBIT 3 – SUMMARY OF PLAN PROVISIONS:**

***Retirement Medical Insurance:*** All retirees not in the Blue Care Elect PPO plan pay a 32% share of their post-retirement medical costs. Retirees in the Medex plan pay 32% and surviving spouses pay a 50% cost share.

***Life Insurance:*** The Town of Franklin contributes \$2.15 per month for each retiree receiving \$5,000 basic life insurance. Retirees that opt for life insurance pay \$2.15 per month for coverage.

***Spousal Coverage:*** Current and future retirees may elect to include their spouses as part of their post-retirement benefits. There is lifetime spousal coverage for medical insurance.

***Administrative Costs:*** The Town pays administrative costs for each member of the plan as part of the monthly premium.

***Section 18 Coverage:*** The Town has elected to adopt Section 18 under Chapter 32B of the General Laws of Massachusetts, which requires that an employee or retiree must participate in the Medicare program as the primary payer once one reaches age 65 and is Medicare eligible.

***Retirement Eligibility:*** Age 55 with 10 years of service, or 20 years of service. For a Group 1 employee hired on or after April 2, 2012, attainment of age 60 and completion of ten years of service

***Ordinary Disability Eligibility:*** 10 years of service and under age 55.

***Termination Eligibility:*** 10 years of service.

## EXHIBIT 4 – ACTUARIAL METHODS AND ASSUMPTIONS:

### All Groups

#### TOWN OF FRANKLIN, ALL GROUPS

<b><i>Interest:</i></b>	Full Prefunding: 7.50% per year, net of investment expenses				
<b><i>Actuarial Cost Method:</i></b>	Entry Age Normal. Benefits are attributed ratably to service from date of hire until full eligibility date. Full eligibility date is assumed to be first eligibility for retiree medical benefits.				
<b><i>Healthcare Cost Trend Rate:</i></b>	<table> <thead> <tr> <th><u>Year</u></th> <th><u>Inflation Rate</u></th> </tr> </thead> <tbody> <tr> <td>2019 &amp; after</td> <td>4.5%</td> </tr> </tbody> </table>	<u>Year</u>	<u>Inflation Rate</u>	2019 & after	4.5%
<u>Year</u>	<u>Inflation Rate</u>				
2019 & after	4.5%				
<b><i>Participation:</i></b>	95% of future retiree teachers and are assumed to participate in the retiree medical plan, 70% of future non-teacher retirees are expected to participate in the retiree medical plan and 75% of future retirees are expected to elect life insurance.				
<b><i>Marital Status:</i></b>	80% of male employees and 60% of female employees are assumed to have a covered spouse at retirement. Wives are assumed to be three years younger than their husbands.				
<b><i>Pre-Age 65 Retirees:</i></b>	<p>Current retirees who are under age 65 are assumed to remain in their current medical plan until age 65.</p> <p>Current active employees who are assumed to retire prior to age 65 are valued with a weighted-average premium. This weighted-average premium is based on the medical plan coverage of current retirees under age 65.</p>				
<b><i>Post-Age 65 Retirees:</i></b>	Current retirees over age 65 remain in their current medical plan until death for purposes of measuring their contributions. It is assumed that future retirees are Medicare eligible. It is furthermore assumed that all current retirees under 65 will participate in the Medex plan in the same proportion as current retirees over 65. Per capita costs were developed from the Town				

developed monthly costs. Amounts to be received in the future for the Medicare Part D Retiree Drug Subsidy are not reflected in the valuation.

***Termination Benefit:***

95% of current active teachers and 70% of current active non-teachers over age 50 with at least 10 years of service are expected to elect medical coverage starting at age 65.

***Medical Plan Costs:***

The estimated gross per capita incurred claim costs for all non-Teacher retirees and beneficiaries for 2019-20 at age 64 and 65 are \$14,432 and \$3,501, respectively. The estimated gross per capita incurred claim costs for all Teacher retirees and beneficiaries for 2019-20 at age 64 and 65 are \$17,107 and \$3,646, respectively. Medicare eligible retirees' per capita claims costs at age 65 is \$3,288. It is assumed that future retirees participate in the same manner as current retirees. Employee cost sharing is based on current rates. Future cost sharing is based on the weighted average of the current cost sharing of retirees and beneficiaries.

**TOWN OF FRANKLIN, NON-TEACHERS**

**SEPARATIONS FROM ACTIVE SERVICE:** The below tables represent values of the assumed annual rates of withdrawal, disability, death and service retirement:

**Group 1 and 2**

Age	Disability	Service Retirement				Years of Service	Rates of Withdrawal
		Male	Female	Male Post 2012 Hire	Female Post 2012 Hire		
25	0.0001					0	0.2800
30	0.0002					5	0.1020
35	0.0003					10	0.0650
40	0.0007					15	0.0417
45	0.0010					20	0.0400
50	0.0013	0.0360	0.1019			25	0.0400
55	0.0016	0.0477	0.0469			30+	0.0000
60	0.0018	0.1057	0.0774	0.0477	0.0469		
62	0.0019	0.1473	0.1168	0.0632	0.0509		
65	0.0016	0.2615	0.1939	0.1057	0.0774		
69	0.0014	0.2500	0.2000	0.2136	0.1708		

**Group 4**

Age	Disability	Service Retirements		Years of Service	Rates of Withdrawal
		Pre 2012	Post 2012		
25	0.0005			0 - 1	0.150
30	0.0010			2 - 3	0.125
35	0.0020			4 - 5	0.100
40	0.0025			6 - 7	0.075
45	0.0040	.0443		8 - 9	0.050
50	0.0076	.0382	0.0191	10 - 19	0.060
55	0.0076	.1110	0.0370	20+	0.000
60	0.0065	.1871	0.0936		
62	0.0065	.2176	0.1741		
65	0.0000	1.0000	0.2500		

**Mortality:** It is assumed that mortality for is represented by the various SOA Pub-2010 Public Retirement Plans Mortality Tables specific to the Group, Pre-retirement versus Post, Disabled and Beneficiaries, with Scale MP-2019 improvements until 2025.

**SCHEDULE A - ACTUARIAL ASSUMPTIONS AND METHODS****TOWN OF FRANKLIN, TEACHERS**

SEPARATIONS FROM ACTIVE SERVICE: Representative values of the assumed annual rates of withdrawal and vesting, disability, death and service retirement are as follows:

Age	Disability	Years of Service	Rates of Withdrawal
25	0.0002	0	0.150
30	0.0003	1	0.120
35	0.0006	2	0.100
40	0.0010	3	0.090
45	0.0015	4	0.080
50	0.0019	5	0.076
55	0.0024	10	0.054
60	0.0028	15	0.033
62	0.0030	20	0.020
65	0.0030	25	0.010
69		30+	0.000

Age	Male Service Retirement		Female Service Retirement	
	<20	20+	<20	20+
50	0.00	0.01	0.00	0.01
55	0.02	0.03	0.02	0.04
60	0.12	0.20	0.12	0.16
61	0.15	0.30	0.15	0.20
62	0.18	0.35	0.18	0.25
63	0.15	0.35	0.15	0.25
64	0.25	0.30	0.25	0.30
65	0.40	0.50	0.40	0.40
66	0.40	0.30	0.40	0.30
67	0.40	0.30	0.40	0.25
68	0.40	0.30	0.40	0.35
69	0.40	0.40	0.40	0.35
70	1.00	1.00	1.00	1.00

Teachers electing the increased benefit under Chapter 114 of the Acts of 2000 were assumed to have higher rates of retirement from ages 54 to 62 if their service was greater than 30 years. These rates are the same for males and females. The rate at age 54 is 0.035. The rate increases to 0.06 at age 55, 0.18 at age 56 and 0.30 at age 57. The rate for ages 58, 59 and 62 is 0.40. The rate for ages 60 and 61 is 0.35.

Mortality: It is assumed that both pre-retirement mortality and beneficiary mortality is represented by the RP-2014 White Collar Mortality with Scale MP-2016, fully generational.



## CERTIFICATION:

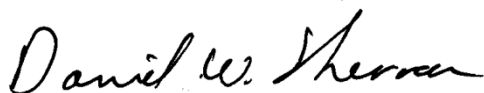
This report fairly represents the actuarial position of the Franklin OPEB Plan as of June 30, 2019, in accordance with generally accepted actuarial principles applied consistently with the preceding valuation. In our opinion, the actuarial assumptions used to compute actuarial accrued liability and normal cost are reasonably related to plan experience and to reasonable expectations, and represents our best estimate of anticipated plan experience.

The funded status measure is appropriate for assessing the sufficiency of plan assets to cover the estimated cost of settling the plan's benefit obligations. The funded status measure is appropriate for assessing the need for or the amount of future contributions.

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: plan experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period or additional cost or contribution requirements based on the plan's funded status); and changes in plan provisions or applicable law. Due to the limited scope of our assignment, we did not perform an analysis of the potential range of such future measurements.

The report was prepared under the supervision of Daniel Sherman, an Associate of the Society of Actuaries and a Member of the American Academy of Actuaries, who takes responsibility for the overall appropriateness of the analysis, assumptions and results. Daniel Sherman is deemed to meet the General Qualification Standard and the basic education and experience requirement in the OPEB area. Based on over thirty years of performing valuations of similar complexity, Mr. Sherman is qualified by experience. Daniel Sherman has met the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Sherman Actuarial Services, LLC



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Daniel W. Sherman, ASA, MAAA

October, 2019

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 17, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

### Re: Zoning Bylaw Amendments

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I am asking the Council to consider referring Zoning Bylaw Amendments 20-849, 20-850, and 20-851 to the Planning Board for their consideration and public hearings. These Zoning Bylaw Amendments were discussed at the 01-08-2020 EDC meeting and unanimously approved by the EDC to be brought to the Town Council for your consideration.

Please see the attached memos and supporting documents from the Community Planning Director Bryan Taberner. I am recommending referral to the Planning Board on all three zoning proposals.

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

# **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 BY-LAW AMENDMENT 20-849: CHANGES TO GROUND-MOUNTED SOLAR ENERGY SYSTEM USE REGULATIONS, AND USE REGULATIONS SCHEDULE UPDATES

**CC:** JAMIE HELLEN, TOWN ADMINISTRATOR; FRANKLIN PLANNING BOARD; MARK CEREL, TOWN ATTORNEY; GUS BROWN, ZONING ENFORCEMENT; AMY LOVE, TOWN PLANNER; CHRISSEY WHELTON, ASSISTANT TO THE TOWN ADMINISTRATOR

**DATE:** JANUARY 14, 2020

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As requested by Town Administration the Department of Planning and Community Development (DPCD) has developed a zoning bylaw amendment intended to limit the number of large Ground-mounted Solar Energy Systems within the Town's residential areas. Several small changes are being proposed related to where in Town ground-mounted solar energy systems may be allowed. In addition, the proposed zoning bylaw amendment revises/updates the Use Regulation Schedule in several places. Zoning Bylaw Amendment 20-849 is attached for consideration. A summary of the proposed changes are below.

### **Ground-mounted Solar-related Changes Proposed**

The Zoning Bylaw Amendment will change the "Large-scale Ground-mounted Solar Energy System" use from may be allowed by Planning Board special permit (PB) to not allowed (N) in three zoning district categories (3 columns in Use Regulation Schedule Part III [Attachment 4]). If these changes are approved the Large-Scale Solar use would only be allowed in the Industrial zoning district.

The above mentioned changes would substantially limit the areas in Town that can be developed by Large-Scale Solar projects, but there would still be a chance that adjacent residential properties or Scenic Roadways could be negatively impacted by Large-Scale Solar projects. For that reason DPCD recommends additional regulation by adding the following note to Use Regulation Schedule Part III:

10. No Medium-scale or Large-scale Ground-mounted Solar Energy Systems on parcels within or adjacent to residential Zoning Districts shall be located nearer to the lot lines than seventy-five (75) feet.

### **Additional Updates Proposed**

There are currently several small revisions/updates needed to Parts I, III and VII of the Use Regulations Schedule. These changes are "housekeeping" issues, and do not change the Zoning Bylaw's use regulations.

During the 2018 and 2019 fiscal years, several Zoning Bylaw Amendments were approved at roughly the same time. Some took several months to get through the amendment process, some were quickly developed and approved, and the Mixed Business Innovation Zoning District (MBI) amendments were drafted in 2017, put on hold for roughly a year, and finally approved in March 2019. The list below provides a description of where the updates are needed:

1. The MBI use regulations amendment (18-830) was approved without adding into the Use Regulations Schedule the uses that had already been added (or amended) when Amendments 18-810, 18-811 and 18-812 (ground mounted solar) and 18-816 (Poultry) were approved. So there are a few blank cells in the use tables in the MBI column.
2. Amendments 18-812 and 18-816 each added an A19 use to Attachment 8.
  - a. Amendment 18-816's A19 use should have been A20.
3. Amendments 18-812 and 18-816 each added a Note 5 to Attachment 8.
  - a. Amendment 18-816's note should have been Note 7.
4. Amendments 18-812 and 18-830 each added a Note 8 to Attachment 4.
  - a. Amendment 18-830's note should have been Note 9.

If Council members support the proposed use regulations changes, I request the Town Council vote to refer Zoning Bylaw Amendment 20-849 to the Planning Board for a Public Hearing. Please let me know if you have questions or require additional information.



**Sponsor:** *Administration*

**TOWN OF FRANKLIN**

**ZONING BY-LAW AMENDMENT 20-849: CHANGES TO  
GROUND-MOUNTED SOLAR ENERGY SYSTEM USE REGULATIONS,  
AND USE REGULATIONS SCHEDULE UPDATES**

**CHANGES TO CHAPTER 185, USE REGULATIONS SCHEDULE  
PARTS I, III, AND VII**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:**

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following **deletions** and **additions** to §185 Use Regulations Schedule Part I, Part III and Part VII, Attachment 2, Attachment 4 and Attachment 8:

185 Attachment 2  
USE REGULATION SCHEDULE  
PART I

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
- N = An excluded or prohibited use.
- BA = A use authorized under special permit from the Board of Appeals.
- PB = A use authorized under special permit from the Planning Board.
- P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
1. Agriculture, horticulture and floriculture															
1.1 Nursery, greenhouse	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	N
1.2 Produce stand <sup>1</sup>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N
1.3 Other, parcel of 5 or more acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
1.4 Other, parcel under 5 acres:															
a. With swine or fur-bearing animals for commercial use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
b. With other livestock	Y <sup>2</sup>	Y <sup>2</sup>	N	N	N	N	N	N	N	N	N	N	N	N	N
c. With no livestock	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N
d. With poultry	Y <sup>3</sup>	Y <sup>3</sup>	N	N	N	N	N	N	N	N	N	N	N	N	N
1.5 Garden Center, Retail or Wholesale	PB	PB	PB	PB	PB	PB	PB	PB	Y	N	Y	PB	PB	PB	PB

NOTES:

- 1 For sale of produce raised or grown on the premises by the owner or lessee thereof.
- 2 Provided that any building or structure is at least 100 feet from the nearest street or property line.
- 3 Any related structure shall be to the rear of the property's primary building, and at least 25 feet from side and rear property lines.

185 Attachment 4  
USE REGULATION SCHEDULE  
PART III

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
- N = An excluded or prohibited use.
- BA = A use authorized under special permit from the Board of Appeals.
- PB = A use authorized under special permit from the Planning Board.
- P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3. Industrial, utility															
3.1 Bus, railroad station	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N
3.2 Contractor's yard															
a. Landscape materials storage and distribution	N	N	N	N	N	N	N <sup>7</sup>	N	N	N	N <sup>7</sup>	P/SP	N	N	N
b. Other	N	N	N	N	N	N	N	N	N	N	N <sup>7</sup>	P/SP	N	N	N
3.3 Earth removal															
a. Earth removal, commercial <sup>3,5,6</sup>	N	N	N	N	N	N	N	BA	BA	N	BA	BA	N	BA	N
b. Earth removal, other <sup>3,4</sup>	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	BA	N
c. Rock quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
e. Production of concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
f. Production of bituminous concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
3.4 Lumberyard	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	N
3.5 Manufacturing and Processing:															
a. Biotechnology <sup>1</sup>	N	N	N	N	N	N	N	N	N	N	N	Y	N	Y	N
b. Light	N	N	N	N	N	N	N	PB	PB	PB	PB	P/SP	N	PB	<del>Y</del> <sup>8</sup> <u>Y</u> <sup>9</sup>
c. Medium	N	N	N	N	N	N	N	N	N	N	N	P/SP	N	N	<del>Y</del> <sup>8</sup> <u>Y</u> <sup>9</sup>
d. Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
3.6 Printing, publishing:															
a. Under 5,000 square feet	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N
b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	PB	N

185 Attachment 4  
USE REGULATION SCHEDULE  
PART III (Continued)

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
3.8 Research and development:															
a. Biotechnology <sup>1</sup>	N	N	N	N	N	N	N	N	N	N	N	PB <sup>2</sup>	N	PB <sup>2</sup>	N
b. Others	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	P/SP	P/SP
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	N	PB	Y	N	N <sup>7</sup>	Y
3.11 Wholesale office, salesroom:															
a. With storage	N	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N <sup>7</sup>	Y
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N <sup>7</sup>	N <sup>7</sup>	Y
3.12 Conference center	N	N	N	N	N	N	N	N	PB	N	PB	PB	P/SP	PB	P/SP
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	N	PB	PB	PB	PB	PB	PB	N	PB
3.14 Ground-mounted Solar Energy System															
a. Small-scale	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	<u>N<sup>7</sup></u>
b. Medium-scale <sup>(8)(10)</sup>	PB	PB	PB	N <sup>7</sup>	N	N <sup>7</sup>	N	N	PB	N	PB	Y	N	N <sup>7</sup>	<u>N</u>
c. Large-scale <sup>(8)(10)</sup>	<del>PB</del> <u>N</u>	<del>PB</del> <u>N</u>	N	N	N	N	N	N	N	N	<del>PB</del> <u>N</u>	Y	N	N	<u>N</u>

NOTES:

1. Subject to § 185-42.
2. Biotechnology uses are permitted in the portions of the Industrial District and Office District which are in the Biotechnology Uses Overlay District.
3. See § 185-23, specifically, § 185-23A, Exemptions.
4. See § 185-44, "Administration and enforcement," for general special permit filing information, and § 185-23, Earth removal regulations, for specific filing information.
5. Any commercial earth removal is not permitted within a Water Resource District.
6. See § 185-3 for "commercial earth removal" definition.
7. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
8. Planning Board Site Plan Review is required of all Medium-scale and Large-scale Ground-mounted Solar Energy Systems.
- 9.** All forms, solid, liquid and gas, of the following classes of hazardous materials shall be prohibited from the zone: Corrosives; Organic Peroxides; Oxidizers Pyrophoric; Toxic and Highly toxic; Unstable; and Water Reactive.
- 10. No Medium-scale or Large-scale Ground-mounted Solar Energy Systems on parcels within or adjacent to residential Zoning Districts shall be located nearer to the lot lines than seventy-five (75) feet.**



185 Attachment 8  
USE REGULATION SCHEDULE  
PART VII

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

BA = A use authorized under special permit from the Board of Appeals.

PB = A use authorized under special permit from the Planning Board.

P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Accessory Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
A1 Boarding	N	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	N	N
A2 Contractor's yard	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N
a. Landscape materials storage and distribution	N	N	N	N	N	Y <sup>3</sup>	Y <sup>3</sup>	N	N	N	Y	Y	N	N	N
A3 Home occupation (See § 185-39B.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N	N	N	N	N	Y <sup>1</sup>	N	Y <sup>1</sup>	Y <sup>1</sup>	Y <sup>1</sup>	Y	Y	N	Y <sup>1</sup>	Y
A5 Off-street parking (See § 185-39C.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A6 Professional office, studio (See § 185-39A.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
A7 Restaurant, bar	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N	N	N	N	N	Y	N	Y	Y	Y	Y	Y <sup>2</sup>	N	Y <sup>2</sup>	Y
A9 Scientific use in compliance with § 185-37	BA	BA	BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y	Y
A10 Signs (See § 185-20.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A11 Single-family dwelling for personnel required for safe operation	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
A12 Other customary accessory uses	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
A13 Other retail sales, services	N	N	N	N	N	Y	N <sup>4</sup>	Y	Y	Y	Y	Y	Y	Y	Y
A13.1 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	BA
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	Y
A15 Warehouse/distribution facility	N	N	N	N	N	N	N	N	Y	N	Y	Y	N	Y	Y
A16 Wholesale office, salesroom															
a. With storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	Y
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y <sup>2</sup>	Y	Y
A17 Catering	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y
A18 Function hall	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y
A19 Ground-mounted Solar Energy System <sup>5</sup>															
a. Small-scale	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
b. Medium-scale <sup>6</sup>	PB	PB	PB	PB	PB	N	PB	N	PB	N	PB	Y	N	PB	<u>N</u>
<b>A19 20</b> Agricultural with Poultry, parcel under 5 acres	<u>Y<sup>5</sup> Y<sup>7</sup></u>	<u>Y<sup>5</sup> Y<sup>7</sup></u>	<u>Y<sup>5</sup> Y<sup>7</sup></u>	<u>Y<sup>5</sup> Y<sup>7</sup></u>	<u>Y<sup>5</sup> Y<sup>7</sup></u>	<u>Y<sup>5</sup> Y<sup>7</sup></u>	<u>Y<sup>5</sup> Y<sup>7</sup></u>	N	N	N	N	N	N	N	<u>N</u>

NOTES:

1. But N if occupying more than 50% of the floor area occupied by the principal use and not more than five persons employed on the premises in the DC District and CI District and not more than 10 persons in the CII District and O District.
2. Provided that no more than 25% of the total floor space is used for display or retailing.
3. Such uses shall be restricted to seasonal operations only.
4. Accessory retail sales within a Country Store, as defined in §185-3, shall not exceed 50% of the establishment's floor area open to the public.
5. See §185-19, "Accessory buildings and structures".
6. Planning Board Site Plan Review is required of all Medium-scale Ground-mounted Solar Energy Systems.
7. Any related structure shall be to the rear of the property's primary building, and at least 25 feet from side and rear property lines.

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.

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**DATED:** \_\_\_\_\_, 2020

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**ABSENT** \_\_\_\_\_

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

**RECUSED** \_\_\_\_\_

---

**Glenn Jones, Clerk**  
**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 20-850 AND 20-851, ZONING MAP CHANGES TO BETTER DEFINE THE TOWN OF FRANKLIN'S ZONING DISTRICTS

**CC:** JAMIE HELLEN, TOWN ADMINISTRATOR, FRANKLIN PLANNING BOARD;  
MARK G. CEREL, TOWN ATTORNEY; AMY LOVE, TOWN PLANNER;  
CHRISSEY WHELTON, ASSISTANT TO THE TOWN ADMINISTRATOR

**DATE:** JANUARY 14, 2020

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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 20-850 and 20-851.

**Zoning Bylaw Amendment 20-850:** Zoning Map Changes From Rural Residential II and Single Family Residential III, Rural Residential II and Single Family Residential IV, Single Family Residential III and Single Family Residential IV, or Rural Residential II, Single Family Residential III and Single Family Residential IV, To Rural Residential II, Single Family Residential III, or Single Family Residential IV, An Area On Or Near Highland, Maple and Lincoln Streets.

**Zoning Bylaw Amendment 20-851:** 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 and Dailey Drive.

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.



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 20-850**

**ZONING MAP CHANGES FROM RURAL RESIDENTIAL II AND SINGLE FAMILY RESIDENTIAL III, RURAL RESIDENTIAL II AND SINGLE FAMILY RESIDENTIAL IV, SINGLE FAMILY RESIDENTIAL III AND SINGLE FAMILY RESIDENTIAL IV, OR RURAL RESIDENTIAL II, SINGLE FAMILY RESIDENTIAL III AND SINGLE FAMILY RESIDENTIAL IV, TO RURAL RESIDENTIAL II, SINGLE FAMILY RESIDENTIAL III, OR SINGLE FAMILY RESIDENTIAL IV, AN AREA ON OR NEAR HIGHLAND, MAPLE AND LINCOLN STREETS**

**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 **31.28± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

<b>260-055-000</b>	<b>260-059-000</b>	<b>260-064-000</b>
<b>260-058-000</b>	<b>260-060-000</b>	

That 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 **13.25± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

<b>260-039-000</b>	<b>261-013-000</b>	<b>261-016-000</b>
<b>260-049-000</b>	<b>261-015-000</b>	<b>261-017-000</b>
<b>261-012-000</b>		

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential IV to Rural Residential II an area containing **8.33± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

<b>261-002-000</b>	<b>261-003-000</b>	<b>268-014-000</b>
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That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential IV to Single Family Residential IV an area containing **2.72± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

<b>261-008-000</b>	<b>261-009-000</b>	<b>268-018-000</b>
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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 IV an area containing **2.38± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

**269-113-000**

**269-129-000**

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II, Single Family Residential III and Single Family Residential IV to Rural Residential II **11.44± acres** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number

**261-011-000**

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II, Single Family Residential III and Single Family Residential IV to Single Family Residential IV **2.00± acres** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number

**260-052-000**

The area to be rezoned is shown on the attached map (“Proposed Zoning Map Changes, An Area On Or Near Highland, Maple and Lincoln Streets”).

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** \_\_\_\_\_

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

\_\_\_\_\_  
**Glenn Jones, Clerk**  
**Franklin Town Council**

# Proposed Zoning Map Changes

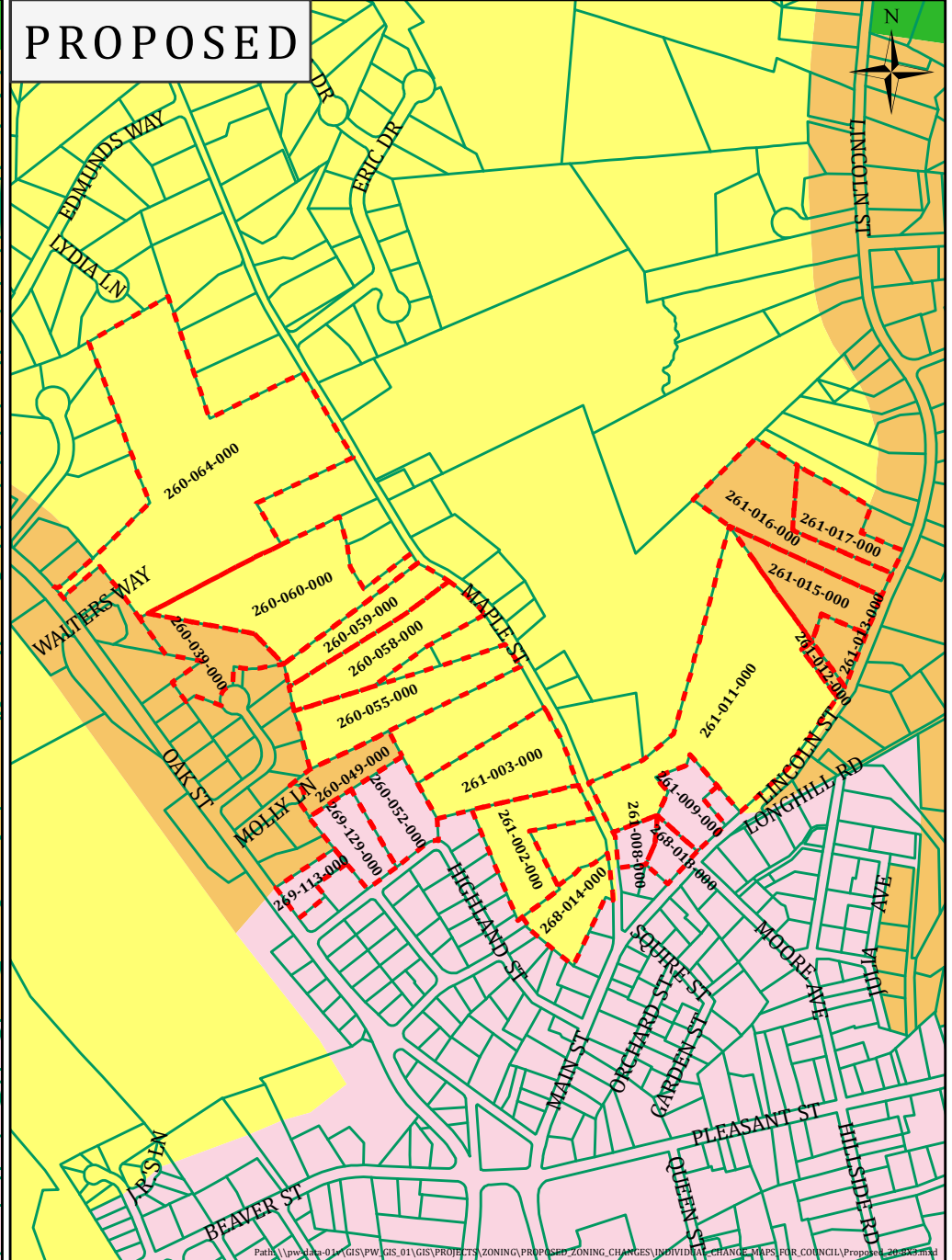
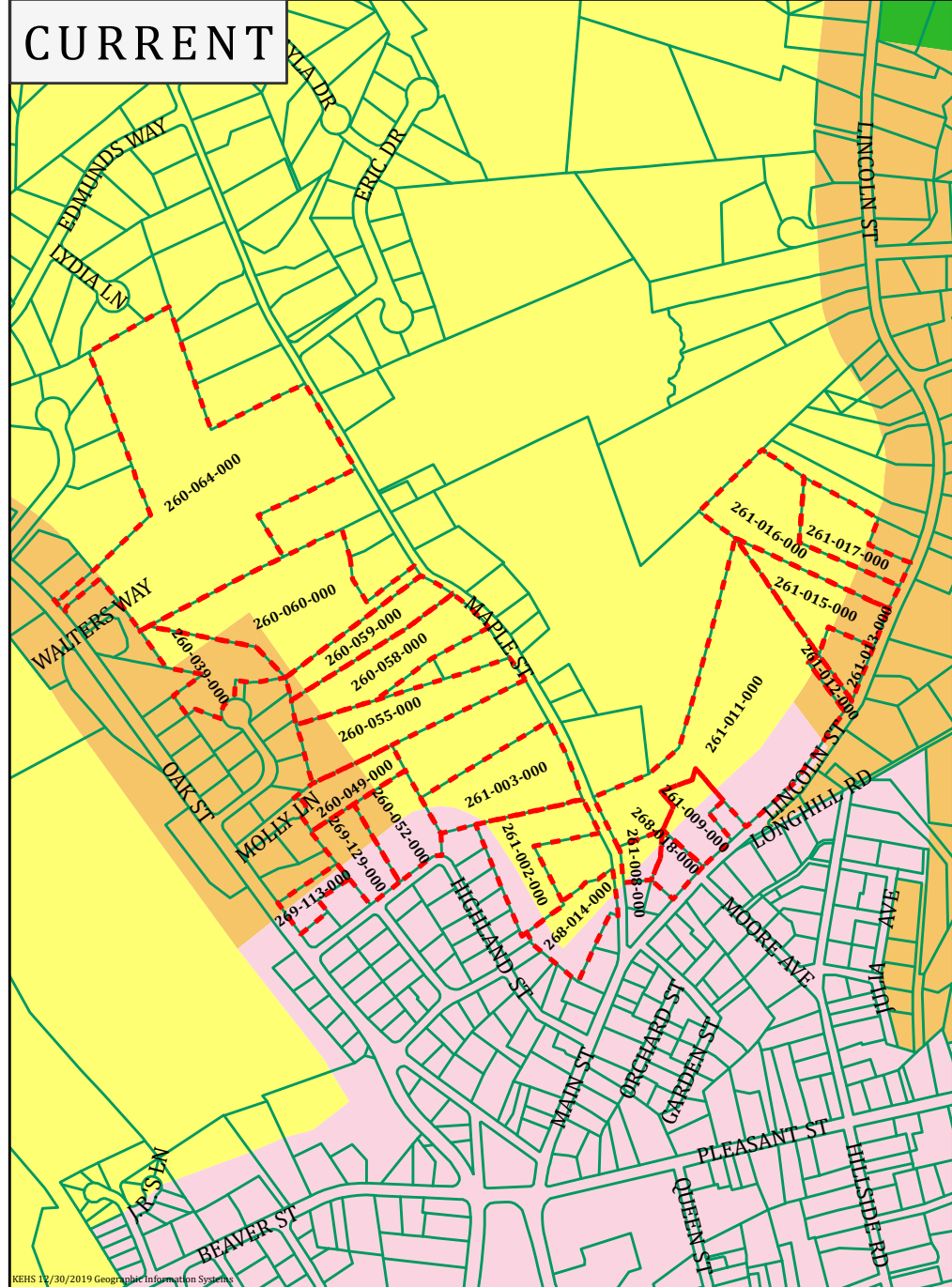
## An Area On Or Near Highland, Maple and Lincoln Streets

From Rural Residential II & Single Family Residential III, Rural Residential II or Single Family Residential IV, Single Family Residential III & Single Family Residential IV, to Rural Residential I, Single Family Residential III, or Single Family Residential IV

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

0 500 1,000 2,000 Feet

20-850



**Proposed Zoning Map Amendment 20-850**

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

**From Rural Residential II & Single Family Residential III, Rural Residential II & Single Family Residential IV, Single Family Residential III & Single Family Residential IV, or Rural Residential II, Single Family Residential III & Single Family Residential IV,  
To Rural Residential II, Single Family Residential III, or Single Family Residential IV  
An Area On Or Near Highland, Maple and Lincoln Streets**

Parcel	Location	Size (acres)	Owners	From	To
260-039-000	8 Pine Knoll Road	2.40600	Laura Brandon	RRII & SFRIII	SFRIII
260-049-000	9 Molly Lane	1.53100	James E and Bridget N Drewry	RRII & SFRIII	SFRIII
260-052-000	85 Highland Street	2.00000	Not Available	RRII, SFRIII & SFRIV	SFRIV
260-055-000	82 Maple Street	3.82200	Francis X and Laureen McKeown	RRII & SFRIII	RRII
260-058-000	140 Maple Street	3.16100	Richard J and Sandra F Frongillo	RRII & SFRIII	RRII
260-059-000	148 Maple Street	2.10700	Marc R and Donna M Carbone	RRII & SFRIII	RRII
260-060-000	Maple Street	5.99100	Town of Franklin	RRII & SFRIII	RRII
260-064-000	206 Maple Street	16.20100	Joanna Marguerite	RRII & SFRIII	RRII
261-002-000	Maple Street	2.92000	Jeryl M. and Mark Linne	RRII & SFRIV	RRII
261-003-000	64 Maple	3.52800	Robert Acevedo and Amy Wood	RRII & SFRIV	RRII
261-008-000	39 Maple Street	0.61270	Karen Rovani, Marc Rovani	RRII & SFRIV	SFRIV
261-009-000	42 Lincoln Street	1.42800	L. M. & W. R. Koplín TR, Koplín Family 2018 Rev TR	RRII & SFRIV	SFRIV
261-011-000	Maple Street	11.44400	Dean College	RRII, SFRIII & SFRIV	RRII
261-012-000	108 Lincoln Street	0.28630	Michael Cornell, Kelly Cornell	RRII & SFRIII	SFRIII
261-013-000	120 Lincoln Street	0.81040	Janyce E. Sarmaniote, Kristine M. Guay	RRII & SFRIII	SFRIII
261-015-000	142 Lincoln Street	2.41600	John F. Jardine, Diane M. Daddario	RRII & SFRIII	SFRIII
261-016-000	154 Lincoln Street	3.70500	Richard R. Lefebvre	RRII & SFRIII	SFRIII
261-017-000	156 Lincoln Street	2.09900	Ronald M & Tara Gurge	RRII & SFRIII	SFRIII
268-014-000	4 Maple	1.88400	Patricia M. Gallagher	RRII & SFRIV	RRII
268-018-000	28 Lincoln	0.68310	Matthew Campbell	RRII & SFRIV	SFRIV
269-113-000	129 Oak Street	0.78460	Daniel P McCarthy	SFRIII & SFRIV	SFRIV
269-129-000	99 Highland Street	1.60000	Michael G. Lang & Nichole Loulache	SFRIII & SFRIV	SFRIV
	Total Area	71.42010			

RRII = Rural Residential II Zoning District  
 SFRIII = Single Family Residential III Zoning District  
 SFRIV = Single Family Residential IV Zoning District



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 20-851**

**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 AND DAILEY DRIVE**

**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 **12.46± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

<b>252-021-000</b>	<b>252-025-000</b>	<b>252-072-000</b>
<b>252-022-000</b>	<b>252-062-000</b>	<b>253-136-000</b>
<b>252-023-000</b>	<b>252-063-000</b>	<b>253-159-000</b>
<b>252-024-000</b>	<b>252-068-000</b>	

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 **5.06± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

<b>252-012-000</b>	<b>252-015-000</b>	<b>253-120-000</b>
<b>252-013-000</b>	<b>252-016-000</b>	<b>253-121-000</b>
<b>252-014-000</b>	<b>252-017-000</b>	<b>253-154-000</b>

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

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** \_\_\_\_\_

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

**RECUSED** \_\_\_\_\_

---

**Glenn Jones, Clerk**  
**Franklin Town Council**

# Proposed Zoning Map Changes

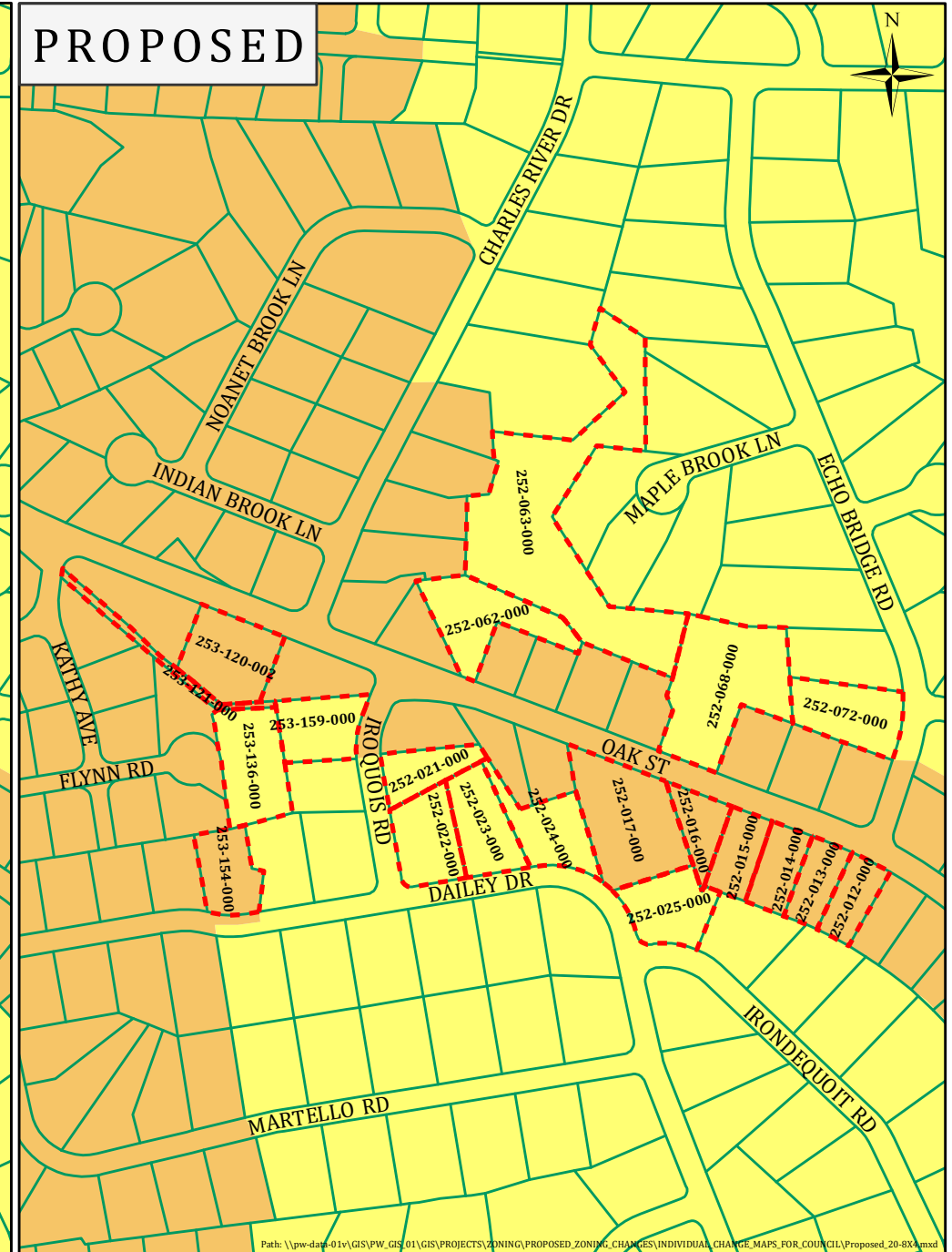
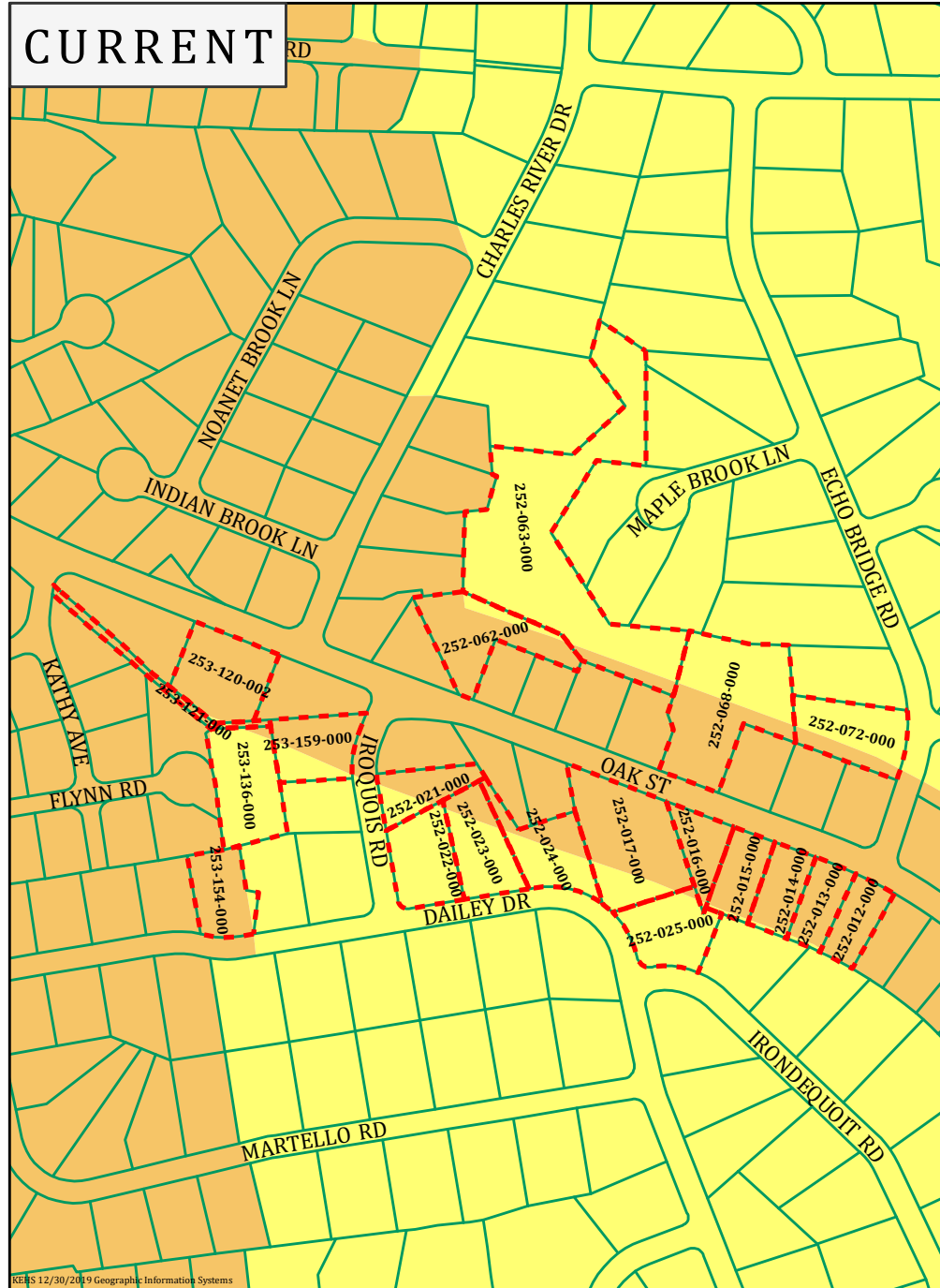
An Area On Or Near Oak Street and Daily Drive  
From Rural Residential II & Single Family Residential III,  
To Rural Residential II or Single Family Residential III

0 250 500 1,000  
Feet

Rural Residential II  
Single-Family III

Area of Proposed Change  
Parcel Line

20-851



**Proposed Zoning Map Amendment 20-851**

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 and Dailey Drive**

Parcel	Location	Size (acres)	Owners	From	To
252-012-000	510 Oak Street	0.4108	Lillian E Okuliczki Realty TR	RRII & SFRIII	SFRIII
252-013-000	512 Oak Street	0.4096	B & J Leblanc, 512 Oak St. Realty TR	RRII & SFRIII	SFRIII
252-014-000	514 Oak Street	0.4375	Kirsten L Braun, Justin Gagne	RRII & SFRIII	SFRIII
252-015-000	520 Oak Street	0.4510	Gordon C & June M Mullett	RRII & SFRIII	SFRIII
252-016-000	530 Oak Street	0.3957	Kurt A & Diane L Doyle	RRII & SFRIII	SFRIII
252-017-000	576 Oak Street	1.3370	Christine M Bracci	RRII & SFRIII	SFRIII
252-021-000	291 Iroquois Road	0.4598	William & Nancy J Farrell	RRII & SFRIII	RRII
252-022-000	406 Dailey Drive	0.6901	Michael E Chandler	RRII & SFRIII	RRII
252-023-000	394 Dailey Drive	0.6888	Margaret A House	RRII & SFRIII	RRII
252-024-000	382 Dailey Drive	0.6890	Robert L Sicard TR	RRII & SFRIII	RRII
252-025-000	264 Dailey Drive	0.6973	Michael F Ferullo & Sharon L Pelley-Ferullo	RRII & SFRIII	RRII
252-062-000	Oak Street	0.9770	Town of Franklin	RRII & SFRIII	RRII
252-063-000	Maple Brook Lane	4.3720	Town of Franklin	RRII & SFRIII	RRII
252-068-000	Oak Street	1.6360	Town of Franklin	RRII & SFRIII	RRII
252-072-000	4 Echo Bridge Road	0.7390	Timothy W & Katherine E Lai	RRII & SFRIII	RRII
253-120-002	610 Oak Street	0.8500	Abdul Rauf Abbasi and Uzma Khanam	RRII & SFRIII	SFRIII
253-121-000	Kathy Ave	0.2152	Town of Franklin	RRII & SFRIII	SFRIII
253-136-000	20 Flynn Road	0.8947	Philippe R & Lisa M Bergeron	RRII & SFRIII	RRII
253-154-000	442 Dailey Drive	0.5785	Brenda L Willis	RRII & SFRIII	SFRIII
253-159-000	Iroquois Road	0.6197	Town of Franklin	RRII & SFRIII	RRII
	Total Area	17.5487			

RRII = Rural Residential II

SFRIII = Single Family Residential III

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 17, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

**Re: Resolution 20-08: Town Council 2020-2021 Goals**

---

I am asking the Town Council to consider their 2020 - 2021 biennial goals, which include the suggestions from the Town Council discussion on January 8th, 2020. The goals comprise a list of projects and initiatives that the staff believe are important to undertake over the course of the next two years and the additional items recommended by the Council. I am recommending approval of this list.

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



**TOWN OF FRANKLIN**

**RESOLUTION 20-08**

**ADOPTION OF TOWN COUNCIL 2020-2021 GOALS**

**WHEREAS,** The Town Council of the Town of Franklin, recognizing the importance of setting goals for projects and initiatives on a biennial basis, wishes to formally adopt the **Town Council 2020-2021 Goals**, dated January 8, 2020; a copy of which is attached hereto as "Exhibit 1",

**NOW THEREFORE, BE IT RESOLVED THAT** the Franklin Town Council hereby adopts the Town Council 2020-2021 Goals of the Town of Franklin dated January 8, 2020, a copy of which is attached hereto as "Exhibit 1"; said adoption is effective until revised or revoked by resolution of the Franklin Town Council.

**DATED:** \_\_\_\_\_, 2020

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

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

\_\_\_\_\_  
**Glenn Jones, Clerk**  
**Franklin Town Council**

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

**Fiscal**

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

**Economic Development – To the EDC**

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

## Facilities

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

## DPW

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

## Recreation/Open Space

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

## Community – Generally

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

### **Civic Engagement (NEW)**

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

### **Presentations/Discussions (tentatively/confirmed scheduled dates)**

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

### **Thoughts/questions/ideas from Town Councilors**

- Approve Snow Removal bylaw on sidewalks
- Animal Control Presentation (presentations & discussions)
- Evaluate Fire Department substation and training center (Facilities)
- Fisher Street superfund site (community- generally)
- Recycling Center Land Swap at Beaver Street (DPW)
- Review BioTechnology Bylaw (EDC)
- Survey DPW to see if we have new well opportunities (DPW)
- EV Charging Stations (Facilities)



- Revise Over 55 Overlay, including open space requirement (EDC)
- Monitor MBTA Land in Franklin Crossing & rail bed line to SNETT (Open Space)
- No Place for Hate Resolution Pledge (Community)
- Monitor Mixed Innovation Business District (EDC)
- Emergency Management Policy Discussion (Presentations/Discussion)
- Review and Prioritize Historical Commission List of Historic Homes (Community)
- Vehicles & Procurement Presentation & Discussion (Finance)
- Analyze Food requirement and closing hours for restaurants (EDC)

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 17, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

**Re: Franklin Permanent Firefighter Association Local 2637 Contract**

---

I am asking the Council to consider the approval of Resolutions 20-06 and 20-07 and to also consider moving Bylaw Amendment 20-852 to a second reading. All three of the resolutions before you tonight relate to the consideration of a collective bargaining agreement with the firefighters union. The Council will meet in Executive Session first, then move back into public session to consider the following proposals.

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



**TOWN OF FRANKLIN**

**RESOLUTION 20-06**

**REQUEST FOR LEGISLATION**

**Exempting all Positions in the Fire Department from Civil Service Law**

**BE IT RESOLVED THAT THE** Town of Franklin, acting by and through its Town Council, hereby requests the General Court to enact a Home Rule Petition to exempt all positions in the Town of Franklin’s Fire Department from GL Chapter 31, the Civil Service Law as follows:

**AN ACT EXEMPTING ALL POSITIONS IN THE CITY KNOWN AS THE TOWN OF FRANKLIN’S FIRE DEPARTMENT FROM THE CIVIL SERVICE LAW.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Notwithstanding the provisions of any general or special law to the contrary, all positions in the City known as theTown of Franklin’s Fire Department in the Town of Franklin shall be exempt from Chapter 31 of the General Laws.

**SECTION 2.** This act shall not impair the civil service status of any person holding a position described in Section 1 on the effective date of this Act.

**SECTION 3.** This act shall take effect on its passage.

**DATED:** \_\_\_\_\_, 2020

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

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

\_\_\_\_\_  
**Glenn Jones, Clerk**  
**Franklin Town Council**



## TOWN OF FRANKLIN

### BYLAW AMENDMENT 20-852

#### CHAPTER 82, MUNICIPAL SERVICE FEES

#### A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 82

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Chapter 82 of the Code of the Town of Franklin is amended at Section 82-4 Community support program by adding Subsection D, set out below and at Section 82-6 Schedule of Service Fees, Subsection F. Fire, by striking existing language and replacing as, set out below:

---

§ 82-4. **Community assistance program.** Under the Community Assistance Program, qualifying residents are eligible to receive discounted rates for certain town services. Participating town departments shall establish application and eligibility verification processes using tax returns as verification of income, dependents or other information to verify eligibility. The program is available to residential households for the following town services:

- A. **Water, sewer and trash discount credits.** Residential water, sewer and trash customers are eligible to receive a twenty-percent credit, per quarter, on their water, sewer and trash bills. Where a bill has been issued prior to an eligibility determination, no abatement will be made unless the amount to be abated amounts to \$10 or more. Discounts are not eligible on penalties for late payment.
- B. **Beaver Street Recycling Center Annual Sticker waiver.** Residents may receive a waiver of the annual sticker for the Beaver Street Recycling Center. Waivers are not granted for individual items being recycled within the Recycling Center.
- C. **Recreation Department program discount.** Residents of Franklin are eligible for up to a 100% discount on registration or program fees for qualifying residents who meet certain income eligibility guidelines.
- D. **Ambulance Billing Hardship. Residents of Franklin who meet eligibility guidelines as promulgated by the Fire Chief to demonstrate economic hardship may receive a discount or waiver on an ambulance service fee.**

§ 82-6. **Schedule of service fees.**

F. Fire

<b>Service Fee</b>	<b>Rate</b>
Ambulance Fees:	
ALS Base Rate 1	<del>\$1,376.00</del> <b><u>\$2,329.00</u></b>
ALS Base Rate 2	<del>\$1,990.00</del> <b><u>\$3,420.00</u></b>
BLS Rate	<del>\$1,159.00</del> <b><u>\$1,477.00</u></b>
<del>Response treatment, no support (Commercial Care Facility Without Transport)</del>	\$935.00
<del>Cardiac monitoring</del>	\$175.00
<del>Extra Attendant — ALS/BLS</del>	\$265.00
<del>IV therapy/drug administration</del>	\$150.00
Mileage	<del>\$22.01</del> <b><u>\$36.12</u></b>
<del>Oxygen</del>	\$80.00
<del>BLS disposable supplies</del>	\$75.00
<del>ALS disposable supplies</del>	\$150.00
Building Plan Review:	
Commercial/Industrial	\$150.00
Residential – Multifamily	\$100.00
Residential – one and two single family	\$65.00
Residential – single family	\$35.00
Storage uses	\$50.00
Utility, miscellaneous	\$50.00
False alarm fee	\$300.00
Fire alarm connection/programming	\$130.00
Fire alarm inspections:	
Less than 3,000 square feet	\$45.00
3,001 to 10,000 square feet	\$60.00
10,001 to 20,000 square feet	\$95.00
20,001 to 30,000 square feet	\$175.00
30,001 or more square feet	\$175.00
Fire permits:	
Blasting permits	\$45.00
Bonfires and burning Christmas trees	\$10.00
Bowling pin and lane refurnishing	\$10.00
Cannon and mortar firing.	\$45.00
Cellulose nitrate film	\$110.00
Combustible fibers	\$110.00
Compressed natural gas (CNG)	\$110.00
Covered mall buildings	\$45.00
Crop ripening or color processing	\$110.00
Cutting and welding	\$45.00
Dust explosion prevention	\$110.00

Explosives	\$45.00
Fire protection equipment – modification	\$60.00
Fire protection systems – new installation	See fire alarm inspections
Fireworks displays	\$110.00
Fireworks manufacture, storage and handling	\$210.00
Flammable and combustible liquids:	
11 to 20 gallons	No charge
21 to 100 gallons	\$75.00
101 to 500 gallons	\$150.00
500 to 1,000 gallons	\$300.00
1,001 to 5,000 gallons	\$450.00
5,001 to 10,000 gallons	\$600.00
10,000 gallons or more	\$750.00
Flammable and combustible gases:	
Less than 3,000 cubic feet	No charge
3,001 to 6,000 cubic feet	\$75.00
6,001 to 9,000 cubic feet	\$150.00
9,001 to 12,000 cubic feet	\$300.00
12,001 to 15,000 cubic feet	\$450.00
Greater than 15,000 cubic feet	\$600.00
Flammable solids:	
0 to 20 pounds	No charge
21 to 100 pounds	\$75.00
101 to 500 pounds	\$150.00
501 to 1,000 pounds	\$300.00
1,001 to 5,000 pounds	\$450.00
5,001 to 10,000 pounds	\$600.00
10,000 gallons or more	\$750.00
Fuel transfer operations – service stations	\$75.00
Fumigation and insecticidal fogging	\$10.00
Hazardous substances left unattended:	
Limited special effects	\$110.00
LP Gas	\$45.00
Lumberyards	\$110.00
Matches	\$45.00
Model rockets	\$45.00
Oil-burning equipment	\$45.00
Open air fires	No charge
Ovens and furnaces	\$45.00
Rubbish containers	\$45.00
Salamanders	\$55.00
Special seasonal decorations	\$60.00

Storage, combustible materials	See storage of flammable and combustible liquids
Tank vehicles parked overnight	\$55.00
Tanks and containers	See storage of flammable and combustible liquids and gases
Tank removal	\$75.00
Tar kettles on roofs	\$45.00
Tire recapping and rebuilding plants	\$210.00
Tire storage	\$75.00
Torches and heat producing devices	\$45.00
Transportation of combustible liquids (tank truck)	\$75.00
Fire protection equipment testing	\$35.00
Fire reports	\$10.00
Quarterly or annual inspections	\$65.00
Site plan review:	
Site plan review	\$50.00
Amended site plan review	\$25.00
Vehicle accidents – fire apparatus response	\$135.00

This bylaw amendment shall become effective on and after April 1, 2020.

**DATED:** \_\_\_\_\_, 2020

A True Record Attest:

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

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

\_\_\_\_\_  
**Glenn Jones, Clerk**  
**Franklin Town Council**



**TOWN OF FRANKLIN**

**RESOLUTION 20-07**

**Ratification of the Franklin Permanent Firefighter Association Local 2637 Contract**

**BE IT RESOLVED THAT THE TOWN OF FRANKLIN** acting by and through the Town Council:

Hereby ratifies the provisions of the Franklin Permanent Firefighter Association Local 2637, Memorandum of Agreement dated January 22, 2020 which has been ratified by the Franklin Permanent Firefighter Association Local 2637 Employees. The provisions of the Agreement shall be in effect from July 1, 2019 to June 30, 2022 and shall become part of the existing contract.

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

**DATED:** \_\_\_\_\_ , 2020

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

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

\_\_\_\_\_  
**Glenn Jones, Clerk**  
**Franklin Town Council**