

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

February 5, 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. January 22, 2020

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

#### 5. APPOINTMENTS

- a. Historical Commission: Randy La Rosa

#### 6. HEARINGS - None Scheduled

#### 7. LICENSE TRANSACTIONS - 7:10 pm

- a. Maks Roast Beef and Breakfast, Inc., New Wine and Malt License, Located at 451 West Central Street, Franklin, MA 02038

#### 8. PRESENTATIONS/DISCUSSIONS

- a. Norfolk County Sheriff Office and House of Corrections Update with Sheriff McDermott
- b. Community Preservation Act Discussion
  - i. Town Administrator Memo & Backup Material

#### 9. SUBCOMMITTEE REPORTS

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

#### 10. LEGISLATION FOR ACTION

- a. Resolution 20-03: Capital FY20 (**Motion to approve Resolution 20-03 - Majority Vote**)
- b. Resolution 20-04: OPEB Trust Funds Transfer (**Motion to approve Resolution 20-04 - Majority Vote**)
- c. Resolution 20-05: Free Cash to Stabilization Accounts Transfers (**Motion to approve Resolution 20-05 - Majority Vote**)

- d. Resolution 20-09: Gift Acceptance - Veterans Services, \$350 (**Motion to approve Resolution 20-09 - Majority Vote**)
- e. Resolution 20-10: Gift Acceptance - Senior Center, \$1000 (**Motion to approve Resolution 20-10 - Majority Vote**)
- f. Resolution 20-11: Gift Acceptance - Police Department, \$300 (**Motion to approve Resolution 20-11 - Majority Vote**)

**11. TOWN ADMINISTRATOR'S REPORT**

**12. FUTURE AGENDA ITEMS**

**13. COUNCIL COMMENTS**

**14. EXECUTIVE SESSION - *None Scheduled***

**15. ADJOURN**

*Note:*

*Two-Thirds Vote: requires 6 votes*

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



**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
January 22, 2020**

A meeting of the Town Council was held on Wednesday, January 22, 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 Pellegri. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

**CALL TO ORDER:** ► Chairman Mercer called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance.

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

**CITIZEN COMMENTS:** None.

**APPROVAL OF MINUTES:** ► *December 18, 2019 and January 8, 2020.* ► **MOTION to Approve** the December 18, 2019 meeting minutes by **Dellorco. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** the January 8, 2020 meeting minutes by **Dellorco. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

**PROCLAMATIONS/RECOGNITIONS:** None.

**APPOINTMENTS:** *Franklin Cultural Council: Theodore D. Cormier-Leger.* ► Mr. Jones read the appointment. ► **MOTION to Ratify** the appointment by the Town Administrator of Theodore D. Cormier-Leger to serve as a member of the Franklin Cultural Council with a term expiring on June 30, 2022, by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen thanked Mr. Cormier-Leger for volunteering. ► Mr. Cormier-Leger thanked the Town Council and stated it is an honor to serve as a member of the Cultural Council. ► Ms. Hamblen asked if Mr. Cormier-Leger's paintings would be at the 67 Degrees brewery. ► Mr. Cormier-Leger said yes. ► **VOTE: Yes-9, No-0, Absent-0.**

**HEARINGS:** None.

**LICENSE TRANSACTIONS:** None.

**PRESENTATIONS/DISCUSSIONS:** ► *OPEB (Other Post-Employment Benefits) Presentation.* ► Mr. Hellen stated that Mr. Daniel Sherman of Sherman Actuarial Services, LLC, will give a short presentation on the actuarial position of the Franklin OPEB Plan as of June 30, 2019; the prepared report was provided in the Town Council members' packets. ► Mr. Sherman stated there are two reports: a 17 to 18-page formal report, and a two-page report. He stated he will begin with the larger report which is an accounting report geared toward the numbers that go into the financial statement, not with the funding of the obligation. He discussed that the Net Position Restricted for OPEB (page 3) shows the OPEB Trust, the money set aside to handle the obligation for post-retirement medical benefits to pay for health and life insurance and in some cases, dental. He stated the June 30, 2018 Net Position was approximately \$4.5 million; the June 30, 2019 Net Position was approximately \$5.7 million. He discussed that the OPEB Liability as of June 30, 2019 (page 4) is approximately \$74.3 million. He reviewed that the OPEB Expenses for FYE 2019 (page 5) are approximately \$6.4 million and noted this is a bookkeeping entry only. He explained the next pages of the report are supplemental information. He reviewed the assumptions (page 13) and stated that most of the assumptions have been the same for the past two evaluations, except the Society for Actuaries has published

new mortality tables which he has adopted. He discussed the two-page document which is set up with a comparison between 2017 and 2019 as those are the dates that full evaluations were done. He noted that 2018 was an interim year and a guesstimate. He stated there is a large increase in assets; liability went up from \$68 million to \$69 million. The unfunded liability went from \$64 million down to \$63 million. The funded ratio went up to 8.2 percent which is high among the Town's peers. He discussed the total required annual contribution is \$5.7 million; this is a little higher than it was two years ago, but lower of an increase than what would have been expected. He stated that the Town pays approximately \$2.6 million as the normal cost; approximately \$3.1 million in new money would be needed to make up the difference. He reviewed strategies for the Town to expand the contributions to hit the target. He explained that when the pension obligation is paid off, the funds can be diverted to fund OPEB. He encouraged the Town to adopt a policy on how they are going to continue funding OPEB. He stated the Town is on the right track and had a good two-year period. ► Town Council members asked questions. ► Mr. Sherman discussed his thoughts on where health care is going in terms of inflation. He reiterated that the Town is ahead of most of its peers and in the top 25-quartile for funding. ► Mr. Hellen stated the Town has a funding policy. There is an appropriation every year in the operating budget and every fiscal year they increase that by \$50,000; 10 percent of Free Cash is also appropriated. The Town generally puts in \$900,000 to \$1.1 million, yearly. He suggested the Town Council may want to review and update the policy. ► Mr. Christopher Sandini, Finance Director, stated it was important to give credit to Mr. Hellen and the Insurance Advisory Committee; the plan design changes have also kept the rate of inflation down. ► Chair Mercer thanked Mr. Sherman for his presentation.

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► Ms. Pellegri stated they had a meeting at which all the departments requesting funds attended. The subcommittee was unanimous in all their decisions which will be coming before the full Town Council on February 5, 2020.
- b. **Budget Subcommittee.** ► Nothing to report.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated they met on January 8, 2020. Some of the items they voted unanimously on are scheduled to be presented to the Town Council. 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.

- a. ***Zoning Bylaw 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).*** ► Mr. Jones read the zoning bylaw amendment. ► **MOTION to Refer Zoning Bylaw Amendment 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations, and Use Regulations Schedule Updates, to the Planning Board by Dellorco. SECOND by Hamblen. Discussion:** Mr. Hellen stated the next three pieces of legislation were unanimously approved by the EDC a few weeks ago. These three bylaws begin the zoning bylaw process. The question before the Town Council is whether or not to refer these to the Planning Board. If they are, the Planning Board will hold a public hearing. If approved by the Planning Board, the legislation will return to the Town Council and another public hearing will be held. The biggest piece of the proposal is to remove only large-scale solar farms in excess of one acre from the residential districts, generally on the peripheral of the community. He stated the main reason is that there is a very successful solar farm on Upper Union Street which actually powers about 90 percent of the Town's electricity for the municipal and school operations. Unfortunately, over the last few years, the solar farm market and the revenue that towns receive from that has drastically changed. He explained that the tax agreements between the solar farms and the towns are not as lucrative as they use to be. He stated that he has also received many residential complaints when these projects have been going through the Planning Board and other permitting agencies; the reality is the return on investment for the community is not there. He stated that at the staff level and the EDC, they are recommending referral to the Planning Board to only remove from the zoning bylaws the ability to do large-scale solar farms in those residential districts. He stated that for folks wanting to put in solar panels on their roofs or back

lawns, the zoning code still allows that. ► Ms. Hamblen added that Mr. Bryan Taberner, Planning and Community Development Director, added a 75 ft. buffer between industrial and residential. ► Mr. Taberner explained the proposed buffer. ► **VOTE: Yes-9, No-0, Absent-0.**

- b. Zoning Bylaw 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).** ► **MOTION to Waive** the reading by **Earls. SECOND** by **Kelly. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Refer** Zoning Bylaw Amendment 20-850: Zoning Map Changes on Or Near Highland, Maple and Lincoln Streets, to the Planning Board by **Dellorco. SECOND** by **Hamblen. Discussion:** Mr. Hellen stated this continues a multi-year project that the Planning and Community Development Department, Town Council, and Planning Board have been embarking on to clean up lot lines throughout the community. ► Mr. Taberner reviewed the lot line clean-up program. He stated this change is for two or more zoning districts within one parcel in the areas noted. He reviewed the provided map of the current and proposed zoning map changes. He stated that in most cases, the zoning change is based on the actual use of the property or the majority of the site. He stated letters were sent to all parcel owners. When this is referred to the Planning Board, all property owners and abutters will be sent the public hearing notice and allowed an opportunity to comment. ► Town Council members asked questions. ► Chair Mercer stated this has been an ongoing project to clean up zoning and lot lines. ► **VOTE: Yes-9, No-0, Absent-0.**
- c. Zoning Bylaw 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).** ► **MOTION to Waive** the reading by **Dellorco. SECOND** by **Kelly. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Refer** Zoning Bylaw Amendment 20-851: Zoning Map Changes on Or Near Oak Street and Dailey Drive, to the Planning Board by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Taberner stated this is the same scenario as the previous piece of legislation. They are looking at parcels in more than one zoning district. He reviewed the provided map of the current and proposed zoning map changes. He said he believes there is nothing in this proposed legislation that will affect property values or how a property owner could develop their lot. He stated the difference between the zoning districts regards lot size, frontage, and setbacks. ► Town Council members asked questions about the zoning districts. ► Mr. Taberner reviewed the residential property sizes and permitted uses. ► **VOTE: Yes-9, No-0, Absent-0.**
- d. Resolution 20-08: 2020-2021 Town Council Goals (Motion to approve Resolution 20-08 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-08: 2020-2021 Town Council Goals by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated these are the goals as discussed at the previous meeting. He noted that based on comments, a few additional items were added to the list. ► Chair Mercer requested that the next time something similar to this comes up, a slide be provided so the chart can be shown to the people watching the meeting. ► **VOTE: Yes-9, No-0, Absent-0.**

**TOWN ADMINISTRATOR’S REPORT:** ► Mr. Hellen had no comments.

**FUTURE AGENDA ITEMS:** ► Mr. Bissanti stated he would like to nominate someone for a proclamation. ► Chair Mercer stated that can be reviewed off-line. ► Mr. Dellorco stated the SAFE Coalition would like to make a presentation to the Town Council.

**COUNCIL COMMENTS:** ► Ms. Chandler stated he was on the Capital Committee. An issue regarded how to get longevity out of Town vehicles. He stated that he received many questions regarding what people are doing with the vehicles and if they are taking them out of town. ► Mr. Hellen stated there is a policy that no vehicles are taken home. ► Ms. Hamblen stated Fairmount Fruit Farm holds its Farmers’ Market this Saturday. There is a fundraiser for SNETT at Pour Richard’s on Sunday from 1 PM to 4 PM. The DPW is running the rain barrel program. As well, there is a stormwater survey available; if taken, the respondent’s

name is put into a raffle to win a rain barrel. ► Mr. Jones said that Franklin is listed as third in the country as one of the safest places to live. ► Mr. Dellorco stated a new office for the SAFE Coalition was opened at 206 Dedham Street, with offices where they can meet privately with people. The grand opening is February 13, 2020 from 4 PM to 8 PM with light refreshments and speakers; a lot of volunteers worked on this.

**EXECUTIVE SESSION:** ► *Collective Bargaining.* ► *The Board votes 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 public body.* ► Chair Mercer stated there is a need for an 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 public body, and the open session will reconvene at the conclusion of the executive session. ► Mr. Jones read the motion to Move that the Franklin Town Council go into 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 public body, and the open session will reconvene at the conclusion of the executive session. ► **MOTION to Enter into Executive Session by Dellorco. SECOND by Kelly. No Discussion.** ► **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.**

*The Open Session of the meeting concluded, and the Executive Session of the meeting commenced at 8:04 PM.*

*The Executive Session of the meeting concluded, and the Open Session of the meeting resumed at 8:36 PM.*

#### **LEGISLATION FOR ACTION (continued):**

- e. 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).* ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-06: Request for Legislation - Exempting all Positions in the Fire Department from Civil Service Laws by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated the next three pieces of legislation all relate to the collective bargaining negotiations with the Fire Department. He stated that with the hopeful approval of these pieces of legislation by the Town Council, this will be a historic day for the community, the folks on the staff, the men and women on the Fire Department, and the citizens and businesses of this community that rely on the Fire Department so heavily. The finer details of the collective bargaining agreement will be spoken to later. He stated that as part of the collective bargaining negotiations, the Civil Service Law that has governed the promotions of the firefighters would go as a Home Rule piece of legislation to the House and Senate, and to the Governor for signature. The first vote for the Town Council is to exempt all positions in the Fire Department from the Civil Service Law; the second provision is that any person currently holding a position in the department would be grandfathered within the Civil Service Commission. He recommended approval of this legislation to forward to the elected officials. ► **VOTE: Yes-9, No-0, Absent-0.**
- f. Bylaw Amendment 20-852: Chapter 82 Municipal Service Fees - 1st Reading (Motion to Move Bylaw Amendment 20-852 to a Second Reading - Majority Vote).* ► Mr. Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 20-852: Chapter 82 Municipal Service Fees to a 2<sup>nd</sup> Reading by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Chandler asked for clarification on the False Alarm Fee of \$300. ► Mr. Cerel stated only the fees indicated are being adjusted. ► Ms. Pellegrini asked for further clarification of the False Alarm Fee. ► Mr. Hellen stated he believed the False Alarm Fee was for extremely egregious behavior where someone was intentionally trying to pull false alarms. ► Chair Mercer stated that going forward, they could amend and clarify the current fee structure, but not in this piece of legislation; he asked Mr. Hellen to put the item on a future agenda. ► **VOTE: Yes-9, No-0, Absent-0.**

- g. Resolution 20-07: Ratification of the Franklin Permanent Firefighter Association Local 2637 Contract (Motion to Approve Resolution 20-07 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-07: Ratification of the Franklin Permanent Firefighter Association Local 2637 Contract by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated this will be the ratification vote of the Franklin Permanent Firefighter Association Local 2637 Contract to be in effect from July 1, 2019 to June 30, 2021. He stated it has been an honor to work with this group on this contract. He stated that this contract responds to the needs of the community and is a historic day for the Franklin Fire Department. ► Chair Mercer applauded the efforts of the firefighters, the firefighters' union representation, the fire department administration, the Town administration, and the HR Director on a tremendous job in putting together this new contract and reorganization of the department. He thanked everyone for doing a wonderful job. ► **VOTE: Yes-9, No-0, Absent-0.**

**ADJOURN: ► MOTION to Adjourn** by **Dellorco. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:51PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

# APPOINTMENTS

## Franklin Historical Commission

**Randy La Rosa**  
298 Main Street  
Franklin, MA 02038



The Franklin Historical Commission has recommended the appointment of Randy La Rosa to serve as a member of the Franklin Historical Commission with a term to expire on June 30, 2022.

**MOTION** to ratify the appointment by the Town Administrator of Randy La Rosa to serve as a member of the Franklin Historical Commission.

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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:** January 15, 2020

**Name:** Randy La Rosa

**Home Address:** 298 Main Street  
FRANKLIN, MA 02038

**Mailing Address:** 298 Main Street  
FRANKLIN, MA 02038

**Phone Number(s):**

**Email Address:**

**Current Occupation/Employer:** Retired School Music Teacher,

**Narrative:** I have been a museum host for the last 3 years, BA from Boston Conservatory of Music, graduate courses taken at the Boston Conservatory and Episcopal School

**Board(s) / Committee(s):** HISTORICAL COMMISSION



## License Transactions:

Applicant: MAKS ROAST BEEF AND BREAKFAST, INC.

The applicant is seeking a new wine and malt beverages restaurant license to be located at 451 West Central Street, Franklin, MA. The License Manager will be Maksim Xhengo.

All departments have signed off on this application.

**MOTION** to approve the request by Maks Roast Beef and Breakfast, Inc. for a new wine and malt beverages restaurant license and to approve the manager, Maksim Xhengo.

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

**VOTED:**

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

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

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

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

**A True Record Attest:**

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

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



# Town of Franklin

355 East Central Street  
Franklin, MA 02038



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

Date: January 13, 2020

**Business Owner:** MAKSIM XHENGO  
First Middle Initial Last

**Address:** 893 WASHINGTON ST FRANKLIN MA 02038 **Telephone #:** \_\_\_\_\_  
Town/City zip

**Email Address:** \_\_\_\_\_

**Name of Business:** MAKS ROAST BEEF & BREAKFAST INC.

**Business Location:** 451 WEST CENTRAL ST., FRANKLIN MA 02038 **Telephone #:** \_\_\_\_\_

**Corporation Name:** (If applicable) MAKS ROAST BEEF & BREAKFAST INC.

**Address:** 451 WEST CENTRAL ST FRANKLIN MA 02038 **FID #** \_\_\_\_\_  
Town/City zip

**Manager Name:** MAKSIM XHENGO  
First Middle Initial Last

**Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Social Security Number:** \_\_\_\_\_

**Enclose Manager Resume that includes duties performed at each location.**

### Description of premises:

One story free standing restaurant containing +/- 2,700 square feet in area, including an Entry/Host Area, Dining Area, Outside Dining Area, and Kitchen, with four (4) points of entrance/egress (1-Entry/Host; 1-Dining Room; 2-Kitchen).

**Sq. Footage** 2,700sf **# of Tables** 20 **# of Seats** 54 **Type of Restaurant** Breakfast/Lunch/Dinner

**Hours of Operation:** MTWTF 8 AM-9PM; SSU 7AM-9PM

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

**Applicant signature:** 

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

**NOTICE OF PUBLIC HEARING  
FRANKLIN, MA**

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**New Annual §12 Wine & Malt Beverages Restaurant License - Maks Roast Beef  
and Breakfast, Inc.**

The Franklin Town Council will hold a Public Hearing on an application by Maks Roast Beef and Breakfast, Inc., located at 451 West Central Street, Franklin, MA for a New Annual §12 Wine & Malt Beverages Restaurant License. The hearing will be held on Wednesday, February 5, 2020 at 7:10 PM in the Council Chambers on the second floor of the Municipal Building, 355 East Central Street Franklin, MA. Information on this application may be obtained in the Town Administrator's Office.

Submitted by,  
Alecia Alleyne  
Licensing Administrator

# MAKSIM XHENGO

Franklin, MA 00238

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## PROFILE:

A dynamic results-oriented entrepreneur offering focused leadership to drive sales and Profitability in highly competitive markets.

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## EXPERIENCE:

<b>MAKS ROAST BEEF, Revere, MA MANAGER AND OWNER</b>	<b>1/2005 – 12/2008.</b>
<b>MAKS ROAST BEEF, Norwood, MA MANAGER AND OWNER</b>	<b>01/2009 – 12/2012</b>
<b>MAKS ROAST BEEF, Bellingham, MA MANAGER AND OWNER</b>	<b>01/2013 – 12/2018</b>
<b>MAKS ROAST BEEF &amp; BREAKFAST, Franklin, MA MANAGER AND OWNER</b>	<b>01/2019 –cont</b>

- Supervision of all aspects of business
- Management of service employees and human resource compliance
- Responsible for health code compliance
- Responsible for food and beverage inventory
- Supports local marketing initiatives.
- Customer service includes greeting customers upon entry, waiting on customers, selling merchandise to customers.
- Ring up retail sales, receive payments and give change.
- Loss prevention responsibility.
- Perform all other related duties and responsibilities as apparent.



# Certificate of Completion

This Certificate of Completion of  
**eTIPS On Premise 3.0**  
For coursework completed on November 6, 2019  
provided by Health Communications, Inc.

is hereby granted to:

**Maksim Xhenngo**

Certification to be sent to:

**Maks Roast Beef and Breakfast**  
451 W Central St  
Franklin MA, 02038-2901 USA





LAW OFFICES  
**CORNETTA, FICCO & SIMMLER, P.C.**  
ATTORNEYS AT LAW  
4 WEST STREET  
FRANKLIN, MASSACHUSETTS 02038

RICHARD R. CORNETTA, JR.

VOICE  
FAX

January 13, 2020

IN HAND FILING

Mr. Tom Mercer, Chairman  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038  
ATTN: Mr. Jaimie Hellen

Re: **Application for New §12 Wine & Malt Beverages License**  
**Applicant: MAKS ROAST BEEF & BREAKFAST, INC.**  
**Premises: 451 West Central Street, Franklin, Massachusetts**

Dear Chairman Mercer:

Please be advised that this firm is legal counsel to MAKS ROAST BEEF & BREAKFAST, INC., in the application for a new General Laws, Chapter 138, §12 Wine & Malt Beverage License and other ancillary licenses and approvals.

Enclosed please find the following in application for the aforementioned, to wit:

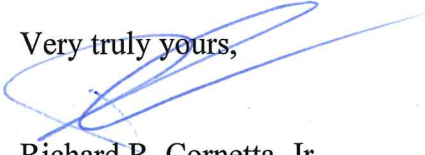
1. Common Victualer License (copy) and Permit to Operate Food Establishment;
2. Application for New License - ABCC MA Retail Alcoholic Beverages License Application Form;
3. Certificate of Good Standing and/or Tax Compliance from Department of Revenue for MAKS ROAST BEEF & BREAKFAST, INC.;
4. Certificate of Compliance with State Laws;
5. Worker's Compensation Insurance Affidavit;
6. Personal Massachusetts Criminal Record Request Form for Maksim Xhengo;
7. TIPS Certificate of Completion for Maksim Xhengo;
8. Copy of Massachusetts Drivers Licenses and US Passport for Maksim Xhengo;
9. Copy of Lease for 451 West Central Street, Franklin, Massachusetts between the MAKKAST REALTY TRUST and MAKS ROAST BEEF & BREAKFAST, INC.;
10. Copy of Floor Plan of licensed premises;

11. Secretary's Certificate (including Articles of Organization, Bylaws and Certificate of Good Standing);
12. Evidence of electronic payment of \$200.00 payable to the Commonwealth of Massachusetts; and
13. Request for Abutters List (Applied For)

Kindly schedule this public hearing for the next available agenda before the Town Council. Kindly provide this office a copy of the proposed notice of public hearing prior to publication.

Please direct all inquiries and communication pertaining to this matter directly to our office. Thank you for your attention to this matter.

Very truly yours,

  
Richard R. Cornetta, Jr.

Encl.





COMMONWEALTH OF MASSACHUSETTS

Town of Franklin

Licensing

Maks Roast Beef and Breakfast

DBA: Maks Roast Beef and Breakfast

NAME

451 WEST CENTRAL ST

ADDRESS

IS HEREBY GRANTED A Common Victualer Restaurant

The license is issued in conformity with the authority granted by General Laws, Chapter 140 and amendments thereto.

This permit is granted in conformity with the Statutes and ordinances relating thereto, and expires December 31, 2019 unless sooner suspended or revoked.

Licensing

James P. Hellen, Town Administrator

NUMBER

[Redacted]

FEE

\$125.00

DATE ISSUED

July 12, 2019





THE COMMONWEALTH OF MASSACHUSETTS

Town of Franklin  
Health Department  
355 East Central Street

NUMBER



FEE:  
\$250.00

PERMIT TO OPERATE A FOOD ESTABLISHMENT

In accordance with Regulations promulgated under authority of Chapter 94; Section 305 A and Chapter III, Section 5 of the General Laws, a Permit is hereby granted to:

Mak's Roast Beef  
451 West Central Street  
Franklin, MA 02038

Permit Expires:  
July 15, 2020

Date issued:  
July 15, 2019

*David E. McKeamey*  
Public Health Director







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

**APPLICATION FOR A NEW LICENSE**

Municipality

FRANKLIN

**1. LICENSE CLASSIFICATION INFORMATION**

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	\$12 Restaurant	Wines and Malt Beverages	Annual

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

Application for new on-premises annual all alcoholic beverage licenses to be used in connection with a new 54 seat general restaurant business serving breakfast, lunch and dinner 364 days per year.

Is this license application pursuant to special legislation?

Yes  No

Chapter

Acts of

**2. BUSINESS ENTITY INFORMATION**

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

Entity Name: MAKS ROAST BEEF & BREAKFAST, INC. FEIN:

DBA:  Manager of Record: MAKSIM XHENGO

Street Address: 451 WEST CENTRAL STREET, FRANKLIN, MASSACHUSETTS 02038

Phone:  Email:

Alternative Phone:  Website:

**3. DESCRIPTION OF PREMISES**

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

One story free standing restaurant containing +/- 2,700 square feet in area, including an Entry/Host Area, Dining Area, Outside Dining Area, and Kitchen, with four (4) points of entrance/egress (1-Entry/Host; 1-Dining Room; 2-Kitchen).

Total Square Footage:	2,700 SF	Number of Entrances:	4	Seating Capacity:	54
Number of Floors:	1	Number of Exits:	4	Occupancy Number:	68

**4. APPLICATION CONTACT**

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

Name: RICHARD R. CORNETTA, JR., ESQUIRE Phone:

Title: ATTORNEY Email:

**APPLICATION FOR A NEW LICENSE**

**5. CORPORATE STRUCTURE**

Entity Legal Structure	<input type="text" value="Corporation"/>	Date of Incorporation	<input type="text" value="Oct 29, 2019"/>
State of Incorporation	<input type="text" value="Massachusetts"/>	Is the Corporation publicly traded? <input type="radio"/> Yes <input checked="" type="radio"/> No	

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST**

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

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

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

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="PRES; TRES; SEC; DIRECTOR"/>	<input type="text" value="100%"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

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

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

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

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

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

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

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

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

Additional pages attached?  Yes  No

**CRIMINAL HISTORY**

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

Yes  No



## APPLICATION FOR A NEW LICENSE

### 6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality

### 6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality

### 6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

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

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

## 7. OCCUPANCY OF PREMISES

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

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

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes  No

## APPLICATION FOR A NEW LICENSE

### 8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	N/A
B. Purchase Price for Business Assets	N/A
C. Other * (Please specify below)	20,000
D. Total Cost	20,000

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

### SOURCE OF CASH CONTRIBUTION

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

Name of Contributor	Amount of Contribution
MAKSIM XHENG0	\$20,000.
Total:	\$20,000.00

### SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
N/A			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

### FINANCIAL INFORMATION

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

PRIVATE FUNDING FROM PRINCIPAL SHAREHOLDER

### 9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge?  Yes  No

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

To whom is the pledge being made?

**10. MANAGER APPLICATION**

**A. MANAGER INFORMATION**

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

Proposed Manager Name  Date of Birth  SSN

Residential Address

Email  Phone

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

**B. CITIZENSHIP/BACKGROUND INFORMATION**

Are you a U.S. Citizen?\*  Yes  No \*Manager must be a U.S. Citizen  
If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.  
Have you ever been convicted of a state, federal, or military crime?  Yes  No  
If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

**C. EMPLOYMENT INFORMATION**

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

Start Date	End Date	Position	Employer	Supervisor Name
03/11/2013	present	Manager	MAK'S ROAST BEEF & PIZZA, LLC	MAKSIM XHENGO

**D. PRIOR DISCIPLINARY ACTION**

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

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

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

Manager's Signature  Date



# 11. MANAGEMENT AGREEMENT

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

Yes  No

If yes, please fill out section 11.

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

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

## 11A. MANAGEMENT ENTITY

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

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

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

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

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

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

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

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

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

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

### CRIMINAL HISTORY

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

Yes  No

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

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

### LICENSE

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

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

Name	License Type	License Name	Municipality

**11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

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

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

Name	License Type	License Name	Municipality

**11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT**

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

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

Licensee Name	License Type	Municipality	Date(s) of Agreement

**11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

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

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

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

**11F. TERMS OF AGREEMENT**

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

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

f. How will the management company be compensated by the licensee? (check all that apply)

- \$ per month/year (indicate amount)
- % of alcohol sales (indicate percentage)
- % of overall sales (indicate percentage)
- other (please explain)

**ABCC Licensee Officer/LLC Manager**

Signature:  *MARSH XHO*

Title:  PRESIDENT

Date:  10/25/2019

**Management Agreement Entity Officer/LLC Manager**

Signature:

Title:

Date:





**APPLICANT'S STATEMENT**

I, **MAKSIM XHENGU** the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of **MAKS ROAST BEEF & BREAKFAST, INC.**  
Name of the Entity/Corporation

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

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

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

Signature: Maksim Xhengu

Date: 10/25/2019

Title: PRESIDENT



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

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
 MONETARY TRANSMITTAL FORM**

**APPLICATION FOR A NEW LICENSE**

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

**ECRT CODE: RETA**

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

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

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

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

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

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

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



## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



MAKSIM CHENGO  
MAKS ROAST BEEF & BREAKFAST INC  
451 W CENTRAL ST  
FRANKLIN MA 02038-2901

### *Why did I receive this notice?*

The Commissioner of Revenue certifies that, as of the date of this certificate, MAKS ROAST BEEF & BREAKFAST INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

**This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.**

### *What if I have questions?*

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 8:30 a.m. to 4:30 p.m..

### *Visit us online!*

Visit [mass.gov/dor](http://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief  
Collections Bureau






**CERTIFICATE OF COMPLIANCE WITH STATE LAWS**

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

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

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

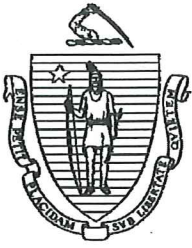
By:   
Corporate Officer  
(Mandatory, if applicable)

Date: 09/01/20

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

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

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



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 600 Washington Street  
 Boston, MA 02111  
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

**Applicant Information**

Please Print Legibly

Business/Organization Name: MAKS ROAST BEEF & BREAKFAST, INC.

Address: 451 WEST CENTRAL STREET

City/State/Zip: FRANKLIN, MA 02038 Phone #: \_\_\_\_\_

**Are you an employer? Check the appropriate box:**

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

**Business Type (required):**

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

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

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

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

Insurance Company Name: Morril insurance group

Insurer's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Policy # or Self-ins. Lic. # \_\_\_\_\_ Expiration Date: 11-6-20

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

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

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

Signature: [Signature] Date: 11/11/19

Phone #: \_\_\_\_\_

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

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

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

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_





MAKSI-1

OP ID: ST

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/06/2019

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

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

<b>PRODUCER</b> Morrill Insurance Agency	<b>CONTACT NAME:</b> Stephanie Gove	
	<b>PHONE (A/C, No, Ext):</b>	<b>FAX (A/C, No):</b>
<b>E-MAIL ADDRESS:</b>		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> Guard Insurance Group		
<b>INSURER B:</b>		
<b>INSURER C:</b>		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**INSURED**  
Maks Roast Beef & Pizza LLC  
Maksim Xhengo  
893 Washington Street  
Franklin, MA 02038

### COVERAGES

### CERTIFICATE NUMBER:

### REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$	
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$	
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$	
<b>A</b>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A		02/10/2019	02/10/2020	<b>X</b> PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ <b>100,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>100,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>500,000</b>	

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

**Maks Roast Beef & Breakfast**

### CERTIFICATE HOLDER

### CANCELLATION

<b>FRANKTO</b>  Town Of Franklin 353 E Central St Franklin, MA 02038	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b> <i>Stephanie Gove</i>
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JEAN M. LORIZIO, ESQ.  
CHAIRMAN

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

CORI REQUEST FORM

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

**ABCC LICENSE INFORMATION**

ABCC NUMBER: <small>(IF EXISTING LICENSEE)</small>	<input type="text"/>	LICENSEE NAME:	MAKS ROAST BEEF & BREAKFAST, INC.	CITY/TOWN:	FRANKLIN
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**APPLICANT INFORMATION**

LAST NAME:	XHENG0	FIRST NAME:	MAKSIM	MIDDLE NAME:	<input type="text"/>
MAIDEN NAME OR ALIAS (IF APPLICABLE):	<input type="text"/>	PLACE OF BIRTH:	<input type="text"/>		
DATE OF BIRTH:	<input type="text"/>	SSN:	<input type="text"/>	ID THEFT INDEX PIN (IF APPLICABLE):	<input type="text"/>
MOTHER'S MAIDEN NAME:	<input type="text"/>	DRIVER'S LICENSE #:	<input type="text"/>	STATE LIC. ISSUED:	Massachusetts
GENDER:	MALE	HEIGHT:	<input type="text"/>	WEIGHT:	<input type="text"/>
			<input type="text"/>	EYE COLOR:	<input type="text"/>
CURRENT ADDRESS:	<input type="text"/>				
CITY/TOWN:	FRANKLIN	STATE:	MA	ZIP:	02038
FORMER ADDRESS:	<input type="text"/>				
CITY/TOWN:	<input type="text"/>	STATE:	MA	ZIP:	<input type="text"/>

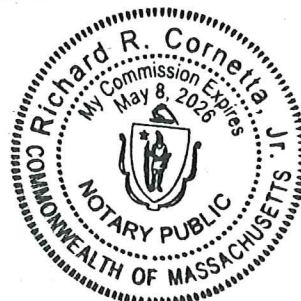
**PRINT AND SIGN**

PRINTED NAME:	MAKSIM XHENG0	APPLICANT/EMPLOYEE SIGNATURE:	
---------------	---------------	-------------------------------	--

**NOTARY INFORMATION**

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

NOTARY



**DIVISION USE ONLY**

REQUESTED BY:	<input type="text"/>
	<small>SIGNATURE OF CORI-AUTHORIZED EMPLOYEE</small>

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

LEASE

ARTICLE 1

Reference, Data and Exhibits

Section 1.1 Data

DATE:

NAME AND LOCATION OF PROPERTY: 451 West Centra Street  
Franklin, Massachusetts 02038

LANDLORD: MAKKAST REALTY TRUST

ADDRESS OF LANDLORD OR  
LANDLORD'S AGENT (For payment of  
Rent and for notices and communications):

TENANT: MAKS ROAST BEEF & BREAKFAST, INC.  
451 West Central Street  
Franklin, Massachusetts 02038

RENTAL AREA  
OF PROPERTY: 2,700 SQUARE FEET

ORIGINAL TERM: Five (5) Years

COMMENCEMENT DATE: January 1, 2019

EXPIRATION DATE: December 31, 2023

OPTION TO RENEW OR  
EXTEND LEASE:

The Tenant has the option to extend this Lease by notifying the Landlord in writing, for FOUR (4) ADDITIONAL TERMS of FIVE (5) YEARS, at the same covenants and conditions of the Lease, and at fair market to be agreed to between the parties. Notice of the Tenant's intention to extend must be received by the Landlord no later than NINETY (90) DAYS prior to the termination of the ORIGINAL TERM. Other than stated within this Agreement, the Tenant shall have no further right to extend the term of the Lease.



BASE ANNUAL

RENT: During the lease term, the Base Annual Rent is in monthly installments on the first day of each and every month, in advance, commencing as per the Lease, will be as follows:

<u>Year</u>	<u>Base Annual Rent</u>	<u>Base Monthly Rent</u>
1-5	\$3,500.	\$42,000.00

PERMITTED

USES: Restaurant Use

ADVANCED RENT: None

SECURITY DEPOSIT: None

TENANT'S PERCENTAGE SHARE OF LANDLORD'S OPERATING EXPENSES,  
REAL ESTATE TAXES AND INSURANCE:

100%

PUBLIC LIABILITY INSURANCE LIMITS:

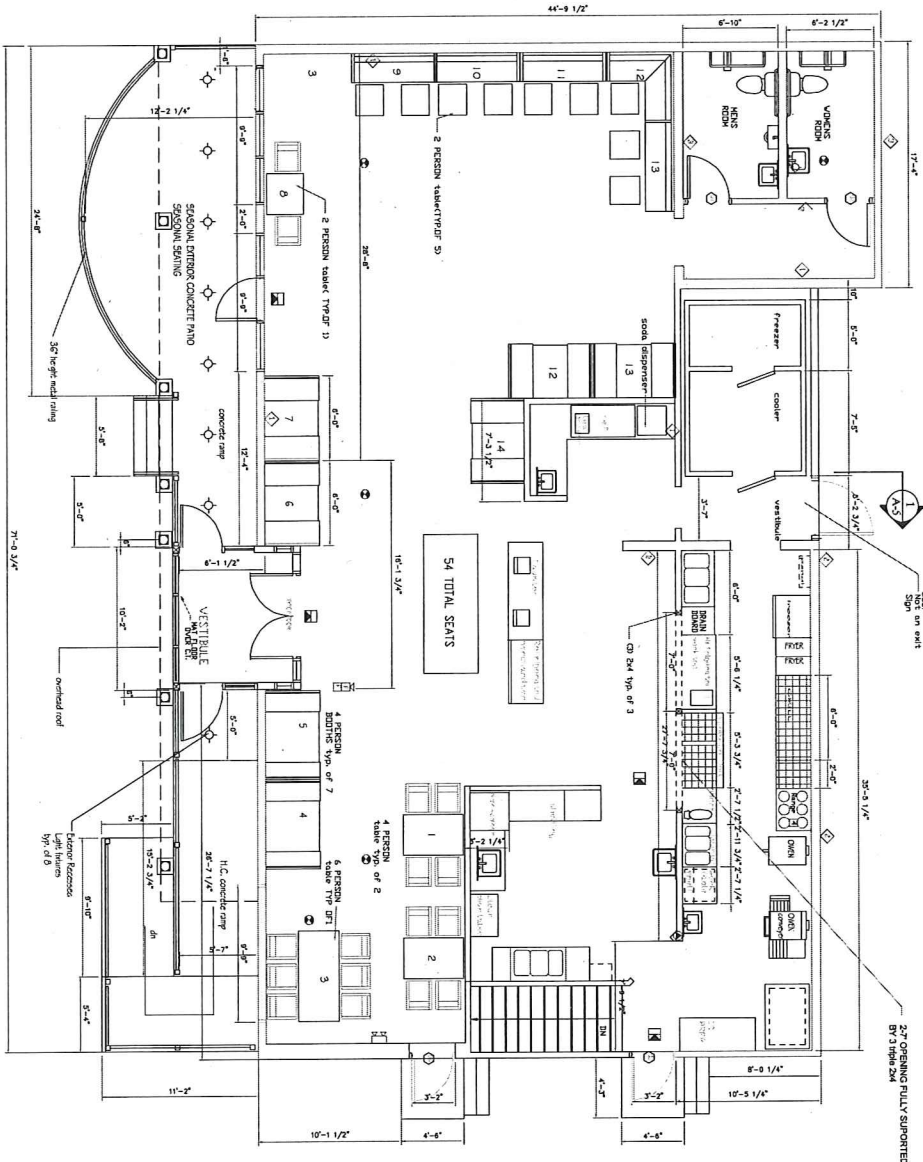
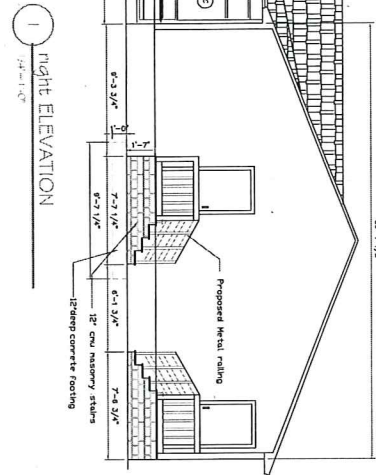
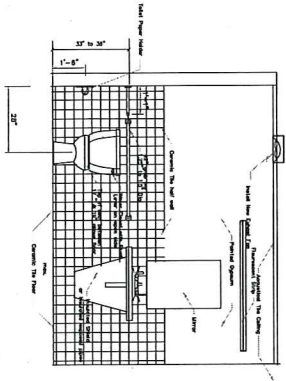
BODILY INJURY: \$1,000,000.00  
PROPERTY DAMAGE: \$1,000,000.00

Section 1.2 Effect of Reference to Data. Each reference in this Lease to any of the titles contained in Section 1.1 shall be construed to incorporate the date stated under that title.

ARTICLE II

Leased Premises and Term

Section 2.1 Leased Premises. The Landlord hereby LEASES to the Tenant, subject to and with the benefit of the terms, covenants, conditions and provisions of this Lease the premises owned by the Landlord, , a free standing one story, approximately 2,700 square foot building, along with adjacent paved parking area.



DOOR SCHEDULE				
MARK	QTY	SIZE WIDTH HEIGHT	TYPE	MATERIAL
1	1	3'-0" 6'-3"	SLIP	CLK
2	1	3'-0" 6'-3"	SLIP	CLK
3	1	3'-0" 6'-3"	SLIP	CLK
4	1	3'-0" 6'-3"	SLIP	CLK
5	1	3'-0" 6'-3"	SLIP	CLK
6	1	3'-0" 6'-3"	SLIP	CLK
7	1	3'-0" 6'-3"	SLIP	CLK
8	1	3'-0" 6'-3"	SLIP	CLK
9	1	3'-0" 6'-3"	SLIP	CLK
10	1	3'-0" 6'-3"	SLIP	CLK
11	1	3'-0" 6'-3"	SLIP	CLK
12	1	3'-0" 6'-3"	SLIP	CLK
13	1	3'-0" 6'-3"	SLIP	CLK
14	1	3'-0" 6'-3"	SLIP	CLK

1 PROPOSED PARTIAL FLOOR PLAN

**REV 4**

Renovations and Addition To:  
 451 W. CENTRAL ST  
 FRANKLIN, Ma.

Rev.	Date	Description	By
1	02-20-2018		
2	02-20-2018		
3	6-27-2019		
4	7-27-2019		

Dizardson  
**Construction**  
 Foxboro, Ma  
 617 291 2298

REVISED-DRAWING  
 ELEVATIONS-PLANS  
 DOOR-SCHEDULE  
 SCALE: 1/4"=1'-0"

**MAKS ROAST BEEF & BREAKFAST, INC**  
**SECRETARY'S CERTIFICATE**

The undersigned, as the Secretary of **MAKS ROAST BEEF & BREAKFAST, INC.**, a corporation duly organized under the laws of the Commonwealth of Massachusetts with a principal place of business at 451 West Central Street, Franklin, Massachusetts 02038 (the "Corporation"), hereby certifies and states to the **Town Council of the Town of Franklin, Massachusetts**, and the **Massachusetts Alcoholic Beverages Control Commission**, in connection with the application for a new On Premises Wines and Malt Beverages §12 Restaurant License, (the "License"), the following.

1. Attached hereto as Exhibit A is a true, correct and complete copy of the Certificate of Organization of the Company, as filed on October 29, 2019 with the Secretary of the Commonwealth of Massachusetts, and the same has not been amended, modified or terminated and remains in full force and effect as of the date hereof.
2. Attached hereto as Exhibit B is a true, correct and certified Certificate of Good Standing for the Corporation issued as of a recent date by the Secretary of the Commonwealth of Massachusetts.
3. Attached hereto as Exhibit C is a true, correct and complete copy of the certificate of vote of the Corporation; I further certify that by unanimous written consent of the directors of the Corporation by majority vote of the directors of the Corporation at a meeting duly called and held on October 29, 2019 votes in the form of Exhibit C attached hereto were duly adopted, authorizing the execution, delivery and performance by the Corporation of the applications, petitions and all related documents relative to the License (collectively referred to as the "License Documents"); such vote of the directors of the Corporation has not been modified, amended or revoked and is in full force and effect on the date hereof; and no other action on the part of the Corporation is necessary to authorize the Corporation's execution, delivery and performance by the Corporation of the License Documents.
5. I further certify that as of this date the following are the current duly elected and acting officers of the Corporation who are authorized pursuant to the attached votes: President: Maksim Xhengo; Treasurer: Maksim Xhengo; Secretary/Clerk: Maksim Xhengo.

IN WITNESS WHEREOF, the undersigned have executed this Certificate this day, October 25, 2019.

  
\_\_\_\_\_  
Maksim Xhengo, Secretary





**The Commonwealth of Massachusetts  
William Francis Galvin**

Minimum Fee: \$250.00

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

**Articles of Organization**

(General Laws, Chapter 156D, Section 2.02; 950 CMR 113.16)

**Identification Number:**

**ARTICLE I**

The exact name of the corporation is:

MAKS ROAST BEEF & BREAKFAST INC

**ARTICLE II**

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

TO CONDUCT A RESTAURANT BUSINESS; TO OWN, LEASE, OR LICENSE FACILITIES FOR ONE OR MORE RESTAURANTS; TO OPERATE RESTAURANTS, DINING ROOMS, LUNCH ROOMS, DINETTES, COFFEE AND DAIRY BARS, AND OTHER PLACES AND FACILITIES FOR PURVEYING FOOD, DRINK, AND REFRESHMENT; TO OBTAIN AND DO BUSINESS UNDER ONE OR MORE ALCOHOLIC BEVERAGE LICENSES, UNDER DUE PUBLIC AUTHORITY AND IN CONFORMANCE WITH LAW AND REGULATIONS; TO BUY, LEASE, OR LICENSE INTERESTS IN REAL PROPERTY; TO OBTAIN AND OPERATE UNDER CHAIN OR TRADE NAMES RESTAURANT FRANCHISES; TO ESTABLISH RESTAURANT CHAINS, AND TO DEVISE AND OBTAIN TRADE NAME PROTECTION FOR RESTAURANT AND OTHER SUMPTUARY FACILITY OPERATIONS, AND TO ISSUE FRANCHISES OR LICENSES FOR OPERATION OF FACILITIES IN SUCH CHAIN OR WITH SUCH NAMES; TO LEASE OR LICENSE RESTAURANT, SALOON, OR OTHER SUMPTUARY FACILITIES TO OTHERS, OR TO GRANT FRANCHISES FOR SUCH OPERATION IN PREMISES UNDER THE CONTROL OF FRANCHISEES; TO ENTER INTO ANY KIND OF BUSINESS COMBINATION, JOINT ENTERPRISE, OR CONDOMINIUM OPERATION, AND TO ENTER INTO CORPORATE COMBINATIONS FOR THOSE PURPOSES; AND IN GENERAL TO DO ALL THINGS NECESSARY, APPROPRIATE, OR REASONABLY RELATED TO THE CONDUCT OF A GENERAL RESTAURANT BUSINESS; TO CARRY ON ANY BUSINESS OR OTHER ACTIVITY WHICH MAY BE LAWFULLY CARRIED ON BY A CORPORATION ORGANIZED UNDER LAWS OF THE COMMONWEALTH OF MASSACHUSETTS.

**ARTICLE III**

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CNP	\$0.00000	10,000	\$0.00	100



G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

#### ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

#### ARTICLE V

The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

IN THE EVENT THAT A SHAREHOLDER DECIDES TO ENCUMBER OR OTHERWISE DISPOSE OF HER SHARES, OR IN THE EVENT OF ANY PROPOSED JUDICIAL OR ADMINISTRATIVE TRANSFER OF ANY NATURE, INCLUDING FORECLOSURE, AND SALES BY ORDER OF ANY COURT OR REFEREE IN BANKRUPTCY, THE SHAREHOLDER SHALL GIVE WRITTEN NOTICE OF SUCH ACTION OR HER INTENTION TO THE OFFICERS OF THE CORPORATION AND SHALL OFFER TO SELL THE SHARES. THE OFFER SHALL REMAIN OPEN FOR A PERIOD OF SIXTY (60) DAYS. WITHIN THIRTY (30) DAYS AFTER SUCH NOTICE, THE CORPORATION MAY PURCHASE ALL OR ANY PART OF THE SHARES. THE PURCHASE PRICE, TO BE PAID IN CASH, SHALL BE THE SAME PRICE THE SHAREHOLDER HAD PAID FOR SAID SHARES. IF THE CORPORATION FAILS TO EXERCISE SUCH OPTION, ANY SHAREHOLDER SHALL HAVE THE OPTION, WITHIN THIRTY (30) DAYS AFTER THE TERMINATION OF THE CORPORATIONS OPTION TO PURCHASE THE SHARES ON THE TERMS HEREIN DESCRIBED. IF NEITHER OPTION IS EXERCISED, THE SHARES SHALL BE FREE FROM THE RESTRICTIONS IMPOSED BY THIS PARAGRAPH BUT SHALL REMAIN SUBJECT TO THE TERMS AND CONDITIONS OF THE CORPORATION'S CERTIFICATE OF INCORPORATION AND BYLAWS. NO SHARES OF STOCK SHALL BE SOLD OR TRANSFERRED ON THE BOOKS OF THE CORPORATION UNTIL THESE PROVISIONS HAVE BEEN COMPLETED WITH, BUT THE BOARD OF DIRECTORS MAY, IN ANY PARTICULAR INSTANCE, WAIVE THE REQUIREMENTS.

#### ARTICLE VI

Other lawful provisions, and if there are no provisions, this article may be left blank.

OTHER LAWFUL PROVISIONS FOR THE CONDUCT AND REGULATION OF THE BUSINESS AND AFFAIRS OF THE CORPORATION, FOR ITS VOLUNTARY DISSOLUTION, OR FOR LIMITING, DEFINING OR REGULATION THE POWERS OF THE CORPORATION, OR OF ITS DIRECTORS OR STOCKHOLDERS, OR ANY CLASS OF STOCKHOLDERS. A. THE BYLAWS OF THE CORPORATION MAY PROVIDE THAT THE DIRECTORS MAY MAKE, AMEND OR REPEAL THE BYLAWS, IN WHOLE OR IN PART, EXCEPT WITH RESPECT TO ANY PROVISION THEREOF WHICH BY LAW OR THE BYLAWS REQUIRES ACTION BY THE STOCKHOLDERS. B. MEETINGS OF THE STOCKHOLDERS OF THE CORPORATION MAY BE HELD ANYWHERE IN THE UNITED STATES. C. A DIRECTOR OF THE CORPORATION SHALL NOT BE PERSONALLY LIABLE TO THE CORPORATION OR ITS STOCKHOLDERS FOR MONETARY DAMAGES FOR BREACH OF FIDUCIARY DUTY AS A DIRECTOR NOTWITHSTANDING ANY STATUTORY PROVISION OR OTHER LAW IMPOSING SUCH LIABILITY PROVIDED, HOWEVER, THAT THIS PROVISION SHALL NOT ELIMINATE OR LIMIT THE LIABILITY OF A DIRECTOR (I) FOR ANY BREACH OF THE DIRECTOR'S DUTY OF LOYALTY TO THE CORPORATION OR ITS STOCKHOLDERS, (II) FOR ACTS OR OMISSIONS NOT IN GOOD FAITH OR WHICH INVOLVE INTENTIONAL MISCONDUCT OR A KNOWING VIOLATION OF LAW, (III) UNDER APPLICABLE SECTIONS OF THE BUSINESS CORPORATION LAW AS THE SAME EXISTS OR HEREAFTER MAY BE AMENDED, OR (IV) FOR ANY TRANSACTION FROM WHICH THE DIRECTOR DERIVED AN IMPROPER PERSONAL BENEFIT, IT BEING



G THE INTENTION OF THIS PROVISION TO LIMIT THE LIABILITY OF A DIRECTOR TO THE MAXIMUM EXTENT ALLOWED BY LAW. IF THE BUSINESS CORPORATION LAW HEREAFTER IS AMENDED TO AUTHORIZE THE FURTHER ELIMINATION OF, OR LIMITATION ON, THE LIABILITY OF DIRECTORS, THEN THE LIABILITY OF A DIRECTOR OF THE CORPORATION, IN ADDITION TO THE LIMITATION OF PERSONAL LIABILITY PROVIDED HEREIN, SHALL BE LIMITED TO THE FULLEST EXTENT PERMITTED BY SUCH AMENDMENT OR AMENDMENTS. ANY REPEAL OR MODIFICATION OF THIS PROVISION BY THE STOCKHOLDERS OF THE CORPORATION SHALL BE PROSPECTIVE ONLY, AND SHALL NOT ADVERSELY AFFECT ANY LIMITATION ON THE PERSONAL LIABILITY OF A DIRECTOR OF THE CORPORATION EXISTING AT THE TIME OF SUCH REPEAL OR MODIFICATION. D. THE DIRECTORS SHALL HAVE THE POWER TO FIX FROM TIME TO TIME THEIR COMPENSATION. NO PERSON SHALL BE DISQUALIFIED FROM HOLDING ANY OFFICE BY REASON OF AN INTEREST. IN THE ABSENCE OF FRAUD, ANY DIRECTOR, OFFICER, OR STOCKHOLDER OF THE CORPORATION INDIVIDUALLY, OR ANY INDIVIDUAL HAVING ANY INTEREST IN ANY CONCERN WHICH IS A STOCKHOLDER OF THE CORPORATION, OR ANY CONCERN IN WHICH ANY SUCH DIRECTORS, OFFICERS, STOCKHOLDERS OR INDIVIDUALS HAVE ANY INTEREST, MAY BE A PARTY TO, OR MAY HAVE A PECUNIARY OR OTHER INTEREST IN, ANY CONTRACT, TRANSACTION OR OTHER ACT OF THE CORPORATION, AND: (1) SUCH CONTRACT, TRANSACTION OR ACT SHALL NOT BE IN ANY WAY INVALIDATED OR OTHERWISE AFFECTED BY THAT FACT; (2) NO SUCH DIRECTOR, OFFICER, STOCKHOLDER, INDIVIDUAL OR CONCERN SHALL BE LIABLE TO ACCOUNT TO THE CORPORATION FOR ANY PROFIT OR BENEFIT REALIZED THROUGH ANY SUCH CONTRACT, TRANSACTION OR ACT; AND (3) ANY SUCH DIRECTOR OF THE CORPORATION MAY BE COUNTED IN DETERMINING THE EXISTENCE OF A QUORUM AT ANY MEETING OF THE DIRECTORS OR OF ANY COMMITTEE THEREOF WHICH SHALL AUTHORIZE ANY SUCH CONTRACT, TRANSACTION OR ACT, ANY MAY VOTE TO AUTHORIZE THE SAME. THE TERM "INTEREST" FOR THE PURPOSES OF THIS SECTION D OF ARTICLE 6 SHALL INCLUDE A PERSONAL INTEREST AND AN INTEREST AS A DIRECTOR, OFFICER, STOCKHOLDER, SHAREHOLDER, TRUSTEE, MEMBER OF BENEFICIARY OF ANY CONCERN. THE TERM "CONCERN" FOR THE PURPOSES OF THIS SECTION D OF ARTICLE 6 SHALL MEAN ANY CORPORATION, ASSOCIATION, TRUST, PARTNERSHIP, FIRM, PERSON OR ENTITY OTHER THAN THE CORPORATION. E. THE CORPORATION MAY BE A PARTNER IN ANY BUSINESS ENTERPRISE IT WOULD HAVE POWER TO CONDUCT ITSELF.

**Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.**

#### ARTICLE VII

The effective date of organization and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a *later* effective date is desired, specify such date, which may not be later than the *90th day* after the articles are received for filing.

**Later Effective Date: Time:**

#### ARTICLE VIII

The information contained in Article VIII is not a permanent part of the Articles of Organization.

**a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:**

Name: MAKSIM XHENGO  
No. and Street: 451 WEST CENTRAL STREET  
City or Town: FRANKLIN State: MA Zip: 02038 Country: USA

c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	MAKSIM XHENGO	
TREASURER	MAKSIM XHENGO	
SECRETARY	MAKSIM XHENGO	
DIRECTOR	MAKSIM XHENGO	

d. The fiscal year end (i.e., tax year) of the corporation:

December

e. A brief description of the type of business in which the corporation intends to engage:

GENERAL RESTAURANT

f. The street address (post office boxes are not acceptable) of the principal office of the corporation:

No. and Street: 451 WEST CENTRAL STREET  
 City or Town: FRANKLIN State: MA Zip: 02038 Country: USA

g. Street address where the records of the corporation required to be kept in the Commonwealth are located (post office boxes are not acceptable):

No. and Street: 451 WEST CENTRAL STREET  
 City or Town: FRANKLIN State: MA Zip: 02038 Country: USA

which is

its principal office                      \_\_\_ an office of its transfer agent  
 \_\_\_ an office of its secretary/assistant secretary                      \_\_\_ its registered office

Signed this 29 Day of October, 2019 at 12:09:42 PM by the incorporator(s). (If an existing corporation is acting as incorporator, type in the exact name of the business entity, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said business entity and the title he/she holds or other authority by which such action is taken.)

MAKSIM XHENGO

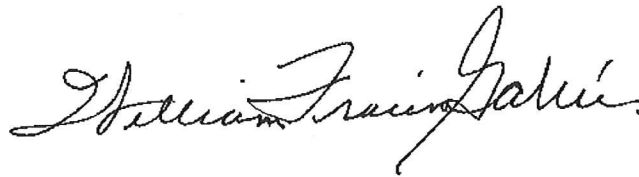


THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

October 29, 2019 12:07 PM

A handwritten signature in cursive script that reads "William Francis Galvin". The signature is written in black ink and is centered on the page.

WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*



*The Commonwealth of Massachusetts*  
*Secretary of the Commonwealth*  
*State House, Boston, Massachusetts 02133*

William Francis Galvin  
Secretary of the  
Commonwealth

Date: November 18, 2019

To Whom It May Concern :

I hereby certify that according to the records of this office,

**MAKS ROAST BEEF & BREAKFAST INC**

is a domestic corporation organized on **October 29, 2019** , under the General Laws of the Commonwealth of Massachusetts. I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156D section 14.21 for said corporation's dissolution; that articles of dissolution have not been filed by said corporation; that, said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

Certificate Number:

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by:

## EXHIBIT C

### CERTIFICATE OF VOTE

The directors now in office of the MAKS ROAST BEEF & BREAKFAST, INC. (the "Corporation"), do hereby consent to the adoption of the Votes set forth below, at a duly called meeting of the Board of Directors of the Corporation, adopt the votes set forth below which shall be treated for all purposes as votes of the Board of Directors, as fully as if the same had been duly presented to and adopted at a duly called and held meeting of the said Board.

VOTED: That the President of the Corporation, namely Maksim Xhengo, who shall be in possession of a written authorization (made pursuant to the terms of this Vote) from the President, Treasurer or Secretary of the Corporation, be and are hereby authorized and directed for and in the name of and on behalf of the Corporation to duly execute and file the following documentation with the Town Council of the Town of Franklin and the Alcoholic Beverage Control Commission in connection with the application for a new On Premises Wines and Malt Beverages §12 Restaurant License, (the "License"), including but not limited to: (i) Common Victualer Application; (ii) Application for New License - ABCC MA Retail Alcoholic Beverages License Application Form; (iii) Business Certificate; (iv) Certificate of Compliance with State Laws; (v) Worker's Compensation Insurance Affidavit; and (vi) and any and all related documentation that the President shall deem appropriate in order to effectuate the aforementioned License transfer on the Corporation's behalf.

VOTED: That the President, Treasurer or Secretary, and each agent of the corporation, who shall be in possession of a written authorization (made pursuant to the terms of this Vote) from the President, Treasurer or Secretary of the Corporation, be and they are hereby authorized and directed for and in the name of and on behalf of the corporation to execute, certify, prepare and deliver such other instruments, documents, certificates and papers all of which certificates, instruments, documents and agreements shall be in such form and contain such terms and provisions as may be approved by the President, Treasurer or Secretary of the Corporation, in their sole and absolute discretion, and that the signature of the President, Treasurer or Secretary appearing on any such agreement, instrument, certificate or document shall be conclusive evidence of its having been deemed necessary or appropriate and ratified and approved by these votes and this Corporation and of its binding effect upon this Corporation, and to take any and all such other action as he, she or they shall deem necessary or appropriate to carry out the intent of the foregoing vote, and if requested or required, the President, Treasurer or Secretary is authorized to affix the corporate seal thereto and may attest the same and the execution by any one or more of them of any such other instrument, document, certificate or paper or the doing of any such act



or thing shall be conclusive evidence of his, her or their determination in that respect and his , her or their approval of the form, terms and conditions thereof;

VOTED: That the President, Treasurer or Secretary or any other officer of this Corporation be, and hereby is authorized to certify to the Town Council of the Town of Franklin and the Alcoholic Beverage Control Commission the names of the present and future officers of this Corporation and other persons, if any, authorized to sign and act for it and the offices respectively held by them together with the specimens of their signatures.



Maksim Xhengo, Director

## Payment Confirmation

### YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

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



**Transaction Processed Successfully.**

**INVOICE #:**

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	MAKS ROAST BEEF & BREAKFAST INC	\$200.00
		<b>\$200.00</b>

**Total Convenience Fee: \$4.70**

**Date Paid: 1/13/2020 1:09:07 PM EDT**

**Total Amount Paid: \$204.70**

#### Payment On Behalf Of

**License Number or Business Name:**  
MAKS ROAST BEEF & BREAKFAST INC

**Fee Type:**  
FILING FEES-RETAIL

#### Billing Information

**First Name:**  
RICHARD

**Last Name:**  
CORNETTA

**Address:**  
4 WEST STREET

**City:**  
Franklin

**State:**  
MA

**Zip Code:**  
02038

Town of Franklin – Board of Assessors  
355 East Central St  
Franklin, MA 02038  
Tel # 508-520-4920  
Fax # 508-520-4923

## Abutters List Request Form

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

Date of Request 11 /21/2019

Assessors Parcel ID # (12 digits) 270-036-000-000

Property Street Address 451 WEST CENTRAL STREET, FRANKLIN MA

Distance Required From Parcel # listed above (Circle One) **500 300 100**  
(Note: if a distance is not circled, we cannot process your request)  
**public notice pursuant to MGL c. 138, §12 (eg. Wine & Malt Bev Lic)**  
Property Owner MAKKAST REALTY TRUST, MAKSIM XHENGO, TR

Property Owner's Mailing Address

Town/City FRANKLIN State MA Zip Code 02038

Property Owner's Telephone #

Requestor's Name (if different from Owner) RICHARD CORNETTA ESQ

Requestor's Address 4 WEST STREET, FRANKLIN, MA 02038

Requestor's Telephone #

---

Office Use Only: Date Fee Paid \_\_\_/\_\_\_/\_\_\_ Paid in Cash \$ \_\_\_.

Paid by Check \$ \_\_\_ Check # \_\_\_\_\_ Town Receipt # \_\_\_\_\_



# 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 30, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

### Re: Community Preservation Act (CPA) Discussion

---

At the request of multiple Councilors over the past year, tonight will be a discussion on the Community Preservation Act (CPA). There is no vote tonight, just a discussion. The following memo has some highlights of information to help begin a conversation.

#### Overview of the CPA

The Community Preservation Act was passed in 2000 to help communities empower themselves to raise a dedicated revenue source for the purposes of open space preservation, historic preservation, affordable housing and recreation.

Please visit <https://www.communitypreservation.org/adoption> for more. I have attached a two page overview in this packet as well.

Everything on CPA can be found here: <https://www.communitypreservation.org/>

#### Past History

Franklin has voted once on the CPA, in 2007, and it failed at the ballot. I have included the certified vote of the Town Clerk on that election and highlighted the final vote.

3,845 votes were cast in that election. 2,174 were No (56.5%), 1,528 were Yes (39.7%) and 143 blanks (3.7%).

I have attached [a map of the 176 Towns in Massachusetts](#) that have approved the CPA. As you can see, most of the Towns that surround Franklin approved the CPA.

#### Local Estimates Revenues

I have attached a chart of the estimated local revenues that would be generated at 1%, 2% or 3%. These numbers assume two of the allowed exemptions under CPA: the first \$100,000 in real property value is exempt and the low income exemption. This will be discussed tonight.

Due to the Legislature approving additional revenue for the CPA state match contribution this past fiscal year, we would assume approximately a 24% match of state monies. The most frequent match this year is 23.9%. It is a far cry from the original communities in 2001-2009 who saw a \$1 to \$1 match. But this recent policy development is a carrot for more communities to consider CPA, given the increase in communities adopting CPA.

### Important facts & recent trends

- Each year, 10% of funds raised must be allocated for open space, 10% for historic preservation and 10% for affordable housing. The remaining 70% are discretionary. You do not have to spend it all in one year and can save those funds aside for future projects.
- A Community Preservation Committee must be established to recommend expenditures to the Town Council for final approval. Five members are required by law, one member each from the Planning Board, Conservation Commission, Housing Authority, Historical Commission and Recreation Board. The Committee may also have up to four additional at-large members.
- As referenced above, the state does match local contributions with a state matching formula. The state match changes every year. See above.
- I have attached a recent memo from the Registrar of Deeds with the annual amount of financial real estate transactions that occurs in Franklin, which we contribute to the state matching fund. Franklin transactions accounted for \$126,300 for calendar year 2019. Those are monies paid for by local residents in real estate fees that go to matching funds in other towns. In other words, Franklin gives out and receives nothing in return for our investment.
- CPA requires a ballot vote of the citizenry at a regular state election. Language would be required to be adopted 60 days prior to that election to be placed on the municipal ballot. <https://www.communitypreservation.org/adoption>
- A list of [CPA Exemptions are here](#), however the most two frequent (and almost automatic) would be the first \$100,000 of real estate and the low and moderate income earners.

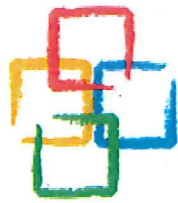
I did invite the Community Preservation Coalition to do a presentation, but they are unavailable due to the demand on their staff at the moment. However, it is worth noting that both the Town Attorney and I have a fair amount of knowledge around the CPA. I began my professional career on the strategic team to get the Act passed at the state level and implemented locally in many communities. The Town Attorney has been the Chair of the Medway Community Preservation Committee for over a decade.

We are happy to answer any questions to the best of our knowledge.



Town of Franklin						
CPA Estimated Calculations						
FY20 Data						
<u>Property Class</u>	<u>Levy Availability</u>	<u>Less Exemptions</u>	<u>CPA Taxable Revenue</u>	<u>3%</u>	<u>2%</u>	<u>1%</u>
Total Tax on Residential Property	\$65,394,573	-15,316,768	\$50,077,805	\$1,502,334	\$1,001,556	\$500,778
Total Tax C/I Property	\$12,869,712		\$12,869,712	\$386,091	\$257,394	\$128,697
Total Tax on Real Property	\$78,264,285	-15,316,768	\$62,947,517	\$1,888,425	\$1,258,950	\$629,475
			State Match (24%)*	\$451,333	\$300,889	\$69,242
			<b>Total Annual Revenue</b>	<b>\$2,339,758</b>	<b>\$1,559,839</b>	<b>\$698,717</b>
<u>What does this Mean for me?</u>						
Median Home Value	\$460,400					
Residential Exemption	\$100,000					
Total CPA Applied	\$360,400					
Tax Rate	\$14.51					
Property Tax Subject to levy surcharge	5,229.40					
3% surcharge	\$156.88					
2% surcharge	\$104.58					
1% surcharge	\$52.29					
Exemption, per residential property	\$100,000					
# of Residential Exemptions	\$10,448					
Total Exemption	\$1,044,800,000					
Tax Exemption	\$15,316,768					

\* The state match fluctuates every year based off the actual numbers of revenue generated at the local level and based on revenues appropriated by the Legislature into the CPA Match Fund at the state.



# Community Preservation Coalition

*Preserving our past. Building our future.*

Published on *Community Preservation Coalition* (<https://www.communitypreservation.org>)

[Home](#) > CPA: An Overview

## CPA: An Overview



The Community Preservation Act (CPA) is a smart growth tool that helps communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. CPA also helps strengthen the state and local economies by expanding housing opportunities and construction jobs for the Commonwealth's workforce, and by supporting the tourism industry through preservation of the Commonwealth's historic and natural resources.

Over a decade of work went into the creation of the CPA; it was ultimately signed into law by Governor Paul Cellucci and Lieutenant Governor Jane Swift on September 14, 2000. **[Read more about the history of CPA.](#)**



CPA allows communities to create a **[local Community Preservation Fund](#)** for open space protection, historic preservation, affordable housing and outdoor recreation. Community preservation monies are raised locally through the imposition of a surcharge of not more than 3% of the tax levy against real property, and municipalities must adopt CPA by ballot referendum. To date, 176 municipalities in the state have adopted CPA. **[View a map of all CPA communities.](#)**

The CPA statute also creates a statewide Community Preservation Trust Fund, administered by the Department of Revenue (DOR), which provides distributions each year to communities that have adopted CPA. These annual disbursements serve as an incentive for communities to pass CPA. **[Learn more about the distribution amounts received to date by CPA communities.](#)**



Each CPA community creates a local Community Preservation Committee (CPC) upon adoption of the Act, and this five-to-nine member board makes recommendations on CPA projects to the community's legislative body. To explore CPA projects completed to date, visit our CPA Projects Database.

Property taxes traditionally fund the day-to-day operating needs of safety, health, schools, roads, maintenance, and more. But until CPA was enacted, there was no steady funding source for preserving and improving a community's character and quality of life. The Community Preservation Act gives a community the funds needed to control its future.

### **CPA Accomplishments To-Date**

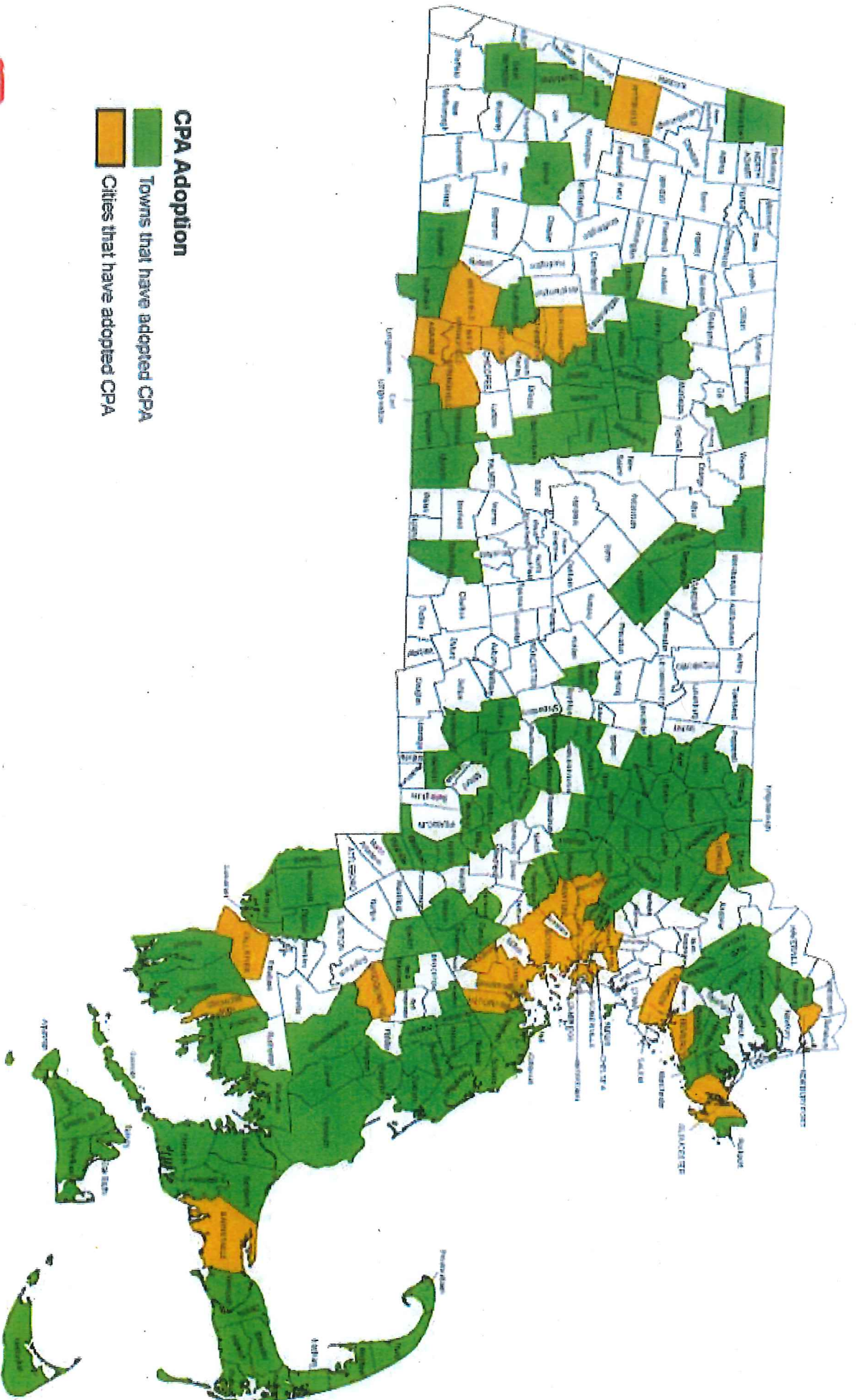
- 176 communities have adopted CPA (50% of the Commonwealth's cities and towns)
- Of the total number of adopted communities, 31 are cities and 145 are towns
- 62% of the state population live in a CPA community
- Just over \$2.35 billion has been raised to date for community preservation funding statewide
- Over 12,000 projects have been approved by local legislative bodies
- More than 6,800 affordable housing units have been created with an additional 10,700 units supported
- 30,894 acres of open space have been preserved
- Over 5,500 appropriations have been made for historic preservation projects
- Over 2,500 outdoor recreation projects have been initiated

**Source URL:** <https://www.communitypreservation.org/about>



# Community Preservation Act Adoption

November 2019



## CPA Adoption

- Towns that have adopted CPA
- Cities that have adopted CPA





# Community Preservation Coalition

*Preserving our past. Building our future.*

Published on *Community Preservation Coalition* (<https://www.communitypreservation.org>)

[Home](#) > Governor Baker Signs FY20 Budget with CPA Funding Increase

## Governor Baker Signs FY20 Budget with CPA Funding Increase



The Coalition is thrilled to report that as of this morning, Governor Baker has officially signed the FY20 state budget, including the long-awaited permanent increase to the CPA Trust Fund.

The Governor made no amendments or vetoes to the CPA sections included in the budget - this means that beginning in 2020, this legislation will increase the recording fees at the Registries of Deeds which provide revenue to the statewide CPA Trust Fund. This increase is expected to raise an estimated \$36 million in additional revenue for CPA communities each year.

We are also happy to report that the budget additionally included language that would provide up to \$20 million in budget surplus funds for the November 2019 CPA Trust Fund distribution. Should a budget surplus be available, these funds would avoid a record-low disbursement this year. More details will be available regarding the budget surplus funds in the fall.

We are grateful to Governor Baker for his support of CPA, as well as the members of the legislature that worked towards making this improvement to the Community Preservation Act possible, including:

Longtime CPA champion Senator Cynthia Stone Creem as well as Representative Ann-Margaret Ferrante; House Ways & Means Chair Aaron Michlewitz and Senate Ways & Means Chair Michael Rodrigues; Speaker of the House Robert DeLeo and Senate President Karen Spilka, and the 100+ members of the legislature who supported CPA. Special thanks to former Representative Steven Kulik, who championed this legislation in the House for years, laying the groundwork for the success we've seen today.



## What was included in the Final FY20 Budget for CPA?

*SECTION 29. Section 8 of chapter 44B of the General Laws, as so appearing, is hereby amended by striking out, in lines 3, 8 and 23, the figure "\$20" and inserting in place thereof, in each instance, the following figure:- \$50.*

*SECTION 30. Said section 8 of said chapter 44B, as so appearing, is hereby further amended by striking out, in lines 10, 14 and 24, the figure "\$10" and inserting in place thereof, in each instance, the following figure:- \$25.*

*SECTION 81. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2019 in the following order of precedence: (i) an amount not more than \$10,000,000, to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii) an amount not more than \$20,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws.*

*SECTION 105. The commissioner of revenue shall notify the registers of deeds, the assistant recorders and the joint committee on revenue of the new surcharge amounts established in sections 29 and 30. All documents or instruments received by the registers of deeds and assistant recorders that are postmarked prior to the effective date of said sections 29 and 30 shall be subject to the fee surcharge applicable under section 8 of chapter 44B of the General Laws that was in effect before that date.*

*SECTION 107. Sections 29 and 30 shall take effect on December 31, 2019.*

## Further Resources

- **"Governor permanently hikes funding to CPA program"** - Greenfield Recorder
- **"Surplus & Fee Revenues to Feed CPA"** - State House News Service
- **"Municipal Leaders Want Piece of Surplus for CPA"** - State House News Service
- **"State to Boost Community Partnerships"** - State House News Service
- **"State Should Pay Its Fair Share on CPA"** - Boston Globe editorial endorsing the increase to CPA funding
- **"Our View: Paying for Community Preservation"** Gloucester Times editorial endorsing the increase to CPA funding
- **"Our Opinion: Make successful CPA even more successful"** - The Berkshire Eagle editorial endorsing the increase to CPA funding

Source URL: <https://www.communitypreservation.org/home/news/governor-baker-signs-fy20-budget-cpa-funding-increase>



# STATE HOUSE NEWS SERVICE

## SURPLUS, FEE REVENUES TO FEED COMMUNITY PRESERVATION

By Colin A. Young  
STATE HOUSE NEWS SERVICE

STATE HOUSE, BOSTON, JULY 22, 2019.....State accountants have not yet verified how much money is left over from above-expectation tax collections in fiscal year 2019, but lawmakers have already decided how to spend the first \$30 million of it.

The budget accord (H 4000) filed Sunday and passing through both branches on Monday afternoon directs the state's comptroller to transfer \$10 million from any fiscal 2019 surplus to the Massachusetts Life Sciences Investment Fund and another \$20 million to the Massachusetts Community Preservation Trust Fund.

The funding for the CPA Trust Fund, which is distributed to cities and towns that use the Community Preservation Act to preserve open space, build affordable housing, and renovate historic buildings and parks, represents a win for the scores of municipal chief executives who [wrote to legislative leaders](#) asking for an infusion of up to \$20 million from the surplus.

The initial idea of the CPA was for the state to match 100 percent of what each participating municipality raised through its own property tax surcharge to preserve open space, renovate historic buildings and parks and to build new playgrounds and athletic fields. But as more communities adopted the CPA, each town's share of the pie has become smaller as the state has not held up its part of the bargain.

"Without this money, the statewide match will be an estimated 11 percent," the 101 municipal officials wrote in a June letter coordinated by the Community Preservation Coalition and the Metropolitan Area Planning Council. "This short-term solution for 2019, coupled with the long-term fix for 2020 and beyond, will ensure a viable, vibrant, and enduring CPA."

Through 11 months of fiscal 2019, state tax collections totaled \$26.511 billion, \$952 million more than the budget benchmark, and \$1.873 billion or 7.6 percent more than the same fiscal year-to-date period in 2018, the Department of Revenue reported. DOR is expected in coming days to detail tax collections for the full fiscal year and verify the size of the surplus.

Some of the surplus money -- including any capital gains revenues exceeding \$1.2 billion -- is already bound for the state's stabilization fund, but lawmakers could have an opportunity to

spread the unrestricted surplus funds around between numerous priorities. A \$636 million automatic deposit of capital gains revenues for fiscal 2019 through May into reserves reduced the potential fiscal 2019 revenue surplus to \$805 million, pending June tax collections, the News Service reported last month.

Though the House and Senate budgets both authorized an increase in CPA funding starting next year, that money will not be available to CPA communities until fall 2020.

The House and Senate voted to increase the recording fees that feed the CPA Trust Fund from \$20 to \$50 for most documents and from \$10 to \$25 for municipal lien certificates, a change that the Community Preservation Coalition estimates will provide the trust fund with an infusion of \$36 million in new money each year.

-END-

07/22/2019

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<https://www.statehousenews.com/news/20191320>



COUNTY OF NORFOLK  
COUNTY OF PRESIDENTS  
REGISTRY OF DEEDS

NORFOLK REGISTRY DISTRICT OF THE LAND COURT

WILLIAM P. O'DONNELL  
REGISTER OF DEEDS  
ASSISTANT RECORDER OF THE  
LAND COURT

January 10, 2020

Franklin Municipal Center  
Town Administrator Jamie Hellen  
355 East Central Street  
Franklin, MA 02038

Dear Town Administrator Hellen,

The fees for the Community Preservation Act are set by the State Legislature on land documents recorded here at the Norfolk County Registry of Deeds. I thought the chart on the reverse side would be of interest to you. It provides an illustration of the funds generated by the Community Preservation Act (CPA) in your community based on recorded real estate filings during the 2019 calendar year. Please note these fees were recently readjusted upwards by the legislature and went into effect on December 31, 2019.

The Community Preservation Act was signed into law on September 14, 2000. Today there are 176 Massachusetts communities that have adopted this act. There are 16 communities out of the 28 communities that make up Norfolk County that have adopted the law. The Registry of Deeds, at no additional cost to the Commonwealth or local communities, collects these revenues once a land document is recorded and forwards the monies to the Massachusetts Department of Revenue on a monthly basis. The funds forwarded to the Commonwealth are then redistributed back to the communities that have adopted the Community Preservation Act.

The Norfolk County Registry of Deeds which is located at 649 High Street, Dedham, is the principal office for real property in Norfolk County. The Registry is a resource for homeowners, title examiners, mortgage lenders, genealogists, municipalities and others with a need for secure, accurate, accessible land record information. For assistance, please contact our Customer Service Center at (781) 461-6101, or visit our website at [www.norfolkdeeds.org](http://www.norfolkdeeds.org).

I hope you find this data to be timely, informative and useful. In the meantime, if I can be of assistance to you, please do not hesitate to contact me at 781-461-6116 or by email at [registerodonnell@norfolkdeeds.org](mailto:registerodonnell@norfolkdeeds.org). I wish you a happy and healthy New Year.

Sincerely yours,

William P. O'Donnell  
Norfolk County Register of Deeds

WPO/aag

649 HIGH STREET, DEDHAM, MASSACHUSETTS 02026  
TELEPHONE: 781-461-6116 FAX: 781-326-4246  
EMAIL: [registerodonnell@norfolkdeeds.org](mailto:registerodonnell@norfolkdeeds.org)

[www.norfolkdeeds.org](http://www.norfolkdeeds.org)







**NORFOLK COUNTY REGISTRY OF DEEDS**  
**COMMUNITY PRESERVATION ACT (CPA)**  
**SURCHARGES BY TOWN FOR CALENDAR YEAR 2019**

<b>TOWN</b>	<b>TOTAL</b>
AVON	\$19,945
BELLINGHAM	\$74,615
BRAINTREE	\$143,415
BROOKLINE	\$162,560
CANTON	\$92,585
COHASSET	\$43,625
DEDHAM	\$95,680
DOVER	\$25,515
FOXBOROUGH	\$60,995
FRANKLIN	\$126,230
HOLBROOK	\$45,280
MEDFIELD	\$52,215
MEDWAY	\$52,215
MILLIS	\$35,195
MILTON	\$95,750
NEEDHAM	\$116,460
NORFOLK	\$42,300
NORWOOD	\$91,890
PLAINVILLE	\$30,805
QUINCY	\$257,605
RANDOLPH	\$104,350
SHARON	\$60,715
STOUGHTON	\$105,130
WALPOLE	\$98,430
WELLESLEY	\$93,550
WESTWOOD	\$61,725
WEYMOUTH	\$205,230
WRENTHAM	\$52,960

**WARRANT FOR THE FRANKLIN TOWN ELECTION  
NOVEMBER 6, 2007  
COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK: SS.**  
To either of the Constables of the Town of Franklin in Norfolk County,

**GREETING:**  
In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the qualified voters of the said Town of Franklin to vote at the polling place listed below on:

**POLLING PLACE: FRANKLIN HIGH SCHOOL FIELD HOUSE ON POND STREET**

**TUESDAY, NOVEMBER 6, 2007 FROM 6:00 A.M. TO 8:00 P.M. FOR THE FOLLOWING PURPOSE:**

**TO ELECT:**

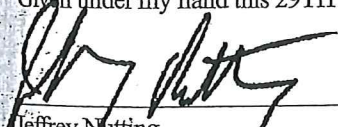
- (2) ASSESSORS FOR FOUR YEAR TERM
- (2) BOARD OF HEALTH MEMBERS FOR FOUR YEAR TERM
- (3) PLANNING BOARD MEMBERS FOR FOUR YEAR TERM
- (3) CONSTABLES FOR FOUR YEAR TERM
- (7) SCHOOL COMMITTEE MEMBERS FOR TWO YEARS
- (9) TOWN COUNCILLORS FOR TWO YEARS
- (1) TOWN CLERK FOR FOUR YEAR TERM
- (1) TREASURER/COLLECTOR FOR FOUR YEAR TERM

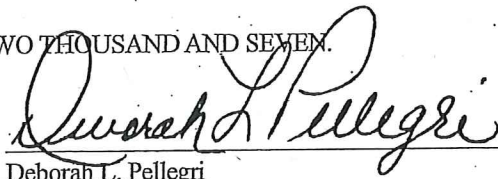
**QUESTION ONE .... Shall the Town of Franklin accept sections 3-7 inclusive, of Chapter 44B of the General Laws; as approved by its legislative body, a summary of which appears below\*:**

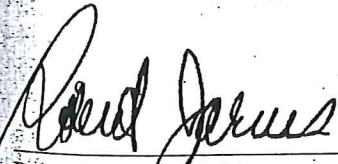
Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act, establish a dedicated funding source to acquire and preserve open space, parks and conservation land, protect public drinking water supplies, and scenic areas, protect farm land and forests from future development, restore and preserve historic properties, and help meet local families' housing needs; In the Town of Franklin, the Community Preservation Act will be funded by an additional excise of 3% on the annual tax levy on real property commencing in the fiscal year 2009 and by matching funds provided by the state. Property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the Town, as defined in Section 2 of said Act and \$100,000 of the value of each taxable parcel of residential real property shall be exempt from the surcharge. Any other taxpayer receiving an exemption of real property authorized by Chapter 59 of the General Laws shall receive a pro rata reduction with respect to the portion exempt. A Community Preservation Committee composed of local citizens will make recommendations on the use of the funds and all expenditures will be subject to an annual audit.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under my hand this 29TH DAY OF OCTOBER, IN THE YEAR TWO THOUSAND AND SEVEN.

  
\_\_\_\_\_  
Jeffrey Nutting  
Town Administrator

  
\_\_\_\_\_  
Deborah L. Pellegrini  
Town Clerk / Election Administrator

  
\_\_\_\_\_  
Robert Jarvis, Constable

<u>LIN</u>	<u>Total</u>
	2,165
	2,399
	2,345
	2,326
	2,379
	2,294
	2,414
	2,580
	19,102



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Total  
814  
2988  
43  
3845  
  
Total  
947  
2868  
30  
3845  
  
Total  
1684  
1893  
1673  
1236  
1979  
1481  
1568  
1549  
1692  
1348  
1337  
2201  
1680  
1237  
1978  
69  
4605  
  
Total  
3314  
2265  
2094  
17  
7690

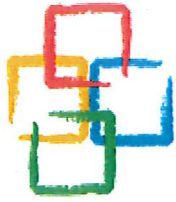
	<u>Pct.1</u>	<u>Pct.2</u>	<u>Pct.3</u>	<u>Pct.4</u>	<u>Pct.5</u>	<u>Pct.6</u>	<u>Pct.7</u>	<u>Pct.8</u>	<u>Total</u>
<b>BOARD OF HEALTH</b>									
Blanks	229	274	289	299	228	286	291	319	2215
✓ PAUL J. CHELI	193	237	257	184	161	185	200	153	1570
JEFFREY HARRIS	175	160	149	145	141	164	194	197	1325
LYNN A. HUNCHARD	153	178	172	149	136	152	161	113	1214
✓ DONALD G. RANIERI, JR.	168	150	205	153	179	195	168	144	1362
Scattered write ins	0	1	0	0	1	0	2	0	4
Total Votes	918	1000	1072	930	846	982	1016	926	7690
<b>SCHOOL COMMITTEE</b>									
Blanks	1499	1767	2121	1673	1327	1713	1667	1686	13453
✓ CORA A. ARMENIO	226	232	220	210	229	234	261	211	1823
✓ EDWARD CAFASSO	234	234	212	200	221	341	255	202	1899
✓ PAULA T. MULLEN	240	255	219	221	227	233	258	218	1871
✓ SUSAN T. ROHRBACH	217	237	204	205	215	228	243	212	1761
✓ JEFFREY N. ROY	247	259	242	236	240	258	294	245	2021
✓ ROBERTA A. TRAHAN	265	244	255	231	237	257	275	212	1976
✓ MATTHEW T. KELLY	281	257	272	254	259	276	294	248	2141
Scattered write ins	4	15	7	25	6	7	9	7	80
Total Votes	3213	3500	3752	3255	2961	3547	3556	3241	27025
<b>PLANNING BOARD</b>									
Blanks	349	421	455	373	337	391	445	389	3160
JAMES C. CHILSON	127	141	164	117	147	142	120	144	1102
DAVID J. LAMBERTO	184	181	216	182	160	198	199	204	1524
✓ GREGORY R. BALLARINO	251	283	302	288	222	265	255	237	2103
✓ RONALD E. CALABRESE	211	224	229	197	193	237	228	181	1700
✓ MARK S. DENOMMEE	255	247	242	233	208	237	274	231	1927
Scattered write ins	0	3	0	5	2	3	3	3	19
Total Votes	1377	1500	1608	1395	1269	1473	1524	1389	11535
<b>CONSTABLE</b>									
Blanks	603	704	739	659	534	673	704	717	5333
✓ PHILIP M. BRUNELLI, SR.	277	286	310	257	258	292	305	237	2222
✓ RICHARD P. DELFINO	236	258	249	216	236	237	256	210	1898
✓ ROBERT JARVIS	260	248	305	254	239	266	259	221	2052
Scattered write ins	1	4	5	9	2	5	0	4	30
Total Votes	1377	1500	1608	1395	1269	1473	1524	1389	11535
<b>QUESTION</b>									
Blanks	15	15	35	12	21	10	21	14	143
YES	193	203	172	186	169	182	249	174	1528
✓ NO	251	282	329	267	233	299	238	275	2174
Total Votes	459	500	536	465	423	491	508	463	3845

I, Deborah L. Pellegri, CMC, Town Clerk, Franklin, Norfolk County, MA do hereby certify and attest that the foregoing results are true and accurate to the votes cast on November 6, 2007 Biennial Town Election held at the Franklin High School.

*Deborah L. Pellegri*

Deborah L. Pellegri, CMC  
Town Clerk, Franklin, MA  
11/7/07





# Community Preservation Coalition

*Preserving our past. Building our future.*

Published on *Community Preservation Coalition* (<https://www.communitypreservation.org>)

[Home](#) > [About](#) > CPA History

## CPA History



The Community Preservation Act (CPA) is the result of nearly two decades of hard work devoted to passing legislation that would give all 351 Massachusetts cities and towns a tool to preserve their most unique natural, community, and built features in the face of rapid growth and development.

While the Commonwealth enjoyed healthy growth in the period following World War II, beginning in the 1980s, communities long blessed with a beneficial mix of farms and forests, historic town centers, and compact patterns of development began to find that they no longer recognized themselves. Some communities wanted to protect working farms, others desired to protect historic buildings from being razed, and still others strived to provide affordable housing to enable the next generation of long-time residents to remain close to home.



The concept of a statewide enabling authority to preserve community character had its original inspiration in the Nantucket Islands Land Bank, the first program of its kind in the United States, passed in 1983. This land conservation program was created to acquire, hold, and manage important open space resources and endangered landscapes of Nantucket Island for the use and enjoyment of the general public. The Land Bank levies a 2% real estate transfer tax (RETT) on the sale price of a property. The program was conceived by Nantucket's planning commission, adopted by the voters of Nantucket, and established by a special act of the Massachusetts legislature.

Over the next several years, the legislature was flooded with a wide range of land bank proposals based on the RETT model. Some provided universal enabling authority for all cities and towns. Others were targeted at a specific city or town via a so-called home-rule petition. In 1987, **Representative Robert A. Durand** sponsored the first bill that would have allowed land banks to create affordable housing and conserve land. While this bill was unsuccessful, Durand tirelessly championed the paired concepts of land conservation and affordable housing in the House and later in the Senate. In 1997, Durand linked them with historic preservation and filed the first legislation entitled the Community Preservation Act. Finally, when he served as Governor Paul Cellucci's Secretary of Environmental Affairs, Durand built the groundswell necessary to lift support for the CPA, allowing it to become law. CPA was ultimately approved by the legislature and signed by Governor Cellucci in September, 2000.

*The text above is excerpted and adapted from Matthew Zieper's essay, "The Massachusetts Community Preservation Act, A Case Study in Fostering Intergovernmental Partnership in Conservation Finance," in **Conservation Capital in the Americas**. (James N. Levitt, Editor. Lincoln Institute of Land Policy, 2010.)*

### Further Resources

- **Download the full essay** for a detailed review of the history of the CPA and how it became law in Massachusetts.
- **Community Preservation Coalition Press Release** from September 14, 2000
- **Career Profile of Robert Durand** - Berkshire Eagle

Source URL: <https://www.communitypreservation.org/history>





## Introducing the Community Preservation Act (CPA)



**Community Preservation Coalition**  
*Preserving our past. Building our future.*

# Today's Webinar



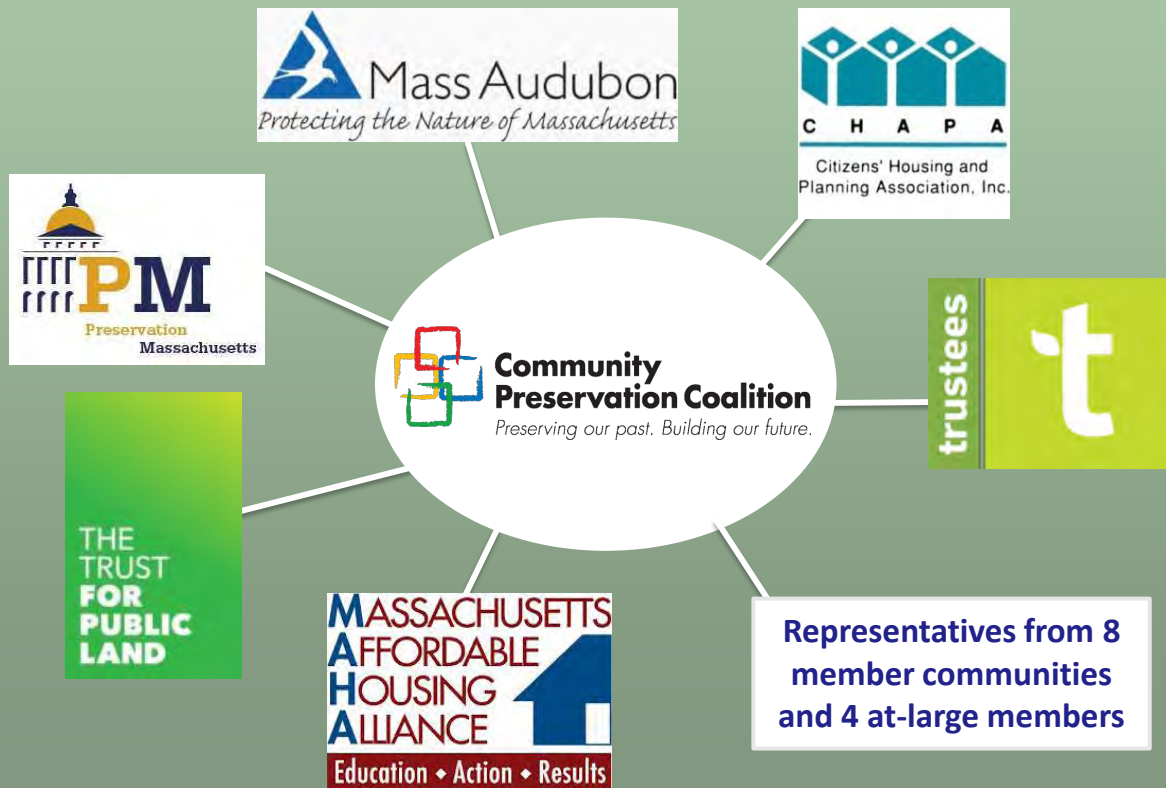
Stuart Saginor  
Executive Director



Chase Mack  
Communications Director



# The Community Preservation Coalition



**Coalition Website**  
**www.communitypreservation.org**

The screenshot shows the website interface for the Community Preservation Coalition. The navigation menu includes: About, News, CPA Databank, Technical Assistance, **Adopting CPA** (highlighted with a red circle and a red arrow), and 175 CPA Communities Learn More >. The main content area features a large banner image of a field with trees and a person, with the text: "The Community Preservation Act has protected over 29,000 acres of open space in Massachusetts". Below the banner is a quote from Governor Charlie Baker: "Eighteen years is a long time. It's obvious that there needs to be an adjustment made [to CPA]. We would support that mechanism being increased... We would support it and we would sign it." - Governor Charlie Baker, 10/20/2018. The section is titled "Governor Baker Supports CPA Trust Fund Legislation". To the right is a "CPA News Feed" with several news items, including "Governor Baker & The Boston Globe Agree: It's Time to Support CPA Legislation" and "November 2018 Statewide Trust Fund Distribution Announced".



# What is the Community Preservation Act (CPA)?

The Community Preservation Act is *state enabling* legislation passed in 2000



Must be adopted by individual communities at a local ballot election



## Basics of CPA

Enables communities to establish a local restricted fund for:



Historic Preservation



Open Space & Recreation



Community Housing



# Half the State Has Adopted CPA!

Total of **176** Cities and Towns

**50%** of municipalities

**62%** of Massachusetts residents

**0** communities have revoked

## CPA by the Numbers (through FY2019)



**HISTORIC PRESERVATION:** 5,500 appropriations made



**OPEN SPACE:** 30,894 acres preserved



**OUTDOOR RECREATION:** 2,500 projects funded



**AFFORDABLE HOUSING:** 17,500 units created or supported

- Over 12,000 projects approved & \$2.35 billion raised -





# The Statewide CPA Trust Fund

- Administered by the Department of Revenue (DOR)
- Funds come from fees charged on documents filed at the Registries of Deeds
- That was enough for a preliminary 13.9% base match in November 2019
- An additional \$20 million in state budget surplus dollars added to CPA Trust Fund just this week – raised base match to 23.9%
- Registry fees recently increased, so future matches will be higher

## Surcharge Levels – Anything Up to 3%

**3%**

**Largest number of communities,  
but not many recently**

**1.5%**

**Highest Success Ratio**

**Keep Cost to Average Taxpayer  
under \$50, preferably well under**



# Menu of CPA Exemptions

- First \$100,000 of residential property value
- First \$100,000 of commercial & industrial property value
- Low income families; low/moderate income seniors
- Full commercial and industrial exemption (with split tax rate only)

*\*Note: Any existing property tax exemptions apply to the CPA surcharge*

## Example: what would a homeowner pay with a 1% CPA surcharge?

Assessed Home Value		\$416,644
<u>With \$100,000 exemption</u>		-\$100,000
Net House Value Surcharged		\$316,644
Municipal Tax Rate (per \$1000)	x	\$15.38
		<hr/>
Amount Subject to Surcharge		\$4869
CPA Surcharge Rate	x	1%
		<hr/>
Amount paid toward CPA Fund		<b>\$49</b>

This homeowner would pay **\$49** into the municipality's Community Preservation fund annually.



# How To Adopt

## Step One:

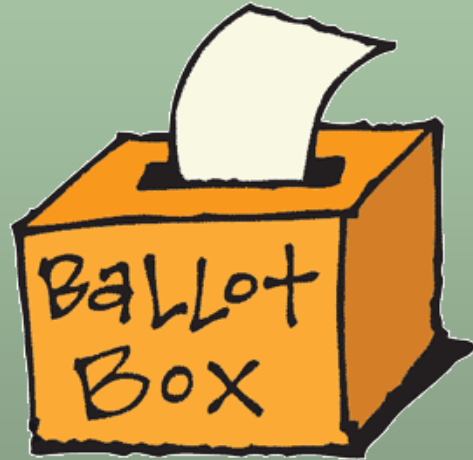
### Put CPA Question on the Ballot

Legislative Body Vote

OR

Collect signatures of 5% of  
registered voters

*Deadline: Late August*



# How To Adopt

## Step Two:

### Ballot Election on 11/3/20

Success Ratio of CPA Elections on  
Presidential Ballot:

**83%**

All Other Election Dates (local  
and off-year State Elections):

**56%**



# Timetable – Legislative Body



**Soon:** Finalize text for Town Meeting or Council vote

**Town Meeting Vote**

**Submit Ballot Text** to Secretary of State 60 days before Presidential Election

# Timetable – Collect Signatures



**Contact the Coalition for Details!**

# How Does CPA Work?

Pass a Community Preservation Committee Bylaw/Ordinance

Required representation from:

- Conservation Commission
- Historical Commission
- Planning Board
- Recreation Board
- Housing Authority

➤ Plus up to 4 additional members



## Role of the Community Preservation Committee

- Assess community's CPA needs
- Accept/review project proposals
- Get input from the public and boards/committees
- Recommend CPA projects to Town Meeting/City Council

**NOTE: Legislative Body approval required for all CPA projects!**





# How do CPA Projects Happen?

Project proponents submit applications to Community Preservation Committee (CPC)



CPC reviews projects, gets input



CPC recommends list of projects to Town Meeting/City Council



Majority vote of Legislative Body required for each project to get CPA Funds



## Amending or Repealing the CPA

- The CPA must remain in place for at least 5 years
- After 5 years, the Act can be repealed at any time
- Amendments to the CPA surcharge percentage or the exemptions can be made at any time





# CPA Funds at Work



# CPA and Historic Preservation



Restoration of historic municipal buildings





# CPA and Historic Preservation



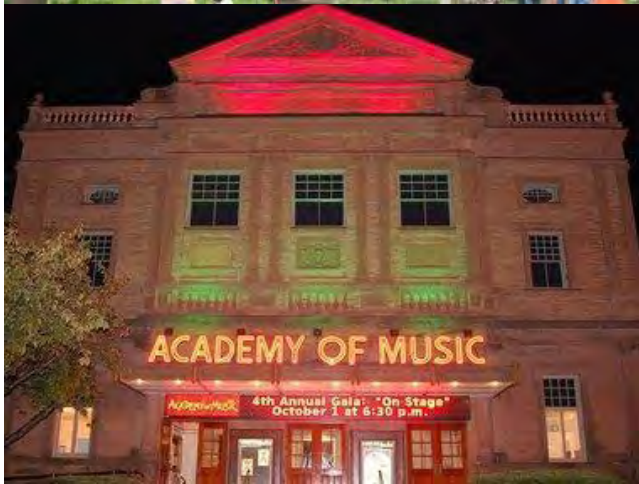
Adaptive Reuse  
of Historic  
Buildings



# CPA and Historic Preservation



Grants to non-profit community  
groups (typically with a  
preservation easement)





# CPA and Historic Preservation



## Historic Municipal Document Preservation



# CPA and Land Protection



## Preserving Agricultural Land





# CPA and Land Protection



Protecting  
Vulnerable Land



# CPA and Land Protection



Protecting Drinking  
Water Supplies





# CPA and Open Space/Recreation



Playgrounds



# CPA and Open Space/Recreation



Athletic Fields





# CPA and Open Space/Recreation



Hiking and Biking Trails



# CPA and Open Space/Recreation



Parks





# CPA and Open Space/Recreation



Community Gardens



# CPA and Affordable Housing



For families & individuals earning up to 100% of area-wide median income



Differs from 40B in that:

- All local zoning and bylaws apply
- Legislative body approval required
- Permanently affordable



# CPA and Affordable Housing



## Housing for Veterans



# CPA and Affordable Housing



## Adaptive Reuse of Existing Buildings





# CPA and Affordable Housing



Meeting  
Specialized  
Community Needs



# CPA and Affordable Housing



Community  
Involvement  
and Non-profit  
Partnerships







LEED Certification and Sustainable Development



Questions?



For more information:  
[www.communitypreservation.org](http://www.communitypreservation.org)  
617-367-8998



# Town of Franklin

Town Administrator  
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street  
Franklin, Massachusetts 02038-1352

## Memorandum

January 21, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator  
Chrissy Whelton, Assistant to the Town Administrator

### Re: FY20 Capital Plan Proposal

Please find the attached Capital Plan for FY20, as well as the five-year capital plan from each department as required by the Town Charter. Included with this memo is a sheet with the 20-year free cash history. The average is \$2.97 million over the past ten years. This year's free cash is a little higher than usual because town departments have been running efficiently, providing cost effective services and revenues have been stable due to a good economy.

From the certified total, there are several policy commitments that eat into the total right off the bat, most notably contributions to stabilization accounts for OPEB (per Council policy), turf fields, and fire engine replacement. We also hold revenue for annual snow and ice removal. We have also added a line item to set aside funds for open space each year, per Council fiscal policies. These recommendations are Round 1 of the FY20 Capital program. Once we know the final totals of the winter costs for snow removal, if there are remaining funds, staff will propose a "Round 2" Capital later in the Spring, which we have traditionally used to fund road and infrastructure projects and affiliated equipment.

The following is an overview of certified free cash status for FY20:

<u>Request</u>	<u>Amounts</u>
<b>CERTIFIED FREE CASH TOTAL</b>	<b>3,482,875</b>
Snow and ice removal/other <b>HOLD</b>	-800,000
OPEB Trust fund; per Council policy 10% of Free Cash	-348,000
Fire Truck Stabilization (7-year plan)	-100,000
Fields Stabilization (Replace in 2027-ish)	-150,000
Open Space Stabilization	-\$320,000
Remaining Free Cash for Capital Requests	<b>1,764,875</b>

## **Administration & Town Policy Requests**

- 1. Snow & Ice Removal - \$800,000**
  - a. Each year the Town reserves funds for snow and ice removal until April when we see the full costs of the winter. This year, we're requesting an additional \$50,000 over what we normally set aside due to quickly rising snow and ice removal costs and the difficulty to get people in the door to plow.
- 2. OPEB Contribution - \$348,000**
  - a. \$348,000, of 10% of the overall certified free cash, will be deposited into the OPEB Trust. This is consistent with Town Council policy to set aside this amount annually.
  - b. An update of the OPEB actuarial that has recently been completed and shows a \$68 million liability, down from \$74 million in 2018. A presentation on this update will be forthcoming at a Town Council meeting in the winter.
  - c. The OPEB Trust Fund currently has \$5,852,978.
- 3. Fire Truck Stabilization Contribution - \$100,000**
  - a. This amount is set aside to get the Fire Department to the \$700,000-plus estimate needed to replace a new engine in approximately 2023/2024.
  - b. The stabilization account currently has \$209,595.
- 4. Turf Field Stabilization Contribution - \$150,000**
  - a. This amount will begin to set aside enough funds in the stabilization account to be prepared for the full cost of implementing new fields at the High School/Track and Beaver Street in approximately 2027. Estimated costs will be around \$2 million.
  - b. After this investment, the Town will have \$454,951 in the account and will be on schedule to replace fields in 2027-ish.
- 5. Open Space Stabilization - \$320,000**
  - a. Recently, the Town Council and Finance Committee adopted new financial policies to help invest in the Open Space Stabilization Fund by recommending \$100,000 a year in free cash to the fund and not to dip below \$2 million in the account. The recommended amount suggested here assures that the fund will stay above \$2 million, including pending any current activity by the end of the fiscal year.

## **Town Department Requests**

- 6. School Department & School Technology - \$400,000**
  - a. Curriculum Investments - \$133,885  
The district is requesting \$133,885 for the purchase of social studies and civics and elementary math curriculum resources. The learning materials and licensing to support 825 middle school students at an estimated cost of \$125 per student in the new Social Studies frameworks (Gr. 6 Ancient Civilizations, Modern World, Geography/Gr. 8 Civics) and including 40 classroom and Special Education teachers and programs at an estimated cost of \$450 per teacher, totaling \$121,125 (with a 6-year license).



The request also includes elementary Math Illustrative Math (K-5) beta pilot materials to support 1 grade per school at an estimated cost of \$12,760.

b. School Instructional Technology Investments - \$266,115

This request is for strategic technology investments, replacement of aging student chromebooks, faculty computer upgrades, and classroom projectors.

**Not recommended at this time:**

- More School Instructional Technology - \$141,165

**7. Facilities Department (School Projects) - \$102,830**

a. High School Field Complex Safety Nets - \$102,830

This request is for posts and netting including installation to stop foul balls from entering the opposite field when playing.

**Not recommended at this time:**

- Demolition of JFK Modular buildings- \$35,000
- Police Station Feasibility Study - \$150,000
- Maintenance Vehicle for electrician - \$55,000

**8. Recreation Department - \$200,000**

a. Beaver Street Challenge Course - \$200,000

For Phase 2 and the Beaver Street Challenge Course.

**9. Technology (Town) - \$135,500**

a. Upgrade Windows Desktops - \$8,000

This request is for the addition of 4G RAM and upgrade hard drive to SSD at cost of approx. \$125 each for 61 desktops.

b. Replace Laptops- \$14,000

This request is for the replacement of 14 laptops that are 4 years old or more.

c. Emergency Replacement Network Switches - \$23,500

This request replaces 2 network switches to be stored on-site as part of our disaster recovery process. Now that Town phones are dependent on the network, extended downtime while replacement switches are shipped is not an option. We must have hot spares ready to go in the event of a failure. This request covers a single 48 port POE switch at approximately \$6,500 and a fiber "Edge switch" at approximately \$17,000.

d. Replace Virtual Server Environment- \$90,000

This request is for the replacement of our current Virtual Server Environment. The assets required include necessary hardware, as detailed in the attached quote, to provide a robust, redundant, fault-tolerant computing system. This system will be a locally hosted virtual environment utilizing DELL/EMC Storage Spaces Direct, Azure\*

Stack HCI arrays (or equivalent hardware) running Hyper-V clustering via Microsoft Windows Server Datacenter® We originally asked to Hold the \$90,000 in event we were not awarded the \$90,000 grant we applied for. We were unsuccessful in obtaining the grant.

#### **10. Administration Department - \$25,000**

- a. Stormwater Utility Finance Implementation Module - \$25,000  
This request is to hire the required professional services needed to create a custom import for our data in our financial software, MUNIS, to create a new StormWater Enterprise Fund. The enterprise fund discussion on stormwater will be briefed at the Finance Committee meeting on December 17th.

#### **11. Fire Department - \$224,161**

- a. Protective Gear - \$70,000  
These funds have been requested this year and ensuing fiscal years to replace the protective clothing firefighters wear to protect themselves during fire combat operations. The replacement process is necessary since the outside (shell) material, while resistant to heat, denigrates over time due to exposure to the ultraviolet rays of the sun. This denigration combined with normal wear and tear of the garments; weaken the fabric's ability to provide reliable protection for firefighters. On average, these garments are anticipated to last about five years. The process of replacing 17 sets of garments this year and the ensuing fiscal years will allow us to replace our older garments this year as they reach their anticipated life expectancy. Funds requested will allow the department to replace the entire protective ensemble for each firefighter to include helmet, hood, coat, pants, boots and gloves.
- b. Staff Vehicle - \$48,733  
One staff vehicle to replace 2006 Ford Expedition with over 111,000 miles and a considerable amount of corrosion. This cost includes the purchase and installation of radios, warning lights and Town graphics.
- c. Dryer Cabinet - \$8,021  
These funds have been requested to purchase a new gear dryer at Station 2. The new dryer will be enclosed and allow the turnout gear to dry faster. Firefighters gear gets contaminated and soaked while fighting fires. This enables staff to get their gear properly cleaned and dry.
- d. AeroClave - \$15,918  
This device is a portable electrostatic decontamination unit. With several infectious diseases it is more and more imperative that we properly decontaminate our fleet of ambulances to prevent the spread of infectious diseases to our staff as well as our patients. This device can also be used inside our facilities.
- e. Cardiac Monitor - \$31,990



We recently added a fourth ambulance to our fleet and now a fourth cardiac monitor is needed. This device monitors a patient's heart, allows 12-Lead capnography, carbon monoxide saturation, defibrillation, and uploads information to the hospital as well as the patient care software.

f. Infusion Pumps - \$10,000

These pumps are a State requirement from the Office of Emergency Medical Services. They are for medication administration. The funds will purchase two units.

g. Fire Equipment-Nozzle/Hose - \$30,000

These funds are for miscellaneous equipment needs for the department such as nozzles, hand tools, hose, etc.

h. Bicycles - \$9,499

This request is to purchase 2 new bicycles for use in special events in town. We had taken one bicycle out of service and we are looking to get two new bicycles so we can have a two-person team to move around through crowds during large events in Town. The bicycles will carry basic life support supplies to triage injuries. These funds also include helmets, bags, and lights.

**Not recommended at this time:**

- Two additional staff vehicles - \$97,466
- Simulation Mannequin - \$27,000
- Training Door - \$12,050
- Kubota Upgrades - \$8,500

**12. Police Department - \$338,088**

a. Police Cruisers - \$187,450

This will fund the replacement of three new cruisers on the fleet schedule.

b. Protective Body Armor - \$24,970

To replace concealable soft body armor worn by officers that has met or exceeded the five year operational cycle and warranty status. To purchase 28 Poly Rifle Plates that may be inserted into the vest and will provide added ballistic protection for active shooter and other high risk related incidents.

c. Portable Radios - \$69,512

Replace twenty (20) portable radios and accessories that have met the six year recommended replacement cycle. This is the second year of a three year project to replace all 60 portable radios utilized by the department.

d. Electronic Control Weapons (Taser) - \$30,156

To replace Electronic Control Weapons (Tasers) issued to officers that have met or exceeded the five year operational cycle and warranty status. We will participate in the Axon Enterprise Taser 60 - 5 year purchase plan to allow the purchase of all 46 units all

at once. It will save the department money and spread the cost of replacements over a five year period.

e. Technology / Office Equipment - \$26,000

The department needs to replace technology and office related equipment. Seventeen (17) desktop computers that have met the Information Technology departments replacement guidelines. A 12 year old shredder and a color printer also needs to be replaced.

**Not recommended at this time:**

- Three (3) additional cruiser replacements.

**13. Public Works** - \$305,000

a. Class B Dump truck with 11ft.plow - \$230,000

The T-8 1998 Ford Dump F-700 7.0L truck is now 21 years old and is well past its life expectancy with 35,203 miles. The truck does have low miles but cab and chassis has a considerable amount of rot and rust. This truck will not pass inspection and now is in the auction fleet. This truck was used for hauling tree logs and brush only.

The current truck that we are replacing is not equipped for snow plowing and has very limited use. We would like to replace this truck with a 6 Wheel Dump Truck with a Plow and sander to add to our snow plow fleet. This truck would also be equipped with a chipper body to use for tree work.

b. 4x4 crew cab pick-up truck with plow - \$45,000

The T-3 2002 crew-cab is now 17 years old and will not pass inspection. This truck is now in our auction fleet. This truck is not a truck for staff, its for the crews to do regular work and snow removal.

c. Asphalt hot box - \$30,000

We would like to add another hotbox to our fleet to be more efficient handling potholes throughout town. It's a modest investment to help repair and extend the life of roads.

**Not recommended at this time:**

- Sidewalk plow with snowblower- \$130,000
- Zero turn 100" mower - \$46,000
- 350 Pick-up truck with plow and small sander - \$50,000
- 4x2 pick up truck- \$30,000
- Town Vehicle Wash - \$500,000

**14. Water and Sewer Enterprise Funds - HOLD UNTIL FURTHER NOTICE**

The Department of Revenue certified \$2,754,056 in Retained Earnings for Water and \$1,404,544 in Retained Earnings for Sewer. Due to unforeseen circumstances, we will not be asking for appropriation for Water and Sewer capital projects at this time. However, if circumstances change throughout the winter, we will meet with the Finance Committee



regarding those priorities. As such, we have not included any requests relative to Water & Sewer Enterprise fund capital expenditures at this time.

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**In addition to the needs within each department' 5-year capital plans, here is a list of other capital projects over the next five to ten years (in no particular order):**

- Water treatment facility Wells 3 & 6 – approximately \$12-\$13 million
  - Construction begins in 2020. This borrowing at some point will require a water rate hike to pay for the loans and the wells upgrades.
- Stormwater Utility to comply with federal EPA mandates in stormwater
  - Currently being discussed. Looking to create a new Enterprise Fund for stormwater.
- Facilities Investments - \$5-\$10 million/5-10 years
  - Schools will likely require a borrowing at some point for the next ten years to replace or stabilize roofs, upgrade boilers, playgrounds and more from the 1-year capital plan.
  - Municipal Building Windows - \$850,000+
- Public Safety communications infrastructure-
  - After the repeal of copper lines and installation of new public safety equipment for communication, one area of town is left to complete in the Northeast Corridor of Franklin.
- Police Station study and renovation - Estimate \$20-\$28 million
  - For renovation & expansion of the current station; this estimate does not include any new land if a new site is desired. If so, add another \$2-\$4 million.
  - A new Police Station will require a debt exclusion vote at the ballot by citizens in the community.
  - Staff will look to fund the full \$150,000 study in the FY21 capital plan once a timeline and strategy is in place by the Council.
- Prepare for future Open Space purchases and Recreation land investments - millions.
- Sidewalks on Beaver Street and Washington Street – cost TBD
- Town and School Playground Improvements - \$1.5 million approximately over the next 5-10 years.
- Pavement & Infrastructure Management -
  - Recent plans on roads and parking lots showed a \$40+ million backlog for roads and municipal and school parking lots.
- Landfill cap and Recycling Center expansion- \$3 million, approximately.
  - The state Environmental Bond Bill has \$1 million reserved authorization.
  - This project will be a long permitting process through DEP after the land transfer is completed. The state agency in charge of disposition of state land continues its work.
- Beaver Street Interceptor Design and replacement - \$25 to \$30 million; Design will likely be \$2-\$3 million on its own. A consultant should have conceptual recommendations in 2020.

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What is Free Cash?

Free Cash (Also Budgetary Fund Balance) is defined as “remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in

excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's auditor, accountant, or comptroller. Important: free cash is not available for appropriation until certified by the Director of Accounts. (See Available Funds)”

The state Department of Local Services has a [glossary on municipal finance terms](#).

You may also visit the [Town of Franklin’s Budget website](#) for more.

<https://www.franklinma.gov/town-budget>

FREE CASH HISTORY

Certified	General Fund	Water Enterprise	Sewer Enterprise	Solid Waste Enterprise	Total
7/1/1997	3,198,271				3,198,271
7/1/1998	3,645,310				3,645,310
7/1/1999	2,376,856				2,376,856
7/1/2000	7,315,684				7,315,684
7/1/2001	3,802,432				3,802,432
7/1/2002	3,882,685				3,882,685
7/1/2003	1,586,454				1,586,454
7/1/2004	2,707,379				2,707,379
7/1/2005	2,104,083				2,104,083
7/1/2006	656,535	2,176,995	2,864,197	183,451	5,881,178
7/1/2007	1,858,230	1,647,411	2,561,047	61,500	6,128,188
7/1/2008	2,328,614	2,460,244	3,345,138	122,289	8,256,285
7/1/2009	2,385,242	1,554,884	1,343,434	351,058	5,634,618
7/1/2010	2,133,006	2,384,106	1,282,996	382,606	6,182,714
7/1/2011	2,935,840	2,030,319	1,386,149	624,111	6,976,419
7/1/2012	3,580,481	3,045,246	862,396	331,426	7,819,549
7/1/2013	2,001,830	4,275,163	1,359,927	383,173	8,020,093
7/1/2014	3,073,946	2,693,223	1,500,456	432,094	7,699,719
7/1/2015	2,359,365	2,348,202	2,673,720	396,933	7,778,220
7/1/2016	3,643,541	2,391,123	1,560,327	379,567	7,974,558
7/1/2017	2,821,988	2,481,336	904,612	380,888	6,588,824
7/1/2018	3,726,972	2,809,777	1,470,260	319,625	8,326,634
7/1/2019	3,482,875	2,754,056	1,404,544	285,807	7,927,282



School Department	Project #	Asset/ Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Assets/Project Costs
	Request #1	Curriculum Resources (Civics/SS/Elem.Math)	3 - Requirement of State or Federal Law or Regulation	6 years		\$ 133,885.00
	Request #2	Instructional Technology	3 - Requirement of State or Federal Law or Regulation	5-10 years		\$ 407,280.00
	<b>Priority Coding</b>					
	1 - Threat to Citizens or Employees health, safety or property					
	2 - Maintenance - operational necessity					
	3 - Requirement of State or Federal Law or Regulation					
	4 - Improvement of Infrastructure					
	5 - Improved productivity					
	6 - Alleviation of an overted/overburdened situation					
			<b>Total Capital Improvement Request</b>			<b>\$ 541,165.00</b>

School Department	Project #	Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Asset/Project Costs
<b>Request #1</b>		<p><b>Curriculum Resources (Civics/SS/Elem.Math)</b></p> <p>The district is requesting \$133,885 for the purchase of social studies and civics and elementary math curriculum resources. The learning materials and licensing to support 825 middle school students at an estimated cost of \$125 per student in the new Social Studies frameworks (Gr. 6 Ancient Civilizations, Modern World, Geography/Gr. 8 Civics) and including 40 classroom and Special Education teachers and programs at an estimated cost of \$450 per teacher, totaling \$121,125 (with a 6-year license). The request also includes elementary Math Illustrative Math (K-5) beta pilot materials to support 1 grade per school at an estimated cost of \$12,760.</p>	3 - Requirement of State or Federal Law or	6 years		\$ 133,885.00
<b>Request #2</b>	<p><b>Instructional Technology:</b></p> <p>Student Chromebooks, replacement laptops/computers for faculty, classroom projectors</p>	<p><b>Instructional Technology</b></p> <p>The district is requesting \$407,280 for the replacement of instructional technology across the district. This includes approximately 500 aging Chromebooks at Franklin High School at an estimated cost of \$230 per device, which are distributed to the incoming ninth-grade students as part of the district's 1:1 program. Chromebooks collected from graduating seniors that are determined to be in good condition will be distributed for use in elementary schools; devices deemed in poor or inoperable condition will either be disassembled for parts or declared surplus and subsequently recycled. This also includes an upgrade (in lieu of replacement) of faculty all-in-one computers. Additionally, the district is requesting funds to replace as many as 237 teacher laptops at an estimate of \$1000 per laptop. This accounts for any laptop more than four years old, in accordance with the technology projection plan. This request also includes funds, estimated at \$1000 per projector, to replace up to 47 projectors throughout the district, which are 10 years old.</p>	3 - Requirement of State or Federal Law or	5-10 years		\$ 407,280.00
<b>Priority Coding</b>						
1 - Threat to Citizens or Employees health, safety or property						
2 - Maintenance - operational necessity						
3 - Requirement of State or Federal Law or Regulation						
4 - Improvement of Infrastructure						
5 - Improved productivity						
6 - Alleviation of an overted/overburdened situation						





















Recreation	Project #	Asset/ Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Assets/Project Costs	
	Request #1	Beaver Pond Practice Fields & Playground (Phase 2)	4 - Improvement of Infrastructure	20 Years	\$ -	\$ 200,000.00	
			<b>Total Capital Improvement Request</b>				\$ 200,000.00
	<b>Priority Coding</b>						
	1 - Threat to Citizens or Employees health, safety or property						
	2 - Maintenance - operational necessity						
	3 - Requirement of State or Federal Law or Regulation						
	4 - Improvement of Infrastructure						
	5 - Improved productivity						
	6 - Alleviation of an overtred/overburdened situation						

Recreation	Project #	Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Asset/Project Costs
Request #1	Beaver Pond Practice Fields & Playground (Phase 2)	Install a fitness challenge playground (age 13+) behind turf field, install irrigation on playing field, overseed grass area behind turf field. Install lacrosse wall	4 - Improvement of Infrastructure	20 Years	\$ -	\$200,000.00

**Priority Coding**

- 1 - Threat to Citizens or Employees health, safety or property
- 2 - Maintenance - operational necessity
- 3 - Requirement of State or Federal Law or Regulation
- 4 - Improvement of Infrastructure
- 5 - Improved productivity
- 6 - Alleviation of an overted/overburdened situation





<b>Technology</b>					
<b>Project #</b>	<b>Asset/ Project Name</b>	<b>Funding Priority</b>	<b>Life Expectancy</b>	<b>Annual Operating Expenses</b>	<b>Assets/Project Costs</b>
Request #1	Upgrade Windows Desktops	2 - Maintenance - operational necessity	3		\$ 8,000
Request #2	Replace Laptops	2 - Maintenance - operational necessity	4	\$ -	\$ 14,000
Request #3	Replace Virtual Server Environment	2 - Maintenance - operational necessity		\$ -	\$ 90,000
Request #4	Emergency Replacement Network Switches	4 - Improvement of Infrastructure		\$ -	\$ 23,500
<b>Priority Coding</b>		<b>Total Capital Improvement Request</b>			<b>\$ 135,500</b>
1 - Threat to Citizens or Employees health, safety or property					
2 - Maintenance - operational necessity					
3 - Requirement of State or Federal Law or Regulation					
4 - Improvement of Infrastructure					
5 - Improved productivity					
6 - Alleviation of an overtred/overburdened situation					

<b>Technology</b>					
<b>Project #</b>	<b>Asset/Project Name</b>	<b>Funding Priority</b>	<b>Life Expectancy</b>	<b>Annual Operating Expenses</b>	<b>Asset/Project Costs</b>
<b>Request #1</b>	Upgrade Windows Desktops	2 - Maintenance - operator	3		\$8,000.00
Asset/Project Description	Add 4 G RAM and upgrade Hard drive to SSD at cost of approx. \$125 each for 61 desktops				
<b>Request #2</b>	Replace Laptops	2 - Maintenance - operator	4	\$	\$14,000.00
Asset/Project Description	Replace 4 yr old laptops Qty 14				
<b>Request #3</b>	Replace Virtual Server Environment	2 - Maintenance - operator		\$	\$90,000.00
Asset/Project Description	The assets required include necessary hardware, as detailed in the attached quote, to provide a robust, redundant, fault-tolerant computing system. This system will be a locally hosted virtual environment				
<b>Request #4</b>	Emergency Replacement Network Switches	4 - Improvement of Infrastr		\$	\$23,500.00
Asset/Project Description	2 network switches to be stored on-site as part of our disaster recovery process. Now that Town phones are dependent on the network, extended downtime				
<b>Priority Coding</b>					
1 - Threat to Citizens or Employees health, safety or property					
2 - Maintenance - operational necessity					
3 - Requirement of State or Federal Law or Regulation					
4 - Improvement of Infrastructure					
5 - Improved productivity					
6 - Alleviation of an overted/overburdened situation					





<b>Administration</b>							
Project #	Asset/ Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Assets/Project Costs		
Request #1	Stormwater Utility Finance Implementation Module	5 - Improved productivity		\$ -	\$ 25,000		



<b>Fire Department</b>	<b>Asset/ Project Name</b>	<b>Funding Priority</b>	<b>Life Expectancy</b>	<b>Annual Operating Expenses</b>	<b>Assets/Project Costs</b>
Request #1	Protective Gear	1 - Threat to Citizens or Employees health, health, safety or property	10years	-	\$ 70,000
Request #2	Staff Cars	1 - Threat to Citizens or Employees health, safety or property	10years	-	\$ 150,000
Request #3	Dryer cabinet	1 - Threat to Citizens or Employees health, safety or property	15years	-	\$ 8,021
Request #4	AeroClave	1 - Threat to Citizens or Employees health, safety or property	10years	-	\$ 15,918
Request #5	Cardiac Monitor	2 - Maintenance - operational necessity	10years	-	\$ 31,990
Request #6	Infusion Pumps	3 - Requirement of State or Federal Law or Regulation	10 Years	-	\$ 10,000
Request #7	Simulation Manequin	5 - Improved productivity	15 Years	-	\$ 27,000
Request #8	Training Door	5 - Improved productivity	20 years	-	\$ 12,050
Request #9	Fire Equipment-Nozzle/Hose	5 - Improved productivity	10 years	-	\$ 30,000
Request #10	Bicycles	5 - Improved productivity	10 years	-	\$ 9,499
Request #11	Kubota Upgrades	5 - Improved productivity	15 years	\$ -	\$ 8,500
		<b>Total Capital Improvement Request</b>			<b>\$ 372,978</b>
<b>Priority Coding</b>					
1 - Threat to Citizens or Employees health, safety or property					
2 - Maintenance - operational necessity					
3 - Requirement of State or Federal Law or Regulation					
4 - Improvement of Infrastructure					
5 - Improved productivity					
6 - Alleviation of an overted/overburdened situation					



<b>Fire Department</b>		Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Asset/Project Request
Project #	Asset/Project Description	Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Asset/Project Request
<b>Request #1</b>	Protective gear	Protective gear	1 - Threat to Citizens or Employees health, safety or property			\$70,000.00
	These funds have been requested this year and ensuing fiscal years to replace the protective clothing firefighters wear to protect themselves during fire combat operations. The replacement process is necessary since the outside (shell) material, while resistant to heat, denigrates over time due to exposure to the ultraviolet rays of the sun. This denigration combined with normal wear and tear of the garments; weaken the fabric's ability to provide reliable protection for firefighters. On average, these garments are anticipated to last about five years. The process of replacing 17 sets of garments this year and the ensuing fiscal years will allow us to replace our older garments this year as they reach their anticipated life expectancy. Funds requested will allow the department to replace the entire protective ensemble for each firefighter to include helmet, hood, coat, pants, boots and gloves.					
<b>Request #2</b>	Staff Cars	Staff Cars	1 - Threat to Citizens or Employees health, safety o			\$150,000.00
	These three vehicles will be replacing an aging fleet. This includes the replacement of a 2006 Ford Expedition with over 111,000 Miles and a considerable amount of corrosion. A 2011 Ford Escape and a 2011 Ford Taurus will be rotated. This cost includes the purchase and installation of radios as well as warning lights.					
<b>Request #3</b>	Dryer cabinet	Dryer cabinet	1 - Threat to Citizens or Employees health, safety o			\$8,021.00
	These funds have been requested to purchase a new gear dryer at Station 2. The new dryer will be enclosed and allow the turnout gear to dry faster. Firefighters gear gets contaminated and soaked while fighting fires. This enables staff to get their gear properly cleaned and dry.					
<b>Request #4</b>	AeroClave	AeroClave	1 - Threat to Citizens or Employees health, safety o			\$15,918.00

Asset/Project Description	This device is a portable electrostatic decontamination unit. With several infectious diseases it is more and more imperative that we properly decontaminate our fleet of ambulances to prevent the spread of infectious diseases to our staff as well as our patients. This device can also be used inside our facilities.				
<b>Request #5</b>	Cardiac Monitor	2 - Maintenance - operational necessity	-	\$31,990.34	
Asset/Project Description	We recently added a fourth ambulance to our fleet and now a fourth cardiac monitor is needed. This device monitors a patient's heart, allows 12-Lead capnography, carbon monoxide saturation, defibrillation, and uploads information to the hospital as well as the patient care software.				
<b>Request #6</b>	Infusion Pumps	3 - Requirement of State or Federal Law or Regulation	-	\$10,000.00	
Asset/Project Description	These pumps are a State requirement from the Office of Emergency Medical Services. They are for medication administration. The funds will purchase two units.				
<b>Request #7</b>	Simulation Manequin	5 - Improved productivity	-	\$27,000.00	
Asset/Project Description	This manequin is a training aid that helps paramedics keep up their skills including intubation, intravenous access, and additional advanced skills.				
<b>Request #8</b>	Training Door	5 - Improved productivity	-	\$12,050.00	
Asset/Project Description	These funds are for a mock up training prop that teaches firefighting skills of forcing entry through doors. This door would allow groups to train on various techniques of gaining quick access into properties where time may be critical in an emergency situation.				
<b>Request #9</b>	Fire Equipment-Nozzle/Hose	5 - Improved productivity	-	\$30,000.00	
Asset/Project Description	These funds are for miscellaneous equipment needs for the department. This is for items such as nozzles, hand tools, hose, etc.				
<b>Request #10</b>	Bicycles	5 - Improved productivity	-	\$9,498.59	

<p><b>Asset/Project Description</b></p>	<p>This request is to purchase 2 new bicycles for use in special events in town. We had taken one bicycle out of service and we are looking to get two new bicycles so we can have a two-person team to move around through crowds during large events in Town. The bicycles will carry basic life support supplies to triage injuries. These funds also include helmets, bags, and lights.</p>		
<p><b>Request #11</b></p>	<p>Kubota Upgrades</p>	<p>5 - Improved productivity</p>	<p>\$8,500.00</p>
<p><b>Asset/Project Description</b></p>	<p>These funds are for upgrading the department's all terrain vehicle by enclosing the cab including doors, windshield, and heater. This will allow us to utilize this during inclement weather.</p>		
<p><b>Priority Coding</b></p>			
<p>1 - Threat to Citizens or Employees health, safety or property</p>			
<p>2 - Maintenance - operational necessity</p>			
<p>3 - Requirement of State or Federal Law or Regulation</p>			
<p>4 - Improvement of Infrastructure</p>			
<p>5 - Improved productivity</p>			
<p>6 - Alleviation of an overtred/overburdened situation</p>			



Town of Franklin			Fire Capital Improvement Plan					6 Year Plan				
Odometer Readings	Engine Miles	Year Purchased	Item Description	Replace Cycle	Year Due	Priority Code	2020	2021	2022	2023	2024	2025
		2000	Engine 4	20	2020	2	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	
		2008	Tower 1	25	2033							
		2004	Brush 1	20	2024	2						\$100,000
		2004	Brush 2	20	2024	2						\$100,000
		2011	Car 10	4	2020	1 & 2	\$45,000				\$45,000	
		2011	Car 11	4	2020	1 & 2	\$45,000				\$45,000	
		2011	Car 12	4	2020	1 & 2	\$45,000				\$45,000	
		2014	Car 3	4	2020							
		2011	Car 4	4	2020							
		2006	Car 5	4	2020							
		2010	Car 7	10	2020	1 & 2						\$50,000
		2016	Rescue 1	4	2024	2					\$345,000	
		2013	Rescue 3	4	2020	2	\$335,000					
		2014	Rescue 4	4	2022	2		\$335,000				
<b>Total Fleet</b>							\$570,000	\$100,000	\$435,000	\$100,000	\$580,000	\$250,000
		Various	Protective Firefighting Clothing	10	Various	1 & 3						
		NEW	Aeroclave Disinfection Unit	5		1, 4, & 5	\$70,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
		NEW	PPE Gear Drying Cabinet - Sta. #2	15		1, 4, & 5	\$8,021					
		2002	Breathing Air Compressor - Sta. #2	20	2022	1, 2, & 4			\$75,000			
		2006	Auto Extrication Devices - Sta. #2	15	2021						\$50,000	
		2013	PPV Fans	10	2023					\$25,000		
		2015	Portable Radios	7	2022					\$400,000		
		2019	External Chest Compressor	5	2024						\$25,000	
		2015	Cardiac Monitor/Defibrillators	5	2020	1, 2, & 5	\$31,991					
		2016	Copy Machine - HQ	7	2023					\$12,000		
		2019	Pulse Ox/CO Monitor - add'l unit	10	2029	1, 2, & 5	\$11,198					
		Various	E-Bikes	10		2 & 5	\$9,499					
		NEW	SIM Mannequin	10		2 & 5	\$12,500					
		NEW	Functional Fitness Equipment	10		5		\$20,000				
		NEW	SCBA Technology Upgrades	10		1 & 5		\$50,000				
		NEW	Forcible Entry Prop w/Training	10		5	\$12,250					
		NEW	Kubota Upgrades	10		5	\$8,500					
<b>Total Non-Fleet</b>							\$179,877	\$115,000	\$120,000	\$482,000	\$120,000	\$45,000
<b>TOTAL</b>							\$749,877	\$215,000	\$555,000	\$582,000	\$700,000	\$295,000



<u>Police Department</u>	Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Asset/Project Request
Request #1 Asset/Project Description	<b>POLICE VEHICLES</b> This year we are requesting funds to replace six (6) police cruisers consistent with our Cruiser Replacement Policy. The selected cruisers are scheduled to be rotated out of service by recommendation of DPW mechanics, age, high mileage and their continued cost of maintenance.	2 - Maintenance - operational necessity	4-6 years	\$ -	\$ 374,905.00
Request #2 Asset/Project Description	<b>PROTECTIVE BODY ARMOR</b> To replace concealeable soft body armor worn by officers that has met or exceeded the five year operational cycle and warranty status. To purchase 28 Poly Rifle Plates that may be inserted into the vest and will provide added ballistic protection for active shooter and other high risk related incidents.	1 - Threat to Citizens or Employees health,	5 years	\$ -	\$ 24,970.00
Request #3 Asset/Project Description	<b>PORTABLE RADIOS (20)</b> Replace twenty (20) portable radios and accessories that have met the six year recommended replacement cycle. This is the second year of a three year project to replace all 60 portable radios utilized by the department.	2 - Maintenance - operational necessity	6 years	\$ -	\$ 69,512.00
Request #4 Asset/Project Description	<b>ELECTRONIC CONTROL WEAPONS (TASER)</b> To replace Electronic Control Weapons (Tasers) issued to officers that have met or exceeded the five year operational cycle and warranty status. We will participate in the Axon Enterprise Taser 60 - 5 year purchase plan to allow the purchase of all 46 units all at once. It will save the department money and spread the cost of the replacements over a five year period.	2 - Maintenance - operational necessity	5 years	\$ -	\$ 30,156.00
Request #5 Asset/Project Description	<b>TECHNOLOGY / OFFICE EQUIPMENT</b> The department needs to replace technology and office related equipment. Seventeen (17) desktop computers that have met the Information Technology departments replacement guidelines. A 12 year old shredder and a color printer also need to be replaced.	2 - Maintenance - operational necessity	3-5 years	\$ -	\$ 26,000.00





Town of Franklin  
Police Capital Improvement Plan  
5 Year Plan

Fleet	Odometer Readings	Year Purchased	Item Description	FY To be Replaced	Year 1	Year 2	Year 3	Year 4	Year 5
					FY20	FY21	FY22	FY23	FY24
			<b>POLICE CRUISERS - MARKED</b>	Fiscal Year					
		2017	FORD POLICE INTERCEPTOR UTILITY - 601	2023			\$69,799.00		
		2017	FORD POLICE INTERCEPTOR UTILITY - 602	2022	\$67,763.00				
		2014	FORD POLICE INTERCEPTOR SEDAN- 603	2020	\$65,790.00				\$74,046.00
		2017	FORD POLICE INTERCEPTOR UTILITY - 604	2022			\$69,799.00		
		2017	FORD POLICE INTERCEPTOR UTILITY - 605	2021	\$65,790.00				\$74,046.00
		2017	FORD POLICE INTERCEPTOR UTILITY - 606	2021			\$69,799.00		
		2017	FORD POLICE INTERCEPTOR UTILITY - 612	2022			\$69,799.00		
		2017	FORD POLICE INTERCEPTOR UTILITY - 613	2022			\$69,799.00		
		2019	FORD POLICE INTERCEPTOR SEDAN - 614	2019				\$71,890.00	
		2019	FORD POLICE INTERCEPTOR UTILITY- 615	2019				\$71,890.00	
		2016	FORD POLICE INTERCEPTOR UTILITY - 616	2021		\$67,763.00			
		2018	FORD POLICE INTERCEPTOR UTILITY - 617	2027				\$71,890.00	
		2011	FORD CROWN VICTORIA POLICE INTERCEPTOR - 618	2020	\$65,790.00				\$74,046.00
		2016	FORD POLICE INTERCEPTOR UTILITY - 619	2021		\$67,763.00			
		2018	FORD POLICE INTERCEPTOR UTILITY- 622	2023				\$71,890.00	
		2018	FORD POLICE INTERCEPTOR UTILITY- 623	2024				\$71,890.00	
		2013	FORD POLICE INTERCEPTOR UTILITY- 624	2019	\$70,279.00				\$74,046.00
		2019	FORD POLICE INTERCEPTOR UTILITY- 626	2025		\$66,763.00			
		2014	FORD POLICE INTERCEPTOR UTILITY- 627	2025		\$66,763.00			
		2015	FORD POLICE INTERCEPTOR UTILITY- 628	2025					
			<b>POLICE CRUISERS - UNMARKED</b>						
		2015	FORD POLICE INTERCEPTOR SEDAN - 607	2024					
		2016	FORD POLICE INTERCEPTOR SEDAN - 608	2026					
		2013	FORD POLICE INTERCEPTOR SEDAN - 609	2024					
		2014	FORD POLICE INTERCEPTOR SEDAN - 610	2025					
		2011	FORD CROWN VICTORIA POLICE INTERCEPTOR - 611	2023			\$55,000.00		
		2009	FORD CROWN VICTORIA POLICE INTERCEPTOR - 620	2021	\$53,628.00				
		2007	FORD CROWN VICTORIA POLICE INTERCEPTOR - 621	2019	\$53,628.00				
		2018	FORD POLICE INTERCEPTOR UTILITY- 625	2025					
			<b>PCO VEHICLE</b>						
		2017	CHEVROLET CRUZE SEDAN	2027					\$40,000.00
			<b>MOTORCYCLES</b>						
		2008	HARLEY-DAVIDSON MOTORCYCLE C-1	2021		\$23,400.00			
		2019	HARLEY-DAVIDSON MOTORCYCLE C-2	2021					









Project #	Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Asset/Project Request
<b>Request #1</b> Asset/Project Description	Class B Dump truck with 11ft. plow The T-8 1998 Ford Dump F-700 7.0L truck is now 21 years old and is well past its life expectancy with 35,203 miles. The truck does have low miles but cab and chassis has a considerable amount of rot and rust. This truck will not pass inspection and now is in the auction fleet. This truck was used for hauling tree logs and brush. The truck is not equipped for snow plowing and has very limited use. We would like to replace this truck with a 6 Wheel Dump Truck with a Plow and sander to add to our snow plow fleet. This truck would also be equipped with a chipper body to use for tree work.	2 - Maintenance - operational necessity	12	\$	\$230,000.00
<b>Request #2</b> Asset/Project Description	4x4 crew cab pick-up truck with plow The T-3 2002 crew-cab is now 17 years old and will not pass inspection. This truck is now in our auction fleet.	2 - Maintenance - operational necessity	7	\$	\$45,000.00
<b>Request #3</b> Asset/Project Description	Asphalt hot box We would like to add another hotbox to our fleet to be more efficient handling pothole throughout town.	4 - Improvement of Infrastructure	10	\$	\$30,000.00
<b>Request #4</b> Asset/Project Description	Sidewalk plow with snowblower The 2004 Holder sidewalk plow is now 15 years old and well past its life expectancy. We have spent thousands of dollars on this machine and constantly have engine overheating issues. This machine is a key piece of equipment to clear snow from sidewalks.	2 - Maintenance - operational necessity	10	\$	\$130,000.00
<b>Request #5</b> Asset/Project Description	Zero turn 100" mower The LM 2 2006 Kubota 72" zero turn is now 13 years old and we would like to replace it with a 100" cut zero turn to be more productive.	5 - Improved productivity	7	\$	\$36,000.00
<b>Request #6</b> Asset/Project Description	350 Pick-up truck with plow and small sander The 2001 T-12 4x4 pick-up is now 18 years old and did not pass inspection. This truck has been auctioned off for parts and never replaced. This truck was used to treat sidewalks and parking lots at the schools and town buildings.	2 - Maintenance - operational necessity	7	\$	\$50,000.00
<b>Request #7</b> Asset/Project Description	4x2 Pick-up truck The T-5 2006 4x2 F-250 pick-up truck is now 13 years old with 119000 miles. This truck is used by the foreman on a daily basis to do numerous tasks around town.	2 - Maintenance - operational necessity	7	\$	\$30,000.00
<b>Priority Coding</b>					
1 - Threat to Citizens or Employees health, safety or property					
2 - Maintenance - operational necessity					
3 - Requirement of State or Federal Law or Regulation					
4 - Improvement of Infrastructure					
5 - Improved productivity					
6 - Alleviation of an overted/overburdened situation					
<b>Total Capital Improvement Request</b>					<b>\$ 551,000.00</b>



Town of Franklin  
Highway & Grounds Capital Improvement Plan  
5 Year Plan

Fleet Requests	Odometer Readings	Year Purchased	Item Description	Replace Cycle	Year				
					FY20	FY21	FY22	FY23	FY24
D-1	28037	2016	GMC 1500 Pick-up	7					40000
D-2	48632	2011	Malibu Sedan	10					30000
H-1	3129	2019	Ford F-150 4x4 P/U	7					
H-3	74785	2001	Sterling Dump w/Plow/Sander	10			180,000		
H-4	10545	2016	Freightliner Dump w/Plow/Sander	10					
H-5	18553	1997	Ford Dump w/Plow/Sander	10		180,000			
H-6	10087hrs.	2000	John Deere Loader	9			170,000		
H-7	49877	2000	Sterling Dump w/ Plow/Sander	10				180000	
H-8	8641	2017	Ford 1 Ton Dump w/Plow	7					
H-9	28680	2009	International Dump w/Plow/Sander	10					200000
H-11	44457	2014	Ford F-150 P/U 4x4	7					35000
H-10	115,218	2005	Sterling Dump w/ Plow/Sander	10				200000	
H-12	187 hrs.	2018	Kabota Excavator	12					
H-13	59118	1998	Ford Dump w/Plow/CB Cleaner	10			160,000		
H-14	132 hrs.	2018	Multi-hog sidewalk plow	12					
H-15	1155 hrs.	2004	Bomag Vibratory Roller	15					
H-16	12379	2016	Ford 1 Ton Dump w/Plow	7					
H-17	68679	2002	Ford 1 Ton Dump w/Plow	7		60,000			
H-18	6133	2017	Freightliner Dump w/Plow/Sander	10					
H-19	970 hrs.	2013	Terex Skidsteer	12					50000
H-20	79585	2000	International Bucket Truck	10			100,000		
H-22	50750	1999	Sterling Dump w/Plow/Sander	10		200,000			
H-23	3916 hrs.	2012	Hyundai Loader	15				160000	
H-25	85 hrs.	2018	Salsco Paver	15					
H-24	64261	2005	Sterling Dump w/Plow/Sander	10					
H-27	3943 hrs.	2004	John Deere Tractor	12					







DPW	Project #	Asset/ Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Assets/Project Costs
Request #1		Town Vehicle Wash	5 - Improved productivity		\$ -	\$ 500,000

DPW	Project #	Asset/Project Name	Funding Priority	Life Expectancy	Annual Operating Expenses	Assest/ Project Request
Request #1	Town Vehicle Wash	Presently the DPW has a wash down area. This is basically a hand operated pressure wash operation. The facility has not worked properly in years due to outdated and older units that can no longer be repaired. The DPW is looking to incorporate a car wash that would be available to all town owned fleet vehicles. The car wash would be housed in the present building envelope. The car wash would be a drive through system. The use of this facility by the town vehicles would help prolong the useful life of our fleet and specialized equipment. Annually, the DPW must take vehicles off the road due to unsafe corrosion in the under carriage and wheel assembly areas. Snow operations are the harshest on vehicles with the use of calcium chloride which excellerates the corrosion process. Car washes are a more eco freindly use of water as opposed to washing your vehicle by hand, using less water. Lastly, our vehicles are rolling billboards, advertising our business. Ask yourself what message you want to send to our residents when they see our fleet covered in road grime. All to often fleet car washes are looked as an expense. And while it does cost money to operate the "Technnology & Maintenance Council has an entire Recommended Practice (RP 433) devoted to fleet truck washes.	5 - Improved productivity		\$ -	\$500,000.00
Priority Coding	1 - Threat to Citizens or Employees health, safety or property	2 - Maintenance - operational necessity	3 - Requirement of State or Federal Law or Regulation	4 - Improvement of Infrastructure	5 - Improved productivity	6 - Alleviation of an overtred/overburdened situation
<b>Total Capital Improvement Request</b>						<b>\$ 500,000.00</b>



**TOWN OF FRANKLIN**

**RESOLUTION NO.:** 20-03

**APPROPRIATION:** Capital FY20

**TOTAL REQUESTED:** \$ 1,730,579

**PURPOSE:** To appropriate funds for the 2020 Capital Improvement Plan:

<u>Department</u>	<u>Description</u>	<u>Category</u>	<u>Amount</u>	<u>Total</u>
Schools	School Technology Curriculum	Technology	\$133,885	
	School Technology Equipment	Technology	\$266,115	\$400,000
Facilities-School	High School Field Safety Nets	Equipment	\$102,830	\$102,830
Recreation	Beaver Street Challenge Course	Infrastructure	\$200,000	\$200,000
Technology-Town	Virtual Server Replacement	Technology	\$90,000	
	Upgrade Windows Desktop	Technology	\$8,000	
	Replacement Laptops	Technology	\$14,000	
	Emergency Replacement Network Switches	Technology	\$23,500	\$135,500
Administration	Stormwater Finance Implementation	Technology	\$25,000	\$25,000
Fire	Protective Gear	Equipment	\$70,000	
	Staff Vehicle	Vehicles	\$48,733	
	Dryer Cabinet	Equipment	\$8,021	
	AeroClave	Equipment	\$15,918	
	Cardiac Monitor	Equipment	\$31,990	
	Infusion Pumps	Equipment	\$10,000	
	Nozzle / Hose	Equipment	\$30,000	
	Bicycles	Equipment	\$9,499	\$224,161
Police	Police Cruisers	Vehicles	\$187,450	
	Protective Body Armor	Equipment	\$24,970	
	Portable Radios	Equipment	\$69,512	
	Tasers	Equipment	\$30,156	
	Office Equipment	Technology	\$26,000	\$338,088
Public Works	Class B Dump Truck	Vehicles	\$230,000	
	4X4 Crew Cab Pick-up	Vehicles	\$45,000	
	Asphalt Hot Box	Equipment	\$30,000	\$305,000

**FINANCE COMMITTEE ACTION**

**Meeting Date:** 12/17/19      **Vote:** 7-0



**Recommended Amount: \$1,730,579**

**CAPITAL BUDGET SUBCOMMITTEE ACTION**

**Meeting Date: 1/15/2020      Vote: 4-0**

**Recommended Amount: \$1,730,579**

**MOTION**

Be It Moved and Voted by the Town Council that the sum of One Million Seven Hundred Thirty Thousand Five Hundred and Seventy-Nine Dollars (\$ 1,730,579) be appropriated and transferred from Free Cash to be expended at the discretion of the Town Administrator (to include any residual funds remaining in line items) for the FY 2020 Capital Improvement Plan as outlined above.

This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Charter.

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

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

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



**TOWN OF FRANKLIN**

**RESOLUTION NO.:** 20-04

**APPROPRIATION:** OPEB TRUST FUNDS TRANSFER

**TOTAL REQUESTED:** \$ 348,000

**PURPOSE:** Continued Funding of OPEB Trust Fund Per Town Policy

<u>TRANSFER TO:</u>	<u>REASON</u>	<u>SOURCE</u>	<u>AMOUNT</u>
OPEB Trust Fund	Continued Funding 10% of Free Cash	Free Cash	\$348,000

**FINANCE COMMITTEE ACTION**

Meeting Date: 12/17/19 Vote: 7-0

Recommended Amount: \$348,000

**CAPITAL BUDGET SUBCOMMITTEE ACTION**

Meeting Date: 1/15/2020 Vote: 4-0

Recommended Amount: \$348,000

**MOTION**

Be It Moved and Voted by the Town Council that the sum of Three Hundred Forty-Eight Thousand Dollars (\$ 348,000) be transferred from Free Cash to the OPEB Trust Fund.

This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Charter.

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

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

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



**TOWN OF FRANKLIN**

**RESOLUTION NO.:** 20-05

**APPROPRIATION:** FREE CASH TO STABILIZATION ACCOUNTS TRANSFERS

**TOTAL REQUESTED:** \$ 570,000

**PURPOSE:** Continued Funding of Stabilization Accounts Per Town Policy

<u>TRANSFER TO:</u>	<u>REASON</u>	<u>SOURCE</u>	<u>AMOUNT</u>
Fire Truck Stabilization	Year 3 of 7 Year Plan	Free Cash	\$100,000
Fields Stabilization	Replace in Approximately 2027	Free Cash	\$150,000
Open Space Stabilization	Funding for Future Land Acquisitions	Free Cash	\$320,000
			<u>\$570,000</u>

**FINANCE COMMITTEE ACTION**

Meeting Date: 12/17/19 Vote: 7-0

Recommended Amount: \$570,000

**CAPITAL BUDGET SUBCOMMITTEE ACTION**

Meeting Date: 1/15/2020 Vote: 4-0

Recommended Amount: \$570,000

**MOTION**

Be It Moved and Voted by the Town Council that the sum of Five Hundred Seventy Thousand Dollars (\$570,000) be transferred from Free Cash to the above named stabilization accounts, to be allocated in the amounts noted.

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

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

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

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



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 30, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Resolution 20-09: Gift Acceptance - Franklin Veteran Services Department**

---

The Franklin Veteran Services Department has received three (3) generous donations totaling \$350. These donations will be used to provide services and programs to local veterans.

The donations were made as follows.

1. Lyle Wicker - \$300
2. David Seyfarth - \$25
3. Kumar Hosdurg - \$25

We would like to thank all of the people who have so generously donated to the Franklin Veteran Services Department.

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



**TOWN OF FRANKLIN  
RESOLUTION 20 - 09**

**Acceptance of Gift  
Franklin Veterans's Services Department**

**WHEREAS,**

The Franklin Veteran's Services Department has received three generous donations totaling \$350 to be used at the discretion of the Franklin Veteran's Services Department to provide services and programs to local veterans.

Donation Summary:

1. Lyle Wicker - \$300
2. David Seyfarth - \$25
3. Kumar Hosdurg - \$25

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin on behalf of the Franklin Veteran Services Department gratefully accepts these generous donations to be used at the discretion of the Franklin Veteran Services Department to support programs and services for local veterans.

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**

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OFFICE OF THE TOWN ADMINISTRATOR

January 22, 2020

Lyle Wicker  
56 Quince Landing  
Franklin, MA 02038

Dear Mrs. Wicker,

On behalf of the Town of Franklin, I would like to thank you for your generous donation to the Franklin Veteran Services Department. Your donation will go a long way in supporting the Veteran's Fund and the many services it provides to the local veteran community.

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


Warmest Regards,



Jamie Hellen  
Town Administrator

cc: Dale Kurtz, Veteran's Agent

Thanks Lyle!





# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 30, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Resolution 20-10: Gift Acceptance - Franklin Council on Aging**

---

The Franklin Council on Aging has received a generous donation totaling \$1,000 from the Busy Bee Club. This donation will be used to provide services and programs to local Senior Citizens.

We would like to thank all of the members of the Busy Bee Club who have so generously donated to the Franklin Council on Aging.

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



**TOWN OF FRANKLIN  
RESOLUTION 20-10**

**Acceptance of Gift  
Franklin Council on Aging**

**WHEREAS,** The Franklin Council on Aging has received a generous donation in the amount of \$1,000 from the Busy Bee Club to be used at the discretion of the Franklin Council on Aging to provide services and programs to local senior citizens.

**NOW THEREFORE, BE IT RESOLVED THAT:**

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

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**

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OFFICE OF THE TOWN ADMINISTRATOR

January 21, 2020

Busy Bee Club  
10 Daniel McCahill Street  
Franklin, MA 02038

Dear The Busy Bee Club,

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

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

Warm regards,



Jamie Hellen  
Town Administrator

cc: Karen Alves, Director Senior Center

*Thank you for your  
continued support of the  
Senior Center and our  
seniorism town!*



# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 30, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Resolution 20-11: Gift Acceptance - Franklin Police Department**

---

The Franklin Police Department has received a generous donation totaling \$300 from Ryan and Teagan Horman. This donation will be used to help fund the Police Department's K9 Program.

We would like to thank both Ryan and Teagan Horman for their generous donation to the Franklin Police Department's K9 Program.

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



**TOWN OF FRANKLIN  
RESOLUTION 20 - 11**

**Acceptance of Gift  
Franklin Police Department**

**WHEREAS,** The Franklin Police Department has received a generous donation in the amount of \$300 from Ryan and Teagan Horman to be used at the discretion of the Franklin Police Department to help fund the department's K9 program.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin on behalf of the Franklin Police Department gratefully accepts this generous donation to be used at the discretion of the Franklin Police Department in support of its K9 Program.

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

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

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

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

# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

January 21, 2020

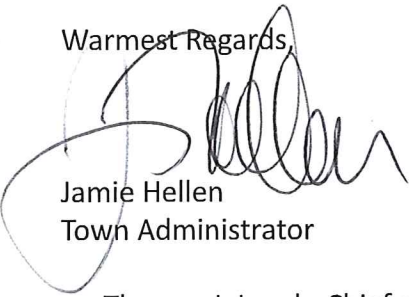
Ryan Horman  
Teagan Horman  
53 Susan Lane  
Bellingham, MA 02019-1857

Dear Mr. & Ms. Horman,

On behalf of the Town of Franklin, I would like to thank you for your recent donation to the Franklin Police Department in support of our K9 Program. We are delighted to hear that our officers and their K9 partners continue to go above and beyond in their service to our community. Your generous donation will go a long way in supporting the Police Department's K9 Program.

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

Warmest Regards,

  
Jamie Hellen  
Town Administrator

cc: Thomas J. Lynch, Chief of Police