

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

March 4, 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. February 5, 2020

4. PROCLAMATIONS/RECOGNITIONS

- a. Boston Post Cane Award

5. APPOINTMENTS - None Scheduled

6. HEARINGS - None Scheduled

7. LICENSE TRANSACTIONS - None Scheduled

8. PRESENTATIONS/DISCUSSIONS

- a. Municipal Aggregation
- b. FY21 Budget Update

9. SUBCOMMITTEE REPORTS

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

10. LEGISLATION FOR ACTION

- a. Resolution 20-14: The Town of Franklin Civil Discourse Pledge (**Motion to approve Resolution 20-14 - Majority Vote**)
- b. Resolution 20-15: Appropriation of Cable Funds in Support of PEG Service and Programming per M.G.L Ch.44, §53F3/4 (**Motion to Approve Resolution 20-15 - Majority Vote**)
- c. Zoning Bylaw Amendment 20-853: Zoning Map Changes on or Near Pleasant, Chestnut, and Brook Streets - **Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-853 to the Planning Board - Majority Vote)**

- d. Zoning By-Law Amendment 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations, And Use Regulations Schedule Updates- Second Reading (**Motion to Adopt Zoning Bylaw Amendment 20-849 - Two Thirds Majority Roll Call Vote**)
- e. Zoning By-law Amendment 20-850: Zoning Map Changes On Or Near Highland, Maple and Lincoln Streets- Second Reading (**Motion to Adopt Zoning Bylaw Amendment 20-850 - Two Thirds Majority Roll Call Vote**)
- f. Zoning By-law Amendment 20-851: Zoning Map Changes On Or Near Oak Street and Dailey Drive - Second Reading (**Motion to Adopt Zoning Bylaw Amendment 20-851 - Two Thirds Majority Roll Call Vote**)

11. TOWN ADMINISTRATOR'S REPORT

12. FUTURE AGENDA ITEMS

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION

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

15. RETURN TO OPEN SESSION FOLLOWING EXECUTIVE SESSION:

LEGISLATION FOR ACTION, CONTINUED

- a. Resolution 20-16: Ratification of the Memorandum of Agreement Between the AFSCME Local 1298, Council 93, Public Facilities Maintenance Employees and the Town of Franklin (**Motion to Approve Resolution 20-16 - Majority Vote**)

16. ADJOURN

Note:

Two-Thirds Vote: requires 6 votes

Majority Vote: requires majority of members present and voting

FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
February 5, 2020

A meeting of the Town Council was held on Wednesday, February 5, 2020 at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: Robert Dellorco. 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: ► Mr. Trevor O'Neill, 560 Coronation Drive, Senior at Franklin High School, stated that as part of a project for an AP Government course, he will be observing the Town Council. He stated he would like to discuss how to reduce Franklin's carbon footprint. He stated that he has some simple suggestions that could significantly reduce the amount of carbon Franklin puts in the atmosphere and actually help the environment. He suggested community gardens and noted he is aware of one at King Street. He stated that if there were more community gardens at parks and schools, it would encourage planting which would produce oxygen for the atmosphere and also make people more self-sufficient by having them grow their own food. He stated he is confused as to why there are no solar panels on the high school roof as its design is specifically meant to be environmentally friendly and to have solar panels. He stated that he talked to the principal about this and he said it is not in the budget range. Mr. O'Neill stated that he thinks the environment is the most important thing to everyone in the high school because that is where we are going to be living for the rest of our lives. He stated he thinks Franklin could spare the money to put solar panels on the high school roof to significantly reduce the amount of gasoline and oil used to power the high school. He stated that his last point is self-transportation. He stated the streets need to be made more walkable and better sidewalks are needed. He stated that there are many streets without sidewalks. He stated that we need to encourage people to walk places because if you can walk five minutes to your friend's house instead of spending the gasoline to go 2.5 miles, to get there in 30 seconds, it is better for your health and it reduces all the fossil fuel that was going to be needed. He stated that the streets are now made for cars to get around; the streets should be made for people to get around so they can bike and skateboard. ► Ms. Teresa Burr, Town Clerk, reminded everyone that they should have received the Town census. She requested that everyone fill it out, make changes as necessary, sign it, date it, and return it to the Town Clerk's office. She encouraged residents to contact the Town Clerk's office if a census was not received; the census is also available on the Town's website. She noted that January 1-April 1 is the dog registration period. After that, a late fee will be charged. She stated the Top Dog drawing will be held again this year; there will be three prizes. She encouraged everyone to send in pictures of their dog. She stated that the presidential primary will be held on March 3, 2020 at the high school from 6:00 AM to 8:00 PM. Absentee ballots are available at the Town Clerk's office. Early voting will be held on February 24-February 28 during regular office hours at the Town Clerk's office. February 12th is the last day to register to vote or change party affiliation. The Town Clerk's office will be opened until 8:00 PM that evening. There is additional information on the website. Please call the Town Clerk's office with any questions. ► Chair Mercer explained that a group of high school students is present at tonight's meeting. They are part of an AP Government course and attending the meeting to watch

how the Town works. He stated Mr. Hellen will be in touch with the student who spoke during Citizen Comments to address his issues.

APPROVAL OF MINUTES: ► *January 22, 2020.* ► **MOTION** to Approve the January 22, 2020 meeting minutes by Kelly. **SECOND** by Jones. **No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: *Historical Commission – Randy La Rosa.* ► Mr. Jones read the appointment. ► **MOTION** to Ratify the appointment by the Town Administrator of Randy La Rosa to serve as a member of the Franklin Historical Commission with a term expiring on June 30, 2022, by Jones. **SECOND** by Hamblen. **Discussion:** ► Mr. Hellen stated Mr. La Rosa was present at tonight’s meeting. ► **VOTE: Yes-8, No-0, Absent-1.**

HEARINGS: None.

LICENSE TRANSACTIONS: *Maks Roast Beef and Breakfast, Inc., New Wine and Malt License, Located at 451 West Central Street, Franklin, MA 02038.* ► Mr. Jones read the license transaction. ► **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, by Jones. **SECOND** by Hamblen. **Discussion:** ► Mr. Richard Cornetta, Attorney for the applicant, introduced Mr. and Mrs. Xhengo. He stated they have been members of the community since 2014. They opened Maks Roast Beef and Breakfast, Inc. and have an ownership interest in the property. He explained the business operations and hours. He stated many of their patrons have indicated that a glass of wine or beer would be nice to go along with their meal. The applicant does not have a bar; it is a sit-down restaurant. He stated the requested license would complement and assist the business. He noted the applicant has owned restaurants for 15 years in other towns. ► **VOTE: Yes-8, No-0, Absent-1.**

PRESENTATIONS/DISCUSSIONS: ► *Norfolk County Sheriff Office and House of Corrections Update with Sheriff McDermott.* ► Sheriff McDermott addressed the Town Council and stated he was appointed by Governor Baker in December 2018. He stated that when he began, he noticed the female inmates were not being treated equitably. So, they have taken the female inmates out of MCI Framingham. Through a partnership with Suffolk county, all female offenders have been moved to Suffolk county while the building is retrofitted. He encouraged the Town Council, high school, and middle schools to take a tour of the facility and/or have a sit-down question and answer period with the inmates. He discussed some of the programs his office has been working on. He discussed the Leadership Academy based in Braintree which is a team-building program that helps with students’ self-esteem and has an anti-bullying curriculum. Currently, they are in talks with Dean College in replicating something like this. He is hoping that by this summer there will be a Leadership Academy in this geographic area. They have also launched a task force on juvenile mental health and substance abuse. He thanked Mr. Kelly who is a representative from Franklin on the task force. He hopes to have a report in the next six months for best practices across all schools in Norfolk county. He pointed out the community service and inmate work crews which Franklin has participated in. These crews go out to towns as well as to non-profits and help out by doing painting, landscaping, and other tasks which save the municipality and non-profits money. He discussed the inmate population and noted there is an uptick of drug activity in Massachusetts. He stated that it is important to have conversations with the young people about the challenges and dangers that are out there. ► Town Council members asked questions and thanked Sherriff McDermott for his work. ► Sherriff McDermott reviewed information on the Distracted Driving Program. He stated they go to high schools and demonstrate what distracted driving is like behind the wheel of a vehicle. He discussed how they are helping the female inmates get equitable treatment. He

explained programs with the New England Wildlife Center in Weymouth as well as equine therapy and canine therapy programs.

► ***Community Preservation Act Discussion: Town Administrator Memo & Backup Material.*** ► Mr. Hellen read from meeting minutes of 2001 regarding a discussion by the Franklin Town Council on the Community Preservation Act when Mr. Hellen was working for the Executive Office of Environmental Affairs. He stated tonight's slideshow presentation is from the Community Preservation Coalition. He explained that the CPA enables communities to establish a local restricted fund for historic preservation, open space and recreation, and community housing. About 176 cities and towns in Massachusetts have adopted CPA; the majority of the communities around Franklin have adopted CPA. CPA revenue sources include a local surcharge of up to three percent on local property tax bills and state contribution of annual distribution from statewide CPA Trust Fund. The community decides the surcharge level and which exemptions to adopt. He reviewed the available CPA exemptions. CPA can be adopted by putting the CPA question on the ballot by the legislative body vote or collecting signatures of five percent of registered voters. He explained how the CPA works by passing a Community Preservation Committee bylaw/ordinance; there is required representation from five commissions/boards, plus up to four additional members. The role of the Community Preservation Committee is to assess community's CPA needs, accept/review project proposals, get input from the public and boards/committees, and recommend CPA projects to Town Meeting/City Council. He noted that there is legislative body approval required for all CPA projects. He reviewed examples of what the CPA money can be spent on. He discussed the Town of Franklin CPA Estimated Calculations FY20 Data spreadsheet provided in the Town Council members' packets. He reviewed the three percent, two percent, and one percent surcharge total annual revenue estimates as well as what it would mean for residents. He noted there is a 24 percent State match. He explained that a community cannot apply more than a three percent surcharge. He stated that at a two percent surcharge, the total annual revenue is estimated at \$1.56 million. It is important to note that every year 10 percent of the monies brought in must be set aside for open space, 10 percent set aside for historical preservation, and 10 percent set aside for affordable housing. The remaining 70 percent is discretionary on those items. Based on his calculations, for the average Franklin family, a three percent surcharge would be approximately \$157 per year, a two percent surcharge approximately \$105 per year, and a one percent surcharge approximately \$52 per year. He noted the Town of Franklin voted on this once in 2007, and it failed; he noted the Town of Franklin's demographics have changed greatly in the past 13 years. ► Town Council members asked questions. ► Ms. Pellegrini stated the surcharge is not a lot of money taken out of residents' taxes. She discussed how much money has gone to other communities as Franklin did not pass the CPA. She is in favor of this. She stated the committees involved have to explain this to people so they understand. It is so little to give back out of their taxes, but they are going to get so much back for the community. ► Ms. Hamblen asked about the State's matching which is now at approximately 24 percent. ► Mr. Hellen discussed that the State's matching does ebb and flow. ► Mr. Cerel reviewed that the State match has gone down from the dollar for dollar match of years ago. He discussed where the matching rate is now. He stated that if the Town does buy in at three percent surcharge, the statute provides initially for a 100 percent match; if the State cannot do that match, then they go through rounds for the distribution. If the Town is at three percent, the Town is eligible for two or three additional distribution rounds which significantly increases the amount the Town can get. He discussed that the Town can also borrow against the CPA. As well, the Town can save the money and build it up in the accounts for a future project. He reviewed the criteria for the discretionary 70 percent funds. ► Town Council members asked questions about the program. ► Mr. Hellen stated this is a community decision. The money from the CPA can address many of the concerns in the community. He reviewed the map of communities that have adopted CPA. ► Mr. Cerel explained that the Community Preservation Committee is the operative body. They determine the need and make a recommendation to the legislative body to approve or deny what is being recommended by the CPC. ► Mr. Kelly stated it may be worth putting this back on the ballot as there may be a good chance it would pass this time. He stated he was glad there was a senior's exemption. He would like to lobby for a veteran's

exemption. ► Mr. Jones stated he supports this and confirmed information about the program. He stated he supports putting more than the required 10 percent into the three funds for open space, historical preservation, and affordable housing in order to have less than 70 percent discretionary funds. ► Mr. Christopher Sandini, Finance Director, pointed out that a minimum of 10 percent is required in the three funds; the Town Council as the legislative body will take a vote each year to place the amount that goes into those funds, and it can be over the minimum 10 percent. ► Ms. Lisa Audette, Executive Director of the Franklin Housing Authority, stated the Housing Authority recently received a Notice of Funding Available (NOFA) from the State indicating they would be able to get additional funding through the State if they could leverage funding through another resource outside of the Housing Authority. The NOFA came to them 1.5 years ago and they were able to leverage funds through another resource. Thankfully, the Affordable Housing Trust in Franklin was able to help. She discussed that with the money, they are renovating 40 units of senior disabled public housing for \$2.5 million. When she sees the \$126,000 the Town of Franklin did not get because they were not part of CPA, it is upsetting. The Housing Authority could have done a bigger project with that money. ► Mr. James Schultz, 21 Mackintosh Street, asked what the criteria for buildings to be eligible to participate is. He asked if a building has been identified, are there restrictions on the use for that building once the project is completed. ► Mr. Cerel stated there is great flexibility on the eligibility. He stated there are no restrictions on use, but there may be regulations on how the building is renovated. He reviewed examples of historic building renovations from other towns. ► Mr. Edward Szymanski, 529 Pleasant Street, asked about the process to get this on the ballot. ► Chair Mercer stated the Town Council would have to vote to put this on the ballot. ► Mr. Szymanski stated he thinks there is a lot of interest in the Town; if this came up for a vote, it would have a good chance of passing. He encouraged the Town Council to put it on the ballot. ► Ms. Roberta Trahan, 1 Green Street, expressed concern that the Town has lost so much money in the past from not adopting CPA. She is in favor of this. She stated like with any other vote, the public needs to be educated on this. She encouraged the Town Council to vote to put it on the ballot for the next election. ► Ms. Susan Speers, 171 Lincoln Street, stated she moved to Franklin 32 years ago for the schools and the library which are great assets. It is a great community. She stated she is active with an environmental group. She can see the benefits of adopting the CPA from what other nearby towns have done with their funding. She stated they need to get the word out about this so the community can get behind it. ► Ms. Mary Olsson, 149 West Central Street, stated she is a representative from the Historical Commission; they are very excited this is coming before the Town Council. She gave examples of how other towns have used their CPA funding. She discussed the importance of educating the townspeople and working together on this. ► Chair Mercer stated this seems to be something that the Town Council wants to move forward. He asked the Town Administrator to begin the process to get this before the Town Council and on the ballot. He agreed that education about this item is the biggest piece. He urged people to help the Town Council to spread the word to the public and educate the Town of Franklin as to why this is the right thing to do and vote yes on this ballot question. ► Ms. Pellegri requested the Chair set up an ad hoc committee for this.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► Nothing to report.
- b. **Budget Subcommittee.** ► Nothing to report.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated the subcommittee met tonight. They developed their list of priorities. They will be sending more lot line clean up items to the Town Council. Their next meeting will be held on March 4, 2020.

LEGISLATION FOR ACTION:

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

- a. **Resolution 20-03: Capital FY20 (Motion to approve Resolution 20-03 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve Resolution 20-03: Capital FY20 by Kelly. SECOND** by

Hamblen. Discussion: ► Mr. Hellen stated the next three votes reflect the FY20 Capital Plan. He pointed out the Finance Committee voted unanimously on this. The majority of the departments affected by the Capital Plan are present to answer any questions. He noted Ms. Pellegrini is Chair of the Capital Improvement Committee. The Committee had a meeting and went through the items meticulously and voted unanimously. He stated the next two resolutions are stabilization fund deposits and they legally have to be separate votes. ► Ms. Pellegrini noted the Committee discussed every line item and voted unanimously; they are fine with it all being in one resolution. ► Town Council members asked questions. ► Mr. Chandler asked why the police bicycles are being purchased from a Milford business and not from a Franklin business. ► Police Chief Lynch stated Sergeant Reilly did all the work on it. He is not sure of the reason they decided to go with a vendor out of town. ► Mr. Earls asked for an explanation of the Stormwater Finance Implementation for \$25,000 listed under Technology. ► Mr. Hellen stated this is for the stormwater utility creation for the Finance Department to purchase a new module to go on the MUNIS software system. It will take six to ten months to create and build the utility. In the quote, it was a little over \$15,000; but there is always a little extra contingency needed. ► **VOTE: Yes-8, No-0, Absent-1.**

b. Resolution 20-04: OPEB Trust Funds Transfer (Motion to approve Resolution 20-04 - Majority Vote).

► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-04: OPEB Trust Funds Transfer by **Kelly. SECOND** by **Hamblen. No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

c. Resolution 20-05: Free Cash to Stabilization Accounts Transfers (Motion to approve Resolution 20-05 - Majority Vote). ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-05: Free Cash to Stabilization Accounts Transfers by **Kelly. SECOND** by **Hamblen. No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

d. Resolution 20-09: Gift Acceptance - Veterans Services, \$350 (Motion to approve Resolution 20-09 - Majority Vote). ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-09: Gift Acceptance - Veterans Services, \$350 by **Kelly. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen thanked the people who have generously donated. ► **VOTE: Yes-8, No-0, Absent-1.**

e. Resolution 20-10: Gift Acceptance - Senior Center, \$1,000 (Motion to approve Resolution 20-10 - Majority Vote). ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-10: Gift Acceptance - Senior Center, \$1,000 by **Kelly. SECOND** by **Hamblen. Discussion:** ► Chair Mercer thanked the Busy Bee Club for their generous donation. ► **VOTE: Yes-8, No-0, Absent-1.**

f. Resolution 20-11: Gift Acceptance - Police Department, \$300 (Motion to approve Resolution 20-11 - Majority Vote). ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-11: Gift Acceptance - Police Department, \$300 by **Kelly. SECOND** by **Hamblen. Discussion:** ► Chair Mercer stated thank you for the generous donation. ► **VOTE: Yes-8, No-0, Absent-1.**

Chair Mercer recognized the high school students from an AP Government course who have attended the last few Town Council meetings. He requested the eight high school students attending the meeting introduce themselves. He thanked the students for attending the meeting.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen recognized the high school students in the audience and stated they attended a very relevant meeting. He discussed ways the students can get involved. He noted the Town's Green Communities designation. He discussed the solar farm that provides 90 percent of the electricity for the Town's buildings, schools, and streetlights and noted the solar farm is performing at over 11 megawatts. He discussed the plastic bag ban and stated that hopefully it will be passed at the

February 12, 2020 Town Council meeting. He said that hopefully tonight, with the Community Preservation Act discussion, the students will see more discussion about these issues. He confirmed the high school was built with the idea of having solar panels on the roof and suggested that maybe some of the students' advocacy for that will help spur the conversation. He said that if the students ever have questions, please ask. He thanked them for attending the meetings. ► He said there will be a flyer coming out indicating that on March 6, 11, & 21, 2020, the Stormwater Ad Hoc Committee will hold informational forums on the stormwater issue and the financials. ► He stated that a budget update will be given at the March 4, 2020 Town Council meeting, and he will put out a preliminary fiscal forecast. They will begin the budget conversation a little earlier this year. ► Chair Mercer added that the high school is a green high school. Because of that, the Town was able to get an additional \$2 million dollars. At the time, they were not giving away the solar panels, the panels had to be paid for. Therefore, the decision was made not to go forward with the solar panels but to make sure the building was capable of having solar panels in the future.

FUTURE AGENDA ITEMS: ► Ms. Pellegrini stated to consider CPA. ► Mr. Earls asked about equipment surplus as a topic of discussion. ► Chair Mercer stated he heard some concerns from Town Council members about personnel issues in certain Town departments. He discussed those concerns with Mr. Hellen. He asked Mr. Hellen to work on a resolution that would come before the Town Council on a very near future agenda. He asked Town Council members to refrain from any comments on Town personnel as it is not really within the Town Council's legal parameters to discuss in public, and it may expose them as councilors to legal liability; that concerns him. He stated that he also encouraged each councilor to follow the standard chain of command. He stated that when issues are brought to us, we should be listening and direct the person to bring those concerns forward through the proper chain of command through Mr. Hellen. At some point, if the concerns are not getting addressed, then it is up to the Town Council to get them addressed. But it is important to make sure that all Town Council members use good judgment and understand what the parameters are as councilors.

COUNCIL COMMENTS: ► Mr. Bissanti stated that at a previous meeting he wanted to discuss a situation about stray and lost dogs. He said there is some confusion on social media about what happens when a dog continually gets loose. He said the animal control officer gave him information. He stated there is a \$300 fine after a certain number of times. As long as the owner of the dog pays the \$300 fine every time the dog is returned, the dog gets to come home. He requested animal control department speak to the Town Council in a public forum. He stated the animal control officer asked that residents not just put a picture of the missing dog on social media as that does her no good. Please call animal control. ► Mr. Kelly, Mr. Chandler, Ms. Hamblen, Mr. Jones, and Chair Mercer gave condolences to Ms. Pellegrini for the passing of her brother-in-law Robert Simmler. ► Ms. Hamblen thanked all those who attended tonight's meeting. ► Ms. Pellegrini reviewed the background of Mr. Robert Simmler and noted he had been on many Town committees. She stated Ms. Anna Ruo of Oak Street was the oldest resident at 103 years old. Before Ms. Ruo passed, Ms. Pellegrini presented Ms. Ruo with the Boston Post Cane. Her family was very appreciative of the recognition for Ms. Ruo and for giving her a place in Town history. ► Mr. Jones thanked those who attended tonight's meeting. ► Chair Mercer thanked the high school students for attending tonight's meeting.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Kelly. SECOND by Jones. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 9:19 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary



FOR IMMEDIATE RELEASE
February 28 , 2020

CONTACT: Jamie Hellen
Town Administrator
508-520-4949
Mark Cappadona
508-485-5858 x3

FRANKLIN GREEN ENERGY PROGRAM WILL GENERATE COST SAVINGS FOR RATEPAYERS

FRANKLIN, MA – The Town of Franklin, with the assistance of Colonial Power Group, Inc., is pleased to announce it has entered into a 36-month agreement with Dynegy Energy Services to bring energy cost-savings to the Town’s residents through this initiative. The Town will be using 100 percent green energy, derived from National Wind renewable energy certificates.

“This program will allow residents and small business owners to gain the benefit of lower energy costs through the power of bulk purchasing,” said Franklin Town Administrator Jamie Hellen. “Our goals included price stability, increased use of renewable energy, and lower overall cost. With the implementation of this energy program, I am pleased to say we will be able to achieve those goals for our community.”

The Franklin Community Choice Power Supply Program is a municipal aggregation program which, in accordance with Massachusetts law (M.G.L. c. 164, § 134), enables local government to combine the purchasing power of its residents and businesses so that it can provide them with an alternative electricity supply.

“The Franklin Community Choice program provides local control and competition while also lowering the burden of energy costs for Franklin’s residents and business community,” said Mark Cappadona, President of Colonial Power Group, Inc. “We commend Franklin’s Town Council and Town Administrator Jamie Hellen for their forward-thinking approach to energy purchasing. By taking this action, not only are they helping to save ratepayers money on their electricity costs, they are also helping the environment.”

The Franklin Community Choice Power Supply Program for residents and businesses will begin with the November 2020 meter reads (December 2020 billings). Basic Service rates change twice a year or more, depending on rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate.

The goal of the aggregation is to deliver savings over the life of the Program against National Grid Basic Service. However, such savings and future savings cannot be guaranteed.

Residential and business ratepayers will not notice any change in their electricity service. The only discernible difference will be that Dynegy Energy Services of Dallas, Texas, the selected electricity supplier for the Community Choice program, will be printed under “Supply Services” on National Grid’s monthly bills. They will continue to receive one bill from National Grid and to send payments to National Grid for processing. There will be no interruption in billing, power, or customer service.

Colonial Power Group is the leading aggregation consulting firm in Massachusetts. Municipal electricity aggregation allows cities and towns to pool the electrical consumption of all ratepayers in their jurisdictions and competitively procure lower cost electricity supply on behalf of the participants. The aggregation allows the municipality to obtain better pricing than individual residents and business owners could due to economies of scale. Colonial Power works with state officials, utility executives, and energy industry leaders to facilitate the purchase of electricity at a rate lower than Basic Service rates. Since June 2007, Colonial Power has saved households and businesses across Massachusetts a total of over \$25 million on their electric bills.

Colonial Power Group, which serves more than 80 municipalities in Massachusetts, was chosen to design, implement, and administer the program on behalf of Franklin. Dynegy Energy Services was selected through a competitive process.

No action is required by ratepayers currently on National Grid’s Basic Service to participate in this cost-saving program. The program will be operated on an opt-out basis, meaning that all Franklin residential and business customers currently on National Grid’s Basic Service will be automatically enrolled into the 100 percent renewable energy program unless they choose to opt out. You may opt out of the program at any time and there are no charges.

Additionally, those ratepayers who currently participate in National Grid’s GreenUp program, will not be automatically enrolled in this program. The GreenUp program only allows for enrollment with Basic Service, not with the Franklin Community Choice Program or other competitive suppliers not affiliated with the Town of Franklin.



ABOUT COLONIAL POWER GROUP: Based in Marlborough, Mass., Colonial Power Group is the leading aggregation-consulting firm in Massachusetts. Colonial Power has been working with local governments since 2002 in the design, implementation and management of municipal aggregation programs.



Town of Franklin Municipal Aggregation Procurement and Outreach

- Supply Bidding
 - Town signed contract with Dynegy on 2/10/20
 - 36-month term at \$0.10559 per kWh (fixed price)
 - 100% National Wind RECs – green product
 - Starts with November 2020 meter reads
 - NGRID Residential Basic Service rate is \$0.13957 per kWh
- Public Information/Customer Notification
 - Statutory customer notification letters sent by Dynegy to all Basic Service accounts (late Sept)
 - CPG provided press release issued upon Town approval
 - Informational meetings (fall 2020)
 - colonialpowergroup.com/franklin
 - Toll-free number (866) 485-5858 ext. 1
 - Local cable programs
 - Social media content, if applicable, provided by CPG
- Implementation
 - CPG manages opt-out process and all public requests for information and questions
- Ongoing Service
 - CPG manages future opt-outs and opt-ins
 - CPG files required reports
 - CPG manages ongoing requests for information
 - CPG conducts regular meeting with Town as required/
requested



NOTE: Basic Service rates change twice a year or more, depending on rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate. The goal of the aggregation is to deliver savings over the life of the Program against National Grid Basic Service. However, such savings and future savings cannot be guaranteed.

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

DATE: February 28, 2020

TO: Town Council

FROM: Jamie Hellen, Town Administrator

RE: FY21 BUDGET UPDATE

The purpose of tonight's discussion and memo is to give the community an update on where the Fiscal Year 2021 (FY21) budget process stands and what the numbers generally look like. This document is not to replace the required fiscal forecast or budget narrative that will come out later with my recommended budget.

Process

The staff Finance Team has met with all municipal departments regarding their FY21 budget requests. I have also received preliminary numbers from non-municipal department line items, such as the MECC, Animal Control, health insurance and benefits, Tri-County, P&C insurance and so forth. What is before you tonight reflects our department heads' optimum budget for FY21 and the most up to date numbers we have as of this evening.

After tonight's meeting, we will work for the next 4-8 weeks to get as accurate numbers as possible for final consideration in May. The budget is a fluid document that will continue to take shape through the Spring. The House of Representatives' budget will be debated in Mid-April. The Senate budget will be debated in mid-to-late May. Numbers will continue to take shape as more accurate information becomes available, notably state aid, town revenue projections, employee/retiree health insurance and benefits, collective bargaining and town insurance.

The Budget & Assumptions

As you can see in red at the bottom of the attached operating budget model, the FY21 budget is currently \$3.484 million in deficit. The deficit reflects a set of assumptions into the model, on both the revenue and expenditures side. In short, a balanced budget is within reach, but this memo will articulate the driving forces behind this deficit number. These are the same cost drivers my predecessor and I have been discussing for the past several years.

The current deficit reflects the following assumptions and policy decisions to date:

Revenues

- An increase in our tax levy of \$3,028,452 in new property tax revenue.
- An increase in our new growth estimate. FY20 had an assumption of \$900,000, which has been increased to \$1.1 million to reflect the accurate 10-year average.
- Local receipts revenue assumptions have an increase of \$300,00 from FY20. I expect to add an additional amount of revenue to reflect the adjusted ALS/BLS rates recently approved by the Council. A final figure will be in the final budget proposal in April/May.
- Includes Governor Baker's budget calculations, which provided a net decrease of \$121,082 in state aid compared to the approved FY20 state budget. The primary reason for this is due to the increase in charter school assessment of \$336,324, with minimal increase in total local aid. As usual, we expect the House and Senate to perform better than the Governor's budget. We will know more in April and May when those respective branches approve their budget. Final state numbers will be completed later this summer.
- The Budget Stabilization fund is completely empty as the remaining amount was used to balance the FY20 budget.
- \$300,000 in Host Community Agreement money from one marijuana operator, which will be appropriated to the School Department and the SAFE Coalition for mental health and substance abuse education and prevention. The \$300,000 will be proposed to be used for:
 - \$275,000 for Detention Diversion Program in the School Department; secondary counselor(s) with substance abuse expertise; additional wellness instruction.
 - \$25,000 for the SAFE Coalition.Please note funds from HCA's cannot be used for general fund expenditures and will be shown as a separate revenue line item. The state has yet to promulgate regulations on these agreements, but are restricted to the impacts pertaining from a facility in a community.
- It is worth noting, the strong economy is *the* reason why the deficit is not larger. Due to consistent revenues and a record-breaking year of new growth, the Town is able to maintain more core services. Any deviation from this trend will require a much deeper policy debate.

Expenditures

- The Superintendent's full recommended budget at an increase of \$3.9 million, or a 6.03% increase from FY20.

- \$750,000 for roads and infrastructure, which has never been in the Town's operating budget.
- "Maintenance", or "level service" operating budgets from municipal departments, including all contractual requirements. The model includes all signed collective bargaining agreements and does not include ones not settled yet.
- 5% increase in employee and retiree health insurance, which will be a challenge to achieve, but a realistic goal. Market is trending at 8%, which is not included in this model as we will need to make some decisions if we cannot get lower than 8%.
- The pension assessment to Norfolk County went up over \$400,000.
- Maintains Minimum Annual Requirement (MAR) for minimal spending at the Public Library.
- Includes no reductions in staff for municipal departments.
- Budgets for Memorial Day flags and Public Health septic services have been funded and merged with the Veterans and Health Departments, respectively.
- The Budget also includes small expense budgets for two new town committees: Agricultural Commission and Cultural District Committee.

Trends & Challenges Moving Forward

- **Staff retention and recruitment.** This is an issue in all of the Town's major municipal departments, as well as the Franklin Public School District due to the good economy and rising wages in Massachusetts. For example, school employees, teachers and administrators, custodians, DPW laborers, administrative staff and more are becoming difficult to recruit and retain due to wages relative to responsibility. Additionally, some of our staff are underpaid relative to market conditions, including a rising minimum wage. This issue will continue to be a challenge across all of our departments.
- **Roads and infrastructure.** Investments will continue to be modest through our usual funding appropriations each year from free cash and hotel revenue. However, the Town is still millions short of the backlog we have with a high demand from the public to do better. The Town still does not have a dedicated operating revenue source for roads. The Town has a \$40 million backlog in roadwork, in addition to maintaining our parking lots, school parking lots, sidewalks and infrastructure.
- **General cost of doing business.** A great economy like this means prices on most general goods and services are more expensive.
- **Superintendent's Recommended FY21 Budget.** The schools require a 5.2% increase (approximately \$3.3 million) to maintain level service given the pressure of meeting staff

recruitment and retention goals, rising tuition costs, and health insurance rate increases. In order to meet the increased demand for services, modest additions to the school department budget are being recommended by the Superintendent to support the expansion of in-district programs designed to provide services within students' home communities and preventing costly out of district tuitions. Many critical needs remain unmet across the district including digital integration specialists, adequate technology replenishment, and curriculum leadership. The recently passed Student Opportunity Act has provided additional funding to support schools but will be phased in over seven years.

- **Debt.** The positive news is that over the next few years our debt line item will begin to lighten. However, it's been town policy for decades to have 3.5% of our overall operating budget be for debt and interest to ensure our facilities and schools are well maintained, reduce capital costs and to maintain our strong bond rating (which keeps interest down). The Superintendent and I will be seeking a new round of borrowing authorization from the Town Council soon in order to achieve these goals and ensure at least a 3% debt schedule. Please note, if any open space becomes available for purchase, the Town will need to borrow the vast majority of the money to purchase it and will significantly inflate the Town's debt line item in the budget.

FY21 Key Dates

- March 4th - Town Council-Administrator Budget Update & Discussion
- March 24 - School Committee Budget Hearing
- April 7, 8, 13 and 29 - Finance Committee Budget hearing meetings
- April 14th - Final School Committee Budget approval
- May 21 and 22 - Town Council Budget Hearings

The Town has two sites for budget materials, one for the municipal budgets and one for the School Department:

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

<https://www.franklinps.net/district/school-district-budget>

The Future (FY22 and Beyond)

The final takeaway message is that given the current economic conditions in Massachusetts, we expect the above trends to continue on a rinse and repeat basis for the next two fiscal years, barring any unforeseen circumstance in the economy, or another major unforeseen global or national event. The Municipal and School Administrations continue our daily resolve to look at every dollar spent and how we can change the way we do business to alleviate any need for additional property tax increases from citizens. That said, any deviation from the trends written in this memo will require a deeper community wide discussion on solutions to the trends outlined above.

<u>REVENUE PROJECTIONS</u>	<u>PROPOSED FY21</u>
TAX LEVY	
Prior Year Levy Limit plus 2 1/2%	\$79,066,528
New Growth	\$1,100,000
	\$80,166,528
DEBT EXCLUSIONS	
Horace Mann Issue #1	\$106,180
Lincoln Street	\$423,695
Horace Mann Issue #2	\$315,400
High School Issue #1	\$2,876,663
High School Issue #2	\$149,438
	\$3,871,375
TOTAL POTENTIAL TAX LEVY	\$84,037,903
STATE REVENUE	
Chapter 70 School Aid	\$28,581,491
Charter School Reimbursements	\$938,542
Unrestricted Aid	\$2,697,306
All Other Net of Offsets	\$360,767
	\$32,578,106
OTHER REVENUES	
Local Receipts - General Fund	\$10,042,246
Host Community Agreement	\$300,000
	\$10,342,246
OTHER AVAILABLE FUNDS	
Net Budget Stabilization / Other Transfers	\$0
Enterprise Fund (Indirects)	\$1,173,000
	\$1,173,000
TOTAL REVENUES & OTHER FUNDS	\$128,131,255
ASSESSMENTS & OTHER VOTES	
School Choice	\$320,388
State Assessments	\$472,623
County Assessment	\$235,073
Charter School Assessment	\$5,379,974
Provision for Abatements & Exemptions	\$650,000
Subsequent Votes	\$0
	\$7,058,058
TOTAL NET REVENUE	\$121,073,197
LESS: TOTAL GENERAL FUND BUDGET (expenditures)	\$124,557,405
UNUSED LEVY (SURPLUS/DEFICIT)	\$3,484,208

FY21 OPERATING BUDGET MODEL TO DATE (2/28/20)

111	Town Council	
	expenses	4,000
		4,000
123	Town Administration	
	salaries	373,240
	expenses	37,450
		410,690
131	Finance Committee	
	expenses	1,500
		1,500
135	Comptroller	
	salaries	458,401
	expenses	70,150
		528,551
141	Assessors	
	salaries	361,599
	expenses	94,350
		455,949
147	Treasurer-Collector	
	salaries	322,544
	expenses	91,105
	tax title expenses	-
		413,649
151	Legal	
	salaries	107,412
	expenses	81,500
		188,912
152	Human Resources	
	salaries	167,495
	expenses	28,630
		196,125
155	Information Technology	
	expenses	293,693
		293,693
161	Town Clerk	
	elected official salary	84,840
	salaries	101,288
	expenses	16,746
		202,874
164	Elections & Registration	
	salaries	29,607

	expenses	23,000
		52,607
176	Appeals Board	
	expenses	6,000
		6,000
177	Planning & Growth Management	
	salaries	316,924
	expenses	32,300
		349,224
184	Agricultural Commission	
	expenses	2,500
		2,500
192	Public Property & Buildings	
	salaries	2,874,932
	expenses	4,651,525
		7,526,457
196	Central Services	
	expenses	123,000
		123,000
General Gov.	Subtotal, General Government	10,755,731
210	Police	
	salaries	5,243,721
	expenses	301,685
		5,545,406
220	Fire	
	salaries	5,459,764
	expenses	492,500
		5,952,264
225	Regional Dispatch	
	expenses	1,118,613
		1,118,613
240	Inspection	
	salaries	377,408
	expenses	23,820
		401,228
292	Animal Control	
	expenses	76,700
		76,700
Public Safety	Subtotal, Public Safety	13,094,211

	300	Town Schools	68,767,873
	390	Tri-County Regional School	2,504,543
	395	Norfolk Aggie	47,250
Education		Subtotal, Education	71,319,666
	422	DPW-Highway Dept	
		salaries	1,879,203
		expenses	4,101,740
			5,980,943
	424	Street Lighting	
		expenses	125,000
			125,000
DPW		TOTAL DPW - Hwy	6,105,943
	510	Health	
		salaries	167,141
		expenses	49,750
			216,891
	525	Public Health Services	
		expenses	-
			-
	541	Council on Aging	
		salaries	243,461
		expenses	6,100
			249,561
	543	Veterans Services	
		expenses (department)	67,840
		expenses (veterans benefits)	185,000
			252,840
Human Services		Subtotal, Human Services	719,292
	610	Library	
		salaries	646,345
		expenses	382,000
			1,028,345
	630	Recreation	
		salaries	305,710
		expenses	273,400
			579,110

690	Historical Museum	
	salaries	27,752
	expenses	1,000
		28,752
691	Historical Commission	
	salaries	-
	expenses	4,000
		4,000
692	Memorial Day	
	expenses	-
		-
695	Cultural Council	
	expenses	16,500
		16,500
696	Cultural District Committee	
	expenses	2,500
		2,500
Culture & Recreation	Subtotal, Culture & Recreation	1,659,207
710	Retirement of Debt	
	non-excluded	2,098,000
	excluded	2,066,000
		4,164,000
750	Interest	
	non-excluded	692,365
	excluded	1,805,375
	new ban's	-
	new ban's excluded	-
	short term interest general fund	-
		2,497,740
Debt Service	Subtotal, Debt Service	6,661,740
	Benefits:	
910	Retirement & Pension	6,174,365
	Health/Life Insurance Benefits	3,201,000
	Retired Teacher Health Insurance	870,000
	Non-GIC School Retirees	1,045,000
	Workers Compensation	550,000
	Unemployment Compensation	110,000
	Medicare	341,250

	OPEB	650,000
	Compensation Reserve	675,000
		13,616,615
945	Liabilty Insurance	625,000
		625,000
Benefits & Insurance	Subtotal, Benefits & Insurance	14,241,615
	TOTAL ALL BUDGETS	124,557,405
	Surplus/(Deficit)	3,484,208

Town of Franklin
New Growth History
Fiscal Years 2000 Through 2020

<u>Year</u>	<u>Amount</u>
2000	1,284,820
2001	921,208
2002	1,142,829
2003	693,183
2004	1,115,054
2005	893,209
2006	764,906
2007	1,176,527
2008	713,346
2009	806,561
2010	687,763
2011	513,322
2012	854,509
2013	844,102
2014	1,047,493
2015	716,096
2016	820,004
2017	1,185,535
2018	1,479,902
2019	1,515,478
2020 (Est)	1,770,000

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

February 7, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 20-14: The Town of Franklin Civil Discourse Pledge

Based on some concerns I have heard from the Council, I have drafted the Town of Franklin Civil Discourse Pledge to encourage civility and respect of all citizens, employees and business in our day to day work as stewards of the public trust.

The following resolution follows a series of administrative actions to help educate and modernize our approach to harassment in the workplace, but also set the tone throughout the entire community. A few notes:

- In 2018, the Town Administration and Human Resources Director sponsored employee harassment training for all municipal employees.
- On March 10th, 2020, the Town Administration and Human Resources Director are requiring all Town Department Heads do an in depth Harassment Prevention training focused on how to identify harassment in the workplace, how to prevent it and how to educate staff to be better at what they do. This is an intensive 3 hour training all department heads are required to attend.
- Later this year, the Town will also revisit another round of harassment training for all municipal employees. We hope to do this every 2 years, if needed.

As you may recall, in June of 2019, for the first time in over a decade, the Town Council updated its Town bylaws on protected classes in the community and workplace. A copy is attached.

I have also attached our recently revised Harassment Policy for all municipal staff. I want to personally commend the incredible influence and work our Human Resources Director, Karen Bratt, has done to lift the standard in our municipal departments on this issue.



TOWN OF FRANKLIN

BY-LAW AMENDMENT 19-843

Chapter 25 - Human Resource Management

A By-law to Amend the Code of Franklin at Chapter 25 – Human Resource Management.

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT the Code of the Town of Franklin is amended at Chapter 25 – Human Resource Management.

Chapter 25 – Human Resources Management

GENERAL REFERENCES Administration of government

§ 25-1. Purpose and intent.

A.—The purpose of the Personnel Bylaw is to establish a framework for public human resources management for the Town of Franklin based on merit to support the operational needs of Town government. Systems and procedures developed as a result of this bylaw provide means to recruit, retain, and develop employees to provide cost effective and outstanding customer service to the community. All human resources actions in the Town shall be made without regard to race, color, religious creed, national origin, ancestry, sex (including pregnancy, childbirth and related medical conditions), gender identity, age, criminal record (inquiries only), handicap (disability), mental illness, sexual orientation, active military personnel, and genetics. Actions will be based on merit and fitness without regard to sex, race, religion, color, age, handicap, political affiliations, personal relationships, or other non-job-related factors. ~~They shall be based on merit and fitness.~~

B.—

This bylaw and policies adopted pursuant to this bylaw are not intended to be all-inclusive. Final discretion as to interpretation and as to the appropriate course of action concerning a personnel matter shall be that of the Town Administrator.

§ 25-2 Authority of Town Administrator.

The Town Administrator is the appointing authority for all positions and employees except elected officers and employees of the School Department in pursuance of the provisions of MGL c. 41, §§ 108A and 108C, and the Town Charter, § 4.2.5. All human resource management actions are under the authority of the Town Administrator.

§ 25-3 Definitions.

CHARTER — Franklin Town Home Rule Charter.

POLICIES

This term includes policies, procedures, rules and regulations.

THE BYLAW

Human Resource Management Bylaw.

TOWN CODE

Code of the Town of Franklin.

§ 25-4 Applicability; conflicts.

- A. All Town departments and positions shall be subject to the provision of this bylaw and policies adopted pursuant to this bylaw, except elected officers and employees of the School Department in pursuance of the provisions of MGL c. 41, §§ 108A and 108C.
- B. To the extent that there is a direct conflict between the language of a collective bargaining agreement and this bylaw or policies adopted pursuant to it, the provisions of the collective bargaining agreement shall prevail.
- C. Nothing in this bylaw shall be construed to conflict with any provision of the Town Charter; to the extent that any apparent conflict exists, it shall be determined in favor of the Charter.

§ 25-5 Construal of provisions.

- A. State Civil Service Law and Regulations. Nothing contained in this bylaw shall be construed to conflict with MGL c. 31 and regulations adopted in conformance with MGL c.31.
- B. Other statutes. Nothing contained in this bylaw or in policies adopted pursuant to it shall be construed to conflict with any statute of general application, special law enacted for the Town of Franklin or any permissive statute accepted by the Town of Franklin. To the extent that any apparent conflict exists, statutory language shall control.

§ 25-6 Responsibility for administration.

- A. The Town Administrator is the appointing authority for all municipal positions, excluding elected officials and employees working under the direct direction of the School Committee. This applies to all hiring, promotion, and termination actions.
- B. The Town Administrator, in accord with § 4-2-3(g) of the Home Rule Charter, is responsible for the daily administration of the human resource management system. The Town Administrator or his/her designee shall be responsible for the development of the human resources system which meets the current and projected needs of the Town. The Town Administrator or his/her designee shall conduct research to keep the human resources systems and policies current with industry best practices. Policies may address topics including, but not limited to, recruitment and selection, compensation for employees, benefit programs, time off, methods of selection of personnel, employee conduct, performance management, safety and workplace violence, employee relations, training and employee development.

§ 25-7 Delegation of authority.

- A. The Town Administrator may appoint a Human Resources Director for the Town of Franklin who will impartially and equitably oversee all personnel activities of Town

government in administering this bylaw, but the Town Administrator shall retain responsibility for all such delegated acts and approval of personnel matters.

~~B. From time to time the Human Resources Director will review and amend the classification and compensation plan, which establishes position titles, grades and salary ranges for all non-union employees. minimum and maximum salaries for pay ranges. This compensation plan shall be submitted to the Town Council for approval prior to implementation. Adjustments to the classification and compensation plan will be based on current job responsibilities and market conditions. A copy of the most recent plan shall be filed with the Town Clerk.~~

§ 25-8 Management policies.

- A. The Town Administrator shall adopt policies to implement this bylaw and will ensure that policies reflect professional practices, are kept current with federal and state laws and regulations, and are in accord with the Home Rule Charter and other provisions of the Town Code.
- B. The Town Administrator will ensure that department heads, supervisory personnel and employees have access to current policies to promote efficiency and economy of government.
- C. The Town of Franklin is an equal opportunity employer, ~~and does not make any personnel decisions on the basis of an applicant's race, gender, national origin, religion, age, color, or disability status.~~ Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, or any other personnel action because of race, color, religious creed, national origin, ancestry, sex (including pregnancy, childbirth and related medical conditions), gender identity, age, criminal record (inquiries only), handicap (disability), mental illness, sexual orientation, active military personnel, genetics, race, creed, color, national origin, age, sex, handicap, political affiliation, or other nonmerit factor is prohibited except where such factor is a bona fide occupational requirement.

§ 25-9 Employee rights and responsibilities.

- A. Employees who choose to work for the Town of Franklin can expect a workplace free from discrimination, harassment, or political pressure.
- B. Employees are expected to conduct business with integrity and to report any instances of irregularity or fraud. They must not use their position for personal gain, nor engage in any conduct which may reflect unfavorably upon the Town.

§ 25-10 Adoption of policies.

The Town Administrator is empowered and authorized by this bylaw to adopt human resource management policies defining the rights, benefits, and obligations of employees subject to this bylaw. ~~Such policies shall become effective in accordance with the following procedure:~~

- A. The Town Administrator may develop, amend or revise rules, regulations, policies, and procedures to meet the current needs of the Town of Franklin.
- B. The new or amended policies and their proposed effective date shall be communicated to employees and posted on the town website.

C. Copies of the new or amended policies shall be filed with the Town Clerk.

D.

~~B. distributed to the Town Council at a regularly scheduled meeting. The Town Council shall have 30 days to accept, reject or amend the policy. If the Town Council takes no action within 30 days, the proposed policy shall take effect.~~

~~C. The new or amended policies shall be communicated to employees.~~

~~Copies of the new or amended policies shall be filed with the Town Clerk.~~

§ 25-11 Severability.

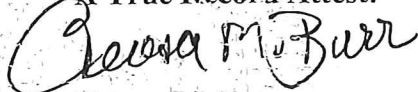
The provisions of this bylaw and the policies adopted pursuant to this bylaw are severable. If any bylaw provision or policy is held invalid, the remaining provision of the bylaw or policy shall not be affected thereby.

This by-law Amendment shall become effective in accordance with the provisions of the Franklin Home Rule Charter

DATED: June 26th, 2019

VOTED: Passed
UNANIMOUS
YES 8 NO 0
ABSTAIN —
ABSENT 1
RECUSED —

A True Record Attest:



Teresa M. Burr
Town Clerk


Glenn Jones, Clerk

TOWN OF FRANKLIN HARASSMENT AND SEXUAL HARASSMENT POLICY

I. Introduction

It is the goal of the Town of Franklin to promote a workplace that is free of harassment. Harassment of employees occurring in the workplace or other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Town. Further, any retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation or a complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from harassment, the conduct that is describe in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

Because the Town of Franklin takes allegations of harassment seriously, we will respond promptly to complaints of harassment. If it is determined that such inappropriate conduct has occurred, the Town will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the legal definition of harassment or sexual harassment.

II. Policy

A. Harassment and Sexual Harassment Prohibited

Employees are protected from harassment on the basis of their race, color, religion, national origin, ancestry, sex, gender identity, age, pregnancy and pregnancy-related conditions, handicap (disability), sexual orientation, genetics, active military or veteran status, and participation in discrimination complaint-related activities (retaliation). Harassment is prohibited by state and/or federal law, and will not be tolerated by the Town of Franklin.

All Town employees are responsible for ensuring that the workplace is free from all forms of harassment. This policy applies to all employees and officers of the Town. Supervisory and managerial employees must not condone acts of harassment by their subordinate employees, by other Town employees, by regular visitors to Town offices, or by employees of our vendors and contractors. Retaliation against persons complaining about harassment or sexual harassment is also unlawful and is prohibited by this policy.

B. Harassment Defined

Harassment in General. Harassment is unwelcome verbal or physical conduct, directed at an individual based upon their race, color, religion, national origin, ancestry, sex, gender identity, age, pregnancy and pregnancy-related conditions, handicap (disability), sexual orientation, genetics, active military or veteran status, or participation in discrimination complaint-related activities (retaliation), which disrupts or interferes with another's work performance, or which creates an intimidating, offensive, or hostile environment.

Examples of Harassment. Prohibited behavior includes slurs or other derogatory comments, objects, pictures, cartoons, or demeaning gestures connected to one's membership in a protected group.

Sexual Harassment. In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal, or physical conduct of a sexual nature when:

- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with the individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment. The legal definition of sexual harassment is broad and in addition to the above examples, other sexually orientated conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to male or female workers may also constitute sexual harassment.

Examples of Sexual Harassment. While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess
- Displaying sexually suggestive objects, pictures, cartoons
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments
- Inquiries into one's sexual experiences
- Discussion of one's sexual activities

All employees should take note that retaliation against an individual who has complained about harassment, and retaliation against individuals for cooperating with an investigation of a harassment complaint is unlawful and will not be tolerated by the Town of Franklin.

III. Persons Covered

This policy prohibits harassment of all employees, including non-supervisory, supervisory, management and executive personnel, all applicants for employment, and citizens or customers.

IV. Procedure

A. Complaint

If an employee believes that they have been subjected to harassment, the employee has the right to file a complaint with the Town. This may be done in writing or orally.

An employee who believes that they have been subjected to harassment prohibited by this policy has a responsibility to report the harassment as soon as possible to their supervisor, manager, or department head.

Any supervisor, manager or other employee who becomes aware of harassment prohibited by this policy must report it immediately to one of the Harassment Grievance Officers.

If the employee does not feel comfortable reporting the complaint to their management they should contact one of the following Harassment Officers:

Karen Bratt - Director of Human Resources - 508-553-4839

Chrissy Whelton – Assistant to the Town Administrator – 508-553-4885

The Harassment Officers are available to discuss any concerns and employee may have and provide information about the policy on harassment and the complaint process.

If there are other compelling reasons which prevent bringing the problem to the attention of the line management or Harassment Officers, then the employee may report the harassment to Jamie Hellen, Town Administrator.

B. Investigation

All complaints of harassment will be investigated promptly and impartially by the Harassment Officer or by another qualified individual selected by the Town.

The investigation will include a private interview with the person filing the complaint and with witnesses. The individual conducting the investigation will also interview the person alleged to have committed sexual harassment.

An individual conducting an investigation into a complaint of harassment will keep information as confidential as possible, and disseminate it on a “need to know” basis only. Others involved in the investigation in any capacity must also respect the privacy of those involved by keeping information learned during the course of the investigation confidential.

As soon as practicable after the completion of the investigation, the official responsible for conducting the investigation will, to the extent appropriate, advise the employee who brought the harassment complaint and the employee accused of harassment of the results of the investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to eliminate the offending conduct, and where it is appropriate, will also impose disciplinary action.

If either employee is dissatisfied with the handling or result of the investigation, the employee should bring the matter immediately to the Town Administrator, preferably in writing, stating the reasons for that dissatisfaction.

C. Disciplinary Action

Anyone who is found, after the investigation, to have engaged in harassment prohibited by this policy will be subject to appropriate disciplinary action from counseling up to and including discharge from employment. This policy shall not limit the authority of the Town to take disciplinary action against an employee who engages in inappropriate conduct, regardless of whether it satisfies the definition of harassment or sexual harassment under this policy.

Employees covered by a collective bargaining agreement who are charged with sexual harassment and who are subject to disciplinary action are entitled to representation by their respective union.

D. False Accusations

False accusations of harassment (i.e. the alleging of incidents or behavior that are proven, through investigation, not to have occurred at all) may result in severe disciplinary action up to and including termination. A finding that either harassment did not occur or that there is insufficient evidence, does not necessarily, in itself, establish that an accusation was false.

E. Retaliation Prohibited

No one who brings a harassment complaint in good faith will be subject to any adverse employment action for doing so, regardless of whether the complaint is ultimately determined to have merit. Any employee, including supervisors and managers, who retaliates against an employee for making a complaint of harassment will be subject to disciplinary action, which may include termination of employment. Retaliation should be reported to management using the procedure set forth in this policy for complaints of harassment.

V. State and Federal Remedies

In addition to the above, if you believe you have been subjected to harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

United States Equal Employment Opportunity Commission (“EEOC”)

www.eeoc.gov

Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203

Phone: 1-800-669-4000

Fax: 617-565-3196

Massachusetts Commission Against Discrimination (“MCAD”)

www.mass.gov/mcad

1 Ashburton Place, Suite 601
Boston, MA 02108

Phone: 617-994-6000

Fax: 617-994-6024

E-mail: assistanttochairman@state.ma.us

Exhibit:

An excerpt from the Attorney General's Open Meeting law guide in regards to the social media inquiry from the 2-12-2020 Town Council discussion "What Constitutes a Deliberation".

What constitutes a deliberation?

The Open Meeting Law defines deliberation as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” Distribution of a meeting agenda, scheduling or procedural information, or reports or documents that may be discussed at a meeting is often helpful to public body members when preparing for upcoming meetings. These types of communications generally will not constitute deliberation, provided that, when these materials are distributed, no member of the public body expresses an opinion on matters within the body’s jurisdiction. Additionally, certain communications that may otherwise be considered deliberation are specifically exempt by statute from the definition of deliberation (for example, discussion of the recess and continuance of a Town Meeting pursuant to G.L. c. 39, § 10A(a) is not deliberation).

To be a deliberation, the communication must involve a quorum of the public body. A quorum is usually a simple majority of the members of a public body. Thus, a communication among less than a quorum of the members of a public body will not be a deliberation, unless there are multiple communications among the members of the public body that together constitute communication among a quorum of members. Courts have held that the Open Meeting Law applies when members of a public body communicate in a serial manner in order to evade the application of the law.

Note that the expression of an opinion on matters within the body’s jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds. For

² See Connelly v. School Committee of Hanover, 409 Mass. 232 (1991).

example, if a member of a public body sends an email to a quorum of a public body expressing her opinion on a matter that could come before that body, this communication violates the law even if none of the recipients responds.

What matters are within the jurisdiction of the public body?

The Open Meeting Law applies only to the discussion of any “matter within the body’s jurisdiction.” The law does not specifically define “jurisdiction.” As a general rule, any matter of public business on which a quorum of the public body may make a decision or recommendation is considered a matter within the jurisdiction of the public body. Certain discussions regarding procedural or administrative matters may also relate to public business within a body's jurisdiction, such as where the discussion involves the organization and leadership of the public body, committee assignments, or rules or bylaws for the body. Statements made for political purposes, such as where a public body’s members characterize their own past achievements, generally are not considered communications on public business within the jurisdiction of the public body.

What are the exceptions to the definition of a meeting?

There are five exceptions to the definition of a meeting under the Open Meeting Law.

1. Members of a public body may conduct an on-site inspection of a project or program; however, they may not deliberate at such gatherings;
2. Members of a public body may attend a conference, training program or event; however, they may not deliberate at such gatherings;
3. Members of a public body may attend a meeting of another public body provided that they communicate only by open participation; however, they may not deliberate at such gatherings;
4. Meetings of quasi-judicial boards or commissions held solely to make decisions in an adjudicatory proceeding are not subject to the Open Meeting Law; and
5. Town Meetings, which are subject to other legal requirements, are not governed by the Open Meeting Law. See, e.g. G.L. c. 39, §§ 9, 10 (establishing procedures for Town Meeting).



**TOWN OF FRANKLIN
RESOLUTION 20-14
THE TOWN OF FRANKLIN
CIVIL DISCOURSE PLEDGE**

WHEREAS, the Town of Franklin is made up of individuals and businesses whose collective cultures and perspectives join to form a healthy community that prides itself on being a place that welcomes people, families and businesses from all walks of life;

WHEREAS, the Town of Franklin values all members of this community, including all religions, ancestries, and ethnicities, as well as people of any socioeconomic status, disability, sexual orientation, or gender identity;

WHEREAS, the Franklin Town Council wants to assure its residents and visitors that it is a place that celebrates diversity and inclusion and will not tolerate any discrimination prejudice, racism, bigotry, hatred, bullying, or violence towards any person or business within our community;

WHEREAS, The Franklin Town Council recognizes that with the rapid ascent of modern technology, including all forms of social media, the internet and television, that new challenges are before all of us; and that the individual Councilors need to set a high standard for civil discourse by providing an environment of trust and honesty with residents and businesses; and

WHEREAS, The Franklin Town Council encourages all residents and visitors to celebrate and practice civility, and to respect the diversity of each other's backgrounds and to learn from one another.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Franklin that:

Section 1. The Franklin Town Council will lead by example in promoting civility and respect for all citizens and businesses within the Town of Franklin in utilizing any means of contact with the general public, including but not limited to in-person constituent services, on various social media channels, and while conducting formal business as outlined in the Franklin Home Rule Charter and Franklin Town Council Procedures Manual;

Section 2. The Franklin Town Council will have a renewed focus on following the appropriate governmental structures and processes (i.e. chain of command) when responding to citizen or employee feedback as outlined in our Town Charter, Town bylaws, Town Administrative procedures or Massachusetts General Laws, where applicable;

Section 3. The Franklin Town Council recognizes that individual Councilor(s)'

participation on various social media channels regarding official Town business is possibly an infraction of the State's Open Meeting Law statute;

Section 4. The Franklin Town Council calls upon all city departments, employees, and all who live, work, or visit Franklin to speak out against acts of bullying, discrimination, and hate violence, while also standing up for those who are targeted for such acts. The Town shall exercise all reasonable efforts to ensure that all Town bylaws and administrative policies reflect the most current federal and state laws and employees shall follow the appropriate chain of command as outlined in the most recent approved town policies;

Section 5. The Franklin Town Council recognizes that our community is proud to stand as a welcoming and accepting community to all and will act in appropriate ways to implement that standard across our community;

Section 6. The Franklin Town Council will oppose any attempts to undermine the safety, security, and rights of individual members of our community and encourages every citizen to do the same; and

Section 7. The Franklin Town Council emphatically rejects discrimination, harassment, bullying or any hate-based crimes and prejudice and bigotry in all forms, and takes this opportunity to reinforce our commitment to a diverse, supportive, and inclusive community.

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

DATED: _____, 2020

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Teresa M. Burr, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

February 27, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Resolution 20-15: Cable Funds in Support of PEG Service

The Massachusetts Department of Revenue requires the Town Council to vote to appropriate PEG funds received from Comcast and Verizon to an established revolving account.

Please find the attached resolution to appropriate \$ 180,942.35 in PEG funds received from the Fourth Quarter of 2019 from Comcast and Verizon to the Cable Access Corporation.

Please feel free to call with any questions.



TOWN OF FRANKLIN RESOLUTION 20-15

APPROPRIATION: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4

TOTAL REQUESTED: \$180,942.35

PURPOSE: To appropriate \$180,942.35 from the PEG Access and Cable Related Funds created under MGL Ch. 44, §53F3/4, representing the amount received in the previous quarter, to be paid to Franklin Cable Access Corp. to operate the cable access studio and otherwise fund its operations.

MOTION: Be it Moved and Voted by the Town Council that the sum of \$180,942.35 be appropriated from the PEG Access and Cable Related Fund created under MGL Ch. 44, §53F3/4, to be paid to Franklin Cable Access Corp. to operate the cable access studio and otherwise fund its operations.

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



System Name: Comcast of Massachusetts II, Inc.
 Email: Patrick_Moore@cable.comcast.com
 Phone: 610-665-2575

Vendor ID:	150328
Contract Name:	Franklin MA
Statement Period:	Oct - Dec, 2019
Payment Amount:	\$81,727.28
Statement Number:	646126
CUID:	MA0152
System ID:	8773-1000-0160

FRANKLIN TOWN OF MA
 355 EAST CENTRAL STREET

 FRANKLIN, MA, 02038

This statement represents your payment for the period listed above.

Revenue Category	Amount
Expanded Basic Video Service	\$466,004.13
Limited Basic Video Service	\$275,467.64
Digital Video Service	\$403,772.03
Pay	\$231,188.01
PPV / VOD	\$42,442.46
Digital Video Equipment	\$74,861.77
Video Installation / Activation	\$5,472.84
Franchise Fees	\$77,536.73
PEG Fees	\$10,058.20
State Assessment	\$2,813.56
Guide	\$100.80
Other	\$7,814.01
Late Fees	\$2,675.78
Write-offs / Recoveries	(\$2,561.98)
Ad Sales	\$95,817.61
Home Shopping Commissions	\$9,189.70
Total	\$1,702,653.30
Franchise Fee %	4.80 %
Franchise Fee	\$81,727.28

To the best of my knowledge and belief, the above is a true and correct statement for the accounting of the gross revenues received by this corporation for the period.

Chad Mackey

 Chad Mackey
 Sr. Analyst

TOWN OF FRANKLIN

SCHEDULE OF DEPARTMENTAL PAYMENTS TO TREASURER

Turnover Number:

Department:
ADMINISTRATION
123

Date: February 24, 2020

FROM WHOM	DESCRIPTION	CODE	AMOUNT	TOTAL
	One Day Alcoholic Licenses	1AL123		
	One Day Beer/Wine Licenses	1BR123		
	Alcoholic Beverage Licenses	ALC123		
	Amusement Licenses	AMU123		
	Auctioneer Licenses	AUC123		
	Cable TV Franchise Fee	CAB123		
	Class II 2nd Hand Car Licenses	CAR123		
	Cable TV License	CBL123		
	Copy Fee Admin	CPY123		
	Common Victual Licenses	CVC123		
	Departmental Fees	DEP123		
	Permits - Administration	PER123		
	Rentals - Administration	REN123		
	Taxi Cab Licenses Amusement	TXI123		
	Daniels Assoc Populatic St Deposits	DAN123		
	Town Common - Gift	COM123		
	Assistance Account Gift	AST123		
	Cable Gift Revenues	VERCBL		
	Recreation Improvements - Gift	REC123		
	Populatic St Improvements - Gift	POP123		
	Insurance Recovery	INS123		
	Transportation - Gift	TRN123		
	Welcome Sign - Gift	WEL123		
	Otherwise Unclassified Revenue - Other	UNC980		
	Downtown Manager - Gift Revenue	DTN177		
Fourth Quarter Cable fees	Comcast Cable TV	VERCBL		\$ 81,727.28
TOTAL				\$ 81,727.28

To the Town Accountant:

The above is a detailed list of moneys collected by me, amounting in the aggregate to:

Eighty One Thousand Seven Hundred Twenty Seven Dollars and Twenty Eight Cents

for the period ending February 24, 2020
Town Treasurer, whose receipt I hold therefor.

which I have paid to the

Signature

Title

Alecia Alleyne
Alecia Alleyne
Administrative Assistant

PEG Grant Report 4th Quarter 2019

Town of Franklin

Verizon - fBA

Massachusetts

PEG Fee Rate: 0.500%

	October	November	December	Quarter Total
Monthly Recurring Cable Service Charges (e.g. Basic, Enhanced Basic, Premium and Equipment Rental)	\$525,213.47	\$524,026.97	\$521,196.91	\$1,570,437.35
Usage Based Charges (e.g. PayPer View, Installation)	\$18,573.89	\$18,292.21	\$19,948.14	\$56,814.24
Advertising	\$23,439.89	\$21,909.48	\$25,319.58	\$70,668.95
Home Shopping	\$850.83	\$963.92	\$1,186.09	\$3,000.84
Late Payment	\$0.00	(\$10.00)	\$0.00	(\$10.00)
Other Misc. (Leased Access & Other Misc.)	\$5,133.87	\$6,558.12	\$6,293.02	\$17,985.01
License Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00
PEG Fee Billed	\$31,074.23	\$31,032.82	\$30,952.37	\$93,059.42
Less:				
Bad Debt	(\$2,632.56)	(\$2,798.57)	(\$2,614.37)	(\$8,045.50)
Total Receipts Subject to PEG Fee Calculation	\$601,653.63	\$599,974.94	\$602,281.74	\$1,803,910.31
Adjustment	\$0.00	\$0.00	\$0.00	\$0.00
PEG Grant	\$3,008.27	\$2,999.87	\$3,011.41	\$9,019.55

Verizon New England Inc. is hereby requesting that this information be treated as confidential and proprietary business information in accordance with the terms of the Cable Television Final License granted to Verizon New England Inc. This information is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided herein, would cause substantial harm to competitive position of Verizon in the highly competitive video marketplace if disclosed, is intended to be proprietary confidential business information and is treated by Verizon as such.

TOWN OF FRANKLIN

SCHEDULE OF DEPARTMENTAL PAYMENTS TO TREASURER

Turnover Number:

Department:
ADMINISTRATION
123

Date: February 10, 2020

FROM WHOM	DESCRIPTION	CODE	AMOUNT	TOTAL
	One Day Alcoholic Licenses	1AL123		
	One Day Beer/Wine Licenses	1BR123		
	Alcoholic Beverage Licenses	ALC123		
	Amusement Licenses	AMU123		
	Auctioneer Licenses	AUC123		
	Cable TV Franchise Fee	CAB123		
	Class II 2nd Hand Car Licenses	CAR123		
	Cable TV License	CBL123		
	Copy Fee Admin	CPY123		
	Common Victual Licenses	CVC123		
	Departmental Fees	DEP123		
	Permits - Administration	PER123		
	Rentals - Administration	REN123		
	Taxi Cab Licenses Amusement	TXI123		
	Daniels Assoc Populatic St Deposits	DAN123		
	Town Common - Gift	COM123		
	Assistance Account Gift	AST123		
	Cable Gift Revenues	123CBL		
	Recreation Improvements - Gift	REC123		
	Populatic St Improvements - Gift	POP123		
	Insurance Recovery	INS123		
	Transportation - Gift	TRN123		
	Welcome Sign - Gift	WEL123		
	Otherwise Unclassified Revenue - Other	UNC980		
	Downtown Manager - Gift Revenue	DTN177		
Other Quarter fees (4th)	Verizon Cable TV	VERCBL		\$ 9,019.55
TOTAL				\$ 9,019.55

To the Town Accountant:

The above is a detailed list of moneys collected by me, amounting in the aggregate to:

Nine Thousand Nineteen Dollars and Fifty Five Cents

for the period ending February 10, 2020
Town Treasurer, whose receipt I hold therefor.

which I have paid to the

Signature

Alecia Alleyne
Alecia Alleyne, Administrative Assistant

PEG Grant Report 4th Quarter 2019

Town of Franklin

Verizon - fBA

Massachusetts

PEG Fee Rate: 5.00%

	October	November	December	Quarter Total
Monthly Recurring Cable Service Charges (e.g. Basic, Enhanced Basic, Premium and Equipment Rental)	\$525,213.47	\$524,026.97	\$521,196.91	\$1,570,437.35
Usage Based Charges (e.g. PayPer View, Installation)	\$18,573.89	\$18,292.21	\$19,948.14	\$56,814.24
Advertising	\$23,439.89	\$21,909.48	\$25,319.58	\$70,668.95
Home Shopping	\$850.83	\$963.92	\$1,186.09	\$3,000.84
Late Payment	\$0.00	(\$10.00)	\$0.00	(\$10.00)
Other Misc. (Leased Access & Other Misc.)	\$5,133.87	\$6,558.12	\$6,293.02	\$17,985.01
License Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00
PEG Fee Billed	\$31,074.23	\$31,032.82	\$30,952.37	\$93,059.42
Less:				
Bad Debt	(\$2,632.56)	(\$2,798.57)	(\$2,614.37)	(\$8,045.50)
Total Receipts Subject to PEG Fee Calculation	\$601,653.63	\$599,974.94	\$602,281.74	\$1,803,910.31
PEG Grant	\$30,082.68	\$29,998.75	\$30,114.09	\$90,195.52

Verizon New England Inc. is hereby requesting that this information be treated as confidential and proprietary business information in accordance with the terms of the Cable Television Final License granted to Verizon New England Inc. This information is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided herein, would cause substantial harm to competitive position of Verizon in the highly competitive video marketplace if disclosed, is intended to be proprietary confidential business information and is treated by Verizon as such.

TOWN OF FRANKLIN

SCHEDULE OF DEPARTMENTAL PAYMENTS TO TREASURER

Turnover Number:

Department:
ADMINISTRATION
123

Date: February 14, 2020

FROM WHOM	DESCRIPTION	CODE	AMOUNT	TOTAL
	One Day Alcoholic Licenses	1AL123		
	One Day Beer/Wine Licenses	1BR123		
	Alcoholic Beverage Licenses	ALC123		
	Amusement Licenses	AMU123		
	Auctioneer Licenses	AUC123		
	Cable TV Franchise Fee	CAB123		
	Class II 2nd Hand Car Licenses	CAR123		
	Cable TV License	CBL123		
	Copy Fee Admin	CPY123		
	Common Victual Licenses	CVC123		
	Departmental Fees	DEP123		
	Permits - Administration	PER123		
	Rentals - Administration	REN123		
	Taxi Cab Licenses Amusement	TXI123		
	Daniels Assoc Populatic St Deposits	DAN123		
	Town Common - Gift	COM123		
	Assistance Account Gift	AST123		
	Cable Gift Revenues	123CBL		
	Recreation Improvements - Gift	REC123		
	Populatic St Improvements - Gift	POP123		
	Insurance Recovery	INS123		
	Transportation - Gift	TRN123		
	Welcome Sign - Gift	WEL123		
	Otherwise Unclassified Revenue - Other	UNC980		
	Downtown Manager - Gift Revenue	DTN177		
Quarter Quarter fees (4th)	Verizon Cable TV	VERCBL		\$ 90,195.52
TOTAL				\$ 90,195.52


To the Town Accountant:

The above is a detailed list of moneys collected by me, amounting in the aggregate to:

Ninety Thousand One Hundred Ninety Five Dollars and Fifty Two Cents

for the period ending February 14, 2020
Town Treasurer, whose receipt I hold therefor.

which I have paid to the

Signature 
Alecia Alleyne, Administrative Assistant

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

February 27, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

Re: 20-853 Zoning Bylaw Amendment

I am asking the Council to consider referring Zoning Bylaw Amendment 20-853 to the Planning Board for their consideration and public hearings. This Zoning Bylaw Amendment was discussed at the 02-05-2020 EDC meeting and unanimously approved by the EDC to be brought to the Town Council for your consideration.

Please see the attached memo and supporting documents from the Community Planning Director Bryan Taberner. I am recommending a referral to the Planning Board for this zoning proposal.

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

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: FRANKLIN TOWN COUNCIL

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

RE: ZONING BYLAW AMENDMENT 20-853, ZONING MAP CHANGES
TO BETTER DEFINE THE TOWN OF FRANKLIN'S ZONING DISTRICTS

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

DATE: FEBRUARY 11, 2020

The Department of Planning and Community Development (DPCD) and other Town staff are undergoing a multi-year project to better define the Town's zoning districts by following parcel lines. Where parcels are within two or more zoning districts, the Zoning District line is moved so each parcel is only in one zoning district, in most cases based on the current land use. Attached is a proposed Zoning Map Amendment that would change the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code).

Zoning Bylaw Amendment 20-853: Zoning Map Changes from Rural Residential I and Single Family Residential III, Rural Residential II and Single Family Residential III, or Single Family Residential III and Single Family Residential IV, to Rural Residential I, Single Family Residential III, or Single Family Residential IV, an area on or near Pleasant and Chestnut Streets.

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

At their meeting on February 5, 2020 the Town Council's Economic Development Subcommittee voted to send the proposed Zoning Map Amendment to the full Council for further consideration. If Council members support the proposed zoning map changes, I request the Town Council vote to refer Zoning Bylaw Amendments 20-853 to the Planning Board for a Public Hearing.

Let me know if you have questions or require additional information.



SPONSOR: *Town Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 20-853**

ZONING MAP CHANGES FROM RURAL RESIDENTIAL I AND SINGLE FAMILY RESIDENTIAL III, RURAL RESIDENTIAL II AND SINGLE FAMILY RESIDENTIAL III, OR SINGLE FAMILY RESIDENTIAL III AND SINGLE FAMILY RESIDENTIAL IV, TO RURAL RESIDENTIAL I, SINGLE FAMILY RESIDENTIAL III, OR SINGLE FAMILY RESIDENTIAL IV, AN AREA ON OR NEAR PLEASANT AND CHESTNUT STREETS

A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP

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

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I and Single Family Residential III to Single Family Residential III an area containing **109.83± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

**248-019-000
262-094-000**

**266-043-000
266-100-001**

280-060-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential I and Single Family Residential III to Rural Residential I an area containing **16.570± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

**245-056-000
266-042-000**

266-069-000

280-061-000

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III **1.67± acres** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number

244-044-000

And the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential IV **0.72± acre** comprising the following parcel of land as shown on the Town of Franklin's Assessors' Maps:

Parcel Number
280-005-000

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

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

DATED: _____, 2020

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

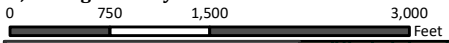
Teresa M. Burr, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

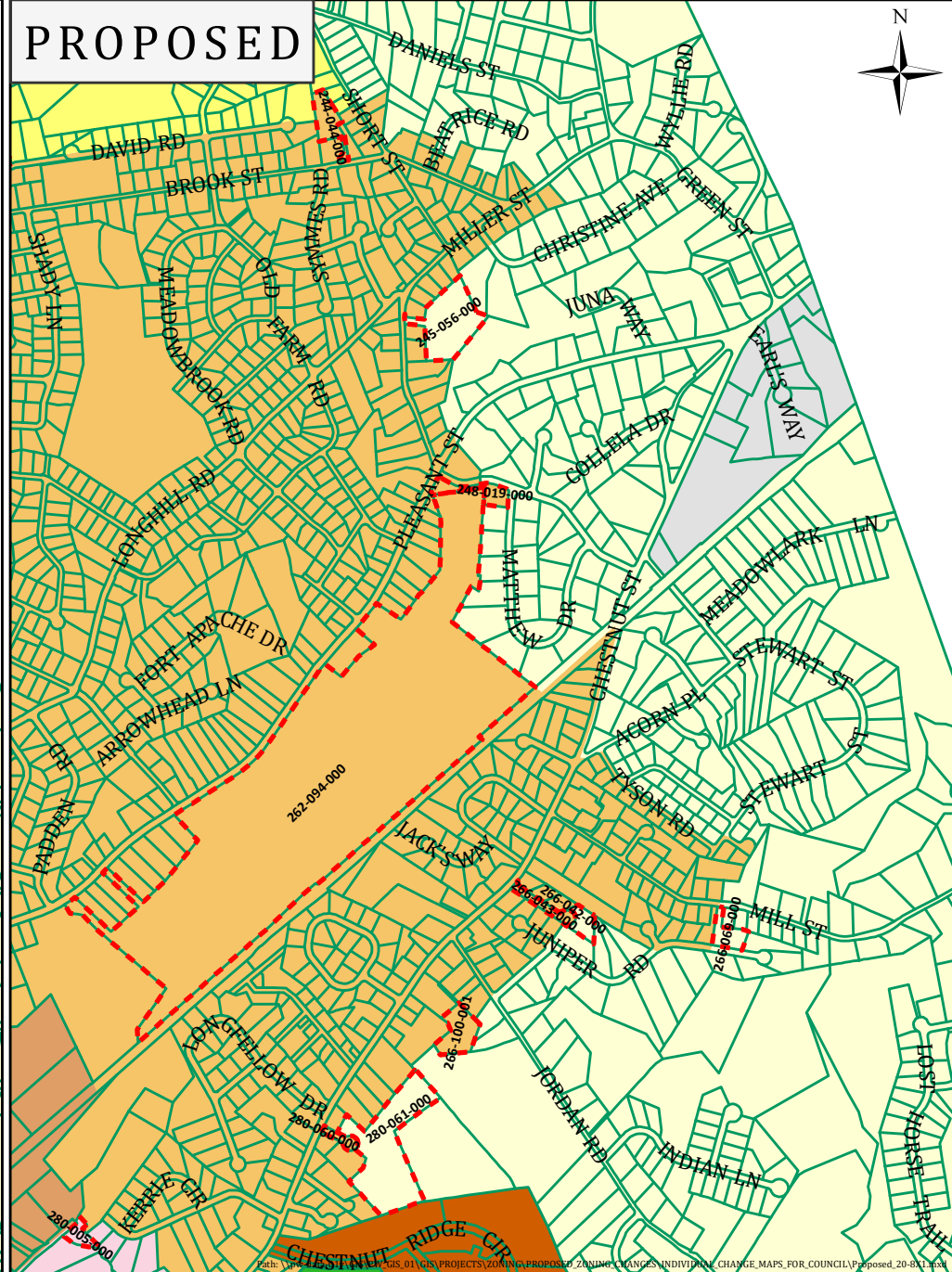
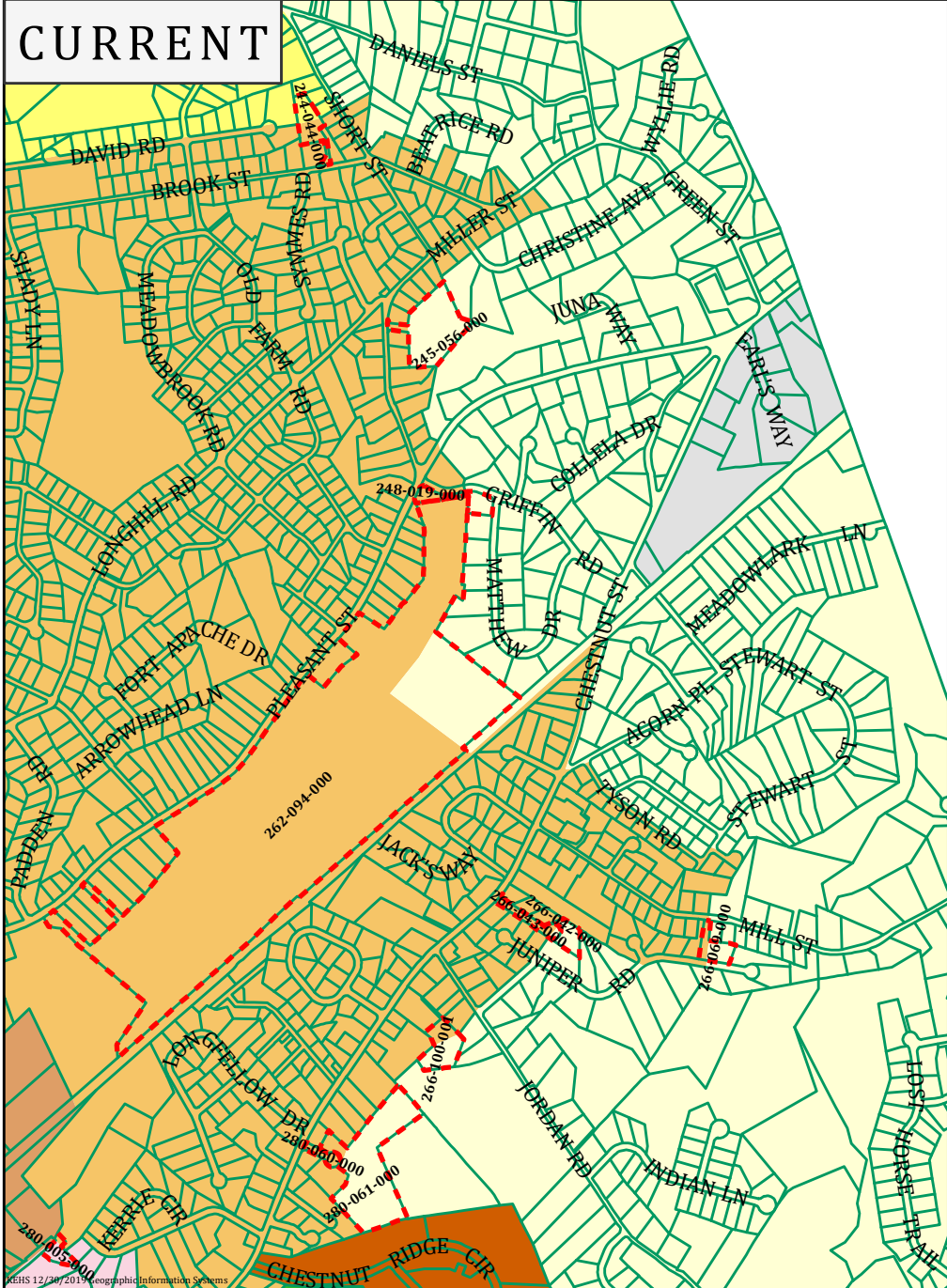
Proposed Zoning Map Changes

An Area On Or Near Pleasant and Chestnut Streets
 From Rural Residential I & Single Family Residential III, Rural Residential II & Single Family Residential III, or Single Family Residential III & Single Family Residential IV, To Rural Residential I, Single Family Residential III, or Single Family Residential IV

- Commercial II
- General Residential V
- Industrial
- Residential VI
- Rural Residential I
- Rural Residential II
- Single-Family III
- Single-Family IV
- Area of Proposed Change
- Parcel Line



20-853



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

February 27, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Zoning Bylaw Amendments 20-849, 20-850 & 20-851

The Council has had the public hearings and has considered the first readings of three zoning bylaw proposals that passed unanimously at the EDC and when referred to the Planning Board they were also passed unanimously.

I have attached the backup material and memos from the Community Planning Department.

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

Town of Franklin



Planning Board

February 11, 2020

Teresa M. Burr, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #20-849
Solar Energy Use and Use Regulations Schedule Updates

Petitioner: Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, February 10, 2020 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, *as presented*, to the Town Council the amendment of Zoning By-law #20-849, Large Scale Solar updates and Use Regulations Schedule updates.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Anthony Padula
Chairman, Planning Board

cc: Town Council
Town Administrator

Town of Franklin



Planning Board

February 11, 2020

Teresa M. Burr, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #20-850

Zoning Map changes on or near Highland, Maple and Lincoln Streets

Petitioner: Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, February 10, 2020 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, *as presented*, to the Town Council the amendment of Zoning By-law #20-850, Zoning Map changes on or near Highland, Maple and Lincoln Streets, as attached.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Anthony Padula
Chairman, Planning Board

cc: Town Council
Town Administrator

Town of Franklin



Planning Board

February 11, 2020

Teresa M. Burr, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE

Zoning By-law Amendment #20-851

Zoning Map changes On Or Near Oak Street and Dailey Drive

Petitioner: Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, February 10, 2020 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, *as presented*, to the Town Council the amendment of Zoning By-law #20-851, Zoning Map changes On Or Near Oak Street and Dailey Drive, as attached.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Anthony Padula
Chairman, Planning Board

cc: Town Council
Town Administrator

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: FRANKLIN TOWN COUNCIL

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

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

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

DATE: JANUARY 14, 2020

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

Ground-mounted Solar-related Changes Proposed

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

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

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

Additional Updates Proposed

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

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

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

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



Sponsor: *Administration*

TOWN OF FRANKLIN

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

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

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

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

185 Attachment 2
USE REGULATION SCHEDULE
PART I

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

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

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

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

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

NOTES:

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

185 Attachment 4
USE REGULATION SCHEDULE
PART III

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

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

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

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

Principal Uses	District													
	RRI RRII RVI RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3. Industrial, utility														
3.1 Bus, railroad station	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N
3.2 Contractor's yard														
a. Landscape materials storage and distribution	N	N	N	N	N	N ⁷	N	N	N	N ⁷	P/SP	N	N	N
b. Other	N	N	N	N	N	N	N	N	N	N ⁷	P/SP	N	N	N
3.3 Earth removal														
a. Earth removal, commercial ^{3,5,6}	N	N	N	N	N	N	BA	BA	N	BA	BA	N	BA	N
b. Earth removal, other ^{3,4}	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	BA	N
c. Rock quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N	N
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	N	N	N	N	N	N	N	N
e. Production of concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N
f. Production of bituminous concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N
3.4 Lumberyard	N	N	N	N	N	N	N	N	N	N	PB	N	N	N
3.5 Manufacturing and Processing:														
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	Y	N	Y	N
b. Light	N	N	N	N	N	N	PB	PB	PB	PB	P/SP	N	PB	Y⁸ Y ⁹
c. Medium	N	N	N	N	N	N	N	N	N	N	P/SP	N	N	Y⁸ Y ⁹
d. Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N
3.6 Printing, publishing:														
a. Under 5,000 square feet	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N
b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	PB	N

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	N
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
3.8 Research and development:															
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	PB ²	N	PB ²	N
b. Others	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	P/SP	P/SP
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	N	PB	Y	N	N ⁷	Y
3.11 Wholesale office, salesroom:															
a. With storage	N	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N ⁷	Y
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N ⁷	N ⁷	Y
3.12 Conference center	N	N	N	N	N	N	N	N	PB	N	PB	PB	P/SP	PB	P/SP
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	N	PB	PB	PB	PB	PB	PB	N	PB
3.14 Ground-mounted Solar Energy System															
a. Small-scale	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	<u>N⁷</u>
b. Medium-scale ⁽⁸⁾⁽¹⁰⁾	PB	PB	PB	N ⁷	N	N ⁷	N	N	PB	N	PB	Y	N	N ⁷	<u>N</u>
c. Large-scale ⁽⁸⁾⁽¹⁰⁾	PB <u>N</u>	PB <u>N</u>	N	N	N	N	N	N	N	N	PB <u>N</u>	Y	N	N	<u>N</u>

NOTES:

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

185 Attachment 8
USE REGULATION SCHEDULE
PART VII

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

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

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

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

Accessory Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
A1 Boarding	N	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	N	N
A2 Contractor's yard	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	N
a. Landscape materials storage and distribution	N	N	N	N	N	Y ³	Y ³	N	N	N	Y	Y	N	N	N
A3 Home occupation (See § 185-39B.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N
A4 Manufacture, assembly, packing of goods sold on premises	N	N	N	N	N	Y ¹	N	Y ¹	Y ¹	Y ¹	Y	Y	N	Y ¹	Y
A5 Off-street parking (See § 185-39C.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A6 Professional office, studio (See § 185-39A.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
A7 Restaurant, bar	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N	N	N	N	N	Y	N	Y	Y	Y	Y	Y ²	N	Y ²	Y
A9 Scientific use in compliance with § 185-37	BA	BA	BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y	Y
A10 Signs (See § 185-20.)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A11 Single-family dwelling for personnel required for safe operation	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N
A12 Other customary accessory uses	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
A13 Other retail sales, services	N	N	N	N	N	Y	N ⁴	Y	Y	Y	Y	Y	Y	Y	Y
A13.1 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	BA
A14 Operation of not more than 5 automatic amusement devices	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	Y
A15 Warehouse/distribution facility	N	N	N	N	N	N	N	N	Y	N	Y	Y	N	Y	Y
A16 Wholesale office, salesroom															
a. With storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	Y
b. Without storage	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y ²	Y	Y
A17 Catering	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y
A18 Function hall	N	N	PB	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y
A19 Ground-mounted Solar Energy System ⁵															
a. Small-scale	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
b. Medium-scale ⁶	PB	PB	PB	PB	PB	N	PB	N	PB	N	PB	Y	N	PB	<u>N</u>
A19 20 Agricultural with Poultry, parcel under 5 acres	<u>Y⁵ Y⁷</u>	<u>Y⁵ Y⁷</u>	<u>Y⁵ Y⁷</u>	<u>Y⁵ Y⁷</u>	<u>Y⁵ Y⁷</u>	<u>Y⁵ Y⁷</u>	<u>Y⁵ Y⁷</u>	N	N	N	N	N	N	N	<u>N</u>

NOTES:

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

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

DATED: _____, 2020

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

Teresa M. Burr, CMC
Town Clerk

RECUSED _____

Glenn Jones, Clerk
Franklin Town Council

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: FRANKLIN TOWN COUNCIL

FROM: BRYAN W. TABERNER, AICP, DIRECTOR

RE: ZONING BYLAW AMENDMENTS 20-850 AND 20-851, ZONING MAP CHANGES TO BETTER DEFINE THE TOWN OF FRANKLIN'S ZONING DISTRICTS

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

DATE: JANUARY 14, 2020

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

Attached are two proposed Zoning Map Amendments that would change the Town's existing Zoning Map (Chapter 185, Section 5, of Franklin Town Code), Zoning Map Amendments 20-850 and 20-851.

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

Zoning Bylaw Amendment 20-851: Zoning Map Changes from Rural Residential II and Single Family Residential III to Rural Residential II or Single Family Residential III An Area On Or Near Oak Street and Dailey Drive.

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

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



SPONSOR: *Town Administration*

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

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

A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP

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

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **31.28± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

260-055-000	260-059-000	260-064-000
260-058-000	260-060-000	

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **13.25± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

260-039-000	261-013-000	261-016-000
260-049-000	261-015-000	261-017-000
261-012-000		

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

Parcel Numbers

261-002-000	261-003-000	268-014-000
--------------------	--------------------	--------------------

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential IV to Single Family Residential IV an area containing **2.72± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

261-008-000	261-009-000	268-018-000
--------------------	--------------------	--------------------

That the Zoning Map of the Town of Franklin be amended by changing from Single Family Residential III and Single Family Residential IV to Single Family Residential IV an area containing **2.38± acres** comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

269-113-000

269-129-000

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

Parcel Number

261-011-000

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

Parcel Number

260-052-000

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

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

DATED: _____, 2020

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

RECUSED _____

Teresa M. Burr, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Proposed Zoning Map Changes

An Area On Or Near Highland, Maple and Lincoln Streets

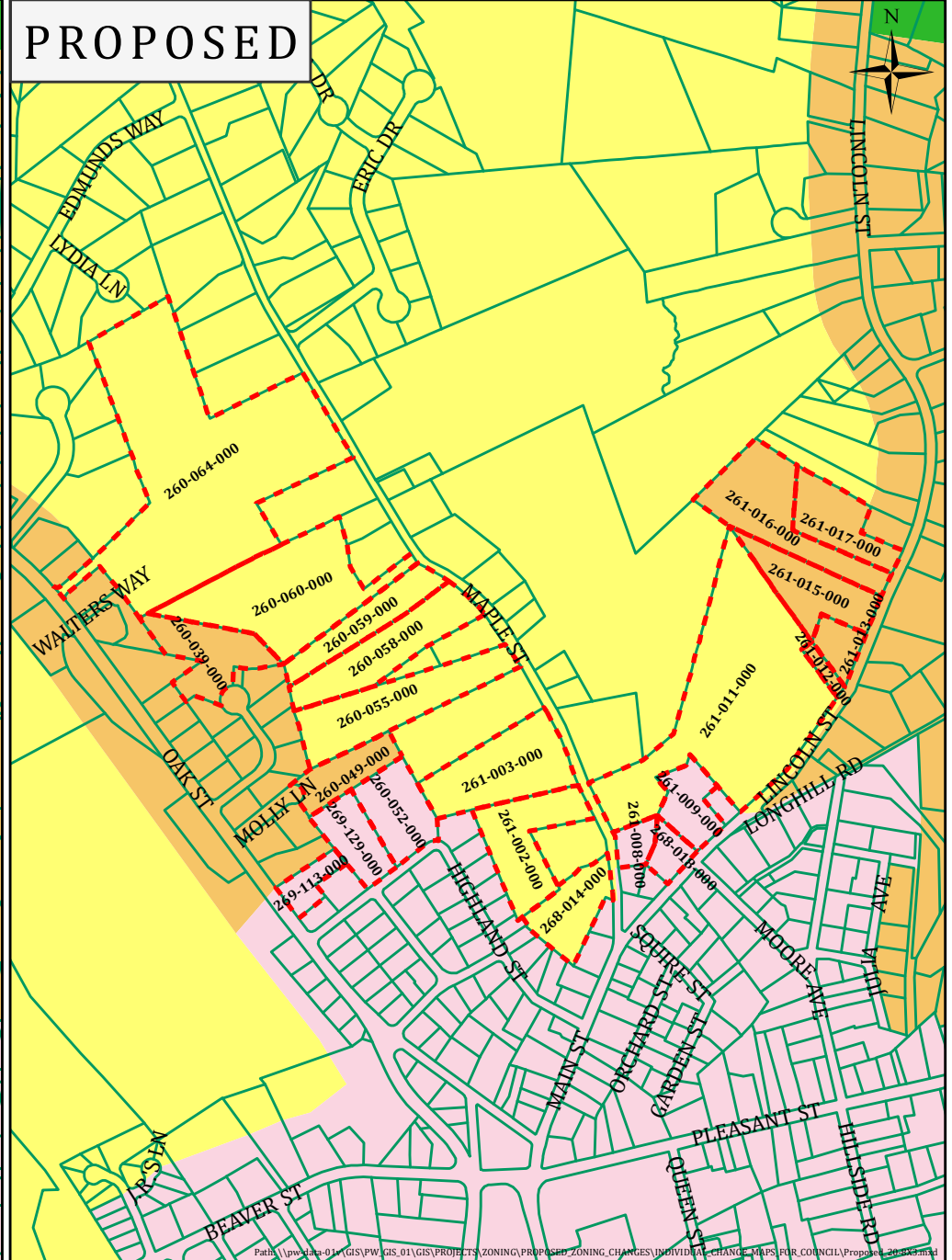
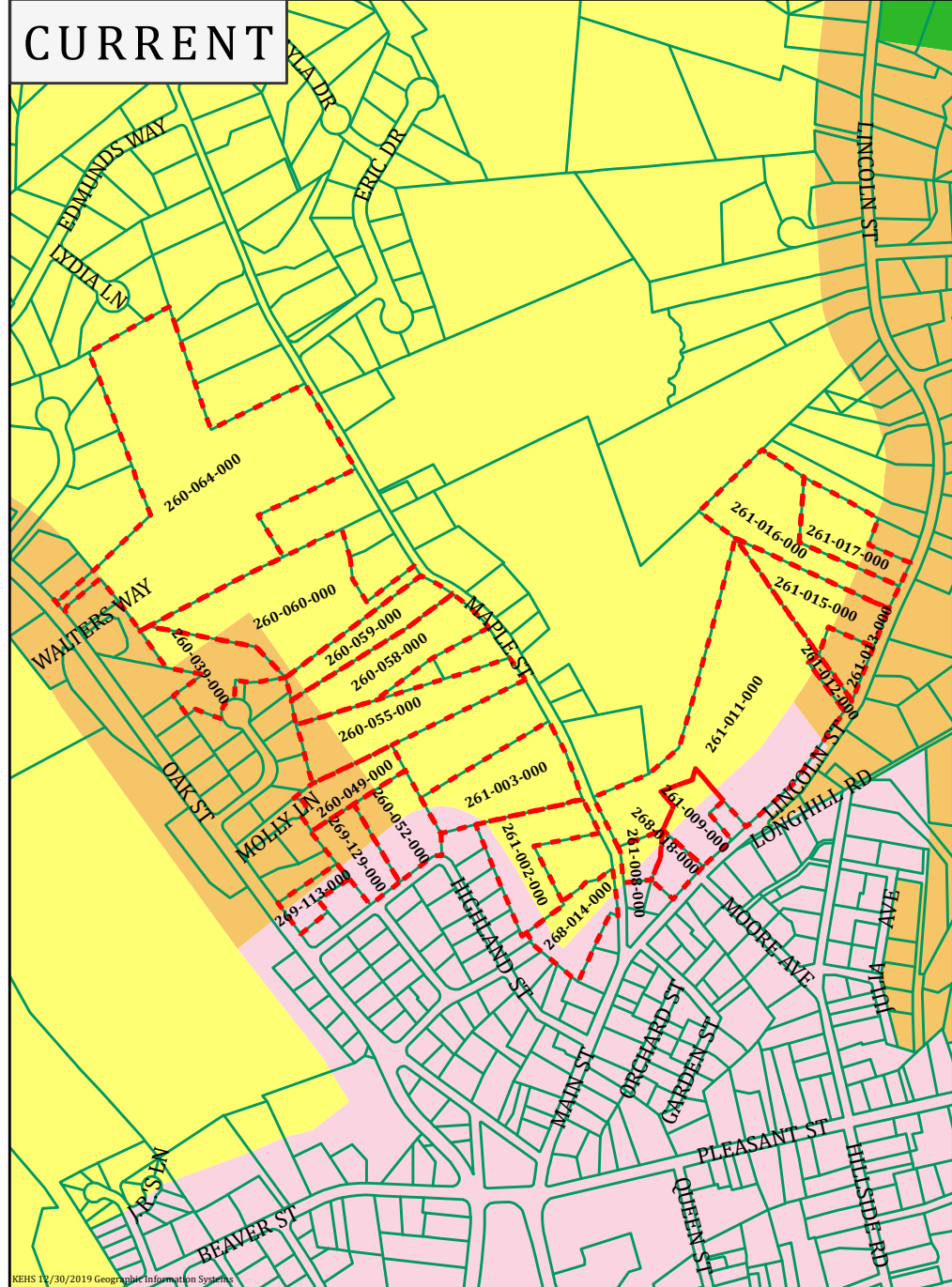
From Rural Residential II & Single Family Residential III, Rural Residential II or Single Family Residential IV, Single Family Residential III & Single Family Residential IV, To Rural Residential I, Single Family Residential III, or Single Family Residential IV

- Commercial II
- Rural Residential II
- Single-Family III
- Single-Family IV

- Area of Proposed Change
- Parcel Line

0 500 1,000 2,000 Feet

20-850



Proposed Zoning Map Amendment 20-850

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

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

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

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



SPONSOR: *Town Administration*

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

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

**A ZONING BY-LAW AMENDMENT TO THE CODE OF THE TOWN OF
FRANKLIN AT CHAPTER 185 SECTION 5, ZONING MAP**

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

That the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Rural Residential II an area containing **12.46± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

252-021-000	252-025-000	252-072-000
252-022-000	252-062-000	253-136-000
252-023-000	252-063-000	253-159-000
252-024-000	252-068-000	

And the Zoning Map of the Town of Franklin be amended by changing from Rural Residential II and Single Family Residential III to Single Family Residential III an area containing **5.06± acres**, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Numbers

252-012-000	252-015-000	253-120-000
252-013-000	252-016-000	253-121-000
252-014-000	252-017-000	253-154-000

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

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

DATED: _____, 2020

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

Teresa M. Burr, CMC
Town Clerk

RECUSED _____



Glenn Jones, Clerk
Franklin Town Council

Proposed Zoning Map Changes

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

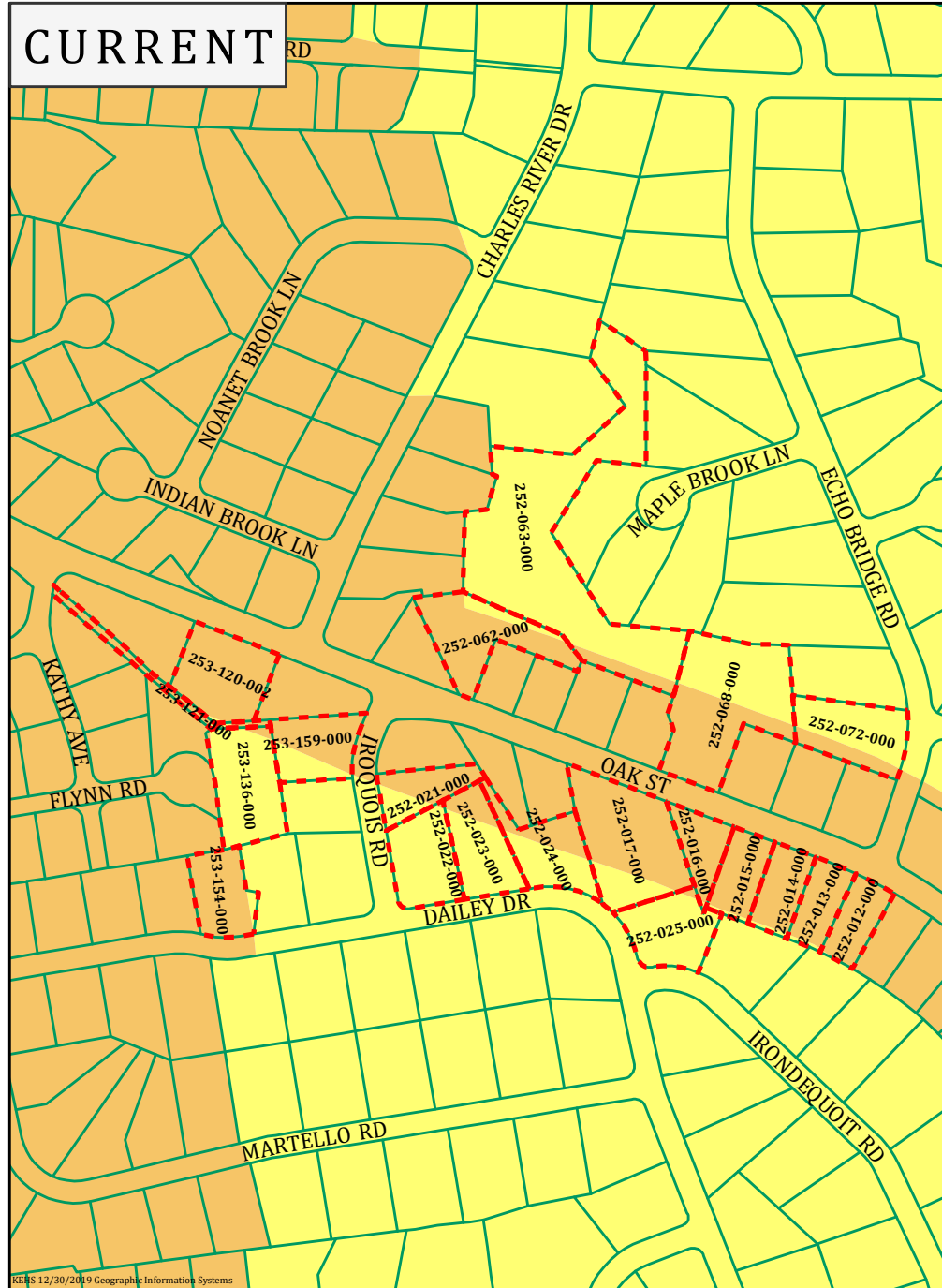
0 250 500 1,000
Feet

 Rural Residential II
 Single-Family III

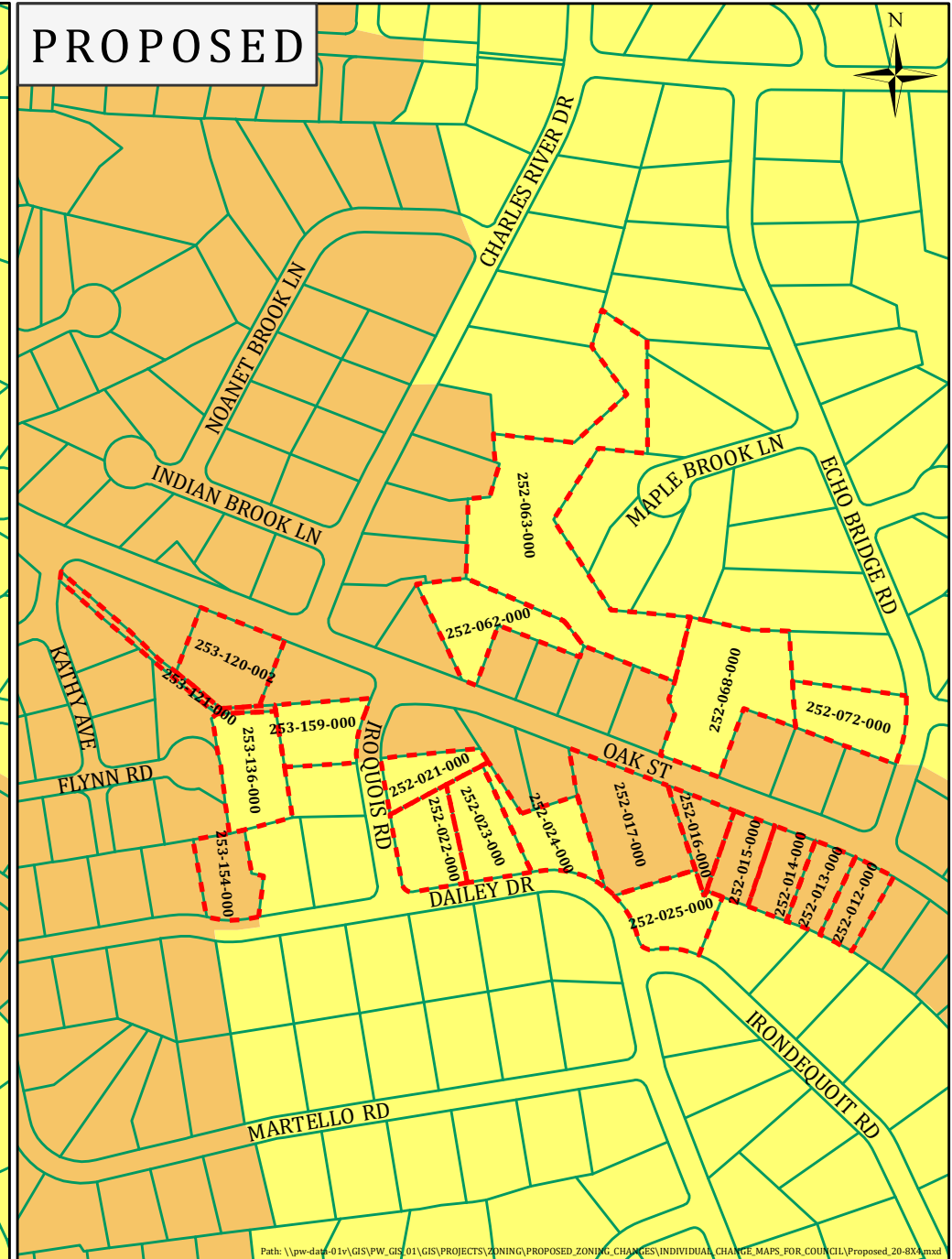
 Area of Proposed Change
 Parcel Line

20-851

CURRENT



PROPOSED



Proposed Zoning Map Amendment 20-851

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

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

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

RRII = Rural Residential II

SFRIII = Single Family Residential III

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

February 28, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

Re: Resolution 20-16: Ratification of Public Facilities Maintenance Employees Agreement

I am asking the Town Council to consider resolution 20-16, which will ratify the provisions of the Public Facilities Maintenance Employees, AFSCME Local 1298, Council 93 the Collective Bargaining Agreement with the Public Facilities maintenance Employees. The provisions of the agreement shall be in effect from July 1, 2019 to June 30, 2022 and shall become part of the existing contract.

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



TOWN OF FRANKLIN

RESOLUTION 20-16

Ratification of the Memorandum of Agreement Between the AFSCME Local 1298, Council 93, Public Facilities Maintenance Employees and the Town of Franklin

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

Hereby ratifies the provisions of the Public Facilities Maintenance Employees, AFSCME Local 1298, Council 93 the Collective Bargaining Agreement with the Public Facilities Maintenance Employees. The provisions of the Agreement shall be in effect from July 1, 2019 to June 30, 2022 and shall become part of the existing contract.

This Resolution shall become effective according to the rules and regulations 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