

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

March 18, 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 12, 2020

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

#### 5. APPOINTMENTS

- a. Agricultural Commission Associate Member: Charles J. Koshivas
- b. Planning Board Associate Vacancy: Joint Meeting with the Planning Board
  - i. Town Administrator Memo & Candidates

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

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

#### 8. PRESENTATIONS/DISCUSSIONS

- a. S.A.F.E Coalition Update
- b. Purchasing Department Presentation on Procurement

#### 9. SUBCOMMITTEE REPORTS

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

#### 10. LEGISLATION FOR ACTION

- a. Zoning Bylaw Amendment 20-854: Changes to §185-40. Water Resource District - Referral to the Planning Board (**Motion to Refer Zoning Bylaw Amendment 20-854 to the Planning Board - Majority Vote**)
- b. Resolution 20-17: Acceptance of Conservation Restriction to Protect Well 3A (**Motion to Approve Resolution 20-17 - Majority Vote**)

- c. Bylaw Amendment 20-855: Chapter 82, Water Fee Increase - First Reading (**Motion to move Bylaw Amendment 20-855 to a second reading - Majority Vote**)
- d. Bylaw Amendment 20-856: Chapter 82, Sewer Fee Increase - First Reading (**Motion to move Bylaw Amendment 20-856 to a second reading - Majority Vote**)
- e. Bylaw Amendment 20-857: Chapter 82, Trash and Recycling Fee Increase - First Reading (**Motion to move Bylaw Amendment 20-857 to a second reading - Majority Vote**)

**11. TOWN ADMINISTRATOR'S REPORT**

- a. Coronavirus Update

**12. FUTURE AGENDA ITEMS**

**13. COUNCIL COMMENTS**

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

**15. ADJOURN**

*Note:*

*Two-Thirds Vote: requires 6 votes*

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

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
February 12, 2020**

A meeting of the Town Council was held on Wednesday, February 12, 2020 at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Eamon McCarthy Earls, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegri. Councilors absent: Melanie Hamblen. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

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

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

**CITIZEN COMMENTS:** ► Mr. Francis Weber, 20 Anthony Road, stated he was representing St. Vincent de Paul Society on the homelessness issue in Franklin. ► Chair Mercer stated this item is on tonight's agenda, and Mr. Weber may speak at that time. ► Mr. Dale Kurtz, Veterans' Services Officer, reminded veterans that the Town census is available, and veterans as well as surviving spouses of veterans should identify themselves on the census. He noted the national census will occur later this year and requested veterans self-identify on that census as well. These efforts are important in order for the Veterans' Services Department to continue to receive support for the VA and other veterans' benefits. He stated that there will be jobs available for the national census; if anyone is interested, please contact Mr. Kurtz at his office. ► Ms. Teresa Burr, Town Clerk, reminded everyone that today is the last day to register to vote or change party affiliation. The Town Clerk's office is open until 8 PM and registering online is available until midnight.

**APPROVAL OF MINUTES:** None.

**PROCLAMATIONS/RECOGNITIONS:** ► *Firefighter/Paramedic: Michael McConaghy.* ► Fire Chief James McLaughlin introduced the Town's newest firefighter/paramedic Michael McConaghy. He reviewed Mr. McConaghy's background and experience. ► Ms. Teresa Burr, Town Clerk, performed the swearing in.

► Chief McLaughlin announced that in 2020, the Franklin Fire Department increased its ISO fire insurance rating. Effective March 1, the Fire Department will move from a score of 3 to a score of 2. The highest rating that can be earned is 1; the lowest rating that can be earned is 10. He explained the significance of the 2 rating and stated they are going to work hard to become a Class 1 rated department. ► Town Council members congratulated the Fire Department for this achievement.

*Chair Mercer called a two-minute recess.*

**APPOINTMENTS:** None.

**HEARINGS: 7:10 PM – Zoning Changes**

- i. 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations and Use Regulations Schedule Updates.
- ii. 20-850: Zoning Map Changes on Or Near Highland, Maple and Lincoln Streets
- iii. 20-851: Zoning Map Changes on Or Near Oak Street and Dailey Drive.

Chair Mercer opened the three hearings. He stated discussions on these three hearing will be held later in the meeting, prior to Legislation for Action.

**LICENSE TRANSACTIONS: None.**

**PRESENTATIONS/DISCUSSIONS:** ► *Housing Authority - Lisa Audette, Executive Director, Franklin Housing Authority.* ► Ms. Lisa Audette introduced Chair George Danello and Board Member Peter Brunelli. She provided an overview of the Housing Authority including what they do and how they try to help local residents. She explained that local Housing Authorities own and operate public housing properties in their communities. They are regulated and partially funded by the State. The local Housing Authority boards are responsible for ensuring that the executive directors and their staff are following all of the laws, regulations, and rules set forth by the Commonwealth. She stated the Housing Authority follows 760 CMR which are the DHCD regulations. The types of housing the Franklin Housing Authority has include 161 one-bedroom units which house seniors and people under the age of 60 who have disabilities, 4 units of congregate housing which are four-bedroom, two bathroom units that residents share kitchen and living room spaces, 33 family units, and 16 units of housing for adults with developmental disabilities. As well, they have obtained three other properties adding four units of low-income housing. She stated that to get an apartment at the Franklin Housing Authority, an application must be filled out. The State has taken over the application list; therefore, Franklin Housing Authority has no control over who is on the top or bottom of the list. She explained the applications are time-stamped when received. Applications can be picked up at the Housing Authority or completed online. She explained that there are 240 Housing Authorities in the Commonwealth. When filling out an application, a person can check off any Housing Authority in which they would like to live. She discussed eligibility requirements including income requirements for housing. She explained that preferences are given to local people, veterans, and minorities if the minority quota is not reached. She discussed the various types of situations that are considered emergency categories for placement on the waiting list. She stated that as of yesterday, there are over 3,500 people on the waiting list. She stated that there are 1,075 people on the one-bedroom waiting list; 121 have emergency status. She stated there were 2,530 applicants on the list for family housing; 468 are emergencies, and 11 are local emergencies. There is not enough housing in the State of Massachusetts, the Town of Franklin, and the country for people who need it. ► Town Council members asked questions. ► Ms. Audette, in response, discussed financing from the State and locally. She stated there are two types of housing agencies: subsidized or surplus. The Franklin Housing Authority is a surplus agency; their operating budget is covered by the rents they take in. The assistance they get is from modernization. The State provides formula funding for modernization of the properties that the Franklin Housing Authority currently has. She stated that they receive approximately \$400,000 per year from modernization. Beyond that, they look at other funding/grants, and the Affordable Housing Trust also provides support in this effort. They are always looking for opportunities to build additional housing; however, the funding is not going to come from the State. It is encouraging to hear the governor say that housing is one of his priorities. The Housing Authority cannot afford to build a complex of affordable housing by themselves. She discussed that the way the placement list works is determined by the code of regulations. She reviewed the locations in Franklin for the senior housing units, family units, and the units for those with development disabilities. She stated that the Franklin Housing Authority is not associated with Eaton Place. She discussed the approximate turnover is about 20 units per year. ► Mr. Hellen reviewed that they would need to lobby community-wide with the legislators to advocate to change the CMR regarding the current State regulations. ► Town Council members thanked the presenters for their hard work and gave their support to the Franklin Housing Authority. ► Ms. Susan Borchard, 4 McKinley Road, stated she is thankful there are group homes in Franklin for people turning 21 and going into the care of the Department of Developmental Services. She asked what type of services are available in Franklin for people on the housing lists to help them hold it together while they are on the brink of homelessness. ► Chair Mercer stated some of those issues will be answered in the next presentation. ► Ms. Audette said there is a service coordinator for the senior disabled residents who is available one-day per week and helps residents get food stamps,



healthcare, and social security. She discussed the State law that was passed 30 years ago that required 13.5 percent of those in senior housing are disabled and under the age of 60. She stated that the average rent for the senior developments is about \$425 with heat, hot water, and electricity included; the average rent for the family developments is approximately \$700. ► Rev. Kathy McAdams, St. John's Episcopal Church, asked if they administer Section 8 voucher-based housing. ► Ms. Audette stated the Franklin Housing Authority does not have a Section 8 program. ► Mr. Hellen stated they are not going to solve this problem with one program or one solution. He reviewed that they would be bringing the conversation about funding back for discussion. He noted that at the March 4<sup>th</sup> Economic Development subcommittee meeting, Chair Melanie Hamblen is going to start a discussion to make some bylaw amendment proposals for Inclusionary Zoning and get more deed restricted affordable units.

► ***Transitional Assistance Discussion - Franklin Senior Center.*** ► Ms. Karen Alves, Senior Center Director, and Ms. Erin Rogers, Social Services Coordinator, discussed the social services programs, specifically with regard to housing issues and homelessness. ► Ms. Rogers stated in the role of social services coordinator, they see seniors and those under 60. They assist with a variety of needs including housing, employment, home care services, tax abatements, transportation, food insecurity, fuel assistance, MassHealth, SSI, MA RMV, senior scams, adaptive assistance, hearing loss support, elder abuse, and more. They do both intakes and referrals. She discussed that they have assisted 14 homeless households in the past year; 11 were adults with no children, and 3 were families with children. She discussed some of the causes of homelessness including mental health issues, medical issues/disability, domestic violence, fire, and landlord selling/renovating. She stated that they help with emergency shelter; for families with children, they suggest going to the local Department of Transitional Assistance (DTA) office. The closest one is in Framingham. For adults without children, they help call shelters directly. She stated those in domestic violence situations should call the Safelink Hotline. She stated there is a shelter system in Milford that opens if there are very cold temperatures or snow. She stated that the majority of people who come to them do not want to go to a shelter. She stated that for the longer term, they help with housing applications including Section 8 and Massachusetts Rental Voucher Program. She stated that Massachusetts Housing Consumer Education Centers are great resources for people who are homeless and explained some of the programs. She stated that according to the National Alliance on Mental Illness, only 60 percent of people with mental illness get mental health care; this is an issue related to homelessness. She reviewed some mental health resources. She stated that when someone is homeless, the social services coordinator can help them with other referrals including legal assistance, protective services/elder at-risk referral, community organizations, charities, and St. Vincent de Paul. ► Town Council members asked questions and discussed the homeless issue. ► In response, Ms. Alves agreed it would be a good idea to educate the landlords in Town about vouchers; she said she would work on that possibility. She stated that people should go to the Senior Center for help with things like fuel assistance. She suggested people call to make an appointment to meet at the Senior Center for help with the applications for programs and services. ► Mr. Francis Weber, St. Vincent de Paul Society representative, provided the Town Council with some literature about the organization and discussed what the organization does. They are an all-volunteer group and do home visits with people not able to afford items such as fuel. The organization has helped Franklin people for the past 30 years. He discussed the homeless issue and how they help the homeless or soon-to-be homeless with food, clothing, and other resources and programs. He noted many homeless have addiction or mental health issues. ► Ms. Lynn Calling, Executive Director of Franklin Food Pantry; Ms. Amy Cataldo, Assistant Director of Franklin Food Pantry; and Ms. Sue Kilcoyne, Operations Director of Franklin Food Pantry, addressed the Town Council. Ms. Calling provided an overview of the Food Pantry. They are open to all residents and provide service three weeks per month. She suggested all shoppers register and make an appointment by calling the Food Pantry. She provided statistics on the quantity of food distributed and the number of individuals visiting the pantry. She stated there was a 13 percent increase in the number of seniors they served last year. She stated they are a private non-profit organization and receive donations. She noted all this information is available on their website. ► Ms. Kimberly Mu-Chow, 4 Briarwood Road, stated she is a member of New England Chapel and Pathway to a Better Life. She discussed the Milford area temporary emergency shelters which include three churches that open on a rotating basis. She stated

that the Town of Milford's staff and departments helped out in many ways. She stated that emergency shelters could be started in Franklin. ► Rev. Jacob Juncker, Pastor of Franklin United Methodist Church, stated that it seems most of the services mentioned are outside of Franklin. He asked if there could be a stakeholders meeting of all the potential social services agencies and entities so they could gather to know what each other is doing and work together to provide resources for the community. ► Ms. Alves stated they had such a meeting about 18 months ago. Another comprehensive meeting would be useful; the Senior Center could spearhead that effort. ► Chair Mercer stated that the Town could assist in the effort. ► Resident, who is a homeless and housing advocate, agreed with the importance of having meetings with all agencies so the needed services can be provided in a uniform fashion. ► Ms. Kathy Nozick, member of St. Vincent de Paul Society, stated that in 2018 they had a meeting and invited many community and Town members. They were going to put together a list of resources, but the person leading the effort was unable to complete the project. Creating a list of resources is something that is going to be done. ► Ms. Alves stated the Real Life Aid – Local Services document on the Town website has a lot of information; however, it does need to be updated. ► Chair Mercer thanked everyone who came tonight to hear and participate in this discussion.

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► Nothing to report.
- b. **Budget Subcommittee.** ► Nothing to report.
- c. **Economic Development Subcommittee.** ► Mr. Hellen stated the next meeting will be on March 4, 2020, at 5:30 PM, and they expect to talk about some of the Inclusionary Zoning bylaw changes.

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

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

- a. ***Bylaw 20-847 As Amended: New Chapter 130, Plastic Checkout Bag Prohibition - Second Reading (Motion to Adopt Bylaw Amendment 20-847 As Amended: Chapter 130, Plastic Checkout Bag Prohibition - Majority Roll Call Vote).*** ► **Motion to Waive** the Reading by **Kelly**. **SECOND** by **Dellorco**. ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Adopt** Bylaw 20-847 As Amended: New Chapter 130, Plastic Checkout Bag Prohibition by **Kelly**. **SECOND** by **Dellorco**. **Discussion:** ► Mr. Hellen stated this is the second reading; the issue has been discussed for more than three years. ► Chair Mercer thanked the students for their hard work on this bylaw amendment. On his request, the high school students introduced themselves. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Earls-NO; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-7, No-1, Absent-1.** ► Chair Mercer read aloud a Proclamation honoring Franklin High School students for successfully passing the Plastic Checkout Bag Prohibition in Franklin. ► Mr. Hellen, on behalf of Town Council member Ms. Hamblen who could not attend tonight's meeting, congratulated the students.

*Chair Mercer called a two-minute recess.*

- b. ***Bylaw Amendment 20-852: Chapter 82, Municipal Service Fees - Second Reading (Motion to Adopt Bylaw Amendment 20-852: Chapter 82, Municipal Service Fees - Majority Roll Call Vote).*** ► Mr. Jones read the bylaw amendment. ► **MOTION to Adopt** Bylaw Amendment 20-852: Chapter 82, Municipal Service Fees by **Dellorco**. **SECOND** by **Kelly**. **Discussion:** ► Mr. Hellen stated this is the second reading of this bylaw amendment for the passage of a revised fee schedule for ALS/BLS rates in the Town's fees bylaw. This final ratification is part of the collective bargaining negotiations with the fire department and will assist in being able to hire new paramedics to accommodate the steep increase in call volume in the community. ► Ms. Pellegrini confirmed amended language. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Earls-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**

- c. **Resolution 20-12: Gift Acceptance Franklin Police Department - \$10,000 (Motion to Approve Resolution 20-12 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-12: Gift Acceptance Franklin Police Department - \$10,000 by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen thanked Middlesex Bank Charitable Foundation for their generous donation. ► **VOTE: Yes-8, No-0, Absent-1.**
- d. **Resolution 20-13: Gift Acceptance Franklin Fire Department - \$10,000 (Motion to Approve Resolution 20-13 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-13: Gift Acceptance Franklin Fire Department - \$10,000 by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen and Chair Mercer thanked Middlesex Bank Charitable Foundation for their generous donation. ► **VOTE: Yes-8, No-0, Absent-1.**

#### **HEARINGS - Continued – Zoning Changes**

- i. 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations and Use Regulations Schedule Updates.

► Mr. Hellen stated this solar issue was referred already to the Planning Board. The Planning Board's recommendations from their public hearings on all three items were unanimous. The associated bylaws will remove large-scale ground-mounted solar facilities from the zoning districts in the residential areas. He mentioned the current solar farm on Upper Union Street was a unique project at the time and it has been a great asset for the community regarding the revenue generated and that more than 90 percent of the electricity used for the Town and schools is from that solar farm. However, over the last few years, based on working on other solar projects in Town, these projects do not provide a very positive return on investment for the Town. There have been numerous complaints from residents about forests being cut down, the projects have not brought in the proposed revenue, and removal of large-scale solar farms in communities in the area is a trend. He stated that there are a few projects still in the pipeline that will be grandfathered. However, going forward, it is believed the large-scale solar farms should be removed from the current bylaw. He noted that this proposed bylaw change does not affect the solar that citizens put on their houses, garages, and backyards. ► Chair Mercer declared the public hearing closed.

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

- e. **Zoning Bylaw Amendment 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations, And Use Regulations Schedule Updates - First Reading (Motion to Move Zoning Bylaw Amendment 20-849 to a Second Reading - Majority Vote).** ► **Motion to Waive** the Reading by **Kelly. SECOND** by **Dellorco.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move** Zoning Bylaw Amendment 20-849: Changes to Ground-Mounted Solar Energy System Use Regulations, And Use Regulations Schedule Updates to a Second Reading by **Dellorco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

#### **HEARINGS - Continued – Zoning Changes**

- ii. 20-850: Zoning Map Changes on Or Near Highland, Maple and Lincoln Streets

► Mr. Hellen stated this continues the lot line clean-up project. There are many parcels in Town that have multiple zoning districts within one lot. ► Mr. Bryan Taberner, Director of Planning and Community Development, reviewed Zoning Amendment 20-850. He explained this project is being done Town-wide. There are two such amendments at tonight's meeting and seven more coming at a future meeting. He discussed the current and proposed Zoning Map Changes as shown on the provided map. ► Mr. Richard Lefebvre, 154 Lincoln Street, requested definitions for Rural Residential II and Single-Family Residential III, which is what his property is being switched to. ► Mr. Taberner stated both are residential zones; the difference is the required lot square footage and frontage. He noted there is no difference on the use regulations. ► Chair Mercer declared the public hearing closed.

**LEGISLATION FOR ACTION (continued):**

- f. Zoning Bylaw Amendment 20-850: Zoning Map Changes on Or Near Highland, Maple and Lincoln Streets - First Reading (Motion to Move Zoning Bylaw Amendment 20-850 to a Second Reading - Majority Vote).** ► **Motion to Waive** the Reading by **Kelly**. **SECOND** by **Dellorco**. ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move** Zoning Bylaw Amendment 20-850: Zoning Map Changes on Or Near Highland, Maple and Lincoln Streets to a Second Reading by **Dellorco**. **SECOND** by **Kelly**. **No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

**HEARINGS - Continued – Zoning Changes**

- iii. 20-851: Zoning Map Changes on Or Near Oak Street and Dailey Drive

► Mr. Bryan Taberner, Director of Planning and Community Development, stated this is a similar zoning map amendment as the last one discussed. It deals with 20 parcels mostly along Oak Street and near Dailey Drive. They are taking parcels that are in two zones and making them in one zone. ► Chair Mercer declared the public hearing closed.

**LEGISLATION FOR ACTION (continued):**

- g. Zoning Bylaw Amendment 20-851: Zoning Map Changes on Or Near Oak Street and Dailey Drive - First Reading (Motion to Move Zoning Bylaw Amendment 20-851 to a Second Reading - Majority Vote).** ► **Motion to Waive** the Reading by **Kelly**. **SECOND** by **Dellorco**. ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION to Move** Zoning Bylaw Amendment 20-851: Zoning Map Changes on Or Near Oak Street and Dailey Drive to a Second Reading by **Dellorco**. **SECOND** by **Kelly**. **No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
- h. Resolution 20-14: The Town of Franklin Civil Discourse Pledge (Motion to Approve Resolution 20-14 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-14: The Town of Franklin Civil Discourse Pledge by **Dellorco**. **SECOND** by **Kelly**. **Discussion:** ► Mr. Hellen referenced his memo to the Town Council dated February 7, 2020. He stated that based on concerns he has heard regarding harassment, including online and in social media, he drafted the Town of Franklin Civil Discourse Pledge to encourage civility and respect of all citizens, employees, and businesses in the day-to-day work as stewards of the public trust. He stated that what other Towns have done regarding this issue was reviewed as this pledge was prepared. He noted the support and leadership of Ms. Karen Bratt, Human Resources Director, and all the department heads in this effort. He discussed that in 2018 the Town Administration and the Human Resources Director sponsored employee harassment training for all municipal employees. As well, on March 10, 2020, the Town Administration and the 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. Later this year, the Town will do another round of harassment training for all municipal employees. He noted that the Town updated the Harassment and Sexual Harassment Policy in the employee manual last year. ► Town Council members asked questions. ► Mr. Cerel stated this resolution is aspirational; it is a goal to be aspired to. He confirmed it is a policy; it is not a law. ► Mr. Chandler asked how this affects Town Council members' First Amendment rights as they are not employees. ► Mr. Cerel stated that any liability is not going to arise from this resolution, it would arise from separate statutes or case law that exists about what is said at a public meeting, be it by people in the audience or Town Council members. ► Mr. Kelly stated he support this 100 percent. He noted that this is already in the Town Council members' handbook when a new Town Council is elected. He stated that he is concerned that as Town Council members, they have already pledged that they are going to do this when they get elected; this is just another thing to put on us. ► Mr. Bissanti stated he endorses a zero-tolerance to bullying policy.

However, he is not aware of any councilor going outside the realm of procedure. He likes the fact that people can come to the Town Council members. He is not aware of anything unethical if members of the public come to the Town Council members to talk. He stated that he is not clear about what this resolution is trying to say about their conduct as Town Council members unless they breach some kind of ethical standard and try to take matters into their own hands on a disciplinary action on a Town employee. He does not know where this is going. He stated that we should have some rights to act as Town Council members so that people can come to us as that is what they got elected for. He stated that some of the Town employees who have come to him have then gone up the chain of command. He has never gone over anyone's head. He has consulted with the Chair. Is this a threat to us as councilors? ► Chair Mercer stated he does not think the intent of this was a threat. ► Mr. Hellen stated this is something Ms. Hamblen brought up in the goals discussion. He stated it is not just about the Town Council or the employees; there is a sentiment out there, and this is an aspirational goal. He does not think anyone here is wrong, and Mr. Chandler brings up a great point about First Amendment free speech rights. He thinks there is nothing in the resolution that alleges any wrongdoing by anyone. He thinks the Town Attorney described it perfectly as an aspirational initiative. This is something we try to strive for as a community; we are trying to make sure there is some level of civil discourse. ► Mr. Earls asked how it shifts from the current policies in place. ► Mr. Hellen discussed the current rules of procedure regarding how the Town Council governs and noted that this is more about behavior than governance. He stated that with the advent of social media, there are many things that people get worked up about. He discussed the misinformation culture and stated that he spends a great amount of his day talking to citizens to provide facts about what we do and do not do. He noted there have been many concerns from Town Council members that when they chimed in on Facebook, there was a lot of hate received back. A lot of this comes from the discourse on social media. He stated that this is an issue that Ms. Hamblen recognized, and this resolution is just one idea as a way to regulate it. ► Mr. Dellorco stated he is going to speak to whomever he wants to whether it is an employee or a citizen. ► Mr. Kelly noted that Ms. Hamblen has been mentioned often in this discussion; unfortunately, she is not in attendance at this meeting. He would like to table this resolution until the March 4<sup>th</sup> meeting so Ms. Hamblen can be present to talk about this item. ► Mr. Chandler asked that additional material on this item be provided for the next meeting. ► **MOTION to Table Resolution 20-14: The Town of Franklin Civil Discourse Pledge to the March 4, 2020, meeting by Kelly. SECOND by Dellorco.** ► **VOTE: Yes-8, No-0, Absent-1.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Hellen stated that at the March 4<sup>th</sup> meeting there will be a budget update. ► He stated that after four years of working on it, he has signed a Municipal Aggregation Agreement that will begin on November 1, 2020, at a rate of \$0.105 per kilowatt. He noted the current rate is \$0.1397 per kilowatt. He noted it will be a 100 percent renewable energy product. He stated the average homeowner will see an approximate savings of \$13.00 per month. The consultant will provide an overview at the March 4<sup>th</sup> meeting.

**FUTURE AGENDA ITEMS:** ► Ms. Bissanti confirmed that the Town Council cannot meet with the Animal Control officer until March. ► Mr. Hellen stated he thinks the Animal Control officer will be at an April meeting and will discuss Mr. Bissanti's issue regarding loose dogs, as well as provide an overview of the department. ► Mr. Dellorco asked when the SAFE Coalition will be giving a presentation. ► Mr. Hellen stated he will get in touch with them to determine a meeting date.

**COUNCIL COMMENTS:** ► Mr. Bissanti, Mr. Earls, Mr. Kelly, Mr. Chandler, Ms. Pellegrini, Mr. Jones, Mr. Dellorco, and Chair Mercer gave condolences to the Hamblen family for the passing of Ms. Hamblen's mother. ► Mr. Kelly stated the ISO rating for the fire department is great, and he is very happy with the hiring of the new fire chief. He thanked Mr. Hellen for the Municipal Aggregation Agreement. He stated Franklin is a fantastic community compared to other towns. ► Mr. Chandler noted the possible volunteer opportunities that were learned about in tonight's presentations. ► Ms. Pellegrini thanked Ms. Audette for the Housing Authority presentation. ► Mr. Jones thanked the high school students for their hard work on the

plastic bag legislation. ► Mr. Dellorco reminded everyone that the SAFE Coalition offices at 206 Dedham Street, Norfolk, MA, will be open tomorrow night; anyone can attend. ► Chair Mercer thanked everyone for attending tonight's meeting and caring about the Town.

**EXECUTIVE SESSION: None.**

**ADJOURN: ► MOTION to Adjourn by Kelly. SECOND by Jones. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 9:42 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

# APPOINTMENTS



## Franklin Agricultural Commission

**Charles J. Koshivas**

887 Lincoln Street  
Franklin, MA 02038

The Franklin Agricultural Commission has recommended the appointment of Charles J. Koshivas to serve as an associate member of the Franklin Cultural Council with a term to expire on June 30, 2020.

**MOTION** to ratify the appointment by the Town Administrator of Charles J. Koshivas to serve as an associate member of the Franklin Agricultural Commission.

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

**VOTED:**

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

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

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

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

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

**A True Record Attest:**

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

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**Glenn Jones, Clerk**  
Franklin Town Council



## Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

### Volunteer Form

*Good Government Starts with You*

**Date Submitted:** February 24, 2020

**Name:** Charles J Koshivas

**Home Address:** 887 Lincoln St.  
FRANKLIN, MA 02038

**Mailing Address:** 887 Lincoln St.  
FRANKLIN, MA 02038

**Phone Number(s):**

**Email Address:**

**Current Occupation/Employer:** Farmer

**Narrative:** Grew up and lived on a farm entire life and have managed all of Fairmount Fruit Farms operations for the past 8 years.

**Board(s) / Committee(s):** \_\_\_ AGRICULTURAL COMMISSION



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 13, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Planning Board Associate Vacancy Appointment**

---

After last year's election, the incumbent Associate was elected to the full Planning Board, rendering the Associate seat vacant. Section 3-3-1 of the Town Charter specifies:

“Unless recalled in accordance with Article Five, Section 4 of this Charter, vacancies in boards established under this Article shall be filled by the Town Council jointly with the remaining members of the respective board until the next regular Town election.”

In short, a joint meeting of the remaining members of the Town Council and Planning is required to fill the seat until the next election, which is November 2, 2021.

In an effort to give everyone in the community an opportunity to apply for the seat, I posted the vacancy for 3 weeks in November. Ten candidates applied. Unlike every other appointment to a Town Board or Committee, the Town Charter does not specify who nominates the appointment for filling an elected seat. Thus, I sat down with the Chairs of the Council and Planning Board to agree on a nomination process. We agreed that the process should be commensurate with other Town appointments and that the Town Administrator would interview the candidates and present a recommendation. However, in this case we agreed I would nominate multiple candidates as a way of offering more choice to the appointing authority.

After interviewing all ten candidates, I have selected four to present before the Boards. I have included their application submission materials in the packet this evening. The candidates are:

1. Cobi Frongillo
2. Gregory Thomas Giardino
3. Beth Wierling
4. Jennifer Williams

Please note, the Planning Board Associate is not a full voting member of the Board. The Associate is used as a voting member only as an alternate when there is a need for a fifth voting member during an

absence of one of the five full-time members.

Under the Open Meeting Law, the Planning Board will need to open up a public meeting before any discussion takes place. After any actions taken, the Planning Board will also be required to adjourn their meeting before resuming the Council meeting.

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

# APPOINTMENTS



## Franklin Planning Board

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Franklin, MA 02038

**MOTION** to ratify the appointment of \_\_\_\_\_ to serve as an Associate member of the Franklin Planning Board with a term to expire on November 2, 2021.

---

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

### VOTED:

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

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

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

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

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

**A True Record Attest:**

Teresa M. Burr, CMC  
Town Clerk

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



## Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

### Volunteer Form

*Good Government Starts with You*

**Date Submitted:** November 20, 2019

**Name:** Jennifer Williams

**Home Address:** 28 Queen Street  
Franklin

**Mailing Address:** 28 Queen Street  
Franklin

**Phone Number(s):**

**Email Address:**

**Current Occupation/Employer:** Designer / Perkins and Will

**Narrative:** As a professional in the architecture industry with a lifelong career in design and planning, I believe I have a unique skillset to offer the Town of Franklin Planning Board. My career has been focused on designing spaces for the betterment of communities large and small through built projects and strategic planning alike. I believe thoughtful implementation of long and short term visionary projects have the ability to transform our Town in vibrant, meaningful way. Considering my relevant work in practice paired with active community engagement, I believe I can offer valuable input by bringing a fresh, qualified and diverse viewpoint to Franklin's Planning Board.

I am available to meet weeknights as needed, and weekends when necessary. I look forward to the opportunity to be engaged in this meaningful role which can help to positively impact Franklin's future.

**Board(s) / Committee(s):** \_\_\_ PLANNING BOARD

## contact me

a: 28 Queen Street, Franklin

## professional qualifications & organizations

Licensed Interior Designer  
NCIDQ no. 027458

**IIDA** Professional member of the International Interior Design Association

**AIA** Associate member of the American Institute of Architects

**BSA** Member of the Boston Society of Architects

**LEED** Accredited Professional

**WELL** Accredited Professional

**Fitwel** Ambassador

## education

**Endicott College:** Bachelor of Science in Interior Design

## community

**ACE Mentor Program of Greater Boston:** Board Member, Marketing Coordinator

**Women Leaders in College Sports:** Member

**Spaulding Rehabilitation Hospital**  
4x Boston Marathon Race for Rehab Team Member

## speaking

**Athletic Business National Fall 2019:** Project tips from Facility of Merit Award Winners

**ACUI Region VIII Fall 2016:** What's Next? Trends in Student Life

**NIRSA National Spring 2014:** Value-driven Design: Building Spaces with Inclusivity in Mind

# JENNIFER WILLIAMS

IIDA, ASSOC. AIA, LEED AP, WELL AP, FITWEL AMBASSADOR

## employment

**PERKINSandWILL** Senior Associate

Sept. 2010-present

Roles and Responsibilities: client engagement / sports, performance healthcare, and education planning and programming / master planning and strategic planning / interior architecture design direction and execution / marketing efforts through interviewing, proposal writing, conference attendance and speaking / representation of the firm through outside organizations and charities / active participation in firm-wide leadership programs / intern and staff hiring

### Projects:

**Columbia University:** *Tennis and Squash Center Feasibility Study*

\$30 million / 60,000 GSF / Study Complete Summer 2019

**University of Massachusetts Amherst:** *McGuirk Stadium Study, Expansion and Air Supported Structure, Amherst, MA*

\$18 million / 120,000 GSF / Opened Summer 2019

**Northwestern University:** *Ryan Fieldhouse and Walter Athletics Center, Evanston, IL*

\$180 million / 420,000 GSF / Phase I Opened August 2018

**Stevens Institute of Technology:** *Athletics and Recreation Master Plan*

\$30 million / 60,000 GSF / Master Plan Complete Spring 2019

**Phillips Academy Andover:** *Snyder Athletic Center, Andover, MA*

\$38 million / 100,000 GSF / Opening Fall 2017

**Baylor, Scott, & White:** *Blue Star Sports Therapy and Research Center, Frisco, TX*

\$56 million / 205,000 GSF / Opening January 2018

**Boston University:** *Athletic Strategic Master Plan, Men's Basketball Feasibility Study, Men's Lacrosse Locker Room, Case Athletic Center Entry and Lobby Improvement, Women's Hockey Feasibility Study*

\$Various / 480,000 GSF / Ongoing implementation of projects

**Colby College:** *Athletic Master Plan, Waterville, ME*

580,000 GSF / Master plan complete 2015

**University of Massachusetts Amherst:** *Football Performance Center & Press Box, Amherst, MA*

\$26 million / 47,000 GSF / Opened Fall 2014

**University of Massachusetts:** *Lowell University Crossing Student Center, Lowell, MA*

\$47 million / 138,000 GSF / Opened Summer 2014

**Clark University:** *Bickman Fitness Center Expansion, Worcester, MA*

\$3 million / 11,000 GSF / Opened Summer 2014

**Wentworth Institute of Technology:** *Center for Biomed. Sciences and Engineering, Boston, MA*

\$14.4 million / 40,000 GSF / Opened Summer 2012

**SASAKI** Interior Designer

May 2007 - Sept. 2010

Roles and Responsibilities: sports planning and documentation / interior architecture and design and execution / active participation in firm-wide activities

### Projects:

**Loyola University Ridley Athletic Complex** \$54 million / 94,700 GSF / Opened Spring 2010

**Towson University SECU Arena** \$Confidential / 183,000 GSF / Opened Summer 2012

**Bluffton University Recreation Center** \$10.8 million / 57,100 GSF / Opened 2011

**Guckenheimer Cafe Renovation at the John Hancock Tower** \$7 million / 17,000 GSF



## Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

### Volunteer Form

*Good Government Starts with You*

**Date Submitted:** November 19, 2019

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**Name:** Beth A Wierling

---

**Home Address:** 164 Main Street  
Franklin, MA 02038

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**Mailing Address:** 164 Main Street  
Franklin, MA 02038

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**Phone Number(s):**

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**Email Address:**

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**Current Occupation/Employer:** Planning & Construction Manager, The Kraft Group

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**Narrative:** I am applying for the Associate position on the Planning Board. I am available to meet during regularly scheduled Planning Board meetings and as needed outside of regularly scheduled meetings. I am currently employed as a Planning & Construction Manager with The Kraft Group at Gillette Stadium. I have an extensive background in planning and development, both professionally and in my education, both under graduate and gradate degrees. I look forward to being able to discuss my credentials for this position in detail.

---

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

---



## Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

### Volunteer Form

*Good Government Starts with You*

**Date Submitted:** November 19, 2019

---

**Name:** Cobi Frongillo

---

**Home Address:** 140 Maple St.  
Franklin

---

**Mailing Address:** 140 Maple St.  
Franklin

---

**Phone Number(s):**

---

**Email Address:**

---

**Current Occupation/Employer:** Research Analyst, BW Research Partnership

---

**Narrative:** In my public policy graduate studies, I took numerous courses relevant to municipal public service. In one such course, Sustainable Cities, I conducted a term paper on economic development opportunities in Downtown Franklin. I reviewed historic planning documents, town bylaws, and GIS maps, as well as conducted interviews with members of both the Planning Department and the Town Council. Thus, I am uniquely familiar with both the historic and current context in which the Franklin Planning Board makes their decisions and have higher education on considerations for smart regional planning.

In my current position, I have assisted in the collection and analysis of survey data for a city planning report.

Also, with the exception of my time at University, I have lived my entire life in Franklin and could provide a unique youth and young adult perspective on the town's planning.

I work in Wrentham and have no other time constraints, so I will be available and present any time outside the normal business hours.

**Board(s) / Committee(s):** \_\_\_ PLANNING BOARD

---

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Ambitious Master of Public Policy with diversified political experience in legislation, communications & outreach, and qualitative & quantitative research. Interested in the promotion of climate policy through economic and scientific data. Skilled at communicating technical climate and clean energy information to decision-makers and the general public.

---

## POLICY EXPERIENCE

### **BW Research Partnership**

**May 2018 – August 2018, August 2019 – Present**

#### ***Research Assistant, Research Analyst***

Wrentham, MA

- Author policy memos and manage data (Excel, Q) to inform reports for Mass CEC, RI OER, NREL, NRCAN, and NYSEERDA
- Survey and interview clean energy employers (1000+ to date) across New England, New York, and Canada
- Represent the firm at regional clean energy industry conferences and workshops
- Researched, drafted, and edited Rhode Island's 2018 Clean Energy Industry Report for the Office of the Governor

### **UMass Amherst School of Public Policy**

**January 2019 - May 2019**

#### ***Graduate Student Researcher***

Amherst, MA

- Collaborated with two graduate students to produce a conference presentation and report on municipal electricity aggregation programs in Massachusetts for a local client
- Completed an extensive literature review comparing the Massachusetts energy market with other state markets
- Conducted a quantitative survey of over forty municipal leaders on the goals and outcomes of their programs
- Analyzed state-level policies and policy gaps through interviews of over a dozen policy makers and industry leaders
- Collected, managed, and analyzed data in Excel and STATA to produce illustrative statistics and graphs

### **Northeast Climate Science Center**

**June 2017 - November 2017**

#### ***Communications Assistant & Information Manager***

Amherst, MA

- Produced 5 videos with Final Cut Pro about important NECSC projects and events for their website and email dispersal
- Analyzed and consolidated website data using Google Analytics and Microsoft Excel for annual budget review
- Produced engaging Regional Meeting proceedings with Adobe Photoshop & InDesign for widespread email dispersal

### **Professor James Boyce – UMass Amherst Department of Economics**

**August 2017 - December 2017**

#### ***Research Assistant***

Amherst, MA

- Authored weekly memos summarizing requested research to support work on carbon pricing and dividends
- Consolidated academic articles and information on 28 carbon pricing schemes around the world
- Produced and presented my research on "How should we price carbon?" at an undergraduate economics conference

### **Office of State Representative Jeff Roy**

**May 2016 – August 2016**

#### ***Legislative Assistant***

Boston, MA

- Constructed 3 complete pieces of opioid-related legislation and accompanying fact sheets for the Representative
- Researched past bills and supportive data, and contacted relevant parties in reference to legislative action

### **Congressman Joe Kennedy III District Office**

**May 2016 – August 2016**

#### ***Constituent Services Aide***

Attleboro, MA

- Communicated with constituents in district to address raised concerns on behalf of the Congressman
- Organized Kid's Summer Cafe, a weekly charity event that brought aid to 4,000 children suffering from malnutrition
- Collected key contacts around regional efforts to combat the opioid crisis for political events and advocacy efforts

### **Student Government Association – University of Massachusetts Amherst**

**May 2017 – May 2018**

#### ***Secretary of Public Relations and Marketing***

Amherst, MA

- Produced graphics and videos for 23,000 constituents, distributed through social media, website, and campus mailings
- Authored press releases and web content, while maintaining communication with on-campus and local news outlets
- Hired and coordinated a staff of 5 undersecretaries, meeting weekly and communicating regularly on latest projects



**Research Assistant**

Amherst, MA

- Supported 3 political science professors to consolidate methods for increasing representation in local governments
  - Contacted over 150 city officials across the United States to collect data on election history and timing
  - Produced and collected data tables on over 250 communities using the political data tool Catalyst
- 

## LEADERSHIP AND COMMUNITY INVOLVEMENT

- Soccer For Smiles Charity Soccer Tournament** **January 2010 - Present**  
**Cofounder and Organizer** Franklin, MA
- Created and manage an annual soccer tournament for charity coordinating over 20 volunteers, attracting nearly 200 participants, and raising \$40,000 for disaster relief, breast cancer, and local families in need
  - Partner with over 100 local towns and businesses
  - Established a recurrent scholarship using raised funds to encourage and reward high school service projects
- Residential Life – University of Massachusetts Amherst** **August 2018 – May 2019**  
**Community Standards Graduate Assistant** Amherst, MA
- Served as a hearing officer meeting with 10-20 students weekly to review allegations of misconduct, uphold University expectations, and impose sanctions up to deferred removal from University housing
  - Led a biweekly workshop on personal accountability and community responsibility with 25 participants
  - Functionally supervised five undergraduate student staff members
- United States Soccer Federation** **June 2011 - Present**  
**Soccer Official (Grade 7)**
- Manage gameplay and communicate with official team members for youth through semi-professional matches
  - Selected to represent MA at multiple Youth, Olympic Development, and College Club Regional Championships
- 

## EDUCATION

- University of Massachusetts Amherst** **May 2019**  
**Master of Public Policy** Amherst, MA  
*Environmental Policy Concentration*  
GPA: 3.9  
*Relevant Courses:* Public Policy Analysis, Program & Policy Evaluation, Statistical Methods, Environmental Policy, Policy Methods, Public Law & Legislative Drafting, Politics & the Policy Process, Sustainable Cities
- University of Massachusetts Amherst – Commonwealth Honors College** **May 2018**  
**Bachelor of Arts in Economics & Political Science** Amherst, MA  
*Environmental Science Minor*  
GPA: 3.8  
*Honors:* Cum Laude, Truman Scholar Nominee, Nathaniel Hill Debating Award, SBS Academic Fellow  
*Relevant Courses:* Political Economy of the Environment, Rethinking US Environmental Policy, Environmental Economics, Natural Resource Policy & Administration, The Politician & The Journalist (w/ Congressman Richard Neal), Global Environmental Change, International Environmental Policy
- 

## SKILLS

STATA, R, Q, Microsoft Excel, Qualtrics, SPSS, EMSI, Java, Catalyst, Final Cut Pro, Adobe InDesign, Adobe Photoshop, Logic Pro, French



## Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

### Volunteer Form

*Good Government Starts with You*

**Date Submitted:** November 19, 2019

---

**Name:** Gregory Thomas Giardino

---

**Home Address:** 74 Brook st  
FRANKLIN, MA 02038

---

**Mailing Address:** 74 Brook st  
FRANKLIN, MA 02038

---

**Phone Number(s):**

---

**Email Address:**

---

**Current Occupation/Employer:** Master Plumber/ G. T. Giardino Plumbing and Heating

---

**Narrative:** I have been fortunate to have been a life long resident of Franklin Massachusetts. I have also been fortunate to be in the trade of plumbing for 35 years. I have worked in the Norfolk county area for a majority of my career. The experience of being in the plumbing trade as a business owner has allowed me the opportunity to deal with many inspectors, contractors, architects in many projects both residential and commercial in and around the town of franklin. This has given me many years of experience in the development of the surrounding communities. I would like to have the opportunity to join the planning board to help maintain the well designed growth of Franklin for the foreseeable future.

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**Board(s) / Committee(s):** \_\_\_ PLANNING BOARD

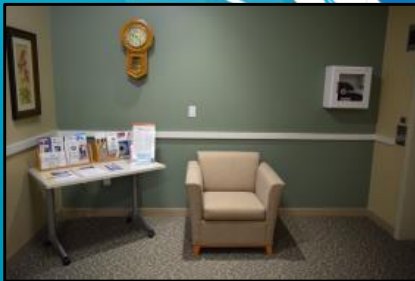
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## FRANKLIN PROCUREMENT OVERVIEW

John Bugbee

March 18, 2020



## Procurement Law Basics



- **M.G.L 30B-** Supplies and Services, Disposal of Surplus Supplies and Municipal Real Property Transactions
- **M.G.L. c.149** – Building Construction Contracts
- **M.G.L. c. 30, 39M-** Public Works Construction Contracts
- **MGL c. 7C, 44-57-** Public Building Design Services



# Overview – c. 30B



Under \$10K

- Requires that “sound business practices” are followed
- 30B defines “sound business practices” as ensuring receipt of favorable prices by periodically soliciting price lists or quotes

\$10K to \$50K

- Requires three (3) written quotes (see attached Town form)

Over \$50K

- Sealed bid process
- Requires that work is advertised in Combuys , Procurement Office Bulletin Board, and Newspaper (If over \$100K must also be published in goods & Services Bulletin)



# Overview – c.30,39M and c.149



MGL c.30, 39M (divided up by those projects with & without labor)

- These type of procurements are for public works projects such as roads , bridges , water , and sewer
- This section also covers the purchase of construction related materials

MGL c. 149

- These type of procurements are for all building projects, building / facility repairs and replacements, and any project where a change is made to the physical structure of a building
- (Under the chapter, a building is considered to be anything that has walls and a roof.



# Allowable Purchasing Contracts



## Collaboratives / Cooperatives

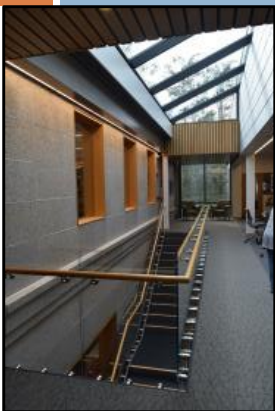
- Collaboratives are contracts that are generally placed out to bid by lead jurisdiction and Franklin is listed as a potential buyer Ex. Road salt
- Cooperatives are for supplies only, they cannot be used for services
- Cooperatives Procured by a lead jurisdiction of which the Town of Franklin is a Member
- Examples- MHEC , HGAC, Sourcewell, Plymouth County Commissioners

## Statewide Contracts / COMMBUYS

- These type of procurements are allowed as the supplies and /or services have already been procured by the Operational Services Division
- OSD user guides must be followed



# Surplus Property Disposal Process Governed by 30B



Advertise equipment in Goods & Services Bulletin / Town Website / Newspaper



Online auction of all equipment at [www.municibid.com](http://www.municibid.com)

Award bid to highest bidder / Exchange paperwork



**\*All surplus equipment must be referred to procurement office where written policies are followed (see attached)**



## Additional Information



### Improvements

- Over the past five years this office has worked to make various improvements in procurement procedures:
  1. Bid Availability Improvements
  2. Standardized quote process for Dept. Heads / PO Approval predicated on correct paperwork
  3. Use of govt. surplus website to dispose of supplies



## Additional Information



### MCPPO

- MA Officer of Inspector General oversees the certification of all Chief Procurement Officers
- CPO are required to attend three (3) seminars each of which last three (3) days and require passage of exam for each
- Recertification is required every five (5) years

### MAPPO

- MA Association of Procurement Officials
- Required to attend monthly meeting for re-certification
- Professional organization that keeps MA Procurement officials informed regarding developments in the field
- Example: Legislative / legal updates, advocacy work, recomm. on improving practices

### Education

- Over the past five years the Town has made a concerted effort to educate those employees making front-line decisions on procurement.
- These Town employees have various procurement certifications all of which help ensure MGL compliance and work to foster a teamwork approach to procurement. Current certified employees include:
  - 1) Town Administrator
  - 2) DPW Director & Asst. DPW Director
  - 3) Town Engineer
  - 4) Asst. Comptroller
  - 5) Facilities Director





## Additional Information (contn'd)



### Emergency Procurement

- MGL allows for the by-pass of procurement regs if compliance would endanger the health or safety of people or property due to unforeseen emergency
- Waivers under c.149, or c.30, 39M require approval Division of Capital Asset Management Office
- Only those supplies and services necessary to meet the emergency may be allowed under this provision
- Must still adhere to procurement law to the extent possible

### Pubic Bidding Exemptions

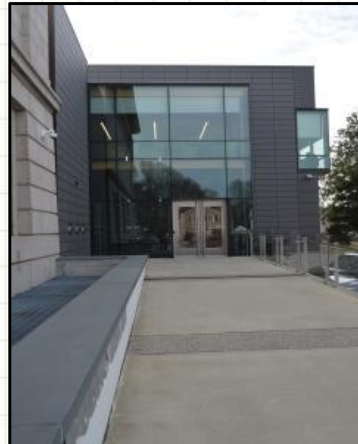
- MGL allows for certain activities to be exempt from public procurement
- There are thirty-five exemptions listed within the law
- They include engineering contracts, bank services, solid waste disposal, labor relations attorneys, CPA work

### Sole-Source Procurement / Proprietary Specifications

- A sole source procurement is done without performing a competitive process
- Only allowed for purchases under \$50K / Only when a written determination that the vendor is the only practicable source
- Proprietary specs are allowed only when "no other manner of description suffices." Requires written justification included in file



QUESTIONS?



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 13, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Water Resource District**

---

I am requesting that the Town Council amend the Water Resource District Bylaw to reflect the updated overlay district map. Please note that this is a housekeeping action to reflect the new district boundaries as defined by MassDEP, this is not a local policy option.

These are the changes that have occurred on our Water Resource District map:

1. An Interim WellHead Protection Area was added around the Populatic Area.
2. The Interim WellHead Protection Areas around the Camp Haiastan wells were modified.
3. The Interim WellHead Protection Areas around the Upper Union St wells were modified.
4. The boundary around the proposed well in the Washington and South Street area was removed.
5. The underlying town map was updated to provide more detail with parcel lines shown.

If you have any 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:** PROPOSED ZONING BYLAW AMENDMENT 20-854,  
UPDATE TO FRANKLIN'S WATER RESOURCE DISTRICTS MAP

**CC:** JAMIE HELLEN, TOWN ADMINISTRATOR; FRANKLIN PLANNING BOARD;  
MARK G. CEREL; CHRISSEY WHELTON; ROBERT CANTOREGGI; MICHAEL  
MAGLIO; LAURIE RUSZALA; GUS BROWN; AMY LOVE

**DATE:** MARCH 4, 2020

---

The Town of Franklin's Zoning Map includes several Overlay District Maps listed in §185-4B of Franklin Town Code. One of the more important overlay districts, Franklin's Water Resource District, was created to protect the Town's many wells and related aquifers. At this time the Department of Public Works is requesting an update to the Town's Water Resource District map, and an amendment to a related section of the Zoning Bylaw (§185-40).

The reasons for the proposed zoning bylaw amendment are explained in an attached letter from Town Engineer Michael Maglio. Zoning Bylaw Amendment 20-854 is likely the easiest bylaw amendment Town Council will ever need to consider; the proposed amendment makes one simple date change to §185-40B.

If Council members support the proposed Zoning Bylaw Amendment we request Town Council vote to refer Zoning Bylaw Amendments 20-854 to the Planning Board for a Public Hearing. Let me know if you have questions or require additional information.

Attachments:

- A. Letter from Town Engineer Michael Maglio;
- B. Existing Town of Franklin Water Resource Districts Map (2008);
- C. Updated Town of Franklin Water Resource Districts Map (2020); and
- D. Zoning Bylaw Amendment 20-854. Changes to §185-40. Water Resource District.



## TOWN OF FRANKLIN

### DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building  
257 Fisher Street  
Franklin, MA 02038-3026

March 4, 2020

To: Jamie Hellen, Town Administrator

Re: **Water Resource Map Update**

Dear Jamie,

We are requesting that the Town Council amend the Water Resource District Bylaw 185-40 to reflect the updated overlay district map. This is a housekeeping action to reflect the new district boundaries as defined by MassDEP.

Under Bylaw 185-40.B, the Water Resource District is defined as “those areas designated DEP Approved Zone 1; DEP Approved Zone 2; submitted for approval DEP Zone 2; and DEP approved Interim Wellhead Protection Areas.” MassDEP defines the limits of the Water Resource District and occasionally updates those limits and releases the data through GIS updates to the Town.

The District boundaries on the current Water Resource District Map were accurate as of March 28, 2008, however MassDEP has issued subsequent revisions since that time and we are requesting that the Council update the bylaw to reflect the most current data as shown on the attached map.

We will monitor new data releases from the State for future changes to the District boundaries and will request future map amendments accordingly.

Sincerely,

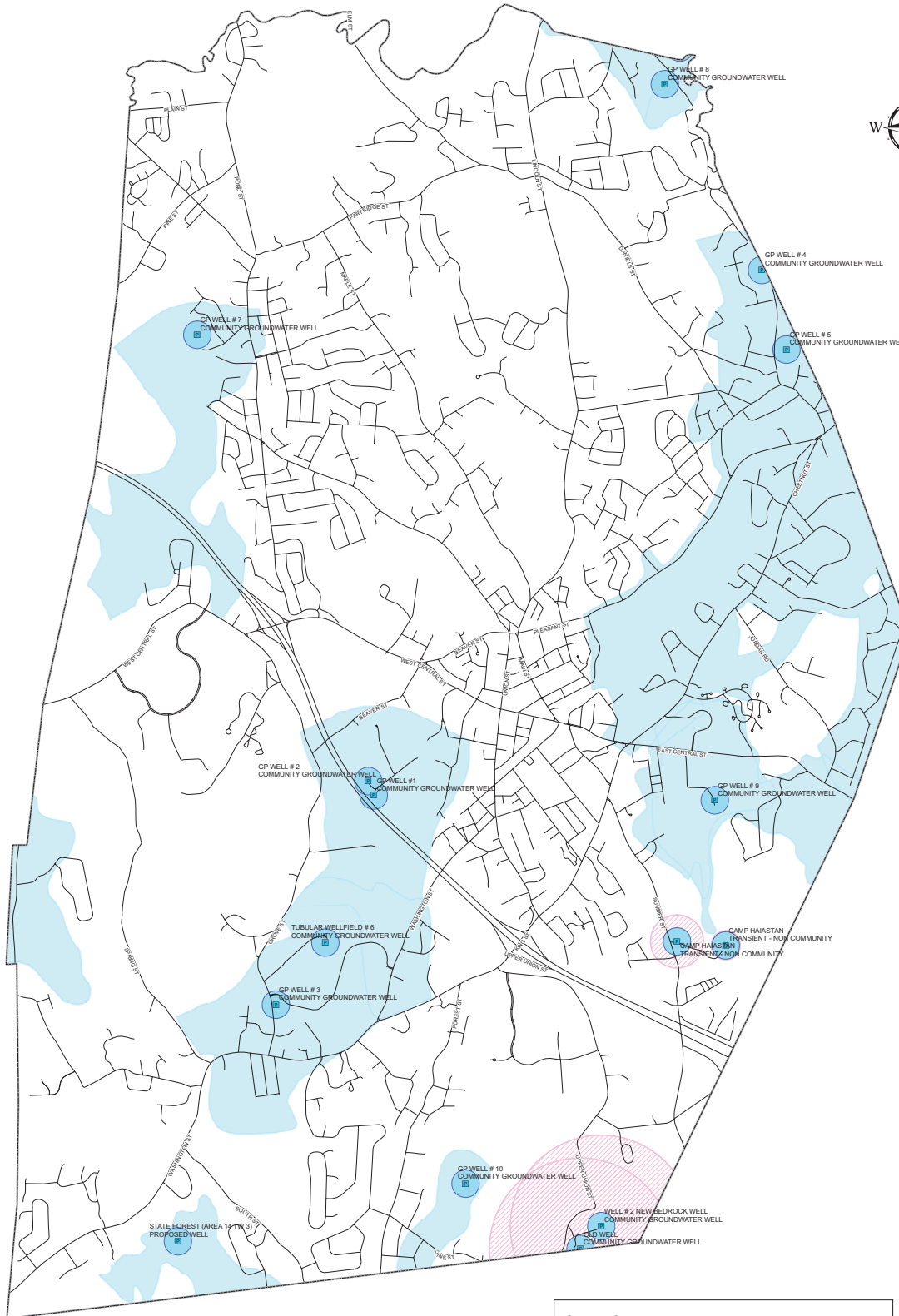
Michael Maglio, PE  
Town Engineer

Cc: Robert Cantoreggi, Director of Public Works  
Laurie Ruzala, Water & Sewer Superintendent  
Bryan Taberner, Director of Planning and Community Development  
Mark Cerel, Town Attorney

# Town of Franklin Water Resource Districts

Dated: MARCH 28, 2008

**Attachment B**  
Existing Town of Franklin  
Water Resource Districts Map



**Legend**

- Public Water Supply Wellhead Location
- DEP Approved ZONE 1
- DEP Approved ZONE 2 & Submitted for Approval DEP Zone 2
- DEP Approved Interim Wellhead Protection Areas (IWPA)



Produced By:  
Town of Franklin GIS

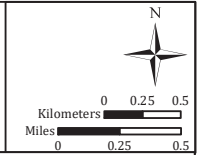


MAP SCALE  
1:17,000



# Water Resource Districts

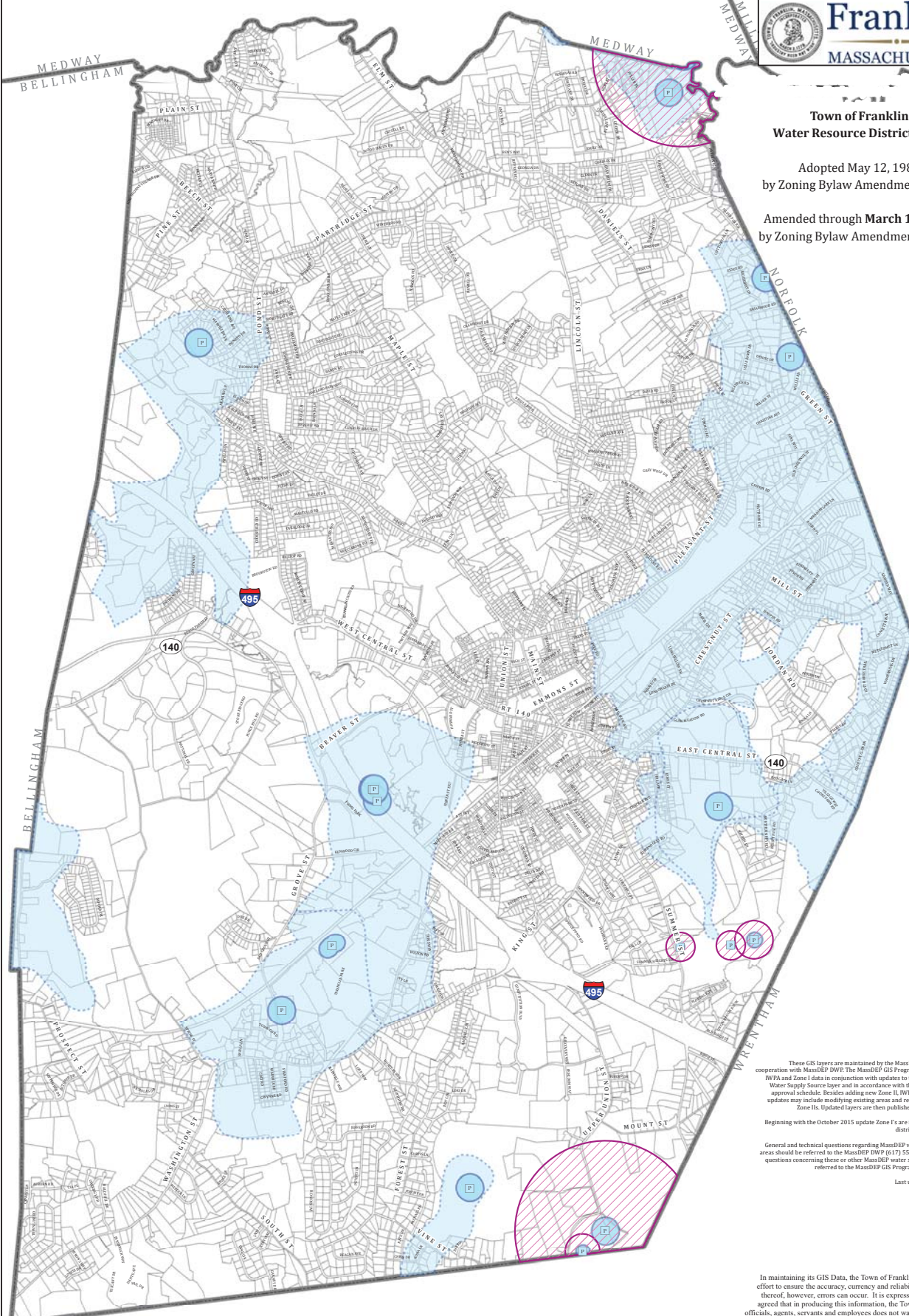
- Public Water Supply
- DEP Approved Interim
- Wellhead Protection Areas (IWPA)\*
- DEP Approved Zone I\*
- DEP Approved Zone II\*
- Parcel
- Municipal Boundary



**Town of Franklin**  
**Water Resource Districts Map**

Adopted May 12, 1986  
 by Zoning Bylaw Amendment 86-65

Amended through **March 18, 2020**  
 by Zoning Bylaw Amendment 20-854



\*Data Source:  
 These GIS layers are maintained by the MassDEP GIS Program in cooperation with MassDEP DWP. The MassDEP GIS Program updates Zone II, IWPA and Zone I data in conjunction with updates to the MassDEP Public Water Supply Source layer and in accordance with the DWP new source approval schedule. Besides adding new Zone II, IWPA and Zone I areas, updates may include modifying existing areas and removing superceded Zone IIs. Updated layers are then published through MassGIS.  
 Beginning with the October 2015 update Zone I's are included in the data distributed to the public.  
 General and technical questions regarding MassDEP well head protection areas should be referred to the MassDEP DWP (617) 556-1055. GIS-related questions concerning these or other MassDEP water supply layers can be referred to the MassDEP GIS Program (617) 574-6856.  
 Last updated 12/9/2019

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

SPONSOR: *Town Administration*



**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 20-854**

**CHANGES TO §185-40. WATER RESOURCE DISTRICT**

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN  
CODE AT CHAPTER 185, SECTION 40.D**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:** The Code of the Town of Franklin is hereby amended by the following **additions** and **deletions** to §185-40. Water Resource District, sub-section B:

Establishment of district. The Water Resource District is hereby established as an overlay district. This overlay district shall apply to all new construction, reconstruction or expansion of existing buildings and new or expanded uses. The Water Resource District is defined as those areas designated DEP Approved Zone 1; DEP Approved Zone 2; submitted for approval DEP Zone 2: and DEP approved Interim Wellhead Protection Areas. The Water Resource District is delineated on the map entitled "Town of Franklin Water Resource Districts," dated ~~March 28, 2008~~ **March 18, 2020**, appended to this Zoning Bylaw and on file with the Town Clerk and Building Inspector.

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**

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 13, 2020

**To:** Town Council

**From:** Jamie Hellen, Town Administrator

**Re: Resolution 20-17: Well 3A Conservation Restriction**

---

I am requesting approval of this Conservation Restriction (CR), which will help protect the drinking water supply for Well 3A as part of the new Water Treatment Plant and well rehabilitation projects.

The amount of land is slightly more than a half acre. A map is attached at the end of the packet.

The CR has been approved by the Commonwealth of Massachusetts and all parties. This is the final action.

I am happy to answer any questions you may have.



## TOWN OF FRANKLIN RESOLUTION 20-17

### Acceptance of and Authorization for Town Administrator to Execute Conservation Restriction on a Portion of Unimproved Land Located at Grove

#### Street Parcel 322-001-001

**WHEREAS,** the Town of Franklin (hereinafter: "Town") owns property located at 352 Grove Street and operates Franklin Well No. 3A therein, being a component of the Town's public drinking water supply, and Massachusetts Department of Environmental Protection's regulations require that said well be protected by a four hundred foot radius Wellhead Protection Zone, and

**WHEREAS,** Franklin Property Owner, LLC is the owner of a parcel of unimproved land located at Grove Street Parcel 322-001-001, immediately abutting the Town's above described property at 352 Grove Street, title reference: deed recorded at Norfolk County Registry of Deeds in Book 32948 at page 250, and is willing to grant Town a conservation restriction on an approximately 26,804.29 square foot (0.61 acre) portion of said land for public water supply (wellhead) protection, for nominal consideration, and has executed the "Conservation Restriction" a true copy of which is attached hereto as "Exhibit 1", and

**WHEREAS,** The Town Council hereby approves of said "Conservation Restriction" in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws,

**NOW THEREFORE, BE IT ORDERED** that the Town of Franklin, acting by and through its Town Council acting as its Board of Water Commissioners, accepts the grant to the Town of a conservation restriction on the above-described unimproved parcel of land, said conservation restriction being on approximately 26,804.29 square feet (0.61 acre) of said parcel for public water supply (wellhead) protection as further described in "Conservation Restriction" attached hereto as "Exhibit 1" and it is further ordered that the Franklin Town Administrator is hereby authorized to execute the original copy of said grant of conservation restriction on the Franklin Town Council's behalf and that an attested copy of this resolution be recorded with the original grant of conservation restriction at Norfolk County Registry of Deeds.

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

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

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

---

**Glenn Jones, Clerk  
Franklin Town Council**



GRANTOR: Franklin Property Owner, LLC

GRANTEE: Town of Franklin

ADDRESS OF  
RESTRICTED PREMISES: Assessor's Parcel Number 322-001-001-000, Grove Street,  
Franklin, Massachusetts

FOR GRANTOR'S TITLE SEE: Norfolk County, Registry of Deeds, Plan 32948, Page 250

### CONSERVATION RESTRICTION

Franklin Property Owner, LLC, with an address of 133 Pearl Street, Boston, MA, 02110, being the sole owner of the Restricted Premises as defined herein, and for its successors and assigns ("Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, and otherwise by law, grants with QUITCLAIM COVENANTS to the Town of Franklin acting by and through its Town Council acting as its Board of Water Commissioners by authority of Sections 38, 39B, 39E, and 41 of Chapter 40 of the Massachusetts General Laws, with an address of 355 East Central Street, Franklin MA 02038, their permitted successors and assigns ("Grantee"), for nominal consideration, IN PERPETUITY AND EXCLUSIVELY FOR PUBLIC DRINKING WATER SUPPLY PROTECTION AND CONSERVATION PURPOSES, the following Conservation Restriction on a 0.61-acre portion of a 5.94-acre parcel of land in Franklin, Massachusetts ("Restricted Premises"), which Restricted Premises is more particularly described in Exhibit A and shown on the reduced copy of a plan attached hereto in Exhibit B entitled: "Well 3A Conservation Restriction Sketch Plan" prepared by the Town of Franklin dated April 12, 2019 (the "Plan"), both of which are attached hereto and incorporated herein.

This Conservation Restriction shall apply exclusively to the Restricted Premises and not to any of the remaining unrestricted portions of the Grantor's property abutting the Restricted Premises.

Grantee acquires this Conservation Restriction subject to the approval of the Massachusetts Department of Environmental Protection pursuant to Massachusetts General Laws

Chapter 40 Sections 39B and 41 and subject to the approval of the Secretary of Energy and Environmental Affairs pursuant to Massachusetts General Laws Chapter 184, Section 32. The Town of Franklin Town Council voted to accept and approve this Conservation Restriction at a Town Council meeting held on \_\_\_\_\_, 2020, and a copy of the resolution authorizing such acceptance and providing the Town Council's approval of this Conservation Restriction in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws is attached hereto as Exhibit C.

For Grantor's title to said land, see deed dated March 9, 2015, recorded in the Norfolk County Registry of Deeds in Book 32948, Page 250.

## **I. PURPOSES**

This Conservation Restriction is defined in and authorized by Sections 31, 32, and 33 of Chapter 184 of the General Laws, and otherwise by law. The purpose of this Conservation Restriction is to protect the public drinking water supply and quality of the Franklin Well No. 3A ("Well") approved by the Massachusetts Department of Environmental Protection ("MassDEP") as a source of public drinking water, PWS Source ID 2101000-13G, to ensure the protection of the four-hundred (400) foot radius surrounding the Well, and to ensure that the Restricted Premises will be retained and maintained in perpetuity for conservation purposes, in their natural, scenic, open and undeveloped condition, and to prevent any use of the Restricted Premises that would materially impair or interfere with its conservation and preservation values ("Conservation Values").

The Conservation Values include the following:

1. Drinking Water Supply Protection. The Restricted Premises is located partially in the Zone I of the Well. This land area is identified by MassDEP as the immediate protection area around the wellhead that must be owned or controlled by the public water supplier pursuant to Massachusetts Drinking Water Regulations 310 CMR 22.00.
2. Adjacency to Conserved Land. The Restricted Premises is adjacent to permanently conserved land owned by the Town of Franklin, including land identified as being within the 100-year flood plain of Mine Brook. The protection of the Restricted Premises will add to the existing network of conserved land and further protect the floodplain of Mine Brook.

## **II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES**

### **A. Prohibited Acts and Uses**

- (1) Subject to the exceptions set forth in Section II.B, all activities and uses of the Restricted Premises are prohibited.

- (2) Any use of the Restricted Premises or activity which is inconsistent with the purpose of this conservation restriction for public drinking water supply purposes or would materially impair its conservation values is prohibited.

**B. Reserved Rights and Exceptions**

The Grantor reserves the right to conduct or permit the following activities and uses on the Restricted Premises, but only if such uses and activities do not materially impair the conservation values or purposes of this Conservation Restriction:

- (1) Activities conducted by the Town of Franklin which are necessary and incidental to the construction, installation, operation, maintenance, inspection, repair, replacement and protection of the Well and associated infrastructure necessary and incidental to the use of the Well as a public water supply consistent with the requirements of Massachusetts Drinking Water Regulations 310 CMR 22.00.
- (2) Within the Restricted Premises there is an access road shown on the Plan in Exhibit B as "Financial Park" in which the Grantor reserves the right to conduct or permit the following activities and uses:
  1. The right to use, maintain, repair, or replace such existing access road.
- (3) The exercise of any right reserved by Grantor under this Paragraph B shall be in compliance with zoning, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued.

**III. LEGAL REMEDIES OF THE GRANTEE**

**A. Legal and Injunctive Relief.**

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Restricted Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction.

Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction or in



taking reasonable measures to remedy, abate or correct any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey and to have the boundaries permanently marked.

**B. Non-Waiver.**

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

**C. Disclaimer of Liability.**

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Restricted Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

**D. Acts Beyond the Grantor's Control.**

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Restricted Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, stone and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Restricted Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Restricted Premises, if desirable and feasible.

**IV. ACCESS**

The Grantor hereby grants to the Grantee, or its duly authorized agents or representative, a permanent easement of access to enter the Restricted Premises for the purpose stated in this Conservation Restriction and to permit personnel from MassDEP, a duly constituted agency organized under the laws of the Commonwealth of Massachusetts, with prior notice to the Grantor, to enter the Restricted Premises for the purpose of inspecting the same to determine compliance with Massachusetts Drinking Water Regulations 310 CMR 22.00. The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Restricted Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Restricted Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Restricted Premises for the purpose of taking any and all actions with respect to the Restricted Premises as may be necessary or appropriate to remedy or abate any violation hereof, including but not limited to the right to perform a survey of boundary lines.

## V. EXTINGUISHMENT

A. If circumstances arise in the future such as render the purpose of this Conservation Restriction impossible to accomplish, this restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Massachusetts Secretary of Energy and Environmental Affairs. If any change in conditions ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, then Grantee, on a subsequent sale, exchange, or involuntary conversion of the Restricted Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph V(B) below, subject, however, to any applicable law which expressly provides for a different disposition of the proceeds and after complying with the terms of any gift, grant, or funding requirements. Grantee shall use its share of the proceeds in a manner consistent with the conservation purpose set forth herein.

### B. Proceeds.

Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction, determined at the time of the conveyance, bears to the value of the unrestricted property. Such proportionate value of the Grantee's property right shall remain constant. Any proceeds will be distributed only after complying with the terms of any gift, grant, or other funding requirements

### C. Grantor/Grantee Cooperation Regarding Public Action.

Whenever all or any part of the Restricted Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph V(B), above, after complying with the terms of any law, gift, grant, or funding requirements. If a less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of the proceeds in a manner consistent with the conservation purposes of this grant.

## VI. ASSIGNABILITY

### A. Running of the Burden.

The burdens of this Conservation Restriction shall run with the Restricted Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Restricted Premises.

### B. Execution of Instruments.



The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor, on behalf of itself and its successors and assigns, appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

**C. Running of the Benefit.**

The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except in the following instances:

As a condition of any assignment, the Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; that the Assignee is not an owner of the fee in the Property, and the Assignee, at the time of the assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

**VII. SUBSEQUENT TRANSFERS**

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Restricted Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the execution of such transfer. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

The Grantor shall not be liable for violations occurring after its ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Restricted Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

**VIII. ESTOPPEL CERTIFICATES**

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance with any obligation of the Grantor contained in this Conservation Restriction.

**IX. NON MERGER**

The parties intend that any future acquisition of the Restricted Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant,

and the Grantee agrees that it will not take title, to any part of the Restricted Premises without having first assigned this Conservation Restriction to a non-fee owner that is qualified under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

#### **X. AMENDMENT**

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31, 32, and 33 of Chapter 184 of the General Laws of Massachusetts. Any amendments to this conservation restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and if applicable, shall comply with the provisions of Art. 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Norfolk County Registry of Deeds.

#### **XI. EFFECTIVE DATE**

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded in a timely manner in the Norfolk County Registry of Deeds.

#### **XII. NOTICES**

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Franklin Property Owner, LLC  
133 Pearl Street  
Boston, MA 02110

To Grantee: Town Administrator  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

### **XIII. GENERAL PROVISIONS**

#### **A. Controlling Law.**

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

#### **B. Liberal Construction.**

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Massachusetts General Laws Chapter 184, Sections 31, 32, and 33. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

#### **C. Severability.**

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

#### **D. Entire Agreement.**

This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

### **XIV. MISCELLANEOUS**

#### **A. Pre-existing Public Rights.**

Approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Restricted Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

#### **B. Subordination.**

The Grantor shall record at the appropriate Registry of Deeds simultaneously with this Conservation Restriction all documents necessary to subordinate any mortgage, promissory note,



loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Restricted Premises.

D. Attached hereto and incorporated herein by reference are the following:

Signature pages:

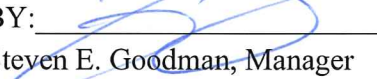
Grantor – Franklin Property Owner, LLC  
Approval by Town of Franklin Town Administrator  
Approval of the Secretary of Energy and Environmental Affairs.

Exhibits:

A: Legal Description of Restricted Premises  
B: Conservation Restriction Plan  
C: Town Council Resolution

WITNESS my hand and seal this 7<sup>th</sup> day of March, 2020.

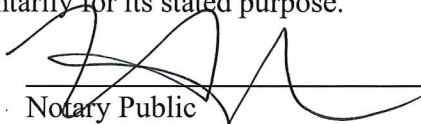
Franklin Property Owner, LLC

BY:   
Steven E. Goodman, Manager

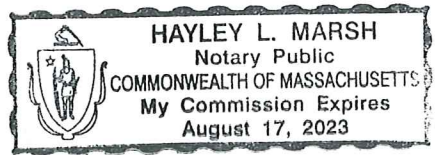
**COMMONWEALTH OF MASSACHUSETTS**

Suffolk ss. \_\_\_\_\_

On this 2<sup>nd</sup> day of March, 2020, before me, the undersigned notary public, personally Steven E. Goodman, Manager of Franklin Property Owner, LLC, and proved to me through satisfactory evidence of identification which was MA drivers license to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
Notary Public

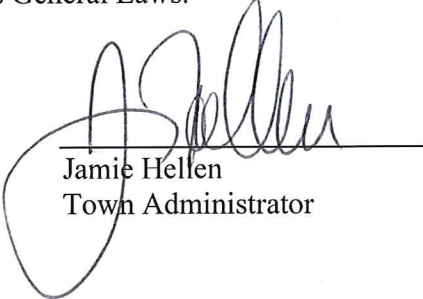
My Commission Expires: August 17, 2023



**APPROVAL OF TOWN ADMINISTRATOR**

The undersigned, Jamie Hellen, the Town Administrator of the Town of Franklin, pursuant to a unanimous resolution of the Town of Franklin Town Council dated \_\_\_\_\_, an attested copy of which is attached hereto as Exhibit C (the "Resolution"), hereby certifies that the foregoing Conservation Restriction from Franklin Property Owner, LLC, to the Town of Franklin acting by and through its Town Council acting as the Town's Board of Water Commissioners has been approved in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, and further certifies that, pursuant to the Resolution, the Town Council has approved of the foregoing Conservation Restriction in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

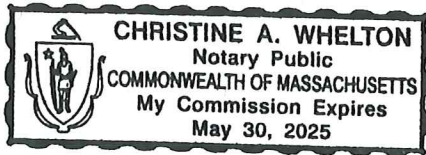
Dated: March 5, 2020

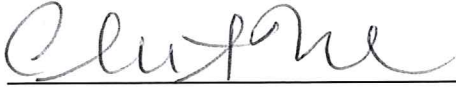
  
\_\_\_\_\_  
Jamie Hellen  
Town Administrator

**COMMONWEALTH OF MASSACHUSETTS**

Norfolk County, ss.

On this 5 day of March, 2020, before me, the undersigned notary public, personally appeared Jamie Hellen, and proved to me through satisfactory evidence of identification which was Personally Known, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



  
\_\_\_\_\_  
Notary Public

My Commission Expires: 5-30-2025

**APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from Franklin Property Owner, LLC, to the Town of Franklin acting by and through its Town Council acting as the Town's Board of Water Commissioners has been approved in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

Dated: \_\_\_\_\_, 2020

\_\_\_\_\_  
Kathleen A. Theoharides  
Secretary of Energy and Environmental Affairs

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, ss:

On this \_\_\_\_ day of \_\_\_\_\_, 2020, before me, the undersigned notary public, personally appeared Kathleen A. Theoharides, and proved to me through satisfactory evidence of identification which was \_\_\_\_\_ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

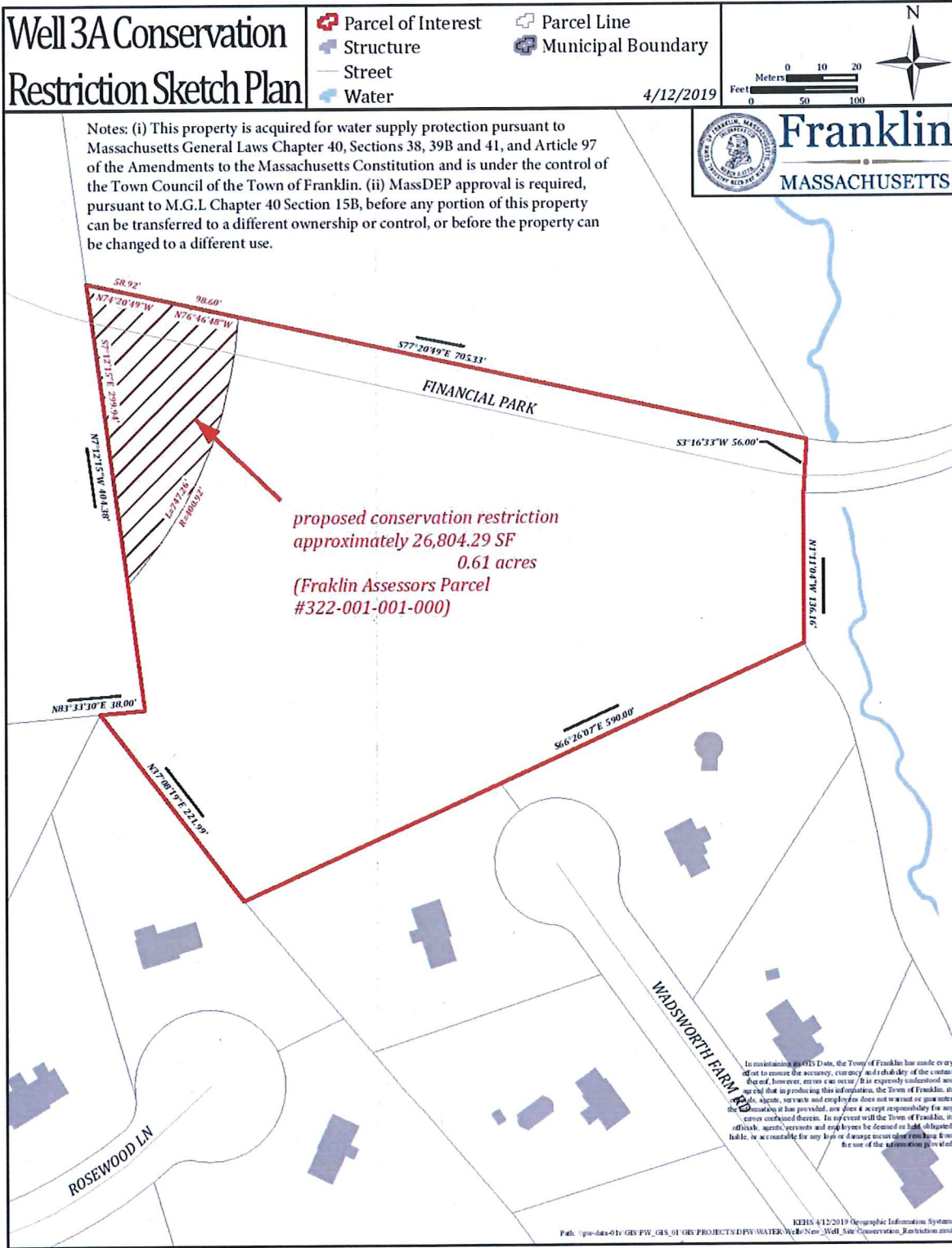
\_\_\_\_\_  
Notary Public  
My Commission Expires

## EXHIBIT A

### Legal Description of Restricted Premises

The land subject to this Conservation Restriction, referred to herein as the Restricted Premises, is shown as the hatched-marked area on "Exhibit B": Well 3A Conservation Restriction Sketch Plan, dated April 12, 2019, attached hereto, said area described on "Exhibit B" as "Area Subject to Conservation Restriction approximately 26,804.29 SF 0.61 acres" (being a portion of Franklin Assessors Map parcel #322-001-001-000).

## EXHIBIT B - Conservation Restriction Plan





# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 13, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Bylaw Amendment 20-855: Chapter 82 Municipal Service Fees - Water Service Fees**

We are requesting a water rate increase of 10% effective July 1, 2020 and 10% for July 1, 2021, respectively. The last increase was in 2018. The purposes for the rate increases are:

1. To fund the increase in debt service required for the new \$13 million dollar Iron and Manganese water treatment plant and the reconstruction of wells 6 & 9 projects on Grove Street. This project has commenced and is on schedule (see attached project schedule sheet).
2. To keep up with the general cost of doing business for the department, including the 5-year water main replacement program. Lincoln Street (from Moore Ave to Brook Street will be a major project focus for 2020).

The proposed rate is as follows:

	Current Rate	Proposed FY21 Rate	Proposed FY22 Rate
0-15 CCF (100 Cubic Feet or 748 Gallons)	\$5.75	\$6.33	\$6.96
16-40 CCF	\$6.05	\$6.66	\$7.33
41+ CCF	\$7.10	\$7.81	\$8.59

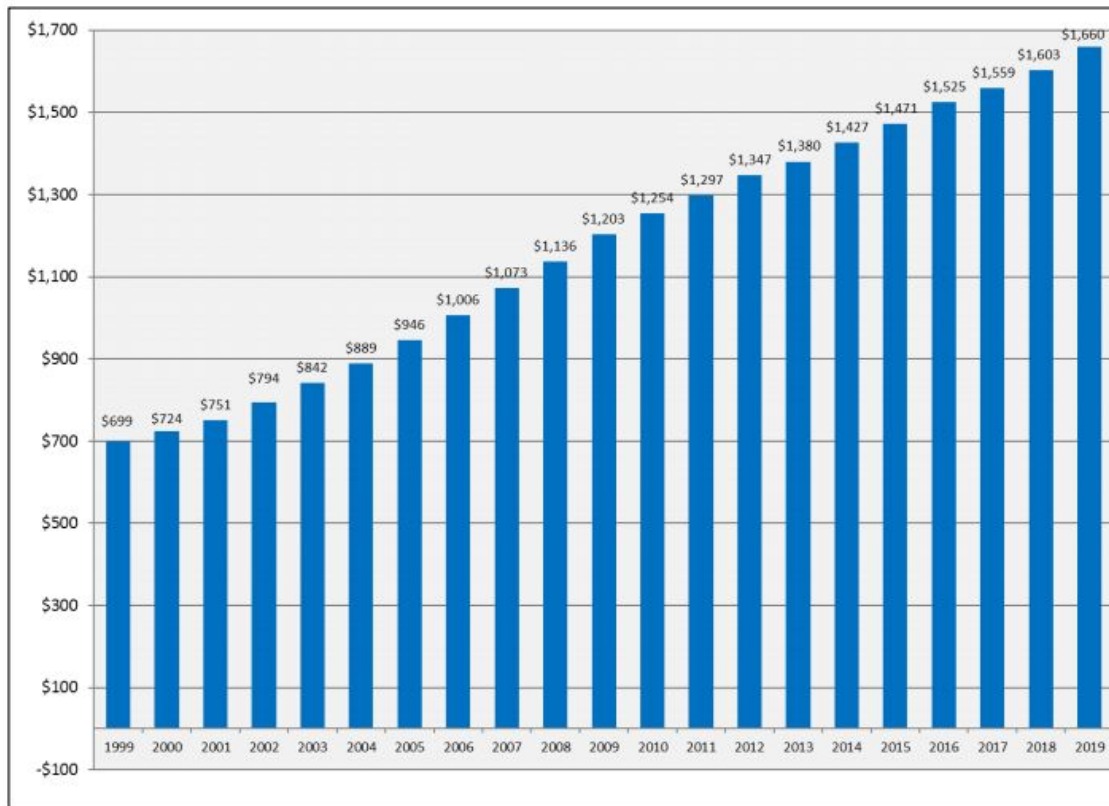
The average residential water bill will increase by approximately \$10.15 per quarter in FY21 and \$11.15 per quarter in FY22. We do have a tiered system so smaller users will pay less and larger users will pay more. Please note that while increases in water and sewer rates are frustrating, our system is much more affordable than what MWRA rate payers pay. See chart below.

I am happy to answer any questions you may have.

# Combined Annual Water & Sewer Charges in MWRA Communities

1999 – 2019

(Consumption at 120 HCF  $\approx$  90 kgal)





# Town of Franklin DPW – Proposed Water Capital Projects

## Replacement Well at Well Station No. 3

- **Purpose:** To have the ability to produce the entire DEP approved yield from this site a new supplemental water supply well (Well No. 3A) is proposed.
- **Project:** Well Construction, Source Approval, and connection into the system
- **Benefit:** To increase supply production into the system and to gain more operational flexibility.

## Treatment Plant at Well Stations No. 3 and No. 6

### 1. Well Station Nos. 3 & 6 Treatment Plant

- **Purpose:** To provide treatment for Well Station Nos. 3 & 6.
- **Project:** New Water Treatment Plant (approx. 5000 sq. ft.) and associated treatment equipment to treat Well Station Nos. 3 & 6 water.
- **Benefit:** To provide manganese and iron filtration at Well Station Nos. 3 & 6 to supply the total approved yield of 1.22 MGD.

### 2. Modifications and Demolition at Well Station No. 6

- **Purpose:** Remove the existing vacuum pumping system and install submersible pumps at each well at Station No. 6.
- **Project:** New Well pumps and modifications for the six Wells that make up Well Station No. 6; Demolition of the existing Well No. 6 pump station; modifications to the existing Well Station No. 6 Chemical Building
- **Benefit:** To increase efficiency and operational flexibility of the existing Well Field to operate with the new Water Treatment Plant.

### 3. Modifications at Well Station No. 3

- **Purpose:** Make recommended structural and architectural repairs to the existing Well Station No. 3 pump station and chemical building.
- **Project:** Concrete repair, roof replacements, and minor process modifications within the Chemical Building
- **Benefit:** To provide resiliency to the existing infrastructure for continued operation now and into the future.

# Town of Franklin DPW – Proposed Water Capital Projects

## Pleasant Street Tank Service Area Energy Efficiency Project & Hillside Tank #1 Improvements

- **Purpose:** Reconfigure the existing low service area (Pleasant Street) system to eliminate the “in series” pumping. Preservation of the historic 1888 420,000-gallon Hillside Tank #1.
- **Project:** Demolition of the old tank and booster station, new prefabricated pressure-reducing valve (PRV) stations at Pleasant Street and Greystone Road and at Miller Street @ Brook Street Ext. Replace the pump at Well No. 4 with a pump capable of supplying the approved yield of Well Station No. 4 (0.921 MGD). The project also includes exterior and interior rehabilitation of Hillside Tank #1.
- **Benefit:** To reduce energy and maintenance costs associated with the existing infrastructure.

## Estimated Project Costs & Schedule

Project Name	Estimated Opinion of Probable Project Costs	Anticipated Completion Date
Replacement Well at Well Station No. 3	\$0.9M	Fall 2018
Treatment Plant at Well Stations No. 3 and No. 6	\$12.6M	Fall 2020
Pleasant Street Tank Service Area Energy Efficiency Project	\$2.0M	Spring 2021
<b>Totals</b>	<b>\$15.5M</b>	



**TOWN OF FRANKLIN  
BYLAW AMENDMENT 20-855**

**CHAPTER 82, MUNICIPAL SERVICE FEES  
BYLAW TO AMEND THE CODE OF THE TOWN OF  
FRANKLIN AT CHAPTER 82**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:** Chapter 82 of the Code of the Town of Franklin, entitled “fees” is hereby amended at Appendix B, as follows:

**Appendix B  
List of Service Rates**

Effective for bills issued after June 30, 2018 Water Usage rates shall be as follows:

<b>CCF</b>	<b>Water Usage Rate 06-30-18</b>	<b>Water Usage Rate 06-30-21</b>	<b>Water Usage Rate 06-30-22</b>
0-15	\$5.75	<u>\$6.33</u>	<u>\$6.96</u>
16-40	\$6.05	<u>\$6.66</u>	<u>\$7.33</u>
41+	\$7.10	<u>\$7.81</u>	<u>\$8.59</u>

This bylaw shall become effective according to the provisions outlined in the Franklin Home Rule Charter.

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

**VOTED:**

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

**A True Record Attest:**

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

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

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

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

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

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 13, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Bylaw Amendment 20-856: Chapter 82 Municipal Service Fees - Sewer Service Fees**

We are requesting a sewer rate increase of 3% for FY21 and 3% in FY22, respectively. The last increase was in 2019. The purpose for the rate increases is because the general cost of doing business is increasing, but most notably the increased assessment of the Charles River Pollution Control District, I have attached a chart to show the assessment increase.

The proposed rates are as follows:

	<b>CURRENT RATES</b>	<b>PROPOSED <u>FY21</u></b>	<b>PROPOSED <u>FY22</u></b>
0-15 CCF (100 cubic feet or 748 gallons)	\$6.05	<u>\$6.23</u>	<u>\$6.42</u>
16-40 CCF	\$6.45	<u>\$6.64</u>	<u>\$6.84</u>
41+ CCF	\$7.40	<u>\$7.62</u>	<u>\$7.85</u>
Homes with sewer only	\$183 per quarter	\$189 per quarter	\$195 per quarter

The average residential sewer bill will increase by approximately \$3.60 per quarter in FY21 and \$3.71 per quarter in FY22. We do have a tiered system so smaller users will pay less and larger users will pay more.

Please note that while increases in water and sewer rates are frustrating, our system is much more affordable than what MWRA rate payers pay. See chart below.

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

**CHARLES RIVER POLLUTION CONTROL ASSESSMENT**

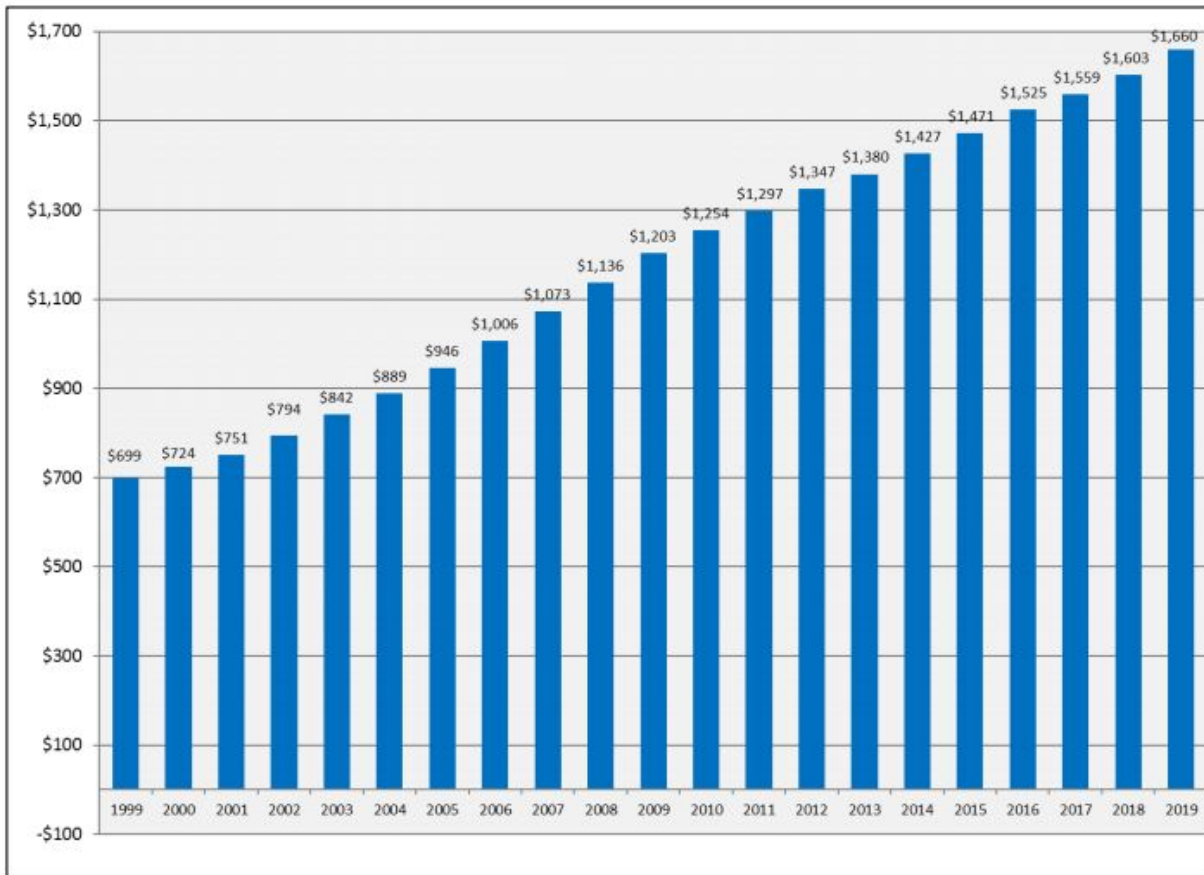
<b>YEAR</b>	<b>AMOUNT</b>	<b>ANNUAL INCREASE</b>
FY14	2,158,040	-
FY15	2,272,730	114,690
FY16	2,943,810	671,080
FY17	3,593,880	650,070
FY18	6,651,680*	57,800
FY19	3,645,250	(6,430)
FY20	3,827,920	182,670

\* This figure includes a separate assessment due to the MS4 compliance facility capital improvements.

# Combined Annual Water & Sewer Charges in MWRA Communities

1999 – 2019

(Consumption at 120 HCF  $\approx$  90 kgal)





**TOWN OF FRANKLIN  
BYLAW AMENDMENT 20-856**

**SEWER RATES**

**A BYLAW TO AMEND** the Code of the Town of Franklin, Chapter 82, entitled Fees, at Appendix B, as follows:

**Appendix B  
List of Services**

Effective for bills issued after June 30, 2019 20 Sewer Usage rates shall be as follows:

<b>CCF</b>	<b>SEWER USAGE</b>	<b>SEWER USAGE</b>	<b>SEWER USAGE</b>
	<b>Rate 06-30-19</b>	<b>Rate 06-30-20</b>	<b>Rate 06-30-21</b>
<b>0-15</b>	\$6.05	<u>\$6.23</u>	<u>\$6.42</u>
<b>16-40</b>	\$6.45	<u>\$6.64</u>	<u>\$6.84</u>
<b>41+</b>	\$7.40	<u>\$7.62</u>	<u>\$7.85</u>

Sewer Usage for Residences without Municipal Water: ~~\$183 per quarter/FY20~~ \$189 per quarter/FY21 and \$195 per quarter/FY22.

This bylaw shall become effective according to the provisions outlined in the Franklin Home Rule Charter.

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

**VOTED:**

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

**A True Record Attest:**

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

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

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

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

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

# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 13, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Bylaw Amendment 20-857: Chapter 82 Municipal Service Fees - Trash & Recycling Service Fees**

---

We are requesting an increase in the annual curbside trash & recycling fee from \$248 a year to \$278 per year effective July 1, 2020. This amounts to a \$7.50 per quarter increase.

This increase is a direct result of the changes to the recycling market in China as previously described at Town Council meetings, as well as the Commonwealth's required prevailing wage increase of 18% on our trash and recycling contractor. These are factors of which the Town has little to no control.

It is important to note, the annual fee for a resident is still \$22 a year lower than in 2005.

I have also included a breakdown of cart totals in town for FY20. See below.

### **CURBSIDE TRASH FEES**

FY05	\$300	FY13	\$204	<b>FY21</b>	<b>\$278 Proposed</b>
FY06	\$216	FY14	\$212		
FY07	\$240	FY15	\$216		
FY08	\$232	FY16	\$200		
FY09	\$244	FY17	\$204		
FY10	\$244	FY18	\$200		
FY11	\$220	FY19	\$208		
FY12	\$220	FY20	\$248		

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



Trash & Recycling toter breakdown

Refuse / recycle cart	65 gallon	9,300
Refuse / recycle cart	35 gallon	30
Second Refuse cart	same location	200
Second Recycle cart	same location	80
Business carts		40
Bags (Overflow)		3,000



**TOWN OF FRANKLIN  
BYLAW AMENDMENT 20-857**

**CHAPTER 82, MUNICIPAL SERVICE FEES  
BYLAW TO AMEND THE CODE OF THE TOWN OF  
FRANKLIN AT CHAPTER 82**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:** Chapter 82 of the Code of the Town of Franklin, section 6 "Schedule of Service Fees" is hereby amended (add underlined text, delete struck).

**§ 82-6. Schedule of Service Fees.**

<b>DEPARTMENT</b>	<b>FEE</b>	<b>FY20 RATE</b>	<b>FY21 RATE</b>
Public Works	<b>Curbside Trash (annual)</b>		
	Fee using 65-gallon trash and recycling carts	\$248	<u>\$278</u>
	Fee using 35-gallon trash and recycling carts	\$212	
	<b>Beaver Street Recycling Center (annual sticker fee)</b>	\$35	

**This bylaw amendment shall become effective July 1, 2020.**

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

**VOTED:**

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

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

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

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

**A True Record Attest:**

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

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