

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

April 7, 2021

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

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

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

- **Link to access meeting:** April 7, 2021 Town Council Meeting Link [HERE](#) -- Then click “Open Zoom”
  - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/81219066321>
  - **Call-In Phone Number:** Call 1-929-205-6099 and enter Meeting ID # 812 1906 6321 --Then press #

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#### 1. ANNOUNCEMENTS FROM THE CHAIR

- 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.*
- Identification of Council Members participating remotely*

#### 2. CITIZEN COMMENTS

- 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

- March 17, 2021

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

#### 5. APPOINTMENTS - None Scheduled

#### 6. HEARINGS - 7:10pm

- a. Street Acceptances: Union Meadows Road, Laurinda Lane, Brandywine Drive, Charles Drive from Station 0+00 to Station 2+51.71
- 7. LICENSE TRANSACTIONS - *None Scheduled***
- 8. PRESENTATIONS/DISCUSSIONS**
  - a. Department of Public Works - Brutus Cantoreggi, DPW Director and Staff
- 9. SUBCOMMITTEE REPORTS**
  - a. Capital Budget Subcommittee
  - b. Budget Subcommittee
  - c. Economic Development Subcommittee
- 10. LEGISLATION FOR ACTION**
  - a. Resolution 21-13: Capital FY21 (**Motion to Approve Resolution 21-13 - Majority Roll Call Vote**)
  - b. Resolution 21-14: OPEB Trust Funds Transfer (**Motion to Approve Resolution 21-14 - Majority Roll Call Vote**)
  - c. Resolution 21-15: Free Cash to Stabilization Accounts Transfers (**Motion to Approve Resolution 21-15 - Majority Roll Call Vote**)
  - d. Resolution 21-16: Water Enterprise Fund Retained Earnings to Water Line Project (**Motion to Approve Resolution 21-16 - Majority Roll Call Vote**)
  - e. Resolution 21-17: Order of Layout, Acceptance, and Taking of Union Meadows Road and Drainage Lot Parcel A and Drainage Easement (**Motion to Approve Resolution 21-17 - Two-thirds Majority Roll Call Vote**)
  - f. Resolution 21-18: Order of Acceptance of Laurinda Lane as a Public Way and Related Drainage Easements (**Motion to Approve Resolution 21-18 - Two-thirds Majority Roll Call Vote**)
  - g. Resolutions 21-20: Order of Acceptance of Brandywine Road and Portion of Charles Drive as Public Ways and Related Drainage and Utility Easements (**Motion to Approve Resolution 21-20 - Two-thirds Majority Roll Call Vote**)
  - h. Resolution 21-21: Authorization for Town Administrator To Promulgate a Complete Streets Policy (**Motion to Approve Resolution 21-21 - Majority Roll Call Vote**)
  - i. Bylaw Amendment 21-868: Chapter 185, Zoning Article V, Special Regulations - First Reading (**Motion to Move Bylaw Amendment 21-868 to a second Reading - Majority Roll Call Vote**)
  - j. Bylaw Amendment 21-871: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration - Second Reading (**Motion to Adopt Bylaw Amendment 21-871 - Majority Roll Call Vote**)
  - k. Bylaw Amendment 21-873: Chapter 139, Sewer Use Regulation Update - First Reading (**Motion to Move Bylaw Amendment 21-873 to a second Reading - Majority Roll Call Vote**)
- 11. TOWN ADMINISTRATOR'S REPORT**
  - a. COVID-19
- 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  
March 17, 2021**

A meeting of the Town Council was held on Wednesday, March 17, 2021, at the Municipal Building, 2<sup>nd</sup> Floor, Council Chambers, 355 East Central Street, Franklin, MA; residents could attend and participate via the Zoom platform. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Cobi Frongillo, Melanie Hamblen (via Zoom), Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

**CALL TO ORDER:** ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer noted the one-year anniversary of the COVID-19 pandemic. On behalf of the Town Council, he extended his deepest condolences to anyone who lost a loved one as a result of this devastating pandemic; he called for a moment of silence in memory of the 42 members of the Franklin community who tragically lost their lives to COVID-19 and to all those across the country who have lost loved ones, as well. All recited the Pledge of Allegiance.

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

**CITIZEN COMMENTS:** ► Mr. Dale Kurtz, Veterans' Services Officer, reminded everyone that bricks for the Veterans Memorial Walkway are still available to be purchased with April 1, 2021, being the last day for purchase for spring installation. He wished everyone a happy Evacuation Day. ► Mr. Stephen Sherlock, 10 Lawrence Drive, Community Information Director of Franklin Matters, provided details on a meeting to be held on Monday, March 29, 2021, at 7:00 PM. This is a kickoff session for the Franklin Area Non-Profit Network (FANN) to gather non-profit organizations that service Franklin to create awareness within the organization about the work and services being done by each of the organizations, to improve to capability of each organization, and to start sharing best practices among the organizations. He stated that there are more than 100 non-profits based in Franklin. He asked everyone to spread the word. He stated a website for this is forthcoming; reach out to Mr. Sherlock with questions. ► Ms. Jane Callaway-Tripp, 607 Maple Street, discussed stormwater taxes and fees. She stated that it is an unacceptable time to be raising fees and taxes on the townspeople of Franklin while many are still out of work. She reviewed that at a previous Town Council meeting, Town Administrator Jamie Hellen explained how the Town was scammed out of approximately \$500,000. She stated that he gave an example that if each homeowner on Town water was billed an extra \$30 on their water bill, along with the money that was recovered, the funds needed could be gathered as the original bills still needed to be paid. Ms. Callaway-Tripp stated that she asked at that meeting if the water bills were going to be raised. She stated that Mr. Hellen said no that it was only an example. She stated that she was lied to, and it was not just an example. She stated that if the Town is going to charge the townspeople for replacing the lost funds, then all the townspeople should be charged, not just those on Town water. She stated that the people did not lose the funds, and it was the townspeople's money that was lost. She stated that people

are struggling. She explained that some of the people making the decisions about charging Franklin's citizens to pay for the lost funds are not even town residents, and therefore, this does not even affect them. It is time for the Town Council, as representatives of the people in the Town of Franklin, to start working for the benefit the townspeople. We elected you, you hired the Town Administrator, and you work for the people in the Town. She stated that the Town Council should not make decisions that ultimately hurt the townspeople who elected them. She stated that the Town Administrator gets paid by the people in Franklin; the Town Administrator does not live in this town, and he is not directly affected by the choices and mistakes he makes. She requested the Town Council think hard about any monetary increases and how it will affect the financial situation of the people in Franklin; this is not the time to raise fees and taxes. ► Mr. Richard Ciccone, 185 Chestnut Street, stated he watched the budget hearing, and he is confused about the stormwater budget. He stated that Mr. Hellen indicated they were looking for \$860,000 initially in the FY22 budget for stormwater. He noted the \$1.2 million mentioned by Ms. Hamblen. He asked if together that means the Town has to come up with \$2 million for FY22. He stated that the \$1.2 million was already paid out of the DPW budget for stormwater. He stated that he is less clear on the stormwater numbers after the budget meeting as nothing was clarified. He noted that there seems to be a lot of pork in the budget, and there was not much paring down in the budget.

**APPROVAL OF MINUTES: *March 3, 2021.*** ► **MOTION to Approve** the March 3, 2021 meeting minutes by **Dellorco. SECOND** by **Kelly. No discussion.** ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

**PROCLAMATIONS/RECOGNITIONS:** ► ***David Allard - Retirement Recognition, Franklin DPW.*** ► DPW Director Brutus Cantoreggi recognized the retirement of DPW Foreman David Allard. He noted Mr. Allard's extensive knowledge and the difficulty of trying to replace such a great foreman and person. He stated that Mr. Allard has been with the Town more than 34 years. ► State Representative Jeffrey Roy read aloud a resolution from the House of Representatives that was passed congratulating Mr. Allard on his retirement and for serving the Town of Franklin. He reviewed Mr. Allard's background, education, and career. He then read aloud an official citation from the Senate congratulating Mr. Allard on his retirement. ► Ms. Pellegrini read aloud a proclamation from the Town of Franklin honoring Mr. Allard on his retirement and for serving the Town of Franklin. ► Mr. Allard thanked everyone.

► ***Kevin Ryan - Retirement Recognition, Franklin Police Department.*** ► Police Chief Thomas Lynch reviewed Mr. Ryan's 44-year career with the Town of Franklin. He wished Mr. Ryan a successful retirement. He provided Mr. Ryan with a plaque commemorating his service to the Franklin Police Department. ► State Representative Jeffrey Roy read aloud a resolution from the House of Representatives that was passed congratulating Mr. Ryan on his retirement and for serving the Franklin Police Department. He reviewed Mr. Ryan's background and career. He then read aloud an official citation from the Senate congratulating Mr. Ryan on his retirement. ► Mr. Chandler read aloud a proclamation from the Town of Franklin honoring Mr. Ryan on his retirement and for serving the Town of Franklin in the Franklin Police Department. ► Mr. Ryan thanked everyone.

*Chair Mercer called a two-minute recess.*

► ***Detective John Maloney - Retirement Recognition, Franklin Police Department.*** ► Police Chief Thomas Lynch reviewed Mr. Maloney's education, background, and 15-year career with the Franklin Police Department. He thanked Mr. Maloney for his years of service and wished him well in his future endeavors. He provided Mr. Maloney with a plaque commemorating his service to the Franklin Police Department. ► Mr. Maloney thanked everyone.

► **Kristopher Smith - Achievement Recognition, graduation from the Massachusetts Fire Academy.**  
 ► Deputy Fire Chief James Klich recognized Mr. Smith for his achievement of graduating from the Massachusetts Fire Academy. He stated that the department has high hopes for Mr. Smith. ► Mr. Smith thanked everyone.

**APPOINTMENTS:** ► **Rob Burchill - New Patrol Officer Ceremonial Swearing In & Badge Pinning, Police Department.** ► **Derek Tetrault - New Patrol Officer Ceremonial Swearing In & Badge Pinning, Police Department.** ► Police Chief Thomas Lynch introduced two new members of the Police Department: Rob Burchill and Derek Tetrault. He explained that they were both self-sponsored. He reviewed their education, backgrounds, and experience. ► Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Burchill was pinned by his father, and Mr. Tetrault was pinned by his father.

*Chair Mercer called a two-minute recess.*

► **Brian Armstrong - New Hire, Firefighter/Paramedic - Fire Department.** ► **Jeffrey Ward - New Hire, Firefighter/Paramedic - Fire Department.** ► **Kent Parsons - New Hire, Firefighter/Paramedic - Fire Department.** ► **Benjamin Angelo - New Hire, Firefighter/Paramedic - Fire Department.** ► Deputy Fire Chief James Klich introduced four new members of the Fire Department: Brian Armstrong, Jeffrey Ward, Kent Parsons, and Benjamin Angelo. He reviewed their education, backgrounds, and experience. ► Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Armstrong was pinned by his wife and daughters, Mr. Ward was pinned by his wife, Mr. Parsons was pinned by his mother, and Mr. Angelo was pinned by his father.

**HEARINGS: None.**

**LICENSE TRANSACTIONS: None.**

**PRESENTATIONS/DISCUSSIONS:** ► **Norfolk County Sheriff Patrick W. McDermott - Norfolk County Sheriff Website.** ► Chair Mercer stated that Norfolk County Sheriff Patrick W. McDermott was unable to attend tonight's meeting; Sheriff McDermott will join the Town Council meeting on April 14, 2021.

**SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► The next meeting is scheduled for March 31, 2021, at 5:00 PM.
- b. **Budget Subcommittee.** ► Mr. Kelly stated they met tonight at 6:00 PM. They are proposing April 7, 2021, at 6:00 PM for the next meeting. These meeting are televised.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated they are planning two meetings in April.

**LEGISLATION FOR ACTION:**

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

- a. **Bylaw Amendment 21-871: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration - First Reading (Motion to Move Bylaw Amendment 21-871 to a Second Reading - Majority Roll Call Vote).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 21-871: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration to a Second Reading by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated that the proposed permit and fee is for a "Food Truck Event Permit" for public events on private property. The total proposed

fee is \$25 per permit with a limit of two permits per week. This proposed bylaw was unanimously approved by the EDC at their March 3, 2021 meeting. The goal of this temporary food truck permit is to help local businesses survive the COVID-19 pandemic and comply with the many new regulations in place. He noted that regardless of where an event takes place, every food truck owner is required to have an inspection from the Board of Health. The Food Vendor permit is a one-time fee for a full year and for as many events as they want. ► Ms. Pellegrini stated that she believes this will take away from the businesses; therefore, she will vote no. ► Mr. Bissanti stated that this has been thoroughly vetted, and during most EDC sessions there was no input or push back from restaurant owners. He wants to help the local economy. ► In response to Mr. Chandler's question, Mr. Hellen reviewed that no person licensed under the provisions of this chapter shall sell any goods, wares or merchandise in or upon any street or sidewalk within the Town of Franklin within 500 feet of a business selling the same or similar goods, wares or merchandise. He noted food trucks, and customers of food trucks, will also be prohibited from parking in the public right of way, unless in a declared striped parking space. ► Mr. Kelly asked about ice cream trucks. ► Mr. Hellen stated that ice cream trucks can show up where they want. ► Mr. Jones stated that he concurred with Mr. Bissanti. ► Ms. Hamblen, EDC Chair, stated that this was discussed at the EDC multiple times. She stated that this will not allow competition with the same type of food within 500 feet. ► Mr. Dellorco discussed his support for this. ► Ms. Pellegrini stated that food trucks are not paying the expenses that restaurants are paying such as taxes, waitresses, and cooks; their expenses are much less. She stated that having food trucks has already been passed. She stated that this item is just for the fee; therefore, she will go along with it. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-9, No-0, Absent-0.**

- b. Bylaw Amendment 21-872: To Amend the Franklin Town Code at Chapter 185, Section 3, Definitions, Tasting Room - Referral to the Planning Board (Motion to Refer Bylaw Amendment 21-872 to the Planning Board - Majority Roll Call Vote).* ► Mr. Jones read the bylaw amendment. ► **MOTION to Refer** Bylaw Amendment 21-872: To Amend the Franklin Town Code at Chapter 185, Section 3, Definitions, Tasting Room to the Planning Board by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated that this was an effort by the EDC. He reviewed that the proposed Bylaw Amendment is to modify the definition of a tasting room. A tasting room is a room attached to a brewery, distillery, or winery that allows patrons to sample or consume wine, beer, or other alcoholic beverages that are produced on site. The former bylaw stated that a tasting room "may not be greater than 25% of the main building's gross square footage." This bylaw will strike that former language and redefine a tasting room as an "accessory use to the primary brewery, distillery, or winery use." He stated that La Cantina Winery, 67 Degrees Brewing, and GlenPharmer Distillery are under this bylaw; they were all at the hearing. ► Ms. Hamblen stated that this was discussed a lot at the EDC. She stated that for people who are potentially interested in starting businesses in Franklin, the current bylaw is too restrictive, and this is a solution. ► Mr. Bissanti confirmed there were Planning Board members at the EDC sessions. He discussed that a lot of this is driven by parking which is an issue that has to be addressed as it is too restrictive. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-9, No-0, Absent-0.**

**TOWN ADMINISTRATOR'S REPORT:** ► *COVID-19 Update.* ► Mr. Hellen thanked the paramedics and firefighters for hosting their second annual luncheon at the Senior Center; this year they did a drive through event. He congratulated the Cultural District Committee for receiving their first State grant for \$7,500; he noted that they may be holding an Art Walk event in June. He thanked Mr. Bryan Taberner and the DPW for getting an over \$200,000 Housing Choice grant. He stated that the Town received their Chapter 90 allotment of just under \$1 million for road work. He thanked the legislature for their commitment to local aid. He stated that the Franklin library will reopen on Monday. He stated that he

expects the governor will move to Phase 4.1 on easing the restrictions. He stated that by April 19, 2021, all citizens 16 years and older will be able to register for a COVID-19 vaccination.

**FUTURE AGENDA ITEMS:** ► Mr. Frongillo stated that he looks forward to the EDC talking about housing affordability. ► Mr. Bissanti stated that they have to look at downtown zoning in terms of parking in order to get the quality of development they. ► Chair Mercer stated that he has requested this item be on an upcoming agenda.

**COUNCIL COMMENTS:** ► Mr. Frongillo noted the Senior Coffee Hour tomorrow at 8:30 AM. He stated he has been invited to help moderate a discussion on police reform next Wednesday. He discussed the devastating shooting in Atlanta that occurred today. ► Mr. Bissanti noted a Zoom symposium on homelessness on March 25, 2021. He stated that he has not given up on the plight of the homeless. ► Mr. Kelly congratulated the new Fire Department personnel and the retirees from the DPW and the Police Department. ► Mr. Chandler stated how sorry he was for the 42 people who lost their lives to COVID-19. Regarding the police hires, he discussed that not everyone would be able to self-sponsor and pay for it themselves. This should be brought up with police reform. There should be money in the budget to send some people to the police academy. ► Ms. Hamblen thanked all those involved in the Franklin First Gift Card program. So far, \$45,000 of cards has been sold; that is money that will stay in Franklin. She thanked Chair Mercer for his thoughtful moment of silence held at the start of this meeting. ► Ms. Pellegri stated that she agreed with Mr. Chandler. She reminded everyone that the Historical Museum is open, and volunteers are needed for the Gift Store. ► Mr. Jones expressed condolences to those lost from COVID-19. He stated that everything is starting to look more positive regarding vaccinations and COVID-19. He is happy the library will be reopening. ► Mr. Dellorco stated that he agreed with Mr. Chandler and Ms. Pellegri. He stated that if anyone knows anyone fighting addiction, give them a call. ► Chair Mercer offered his condolences to all families across the world that have lost someone to the pandemic. He stated that we can see the light at the end of the tunnel regarding the pandemic. He encouraged everyone to stay safe. He said Happy St. Patrick's Day.

**EXECUTIVE SESSION:** ► Chair Mercer stated that he requests a motion that the Council vote to convene in Executive Session for the purpose of discussing strategy with respect to collective bargaining, because an open meeting may have a detrimental effect on the bargaining position of the Council. He stated that the Town Council will not return to open session. ► **MOTION to Move** that the Franklin Town Council go into Executive Session by **Dellorco. SECOND** by **Kelly. No discussion.** ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

► **The open session of the Town Council Meeting adjourned at 8:40 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 2, 2021

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

### Re: FY21 Capital Plan Proposal

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Please find the attached Capital Plan for FY21, as well as the five-year capital plan from each department as required by the Town Charter. Included with this memo is a sheet with the 20-year free cash history. The average is \$2.69 million over the past ten years. FY21 is almost spot on the ten year average.

The following Capital Plan items were unanimously approved by the Town Council Capital Budget Subcommittee (chaired by Councilor Pellegri, and also Councilor Chandler, Councilor Kelly and Councilor Dellorco) at their March 31, 2021 meeting. These recommendations have also been unanimously endorsed by the Town Finance Committee in March.

From the certified total, there are several policy commitments that eat into the total right off the bat, most notably contributions to stabilization accounts for OPEB and turf fields (per Council policy). Due to the borrowing for two fire trucks, we recommend not depositing cash into the fire engine replacement fund this year. Additionally, with the adoption of the Community Preservation Act, we recommend not depositing any funds into an open space stabilization account as a new revenue source will be emerging next fiscal year. The staff also recommend holding revenue for annual snow and ice removal.

Once we know the final totals of the winter costs for snow removal, if there are remaining funds, staff will propose a "Round 2" Capital later in May/June.



The following is an overview of certified free cash status for FY21:

<u>Request</u>	<u>Amounts</u>
<b>CERTIFIED FREE CASH TOTAL</b>	<b>\$2,730,757</b>
Snow and ice removal/other	-\$670,000
OPEB Trust fund; per Council policy 10% of Free Cash	-\$273,000
Fire Truck Stabilization (7-year plan)	Hold
Fields Stabilization (Replace in 2027-ish)	-\$150,000
Open Space Stabilization	Hold
Remaining Free Cash for Capital Requests	<b>\$1,637,757</b>

### Administration & Town Policy Requests

**1. Snow & Ice Removal - \$670,000 **HOLD****

- a. Each year the Town reserves funds for snow and ice removal until April when we see the full costs of the winter. We set these funds aside due to quickly rising snow and ice removal costs.
- b. Current Snow and Ice budget has exceeded operating budget appropriations and stands at \$1,125,000.

**2. OPEB Contribution - \$273,000**

- a. \$273,000 of 10% of the overall certified free cash, will be deposited into the OPEB Trust. This is consistent with Town Council policy to set aside this amount annually.
- b. An update of the OPEB actuarial that has recently been completed and shows a \$73 million liability, up from \$68.5 million in 2019. A presentation on this update will be forthcoming at a Town Council meeting in April.
- c. The OPEB Trust Fund currently has \$8,245,507.

**3. Fire Truck Stabilization Contribution - \$0**

- a. This request is postponed for FY21 due to the purchasing of 2 trucks through borrowing.
- b. As we heard from the Fire Chief, the two new trucks set the department up for success for the next decade. Staff will consider revisiting the annual deposit next year.
- c. The stabilization account currently has \$0.

**4. Turf Field Stabilization Contribution - \$150,000**

- a. This amount will continue to set aside enough funds in the stabilization account to be prepared for the full cost of implementing new fields at the High School/Track and Beaver Street in approximately 2027. Estimated costs will be around \$2 million.
- b. After this investment, the Town will have \$611,546 in the account and will be on schedule to replace fields in 2027-ish.

**5. Open Space Stabilization - \$0**

- a. With the adoption of Community Preservation and having a low free cash year, it seems best to hold off on the deposit this year. The Community Preservation Act will add a 2% surcharge on Real Estate Taxes for Residential and Commercial properties starting in July 2021. A minimum of 10% of those funds raised each year must be allocated to Open Space.
- b. The Open Space Stabilization account currently has \$2,372,367.85.

**Town Department Requests**

**6. School Department, School Technology, School Facilities - \$200,000**

a. Special Education Vans - \$90,000

This request is for the purchase of 2 new Special Education Vans at \$45,000 per van which includes the security cameras, technology/disability upgrades for compliance etc. FPS has an aging fleet of vans with six vans dating between 2009 and 2011, with a mean mileage of 129,043. We anticipate building the regular replacement of the remaining vans into the capital cycle in the next several years.

b. ECDC Playground Rubber Surface - \$50,000

This request is to replace playground surfacing at the ECDC. The existing poured in place playground surfacing has started to deteriorate, thereby losing its accessibility. This was original to the school when it opened in 2004. We propose replacing it with a new poured in place surface that will address the ADA accessibility concerns due to water pooling and freezing.

c. Security Access Controls- \$35,000

This request is to upgrade the access control system at Kennedy Elementary. We will be adding hardware and access control to the interior vestibule doors creating a locked area in between the two sets of doors in order to screen visitors before they are admitted into the school.

d. Gymnasium Room Divider- \$25,000

This request is to replace the existing Gymnasium divider at the Horace Mann Middle School.

**7. Facilities Department (Town Projects) - \$500,000**

- a. Municipal Building Windows Replacement. The good news is that the cost to replace the windows came in much lower than estimated at \$750,000. The Town was successful in obtaining a bid at approximately \$389,000 for the windows. The additional money is for the design fee and a contingency for work that may arise from any damage within the walls from leaks. All in all, this is an excellent price. Holding off saved taxpayer money.

The Town selected Russo Barr Associates to design a repair to the lintel area above the windows and replacement of all the building original window systems installed when the building was constructed in the 1980's. The original windows were never properly

flashed and as a result many leak. The new windows are filmed with UV protection on the interior surfaces and will be much more energy efficient.

On the Facilities Department ten-year capital plan, the items in Red denote that borrowing authorizations have already occurred on these items. The School Department's Facilities Use Master Plan will guide and assist the funding and priority of these items.

## **8. Fire Department - \$127,535**

### **a. Structural Firefighter Clothing- \$47,500**

These funds are being requested to replace the protective clothing that firefighters wear to protect themselves during structural firefighting operations. This continual replacement process is necessary as the outside (shell) material, while resistant to heat, degrades over time due to this heat exposure as well as the ultraviolet rays of the sun. This degradation, combined with normal wear and tear of the garments, weakens the fabric's ability to provide reliable protection for firefighters. While these garments are anticipated to last about ten years, it is necessary for firefighters to have two complete sets, so that one set can be thoroughly cleaned, while keeping that firefighter in service. The requested funds will allow the department to purchase the full protective ensemble for eleven (11) firefighters.

### **b. Solo Rescue Washer - \$29,806**

The request for these funds is to purchase a washer/decontamination system that will rapidly and effectively decontaminate our breathing apparatus, boots, and gloves. This washer would complement the current gear washer and would give the ability to finally clean the entire structural firefighting ensemble utilized by personnel. The cleaning ability will ensure that our personnel protective equipment is free of not only the cancer causing products of combustion, but also bacteria and viruses, such as COVID-19. In turn, the proper cleaning of these items will generally lead to an increased longevity and service life of these items.

### **c. Portable Radio Microphones & Two Mobile Radios- \$42,091**

These funds are being requested for the replacement of the current in-use microphones that are associated with our portable radios. This newer generation of microphones are more purpose-built for fire service use. This includes ruggedized and water-proof construction, more effective noise-cancellation for fireground use, along with controls which are designed to be manipulated with gloved hands. While we are looking to upgrade all of our current radios via federal grants in the next year or two, purchasing these microphones will not only help protect personnel currently, but will be able to be used with the newer generation of radios that are on the market. This would also fund the upgrade of two mobile radios for the two first-due engines, so as to enable communications with surrounding communities that are on frequencies outside the band of the current radios.

### **d. MSA HUB- \$8,138**

These funds are being requested to purchase technology which works with our current Self-Contained Breathing Apparatus (SCBA), so that firefighter accountability is improved when on-scene in SCBA. This technology works with telemetry units in the SCBA, which report the firefighter's remaining air supply and status to the Incident Commander (IC). It allows for two-way communication between the firefighters inside the structure and the IC, indicating if a firefighter is in trouble or if the firefighter must evacuate the structure. These HUB units are the necessary base technology to maximize the safety function of our current SCBA.

**Not recommended at this time:**

- Deputy Chief Vehicles - \$112,116.14

**9. Police Department - \$299,675**

a. Police Vehicles Replacement - \$235,710

This request is to fund the replacement of the following vehicles:

- 2017 Ford Police Interceptor Utility-605 with 92,221 miles for \$60,877
- 2016 Ford Police Interceptor Utility-616 with 90,142 miles for \$61,347
- 2016 Ford Police Interceptor Utility -619 with 90,880 miles for \$61,347
- 2009 Ford Crown Victoria Police Interceptor - 620 with 98,400 miles for \$52,139

The selected cruisers are scheduled to be rotated out of service by recommendation of DPW mechanics, age, high mileage and their continued cost of maintenance.

b. Protective Body Armor-\$9,740

These funds are being requested to replace eight (8) sets of concealable soft body armor worn by officers that have met or exceeded the five year operational cycle and warranty status.

c. Portable Radios-\$28,475

These funds are being requested to replace eight (8) portable radios and accessories that have met the six year recommended replacement cycle. This is a third and final year of a three year project to replace all portable radios utilized by the department.

d. Electronic Control Weapons-\$14,600

These funds are being requested to purchase forty-six (46) units and to spread the cost of the replacements over a five year period. This is year two of the Axon Enterprise Taser 60- 5 year purchase plan.

e. Technology/ Equipment- \$11,150

This request is for the replacement of technology and office equipment. Items include three(3) desktop computers that have met the Information Technology departments replacement guidelines, one digital copier and one desktop copier.

**Not recommended at this time:**

- Two additional Police Vehicles - \$125,287
- Police Station Renovation & Expansion Study - \$150,000

## 10. Public Works - \$415,000

### a. Street Light/Intersection Design at Grove St and Washington St - \$250,000

This request is to construct a traffic signal at the Washington and Grove St intersection, and to construct roadway improvements on Grove St from Washington St to Kenwood Circle, as well as on Kenwood Circle. The construction will improve safety along the corridor, improve bicycle access and mobility, and better accommodate access and traffic growth associated with new developments along the corridor.

We currently have G&H under contract and they are finishing up a field survey for the project and we are in the process of getting a contract together for BETA for design services.

We are planning on re-applying for a MassWorks grant for construction funding in May when they start accepting new applications. The Town will also use revenues from any marijuana facilities to assist in financing this project.

### b. Vehicles & Equipment- \$165,000

This request is to purchase the following:

- H-5 1997 Ford 6 Wheel Dump Truck w/ Sander- \$165,000  
The H-5 is 24 years old and is well past its expectancy. The cab and chassis have considerable amounts of rust and rot. This truck is used for plowing and treating roads as well as daily work throughout the year. This vehicle will not pass inspection and parts are unavailable due to the age of the truck.

#### **Not recommended at this time:**

- T-5 2006 Ford F250 4x4 w/8' plow- \$45,000
- T-4 1994 Ford 250 4x4- \$45,000
- H-22 2000 International Bucket Truck- \$100,000
- 1986 Bombardier sidewalk plow- \$130,000
- Supervisors pick-up truck - \$35,000
- H-38 1999 GMC w/ sander - \$165,000
- H-17 2002 Ford 1-Ton Dump w/plow- \$65,000

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## 11. Water Enterprise Funds - \$1,805,000

The Water Enterprise fund expenditures are slightly higher than normal this year due to the unknown circumstances around the Garelick bankruptcy case and statewide drought last year. We ultimately took a year off from any capital investments for the water department. The good news is the bankruptcy case is completed and the Town did receive its payments thanks to the efforts of our Town Treasurer/Collector and Finance staff (and great attorney's in Houston!). Also, the state has revised drought projections back to normal and the Town does not have a water ban. FY21 capital seeks to make up for lost time on many critical projects needed to the system. Additionally, a new water treatment plant will be coming online in the Spring.

- a. Water Main Replacement projects - \$1.050 million which is to pay cash for FY20 water main projects rather than borrow and pay interest. The FY21 roads program will be beginning paving over the areas where water work was completed last year.
- b. Vehicles & Equipment - \$273,000  
This request is to replace the following:
- Replace W-7a with one 4x4 Pickup for \$35,000  
The W-7 is a 2007 GMC 1500 Pickup currently used as the meter readers truck. It is a 2007 that will not pass inspection, due to holes in the floorboard being a safety issue with emissions entering the vehicle. We will be replacing it with a compact utility van to allow the meter reader to carry tools, spare meters, and the ability to work inside the van as needed.
  - Replace W-14 with 6 Wheel Dump with Plow for \$175,000  
The W-14 is a 1999 Sterling 6 wheel dump truck with 50,544 miles. Sterlings around this age are known for having costly issues as we have seen with other DPW trucks in the past. To be proactive we are replacing with a new 6 wheel dump with a plow to also assist in snow clean up.
  - Replace W-1 with 4x4 Pickup for \$18,000 (Split with Sewer)  
The W-1 is a 2008 Ford F-150 pickup currently used as the water/sewer superintendents vehicle to be replaced with a 4x4 pickup.
  - Replace W-25 with one 4x4 Pickup with Plow for \$45,000  
The W-25 is a 2008 Ford Ranger pickup currently used by our water field operations crew. We are in need of a 4 wheel drive vehicle so we will replace it with a 4x4 pick up with a plow.
- c. Low Service Area & Tank Repair Design- \$270,000  
This request is for the design of the reconfiguration options for the Pleasant Street tank to eliminate the extraneous pumping to improve energy efficiency. In addition, all six storage tanks were inspected in 2019. This request would include repair/rehab of the Hillside and Forge Hill Tanks. This project is on the Draft IUP list for SRF funding in FY21. The total construction cost covered under SRF is \$6.056M.
- d. Scada System Upgrades- \$160,000  
This request is to replace obsolete radio telemetry systems and to replace obsolete controllers at Hayward St Water Treatment Plant. This will also allow for better communication with the new Grove Street Water Treatment Plant.
- e. Meter Replacement - \$50,000  
The Franklin Water system includes over \$10,000 water meters, all of which act as cash registers for the Water and Sewer Department. AWWA recommends that water meters be replaced every 10-15 years. As meters age, their accuracy decreases, generally in favor of the customer. Therefore, we would like to continue our 20 year meter replacement program.

**12. Sewer Enterprise Funds - \$506,000**

- a. Sahlin Circle Sewer Station Construction - \$300,000  
The Sahlin Circle Sewer Station is in poor condition and needs to be replaced. A new station is currently in design. The requested funding is for construction of the new station, which is scheduled to begin in 2021.
- b. Beaver Street Interceptor Rehab & Engineering Design - \$150,000  
This request is to fund an engineering peer review of Beaver Street interceptor for Rehab and Replacement. As we approach designing the \$25 million Interceptor, it is worth the money to peer review and get a third party review of the project to ensure the Town is taking the best course of action.
- c. Vehicles and Equipment - \$56,000  
This request is to replace the following:
  - Replace W-1 with 4x4 pickup for \$18,000 (split with Water).  
The W-1 is a 2008 Ford F-150 Pick up currently used as the water/sewer superintendents vehicle to be replaced with a 4x4 Pickup.
  - Replace W-16 with 4x4 Pickup with a Snow Plow for \$38,000. The transmission failed on the previous pickup and rusted out with 120,000 miles on it. The cost to repair would be too high.

**Not recommended at this time:**

- Phase VI Sewer Rehabilitation Construction - \$400,000
- Replace Dawn Marie Generator for - \$50,000
- Sewer Pump Station Improvements - \$200,000

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

- Technology - potential to look at a stabilization account for long term technology investments. The Town is borrowing \$2 million in May to upgrade critical infrastructure, such as network switches, fiber and connectivity, as well as new devices such as interactive display technology in school, school security improvements, Chromebooks, Wi-Fi, which are all developing into a new baseline standard of investment the Town will need to make over the next decade. A discussion should occur regarding this topic this year after the Town and School staff have a workshop this month on the topic.
- Stormwater Utility to comply with federal EPA mandates in stormwater. Estimated \$60 million over 2 decades.
- Pavement & Infrastructure Management - \$40 million.
  - Recent plans on roads and parking lots showed a \$40+ million backlog for roads and municipal and school parking lots.
  - Sidewalks are \$100-\$120/foot. Millions per sidewalk for large feeder roads.
- Police Station study and renovation - Estimate \$20-\$30 million.

- For renovation & expansion of the current station; this estimate does not include any new land if a new site is desired. If so, add another \$2-\$4 million.
- A new Police Station will require a debt exclusion vote at the ballot by citizens in the community.
- Staff will look to fund the full \$150,000 study in the FY22 capital plan once a timeline and strategy is in place by the Council.
- School Curriculum investments - Approximately \$250,000 to \$500,000 in new curriculum investments over the next 3 years.
- Town and School Playground Improvements - \$1.5 million approximately over the next 5-10 years. Possible CPA use, as well.
- Open Space - Prepare for future Open Space purchases and Recreation land investments - millions. Possible CPA use, as well.
- Landfill cap and Recycling Center expansion - \$3-5 million, approximately.
  - The state Environmental Bond Bill has \$1 million reserved authorization.
  - This project will be a long permitting process through DEP after the land transfer is completed. The state agency in charge of disposition of state land continues its work.

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TOWN OF FRANKLIN					
20 YEAR FREE CASH / RETAINED EARNINGS HISTORY					
Certified	General Fund	Water Enterprise	Sewer Enterprise	Solid Waste Enterprise	Total
7/1/2001	3,802,432				3,802,432
7/1/2002	3,882,685				3,882,685
7/1/2003	1,586,454				1,586,454
7/1/2004	2,707,379				2,707,379
7/1/2005	2,104,083				2,104,083
7/1/2006	656,535	2,176,995	2,864,197	183,451	5,881,178
7/1/2007	1,858,230	1,647,411	2,561,047	61,500	6,128,188
7/1/2008	2,328,614	2,460,244	3,345,138	122,289	8,256,285
7/1/2009	2,385,242	1,554,884	1,343,434	351,058	5,634,618
7/1/2010	2,133,006	2,384,106	1,282,996	382,606	6,182,714
7/1/2011	2,935,840	2,030,319	1,386,149	624,111	6,976,419
7/1/2012	3,580,481	3,045,246	862,396	331,426	7,819,549
7/1/2013	2,001,830	4,275,163	1,359,927	383,173	8,020,093
7/1/2014	3,073,946	2,693,223	1,500,456	432,094	7,699,719
7/1/2015	2,359,365	2,348,202	2,673,720	396,933	7,778,220
7/1/2016	3,643,541	2,391,123	1,560,327	379,567	7,974,558
7/1/2017	2,821,988	2,481,336	904,612	380,888	6,588,824
7/1/2018	3,726,972	2,809,777	1,470,260	319,625	8,326,634
7/1/2019	3,482,875	2,754,056	1,404,544	285,807	7,927,282
7/1/2020	2,730,757	3,429,103	1,491,152	298,505	7,949,517

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## What is Free Cash?

Free Cash (Also Budgetary Fund Balance) is defined as “remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's auditor, accountant, or comptroller. Important: free cash is not available for appropriation until certified by the Director of Accounts. (See Available Funds)”

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

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

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



## TOWN OF FRANKLIN

**RESOLUTION NO.:** 21-13

**APPROPRIATION:** Capital FY21

**TOTAL REQUESTED:**   Free Cash                               \$1,542,210  
                                   Water Retained Earnings   \$753,000  
                                   Sewer Retained Earnings   \$506,000

**PURPOSE:** To appropriate funds for the 2021 Capital Improvement Plan:

<u>Department</u>	<u>Description</u>	<u>Category</u>	<u>Amount</u>	<u>Total</u>
Schools	Special Education Vans	Vehicles	\$90,000	
Schools- Facilities	ECDC Playground Rubber Surface	Infrastructure	\$50,000	
	Security Access Controls	Technology	\$35,000	
	Gymnasium Room Divider	Equipment	\$25,000	\$200,000
Facilities	Municipal Building Windows	Infrastructure	\$500,000	\$500,000
Fire	Structural Firefighter Clothing	Equipment	\$47,500	
	Solo Rescue Washer	Equipment	\$29,806	
	Portable Radio Microphone & Town Mobile Radios	Equipment	\$42,091	
	MBA HUB	Technology	\$8,138	\$127,535
Police	Police Vehicles	Vehicles	\$235,710	
	Protective Body Equipment	Equipment	\$9,740	
	Portable Radios	Equipment	\$28,475	
	Electronic Control Weapons	Equipment	\$14,600	
	Technology/Equipment	Technology	\$11,150	\$299,675
Public Works	Street Light/Intersection Design	Infrastructure	\$250,000	
	Vehicles and Equipment	Vehicles	\$165,000	\$415,000
	<b>TOTAL FREE CASH APPROPRIATION</b>			<b>\$1,542,210</b>
Water Enterprise	Vehicles and Equipment	Vehicles	\$273,000	
	Low Service Area & Tank Repair Design	Infrastructure	\$270,000	
	Scada System Upgrades	Technology	\$160,000	
	Meter Replacement	Equipment	\$50,000	
	<b>TOTAL WATER RETAINED EARNINGS APPROPRIATION</b>			<b>\$753,000</b>

Sewer Enterprise	Sahlin Circle Sewer Station Construction	Infrastructure	\$300,000	
	Beaver Street Interceptor Rehab & Engineering Design	Infrastructure	\$150,000	
	Vehicles and Equipment	Vehicles	\$56,000	
<b>TOTAL SEWER RETAINED EARNINGS APPROPRIATION</b>				<b>\$506,000</b>

**FINANCE COMMITTEE ACTION**

**Meeting Date: 3/10/21      Vote: 5-0**

**Recommended Amount:    \$ 1,637,727 from Free Cash  
                                      \$ 753,000 from Water Retained Earnings  
                                      \$ 506,000 from Sewer Retained Earnings**

**CAPITAL BUDGET SUBCOMMITTEE ACTION**

**Meeting Date: 3/31/21      Vote: 4-0**

**Recommended Amount:    \$ 1,542,210 from Free Cash  
                                      \$ 753,000 from Water Retained Earnings  
                                      \$ 506,000 from Sewer Retained Earnings**

**MOTION**

Be It Moved and Voted by the Town Council that the sums of One Million Five Hundred Forty-Two Thousand Two Hundred and Ten Dollars (\$1,542,210) be appropriated from Free Cash, Seven Hundred Fifty Three Thousand Dollars (\$753,000) be appropriated from Water Retained Earnings and Five Hundred and Six Thousand Dollars (\$506,000) be appropriated from Sewer Retained Earnings to be expended at the discretion of the Town Administrator for the FY 2021 Capital Improvement Plan as outlined above including any residual funds remaining in these line items.

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

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

**A True Record Attest:**

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

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

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

**Nancy Danello  
 Temporary Town Clerk**

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



# TOWN OF FRANKLIN

**RESOLUTION NO.:** 21-14

**APPROPRIATION:** OPEB TRUST FUNDS TRANSFER

**TOTAL REQUESTED:** \$ 273,000

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

TRANSFER TO:	REASON	SOURCE	AMOUNT
OPEB Trust Fund	Continued Funding 10% of Free Cash	Free Cash	\$273,000

**FINANCE COMMITTEE ACTION**

**CAPITAL BUDGET SUBCOMMITTEE ACTION**

**Meeting Date:** 3/10/21 **Vote:** 5-0

**Meeting Date:** 3/31/21 **Vote:** 4-0

**Recommended Amount:** \$273,000

**Recommended Amount:** \$273,000

**MOTION**

Be It Moved and Voted by the Town Council that the sum of Two Hundred Seventy-Three Thousand Dollars (\$ 273,000) be transferred from Free Cash to the OPEB Trust Fund.

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

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello**  
Temporary Town Clerk

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



# TOWN OF FRANKLIN

**RESOLUTION NO.:** 21-15

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

**TOTAL REQUESTED:** \$ 150,000

**PURPOSE:** Continued Funding of the Field Stabilization Fund Per Town Policy

TRANSFER TO:	REASON	SOURCE	AMOUNT
Field Stabilization Account	Replace in approximately 2027	Free Cash	\$150,000

## FINANCE COMMITTEE ACTION

**Meeting Date:** 3/10/21      **Vote:** 5-0

**Recommended Amount:** \$150,000

## CAPITAL BUDGET SUBCOMMITTEE ACTION

**Meeting Date:** 3/31/21      **Vote:** 4-0

**Recommended Amount:** \$150,000

## MOTION

Be It Moved and Voted by the Town Council that the sum of One Hundred Fifty Thousand Dollars (\$ 150,000) be transferred from Free Cash to the Field Stabilization account.

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

**DATED:** \_\_\_\_\_, 2021

**A True Record Attest:**

**VOTED:**

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

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

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

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

**Nancy Danello**  
Temporary Town Clerk

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



Sponsor: Administration

**TOWN OF FRANKLIN**

**RESOLUTION 21-16**

**APPROPRIATION:** Water Enterprise Fund Retained Earnings to Water Line Project

**TOTAL REQUESTED:** \$1,050,000

**PURPOSE:** To appropriate and transfer funds from Water Enterprise Fund Retained Earnings to the Water Line Capital Project authorized under Resolution 19-05 dated January 30, 2019.

**FINANCE COMMITTEE ACTION**

**CAPITAL BUDGET SUBCOMMITTEE ACTION**

**Meeting Date:** 3/10/21 **Vote:** 5-0

**Meeting Date:** 3/31/21 **Vote:** 4-0

**Recommended Amount:** \$1,050,000

**Recommended Amount:** \$1,050,000

**MOTION:**

Be It Moved and Voted by the Town Council that the sum of One Million Fifty Thousand Dollars (\$1,050,000) be appropriated and transferred from Water Enterprise Fund Retained Earnings to the Water Line Capital Project authorized under Resolution 19-05 dated January 30, 2019.

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

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello**  
**Temporary Town Clerk**

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

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 2, 2020

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Resolution 21-17,18,20: Street Acceptances**

---

I am asking the Council to accept the following named roads as public ways:

- Union Meadows Road
- Laurinda Lane
- Brandywine Drive and Charles Drive from Station 0+00 to Station 2+51.71, as shown on street acceptance plan

Abutters lists and the legal Ad have also been included in this packet.

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

## **NOTICE OF PUBLIC HEARING FRANKLIN, MA**

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Pursuant to Chapter 163 of the Legislative Acts of 2011, the Franklin Town Council will hold a public hearing on Wednesday evening, April 7, 2021 at 7:10 p.m. in the Council Chambers located on the second floor of the Franklin Municipal Building, 355 East Central Street, Franklin, MA to determine it is in the public interest to accept the following named roads as public ways:

Union Meadows Road

Laurinda Lane

Brandywine Drive and Charles Drive from Station 0+00 to Station 2+51.71, as shown on street acceptance plan

PLEASE NOTE: Due to the ongoing COVID-19 restrictions, the public will not be permitted to physically attend; hearings will be remote/virtual for all public access and participation. Please consult the Town website ([Franklinma.gov](http://Franklinma.gov)) for information and instructions for access and participation.

Please contact the Town Administrator's Office at 508-520-4949 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for a person with language barriers.

*Submitted by,*

*Alecia Alleyne*



## Town of Franklin



## Planning Board

September 21, 2020

Nancy Danello, Deputy Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

**RE: Street Acceptance – Union Meadows Drive  
Union Meadows Estates**

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, September 21, 2020 upon motion duly made and seconded, the Planning Board voted (5-0) to recommend street acceptance to Town Council for the following subdivision:

Union Meadows Estates – Union Meadows Drive

If you should have any questions concerning this matter, please contact the planning staff.

Sincerely,

Anthony Padula, Chairman  
Planning Board

cc: Town Council  
Administration  
Building Department  
DPW/Engineer

# 1' Abutters List Report

Franklin, MA  
March 04, 2021

## Subject Parcel:

Parcel Number: 330-015-008  
CAMA Number: 330-015-008-000  
Property Address: UNION MEADOWS RD

Mailing Address: NITOR DEVELOPMENT INC  
19 LENOX DR  
FRANKLIN, MA 02038

## Abutters:

Parcel Number: 330-015-000  
CAMA Number: 330-015-000-000  
Property Address: 2 UNION MEADOWS RD

Mailing Address: AWWAD MOTASEM ALSHAWABKEH  
MALAK  
2 UNION MEADOWS RD  
FRANKLIN, MA 02038

Parcel Number: 330-015-001  
CAMA Number: 330-015-001-000  
Property Address: 6 UNION MEADOWS RD

Mailing Address: PRESTON RICHARD MICHAEL PRESTON  
LESLIE ANN  
6 UNION MEADOWS RD  
FRANKLIN, MA 02038

Parcel Number: 330-015-002  
CAMA Number: 330-015-002-000  
Property Address: 10 UNION MEADOWS RD

Mailing Address: DIATELEVI MICHAEL P DIATELEVI  
ANGELA T  
10 UNION MEADOWS RD  
FRANKLIN, MA 02038

Parcel Number: 330-015-003  
CAMA Number: 330-015-003-000  
Property Address: 15 UNION MEADOWS RD

Mailing Address: CARLUCCI NICHOLAS C CARLUCCI  
ROBYN L  
15 UNION MEADOW RD  
FRANKLIN, MA 02038-4515

Parcel Number: 330-015-004  
CAMA Number: 330-015-004-000  
Property Address: 9 UNION MEADOWS RD

Mailing Address: CUNHA MARCO CUNHA CHRISTINA  
9 UNION MEADOWS RD  
FRANKLIN, MA 02038

Parcel Number: 330-015-005  
CAMA Number: 330-015-005-000  
Property Address: 5 UNION MEADOWS RD

Mailing Address: WARNAKULASOORIYA BERNARD  
LOKUGE ARANGA HINIDUMA  
5 UNION MEADOWS RD  
FRANKLIN, MA 02038

Parcel Number: 330-015-006  
CAMA Number: 330-015-006-000  
Property Address: 1 UNION MEADOWS RD

Mailing Address: RUBIN LAURENCE J RUBIN INNA  
1 UNION MEADOWS RD  
FRANKLIN, MA 02038

Parcel Number: 330-015-007  
CAMA Number: 330-015-007-000  
Property Address: UNION MEADOWS RD

Mailing Address: NITOR DEVELOPMENT INC  
19 LENOX DR  
FRANKLIN, MA 02038

Parcel Number: 330-015-008  
CAMA Number: 330-015-008-000  
Property Address: UNION MEADOWS RD

Mailing Address: NITOR DEVELOPMENT INC  
19 LENOX DR  
FRANKLIN, MA 02038

www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



## TOWN OF FRANKLIN

### RESOLUTION 21-17

#### ORDER OF LAYOUT, ACCEPTANCE, AND TAKING OF UNION MEADOWS ROAD AND DRAINAGE LOT PARCEL A AND DRAINAGE EASEMENT

**WHEREAS**, by virtue of Massachusetts General Laws Chapter 82, Section 21 and 24, the Town of Franklin, acting by and through its Town Council, is authorized to lay out, accept and take by eminent domain under Massachusetts General Laws Chapter 79, or acquire by purchase or otherwise, any lands, rights of way or easements necessary for the construction, and maintenance of roadways for public use, and

**WHEREAS**, the Town Council has held a public hearing after having given prior written notice thereof to the owner of record of each property abutting the road and notice by newspaper publication, and

**WHEREAS**, the laying out, acceptance, and taking by eminent domain of the fee in Union Meadows Road and "Parcel A" related drainage lot, as well as thirty-foot wide drainage easement across rear of Lot #3 all as hereinafter described, for roadway purposes is recommended by the Planning Board, the Town Administrator and the Director of the Franklin Department of Public Works, and

**WHEREAS**, Nitor Development Inc., a Massachusetts corporation, the owner of the fee in said roadway and said drainage lot and of said drainage easement has conveyed said roadway and drainage lot together with said drainage easement to the Town by deed and grant of easement dated March 3, 2021, to be recorded at Norfolk County Registry of Deeds herewith, and

**WHEREAS**, the purpose of this order is to comply with statutory requirements and/or to confirm title in the Town and no land damages are therefore anticipated, and

**WHEREAS**, said layout, acceptance and taking is in the best public safety interests of the Town of Franklin.

#### **NOW, THEREFORE, BE IT ORDERED THAT:**

1. The Town Council of the Town of Franklin, by virtue of and in exercise of and the execution of power and authority conferred by said statutes, hereby adjudges that public safety, necessity and convenience require the layout, acceptance, and taking by eminent domain, of the land hereinafter described, for the purposes hereinafter stated.
2. The Town of Franklin, acting by and through the Town Council by virtue of and in the exercise of the power and authority conferred by said statutes and in accordance with the provisions of Massachusetts General Laws Chapter 79 and Chapter 82, Sections 21 and 24, and all and every other power and authority it does possess, DOES HEREBY LAYOUT AND ACCEPT AS A TOWN WAY AND TAKE BY EMINENT DOMAIN for roadway purposes: The following land shown on definitive subdivision plan, approved under the subdivision control law by Franklin Planning Board on August 8, 2016 and recorded in the Norfolk County Registry of Deeds in Plan Book 652 Page 37." (the "Subdivision Plan"), and also shown on the street acceptance plan entitled "Union Meadows Road Street Acceptance Plan Franklin Massachusetts" prepared by Guerriere & Halnon,

Inc., 55 West Central Street, Franklin, MA 02038, dated July 1, 2020 (the "Street Acceptance Plan") to be recorded herewith.

Fee Interest in Roadway

Union Meadows Road, for its entire length

Fee Interest in Related Land

Also, the fee interest in related land shown on the above-described plans:

Lot shown as "Drainage Lot" on Subdivision Plan and "Drainage Lot, Parcel A" on Street Acceptance Plan, containing 35,601 sq. ft. more or less, according to said plans.

Easement

Also, thirty-foot wide drain easement across rear of Lot 3 shown on the above-described plans.

3. The Town Treasurer and Town Comptroller are directed and the Town Administrator is directed and authorized to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in this Order of Taking, so that the same shall be payable within sixty (60) days after right to damages becomes vested in the person from whom the property was taken. The Town Administrator is further directed to direct the Town Attorney for and on behalf of the Town Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of Massachusetts General Laws Chapter 79, Sections 7B, 7C, 7F, 7G, 8A and 8B.
4. This Order of Layout, Acceptance, and Taking confirms Town's Acceptance of above-referenced Nitor Development, Inc. deed and grant of easement dated March 3, 2021 and makes clear the Town of Franklin's title to the above-described parcels of land which said deed and grant of easement conveyed to the Town of Franklin.

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

**DATED:** \_\_\_\_\_, 2021

**A True Record Attest:**

**Nancy Danello  
Temporary Town Clerk**

**VOTED:**

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

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

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

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

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

# Town of Franklin



## Planning Board

December 22, 2020

Nancy Danello, Acting Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

RECEIVED  
2021 JAN -4 A 11:08  
TOWN OF FRANKLIN  
TOWN CLERK

**RE: Street Acceptance  
Laurinda Lane**

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, December 21, 2020 upon motion duly made and seconded, the Planning Board voted (5-0) to recommend street acceptance to Town Council for Laurinda Lane in the Subdivision known as Maple Preserve.

If you should have any questions concerning this matter, please contact the planning staff.

Sincerely,

Anthony Padula, Chairman  
Planning Board

cc: Town Council  
Administration  
Building Department  
DPW/Engineer

# 1' Abutters List Report

Franklin, MA  
March 04, 2021

## Subject Parcel:

Parcel Number: 241-138-011  
CAMA Number: 241-138-011-000  
Property Address: LAURINDA LN

Mailing Address: FRANKLIN HOLDINGS LLC  
14 CAMP RD  
FOXBOROUGH, MA 02035

## Abutters:

Parcel Number: 241-138-003  
CAMA Number: 241-138-003-000  
Property Address: 2 LAURINDA LN

Mailing Address: COMPTON THOMAS J COMPTON JILL M  
2 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-004  
CAMA Number: 241-138-004-000  
Property Address: 6 LAURINDA LN

Mailing Address: JENSEN JOHN JENSEN LAURA  
6 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-005  
CAMA Number: 241-138-005-000  
Property Address: 10 LAURINDA LN

Mailing Address: HURWITZ MAXWELL E HURWITZ  
KIMBERLY A  
10 LAURINDA LANE  
FRANKLIN, MA 02038

Parcel Number: 241-138-006  
CAMA Number: 241-138-006-000  
Property Address: 14 LAURINDA LN

Mailing Address: ANGER RICHARD A ANGER MARGARET S  
14 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-007  
CAMA Number: 241-138-007-000  
Property Address: 15 LAURINDA LN

Mailing Address: CHAFFEE KERRI L  
15 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-008  
CAMA Number: 241-138-008-000  
Property Address: 11 LAURINDA LN

Mailing Address: BARSKE RANDY BARSKE BETSY  
11 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-009  
CAMA Number: 241-138-009-000  
Property Address: 7 LAURINDA LN

Mailing Address: SCHOBBER STEPHEN SCHOBBER  
CAROLYN S  
7 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-010  
CAMA Number: 241-138-010-000  
Property Address: 1 LAURINDA LN

Mailing Address: MYERS RYAN MYERS KAREN  
1 LAURINDA LN  
FRANKLIN, MA 02038

Parcel Number: 241-138-011  
CAMA Number: 241-138-011-000  
Property Address: LAURINDA LN

Mailing Address: FRANKLIN HOLDINGS LLC  
14 CAMP RD  
FOXBOROUGH, MA 02035

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**TOWN OF FRANKLIN  
RESOLUTION 21-18**

**ORDER OF ACCEPTANCE OF:  
LAURINDA LANE AS A PUBLIC WAY AND  
RELATED DRAINAGE EASEMENTS**

**WHEREAS,** The General Court enacted Chapter 163 of the Legislative Acts of 2011 "An Act Providing a Simplified Procedure for Municipal Acceptance of Subdivision Roads in the City Known as the Town of Franklin", (hereinafter: Chapter 163), and

**WHEREAS,** Laurinda Lane is a laid-out and constructed road in a residential subdivision shown on a definitive subdivision plan known as The Maple Preserve approved by the Town of Franklin Planning Board and recorded at Norfolk County Registry of Deeds in Plan Book 663 at Pages 51-53,

**WHEREAS,** Town has fully complied with the requirements of Chapter 163 for the municipal acceptance of said road as a public way; said compliance includes submittal of written certification and plans by the Town of Franklin Planning Board to the Franklin Town Council and the Franklin Town Council's holding of a public hearing this date, after having given prior written notice thereof to the owner of record of each property abutting the road, as evidenced by the abutters list a true copy of which is attached hereto as "Exhibit A", and notice by newspaper publication,

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

1. The Town Council of the Town of Franklin determines that it is in the public interest to accept Laurinda Lane shown on the above-referenced definitive subdivision plan and also shown on the street acceptance plan entitled "Street Acceptance Plan of Laurinda Lane" prepared by Bay Colony Group, Inc., Four School Street, Foxborough, Massachusetts 02035 and dated September 14, 2020 to be recorded herewith, as a public way.
2. In accordance with said determination, the Franklin Town Council hereby accepts the following road shown on said street acceptance plan as public ways with the fee ownership thereof to vest in Town:

Laurinda Lane, for its entire length Together with ownership of the following drain easements shown on above-referenced street acceptance plan:

Drainage Easements

Thirty-foot wide drainage easement between Lots 2 and 3

Thirty-foot wide drain easement between Lots 7 and 8

Thirty-foot wide drain easement along easterly side of Lot #8

Thirty-foot wide drain easement along easterly side of Lot #9

Thirty-foot wide drain easement across the middle of Lot #9

Drain easement along easterly side, a portion of the southerly side, and across the middle of Lot #10

3. The Franklin Town Council directs that a true copy of this Order of Acceptance, together with the original above-referenced street acceptance plan, be recorded at Norfolk County Registry of Deeds within thirty (30) days, in accordance with the provisions of Chapter 163.

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

**DATED:** \_\_\_\_\_, 2021

**A True Record Attest:**

**Nancy Danello  
Temporary Town Clerk**

**VOTED:**

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

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

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

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

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



# 1' Abutters List Report

Franklin, MA  
March 04, 2021

## Subject Parcel:

Parcel Number: 218-104-000  
CAMA Number: 218-104-000-000  
Property Address: BRANDYWINE RD

Mailing Address: MARINELLA DEVELOPMENT, LLC  
PO BOX 411  
FRANKLIN, MA 02038

## Abutters:

Parcel Number: 216-050-000  
CAMA Number: 216-050-000-000  
Property Address: 70 CHARLES DR

Mailing Address: KUDISH BRIAN H KUDISH DEBRA S  
70 CHARLES DR  
FRANKLIN, MA 02038

Parcel Number: 216-051-000  
CAMA Number: 216-051-000-000  
Property Address: 74 CHARLES DR

Mailing Address: RUSSO JR WAYNE RUSSO HEATHER  
74 CHARLES DR  
FRANKLIN, MA 02038

Parcel Number: 216-052-000  
CAMA Number: 216-052-000-000  
Property Address: 77 BRANDYWINE RD

Mailing Address: MARINO KATHLEEN MARINO JOSEPH W  
77 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-053-000  
CAMA Number: 216-053-000-000  
Property Address: 73 BRANDYWINE RD

Mailing Address: MANNING COLLEEN A  
73 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-054-000  
CAMA Number: 216-054-000-000  
Property Address: 69 BRANDYWINE RD

Mailing Address: WOODWARD ANDREW B AMY B TRS  
ANDREW & AMY WOODWARD LIV TR  
69 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-055-000  
CAMA Number: 216-055-000-000  
Property Address: 65 BRANDYWINE RD

Mailing Address: QUINN MATTHEW J QUINN ABBY E  
65 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-056-000  
CAMA Number: 216-056-000-000  
Property Address: 61 BRANDYWINE RD

Mailing Address: BRYAN HEIDI C BRYAN MICHAEL J  
61 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-057-000  
CAMA Number: 216-057-000-000  
Property Address: 57 BRANDYWINE RD

Mailing Address: CHENG MICHAEL & TINA M  
57 BRANDYWINE ROAD  
FRANKLIN, MA 02038

Parcel Number: 216-058-000  
CAMA Number: 216-058-000-000  
Property Address: 53 BRANDYWINE RD

Mailing Address: LI XIA YAN SHU  
53 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-059-000  
CAMA Number: 216-059-000-000  
Property Address: 49 BRANDYWINE RD

Mailing Address: BERRY TARA TYLER BERRY JACOB  
ALBERT  
49 BRANDYWINE RD  
FRANKLIN, MA 02038

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# 1' Abutters List Report

Franklin, MA  
March 04, 2021

Parcel Number: 216-060-000 CAMA Number: 216-060-000-000 Property Address: 45 BRANDYWINE RD	Mailing Address: KUCICH JENNIFER KUCICH ROBERT 45 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-061-000 CAMA Number: 216-061-000-000 Property Address: 41 BRANDYWINE RD	Mailing Address: PIKE JOHN D 41 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-062-000 CAMA Number: 216-062-000-000 Property Address: 37 BRANDYWINE RD	Mailing Address: VOZELLA ANTHONY J VOZELLA COLLEEN E 37 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-063-000 CAMA Number: 216-063-000-000 Property Address: 33 BRANDYWINE RD	Mailing Address: HAMILTON JENNIFER L 33 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-064-000 CAMA Number: 216-064-000-000 Property Address: 29 BRANDYWINE RD	Mailing Address: TOMAINO ANGELO P TOMAINO CONCETTINA 29 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-065-000 CAMA Number: 216-065-000-000 Property Address: 25 BRANDYWINE RD	Mailing Address: TAYLOR SCOTT NOLAN TAYLOR ASHLEY ANNE 25 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-066-000 CAMA Number: 216-066-000-000 Property Address: 21 BRANDYWINE RD	Mailing Address: LANDERS CONNOR LANDERS ASHLEY 21 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-067-000 CAMA Number: 216-067-000-000 Property Address: 28 BRANDYWINE RD	Mailing Address: SONG HAN JIN WENJIE 28 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-068-000 CAMA Number: 216-068-000-000 Property Address: 32 BRANDYWINE RD	Mailing Address: ZAKI MAGED A ZAKI MARY E 32 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-069-000 CAMA Number: 216-069-000-000 Property Address: 36 BRANDYWINE RD	Mailing Address: ROGERS MICHAEL ROGERS MEGAN 36 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-070-000 CAMA Number: 216-070-000-000 Property Address: 40 BRANDYWINE RD	Mailing Address: DURKIN BRIAN J 40 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-071-000 CAMA Number: 216-071-000-000 Property Address: 46 BRANDYWINE RD	Mailing Address: HENDER RICHARD J JR HENDER KIM A 46 BRANDYWINE RD FRANKLIN, MA 02038

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# 1' Abutters List Report

Franklin, MA  
March 04, 2021

Parcel Number: 216-072-000 CAMA Number: 216-072-000-000 Property Address: 50 BRANDYWINE RD	Mailing Address: DESAI ASHISH Y SHAH GAURANGI C 50 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-073-000 CAMA Number: 216-073-000-000 Property Address: 54 BRANDYWINE RD	Mailing Address: GORGAS DAVID S & LISA J TRS GORGAS REALTY TRUST 54 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-074-000 CAMA Number: 216-074-000-000 Property Address: 58 BRANDYWINE RD	Mailing Address: JOYCE THOMAS J JOYCE CAROL A 58 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-075-000 CAMA Number: 216-075-000-000 Property Address: 70 BRANDYWINE RD	Mailing Address: TEIXEIRA HUGO TEIXEIRA CATHRYN 70 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-076-000 CAMA Number: 216-076-000-000 Property Address: 76 BRANDYWINE RD	Mailing Address: HAGY JAMES DIXON III HAGY MELISSA CAROL EDERINGTON 76 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-077-000 CAMA Number: 216-077-000-000 Property Address: 88 BRANDYWINE RD	Mailing Address: BYRNE GERALD J III BYRNE ROBIN L 88 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-078-000 CAMA Number: 216-078-000-000 Property Address: 92 BRANDYWINE RD	Mailing Address: AGARWAL MONA KUMAR RAJEEV 92 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-079-000 CAMA Number: 216-079-000-000 Property Address: 96 BRANDYWINE RD	Mailing Address: KAMATH ARAVIND M KAMATH VANDANA M 96 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-080-000 CAMA Number: 216-080-000-000 Property Address: 100 BRANDYWINE RD	Mailing Address: CAUTILLO ROBERT JOSEPH CAUTILLO SARA THERESA 100 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-081-000 CAMA Number: 216-081-000-000 Property Address: 106 BRANDYWINE RD	Mailing Address: JAMES TYECHIA M 106 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-082-000 CAMA Number: 216-082-000-000 Property Address: 110 BRANDYWINE RD	Mailing Address: PALMER TODD PALMER SUSAN 110 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-083-000 CAMA Number: 216-083-000-000 Property Address: 105 BRANDYWINE RD	Mailing Address: CROSS RYAN R CROSS DINA P 105 BRANDYWINE RD FRANKLIN, MA 02038

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# 1' Abutters List Report

Franklin, MA  
March 04, 2021

Parcel Number: 216-084-000 CAMA Number: 216-084-000-000 Property Address: 101 BRANDYWINE RD	Mailing Address: GUJAR SURYAPRAKASH GUJAR SMITA 101 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-085-000 CAMA Number: 216-085-000-000 Property Address: 97 BRANDYWINE RD	Mailing Address: REGAN CHRISTINE L 97 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-086-000 CAMA Number: 216-086-000-000 Property Address: 93 BRANDYWINE RD	Mailing Address: WASEF GIRGIS EAZAK MERVAT 93 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-087-000 CAMA Number: 216-087-000-000 Property Address: 89 BRANDYWINE RD	Mailing Address: BALZARINI ANTHONY BALZARINI RENEE 89 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-088-000 CAMA Number: 216-088-000-000 Property Address: 85 CHARLES DR	Mailing Address: BIRD JOSEPH A BASSMA MARY ANN 85 CHARLES DR FRANKLIN, MA 02038
Parcel Number: 216-097-000 CAMA Number: 216-097-000-000 Property Address: 11 BRANDYWINE RD	Mailing Address: BROWN CATHERINE 11 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-098-000 CAMA Number: 216-098-000-000 Property Address: 7 BRANDYWINE RD	Mailing Address: SEEKAMP PAUL M SEEKAMP AMY M 7 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-078-000 CAMA Number: 218-078-000-000 Property Address: 157 BRANDYWINE RD	Mailing Address: FOGARTY JOHN F 157 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-079-000 CAMA Number: 218-079-000-000 Property Address: 161 BRANDYWINE RD	Mailing Address: CHAPSKI JEFFREY A CHAPSKI NANCY A 161 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-080-000 CAMA Number: 218-080-000-000 Property Address: 153 BRANDYWINE RD	Mailing Address: LANGIS JOHN P LANGIS SALLY A 153 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-081-000 CAMA Number: 218-081-000-000 Property Address: 149 BRANDYWINE RD	Mailing Address: MILLER DARREN E MILLER JENNIFER F 149 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-082-000 CAMA Number: 218-082-000-000 Property Address: 145 BRANDYWINE RD	Mailing Address: HUTCHINSON ERIK N HUTCHINSON ALEXANDRIA K 145 BRANDYWINE RD FRANKLIN, MA 02038

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# 1' Abutters List Report

Franklin, MA  
March 04, 2021

Parcel Number: 218-083-000 CAMA Number: 218-083-000-000 Property Address: 141 BRANDYWINE RD	Mailing Address: DESTINE JAMES 141 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-084-000 CAMA Number: 218-084-000-000 Property Address: 137 BRANDYWINE RD	Mailing Address: REYNOLDS WARREN H K REYNOLDS DEBRA Y 137 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-085-000 CAMA Number: 218-085-000-000 Property Address: 133 BRANDYWINE RD	Mailing Address: AMANTE JOSEPH M AMANTE MELISSA A 133 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-086-000 CAMA Number: 218-086-000-000 Property Address: 129 BRANDYWINE RD	Mailing Address: HANLY RONAN D HANLY CHERYL A 129 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-087-000 CAMA Number: 218-087-000-000 Property Address: 125 BRANDYWINE RD	Mailing Address: JOSE JESTUS 125 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-088-000 CAMA Number: 218-088-000-000 Property Address: 121 BRANDYWINE RD	Mailing Address: YERED DAVID M REZZUTI LISA 121 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-089-000 CAMA Number: 218-089-000-000 Property Address: 117 BRANDYWINE RD	Mailing Address: BARTEK JOSEF S BARTEK CHERYL L 117 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-090-000 CAMA Number: 218-090-000-000 Property Address: 113 BRANDYWINE RD	Mailing Address: ROBINSON WILLIAM S ROBINSON CHRISTINA N 113 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-091-000 CAMA Number: 218-091-000-000 Property Address: 109 BRANDYWINE RD	Mailing Address: CAREY DEIRDRE 109 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-092-000 CAMA Number: 218-092-000-000 Property Address: 114 BRANDYWINE RD	Mailing Address: IRWIN ROSS J IRWIN AMANDA D 114 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-093-000 CAMA Number: 218-093-000-000 Property Address: 118 BRANDYWINE RD	Mailing Address: EPPHIMER MICHAEL J EPPHIMER LOIS A 118 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-094-000 CAMA Number: 218-094-000-000 Property Address: 122 BRANDYWINE RD	Mailing Address: LANGEVIN TIMOTHY M 122 BRANDYWINE RD FRANKLIN, MA 02038

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# 1' Abutters List Report

Franklin, MA  
March 04, 2021

Parcel Number: 218-095-000 CAMA Number: 218-095-000-000 Property Address: 138 BRANDYWINE RD	Mailing Address: MUNIKUNTLA SAI KUMAR MUDDAGOUNI APARAJITHA 138 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-096-000 CAMA Number: 218-096-000-000 Property Address: 142 BRANDYWINE RD	Mailing Address: GROVER JEFFREY C GROVER JAMIE L 142 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-097-000 CAMA Number: 218-097-000-000 Property Address: 146 BRANDYWINE RD	Mailing Address: BOWEN JAY D BOWEN ROSEMARY 146 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-098-000 CAMA Number: 218-098-000-000 Property Address: 150 BRANDYWINE RD	Mailing Address: PETERSON DERIC PETERSON ELIZABETH F 150 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-099-000 CAMA Number: 218-099-000-000 Property Address: 16 BRANDYWINE RD	Mailing Address: LARSEN THOMAS N LARSEN SHANNON 16 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-100-000 CAMA Number: 218-100-000-000 Property Address: 20 BRANDYWINE RD	Mailing Address: DANIELS NATHAN DANIELS LAUREN 20 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-101-000 CAMA Number: 218-101-000-000 Property Address: 24 BRANDYWINE RD	Mailing Address: RAMASWAMY SANJAY RAMASWAMY ELIZABETH A 24 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-102-000 CAMA Number: 218-102-000-000 Property Address: 17 BRANDYWINE RD	Mailing Address: SMART JON A SMART HEATHER M 17 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-103-000 CAMA Number: 218-103-000-000 Property Address: LAKEVIEW TER	Mailing Address: PRUDENTIAL BUILDERS INC 344 JOHN L DIETSCH BOULEVARD U NORTH ATTLEBOROUGH, MA 02760
Parcel Number: 218-104-000 CAMA Number: 218-104-000-000 Property Address: BRANDYWINE RD	Mailing Address: MARINELLA DEVELOPMENT, LLC PO BOX 411 FRANKLIN, MA 02038
Parcel Number: 218-105-000 CAMA Number: 218-105-000-000 Property Address: BRANDYWINE RD	Mailing Address: POTTS JANET M TR JAY REALTY TRUST 2806 MAPLE BROOK RD BELLINGHAM, MA 02019
Parcel Number: 218-106-000 CAMA Number: 218-106-000-000 Property Address: 107 POPULATIC ST	Mailing Address: PROULX JAMES G JR PROULX ERIN M 107 POPULATIC ST FRANKLIN, MA 02038

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**TOWN OF FRANKLIN  
RESOLUTION 21-20**

**ORDER OF ACCEPTANCE OF  
BRANDYWINE ROAD AND PORTION OF  
CHARLES DRIVE AS PUBLIC WAYS AND  
RELATED DRAINAGE AND UTILITY EASEMENTS**

**WHEREAS,** The General Court enacted Chapter 163 of the Legislative Acts of 2011 "An Act Providing a Simplified Procedure for Municipal Acceptance of Subdivision Roads in the City Known as the Town of Franklin", (hereinafter: Chapter 163), and

**WHEREAS,** Brandywine Road and a portion of Charles Drive are laid-out and constructed roads in a residential subdivision shown on a definitive subdivision plan known as Brandywine Village approved by the Town of Franklin Zoning Board of Appeals pursuant to G.L. Chapter 40B and recorded at Norfolk County Registry of Deeds in Plan Book 529 as Plan No. 99 of 2004,

**WHEREAS,** Town has fully complied with the requirements of Chapter 163 for the municipal acceptance of said roads as public ways; said compliance includes submittal of written certification and plans by the Town of Franklin Planning Board to the Franklin Town Council and the Franklin Town Council's holding of a public hearing this date, after having given prior written notice thereof to the owner of record of each property abutting the roads, as evidenced by the abutters list a true copy of which is attached hereto as "Exhibit A", and notice by newspaper publication,

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

1. The Town Council of the Town of Franklin determines that it is in the public interest to accept Brandywine Road and a portion of Charles Drive both shown on the above-referenced definitive subdivision plan and also shown on the street acceptance plan entitled "Brandywine Village Street Acceptance Plan of Land in the Town of Franklin, Massachusetts" and prepared by Heritage Design Group, LLC, 1 Main Street, Whitinsville, MA 01588, and dated October 14, 2016, and revised November 11, 2016 to be recorded herewith, as public ways.
2. In accordance with said determination, the Franklin Town Council hereby accepts the following roads shown on said street acceptance plan as public ways with the fee ownership thereof to vest in Town:

Brandywine Road, for its entire length

Charles Drive from Station 0+00 to Station 2+51.71, as shown on above-referenced street acceptance plan

Together with ownership of the following drainage and utility easements shown on above-referenced street acceptance plan:

## Easements

NOTE: Map references are to the official Town of Franklin Assessors Maps

“Easement A” Thirty-foot wide drainage easement running between Lots 89 and 90 and running across rear of Lots 85, 86, 87, 88, 89, 90, and 91, all shown on Map 218.

“Easement B” Thirty-foot wide drainage easement running between Lots 86 and 87 and running across rear of Lots 84, 85, and 86, all shown on Map 216.

“Easement C” Thirty-foot wide drainage easement running between Lots 77 and 78 and Lots 74 and 73, all shown on Map 216.

“Easement D” Thirty-foot wide drainage and utility (waterline) easement running between Lots 55 and 56, both shown on Map 216, Thirty-foot wide drainage easement running between Lots 57 and 58, both shown on Map 216 and Retention basin/utility easement located on rear portion of Lots 55, 56, 57, 58 and 59, all shown on Map 216.

“Easement E” Drainage easement located on front portion of Lots 68, 69 and 70, all shown on Map 216.

“Easement F” Drain easement located on westerly side of Lot 99, shown on Map 218.

“Easement G” Drain easement located in a rectangular area at front portion (southerly side) of said Lot 99.

“Easement H” Drainage easement running along northerly side of Lot 78 shown on Map 218, into Recharge Basin Easement located along northerly side of said Lot 78.

3. The Franklin Town Council directs that a true copy of this Order of Acceptance, together with the original above-referenced street acceptance plan, be recorded at Norfolk County Registry of Deeds within thirty (30) days, in accordance with the provisions of Chapter 163.



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

---

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello**  
**Temporary Town Clerk**

---

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

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

April 2, 2021

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator  
**RE: Complete Streets**

---

The Town staff is certain we are losing our ability to compete for state grant funds and other outside sources of revenue to help develop the Town's infrastructure relative to roads, sidewalks, trails, bike lanes, traffic calming and overall making the Town more pedestrian friendly, as well as connectivity between important points in the community. Please see more information on the complete streets program [HERE](#).

Tonight's vote comes on the heels of a public discussion the Town Council had in March regarding the Complete Streets program where the board consensus is to adopt a policy in April.

If you have any additional questions please feel free to ask and we look forward to the discussion.



**TOWN OF FRANKLIN  
RESOLUTION 21-21**

**Authorization for Town Administrator  
To Promulgate a Complete Streets Policy**

**WHEREAS,** Mass Department of Transportation (Mass DOT) has developed the "Complete Streets Funding Program" ("Program") which provides funding to municipalities to design and implement a plan to make their streets safe and accessible for all users ("Plan"), and

**WHEREAS,** a municipality which desires to receive funding from Program for Plan must adopt a "Complete Streets Policy", and

**WHEREAS,** Franklin desires to participate in Program and receive funding for Plan,

**NOW THEREFORE,** be it voted by the Franklin Town Council that The Town Administrator is hereby authorized to promulgate a "Complete Streets Policy" for the Town of Franklin, in substantially the form attached hereto as "Exhibit A"

This resolution shall become effective in accordance with the provisions of the Franklin Home Rule Charter

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello  
Temporary Town Clerk**

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

**TOWN OF FRANKLIN  
MASSACHUSETTS**

**COMPLETE STREETS ADMINISTRATIVE POLICY**

**Introduction**

Complete Streets are roadways which are planned, designed, and constructed to meet the needs of all travel modes and people of all abilities. The Town of Franklin has incorporated this concept by implementing projects which take into account the various users in the overall transportation network.

Sensitivity to the character of Franklin's local roads as well as consideration of roadways and walkways on a network basis have been key aspects of past planning efforts. The Town of Franklin's Complete Streets Policy establishes the Town's determination to continue to implement improvements which will serve to further "Complete" Town streets for all users and modes of transportation.

**Vision and Intent**

The Franklin Complete Streets Policy distinguishes that all transportation projects are opportunities to implement Complete Streets principles. The Town shall carefully consider context sensitivity and roadway character while planning, designing, constructing, and maintaining these projects to provide for a comprehensive and integrated network of facilities for people of all ages and abilities.

The Town shall continue to use public outreach during this effort to identify Complete Streets projects and initiatives, and to determine priorities. Public comment will continue to be sought to identify additional projects and update prioritization.

**Core Commitment**

Users and Modes: The Franklin Complete Streets Policy affirms the Town roadway and walkway network must provide safety, comfort, and accessibility for all users including people walking, biking, driving, riding transit, and operating commercial and emergency vehicles. Furthermore, the roadway and walkway network shall provide these characteristics for people of all ages and abilities.

All Projects and Phases: All publicly and privately funded transportation projects shall be reviewed to determine the feasibility of incorporating Complete Streets elements.

Where practical, and within funding limitations, elements shall be added to all municipal road repairs, upgrades, and expansion projects which will enhance safety, accessibility, and serviceability for all users.

Procedures shall be established to identify opportunities to implement Complete Streets elements and to document the incorporation of these elements when conducting municipal road and walkway repairs, upgrades, and expansion projects.

Exceptions: It is recognized that incorporation of Complete Streets elements into a project will not always be feasible or practical.

1. Complete Streets enhancements may be determined to be infeasible and impractical due to funding limitations. In addition, it may be determined the anticipated cost associated with an enhancement is excessively disproportionate to the need or probable use.

Constraints resulting from limitations of right-of-way and property rights, jurisdiction by other agencies, and natural features may restrict the feasibility and practicality of certain Complete Streets enhancements. The layout and width of roadways are important characteristics of the network. With relatively narrow roads, framed

with numerous stone walls and trees, conditions of certain roadways may not be conducive to the implementation of Complete Streets elements.

2. Sensitivity to the context of Franklin's historic and scenic areas may limit incorporation of certain Complete Streets elements.
3. For projects proposed at locations where there is an absence of current and future need, exceptions may be made to the Franklin policy.

### **Best Practices**

**Network:** The Franklin policy affirms a network approach will continue to be used as enhancements to roadways and walkways are considered. The goal of this network approach is to provide increasingly accessible and efficient connections between home, school, work, transit, recreation, and commerce destinations by improving the environment for roadway users.

Network planning will include integration of off-road paths, i.e., rail trails and bike paths, with Town streets to create a safe transportation network when feasible.

**Jurisdiction:** The Franklin policy shall apply to all transportation infrastructure, street design, construction, and maintenance projects subject to the exceptions described herein. To the extent to which Town jurisdiction allows, private development projects shall be required to comply with the Franklin Complete Streets Policy.

The Town recognizes coordination with agencies, such as the Massachusetts Department of Transportation (MassDOT), will be necessary for possible projects outside the Town's jurisdiction.

**Design:** The Franklin policy affirms balanced design flexibility is a key aspect in efforts to improve accessibility and safety for all users of the roadway and walkway network while at the same time maintaining context sensitivity. Recommendations and guidance contained in the most up-to-date versions of the following documents shall be considered and incorporated during the implementation of Complete Streets:

- Town of Franklin Master Plan and Open Space Plan.
- Franklin Pavement Management Program.
- The Massachusetts Department of Transportation Project Design and Development Guidebook.
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls.
- The Architectural Access Board (AAB) 521 CMR Rules and Regulations.
- American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets.
- Franklin Scenic Roads Bylaw.

**Context Sensitivity:** The Town declares that community context is an important factor in design development and decision making related to Complete Streets.

**Performance Measures:** The Franklin policy identifies certain specific performance measures which will be assessed during annual reviews of progress and consideration of program enhancements. These measures include:

1. The total linear feet of walkway either expanded or repaired to restore intended functionality.
2. The total linear feet of roadway which have been enhanced through which roadway pavement has undergone reconstruction, rehabilitation, and/or preservation to improve functionality and safety of continued shared use.
3. Number of locations where pavement markings, signage, and/or some other method has been undertaken to

improve functionality and safety of continued shared use.

4. Number of specific enhancements suggested through ongoing public outreach efforts.
5. Number of locations studied in order to review feasibility and practicality of possible Complete Streets enhancements suggested during public outreach efforts.

### **Implementation**

The Town Administrator shall assist the Town Council to ensure the Town's Complete Streets plans reflect the needs of the town and incorporate the best thinking among town boards, committees, commissions, staff, residents, and visitors. The Town Administrator may appoint an Advisory Group to assist in fulfilling duties under this policy and may delegate to such Advisory Group such tasks as he/she may deem appropriate hereunder. The Town Administrator shall facilitate an ongoing process for assessing the Town's road and walkway network; soliciting improvement suggestions from key Town departments and agencies, and the general public; compiling the input, synthesizing and evaluating the input; and developing recommendations for consideration by the Town Council. The Town Administrator shall also provide project management and oversight to ensure Complete Streets projects are carried out efficiently and effectively, and in accordance with this Policy.

The Town Administrator's specific duties under this Policy shall include:

1. Aid in the development of the Complete Streets Prioritization Plan in accordance with Tier 2 of the Massachusetts Department of Transportation's (MassDOT) Complete Streets Funding Program.
2. On an annual basis, submit a recommended update of the Complete Streets Prioritization Plan to the Town Council. This update should establish priorities for use of Complete Streets funding for the coming year and shall identify anticipated projects looking ahead five years.

It is anticipated this update may recommend inclusion of additional projects which may be identified through suggestions and ongoing studies. It is also anticipated as various studies are completed, previously unforeseen constraints may be identified and subsequently, some projects may be removed from the Prioritization Plan.

The Prioritization Plan shall also identify specific locations and enhancements which are anticipated to be studied in the coming year.

3. Regularly consult with Town stakeholders on various aspects of ongoing Complete Streets initiatives. These stakeholders include the Planning Board, Franklin School Committee, Council on Aging, Conservation Commission, and Recreation Advisory Board. It is anticipated other Town committees and departments may be added to this list.
4. Continue the Complete Streets public outreach effort. Through public meetings and online surveys, input will be solicited regarding progress, as well as suggestions for additional enhancements and projects.
5. Be responsible for coordination and documentation related to the use of Complete Streets funding.
6. Advise municipal staff and the public of upcoming seminars, presentations, and training opportunities related to Complete Streets.
7. Annually review and report on established performance criteria, as well as provide recommendations for revisions to these criteria in the effort to continually improve methods of tracking progress and identifying opportunities.

3. Regularly consult with Town stakeholders on various aspects of ongoing Complete Streets initiatives. These stakeholders include the Planning Board, Franklin School Committee, Council on Aging, Conservation Commission, and Recreation Advisory Board. It is anticipated other Town committees and departments may be added to this list.
4. Continue the Complete Streets public outreach effort. Through public meetings and online surveys, input will be solicited regarding progress, as well as suggestions for additional enhancements and projects.
5. Be responsible for coordination and documentation related to the use of Complete Streets funding.
6. Advise municipal staff and the public of upcoming seminars, presentations, and training opportunities related to Complete Streets.
7. Annually review and report on established performance criteria, as well as provide recommendations for revisions to these criteria in the effort to continually improve methods of tracking progress and identifying opportunities.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

April 2, 2021

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator

**RE: Bylaw Amendment 21-868 - Stormwater**

---

There is legislation for action this evening on non-financial changes to the Town's Stormwater Bylaw that are now required under the permit. The following bylaw change was unanimously approved and referred to the Planning Board for a public hearing. The bylaw changes Bylaw Amendment 21-868 was unanimously approved by the Planning Board at their February 22, 2021 meeting. See attached documentation. Tonight is the first reading before the Town Council.

The DPW Director and respective staff involved in implementing the stormwater bylaws will be present to answer questions. The changes to the Town's bylaw are required and are general house cleaning and updating items. As all of you know, the Town of Franklin's stormwater bylaw was one of the first in Massachusetts, which originally focused on groundwater recharge for drinking water. Ultimately, it ended up becoming a model in the state. The efforts of the Town bylaw actually get the Town significant credits on our MS4 permit now, which will help reduce the requirements the EPA is forcing on towns due to the visionary nature of the bylaw back 15+ years ago.

If you have any additional questions please feel free to ask and we look forward to the discussion next week.



## Town of Franklin



## Planning Board

February 23, 2021

Nancy Danello, Acting Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

### **CERTIFICATE OF VOTE**

Zoning By-law Amendment #21-868  
Chapter 185-31. Site Plan and Design Review

**Petitioner:** Town Administration

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, February 22, 2021 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to recommend, *as presented*, the Zoning By-law Amendment #21-868, changes to Chapter 185-31, Site Plan and Design Review.

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

Sincerely,

Anthony Padula  
Chairman

cc: Town Council  
Town Administrator

SPONSOR: *Town Administration*

## Town of Franklin



## Planning Board

**The following notice will be published in the Milford Daily Newspaper on Monday, February 8, 2021 and again on Monday, February 15, 2021**

---

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Remote Public Hearing on February 22, 2021 at 7:05 PM and the Town Council will hold a Public Hearing on March 3, 2021 at 7:10 PM to consider amending Chapter 185, Section 31 Site Plan of the Code of the Town of Franklin. Please refer to the Town website, [franklinma.gov](http://franklinma.gov) for location information.

### **ZONING BY-LAW AMENDMENT 20-868 CHAPTER 185, ZONING ARTICLE V. SPECIAL REGULATIONS**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Code of the Town of Franklin Chapter 185, Zoning, Article V Special Regulations, Section 185-31, Site Plan and Design Review, C. Site plan approval 4. Review Criteria be amended by adding a new subparagraph g as follows:

(g) In accordance with the most recent Town of Franklin MS4 Permit, the use of Low Impact Development and Green Infrastructure practices are encouraged and shall be incorporated into the site plan to the maximum extent feasible.

(hg) All other requirements of the Zoning Bylaw are satisfied.

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.

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

Anthony Padula, Chairman  
Franklin Planning Board

Tom Mercer, Chairman  
Franklin Town Council



**TOWN OF FRANKLIN  
BYLAW AMENDMENT 21-868  
CHAPTER 185, ZONING ARTICLE V. SPECIAL REGULATIONS**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 185, ZONING.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Code of the Town of Franklin Chapter 185, Zoning, Article V Special Regulations, Section 185-31, Site Plan and Design Review, C. Site plan approval 4. Review Criteria be amended by adding a new subparagraph g as follows:

§ 185-31 Site plan and design review.

1. Site plan review.
- C. Site plan approval.
  - (4) Review criteria. The Planning Board shall approve a site plan only upon its determination of the following:
    - (a) Internal circulation, queuing, entrance and egress are such that traffic safety is protected and access via secondary streets servicing residential neighborhoods is minimized.
    - (b) Reasonable use is made of building location, grading and vegetation to reduce visibility of structures, parking area, outside storage or other outdoor service areas (e.g., waste removal) from public views.
    - (c) Adequate access to each structure for fire and service equipment is provided.
    - (d) Utilities, drainage and fire-protection provisions serving the site provide functional service to each structure and paved area in the same manner as required for lots within a subdivision.
    - (e) No site feature or activity shall create glare or illumination which extends beyond a site's property lines and creates a hazard or nuisance to neighboring property owners or on adjacent roadways. Lighting shall be designed to provide the minimum illumination necessary for the safety and security of the proposed activity. Lighting shall be designed such that the light source is shielded and the light is directed downward.
    - (f) Proposed limit of work is reasonable and protects sensitive environmental and/or cultural resources. The site plan as designed will not cause substantial or irrevocable damage to the environment, which damage could be avoided or mitigated through an alternative development plan.
    - (g) In accordance with the most recent Town of Franklin MS4 Permit, the use of Low Impact Development and Green Infrastructure practices are encouraged and shall be incorporated into the site plan to the maximum extent feasible.
  - (hg) All other requirements of the Zoning Bylaw are satisfied.

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:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello**  
**Temporary Town Clerk**

---

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

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 2, 2021

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

**Re: Resolution 21-871 - Municipal Service Fees, Food Trucks**

---

Before you tonight is the second and final vote of a proposed bylaw to add a new permit and fee to Chapter 82, Section 6, Subsection A . Administration, Code of the Town of Franklin.

The proposed permit and fee is for a “Food Truck Event Permit” for public events on private property. The total proposed fee will be \$25 per permit with a limit of 2 permits per week. Pursuant to Town Code Section 165-8, No person licensed under the provisions of this chapter shall sell any goods, wares or merchandise in or upon any street or sidewalk within the Town of Franklin within 500 feet of a business selling the same or similar goods, wares or merchandise. Food Trucks, and customers of food trucks, will also be prohibited from parking in the Public Right of Way, unless in a declared, striped parking space.

This proposed bylaw was unanimously approved by the EDC at their March 3, 2021 meeting and unanimously voted on by the full Town Council in March. The goal of this food truck permit is to help local businesses survive the COVID-19 pandemic by expanding options for marketing and business development.

It is worth noting regardless of where an event takes place, every food truck owner is required to have an inspection from the Board of Health. The Food Vendor permit is a one time fee for a full year and for as many events as they want. It’s our advice that any food truck owner, especially local ones, should have their inspection on an annual basis, just like one would have their car inspected. If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN**

**BYLAW AMENDMENT 21-871**

**CHAPTER 82, MUNICIPAL SERVICE FEES**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 82  
Section 82-6, Subsection A Administration**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Chapter 82 of the Code of the Town of Franklin is amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration, by adding a new permit fee, set out below:

---

§ 82-6. **Schedule of service fees.**

A. Administration

<b>Service Fee</b>	<b>Rate</b>
Club- Wine & Malt	\$750
Liqueurs and Cordials	\$900
Package- Wine & Malt	\$1,500
Common Victualler- Wine & Malt	\$1,125
Club- All Alcohol	\$1,750
Package- All Alcohol	\$2,500
Common Victualler- All Alcohol	\$1,875
Innholder- All Alcohol	\$3,500
One-Day (All Alcohol or Wine & Malt)	\$75
Alcohol Inholder/Rooms only	\$1,300
Common Victualler	\$125
Innholders	\$125
Farmer Brewery, Winery, Distillery	\$250
Alcohol License Modification	\$500
Automatic Amusement	\$125
Weekday Amusement	\$125
Entertainment	\$125
Billiard/Bowling	\$125
Class I	\$125
Class II	\$125
Class III	\$125
Boardinghouse	\$125

Auctioneer	\$85
One-Day Auctioneer	\$85
Junk Dealer	\$85
Taxi/Limousine	\$85
Transient Vendor or Temporary Special Event Food Truck License	\$100
<b>Temporary Food Truck Event on Private Property</b>	<b>\$25</b>
Fortune Teller	\$85
Public Way Access Permit	\$150

This bylaw amendment shall be effective in accordance with the provisions of the Franklin Home Rule Charter.

---

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello**  
**Temporary Town Clerk**

---

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

# **Temporary Food Truck Public Event Permit for Private Property**

## **Introduction**

Under section 165 Transient Vendors of the Town Code, the Town Administrator has the authority to develop special, temporary licenses for a period of time.

The Town Administrator announces the establishment of a “Temporary Food Truck Public Event Permit” for the location and operation of Food Trucks within the Town of Franklin. All applicants must adhere to the following special licensure regulations, [Town Code Chapter 165-8](#) of the Town of Franklin and [105 Code of Massachusetts Regulation \(CMR\) 590.009](#).

## **Purpose**

The purpose of these licenses is for private organizations within the Town of Franklin to receive a license to contract with food trucks for temporary public events on private property. The license will allow for food trucks to be set up for business on private property outside of the “Food Truck Friendly Zones”

## **Guidelines and Licensing Requirements**

All potential licensees must adhere to the following regulations:

1. Per Chapter 165-8 of the Town of Franklin Code, licensed food trucks shall not be permitted to operate within 500 feet of a “business selling the same or similar goods, wares or merchandise.”
2. Licensees may only operate at specifically approved times on the license.
3. Licensees shall not deploy any free-standing sign or flags unless specifically permitted and in compliance with local Zoning Bylaw. Applicability of Zoning Bylaw shall be determined by the Town Zoning Enforcement Officer.
4. Licensees may only contract with Food Trucks who are licensed by the Board of Health. The Board of Health offers annual licenses for food trucks. Licenses are a one-time inspection and are good for all special events within Franklin. The Town’s requirements are commensurate with other cities and towns such as the City of Boston. Board of Health 508-520-4905.
5. Licensees shall not deploy tables or seating, unless specifically permitted.
6. Food Trucks shall not be positioned so as to expose the general public to vehicular traffic, mechanicals, generators, or other unsafe conditions for patrons.
7. No licensee or employee of the licensee shall consume any alcoholic beverage, marijuana or unlawful controlled substances, while on duty.



8. No licensee or employee of the licensee shall be permitted to consume or smoke any tobacco products within 35 feet of the truck, while working as per Board of Health regulations and state law.
9. This license does not authorize the sale of non-food novelty items such as: t-shirts, hats, toys, etc. A separate retail license must be obtained from the Licensing Authority to receive permission to sell non-food items.

### Application Information

Applications will only be accepted online: <https://franklinma.viewpointcloud.com/>

To apply for a “Temporary Food Truck Public Event Permit”, the following information will be required:

- General information on the applicant, dates, times, and event information.
- Copies of Hawkers and Peddlers licenses from each Food Truck vendor and any other information.
- Event site plan (or sketch), if applicable, to depict the positioning of the food trucks and other information on the event.
- The local fee for a Temporary Food Truck on Private Property is \$25.00 for the licensee. Each food truck shall have a valid Mobile Food vehicle license from the Board of Health to conduct business at any special event. [See Municipal Fee Schedule in the Town Code.](#)
- A valid Hawkers, Peddlers and Transient Vendor's license from the Commonwealth of Massachusetts is required for each manager/owner of a food truck. The state license must be current for the duration of the locally permitted and licensed operation. If at any time, the state license is revoked, suspended and/or not active the local license shall be void.

## **FOOD TRUCKS FACT SHEET- PERMITS NEEDED**

### Food Truck Private Event

Food Trucks on private property for a private event: *(example - birthday party at residential home, staff party on private business property)*

- No Food Truck vehicle shall be parked within the public right of way.
- Apply for a “Food Vendor Permit” with the Health Department here (good for a full year):  
<https://franklinma.viewpointcloud.com/categories/1082/record-types/6582>

### Food Truck Public Event Permit

Food Trucks on private property for a public event: *(example- private business having a food truck event for promotional services on private property)*

- These events will be limited to 2 permits per week, per business.
- Pursuant to Town Code Section 165-8, No person licensed under the provisions of this chapter shall sell any goods, wares or merchandise in or upon any street or sidewalk within the Town of Franklin within 500 feet of a business selling the same or similar goods, wares or merchandise.
- No Food Truck vehicle shall be parked within the public right of way.
- Apply for a “Food Truck Public Event Permit” here:  
<https://franklinma.viewpointcloud.com/categories/1080/record-types/6592>
- Food Vendor Permit through the Health Department for each food truck (good for a year)  
<https://franklinma.viewpointcloud.com/categories/1082/record-types/6582>

### Temporary Special Event Food Truck License

Food Trucks in a Public Way: *(example - Taste of Art Week Festival on the Town Common)*

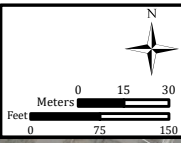
- Not permitted unless for a “Temporary Special Event Food Truck License” in Food Truck Friendly Zone
- Apply for a Temporary Special Event Food Truck License here (good for one event):  
<https://franklinma.viewpointcloud.com/categories/1080/record-types/6448>



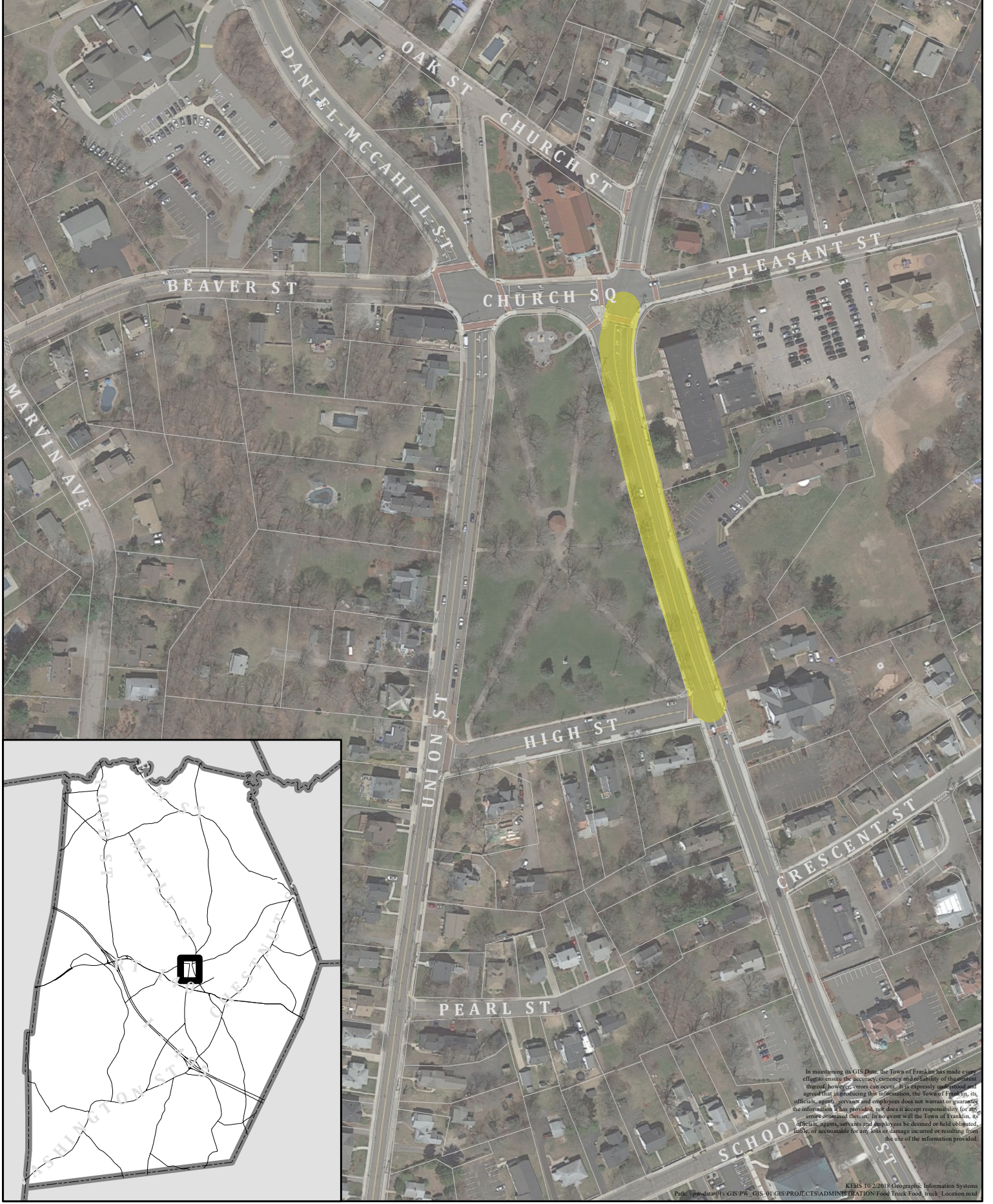
# FOOD TRUCK FRIENDLY ZONES

- Food Truck Zone
- Street
- Parcel Line
- Municipal Boundary

Imagery © Google



**Franklin**  
MASSACHUSETTS



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 relying on 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 of damage incurred or resulting from the use of the information provided.

*Town of Franklin, MA  
Wednesday, October 16, 2019*

## Chapter 165. Transient Vendors

### § 165-1. Scope; purpose; authority.

- A. This chapter is enacted to supplement the provisions of Chapter 101 of the Massachusetts General Laws regulating the sale of goods, wares or merchandise by transient vendors, hawkers and peddlers and is intended to cover the sale of goods, wares or merchandise by all persons who are subject to the provisions of the said Chapter 101 and by certain other persons who may, by legislative oversight, be excluded from the scope of said statute.
- B. It is the specific and express purpose of this chapter to regulate, inter alia, the sale of goods, wares or merchandise by all transient vendors, hawkers and peddlers, not only those who go from town to town or from place to place within one town, but also those who conduct their business at a single location within one town and who may do so, not only within any tent, booth, building or other structure shelter, but also in the open air on any lot of land or part thereof.
- C. In the enactment of this chapter, the Town Council of the Town of Franklin specifically relies upon powers made available to it by Section 8 of Article 89 of the amendments to the State Constitution and by MGL c. 43B, § 13.

### § 165-2. Local license requirement; general applicability of regulations.

No person, either principal or agent, who engages in a temporary or transient business selling any goods, wares or merchandise, either in one location or in traveling from place to place, shall conduct such business within the Town without first having obtained any license required under MGL c. 101 and a local transient vendor license issued by the Town Administrator. Subject to federal and state law, no license shall be granted to any person who is not a citizen of the United States unless such person is authorized to work in the United States by the Federal Immigration and Naturalization Service, nor shall a license be issued to any entity that is not duly organized and authorized to conduct business within the commonwealth.

### § 165-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### **TEMPORARY OR TRANSIENT BUSINESS**

Any exhibition and sale of goods, wares or merchandise which is carried on at any location within this Town, unless such place is open for business during usual business hours for a period of at least 12 consecutive months during the current year. No person shall be relieved from complying with the provisions of this chapter merely by reason of associating himself temporarily with any local dealer, trader or merchant or by conducting such temporary or transient business in connection with or as a part of the business of, or in the name of, any local dealer, trader or merchant.

**TRANSIENT VENDOR**

Any person, whether principal or agent, who engages in a temporary or transient business in the Town of Franklin, whether at a single location or by going from place to place within the Town, selling or exhibiting for sale any goods, wares or merchandise.

**§ 165-4. Exclusions.**

- A. The provisions of this chapter shall have no application to any person, business, or activity which MGL c. 101 specifically exempts from local regulation.
- B. In those cases where MGL c. 101 provides that a person, business, or activity is exempt from local licensure or the payment of a fee therefor, the remaining provisions of this chapter shall still apply.

**§ 165-5. Application information.**

- A. Every person, before commencing business in this Town as a transient vendor or a locally licensed hawker or peddler, shall make written application to the Administrator on a form to be provided, stating:
  - (1) The business sought to be conducted.
  - (2) The names and residential addresses of the applicant and the owners or parties in whose interest said business is to be conducted.
  - (3) The place or places in the Town where the applicant proposes to carry on said business.
  - (4) The authority, if any, for the use of said premises.
  - (5) The proposed hours of operation for said business.
  - (6) The period of time during which it is proposed that said business shall be conducted.
- B. Each such application shall have attached thereto copies of any license which may have been issued for such business under Chapter 101 of the General Laws or otherwise.

**§ 165-6. Review of application.**

- A. The Town Administrator shall, forthwith upon its receipt, forward copies of all applications as are received by it to the Police Chief, the Fire Chief, the Building Commissioner and the Board of Health, unless such application shall indicate that the applicant has provided for such copies of the application to be filed with said agencies at the time of filing his application with the Town Administrator.
  - (1) The Police Chief shall examine into the character and reputation of each person named in the application to determine if said applicant shall be a person of good repute as to morals and integrity. The Police Chief shall review and examine each location proposed to be used for the sale of goods, wares or merchandise and the hours designated for such operation to determine if, in his opinion, any public safety hazard would exist by reason of the location, the hours of operation or the nature of the goods, wares or merchandise to be sold.
  - (2) The Fire Chief shall review and examine each location proposed to be used for the sale of goods, wares or merchandise and the hours designated for such operation to determine if, in his opinion, any public safety hazard would exist by reason of the location, the hours of operation or the nature of the goods, wares or merchandise to be sold.

- (3) The Building Commissioner shall examine and review each location proposed to be used, the hours designated for such operation and the nature of the goods, wares or merchandise to be sold to determine if, in his opinion, such are in conformity with the Zoning Bylaw and the Building Code.<sup>[1]</sup>

[1] *Editor's Note: See Ch. 185, Zoning, and the Massachusetts State Building Code, respectively.*

- (4) The Board of Health shall review and examine each location proposed to be used for the sale of goods, wares or merchandise, the hours designated for such operation and the nature of the goods, wares or merchandise to be sold to determine their conformity with the provisions of the State Sanitary Code and any local regulations of the Board of Health.<sup>[2]</sup>

[2] *Editor's Note: See Division 3 of this Code.*

- B. Each of said agencies shall make whatever report it deems necessary to the Town Administrator within one week of receipt of such application, recommending such measures or restrictions on the issuance of any license as may be necessary to protect the public peace, health, safety or general welfare of the community.

## § 165-7. Grounds for denial of license.

The Town Administrator may refuse to grant a license to any applicant if he finds that the applicant's character or business responsibility is unsatisfactory or that approval of a license is otherwise inconsistent with protection of the public peace, health, safety or general welfare.

## § 165-8. License conditions.

Each license issued under the provisions of this chapter is subject to the following conditions:

- A. No person licensed under the provisions of this chapter shall stand in or upon or park a motor vehicle in or upon or display his goods, wares or merchandise in or upon any street or sidewalk in the Town of Franklin or within 20 feet of the side line of any street, for more than 20 minutes, at one location. At the end of said time, said person shall move at least 500 feet and shall not return to any location where he has previously operated for at least four hours.
- B. No person licensed under the provisions of this chapter shall sell any goods, wares or merchandise in or upon any street or sidewalk within the Town of Franklin within 500 feet of a business selling the same or similar goods, wares or merchandise.
- C. Each license shall state with specificity the place or places at which it shall be valid, the hours of operation at each such place and the specific goods, wares or merchandise which are to be offered for sale at such places and during such times.
- D. No license may be transferred or assigned by the licensee, but a licensee may have the assistance of one or more persons in conducting his business, who may aid him but not act for him or without him.
- E. Public disturbance and threats to health and safety prohibited. No sale, barter, display for sale, or carrying for sale shall be permitted by any licensee, if such activities create a threat to the physical safety of patrons, purchasers or passersby, or if the activities of patrons or purchasers create a threat to the physical safety of others. No person hawking, peddling, or carrying or exposing any article for sale shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the Town, nor carry or convey such articles in any manner that will tend to injure or disturb the public health or comfort nor otherwise than in vehicles and receptacles which are neat and clean and do not leak.

- F. Town land. No sale, barter, display for sale, or carrying for sale shall be permitted, and no licensee shall operate, upon any public street or way, the Town Common, or any other Town land, without a license issued under this chapter. The license shall be maintained in the possession of each licensee during business operations and shall be provided to any police officer or Town enforcement official upon request.
- G. Private property. No sale, barter, display for sale, or carrying for sale shall be permitted, and no licensee vendor shall operate, upon any private property without a license issued under this chapter and the written permission of the owner of said property. Both the license and a copy of such written permission shall be maintained in the possession of each licensee during business operations and shall be provided to any police officer or Town enforcement official upon request.
- H. Each license issued under this chapter shall expire on the first day of January next following its issuance, unless sooner surrendered or revoked.

## § 165-9. Fees.

- A. Every transient vendor, upon making application under §§ **165-5** through **165-6** above, shall pay an application fee as established in Chapter **82**, Fees, of the Code of the Town of Franklin.
- B. The Town Administrator may authorize his office, upon the payment by the applicant of a license fee as established in Chapter **82**, Fees, of the Code of the Town of Franklin, to issue to him a license authorizing the sale of such goods, wares and merchandise within the Town.
- C. Upon such payment, the Town Administrator's office shall record the "local license fees paid."

## § 165-10. Temporary licenses.

Nothing in this chapter shall prevent the Town Administrator from granting, under such conditions and upon such fees, if any, as he may deem proper, special licenses authorizing a fraternal, religious, civic, veterans or other charitable organization to conduct a temporary or transient business for a particular time period not to exceed a total of four consecutive days.

## § 165-11. Violations and penalties.

A violation of any provision of this chapter shall result in a fine of \$100 for each offense; each day that the violation continues shall constitute a separate offense, except in the case of hawkers and peddlers holding a state license under MGL c. 101, § 22, or a local license under § 17 of said statute who shall be liable for a fine of \$20 for each offense, as provided in said § 17.

## § 165-12. Enforcement.

The Town Administrator or his designee, the Franklin Police Chief and Fire Chief or their designees, the Building Commissioner and the Board of Health Agent are each authorized to enforce the provisions of this chapter.

# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

April 2, 2021

**To:** Town Council

**From:** Jamie Hellen, Town Administrator

**RE: Bylaw Amendment 21-873 - Sewer Use Regulations Update**

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The Charles River Pollution Control District voted on March 12, 2020 to amend its current local limits as part of its Industrial Pretreatment Program. The amendment of the local limits was a direct result of what happened at Garelick Farms and is a required bylaw change on behalf of the District. Attached is the new table summary of the local limits which will need to be amended as part of Franklin's sewer use regulations.

Franklin's Sewer use regulation (<https://ecode360.com/10433908>) be amended as follows:

- Existing "[Attachment 1. Schedule A Local Discharge Limitations](#)" be amended to include the attached Schedule A. This Schedule is referenced in [Chapter 139-3E](#) and Chapter 139-3i
- Existing "[Attachment 2. Table 3-12 Charles River Pollution Control District Summary of Limits and Industrial Discharges](#)" be removed since it does not appear to be referenced in Chapter 139.
- Existing Attachment's 3 & 4 be renumbered as 2 & 3.

If you have any additional questions please feel free to ask and we look forward to the discussion next week.





**TOWN OF FRANKLIN**

**BYLAW AMENDMENT 21-873**

**CHAPTER 139: SEWERS**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT  
CHAPTER 139 SEWERS, ATTACHMENTS 1, 2, 3, and 4**

**Be it enacted by the Franklin Town Council that Chapter 139 Sewers, Attachments 1, 2, 3, and 4 be amended as follows:**

- Existing Attachment 1:           Insert new Schedule A Local Discharge Limitations Table 3-12, a copy of which is attached hereto as Exhibit #1
- Existing Attachment 2:           Town of Franklin Table 3-12 Charles River Pollution Control District Summary of Limits and Industrial Discharges: Strike in its Entirety
- Existing Attachment 3:           Town of Franklin Schedule B Charges and Fees: Re-number as Attachment 2
- Existing Attachment 4:           Town of Franklin Table of Sewer System Map Amendments: Re-number as Attachment 3

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

**DATED:** \_\_\_\_\_, 2021

**VOTED:**

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

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

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

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

**A True Record Attest:**

**Nancy Danello  
Temporary Town Clerk**

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

SEWERS

139 Attachment 1

Town of Franklin

Schedule A

Local Discharge Limitations

TABLE 3-12

CHARLES RIVER POLLUTION CONTROL DISTRICT  
SUMMARY OF LOCAL LIMITS AND INDUSTRIAL DISCHARGES

Parameter	Daily Limit mg/L	Parameter	Daily Limit lb/d <sup>1</sup>	Max Monthly lb/d <sup>1</sup>
Cyanide	0.23	Biological Oxygen Demand (BOD) <sup>2</sup>	3,148	761
Arsenic	1.02	Total Suspended Solids (TSS) <sup>2</sup>	5,473	1,287
Cadmium	0.06	Total Ammonia - Nitrogen (NH <sub>3</sub> ) <sup>2</sup>	564	409
Chromium	3.48	Total Phosphorus (TP) <sup>2</sup>	278	229
Copper	1.05			
Lead	0.08			
Mercury	0.03			
Nickel	0.79			
Selenium	0.14			
Silver	0.35			
Zinc	1.32			
Oil & Grease	150			
pH	5 - 12 s.u.			

<sup>1</sup> lb/d = pollutant concentration (mg/L) x Flow (MGD) x 8.34 (conversion factor)

<sup>2</sup> Total available loading for all Industrial Users. The sum of all allocations must not exceed the total permitted loading for all Industrial Users. Allocations are given to each Industry on an individual basis.