



FRANKLIN TOWN COUNCIL

March 14, 2018

Municipal Building
355 East Central Street
2nd Floor Council Chambers

7:00 PM

A. APPROVAL OF MINUTES – *February 14, 2018*

B. ANNOUNCEMENTS –

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

C. PROCLAMATIONS/RECOGNITIONS

D. 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.*

E. APPOINTMENTS - *Zoning Board of Appeals
Agricultural Commission*

F. HEARINGS -

G. LICENSE TRANSACTIONS -

H. PRESENTATIONS/DISCUSSIONS - *Legislative Update – Senator Karen Spilka,
Representative Jeffrey Roy, Senator Richard Ross*

I. SUBCOMMITTEE REPORTS

1. *Capital*
2. *Budget*
3. *EDC*

J. LEGISLATION FOR ACTION

1. *Resolution 18-13 – Acceptance of Gift – Franklin Cultural Council (**Motion to Move Resolution 18-13 – Majority vote (5)**)*
2. *Resolution 18-14 – Acceptance of Gift – Franklin Cultural Council (**Motion to Move Resolution 18-14 – Majority vote (5)**)*
3. *Resolution 18-15 – Authorization for Acquisition and Use of New Voting Machines (**Motion to Move Resolution 18-15 – Majority vote (5)**)*
4. *Bylaw Amendment 18-798R: Chapter 155, Streets and Sidewalks – 2nd Reading (**Motion to Move Bylaw Amendment 18-798R – Majority Roll Call Vote (5)**)*

K. TOWN ADMINISTRATOR'S REPORT

L. FUTURE AGENDA ITEMS

M. COUNCIL COMMENTS

N. EXECUTIVE SESSION - *None*

O. ADJOURN

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
February 14, 2018**

A meeting of the Town Council was held on Wednesday, February 14, 2018, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Melanie Hamblen, Glenn Jones, Eamon McCarthy Earls, Thomas Mercer, Peter Padula, Deborah Pellegrini. Councilors absent: Matthew Kelly. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

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

APPROVAL OF MINUTES: *January 10, 2018, January 24, 2018.* ► **MOTION** to **Approve** the January 10, 2018 meeting minutes by **Padula. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.** ► **MOTION** to **Approve** the January 24, 2018 meeting minutes by **Padula. SECOND** by **Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

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

PROCLAMATIONS/RECOGNITIONS: *None.*

CITIZEN COMMENTS: *None.*

APPOINTMENTS: ► *Agricultural Commission.* ► Vice Chairman Mercer stated that the administration has asked that this item be postponed until the next meeting as a little more work on this needed to be done.

► *Design Review Commission.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Sean Preston to serve as an associate member of the Design Review Commission with an expiration of June 31, 2019 by **Jones. SECOND** by **Padula. Discussion:** ► Mr. Preston introduced himself and provided his background. ► **VOTE: Yes-8, No-0, Absent-1.**

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: *None.*

SUBCOMMITTEE REPORTS:

1. **Capital.** ► Mr. Dellorco stated they had their final meeting two weeks ago; they did DPW and Public Safety. Everything went well. He thanked his fellow councilors, Mr. Nutting, and Mr. Hellen for their help in making it a smooth process.
2. **Budget.** ► Mr. Padula stated the subcommittee will be meeting next Tuesday.
3. **Economic Development.** ► Mr. Mercer stated they met on January 29, 2018. They started to look at some of the many items that need to be addressed. One of the first things to be worked on is updating some zoning lines that need a little tweaking. The next meeting is next Wednesday.

LEGISLATION FOR ACTION:

1. **Resolution 18-04: Appropriation – Street Lighting (Motion to Move Resolution 18-04 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-04: Appropriation – Street Lighting for \$22,500 by Jones. SECOND by Padula. Discussion:** ► Mr. Nutting stated this is to repair and replace bulbs that get burned out and to replace underground wire. Expenses have gone up. This is for the old existing lights. Once the LEDs are installed, the expensive budget for this cost will go down significantly because the LEDs have a 10-year life. ► Mr. Hellen noted that the updating of the street lighting is going through a pilot program with a few streets in town to test different lights. ► **VOTE: Yes-8, No-0, Absent-1.**
2. **Resolution 18-05: Appropriation – General Fund Capital FY 18 (Motion to Move Resolution 18-05 – Majority Vote (5)).** ► **MOTION to Waive the reading by Dellorco. No SECOND.** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-05 Appropriation – General Fund Capital FY 18 for \$1,866,500 by Dellorco. SECOND by Padula. Discussion:** ► Town Council members asked questions and discussed the item. ► Mr. Nutting stated this gets funded out of Free Cash. With this vote and the vote just taken on the lights, there will still be about \$727,000 left in Free Cash. We do all the capital out of Free Cash, so it really will not affect the FY 19 operating budget. He noted that Mr. Dellorco headed the committee and a vote of 4-0 was taken to recommend this plan. ► Police Chief Lynch explained the live fingerprint scanning system. ► School Superintendent Ahern stated that the current math materials are 10 years out of date for middle school and early high school. ► **VOTE: Yes-8, No-0, Absent-1.**
3. **Resolution 18-06: Appropriation – Fire Truck Stabilization Fund FY 18 (Motion to Move Resolution 18-06 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-06: Appropriation – Fire Truck Stabilization Fund FY 18 for \$100,000 by Jones. SECOND by Padula. Discussion:** ► Mr. Nutting stated the town tries to buy a new fire engine about every seven years; the way it is done is to save for seven years. This is good fiscal planning. The same is true for the next item. ► **VOTE: Yes-8, No-0, Absent-1.**
4. **Resolution 18-07: Appropriation – Turf Field Stabilization Fund FY 18 (Motion to Move Resolution 18-07 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-07: Appropriation – Turf Field Stabilization Fund FY 18 for \$150,000 by Jones. SECOND by Padula. Discussion:** ► Mr. Nutting stated this is the same plan as the above item. ► **VOTE: Yes-8, No-0, Absent-1.**
5. **Resolution 18-08: Appropriation – Enterprise Fund Capital FY 18 (Motion to Move Resolution 18-08 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-08: Appropriation – Enterprise Fund Capital FY 18 for \$405,000 by Jones. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
6. **Resolution 18-09: Appropriation – OPEB Trust Fund FY 18 (Motion to Move Resolution 18-09 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-09: Appropriation – OPEB Trust Fund FY 18 for \$280,000 by Jones. SECOND by Dellorco. Discussion:** Mr. Nutting provided an update on where the town is with OPEB. He stated there is a \$69-\$70 million obligation; there is about \$3.5 in the bank. The policy is to put 10 percent Free Cash and increase the annual appropriation in the budget by \$50,000 per year. He noted the annual meeting of the OPEB Trust is in March. ► **VOTE: Yes-8, No-0, Absent-1.**
7. **Resolution 18-10: Dissolution of the Senior Center Building Committee (Motion to Move Resolution 18-10 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-10: Dissolution of the Senior Center Building Committee by Jones. SECOND by**

Dellorco. Discussion: ► Vice Chairman Mercer stated that having been the Chairman of the Senior Center Building Committee, he thanked the committee members and the director of facilities. As well, he thanked the architectural firm and the project manager for doing a wonderful job. ► Mr. Nutting thanked the committee for doing a wonderful job. He said it will serve the community for generations to come. It is one of the best senior centers in the Commonwealth. He said the remaining punch list will be completed in the next couple of months. ► Town Council members stated it has many features and is a great facility. ► **VOTE: Yes-8, No-0, Absent-1.**

8. **Resolution 18-11: Dissolution of the Library Building Committee (Motion to Move Resolution 18-11 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-11: Dissolution of the Library Building Committee by Jones. SECOND by Padula. Discussion:** ► Vice Chairman Mercer thanked the Library Building Committee Chair Judy Pfeffer, the committee members, the director of facilities, and the construction contractor for their efforts and fantastic job on this project. ► Mr. Nutting thanked the staff for their hard work in having to move the library to the temporary space and then back to the library building. He stated work on incorporating more funds to the library is needed. Franklin is one of the libraries in the state that does meet the minimum required by statute. ► Town Council members asked questions and discussed library funding and the statute. ► **VOTE: Yes-8, No-0, Absent-1.**
9. **Resolution 18-12: Dissolution of the Franklin Advisory Committee (Motion to Move Resolution 18-12 – Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 18-12: Dissolution of the Franklin Advisory Committee by Jones. SECOND by Padula. Discussion:** Mr. Nutting thanked the committee and said they made a couple of good recommendations; their hard work is appreciated. ► Vice Chairman Mercer thanked the committee chair and members for their work on the town's behalf. ► **VOTE: Yes-8, No-0, Absent-1.**
10. **Bylaw Amendment 18-798R: Chapter 155, Streets and Sidewalks – 1st Reading (Motion to Move Bylaw Amendment 18-798R to a 2nd Reading – Majority Vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 18-798R: Chapter 155, Streets and Sidewalks to a 2nd Reading by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated the Town Council's advice was taken and the language for this amendment was changed. ► Mr. Cerel stated that if a project is ongoing, this could hold up permits until any fine gets paid. ► Regarding how the contractor would be notified, the town official would go onsite and notify the contractor to clean up their mess. ► **VOTE: Yes-8, No-0, Absent-1.**
11. **Bylaw Amendment 18-799: Chapter 82, Fees, Appendix B – Sewer Rates – 2nd Reading (Motion to Approve Bylaw Amendment 18-799 – Majority Roll Call Vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Approve Bylaw Amendment 18-799: Chapter 82, Fees, Appendix B – Sewer Rates by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated that a study was conducted and the average Massachusetts sewer rate is \$862 per year for someone that uses 120 cubic feet of water per year; the average Franklin amount is \$618. But, the average Franklin user only uses about 88 cubic feet; so, the average Franklin bill is \$450 per year against the state average of \$862. This increase is critical to maintain the town's infrastructure. It has been five years since the rate has increased. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Earls-YES; Mercer-YES; Padula-YES; Pellegri-YES. ► **VOTE: Yes-8, No-0, Absent-1.**
12. **Bylaw Amendment 18-800: Chapter 82, Fees, Appendix B – Water Rates – 2nd Reading (Motion to Approve Bylaw Amendment 18-800 – Majority Roll Call Vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Approve Bylaw Amendment 18-800: Chapter 82, Fees, Appendix B – Water Rates by Dellorco. SECOND by Padula. Discussion:** ► Mr. Nutting stated the average state-wide is \$595 and Franklin is \$470. The water rates have not been increased in six years. ► **ROLL**

CALL VOTE: Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Earls-YES; Mercer-YES; Padula-YES; Pellegrini-YES. ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting stated that they are busy with the budget, working with the school folks, crunching numbers for all department heads, and waiting for health insurance numbers to come in, probably early next week. He has a meeting next week with budget folks. Moving along with this; trying to make a long-term strategic plan because this is not a one-year problem. They will also have meetings with all the unions.

FUTURE AGENDA ITEMS: ► Ms. Hamblen stated that Ms. Stacey David, Chair of the Cultural District Council, contacted Ms. Hamblen and Mr. Earls. Ms. David stated they are concerned about the restrictions on advertising and they want to put up some temporary banners to advertise special events. ► Vice Chairman Mercer stated this would go to the EDC and it is on their agenda for their next meeting.

COUNCIL COMMENTS: ► Ms. Hamblen stated she was honored to be a guest reader at the library; the youth services librarian is fabulous. She warned people that there are already ticks out. ► Mr. Dellorco sent prayers to those in Florida regarding the shooting that happened today. ► Ms. Pellegrini thanked Jeff Roy for securing Elizabeth Warren to come to Franklin; it was a wonderful day. There were over 1,600 people. ► Mr. Jones said God Bless to Florida and pray for the families and children affected by this. ► Vice Chairman Mercer gave a shout out to the Franklin High School Wrestling Team who went undefeated and for the first time in 20 years all weight classes qualified for the state championships. ► Mr. Nutting gave a shout out to the School Committee who gave a forum last night about the struggles schools have regarding funding; it was well run and informative. He noted that there are lots of hearts around the gazebo in the Town Common; a local person asked if they could do that. Anytime there is a chance for art, the town tries to say yes. It will be up for a couple of weeks.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Padula. SECOND by Jones. No Discussion. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 8:06 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary



APPOINTMENTS

Zoning Board of Appeals

Mickey Whitmore
9 Downingwood Drive

The Zoning Board of Appeals has recommended the appointment of Mickey Whitmore to serve as an associate member of the Zoning Board of Appeals with an expiration of June 31, 2018.

MOTION to ratify the appointment by the Town Administrator of Mickey Whitmore to serve as an associate member of the Zoning Board of Appeals.

DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk
Franklin Town Council



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: November 17, 2017

Name: mickey l whitmore

Home Address: 9 Downingwood Drive
FRANKLIN, MA 02038

Mailing Address: 9 Downingwood Drive
FRANKLIN, MA 02038

Phone Number(s): _____

Email Address: _____

Current Occupation/Employer: Data center consultant / NetApp

Narrative: data center design / doc review / presentations / research
12 hours a month average.

Board(s) / Committee(s): _____ Finance Committee
_____ Zoning Board of Appeal



APPOINTMENTS

Agricultural Commission

Jeffrey Perry
3 Ben's Way

Carly Fisher
444 Lincoln Street

Linda Noel
555 Lincoln Street

Marian Szymanski
529 Pleasant Street

Roger Trahan
1 Green Street

Associate Members

Nick Hoffmann
10 Hoffmann Farm Road

Tim Garboski
49 Prospect Street

The Town Administrator has recommended the appointment of the following individuals to serve on the Agricultural Commission:

Jeffrey Perry – One year term to expire June 31, 2018
Marian Szymanski – One year term to expire June 31, 2018
Linda Noel – Two year term to expire June 31, 2019
Carly Fisher – Two year term to expire June 31, 2019
Roger Trahan – Three year term to expire June 31, 2020
Nick Hoffmann - Three year term to expire June 31, 2020
Tim Garboski - Three year term to expire June 31, 2020

MOTION to ratify the appointment by the Town Administrator of Jeffrey Perry, Marian Szymanski, Linda Noel, Carly Fisher, and Roger Trahan to serve as members of the Agricultural Commission and Nick Hoffmann and Tim Garboski as Associate members.

DATED: _____, 2018

A True Record Attest:

Teresa M. Burr
Town Clerk

VOTED:

UNANIMOUS _____
YES _____ **NO** _____
ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk
Franklin Town Council



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: January 7, 2018

Name: Jeffrey Perry

Home Address: 3 Ben's Way
FRANKLIN, MA 02038

Mailing Address: 3 Ben's Way
FRANKLIN, MA 02038

Phone Number(s): (

Email Address:

Current Occupation/Employer: Staff Action Officer to the Office of the Director/ US Army Natick Soldier Research Development and Engin

Narrative: Available Time: 3hrs/week

Extensive Project/Program Planning and Management experience. Including planning and managing resource requirements such as budgeting and scheduling, providing programmatic and technical presentations/briefings, developing and executing test plans, data analysis and writing technical reports to provide quality products and meet program goals and objectives.

Oral presentation skills include programmatic briefings to decision makers(program managers and project officers) and to include cost, schedule and performance, technical presentations/meetings, management discussions to evaluate progress towards key project milestones. Written skills include customer specific data analysis and reporting, progress reports, technical reports, technical publications and Fact Sheets for use in technical decisions.

Board(s) / Committee(s): AGRICULTURAL COMMISSION
 Design Review Commission
 Zoning Board of Appeal



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: December 22, 2017

Name: Carly C Fisher

Home Address: 444 Lincoln St
Franklin MA 02038

Mailing Address: 444 Lincoln St
Franklin MA 02038

Phone Number(s):

Email Address:

Current Occupation/Employer: Owner/operator of Clarion Farm, Inc.

Narrative: I have been involved in the formation of the Agricultural Commission and am excited to volunteer for a position now that it has officially been approved. I have owned a farm in Franklin for 11 years and have been involved in the agricultural industry for over 20. In addition to my farming experience, I have been running multiple small businesses for close to 20 years and also sit on the IEA Zone 1 Education Committee and the KWPN Members Committee.

Board(s) / Committee(s): AGRICULTURAL COMMISSION



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: June 8, 2017

Name: Linda L Noel

Home Address: 555 Lincoln Street
FRANKLIN, MA 02038

Mailing Address: 555 Lincoln Street
FRANKLIN, MA 02038

Phone Number(s):

Email Address:

Current Occupation/Employer: farmer

Narrative: I have whatever time is needed. I was hoping to apply to the Agricultural Commission, which does not yet seem to be available. I have been farming tomatoes in Franklin for 25 years on what was my great grandfather's 40 acre farm. I do have experience with wetlands, elder care, gardening and finance. I am currently the treasurer and director of a non-profit org (volunteer) and I do have experience working with Beacon Hill and organizing people.

Board(s) / Committee(s):



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: December 21, 2017

Name: Marian Elizabeth Szymanski

Home Address: 529 Pleasant Street
Franklin, MA 02038

Mailing Address: 529 Pleasant Street
Franklin, MA 02038

Phone Number(s): ()

Email Address:

Current Occupation/Employer: Early Childhood Teacher Goddard School Bellingham

Narrative: I would very much like to be on the Agricultural Commission. I have been a part of the group that worked hard to create the Commission. I am available to work on Ag Com issues Evenings and Weekends. I have been a bee keeper, a homesteader and a gardener for over ten years.

Board(s) / Committee(s): AGRICULTURAL COMMISSION



Town of Franklin MA

355 East Central Street
Franklin, MA 02038
Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: January 7, 2018

Name: Roger J Trahan

Home Address: 1 Green St
FRANKLIN, MA 02038

Mailing Address:

Phone Number(s): () -1

Email Address:

Current Occupation/Employer: Retired

Narrative: I am retired after a 30 year career with the Boston Globe as manager for distribution centers; followed by a 15 year career with McKesson Health Solutions as an account manager. I am currently owner operator of Franklin Honey Company which offers pollination solutions to agriculture along with selling honey and other all natural bee related products. I have a keen interest in protecting and expanding the current agricultural areas in Franklin while at the same time respecting our environment.

Board(s) / Committee(s): AGRICULTURAL COMMISSION



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: December 24, 2017

Name: Nick Hoffmann

Home Address: 10 Hoffman Farm Rd
Franklin

Mailing Address:

Phone Number(s): - Unspecified

Email Address:

Current Occupation/Employer: Farmer. Self Employed

Narrative: Full time farmer since 2003. I serve on board of directors for the Norfolk county farm bureau. also serve on the county committee for the USDA

Board(s) / Committee(s): AGRICULTURAL COMMISSION
BOARD OF REGISTRARS

PRESENTATIONS
AND
DISCUSSIONS

- *Legislative Update – Senator Karen Spilka,
Representative Jeffrey Roy, Senator Richard Ross*

LEGISLATION

FOR

ACTION



TOWN OF FRANKLIN

RESOLUTION 18-13

Acceptance of Gift – Franklin Cultural Council

WHEREAS, The Franklin Cultural Council has received a generous donation of \$500.00 from Dean Bank in support of an art and music family concert and other art and cultural events and programs.

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of the Franklin Cultural Council gratefully accepts this generous donation and thanks Dean Bank for their continued support and generosity.

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

DATED: , 2018

VOTED: _____

UNANIMOUSLY: _____

A TRUE RECORD ATTEST:

YES: ____ **NO:** ____

ABSTAIN: ____ **ABSENT:** ____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



TOWN OF FRANKLIN

RESOLUTION 18-14

Acceptance of Gift – Franklin Cultural Council

WHEREAS, The Franklin Cultural Council has received a generous donation of \$500.00 from Dedham Savings Bank. The bank will sponsor Action & Impact: Community Arts Advocacy Day.

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of the Franklin Cultural Council gratefully accepts this generous donation and thanks Dedham Savings Bank for their support and generosity.

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

DATED: , 2018

VOTED: _____

UNANIMOUSLY: _____

A TRUE RECORD ATTEST:

YES: ____ **NO:** ____

ABSTAIN: ____ **ABSENT:** ____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 18-15

AUTHORIZATION FOR ACQUISITION AND USE OF NEW VOTING MACHINES

WHEREAS, G.L. Chapter 54, Section 34 requires a majority vote of the Town Council for the acquisition and use of voting machines at all Town-held elections, and

WHEREAS, the Secretary of State has interpreted this statutory requirement to apply to the replacement of existing voting machines with new voting machines, and

WHEREAS, the Town of Franklin has been and is currently using nine (9) Accuvote voting machines, and

WHEREAS, the Franklin Town Council, as part of Resolution 18-05, the fiscal year 2018 capital budget which it approved on February 14, 2018, appropriated \$85,000 to purchase nine (9) new Imagecast Precinct Tabulator voting machines for use at all future Town-held elections,

NOW, THEREFORE, be it voted by the Franklin Town Council that the use of the existing nine (9) Accuvote voting machines at Town-held elections shall cease and the use of the nine (9) new Imagecast Precinct Tabulator voting machines shall be implemented, effective with the State Primary Election to be held on September 4, 2018 and for all subsequent Town-held elections.

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

DATED: _____, 2018

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk
Franklin Town Council



TOWN OF FRANKLIN

BYLAW AMENDMENT 18-798R

CHAPTER 155, STREETS AND SIDEWALKS

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 155, ARTICLE II

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 155, Article II of the Code of the Town of Franklin is amended by amending Article II as follows:

Article II: Snow and Ice, Leaves and Yard Waste, **Soil, Gravel, or Debris**, or Water Discharge in Public Way

~~Violations of any section or provision of this chapter shall be enforced by the Franklin Police Department or the Director of Public Works or his designee.~~

§ 155-21 Deposit of snow and ice.

No person shall plow, push, deposit, throw or pile snow or ice into or across any public street, sidewalk or property nor direct nor cause the same to be done unless in the employ of the Town.

§ 155-22 Deposit of leaves and yard waste.

No person shall rake, blow, deposit throw or pile leaves or yard waste into or across any public street, sidewalk or property nor cause the same to be done unless in the employ of the Town.

§155-23 Deposit of soil, gravel, or debris.

No person shall cause or permit any truck, or other vehicle or equipment to push, drop, track, or otherwise deposit any soil, gravel or other debris into any public roadway or onto any public roadway surface from a construction or other worksite, unless in the employ of the Town. If a prohibited deposit occurs, the person causing or otherwise responsible for it shall immediately report same to the Franklin Public Works Director and shall conduct a clean-up under the Director's supervision and to the Director's satisfaction, at no expense to the Town; if the person fails to do so, the Department of Public Works may do so and recover all costs from the person causing or otherwise responsible for the prohibited deposit. "Otherwise responsible" person shall include owner(s) and/or developer(s) of the property which the Town determines to be the source of the prohibited deposit of soil, gravel or debris.

§ 155-~~23~~24 Discharge of storm- or groundwater.

No person shall discharge or direct stormwater surface run-off or groundwater by means of a pipe, pump, trench, or other means into or across any public street, sidewalk or property nor cause the same to be done unless in the employ of the Town or prior written permission has been received from the Director of Public Works or his designee.

§ 155-~~24~~²⁵ **Violations and penalties.**

A violation of § 155-21, 155-22, ~~or 155-23~~ or 155-24 may be punished by a fine of up to \$300; ~~in the case of a violation of § 155-23, each day shall constitute a separate violation for purposes of noncriminal disposition, fines for violations shall be assessed as follows:~~

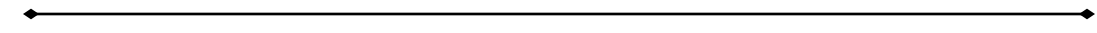
| | |
|---|--------------|
| <u>First Offense:</u> | <u>\$100</u> |
| <u>Second Offense:</u> | <u>\$200</u> |
| <u>Third and Subsequent Offense(s):</u> | <u>\$300</u> |

Each day that any prohibited deposit remains shall be considered a separate offense. In addition, if a prohibited deposit occurs, in violation of Section 155.23, failure to report and/or clean-up as provided shall each be considered an additional and separate offense from the prohibited deposit; Town may impose a fine or fines in addition to recovering its clean-up costs.

§ 155-~~25~~²⁶ **Enforcement.**

Violations of ~~this~~any section contained in this Article shall be enforced by the Franklin Police Department or the Director of Public Works or his designee.

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



DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk
Franklin Town Council

Memo

To: Town Council
From: Jeffrey Nutting
cc: DPW, Police
Date: January 18, 2018
Re: Bylaw Amendment 18-798

I am proposing to add language to the current bylaw to give the town enforcement language when folks leave large amounts of dirt and debris on the road. I went down Maple Street several times when they were cutting trees for the 10 lot subdivision and there was mud and dirt all over the road. This additional language would allow us to tell them to clean up their mess.

It is one of those laws that would be used rarely but needed when folks create problems on our public ways.

I am happy to answer any questions.