

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

March 3, 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:** March 3<sup>rd</sup>, 2021 Town Council Meeting Link [HERE](#) -- Then click “Open Zoom”
  - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/81691828592>
  - **Call-In Phone Number:** Call 1-929-205-6099 and enter Meeting ID # 816 9182 8592 --Then press #

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#### 1. ANNOUNCEMENTS FROM THE CHAIR

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

#### 2. CITIZEN COMMENTS

- a. *Citizens are welcome to express their views for up to five minutes on a matter that is not on the agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

#### 3. APPROVAL OF MINUTES

- a. February 17, 2021
- b. February 3, 2021

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

#### 5. APPOINTMENTS

- a. Conservation Commission - Andrew Mazzuchelli

#### 6. HEARINGS - 7:10pm - None Scheduled

**7. LICENSE TRANSACTIONS - None Scheduled**

**8. PRESENTATIONS/DISCUSSIONS**

- a. Senior Circuit Breaker Income Tax Credit - Erin Rogers, Senior Center Director
- b. Downtown Franklin MBTA Parking Lot

**9. SUBCOMMITTEE REPORTS**

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

**10. LEGISLATION FOR ACTION**

- a. Bylaw Amendment 21-869: Chapter 82, Municipal Service Fees Section 82-6 Schedule of Service Fees, Subsection F. Fire - Second Reading (**Motion to Adopt Bylaw Amendment 21-869 - Majority Roll Call Vote**)
- b. Resolution 21-12: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53 F3/4 (**Motion to Approve Resolution 21-12 - Majority Roll Call Vote**)

**11. TOWN ADMINISTRATOR'S REPORT**

- a. COVID-19 Updates

**12. FUTURE AGENDA ITEMS**

**13. COUNCIL COMMENTS**

**14. EXECUTIVE SESSION - None Scheduled**

**15. ADJOURN**

*Note:*

*Two-Thirds Vote: requires 6 votes*

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

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
February 3, 2021**

A meeting of the Town Council was held on Wednesday, February 3, 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. Councilors absent: Deborah Pellegri. 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. He called for a moment of silence and 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:** None.

**APPROVAL OF MINUTES:** *December 16, 2020 and January 6, 2021.* ► **MOTION** to Approve the December 16, 2020 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. ► **VOTE:** Yes-8, No-0, Absent-1.

► **MOTION** to Approve the January 6, 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. ► **VOTE:** Yes-8, No-0, Absent-1.

**PROCLAMATIONS/RECOGNITIONS:** ► *Bill Murphy.* ► Mr. Bissanti read aloud the proclamation to William Murphy for serving as troop leader for Boy Scout Troop 126 for over 35 years. ► Mr. Murphy thanked the Town of Franklin for all their help in supporting the youth of the community.

**APPOINTMENTS:** None.

**HEARINGS - 7:10 PM:** None.

**LICENSE TRANSACTIONS:** None.

**PRESENTATIONS/DISCUSSIONS:** ► *Finance Department: Borrowing & Debt Update.* ► Mr. Hellen noted this presentation was a request by a few Town Council members. He stated the presentation was not provided in the Town Council members' meeting packet, but can be found on the Town website. ► Finance Director Christopher Sandini and Treasurer-Collector Kerri Bertone narrated the Borrowing - Debt & Interest slideshow presentation. Ms. Bertone reviewed that the treasurer may borrow to meet current financial obligations. She discussed Massachusetts law for long-term borrowing, proceeds of the bond, and federal

regulations. She stated the Town is currently an AA+ bond rating. Competitive interest rates are critical to save taxpayers money; interest rates are at an all-time low. She reviewed the Town Council and the Finance Committee 2019 policy up to 3.5 percent target of “recurring general fund revenue” for non-exempt debt only. She reviewed types and status of municipal debt including non-excluded debt, excluded debt, Sewer & Water Enterprise Fund debt, Bond Anticipation Notes (BANS), and State Revolving Fund (SRF). She reviewed some current and future projects. She summarized that the Town’s operating budget debt has levelled off and will begin to see a decline in that budget line item. The Town should aim for 3 percent, at a minimum, for the next ten years. The Town’s Water & Sewer debt will climb in 2023 due to the Beaver Street Interceptor and water treatment plant. This project sets the Town up for stability after this project. The Town has some additional debt capacity for general fund throughout the next decade. ► Town Council members asked questions. ► Ms. Bertone, in response, agreed that a bond is comparative to a mortgage for a homeowner. It was confirmed that only AAA is a higher bond rating. ► Mr. Hellen stated that it is not about capping the number of projects; it is about dollars and cents. He reviewed the interest rate of 1.33 percent. He explained that the Police Station project would probably be \$25 million to \$30 million, and they will have to look at the fiscal impact of it. He discussed that when taking a bond, an obligation is made. Ultimately, the consequence of a bond is that if doomsday comes, there is still an obligation to pay it back; so, there would have to be a cut somewhere in the operating budget to pay it. ► Ms. Bertone confirmed the Town’s high bond rating plays into the Town’s 1.33 percent interest rate. ► Mr. Hellen explained the difference between excluded debt which is done by voter approval and non-excluded debt. ► Chair Mercer noted the good job the community and taxpayers have done; the Town is on the right path and doing the right things regarding the debt exclusions.

► **Department of Public Works: Stormwater.** ► Mr. Hellen stated this is a continuation of the last meeting’s discussion. There is much information about this on the website. It is an unfunded mandate by the federal government. He emphasized that this is a long and continuous conversation regarding how this will be paid for such as property taxes or utility fees. He noted the Town of Franklin for more than a decade has been known as the leader on stormwater. ► DPW Director Brutus Cantoreggi noted that the Town through the years already has a \$240 million infrastructure in the ground and has been maintaining that infrastructure. ► Town Council members asked questions. ► Mr. Cantoreggi, in response, stated that MassDEP is the overseer. ► Mr. Hellen reiterated this is an unfunded mandate from the EPA channeled through state governments to localities. ► Ms. Hamblen stated that the Town is paying for this already; \$1.2 million of the DPW budget goes into this to make sure the permit is met. That is why there is not enough money for roads, and they are always struggling with other parts of what the DPW does. All property owners pay into this. The properties that do not pay taxes do not pay into this; that is why the Town Council created the utility. With the utility, everyone can be charged by how much impervious material they have on their property. So, for example, churches and Dean College would also have to pay into this. She noted that with a utility fee, there can be exemptions and credits. ► Mr. Cantoreggi reviewed some of the proposed ways to apply for stormwater credits. He reviewed types of impervious surfaces. He discussed that the 50 percent proposed credit is what the majority of communities do across the country as fair and reasonable. He noted that the more credits and exemptions that are given, the more other people will have to pay for it. ► Mr. Hellen pointed out that this highlights the issue that this is customizable; this can be shaped by the Town Council. He stated that abatements and credits cannot be done if there is not a utility fee; if payment is out of the property taxes, these options are not possible. ► Mr. Cerel stated that charitable groups such as education and religious are exempt from real estate taxes because the state legislature made a policy decision to make them tax exempt. That applies to real estate taxes. It is an open question as to user fees. He confirmed it is possible that the state could make a decision to not have these groups pay a utility fee. ► Mr. Kelly discussed the proposed \$18.66 tax to be put on commercial and residential residents above and beyond other fees already put on the residents. ► Mr. Cantoreggi stated it is not a tax; it is a fee, a cost. The utility seems to be an equitable way. The money being raised by this cost is taking care of the Town’s infrastructure. He noted that old buildings can try to install some kind of system to help themselves. ► Mr. Kelly explained that he does not feel it is right to put this kind of tax/fee onto the residents; he is against this. ► Chair Mercer stated this is going to be an ongoing discussion. ► Mr. Cantoreggi explained the Town has to lower the phosphorus load going into the Charles River. ► Planning Board Chair Tony Padula stated he would be very disappointed if any Town Council member voted for this utility fee. He stated that he was disappointed that a member of the Planning Board was not even asked to be on the Stormwater Committee headed by Ms. Hamblen. He stated that



in 2003 the Planning Board was established as the authority for stormwater. To tax the taxpayers for water that is draining on their own property is not right. He explained that this tax is recommended by the EPA for the MS4 permit. He stated the DPW Director is trying to make taxpayers pay for rainwater that is falling on their property. They are already paying; this is just double dipping and taxing the people of the Town. He stated the Planning Board makes sure all stormwater bylaws are followed. He suggested the Town Council reconsider this utility fee. ► Mr. Cantoreggi stated it is not his fee. He is trying to establish how to pay for this. This is an option. ► Mr. Hellen stated they have been dealt with an unfunded mandate, and they are trying to look at all the options. He reviewed what would happen if they do not establish a utility fee; he asked how will it be funded. ► Mr. Bissanti stated that this Town Council has imposed on the citizenry many taxes/fees. He thinks this is a bad time to talk about another fee, and it is not a pertinent issue at this time. ► Chair Mercer stated there are costs associated with this. ► Mr. Richard Ciccone, 185 Chestnut Street, stated this issue started with big rivers in the middle of the country. He asked if the Town has paid this bill during the past few years from the DPW budget. ► Mr. Cantoreggi confirmed yes. ► Mr. Ciccone asked what has been drastically affected by paying the bill from the DPW budget. ► Chair Mercer stated the Town sued the EPA over this and the Town lost. The money that is currently being paid out of the DPW budget is going to increase. The money has to be taken from somewhere. This item will be put on a future agenda.

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated the EDC met tonight before the Town Council meeting. They discussed the craft brewery bylaw and food trucks.
- d. **Town Administrator Evaluation Ad Hoc Subcommittee Report.** ► Chair Mercer confirmed this item is being put off until the next Town Council meeting agenda.

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

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

- a. **Bylaw Amendment 21-869: Chapter 82, Municipal Service Fees Section 82-6 Schedule of Service Fees, Subsection F. Fire - First Reading (Motion to Move Bylaw Amendment 21-869 to a second reading - Majority Roll Call Vote).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 21-869: Chapter 82, Municipal Service Fees Section 82-6 Schedule of Service Fees, Subsection F. Fire to a second reading by Dellorco. SECOND by Kelly. Discussion:** ► Fire Chief James McLaughlin stated an adjustment to these fees was done last year. Currently, the Town is now slightly below the middle of the pack and approval of this bylaw will allow us to be back in the middle and maintain market standards. He requested consideration of the passage of a revised fee schedule for ALS/BLS & Mileage rates in the Town's fees bylaw. ► Mr. Hellen explained that they want to be at the 50 percent level of the area communities; this has been the goal. He noted that costs are going up in the department. ► Town Council members asked questions. ► Chief McLaughlin explained the provided billable transport activity reports. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**

**TOWN ADMINISTRATOR'S REPORT:** ► **COVID-19 Update.** ► Mr. Hellen stated that citizens can call the Board of Health or the Senior Center or view Town's vaccination information webpage for information. He stated the Town does not have any vaccine doses for the public at this time. The Town has second vaccine doses coming for the first responders. The Town is preparing to get 100 doses next week for citizens over 75 years of age. He noted there is a supply and demand issue from the federal and state governments. He stated the Town's team and high school gym are ready to go; however, the vaccine doses are not available at this time. He recommended citizens call the Town Administrator's office or the Senior Center if they have questions. He confirmed that for people who put their names on a list at the Senior Center, when the vaccine is available in Franklin, the citizens on the list would be taken from oldest to youngest. ► Chair Mercer discussed the number of vaccine doses received in Massachusetts and the number of vaccine doses that have been distributed. ► Mr. Hellen stated that the Town is doing everything within its power to get the vaccine in Franklin.

► **FY22 Budget Calendar.** ► Mr. Hellen stated that the governor's budget was released last week. So far, the analysis looks neutral for Franklin; not great, but it will not do any additional damage to the Town's local aid contribution for FY22. He stated that he has spent the last few weeks meeting with departments. He is looking to have a public update on the budget in March. He is still aiming to have the budget debate before Memorial Day. He sent best wishes to the Pellegri family.

**FUTURE AGENDA ITEMS:** ► Mr. Frongillo stated he would like to see a presentation on the state of the trails in Town. ► Mr. Hellen stated they were working on an open space and trails update. ► Mr. Bissanti noted the Tech Review meeting he attended today regarding the possible redevelopment of the former Acapulco's. ► Mr. Kelly stated that there is a stop light at Washington Street and King Street that needs repair. ► Mr. Hellen stated it has been requested. ► Mr. Kelly requested a meeting with the Planning Board on the density calculations for zoning. ► Ms. Hamblen stated she hoped everyone watched the roundtable on racism. It made her think about if any of the Town's bylaws had any racial inequalities or inequities in them; she would like to make sure a study is done on this. She would like to have a presentation to show people that we are looking at this.

**COUNCIL COMMENTS:** ► Mr. Frongillo stated the video on race in Franklin was impactful and he encouraged everyone to watch it on YouTube. He stated project Envoy is amazing; each day money from certain restaurants is going to the Food Pantry. He noted he received an email from someone pretending to be Chair Mercer, and he wanted to give everyone a heads up. ► Mr. Bissanti stated he fielded many calls about the snowstorm; the quality of the snow plowing was amateurish. He stated he watched the video and it was very good; discussion and conversation need to continue regarding racism and inequality. ► Mr. Kelly gave thoughts and prayers to the Pellegri family. ► Mr. Chandler gave prayers to the Pellegri's. He discussed the police officer killed at the insurrection. ► Mr. Jones stated he would watch the video. He discussed how he had been hacked and recently received a fraud alert. He stated he is a missionary to Haiti. He stated his good friend Pastor Scott Long recently passed away from the coronavirus; he did so much for so many people in this world. This is a tremendous loss; he will be missed. ► Ms. Hamblen gave condolences to Mr. Jones for his loss. She stated she was thinking about Ms. Pellegri and her family. She stated that if veterans were already getting care from a VA, they should call as they may be able to receive a vaccine. ► Mr. Dellorco gave condolences to Mr. Jones. He wished a speedy recovery to Ron Pellegri. He wished everyone to stay safe. ► Chair Mercer gave condolences to Mr. Jones. He wished a speedy recovery to Ron Pellegri.

**EXECUTIVE SESSION: None.**

**ADJOURN: ► MOTION to Adjourn 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. ► VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 9:44 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
February 17, 2021**

A meeting of the Town Council was held on Wednesday, February 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 Pellegri. 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. He called for a moment of silence and 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. Everett Smith, 57 Acorn Place, stated his first concern is that as taxes go up, has anyone given thought to if our children and grandchildren will be able to afford to live in the town that they grew up in. He stated his second concern is that we have moved so fast, we have not had respect for the people who made this Town, and they are being pushed out.

**APPROVAL OF MINUTES: January 20, 2021.** ► **MOTION to Approve** the January 20, 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; Pellegri-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

**PROCLAMATIONS/RECOGNITIONS: None.**

**HEARINGS: 7:10 PM**

- a. **MADD Deli, Inc. d/b/a Dacey's Market and Deli: As Provided in Chapter 382 of Legislative Acts of 2020, An Act Authorizing The City Known As The Town Of Franklin To Grant An Additional Wine And Malt Beverages Not To Be Drunk On The Premises Alcoholic Beverages License, located at 353 Lincoln Street, Franklin, MA 02038**

*Mr. Bissanti recused himself.*

► Chair Mercer opened the hearing for MADD Deli, Inc. d/b/a Dacey's Market and Deli. ► Mr. Hellen stated this was special legislation and a home rule petition that the Town Council approved, and it was sent to the legislature. This is designated in the Legislative Acts of 2020, Chapter 382; all departments have signed off on the application. He noted that this is a plus-one type of legislation for a specific site; it cannot be transferred to a different location in Town. ► Mr. Chandler noted that this is a good thing to help a business. ► **MOTION to Close** the public hearing by Jones. **SECOND** by Dellorco. **No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-8, No-0, Absent-0.**

**LICENSE TRANSACTIONS:** ► *MADD Deli, Inc. d/b/a Dacey's Market: New Wine and Malt Retail Package Store License, As Provided in Chapter 382 of Legislative Acts of 2020.* ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by MADD Deli, Inc. d/b/a Dacey's Market and Deli, for a new wine and malt retail package store license and approve the manager, Scott Corvi, as provided in Chapter 382 of the Legislative Acts of 2020, by **Jones. SECOND by Dellorco. No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-8, No-0, Absent-0.**

*Mr. Bissanti re-entered the meeting.*

**APPOINTMENTS:** ► *Community Preservation Committee (CPC) Nominee Ratification.* ► Mr. Hellen stated that as provided in the Town Council's meeting packet, a total of 30 applicants applied for the four at-large seats. Except for a few people who did not respond to interview appointments, all other applicants were interviewed by him and Ms. Whelton in 15 to 20-minute interviews; all interviewees were asked the same questions. He stated that about two-thirds of the applicants were younger folks looking to get involved in the community, and there were some life-long residents who applied. He thanked all the applicants. He selected four members of the at-large interviewee group who he thought would check off some basic boxes. He noted that every candidate had their area of interest. He stated that he wanted candidates to be as unbiased as possible and have an open mind regarding CPA money, candidates who have passion for open space, and candidates with a deep willingness to do what is best for the community. He thanked the five standing committees for all having public discussions at their committee levels to put forth their nominees for the CPC, which are provided in the meeting packet materials. He stated that the five standing committee nominees to be ratified this evening are Chris Feeley from Housing Authority, Joseph Halligan from Planning Board, Phyllis Malcolm from Historical Commission, Wayne Samarrian from Recreation Advisory Board, and Jeff Livingstone from Conservation Commission. He stated the four at-large nominees are Michael Giardino, Lisa Oxford, David McNeill, and Monique Doyle. He explained the staggered appointment process for the one- and two-year appointments as written in the bylaw. ► Town Council members asked questions. ► Mr. Chandler asked about the candidates' interests in worker housing. ► Mr. Bissanti asked why the candidates' names and resumes were just provided to the Town Council members last night. ► Mr. Hellen reviewed the process of getting the meeting packet ready and getting in touch with everyone to attend tonight's meeting. ► Town Council members thanked all the volunteers who applied and asked that Mr. Hellen reach out to the applicants who did not get selected to give them information about other open volunteer positions within the community. ► Mr. Jones read each appointment after which the following motions were made. ► **MOTION to Ratify** the appointment of Jeffrey Livingstone by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. 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.** ► **MOTION to Ratify** the appointment of Phyllis Malcom by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. 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.** ► **MOTION to Ratify** the appointment of Christopher Feeley by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. 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.** ► **MOTION to Ratify** the appointment of Joseph Halligan by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. 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.** ► **MOTION to Ratify** the appointment of Wayne Simarian by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. 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. ► MOTION to Ratify** the appointment of Michael Giardino by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. No discussion.** Mr. Hellen noted a correction and indicated the term for Mr. Giardino and the term for Ms. Oxford will expire on June 30, 2021. ► Mr. Jones re-read the motion as corrected. **SECOND by Dellorco. 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. ► MOTION to Ratify** the appointment of Lisa Oxford by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. 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. ► MOTION to Ratify** the appointment of David McNeill by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. 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. ► MOTION to Ratify** the appointment of Monique Doyle by the Town Administrator to serve as a member of the Community Preservation Committee with a term to expire on June 30, 2021, by **Jones. SECOND by Dellorco. 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. ► Chair Mercer thanked all those who volunteered and welcomed all those who were appointed.**

*Chair Mercer called a two-minute recess.*

**PRESENTATIONS/DISCUSSIONS: ► Complete Streets Program: Mike Maglio, Town Engineer. ► Mr.** Hellen stated the Town Council will hear a presentation by Town Engineer Mike Maglio regarding the state's Complete Streets program. A draft policy has been included in the meeting packet. This policy is not on the agenda for action this evening; rather, this will be a presentation and discussion with the Town Council and public on whether this is a program that should be taken advantage of. The Town staff is certain the Town is losing its 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. ► DPW Director Brutus Cantoreggi introduced Town Engineer Michael Maglio and new Assistant Town Engineer Brooke Cotta. He narrated his Complete Streets Program slideshow presentation. He stated a complete street is one that provides safe and accessible options for all travel modes including walking, biking, transit and vehicles for people of all ages and abilities. The program is run by MassDOT and provides up to \$400,000 per year. He explained the three tiers of the program. He stated some benefits of complete streets include promoting safer and more convenient access and travel for all users and people of all abilities, and providing better connectivity for travel between home, school, work, recreation, and retail destinations. He stated complete streets include both large- and small-scale improvements. The design of a complete street should incorporate improvements that fit with the need and within the character of the community. He reviewed challenges such as physical constraints, available right-of-way, and traffic volumes and speeds. He reviewed types of eligible projects and participating communities. He stated next steps include establishing a complete streets policy and developing a complete streets prioritization plan. ► Town Council members asked questions. ► Mr. Hellen, in response, confirmed this was in the 2013 Master Plan. ► Ms. Hamblen noted this would be helpful to the residents and is a positive item for the quality of life for the townspeople. She asked about funding to make a sidewalk on Beaver Street. ► Mr. Cantoreggi stated the sidewalk mentioned is already funded and going out to bid. ► Mr. Maglio stated that this is the type of project that would qualify for this type of funding. ► Mr. Kelly stated the Town is concerned with impervious coverage and has been taking away sidewalks in various neighborhoods; however, the Town is now adding impervious coverage in the form of sidewalks on Beaver Street. This will increase the stormwater fee/tax. ► Mr. Maglio stated the key is connectivity of sidewalks of key locations. ► Mr. Cantoreggi stated the prioritization plan is put together by public works, outside consult, and DOT. He stated that he has not heard of the state forcing any Town to put in bike lanes. ► Mr. Hellen stated the next step in this is the adoption of a policy. ► Mr. Cantoreggi stated he could not think of any reason to be against this. ► Chair Mercer stated that

he sees that Town Council members all have a thumbs up; so, let's begin to move forward. ► Mr. Hellen confirmed the Town Council will need to adopt this policy.

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► None.
- d. **Town Administrator Evaluation Ad Hoc Subcommittee.** ► Mr. Jones, on behalf of the Town Administrator Evaluation Ad Hoc Subcommittee, read aloud their report on the annual review of the performance of the Town Administrator. He noted the subcommittee met three times. He stated that they voted unanimously to move the evaluation report to the full Town Council. He stated the Town Administrator performed his duties effectively and provided examples of his work. He stated the subcommittee suggested putting together clearer information regarding the evaluation process. ► Chair Mercer stated the Town Council will meet again with Mr. Hellen regarding goals; this would be the time to discuss what gets added to the evaluation process. He stated tonight he would look for the Town Council to accept the presented report; there can be discussion on that report. ► Mr. Bissanti stated that civic engagement is listed under the goals. It has come to his attention from more than one reputable and honest person that some of the older Town residents have come to Mr. Hellen, and he has rebuffed them and told them to look out the window and that it is not their town anymore, this is not the 1980s or 1990s, and he does not want to hear about it. Mr. Bissanti stated that is not right. He does not want that to happen again. ► Mr. Chandler stated that he appreciates the additional emails the Town Council members are receiving from the Town Administrator. ► Mr. Kelly stated they can only evaluate the Town Administrator on the goals that were set forth. ► Town Council members commented on the good job done by Mr. Hellen. ► Chair Mercer stated that no one has worked closer with Mr. Hellen than he has. He assured everyone that Mr. Hellen answers all calls, is right there with the answers to questions, and provides constant updates. He stated Mr. Hellen's administrative team works very hard. ► Mr. Hellen stated the evaluation is really about the team. There is no way to get all this done without everyone on his staff; he has an incredible team. He thanked the Town Council and the Ad Hoc Subcommittee for the evaluation. He thanked everyone for their support. Regarding Mr. Bissanti's concern, he stated that he never said those words to anyone. However, he has told people no at times. He stated that if there was someone who had a bad customer service experience with his office, they should reach out to him and he would be happy to meet with them; he does not want people to feel pushed away. ► **MOTION to Accept** the performance review written formative summary of the Town of Franklin Town Administrator by Jones. **SECOND** by Dellorco. **No discussion.** ► **ROLL CALL VOTE: Bissanti-NO; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-8, No-1, Absent-0.**

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

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

- a. **Resolution 21-10: Gift Acceptance, Franklin Public Library - \$4,000 (Motion to Approve Resolution 21-10 - Majority Roll Call Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 21-10: Gift Acceptance, Franklin Public Library - \$4,000 by Dellorco. **SECOND** by Kelly. **Discussion:** ► Mr. Hellen thanked the Friends of the Franklin Library for their continued generosity. ► **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.**
- b. **Resolution 21-11: Appropriating Funds by Borrowing and Transfer to Pay Costs of Purchasing Fire Apparatus (Motion to Approve Resolution 21-11 - Majority Roll Call Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 21-11: Appropriating Funds by Borrowing and Transfer to Pay Costs of Purchasing Fire Apparatus by Dellorco. **SECOND** by Kelly. **Discussion:** As provided in the Town Council members' meeting packet, Fire Chief James McLaughlin reviewed his letter to Town Administrator Hellen, dated February 11, 2021, regarding an opportunity to purchase two new fire pumpers. He discussed the opportunity, need, costs, and impacts for purchasing these fire apparatuses. ► Mr. Hellen

reiterated that this proposal will use \$300,00 from free cash. He stated this deal provides great savings rather than paying for the proposed maintenance on the vehicles. ► Town Council members stated agreement that this is a great deal and noted that this would be more reliable and safer. ► Fire Chief McLaughlin stated these are stock trucks with the basics, and the equipment will come from the trucks that will be decommissioned. He stated that unlike purchasing or leasing a vehicle, fire trucks are not a one size fits all. There are a lot of considerations for a fire truck including size of the truck, pumps, tank storage, and capacity. The current trucks lasted well; this is the right decision based on their age. ► Mr. Hellen reviewed the disposition of surplus property and assets; it is a mandated state process. Any money will go into the general fund. ► Chair Mercer thanked Fire Chief McLaughlin and his staff for bringing this deal forward. ► **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.**

- c. *Bylaw Amendment 21-870: Chapter 170, Vehicles and Traffic, Section 170-22, Subsection A, Location of Stop Signs - First Reading (Motion to Move Bylaw Amendment 21-870 to a second reading - Majority Roll Call Vote).* ► Mr. Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 21-870: Chapter 170, Vehicles and Traffic, Section 170-22, Subsection A, Location of Stop Signs to a Second Reading by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated this would amend the Town bylaw to accept a series of stop signs that have been installed, mostly as part of proper mitigation from projects that go before the Planning Board. He stated a redlined version of the bylaw with specific changes is included in the meeting packet. He stated that signs are being added to the following streets: Berkshire Drive, Clearview Drive, Dean Avenue, Brothers Way, Nina Lane, and Tobacco Road. ► Mr. Kelly advocated for a three-way stop, rather than a one-way stop, at the Vallee's Jewelers intersection. ► Police Chief Thomas Lynch reviewed the staff who work on signage. They will do whatever is necessary to keep people safe. ► Mr. Cantoreggi stated he gets numerous requests from the public for signs. He stated that he sends the requests to the Police Department to begin the review process. It then goes to Mr. Maglio for further review regarding MassDOT and other regulations. Besides signs, there are other options that may work at an intersection such as tree pruning. ► **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.**

- d. *Bylaw Amendment 21-865: Chapter 153, Stormwater Management Article I, General Provisions – Second Reading (Motion to Adopt Bylaw Amendment 21-865 - Majority Roll Call Vote).* ► Mr. Jones read the bylaw amendment. ► **MOTION to Adopt Bylaw Amendment 21-865: Chapter 153, Stormwater Management Article I, General Provisions by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated that the next three bylaw amendments are the second reading of some technical clean ups that were approved unanimously by the Town Council a few weeks ago. He read from his memo to the Town Council dated February 12, 2021, and stated that the second reading of the three stormwater bylaws that are technical cleanups before you tonight appeared on the January 20, 2021 Town Council meeting. The stormwater bylaw amendments are non-financial, do not set a utility fee, and have nothing to do with the finances of stormwater. All three of these bylaws passed unanimously at the previous Town Council meeting. They are second readings of bylaws where technical changes are required due to the permit. The legislation for action this evening on a series of non-financial changes to the Town's Stormwater Bylaw that are now required under the permit. ► Town Council members asked questions. ► Mr. Kelly asked why the Planning Board has not been brought in on this. ► Mr. Hellen stated that one of the stormwater regulations involving zoning did go to the Planning Board. ► Mr. Cerel stated this is a general stormwater bylaw. It applies to any development or redevelopment when two acres or more are disturbed. The latest MS4 permit required the Town to tighten its criteria pre, during, and post-development. ► Mr. Kelly stated that regarding Bylaw Amendment 21-867, only 110 words in the entire bylaw were being saved; therefore, is it a second reading or a new bylaw. ► Mr. Maglio discussed why the wording was changed. ► Mr. Cerel stated the changes were done at the first reading. ► Mr. Bissanti asked where is the part that says residents will be paying for rain rolling off their roofs and impervious structures on their property. ► Mr. Hellen stated they are updating the Town bylaws to reflect what is already in the MS4 permit. He stated the changes are mostly about debris; they do not have any financial impacts to residents of Franklin. That is why he calls them technical

clean ups. ►Chair Mercer confirmed the proposed stormwater utility will be discussed at a future meeting; it is not in tonight's discussion. ►Mr. Bissanti stated he was told this is a Planning Board issue. ►Mr. Cerel stated that the federal and state government requires a local comprehensive bylaw that applies across the municipality's jurisdiction. ►Mr. Chandler stated the Town established a utility already without a fee on the sewer/trash bills. ►Chair Mercer stated the Town Council previously voted to put a utility in place so it would be there if the Town Council decides to use it. He confirmed a vote on these three bylaws does not enact the utility fee. ►Mr. Hellen stated that putting the stormwater utility fee on the bill with a zero brings it to the attention of the residents and starts to educate them about how to fund stormwater. ►Mr. Bissanti stated the public's perception is that the Town voted on the utility fee already. ►Planning Board Chair Anthony Padula stated the EPA is a separate organization from Mass DEP. He stated that in 2020, Governor Baker recommended small urban towns follow Mass DEP, not EPA. He discussed a study done in 2016 as to what the Town should be doing to conform to EPA standards. He stated that in 2020, the Town had the study done again as to who would handle the stormwater control. He stated that Franklin barely qualified for MS4 as the Town does not treat stormwater or sewer because we are not dumping pollutants into the fresh waterways. He stated that he did the first GIS maps of the Town and went to stormwater management school. He stated the MS4 does not require that the towns pass a utility tax to tax people for their stormwater. ►Chair Mercer stated that the motion on the floor is not about the utility tax. ►Mr. Padula stated he believed the Town did not fall under MS4. ►Mr. Cerel stated Franklin is part of the Charles River Watershed and its tributaries are in Franklin; therefore, we must comply. ►Mr. Padula stated it seems like we are trying to satisfy both MassDEP and EPA. ►Mr. Cerel stated it is all the same regulatory team. ►Mr. Cantoreggi stated it is also based on population. He stated Mr. Padula is correct. There is nothing in the permit that says the Town must have a utility tax; it is only a suggestion. ►Mr. Hellen stated the stormwater work still needs to be paid for. ►Chair Mercer stated the bill must be paid; the utility is an option to pay for it. ►**ROLL CALL VOTE: Bissanti-NO; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES. ►VOTE: Yes-8, No-1, Absent-0.**

- e. *Bylaw Amendment 21-866: Chapter 153, Stormwater Management Article II, Soil Erosion and Sediment Control - Second Reading (Motion to Adopt Bylaw Amendment 21-866 - Majority Roll Call Vote).* ►Mr. Jones read the bylaw amendment. ►**MOTION to Adopt Bylaw Amendment 21-866: Chapter 153, Stormwater Management Article II, Soil Erosion and Sediment Control by Dellorco. SECOND by Kelly. Discussion:** ►Mr. Bissanti stated that he did not want to be a part of anything that could lead to another tax or fee in this Town at this time. He stated he was misinterpreted the last time when he voted in the affirmative for the framework. ►**ROLL CALL VOTE: Bissanti-NO; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES. ►VOTE: Yes-8, No-1, Absent-0.**

- f. *Bylaw Amendment 21-867: Chapter 153, Stormwater Management Article III, Post Construction Stormwater Management - Second Reading (Motion to Adopt Bylaw Amendment 21-867 - Majority Roll Call Vote).* ►Mr. Jones read the bylaw amendment. ►**MOTION to Adopt Bylaw Amendment 21-867: Chapter 153, Stormwater Management Article III, Post Construction Stormwater Management by Dellorco. SECOND by Kelly. No discussion.** ►**ROLL CALL VOTE: Bissanti-NO; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES. ►VOTE: Yes-8, No-1, Absent-0.**

**TOWN ADMINISTRATOR'S REPORT:** ►*COVID-19 Update.* ►Mr. Hellen congratulated Archivist Ms. Rebecca Finnigan for getting a \$1,000 grant for historical photo restoration at the Historical Museum. He stated that COVID-19 cases are down in Franklin, and the Town is in the yellow for the second consecutive week. He stated that as of Feb. 1<sup>st</sup>, 38 people have passed away in Franklin due to COVID. He stated that one-quarter were over 90 years old; 85 percent were over the age of 75. He encouraged citizens over 75 years of age to get the vaccine. He noted that starting tomorrow, people 65 and older or those having two or more comorbidities can register to get the vaccine. He noted that the next people in the phased rollout includes teachers. He explained that towns in close proximity to Gillette Stadium will not be receiving vaccine doses as the vaccination clinic is so close.



**FUTURE AGENDA ITEMS:** ► Ms. Pellegri stated that she would like the Senior Circuit Breaker on an agenda. ► Mr. Frongillo requested to revisit parking mandates, and he would like to discuss at the next meeting if Franklin would join surrounding towns who have put together a list of comments regarding the lack of funding to follow through with climate initiatives. ► Mr. Kelly stated he would like to see on an agenda the raises given to staff and administration for schools and Town.

**COUNCIL COMMENTS:** ► Mr. Frongillo stated the gymnastics team is doing great. He stated the Senior Coffee hours are tomorrow morning at 8:30 AM via Microsoft Teams. ► Mr. Bissanti stated that the Town Council is here for the residents of Franklin. He stated that if the utility fee becomes a tax, it will last forever. ► Mr. Kelly stated that he agreed with Mr. Smith who spoke during Citizen Comments; we are feeling and taxing our children out of this town. He thanked David Rubinstein who watched the meeting tonight to earn a merit badge. ► Mr. Chandler asked how the snow budget was doing. ► Mr. Cantoreggi stated we are at about \$980,000 of \$1.1 million snow and ice budget. He stated it costs about \$200,000 every time the contractors come out to plow. ► Ms. Pellegri stated that her family had a need for an ambulance last week, and they came right away. She stated that time is of the essence when someone is having a stroke. She stated that the Gillette Stadium vaccination clinic is very organized. She stated that they are still taking nurses at Gillette. ► Mr. Jones thanked the fire department for getting to Ms. Pellegri's house so quickly. He suggested that citizens with portable generators start them up and try them before the next storm event. ► Mr. Dellorco encouraged everyone who qualified to get vaccinated.

**EXECUTIVE SESSION: None.**

**ADJOURN:** ► **MOTION to Adjourn 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. Meeting adjourned at 10:50 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary

# APPOINTMENTS



## Conservation Commission

**Andrew Mazzuchelli**  
893 Upper Union Street  
Franklin, MA 02038

The Franklin Conservation Commission has recommended the appointment of Andrew Mazzuchelli to serve as a member of the Franklin Conservation Commission with a term to expire on June 30, 2022.

**MOTION** to ratify the appointment by the Town Administrator of Andrew Mazzuchelli to serve as a member of the Franklin Conservation Commission.

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

**VOTED:**

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

**A True Record Attest:**

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

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

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

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

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

# ANDREW PAUL MAZZUCHELLI

893 Upper Union Street ♦ Franklin, MA ♦ 02038 ♦

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## **BAR ADMISSIONS**

Massachusetts

United States District Court – District of Massachusetts

Washington, D.C.

United States Court of Appeals for the Armed Forces

## **PROFESSIONAL LICENSES & CERTIFICATIONS**

Real Estate Broker

Notary Public

## **EDUCATION**

**Suffolk University Law School**, Boston, MA

Juris Doctor

**The Citadel – The Military College of South Carolina**, Charleston, SC

Bachelor of Arts, *Cum Laude*, Political Science, Concentration: International Politics and Military Affairs

## **PROFESSIONAL EXPERIENCE**

**Worcester County District Attorney's Office**, Worcester, MA

June 2018-Present

*Assistant District Attorney – Central District Court*

- Litigate all aspects of criminal cases in primary and jury sessions of the District Court.
- Review police reports and charging decisions made by police agencies and make appropriate recommendations and changes as needed.
- Handle arraignments in court, make bail requests, motions for conditions of release, motions for detention such as dangerousness hearings and bail revocation hearings.
- Handle all pretrial motions filed by defense counsel including requests for further discovery, evidentiary and non-evidentiary motions to suppress and dismiss, and prepare written memoranda and briefs.
- Research applicable statutes and case law, review case files as well as victim information and input, and determine appropriate recommendations for case resolution.

**MassHire Career Services**, Greater Boston Area

July 2017-June 2018

*Regional Compliance Manager*

- Recommended risk management and corrective action strategies, as well as quality control training programs to senior management.
- Reviewed contract terms as well as the terms of grant proposals to ensure alignment and compliance with Federal and State law.
- Remained knowledgeable and up-to-date on legislative changes that impacted programmatic compliance.
- Drafted procedures to meet goals and objectives set by senior management.

## **LAW SCHOOL CLERKSHIPS**

**Rudolph Friedmann, LLP**, Boston, MA

October 2016-July 2017

*Law Clerk*

- Drafted sections of complex contracts, including confidential disclosure agreements, consulting and services agreements, and settlement demand letters.

**Jason Stone Injury Lawyers, P.C.**, Boston, MA

May 2016-October 2016

*Law Clerk*

- Researched and drafted memoranda on a variety of issues, including state slip and fall statutes, casualty and no-fault insurance coverage, and failure to provide adequate security.

**U.S. Department of Homeland Security – Immigration & Customs Enforcement (ICE)**, Boston, MA

May 2016-August 2016

*Office of the Principal Legal Advisor (OPLA) – Law Clerk*

- Provided legal support to attorneys by drafting motions and memoranda pertaining to administrative law issues as well as potential threats to national security.

**Massachusetts State Legislature – Joint Committee on the Judiciary**, Boston, MA

May 2015-August 2015

*Law Clerk*

- Analyzed proposed legislation and drafted bill summaries for legislative hearings on a variety of issues ranging from mandatory minimum sentencing to marijuana legalization.



Department of Revenue  
Commonwealth of Massachusetts

# Senior "Circuit Breaker" Tax Credit

## What is it?

Senior citizens in Massachusetts may be eligible to claim a refundable credit on their state income taxes for the real estate taxes paid on the Massachusetts residential property they own or rent and which they occupy as their principal residence. The maximum credit allowed is \$1,150 for the tax year beginning January 1, 2020. If the credit due the taxpayer exceeds the amount of the total income tax payable for the year, the excess amount of the credit will be refunded to the taxpayer without interest.

Eligible taxpayers who own their property may claim a credit equal to the amount by which their property tax payments in the current tax year (excluding any exemptions and/or abatements), including water and sewer debt charges, exceed 10% of their "total income" for the same current tax year. Taxpayers residing in communities that do not include water and sewer debt service in their property tax assessments may claim, in addition to their property tax payments, 50% of the water and sewer charges actually paid during the tax year when figuring their credit.

For renters, the law assumes that 25% of their rent goes toward property tax. Accordingly, renters may claim a credit in the amount by which 25% of their annual rental payment is more than 10% of their total income.

For purposes of the tax credit, a taxpayer's "total income" includes taxable income as well as exempt income such as social security, treasury bills and public pensions.

## Who is eligible for the credit?

To be eligible for the credit for the 2020 tax year, a taxpayer must be 65 years of age or older before January 1, 2021 (for joint filers, it is sufficient if one taxpayer is 65 years of age or older), must own or rent residential property in Massachusetts and occupy the property as his or her principal residence. The taxpayer's total income cannot exceed \$61,000 for a single filer who is not the head of a household, \$76,000 for a head of household, or \$92,000 for taxpayers filing jointly. No credit is allowed for a married taxpayer unless a joint return is filed. Moreover, the assessed valuation of the real estate cannot exceed \$848,000.

No credit is allowed if the taxpayer claims the "married filing separate" status, receives a federal or state rent subsidy, rents from a tax-exempt entity, or is the dependent of another taxpayer.

## Is the tax credit considered income?

Tax credits received by eligible taxpayers are not considered income for the purpose of obtaining eligibility or benefits under other means-tested assistance programs including food, medical, housing, energy and educational assistance programs.

## How does a taxpayer claim the credit?

Taxpayers who are eligible for the tax credit in the 2020 tax year can claim the credit by submitting a completed Schedule CB, Circuit Breaker Credit, with their 2020 state income tax return.

**Note:** Taxpayers who qualified for the tax credit in a prior year but did not file Schedule CB online with their original state income tax return should file an amended return by filling in the "Amended return" oval on their state income tax return. Also, taxpayers who qualified for the tax credit in a prior year and did not file a tax return should file a state income tax return with Schedule CB.

## What if the taxpayer is not required to file a state income tax return?

An eligible taxpayer who does not normally file a state income tax return may obtain a refund by filing a return with Schedule CB, Circuit Breaker Credit.

## What documentation must the taxpayer keep?

As with all claimed tax credits and deductions, the taxpayer must keep all pertinent records, receipts and other documentation supporting his or her claim for the credit.

**Schedule CB and further information is available at [www.mass.gov/dor](http://www.mass.gov/dor) or by contacting the Massachusetts Department of Revenue's Customer Service Bureau at (617) 887-6367 or toll-free in Massachusetts at 800-392-6089.**

# 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

February 26, 2021

To: Town Council

From: Jamie Hellen, Town Administrator

### Re: Downtown Franklin MBTA Parking Lot Discussion

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As part of the goals for the Town Council and Town Administrator for this session, a discussion on the MBTA parking lot is on that list. There is no legislation for action this evening, but rather a discussion on the myriad of issues at the station.

I have included in the packet a letter I sent to the state and MBTA in the Fall of 2019 re: the horrific infrastructure at the station, including the rotting staircase, unsafe platform, lack of ADA accessibility and other problems with the property. Dr. Rooney and Representative Roy and our State Senate delegation also sent letters and have advocated on our behalf multiple times in recent years.

During the summer of 2018, our legislative delegation also had a series of two site visits with the MBTA and the state Economic Affairs office both at the parking lot, but also at the area near Cottage St and Union St to discuss the vision of the SNETT trail extending to Union Street from Grove Street. The visit also discussed the issues in the attached letters re: the parking lot.

I should also mention in the recent economic development legislation, Chapter 358 of the Acts of 2020, the state will be issuing guidance in the near future regarding new zoning required within a half mile of all commuter rails stations. I have attached the preliminary guidance from the state, but the Town will need to wait in order to proceed.

Again there is no legislation for action tonight, but rather a discussion to stay on top of these issues and make recommendations as the Council sees fit.



# 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

September 24, 2019

Secretary Stephanie Pollak  
Massachusetts Department of Transportation  
10 Park Plaza, Room 3170  
Boston, Massachusetts 02116

General Manager Steve Poftak  
Massachusetts Department of Transportation  
10 Park Plaza  
Boston, Massachusetts 02116

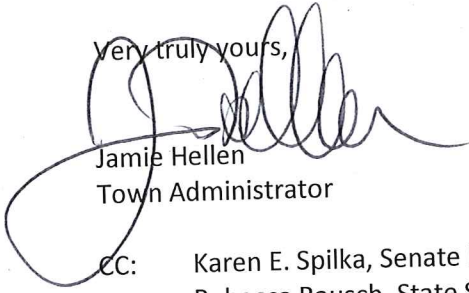
Dear Secretary Pollack & General Manager Poftak:

I am writing in regards to the Dean College/Downtown Franklin Commuter Rail Train Station here in Franklin. I hope you both will take these comments seriously and begin to work with the Town on how to address the crumbling infrastructure and lack of ADA access at the station.

Over many years now, this station has been slowly deteriorating and is now causing some serious safety concerns. The stairs from Main Street to the station are crumbling; the parking lot, sidewalks and platforms are full of potholes; and, the curbing is uneven and falling apart (see images enclosed). There is also an underutilized structure on the property. On top of the deterioration there is no ADA accessibility for those who need it. We respect the fact it will take significant resources to repair the station, but also believe a conversation needs to begin on what needs to happen in order to get the state to make improvements to the station.

Town officials have had many conversations and visits from state officials and the T in the past, but little follow up occurs and no action is taken. We are hoping this letter serves as a springboard to further discussions on how to improve the station. Your assistance in beginning a conversation on how to remedy this matter would be greatly appreciated.

Very truly yours,

  
Jamie Hellen  
Town Administrator

CC: Karen E. Spilka, Senate President, 2nd District Middlesex and Norfolk  
Rebecca Rausch, State Senator, Norfolk, Bristol, and Middlesex District  
Jeffrey N. Roy, State Representative, 10th District Norfolk  
Llyod "Gus" Brown, Building Commissioner, ADA Coordinator  
Frank Falvey

8/29/2019





8/29/2019

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8/29/2019





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8/29/2019





8/29/2019

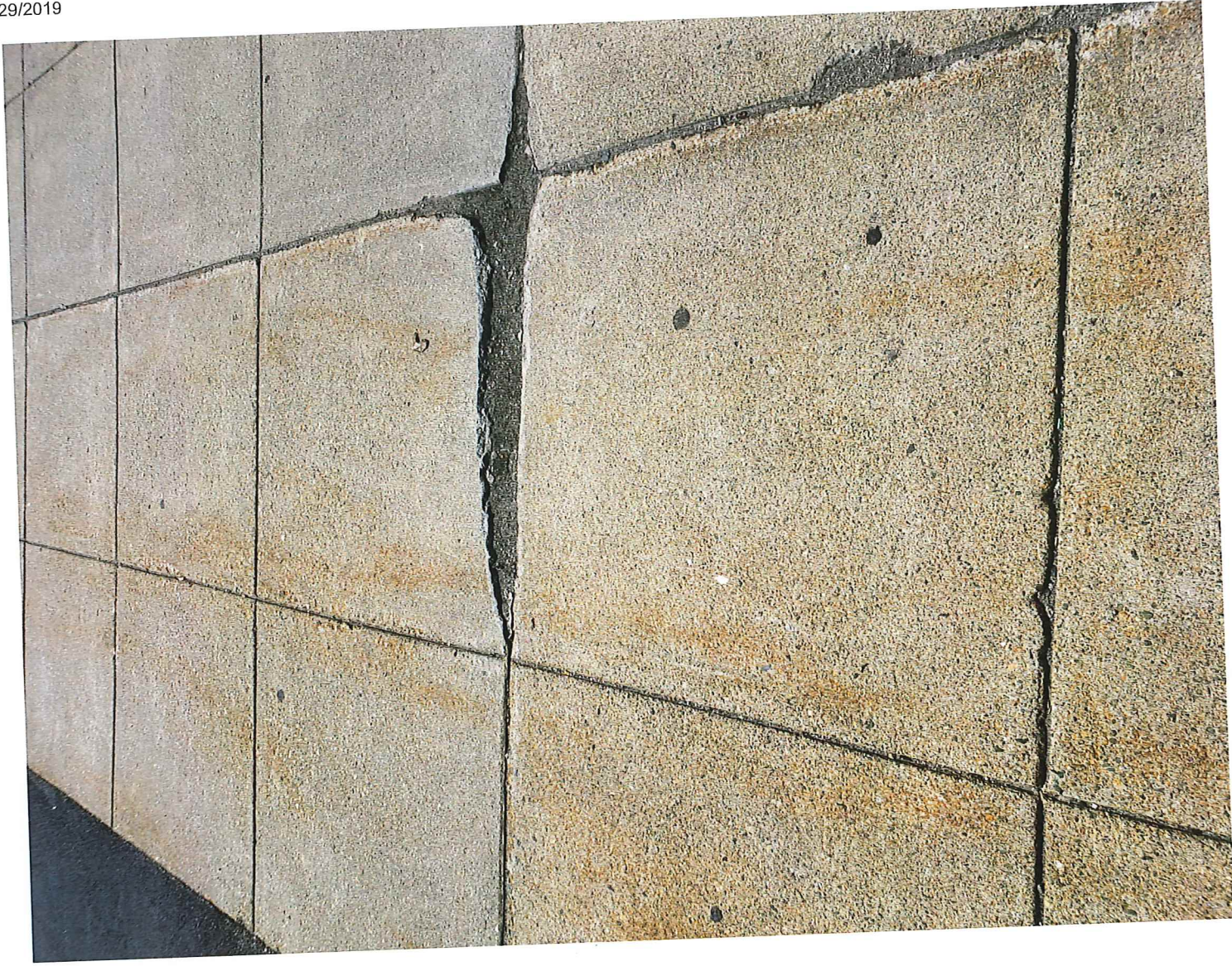
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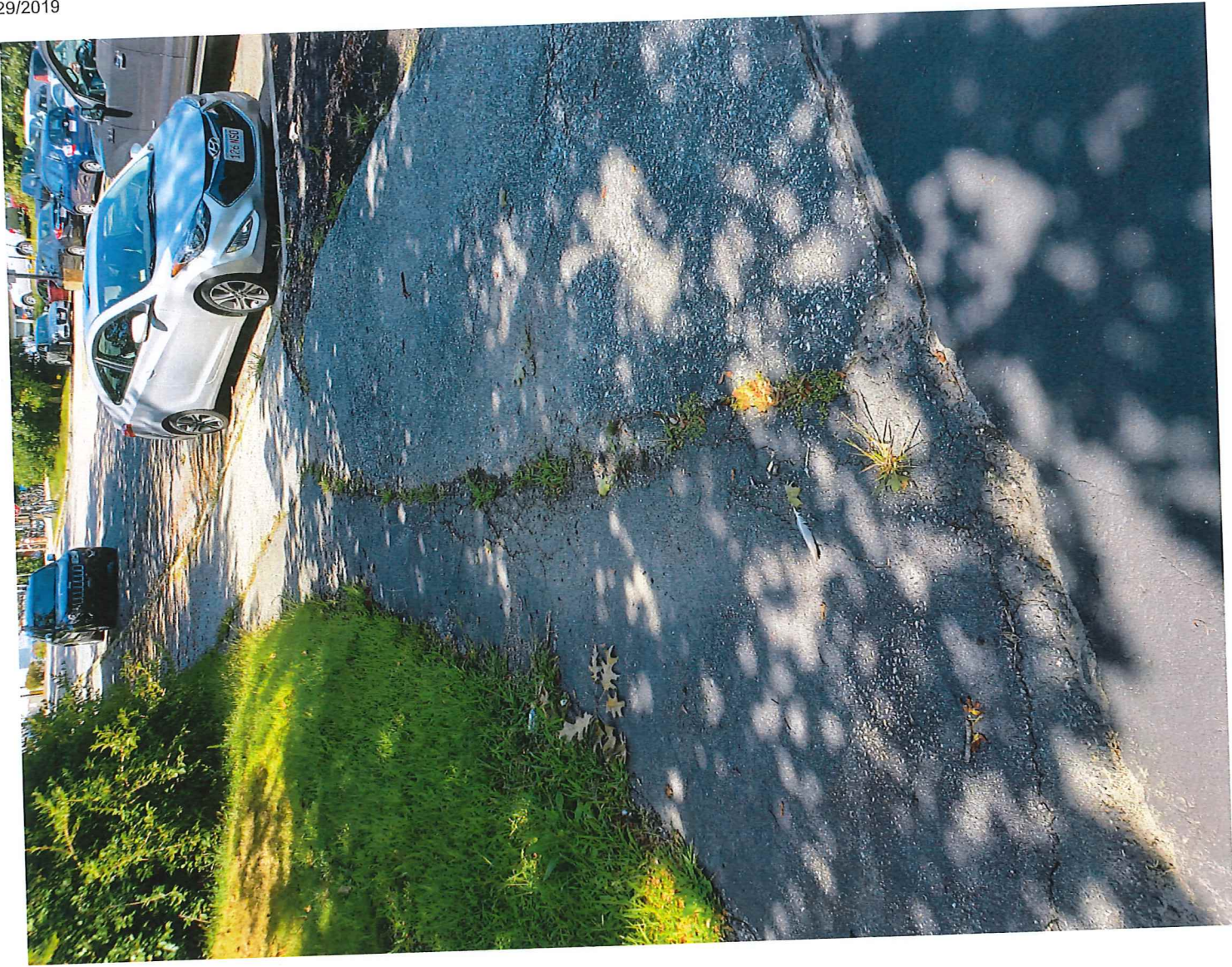
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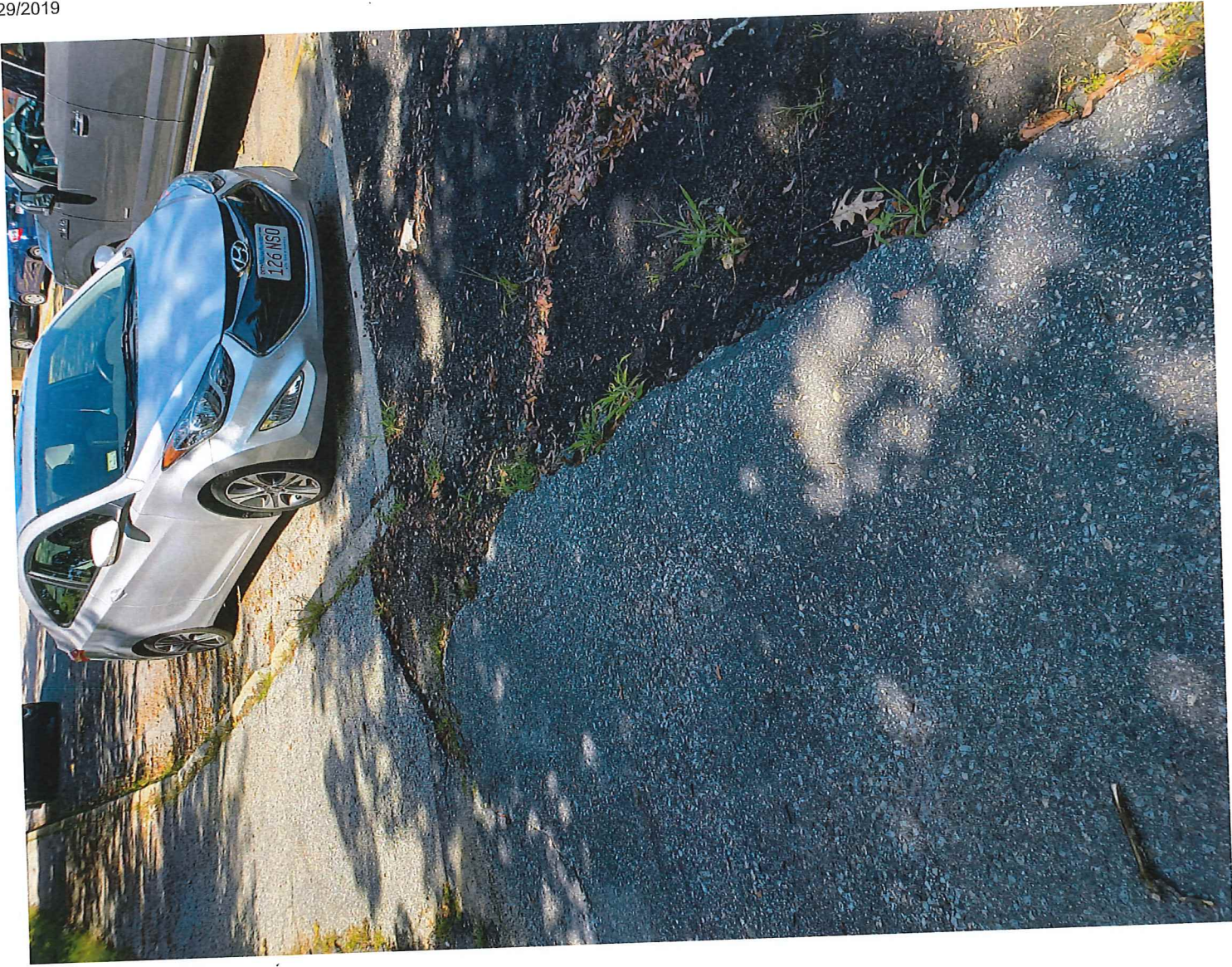
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DEAN COLLEGE

OFFICE OF THE PRESIDENT

October 3, 2019

Secretary Stephanie Pollak  
Massachusetts Department of Transportation  
10 Park Plaza, Room 3170  
Boston, Massachusetts 02119

General Manager Steve Poftak  
Massachusetts Department of Transportation  
10 Park Plaza  
Boston, Massachusetts 02119

Dear Secretary Pollack and General Manager Poftak:

I am writing in support of previous correspondence from Franklin Town Administrator Jamie Hellen, regarding the Dean College/Downtown Franklin Commuter Rail Station.

This location is within very close proximity of the Dean College campus and serves as a vital source of transportation for a number of students, staff and faculty. It further serves as a recruiting instrument for prospective students looking for a rural environment but with ability to reach Boston via public transportation.

For the past several years, I have become concerned with the status of this station. I fully concur with the assessment provided to you by Mr. Hellen and find the station lacking in many crucial areas.

As a college, Dean continually works with students and family members possessing physical disabilities. These individuals are clearly not able to use this public service in the station's present condition, putting additional and unneeded stress upon them during an already stressful time in their lives.

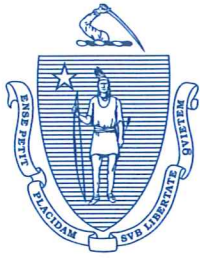
I have been at Dean College and living in Franklin for 25 years now and have such fondness for our town and Dean's role as a part of it. It is a role that we embrace and try to do all we can to support the community. Please let this letter serve as an additional springboard to help remedy this matter and aid Dean College, the Town of Franklin, and the countless people impacted by this issue.

Thank you for your consideration.

Cordially,

Paula M. Rooney, Ed.D.  
President

CC: Karen E. Spilka, Senate President, 2<sup>nd</sup> District Middlesex and Norfolk  
Rebecca Rausch, State Senator, Norfolk, Bristol and Middlesex District  
Jeffrey N. Roy, State Representative, 10<sup>th</sup> District Norfolk  
✓ Jamie Hellen, Franklin Town Administrator  
Llyod "Gus" Brown, Franklin Building Commissioner, ADA Coordinator  
Frank Falvey



*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133-1054

**JEFFREY N. ROY**  
STATE REPRESENTATIVE

10th NORFOLK DISTRICT  
FRANKLIN AND MEDWAY

Chairman  
Joint Committee on Higher Education

Committees:  
Personnel and Administration

STATE HOUSE, ROOM 43  
TEL. (617) 722-2030  
Jeffrey.Roy@MAhouse.gov

October 10, 2019

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

RE: Dean College/ Downtown Franklin Commuter Rail Station

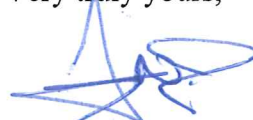
Dear Jamie:

Thank you for your recent letter on the commuter rail station. Recently, I chaired the first meeting of the Franklin Line Working Group and was joined by my colleagues in the House and Senate whose communities touch the Franklin Line. Also at the meeting were the General Manager and CEO of Keolis, David Scorey; the Route Manager for the Franklin Line, Elizabeth Huggan; Keolis Public Relations Manager, Justin Thompson; and the Executive Director for Commuter Rail at the MBTA, Robert DiAdamo. It was a productive meeting and we talked about many issues related to service and facilities.

I brought to the crumbling stairs, potholes in the parking lot/ sidewalks, and the overall deteriorating infrastructure at the Franklin Station to their attention. In addition, I highlighted the lack of ADA accessibility for those who are physically disabled. I trust that this conversation will spur Keolis/ MBTA into action to remedy our concerns. Our office will closely monitor steps taken to rectify the situation.

If I can be of any further assistance to you, please do not hesitate to contact me. I can be reached during the daytime at 617-722-2030.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'Jeffrey N. Roy', with a stylized, looping flourish at the end.

Jeffrey N. Roy

CC: Senate President Karen Spilka  
Senator Becca Rausch

---



# Commonwealth of Massachusetts

## DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

January 29, 2021

### **PRELIMINARY GUIDANCE FOR MBTA COMMUNITIES REGARDING COMPLIANCE WITH SECTION 3A OF CHAPTER 40A (BY RIGHT MULTIFAMILY ZONING)**

---

Section 18 of chapter 358 of the Acts of 2020 adds a new section 3A to the Zoning Act (Chapter 40A of the General Laws) applicable to MBTA communities. The purpose of section 3A is to encourage MBTA communities to adopt zoning districts where multifamily zoning is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development (the “Department”), in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with section 3A. This preliminary guidance is to (1) inform MBTA communities about the process the Department will undertake to establish compliance criteria for section 3A, and (2) notify MBTA communities that they will remain eligible for grant programs administered by the Executive Office of Housing and Economic Development or its agencies until more detailed compliance criteria and guidelines have been issued.

#### **What is an MBTA community?**

The Zoning Act was amended to add the following definition of “MBTA Community”: a city or town that is: (i) one of the 51 cities and towns as defined in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter 161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation Authority under section 6 of chapter 161A or in accordance with any special law relative to the area constituting the authority.

#### **What does the new section 3A of Chapter 40A require of MBTA communities?**

New section 3A of the Zoning Act provides that each MBTA community “shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right.” The statute further provides “that such multi-family housing shall be without age restrictions and shall be suitable for families with children,” and that each such district “shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.”

### **What happens if an MBTA Community does not comply?**

If an MBTA community does not comply with section 3A, it will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2E of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

### **How does an MBTA community know if it is in compliance?**

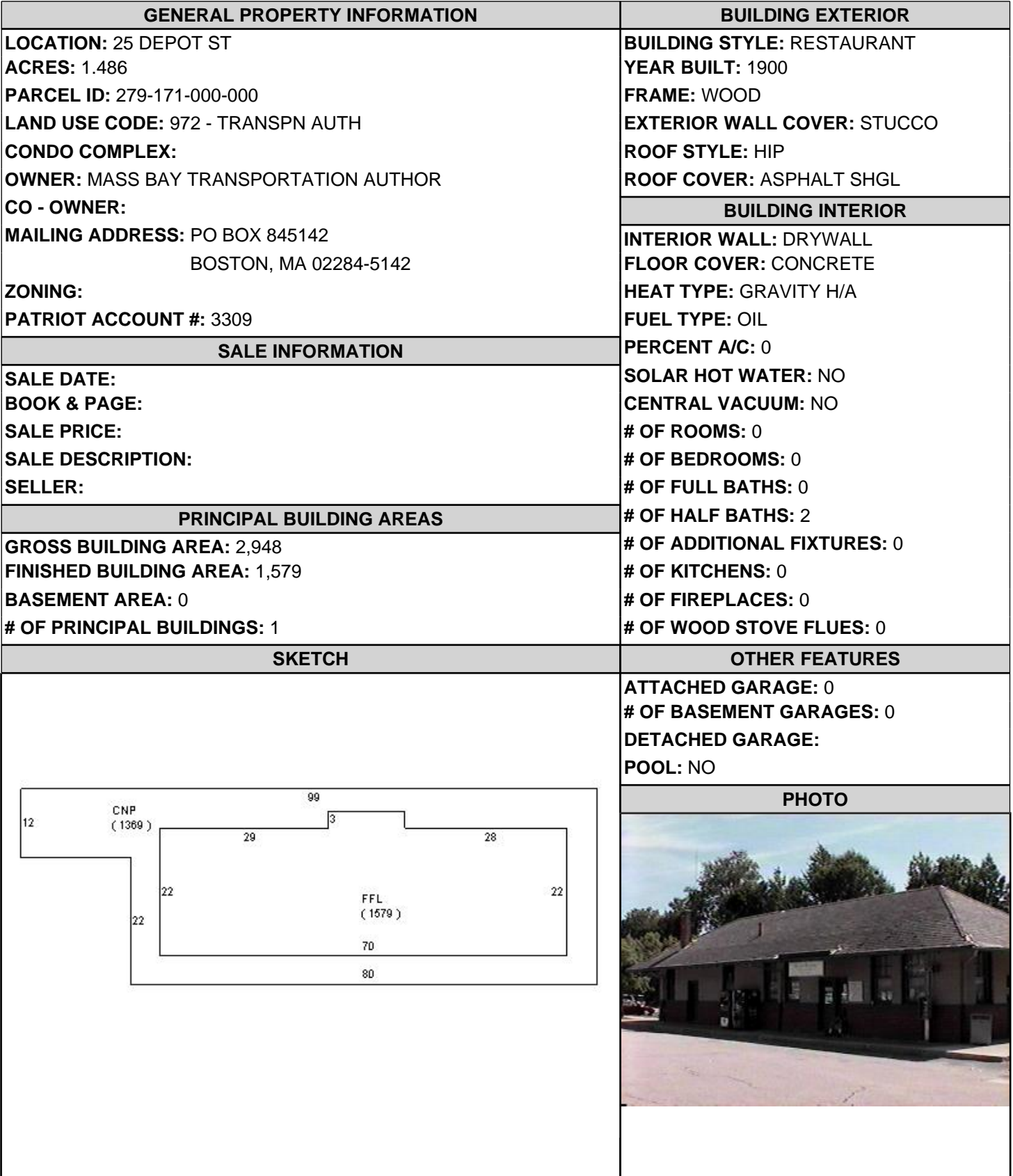
The Department intends to issue more detailed guidelines on compliance criteria and timelines after consulting with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, as required by the statute. The Department expects to seek and consider input from affected MBTA communities as well. The Department will begin this consultation process promptly and expects to have more complete guidance available as soon as possible.

Based on information currently available, the Department expects that some MBTA communities already have zoning districts that meet the statutory criteria, while others will need to enact new zoning. The Department anticipates that its compliance guidelines will account for the fact that different communities have different needs and that communities considering the adoption of new zoning will, in many cases, require time for a planning process and community input.

### **Can an MBTA community apply for grant funding while compliance criteria are under development?**

Yes. All MBTA communities will be deemed to be in compliance with section 3A until more specific guidance is developed and made available to affected MBTA communities.

# Town of Franklin, Massachusetts



This information is believed to be correct but is subject to change and is not warranted.



Bank

Church

Post Office

School

Business - Other

Cafe

Library

Restaurant

Train Station

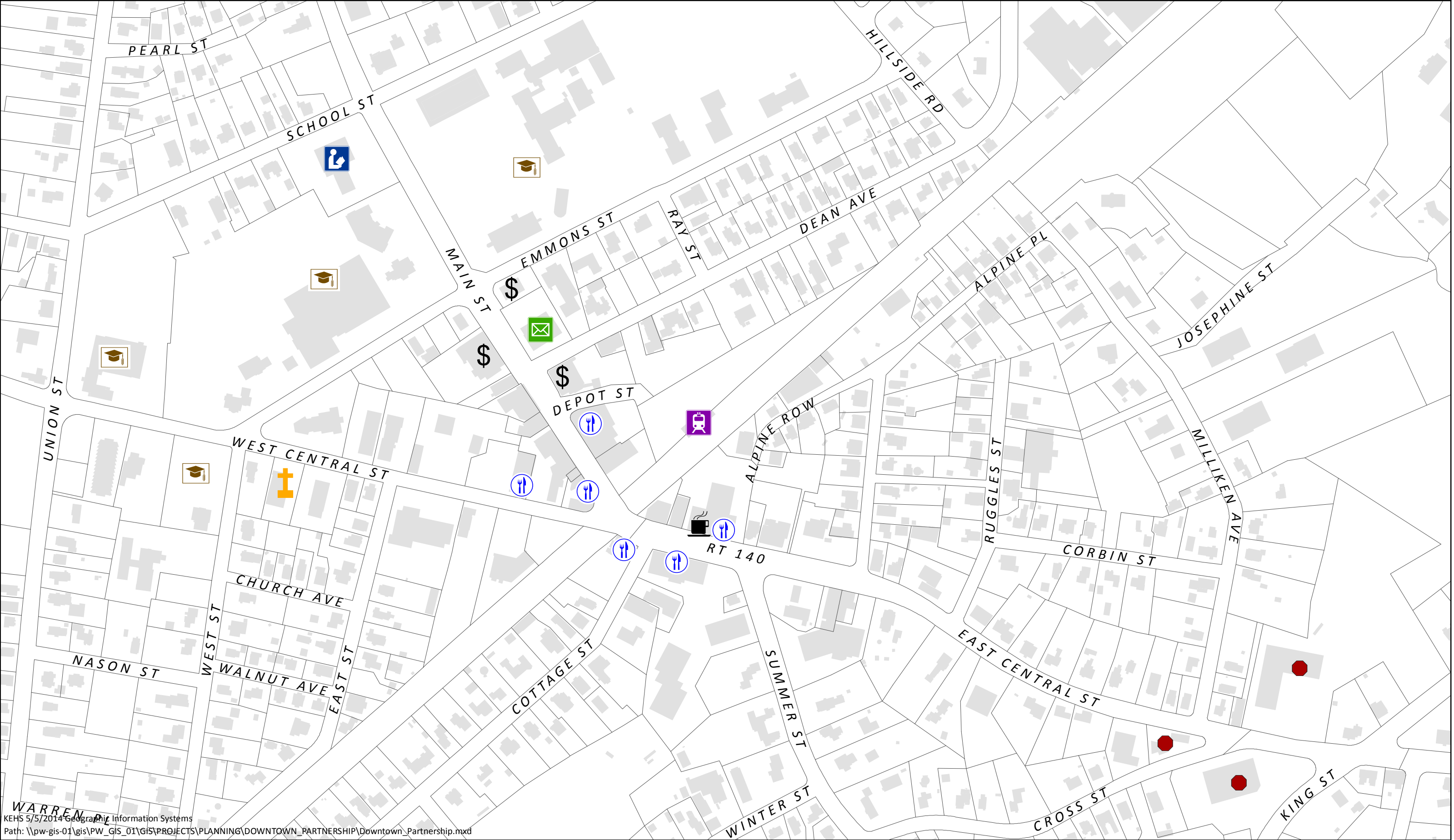
Parcel Line

050100200

0225450900

FeetMeters

Town of Franklin





# 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

February 26, 2020

To: Town Council

From: Jamie Hellen, Town Administrator

**Re: Bylaw 21-869 ALS/BLS & Mileage Rate Changes**

I am asking the Council to consider the passage of a revised fee schedule for ALS/BLS & Mileage rates in the Town's fees bylaw.

The Council last approved these fee increases last year in order for the Town to be in a position where we were in the middle of the pack for rates. The staff suggested at the time, at the recommendation of our billing service provider, the Town should be at least in the middle of area communities and we were, at the time, far below. Fast forward a year later, and we are now slightly below the middle of the pack and approval of this bylaw will allow us to be back in the middle and maintain market standards.

As all of you recall, the additional revenue the FD has raised through the ALS/BLS rates is supporting the sustainability of four new paramedics approved in the FY21 budget. We have concluded the interview process and hope to have those candidates sworn in at a Council meeting in March once the required background checks, exams and paperwork are complete.

I have included two activity reports from the Fire Department in the packet: the first report is from 4/1/2019 - 12/31/19 and the second report is from 4/1/20 - 12/31/20. In reviewing the reports you can see that the total charges in 2019 were \$2,598,377.90 from 1,582 billable transports and in 2020 the charges were \$3,294,250.47 from 1,409 transports. In summary, the Fire department charged \$695,872.57 more with 173 less billable transports in the 2020 year as compared to 2019.

These fee changes have proven very successful for the Fire Departments revenue, and we look to continue with annual updates to this fee bylaw.

The new proposed rates are as follows:

Ambulance Fees:		
ALS Base Rate 1	<del>\$2,329.00</del>	<u>\$2,420.00</u>
ALS Base Rate 2	<del>\$3,420.00</del>	<u>\$3,571.00</u>
BLS Rate	<del>\$1,477.00</del>	<u>\$1,553.00</u>
Mileage	<del>\$36.12</del>	<u>\$37.31</u>

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

# ACTIVITY TRACKING REPORT BY PAYOR GROUPS

Company IS FRANKLIN MA FIRE DEPARTMENT; AND Trip Date IS BETWEEN 04/01/2019 AND 12/31/2019; AND Show All

1/27/2021

1

## FRANKLIN MA FIRE DEPARTMENT

	Total Transports	Total Charges	Total Allowable	Total Collected	Percent Collected
Blue Cross	149	\$246,667.55	\$237,662.55	\$220,074.53	92.60%
Medicaid	261	\$421,323.68	\$77,816.64	\$77,082.63	99.06%
Medicare	777	\$1,278,090.42	\$403,602.71	\$400,121.00	99.14%
Other Insurance	280	\$463,238.96	\$421,156.90	\$390,099.02	92.63%
<b>Totals &gt;</b>	<b>1,467</b>	<b>\$2,409,320.61</b>	<b>\$1,140,238.80</b>	<b>\$1,087,377.18</b>	<b>95.36%</b>
	Total Transports	Total Charges	Total Allowable	Total Collected	Percent Collected
Veterans Administration	6	\$9,920.58	\$6,531.92	\$4,882.83	74.75%
100% Self Pay - Insured	66	\$109,998.17	\$83,579.49	\$29,805.62	35.66%
100% Self Pay - Uninsured	43	\$69,138.54	\$67,930.93	\$7,538.39	11.10%
<b>Totals &gt;</b>	<b>115</b>	<b>\$189,057.29</b>	<b>\$158,042.34</b>	<b>\$42,226.84</b>	<b>26.72%</b>
<b>Grand Totals &gt;</b>	<b>1,582</b>	<b>\$2,598,377.90</b>	<b>\$1,298,281.14</b>	<b>\$1,129,604.02</b>	<b>87.01%</b>

**ACTIVITY TRACKING REPORT**  
**BY PAYOR GROUPS**

Company IS FRANKLIN MA FIRE DEPARTMENT; AND Trip Date IS BETWEEN 04/01/2020 AND 12/31/2020; AND Show All

1/27/2021

1

**FRANKLIN MA FIRE DEPARTMENT**

	Total Transports	Total Charges	Total Allowable	Total Collected	Percent Collected
Blue Cross	141	\$346,046.52	\$332,702.34	\$260,700.25	78.36%
Medicaid	222	\$507,535.92	\$86,250.61	\$79,858.55	92.59%
Medicare	776	\$1,800,673.45	\$437,266.17	\$378,584.86	86.58%
Other Insurance	176	\$417,936.46	\$390,624.97	\$288,028.55	73.74%
Totals >	1,315	\$3,072,192.35	\$1,246,844.09	\$1,007,172.21	80.78%

	Total Transports	Total Charges	Total Allowable	Total Collected	Percent Collected
Veterans Administration	1	\$2,545.72	\$2,545.72	\$2,545.72	100.00%
100% Self Pay - Insured	42	\$97,401.72	\$88,452.88	\$15,665.30	17.71%
100% Self Pay - Uninsured	51	\$122,110.68	\$122,110.68	\$2,509.60	2.06%
Totals >	94	\$222,058.12	\$213,109.28	\$20,720.62	9.72%

Grand Totals >	1,409	\$3,294,250.47	\$1,459,953.37	\$1,027,892.83	70.41%
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Sponsor: Administration

## TOWN OF FRANKLIN

### BYLAW AMENDMENT 21-869

#### CHAPTER 82, MUNICIPAL SERVICE FEES

#### A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 82

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that Chapter 82 of the Code of the Town of Franklin is amended at Section 82-6 Schedule of Service Fees, Subsection F. Fire, by striking existing language and replacing as, set out below:

---

§ 82-6. **Schedule of service fees.**

F. Fire

Service Fee	Rate
Ambulance Fees:	
ALS Base Rate 1	<del>\$2,329.00</del> <u>\$2,420.00</u>
ALS Base Rate 2	<del>\$3,420.00</del> <u>\$3,571.00</u>
BLS Rate	<del>\$1,477.00</del> <u>\$1,553.00</u>
(Commercial Care Facility Without Transport)	\$935.00
Mileage	<del>\$36.12</del> <u>\$37.31</u>

This bylaw amendment shall become effective on and after April 1, 2021.

---

**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

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

February 26, 2021

To: Town Council

From: Jamie Hellen, Town Administrator

**Re: Resolution 21-12: Cable Funds in Support of PEG Service**

---

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

Please find the attached resolution to appropriate \$170,818.43 in PEG funds received from the Fourth Quarter of 2020 from Verizon and Comcast to the Cable Access Corporation.

Please feel free to call with any questions.





Sponsor: Administration

## TOWN OF FRANKLIN RESOLUTION 21-12

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

**TOTAL REQUESTED:** \$170,818.43

**PURPOSE:** To appropriate \$170,818.43 from the PEG Access and Cable Related Fund created under MGL Ch. 44, §53F3/4, representing the amount received in the previous quarter, to be paid to Franklin Cable Access Corp. to operate the cable access studio and otherwise fund its operations.

**MOTION:** Be it Moved and Voted by the Town Council that the sum of \$170,818.43 be appropriated from the PEG Access and Cable Related Fund created under MGL Ch. 44, §53F3/4, to be paid to Franklin Cable Access Corp. to operate the cable access studio and otherwise fund its operations.

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

---

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

Nancy Danello  
Temporary Town Clerk

---

Glenn Jones, Clerk  
Franklin Town Council

\*\*\*CONFIDENTIAL - Trade Secrets\*\*\*



# COMCAST

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

Vendor ID:	150328
Contract Name:	Franklin MA
Statement Period:	Oct - Dec, 2020
Payment Amount:	\$80,770.67
Statement Number:	760236
CUID:	MA0152
System ID:	8773-1000-0160

FRANKLIN TOWN OF MA  
355 EAST CENTRAL STREET

FRANKLIN, MA, 02038

This statement represents your payment for the period listed above.

Revenue Category	Amount
Expanded Basic Video Service	\$459,244.89
Limited Basic Video Service	\$303,125.53
Digital Video Service	\$350,368.03
Pay	\$171,809.95
PPV / VOD	\$42,403.63
Digital Video Equipment	\$146,804.09
Video Installation / Activation	\$7,163.14
Franchise Fees	\$79,495.98
PEG Fees	\$9,518.07
State Assessment	\$3,211.52
Guide	\$75.60
Other	\$6,615.70
Late Fees	\$1,824.23
Write-offs / Recoveries	(\$2,367.20)
Ad Sales	\$95,572.35
Home Shopping Commissions	\$7,856.11
<b>Total</b>	<b>\$1,682,721.62</b>
Franchise Fee %	4.80 %
Franchise Fee	\$80,770.67

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

Chad Mackey

Sr. Analyst

## PEG Grant Report 4th Quarter 2020

### *Town of Franklin*

### *Verizon - fBA*

### *Massachusetts*

### *PEG Fee Rate:*

5.00%

	October	November	December	Quarter Total
Monthly Recurring Cable Service Charges (e.g. Basic, Enhanced Basic, Premium and Equipment Rental)	\$489,439.00	\$486,634.90	\$451,480.20	\$1,427,554.10
Usage Based Charges (e.g. PayPer View, Installation)	\$12,824.07	\$13,006.94	\$15,122.72	\$40,953.73
Advertising	\$21,750.51	\$23,584.71	\$28,875.02	\$74,210.24
Home Shopping	\$588.84	\$975.11	\$812.81	\$2,376.76
Late Payment	\$0.00	\$0.00	\$0.00	\$0.00
Other Misc. (Leased Access & Other Misc.)	\$3,288.80	\$5,404.40	\$5,797.93	\$14,491.13
License Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00
PEG Fee Billed	\$27,409.00	\$27,189.38	\$26,980.38	\$81,578.76
Less:				
Bad Debt	(\$2,024.00)	(\$1,802.69)	(\$106.05)	(\$3,932.74)
Total Receipts Subject to PEG Fee Calculation	\$553,276.22	\$554,992.74	\$528,963.02	\$1,637,231.98
PEG Grant	\$27,663.81	\$27,749.64	\$26,448.15	\$81,861.60

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

## PEG Grant Report 4th Quarter 2020

### *Town of Franklin*

### *Verizon - fBA*

### *Massachusetts*

**PEG Fee Rate:** 0.500%

	October	November	December	Quarter Total
Monthly Recurring Cable Service Charges (e.g. Basic, Enhanced Basic, Premium and Equipment Rental)	\$489,439.00	\$486,634.90	\$451,480.20	\$1,427,554.10
Usage Based Charges (e.g. PayPer View, Installation)	\$12,824.07	\$13,006.94	\$15,122.72	\$40,953.73
Advertising	\$21,750.51	\$23,584.71	\$28,875.02	\$74,210.24
Home Shopping	\$588.84	\$975.11	\$812.81	\$2,376.76
Late Payment	\$0.00	\$0.00	\$0.00	\$0.00
Other Misc. (Leased Access & Other Misc.)	\$3,288.80	\$5,404.40	\$5,797.93	\$14,491.13
License Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00
PEG Fee Billed	\$27,409.00	\$27,189.38	\$26,980.38	\$81,578.76
Less:				
Bad Debt	(\$2,024.00)	(\$1,802.69)	(\$106.05)	(\$3,932.74)
Total Receipts Subject to PEG Fee Calculation	\$553,276.22	\$554,992.74	\$528,963.02	\$1,637,231.98
Adjustment	\$0.00	\$0.00	\$0.00	\$0.00
PEG Grant	\$2,766.38	\$2,774.96	\$2,644.82	\$8,186.16

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

# TOWN OF FRANKLIN

## SCHEDULE OF DEPARTMENTAL PAYMENTS TO TREASURER

Turnover Number:

Department:  
ADMINISTRATION  
123

Date: February 24, 2021

FROM WHOM	DESCRIPTION	CODE	AMOUNT	TOTAL
Forth Quarter Fees 2020 Check #1231026859	Verizon Cable TV	VERCBL	\$ 8,186.16	\$ 8,186.16
Forth Quarter Fees 2020 Check #521183796	Comcast Cable TV	VERCBL	\$ 80,770.67	\$ 80,770.67
TOTAL				\$ 88,956.83

To the Town Accountant:

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

*Eighty Eight Thousand Nine Hundred Fifty Six Dollars and Eighty Three Cents*

for the period ending February 24, 2021

which I have paid to the

Town Treasurer, whose receipt I hold therefor.

Signature *Alecia Alleune*  
Alecia Alleyne, Executive Assistant

.....  
Date: February 24, 2021

**To the Departmental Officer making the Payment:**

Received of ADMINISTRATION the sum of

*Eighty Eight Thousand Nine Hundred Fifty Six Dollars and Eighty Three Cents*

for the period ending February 24, 2021

for collection as per schedule of this date, filed in my office.

\_\_\_\_\_, Town Treasurer



# TOWN OF FRANKLIN

## SCHEDULE OF DEPARTMENTAL PAYMENTS TO TREASURER

Turnover Number:

Department:  
ADMINISTRATION  
123

Date: February 16, 2021

FROM WHOM	DESCRIPTION	CODE	AMOUNT	TOTAL
Fourth Quarter Fees 2020 Check #1231026757	Verizon Cable TV	VERCBL	\$ 81,861.60	\$ 81,861.60
TOTAL				\$ 81,861.60

To the Town Accountant:

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

*Eighty One Thousand Eight Hundred Sixty One Dollars and Sixty Cents*

for the period ending February 16, 2021  
Town Treasurer, whose receipt I hold therefor.

which I have paid to the

Signature

*Alecia Alleyne*

Alecia Alleyne, Executive Assistant

.....  
Date: February 16, 2021

**To the Departmental Officer making the Payment:**

Received of

ADMINISTRATION

the sum of

*Eighty One Thousand Eight Hundred Sixty One Dollars and Sixty Cents*

for the period ending February 16, 2021  
for collection as per schedule of this date, filed in my office.

\_\_\_\_\_, Town Treasurer