



FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

April 10, 2019

Municipal Building
Council Chambers
355 East Central Street
2nd Floor
7:00 PM

1. ANNOUNCEMENTS

- a. *This meeting is being recorded by Franklin TV and show 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. March 13, 2019
- b. March 20, 2019

4. PROCLAMATIONS/RECOGNITIONS- *None*

5. APPOINTMENTS- *None*

6. HEARINGS-

- a. Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street

7. LICENSE TRANSACTIONS- *None*

8. PRESENTATIONS/DISCUSSIONS

- a. Veterans Agent Presentation

9. SUBCOMMITTEE REPORTS

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

10. LEGISLATION FOR ACTION

- a. Resolution 19-27: Appropriation & Borrowing Well 3 & 6 Water Treatment Plant (**Motion to Approve Resolution 19-27- Two-Thirds Majority Roll Call Vote (6)**)
- b. Resolution 19-28: Grove Street Water Treatment Plant (**Motion to Approve Resolution 19-28 - Majority Vote (5)**)
- c. Resolution 19-29: Appropriation Sewer Enterprise Fund Beaver Street Interceptor (**Motion to Approve Resolution 19-29 - Majority Vote (5)**)
- d. Resolution 19-30: Acceptance of Gift- Veterans Services (**Motion to Approve Resolution 19-30 - Majority Vote (5)**)

- e. Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV an Area on or Near West Central Street- **1st Reading (Motion to Move Zoning Bylaw Amendment 19-837 to a 2nd Reading- Majority Vote (5))**
- f. Bylaw Amendment 19-838: Amendment to the Franklin Town Code at Ch. 153 Stormwater Management-**1st Reading (Motion to Move Bylaw Amendment 19-838 to a 2nd Reading- Majority Vote (5))**
- g. Bylaw Amendment 19-839: Municipal Service Fees- Recycling Sticker Rate Increase- **2nd Reading (Motion to Adopt Bylaw Amendment 19-839- Majority Roll Call Vote (5))**
- h. Bylaw Amendment 19-840: Municipal Service Fees- Curbside Trash/Recycling Rate Increase- **2nd Reading (Motion to Adopt Bylaw Amendment 19-840 - Majority Roll Call Vote (5))**

11. TOWN ADMINISTRATOR'S REPORT

12. FUTURE AGENDA ITEMS

13. COUNCIL COMMENTS

14. EXECUTIVE SESSION - *None Scheduled*

15. ADJOURN

Note:

Two-Thirds Vote: requires 6 votes

Majority Vote: requires majority of members present and voting

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
March 13, 2019**

A meeting of the Town Council was held on Wednesday, March 13, 2019, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Eamon McCarthy Earls, Thomas Mercer. Councilors absent: Peter Padula, Deborah Pellegri. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Administrative Assistant.

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

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

CITIZEN COMMENTS: ► Ms. Nancy Cunningham, resident, requested the current bylaw regarding mailboxes damaged by snowplows be reviewed and updated. The current policy provides a \$45 reimbursement for a damaged mailbox. She stated that this amount is not feasible to replace a mailbox. She explained that during the March 4, 2019, snowstorm, her mailbox was struck and demolished by a snowplow snapping the granite post. She posted a photograph on the "All About Franklin" Facebook page. She learned this is a significant problem in the town. She stated that many mailboxes on Pond Street were demolished, as well; the town is supporting vandalism as the snowplows are going too fast. She requested the speed guidelines for the plows. ► Ms. Bryna Morehouse, 15 October Drive, requested that elementary school students receive more than 15 to 20 minutes of recess and more than 15 minutes for lunch in a six-hour day. She asked that the Town Council members look into the fact that for physical and mental health children need more recess and lunchtime. She has spoken to many parents regarding children bringing most of their lunch home as they do not have time to finish it during the lunch period. She said she has been giving evidence of this need to the schools and School Committee for more than six years. She provided information to the Town Council members regarding the amount of time allowed for recess, lunchtime, and snack time in nearby towns; Franklin is last. She stated that the budget is the cause for the short recess and lunch times. She suggested a meals tax to raise funds for education. She stated that over-building in town is causing a burden on the education system.

APPROVAL OF MINUTES: ► *January 30, 2019 and February 13, 2019.* ► **MOTION to Approve** the January 30, 2019 meeting minutes by **Dellorco. SECOND** by **Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Approve** the February 13, 2019 meeting minutes by **Dellorco. SECOND** by **Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.**

PROCLAMATIONS/RECOGNITIONS: ► *Swearing in of 5 New Police Officers.* ► Police Chief Thomas Lynch stated he would like to recognize one promotion and five new police officers. He stated that Detective Robert MacQuarrie has been promoted to sergeant. He reviewed his background and education. He introduced new police officers Lance Pickering, Timothy Trubiano, Daniel Hanley, Laura Canavan, and Cody Landry. He reviewed their backgrounds and education. ► Town Clerk Teresa Burr performed the swearing in. ► Chief Lynch introduced the new canine member of the police department, Ben Franklin. ► Town Council members welcomed the promoted sergeant, new police officers, and new canine member of the police department.

Chairman Mercer called a three-minute recess.

APPOINTMENTS: ► *Conservation Commission, Alan Wallach.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Alan Wallach to serve as a member of the Franklin Conservation Commission with an expiration of June 30, 2021, by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Wallach stated he looks forward to getting involved in the town. ► **VOTE: Yes-7, No-0, Absent-2.**

► *Conservation Commission, Braden Rosenberg.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Braden Rosenberg to serve as a member of the Franklin Conservation Commission with an expiration of June 30, 2019, by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Rosenberg stated he is excited to serve on the Conservation Commission. ► **VOTE: Yes-7, No-0, Absent-2.**

► *Historical Commission, Brock Leiendecker.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Brock Leiendecker to serve as a member of the Franklin Historical Commission with an expiration of June 30, 2021, by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Leiendecker stated he is excited to join the Historical Commission. ► **VOTE: Yes-7, No-0, Absent-2.**

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: ► *FY20 Budget Fiscal Forecast.* ► Chairman Mercer thanked everyone for attending this evening and watching at home for this important discussion. He noted the Town Administration has been alerting all elected officials for several years that the town would soon be facing a structural budget deficit in the Town's Operating Budget. We are about to enter a multi-year budget problem if the status quo remains. With this in mind, he wanted to dedicate almost a full Town Council meeting to this. He invited the School Committee and Finance Committee. He stated that we need to begin a dialogue with the community. He noted that the memos and materials in the Town Council members' packets are available online for all to read. He asked Mr. Nutting and Mr. Hellen to give a quick synopsis of said memos and where the town stands. Then, he will ask the superintendent of schools to state where the School Department stands. After those comments, he will open the meeting to comments and questions from other town committees and the general public. He will then take comments from the Town Council members. ► Mr. Nutting provided a review of the history of Franklin's budget. He stated looking at the numbers, there will not be sufficient funds to keep the system running as is. He stated the driving forces are that the population is growing and getting older. There is increased demand for fire and police services, and there are school challenges. There are increasing demands and increased costs at all levels. There are fixed costs such as health insurance and pensions. This year they are affected by the expansion of the Charter School. He stated there is a lack of proper funding from the state when the Charter School expands. This is a burden that the town faces from a fiscal position. He discussed state aid and its lack of keeping pace; we need more education aid. He stated that the town is about \$2 million short for FY20 for a level-service budget. FY21 will not be any better as it will be double that. The time will come for a \$4 to \$5 million override to continue as a full-service community. ► Mr. Hellen stated that getting out this information to the community is important. We will probably just scrap by for FY20; FY21 is really where the challenge will be. Demands in services are rising every year. There is no quick fix in the current system with the budget gap. Overall, we are living in one of the best economies in years. The town's revenues are okay because of this. If the economy gets a ripple, the impacts will be significant. ► Dr. Sara Ahern, Superintendent of Schools, reviewed the School Department budget and explained some of her worries and concerns facing the department. She stated that the budget put together was for level-service and a few areas of critical needs that have been unable to be met over the last several years. The School Committee voted on and adopted the budget at last night's School Committee meeting. It is a 5.86 percent increase over FY19 at approximately \$67 million. She reviewed the budget history and some of the cost containment measures they have used. The revolving account funds were spent down and they are not there to support the budget now. Some of the major drivers and pressures are that enrollment has decreased but the needs of the students are more

complex. The percent of students on free and reduced lunch has increased. Statistically, 1 in 5 children are suffering from a mental health condition; we need to provide services to them. There are more children with special needs requiring services. She discussed the expectations from the state as to what is expected to be delivered within the school day. She stated that we are striving to keep up with technology. We need to focus on the whole child and not just their academic well-being. Schools are broader than education institutions. They are doing this in a highly competitive environment. Families have educational choices. The public schools need to make sure they are competitive. She noted the School Committee has been advocating for more funding from the state. The town does have athletic and transportation fees now. She stated that knowing there is a budget shortfall, she would be in a position to talk about ways to close the gap. It is painful to have to make those cuts. No decisions have been made, yet. There are more conversations to have with the School Committee. She reviewed the possibly of cutting services and positions, and raising fees.

► Chairman Mercer stated the concept of tonight's meeting was to get the Finance Committee, School Committee, and Town Council all in the same room to discuss the concerns we as a Town are looking at going forward. He stated this is early on in the process and these are not final decisions being made. It is important for all of us to know where we are as we move forward. This will help get the public involved and to understand where we are as a town, the issues we are facing, and some of the things that might have to happen in order to deal with the budget shortfall. ► Ms. Anne Bergen, Chair, School Committee, and Ms. Denise Schultz, Vice Chair, School Committee, addressed the Town Council. Ms. Bergen stated that as a committee they want to be as transparent as possible. She reiterated the mandates that are being forced on the schools; it is all wonderful, but the pressures are enormous. She said that we understand we are part of the community. We are going to work together. We are going to fight like crazy to educate the public to understand this. She said the citizens will choose. ► Ms. Shultz stated this is the fourth budget she has worked on as part of the School Committee and it is the most transparent. They have had budget conversations and will be making more cuts to an already skeletal service. They will not be able to increase the counseling staff at the schools. She has been trying to advocate for increased funding for the schools as it is not right that the children are hurting as there are not enough resources. She reiterated that they have looked at the budget closely and it is a shame that they will not be able to address the needs. ► Mr. Nutting stated that next week the audit will be reviewed. They have just finished a risk assessment. In the Commonwealth, the only way we can get more money is property tax. When we start to debate about the override, the debate will come as to whether the people of Franklin want to pay to maintain the quality of life. ► Chairman Mercer stated we are one community, one Town. People need to know the issues we are facing. When it comes time, and it is inevitable, we will be putting out to the community if they want to pass an override. That is why we want to get out a unified message to the public of the situation and issues the town is facing. ► Mr. Jones said that as an educator he understands and is concerned. He discussed the overrides from the past and how they were proposed. Some of the strategies used to convince the citizens an override was needed were scare tactics about which services would be gone and which town staff would be let go. The way he looks at this current situation is that if there are intentions of asking the citizens for an override, do not approach the citizens with scare tactics, but review the positive aspects of what we do have in the town and where we want to see our community in the future. He wants to bring the community together in a well-educated way to understand where the tax dollars are going and what they are needed for. He asked if a \$4 to \$5 million override would cover one year or several years. He discussed the funding issues from the state level. ► Mr. Nutting said that the \$4 to \$5 million would normally cover several years, but if the economy slows down, some revenues will be reduced. He stated that the town is currently at an all-time high for car excise tax and building permits. It would be foolish to ask for a sufficient amount of money for only one year. ► Mr. Kelly discussed the possible need for overrides. He discussed the change in the work structure that the new police chief began; the police department thought out-of-the-box to try to make the department better. He knows there is not enough money. He is a realist. He does not think the citizens will be excited about an override. He realizes the state keeps giving unfunded mandates and that is not fair. He does not know the solution. He does not think the state representatives or senators are pushed enough. He hopes redistricting is an option for the School Department. He suggested the Fire Department and DPW restructure, similarly to what the Police Department did. He does not think there would be enough votes for an override. ► Ms. Bergen said that the leaders need to educate the public about the needs of the community. She talked about the one override that was won. ► Mr. Kelly said all departments need to work harder and

come back with a plan B. They need to show the community what they are going to lose and what can be saved. He said the Police Department made huge strides and we all need to do that. ► Ms. Schultz indicated that what the Police Department did is apples to oranges. In the schools, the conversations are what should the students have access to, where should they be. There should be things added to the district. ► Mr. Kelly stated that it is not apples to oranges; we are all one community and they are all important. ► Ms. Bergen discussed the cost of losing teachers and the cost of retraining. She said that Dr. Ahern has brought the special education programs back to the schools instead of sending students to out-of-district placements as they are so expensive. They have to do a better job of educating the public about this. ► Chairman Mercer said this conversation is the start of the process. We need to educate the citizens on the issues that are approaching. We need to be creative. We need to be thinking outside the box. ► Mr. Dellorco thanked everyone for coming tonight. He noted that the Town of Franklin is not alone; other communities are experiencing this. To the override point, the community must be educated. He mentioned that the Police Department made great strides and the Fire Department is working on it. ► Mr. George Conley, 7 Sherman Avenue, Finance Committee member, stated this is a shameless plug. The only place in this town where every single line of every single budget is reviewed is at the FinCom. He stated that every department head comes before us and answers questions. In his four years on the FinCom, there has not been one citizen present. That is where the education piece has to begin. For instance, when you want to talk about recess, that is the time to ask the questions at the FinCom when the all the department heads are sitting there. He encouraged citizens to come to the FinCom budget meetings and ask questions. ► Mr. Hellen stated there is a FinCom meeting on March 18, 2019, at 7:00 PM, to begin the FY20 budget discussions. The second meeting is on March 25, 2019. The Town Council overall budget hearings will be on May 22 & 23, 2019. ► Mr. Jones said that all citizens should be engaged and asked questions about the budget. ► Mr. Max Morrongiello, 210 Chestnut Street, asked how does Franklin rank in per pupil expenditure. What kind of city do we want to live in? How do we want to educate our kids? Do we want to live in a healthy and vibrant town? ► Dr. Ahern stated the town's per pupil expenditure is below the state average. She said the state report shows per pupil expenditure in 2017 was \$12,939 for Franklin, whereas the state average was \$15,350. ► Ms. Bryna Morehouse, 15 October Drive, stated that there is a lot of building going on. There are so many huge apartment complexes that cost more money in fire, police, and education. She is trying to figure out when the town is going to slow things down. ► Mr. Nutting stated people have property rights; as long as there is vacant land, you cannot stop building. Chapter 40B says we have to have 10 percent; we are above that at this time. Population costs money. It is really not possible to stop growth. The only constraint would be to run out of water. Twice the town voted against the Preservation Act. Controlling growth is a very difficult issue in a vibrant community. He stated that this Town Council has bought more land than any other Town Council. He continuously looks at the map regarding possible land the Town can buy. ► Mr. Kelly discussed suburban sprawl. He stated there have been discussions about how to stop growth. How do we raise funds enough to outpace our dying infrastructure and at the same time afford the services in the town that we need to be able to survive? We have to find a solution to fix the problem and not just Band-Aid this. ► Mr. Hellen noted that last year they took \$1.5 million from the Stabilization Fund. There is a little less than \$400,000 remaining; that account will be zeroed out this year. He reiterated the FinCom meeting dates and encouraged people to attend and ask questions. He reviewed some of the incredible things the town departments do. The town budget is on the website, along with other important financial information. ► Chairman Mercer thanked everyone for attending the meeting and listening at home. He urged the community to attend the meetings to learn the issues the town is facing. He noted that both Town Council members Ms. Pellegrini and Mr. Padula were unable to attend tonight's meeting.

SUBCOMMITTEE REPORTS:

- a. *Capital Budget.* ► Nothing to report.
- b. *Budget.* ► Nothing to report.
- c. *Economic Development.* ► Nothing to report.

LEGISLATION FOR ACTION:

- a. *Resolution 19-21: Acceptance of Gift to the Franklin Fire Department from the Singleton Family Foundation (Motion to Approve Resolution 19-21 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-21: Acceptance of Gift to the Franklin Fire Department from the Singleton Family Foundation not to exceed \$250 by **Kelly. SECOND by Dellocco. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.**
- b. *Resolution 19-22: Appropriation of Cable Funds (Motion to Approve Resolution 19-22 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-22: Appropriation of Cable Funds for \$185,237.09 by **Earls. SECOND by Casey. Discussion:** ► Mr. Nutting stated this is a requirement. The new law is that this must be paid every quarter. ► **VOTE: Yes-7, No-0, Absent-2.**
- c. *Resolution 19-23: Authority for Town Administrator to Settle Pending Litigation Against Town and Payment Appropriation (Motion to Approve Resolution 19-23 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-23: Authority for Town Administrator to Settle Pending Litigation Against Town and Payment Appropriation for \$27,500 by **Kelly. SECOND by Dellocco. Discussion:** ► Mr. Nutting stated the solar farm on Upper Union Street was sold to Sunedison, Inc.; they filed for bankruptcy which included dragging the solar farm into it. Sunedison sought repayment of approximately \$74,000. The attorneys have settled all claims for \$27,500. It is a good deal. He noted the attorney was paid approximately \$15,000, to date. ► **VOTE: Yes-7, No-0, Absent-2.**
- d. *Resolution 19-24: Norfolk Aggie Supplemental Appropriation FY19 (Motion to Approve Resolution 19-24 - Majority Vote (5)).* ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-24: Norfolk Aggie Supplemental Appropriation for \$4,934 FY19 by **Kelly. SECOND by Dellocco. Discussion:** ► Mr. Nutting stated they have to pay the Norfolk Aggie approximately \$30,000 per year. They estimate for the budget, but the exact amount is not determined until enrollment is confirmed. This year we were a little short. ► **VOTE: Yes-7, No-0, Absent-2.**
- e. *Zoning Bylaw Amendment 19-829: District Enumerated-Creation of Mixed Business Innovation Zoning District-2nd Reading (Motion to Adopt Zoning Bylaw Amendment 19-829 – 2/3 Majority Roll Vote (6)).* ► **MOTION to Waive** the reading by **Dellocco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Adopt** Zoning Bylaw Amendment 19-829: District Enumerated-Creation of Mixed Business Innovation Zoning District by **Kelly. SECOND by Dellocco. Discussion:** ► Mr. Nutting stated this is the second reading regarding re-zoning several parcels from Industrial to a new zoning that would allow for a more mixed-use development along Hayward and Fisher Streets. It went through the EDC, and the Planning Board endorsed the idea. The building parcels are outlined on the map. The following five zoning bylaw amendments are related to this proposal. ► Mr. Kelly noted that during the last meeting in which this was discussed, there was an audience member who needed to have a conversation with the Town Administrator about this. What was the result? ► Mr. Nutting stated they reached out three times and got no response. ► Mr. John Lambiase, Trustee of 145 Fisher Street, and the authorized representative of 131 Fisher Street, stated his position is the same as it was at the previous meeting. He stated he did some comparisons and provided those documents to Town Council members. He stated it seems like there are about 10 new uses added to the zone, and about 28 uses that would no longer be possible. That is his issue. ► Mr. Bryan Taberner, Director of Planning and Community Development, confirmed that the Town is trying to change that section of town and eliminate some of the “dirtier” uses and do some up-zoning and get a mix in that area. He noted the potential for the two parcels on Fisher Street that are being discussed. He does not have any problem with taking the two parcels off. However, he thinks it is in the interest of the town to change the whole section from Industrial to this new zone, and it is in the interest of the property owners. ► Mr. Nutting urged the Town Council to include these two parcels in the change. He discussed some of the uses that would not be wanted in that neighborhood. This will eliminate things that do not belong there and provides an opportunity for redevelopment in a positive way. ► Mr. Kelly stated he was

discouraged that the property owner was contacted three times and he did not return the calls. He agrees with Mr. Taberner about the new zoning; he is in favor. ► Mr. Max Morrongiello, 210 Chestnut Street, confirmed the current use could be used in perpetuity as non-conforming. ► Mr. Lambiase stated the purpose of his list was to show there is a lot being taken off, and not much being put on. He stated that these types of things that will benefit the other properties, will not benefit him. ► Mr. Kelly stated he does not see how this is a bad move for Mr. Lambiase's property. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**

- f. *Zoning Bylaw Amendment 19-830: Use Regulations-Mixed Business Innovation Zoning District-2nd Reading (Motion to Adopt Zoning Bylaw Amendment 19-830 – 2/3 Majority Roll Vote (6)).*
 ► **MOTION to Waive the reading by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Adopt Zoning Bylaw Amendment 19-830: Use Regulations-Mixed Business Innovation Zoning District by Kelly. SECOND by Dellorco. No Discussion.** ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**
- g. *Zoning Bylaw Amendment 19-831: Mixed Business Innovation Zone Dimensional Regulations-2nd Reading (Motion to Adopt Zoning Bylaw Amendment 19-831 – 2/3 Majority Roll Vote (6)).*
 ► **MOTION to Waive the reading by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Adopt Zoning Bylaw Amendment 19-831: Mixed Business Innovation Zone Dimensional Regulations by Kelly. SECOND by Hamblen. No Discussion.** ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**
- h. *Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs, Mixed Business Innovation Zoning District-2nd Reading (Motion to Adopt Zoning Bylaw Amendment 19-832 – 2/3 Majority Roll Vote (6)).*
 ► **MOTION to Waive the reading by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Adopt Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs, Mixed Business Innovation Zoning District by Kelly. SECOND by Dellorco. No Discussion.** ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**
- i. *Zoning Bylaw Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation on Area on or near Fisher and Hayward Streets-2nd Reading (Motion to Adopt Zoning Bylaw Amendment 19-833 – 2/3 Majority Roll Vote (6)).* ► **MOTION to Waive the reading by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Adopt Zoning Bylaw Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation on Area on or near Fisher and Hayward Streets by Kelly. SECOND by Dellorco. No Discussion.** ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**
- j. *Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District-2nd Reading (Motion to Adopt Zoning Bylaw Amendment 19-834 – 2/3 Majority Roll Vote (6)).* ► **MOTION to Waive the reading by Dellorco. SECOND by Kelly. No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** ► **MOTION to Adopt Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District by Kelly. SECOND by Dellorco. No Discussion.** ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**
- k. *Bylaw Amendment 19-836: Amendment to the Town Code to Add New Chapter 108 Library Board of Directors-2nd Reading (Motion to Adopt Bylaw Amendment 19-836 - Majority Roll Call Vote (5)).*
 ► Mr. Jones read the bylaw amendment. ► **MOTION to Adopt Bylaw Amendment 19-836:**

Amendment to the Town Code to Add New Chapter 108 Library Board of Directors by **Kelly. SECOND** by **Dellorco. Discussion:** ► Mr. Nutting stated this will bring the Library Board in compliance with the Town Charter. He explained that the old bylaw said there were six people; when the Charter was revised, it was reduced to five. Other than that, it is replication of what already existed. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES. ► **VOTE: Yes-7, No-0, Absent-2.**

1. Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV, an area on or near West Central Street - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 19-837 to the Planning Board - Majority Vote (5)).

► Mr. Jones read the zoning bylaw amendment. ► **MOTION to Refer Zoning Bylaw Amendment 19-837: Zoning Map Changes from General Residential V to Single Family Residential IV, an area on or near West Central Street to the Planning Board by Kelly. SECOND by Dellorco. Discussion:** Mr. Nutting stated this would rezone the land back from Residential V to what it was in the past. The owner has filed a subdivision plan and if they moved forward in the next six months, that would be grandfathered. The intent of this is to slow down the building in Franklin. ► Mr. Kelly questioned that this was put forward a few years ago to attract a residential development and now we do not want it. ► Mr. Joel D'Errico, 72 Deer View Way, noted he is representing three property owners; he noted that Mr. John Marguerite, one of the property owners, was in attendance. He stated that in the 1990s the town came up with an Impact Fee to help the school system. Ultimately, the Mass. Supreme Court said it was not legal. He stated the property he is representing was rezoned to Residential V which is multi-family zoning by Special Permit. He reviewed the history of his development plans. He stated he discussed his plans for condominiums for this property with the Town Administrator. The Special Permit was denied by the Planning Board. He then filed a subdivision plan for the property. He asked the Town Council to let this zoning bylaw amendment die. The Town will get some revenue and no school children. ► Mr. Cerel advised the Town Council that Mr. D'Errico has brought suit against the Planning Board; the action is pending and he is seeking an award. He advised the Town Council to be cautious with how they proceed. ► Mr. D'Errico stated he is asking to be re-heard at the Planning Board. ► Mr. John Maguerite, 213 Washington Street, reviewed the history of his plans to build duplexes on the property as the zoning was appropriate for that. He discussed his experiences with various boards and committees and did not get approval. The town then re-zoned it to Residential V. At this point, he is under agreement with Mr. D'Errico to sell him the land. He asked the Town Council to see fit to hold on to the current zoning a little longer in case something falls through with Mr. D'Errico and he takes back the property. He would like to have the opportunity to bring forth something to the town as he had been shot down previously. He was told the town was not going to do any spot zoning, but they did, and now they want to take it back. ► Mr. D'Errico stated he had two traffic studies done which were both favorable. He discussed various zoning in the area of Rt. 140. ► Mr. Jones noted that this is a proposed change back to something that had been there; it is a referral to the Planning Board. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-NO; Hamblen-NO; Jones-YES; Kelly-NO; Earls-YES; Mercer-YES. ► **VOTE: Yes-4, No-3, Absent-2.** Motion Passes.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting reviewed the policy regarding mailboxes damaged by snowplows. There is no bylaw about mailboxes or payment. Sometimes, when the snow is heavy, it may roll off the plow and could damage mailboxes. They do the best they can. Almost all mailboxes are on public property. He stated that we do not believe the town has any responsibility to people's mailboxes. But, if the town breaks the mailbox, let's be a good neighbor and fix it. What does a 4x4 post and a mailbox cost? If a resident obtains a receipt, they will be reimbursed \$45. Every few years, the price gets adjusted by \$5. A lot of towns do not do anything. We encourage people to not buy expensive mailboxes. We do not want to hit mailboxes, but it is an occasional consequence.

FUTURE AGENDA ITEMS: *None.*

COUNCIL COMMENTS: ► Mr. Earls stated he attended a Mass. Municipal Association meeting about public infrastructure and utilities. There was a lot of discussion including about 5G. He stated that the FCC is looking for communities to come up with any regulations they are going to put out regarding the appearance of the devices that will be put on telephone poles. ► Ms. Hamblen thanked the Historical Museum for having the Town of Franklin's birthday party; it was a fun event. ► Mr. Casey gave a shout-out to the girls' varsity basketball team; they did a great job. ► Mr. Dellorco gave a shout-out to the hockey team and the girls' basketball team. It was a great winter sports' program for the high school. ► Mr. Kelly stated the Memorial Day Parade will be on Monday, May 27, 2019.

EXECUTIVE SESSION: *None.*

ADJOURN: MOTION to Adjourn by Kelly. SECOND by Dellorco. No Discussion. ► VOTE: Yes-7, No-0, Absent-0. Meeting adjourned at 9:55 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Uses added by the proposed Mixed Business Innovation Zoning

1. Restaurant Bar *****
2. General Retail Sales*****
3. Personal Retail sales
4. Craft Making
5. Art Gallery*****
6. Charitable Institution
7. Library Museum*****
8. Social Club
9. Indoor Commercial Amusements
10. Movie Theater*****

***** = Uses that will never be utilized by 131 fisher st and 145 fisher street properties.

Reason being the location of the properties mostly(131 , 145 fisher st) is the least desirable location for these potential new uses compared to other properties within the proposed mixed business innovation zoning. Clearly the Clark Cutler properties will benefit from this new proposal significantly and has a negative impact on 131 , 145 fisher st.

Uses that will be no longer possible with the proposed Mixed Business Innovations Zoning

1. Nursery*****
2. Produce Stand
3. Adult Entertainment
4. **Animal Kennel, Hospital*******
5. **Animal daycare*******
6. **Animal Grooming*******
7. Bank
8. Hotel, Motel
9. **Autobody*******
10. Filling service station
11. Other automobile services
12. **Storage facility *******
13. Tattoo Parlor
14. **Catering*******
15. Function Hall
16. Psychic services
17. Bus Railroad station
18. **Contractor Yard*******
19. Earth removal
20. Lumber yard
21. Biotechnology
22. Printing Publishing
23. Public Utility
24. Power Plant
25. Solid waste Facility
26. Hospital
27. Correctional facility
28. **Outdoor Commercial Amusement*******

**** = Actual uses that have shown interest over the years in 131 fisher st and 145 fisher st

THE DISAPPEARANCE OF CHILD-DIRECTED ACTIVITIES AND TEACHERS' AUTONOMY FROM MASSACHUSETTS' KINDERGARTENS



According to a survey of 189 kindergarten teachers in the wealthiest and poorest school districts in Massachusetts, schools have reduced the amount of time that kindergartners have for child-directed activities (CDA) such as free play, rest, recess, snack, and lunch. At the same time, school administrators with limited or no knowledge of early childhood education have placed increasing restrictions on kindergarten teachers' control over curriculum and instruction.

- Schools have reduced the time kindergartners have for child-directed activities.

- Children in high-socioeconomic status (SES) schools have more time for child-directed activities.

- Kindergartners in Massachusetts get much less time for free play and recess than three provinces in Canada recommend for kindergartners.

- The scheduling of child-directed activities in some low-SES kindergartens is minimal or non-existent.

- Schools have reduced kindergarten teachers' control over curriculum.

- Most elementary principals are inexperienced in early childhood education.

In far too many public school kindergartens in Massachusetts, children are experiencing educational conditions that prepare them, not for a career in the creative economy, but rather for settings where creativity, personal agency, and a sense of purpose are not necessary. Advocacy is required at both the state and local level to persuade or, if necessary, compel schools to adopt practices that address the needs of children rather than the needs of child-blind administrators in their pursuit of higher test scores.

Disappearance of Child-Directed Activities

Jefferson Elementary =

20 minutes of scheduled lunch!
20 minutes of scheduled

Table 1

Amount of Time Scheduled for Child-Directed Activities (CDA) in MA Kindergartens
And Recommended Amounts of CDA in State and Provincial Kindergarten Guidelines

Recess!

Type of Activity	Mean Amount of CDA in MA Kindergartens				Mean Amount of CDA in Kindergarten Scheduling of Guidelines			
	Low-SES		High-SES		American States		Canadian Provinces	
	Minutes	Hours	Minutes	Hours	Minutes	Hours	Minutes	Hours
	Daily	Weekly	Daily	Weekly	Daily	Weekly	Daily	Weekly
Lunch	24	2.0	26	2.2	29	2.4	36	3.0
Snack	11	0.9	16	1.3	14	1.2	20	1.7
Recess	22	1.8	32	2.6	32	2.7	49	4.1
Rest	5	0.4	8	0.7	13	1.1	7	0.6
Free Play	20	1.7	30	2.5	23	1.9	50	4.2
Total	82	6.8	112	9.3	111	9.3	162	13.6

Third, researchers have also investigated another factor that informs the current discussion: the relationship between downtime and peak performance in both workplace and school settings. Recently, Gifford reported that one company's top adult performers did not work longer hours than less productive workers. In fact, the top performers worked less than a full eight hours, because they took, on average, a 17-minute break following 52 minutes of work, which amounts to 15 minutes of downtime per hour.²⁶ Concurrently, Dr. Judith Willis, who is both a neuroscientist and a classroom teacher, recommends, based on her review of downtime research, that elementary students in grades 1-6 should also have 15 minutes of downtime for every hour of work (preferably broken into work sessions of 10 to 15 minutes followed by 3- to 5-minute breaks).²⁷ In the current study, though, 71% of kindergarten classrooms in low-SES and 23% in high-SES districts

get less downtime per hour (as measured by the amount of time scheduled for CDA) than Willis recommends for sixth-graders and Gifford recommends for adults. Thus, the discrepancy in downtime for kindergartners in low-SES and high-SES districts is important to note.

Finally, the American Academy of Pediatrics, based on its analysis of research on the length and timing of school lunch, recommends that, once seated, children have at least 20 minutes to eat and therefore encourages schools to schedule at least 25 and preferably 30 minutes for lunch.²⁸ The current study found, however, that low-SES kindergartners were more likely than high-SES kindergartners to have lunch periods that lasted less than 20 minutes (12% versus 0%) and less than 25 minutes (39% versus 24%). Further, approximately 50% of both types of kindergartners fail to follow a related recommendation for schools to schedule lunch before (not after) recess.

²⁶ Gifford, J. (2014, August 7). *The rule of 52 and 17: It's random, but it ups your productivity.* The Muse. Retrieved from <https://www.themuse.com/advice/the-rule-of-52-and-17-its-random-but-it-ups-your-productivity>.

²⁷ Willis, J. (2016, December 7). *Using brain breaks to restore students' focus.* Retrieved from: <https://www.edutopia.org/article/brain-breaks-restore-student-focus-judy-willis>.

²⁸ Turner, L., Eliason, M., Sandoval, A. & Chaloupka, F. (2014). *Most US public elementary schools provide students only minimal time to eat lunch.* Bridging the Gap Program, Health Policy Center, Institute for Health Research and Policy, University of Illinois at Chicago.

Bryna Morehouse, Franklin Mom CL: 603-321-7676

<u>TOWN/ELEMENTARY SCHOOL</u>	<u>RECESS:</u>	<u>LUNCH:</u>	<u>HOURS:</u>	<u>SPOKE TO:</u>
Walpole, Fisher	15 minute recess in am; 20 minute recess in afternoon	20 minute lunch	8:55 - 3:25	Pat Quinlinn
Norwood, Balch	15 minute recess in am; 20 minute "lunchtime recess"/afternoon recess	20 minute lunch	8:35 - 2:50	Allison
Plainville, Anna Ware Jackson	15 minute recess in am; 15 minute afternoon recess	20 minute lunch	8:50 - 3:00	Suzanne
Norfolk, H. Olive	30 minute recess	25 minute lunch	8:55 - 3:00	Paula
Blackstone, John F. Kennedy	30 minute recess	25 minute lunch	8:50 - 3:00	Linda
Medway, John D. McGovern	30 minute recess	30 minute lunch	8:45 - 3:00	Laurie
Attleboro, Peter Thacher	25 minute recess AND "Brain Breaks" OUTSIDE at least once	25 minute lunch	8:25 - 3:50	Jennifer
Hopkinton, Edward J. Hopkins	20 minute recess (they "usually take time from lunch")	30 minute lunch	8:15 - 2:30	Kim & Kathy
Medfield, Dale Street	25 minute recess	25 minute lunch	8:25 - 2:55	Maureen (*They use Playworks)
Bellingham, Stall Brook	25 minute recess	25 minute lunch	8:45 - 2:50	Joan
Holliston, Sam Placentino	30 minute recess	25 minute lunch	8:45 - 3:15	Maureen
Mendon, Henry P. Clough	25 minute recess	25 minute lunch	9:00 - 3:10	Julia (*Recess 1st, then lunch)
Canton, Lt. Peter M. Hansen	25 minute recess	25 minute lunch	8:30 - 2:50	Barbara C.
Sherborn, Pine Hill	25 minute recess	25 minute lunch	8:30 - 3:00	Kristen & Karen
Stoughton, Helen Hansen	25 minute recess	20 minute lunch	8:30 - 2:45	Mrs. Canseleri
Foxboro, Vincent M. Igo	20 minute recess	30 minute lunch	8:45 - 3:00	Christine
Milford, Brookside	20 minute recess	30 minute lunch	8:40 - 2:50	Janet
Wrentham, Delaney	20 minute recess	25 minute lunch	8:20 - 2:45	Linda
Franklin, Jefferson	20 minute recess	20 minute lunch	8:30 - 2:40	L. Doherty

* Benchmark data obtained by Bryna Pasternak Morehouse on 2/5 & 2/6/19. Note that many schools have P.E. twice a week around 45 minutes each session. Many schools also stated that, on half days, students STILL get recess but it may be shortened. Schools also use their gym "whenever they can" to get kids moving.

Bryna P. Morehouse, Franklin Mom
 CL: 603-321-7676

<u>TOWN/ELEMENTARY</u> <u>SCHOOL:</u>	<u>RECESS:</u>	<u>LUNCH:</u>	<u>HOURS:</u>	<u>SPOKE TO:</u>
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Bryna P. Morehouse, Franklin Morehouse
 CL: 603-321-7676

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
March 20, 2019**

A meeting of the Town Council was held on Wednesday, March 20, 2019, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Eamon McCarthy Earls, Peter Padula. Councilors absent: Thomas Mercer, Deborah Pellegrini. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Administrative Assistant.

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

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

CITIZEN COMMENTS: ► Mr. Alan Earls, 23 Marvin Avenue, gave a public service announcement for the Charles River Meadowlands Initiative to improve access to and management of more than 500 acres of natural resources along the Charles River. He showed the areas on a map. On Thursday, April 11, 2019, at 6:30 PM, at the King Street Fire Station, there will be an input session, the presentation of the results of a recent study, and a look at possible next steps. He encouraged the community and the Town Council members to attend.

APPROVAL OF MINUTES: *None.*

PROCLAMATIONS/RECOGNITIONS: *None.*

APPOINTMENTS: *None.*

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS:

- a. ***Auditors-Independent Auditors Report for the Year Ended June 30, 2018.*** ► Mr. Christopher Santini, Finance Director; Mr. Zackary Fentross, Audit Manager of Melanson Heath; and Ms. Kerri Bertone, Treasurer/Collector, addressed the Town Council. ► Mr. Fentross reviewed highlights from the financial statements and discussed the Independent Auditors' Report (page 1). He stated that the Town has received a clean opinion which means there are no exceptions; it is the best opinion that can be received from an independent audit firm. This is the same opinion the Town has received in prior years. He discussed the Management's Discussion and Analysis. He noted and reviewed the Statement of Net Position (page 14), with focus on the governmental activities' column. He noted that Land and Construction in Progress has approximately \$18.7 million balance which is about \$10 million less than the prior year. It is offset by an increase of approximately \$12 million in other capital assets, net of accumulated depreciation, due to the library project completed in 2018. He noted the Net Pension Liability with a balance of \$40.8 million which is approximately \$1.5 million increase from the prior year; he reviewed the reasons for the swings in this account. He reviewed the net OPEB liability with a balance of approximately \$73.4 million. He stated that this is the big change for the Town and for all communities. In the past, this liability was presented differently; however, governmental accounting standards changed and must it be presented as the full liability and not presented over a 30-year period. He noted page 16 and focused on the General Fund. He stated that this page does not include any long-

term liabilities or long-term assets. He explained the \$1.3 million balance under property taxes. He stated the unassigned fund balance of \$11.9 million was a good position for the Town and increased over last year. He noted information on the General Fund (page 20) which highlighted the increase in the unassigned fund balance. In total, from revenues and transfers in, to expenditures and transfers out, there was a favorable variance of \$3.3 million. He discussed the Statement of Fiduciary Net Position (page 24) and focused on the OPEB Trust Fund. The Town has set aside so far \$4.4 million which is about 5.72 percent of that liability which is about average for communities of this size in the Commonwealth.

► Town Council members asked questions about meeting the OPEB liability needs. ► Mr. Nutting stated all the OPEB Trust money is invested with the State investment vehicle so we pay very small management fees. The investments are for the long term. He reiterated that when Dan Sherman came in, he said steady as she goes; increase it each year. The pension liability will be paid off in approximately 2032 and then those funds can be put toward OPEB. ► Mr. Fentross stated there were no irregularities or issues that needed to be addressed; the Town is in a very strong financial situation. He thanked Mr. Santini and Ms. Bertone for their help and kindness in completing the audit. ► Vice Chairman Kelly thanked the Town staff for their help in the audit process.

- b. **Recreation Department.** ► Mr. Ryan Jette, Director of Recreation, addressed the Town Council. Mr. Jette presented a slideshow with an overview of the Recreation Department including statistics, programs, and events. He noted that in 2018 there were 5,277 participants enrolled in programs and the department brought in just under \$500,000 in revenue. Their goal is to be self-supporting. In 2018, they offered 95 unique programs with 401 different class offerings. He provided a list of all the programs and noted the list is available online, as well. He reviewed the sports, programs and events for the fall, winter, spring, and summer. He noted that pickleball is the fastest growing sport at this time. They try to offer something for everyone. He noted Earth Day is April 27, 2019, 9:00-12:00 PM, at Beaver Pond. Bags and gloves will be provided for the cleanup event. Community service certificates will be provided. He stated the Recreation Department provides many community education programs such as CPR/AED and first aid classes. He stated the department has two full-time staff and one part-time administrative assistant. Forty-five percent of personnel budget is made up of seasonal payroll. There are 19 senior tax workout volunteers. Mr. Jette recognized Gloria Rollinson and stated that she was honored and presented with the Franklin Recreation Department Lifetime Achievement Award for her 25-plus years of service to the children of Franklin. He thanked her for her dedication to the Recreation Department and the school. He discussed the fields and playgrounds; they are all up to code and are safe. He said he put a list of fields and playgrounds on the Town website, as well. He talked about the Eagle Scout projects that have been worked on and completed through the department. He reviewed new initiatives and planned improvements. He thanked Mr. Nutting for being a good leader and teacher, and a strong advocate for recreation. ► Mr. Casey asked if Mr. Jette had heard any concerns from parents about lack of recess time in the schools. ► Mr. Jette said he has not heard anything about lack of recess time, but he noted he has heard some gym classes are being taken away at the high school level. He stated that physical education is very important for children. ► Mr. Dellorco stated he thinks the Town has the best recreational director in the state; Mr. Jette does a great job. ► Mr. Jette thanked his staff and volunteers for all their hard work. ► Mr. Jones stated he thinks highly of what the Recreation Department does for the Town. ► Mr. Padula stated that keeping kids involved in sports and keeping them active is wonderful; the Recreation Department does a great job. ► Mr. Nutting said Mr. Jette is a hard worker and very passionate about his work. ► Vice Chairman Kelly thanked Mr. Jette for his hard work and dedication.
- c. **Department of Public Works-Recycling.** ► Mr. Brutus Cantoreggi, Director of Public Works, and Mr. Chris White, Environmental Affairs Coordinator, addressed the Town Council during Legislation for Action, Item d.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget.** ► Mr. Dellorco stated he had nothing to report at this time.
- b. **Budget.** ► Mr. Padula stated he had nothing to report at this time.
- c. **Economic Development.** ► Vice Chairman Kelly stated everything is status quo.

LEGISLATION FOR ACTION:

- a. **Resolution 19-25: Appropriation Police & Fire Station Improvements (Motion to Approve Resolution 19-25 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-25: Appropriation Police & Fire Station Improvements for \$50,000 by **Padula. SECOND** by **Dellorco.** **Discussion:** ► Mr. Nutting stated that originally the regional dispatch center (RDC) was going to pay for all this. There are things that need to be done at both locations to make up for a lack of dispatcher. We were given short notice and we need the funds to complete these upgrades at both locations quickly. These upgrades are for the safety of the officers. ► Town Council members asked questions. ► **VOTE: Yes-7, No-0, Absent-2.**
- b. **Resolution 19-26: Appropriation Transfer Funds Public Works Curbside (Motion to Approve Resolution 19-26 - Majority Vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 19-26: Appropriation Transfer Funds Public Works Curbside for \$100,000 by **Jones. SECOND** by **Dellorco.** **Discussion:** ► Mr. Nutting stated the curbside program is an Enterprise Account. In the last 12 months, the recycling market is in chaos. It is costing the Town a great deal of money. We will be \$100,000 short for this fiscal year. In the final resolution on tonight's agenda, we will be asking for a rate increase for the next fiscal year. It is well beyond the Town's control. ► Mr. Casey noted this issue is everywhere. ► Vice Chairman Kelly asked Mr. Cantoreggi about how they can find out who puts non-recyclables in their recycling bucket. ► Mr. Cantoreggi stated the Waste Management trucks have cameras on the sides in the hopper. A picture is taken every time the truck arm tips the bucket over; the trucks are GPS tracked so they can verify what house it was at. The driver will get out and put a sticker on something that should not be in the recycling bucket. ► Mr. Cantoreggi stated letters are sent out to violators and fines are threatened. It is more about public education. The recycling rate has gone up, but it is less than other communities because the Town's contamination rate is very low. ► **VOTE: Yes-7, No-0, Absent-2.**
- c. **Bylaw Amendment 19-839: Municipal Service Fees - Recycling Sticker Rate Increase - 1st Reading (Motion to Move Bylaw Amendment to a 2nd Reading - Majority Vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 19-839: Municipal Service Fees - Recycling Sticker Rate Increase to a 2nd Reading by **Padula. SECOND** by **Dellorco.** **Discussion:** ► Mr. Nutting stated that this is basically the same issue; we will lose money if we do not up the fee. ► **VOTE: Yes-7, No-0, Absent-2.**
- d. **Bylaw Amendment 19-840: Municipal Service Fees - Curbside Trash/Recycling Rate Increase - 1st Reading (Motion to Move Bylaw Amendment 19-840 to a 2nd Reading - Majority Vote (5)).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 19-840: Municipal Service Fees - Curbside Trash/Recycling Rate Increase to a 2nd Reading by **Padula. SECOND** by **Dellorco.** **Discussion:** ► Mr. Nutting stated this is a direct result of the changes to the recycling market as well as normal increases in our costs. This should allow us to hopefully break even in FY20. The fee increase is large, but the rate is not outside the long-term rates. ► Mr. Earls asked about the rate changes over the years. ► Mr. Nutting explained the Enterprise Account and that fees went up when the barrels were purchased and when paid off the cost went down. He thinks the fee will continue to go up with inflation. ► Town Council members asked questions. ► Mr. Nutting stated that if a customer wants a 35-gallon cart instead of a 65-gallon cart, they can call the DPW and request a change. ► Mr. Cantoreggi stated that Mr. White is the passion and innovation for the solid waste program. ► Mr. Dellorco noted that if the recycling market changes, the price could go up or down. ► Mr. Hellen stated that recycling may be coming to the U.S. from China which may make rates go down. ► Mr. White stated the tonnage change annually has not been significant. ► Mr. Cantoreggi stated that Mr. White has pushed for picking up at the 55-plus residences and some condos because the Town's rates were lower than what the condos could get. He noted they do not necessarily make as much trash as a larger home, so that helps the rates. ► Mr. Nutting stated that when the Town changed to using carts, the tonnage went down about 30 percent; the recycling rates went up and our trash went down. It was a win-win. ► Mr. Cantoreggi stated

there is more accountability with the barrels. ► **VOTE: Yes-7, No-0, Absent-2.** ► Mr. Nutting discussed the two-week \$10 pass fee for Beaver Street. Only 240 people used it last year. It seems that most people use it for moving out of town and getting rid of their trash. He recommended either eliminating the \$10 pass or increasing it to \$25. He would like to put it on a future agenda for discussion. He stated that this \$10 pass was a trial; it should either be put into the bylaw or be eliminated.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting stated all is well. ► Mr. Hellen congratulated Teresa Burr and Nancy Danello as they have both become certified municipal clerks. ArtWeek begins April 27, 2019, at 4:00-9:00 PM, on the Town Common.

FUTURE AGENDA ITEMS: *None.*

COUNCIL COMMENTS: ► Mr. Jones noted that March 30, 2019, is Arts Advocacy Day. It will be held at the Senior Center. Mr. Joe Kennedy is coming to Franklin on that day around 11:30 AM. He noted that in regard to Earth Day, he has noticed quite a bit of litter around Town. He gave a shout-out to the Recreation Department. He suggested citizens go to the Recreation Department website for more information. ► Mr. Nutting stated he is amazed at the amount of litter. ► Ms. Hamblen and Mr. Dellorco said Happy Spring. ► Mr. Cantoreggi stated there were 20 snow events this year; we are about \$40,000 under budget. One-third of the budget money was spent on salt.

EXECUTIVE SESSION: *None.*

ADJOURN: ► **MOTION** to Adjourn by Dellorco. **SECOND** by Jones. **No Discussion.** ► **VOTE: Yes-7, No-0, Absent-2.** Meeting adjourned at 8:20 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
**RE: ZONING BY-LAW AMENDMENT 19-837, ZONING MAP CHANGES
FROM GENERAL RESIDENTIAL V TO SINGLE FAMILY RESIDENTIAL IV,
AN AREA ON OR NEAR WEST CENTRAL STREET**
**CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
MARK CEREL, TOWN ATTORNEY; AMY LOVE, PLANNER**
DATE: FEBRUARY 14, 2019

As you know, at their February 13th meeting the Economic Development Committee voted to send Zoning Bylaw Amendment 19-837 to the full Council for consideration. The proposed Zoning Map Amendment would change five parcels on West Central Street from General Residential V to Single Family Residential IV.

Attached are the following for review and consideration:

- A list of parcels proposed for rezoning;
- Zoning By-law Amendment 19-837: Zoning Map Changes From General Residential V to Single Family Residential IV, An Area On Or Near West Central Street; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

If Town Council supports the proposed zoning map amendment, DPCD recommends they refer Zoning By-law Amendment 19-837 to the Planning Board for a Public Hearing.

Please let me know if you have questions or require additional information.

Proposed Zoning Map Amendment

19-837

**From General Residential V to Single Family Residential IV
An Area On Or Near West Central Street**

Parcel	Location	Size (acres)	Owners	From	To
278-031-000-000	278 West Central Street	1.019	Double J Development LLC	GRV	SFRIV
278-032-000-000	280 West Central Street	0.815	Joel Derrico	GRV	SFRIV
278-033-000-000	286 West Central Street	0.147	Max Roche and Lauren Schaejbe	GRV	SFRIV
278-034-000-000	290 West Central Street	0.140	Eberle and Gracia Pierre-Louis	GRV	SFRIV
278-035-000-000	300 West Central Street	1.310	Dennis R. Foley Trust and Foley Family Trust	GRV	SFRIV

Total Acres 2.412

SFRIV = Single Family Residential IV

GRV = General Residential V

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-837
ZONING MAP CHANGES FROM GENERAL RESIDENTIAL V
TO SINGLE FAMILY RESIDENTIAL IV
AN AREA ON OR NEAR WEST CENTRAL STREET**

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

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

That the Zoning Map of the Town of Franklin be amended by changing from General Residential V to Single Family Residential IV an area containing 2.412± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Number

278-031-000	278-033-000	278-035-000
278-032-000	278-034-000	

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

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

DATED: _____, 2019

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

RECUSED _____

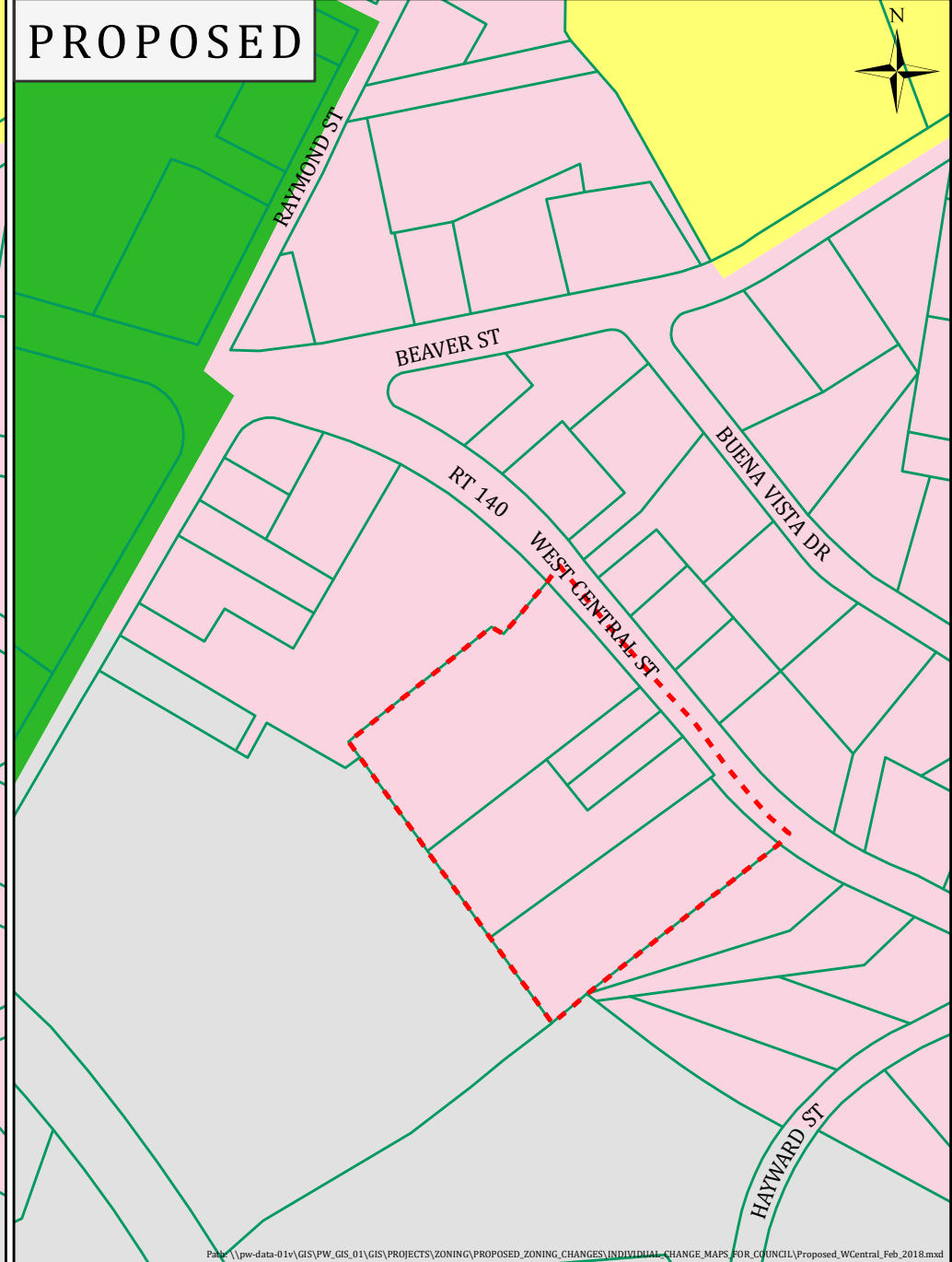
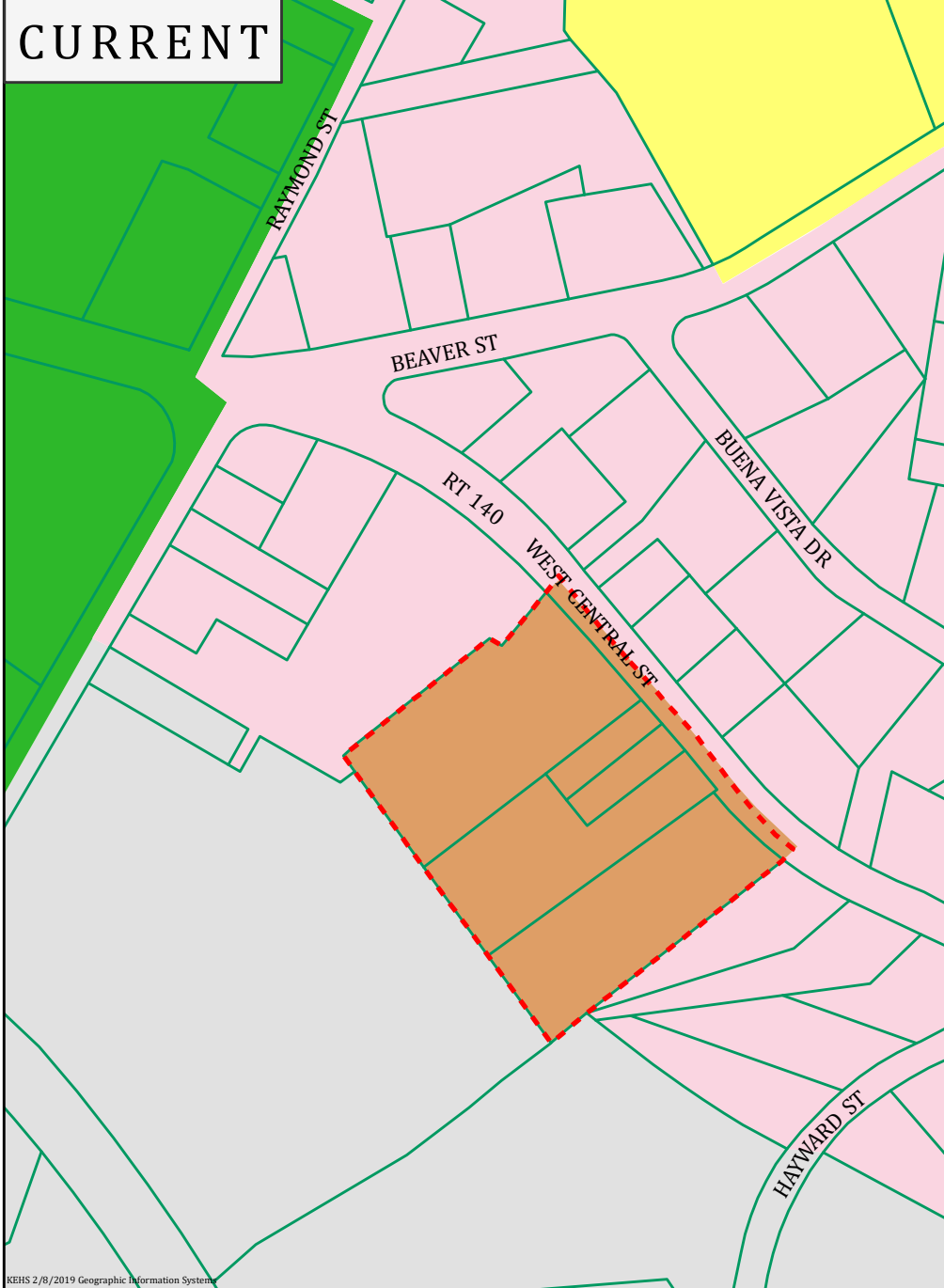
Glenn Jones, Clerk

Proposed Zoning Map Changes

General Residential V to Single-Family IV

- Commercial II
- Rural Residential II
- General Residential V
- Single-Family IV
- Industrial
- Area of Proposed Change **19-837**
- Parcel Line

0 125 250 500 Feet



Town of Franklin



TOWN OF FRANKLIN
TOWN CLERK
2019 MAR 19 A 8:33
RECEIVED

Planning Board

PUBLIC HEARING NOTICE

The following notice will be published in the Milford Daily Newspaper on March 25, 2019 and again on April 1, 2019.

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Public Hearing on April 8, 2019 at 7:30 PM and the Town Council will hold a Public Hearing on April 10, 2019, at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending Chapter 185, Sections 5 of the Code of the Town of Franklin, Zoning By-Law as follows:

ZONING BY-LAW AMENDMENT PROPOSED BY THE FRANKLIN TOWN ADMINISTRATION TO THE FRANKLIN TOWN CODE CHAPTER 185, SECTIONS 5.

Zoning By-Law Amendment 19-837: Changes from General Residential V to Single Family Residential IV in an Area on or Near West Central Street:

Chapter 185 of the Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, of the Code of the Town of Franklin, Zoning Map:

The Zoning Map of the Town of Franklin be amended by changing from General Residential V to Single Family Residential IV to an area containing 3.43 ± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Number

278-033-000 278-034-000
278-031-000 278-032-000 278-035-000

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

The exact map of said amendment may be reviewed in the Department of Planning and Community Development during normal business hours (Monday, Tuesday and Thursday - 8:00 AM to 4:00 PM, Wednesday - 8:00 AM to 6:00 PM, and Friday - 8:00 AM to 1:00 P.M).

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

Anthony Padula, Chairman
Franklin Planning Board


Thomas Mercer, Chairman
Franklin Town Council

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: April 3, 2019
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
Jamie Hellen, Deputy Town Administrator
RE: Resolutions 19-27 and 19-28



As you know we are about to construct a water treatment plant on Grove Street starting later this year. We are applying for a State Revolving Fund loan which has an interest rate of 2%. This is below the current interest rates and will save the town hundreds of thousands of dollars.

Resolution 19-27 authorizes the town to spend up to \$13 million for the plant. Resolution 19-28 authorizes the Town Administrator to sign any documents related to the loan.

Happy to answer any questions.



TOWN OF FRANKLIN

RESOLUTION 19-27

APPROPRIATION AND BORROWING FOR CONSTRUCTION OF A WATER TREATMENT PLANT TO SERVE WELLS 3 & 6 INCLUDING INSTALLATION OF WATER MAINS, ROAD WORK AND RELATED EXPENSES

IT IS ORDERED by the Town Council of the Town of Franklin that:

- (1) \$13,000,000 is appropriated for the construction of a water treatment plant to serve wells 3 & 6, including installation of water mains, road work and related expenses, and including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Town Administrator is authorized to borrow said amount under Chapter 44 of the General Laws or any other enabling legislation.
- (2) The Town Administrator is authorized to contract for and expend any federal or state aid available for the project.
- (3) Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.
- (4) The Town Administrator is authorized to take any other action necessary or convenient to carry out this project and this Order.
- (5) This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

DATED: _____, 2019

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

RECUSED _____

A True Record Attest:

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



TOWN OF FRANKLIN

RESOLUTION 19-28

GROVE STREET WATER TREATMENT PLANT

Whereas, the Town of Franklin, after thorough investigation, has determined that the work activity consisting of Grove Street Water Treatment Plant (DWSRF-4583) is both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; and

Whereas, the Massachusetts Department of Environmental Protection (MassDEP) and the Massachusetts Clean Water Trust (the Trust) of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth ("Chapter 21" and "Chapter 29C") are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Drinking Water Protection Projects; and

Whereas, the Applicant has examined the provisions of the Act, Chapter 21 and Chapter 29C, and believes it to be in the public interest to file a loan application.

NOW, THEREFORE, BE IT RESOLVED by the Franklin Town Council as follows:

1. That the Town Administrator is hereby authorized on behalf of the Applicant to file applications and execute agreements for grant and/or loan assistance as well as furnishing such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application;
2. That the purpose of said loan(s), if awarded, shall be to fund construction activities.
3. That if said award is made the Applicant agrees to pay those costs which constitute the required Applicant's share of the project cost.

DATED: _____, 2019

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

RECUSED _____

A True Record Attest:

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: March 14, 2019
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
Jamie Hellen, Deputy Town Administrator
RE: Fund for Study of Beaver Street Sewer Interceptor

We have received a quote of \$156,700 to do a general review of the interceptor which will provide options and proposed cost for dealing with the Interceptor. The study will take approximately 12 months and a final report will be provided to the Council.

Please see attached the summary of the proposal.

CC: Robert Cantoreggi, Public Works Director
Laurie Ruzala, Water and Sewer Superintendent



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION NO.: 19-29
APPROPRIATION: Sewer Enterprise Fund Beaver St. Interceptor
TOTAL REQUESTED: \$ 156,700

PURPOSE: To appropriate funds from Sewer Enterprise Fund Retained Earnings for an engineering study of the Beaver St. Interceptor in the amount of \$156,700.

MOTION

Be It Moved and Voted by the Town Council that the sum of One Hundred Fifty-Six Thousand Seven Hundred Dollars (\$156,700) be appropriated/transferred from the Sewer Enterprise Fund Retained Earnings for an engineering study of the Beaver St. Interceptor.

DATED: _____, 2019

VOTED:
UNANIMOUS _____
YES _____ NO _____
ABSTAIN _____
ABSENT _____
RECUSED _____

A True Record Attest:

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council



Mr. Robert Cantoreggi, Director
Ms. Laurie Ruzala, Water and Sewer Superintendent
Department of Public Works
Town of Franklin
257 Fisher Street
Franklin, MA 02038

Re: **Beaver Street Interceptor Renewal/Replacement
Alternatives Analysis**
Letter Proposal for Engineering Services

Mr. Cantoreggi and Ms. Ruzala

ARCADIS is pleased to submit this letter proposal to assist the Town of Franklin with its continuing efforts to monitor and maintain the Town's sanitary sewer system. The overall goal of this project is to evaluate the Beaver Street Interceptor, determine its physical and operational condition and consider alternatives for renewing or replacing the interceptor, either in its current location or in an alternative location.

Background

The Beaver Street Interceptor (BSI) was originally constructed in 1914 and discharged to the former Franklin Wastewater Treatment Plant on Pond Street (a.k.a, the sewer beds). The BSI conveys over 70% of the Town's sewage and, on average, approximately 1.5 million gallons per day (mgd) of sewage flow through the pipeline. The interceptor includes 59 manholes and 2.3 miles (12,137 LF) of pipe, extending from the intersection of Cottage Street and Union Street to the easement behind Pond Street, near the Interstate 495/Route 140 interchange, where it discharges to the Mine Brook Interceptor. Due to its age and the percentage of the Town's sewer flows conveyed by the interceptor, the BSI is considered Franklin's most critical sewer asset.

Since 2003, the Town has contracted for cleaning, internal investigation and condition assessment of the interceptor on a recurring 5-year basis. In addition, the Town has been monitoring flows in the BSI continuously since 2005. These studies, culminating with the July 2018, "*Collection System Master Plan – Phase 1*" Report recommended that the Town perform a Beaver Street Interceptor Renewal/Replacement Evaluation, including a full condition assessment of the BSI; a build-out analysis of all tributary areas; development and application of a hydraulic model; and a renewal/replacement alternatives analysis, including consideration of

Imagine the result

g:\busdev\franklin\2019 - bsi renew-replace evaluation\letter proposal 02.26.2019.docx

ARCADIS U.S., Inc.
500 Edgewater Drive
Suite 511
Wakefield
Massachusetts 01880
Tel 781 224 4488
Fax 781 224 3033
www.arcadis.com

WATER DIVISION

Date:
February 26, 2019

Contact:
Scott Haynes

Phone:
781.213.4905

Email:
scott.haynes@arcadis.com

Our ref:
04496057.0000

permitting and environmental impacts, accessibility and maintenance issues, and short-term and life-cycles cost analyses.

Scope of Work

This proposal consists of the following tasks as they pertain the Beaver Street Interceptor:

- 1) Current conditions assessment
- 2) Tributary area buildout analysis
- 3) Hydraulic model and capacity assessment
- 4) Renewal/replacement alternatives analysis
- 5) Findings and Recommendations Report

The specific work to be done under each of these tasks is discussed below.

Tasks 1 – Current Conditions Assessment

Under this Task, Arcadis will review and evaluate the current physical and operating condition of the Beaver Street Interceptor. We will describe the physical parameters of the BSI, including its size(s), materials of construction, location and routing, and previously identified defects, and its operating condition, including average and peak daily flows, availability capacity and O&M history.

Utilizing past inspections of the Beaver Street Interceptor pipeline and manholes, particularly the most recent (2014) cleaning and CCTV project, Arcadis will provide an updated and summarized evaluation of the physical condition of the BSI. We will also provide narrative on the recommendations from past investigations and update the condition assessments and recommendations, as warranted, based on the time which has elapsed since the last study.

Current flow data will also be summarized and used to evaluate the available capacity of the BSI (see Task 3, Hydraulic Model). We will utilize flow data from the 2018-2019 on-going flow monitoring of the BSI itself, as well as the extensive, Town-wide flow data collected utilizing 18 meters in 2017.

The physical condition assessment and flow data will be used in context of the Alternatives Analysis and Recommendations Report to be completed under Tasks 4 and 5.

Task 2 – Tributary Area Buildout Analysis

Using available information, including planning studies and growth projection information, Arcadis will evaluate the potential future population growth within the BSI tributary area. These projections will be used to estimate commercial, industrial and

domestic wastewater flows, and these flows will be applied to the BSI hydraulic model (Task 3).

The buildout analysis will consist of analysis of buildout potential for currently undeveloped parcels within the BSI tributary area. Due to the uncertainty of how currently developed lots might be redeveloped or repurposed, Arcadis will provide a general assessment of potential impacts as they pertain to increased flows within the sanitary sewer system and BSI. Going forward, the hydraulic model to be developed under Task 3 can be utilized to evaluate capacity impacts of unanticipated, future, new development or redevelopment.

Task 3 – Hydraulic Model and Capacity Assessment

Task 3 includes the development of system-wide hydraulic model. A system-wide hydraulic model is a valuable tool for future master planning, capacity assessments, build-out and development analyses and wet weather overflow abatement evaluations.

The hydraulic model will be used to evaluate the current and future available capacity of the BSI in support of the renewal/replacement alternatives analysis (Task 4). In the long term, the model will support evaluation of the sewer system as the community grows and changes over the next several decades, and it can be used to identify current and future collection system needs.

The model will focus in detail on areas of known capacity concerns, particularly the BSI, and span town-wide for all gravity sewers 12" in diameter or larger. The hydraulic model will be developed based on 2017 flow metering data, population and water use records, the Town's GIS and existing Record Drawing information.

Where required to complete the hydraulic model and capacity assessment, this task will include up to 2-days of field survey to collect elevations of manhole rims and/or inverts. This will be utilized in locations where GIS or record drawing information is not available and where topographic information not available or reliable.

Tasks to be completed for the collection system hydraulic model for focus areas will include:

- Selection of modeling software
- Development of baseline hydraulic model (gravity sewers, pump stations, force mains)
- Collection and incorporation of population and water use records or sewer flow data (2017 flow monitoring)
- Delineation of model sub-basins and flow load points to model network

Application of the hydraulic model will include development of calibration guidelines, estimation of base flow parameters and calibration and validation of the model. The

model will be calibrated using dry and wet weather flows and will incorporate future Town growth projections (Task 2).

Task 4 – Renewal/Replacement Alternatives Analysis

Baseline information from Tasks 1 – 3 will be used to conduct an alternatives analysis for renewal or replacement of the Beaver Street Interceptor. The alternatives analysis will include determination of the need and timing for renewal or replacement of the BSI, with consideration of factors including:

- Physical condition of the BSI pipes and manholes (from Task 1)
- Current flows and current and future capacity needs (from Task 1)
- Estimate of build-out potential and associated additional flows (from Task 2)
- Capacity needs (from Task 3)
- Alternative options for meeting the identified needs

Arcadis will evaluate the following alternatives to renew (rehabilitate in place) or replace the BSI:

- Rehabilitation of the BSI in place by cured-in-place pipe lining (CIPPL) or other dig or no-dig alternatives
- Replacement of the BSI along its current alignment
- Replacement of the BSI along two (2), technically feasible alternative routes. The alternative routes to be assessed will be determined in conjunction with the Town during the early stages of the project. One alternative route will be along Route 140 (East and West Central Street).

Factors to be considered and weighed in the Alternatives Analysis will include:

- Capacity needs
- Accessibility for operation, maintenance and future repairs
- Constructability
- Life-cycle costs, including short-term capital costs and long-term O&M costs
- Environmental impacts, risks and permitting
- Disruption to the public

Task 5 – Findings and Recommendations Report

This task consists of the development of Draft and Final Reports detailing all data and information collected and developed during Tasks 1 – 4. The Report(s) will also include recommendations, cost estimates and a proposed implementation schedule. DPW comments on the Draft Report will be addressed and incorporated into the Final Report.

Arcadis will meet with the Town throughout the project to provide updates and solicit input at all critical stages of the project. We also conduct or attend meetings to:

- Determine the alternative routes to be evaluated
- Discuss findings and recommendations from the alternatives analysis as the project progresses
- Deliver and discuss the draft and final reports
- Present the findings and recommendations to the Town Council, as requested

Engineering Fee

We propose to complete the work described above for a lump sum fee of **\$156,700**, as shown in the following table.

Task	Task Description	Fee
1	Current Conditions Assessment	\$8,800
2	Tributary Area Buildout Analysis	\$15,400
3	Hydraulic Model and Capacity Assessment*	\$54,200
4	Renewal/Replacement Alternatives Analysis	\$59,700
5	Findings and Recommendations Report**	\$18,600
	Total:	\$156,700

**Includes field survey*

***Includes meetings and workshops with DPW and presentation to Town Council*

Schedule

We propose to begin work on this project upon receipt of a signed contract. Barring unforeseen delays, we anticipate completion of all tasks and deliverables within twelve (12) months of starting work.

We appreciate the opportunity to submit this proposal and look forward to continuing to assist the Town of Franklin DPW with your on-going efforts to investigate, operate, maintain and rehabilitate your sanitary sewer system.

Sincerely,
ARCADIS U.S., Inc.



Scott Haynes, PE, BCEE
Principal Engineer/Project Manager

Cc: Deacon Perrotta, Franklin DPW
Amy Anderson, Arcadis



TOWN OF FRANKLIN

RESOLUTION 19-30

Acceptance of Gift – Franklin Veterans Services

WHEREAS, The Franklin Veterans Services Department will receive a generous donation of \$50,300 from the Franklin Post 3402 VFW to be used for the Franklin Memorial Path Fund.

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of Franklin Veteran Services Department gratefully accepts this generous donation to be used for the Franklin Memorial Path Fund and thanks the Franklin Post 3402 VFW for their continued support.

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

DATED: , 2019

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

TOWN OF FRANKLIN

SCHEDULE OF DEPARTMENTAL PAYMENTS TO TREASURER

Turnover Number:

Department:
VETERANS
543

Date
March 1, 2019

FROM WHOM	DESCRIPTION	CODE	AMOUNT
Franklin Post 3402 VFW	Franklin Memorial Path Fund	VETSMP	\$ 50,300.00
TOTAL			\$ 50,300.00

To the Town Accountant:

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

Fifty Thousand Three Hundred Dollars and No Cents

for the period ending

March 1, 2019

Town Treasurer, whose receipt I hold therefor.

Signature

Dale Kuit

Title: Veterans Service Officer

March 1, 2019

To the Departmental Officer making the Payment:

Received of Veterans

Fifty Thousand Three Hundred Dollars and No Cents

for the period ending

March 1, 2019

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

_____, Town Treasurer

FRANKLIN POST 3402 VFW
1034 POND ST.
FRANKLIN, MA 02038

5-7017/2110

143

DATE

February 28th 2019

PAY TO THE
ORDER OF

Town of Franklin

\$ 50,300 ^{xx}/₁₀₀

Fifty thousand three hundred and ^{xx}/₁₀₀

Citizens Bank®

MEMO

Walkway Fund

Edward J. Balasingh

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

MEMORANDUM

TO: JEFFREY D. NUTTING, TOWN ADMINISTRATOR
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
**RE: ZONING BY-LAW AMENDMENT 19-837, ZONING MAP CHANGES
FROM GENERAL RESIDENTIAL V TO SINGLE FAMILY RESIDENTIAL IV,
AN AREA ON OR NEAR WEST CENTRAL STREET**
**CC: JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR
MARK CEREL, TOWN ATTORNEY; AMY LOVE, PLANNER**
DATE: FEBRUARY 14, 2019

As you know, at their February 13th meeting the Economic Development Committee voted to send Zoning Bylaw Amendment 19-837 to the full Council for consideration. The proposed Zoning Map Amendment would change five parcels on West Central Street from General Residential V to Single Family Residential IV.

Attached are the following for review and consideration:

- A list of parcels proposed for rezoning;
- Zoning By-law Amendment 19-837: Zoning Map Changes From General Residential V to Single Family Residential IV, An Area On Or Near West Central Street; and
- A diagram with two maps: one showing the current zoning in the area, and one showing proposed Zoning Map changes.

If Town Council supports the proposed zoning map amendment, DPCD recommends they refer Zoning By-law Amendment 19-837 to the Planning Board for a Public Hearing.

Please let me know if you have questions or require additional information.

Proposed Zoning Map Amendment

19-837

**From General Residential V to Single Family Residential IV
An Area On Or Near West Central Street**

Parcel	Location	Size (acres)	Owners	From	To
278-031-000-000	278 West Central Street	1.019	Double J Development LLC	GRV	SFRIV
278-032-000-000	280 West Central Street	0.815	Joel Derrico	GRV	SFRIV
278-033-000-000	286 West Central Street	0.147	Max Roche and Lauren Schaejbe	GRV	SFRIV
278-034-000-000	290 West Central Street	0.140	Eberle and Gracia Pierre-Louis	GRV	SFRIV
278-035-000-000	300 West Central Street	1.310	Dennis R. Foley Trust and Foley Family Trust	GRV	SFRIV

Total Acres 2.412

SFRIV = Single Family Residential IV

GRV = General Residential V

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-837
ZONING MAP CHANGES FROM GENERAL RESIDENTIAL V
TO SINGLE FAMILY RESIDENTIAL IV
AN AREA ON OR NEAR WEST CENTRAL STREET**

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

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

That the Zoning Map of the Town of Franklin be amended by changing from General Residential V to Single Family Residential IV an area containing 2.412± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Number

278-031-000	278-033-000	278-035-000
278-032-000	278-034-000	

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

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

DATED: _____, 2019

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

RECUSED _____

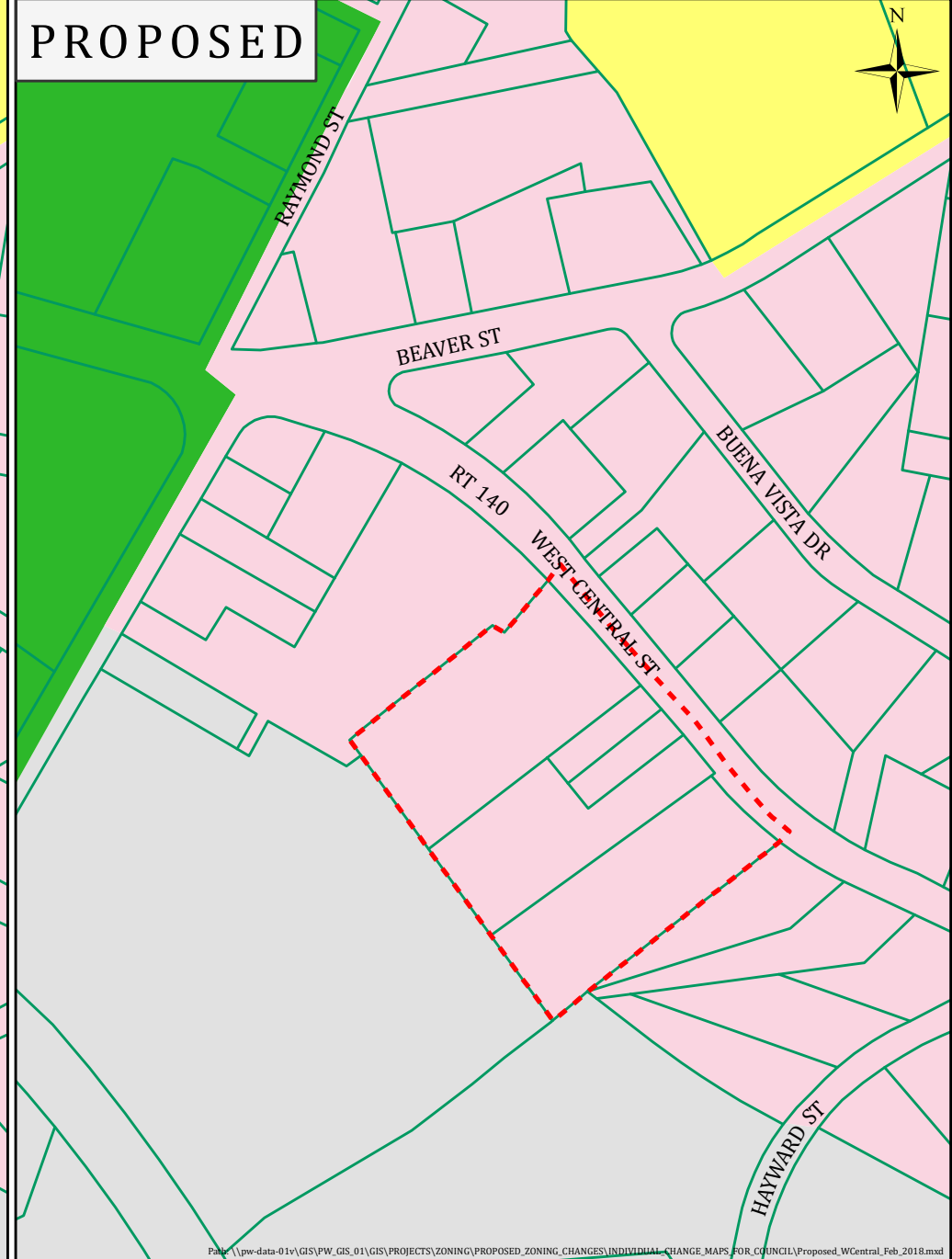
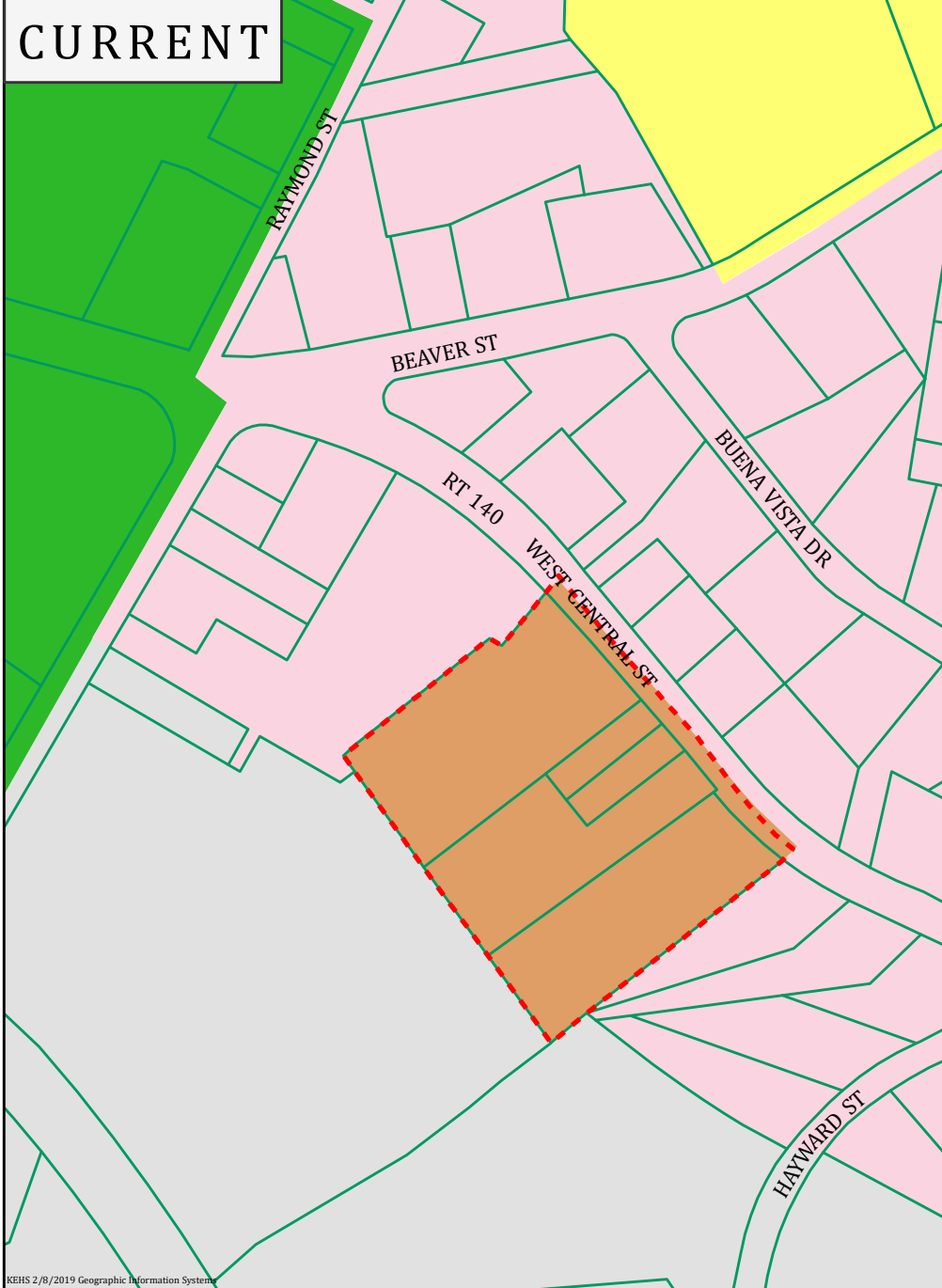
Glenn Jones, Clerk

Proposed Zoning Map Changes

General Residential V to Single-Family IV

- Commercial II
- Rural Residential II
- General Residential V
- Single-Family IV
- Industrial
- Area of Proposed Change **19-837**
- Parcel Line

0 125 250 500 Feet



Town of Franklin



TOWN OF FRANKLIN
TOWN CLERK
2019 MAR 19 A 8:33
RECEIVED

Planning Board

PUBLIC HEARING NOTICE

The following notice will be published in the Milford Daily Newspaper on March 25, 2019 and again on April 1, 2019.

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Public Hearing on April 8, 2019 at 7:30 PM and the Town Council will hold a Public Hearing on April 10, 2019, at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending Chapter 185, Sections 5 of the Code of the Town of Franklin, Zoning By-Law as follows:

ZONING BY-LAW AMENDMENT PROPOSED BY THE FRANKLIN TOWN ADMINISTRATION TO THE FRANKLIN TOWN CODE CHAPTER 185, SECTIONS 5.

Zoning By-Law Amendment 19-837: Changes from General Residential V to Single Family Residential IV in an Area on or Near West Central Street:

Chapter 185 of the Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, of the Code of the Town of Franklin, Zoning Map:

The Zoning Map of the Town of Franklin be amended by changing from General Residential V to Single Family Residential IV to an area containing 3.43 ± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

Parcel Number

278-033-000 278-034-000
278-031-000 278-032-000 278-035-000

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

The exact map of said amendment may be reviewed in the Department of Planning and Community Development during normal business hours (Monday, Tuesday and Thursday - 8:00 AM to 4:00 PM, Wednesday - 8:00 AM to 6:00 PM, and Friday - 8:00 AM to 1:00 P.M).

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

Anthony Padula, Chairman
Franklin Planning Board

Thomas Mercer, Chairman
Franklin Town Council



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

257 Fisher Street
Franklin, MA 02038

March 15, 2019

Mr. Jeffrey Nutting, Town Administrator
Town of Franklin
355 East Central Street
Franklin, MA 02038

Re: Discharges to the Municipal Storm Drain System

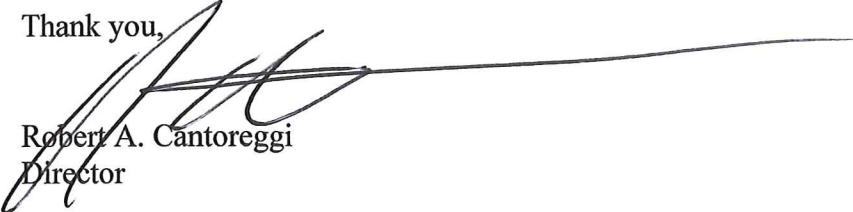
Dear Jeff,

As you are aware the Town is required to create by-laws regarding Illicit Discharges to the Municipal Storm Drain System to be in compliance with an NPDES Storm Water Discharge Permit.

The purpose of these by-laws are to regulate illicit connections and discharges to the municipal storm drain system in order to protect the Town of Franklin's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.

Attached is the Draft Proposal which has been reviewed and approved by DPW and Mark Cerel.

Thank you,



Robert A. Cantoreggi
Director

CC: Jamie Helen, Assistant Town Administrator
Mark Cerel, Town Council
Deacon Perrotta, Director of Operations
Carlos Rebelo, Highway and Grounds Superintendent
Laurie Ruszala, Water and Sewer Superintendent
Mike Maglio, Town Engineer
Kate Sjoberg, GIS Coordinator
File

**TOWN OF FRANKLIN
BYLAW AMENDMENT 19-838**

**A BYLAW TO AMEND THE FRANKLIN TOWN CODE AT
CH. 153 STORMWATER MANAGEMENT**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: Chapter 153 of the Code of the Town of Franklin Stormwater Management is hereby amended by adding a new Article IV Discharges to the Municipal Storm Drain System, as follows:

ARTICLE IV. DISCHARGES TO THE MUNICIPAL STORM DRAIN SYSTEM.

§153-19. Purpose.

The purpose of this article is to regulate illicit connections and discharges to the municipal storm drain system in order to protect the Town of Franklin's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment. This article seeks to meet that purpose through the following objectives:

- A. to prevent pollutants from entering the Town of Franklin's municipal separate storm sewer system (MS4);
- B. to prohibit illicit connections and unauthorized discharges to the MS4;
- C. to require the removal of all such illicit connections;
- D. to comply with state and federal statutes and regulations relating to stormwater discharges; and
- E. to establish the legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

§153-20. Definitions.

The definitions in Article I. Section 153-2 are applicable to this article (Article IV) as well as the following additional definitions:

BEST MANAGEMENT PRACTICE (BMP) – An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff or prevent pollutants from entering stormwater runoff.

CLEAN WATER ACT – The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

DISCHARGE OF POLLUTANTS – The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

GROUNDWATER – Water beneath the surface of the ground.

ILLCIT CONNECTION – A surface or subsurface drain or conveyance, including any connections from indoor drains, sinks, or toilets, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law.

ILLCIT DISCHARGE – Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in §153-23. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT – A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NON-STORMWATER DISCHARGE – Discharge to the municipal storm drain system not composed entirely of stormwater.

PERSON – An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POLLUTANT – Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is considered toxic to humans or the environment and may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables; pesticides, herbicides, and fertilizers; hazardous materials and wastes, as hereinafter defined; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; rock, sand, salt, soils; construction wastes and residues; and noxious or offensive matter of any kind.

PROCESS WASTEWATER – Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

STORMWATER – Runoff from precipitation or snow melt.

SURFACE WATER DISCHARGE PERMIT – A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of

pollutants to waters of the Commonwealth of Massachusetts.

TOXIC OR HAZARDOUS MATERIAL or WASTE – Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WATERCOURSE – A natural or man-made channel through which water flows, or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH – All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WASTEWATER – Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

§153-21. Applicability.

This article shall apply to flows entering the municipal storm drain system.

§153-22. Prohibited Activities.

- A. **Illicit Discharges.** No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal storm drain system (MS4), into a watercourse, or into the waters of the Commonwealth.
- B. **Illicit Connections.** No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of connection.
- C. **Obstruction of Municipal Storm Drain System.** No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Director of Public Works.

§153-23. Exemptions.

Discharges or flows resulting from firefighting activities are exempt from the prohibition of non-stormwater discharges. The following additional non-stormwater discharges or flows are exempt from the prohibition of non-stormwater discharges provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:

- A. Waterline flushing;
- B. Flow from potable water sources;
- C. Springs;
- D. Natural flow from riparian habitats and wetlands;
- E. Diverted stream flow;
- F. Rising groundwater that enters the storm drain system;
- G. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20);
- H. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space or basement sump pumps, or air conditioning condensation provided they are uncontaminated and do not cause a nuisance or safety hazard;
- I. Discharge from landscape irrigation or lawn watering;
- J. Water from individual residential car washing;
- K. Uncontaminated water used for dust control;
- L. Water discharge from street sweeping activities;
- M. Dye testing, provided verbal notification is given to the Director of Public Works prior to the time of the test;
- N. Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided test data is submitted to the Town substantiating that the water meets the one ppm standard, and the pool is drained in such a way as not to cause a nuisance or public safety issue and complies with all other applicable Town Bylaws;
- O. Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
- P. Discharge for which advance written approval is received from the Director of Public Works as necessary to protect public health, safety, welfare, or the environment.

§153-24. Emergency Suspension of Storm Drainage System Access.

The Director of Public Works may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment.

§153-25. Notification of Spills.

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire, police, and public works departments. In the event of a release of non-hazardous material, the reporting person shall notify the Director of Public Works no later than the next business day. The reporting person shall provide to the Director of Public Works written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§153-26. Enforcement.

The Director of Public Works, or an authorized employee or agent, shall administer, implement and enforce Chapter 153, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

- A. Civil Relief – If a person violates the provisions of this by-law, permit, notice, or order issued thereunder, the Director of Public Works may seek equitable relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- B. Orders – The Director of Public Works, or an authorized employee or agent, may issue a written order to enforce the provisions of this Chapter, which may include:
 - 1) elimination of illicit connections or discharges to the MS4;
 - 2) performance of monitoring, analyses, and reporting;
 - 3) that unlawful discharges, practices, or operations shall cease and desist; and
 - 4) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed.

Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Franklin will pursue all options available to it, including imposition of fines, performance of remediation work at violator/property owner's expense and institution of court action. property owner shall be liable for the payment of all expenses incurred by the Town in connection therewith including all court costs and attorney's fees incurred in any enforcement or collection action, and unpaid expenses shall constitute a lien on the property to the extent provided by law.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town of Franklin, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Director of Public Works within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Director of Public Works affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Chapter- 59, Section 57 after the thirty-first day at which the costs first become due.

- C. Criminal Penalty – Any person who violates any provision of this Chapter, order or permit issued thereunder, shall be punished by a fine of \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- D. Non-Criminal Disposition – As an alternative to criminal prosecution or civil action, the Town of Franklin may elect to utilize the non-criminal disposition procedure set forth in General Laws, Chapter 40, Section 21D. The Director of Public Works or his designee and the Franklin Police Department are each designated enforcement agent for purpose of said statute. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- E. Entry to Perform Duties Under this By-Law – To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Director of Public Works, or authorized employees, agents, officers, may enter upon privately owned property for the purpose of performing their duties under this Chapter and may make or cause to be made such examinations, surveys or sampling as the Director of Public Works deems reasonably necessary.
- F. Appeals – The decisions or orders of the Director of Public Works shall be final. Further relief shall be by appeal to a court of competent jurisdiction.
- G. Remedies Not Exclusive – The remedies listed in Chapter 153 are not exclusive of any other remedies available under any applicable federal, state or local law.

§153-27. Severability.

The provisions of Chapter 153 are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this Chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Chapter.

§153-28. Transitional Provisions.

Residential property owners shall have 90 days following the effective date of Chapter 153 to comply with its provisions provided good cause is shown for the failure to comply with the Chapter during that period.

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

DATED: _____, 2019

VOTED:
UNANIMOUS _____

YES _____ **NO** _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

RECUSED _____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: February 19, 2019
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
Jamie Hellen, Deputy Town Administrator
RE: Beaver Street Sticker Fee

As a result of additional cost and the recycling market we are requesting an increase in the annual sticker fee from \$25 to \$35 per year. We sell approximately 2,500 stickers so this will bring in \$25,000 and help offset the loss in recycling revenue. The projected budget for FY 20 is \$155,000. The budget does not include other cost associated with the operation that are funded in the DPW budget including staff, loaders, snow removal, etc.

The potential revenues about \$132,000. The revenue income is subject to volume and market fluctuation. Accordingly the gap is estimated to be about \$23,000.

Further we are recommending the elimination of the 14 day pass. We sold approximately 240 stickers last year and the common theme among the staff is that most of the folks are leaving town and discarding their "stuff". Given the very limited use and low cost of an annual sticker we think it makes sense to either discontinue that option or increase the 10 day fee to \$25.

Estimated income for the recycling center for FY 2020:

Annual \$25 fee:	\$62,500
2 week \$10 pass:	\$2,400
Metal:	\$22,000
Cardboard:	\$3,500
Mattresses:	\$13,000

HHW fees:	\$1,500
Freon appliances:	\$7,000
TV's:	\$12,000
Tires:	\$2,400
ABC:	\$300
Tubs, toilets sinks:	\$2,600
Lamps:	\$3,000

Estimated revenue FY 20	\$132,000 (rounded)
Estimated budget FY 20	\$155,000
Estimated Gap	\$23,000

CC: Robert Cantoreggi, Public Works Director



TOWN OF FRANKLIN
BYLAW AMENDMENT 19-839

CHAPTER 82, MUNICIPAL SERVICE FEES

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CH. 82

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

§ 82-6. Schedule of service fees.

DEPARTMENT	FEE	FY19 RATE	<u>FY20 RATE</u>
Public Works			
	Beaver Street Recycling Center (Annual Sticker Fee)	\$25	<u>\$35</u>

This bylaw amendment shall become effective July 1, 2019.

DATED: _____, 2019

VOTED:
UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

RECUSED _____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: February 19, 2019
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
Jamie Hellen, Deputy Town Administrator
RE: FY20 Curbside Trash/Recycling Fee

We are requesting an increase in the annual curbside trash fee from \$208 a year to \$240 per year effective July 1, 2019. This increase is a direct result of the changes to the recycling market as well as normal increases in our costs.

The fee should allow us to hopefully break even in FY 20 but given the uncertainty of the recycling market we will closely monitor the budget. While the fee increase is large, the rate is not outside the long term rates.

Fee

FY05 \$300	FY 13 \$204
FY06 \$216	FY 14 \$212
FY07 \$240	FY 15 \$216
FY08 \$232	FY 16 \$200
FY 09 \$244	FY 17 \$204
FY 10 \$244	FY 18 \$200
FY 11 \$220	FY 19 \$208
FY 12 \$220	FY 20 \$240 Proposed

CC: Robert Cantoreggi, Public Works Director

Curbside Trash and Recycling

Equipment	Volume	FY 20 Rate	FY 20 Income
1 refuse cart 65 gallon	9,100	240	2,184,000
1 refuse cart 35 gallon	35	212	7,420
2 refuse cart 65 gallon	210	150	31,500
2 recycle totter 65 gallon	81	75	6,075
business carts 65 gallon	33	100	3,300
bags	3,000	3	9,000
Revenue			2,241,295
Expenses			2,214,778
Difference			26,517



TOWN OF FRANKLIN
BYLAW AMENDMENT 19-840

CHAPTER 82, MUNICIPAL SERVICE FEES

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CH. 82

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

§ 82-6. Schedule of service fees.

DEPARTMENT	FEE	FY19 RATE	FY20 RATE
Public Works			
	Curbside Trash (annual)		
	Fee using 65-gallon trash and recycling carts	\$204	<u>\$240</u>
	Fee using 35-gallon trash and recycling carts	\$180	<u>\$212</u>

This bylaw amendment shall become effective July 1, 2019.

DATED: _____, 2019

VOTED:
UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

RECUSED _____

Teresa M. Burr
Town Clerk

Glenn Jones, Clerk
Franklin Town Council