



FRANKLIN TOWN COUNCIL

October 25, 2017

7:00 PM

A. APPROVAL OF MINUTES –

B. ANNOUNCEMENTS –

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

C. PROCLAMATIONS/RECOGNITIONS

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

E. APPOINTMENTS - *Franklin Cultural Council (2)*

F. HEARINGS -

G. LICENSE TRANSACTIONS

H. PRESENTATIONS/DISCUSSIONS - *Veterans Service Officer, Dale Kurtz*

I. SUBCOMMITTEE REPORTS

J. LEGISLATION FOR ACTION

1. *Resolution 17-58: Transfer From Water Enterprise and Rescind Borrowing Authority (Resolutions No. 14-16, 15-27, and 17-14 Appropriation Funding Sources) (Motion to Move Resolution 17-58 – Majority vote (5))*
2. *Resolution 17-65: Acceptance of Deed to Two Unimproved Parcels of Land On Grove Street, Pursuant to G.L. Chapter 60, Section 77C (Motion to Move Resolution 17-65 – Majority vote (5))*
3. *Resolution 17-66: Assent to Grant of Utility Easement On Former Town-Owned Land On Pond Street (Motion to Move Resolution 17-66 – 2/3 Majority vote (6))*

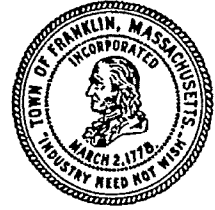
K. TOWN ADMINISTRATOR'S REPORT

L. FUTURE AGENDA ITEMS

M. COUNCIL COMMENTS

N. EXECUTIVE SESSION - *None Scheduled*

O. ADJOURN



APPOINTMENTS

Franklin Cultural Council

Olivier Edouard
8 Brian Road

The Franklin Cultural Council has recommended the appointment of Olivier Edouard to serve as a member of the Franklin Cultural Council with an expiration of June 30, 2020.

MOTION to ratify the appointment by the Town Administrator of Olivier Edouard to serve as a member of the Franklin Cultural Council.

DATED: _____, 2017

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: March 18, 2017

Name: Olivier Edouard

Home Address: 8 Brian Rd
Franklin MA 02038

Mailing Address: 8 Brian Rd
Franklin MA 02038

Phone Number(s): (_____) _____

Email Address: _____

Current Occupation/Employer: Air Force Officer

Narrative: I am very interested in being a volunteer member of the Cultural Council and the Disability Commission. During my college years, I ran a cultural club that worked with other student organizations to bring awareness of the different cultures that make up America's human tapestry. As a parishioner at the Immaculate Conception Church of Stoughton, I organized a clothing drive for the children of Kosovo in 2006-2007. I also set up a modest collection effort to help the people of Haiti after the 2010 earthquake. We are very lucky to live in a diverse community and I feel it is incumbent upon myself to be an engaged citizen so our town remains vibrant, progressive, and responsive to its residents and society. I look forward to assisting the Cultural Council and the Disabilities Commission as much as I can. I am generally available every Mondays and most week-ends. I look forward to hearing from you.

Board(s) / Committee(s): Franklin Cultural Council
 Franklin Disability Commission

Olivier Edouard

8 Brian Road
Franklin, MA 02038

EXPERIENCE

Massachusetts Air National Guard, Otis Air Force Base
Chief of Training

February 2009 - PRESENT

Information International Associates, Washington D.C.
Military Issues Analyst

November 2011 - February 2015

InSite Wireless, Boston MA
Operations Manager

November 2007 - November 2011

Radio Solutions, Hingham MA
Radio Technician

May 2004 - November 2007

EDUCATION

Fitchburg State College, Fitchburg MA

B.S. Engineering Technology - May 2003

American Military University, Manassas VA

M.S. International Relations - May 2012

RELATED SKILLS AND EXPERIENCE

Unit Liaison Representative
for Massachusetts National
Guard Association

Stoughton Democratic Town
Committee member

Organizer Clothing Drive for
Children of Bosnia
(Immaculate Conception
Church, Stoughton)

President/Founder of Haitian
American Cultural Club
(Fitchburg State College)

LANGUAGES

French, Creole



APPOINTMENTS

Franklin Cultural Council

Jose Trevino
911 Washington Street

The Franklin Cultural Council has recommended the appointment of Jose Trevino to serve as a member of the Franklin Cultural Council with an expiration of June 30, 2020.

MOTION to ratify the appointment by the Town Administrator of Jose Trevino to serve as a member of the Franklin Cultural Council.

DATED: _____, 2017

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council



Town of Franklin MA

355 East Central Street

Franklin, MA 02038

Phone: 508-520-4949

Volunteer Form

Good Government Starts with You

Date Submitted: September 5, 2017

Name: Jose L Trevino

Home Address: 911 Washington St
FRANKLIN, MA 02038

Mailing Address: 911 Washington St
FRANKLIN, MA 02038

Phone Number(s):

Email Address:

Current Occupation/Employer: Logistics Support Specialist/ Department of State, Diplomatic Security

Narrative: As a new resident of Franklin, I would love to be able to give back to this community.

Board(s) / Committee(s): Charles River Pollution Control
 Council on Aging
 CULTURAL DISTRICT COMMITTEE
 Design Review Commission
 Franklin Cultural Council

Jose Luis Trevino
911 Washington Street
Franklin MA 02038

EXECUTIVE SUMMARY

I served as a Senior Operations Manager with 11 years with honorable military experience as a member of the 75th Ranger Regiment, gaining expertise in Logistics and Operations Management as well as Tactical Strategic Planning. I have a proven record of profitability and cost efficiency in operations, management, and administration; consistently closing yearly fiscal accounts within tolerance of \$1,000.00. My excellent interpersonal communication skills, superior problem solving, and decision making abilities in a fast paced setting have allowed me to provide Radical Candor to both senior leadership as well as subordinates alike. As a highly capable manager with a keen logistical and analytical skillset, I have been able to succeed in a variety of environments with a global competency for foreign relations which have established future relations for ongoing operations. I have received various awards due to my ability to work with different organizations and branches of service which include a Joint Commendation Medal (JCOM), as well as a Joint Service Achievement Medal (JSAM). I am highly proficient using Microsoft Office Suite, as well as various civilian and military proprietary software programs with a special skill in both written and oral communication in English as well as Spanish. Currently I hold an active Government Top Secret security clearance.

PROFESSIONAL EXPERIENCE

U.S. Department of State
Diplomatic Security Service
Logistics Support Specialist

Boston, MA
November 2016 – Present

- Responsible for the maintenance and care of DSS's fleet of 50 vehicles
- Served as a Contracting Officer Representative (COR) for contracts pertaining to the Boston Field office (BFO) and assisted with the negotiations for such contracts
- Inputted and analyzed data through DSS's fleet management system on a monthly basis, while recording and trending data for management
- Created and updated SOPs to enhance the processes Special Agents used within BFO
- Created tracking systems for inbound and outbound shipments

U.S. ARMY

3d Battalion, 75th Ranger Regiment
Senior Operations Manager

Columbus, GA
October 2013 – March 2016

- Responsible for the morale, welfare, discipline and training of 12 enlisted soldiers and non-commissioned officers in an Airborne Ranger Support Company capable of deploying worldwide within 18 hours to conduct conventional or special military operations in support of U.S. policies and objectives.
- Developed contingency plans for a variety of combat scenarios while ensuring compliance with mission and training requirements
- Greatest responsibility was the professional development of all soldiers
- Counseled soldiers on performance, career progression and education opportunities
- Provided tactical and technical guidance to subordinates and professional support to both subordinates and superiors in accomplishment of their duties
- Inspected facilities and equipment to ensure operational and functional capabilities met the contingency operations plans set to mitigate reaction time in emergency situations
- Developed a platoon training plan and assisted in production and administration of files, records and reports
- Assisted in coordination and implementation of combat operations, training programs, and administrative and communications procedures
- Assisted in organization and operation of the tactical operations center
- Planned, coordinated resources, and set up multipurpose range complexes, for qualification exercises

2nd Battalion, 75th Ranger Regiment
Operations Manager/COR

JBLM, WA
April 2011 – October 2013

- Prepared status reports for senior leadership which pertained to resources and preliminary damage assessments of equipment
- Ensured 15 Rangers met emergency training requirements by initiating, attending, and tracking each individual's training path
- Served as a Contracting Officer Representative (COR) during forward operations, ensured timely progress of contract performance and to provided effective technical guidance and advice to the contracting officer
- Utilized my ability to document, analyze, interpret, and evaluate factors involved in contract administration
- Ensured compliance with AR 600-50, Standards of Conduct, DoD Ethics Supplement (DoD) Directive 5500.7-R and FAR 3.104, Procurement Integrity Act
- Performed periodical inspections and carefully monitored and kept the contracting officer informed of contractor performance of the technical requirements of the contract
- Ensured that in no event did the contractor furnish materials or services in addition to, less than, or different from those required by the contract
- Conducted formal after action reviews to identify emergency situations of Multi-Lateral Training (airfield seizures), Task Force Training, and common garrison events

Administration Manager/COR

April 2009 – April 2011

- Planned and scheduled manpower to meet the production schedule while establishing, administering, and maintaining on the job training and apprenticeship training programs
- Developed operating strategies, plans, and standard operating procedures; analyzed financial records to ensure that profit and loss were not out of tolerance from month-to-month and were in compliance for fiscal year.
- Directed and coordinated comprehensive logistical or reverse logistical functions for product life cycles, including acquisition, distribution, internal allocation, delivery, recycling, reuse, or final disposal of resources
- Managed 40 civilian personnel; ensuring all safety regulations were enforced, resulting in zero safety violations and zero man hours lost due to accidents during time served
- Created purchase orders averaging \$400,000 a month while making a cost analysis of the required items
- Identified equipment that has reached its life cycle or replacement due to wear and tear, and replaced or repaired similar equipment in order to fulfill the requirement for daily duty

Inventory Control Manager

June 2005 – April 2009

- Conducted a daily inventory of a revolving stockage level and created stockage level reports to ensure inventory was within the authorized quantity of reserves while maintaining accountability for 100% readiness
- Analyzed budget reports and procured the most cost beneficial products to provide a satisfactory product
- Trained and facilitated subordinates in the use of quality tool and techniques established and rewritten to continue to perform quality management.
- Ensured accountability of revolving stock with an average weekly value of \$75,000; resulted in zero loss
- Worked in conjunction with operations manager to develop the best manpower utilization rate and effectively communicated the needed requirements for approval
- Developed the training resources needed for supervisors to conduct training
- Assisted with the preparation of written reports dealing with the contingency plans which identified the degree of risk and provided corrective measures to improve plans

EDUCATION

Johnson & Wales University
Bachelor of Arts in Business, 2016

Providence, RI

PROFESSIONAL TRAINING, LICENSES, AND CERTIFICATIONS

Principles of Management, 2015
Human Resource Management, 2015
Service and Production Operations Management, 2015
Ethics of Business Leadership, 2015
Business Law, 2015
Lean Six Sigma, Yellow Belt, 2015
Antiterrorism Awareness Training, 2015
Sexual Harassment/Assault Response Prevention Training, 2015
Jumpmaster School, 2012
Advanced Leadership Course, 2012
DAU- Contingency Contracting, 2010
DAU- Mission Focused Contracting, 2010
Certified Food Manager, 2009
Warrior Leadership Course, 2009
Team Leader Course, 2009
Emergency Medical Technician, 2008
Ranger Indoctrination Program, 2006
Airborne School, 2005

Language Skills:
Spanish, Advanced

References:
CSM William Richards 253-359-5218
MSG Jason Hughes 253-255-9816
Scott Winrow 617-827-0623

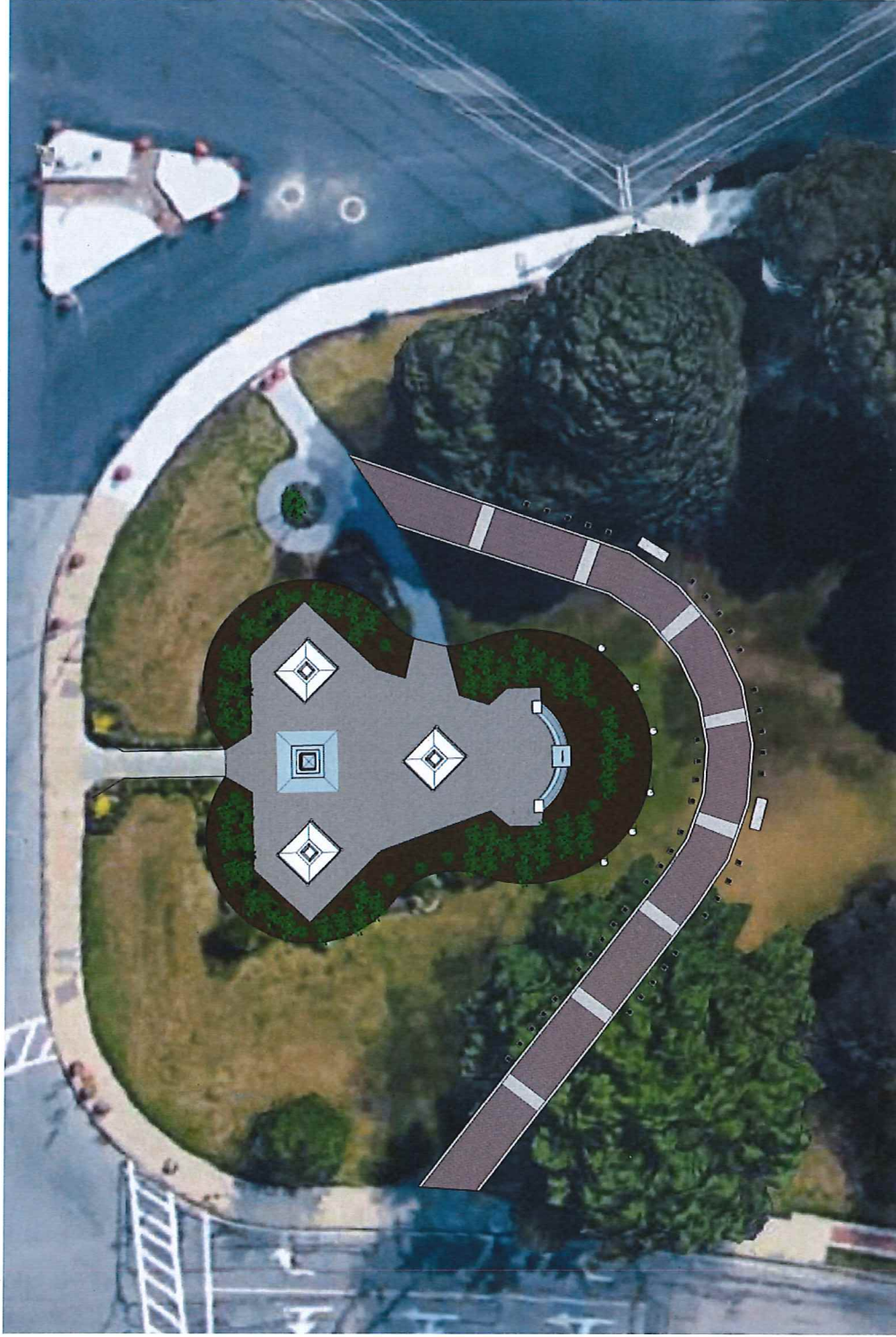
PRESENTATIONS
AND
DISCUSSIONS

- *Veterans Service Officer – Dale Kurtz*

Franklin War Memorial

Proposed Concept Sketches

Aerial View





October 4, 2017

War Memorial

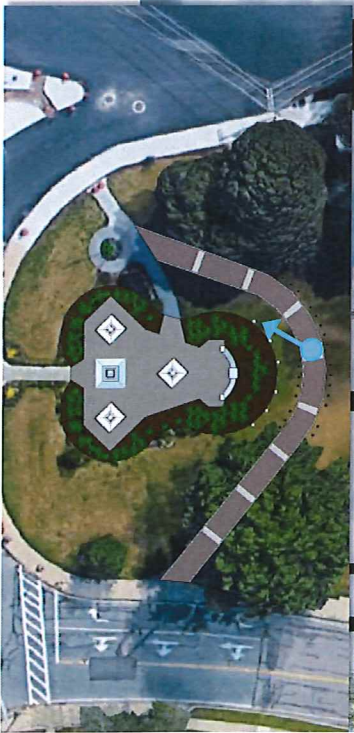
Franklin, Massachusetts



October 4, 2017

War Memorial

Franklin, Massachusetts



October 4, 2017

War Memorial

Franklin, Massachusetts

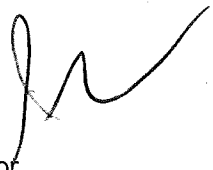
Memo

To: Town Council

From: Jeffrey D. Nutting, Town Administrator
Jamie Hellen, Deputy Town Administrator

Date: October 18, 2017

Re: Reduction in Bond Authorization Resolution 17-58



This resolution will reduce the water bond authorization from \$5.7 million to \$5 million.

The Council originally authorized \$7.5 million for water system improvements with the goal of paying down the authorization to \$5 million dollars and borrowing that amount for 15 years.

This resolution will accomplish the original goal.

I am happy to answer any questions you may have.



RESOLUTION 17-58

TRANSFER FROM WATER ENTERPRISE AND RESCIND BORROWING AUTHORITY (RESOLUTIONS NO. 14-16, 15-27 and 17-14 APPROPRIATION FUNDING SOURCES)

- Whereas:** The Town Council previously adopted Resolution No. 14-16 which appropriated and authorized a borrowing of \$7,500,000 for replacing water lines, and other water infrastructure improvements, engineering, inspection, roadway improvements, including all costs incidental or related thereto;
- Whereas:** The Town Council previously adopted Resolution No. 15-27 which transferred \$1,100,000 from the Water Enterprise Fund Retained Earnings for the project authorized under Resolution 14-16 and rescinded a like amount from the borrowing authority originally authorized by Resolution 14-16;
- Whereas:** The Town Council previously adopted Resolution No. 17-14 which transferred \$700,000 from the Water Enterprise Fund Retained Earnings for the project authorized under Resolution 14-16 and rescinded a like amount from the borrowing authority originally authorized by Resolution 14-16; and
- Whereas:** The Town now wishes to further fund an additional \$700,000 portion of the original appropriation authorized under Resolution No. 14-16 by transfer from the Water Enterprise Fund Retained Earnings and to rescind an additional like amount of the borrowing authorized.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Franklin that:

“to meet the appropriation made under Resolution No. 14-16 for replacing water lines, and other water infrastructure improvements, engineering, inspection, roadway improvements, including all costs incidental or related thereto, \$700,000 shall be transferred from the Water Enterprise Fund Retained Earnings in addition to the (i) \$700,000 authorized to be transferred under Resolution 17-14, and (ii) \$1,100,000 authorized to be transferred under Resolution 15-27, and \$700,000 of the borrowing authorized by Resolution No. 14-16 is here by rescinded in addition to the \$700,000 previously rescinded under Resolution 17-14 and the \$1,100,000 previously rescinded under Resolution 15-27.

The reference to Resolution No. 10-66 in Resolution 17-14 is hereby amended to read Resolution No. 14-16.

The Town Administrator is authorized to take any other action necessary or convenient to carry out this project and this Order.

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

DATED: _____, 2017

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Certified	General Fund	Water Enterprise	Sewer Enterprise	Solid Waste Enterprise	Total
7/1/1997	3,198,271				3,198,271
7/1/1998	3,645,310				3,645,310
7/1/1999	2,376,856				2,376,856
7/1/2000	7,315,684				7,315,684
7/1/2001	3,802,432				3,802,432
7/1/2002	3,882,685				3,882,685
7/1/2003	1,586,454				1,586,454
7/1/2004	2,707,379				2,707,379
7/1/2005	2,104,083				2,104,083
7/1/2006	656,535	2,176,995	2,864,197	183,451	5,881,178
7/1/2007	1,858,230	1,647,411	2,561,047	61,500	6,128,188
7/1/2008	2,328,614	2,460,244	3,345,138	122,289	8,256,285
7/1/2009	2,385,242	1,554,884	1,343,434	351,058	5,634,618
7/1/2010	2,133,006	2,384,106	1,282,996	382,606	6,182,714
7/1/2011	2,935,840	2,030,319	1,386,149	624,111	6,976,419
7/1/2012	3,580,481	3,045,246	862,396	331,426	7,819,549
7/1/2013	2,001,830	4,275,163	1,359,927	383,173	8,020,093
7/1/2014	3,073,946	2,693,223	1,500,456	432,094	7,699,719
7/1/2015	2,359,365	2,348,202	2,673,720	396,933	7,778,220
7/1/2016	3,643,541	2,391,123	1,560,327	379,567	7,974,558
7/1/2017	2,700,000	2,481,336	904,612	380,888	6,466,836

ESTIMATED



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 17-65

**ACCEPTANCE OF DEED TO TWO UNIMPROVED
PARCELS OF LAND ON GROVE STREET, PURSUANT
TO G.L. CHAPTER 60, SECTION 77C**

WHEREAS, Lester Valente, as Trustee of D&L Realty Trust, is the owner of two unimproved and unbuildable parcels of land located on Grove Street and shown on Franklin Assessors Map 271, Parcels 7 and 10, and

WHEREAS, there are outstanding real estate taxes due on said parcels and the Town of Franklin Treasurer-Collector has initiated a tax taking proceeding, being the first step in the tax title foreclosure process, and

WHEREAS, G.L. Chapter 60, Section 77C authorizes a municipality's legislative body to accept a deed from the owner of a parcel of land in lieu of tax title foreclosure and the owner of the two above-described parcels has executed a deed to the Town of Franklin, a true copy of which is attached hereto as "Exhibit 1".

NOW, THEREFORE, BE IT ORDERED that the Town of Franklin acting by and through its Town Council accepts the deed from Lester Valente, Trustee of D&L Realty Trust to the Town of Franklin of two unimproved parcels of land on Grove Street, a true copy of which is attached hereto as "Exhibit 1", pursuant to the provisions of G.L. Chapter 60, Section 77C in lieu of tax title foreclosure and it is further ordered that a true copy of this resolution be recorded with the original deed at Norfolk County Registry of Deeds.

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

DATED: _____, 2017

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Teresa M. Burr
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

QUITCLAIM DEED

I, Lester Valente, Trustee of D&L Realty Trust under declaration of trust dated February 2, 1989 and recorded at Norfolk County Registry of Deeds in Book 8236 at Page 62, of 606 Union Street, Franklin, Norfolk County, MA, for consideration paid and in full consideration of:

ONE DOLLAR (\$1.00)

grant to the Town of Franklin, a municipal corporation with administrative offices located in the Franklin Municipal Building 355 East Central Street, Franklin, Norfolk County, MA, with Quitclaim Covenants, for municipal purposes,

two parcels of unimproved land, bounded and described as follows:

First Parcel

Land in Franklin, Norfolk County, Massachusetts, bounded and described as follows:

SOUTHERLY	by the northerly location of Penn Central Railroad;
NORTHEASTERLY	by the southwesterly sideline of Grove Street; and
WESTERLY	by the easterly sideline of Old Grove Street.

Said parcel is labeled as Emrnet J. O'Connor, et al on a plan of relocation of Grove Street, recorded with Norfolk Deeds as Plan No. 1133 of 1957 in Plan Book 204. Said parcel is triangular in shape and located west of Station 126 on said taking plan.

Said parcel is identified by the Assessors of the Town of Franklin as Map 72, Parcel 10. Said parcel is also shown as Parcel 6 on Land Court Plan No. 17878A, filed with the Land Court in Registration Case No. 17878 excepting therefrom all that land which was taken by the County of Norfolk for the relocation of Grove Street as recorded with Norfolk Deeds in Book 3599, Page 501 and the premises taken by the Commonwealth of Massachusetts for the location of Route 495, which was recorded in Book 4295, Page 251. Said parcel is part of the property described in deed from Lucy F. Adams to Daniel P. Whiting, dated March 23, recorded with Norfolk Deeds in Book 576, Page 299.

Second Parcel

A parcel of land on the westerly side of Grove Street in Franklin, Norfolk County, Massachusetts, bounded and described as follows:

NORTHEASTERLY	by Old Grove Street and Grove Street, as relocated;
NORTHWESTERLY	by land now or formerly of Unionville Woolen Mills, Inc.;
WESTERLY	by Foss Mill Pond and Mine Brook; and
SOUTHERLY	by land now or formerly of Mabel W. Sutherland.

Locus: Two Unimproved Parcels on Grove Street, Franklin, MA

Said Parcel is shown on plan for the relocation of Grove Street, recorded as Plan No. 1134 of 1957 in Page 204 and is labeled, thereon, Emmet J. O'Connor, et al and is a portion of his land remaining after Parcel 7 was taken for the relocation of Grove Street. Said Parcel is identified by the Assessors of the Town of Franklin as Map 72, Parcel 13. Said land is also shown as Parcel 5 on Land Court Plan No. 17878A filed with the Land Court in Registration Case No. 17878 and is the same premises described in a deed from Joseph M. Whiting to Daniel P. Whiting dated November 2, 1878, recorded with Norfolk Deeds in Book 505, Page 39. Excepting therefrom all that land which was taken by the County of Norfolk for relocation of Grove Street is recorded with Norfolk Deeds in Book 3599, Page 501.

For Grantor's title, see deed of Clara Cahill Cohen dated June 23, 1989 and recorded at Norfolk County Registry of Deeds in Book 8373 at Page 276.

Grantor certifies that he is the duly-appointed Trustee of D&L Realty Trust, that he is authorized and directed by all of the beneficiaries of said Trust to execute this deed, that there has been no change in the beneficial interests of said Trust, and that the Trust has not been altered, amended, or revoked and it is still in force and effect as evidenced by the original declaration of trust recorded in the Registry of Deeds.

WITNESS, my hand and seal this 11 day of October 2017

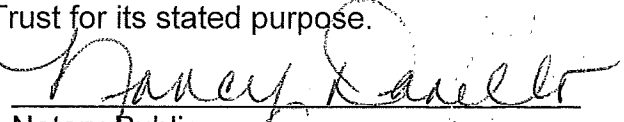


Lester Valente

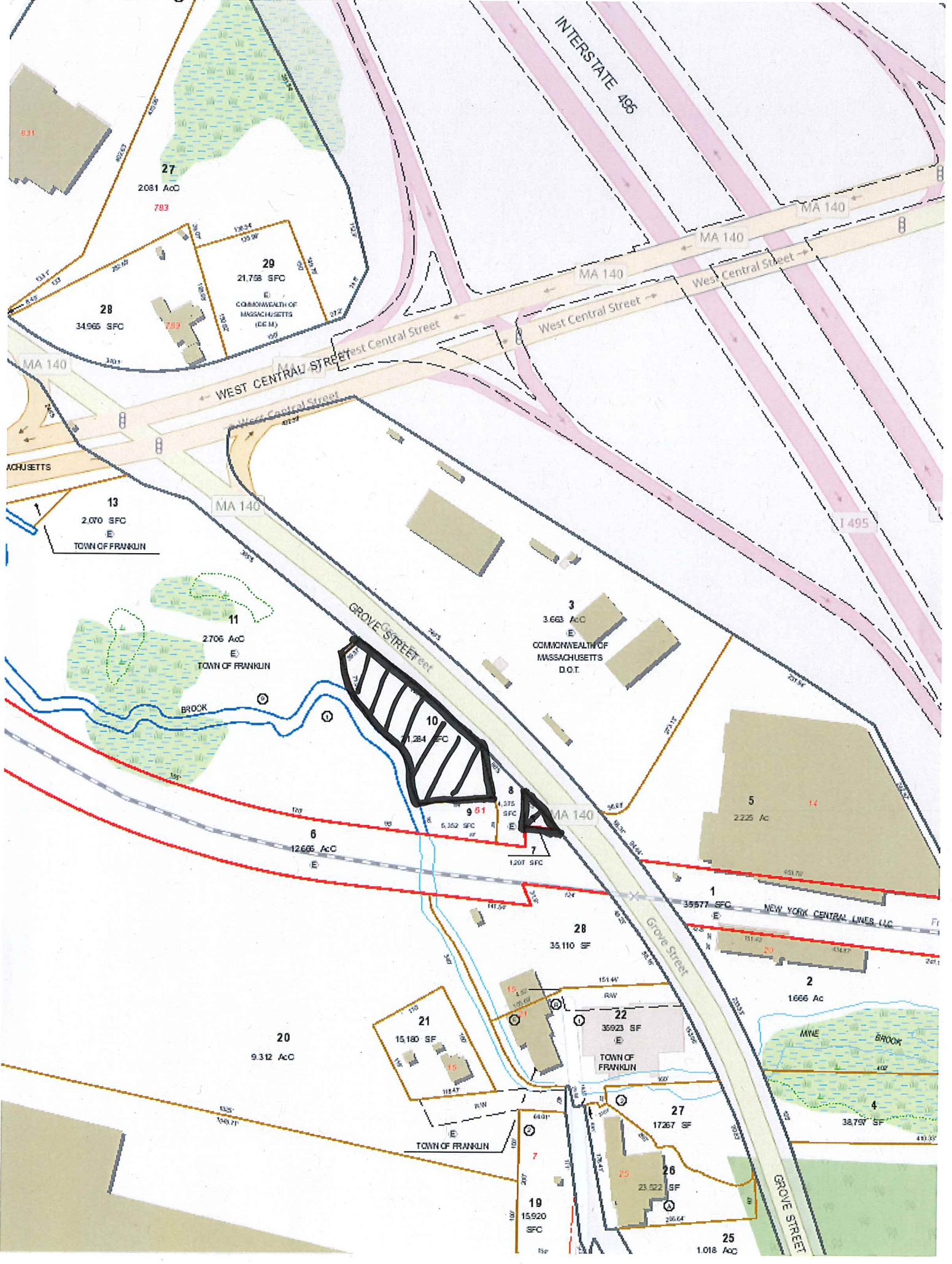
COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss:

On this 11 day of October 2017, before me, the undersigned notary public, personally appeared Lester Valente, proved to me through satisfactory evidence of identification, which was personally known to be the person whose name is signed on the preceding document in my presence and acknowledged to me that he signed it voluntarily as Trustee of D&L Realty Trust for its stated purpose.



Notary Public
My commission expires: 12/30/22





TOWN OF FRANKLIN

RESOLUTION 17-66

ASSENT TO GRANT OF UTILITY EASEMENT ON FORMER TOWN-OWNED LAND ON POND STREET

WHEREAS, Town of Franklin formerly owned land on the westerly side of Pond Street which it conveyed to Baystone Franklin, LLC by deed dated May 22, 2017 and recorded at Norfolk County Registry of Deeds in Book 35129 at Page 16, expressly reserving to itself a thirty-foot wide drainage easement, and

WHEREAS, Brendon Properties Brookview, LLC, the successor by merger to Baystone Franklin LLC, is the present owner of said property and is constructing a multi-family residential development which requires electric service, and

WHEREAS, Massachusetts Electric Company is an electric company as defined in G.L. Chapter 164, Section 1 and provides electric service in the Town of Franklin, and

WHEREAS, Massachusetts Electric Company requires that the property owner grant it an access easement to provide electric service and that Town of Franklin assent to said grant and permit it to install electric service through Town's drainage easement.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Franklin hereby assents to the utility easement from Brendon Properties Brookview, LLC to Massachusetts Electric Company through, under, over, across and upon land located on the westerly side of Pond Street, described in a deed recorded in Norfolk Registry of Deeds in Book 35129 at Page 16 for the sole purpose of providing electric service to said property, as more fully set out and upon the terms and conditions contained in the easement instrument attached hereto as "Exhibit 1" and the Town Council hereby authorizes the Town Administrator to execute the assent to said easement instrument on its behalf.

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

DATED: _____, 2017

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Property Address: Pond St (Brookside Condo) Franklin, MA (Norfolk County)

GRANT OF EASEMENT

BRENDON PROPERTIES BROOKVIEW, LLC, a Massachusetts limited liability company having a usual place of business at 259 Turnpike Road, Suite 110, Southborough, Massachusetts 01772, and being the surviving entity by merger with **Baystone Franklin, LLC**, (hereinafter referred to as the Grantor), for consideration of One (\$1.00) dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, a Massachusetts corporation with its usual place of business at 40 Sylvan Road, Waltham, Massachusetts 02451 (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, lines to consist of, but not limited to, several poles and/or pushbraces, (which may be erected at different times) with wires and cables strung upon and from the same and all necessary anchors, guys, and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") and "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Franklin, Norfolk County, Massachusetts, consisting of lines of buried wires and cables and lines of wires and cables installed in underground conduits, together with all equipment and appurtenances thereto for the transmission of intelligence and for the furnishing of electric service to the herein described premises and others, and without limiting the generality of the foregoing, but specifically including the following equipment, namely: bollards, handholes, pedestals, junction boxes, pull boxes, transformers, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the hereinafter described property.

Said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" are to be located in, through, under, over, across and upon certain parcels of land situated on the westerly side of Pond Street, being shown as Lot 3 and Lot 4 on a Plan of Land recorded with the Norfolk County Registry of Deeds **Plan Book 658, Page 62**.

Said "OVERHEAD SYSTEM" is to originate at Pole # 6, which is located on the easterly side of Pond Street, then proceed in a westerly direction from said Pole over, upon and across land of the Grantor to new Pole# 6-1 and Pushbrace # 6-1A, and also to originate from Pole# 12, which is located on the westerly side of Pond Street, to Pushbrace# 12A, to be located upon land of the Grantor.

WR#23783026

Address of Grantees:
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

After recording return to:
Elizabeth Fresolone
National Grid
Service Company, Inc.
280 Melrose Street
Providence, RI 02907

05 FRANMA GEN

And further, said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) are approximately shown on a sketch entitled: "Massachusetts Electric, Feeder: 344W3, Work Location: Brookview-96 Unit Residential Condo Project, Date: 30/28/2017, Easement Drawing: 23783026, District Engineer: M. Roberts," a reduced copy of said sketch is attached hereto as "Exhibit A" and recorded herewith, copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

Also with the further perpetual right and easement from time to time to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate, patrol and otherwise change said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" are specifically located, as shown on the sketch herein referred to, of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" and other related electrical equipment. However, said Grantee, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

If said herein referred to locations as approximately shown on the sketch herein also referred to are unsuitable for the purposes of the Grantee, its successors and assigns, then said locations may be changed to areas mutually satisfactory to both the Grantor and the Grantee herein; and further, said newly agreed to locations shall be indicated and shown on the sketch above referred to by proper amendment or amendments thereto. The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within the Grantor's land an "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" for the transmission of intelligence and for the purpose of supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM".

By signing this easement, Brendon P. Giblin certifies that he is signing in the name of the Brendon Properties Brookview, LLC and he is the incumbent manager and is empowered to grant the within easement on the terms and conditions stated herein.

It is agreed that the "OVERHEAD SYSTEM and "UNDERGROUND SYSTEM" shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns, shall pay all taxes assessed thereon.

WR#23783026

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

For Grantor's title, see deed dated May 22, 2017, recorded with the Norfolk County Registry of Deeds in Book 35129, Page 16.

Executed as a sealed instrument as of this 22nd day of September, 2017.

BRENDON PROPERTIES
BROOKVIEW, LLC



By: BRENDON P. GIBLIN
Its: Manager

WR#23783026

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

Commonwealth of Massachusetts

County of Worcester } ss.

On this the 22nd day of September, 2017, before me,

Leslie S. Carey the undersigned Notary Public,
Name of Notary Public

personally appeared BRENDON P. GIBLIN, proved to me through satisfactory evidence of identity, which was

personally known
Description of Evidence of Identity

to be the person whose name is signed on the preceding Grant of Easement, and acknowledged to me that he signed it voluntarily for its stated purpose as Manager of Brendon Properties Brookview, LLC.

Leslie S. Carey
Signature of Notary Public



My Commission Expires _____

Place Notary Seal and/or Any Stamp Above

WR#23783026

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

ASSENTED to this _____ day, of _____, 2017, by the TOWN OF FRANKLIN in relation to the reservation of a 30-foot wide drainage easement described in a Quitclaim Deed, with Reserved Easements, Covenants, and Restrictions to Baystone Franklin, LLC, being dated May 22, 2017, and recorded with the Norfolk County Registry of Deeds in Book 35129, Page 16.

TOWN OF FRANKLIN

By: JEFFREY D. NUTTING
Its: Town Administrator, duly authorized

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, _____, before me,
Day Month Year

the undersigned Notary Public,

Name of Notary Public

personally appeared JEFFREY D. NUTTING, proved to me through satisfactory evidence of identity, which was

Description of Evidence of Identity

to be the person whose name is signed on the preceding Grant of Easement, and acknowledged to me that he signed it voluntarily for its stated purpose as the Town Administrator for the Town of Franklin, being duly authorized.

Signature of Notary Public

Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above

WR#23783026

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

ASSENTED to this _____ day, of _____, 2017, by the CHARLES RIVER POLLUTION CONTROL DISTRICT, acting by and through its Board of Commissioners in relation to that certain Easement dated June 28, 1989, recorded with the Norfolk County Registry of Deeds in Book 8366, Page 90, and also an Agreement as to Easement Between Charles River Pollution Control District and Baystone Franklin, LLC, said agreement being dated May 11, 2017, and recorded with the Norfolk County Registry of Deeds in Book 35129, Page 38.

**CHARLES RIVER POLLUTION
CONTROL DISTRICT**

By: Its Board of Commissioners

By: DOUGLAS M. DOWNING

By: DAVID C. FORMATO

By: GENE GUIDI

By: PAUL J. DESIMONE

WR#23783026

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, _____, before me,

Name of Notary Public the undersigned Notary Public,

personally appeared DOUGLAS M. DOWNING, DAVID C. FORMATO, GENE GUIDI, and PAUL J. DESIMONE, proved to me through satisfactory evidence of identity, which was

Description of Evidence of Identity

to be the persons whose names are signed on the preceding Grant of Easement, and acknowledged to me that they signed it voluntarily for its stated purpose as authorized members of the Board of Commissioners for the Charles River Pollution Control District.

Signature of Notary Public

Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above

WR#23783026

The provisions of Massachusetts
General Laws, Chapter 183,
Section 6B, are not applicable.

EXHIBIT A

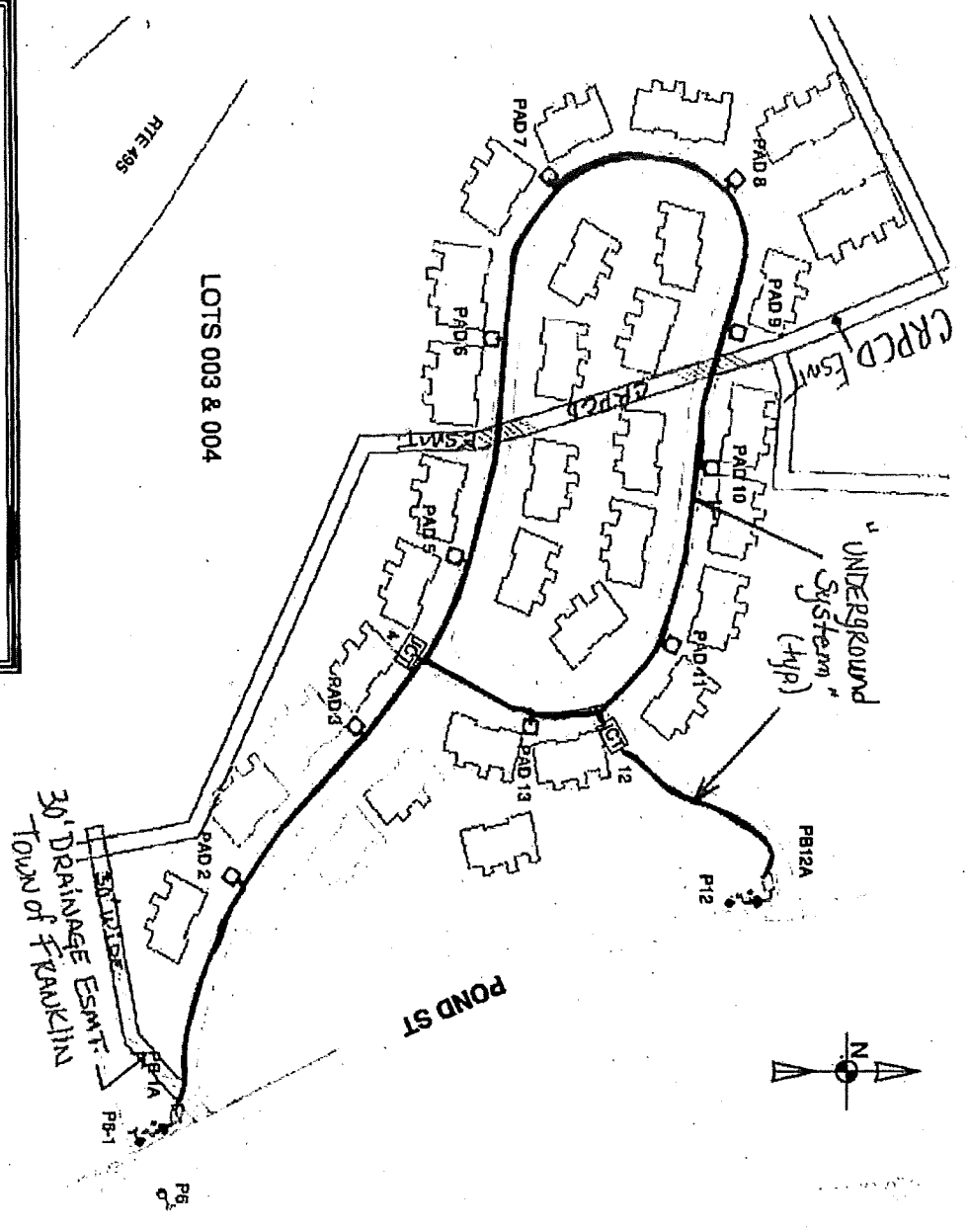


EXHIBIT 'A'
NOT TO SCALE
 The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.

LEGEND	
	NEW 3 PH UG RISER
	EXISTING JO POLE
	ELECTRICAL SYSTEM FOR DISTRIBUTION PRIMARY
	PRIMARY PULL BOX
	SINGLE PHASE MINI PAD TRANSFORMER
	FIBERGLASS PRIMARY JUNCTION PEDESTAL

NOTES:
 CUSTOMER TO INSTALL ALL CONDUIT AND REQUIRED FOUNDATIONS FOR ELECTRICAL SYSTEM DESIGNED FOR BROOKVIEW RESIDENTIAL CONDO PROJECT. NATIONAL GRID TO INSTALL PRIMARY CABLE, SWITCH JUNCTIONS AND SINGLE PHASE MINI PAD URD STYLE TRANSFORMERS PROVIDING CUSTOMERS WITH 120/240 VOLT SINGLE PHASE POWER FROM TRANSFORMER LOCATIONS.