



FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

January 17, 2024

Meeting will be held at the **Municipal Building**

2nd floor, Council Chambers

355 East Central Street

7:00 PM

A NOTE TO RESIDENTS: All citizens are welcome to attend public board and committee meetings in person. Meetings are also live-streamed (and archived) by Franklin TV on the [Franklin Town Hall TV YouTube channel](#). Meetings are also shown live and on repeat on Comcast Channel 9 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens can participate remotely via phone OR Zoom. Link to access meeting via Zoom for the January 17, 2024 Town Council meeting:

- Zoom Link [HERE](#) -- Then click "Open Zoom".
- Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/89503356472>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 895 0335 6472** --Then press #
- You will automatically be muted upon "entering" the meeting. In order to speak, you will need to "raise your hand" on the Zoom platform and request to be unmuted.

1. ANNOUNCEMENTS FROM THE CHAIR

- This meeting is being recorded by Franklin TV and shown on Comcast channel 9 and Verizon Channel 29. This meeting may be recorded by others.*
- Chair to identify members participating remotely.*
- Upcoming Town Sponsored Community Events*

2. CITIZEN COMMENTS

- Citizens are welcome to express their views for up to three 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

- [December 20, 2023](#)
- [January 3, 2024](#)

4. PROCLAMATIONS / RECOGNITIONS

- Proclamation: FISH of Franklin

5. APPOINTMENTS - None Scheduled

6. PUBLIC HEARINGS - 7:00 PM - None Scheduled

7. LICENSE TRANSACTIONS - None Scheduled

8. PRESENTATIONS / DISCUSSION

- Discussion: Franklin Food Pantry Update - Tina Powderly, Executive Director
- Discussion: Homelessness Report - Amy Frigulietti, Deputy Town Administrator and Crisis Intervention Team (CIT)

9. LEGISLATION FOR ACTION

- a. [Resolution 24-05: Termination of the Massachusetts Statewide Opioid Settlement Stabilization Fund, as well as Dedication of Revenues Thereto, as Authorized by G.L. Chapter 77 of the Acts of 2023 \(Motion to Approve Resolution 24-05 - Majority Vote\)](#)

10. TOWN ADMINISTRATOR'S REPORT

- a. Migrant Housing Update

11. SUBCOMMITTEE & AD HOC COMMITTEE REPORTS

- a. Capital Budget Subcommittee
- b. Economic Development Subcommittee
- c. Budget Subcommittee
- d. Master Plan Committee
- e. Davis-Thayer Reuse Advisory Committee
- f. Police Station Building Committee
- g. GATRA Advisory Board

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
December 20, 2023**

A meeting of the Town Council was held on Tuesday, December 20, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Amy Frigulietti, Deputy Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others. ► He announced that tomorrow, December 21, the Town Council has office hours from 8:30 AM to 9:30 AM at the Senior Center. ► He announced that *On Track* is a current exhibit displayed at the Franklin Historical Museum constructed by Historical Commission member Scott Mason. This year's edition recreates the Thomson Press building and New Haven locomotive roundhouse. The exhibit is on display at the museum on Saturdays from 10 AM to 1 PM and Sundays from 1 PM to 4 PM through January 14, 2024.

CITIZEN COMMENTS: ► DPW Director Brutus Cantoreggi stated that they had to close the bridge at the end of Elm Street going into Medway; it is a MassDOT requirement. He said it is a really old stone bridge and because of the volume of the water going under it, they monitor it. He said the dive team is going to check it out in a few weeks, and it will probably be reopened. He said it is a very well-made bridge. ► Ms. Maureen Sullivan, resident at 871 King Street, said she has an easement onto Washington Street and is the owner of 553 King Street which is two lots at the corner of King Street and Washington Street. She said she was at the Town Council meeting the Wednesday before the election and was serious at the meeting. She said this Financial Way is still and will always be for the time that she owns the property at 553 King Street, an absolutely no go to take down the Digital building and put in up to 400 more trucks per day. She asked if this is a serious thing and if this Town really thinks that these roads can handle that. She said that her driveway at 871 King Street has completely sunken in. She said she built that home 27 years ago. She discussed how when the Jefferson Remington School was being built, the Town tried to widen the street and build sidewalks. She noted the house at 861 Washington Street and said the previous owners had such a sinkhole. She discussed her cement driveway has cracked and has given flat tires as it is so sharp. She noted that homes in the area have had cracked septic systems. She said the road is being destroyed and cannot handle the 200 to 300 trucks per day and now they are adding about 400 trucks per day. She said the trucks cannot fit around the corner as it is. She said nothing is going to widen that street. She said the trucks hit the utility pole and the sidewalks all the time. She said it is an absolute mess. She explained her driveway at 553 King Street. She discussed that she was also a caretaker for a resident, and it is a danger to get the person out of their driveway. She said a restaurant on the other side is what it is. She discussed the steepness of the driveway. ► Chair Mercer stated that Ms. Sullivan's three minutes are up and requested she finish her statement. ► Ms. Sullivan said she has three residences, so she gets more minutes. ► Chair Mercer said no she does not. ► Ms. Sullivan said the day of the meeting Planning Board Chair Greg Rondeau got a call which said shut her down, and she was shut down, and Planner Amy Love who ran the meeting was confused why you are putting traffic off. Ms. Sullivan said she was pushed aside and was not heard. She said she came to the Town Council and said it

was a no go, and no one has talked about the building coming down and the health issues with that. She asked what are we supposed to breathe in, just fumes from 600 trucks per day. ► Chair Mercer said Ms. Sullivan has gone five minutes, and he had to shut her down. Ms. Sullivan said she would be back at the next meeting.

APPROVAL OF MINUTES: ► *November 1, 2023; November 15, 2023; November 21, 2023.*

► **MOTION to Approve** the November 1, 2023 meeting minutes by **Dellorco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** the November 15, 2023 meeting minutes by **Dellorco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

► **MOTION to Approve** the November 21, 2023 meeting minutes by **Dellorco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: ► **Proclamation: William “Ken” Norman.** ► Board of Assessors Chair Chris Feeley read aloud the proclamation honoring William “Ken” Norman on 16 years of dedicated service to the Town of Franklin Board of Assessors. ► Chair Mercer thanked Mr. Norman. ► Representative Jeff Roy stated that he had a set of resolutions from the Massachusetts House of Representatives. He said he gave Mr. Norman a citation a few weeks ago. He said that resolutions are significant as they require a vote on the floor of the House of Representatives. He said the vote took place of December 11, 2023, and it was unanimous. He read aloud the resolutions congratulating and honoring Mr. Norman on his years of appointed volunteer service for the Town of Franklin.

APPOINTMENTS: None.

PUBLIC HEARINGS: None.

LICENSE TRANSACTIONS: ► *2024 Annual Alcohol License Renewals (See attached “2024 Town of Franklin Alcohol License Renewals”).* ► Councilor Jones read the license transaction for the 2024 Town of Franklin Alcohol License Renewals; he read aloud the list that was provided in the Town Council members’ meeting packet. ► **MOTION to Approve** the renewal of alcoholic beverages licenses listed on the attached Renewal List for the year 2024 with the issuance of licenses that have inspections, fees or taxes outstanding to be withheld (physically held in the Town Administrator’s Office) until all items are resolved by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated that Councilor Jones summarized it very well. ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: None.

LEGISLATION FOR ACTION:

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

- a. **Resolution 23-71: Town Council Approval of County ARPA Funds. (Motion to Approve Resolution 23-71 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-71: Town Council Approval of County ARPA Funds by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen referenced his memo to the Town Council dated December 15, 2023, which is provided in the meeting packet; he stated the amounts requested are listed in his memo. He stated the funds need to be allocated before the end of this year. He stated the money can still be spent over the next three years. He noted that approximately one-third of all calls received by the Police Department for services are mental health related. He stated that they are trying to take advantage of the federal stimulus money over the next three years to connect people to services. He said that he hopes this will work out really well. He noted the half million dollars for sewer improvements. He said they have not spent any ARPA money yet in the last couple of years on sewer, so this will at least take some of the capital requests so that the rate payers do not have to fund these projects. He noted

the money to go to the Franklin Food Pantry, SAFE Coalition, and YMCA. He said all of the organizations are seeing a rise in the demand for services. He said hopefully these monies can help to support these organizations. He explained that this is it; the federal money is gone after this. He said there was a lot of work behind the scene with the county to make sure these would be approved. He thanked Ms. Frigulietti for her work and taking this off his plate. ► Town Council members asked questions, made comments, and thanked the organizations for their efforts toward helping the community. ► In response to a question, Mr. Hellen reviewed the restrictions of what the money could be used for. He said most of these are obvious. The county money is highly restricted regarding the ARPA money. He said they needed to work with the county to make sure it would be approved by the federal government. He said public health is an allowable use under the county funds. He said water and sewer is an allowable use. He said broadband is an allowable use. He noted that they benefitted in the CARES Act because there were no restrictions at that time the way the law was written. He stated that he is not aware of other towns that have allocated this much money toward public health, particularly mental health. ► Councilor Frongillo stated that he wanted to highlight a cool opportunity he had with the migrants that have come to town. He said he thinks people expected a whole bunch worse and a lot of communities have. He said and, if you are wondering why, it is kind of been quiet and things have been pretty smooth, it is due very much in a large part to a whole bunch of work from a whole bunch of volunteers. He said he had the pleasure of helping to sort through donations and just seeing, he knew of it, but to see it in person the number of donations, the number of volunteers who have stepped up, and how the Interfaith Coalition and SAFE Coalition have gone in systematically and met with everyone and every migrant family in the hotel and learned exactly what their needs are for clothing and food and are doing individual bags to meet the needs of the migrants. He said it was a really touching thing to see. ► In response to a question, Mr. Hellen explained ARPA Direct does not need county approval and we go through the regular process. He stated that the hotel/motel money the Town lost during the pandemic that we normally would have recouped are going toward rebuilding Baron Road which everyone is aware of. He said they have not allocated any funds to the high school bleachers. He said he is well aware of how much the visitor bleachers need to get fixed and how much all the Town Councilors and administration hear about it. ► Councilor Cormier-Leger asked Scott from the YMCA to help understand the process on how the 400 teens will receive the scholarships from the \$100,000 for the YMCA, and if the money is going into a restricted fund or an annual fund. ► Audience member who did not identify himself said what they are going to do is help recruit. He said they are going to expand the reach of how many teens belong as members. He said they will use social media and other communication methods to let teens know in town that this is available to them. He said one of the strategies is that if we can get them to become a member of the Y, we can engage them in programming and that is going to help with their physical fitness and well-being and anxiety issues. He discussed what some of the kids will be into and where they will fit. He said the money is going into a restricted fund for this specific program only for teens in Franklin only between the ages of 13 to 17. ► Councilor Chandler said he thinks the teenagers got lost in the shuffle more than anybody during this whole pandemic; he is happy they can give some money for that and use it for mental health. ► Chair Mercer thanked the entire staff for all the work that went in to making these difficult decisions that needed to be made and that they fell into the criteria given that needed to be followed. ► **VOTE: Yes-9, No-0, Absent-0.**

- b. ***Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of - Second Reading (Motion to Approve Bylaw Amendment 23-902 - Majority Roll Call Vote).*** ► **MOTION to Waive the reading by Hamblen. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of by Dellorco. SECOND by Jones. Discussion:** ► Chair Mercer said this is a second reading, and they went through it quite at length at the last meeting. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-NO; Frongillo-YES; Hamblen-YES; Jones-NO; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-7, No-2, Absent-0.**

- c. **Bylaw Amendment 23-903: A Bylaw to Amend the code of the Town of Franklin at Chapter 82, Fees, Municipal Service - Second Reading (Motion to Approve Bylaw Amendment 23-903 - Majority Roll Call Vote).** ► **MOTION to Waive** the reading by **Cormier-Leger**. **SECOND** by **Dellorco**. **No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** Bylaw Amendment 23-903: A Bylaw to Amend the code of the Town of Franklin at Chapter 82, Fees, Municipal Service by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen said DPW Director Brutus Cantoreggi went through this at the last meeting. He said the mattress disposal fee is getting increased for the reasons that Mr. Cantoreggi stated at the last meeting. He said the Town's rate is \$65 which is a pretty good price. ► Councilor Cormier-Leger asked if there has been any feedback from residents since this was discussed at the last meeting. ► Mr. Hellen said he has not received any calls/emails from anyone opposing this. ► Councilor Jones asked if there has been a significant rise in people leaving items on the sides of the roads and asked how are we going to educate these people. ► Mr. Cantoreggi said yes. He said he does not think it is about education. He said the people know what they are doing when they throw it on the side of the road. He said the people doing it is a constant thing; they are not nice people. ► Councilor Dellorco noted that it may not even be Franklin residents doing this; they may be from out of town. ► Mr. Max Morrhongiello, 127 Central Park Terrace, stated that he rises in support of the proposal, but he cannot rest easy knowing how much the fee will disproportionately affect low-income Franklinites. He said for residents like himself who are on SSI disability, the \$65 fee is equivalent to almost an entire two days' worth of income. He said Franklin's bylaws offer a solution to help folks with low income and it is called the Community Assistance Program. He reviewed the discounts. He said he urges the Town to expand the program to provide discounts for mattress recycling and more of the Town's numerous fees. He said it keeps him up at night knowing that low-income people in Franklin are struggling. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 23-72: Davis-Thayer Building Reuse Advisory Committee Charge - Extension of Committee Terms and Deadline to Make Final Report (Motion to Approve Resolution 23-72 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-72: Davis-Thayer Building Reuse Advisory Committee Charge - Extension of Committee Terms and Deadline to Make Final Report by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen said the committee has held about six meetings so far; however, the appraisal and expression of interest are far larger projects than anticipated, so the committee is looking for an extension through June so they can get those materials completed. ► Councilor Pellegrini asked how is the appraisal coming. ► Mr. Hellen said the procurement is being drafted and should be out momentarily, and then we will get bids in. He said he expects a couple of more months for the appraisal to be done. He discussed the expression of interest process that they are putting together. He said people do call about Davis-Thayer regarding what is going on. ► Councilor Cormier-Leger said he wanted to urge the committee to approve this because as somebody who sits on the subcommittee, they really are at a standstill as they wait for the expression of interest to be crafted. He said he asks everyone to give them a little more patience with the process. ► Chair Mercer explained the discussions they had when they put this committee together. He said they need to do this right, and this is the right move. ► **VOTE: Yes-9, No-0, Absent-0.**
- e. **Resolution 23-73: Revised 2024 Town Council Meeting Schedule (Motion to Approve Resolution 23-73 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-73: Revised 2024 Town Council Meeting Schedule by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen noted that they will take Valentine's Day off the schedule which was already voted. ► **VOTE: Yes-9, No-0, Absent-0.**

- f. **Resolution 23-74: Receipts Reserved for Appropriation Transportation Network Companies (TNC) Ride Assessment Transfer and Appropriation (Motion to Approve Resolution 23-74 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-74: Receipts Reserved for Appropriation Transportation Network Companies (TNC) Ride Assessment Transfer and Appropriation by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen reviewed his memo to the Town Council dated December 15, 2023, indicating that they are asking the Town Council to approve the transfer and appropriate \$7,871.10 from the Receipts Reserved for Appropriation TNC Ride Assessment Fund for the purpose of road repairs. Cities and towns receive funds from the Commonwealth through a state assessment on transportation network companies, such as Uber and Lyft, operating in the Commonwealth. Cities and Towns must reserve and appropriate these funds to address the impact of those companies on roads and bridges. The Department of Revenue has recently altered its guidance on how these funds must be appropriated and we are complying with this new regulation. ► **VOTE: Yes-9, No-0, Absent-0.**
- g. **Resolution 23-75: Gift Acceptance - Police Dept. (\$5,000), Veterans' Services Dept. (\$3,145) & Senior Center (\$200) (Motion to Approve Resolution 23-75 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-75: Gift Acceptance - Police Dept. (\$5,000), Veterans' Services Dept. (\$3,145) & Senior Center (\$200) by Dellorco. SECOND by Hamblen. Discussion:** ► Chair Mercer thanked the donors for their generosity. ► **VOTE: Yes-9, No-0, Absent-0.**
- h. **Resolution 23-76: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 (Motion to Approve Resolution 23-76 - Majority Vote).** ► **MOTION to Waive the reading by Cormier-Leger. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve Resolution 23-76: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 by Dellorco. SECOND by Hamblen. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen thanked all the folks involved for the work done for the storm response. He said in one day there were 86 calls for service for the fire department. He said all personnel had to be called in. He noted that there are still some folks without power; however, most power has been restored. He thanked all staff for another incredible year. He thanked all those involved in the response to the humanitarian crisis. He said Franklin has been hailed as doing a really good job on this. He thanked the Town Council for their support. He wished all a happy holiday season.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee. None.**
- b. **Economic Development Subcommittee. None.**
- c. **Budget Subcommittee. None.**
- d. **Master Plan Update Committee.** ► Councilor Jones said they will be meeting again on December 13. He said they had the consultants discuss the inventory and assessment report draft; the draft document will be reviewed early next year. He said they have been discussing a Master Plan survey that is available on the Town's website and will be open until January 3, 2024. He said January 10 is their next scheduled meeting date. He said the next year's schedule will be posted shortly.
- e. **Davis-Thayer Building Reuse Advisory Committee. None.**
- f. **Police Station Building Committee. None.**
- g. **GATRA Advisory Board.** ► Councilor Frongillo said they have not met since the last Town Council meeting. The next meeting is January 17, 2024. He reminded everyone that all GATRA rides are free through the end of the year.

FUTURE AGENDA ITEMS: ► Councilor Sheridan requested an update of the homeless situation in Franklin. ► Councilor Hamblen requested to look at the discounted fees and maybe put it on the EDC's

goals regarding the citizen's comment. ► Mr. Hellen said they have not done a full townwide fee analysis in eight years. He said Ms. Frigulietti will be leading that process, and it is already on the workplan. ► Councilor Cormier-Leger asked if was possible to have a discussion with National Grid, Verizon, or other utility service providers to give an update and tell us what the needs are so that something like this does not happen again. He said that it seems like for every major weather event people are without power and broadband or DSL; people are without basic needs. He said they have a problem with the grid and too many trees, and they need to get a public/private discussion going. ► Chair Mercer said they had National Grid here three years ago, and they talked about a tree program moving forward; maybe we can talk to them and get an update. ► Mr. Hellen said we can have them come in, and they have come in before. ► Councilor Jones said the electric company has worked hard, and he gives everyone credit. He said there could be a better program, and citizens have to do their part on the tree issues.

COUNCIL COMMENTS: ► Councilor Cormier-Leger said it is wonderful to see federal dollars used locally. He thanked Mr. Hellen and the entire crew for the response during the storm. He thanked everyone who put up the decorations throughout town, and he thanked everyone for a great year. He wished all a great new year. ► Councilor Chandler thanked all and wished all happy holidays. He thanked all who watch and come to the meetings for their engagement. ► Councilor Pellegrini discussed Facebook comments regarding people who had problems and the great responses received. She said the decorations are fantastic. She wished all happy holidays. ► Councilor Sheridan wished all happy holidays. He noted 2024 is an election year. ► Councilor Frongillo noted office hours at the Senior Center tomorrow from 8:30 AM to 9:30 AM. He noted after-school programming and English as a second language courses available for the migrants. He noted the winter farmers market at Fairmount Fruit Farm. ► Councilor Hamblen thanked all who came out to the last winter farmers' market. She said they talked about sustainability for many hours. She thanked all who got Franklin up and running again after the storm. She wished everyone a happy and safe New Year. ► Councilor Jones wished all happy holidays. He said there were many good things that came out of 2023; 2024 will be just as much of a challenge, but will be fun. He said he looks forward to setting the goals in January. He wished all happy holidays. ► Councilor Dellorco wished all happy holidays. He gave a shout-out to the National Grid workers. He said that for storms like that you can cut down all the trees, but you are still going to lose power. He said that National Grid cannot go up until it is under 35 mph wind. ► Chair Mercer discussed what happens when people lose power. He noted that until the winds drop below 35 mph, National Grid is not allowed to go out. He thanked the DPW and all others for the town's decorations. He thanked Dean College for stepping up their decorations. He said that he was proud of how the town looked for the holiday season. He said they have had two great years, they have accomplished a lot, and they got a lot of goals to the finish line. He thanked everyone, the Town Council, and the department heads for all the work they did in helping the Town Council achieve the goals. He said it starts all over again in January as they put a new set of goals together for the next two years. He wished all happy holidays. ► Councilor Jones thanked Chair Mercer for his leadership.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No discussion. ► VOTE: Yes-9, No-0, Absent-0.

Meeting adjourned at 8:28 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 3, 2024**

A meeting of the Town Council was held on Tuesday, January 3, 2024, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer called for a moment of silence. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others. ► He announced that *On Track* is a current exhibit displayed at the Franklin Historical Museum constructed by Historical Commission member Scott Mason. This year's edition recreates the Thomson Press building and New Haven locomotive roundhouse. The exhibit is on display at the museum on Saturdays from 10 AM to 1 PM and Sundays from 1 PM to 4 PM through January 14, 2024.

CITIZEN COMMENTS: ► Mr. Mark Minnichelli, 31 Longfellow Drive, thanked the town administrator and Town Council members for their prior work to establish Franklin's municipal aggregation program which has saved Franklin ratepayers an estimated \$11.5 million during the previous three-year contract. He stated that the new agreement negotiated by the town administrator should result in additional savings over the next two years. He stated that as important as saving money, these agreements support and encourage green clean energy production and produce an associated renewable energy certificate (REC) which is a financial instrument which has real value and can be traded, bought, and sold among energy producers across the country. He explained how electrical grids and RECs work. He explained that Green Energy Consumer's Alliance tracks the progress of green municipal aggregation throughout Massachusetts. He said that of 351 municipalities in Massachusetts, only 54 have agreements which offer substantial use of Class I RECs. He stated that Franklin has zero class I renewable energy content, and he does not like seeing Franklin as a lagging community on the map. He stated that he urged the town administrator and the Town Council to begin planning for the next green municipal aggregation plan to include Class I RECs to help meet the higher Massachusetts renewable portfolio of standard requirements and to actually clean our air. He said there are several local organizations who stand ready to help the town achieve more meaningful energy cost savings and CO2 reduction. ► Mr. Francis Olsson, 37 Fraser Road, Framingham, long-term Franklin resident formerly at 149 West Central Street, said he enjoyed living in Franklin for the majority of his life. He said at this point in his life, along with many of his friends, he is not able to live in Franklin due to a lack of available housing. He said living in Franklin was not an option for him on a moderate income. He said he would like to see additional work done by the town administrator and Town Council to make this available. ► Ms. Ruthann O'Sullivan, 175 Oak Street, said she wanted to give an update on One Franklin regarding the override. She said we have a big public kickoff meeting on January 11, held at 67 Degrees Brewery, from 6 PM to 9 PM. She said the leadership team of One Franklin will be there. She said she would like to plug the idea that this year, obviously people know where I stand with the override discussion, I think that the override would not maybe be as necessary or be as big of a number if we could try to progress a bit more with things like zoning and planning. She said that she thinks that without new growth obviously we all know it is not

good for our town services, and she said so anything she can do to kind of let you know that One Franklin group definitely supports things like accessory dwellings becoming more readily available for people to kind of to help our town with new growth.

APPROVAL OF MINUTES: None.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

PUBLIC HEARINGS: 7:00 PM. ► *New Section 12 Restaurant Common Victualer All Alcohol License and Approval of Lisa Ann Truax as the Manager - L Truax King Street Cafe Inc. d/b/a King Street Cafe, Located at 390 King Street (See License Transactions #7a).* ► Chair Mercer stated that he declared the public hearing open. ► Mr. Hellen stated that this is for a New Section 12 Restaurant Common Victualer All Alcohol License which is a full license to be consumed on the premises. He stated that all department heads signed off on the application. He explained that they already had a license, but it was lapsed last year. He said because the site already hosted an alcohol license in the past, it makes the process a lot smoother with the ABCC at the state level. ► Mr. Richard Cornetta, attorney on behalf of the applicant, introduced Ms. Lisa Ann Truax who was in the audience. He reviewed that Ms. Truax took over the café last year. He said it is primarily a breakfast and lunch location. He said they used to have a robust brunch business on Saturdays and feedback included a liquor license. He stated that Ms. Truax is contemplating expanding her service to dinner. He said there is no outside seating; it is all inside. He said Ms. Truax has about 40 employees and hours of operation are typically 6 AM or 6:30 AM to 2:30 PM. He noted that there was a liquor license at the location in the past. He said he included Ms. Truax's resume in the application which is provided in the meeting packet. ► Town Council members asked questions and made comments. ► Councilor Jones noted that the businesses on either side of this business both have beer and wine licenses, so this is only logical that she has one to keep up with the competition. ► In response to questions, Ms. Truax said all have TIPS training. ► Chair Mercer declared the public hearing closed.

LICENSE TRANSACTIONS: ► *New Section 12 Restaurant Common Victualer All Alcohol License and Approval of Lisa Ann Truax as the Manager - L Truax King Street Cafe Inc. d/b/a King Street Cafe, Located at 390 King Street.* ► Councilor Jones read the license transaction. ► **MOTION to Approve** the request by L Truax King Street Cafe Inc. d/b/a King Street Cafe, for a New Section 12 Restaurant All Alcoholic Beverages License and to approve Lisa Ann Truax as the manager by **Jones. SECOND by Dellorco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *Discussion: 2024-2025 Town Council & Town Administration Work Plan (See Legislation for Action #9b).* ► Mr. Hellen explained that a draft work plan for the upcoming 2024-2025 Town Council session is provided in the meeting packet which can be found on the Town's website. He reviewed that this list has been compiled by the town departments and reflects projects that have been financed and/or started and that fall within the capacity of the current town staffing structure. He said that the theme of the next two years is to finish what has been started as well as projects that are currently awaiting legal approval, such as the Master Plan and Open Space Plan. He noted the prioritization from the Master Plan Committee and noted issues revolving around sustainability, zoning, and housing. He said he wants to make it clear that there is nothing that prohibits the Town Council or anyone from doing anything outside of the Master Plan, but at the same time, he knows that those subcommittees and those committees as part of the Master Plan are in the process right now between probably this month and September/October will hopefully prioritize all of the goals being brought through the Master Plan process. He said he hopes that after tonight, they will have a two-year plan that they can focus on. ► Chair Mercer said he thinks he would like to go around and give everyone

an opportunity to make any comments or additions they would like to make to the goals. ► Councilor Sheridan asked if they can add strengthening the Historical Commission to give them more authority over the district. ► Mr. Hellen said that he thinks this is referring to the establishment of a historical district. He explained that the Historical Commission is distinctly different from a Historic District Commission. He explained some of the differences and how it would have to be done regarding the process. He said he is not opposed to the concept, but it would be a very large project. ► Councilor Frongillo said he wanted to talk high level and then he has some specific language to add. He said new growth is key to our ability to pay for services.

The Town Council meeting was interrupted.

Chair Mercer called the meeting back to order.

► Councilor Frongillo continued his comments about proactive budgeting. He noted discussion of the override and noted talking about whether it is time to agree as a collective to raise revenue above 2.5 percent every year. He said we also talked about how we prioritize infrastructure. He said it does proactive budgeting really well and also does community building really well. He said it talks about branding, marketing, and the flag policy. He explained places that he finds the list of goals falls short are housing, climate, transportation, downtown revitalization, and citizen engagement. He noted that there is much room for improvement on how we interact with our citizens. ► Councilor Hamblen asked Mr. Hellen about the Chapter 82 fees for service and if that also includes abatements and discounts. ► Mr. Hellen explained it would include the community assistance program which was included some years ago. He said he will ask Ms. Julie McCann and the team to make sure we are taking advantage of every abatement that we could from state law. ► Councilor Hamblen said she thinks the historical district may come out of the Master Plan. She said she agrees about Franklin for All. She said her number one thing is the mixed use by right and the Commercial I; she thinks they need to go through that. She noted the right to farm community in the Master Plan and does not know if it is going to make it through. She mentioned the snow removal priority list. She said she has been asked about the Chestnut Street/Pleasant Street redesign and study and if there is anything the Town needs to do for that. ► Mr. Hellen said they need money and staff and time to do it; he said an analysis has been done, but it has not been designed. He further explained the project and said it is on the radar. ► Councilor Hamblen noted that under general government is the public art display policy, and she thinks they could make that not just a display but a donation policy as well. ► Mr. Hellen said he thinks the substance of the public art display probably lends itself to that. ► Councilor Jones said he has under general government to add a full-time grant writer. He said that if done right and well, it could be a self-funding entity. ► Chair Mercer said he thinks that within the departments there have been people given the task of grant writing. ► Mr. Hellen said that is correct. He said that he thinks the challenge with a grant writer is that for instance the Senior Center, technology, police, fire, etc., already have their knowledge of grants within their worlds. He said the question is would the grant writer take over the department efforts and what grants are we trying to get and what is the target. He said he thinks there would need to be an area that we need to fill the gap. ► Councilor Jones said there are quite a few areas that are not departmentalized, and he reviewed areas that are not department specific. He said that he thinks based on some discussions of the Master Plan there should be somebody to put their efforts to some of these grants. ► Chair Mercer said that he does not want to get into specific discussions on specific goals at this point. He said to make your case for what you would like to add as a goal and then after everyone has had an opportunity, we will go back and have a brief discussion. He said at this time there are already 14 goals they are requesting to be added. He said in this first round, focus on what you would like to see added. ► Councilor Jones said he would like to add establishing a full-time grant writer. He said he would like to establish the Town Charter Review Committee. He said he would like to put forth a goal under economic development or general government to look into another, if feasible, Affordable Housing Trust project. ► Mr. Hellen said the Trust has its own autonomy which he explained. ► Councilor Dellorco said if we can get these done, it will be a big two

years. He noted housing and traffic. ► Councilor Pellegrini asked why it was changed to work plan instead of goals; she does not like work plan. ► Mr. Hellen said goals are finite; you either do it or you do not. He said most of the projects that are on there cross multiple years. He said he would be happy to call it goals. ► Councilor Pellegrini said she wanted it to be goals. She listed some of the items that she likes. She said they have to keep up with the sidewalks and not just put in new ones. She noted the broken sidewalks near St. Mary's Church that need to be fixed. She noted the cupola. ► Mr. Hellen said the theme of this year's goals is to finish what they started. He said some of these things will cost more than they have. He said the cupola has been financed; they need the time to get it done. ► Councilor Pellegrini noted the reuse of the Davis Thayer School by issuing a preliminary expression of interest, and she said for Habitat for Humanity, she does not know where we stand. She said the longer they let it go, the worse the building is getting. ► Mr. Hellen confirmed the Davis Thayer item has already been started. He explained where they stand on Habitat for Humanity for the preservation restriction which they have to go through the state to get. He noted that Habitat for Humanity has five years. ► Councilor Chandler thanked them for the list. He said everyone is on the housing which has been a frustrating issue. He said that for the downtown, they have poured millions into it, and it will take time to get him motivated to start fighting for that again. He noted that all these goals have to be funded. He said he understands how important zoning is, and he will hope to add something to that conversation this year. ► Councilor Cormier-Leger said he likes the list of goals. He said he agrees with Councilor Jones regarding grants and discussed how that job description could be written. He said on the housing discussion, he would like to see some small single-family housing particularly 40B in town. He said this would require creating incentives for builders and land. He said he thinks for the downtown, it will also need incentives. He said he was happy to see the evaluate and discuss the flag policy. He said he wanted to add, in addition to creating a flag policy, that he wants to look at proper and legal ways to recognize subcommunities within Franklin particularly during Pride month in June. He noted Franklin Ridge and said if they are going to make it an actual thing, it should be made a goal. He said that he would like to see under the infrastructure plan, making a sidewalk plan written and established as a goal, to address the sidewalks we have. ► Chair Mercer said that he was not going to add anything as he and Mr. Hellen discussed this as it was being put together. ► Mr. David Rittenhouse, 24 Hunters Run, said there was an opportunity to expand on the green communities funding with the climate leader community status. He said he thinks that could be written in. ► Mr. Max Morrongiello, 127 Central Park Terrace, stated that for people his age affordable housing is increasingly out of reach. He said in a cruel sense he is lucky that he has a disability that affects his ability to work, and he was able to secure subsidized housing. He said for other people his age housing is unattainable. He said there is a solution, and it is imperative the Town Council implements the recommendations of the Franklin for All study. ► Chair Mercer said Franklin for All was already on the list. ► Mr. Edward McIntyre, 34 Jefferson Road, said climate change is one of the biggest issues facing the town and the globe. He said they should start to work on the Climate Leader Communities program and asked that they include the language Councilor Frongillo is proposing to get climate leader community status. He said it encourages a new building code which encourages electric buildings which are consistent with lower costs and cleaner environments. He said this will also help set the town up for future grants. ► Mr. Mark Minnichelli, 31 Longfellow Drive, said this was his second time living in Franklin and explained how his parents had lived in Franklin. He noted the MBTA Communities Act and zoning requirements. He said he supports these forms of transit-oriented development in Franklin. He said he commends the Town for recognizing accessory dwelling units as a viable means of improving affordability in Franklin. He said he urges the town administrator and Town Council to follow the recommendations of Franklin for All. ► Chair Mercer said this is already on the list. He said what he is looking for now are things that are not on the list. ► Mr. Brett Feldman, 37 Meadowbrook Road, said he added support to the climate initiatives, and they will save costs in the long run. ► Audience member who did not identify themselves, said they wanted to throw their support behind Councilor Cormier-Leger's suggestions to find a way, and when you do discuss the flag policy, even if you need to find an alternative way to do it, to show your support for the minority communities, not just LGBTQ, but those that do experience hate and harassment in Franklin that a lot of us, and the public, do not always see it, and so if they can know that the government

is behind them, their Town councilors are behind them, that will make a big difference to them and whether they want to stay in this town. ► Amber (last name/address not provided), via Zoom, said that much like Jen she was not going to speak because you were only asking for new business, but as we have discussed many, many times, the flag policy, mine is more of a question as well as support for it, when we talked about the planning for the work, I know that it is work for the Town Council and the town administrator, and things like that, as well as forming committees and things, and I just really want to throw my support behind the amount of people that I personally have spoken to that want to get involved and want to help make it easier. She said Mr. Hellen is constantly talking about the workload and the budget, and she knows that there are groups in town that are ready to pull up their boots and do the work, and she thanks them for putting this on their work plan as she knows it is like a huge effort. ► Councilor Jones asked a speaker from the audience if he was talking specifically about the specialized stretch code. He said that they adopted the stretch code back in 2017 which he reviewed. ► Chair Mercer said he wanted to make clear that 99.9 percent of these goals require some sort of funding. He said we know the budget constraints that we are currently under, and what we are looking at in the not-to-distant future. So, in some cases, we need to pull some money from here and move it over here; those will be discussions that will need to be had during the building of the budget which is upon us. He said that will be coming shortly. He said so, a lot of these items, how much we will be able to address that particular goal, is whether we have the finances to do it. He said these are going to be discussions we will have, and they will not be easy decisions. He said he would like to address the 17 items brought up tonight. He said he would like to get rid of a few if he can get consensus from the Town Council. He said the historical district through the Master Plan is the right place for that; consensus was given by Town Council members. He said the snow bylaw when it was passed, we knew it was baby steps, and it was the first step. He said they said let's look to see how it goes. He said he thinks it is a waiting situation, and they should go through a winter to see how it goes. He said that everyone has brought up climate and green initiatives; he asked Mr. Hellen where they fit it in. ► Mr. Hellen said Franklin is widely known as a leader in this issue. He said the buildings are in excellent shape, and they have started to convert the fleet, and more. He said that he thinks at some point it is not us, it is the citizens, homes, vehicles, and more to get to net zero. He said he does not know what the right goal is, and he does not want to set them up for failure. He said he is fully onboard with this issue, and we are a leader. He said it is about money, capacity, and what are we aiming to do. He said he thinks at some point they need a broader bandwidth. He explained that he likes the grassroots; he is open to all ideas. ► Councilor Frongillo said he put a lot of thought into it. He said just as we think about how to set climate goals, the state launched the climate leader community. He said just as we did 10 years ago, this is a checklist of actions you can take as a municipality to make you eligible for more money for the town. He said he wants to look at the six items, which he read aloud and explained where the town already was on each item. He read aloud his specific language for this goal; consensus was given by Town Council members. ► Chair Mercer asked how they expand on the housing issue. ► Mr. Hellen said that he feels the Master Plan Committee needs to finish their work. He said they left MBTA communities and 40R; he said both are substantial projects. He said monitoring statewide housing bond bill and housing legislation got glossed over relative to ADUs. He said he would not expect that passage until about July 30, but before the legislature adjourns and then it will take months on how to apply for the money. He said unless there is an action item that will increase housing or funding for it, he thinks what is here and what the Master Plan is doing on zoning is what we can do on housing. He discussed Franklin Ridge and explained the current status. He explained that it is very hard for a municipality to build housing. He said he is open to ideas. ► Chair Mercer said that regarding Franklin Ridge, if there is money, they will discuss it at budget time. He said it is not too early to start thinking about these different issues that have to be dealt with. ► Councilor Frongillo said that he wants to make sure that we as an Economic Development Committee who are thinking about this, are not going to come up with an idea or try to tackle something, and then it is said that it is not on the goals. He stated and pointed out the location of the four words that he would add which are the Franklin for All study. ► Chair Mercer said he likes that. ► Mr. Hellen said he loves it. He asked for specifics on what is being considered by the Master Plan Committee. ► Chair Mercer said that is the perfect place for this on

the Master Plan Committee. He said he is okay with adding the Franklin for All study. ► Councilor Cormier-Leger asked about tax incentives that could help a developer in town that is thinking about a project. ► Chair Mercer said absolutely to a degree. ► Attorney Cerel said what is meant by tax incentives because it is very limited programs and ability generally as you perceive income taxes or broad-based taxes; a short answer is no, there is nothing you can do about it. He said as far as working with a developer for infrastructure, or other types of incentives, there are some programs in place already set up. ► Mr. Hellen said in his experience it is rare that a housing developer will take a TIF which he explained. ► Councilor Cormier-Leger said if we want to make it a reality, we know what the developers are up against keeping them from doing the housing that we need. ► Chair Mercer noted the charter review. ► Mr. Hellen said he said he is happy to do it, but it is a very large project with a separate committee which he explained. ► Chair Mercer said he thinks the ad hoc piece; just establishing a committee is a start. He noted the grant writer piece. ► Mr. Hellen said you are up against budget issues; you could probably fund it through federal money. He said he is not against it. ► Chair Mercer said that the departments have done a great job of doing the grant writing within their departments, and this is a budget conversation where we want to put money for this. ► Councilor Dellorco explained how grants are done in Massport. ► Chair Mercer noted sidewalks. He said we are close to bringing that plan to fruition. ► Mr. Hellen said he got an email from BETA who is doing the plan that they were a few weeks out. He said that DPW Director Brutus Cantoreggi has been working on a presentation probably within the next few months about what the costs will look like. ► Chair Mercer confirmed that the sidewalk plan will include the costs. ► Mr. Hellen said the upcoming capital plan will include money for repairs of sidewalks. ► Councilor Hamblen said what she meant is with snow removal the DPW has their priorities, and they discuss the many more miles of sidewalks the town has, so maybe we need to look at the priority list to change it or add to it. ► Mr. Hellen said we can add a sidewalk master plan. He said a pedestrian master plan is a larger project. ► Chair Mercer said to do the development of a sidewalk plan leading to the development of a pedestrian plan and that at least clarifies what we hope we can do and opens the door if we can do more. He said they have not discussed downtown Franklin. ► Councilor Frongillo noted adding Franklin for All and talked about the downtown and noted how many homes are built and setback and requirements and parking and zoning. ► Mr. Hellen said he is all set. ► Chair Mercer said he thanked the town administrator and everyone involved in developing the goals and work plan for the Town Council for the next two years. He said these are certainly aggressive. He said he thinks they were aggressive two years ago, and they got a lot accomplished, and they can do the same thing again.

► **MOTION to Approve** the amended goals and work plan presented and amended tonight by **Dellorco**. **SECOND** by **Jones**. **No discussion**. ► **VOTE: Yes-9, No-0, Absent-0**.

LEGISLATION FOR ACTION:

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

- b. Resolution 24-01: Adoption of 2024-2025 Town Council and Town Administration Work Plan (Motion to Approve Resolution 24-01 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 24-01: Adoption of 2024-2025 Town Council and Town Administration Work Plan, as amended this evening, which is to adopt the 2024-2025 Town Council and Town Administration Work Plan of the Town of Franklin, a copy of which is attached hereto as “Exhibit 1”; as amended this evening, said adoption is effective until revised or revoked by resolution of the Franklin Town Council by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Attorney Cerel noted that they must include the words as amended. ► **VOTE: Yes-9, No-0, Absent-0**.
- a. Bylaw Amendment 24-904: A Bylaw to Amend the Code of the Town of Franklin at Chapter 82, Fees, Municipal Service - First Reading (Motion to Move Bylaw Amendment 24-904 to a Second Reading - Majority Vote).** ► Councilor Jones read the bylaw amendment. ► **MOTION to Move**

Bylaw Amendment 24-904: A Bylaw to Amend the Code of the Town of Franklin at Chapter 82, Fees, Municipal Service to a Second Reading by **Dellorco. SECOND** by **Hamblen Discussion:**

► Mr. Hellen said the fire chief is here. He said this is minor tweaks to make sure our rates are in the middle of the pack. He said the mutual aid calls are going way up. He said these rate increases are critical. ► In response to a question, the fire chief explained that these rates will affect everyone. He said that if someone does not have insurance, it goes through a collection process. He noted that there is a formula and ways to work with the vendor for payment. He stated that they try to educate people that this should really be for true emergencies, but this is not always the case. ► Mr. Hellen said there is a provision in the Town bylaw for hardship and community assistance. ► **VOTE: Yes-9, No-0, Absent-0.**

- c. **Resolution 24-02: Acceptance of Parcel A, Drainage Lot, on Westerly Side of Maple Street (Motion to Approve Resolution 24-02 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 24-02: Acceptance of Parcel A, Drainage Lot, on Westerly Side of Maple Street by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen said the resolution explains it all; it is off Laurinda Lane off Maple Street. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen explained the Prospect Street closure due to the replacement of a culvert and said they are trying to fix it as quickly as possible; he thanked all for their patience. He said happy New Year. ► Chair Mercer requested a sign in a specific location to help with the detour. ► Mr. Hellen will check.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee. None.**
- b. **Economic Development Subcommittee. None.**
- c. **Budget Subcommittee. None.**
- d. **Master Plan Update Committee.** ► Councilor Jones said the Committee set the 2024 meeting schedule dates and set September 9 for a proposed presentation to the Planning Board and September 18 to the Town Council.
- e. **Davis-Thayer Building Reuse Advisory Committee. None.**
- f. **Police Station Building Committee. None.**
- g. **GATRA Advisory Board. None.**

FUTURE AGENDA ITEMS: ► Councilor Cormier-Leger said that he has gotten some complaints about Spruce Pond about beavers and they are being told it is an FDA issue. He asked that some department look into this. ► Mr. Hellen said it is not the FDA. ► Councilor Frongillo said he wanted to add subcommittee assignments, and he was made aware of the senior village overlay and how expansive it is and how it may run contrary to the Franklin for All work and wanted to have the EDC look at that and report back.

COUNCIL COMMENTS: ► Town Council members said happy New Year. ► Councilor Cormier-Leger asked to look into the pros and cons of keeping the Zoom meetings. ► Chair Mercer said every time we think we have solved the Zoom problems, something else happens. ► Councilor Chandler said he feels good about the goals. ► Councilor Jones said 2024 will be a busy year. ► Councilor Dellorco said congratulations to sports at Franklin High School and great job to coaches and the staff. ► Chair Mercer apologized for what happened earlier in the meeting regarding the inappropriate Zoom incident. He said they do everything they can to prevent those things from happening. He said they have an awesome task ahead of the Town Council, but it is taking them in the direction that the community needs to be headed. He thanked the Town Council members for adopting these challenging goals.

EXECUTIVE SESSION: ► *Considering the purchase, exchange, lease or value of real property, because an open meeting may have a detrimental effect on the negotiating position of the Public Body.*

► Chair Mercer stated there is a need for an executive session for considering the purchase, exchange, lease or value of real property, because an open meeting may have a detrimental effect on the negotiating position of the Public Body, and he so declares. ► **MOTION to Enter executive session for considering the purchase, exchange, lease or value of real property, because an open meeting may have a detrimental effect on the negotiating position of the Public Body, as the chair has so declared, and shall not resume into open session, by Jones. SECOND by Dellorco. No Discussion. ► ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► VOTE: Yes-9, No-0, Absent-0.**

Open Session ended at 9:03 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Town of Franklin

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Franklin, Massachusetts 02038-1352



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OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

January 12, 2024

To: Town Council
From: Jamie Hellen, Town Administrator
Amy Frigulietti, Deputy Town Administrator

Re: Resolution 24-05: Termination of the Massachusetts Statewide Opioid Settlement Stabilization Fund, as well as Dedication of Revenues Thereto, as Authorized by G.L. Chapter 77 of the Acts of 2023

We are asking the Town Council to approve Resolution 24-05 which if approved will terminate the Opioid Settlement Stabilization Fund.

The only reason for this legislation is due to altering guidance from the state Department of Revenue guidance that came out in December 2023. This is administrative legislation and does not affect any revenue streams.

The Deputy Town Administrator will begin to work with community stakeholders throughout 2024 to develop a strategic plan for the opioid settlement distribution as outlined in the Town Council/Town Administrator Goals.

Bulletin

BUL-2023-7

G.L. c. 44, § 53 Clause 4: Opioid Settlement Receipts

TO: Local Officials
FROM: Deborah A. Wagner, Director of Accounts
DATE: December 2023

This guidance supersedes BUL-2023-6 and the July 7, 2022 edition of *City and Town, Ask DLS: Treatment of Opioid Settlement Payments*.

On December 4, 2023, Governor Healey signed [Chapter 77 of the Acts of 2023](#), Section 9 of which provides, in part, for the following exception to the general rule that all receipts are to be recorded as general fund revenue per [G.L. c. 44, § 53](#):

“(4) non-recurring, unanticipated sums received by multiple cities, towns or districts and not otherwise provided for by general or special law, may, upon the approval of the director of accounts, be expended at the direction of the chief executive officer without further appropriation only for the singular purpose for which the monies were received” (emphasis added)

The Director of Accounts has determined that cities and towns that have received or will receive funds in Fiscal Year 2024, or thereafter, pursuant to settlement agreements entered into by the Commonwealth with opioid distributors and opioid-makers for prevention, harm reduction, treatment, and recovery, may place said funds into a special revenue fund. The proceeds can then be expended, without further appropriation, at the direction of the chief executive officer only for the purpose identified in said settlement agreements.

Section 197 of the Act further allows a community to consolidate all monies previously received for this purpose into the special revenue fund, mentioned above, in the following ways.

1. If prior year settlement funds have not otherwise been reserved (i.e., dedicated to a stabilization fund) or become part of certified free cash, then those funds may be placed directly into the special revenue fund.
2. If already dedicated to a stabilization fund, said dedication can be revoked at any time by vote of the legislative body. Upon revocation, all statewide opioid settlement receipts previously received may be placed in the special revenue fund.
3. If a community has settlement funds in a stabilization fund but did not dedicate future settlement receipts, the money currently in stabilization can be placed directly into the special revenue fund.

In the case of #2 or #3 above, once funds are moved from the stabilization fund, by virtue of having no remaining balance the stabilization fund can be removed from the balance sheet.

4. Settlement funds that have become part of free cash may be appropriated into the special revenue fund by vote of the community's legislative body.

Once placed in the special revenue fund, monies can be spent without further appropriation for purpose identified in the settlement agreements. Any interest belongs to the general fund.

The transfers of funds, noted in #1-#4 above, represent a limited ability to consolidate previously received opioid settlement monies into the newly allowed special revenue fund. These transfers are permitted only for this express purpose and should not be considered a general change to how monies are otherwise accounted for under the General Laws.

If you have any further questions, please contact your BOA field representative.



**TOWN OF FRANKLIN
RESOLUTION 24-05**

**Termination of the Massachusetts Statewide Opioid Settlement
Stabilization Fund, as well as Dedication of Revenues Thereto, as
Authorized by G.L. Chapter 77 of the Acts of 2023**

WHEREAS, G.L. Chapter 40, Section 5B authorizes a municipality to create a stabilization fund for a specified purpose and to appropriate amounts thereto, provided that said action is effective for at least 3 years, and the Town of Franklin through its Town Council voted to create such a fund to accumulate revenue received from the Massachusetts Statewide Opioid Settlement by Resolution 22-89 and

WHEREAS, Chapter 77 of the Acts of 2023 eliminates the minimum 3 year provision and authorizes a municipality to terminate a specialized stabilization fund at any time and

WHEREAS, the Town of Franklin wishes to terminate the Massachusetts Opioid Statewide Settlement Stabilization Fund and the dedication of revenues received from the Commonwealth of Massachusetts thereto from such settlement as Authorized by Chapter 77 of the Acts of 2023,

NOW THEREFORE BE IT VOTED by the Franklin Town Council that:

The "Massachusetts Statewide Opioid Settlement Stabilization Fund" as well as the dedication of revenues thereto is hereby terminated as authorized by Chapter 77 of the Acts of 2023 and by G.L Chapter 40, Section 5B

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

DATED: _____, 2024

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

**Nancy Danello, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**