

FRANKLIN TOWN COUNCIL

Agenda & Meeting Packet

December 20, 2023

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 December 20, 2023 Town Council meeting:

- Zoom Link [HERE](#) -- Then click "Open Zoom".
- Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/81071430965>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 810 7143 0965** --Then press #
- Please be sure to include your name in order to be identified and let into the meeting.
- 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.*

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

- [November 1, 2023](#)
- [November 15, 2023](#)
- [November 21, 2023](#)

4. PROCLAMATIONS / RECOGNITIONS

- Proclamation: William "Ken" Norman

5. APPOINTMENTS - None Scheduled

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

7. LICENSE TRANSACTIONS

- [2024 Annual Alcohol License Renewals](#)
 - See attached "2024 Town of Franklin Alcohol Licenses Renewals"

8. PRESENTATIONS / DISCUSSION - *None Scheduled*

9. LEGISLATION FOR ACTION

- a. [Resolution 23-71: Town Council Approval of County ARPA Funds](#)
(Motion to Approve Resolution 23-71 - Majority Vote)
- 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)
- 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)
- 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)
- e. [Resolution 23-73: Revised 2024 Town Council Meeting Schedule](#)
(Motion to Approve Resolution 23-73 - Majority Vote)
- 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)
- 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)**
- 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)**

10. TOWN ADMINISTRATOR'S REPORT

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
November 1, 2023**

A meeting of the Town Council was held on Wednesday, November 1, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellocco, 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.

CITIZEN COMMENTS: ► Town Clerk Nancy Danello reviewed election information. She said the Tri-County election was successful in Franklin. She said six percent of total voters in Franklin voted. She said today was the last day to request a vote-by-mail ballot for the Town Election. She said you can still vote in person at the Town Clerk's office until noon on November 6. She requested all candidates adhere to the 150 ft. rule. ► Ms. Maureen Sullivan, 871 King Street and owner of 553 Washington Street, said it is a terrible corner. She said 100-200 Financial Park has a plan in place and it is an absolute no. She said they are rushing things because everyone is saying get together before next Monday because of the elections on Tuesday because only four can vote after Tuesday. She said it is a nightmare. She said they are not going to take down Digital and put in two more trucking companies that are going to house 381 trucks per day.

APPROVAL OF MINUTES: ► *September 20, 2023 and October 11, 2023.* ► **MOTION to Approve** the September 20, 2023 meeting minutes by **Dellocco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** the October 11, 2023 meeting minutes by **Dellocco. SECOND** by **Jones. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: **None.**

APPOINTMENTS: ► *2023 Election Workers.* ► Councilor Jones read the appointment. ► **MOTION to Appoint** the persons whose names appear in "Exhibit 1" (provided in the meeting packet) as Election Workers as requested by the Town Clerk by **Jones. SECOND** by **Dellocco. No discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

► *Conservation Commission: Roger Trahan.* ► Councilor Jones read the appointment. ► **MOTION to Ratify** the appointment by the Town Administrator of Roger Trahan to serve as a member of the Conservation Commission with term expiration June 30, 2026, by **Jones. SECOND** by **Dellocco. Discussion:** ► Mr. Hellen congratulated Mr. Trahan. He said about one-half dozen folks had applied for the position, and he asked the Conservation Commission for help and advice. He said they held meetings and recommended Mr. Trahan. ► Councilor Hamblen thanked Mr. Trahan for the years he spent on the

Agricultural Commission. ► Chair Mercer thanked Mr. Trahan and the election workers for stepping up and volunteering. ► **VOTE: Yes-9, No-0, Absent-0.**

► **Fire Department - Swearing In of New Firefighters/Paramedics: Kenneth Cotnoir, Douglas Jasper, Christopher Rose, Ovidiu Ticlea.** ► Deputy Fire Chief James Klich addressed the Town Council and thanked all involved in the hiring process to allow them to fill some open spots. ► Deputy Fire Chief Joseph Barbieri reviewed the education, backgrounds, and careers of Kenneth Cotnoir, Ovidiu Ticlea, Christopher Rose, and Douglas Jasper, and he reviewed the names of family members present and who would be pinning the badge of each firefighter. ► Town Clerk Nancy Danello performed the swearing in for each firefighter.

Chair Mercer called a two-minute recess.

HEARINGS – 7:00 PM: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► Town Charter Presentation - Jamie Hellen, Town Administrator & Mark Cerel, Town Attorney. ► Mr. Hellen narrated a slideshow presentation and provided an overview of the Town Charter. He noted Michael Ward, Director of the University of Massachusetts Boston Collins Center, will attend the meeting via Zoom and answer state-wide questions regarding the Town Charter. He stated that all of Massachusetts is envious of the Town of Franklin's Town Charter for its checks and balances, brevity, and efficiency. He stated that Massachusetts is a home-rule state. The Town Charter is really like the constitution. He reviewed the Town Charter major milestone moments: 1978-Franklin created the Council-Administrator form of government; 1984-Charter Commission five-year review of growing pains; 1995-Charter Commission review. He noted that the Town's Charter Commission reports from 1984 and 1995, which extensively reviewed the town charter twice after the 1978 charter reform, are included in the meeting packet. He reviewed that the Town Council grew to almost 19 members when the town was growing in the 1980s and 1990s. He reiterated that Franklin's charter is probably one of the most famous in Massachusetts. He stated that Franklin really does lead in a lot of areas. He explained that 1995 is when Franklin really changed the way we work and collaborate today. He noted a series of technical clarifications from the mid-2000s to 2014. He said that the last time the Town Charter was changed was in 2013 to request an appointed Treasurer-Collector rather than an elected Treasurer-Collector. He discussed the two procedures to alter the Town Charter, and he explained the steps of each. He discussed the Elected Charter Commission which is a formal procedure and a ballot question; the process requires hired facilitation and an appropriate budget. He said this is a long, multi-year process. He said this is usually a choice used for comprehensive, structural changes to the entire organization; a final recommendation is up or down ballot vote, no amendments. The second procedure to alter the Town Charter is an Ad Hoc Subcommittee which is an informal process, and he explained the steps. He said this process cannot include substantive changes to the form of government. He said this process has been used by Franklin for the past 30 years. He discussed the two procedures and gave examples of how the processes have been used in the past. ► Mr. Cerel clarified that you cannot go with a structural ballot question on your own without going through the statutory Charter Commission process. Going through the legislature, they will essentially give conditional approval; they will approve it and authorize the ballot question. ► Town Council members asked questions and made comments. ► In response, Mr. Cerel said any change to Town Council in terms of their term, their authority, or the Town Administrator and his term or authority, that is a change in the statute. ► Mr. Hellen clarified that these are statutory. He stated that by statute, this is the City known as the Town of Franklin. He explained that Franklin has the most hybrid form of government in Massachusetts. ► Mr. Cerel stated that there is case law that distinguishes a city from a town and it is defined in terms of the legislative body. He said a town does not have a sitting legislative body, they have to be called for special purposes, the annual or special

Town Meeting, whereas anything else is considered a city, and if it were not for statute representative Town Meetings are defined, they would technically and legally be considered a city form of government because that is also a city legislative body and a representative Town Meeting. ► Mr. Hellen stated that about 16,000 population is the threshold. ► Mr. Michael Ward, Director of the University of Massachusetts Boston Collins Center, stated that Mr. Anthony Wilson was also attending the meeting via Zoom. He discussed the threshold for which a town cannot take a city form of government is 12,000, and it is spelled out in the home rule amendment to the Constitution. ► Councilor Chandler read aloud from the charter; he said the voter is the most important person and we should all remember that. He asked about running for office and working for the Town. ► Mr. Cerel said you can run for office if you already have a town position, you just cannot accept additional compensation; you have to choose which compensation, no two salaries. He noted that budgeting is a problematic situation when you work for the town and hold office because you may have to stay away from the item. ► Councilor Jones asked if the Town Council could put together a discussion to talk about the things they would be interested in potentially having a Commission or a ballot question address prior to establishing a Commission or ballot question. ► Chair Mercer said we can always have a discussion. ► Mr. Hellen said for the record he wanted to read aloud the Eligibility Section 222 regarding employment of Town Council members regarding what Mr. Cerel was stating. ► Mr. Ward stated that he was not sure this was a reference to state law, but it does look pretty typical for language. ► Councilor Pellegri reviewed that she was and still would be in favor of staggered terms for the Town Council and for the School Committee. ► Mr. Max Morrongiello, 127 Central Park Terrace, stated that he was curious about Lowell about representation in their at-large system and if it would have an impact on Franklin's system. ► Mr. Ward said he was a little bit familiar with it, but he did not know if he could comment on whether it would impact Franklin without knowing more about Franklin's demographics. He discussed the situation in Lowell regarding its all at-large council and that there were concerns that minority representation was not sufficient. So, the city changed about three or four years ago to add district councilors. He said there are many other cities like Franklin that are all at-large. ► Mr. Morrongiello said there was a large Indian population in town and he is worried about their ability to get represented on the council and whether having an at-large system might prevent someone being able to get a seat. ► Chair Mercer said that he would like to put this on a discussion item during building of goals in January. ► Mr. Cerel stated that in regard to a citizen speaker's comment, it is not an issue as to the percentage of your population of a particular ethnicity or minority, it is how they are dispersed in the community. ► Chair Mercer said that he thinks he is seeing consensus from the Town Council to put this in with the goals when they build their goals in January. He thanked Mr. Ward for answering some questions.

LEGISLATION FOR ACTION: None.

TOWN ADMINISTRATOR'S REPORT: ► *Migrant Housing Update.* ► Mr. Hellen thanked all Town departments and staff over the month of October for the events they have put on. He thanked all who came to the Red Brick Schoolhouse and the Schmidt's Farm ribbon cuttings, and the Committee Preservation Committee, and Dean College for the unbelievable show they put on last week. He said that on November 8, the Finance Committee is holding their meeting which is where the FY24 budget amendment will be presented; the packet is available this Friday. He said they still will be seeing a downgrade in revenues in excess of \$300,000 and there will be no negative impact to the school district funding as they have found some other areas that they can trim the budget. He said the Town Council will be considering the FY24 budget amendment on November 15, prior to the tax rate hearing on November 21. Regarding the migrant housing update, he said almost all the hotel rooms are full. He said there are about 300 individuals with 54 to 56 children enrolled in the school district. He said they got some information from the state this week. He said things at the hotel are doing pretty well. He said he is thankful to all for their efforts to address the needs. He said there is information on the Board of Health webpage regarding where and how to make donations. ► Chair Mercer said he thought he read that Governor Healy is working with the federal government legislators to help find work for the migrants

who are looking to find work. ► Mr. Hellen said that on November 13, there is a work clinic proposed by the Department of Homeland Security to deal with this issue, but details are scant. He said that Ms. Cathy Liberty got a \$10,000 grant from a non-profit in Milford and has linked up with a transportation provider to do non-emergency medical transportation for the folks at the shelter. He thanked Ms. Liberty for all she does. He said he does not know how it is going to work. He said that regarding the right to shelter law, the judge ruled today that the governor does have the ability to set a cap on the right to shelter law. He said they do not have information from the governor on how a wait list will work.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee. None.**
- b. **Economic Development Subcommittee.** ► Councilor Hamblen said the subcommittee met before tonight's Town Council meeting. She said they are talking about 40R and creating a new bylaw in overlay districts. She said it will take time to get it together. She said it is a recommendation from the Franklin for All project.
- c. **Budget Subcommittee. None.**
- d. **Master Plan Update Committee.** ► Councilor Jones said they will be meeting again on November 8 at 6:30 PM. He said there is a lot on the agenda which he reviewed.
- e. **Davis-Thayer Building Reuse Advisory Committee. None.**
- f. **Police Station Building Committee. None.**
- g. **GATRA Advisory Board.** ► Councilor Frongillo said GATRA has not met, but they did get confirmation of a budget piece which was approved and implemented and we are free to advertise free rides to and from the Franklin Senior Center to Franklin residents, a dollar off all rides for Franklin residents, and free rides to and from the Franklin Food Pantry.

FUTURE AGENDA ITEMS: None.

COUNCIL COMMENTS: ► Councilor Cormier-Leger said it was an honor serving on this panel. He noted the election is next Tuesday. He said he is proud of everything they accomplished in the last two years. ► Councilor Chandler said he hopes everyone comes out and votes. He noted how nice the flowers at Dean College look. ► Councilor Pellegrini said kudos to the Senior Center for their new furniture due to the water damage. She said it is so important to get out and vote. She said she thinks this Town Council has done a wonderful job and accomplished a lot. ► Councilor Frongillo noted a few upcoming events: tour of key Franklin facilities on bikes on November 5 at 9 AM; vote next week; Fall Health Fair on November 8 from 3 PM to 6 PM; two Conservation Commission events on November 9 and November 12. ► Councilor Hamblen gave condolences to Councilor Sheridan and his family for their loss. She thanked everyone who was at the Schmidt's Farm ribbon cutting. She noted other recent events in Town that were amazing. She thanked everyone allowing her to serve Franklin, and she encouraged everyone to vote. ► Councilor Jones said in the future he would hope the Town Council would schedule events and activities such as the ribbon cuttings on days that all Town Council members can attend as he has to work. He congratulated the Tri-County School for the affirmative vote to build the new school. He noted the incredible Dean College play. ► Councilor Dellorco agreed with Councilor Jones that the Town Council members who work cannot make the ribbon cuttings and events held during work hours. He gave condolences to Councilor Sheridan and his family. He said it has been a great Town Council. He stated that Mr. Bobby Catalano turned 101 yesterday, and he wished him Happy Birthday. ► Chair Mercer gave condolences to Councilor Sheridan and his family for their recent loss. He congratulated Tri-County for the successful vote. He spoke about the ribbon cutting at Schmidt's Farm and the celebration of this sitting Town Council for purchasing over 200 acres of open space land; he said it was a tremendous day. He said in the future, they will look to make such events at times when everyone can attend. He discussed that he went to the Fire Department open house; he reviewed some of the activities at the event. He noted the Trunk or Treat event at the library and that Dean College had a decorated van and was handing out candy. He noted the event at the Police Station and the great costumes. He noted the weather was great for

all three events. He thanked all the people who put on the events. He said this is the most important election for people in the community as the people they are electing are actually spending your tax dollars. He said to please come out and vote. He thanked all the Town Council members for the work done over the past two years. ► Councilor Cormier-Leger thanked the Lions Club for hosting their amazing decorating contest throughout town.

EXECUTIVE SESSION: None.

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

Meeting adjourned at 8:31 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
November 15, 2023**

A meeting of the Town Council was held on Wednesday, November 15, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco (via Zoom), Cobi Frongillo, Melanie Hamblen, Glenn Jones (via Zoom), 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. ► He stated that Councilor Dellorco and Councilor Jones would be attending the meeting via Zoom.

SWEARING IN OF TOWN COUNCIL: ► Ms. Nancy Danello, Town Clerk, conducted the swearing in of all Town Council members.

ELECTION OF OFFICERS FOR TOWN COUNCIL CHAIR, VICE CHAIR, CLERK:

► Nominations were accepted for Town Council Chair. **Nomination of Mercer by Hamblen. SECOND by Cormier-Leger. No Discussion. Motion to Appoint Tom Mercer as Chair. No SECOND. No Discussion.**

► **ROLL CALL VOTE (for Chair): 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.**

► Nominations were accepted for Town Council Vice Chair. **Nomination of Dellorco by Chandler. SECOND by Pellegrini. No Discussion. Motion to Appoint Robert Dellorco as Vice Chair. No SECOND. No Discussion.** ► **ROLL CALL VOTE (for Vice Chair): 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.**

► Nominations were accepted for Town Council Clerk. **Nomination of Jones by Sheridan. SECOND by Hamblen. No Discussion. Motion to Appoint Glenn Jones as Clerk. No SECOND. No Discussion.** ► **ROLL CALL VOTE (for Clerk): 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.**

ADOPTION OF TOWN COUNCIL PROCEDURE MANUAL: ► Resolution 23-60: Adoption of Procedures Manual of the Franklin Town Council (Motion to Approve Resolution 23-60 - Majority Vote).

► Councilor Hamblen read the resolution. ► **MOTION to Approve Resolution 23-60: Adoption of Procedures Manual of the Franklin Town Council by Pellegrini. SECOND by Sheridan. Discussion:** ► Chair Mercer reviewed that this resolution must be voted annually. ► Mr. Hellen stated that this must be done right away; this is a procedural matter. ► **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.**

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. ► Chair Mercer reviewed upcoming Town sponsored community events: on November 16 from 8:30 AM to 9:30 AM at the Senior Center the Town Council will hold office hours; on November 21 at 6 PM the Town Council will hold a public hearing at Council Chambers to set the annual tax rate; on November 25 from 10 AM to 12 PM Mrs. Claus will make her annual Thanksgiving weekend appearance at the Franklin Historical Museum and will read *The Night Before Christmas*; and on November 26 starting at 4 PM the Annual Christmas on the Common will be held with holiday festivities including refreshments, lighting Town Common and holiday light displays, and visiting with Santa and Jingle the Elf.

CITIZEN COMMENTS: None.

Chair Mercer announced that Councilor Jones has left the meeting.

APPROVAL OF MINUTES: ► *October 18, 2023.* ► **MOTION to Approve** the October 18, 2023 meeting minutes by **Hamblen. SECOND** by **Pellegrini. No discussion.** ► **ROLL CALL VOTE:** **Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE:** Yes-8, No-0, Absent-1.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► *Agricultural Commission: Cynthia Garbosk.* ► Councilor Hamblen read the appointment. ► **MOTION to Ratify** the appointment by the Town Administrator of Cynthia Garbosk to serve as a member of the Agricultural Commission, with term expiration June 30, 2026, by **Hamblen. SECOND** by **Pellegrini. Discussion:** ► Mr. Hellen stated that Ms. Garbosk started the Farmers Market and has a farm on Prospect Street. He said he thinks she will be a great member of the Commission. ► **ROLL CALL VOTE:** **Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE:** Yes-8, No-0, Absent-1.

HEARINGS – 7:00 PM: ► *Transfer of Section 15 All Alcoholic Beverages Package Store License, Approval of Pledge of Liquor License, and Approval of Bhaveshkumar Patel as the Manager - Heeru Corporation d/b/a DeVita's Market, Located at 198 East Central Street, Franklin, MA 02038 (License Transaction #9a).* ► *Chair Mercer declared the public hearing open.* ► Mr. Hellen stated that this is for the approval of the transfer of Section 15 All Alcoholic Beverages Package Store license. He stated this is for sale on the premises, but people take the alcohol home; there is no consumption onsite. He said this is also for the pledge of liquor license as well as the approval of the actual manager of the license. He stated that all departments have signed off on the application. ► Attorney John Mooradian of Demakis Law Offices, Ankitaben Patel, and Bhaveshkumar Patel addressed the Town Council. Attorney Mooradian said they are buying DeVita's Market through the Heeru Corporation, and they are seeking approval of the transfer of the package store license. He said this is a change of business ownership; there is no change to the market, the footprint, or the concept. He stated that Bhaveshkumar Patel will be the manager of record; he is TIPS certified as will be the three to four employees. ► Mr. Cerel noted the current owner of the premises, Michael Donovan, is in attendance. ► *Chair Mercer declared the public hearing closed.*

LICENSE TRANSACTIONS: ► *Transfer of Section 15 All Alcoholic Beverages Package Store License, Approval of Pledge of Liquor License, and Approval of Bhaveshkumar Patel as the Manager - Heeru Corporation d/b/a DeVita's Market, Located at 198 East Central Street, Franklin, MA 02038.* ► Councilor Hamblen read the license transaction. ► **MOTION to Approve** the Transfer of Section 15 All Alcoholic Beverages Package Store License, Approval of Pledge of Liquor License, and Approval of Bhaveshkumar Patel as the Manager - Heeru Corporation d/b/a DeVita's Market, Located at 198 East Central Street, Franklin, MA 02038 by **Hamblen. SECOND** by **Pellegrini. Discussion:** ► Councilor Chandler stated this is big shoes to fill of Mr. Donovan. ► **ROLL CALL VOTE:** **Chandler-YES; Cormier-Leger-YES;**

Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► VOTE: Yes-8, No-0, Absent-1.

PRESENTATIONS/DISCUSSIONS: ► Presentation: Franklin Elks Riders Donation to Veterans' Services Department (Legislation for Action #9f). ► Veterans Services Officer Shannon Nisbett introduced Elks Riders President Rich Gatley. ► Mr. Gatley recognized members of the Elks Riders who made this and other donations possible, many of whom were in attendance at the meeting. He noted the Elks Riders now have 32 members and have raised funds and donated to many charities. He stated that they are providing a check of \$1,000 to the Veterans Gift Fund. ► Ms. Nisbett said that she and Veterans Services Assistant Debra Martin thank the Elks Riders for their generous donation. She reviewed that since 2021, the Elks Riders have donated \$5,000 to veterans' funds. She introduced all Elks Riders members in attendance. She thanked them all for their great work.

LEGISLATION FOR ACTION:

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

- f. Resolution 23-62: Gift Acceptance - Veterans' Services Department (\$1,000) (Motion to Approve Resolution 23-62 - Majority Vote).** ► Councilor Hamblen read the resolution. ► **MOTION to Approve** Resolution 23-62: Gift Acceptance - Veterans' Services Department (\$1,000) by **Cormier-Leger**. **SECOND** by **Frongillo**. **No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► VOTE: Yes-8, No-0, Absent-1.**

PRESENTATIONS/DISCUSSIONS (continued): ► Discussion: Open Meeting Law, Public Records, Ethics and Conducting a Public Meeting - Mark Cerel, Town Attorney. ► Mr. Hellen stated that usually after a Town election, the Town Attorney reviews a series of laws including Open Meeting Law, Public Records Law, and Ethics Law, but seeing it is the same nine members who already know the rules and have signed the ethics, there is really no need to go through the presentation. He said that however, for the record and the fact that we do it every two years, this item was put on the agenda just in case any councilors had any questions. ► Chair Mercer confirmed there were no questions from Town Council members.

LEGISLATION FOR ACTION (continued):

- a. Resolution 23-58: General Funds Appropriation, Transfers and Adjustments FY24 (Motion to Approve Resolution 23-58 - Majority Vote).** ► Councilor Hamblen read the resolution. ► **MOTION to Approve** Resolution 23-58: General Funds Appropriation, Transfers and Adjustments FY24 by **Pellegrini**. **SECOND** by **Frongillo**. **Discussion:** ► Chair Mercer clarified that the Finance Committee vote was 5-0 in favor. ► Councilor Cormier-Leger pointed out that the Town Administrator budget encompasses many different things. He said it is not the Town Administrator's salary and benefits alone, so there is a reduction because of a marketing person not there and a secretarial position not there, and when we look at the Tri-County number it has nothing to do with the new building, it has to do with a reduction of the number of students enrolled. He said that he encouraged folks that if they have questions about these budget numbers, please look at the details provided. ► Councilor Frongillo said there are two things he gets from this. He said they are lucky to have the Finance Committee and Town Administration as they are very good at what they do in making sure every dollar is accounted for. He said two things stand out to him. He said it is a healthy reminder that one of the ways we are able to raise money to pay for services is new growth and that is impacted by the rules that we have for what can be developed in our community, so making sure that we are welcoming in certain positive development in the community. He said the second is that to name it, he thinks that marketing communications, which is one of the roles that was reduced, are a very important part of a healthy local government. He said as we continue to engage citizens mostly digitally and virtually, that position becomes increasingly important, and he hopes we do

not go too long in finding the budget to reinstate that position. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES. ► VOTE: Yes-8, No-0, Absent-1.**

- b. Resolution 23-59: Stormwater Enterprise Fund Appropriation Reduction FY24 (Motion to Approve Resolution 23-59 - Majority Vote).** ► Councilor Hamblen read the resolution. ► **MOTION to Approve Resolution 23-59: Stormwater Enterprise Fund Appropriation Reduction FY24 by Pellegri. SECOND by Cormier-Leger. Discussion:** ► Mr. Hellen said they are asking to reduce the budget because of the federal ARPA funds. He said they will end up using a couple hundred thousand to pay off those services. He stated that this is important because it is the first year of the Enterprise Fund and so as we go through the tax rate setting process, the Department of Revenue will want to see a few things including that we have a solvent account and it is financially sustainable. He said the DOR likes to see some small cushion of surplus in an enterprise fund as it shows we are managing our money well. He said this is more of an administrative item. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES. ► VOTE: Yes-8, No-0, Absent-1.**
- c. Bylaw Amendment 23-903: A Bylaw to Amend the code of the Town of Franklin at Chapter 82, Fees, Municipal Service - First Reading (Motion to Move Bylaw Amendment 23-903 to a Second Reading).** ► Councilor Hamblen read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 23-903: A Bylaw to Amend the code of the Town of Franklin at Chapter 82, Fees, Municipal Service, to a Second Reading by Pellegri. SECOND by Cormier-Leger. Discussion:** ► DPW Director Brutus Cantoreggi discussed that they try to operate on an even keel so they are not making or losing money. He said in 2022, the EPA banned mattresses in the waste stream, so they all have to be recycled. He said in 2022, they did approximately 300 per year and charged \$10 each; in 2023, we started getting more of them. He reviewed that last year we did 473 and this year it cost us \$65 to get rid of each mattress. This has been supplemented with some grant money. So far this year we have done 654 and we are on track to do 1,500. He said that we are getting imported mattresses from other communities. He discussed the system to collect them. He said when they have to be left outside when there is no room, it then costs \$135 to get rid of them as they are considered hazardous waste. He said they are proposing the rate to \$65 as it is the actual cost to get rid of one. ► Town Council members asked questions. ► In response to questions, Mr. Cantoreggi explained that a vehicle recycling sticker is required. ► Highway and Grounds Superintendent Carlos Rebelo said they have not found too many mattresses on the sides of the roads. ► Mr. Cantoreggi explained how they plan for fee increases and this one he did not see coming. He explained they look at the waste stream, and he thinks there is no other community that takes more than Franklin does. He noted that they are getting close to the land swap with the state regarding land for the recycling center. He responded that he did not check as to what other towns are charging for mattresses; he said that some towns do not even take them. ► Stormwater and Environmental Affairs Superintendent Derek Adams reviewed the past and present cost of mattress disposal. ► Chair Mercer asked what Waste Management charges if they pick up a mattress. ► Mr. Adams said Waste Management currently does not accept them. He said there are some vendors in town that will pick them up and charge approximately \$75 to \$100. ► Mr. Cantoreggi said he thinks the Town should continue to provide the service. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES. ► VOTE: Yes-8, No-0, Absent-1.**

► Chair Mercer stated that the following bylaw amendment is being brought back, and it is close enough to a resubmission that he thinks they should have a resubmission vote in order to take up the bylaw. He said that as a resubmission, it requires a two-thirds vote to reconsider the bylaw, and it is close enough to what it was before that rather than get into any legalese, he figures that this is a better way to do this. He stated that what he would like is to entertain a motion for resubmitting Bylaw Amendment 23-902 which was a bylaw to

amend the Code of the Town of Franklin by inserting Chapter 147, Snow and Ice, Removal Of. ► **MOTION** to **Resubmit** 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 **Hamblen**. **SECOND** by **Pellegrini**. **No discussion**. ► **ROLL CALL VOTE (to reconsider the bylaw amendment): Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.

d. Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of - First Reading (Motion to Move Bylaw Amendment 23-902 to a Second Reading - Majority Vote). ► Councilor Hamblen read the bylaw amendment. ► **MOTION** to **Move** Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of, to a Second Reading by **Pellegrini**. **SECOND** by **Frongillo**. **Discussion:** ► Mr. Hellen reviewed his memo to the Town Council dated November 9, 2023, provided in the meeting packet, which stated the following. A first reading of a previous iteration of this bylaw was held on October 11th, and after careful discussion and deliberation the Town Council ultimately voted not to move it to a second reading. General consensus among the Councilors who opposed the bylaw was that they would like to see a few changes to the language and map, and then vote on a revised bylaw. Bylaw Amendment 23-902 has now been updated to reflect the Councilors' feedback, which includes: Removal of residential feeder streets from the requirement (except the few residences that are on 140, Franklin Crossing or around the college perimeter); and removal/clarification that roofs are not required to be cleared. In the absence of adequate staffing or funding for the Town to remove all snow and ice alone, the purpose of this bylaw is to take a modest step toward creating a new community culture where we all need to chip in to help remove snow and ice from town sidewalks to make them more safe and accessible for all residents. The proposed bylaw and map are included in the agenda packet. ► Town Council members asked questions and made comments. ► In response to questions, Mr. Hellen said that even if a store is closed on the day of a storm, snow removal is still required. ► Mr. Cerel said he did not think there was a need to state this in the bylaw as it is irrelevant if it is open or closed as it is an absolute time period that kicks in based on when it stops snowing. ► Councilor Frongillo said this is a product of a compromise, and he appreciates this as a first step in shifting to a culture where the expectation is that we have walkable mobile sidewalks in a timely basis so people can reasonably live withing relying on a car to get around. He said the green on the map should be brighter to stand out more. ► Councilor Cormier-Leger said they previously talked about DPW placing salt and sand barrels in the downtown area so those residents would not be unfairly punished in having to provide snow melting materials. He said he did not see this in the bylaw. ► Mr. Hellen said they would hesitate to put that in the bylaw. He said he hopes people would be good citizens, but people will go up there and get free salt. He said they can work procedurally with the DPW to find a couple of spots that may help people. He said they may get the argument from some as to why they are not getting Town salt. ► Mr. Cantoreggi suggested that if anyone/businesses in the area felt they wanted some salt, they could call the DPW about it, and they could work something out. He said he is going to try to make this as painless as possible. He said it is about public education. He said he wants to work with the folks and get it done. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.

e. Resolution 23-61: 2024 Town Council Meeting Schedule (Motion to Approve Resolution 23-61 - Majority Vote). ► Councilor Hamblen read the resolution. ► **MOTION** to **Approve** Resolution 23-61: 2024 Town Council Meeting Schedule by **Pellegrini**. **SECOND** by **Sheridan**. **Discussion:** ► Councilor Cormier-Leger asked if they really wanted to have a meeting on Valentine's Day. ► Chair Mercer said why don't we vote the resolution and then adjust that one. He said we can delete it and then add one. ► Mr. Hellen reviewed the January and February schedule possibilities. ► Chair Mercer said let's eliminate the Valentine's Day meeting for now and not put another one in; if we need one, we will add it later on. ► **MOTION** to **Amend** Resolution 23-61: 2024 Town Council Meeting Schedule to remove the

February 14, 2023, date by **Frongillo**. **SECOND** by **Cormier-Leger**. **No discussion**. ► **ROLL CALL VOTE (for the amendment): Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.
 ► **MOTION to Move Resolution 23-61: 2024 Town Council Meeting Schedule As Amended by Pellegri**. **SECOND** by **Sheridan**. **No discussion**. ► **ROLL CALL VOTE (as amended): Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.

- g. Resolution 23-63: Gift Acceptance - Veterans' Services Department (\$1,975) (Motion to Approve Resolution 23-63 - Majority Vote).* ► Councilor Hamblen read the resolution. ► **MOTION to Approve Resolution 23-63: Gift Acceptance - Veterans' Services Department (\$1,975) by Pellegri**. **SECOND** by **Sheridan**. **Discussion:** ► Mr. Hellen thanked the donors for their incredible donations. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.
- h. Resolution 23-64: Establishment by Town Council of Subcommittee for Town Administrator Evaluation (Motion to Approve Resolution 23-64 - Majority Vote).* ► Councilor Hamblen read the resolution. ► **MOTION to Approve Resolution 23-64: Establishment by Town Council of Subcommittee for Town Administrator Evaluation by Pellegri**. **SECOND** by **Cormier-Leger**. **No discussion**. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.
- i. Resolution 23-65: Establishment by Town Council of Subcommittee for Review of Rules of Procedure of the Town Council (Motion to Approve Resolution 23-65 - Majority Vote).* ► Councilor Hamblen read the resolution. ► **MOTION to Approve Resolution 23-65: Establishment by Town Council of Subcommittee for Review of Rules of Procedure of the Town Council by Pellegri**. **SECOND** by **Cormier-Leger**. **No discussion**. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES**. ► **VOTE: Yes-8, No-0, Absent-1**.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen stated that he took the migrant housing update off the official agenda. He said he has given updates every couple of weeks and answered a lot of questions for the community. He said he is happy to report that everything at the hotel is stable. He thanked all those involved in working hard to integrate the folks into the community. He said he thinks the House and Senate are working out details for more funding. He said there is information on the website on the migrant housing item. He noted there is a hearing next week on the tax rate. He wished everyone 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 Frongillo said they met last Wednesday. He said the big news is that BETA Group and Barrett Planning Group who have been contracted to do the data collection and analysis presented their initial findings at the last meeting. He said they sent the 175-page document with the data which the committee is going through. He said it is really getting going now. He said to look for the survey for all residents which is going public soon. He said someone generously donated two \$100 gift cards as a give-away for participants.
- e. **Davis-Thayer Building Reuse Advisory Committee.** ► Councilor Pellegri confirmed the next meeting is November 28.
- f. **Police Station Building Committee. None.**

- g. **GATRA Advisory Board.** ► Councilor Frongillo said they met today. He said the big news is that from November 24 to December 31 all GATRA buses are free.

FUTURE AGENDA ITEMS: None.

COUNCIL COMMENTS: ► Councilor Sheridan wished everyone a happy Thanksgiving. ► Councilor Frongillo mentioned office hours tomorrow at 8:30 AM at the Senior Center. He said this Saturday is the Franklin Newcomers Craft Fair at the Tri-County High School from 9 AM to 3 PM. ► Councilor Cormier-Leger thanked all Town staff and volunteers for the groundbreaking of the Beaver Street Interceptor. He thanked Town Clerk Nancy Danello and her team for the great election day. He thanked Ms. Shannon Nisbett and her staff for putting together the Veterans Day luncheon at the Elks last week. He wished all a happy Thanksgiving. ► Councilor Chandler said he saw some towns are already doing their winter parking ban. He said Franklin's winter parking ban is very reasonable. He voiced concern regarding the School Committee and One Franklin with what is happening with the override and the numbers. He said what he is seeing is no one is doing much to get the numbers. He said he wants to get it on the ballot to give the voters the choice. ► Councilor Hamblen said the holiday decorating event around the bridge is November 18 and people can reach out to Eileen Mason or the Franklin Downtown Partnership for more information. She thanked all the voters, the Town Clerk, and the election team for showing up, and she thanked Ms. Nisbett for the Veterans luncheon. ► Councilor Pellegri thanked Ms. Danello for a well-run election. She noted there are three more elections coming up. She said she was happy to attend the Veterans breakfast, and she thanked Ms. Nisbett. She thanked the Elks for doing so much. She wished all a happy Thanksgiving. ► Councilor Dellorco thanked Ms. Danello for a great election day. He thanked the first responders as he was in a recent accident. He thanked all his fellow councilors and others for reaching out to him and thinking of him. ► Chair Mercer congratulated his fellow councilors for being elected again. He thanked them for supporting him to continue as chair. He thanked the voters for coming out. He noted there are about 25,000 eligible voters and about 6,000 came out to vote in the election. He said he would like to see more voters come out and vote. He thanked Town Clerk Nancy Danello and the election workers for their great job. He thanked all the Elks for their continued donations to veterans. He wished all a happy Thanksgiving and safe holiday season.

EXECUTIVE SESSION: None.

ADJOURN: ► **MOTION to Adjourn** by **Hamblen. SECOND** by **Pellegri. No discussion.** ► **ROLL CALL VOTE:** Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Mercer-YES; Pellegri-YES; Sheridan-YES. ► **VOTE:** Yes-8, No-0, Absent-1.

Meeting adjourned at 8:41 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
November 21, 2023**

A meeting of the Town Council was held on Tuesday, November 21, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco (via Zoom), Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegrini, Patrick Sheridan (via Zoom). 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 6:00 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. ► Chair Mercer stated that Councilor Dellorco and Councilor Sheridan will be participating remotely via Zoom.

CITIZEN COMMENTS: ► Mr. Steve Sherlock, 13 Magnolia Drive, citizen reporter for Franklin Matters and Franklin Public Radio, welcomed back the Town Council members and congratulated the voters. He reminded the Town Council members to speak into their microphones so residents can hear them.

PUBLIC HEARINGS: 6:00 PM. ► *Franklin Tax Classification Hearing (Legislation for Action Items: 4a, 4b, 4c, 4d, 4e).* ► Chair Mercer stated that he declared the public hearing open. ► Mr. Hellen introduced Mr. Chris Feeley, Chair, Board of Assessors, and Mr. Kevin Doyle, Director of Assessing. ► Mr. Feeley and Mr. Doyle addressed the Town Council. Mr. Feeley introduced new member Ms. Cheryll Hanly. He narrated the FY24 Tax Classification Hearing slideshow presentation which was provided in the meeting packet. He reviewed the first slide indicating the following four items were to be discussed: new growth, levy limit, median (middle) single-family valuation and tax, and classification options on single versus split tax rate. He stated that there was about \$58 million of new growth value which equates to approximately \$1.1 million in new tax. He reviewed the levy limit for FY22 and FY23 and how it was calculated for FY24. He said the total levy limit in round numbers is \$94.2. He reviewed the history of the median value which means the middle value of a single-family home in Franklin with the single rate, and the amount of tax which it would equate to for each year from 2005 to 2024. He said that for 2024, the middle tax bill is going to go up \$145. He discussed the split rate. He stated that if a split rate were used, it would decrease the residential rate by about \$1.40 and increase the commercial/industrial by about \$6.00. He said the new tax rate for this year will be \$11.79. ► Chair Mercer noted that it was over \$12 last year and that we are going down in the tax rate. ► Mr. Feeley explained that the Town has the ability to raise a certain levy, and it is based on all the properties' fair market value. He said that this past year the fair market value went up a lot; the levy limit can only go up by 2.5 percent. He explained that this year the value of the property went up far more than the 2.5 percent; so, the rate goes down. ► Town Council members asked questions and made comments. ► Councilor Chandler noted that pages two and three that were provided answer all questions. He said he votes for the single rate. ► Councilor Jones asked for last year's valuation. ► Mr. Feeley said in round numbers it is up about 10 percent. ► Councilor Hamblen thanked them for their hard work. She noted the three pages provided in the meeting packet documentation regarding how the tax bill changes is helpful. She said people get confused about the tax

rate and they think about industrial/commercial buildings that they could pay more. She said you cannot separate that, and it would raise the taxes on the mom-and-pop shops also. ► Councilor Frongillo said that he was looking for the commercial vacancy rate. ► Mr. Doyle said they develop that number annually; vacancy and collection loss is typically the vacancy aspect and is stratified by groups, industrial, office, small retail, larger retail. ► Mr. Feeley confirmed that is a number he can provide. ► Councilor Frongillo said it seems that the residential vacancy rate is at an all-time low. He said his guess is that it is more difficult to attract and obtain businesses than residents. He asked about exemptions and what is offered. ► Mr. Feeley said there are veterans, widow, and senior citizens exemptions. ► Councilor Frongillo said he was looking for small business exemptions. ► Ms. Hanly said she was an assessor in another town that has a split-tax rate, and she was formerly the assistant assessor in Bellingham and they had a split tax rate and a small business exemption. She explained that if a Town does not have a split tax rate, it is not appropriate to have a small business exemption. ► Councilor Frongillo asked about a residential exemption. He said the idea that x-amount of everyone's residential property would be exempted and then it would be shifted upward beyond the first \$10,000. ► Mr. Feeley explained that it is the first \$100,000 of residential property that is owner occupied. He said when that is done, the rate is going to go up within that class. ► Ms. Hanly said that most of the cities that do that are larger cities like Boston and Cambridge that have many non-owner-occupied properties or are resort communities. ► Councilor Cormier-Leger thanked them for their work on this. He said they have seen commercial deplete since Covid. He would not be in favor of placing additional burden on them as he would want them to stay in Franklin. He confirmed that everyone would see a new assessed value on their bills this year even though the rate is going down. ► Mr. Feeley reiterated that the average would go up approximately \$145 based on the middle. He noted that it is \$11.79 based on \$1,000 value. ► Councilor Pellegri said that people do not understand this, but she thinks that Mr. Feeley explained it well. ► Mr. Feeley said that all the work that is done is from Mr. Doyle and the people in his department; the credit is due there. ► Chair Mercer thanked the presenters for their presentation. He noted that there is a deadline to set the tax rate which is why they had this special meeting tonight. ► Chair Mercer declared the public hearing closed.

LEGISLATION FOR ACTION:

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

- a. **Resolution 23-66: Tax Classification Residential Factor (Motion to Approve Resolution 23-66 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-66:** Tax Classification Residential Factor that the Residential Factor will be set at 1.000000 by **Hamblen. SECOND by Cormier-Leger. Discussion:** ► Mr. Feeley explained that to set at 1.0 is that it is not a split rate. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-8, No-0, Absent-1.** (Councilor Sheridan's Zoom connection had failed).
- b. **Resolution 23-67: Tax Classification Open Space Exemption (Motion to Approve Resolution 23-67 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-67:** Tax Classification Open Space Exemption that there Not Be an exemption for open space by **Hamblen. SECOND by Cormier-Leger. No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-8, No-0, Absent-1.** (Councilor Sheridan's Zoom connection had failed).
- c. **Resolution 23-68: Tax Classification Small Business Exemption (Motion to Approve Resolution 23-68 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-68:** Tax Classification Small Business Exemption that there Not Be an exemption for small businesses by **Hamblen. SECOND by Cormier-Leger. No discussion.** ► **ROLL CALL VOTE:**

Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-8, No-0, Absent-1. (Councilor Sheridan's Zoom connection had failed).

- d. **Resolution 23-69: Tax Classification Residential Property Exemption (Motion to Approve Resolution 23-69 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-69: Tax Classification Residential Property Exemption that there Not Be an exemption for residential properties by **Hamblen. SECOND** by **Cormier-Leger. No discussion. ► ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-8, No-0, Absent-1.** (Councilor Sheridan's Zoom connection had failed).
- e. **Resolution 23-70: Tax Classification Senior Means Tested Exemption (Motion to Approve Resolution 23-70 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 23-70: Tax Classification Senior Means Tested Exemption that there Not Be an exemption for senior means tested by **Hamblen. SECOND** by **Cormier-Leger. Discussion:** ► Mr. Feeley stated that this is tied to the circuit breaker from the state so you would have to ask people for tax returns for circuit breaker credit they received. He said this could end up hurting them because it reduces their taxes and reduces their circuit breaker credit as well the following year. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-8, No-0, Absent-1.** (Councilor Sheridan's Zoom connection had failed).

ADJOURN: ► MOTION to Adjourn by Hamblen. SECOND by Jones. No discussion. ► ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-8, No-0, Absent-1. (Councilor Sheridan's Zoom connection had failed).

Meeting adjourned at 6:36 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 15, 2023

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

Re: 2024 Annual Alcohol License Renewals

We are asking the Town Council to approve the 2024 Alcohol License renewals. There are currently 8 businesses still in need of inspection and a few fees are still due. See the attached list. Please note that these licenses will not be issued until fees are received and all inspections have been passed. The Town holds the license until all compliance issues have been cleared by the respective Department Heads.

We are happy to answer any questions you may have.



2024 Annual Alcoholic Beverages Licenses Renewal

All establishments but eight have passed inspections by the Building Department, Board of Health and Fire Department. We have noted those establishments as well as those establishments that have fees or taxes due to the town.

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.

DATED: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Franklin Town Clerk

Glenn Jones, Clerk
Franklin Town Council

2024 TOWN OF FRANKLIN ALCOHOL LICENSE RENEWALS

License #	License Name	DBA	LOCATION	Outstanding	Passed Inspection	Recommended Approval
90511-PK-0430	660 Central LLC	Mobil	660 West Central Street		Yes	Yes
00063-RS-0430	99 Restaurants of Boston LLC	99 Restaurant and Pub	847A West Central St		Yes	Yes
07140-RS-0430	ACT Hospitality Inc.	Box Seats	391 East Central Street		Yes	Yes
00034-PK-0430	Ashadeep Inc.	Union Street Wines & Liquors	317 Union Street		Yes	Yes
00012-RS-0430	Avocado, Inc.	Acapulco's	371 Union Street		Yes	Yes
00049-RS-0430	Chang Shen, Inc.	Hang Tai Restaurant	26-30 East Central Street		Yes	Yes
89669-PK-0430	Contractor & Sons, Inc.	Lincoln Street Market	465 Lincoln Street		Yes	Yes
06373-RS-0430	Dean College		135 Emmons Street		Yes	Yes
00059-PK-0430	Devitas, Inc.	Devita's Market	198 East Central Street	BOH Permit	Yes	Yes
89068-PK-0430	Dharma Bhakti Corporation	Liquor World	365 West Central Street	Building & Fire Inspections	No	Yes
00038-PK-0430	Ferrara Imports, Inc.	Ferrara's Market	20 West Central Street		Yes	Yes
05455-PP-0430	Franklin Brewing Company, LLC	67 Degrees	158 Grove Street	Building & Fire Inspections Business Certificate Fees	No	Yes
00057-RS-0430	Franklin Country Club, Inc.	Franklin Country Club	672 East Central Street		Yes	Yes
00032-PK-0430	Franklin Liquors, Inc.	Franklin Liquors	333 East Central Street		Yes	Yes
00016-CL-0430	Franklin Lodge 2136 BPOE, Inc.	Franklin Elks	1077 Pond Street		Yes	Yes
04745-GP-0430	Franklin Performing Arts Company, Inc.		15 West Central Street		Yes	Yes
06448-RS-0430	Franklin SHED, LLC	Franklin Shed	342 East Central Street		Yes	Yes
05452-PP-0430	GlenPharmer Distillery LLC	GlenPharmer Distillery	860 West Central Street		Yes	Yes
00072-RS-0430	Jai Ho Group, Inc.	The Curry House	418 West Central Street		Yes	Yes
05358-RS-0430	JDJ Ichigo Ichie, Inc.	Ichigo Ichie	837 West Central Street		Yes	Yes
00020-RS-0430	Jimmy D's LLC	Jimmy D's	338 Union Street		Yes	Yes
03580-PP-0430	La Cantina Winery Company	La Cantina Winery / La Cantina Brewery	355 & 357 Union Street		Yes	Yes
06167-PP-0430						
04414-RS-0430	Let's Eat, Franklin, LLC	Three Restaurant	461 West Central Street		Yes	Yes
89975-PK-0430	Madd Deli, Inc.	Dacey's Market & Deli	353 Lincoln Street		Yes	Yes
05510-GP-0430	Maks Roast Beef and Breakfast, Inc.		451 West Central Street		Yes	Yes
00046-RS-0430	Maplegate Country Club, Inc.	Maplegate Country Club	160 Maple Gate, Bellingham		Yes	Yes
90583-PK-0430	Marlboro Food, Inc.	7-Eleven Store #37380b	664 Union Street		Yes	Yes
89070-PK-0430	Mormax Beverages Corporation	BJ's Wholesale Club	100 Corporate Drive		Yes	Yes
00060-PK-0430	NDO Enterprises, LLC	Pour Richards Wine & Spirits	835 West Central Street		Yes	Yes
00075-HT-0430	Nep Ops T LLC	Residence Inn by Marriott Franklin	4 Forge Parkway		Yes	Yes
05973-RS-0430	PH Franklin, Inc.	Raillery Public House	280 Franklin Village Drive		Yes	Yes
06427-RS-0430	Proof Restaurant LLC	Proof	862 West Central Street		Yes	Yes
00056-RS-0430	Rare Hospitality International, Inc.	Longhorn Steakhouse	250 Franklin Village Drive		Yes	Yes
00005-RS-0430	Rome Restaurant Inc.		4 East Central Street		Yes	Yes
04360-RS-0430	Santa Fe Burrito Grill LLC		28 West Central Street	Building & Fire Inspections	No	Yes
00033-PK-0430	Shaw's Supermarkets Inc.	Shaw's Supermarket	255 East Central Street	Building & Fire Inspections Fees	No	Yes
00070-RS-0430	Super HK LLC	Maguro House	29 East Central Street		Yes	Yes
00079-PK-0430	Table and Vine		348 East Central Street		Yes	Yes
02702-RS-0430	Teddy Gallagher's Pub LLC		30 Main Street	BOH Permit Fees	Yes	Yes
05288-RS-0430	The Chateau Restaurant of Franklin, Inc.	The Chateau	466 King Street		Yes	Yes
89714-PK-0430	The Little Shop of Olive Oils, Inc.	The Little Shop of Olive Oils	5 Main Street		Yes	Yes

2024 TOWN OF FRANKLIN ALCOHOL LICENSE RENEWALS

00054-RS-0430	Ttn Thai Food, Inc.	Pepper Terrace Restaurant	400 Franklin Village Drive	Fire Inspection	No	Yes
00030-PK-0430	Village Mall Liquors, Inc.	Village Mall Liquors	60 Franklin Village Drive		Yes	Yes
07087-RS-0430	Windtop Acres, Inc.	Birchwood Bakery	17 East Central Street	Building & Fire Inspection BOH Permit	No	Yes
00065-RS-0430	Zhu Jiang, Inc.	Bamboo House	2 Main Street		Yes	Yes

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

December 15, 2023

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

Re: Resolution 23-71: Town Council Acceptance and Approval of ARPA Funds

We are asking the Town Council to consider an final application to Norfolk County for further ARPA awards in the total amount of \$1,359,000 for the following projects:

- Mental Health Clinician for the Police Department - \$559,000

To fund a third Mental Health Clinician at the Police Department, as well as fund all three Mental Health Clinician (and associated expenses) positions through December 31, 2026. Approximately one-third of all calls for service to the PD are mental health related. The Town is working on a pilot program for three years to see if we can address the mental health issues in town with greater community level response and meet people where they are and connect those to services and help reduce the calls for service.

- Sewer Capital Projects - \$500,000

Start the rehabilitation of older asbestos cement (AC) and vitrified clay (VC) sanitary sewer pipe by cured-in-place pipe lining and cured-in-place spot repairs throughout the Pond Street Area sewershed. Continue the Town's efforts to remove I&I from the sewer system, while repairing the structural integrity of older pipes in the system.

- Franklin Food Pantry - \$100,000

To be expended on client food, household products and personal care items. The Pantry will use these monies over the course of the next three years of eligibility under APRA rules through 12/31/26.

- SAFE Coalition - \$100,000

To establish a sustainable mental health and housing program to meet the needs of the residents of Franklin.

- YMCA Bernon Family Branch - \$100,000

To provide 400 Franklin teens ages 13-17 with a free Y membership for 6 months and engage them in free programs to encourage connection, engagement and healthy living after many teens are continuing to struggle from the pandemic. The funds will also go towards smaller and more targeted innovative and unique programs to address mental health, nutrition and socialization programs that have affected numerous youth from the pandemic.

This award will allocate the remaining 20% of the Town's County allocation. With this final vote, all "ARPA County" funds will be allocated. In 2024, the Town will seek a report from the County on any other unspent funds from the rest of Norfolk County and put Franklin in a position.

We also wanted to announce that "ARPA Direct" funds will be allocated toward the following projects:

- \$1 million in lost hotel tax money will go toward the reconstruction of Baron Road; and
- \$420,000 will go toward the replacement and construction of the High School Visitor Bleachers and the Pisani Field soundsystem. These commitments also alleviate these projects off the capital plan.

When we have time, I will work to produce a comprehensive report on all ARPA funds to augment the presentations we have given over the past few years. See the Town's [website for previous work](#). With these "ARPA Direct" commitments the Town will have approximately \$150,000 left in funds to allocate next year. However, some expenses still need to be determined for our accounting consultant, reporting and procurement for the above projects. I am withholding any commitments to those monies until I get factual bids and to ensure any ancillary expenses are accounted for with federal money.

ARPA funds can be allocated through December 31, 2024 and must be contracted with any service provider. Funds can be spent through December 31, 2026, but must be allocated and contracted with by the end of 2024. The US Treasury continues to modify the rules around ARPA, including reporting, and the Town should maintain a small amount to compensate for any additional requirements.

All in all, this is the end of federal stimulus money as currently authorized by Congress.



TOWN OF FRANKLIN RESOLUTION 23-71

TOWN COUNCIL APPROVAL OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

The Franklin Town Council on behalf of the Town of Franklin hereby accepts the receipt of ARPA Funds from and/or through Norfolk County, MA, approves the expenditure of funds for the below-listed purposes, and authorizes the Town Administrator to execute any and all documents and/or to take any and all other action required for Town to receive said funds.

Mental Health Clinician Pilot Program	\$559,000
Sewer Capital Project	\$500,000
Franklin Food Pantry	\$100,000
SAFE Coalition	\$100,000
YMCA Bernon Family Branch	\$100,000
TOTAL	\$1,359,000

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

DATED: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ NO: _____

ABSTAIN: _____ ABSENT: _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 15, 2023

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

Re: 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

This is a second reading and final vote of Bylaw Amendment 23-902, which if approved, will insert Chapter 147 "Snow and Ice, Removal Of", into Town Code.

A first reading of a previous iteration of this bylaw was held on October 11th, and after careful discussion and deliberation the Town Council ultimately voted not to move it to a second reading. General consensus among the Councilors who opposed the bylaw was that they would like to see a few changes to the language and map, and then vote on a revised bylaw. Bylaw Amendment 23-902 was then updated to reflect the Councilors' feedback, which includes:

- Removal of residential feeder streets from the requirement (except the few residences that are on 140, Franklin Crossing or around the college perimeter); and
- Removal/clarification that roofs are not required to be cleared.

A first reading of the revised bylaw was held on November 15, 2023 and the Town Council voted unanimously (8-0) to move it to a second reading.

The proposed bylaw and map are included in the agenda packet, as well as the legal ad for the second reading and final vote. Please let us know if you have any questions.

**LEGAL NOTICE
FRANKLIN, MA**

The Franklin Town Council will hold a second reading and final vote on the adoption of two Town Code Bylaw Amendments as follows:

23-902: Chapter 147, Snow and Ice, Removal Of - Adds a new bylaw which imposes requirements upon abutting property owners to remove snow and ice from public sidewalks as indicated in the proposed map titled "Sidewalk Snow Removal Required By Property Owner"

23-903: Chapter 82, Fees, Municipal Service, § 82-6 Schedule of Service Fees, Subsection L. Public Works - Revises the fee schedule to increase the cost to recycle a mattress and/or box spring from \$10 to \$65

The second reading and final votes on adoption of each of these bylaw amendments will take place during the Town Council Public Meeting beginning at 7:00 pm on December 20, 2023; there will be an opportunity for public input during the process. Location: Municipal Building, 2nd Floor Council Chambers, 355 E. Central Street, Franklin, and also via the "ZOOM" platform. Residents can visit the Town website (Franklinma.gov) town calendar to review the agenda including full text of proposed bylaw amendments, including the proposed map, and for up to date meeting information, on and after December 15, 2023. Please call the Town Administrator's Office at (508) 520-4949 if you require further information.

Submitted by,

Julie McCann



**TOWN OF FRANKLIN
BYLAW AMENDMENT 23-902
CHAPTER 147, SNOW AND ICE, REMOVAL OF**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN
BY INSERTING CHAPTER 147, SNOW AND ICE, REMOVAL OF**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that the Code of the Town of Franklin is amended by the insertion of a new Chapter 147, Snow and Ice, Removal of, as follows:

Chapter 147: Snow and Ice, Removal of

§147-1 Time limit for removal from sidewalks and footways. The owner, agent, or occupant of private property bordering a street in the town where there is a sidewalk or footway duly established and defined and delineated on attached map "Sidewalk Snow Removal Required By Property Owner" shall cause all snow and ice to be removed within twelve (12) hours after snow ceases to fall and shall maintain said sidewalk in a non-slippery condition suitable for pedestrian travel at least thirty-six (36) inches in width along the length of said sidewalk. Whenever any sidewalk or footway shall be encumbered with ice, the owner or occupant of such private property shall remove the ice therefrom, or so treat it that it shall be safe and convenient for travel in a non-slippery condition. In the event of an unusually heavy snowfall, the time limit shall be extended at the discretion of the Town Administrator. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

§147-2. Awnings and signs. The owner, agent, or occupant of private property bordering a street in the town where there is a sidewalk or footway duly established and defined and delineated on map "Sidewalk Snow Removal Required By Property Owner" where the awning or signage of such building slopes towards such street so as to cause snow and/or ice to accumulate on the sidewalk or footway, shall cause all snow and ice to be removed from below such awning and sign within twelve (12) hours after the same has fallen or formed.

§147-3 Placement. The prohibition contained in Chapter 155 Section 21 that no person(s) shall place, or cause to be placed, ice or snow upon any public way of the Town, unless exempted by the Director of Public Works, applies to this Chapter.

§147-4 Penalties. If any person(s) subject to the provisions of this ordinance neglects or fails to comply with the provisions of sections 147.1, 147.2, or 147.3 then the Franklin Police, the DPW Director or their designee, and/or the Building Commissioner or their designee shall make reasonable attempts to notify such person/s of their neglect or failure and obligate them to do so, and, if the person(s) does/do not comply forthwith, the person(s) shall be fined \$50.00 for each offense, by any of the Town officials designated herein to enforce this bylaw.

This By-Law amendment shall become effective according to the provisions of the Franklin Home Rule Charter.

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____









ABSTAIN: _____

ABSENT: _____

**Nancy Danello, CMC
Town Clerk**

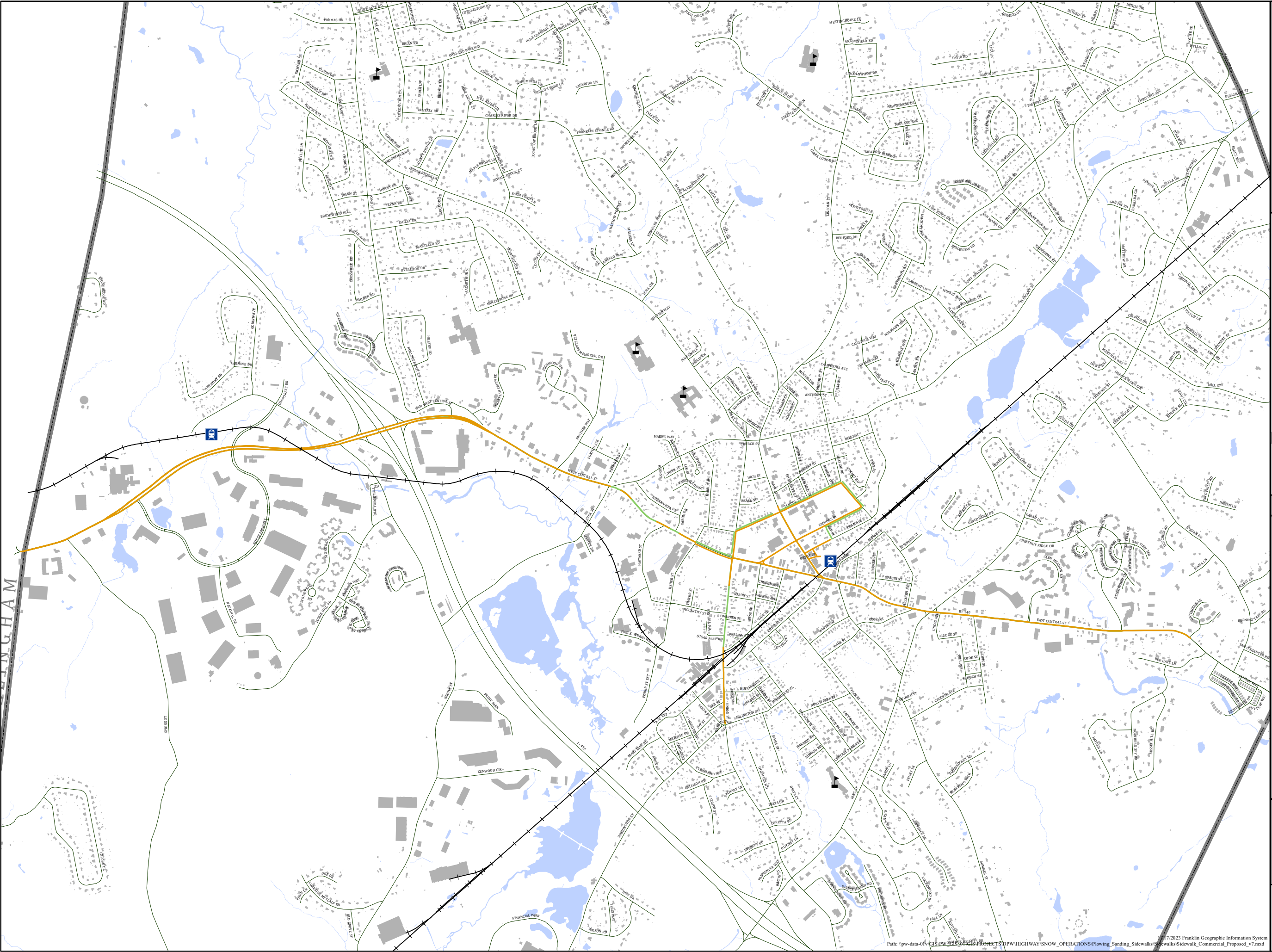
**Glenn Jones, Clerk
Franklin Town Council**

SIDEWALK SNOW REMOVAL BY PROPERTY OWNER

-  Train Station
-  School
-  Commercial Sidewalk
-  Residential Sidewalk
-  Railroad
-  Street
-  Structure
-  Municipal Boundary



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.



Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 15, 2023

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

**Re: Bylaw Amendment 23-903: A Bylaw to Amend the Code of the Town of Franklin at Chapter 82
Municipal Service Fees - Second Reading**

This is a second reading and final vote of Bylaw Amendment 23-903, which if approved will revise the fee schedule to increase the cost to recycle a mattress and/or box spring from \$10.00 to \$65.00. A first reading of this bylaw was held on November 15, 2023 and the Town Council voted unanimously (8-0) to move it to a second reading.

Included in the December 20th Town Council meeting agenda packet is a letter from Brutus, which provides detailed information and background supporting this proposed increase, as well as the legal ad for the second reading and final vote.

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

**LEGAL NOTICE
FRANKLIN, MA**

The Franklin Town Council will hold a second reading and final vote on the adoption of two Town Code Bylaw Amendments as follows:

23-902: Chapter 147, Snow and Ice, Removal Of - Adds a new bylaw which imposes requirements upon abutting property owners to remove snow and ice from public sidewalks as indicated in the proposed map titled "Sidewalk Snow Removal Required By Property Owner"

23-903: Chapter 82, Fees, Municipal Service, § 82-6 Schedule of Service Fees, Subsection L. Public Works - Revises the fee schedule to increase the cost to recycle a mattress and/or box spring from \$10 to \$65

The second reading and final votes on adoption of each of these bylaw amendments will take place during the Town Council Public Meeting beginning at 7:00 pm on December 20, 2023; there will be an opportunity for public input during the process. Location: Municipal Building, 2nd Floor Council Chambers, 355 E. Central Street, Franklin, and also via the "ZOOM" platform. Residents can visit the Town website (Franklinma.gov) town calendar to review the agenda including full text of proposed bylaw amendments, including the proposed map, and for up to date meeting information, on and after December 15, 2023. Please call the Town Administrator's Office at (508) 520-4949 if you require further information.

Submitted by,

Julie McCann



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

257 Fisher Street
Franklin, MA 02038

Date: November 7, 2023

For: Mr. Jamie Helen, Town Administrator
Town of Franklin
355 East Central Street
Franklin, MA 02038

Re: Mattress Fee Increase

Dear Jamie,

As you are aware, mattresses were added to the items included in the Massachusetts Waste Ban on November 1, 2022, which means they must be recycled; not buried or incinerated.

Before the updated Waste Ban took effect, we processed less than 300 mattresses per year at the Recycle Center, and the cost was minimal.

Last year, our recycling costs increased as residents brought more mattresses to the Recycle Center. There are several reasons for this: the exclusion of mattresses from the waste stream, decreased removal options, and dramatic price increases at facilities who continued to offer mattress recycling. Whereas, The Town of Franklin did not impose an increase. I also believe that many mattresses we receive are "imported" from outside of Franklin, where someone knows a resident and is taking advantage of our low cost service.

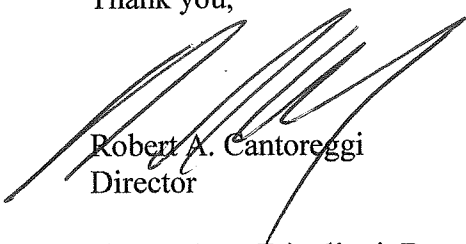
Presently, we only charge \$10 to drop off a mattress at the Recycle Center, yet our costs are rising to \$65 each. If a mattress is soiled or gets wet, our disposal cost is \$135.

In FY23 the Recycling Center took in 473 mattresses. Even with this increased volume, we were able to stay within our operating budget through supplementing the costs with Mass DEP grant funding. This fiscal year we have already taken in 654 mattresses and are on track to process nearly 1,500 - which is an estimated cost of \$95,000! We had anticipated a total cost of \$20,000. We are unable to bridge this budget gap through grant funding alone.



To represent the true cost recycling / disposing mattress, using available grant funding and to help offset our deficit for this service, I respectfully request that we increase the cost to recycle a mattress at the recycling center from \$10.00 dollars to \$65.00.

Thank you,



Robert A. Cantoreggi
Director

CC: Amy Frigulietti, Deputy Town Administrator
Carlos Rebelo, Highway and Grounds Superintendent
Derek Adams, Environmental Affairs Coordinator
Kathy Mooradd, Administration & Budgets Manager
Chris Sandini, Director of Finance
Kerri Bertone, Town Treasurer and Collector
File



TOWN OF FRANKLIN

BYLAW AMENDMENT 23-903

CHAPTER 82, FEES, MUNICIPAL SERVICE A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 82, FEES, MUNICIPAL SERVICE

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

§ 82-6. Schedule of service fees.

L. Public Works

Service Fee	Rate
Beaver Street Recycling Center (annual sticker fee)	\$35
Beaver Street Recycling Center (Beaver Street recycling sticker required)	
ABC (asphalt, brick, concrete) per load	\$15
Auto batteries	No charge
Carpeting - 4-foot rolls, 24-inch diameter	\$10
Freon-containing items	\$15 per item
Grills	No charge
Hazardous waste	\$5 per gallon, \$5 per 10 pounds
Mattresses and box springs	\$10 <u>\$65</u>
Propane tanks	\$5 each
Sinks	\$10
Sticker fee (10 consecutive days)	\$25
Televisions (less than 25 inches)	\$15
Televisions (25 inches and greater)	\$25
Tires (all sizes)	\$5 each
Toilets	\$15
Tubs/showers	\$50
Yard waste (per registered vehicle or trailer)	
Car, pickup truck, van or trailer under 4x8 with-out sides	No charge
Pickup truck with extended sides	\$25 per load
Trailer (over 4x8) or enclosed cargo trailer	\$25 per load

This bylaw amendment shall become effective on and after January 1, 2024.

DATED: _____, 2023

A True Record Attest:

Nancy Danello, CMC
Town Clerk

VOTED:

UNANIMOUS: _____

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

December 15, 2023

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

RE: Resolution 23-72: Davis-Thayer Building Reuse Committee Charge - Extension of Committee Terms and Deadline to Make Final Report

On January 4, 2023 the Town Council approved Resolution 23-08 which identified the charge and nomination criteria for the Davis-Thayer Building Reuse Advisory Committee. The charge provided a committee termination date of December 31, 2023; however, the Committee will need to extend its timeline into 2024. We are asking the Town Council to approve Resolution 23-72, which revises the termination date to June 30, 2024.

Since its inception the Committee has met eight times, including two open houses at Davis-Thayer. They've had some great discussions and have received valuable input from citizens and community stakeholders. The Town is currently working on procuring an appraiser for an appraisal of the property, as well as drafting an Expression of Interest for the Town Council to consider to gauge interest of uses in the building.

A lot of ideas have come forward in regard to potential future uses of the building and we look forward to their final report in June!

Please let us know if you have any questions.



TOWN OF FRANKLIN RESOLUTION 23-72

DAVIS-THAYER BUILDING REUSE ADVISORY COMMITTEE EXTENSION OF COMMITTEE TERMS AND DEADLINE TO MAKE FINAL REPORT

WHEREAS: On January 4, 2023 by Resolution 23-08 the Town Council established a Davis-Thayer Building Reuse Advisory Committee to evaluate potential strategies and future uses for the building and parcel of land on which the building is located with terms of the committee and its members expiring on December 31, 2023 and a deadline to evaluate potential uses and make a final report to the Town Council by December 23, 2023; and

WHEREAS: The Town Council desires to extend the terms of the committee and its members to June 30, 2024 and extend the deadline to make a final report to the Town Council to June 30, 2024;

NOW THEREFORE, the Franklin Town Council hereby extends the terms of the Davis-Thayer Building Reuse Advisory Committee and its members to June 30, 2024 and extends the deadline to make a final report to the Town Council to June 30, 2024.

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

DATED: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 15, 2023

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

Re: Resolution 23-73: 2024 Schedule of Town Council Meetings

On November 15th the Town Council approved Resolution 23-61 which outlined the Town Council meeting schedule for 2024. We have since realized that, in error, we scheduled a meeting for June 19th, which is the federal holiday Juneteenth and the town will be closed to observe the federal holiday. This is the first year the holiday fell on a weekday!

We are asking the Town Council to approve Resolution 23-73, which revises the schedule by removing June 19th and adding June 26th in its place.

Please let us know if you have any questions.



TOWN OF FRANKLIN

RESOLUTION 23-73

2024 REVISED SCHEDULE OF TOWN COUNCIL MEETINGS

2024 DATES

January	3	
January	17	
January	31	
February	14	(FYI: School Vacation February 19-23)
February	28	(FYI: Joint Budget Subcommittee Meeting March 6)
March	13	
April	3	(FYI: School Vacation April 15-19)
April	24	
May	1	(Fin Com Budget Hearings dates are May 6, 8 and 15th)
May	22	(FY25 Operating Budget Hearing 1)
May	23	(FY25 Operating Budget Hearing 2)
June	5	
June	26	(Replaces June 19)
July	17	
August	14	
September	4	
September	18	
October	9	
October	16	
November	6	(FYI: Election Day November 5)
November	13	
December	4	(FY25 Tax Rate Hearing)
December	18	

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

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 15, 2023

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

Re: **Resolutions 23-74: Receipts Reserved for Appropriation Transportation Network Companies (TNC) Ride Assessment Transfer and Appropriation**

We are asking the Town Council to approve Resolution 23-74, which if approved will 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.

Please let us know if you have any questions.



TOWN OF FRANKLIN

RESOLUTION 23 - 74

APPROPRIATION: Receipts Reserved for Appropriation Transportation Network Companies (TNC)
Ride Assessment Transfer and Appropriation

TOTAL REQUESTED: \$ 7,871.10

PURPOSE:

To see if the Town will vote to transfer and appropriate \$7,871.10 from the Receipts Reserved for Appropriation TNC Ride Assessment Fund for the purpose of road repairs.

MOTION:

Be It Moved and Voted by the Town Council that the sum of Seven Thousand Eight Hundred Seventy-One Dollars and Ten Cents (\$7,871.10) be transferred and appropriated from the Receipts Reserved for Appropriation TNC Ride Assessment Fund for the purpose of road repairs.

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

DATED: _____, 2023

VOTED:

UNANIMOUS: _____

A True Record Attest:

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 15, 2023

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

Re: Resolution 23-75: Gift Acceptance - Police Department, Veterans' Services Department & Senior Center

The Police and Veterans' Services Departments and the Senior Center have received extremely generous donations in the total amount of \$8,345.

The donation to the Police Department made by Frank & Lorraine Koudelka in the amount of \$5,000 will be applied at the Department's discretion toward the purchase of safety equipment and other unmet needs for the officers.

The many donations to the Veterans' Services Department totaling \$3,145 will be applied at the discretion of the Department towards the Veterans' Gift Fund and the Veterans' Municipal Assistance Fund in support of local veterans and their families.

The donations to the Senior Center totaling \$200 were made in memory of Clare Flynn and will be used at the discretion of the Senior Center to provide services and programs to senior citizens in the Franklin community.

We extend our sincere appreciation to all who donated. Thank you for your continued and generous support.

Donation Summary:

1. Police Department - Police Gift Account - \$5,000

- Frank & Lorraine Koudelka

2. Veterans' Services Department - Veterans' Gift Fund - \$1,100

- Tracy & Malcolm MacLeod \$1,000.00
 - Neil Brennan \$ 100.00
- Total \$1,100.00

3. Veterans' Services Department - Municipal Veterans' Assistance Fund - \$2,045

- Anita Scotland \$ 300.00
- Carol & Lyle Wicker & Denise Whiton \$ 300.00

• Thomas McGrail	\$ 200.00
• Carol Bidner	\$ 105.00
• Lucian & Linda Colella	\$ 100.00
• David & Susan Comfort	\$ 100.00
• Brian & Kathy Durand	\$ 100.00
• Tracey & Rick LaRowe	\$ 100.00
• Robert Atlas	\$ 50.00
• Anne Bergen	\$ 50.00
• Beatrice & Paul Harcovitz	\$ 50.00
• Mary Hazlett	\$ 50.00
• Charles & Jane MaGuire	\$ 50.00
• C.A. Martin & Matthew Martin	\$ 50.00
• Shannon & Heath Nisbett	\$ 50.00
• Paul Pisani	\$ 50.00
• Joanne Roche & Linda Arminio	\$ 50.00
• David & Mary Jane Sciortino	\$ 50.00
• Ann Dacey	\$ 30.00
• Michael Gavrilles	\$ 25.00
• James & Evelyn Harmon	\$ 25.00
• Ellien Kazijian	\$ 25.00
• Joel & Susan Martin	\$ 25.00
• Catherine McCahill	\$ 25.00
• Robert & Barbara Schaaf	\$ 25.00
• Margaret Stolf	\$ 25.00
• Rose Turco	\$ 25.00
• Doris & Kathleen Dugan	<u>\$ 10.00</u>
Total	\$2,045.00

4. Senior Center - \$200

• Carol Ann & Ernest Dickinson	\$ 100.00
• Margaret & Thomas Silva	<u>\$ 100.00</u>
Total	\$ 200.00

DONATION TOTAL: \$8,345



TOWN OF FRANKLIN RESOLUTION 23-75

Acceptance of Gifts – Police Department, Veterans' Services Department, and Senior Center

WHEREAS, The Police Department, Veterans' Services Department and Senior Center have received generous donations in the total amount of \$8,345 to be used at the discretion of each Department as follows:

Donation Summary:

POLICE DEPARTMENT - \$5,000

1. Police Gift Account

- Donation to be applied at the discretion of the Department, through the Police Gift Account, toward the purchase of safety equipment and other unmet needs for the officers of the Franklin Police Department.

VETERANS' SERVICES DEPARTMENT - \$3,145

1. Veterans' Gift Fund - \$1,100

2. Municipal Veterans' Assistance Fund - \$2,045

- Donations to be applied at the discretion of the Veterans' Services Department, through the Veterans' Gift Fund and the Municipal Veterans' Assistance Fund, in support of local veterans and their families.

SENIOR CENTER - \$200

- Donations to be applied at the discretion of the Senior Center to provide services and programs to senior citizens in the Franklin community.

The list of all donors is included in the 12/20/2023 Town Council meeting agenda packet.

NOW THEREFORE, BE IT RESOLVED THAT:

The Town Council of the Town of Franklin on behalf of the Police Department, Veterans' Services Department and Senior Center gratefully accepts these generous donations to be used at the discretion of each Department for the purposes noted above.

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

DATED: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ NO: _____

ABSTAIN: _____ ABSENT: _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

December 13, 2023

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

Re: **Resolution 23-76: Cable Funds in Support of PEG Service and Programming**

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

Please find the attached resolution to appropriate PEG funds received for the third quarter of 2023 from Comcast and Verizon to Franklin Community Cable Access, Inc. as follows:

- Comcast: \$ 87,144.88
- Verizon: \$ 81,994.40
- Total: \$169,139.28**

Please let us know if you have any questions.



TOWN OF FRANKLIN RESOLUTION 23-76

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

TOTAL REQUESTED: \$169,139.28

PURPOSE: To appropriate \$169,139.28 from the PEG Access and Cable Related Fund created under MGL Ch. 44, §53F3/4, representing the amount received in the previous quarter from Comcast and Verizon, to be paid to Franklin Community Cable Access, Inc. to operate the cable access studio and otherwise fund its operations.

MOTION: Be it Moved and Voted by the Town Council that the sum of \$169,139.28 be appropriated from the PEG Access and Cable Related Fund created under MGL Ch. 44, §53F3/4, to be paid to Franklin Community Cable Access, Inc. to operate the cable access studio and otherwise fund its operations.

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

DATED: _____, 2023

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

Nancy Danello, CMC
Town Clerk

Glenn Jones, Clerk
Franklin Town Council