

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

November 17, 2021

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 now welcome to attend public board and committee meetings in person. Additionally, in an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone OR Zoom. The meetings will also be [live-streamed by Franklin TV](#) and shown on Comcast Channel 11 and Verizon Channel 29.

- **Link to access meeting:** November 17, 2021 Town Council Meeting Link [HERE](#) -- Then click "Open Zoom"
  - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/81097949243>
  - **Call-In Phone Number:** Call **1-929-205-6099** and enter Meeting ID # **810 9794 9243** --Then press #

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#### 1. ANNOUNCEMENTS FROM THE CHAIR

- a. *This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon Channel 29. This meeting may be recorded by others.*
- b. *Chair to Identify Members Participating Remotely.*

#### 2. CITIZEN COMMENTS

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

#### 3. APPROVAL OF MINUTES

- a. [October 20, 2021](#)

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

#### 5. APPOINTMENTS - None Scheduled

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

#### 7. LICENSE TRANSACTIONS- None Scheduled

#### 8. PRESENTATIONS/DISCUSSIONS

- a. Discussion: Franklin Housing Authority

#### 9. SUBCOMMITTEE REPORTS

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

## 10. LEGISLATION FOR ACTION

- a. [Resolution 21-68: Gift Acceptance - Veterans' Dept \(\\$1,000\), Historical Commission \(\\$100\)](#)  
***(Motion to Approve Resolution 21-68 - Majority Vote)***
- b. [Resolution 21-69: General Funds Appropriation, Transfers and Adjustments FY22](#)  
***(Motion to Approve Resolution 21-69 - Majority Vote)***
- c. [Resolution 21-70: Appropriation of Cannabis Fees](#)  
***(Motion to Approve Resolution 21-70 - Majority Vote)***
- d. [Resolution 21-71: Appropriation to Pay Prior Years' Bills](#)  
***(Motion to Approve Resolution 21-71 -  $\frac{2}{3}$  Majority Vote)***
- e. [Resolution 21-72: Order of Taking Approximately Seventy \(70\) Acres of Unimproved Land Off Maple Street](#) ***(Motion to Approve Resolution 21-72 -  $\frac{2}{3}$  Majority Vote)***
- f. [Resolution 21-73: Acceptance of Open Space, Access and Parking Easements at Brookview Condominium Located Off Pond Street](#) ***(Motion to Approve Resolution 21-73 - Majority Vote)***

## 11. TOWN ADMINISTRATOR'S REPORT

## 12. FUTURE AGENDA ITEMS

## 13. COUNCIL COMMENTS

## 14. EXECUTIVE SESSION - *None Scheduled.*

## 15. ADJOURN

*Note:*

*Two-Thirds Vote: requires 6 votes*

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

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
October 20, 2021**

A meeting of the Town Council was held on Wednesday, October 20, 2021, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegri. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Alecia Alleyne, Assistant to the Town Administrator.

**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 now welcome to attend public board and committee meetings in person. Additionally, in an effort to maximize citizen engagement opportunities and comply with open meeting law regulations, citizens will be able to continue to participate remotely via phone or Zoom. The meetings will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. He stated that this meeting is being recorded by Franklin TV and may also be recorded by others. ► DPW Director Brutus Cantoreggi announced that the leaf pick-up service scheduled for the week of November 15<sup>th</sup> will be delayed as the vendor is having difficulty getting truck parts. He stated that less than five percent of the people use the service. Therefore, he would like to propose that the leaf pickup be cancelled this year. He would like to allow residents to drop off leaves at the Recycling Center, and the vendor would pay for the grinding for this service.

**CITIZEN COMMENTS:** ► Mr. Steve Sherlock, Franklin Matters and Franklin TV/Radio, reminded all about the second Candidates Night to be held Thursday, October 21, 2021, at 6:30 PM, live at the Senior Center. The candidates from the four contested elections have been invited. ► Ms. Sue Cass, 146 Longhill Road, thanked the Town Council for their year of hard work. ► Acting Town Clerk Nancy Danello reminded all that the Town Clerk's office is open for in-person early voting. ► Ms. Jaqueline Macil, 95 Elm Street, spoke about what is happening in the world. She stated that many people are making difficult choices in their lives. She noted the book *1984* written in 1949 and urged everyone to see the movie. She stated that we are close to that society. She discussed lyrics to a song written by Lee Greenwood and played the verse for the Town Council to hear; she stated that she is passionately patriotic.

**APPROVAL OF MINUTES:** None.

**PROCLAMATIONS/RECOGNITIONS:** None.

**APPOINTMENTS:** ► *David Ogilvie: Fire Department, New Hire.* ► Fire Chief James McLaughlin introduced David Ogilvie and reviewed Mr. Ogilvie's background and education. ► Acting Town Clerk Nancy Danello performed the swearing in. ► Mr. Ogilvie's family was present and his wife performed the pinning.

**HEARINGS:** None.

**LICENSE TRANSACTIONS:** None.

**PRESENTATIONS/DISCUSSIONS: ► *American Rescue Plan Act: Jamie Hellen, Town Administrator.***

► Mr. Hellen narrated a slideshow presentation and provided a summary of the American Rescue Plan Act (ARPA). He acknowledged that Ms. Alleyne has coordinated most of the federal monies, to date. He stated that Franklin received \$2.92 million in CARES Act money. He stated that staff have provided numerous public accountings of these funds. He stated that spending ends December 31, 2021. He said that Town uses include PPE, Chromebooks, UV lighting, HEPA filters, staff COVID-19 leave and equipment, and gear for various departments. He stated that the funds have been used. He stated that the estimated amount for FEMA is \$593,535; this includes reimbursement from federal and state disaster recovery declarations. He stated that during State of Emergencies for public safety, deficit spending is allowed. He stated that it is typical during an average snowstorm or federal disaster declaration to have a two-to-three-year delay in reimbursement. He stated that all other federal funds for Franklin Public Schools are separate appropriations. He thanked the congressional and legislative partners. As provided on his slideshow presentation, he reviewed the ARPA funds breakdown, both municipal allocation and county allocation. He said that the Town is scheduled to receive \$10,188,837. Congressional legislation approved this in March 2021. He stated that all funds have an expiration date of December 31, 2024. He noted that the county government is going to administer the county allocations; therefore, Franklin will lose \$198,630, which is three percent, for the county's administration fees and county projects. He discussed the following ways in which ARPA funds can be spent: support public health, economic impact, revenue replacement, employee premium pay, infrastructure water and sewer, and infrastructure broadband. He stated that guidance on ARPA funds is going to continue to evolve. He stated that Municipal Allocation #1 for \$1.73 million has been received. He suggested this money be saved and reviewed his reasons. He reviewed the projects list for County Allocation #1 for \$3,211,185 which included the following: water main replacement, stormwater infrastructure, public safety/wireless broadband tower, mental health clinician Franklin Police Department, and commercial vax fridge. He stated the slideshow presentation will be posted on the Town's website. ► Town Council members asked questions and made comments. ► Mr. Hellen explained that Norfolk County has received 50 percent of the money; the county is taking three percent. The county is performing reviews and will approve projects submitted based on compliance. They money has not yet been disbursed. ► Regarding the need for a cell tower, Police Chief Thomas Lynch discussed the service dead zones in Franklin impacting public safety. ► Mr. Hellen discussed how the money would help the Town comply with some stormwater regulations this year. ► Resident, West Central Street, asked about the required deadlines for the money to be spent. ► Mr. Hellen stated that the money must be firmly spent by the designated deadlines, not just obligated to be spent. ► Ms. Jaqueline Macil, 95 Elm Street, asked about the new tower. She stated that where she lives when the power goes out, they have difficulty getting on the Verizon website as they cannot get a signal. She asked if this tower will help people with this situation. ► Mr. Hellen stated that the new tower will be built with a 5G system. He hopes this will improve the reception at Ms. Macil's property.

**► *2020 Federal Census & Reprecincting Update: Nancy Danello, Acting Town Clerk and Kate Sjoberg, GIS Coordinator.***

► Acting Town Clerk Nancy Danello narrated a slideshow presentation. She discussed that the decennial census is designed to count every resident in the United States every 10 years. This determines the number of seats each state has in the U.S. House of Representatives. It is used to distribute billions of dollars in federal funds to local communities. She stated that the data collected includes the number of residents living at a particular location, ownership/rental status, occupancy status, sex, age, race, and Hispanic/Latinx/Spanish origin. She reviewed the currently available data. She noted that the 2000 Census was the last decennial census to use the long form; she reviewed the data that was not collected during this decennial census. As shown on the provided slides, she reviewed the increases and decreases in each category based on the data collected which includes population increased five percent and housing units increased 10 percent. She discussed reprecincting which is the drawing of new local/municipal precincts every 10 years. She reviewed reprecincting versus redistricting and stated that reprecincting is required by state law. Proposed precincts are reviewed and approved by the local municipalities. She stated that the

Franklin review team consisted of the Town Clerk's office, town planner, GIS coordinator, town attorney, and technical assistance from the secretary of state. She explained that redistricting is required by federal law. After the release of the decennial census, Massachusetts is constitutionally mandated to change its House, Senate, Governor's Council, and Congressional districts to account for changes in population. ► GIS Coordinator Kate Sjoberg showed maps depicting the current state legislative districts to be redrawn. She reviewed the reprecincting guidelines and standards that must be abided by. She explained that there may be no more than 4,000 residents per precinct and census block boundaries must be followed. She showed and discussed the 2010 precinct map and the proposed 2020 precinct map. She reviewed the proposed precinct 9. She discussed that some precincts went through very small changes while other precincts went through substantial changes. She explained the function of the Local Election Districts Review Commission (LEDRC) regarding their ability to reject any submitted plans that did not follow the standards. She reviewed the reprecincting timeline and the challenges of the timeline due to COVID-19. She discussed Governor Baker's law H.4118 which reversed the order of redistricting and noted that this law will be repealed on January 1, 2022 and revert back to the way it was always done. She reviewed the proposed House districts and noted that Franklin is unchanged from what they are currently. She reviewed the proposed Senate legislative districts and noted that Franklin is currently split in two districts and the proposed has Franklin in only one district. She stated that assuming all goes through, the changes in precincts are effective December 31, 2021. ► Town Council members asked questions and made comments. ► Mr. Hellen confirmed no additional reprecincting will have to be done until 2030. ► Ms. Danello stated that at each election a greeter stands by the district designation board. ► Mr. Cerel stated that as Franklin's Town Councilors are voted at-large and not by precinct, this has virtually no effect. ► Ms. Jaqueline Macil, 95 Elm Street, asked about the law Governor Baker put in and if the state senatorial and representative districts will remain in the same geographical area for the remainder of this decade or is that going to be gerrymandered every year. ► Ms. Sjoberg stated that what the state is going through right now with redistricting they have to go through every 10 years, and it is valid for a decade. ► Mr. Ted Cormier-Leger, 4 Ashbury Drive, stated that there seems to be confusion about the definition of homeless on various census data and what it includes. ► Mr. Cerel stated that it is part of the Census Bureau's data being collected and there should be a definition on that website. ► Mr. Hellen noted that regarding homelessness, there is some level of definition around a certain number of days that a person must be in a transient state.

#### **SUBCOMMITTEE REPORTS:**

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated that they met tonight; Ms. Lily Rivera, Marketing and Communications Specialist, gave a presentation on branding and way-finding signs.

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

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

- a. **Resolution 21-59: Update of Town's Voting Precincts (Motion to Approve Resolution 21-59 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-59: Update of Town's Voting Precincts by **Dellorco. SECOND** by **Hamblen. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.**
- b. **Resolution 21-60: Further Amending the Senior Citizen Property Tax Work-off Abatement Program (Motion to Approve Resolution 21-60 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-60: Further Amending the Senior Citizen Property Tax Work-off Abatement Program by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated this is one of the most popular programs in Town. This resolution would raise the minimum wage to \$14.25 per hour

for 100 hours of service, effective January 1, 2022, which is commensurate with the State's anticipated increase in minimum wage to \$14.25 per hour effective January 1, 2022. He noted that cities and towns are exempt from minimum wage requirements; however, Franklin chooses not to do that. He confirmed that the Town currently pays minimum wage for this program, and when the minimum wage goes up on January 1, 2022, the wage will go up for this program, as well. ► Councilor Chandler stated that this wage is still too low and the seniors deserve at least \$1 over minimum wage. ► It was confirmed that by law, the amount for this program cannot be more than minimum wage. ► Councilor Bissanti stated agreement with Councilor Chandler. ► Councilor Jones and Councilor Dellorco stated agreement that the amount of pay should be increased for this work-off program. ► **VOTE: Yes-8, No-0, Absent-0.**

**c. Resolution 21-61: Further Amending the Veterans' Property Tax Work-off Abatement Program (Motion to Approve Resolution 21-61 - Majority Vote).** ► Councilor Jones read the resolution.

► **MOTION to Approve** Resolution 21-61: Further Amending the Veterans' Property Tax Work-off Abatement Program by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated that this is the same program just spoken about. This resolution will increase the number of eligible veterans to 100. ► Mr. Cerel stated that if you are a disabled veteran, you can have someone else perform the work for you. ► **VOTE: Yes-8, No-0, Absent-0.**

**d. Resolution 21-62: Acceptance of G.L. Chapter 59, Section 5C ½ and Increase in Certain Property Tax Exemptions Pursuant Thereto (Motion to Approve Resolution 21-62 - Majority Vote).** ► Councilor Jones read the resolution.

► **MOTION to Approve** Resolution 21-62: Acceptance of G.L. Chapter 59, Section 5C ½ and Increase in Certain Property Tax Exemptions Pursuant Thereto by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen explained that this resolution approves increases in the amount of the property tax exemption available to veterans who are partially disabled from the current amount of \$400 to \$800, and to veterans who are fully disabled from the current amount of \$1,000 to \$2,000. These property tax exemption increases will be effective for the current fiscal year (2022) which began on July 1, 2021. He stated that prior to these proposed increases, they were updated for the fiscal years beginning July 1, 2010, and July 1, 2016. ► Town Councilor members commented on the eligibility into this program and thanked all veterans for their service. ► Mr. Ernest Carruthers, Quartermaster of Franklin VFW, 62 Southgate Road, thanked Town Councilor members for meeting with them and for their support. ► Ms. Shannon Nisbett, Veterans' Services Officer, 14 Orchard Street, thanked the Town Council members, VFW, and other veterans; she stated that disabled veterans deserve our support. ► **VOTE: Yes-8, No-0, Absent-0.**

**e. Resolution 21-63: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 - \$28,000 (Motion to Approve Resolution 21-63 - Majority Vote).** ► Councilor Jones read the resolution.

► **MOTION to Approve** Resolution 21-63: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 - \$28,000 by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated that this is a requirement to be voted on. ► **VOTE: Yes-8, No-0, Absent-0.**

**f. Resolution 21-64: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 - \$28,000 (Motion to Approve Resolution 21-64 - Majority Vote).** ► Mr. Hellen stated that this resolution should be amended to indicate "Comcast" instead of "Verizon".

► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 21-64: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 - \$28,000 by **Dellorco. SECOND** by **Hamblen. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.** ► Chair Mercer noted that if either of the two above resolutions need to be amended, it will be done at a later time.

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Hellen stated that the Town had been in bankruptcy court with Dean Foods. It has been confirmed that all bills, penalties and interest, and all monies have been fully collected by the Water Department. He noted that the purchase of the Maple Hill open space 70-acre parcel closed and now the Town of Franklin officially owns the parcel.

**FUTURE AGENDA ITEMS:** ► Councilor Frongillo stated that he looks forward to a presentation on open space. ► Councilor Bissanti stated that he is going to keep moving forward on homelessness. He requested a discussion on cell towers; he stated that there are private entities willing to do this.

**COUNCIL COMMENTS:** ► Councilor Frongillo stated that Franklin sports are doing well. He stated that in this election cycle there has been quite a bit discussed about the Town Clerk. He reviewed his understanding of the mishap that occurred in a previous Town election and requested confirmation that Ms. Danello was vetted before being hired as Acting Town Clerk. ► Mr. Hellen stated that all the records including his appointment letter regarding this situation are on the Town Clerk's website. He reviewed the process of making an interim/acting appointment of Town Clerk if an elected Town Clerk steps down. He stated that the Town Attorney was worked with. He stated that local knowledge was valuable in making this appointment. ► Mr. Cerel stated that the issues arose during the tenure of the former Town Clerk who resigned. ► Councilor Bissanti noted the passing of Colin Powell and stated that he admired Mr. Powell. He stated that Franklin is a family and that is how they have to go forward in this election. ► Councilor Chandler stated that this election cycle has been difficult. He noted the next Candidates Night will be held tomorrow night. ► Mr. Cerel advised the Town Councilor members to stay clear of discussing/commenting on the upcoming election. ► Councilor Hamblen thanked the community for allowing her to serve as a Town Councilor member. ► Councilor Pellegrini noted tomorrow night's Candidates Night. ► Councilor Jones noted he joined the Town Council in 2009; he stated that the Town Council works together as a team. He thanked all those who have allowed him the opportunity to be a Town Council member. ► Councilor Dellorco stated that we should all get along; the Town Council is here to help people. ► Chair Mercer stated that as Chair, he thanks his fellow councilors; they have accomplished many good things for the community.

**EXECUTIVE SESSION: None.**

**ADJOURN: ► MOTION to Adjourn by Jones. SECOND by Dellorco. No Discussion. ► VOTE: Yes-8, No-0, Absent-0.**

**Meeting adjourned at 9:26 PM.**

Respectfully submitted,

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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

November 12, 2021

To: Town Council  
From: Jamie Hellen, Town Administrator

**Re: Resolution 21-68: Gift Acceptance – Veterans’ Services Department & Historical Commission**

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The Veterans’ Services Department and the Historical Commission have received exceptionally generous donations totaling \$1,100.00.

The donation to the Franklin Veterans’ Services Department will be applied towards the Veterans’ Municipal Assistance Fund and used at the Department’s discretion to help support local veterans and their families. We thank the Elks Riders for their generous donation and expect members to be in attendance on Wednesday.

The donation to the Historical Commission will be applied at the Commission’s discretion towards the preservation, protection, and development of the historic and archaeological assets of Franklin.

We would like to thank everyone for their continued support of our local services.

### **Donation Summary:**

#### **1. VETERANS’ SERVICES DEPARTMENT**

- Elks Riders \$1,000.00

#### **2. HISTORICAL COMMISSION**

- Franklin High School Class of 1971 \$100.00

**DONATION TOTAL \$1,100.00**

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





**TOWN OF FRANKLIN  
RESOLUTION 21-68**

**Acceptance of Gift – Veterans’ Service Department,  
Historical Commission**

**WHEREAS,**

The Franklin Veterans’ Services Department and Historical Commission have received generous donations totaling \$1,100.00 to be used at the discretion of each respective department as follows:

**Donation Summary:**

**VETERANS SERVICES DEPARTMENT - \$1,000.00**

- 1. Veterans' Municipal Assistance Fund - \$1,000.00
  - Donated by the Elks Riders

**HISTORICAL COMMISSION - \$100.00**

- Donated by Franklin High School Class of 1971

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin on behalf of the Franklin Veterans’ Services Department and Historical Commission gratefully accepts these generous donations to be used at the discretion of the Franklin Veterans’ Services Department and Historical Commission as described above.

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

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

**Nancy Danello  
Town Clerk**

**Glenn Jones, Clerk  
Franklin Town Council**

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 12, 2021

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

**Re: Budget Amendments**

- **Resolution 21-69: General Funds Appropriation, Transfers and Adjustments FY22**
- **Resolution 21-70: Appropriation of Cannabis Fees**
- **Resolution 21-71: Appropriation to Pay Prior Years' Bills**

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We are requesting the Town Council to support the amendments to the FY22 Town Operating Budget as outlined in the attached memo dated November 8, 2021, as well as appropriating the cannabis impact fees.

Furthermore, there is one additional resolution to approve bills that arrived from a previous fiscal year. These are required to be approved by the Council by state law.

The Finance Committee unanimously approved these amendments at its November 10, 2021 meeting.

Please let us know if you have any questions.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 8, 2021

To: Finance Committee  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

**Re: FY22 Budget Amendment, Unpaid Bills from previous fiscal years**

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We are requesting the Finance Committee support the following amendments to the FY22 Town operating budget.

The most notable change in this amendment is downgrading the New Growth revenue estimate by \$94,593. The Town budgeted New Growth by using its usual policy of a ten-year average, which was \$1,199,593 (see chart below). Earlier this calendar year and during the FY22 budget development process, the staff predicted the Town would fall short of that number due to market conditions. All of the larger departments, including the school department, were aware of this dynamic when the FY22 budget process was ongoing and all were hopeful the target would be met as the pandemic began to take a positive turn.

The Board of Assessors have recently suggested the Town will not hit that target and have advised to downgrade the estimate, which we are required to do by law prior to setting the tax rate in December at the Town Council meeting on December 1, 2021. The primary reason New Growth is not being met is due to arrhythmic economic trends.

As documented previously, the Town hit record breaking new growth numbers the past few years due to a fluid, rhythmic economy: investor risk was comfortable, supply chains were flowing in good rhythm and financial institutions were lending. The projects that were in the pipeline at the beginning of the pandemic were financed, permitted, in process or otherwise in a position to continue. The past 20 months has seen an obvious reversal of these dynamics.

The good news is that Franklin is still positioned to generate good revenue with the current projects going through the permitting process, the recent infrastructure grant awards, and the many businesses coming to Franklin. The town has a UPS facility in a renovated warehouse on Grove street, several new warehouse spaces being renovated or newly constructed, several new modern restaurants coming,

many housing projects are being permitted, started and completed, two cannabis stores are opening, and the overall interest and investment in Franklin is still robust. Filings are down at the Planning Board and Conservation Commission relative to where they were two-three years ago and many projects in town are in varying states of completion. Town officials need to be keeping an eye on these dynamics as the FY23 operating budget process unfolds. At this juncture, Franklin is still a very attractive community for private investment and residential home ownership, but like many nearby areas in Massachusetts, life has not returned to any new normal yet and that reflects in the towns revenue projections.

I would also make one footnote: the Town actually saved a great deal of the new growth revenue over the past few years. Over \$1 million was deposited into the open space stabilization fund. Also \$1 million was placed into the Budget Stabilization fund for future budget gaps and has been able to maintain its OPEB contributions, which has the Town in the top tier of prepared communities on this issue. These were prudent policy decisions to (1) save for a rainy day (2) support the Town’s excellent bond rating, and (3) ensure the Town did not overspend and set up a standard of services that were not sustainable long term. These policy decisions also need to be considered in the future.

New Growth revenues peaked with record breaking numbers in FY20 and FY21. See the chart here for the past twelve years.

|      |             |             |             |
|------|-------------|-------------|-------------|
| FY11 | \$513,322   | FY17        | \$1,185,535 |
| FY12 | \$854,509   | FY18        | \$1,479,602 |
| FY13 | \$844,102   | FY19        | \$1,515,478 |
| FY14 | \$1,047,493 | FY20        | \$1,864,418 |
| FY15 | \$716,096   | FY21        | \$1,668,392 |
| FY16 | \$820,004   | FY22 (Est.) | \$1,199,593 |
|      |             | FY22 (Adj.) | \$1,105,00  |

State Aid & other revenues

Second, overall state aid dropped approximately \$40,000 from FY22 approved to the FY22 adjusted budget (which reflects the final state budget approved in the summer). The main reason for this was the lost revenue from charter school reimbursements in the state education formula. See the attached Revenue and Control Sheet for specific numbers.

All other revenue sources, such as local receipts, are on target from spring projections, barring any unforeseen circumstances. I am hopeful that as the budget process starts for FY23, staff can begin to build out a traditional five-year fiscal forecast.

I have attached a resolution, which shows the specific increases and decreases. A short summary of the individual adjustments that need to be made:

### Town Clerk

With the recent victory of Ms. Danello, the Town can reduce the need for a second Deputy Town Clerk at \$65,000. Election expenses were a little higher than projected, but the overall budget saves money.

### Police/Fire

Augment unforeseen circumstances with some resources to cover those expenses. With the retirement of the Deputy Chief Mill, Lt Mark Mannacchio, Sgt Brian Johnson, and several other long time specialist personnel, the Police need some additional resources to cover the transitory costs, including an Assessment Center for the Deputy Chief, as well as exams for the other ranks. The Fire Department will also be hosting exams this year, as well.

### Board of Health

This reduction is due to the Town's portion of the new public health nurse who started more than two months into the fiscal year.

### Benefits, Principal and Interest

The numbers in the budget in May reflect assumptions. Each year in the November budget amendment, we update those numbers to reflect reality. Kudos to Karen Bratt, Chris Sandini and Kerri Bertone for their hawkeye calculations to save money in these areas.

### Street Lights

Due to the LED streetlight conversion two years ago, savings are continually being realized. I anticipate moving this entire account into the overall DPW budget.

### MECC

The major reduction of the budget amendment is in the MECC of \$200,000. A reminder that the State is paying for the Town's full MECC assessment from a grant awarded after the fiscal year began. The remaining \$435,074 will be deposited into the Town' MECC Stabilization fund. The stabilization fund will have \$891,555 after this deposit to be used in FY25 as funds to help re-introduce a full year's assessment into the operating budget.

### School Department

The School Department budget amendment is being proposed to be reduced by \$93,359.

The reduction reflects the small loss in state education aid, as well as discussions the staff had this past March knowing the new growth revenue estimates could be lower than projected and the Town would not meet the budget. In the Spring, staff proposed a school budget line item increase *slightly* higher than what we thought would occur, in the event the summer and fall building season reestablished

itself after legal constraints from the pandemic were repealed. We all took a small risk that things would improve and they did not.

**FY22 still remains the second largest year-to-year increase the school department has had over the past eight fiscal years.**

For reference, the annual operating budget increases (from fiscal year to fiscal year) for the past six years for the Franklin Public School Department:

| <u>Fiscal Year</u> | <u>Appropriation</u>    | <u>Year to Year Increase</u> |
|--------------------|-------------------------|------------------------------|
| 2015               | \$55,600,000            | -                            |
| 2016               | \$56,950,000            | \$1,350,000                  |
| 2017               | \$58,250,000            | \$1,300,000                  |
| 2018               | \$60,235,000            | \$1,985,000                  |
| 2019               | 63,235,000              | \$3,000,000                  |
| 2020               | \$64,858,500            | \$1,623,500                  |
| 2021               | \$65,658,500            | \$800,000                    |
| 2022               | \$67,914,184            | \$2,255,684                  |
| 2022 (adj)         | \$67,820,825 (\$93,359) | \$2,162,325                  |

Cannabis Host Community Agreements

A separate resolution requested a recommendation on the Town’s \$600,000 in revenue from the short community agreements. I remind everyone these are not general fund revenues for all expenditures, they are legally tied to the impacts the facilities bring to the community.

Reporting procedures from the State have not fully materialized. Cities and Towns have been working their own procedures out on how to account for these revenues and expenditures. Licensing has been an evolving situation as well as the State level. As a result, we began including the fees in the budget model, but the staff and I neglected to actually account for the expenditure. Thus, in the absence of State regulations on these matters and the fact both facilities in Franklin now have licensure (as of this week), the Finance Director and I believe it’s best the Town include these numbers in our general budget model, but also have a separate expenditure vote to ensure there is clarity at the State level of the impacts and associated responses to those impacts. I am hopeful that this procedure will be in place and further developed during the regular budget process in FY23. I also still expect more mature guidance from the state on reporting and guidelines with Host Community Agreement funds.

The proposal is \$300,000 for the Grove Street/Washington Street reconstruction due to the arrival of NETA’s store on Grove Street and based on the traffic studies of those two facilities on Grove Street.

Also, \$125,000 to the Franklin Police Department for the hiring of a new officer as a result of the new facilities (both) on 140. I am also proposing \$175,000 to the SAFE Coalition to handle the associated impacts we are seeing in the community relating to marijuana, specially the Franklin Public Schools. I am hopeful the School District and the SAFE Coalition will work collaboratively to generate an exclusive service provider agreement for SAFE to assist the Schools on marijuana and substance abuse.

Unpaid bills from a previous fiscal year

A series of bills that came into the Town from some local businesses came in after the start of the fiscal year. By statute, the Town Council needs to approve these and we are looking for a Finance Committee recommendation. A list is attached in the proposed resolution.

**TOWN OF FRANKLIN  
FY 2022 REVENUE AND CONTROL SHEET**

|  | FINAL<br>FY20        | FINAL<br>FY21        | PROPOSED<br>FY22     | ADJUSTED<br>FY22     | INCREASE/<br>(DECREASE) |
|--|----------------------|----------------------|----------------------|----------------------|-------------------------|
| <b>TAX LEVY</b>                            |                      |                      |                      |                      |                         |
| Prior Year Levy Limit plus 2 1/2%          | \$ 75,273,658        | \$ 79,066,528        | \$ 82,753,293        | \$ 82,753,293        | \$ -                    |
| New Growth                                 | 1,864,418            | 1,668,392            | 1,199,593            | 1,105,000            | (94,593)                |
|  | <b>77,138,076</b>    | <b>80,734,920</b>    | <b>83,952,886</b>    | <b>83,858,293</b>    | <b>(94,593)</b>         |
| <b>DEBT EXCLUSIONS</b>                     |                      |                      |                      |                      |                         |
| Horace Mann Issue #1                       | 109,980              | 106,180              | 101,880              | 101,880              | -                       |
| Lincoln Street                             | 438,885              | 423,695              | 408,750              | 408,750              | -                       |
| Horace Mann Issue #2                       | 323,050              | 315,400              | 305,200              | 305,200              | -                       |
| High School Issue #1                       | 2,878,388            | 2,876,663            | 2,880,663            | 2,880,663            | -                       |
| High School Issue #2                       | 152,438              | 149,438              | 151,438              | 151,438              | -                       |
|  | <b>3,902,741</b>     | <b>3,871,376</b>     | <b>3,847,930</b>     | <b>3,847,930</b>     | <b>-</b>                |
| <b>TOTAL POTENTIAL TAX LEVY</b>            | <b>81,040,817</b>    | <b>84,606,296</b>    | <b>87,800,816</b>    | <b>87,706,223</b>    | <b>(94,593)</b>         |
| <b>STATE REVENUE</b>                       |                      |                      |                      |                      |                         |
| Chapter 70 School Aid                      | 28,416,161           | 28,416,161           | 28,574,921           | 28,574,921           | -                       |
| Charter School Reimbursements              | 936,532              | 512,605              | 772,122              | 365,403              | (406,719)               |
| Unrestricted Aid                           | 2,623,839            | 2,623,839            | 2,715,673            | 2,715,673            | -                       |
| All Other Net of Offsets                   | 382,048              | 360,527              | 360,932              | 379,107              | 18,175                  |
|  | <b>32,358,580</b>    | <b>31,913,132</b>    | <b>32,423,648</b>    | <b>32,035,104</b>    | <b>(388,544)</b>        |
| <b>OTHER REVENUES</b>                      |                      |                      |                      |                      |                         |
| Local Receipts - General Fund              | 9,742,246            | 8,647,269            | 9,381,533            | 9,381,533            | -                       |
| Host Community Agreement                   | 300,000              | 300,000              | 300,000              | 600,000              | 300,000                 |
|  | <b>10,042,246</b>    | <b>8,947,269</b>     | <b>9,681,533</b>     | <b>9,981,533</b>     | <b>300,000</b>          |
| <b>OTHER AVAILABLE FUNDS</b>               |                      |                      |                      |                      |                         |
| Net Budget Stabilization / Other Transfers | 390,000              |                      |                      |                      | -                       |
| Enterprise Fund (Indirects)                | 1,122,000            | 1,173,000            | 1,214,000            | 1,214,000            | -                       |
|  | <b>1,512,000</b>     | <b>1,173,000</b>     | <b>1,214,000</b>     | <b>1,214,000</b>     | <b>-</b>                |
| <b>TOTAL REVENUES &amp; OTHER FUNDS</b>    | <b>124,953,643</b>   | <b>126,639,697</b>   | <b>131,119,997</b>   | <b>130,936,860</b>   | <b>(183,137)</b>        |
| <b>ASSESSMENTS &amp; OTHER VOTES</b>       |                      |                      |                      |                      |                         |
| School Choice                              | 348,048              | 324,599              | 320,186              | 328,176              | 7,990                   |
| State Assessments                          | 446,412              | 474,209              | 479,399              | 480,465              | 1,066                   |
| County Assessment                          | 229,340              | 235,073              | 240,493              | 240,493              | -                       |
| Charter School Assessment                  | 5,043,650            | 4,990,567            | 5,369,529            | 5,025,758            | (343,771)               |
| Provision for Abatements & Exemptions      | 654,166              | 652,415              | 650,000              | 656,250              | 6,250                   |
| Subsequent Votes                           | 1,028,000            | 1,003,842            |                      | 600,000              | 600,000                 |
|  | <b>7,749,616</b>     | <b>7,680,705</b>     | <b>7,059,607</b>     | <b>7,331,142</b>     | <b>271,535</b>          |
| <b>TOTAL NET REVENUE</b>                   | <b>117,204,027</b>   | <b>118,958,992</b>   | <b>124,060,390</b>   | <b>123,605,718</b>   | <b>(454,672)</b>        |
| <b>LESS: TOTAL GENERAL FUND BUDGET</b>     | <b>(117,124,552)</b> | <b>(118,943,015)</b> | <b>(124,060,390)</b> | <b>(123,605,718)</b> | <b>(454,672)</b>        |
| <b>UNUSED LEVY</b>                         | <b>\$ 79,475</b>     | <b>\$ 15,977</b>     | <b>\$ -</b>          | <b>\$ -</b>          | <b>-</b>                |



**TOWN OF FRANKLIN  
FY 2022 OPERATING BUDGET**

| OPERATING BUDGET                          | FINAL<br>FY20  | FINAL<br>FY21  | PROPOSED<br>FY22 | ADJUSTED<br>FY22 | INCREASE/<br>(DECREASE) |
|---|----------------|----------------|------------------|------------------|-------------------------|
| 111 Town Council expenses                 | 4,000          | 4,000          | 4,000            | 4,000            | -                       |
|   | <u>4,000</u>   | <u>4,000</u>   | <u>4,000</u>     | <u>4,000</u>     | -                       |
| 123 Town Administration salaries          | 389,449        | 373,279        | 390,485          | 390,485          | -                       |
| expenses                                  | 29,800         | 33,700         | 33,750           | 33,750           | -                       |
|   | <u>419,249</u> | <u>406,979</u> | <u>424,235</u>   | <u>424,235</u>   | -                       |
| 131 Finance Committee expenses            | 1,500          | 1,500          | 1,500            | 1,500            | -                       |
|   | <u>1,500</u>   | <u>1,500</u>   | <u>1,500</u>     | <u>1,500</u>     | -                       |
| 135 Comptroller salaries                  | 450,264        | 467,998        | 487,551          | 487,551          | -                       |
| expenses                                  | 73,807         | 70,150         | 75,150           | 75,150           | -                       |
|   | <u>524,071</u> | <u>538,148</u> | <u>562,701</u>   | <u>562,701</u>   | -                       |
| 141 Assessors salaries                    | 348,284        | 368,803        | 327,321          | 327,321          | -                       |
| expenses                                  | 81,740         | 94,350         | 99,900           | 99,900           | -                       |
|   | <u>430,024</u> | <u>463,153</u> | <u>427,221</u>   | <u>427,221</u>   | -                       |
| 147 Treasurer-Collector salaries          | 326,546        | 328,995        | 370,347          | 370,347          | -                       |
| expenses                                  | 89,305         | 91,105         | 91,105           | 91,105           | -                       |
|   | <u>415,851</u> | <u>420,100</u> | <u>461,452</u>   | <u>461,452</u>   | -                       |
| 151 Legal salaries                        | 104,830        | 107,584        | 109,736          | 109,736          | -                       |
| expenses                                  | 121,500        | 60,000         | 60,000           | 60,000           | -                       |
|   | <u>226,330</u> | <u>167,584</u> | <u>169,736</u>   | <u>169,736</u>   | -                       |
| 152 Human Resources salaries              | 157,701        | 170,845        | 174,261          | 174,261          | -                       |
| expenses                                  | 22,750         | 28,630         | 53,650           | 53,650           | -                       |
|   | <u>180,451</u> | <u>199,475</u> | <u>227,911</u>   | <u>227,911</u>   | -                       |
| 155 Information Technology salaries       |                |                | 37,500           | 37,500           | -                       |
| expenses                                  | 263,000        | 293,693        | 307,706          | 307,706          | -                       |
|   | <u>263,000</u> | <u>293,693</u> | <u>345,206</u>   | <u>345,206</u>   | -                       |
| 161 Town Clerk salaries                   | 151,816        | 189,850        | 264,264          | 208,014          | (56,250)                |
| expenses                                  | 21,146         | 16,746         | 20,550           | 20,550           | -                       |
|   | <u>172,962</u> | <u>206,596</u> | <u>284,814</u>   | <u>228,564</u>   | (56,250)                |
| 164 Elections & Registration salaries     | 34,260         | 29,621         | 8,320            | 8,320            | -                       |
| expenses                                  | 23,000         | 23,000         | 31,800           | 31,800           | -                       |
|   | <u>57,260</u>  | <u>52,621</u>  | <u>40,120</u>    | <u>40,120</u>    | -                       |
| 176 Appeals Board expenses                | 5,000          | 6,000          | 8,000            | 8,000            | -                       |
|   | <u>5,000</u>   | <u>6,000</u>   | <u>8,000</u>     | <u>8,000</u>     | -                       |
| 177 Planning & Growth Management salaries | 310,207        | 323,279        | 316,227          | 316,227          | -                       |
| expenses                                  | 28,300         | 32,300         | 32,300           | 32,300           | -                       |
|   | <u>338,507</u> | <u>355,579</u> | <u>348,527</u>   | <u>348,527</u>   | -                       |
| 184 Agricultural Commission expenses      |                | 1,000          | 1,000            | 1,000            | -                       |
|   | <u>-</u>       | <u>1,000</u>   | <u>1,000</u>     | <u>1,000</u>     | -                       |
| 192 Public Property & Buildings salaries  | 2,819,056      | 2,930,726      | 2,861,523        | 2,861,523        | -                       |
| expenses                                  | 4,570,475      | 4,109,950      | 4,400,000        | 4,400,000        | -                       |

|   |            |            |            |            |           |
|---|------------|------------|------------|------------|-----------|
|   | 7,389,531  | 7,040,676  | 7,261,523  | 7,261,523  | -         |
| 196 Central Services expenses             | 129,500    | 123,000    | 118,700    | 118,700    | -         |
|   | 129,500    | 123,000    | 118,700    | 118,700    | -         |
| Subtotal, General Government              | 10,557,236 | 10,280,104 | 10,686,646 | 10,630,396 | (56,250)  |
| 210 Police salaries                       | 5,052,360  | 5,438,989  | 5,685,703  | 5,751,420  | 65,717    |
| 210 Police expenses                       | 284,295    | 302,485    | 285,140    | 296,340    | 11,200    |
|   | 5,336,655  | 5,741,474  | 5,970,843  | 6,047,760  | 76,917    |
| 220 Fire salaries                         | 4,905,600  | 5,507,400  | 5,921,247  | 5,921,247  | -         |
| 220 Fire expenses                         | 439,400    | 492,500    | 507,500    | 520,500    | 13,000    |
|   | 5,345,000  | 5,999,900  | 6,428,747  | 6,441,747  | 13,000    |
| 225 Regional Dispatch expenses            | 1,143,080  | 447,355    | 635,074    | 435,074    | (200,000) |
|   | 1,143,080  | 447,355    | 635,074    | 435,074    | (200,000) |
| 240 Inspection salaries                   | 394,869    | 384,392    | 426,676    | 426,676    | -         |
| 240 Inspection expenses                   | 21,300     | 23,820     | 22,712     | 22,712     | -         |
|   | 416,169    | 408,212    | 449,388    | 449,388    | -         |
| 292 Animal Control expenses               | 73,428     | 76,700     | 77,700     | 77,700     | -         |
|   | 73,428     | 76,700     | 77,700     | 77,700     | -         |
| Subtotal, Public Safety                   | 12,314,332 | 12,673,641 | 13,561,752 | 13,451,669 | (110,083) |
| 300 Town Schools                          | 64,858,500 | 65,658,500 | 67,914,184 | 67,820,825 | (93,359)  |
| 390 Tri-County Regional School            | 2,513,893  | 2,504,543  | 2,449,637  | 2,449,637  | -         |
| 395 Norfolk Aggie                         | 45,000     | 47,250     | 37,250     | 37,250     | -         |
| Subtotal, Education                       | 67,417,393 | 68,210,293 | 70,401,071 | 70,307,712 | (93,359)  |
| 422 DPW-Highway Dept salaries             | 1,816,101  | 1,964,761  | 2,042,745  | 2,042,745  | -         |
| 422 DPW-Highway Dept expenses             | 2,912,740  | 3,048,390  | 3,308,640  | 3,308,640  | -         |
|   | 4,728,841  | 5,013,151  | 5,351,385  | 5,351,385  | -         |
| 424 Street Lighting expenses              | 135,000    | 100,000    | 75,000     | 50,000     | (25,000)  |
|   | 135,000    | 100,000    | 75,000     | 50,000     | (25,000)  |
| TOTAL DPW - Hwy                           | 4,863,841  | 5,113,151  | 5,426,385  | 5,401,385  | (25,000)  |
| 510 Health salaries                       | 187,000    | 170,484    | 173,894    | 173,894    | -         |
| 510 Health expenses                       | 49,250     | 64,000     | 85,000     | 72,841     | (12,159)  |
|   | 236,250    | 234,484    | 258,894    | 246,735    | (12,159)  |
| 541 Council on Aging salaries             | 221,340    | 260,780    | 334,595    | 334,595    | -         |
| 541 Council on Aging expenses             | 5,930      | 6,100      | 6,100      | 6,100      | -         |
|   | 227,270    | 266,880    | 340,695    | 340,695    | -         |
| 543 Veterans Services salaries            | -          | -          | 56,000     | 56,000     | -         |
| 543 Veterans Services expenses            | 59,750     | 67,840     | 13,700     | 13,700     | -         |
| 543 Veterans Services veterans assistance | 185,000    | 185,000    | 175,000    | 175,000    | -         |
|   | 244,750    | 252,840    | 244,700    | 244,700    | -         |
| Subtotal, Human Services                  | 708,270    | 754,204    | 844,289    | 832,130    | (12,159)  |
| 610 Library salaries                      | 619,928    | 646,345    | 687,373    | 687,373    | -         |
| 610 Library expenses                      | 392,072    | 379,000    | 352,000    | 352,000    | -         |

|                                  |             |             |             |             |           |
|----------------------------------|-------------|-------------|-------------|-------------|-----------|
|                                  | 1,012,000   | 1,025,345   | 1,039,373   | 1,039,373   | -         |
| 630 Recreation                   |             |             |             |             |           |
| salaries                         | 300,060     | 308,994     | 327,986     | 327,986     | -         |
| expenses                         | 261,400     | 127,802     | 273,400     | 273,400     | -         |
|                                  | 561,460     | 436,796     | 601,386     | 601,386     | -         |
| 690 Historical Museum            |             |             |             |             |           |
| salaries                         | 27,075      | 29,125      | 29,708      | 29,708      | -         |
| expenses                         | 500         | 1,000       | 1,000       | 1,000       | -         |
|                                  | 27,575      | 30,125      | 30,708      | 30,708      | -         |
| 691 Historical Commission        |             |             |             |             |           |
| expenses                         | 4,000       | 4,000       | 4,000       | 4,000       | -         |
|                                  | 4,000       | 4,000       | 4,000       | 4,000       | -         |
| 695 Cultural Council             |             |             |             |             |           |
| expenses                         | 15,000      | 15,000      | 15,000      | 15,000      | -         |
|                                  | 15,000      | 15,000      | 15,000      | 15,000      | -         |
| 696 Cultural District Committee  |             |             |             |             |           |
| expenses                         |             | 1,000       | 1,000       | 1,000       | -         |
|                                  | -           | 1,000       | 1,000       | 1,000       | -         |
| Subtotal, Culture & Recreation   | 1,592,460   | 1,512,266   | 1,691,467   | 1,691,467   | -         |
| 710 Retirement of Debt           |             |             |             |             |           |
| non-excluded                     | 2,102,000   | 2,098,000   | 2,314,300   | 2,249,400   | (64,900)  |
| excluded                         | 2,015,000   | 2,066,000   | 2,138,500   | 2,138,500   | -         |
|                                  | 4,117,000   | 4,164,000   | 4,452,800   | 4,387,900   | (64,900)  |
| 750 Interest                     |             |             |             |             |           |
| non-excluded                     | 775,926     | 692,366     | 662,660     | 690,739     | 28,079    |
| excluded                         | 1,887,740   | 1,805,375   | 1,709,430   | 1,709,430   | -         |
|                                  | 2,663,666   | 2,497,741   | 2,372,090   | 2,400,169   | 28,079    |
| Subtotal, Debt Service           | 6,780,666   | 6,661,741   | 6,824,890   | 6,788,069   | (36,821)  |
| Benefits:                        |             |             |             |             |           |
| 910 Retirement & Pension         | 5,765,354   | 6,174,365   | 6,693,600   | 6,693,600   | -         |
| Health/Life Insurance Benefits   | 2,775,000   | 3,315,000   | 3,529,500   | 3,486,500   | (43,000)  |
| Retired Teacher Health Insurance | 875,000     | 872,000     | 855,000     | 810,000     | (45,000)  |
| Non-GIC School Retirees          | 1,040,000   | 1,050,000   | 1,088,000   | 1,055,000   | (33,000)  |
| Workers Compensation             | 550,000     | 525,000     | 530,000     | 530,000     | -         |
| Unemployment Compensation        | 110,000     | 110,000     | 150,000     | 150,000     | -         |
| Medicare                         | 325,000     | 341,250     | 341,250     | 341,250     | -         |
| OPEB                             | 600,000     | 650,000     | 700,000     | 700,000     | -         |
| Compensation Reserve             | 275,000     | 125,000     | 100,000     | 100,000     | -         |
|                                  | 12,315,354  | 13,162,615  | 13,987,350  | 13,866,350  | (121,000) |
| 945 Liability Insurance          | 575,000     | 575,000     | 636,540     | 636,540     | -         |
|                                  | 575,000     | 575,000     | 636,540     | 636,540     | -         |
| Subtotal, Benefits & Insurance   | 12,890,354  | 13,737,615  | 14,623,890  | 14,502,890  | (121,000) |
| TOTAL ALL BUDGETS                | 117,124,552 | 118,943,015 | 124,060,390 | 123,605,718 | (454,672) |
| Surplus/(Deficit)                | 79,475      | 15,977      | -           | -           | -         |
| ENTERPRISE FUNDS:                |             |             |             |             |           |
| 434 Solid Waste Disposal         |             |             |             |             |           |
| salaries                         | 84,197      | 106,857     | 120,800     | 120,800     | -         |
| expenses                         | 2,130,582   | 2,365,000   | 2,543,000   | 2,543,000   | -         |
|                                  | 2,214,779   | 2,471,857   | 2,663,800   | 2,663,800   | -         |
| 440 Sewer                        |             |             |             |             |           |
| salaries                         | 718,036     | 742,609     | 768,946     | 768,946     | -         |
| expenses                         | 453,750     | 461,145     | 497,950     | 497,950     | -         |
| charles river assessment         | 3,827,920   | 3,216,857   | 3,376,800   | 3,376,800   | -         |

|                        |                  |                  |                  |                  |           |
|------------------------|------------------|------------------|------------------|------------------|-----------|
| OPEB                   | 6,000            | 6,000            | 6,000            | 6,000            | -         |
| principal & interest   | 353,796          | 330,990          | 599,700          | 599,700          | -         |
|                        | <u>5,359,502</u> | <u>4,757,601</u> | <u>5,249,396</u> | <u>5,249,396</u> | -         |
| 450 Water              |                  |                  |                  |                  |           |
| salaries               | 1,323,940        | 1,400,158        | 1,434,375        | 1,434,375        | -         |
| expenses               | 2,069,500        | 2,097,180        | 2,251,700        | 2,251,700        | -         |
| OPEB                   | 16,000           | 16,000           | 16,000           | 16,000           | -         |
| principal & interest   | 1,978,899        | 2,114,853        | 2,889,204        | 2,889,204        | -         |
|                        | <u>5,388,339</u> | <u>5,628,191</u> | <u>6,591,279</u> | <u>6,591,279</u> | -         |
| TOTAL ENTERPRISE FUNDS | 12,962,620       | 12,857,649       | 14,504,475       | 14,504,475       | -         |
| TOTAL OPERATING BUDGET | 130,087,172      | 131,800,664      | 138,564,865      | 138,110,193      | (454,672) |



**TOWN OF FRANKLIN  
RESOLUTION 21-XX**

**APPROPRIATION: General Funds Appropriation Transfers and Adjustments FY22**

**PURPOSE:** To transfer and adjust the FY22 General Fund appropriations as follows:

| Dept # | Department        | Appropriation  | Increase<br>(Reduction) |
|--------|-------------------|----------------|-------------------------|
| 161    | Town Clerk        | Salaries       | \$ (56,250)             |
| 210    | Police            | Salaries       | 65,717.00               |
| 210    | Police            | Expenses       | 11,200.00               |
| 220    | Fire              | Expenses       | 13,000.00               |
| 225    | Regional Dispatch | Expenses       | (200,000.00)            |
| 300    | School            | Expenses       | (93,359.00)             |
| 424    | Street Lighting   | Expenses       | (25,000.00)             |
| 510    | Health            | Expenses       | (12,159.00)             |
| 710    | Debt Principal    | Debt Principal | (64,900.00)             |
| 750    | Debt Interest     | Debt Interest  | 28,079.00               |
| 910    | Benefits          | Expenses       | (121,000.00)            |
|        |                   |                | <b>\$ (454,672.00)</b>  |

**MOTION**

Be It Moved and Voted by the Town Council that transfers and adjustments that in total amount to a reduction in the FY22 General Fund operating budget of Four Hundred Fifty-Four Thousand Six Hundred Seventy-Two Dollars (\$454,672) be made to the appropriations and in the amounts denoted above.

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

**FINANCE COMMITTEE ACTION**

Meeting Date: \_\_\_\_\_ Vote: \_\_\_\_\_ Recommended Amount: \_\_\_\_\_

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

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

**A TRUE RECORD ATTEST:** **YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

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

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

**Nancy Danello, CMC  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Town Council**



**TOWN OF FRANKLIN  
RESOLUTION 21-XX**

**APPROPRIATION:** Appropriation of Cannabis Fees

**AMOUNT REQUESTED:** \$ 600,000

**PURPOSE:** To raise and appropriate \$600,000 to offset the negative impacts of the sale of cannabis in the Town of Franklin, said amount representing the total to be received from cannabis impact fees in FY22, to be expended as follows:

| <u>Dept. #</u> | <u>Department</u>  | <u>Amount</u> | <u>Purpose</u>                          |
|----------------|--------------------|---------------|---|
| 123            | Town Administrator | \$175,000.00  | SAFE Coalition                          |
| 210            | Police             | 125,000.00    | Drug Interdiction                       |
| 422            | DPW                | 300,000.00    | Washington St. & Grove St. Intersection |
|                |                    | \$600,000.00  |   |

**MOTION**

Be It Moved and Voted by the Town Council that the sum of Six Hundred Thousand Dollars (\$600,000) be raised and appropriated for the purposes and in the amounts indicated above to be expended at the discretion of the Town Administrator and to include any residual funds remaining in line items.

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

**FINANCE COMMITTEE ACTION**

Meeting Date: \_\_\_\_\_ Vote: \_\_\_\_\_ Recommended Amount: \_\_\_\_\_

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

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

**A TRUE RECORD ATTEST:** **YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

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

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

Nancy Danello, CMC  
Town Clerk

\_\_\_\_\_  
Glenn Jones, Clerk  
Town Council



**RESOLUTION 21-XX**

**APPROPRIATION: Appropriation to Pay Prior Years' Bills**

**PURPOSE:** To appropriate FY22 funds to pay for prior years' bills in accordance with G.L. Ch44, §64.

| <u>Date</u> | <u>Vendor</u>    | <u>Amount</u> | <u>FY22 Appropriation</u> |
|-------------|------------------|---------------|---------------------------|
| 2/26/21     | Xpression Prints | \$755.50      | Assessors Expenses        |
| 2/5/21      | Allegra          | 40.00         | Inspections Expenses      |
| 11/20/19    | Allegra          | 222.98        | Recreation Expenses       |
| 8/27/19     | Allegra          | 100.00        | Inspections Expenses      |
| 5/24/21     | Allegra          | 156.00        | Inspections Expenses      |
| 5/25/21     | Allegra          | 5.00          | Recreation Expenses       |
|             | Total            | \$1,279.48    |                           |

**MOTION**

Be It Moved and Voted by the Town Council that the sum of One Thousand Two Hundred Seventy-Nine Dollars and Forty-Eight Cents (\$1,279.48) be transferred from the above FY22 departmental appropriations to pay the above bills in accordance with G.L. Ch44, §64.

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

**FINANCE COMMITTEE ACTION**

Meeting Date: \_\_\_\_\_ Vote: \_\_\_\_\_ Recommended Amount: \_\_\_\_\_

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

**Nancy Danello, CMC  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk**



**TOWN OF FRANKLIN  
RESOLUTION 21-69**

**APPROPRIATION:** General Funds Appropriation, Transfers and Adjustments FY22

**PURPOSE:** To transfer and adjust the FY22 General Fund appropriations as follows:

| <u>Dept #</u> | <u>Department</u> | <u>Appropriation</u> | Increase<br><u>(Reduction)</u> |
|---------------|-------------------|----------------------|--------------------------------|
| 161           | Town Clerk        | Salaries             | \$ (56,250)                    |
| 210           | Police            | Salaries             | 65,717.00                      |
| 210           | Police            | Expenses             | 11,200.00                      |
| 220           | Fire              | Expenses             | 13,000.00                      |
| 225           | Regional Dispatch | Expenses             | (200,000.00)                   |
| 300           | School            | Expenses             | (93,359.00)                    |
| 424           | Street Lighting   | Expenses             | (25,000.00)                    |
| 510           | Health            | Expenses             | (12,159.00)                    |
| 710           | Debt Principal    | Debt Principal       | (64,900.00)                    |
| 750           | Debt Interest     | Debt Interest        | 28,079.00                      |
| 910           | Benefits          | Expenses             | (121,000.00)                   |
|               |                   |                      | <u>\$ (454,672.00)</u>         |

**MOTION:** Be It Moved and Voted by the Town Council that transfers and adjustments that in total amount to a reduction in the FY22 General Fund operating budget of Four Hundred Fifty-Four Thousand Six Hundred Seventy-Two Dollars (\$454,672) be made to the appropriations and in the amounts denoted above.

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

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

\_\_\_\_\_  
**Nancy Danello**  
Town Clerk

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





**TOWN OF FRANKLIN  
RESOLUTION 21-70**

**Appropriation of Cannabis Fees**

**APPROPRIATION:** Application of cannabis fees to miscellaneous department expenses

**TOTAL REQUESTED:** \$600,000.00

**PURPOSE:** To raise and appropriate \$600,000.00 to offset the negative impacts of the sale of cannabis in the Town of Franklin, said amount representing the total to be received from cannabis impact Fees in FY22, to be expended as follows:

| <u>Dept. #</u> | <u>Department</u>  | <u>Amount</u> | <u>Purpose</u>                          |
|----------------|--------------------|---------------|---|
| 123            | Town Administrator | \$175,000.00  | SAFE Coalition                          |
| 210            | Police             | 125,000.00    | Drug Interdiction                       |
| 422            | DPW                | 300,000.00    | Washington St. & Grove St. Intersection |
|                |                    | \$600,000.00  |   |

**MOTION:** Be It Moved and Voted by the Town Council that the sum of Six Hundred Thousand Dollars (\$600,000.00) be raised and appropriated for the purposes and in the amounts indicated above to be expended at the discretion of the Town Administrator and to include any residual funds remaining in line items.

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

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

\_\_\_\_\_  
**Nancy Danello**  
Town Clerk

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



**TOWN OF FRANKLIN  
RESOLUTION 21-71**

**APPROPRIATION:** To pay prior years' bills

**TOTAL REQUESTED: \$1,279.48**

**PURPOSE:** To appropriate FY22 funds to pay for prior years' bills in accordance with G.L. Ch44, §64.

| <u>Date</u> | <u>Vendor</u>    | <u>Amount</u> | <u>FY22 Appropriation</u> |
|-------------|------------------|---------------|---------------------------|
| 2/26/21     | Xpression Prints | \$755.50      | Assessing Dept. Expenses  |
| 2/5/21      | Allegra          | 40.00         | Inspections Dept Expenses |
| 11/20/19    | Allegra          | 222.98        | Recreation Dept Expenses  |
| 8/27/19     | Allegra          | 100.00        | Inspections Dept Expenses |
| 5/24/21     | Allegra          | 156.00        | Inspections Dept Expenses |
| 5/25/21     | Allegra          | 5.00          | Recreation Dept Expenses  |
|             | Total            | \$1,279.48    |                           |

**MOTION:** Be It Moved and Voted by the Town Council that the sum of One Thousand Two Hundred Seventy-Nine Dollars and Forty-Eight Cents (\$1,279.48) be transferred from the above FY22 departmental appropriations to pay the above bills in accordance with G.L. Ch44, §64.

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

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

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

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

**A TRUE RECORD ATTEST:**

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

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

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

\_\_\_\_\_  
Nancy Danello  
Town Clerk

\_\_\_\_\_  
Glenn Jones, Clerk  
Franklin Town Council

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 12, 2021

To: Town Council

From: Jamie Hellen, Town Administrator

Alecia Alleyne, Assistant to the Town Administrator

Re: **Resolution 21-72: Order of Taking Approximately 70 Acres of Unimproved Land Off Maple Street**

---

The vote before you tonight is the final step required to ensure a good title for the Maple Hill property.

A goal for the Council in 2022 will be to eventually “master plan” the parcel for public access.

Let us know if you have any questions.



**TOWN OF FRANKLIN  
RESOLUTION 21-72  
ORDER OF TAKING APPROXIMATELY  
SEVENTY (70) ACRES OF UNIMPROVED LAND  
LOCATED OFF MAPLE STREET**

**WHEREAS,** by virtue of Massachusetts General Laws Chapter 40, Section 14, the Town of Franklin, acting by and through its Town Council, is authorized to take by eminent domain under Massachusetts General Laws Chapter 79, lands, easements and other interests in land for municipal purposes; and

**WHEREAS,** the acquisition of a tract of unimproved land located off Maple Street, Franklin, Massachusetts containing approximately seventy (70) acres, described more fully below, has been recommended by the Town Administrator and previously authorized by the Franklin Town Council by Resolution 21-45, an attested copy of which has been recorded at Norfolk County Registry of Deeds in Book 39678 at Page 432; and

**WHEREAS,** Franklin LaBastie Family LLC, the titleholder of record of said land conveyed said tract of land to the Town of Franklin by deed executed by Steven H. LaBastie, Manager, dated October 7, 2021 and recorded at Norfolk Registry of Deeds in Book 39969, Pg. 136, and

**WHEREAS,** said Steven H. LaBastie and his wife, Katherine A. LaBastie, may have individual ownership rights or interests in said land, and

**WHEREAS,** the taking by eminent domain of said land located off Maple Street, Franklin, Massachusetts, described below, will vest in the Town of Franklin clear title to said land; and

**WHEREAS,** no land damages are anticipated since the aforementioned Steven H. LaBastie and Katherine A. LaBastie have been fully-compensated by reason of Town's payment of the agreed purchase price to Franklin LaBastie Family, LLC; and

**WHEREAS,** the taking by eminent domain of said land off Maple Street, Franklin, Massachusetts, described below, for municipal purposes is in the best interests of the Town of Franklin.

**NOW, THEREFORE, BE IT ORDERED THAT:**

1. The Town Council of the Town of Franklin, by virtue of and in exercise of and in part the execution of the power and authority conferred by said statutes, hereby adjudges that public necessity and convenience require the taking by eminent domain of the land located off Maple Street, Franklin, Massachusetts, described below, for municipal purposes, namely: open space and passive recreation.

2. The Town of Franklin, acting by and through the Town Council, by virtue of and in the exercise of the power and authority conferred by said statutes and in accordance with the provisions of Massachusetts General Laws Chapter 79, and all and every other power and authority it does possess, DOES HEREBY TAKE BY EMINENT DOMAIN the fee in the following described tract of land for municipal purposes namely: open space and passive recreation; as provided in G.L. Ch. 79, §1; this order of taking includes all trees presently growing on the subject land.

Description of Property

Approximately seventy (70) acres of unimproved land off Maple Street consisting of four parcels of land shown as Parcel 1, Parcel 2, Parcel 3 and Parcel 4 on a plan of land recorded at Norfolk County Registry of Deeds as Plan No. 97 of 1990 in Plan Book 389 containing a total of 68.4456 acres more or less, according to said plan, said land also being shown on Town of Franklin Assessor's Map 234, Parcel 12, and two parcels of land shown as Parcel A and Parcel B on a plan of land recorded at Norfolk County Registry of deeds in Plan Book 701, at Page 16 containing a total of 52,178 square feet, more or less, according to said plan, said land also being shown on Town of Franklin Assessors Map 235 as a portion of Parcel 142 (herein collectively: "Land").

Property Owner(s)

Franklin LaBastie Family, LLC, 469 Maple St., Franklin, MA  
Steven H. LaBastie, 469 Maple St., Franklin, MA  
Katherine A. LaBastie, 469 Maple St., Franklin, MA

3. The Town Treasurer and Town Comptroller are directed and the Town Administrator is directed and authorized to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in this Order of Taking so that the same shall be payable within sixty (60) days after the right to damages becomes vested in the persons from whom the above described land was taken. The Town Administrator is further directed to direct the Town Attorney for and on behalf of the Town Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of Massachusetts General Laws Chapter 79, Sections 7B, 7C, 7F, 7G, 8A and 8B.
4. This Order of Taking confirms and makes clear the Town of Franklin's title to the above-described tract of land which was conveyed to the Town of Franklin by deed of Franklin LaBastie Family, LLC dated October 7, 2021 and recorded at Norfolk Registry of Deeds in Book 39969, Pg. 136 and includes all right, title and interest of Steven H. LaBastie and Katherine A. LaBastie, or either of them, in said land or any portion thereof.

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

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

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

**A TRUE RECORD ATTEST:**

**UNANIMOUS:**

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

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

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

\_\_\_\_\_  
**Nancy Danello**  
**Town Clerk**

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

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

November 12, 2021

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

Re: **Resolution 21-73: Acceptance of Open Space Off Pond Street**

---

The acceptance of this open space and easements relate to the property off Pond Street (the old town sewer beds) that were sold and converted to townhouses several years ago. The open space is around the perimeter of the property and includes a small viewing and parking area of the adjacent Mine Brook.

See the attached documents for reference. Staff will provide a map at the meeting.

Please let me know if you have any questions.

Jamie



**TOWN OF FRANKLIN  
RESOLUTION 21-73**

**ACCEPTANCE OF OPEN SPACE, ACCESS AND  
PARKING EASEMENTS AT BROOKVIEW CONDOMINIUM  
LOCATED OFF POND STREET**

- WHEREAS,** Town of Franklin (hereinafter: “Town”) was formerly the owner of an unimproved parcel of land located off Pond Street and Town disposed-of said land by sale to Baystone Franklin, LLC, a real estate developer (hereinafter: “Developer”), as evidenced by a deed recorded at Norfolk County Registry of Deeds in Book 35129, Page 16, and
- WHEREAS,** Both Town’s agreement with Developer and Franklin Planning Board’s decision granting a special permit to Developer required Developer to grant certain easements to Town, which requirement is legally binding upon Developer’s successors in interest.
- WHEREAS,** Brookview Condominium Trust (hereinafter: “Trust”) and Brendan Properties Brookview, LLC (hereinafter: “LLC”) are the successors in interest to Developer, and
- WHEREAS,** Trust and LLC have had a plan of the subject parcel prepared entitled “Brookview, Pond Street Franklin; Prepared for Brendon Properties Brookview, LLC, by Hancock Associates, 315 Elm Street, Marlborough, MA”, which Plan is to be recorded at the Norfolk County Registry of Deeds and have executed a grant of easements shown on said plan to Town by instrument entitled “Open Space, Access and Parking Easements”, for nominal consideration on November 3, 2021, a true copy of said grant of easements being attached hereto as “Exhibit 1”.
- NOW THEREFORE, BE IT ORDERED** that the Town of Franklin, acting by and through its Town Council, accepts the grant of easements captioned “Open Space Access and Parking Easements”, a true copy of which is attached hereto as “Exhibit 1” and it is further ordered that a true copy of this resolution, together with the original grant of easements and the above-referenced plan of the subject parcel be recorded at Norfolk County Registry of Deeds.

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

---



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

**VOTED:**

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

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

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

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

**A True Record Attest:**

\_\_\_\_\_  
**Nancy Danello**  
**Town Clerk**

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

# EXHIBIT 1

## OPEN SPACE, ACCESS AND PARKING EASEMENTS

**This OPEN SPACE, ACCESS AND PARKING EASEMENT** (this “Easement Agreement,”) is made and entered into by the Brookview Condominium Trust (the “Condominium Trust,”), pursuant to a Declaration of Trust dated April 27, 2018, and recorded with the Norfolk County Registry of Deeds in Book 35944, Page 200, as may be amended (the “Declaration of Trust”), which Condominium Trust serves as the organization of Unit Owners of the Brookview Condominium (the “Condominium,”), a Condominium established pursuant to Massachusetts General Laws, Chapter 183A by a Master Deed dated April 27, 2018, and recorded with the Norfolk County Registry of Deeds in Book 35944, Page 156, as may be amended, (the “Master Deed,”) and Brendon Properties Brookview LLC, the successor by merger to and formerly known as Baystone Franklin, LLC (each being collectively referred to as the “Grantor,”) acting pursuant to Article 25 and Article 44 of that certain Purchase and Sales Agreement dated April 25, 2016, by and between Baystone Franklin, LLC and The Town of Franklin, Massachusetts, and as set forth in that certain deed dated May 22, 2017, and recorded with the Norfolk County Registry of Deeds in Book 35129, Page 16, and for consideration of less than One Hundred (\$100.00) Dollars, hereby grants, with quitclaim covenants to The Town of Franklin, a duly organized and existing municipal corporation with administrative offices at the Franklin Municipal Building, 355 East Central Street, Franklin, Norfolk County, Massachusetts, together with its successors and permitted assigns (“Grantee,”) in perpetuity a series of easements, all as hereinafter described (collectively referred to as the “Easement ,”) on certain land located in the Town of Franklin, Norfolk County, Massachusetts, specifically identified on a plan of land entitled Brookview, Pond Street Franklin; Prepared for Brendon Properties Brookview, LLC, by Hancock Associates, 315 Elm Street, Marlborough, MA,, which Plan is recorded herewith in the Norfolk Registry of Deeds as Plan No. \_\_\_\_\_ (the “Easement Plan,”). For Grantor’s title, see the deed dated May 22, 2017, and recorded with the Norfolk County Registry of Deeds in Book 35129, Page 16.

## RECITALS

**WHEREAS, Grantor** is the owner in fee simple of portions of the land described in the deed dated May 22, 2017, and recorded with the Norfolk County Registry of Deeds in Book 35129, Page 16 (the “Premises,”) which Premises includes the Pedestrian Access Easement (s), the Vehicular Access Easements, the Open Space Easement(s) and Parking Area Easement (collectively referred to as the “Easements,”), all as shown on the Easement Plan (the “Plan,); and

**WHEREAS,** Grantee previously sold the Premises to the Grantor’s predecessor in title and did so subject to the obligation that the Grantor provide the Grantee with the Easements; and

**WHEREAS,** Grantor wishes to grant and Grantee desires to acquire, certain rights to use the Easements for the benefit of the inhabitants of the Town of Franklin and for other municipal purposes on the terms and conditions hereinafter set forth.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, Grantor and Grantee hereby agree as follows:

Open Space Easements. Grantor grants to Grantee a non-exclusive easement, to ensure the continued open space of the said Easement Areas "A & B,, and for use by pedestrians to pass and repass for recreational purposes including but not limited to hiking and jogging, over through and in the area shown on the Plan as Open Space Parcel A and Open Space Parcel B. The Grantee shall have the right (but not the obligation) to construct, walking trails, as walking trails are commonly constructed and used in the Town of Franklin within the said Open Space Parcel A and Open Space Parcel B. Included within said grant is the perpetual right and easement to enter the said Open Space Parcel, with trucks and other maintenance vehicles to construct maintain and replace the walking trails.

Pedestrian Access Easements. Grantor grants to Grantee a non-exclusive easement over, across, and through the areas identified on the Plan as the Pedestrian Access Easement C; Pedestrian Access Easement D; Pedestrian Access Easement E; and Pedestrian Access Easement F, (these four Pedestrian Access Easements shall hereinafter be referred to as the "Pedestrian Access Easements,, ) Proposed Variable Width Access G; and Proposed Variable Width Access H for use by pedestrians to enter and exit the area shown on the Plan as Open Space Parcel A and Open Space Parcel B together with the right to pass and repass throughout the said Open Space Parcel A and Open Space Parcel B, as stated above.

Vehicular Access Easement and Parking Area Easement. Grantor grants to Grantee a non-exclusive easement across and through the area identified on the Plan as the Proposed Variable Width Access Easement G, and the Proposed Variable Width Access Easement H (the "Vehicular Access Easements,,), which easements are located on Brookview Road and Riverstone Way as shown on the Plan for purposes specifically related to the travelling by motor vehicle from the adjacent public way known as Pond Street directly to Parking Area J, all as shown on the Plan. This grant of easement shall include the right to temporarily park motor vehicles in Parking Area J. Grantee, shall not have any right to park motor vehicles along or within Brookview Road and Riverstone Way, or any portion of the Vehicular Access Easements. This grant of easement shall also include the right (but not the obligation) for the Grantee to maintain, repair or replace the surface area of Parking Area J, and to enter and access Parking Area J with trucks or with trucks and other maintenance vehicles to construct maintain and replace the Parking Area Easement.

Exclusiveness of the Easement and Interference with Condominium Property. The Easement is non-exclusive and Grantor reserves and retains the right to convey such easements and rights to other persons as it may choose, as long as such easements or rights do not materially interfere with the rights created herein. Grantee shall use the above referenced Pedestrian Access Easements, Vehicular Access Easements and Parking Area Easement in a manner so as to not unreasonably inhibit or impede Grantor's and the owners of the residential units at the Brookview Condominium free and orderly flow of vehicles through the Vehicular

Access Easements. Moreover, Grantee's use of the Easements shall not restrict and/or interfere with the Grantor's and the owners of residential units at the Brookview Condominium's use and enjoyment of their homes and/or the Condominium common areas and facilities.

Maintenance, Repair, and Replacement of the Easement Area. Grantor shall, at its sole cost and expense, maintain the Pedestrian Access Easements, the Vehicular Access Easements and, in connection therewith, shall have the obligation to maintain, repair and replace the surface of the said Vehicular Access Easements in such reasonable manner as may be required by Grantee, so as to render it fit for vehicular and pedestrian traffic. Maintenance shall include clearing of trash, snow, ice, and other obstructions from the Vehicular Access Easements and the Pedestrian Access Easements.

Included within said grant is the perpetual right and easement to construct, maintain and replace any and all improvements to or within the Easements for their intended use, and to construct, inspect, repair, operate and forever maintain said easements together with the right to enter on foot and with equipment and vehicles to perform any of said work. Notwithstanding, any and all improvements made to the Easement Area shall be related and incidental to the rights granted to the Grantee and shall be consistent with the Grant of this Easement.

The Grantors, for themselves and their successors in title, covenant that they shall not permit any use within said easement area described herein, which is inconsistent with this Grant of Easement, including, but not limited to the erection of any non-related structures of any kind or the planting of shrubs and/or trees within the easement area or performing any act which will impair the function and purpose of said Grant of Easement.

Grantors, for themselves and their successors in title, further covenant that the location of said Easements shall not be changed without the prior written consent of Grantee or its successor in title.

No Waiver. The failure of any party so entitled to enforce any covenant, restriction or agreement contained herein will not be deemed to be a waiver by any party so entitled of its right to do so thereafter.

Notices. Any notice required or given under this Agreement shall be in writing and shall be sent by registered or certified U.S. Mail or by Federal Express or other nationally recognized overnight delivery service to Grantor and Grantee at the addresses as stated at the beginning of this Agreement or such alternate address as has been furnished in writing to the other party.


For the Trust Grantor's authority to grant this restriction, see Article 5.1.12 of the Declaration of Trust.

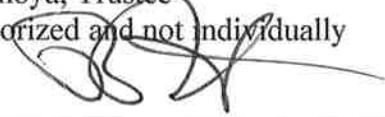
Brendon Properties Brookview, LLC, by its signature below does hereby consent to and join in the granting of the aforementioned Easements.


[SIGNATURE PAGE TO FOLLOW]


Executed as a sealed Instrument this 3<sup>rd</sup> day of <sup>November</sup> ~~September~~, 2021.


MAJORITY OF THE BOARD OF TRUSTEES  
OF THE BROOKVIEW CONDOMINIUM TRUST

By:   
Puneet Rachhoya, Trustee  
As duly authorized and not individually


By:   
Brian Psota, Trustee  
As duly authorized and not individually

By:   
Mitesh Bhatt, Trustee  
As duly authorized and not individually

By:   
Suresh Kumar Amarakonda, Trustee  
As duly authorized and not individually

By:   
Deborah A. Adams, Trustee  
As duly authorized and not individually

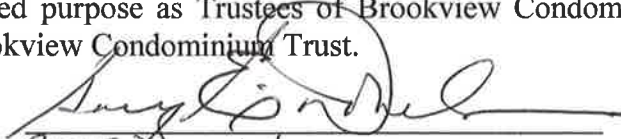
BRENDON PROPERTIES BROOKVIEW, LLC

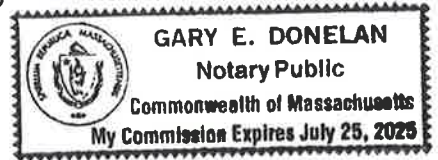
By:   
Leslie S. Carey, Authorized Signatory

Norfolk  
Worcester, ss

COMMONWEALTH OF MASSACHUSETTS

On this 3<sup>rd</sup> day of ~~September~~ <sup>November</sup>, 2021, before me, the undersigned notary public, personally appeared Puneet Rachhoya, Brian Posta, Mitesh Bhatt, Suresh Kumar Amarakonda and Deborah A. Adams and proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  oath or affirmation of a credible witness,  personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose as Trustees of Brookview Condominium Trust, as the voluntary act of the said Brookview Condominium Trust.

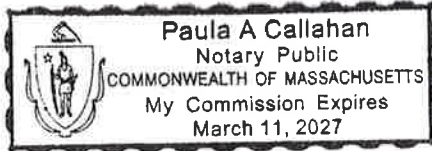
  
GARY E. DONELAN - Notary Public  
My commission expires: 7-25-25




COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this 3<sup>rd</sup> day of ~~September~~ <sup>November</sup>, 2021, before me, the undersigned notary public, personally appeared proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  oath or affirmation of a credible witness,  personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as Authorized Signatory of Brendon Properties Brookview, as the voluntary act of the said Brendon Properties Brookview, LLC.



  
Paula A Callahan Notary Public  
My commission expires: 3/11/27