

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
March 17, 2021**

A meeting of the Town Council was held on Wednesday, March 17, 2021, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA; residents could attend and participate via the Zoom platform. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Cobi Frongillo, Melanie Hamblen (via Zoom), Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. Chair Mercer noted the one-year anniversary of the COVID-19 pandemic. On behalf of the Town Council, he extended his deepest condolences to anyone who lost a loved one as a result of this devastating pandemic; he called for a moment of silence in memory of the 42 members of the Franklin community who tragically lost their lives to COVID-19 and to all those across the country who have lost loved ones, as well. All recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer reviewed that due to the continued concerns regarding the COVID-19 virus and Governor Baker's declared State of Emergency, we will be conducting a remote/virtual Town Council meeting for all public access and participation. The public will not be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the building and participate in person. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by clicking on the link provided on the agenda. The provided link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting, it will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. This meeting is being recorded by Franklin TV and may also be recorded by others.

CITIZEN COMMENTS: ► Mr. Dale Kurtz, Veterans' Services Officer, reminded everyone that bricks for the Veterans Memorial Walkway are still available to be purchased with April 1, 2021, being the last day for purchase for spring installation. He wished everyone a happy Evacuation Day. ► Mr. Stephen Sherlock, 10 Lawrence Drive, Community Information Director of Franklin Matters, provided details on a meeting to be held on Monday, March 29, 2021, at 7:00 PM. This is a kickoff session for the Franklin Area Non-Profit Network (FANN) to gather non-profit organizations that service Franklin to create awareness within the organization about the work and services being done by each of the organizations, to improve to capability of each organization, and to start sharing best practices among the organizations. He stated that there are more than 100 non-profits based in Franklin. He asked everyone to spread the word. He stated a website for this is forthcoming; reach out to Mr. Sherlock with questions. ► Ms. Jane Callaway-Tripp, 607 Maple Street, discussed stormwater taxes and fees. She stated that it is an unacceptable time to be raising fees and taxes on the townspeople of Franklin while many are still out of work. She reviewed that at a previous Town Council meeting, Town Administrator Jamie Hellen explained how the Town was scammed out of approximately \$500,000. She stated that he gave an example that if each homeowner on Town water was billed an extra \$30 on their water bill, along with the money that was recovered, the funds needed could be gathered as the original bills still needed to be paid. Ms. Callaway-Tripp stated that she asked at that meeting if the water bills were going to be raised. She stated that Mr. Hellen said no that it was only an example. She stated that she was lied to, and it was not just an example. She stated that if the Town is going to charge the townspeople for replacing the lost funds, then all the townspeople should be charged, not just those on Town water. She stated that the people did not lose the funds, and it was the townspeople's money that was lost. She stated that people

are struggling. She explained that some of the people making the decisions about charging Franklin's citizens to pay for the lost funds are not even town residents, and therefore, this does not even affect them. It is time for the Town Council, as representatives of the people in the Town of Franklin, to start working for the benefit the townspeople. We elected you, you hired the Town Administrator, and you work for the people in the Town. She stated that the Town Council should not make decisions that ultimately hurt the townspeople who elected them. She stated that the Town Administrator gets paid by the people in Franklin; the Town Administrator does not live in this town, and he is not directly affected by the choices and mistakes he makes. She requested the Town Council think hard about any monetary increases and how it will affect the financial situation of the people in Franklin; this is not the time to raise fees and taxes. ► Mr. Richard Ciccone, 185 Chestnut Street, stated he watched the budget hearing, and he is confused about the stormwater budget. He stated that Mr. Hellen indicated they were looking for \$860,000 initially in the FY22 budget for stormwater. He noted the \$1.2 million mentioned by Ms. Hamblen. He asked if together that means the Town has to come up with \$2 million for FY22. He stated that the \$1.2 million was already paid out of the DPW budget for stormwater. He stated that he is less clear on the stormwater numbers after the budget meeting as nothing was clarified. He noted that there seems to be a lot of pork in the budget, and there was not much paring down in the budget.

APPROVAL OF MINUTES: *March 3, 2021.* ► **MOTION to Approve** the March 3, 2021 meeting minutes by **Dellorco. SECOND** by **Kelly. No discussion.** ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: ► ***David Allard - Retirement Recognition, Franklin DPW.*** ► DPW Director Brutus Cantoreggi recognized the retirement of DPW Foreman David Allard. He noted Mr. Allard's extensive knowledge and the difficulty of trying to replace such a great foreman and person. He stated that Mr. Allard has been with the Town more than 34 years. ► State Representative Jeffrey Roy read aloud a resolution from the House of Representatives that was passed congratulating Mr. Allard on his retirement and for serving the Town of Franklin. He reviewed Mr. Allard's background, education, and career. He then read aloud an official citation from the Senate congratulating Mr. Allard on his retirement. ► Ms. Pellegrini read aloud a proclamation from the Town of Franklin honoring Mr. Allard on his retirement and for serving the Town of Franklin. ► Mr. Allard thanked everyone.

► ***Kevin Ryan - Retirement Recognition, Franklin Police Department.*** ► Police Chief Thomas Lynch reviewed Mr. Ryan's 44-year career with the Town of Franklin. He wished Mr. Ryan a successful retirement. He provided Mr. Ryan with a plaque commemorating his service to the Franklin Police Department. ► State Representative Jeffrey Roy read aloud a resolution from the House of Representatives that was passed congratulating Mr. Ryan on his retirement and for serving the Franklin Police Department. He reviewed Mr. Ryan's background and career. He then read aloud an official citation from the Senate congratulating Mr. Ryan on his retirement. ► Mr. Chandler read aloud a proclamation from the Town of Franklin honoring Mr. Ryan on his retirement and for serving the Town of Franklin in the Franklin Police Department. ► Mr. Ryan thanked everyone.

Chair Mercer called a two-minute recess.

► ***Detective John Maloney - Retirement Recognition, Franklin Police Department.*** ► Police Chief Thomas Lynch reviewed Mr. Maloney's education, background, and 15-year career with the Franklin Police Department. He thanked Mr. Maloney for his years of service and wished him well in his future endeavors. He provided Mr. Maloney with a plaque commemorating his service to the Franklin Police Department. ► Mr. Maloney thanked everyone.

► **Kristopher Smith - Achievement Recognition, graduation from the Massachusetts Fire Academy.**
 ► Deputy Fire Chief James Klich recognized Mr. Smith for his achievement of graduating from the Massachusetts Fire Academy. He stated that the department has high hopes for Mr. Smith. ► Mr. Smith thanked everyone.

APPOINTMENTS: ► **Rob Burchill - New Patrol Officer Ceremonial Swearing In & Badge Pinning, Police Department.** ► **Derek Tetrault - New Patrol Officer Ceremonial Swearing In & Badge Pinning, Police Department.** ► Police Chief Thomas Lynch introduced two new members of the Police Department: Rob Burchill and Derek Tetrault. He explained that they were both self-sponsored. He reviewed their education, backgrounds, and experience. ► Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Burchill was pinned by his father, and Mr. Tetrault was pinned by his father.

Chair Mercer called a two-minute recess.

► **Brian Armstrong - New Hire, Firefighter/Paramedic - Fire Department.** ► **Jeffrey Ward - New Hire, Firefighter/Paramedic - Fire Department.** ► **Kent Parsons - New Hire, Firefighter/Paramedic - Fire Department.** ► **Benjamin Angelo - New Hire, Firefighter/Paramedic - Fire Department.** ► Deputy Fire Chief James Klich introduced four new members of the Fire Department: Brian Armstrong, Jeffrey Ward, Kent Parsons, and Benjamin Angelo. He reviewed their education, backgrounds, and experience. ► Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Armstrong was pinned by his wife and daughters, Mr. Ward was pinned by his wife, Mr. Parsons was pinned by his mother, and Mr. Angelo was pinned by his father.

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► **Norfolk County Sheriff Patrick W. McDermott - Norfolk County Sheriff Website.** ► Chair Mercer stated that Norfolk County Sheriff Patrick W. McDermott was unable to attend tonight's meeting; Sheriff McDermott will join the Town Council meeting on April 14, 2021.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► The next meeting is scheduled for March 31, 2021, at 5:00 PM.
- b. **Budget Subcommittee.** ► Mr. Kelly stated they met tonight at 6:00 PM. They are proposing April 7, 2021, at 6:00 PM for the next meeting. These meeting are televised.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated they are planning two meetings in April.

LEGISLATION FOR ACTION:

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

- a. **Bylaw Amendment 21-871: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration - First Reading (Motion to Move Bylaw Amendment 21-871 to a Second Reading - Majority Roll Call Vote).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move Bylaw Amendment 21-871: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration to a Second Reading by Dellorco. SECOND by Kelly. Discussion:** ► Mr. Hellen stated that the proposed permit and fee is for a "Food Truck Event Permit" for public events on private property. The total proposed

fee is \$25 per permit with a limit of two permits per week. This proposed bylaw was unanimously approved by the EDC at their March 3, 2021 meeting. The goal of this temporary food truck permit is to help local businesses survive the COVID-19 pandemic and comply with the many new regulations in place. He noted that regardless of where an event takes place, every food truck owner is required to have an inspection from the Board of Health. The Food Vendor permit is a one-time fee for a full year and for as many events as they want. ► Ms. Pellegrini stated that she believes this will take away from the businesses; therefore, she will vote no. ► Mr. Bissanti stated that this has been thoroughly vetted, and during most EDC sessions there was no input or push back from restaurant owners. He wants to help the local economy. ► In response to Mr. Chandler's question, Mr. Hellen reviewed that no person licensed under the provisions of this chapter shall sell any goods, wares or merchandise in or upon any street or sidewalk within the Town of Franklin within 500 feet of a business selling the same or similar goods, wares or merchandise. He noted food trucks, and customers of food trucks, will also be prohibited from parking in the public right of way, unless in a declared striped parking space. ► Mr. Kelly asked about ice cream trucks. ► Mr. Hellen stated that ice cream trucks can show up where they want. ► Mr. Jones stated that he concurred with Mr. Bissanti. ► Ms. Hamblen, EDC Chair, stated that this was discussed at the EDC multiple times. She stated that this will not allow competition with the same type of food within 500 feet. ► Mr. Dellorco discussed his support for this. ► Ms. Pellegrini stated that food trucks are not paying the expenses that restaurants are paying such as taxes, waitresses, and cooks; their expenses are much less. She stated that having food trucks has already been passed. She stated that this item is just for the fee; therefore, she will go along with it. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-9, No-0, Absent-0.**

- b. Bylaw Amendment 21-872: To Amend the Franklin Town Code at Chapter 185, Section 3, Definitions, Tasting Room - Referral to the Planning Board (Motion to Refer Bylaw Amendment 21-872 to the Planning Board - Majority Roll Call Vote).* ► Mr. Jones read the bylaw amendment. ► **MOTION to Refer** Bylaw Amendment 21-872: To Amend the Franklin Town Code at Chapter 185, Section 3, Definitions, Tasting Room to the Planning Board by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated that this was an effort by the EDC. He reviewed that the proposed Bylaw Amendment is to modify the definition of a tasting room. A tasting room is a room attached to a brewery, distillery, or winery that allows patrons to sample or consume wine, beer, or other alcoholic beverages that are produced on site. The former bylaw stated that a tasting room "may not be greater than 25% of the main building's gross square footage." This bylaw will strike that former language and redefine a tasting room as an "accessory use to the primary brewery, distillery, or winery use." He stated that La Cantina Winery, 67 Degrees Brewing, and GlenPharmer Distillery are under this bylaw; they were all at the hearing. ► Ms. Hamblen stated that this was discussed a lot at the EDC. She stated that for people who are potentially interested in starting businesses in Franklin, the current bylaw is too restrictive, and this is a solution. ► Mr. Bissanti confirmed there were Planning Board members at the EDC sessions. He discussed that a lot of this is driven by parking which is an issue that has to be addressed as it is too restrictive. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES. ► VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► *COVID-19 Update.* ► Mr. Hellen thanked the paramedics and firefighters for hosting their second annual luncheon at the Senior Center; this year they did a drive through event. He congratulated the Cultural District Committee for receiving their first State grant for \$7,500; he noted that they may be holding an Art Walk event in June. He thanked Mr. Bryan Taberner and the DPW for getting an over \$200,000 Housing Choice grant. He stated that the Town received their Chapter 90 allotment of just under \$1 million for road work. He thanked the legislature for their commitment to local aid. He stated that the Franklin library will reopen on Monday. He stated that he

expects the governor will move to Phase 4.1 on easing the restrictions. He stated that by April 19, 2021, all citizens 16 years and older will be able to register for a COVID-19 vaccination.

FUTURE AGENDA ITEMS: ► Mr. Frongillo stated that he looks forward to the EDC talking about housing affordability. ► Mr. Bissanti stated that they have to look at downtown zoning in terms of parking in order to get the quality of development they. ► Chair Mercer stated that he has requested this item be on an upcoming agenda.

COUNCIL COMMENTS: ► Mr. Frongillo noted the Senior Coffee Hour tomorrow at 8:30 AM. He stated he has been invited to help moderate a discussion on police reform next Wednesday. He discussed the devastating shooting in Atlanta that occurred today. ► Mr. Bissanti noted a Zoom symposium on homelessness on March 25, 2021. He stated that he has not given up on the plight of the homeless. ► Mr. Kelly congratulated the new Fire Department personnel and the retirees from the DPW and the Police Department. ► Mr. Chandler stated how sorry he was for the 42 people who lost their lives to COVID-19. Regarding the police hires, he discussed that not everyone would be able to self-sponsor and pay for it themselves. This should be brought up with police reform. There should be money in the budget to send some people to the police academy. ► Ms. Hamblen thanked all those involved in the Franklin First Gift Card program. So far, \$45,000 of cards has been sold; that is money that will stay in Franklin. She thanked Chair Mercer for his thoughtful moment of silence held at the start of this meeting. ► Ms. Pellegri stated that she agreed with Mr. Chandler. She reminded everyone that the Historical Museum is open, and volunteers are needed for the Gift Store. ► Mr. Jones expressed condolences to those lost from COVID-19. He stated that everything is starting to look more positive regarding vaccinations and COVID-19. He is happy the library will be reopening. ► Mr. Dellorco stated that he agreed with Mr. Chandler and Ms. Pellegri. He stated that if anyone knows anyone fighting addiction, give them a call. ► Chair Mercer offered his condolences to all families across the world that have lost someone to the pandemic. He stated that we can see the light at the end of the tunnel regarding the pandemic. He encouraged everyone to stay safe. He said Happy St. Patrick's Day.

EXECUTIVE SESSION: ► Chair Mercer stated that he requests a motion that the Council vote to convene in Executive Session for the purpose of discussing strategy with respect to collective bargaining, because an open meeting may have a detrimental effect on the bargaining position of the Council. He stated that the Town Council will not return to open session. ► **MOTION to Move** that the Franklin Town Council go into Executive Session by **Dellorco. SECOND** by **Kelly. No discussion.** ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

► **The open session of the Town Council Meeting adjourned at 8:40 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary