FRANKLIN TOWN COUNCIL MINUTES OF MEETING May 22, 2019

A meeting of the Town Council was held on Wednesday, May 22, 2019, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Patrick Casey, Robert Dellorco, Melanie Hamblen, Glenn Jones, Matthew Kelly, Eamon McCarthy Earls, Thomas Mercer, Peter Padula, Deborah Pellegri. Councilors absent: None. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Administrative Assistant.

CALL TO ORDER: ► Chairman Mercer called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chairman Mercer announced the meeting is being recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

CITIZEN COMMENTS: ► Mr. Alan Earls, 23 Marvin Avenue, representing Franklin in Focus, an organization working to increase civic participation, stated they are hosting a 90-minute course on how to run for office in the Town of Franklin on Saturday, June 1, 2019, at the studios of Franklin TV. He noted that seating is limited; please check their website for more information or if interested in attending. ► Mr. Dale Kurtz, Veterans' Services Officer, stated the Memorial Day Breakfast will be held on Friday, May 24, 2019, at 9:00 AM at the Senior Center. The Memorial Day Parade will begin at 10:30 AM, followed by a ceremony at the Town Common at 12:00 PM. He welcomed everyone to attend these events. ► Ms. Kathy Mehler, 4 Glenn Drive, stated her objection to the work being carried out at the Skyline Estates subdivision. She stated the sidewalks are being removed from two cul de sacs and two side streets. The other streets will have one sidewalk only. All the streets are being narrowed. She does not know if buses and fire trucks can turn in the narrowed cul de sacs. She said she has spoken to the DPW, Planning Board, and Town Administrator regarding her objections and concerns. She reviewed that the Town Administrator agreed to put a sidewalk on her road only and provided a letter of explanation regarding the need for additional funding for the Town's road repairs. She noted that she has lived in the Skyline Estates neighborhood for 47 years. She stated that she and her neighbors have paid over \$20 million in taxes over the past 50 years. She reviewed the series of meetings and notifications regarding this roadwork over the past year. She questioned how the subdivision can be changed without the approval of the residents living there and she noted that the Planning Board has not changed the subdivision from its original approval recorded at the Registry of Deeds. She is prepared to pursue this to the full extent of the law. ►Mr. Daniel Ballinger, 18 Charles Drive, stated he is a resident of Skyline Estates since 1999. He purchased the house based on the neighborhood. He stated the Town is planning to change the neighborhood experience and what people purchased. He noted that a neighbor has been in a wheelchair for many years; this change to the sidewalks may violate the Americans with Disabilities Act.

HEARINGS: FY 2020 Budget Hearing 7:10 PM

- a. Voting Document
- b. FY 20 Budget Message
- c. FY 20 Town Administrator Proposed Budget

► Chairman Mercer opened the FY 2020 Budget Hearing. ► Mr. Jeffrey Nutting, Town Administrator, thanked everyone and stated it was a team effort to put forth this budget for the Town Council's consideration. He provided a general overview and highlights. He stated that overall State aid is declining by about \$900,000. We are draining out the last bit from the Budget Stabilization Fund of \$390,000. We have used our reserves. We have trimmed budgets. We will make it all work for one more year, but it leaves a precarious position for FY 21. We delivered a five-year forecast for the Town Council available on the

webpage noting the upcoming shortfall. This is a best estimate from the best information the Town has as of today. There could be changes in State aid as they work through their budget process. This will be known before the Town Council sets the tax rate this fall. He noted that one of the biggest cuts was the entire road budget for \$600,000 in order to avoid employee layoffs.

▶ Mr. Jones read each *Town of Franklin Operating Budget FY 2020 Voting Document* line item.

► Mr. Kelly requested a Hold on Line Item 111: Town Council. ■Mr. Kelly pointed out that the Town Council members and School Committee members do not get paid or receive any benefits; they do this for the benefit of the community.

▶ Mr. Padula requested a Hold on Line Item 147: Treasurer-Collector. ■Mr. Padula asked how this budget item went down. ■Mr. Nutting stated there was a deputy collector overlap for half of the last fiscal year. There is a retirement coming up in August and a position will be eliminated; therefore, the salary budget is going down.

▶ Mr. Earls requested a Hold on Line Item 155: Information Technology. ■Mr. Earls requested an overall breakdown of what the money would be spent on in the IT department. ■Mr. Timothy Rapoza, Director of Technology Services, stated the largest portion of the budget, about 90 to 95 percent is to cover annual subscription fees for licensing such as MUNIS, the website, permitting software, etc. He reviewed the line items and what was covered under each. ■Mr. Nutting stated that 14 years ago there were IT people for both the Town and the Schools which seemed like a duplication of effort, so the salaries were put in the School budget. It was a way to streamline. ■Ms. Pellegri stated she thinks all the IT services and salaries should be listed together; half the salaries should come from the Town budget and half from the School budget.

► Town Council members requested a Hold on Line Item 192: Public Property & Buildings. ■Chairman Mercer stated that one of the largest budgets in Town is the Facilities Department budget. He would like an overview of the operational initiatives the department plans to use to contain operational costs in this budget and in future budgets. Mr. Michael D'Angelo, Director of Public Facilities, stated they are always looking to save money any way they can. He noted the Town only pays \$9 for every \$10 the solar farm generates. When electric was bid this year, they bid a more complex product to a number of bidders. This year they came up with a contract for a four-year fixed price for around \$.10 per kWh to get electric locked in. He explained that electric always go up. He stated they are always doing LED conversions saving more energy. We are a partner with National Grid; we take advantage of their programs. He stated that over the past year they have changed the way dial tone is brought into all the buildings. He explained the new method of SIP trunking for phone systems. He stated we have become a green community because of all the things we do. He discussed the preventative maintenance programs; it is doing well and they are getting to things before they fail. He stated that every day in Facilities they are trying to find new ways. He described a new way to disinfect rooms. Now one person instead of many can spray out a room in 20 minutes. It saves wiping and can keep the residents of the schools a lot healthier. ■Ms. Pellegri mentioned that a few years ago Mr. D'Angelo asked to hire a full-time electrician and plumber because it was going to save money rather than calling in people to do the little jobs. She stated that a printout was done and between electrical and plumbing, it has cost \$503,000 for outside services and there is now a full-time electrician and plumber. This seems like a lot of money when it was supposed to be saving money. She asked for an explanation. D'Angelo explained the current electrician, between an injury and retirement, had worked one out of nine months for the Town. During that time, they used a contracted electrician. They also used a contracted electrician to do big projects as opposed to the day-to-day work the electrician does. He stated Facilities has 1.2 million square feet of buildings. One electrician cannot possibly do the work required for that. He noted that they now have a good electrician who was hired in March. ■Mr. Nutting summarized that they have had an electrician, plumber, and carpenter since as long as he has been here. Even with those people, they usually spend about \$200,000 a year on outside electrical services and \$100,00 to \$200,000 per year on outside

plumbing services. He stated that we use the carpenter, plumber, and electrician to do the day-to-day stuff. When we have to replace a boiler or major heating system, we have to call a service. It was a little higher this year, but we do spend hundreds of thousands of dollars beyond the three employees to maintain the buildings. We have looked at hiring an HVAC person, but they are well over \$100,000 in salary. ■Mr. D'Angelo stated that small jobs are always done by the employees. Mr. Dellorco agreed that one electrician and plumber is not enough and outside people would have to be hired. He asked how fast work orders are serviced. ■Mr. D'Angelo stated if it is life safety they are out there within hours. There is always too much to do. They usually go to one place and complete a few work orders at a time. He stated that Marco usually puts the priority on the work orders. In response to a question, he stated there was mold at Parmenter School in a non-student area. He hired a consultant to review it. A few people spent a few weekends using a high-quality disinfectant and painting with an encapsulant product. He said the mold is gone. ■Mr. Dellorco stated he did not know if the mold was gone, but he would find out. ■Mr. Kelly stated the difference between the last budget and this one is about \$300,000. How much of that is in raises? He asked how many employees Mr. D'Angelo had. Mr. Nutting stated there were no raises; there were steps and levels increases. The total budget is up about \$169,000. The raises were up about \$70,000. There was overtime added in the high school for a custodian for the lunch time for about \$30,000. ■Mr. D'Angelo stated he had somewhere around 56 employees if all positions were filled; there are about three positions unfilled in part time. Mr. Kelly stated he was unclear how Mr. D'Angelo did not know exactly how many people worked for him and how many positions he was trying to fill. Mr. D'Angelo stated that he lets Richard manage the cleaning of the buildings and he does a great job. Mr. Kelly stated he is not feeling good about that. He stated that over the past two years there have been sprinkler failures, employees are coming to Town Council members with complaints, and \$70,000 in raises. He is concerned about this line item. It will be hard for him to vote on this budget with this line item. He wants to see Mr. D'Angelo tomorrow night with some better answers. He wants to understand what is going on over there. He wants to hear what they have done in the past year. He is hearing complaints from citizens, employees, and teachers. He wants to continue to maintain the current buildings. He does not want conflicting information. Any mildew or mold is something that should be taken care of right away. He is not happy with the department. ■Ms. Pellegri stated she thought that the budgets did not include any increase in salary. ■Mr. Nutting stated if in the Union there are steps in the contract, those are already in the budget; that is not the cost of living raise. The Town has no legal ability to change a collective bargaining agreement.

▶ Mr. Casey requested a Hold on Line Item 220: Fire. ■Mr. Casey asked about mutual aid going to neighboring towns. Do we ever get reimbursed for operational costs when we help them out? ■Acting Fire Chief Jim Klich stated no; they may come over to help us just as many times throughout the year. ■Ms. Pellegri asked if there has been any savings due to the Regional Dispatch Center. ■Acting Fire Chief Klich stated it just opened so it is a little early to tell, but savings are projected in the budget.

▶ Mr. Earls requested a Hold on Line Item 225: Regional Dispatch. ■Mr. Earls stated his question was just answered. ■Mr. Nutting stated it opened for Franklin on May 10, 2019. They are tweaking some software issues. The 911 system is working great. ■Mr. Hellen stated meetings will held weekly until all the tweaks and bugs are worked out for the four towns. Hopefully, by midsummer, all should be fully worked out.

► Town Council members requested a Hold on Line Item 300: Town Schools. ■Chairman Mercer explained how the budget works with schools. The Town Council does not have control of the schools' line items. The Town Council votes the bottom line and it is up to the School Committee and the school administration to work within the parameters of the budget set forth by the Town Council. He asked for an overview of the current issues that the schools are dealing with including special education. ■Ms. Sara Ahern, Superintendent; Ms. Anne Bergen, School Committee Chair; and Ms. Miriam Goodman, School Business Administrator, addressed the Town Council. ■Ms. Ahern noted that other School Committee members were in the audience. She stated that special education was a driver in increased costs for the FY20 budget. Other big drivers were salaries which make up about 76 percent of the budget. Also, health insurance, transportation costs, and other fixed costs are driving up the school department budget. They look at student needs first and foremost for the budget. She stated that some areas of special education that are escalating are

out-of-district tuitions which we budget annually at about 5 percent. This is budgeted early, but often the known tuition costs are not available until later in the spring. Specialized out-of-district transportation is also escalating. She stated that first and foremost we make sure our students are receiving what they are legally entitled to: free and appropriate education in the least restrictive environment. For some students that would be within the Franklin schools, for some students that would be an out-of-district placement. She stated that in terms of recognizing the fiscal climate, they have been doing some advocacy with our legislators to make sure they are aware of what is happening locally in Franklin in terms of these needs. Chairman Mercer noted that the end of their reserve funds must be near. What kind of impact do they see this having on next year's budget and beyond? ■Ms. Ahern stated the district has been strategically spending down its revolving accounts. Based on an auditor's report, it is recommended to keep a year's worth of revolving funds accessible. They are at a point now where they are spending the funds in the year they are needed. They do not want to dip any further into the accounts. So, in FY21 and FY22, they do not want to use any more from the revolving accounts than they currently are. ■Ms. Goodman stated they take in about \$4.6 million in revolving accounts on an annual basis and that is about where we are in terms of applying revolving funds. She said this FY20 budget involves about \$4.8 in revolving funds which is pretty much where we are. Chairman Mercer ask about enrollment and projections for the next few years. He noted the high school was opened with more than it was built for. ■Ms. Ahern stated the high school is at 1,750 students this year; they were at 1,780 last year. We are expected to stay stable at the high school next year with another 1,750 students; in FY21, we project low 1,700s range. We expect the enrollment decline seen in the elementary schools will work its way to the middle and high schools in FY22 and beyond. We could be in the 1,500 to 1,600 student range in the high school within the next 3 to 4 years. In terms of K-8, this year we were stable; we had been seeing decreases for a number of years. We are expecting a smaller kindergarten enrollment this year. The expansion of the Charter School has influenced this lesser enrollment in K-8 to a certain extent. Chairman Mercer asked for an update on where the School Committee stands on the Davis Thayer School. ■Ms. Bergen stated they have been looking at Davis Thayer based on the fiscal situation in Franklin and enrollment. There is a process, and as the School Committee, they will be looking at a Comprehensive Closing Study to gather data. She provided an overview of the items the study looks at. ■Mr. Casey asked about the social and emotional issues of students and the related costs. Ms. Ahern stated they have always been teaching children with social and emotional issues; it is what teachers do. She stated there seems to be renewed focus, expanded needs, and growing concerns in the social and emotional issues of children. She thinks there are many causes to point to. Some new research is coming out regarding the impact of technology on children and children's brains, as well as the ways in which technology has disrupted the social fabric and how to teach children to engage with people face to face. That is just one part of it. She thinks kids, as a result of technology, are dealing with increasingly sophisticated information at younger and younger ages due to exposure. There are also some changes in the social fabric of communities; schools are being seen more and more as social service agencies beyond instructional houses of academics. ■Mr. Dellorco asked about teaching about opioids in high school. ■Ms. Ahern stated they will still be discussing substance abuse prevention in middle school and high school. The substance abuse task force has some goals set for the coming years. They are continuing along the lines of prevention. ■Mr. Casey asked about money for social media campaigns to fight propaganda about vaping and Juuling. ■Ms. Ahern said she thought it would be a great idea. Mr. Jones discussed previous school budgets and noted the amount of increase in the past 10 years is over \$14.0 million. That is a tremendous amount of money and it is sad that it is not enough to meet the needs of our schools. Mr. Padula discussed that it is important for children to not go to bed hungry. He is glad there is help for this issue. Ms. Pellegri thanked them for their budget and noted they had to make difficult cuts. She asked about class sizes. Ms. Ahern said class sizes will be within School Committee guidelines. There may be some classes in the high school that exceed the guidelines. There are some classes in the lower grades that may be in the teens. ■Mr. Earls asked about health insurance and transportation in regard to controlling those costs. Ms. Goodman mentioned they have worked to control health insurance costs over the years. She said special education transportation costs could be reimbursed as it is not currently funded through the Circuit Breaker funds. Chairman Mercer noted the high school was built for 1,650 students; that number was dictated by the state. The doors were opened at 1,775.

▶ Mr. Dellorco requested a Hold on Line Item 395: Norfolk Aggie Voc Ed Tuition. ■Mr. Dellorco stated he just wanted the public to know about the Norfolk Aggie School. ■Mr. Nutting stated they do not get the final number of how many students are going there until February, so it could change a lot.

Chairman Mercer requested a Hold on Line Item 422: Department of Public Works. Chairman Mercer asked for an explanation of the impact it will have to cut \$600,000 for roads from the budget. ■Mr. Brutus Cantoreggi, Director of Public Works, stated that in last year's budget it was a supplemental item of \$600,000 to improve the roads. This year, the work that we have done so far was from the \$600,000 from last year. It will affect the overall maintenance program and how much gets done. We do a lot of preventative maintenance; we will be affected. Chairman Mercer stated he thought it was important for the public to know that \$600,000 for roads would be cut from the budget. ■Ms. Pellegri stated she thinks it is a major error to delete \$600,000 from the budget to fix roads as citizens are always complaining that the roads are bad. She is opposed. ■Chairman Mercer stated that to put the \$600,000 back in, the money would have to come from someplace else or lay off people. ■Mr. Nutting stated that maybe next year with an override, this could maybe put back. He would hate to lay off employees. He does not know where the money is going to come from. He stated that previously they tried to embed \$600,000 a year for roads into the annual budget. We now have to eliminate it. He explained that only capital money was used to fixed roads. Mr. Cantoreggi talked about the Chapter 90 funds they receive and how he puts jobs out to bid. Mr. Kelly clarified that although the \$600,000 was going to be removed from roads, the stormwater line replacement was going forward. ■Mr. Nutting said the water replacement program could move forward as long as Chapter 90 money is received. ■Mr. Cantoreggi discussed the loss of the \$600,000, the cost of road repairs, Chapter 90 money, and the water and sewer line replacement plans. Mr. Casey asked about the stormwater lawsuit with the EPA. Mr. Cantoreggi reviewed the lawsuit that is being done with numerous communities. They are in mediation right now. Mr. Nutting reviewed that the EPA wants to put rules in place regarding stormwater which are very expensive. He stated the argument is that the regulations are overbearing and the timeline is too short to implement. Even if we win, there will still be a cost. ■Chairman Mercer asked about the water conservation plan. ■Mr. Cantoreggi stated the wells have recovered and the ground water is up. But we still have to go into the water conservation plan per the state requirement. He noted that when a street is narrowed, they do not get the same number of calls about people speeding down the streets. He reviewed some of the water saving methods they use such as rain gauges.

► Mr. Kelly requested a Hold on Line Item 610: Library. ■Mr. Kelly asked if they were all done with everything. ■Mr. Nutting said they are still waiting on the brick floor. He stated he thinks Ms. Oti is waiting for a slow time to do this. ■Mr. D'Angelo stated they are getting pricing on it right now. He does not have a final time from Ms. Oti as to when her season gets busy. ■Ms. Oti stated the season gets busy in June. So, if Mr. D'Angelo cannot get it done by June, it must be done in September. ■Mr. D'Angelo confirmed it would be done in the fall.

▶ Mr. Earls requested a Hold on Line Item 710: Debt Service - Principal. ■Mr. Earls asked Mr. Nutting to review this line item. ■Mr. Nutting explained the debt service. According to the financial advisor, the Town has moderate debt. Most of the debt is level principal and declining interest. This helps to maintain the debt capacity. He said it is good to have debt; we want to keep reinvesting in the community.

▶ Mr. Earls requested a Hold on Line Item 910: Employee Benefits. ■Mr. Earls noted that benefits are important to attract and maintain good employees for the Town. He asked for an overview of this line item.
■Mr. Nutting stated that over \$5 million of the \$12 million is for the pension obligation that grows at \$.5 million per year. Health insurance is three-fold: for active employees, retired employees, and retired school employees. They work actively with all the Unions to provide fair and good plans. Health care costs are not really in the Town's control. There are other items included, but health insurance and pensions are the biggest drivers. He provided a review of how health insurance works for the Town. ■Mr. Hellen reviewed how they go out to bid in the marketplace to get good rates. It is difficult to keep the numbers down.

▶ Mr. Jones stated that looking back to the 2010 appropriated budget, it has been about a \$3 million increase per year for the past 10 years. The Town is only allowed to assess 2.5 percent increase each year. Every single municipality is crippled by this as the average rate of inflation is 3.5 to 4 percent. We are not meeting the needs. He stated there are things that need to be addressed at the State level. Some politician need to say that we need to take a look at Prop 2 ½ and adjust it so that communities moving forward are not being continuously crippled falling further and further from the curve and not meeting the needs. It is terrible that we have to go to the community to ask them for an override to try to make up the difference. This should be fixed; 2.5 percent is not reasonable.

► Mr. Hellen, in response to Mr. Kelly's earlier question, stated that in Facilities there are 16 town custodians, 3 trades, 5 management, 1 part-time painter, and 36 school custodians for a total of 60 staff day-to-day and one part-time painter.

► MOTION to Close the first FY 2020 Budget Hearing by Kelly. SECOND by Dellorco. No discussion. VOTE: Yes-9, No-0, Absent-0.

► Chairman Mercer stated that any Town Council member who would like to hold or discuss an item at tomorrow night's budget meeting, please get it to him at the close of tonight's meeting to make sure the needed department heads will be here.

LEGISLATION FOR ACTION:

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

- a. Resolution 19-34: Expenditure Limits for FY 2020 on Departmental Revolving Funds Established by Franklin Town Code Chapter 73, as provided in G.L. Chapter 44 Section 53E1/2, as Amended (Motion to Move Resolution 19-34 Majority Vote (5)). ► MOTION to Waive the reading by Padula. SECOND by Kelly. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. ► MOTION to Move Resolution 19-34: Expenditure Limits for FY 2020 on Departmental Revolving Funds Established by Franklin Town Code Chapter 73, as provided in G.L. Chapter 44 Section 53E1/2, as Amended by Kelly. SECOND by Dellorco. Discussion: ► Mr. Nutting stated this is a requirement of law; it is done every year. We have to set up revolving accounts which allow the running of programs. ► VOTE: Yes-9, No-0, Absent-0.
- b. Resolution 19-35: Compensation Plan, FY 2020 (Motion to Move Resolution 19-35 Majority Vote (5)). ► Mr. Jones read the resolution. ► MOTION to Move Resolution 19-35: Compensation Plan, FY 2020 by Kelly. SECOND by Padula. Discussion: ► Mr. Nutting stated that every year we bring this to the Town Council. It is not for an individual, it is to increase the plan. It is for 1.5 percent which is a little below the inflation level. It just keeps the Town in the marketplace as they try to attract and maintain their non-Union employees and part timers. ► VOTE: Yes-9, No-0, Absent-0.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting thanked the Garden Club and Downtown Partnership for the flowers in Downtown and in the Veterans' Memorial. The volunteers are awesome. He responded to the folks on their sidewalks and streets. He reviewed why he thinks the Town should stay the course. He said that as Mr. Cantoreggi stated, for a long time they have narrowed streets and removed sidewalks in subdivisions wherever possible as they do water main replacements. They have no knowledge of any emergency vehicle or bus issue or increase in accidents in any neighborhood completed. Narrow streets mean less money to maintain, plow and salt, and more water recharge and slower traffic. New subdivisions today are built with narrower roads and one sidewalk. He reviewed other neighborhood roads that are narrower and have one sidewalk. This is not out of the norm. He spoke with the town engineer about the cost to put the streets planned to be narrowed back to 38 ft. wide from the proposed 26 ft. We already went out to bid. He does not know how legally the project could be stopped, the street redesigned, and then started over; this would be a legal and financial issue. It is what we are doing everywhere else. It is a great plan. We are just taking the Town of Franklin's streets and making them smaller. **FUTURE AGENDA ITEMS**: ► Ms. Pellegri stated she would like a discussion on the CPA, Community Preservation Act.

COUNCIL COMMENTS: \triangleright Ms. Hamblen thanked all the volunteers who helped beautify downtown Franklin. \triangleright Ms. Hamblen, Mr. Casey, Mr. Dellorco, Mr. Jones and Chairman Mercer thanked everyone for the hard work they put into the budget. \triangleright Mr. Dellorco, Mr. Earls, Mr. Jones, Mr. Kelly and Chairman Mercer gave condolences to Mr. Padula and his family for the passing of his uncle, John Padula, and praised Mr. John Padula for his life-long dedication to the community. \triangleright Mr. Earls encouraged everyone to attend the Veterans' Breakfast and the Memorial Day Parade. \triangleright Ms. Pellegri noted that she had gone to the Charter School to read to the children and when discussing where students lived, found out that some children at the kindergarten could not identify their home address. She urged parents to encourage their children to learn their street address. \triangleright Mr. Padula talked about the great and caring person his uncle, John Padula, was.

ADJOURN: ► MOTION to Adjourn by Kelly. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 9:45 PM.

Respectfully submitted,

Judith Lizardi Recording Secretary