

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 8, 2020**

A meeting of the Town Council was held on Wednesday, January 8, 2020 at the Franklin Municipal Building, Council Chambers, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Brian Chandler, Robert Dellorco, Eamon McCarthy Earls, Melanie Hamblen, Glenn Jones, Matthew Kelly, Thomas Mercer, Deborah Pellegrini. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Chrissy Whelton, Assistant to the Town Administrator.

ANNOUNCEMENTS: ► Chair 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. Colin Cass, 146 Longhill Road, stated he has attended many Town Council meetings, and it is often difficult to hear the proceedings. He requested the microphones be positioned so the speakers' voices can be amplified in the room for the audience members to hear better.

APPROVAL OF MINUTES: ► *December 4, 2019 and December 11, 2019.* ► **MOTION to Approve** the December 4, 2019 meeting minutes by **Dellorco. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** the December 11, 2019 meeting minutes by **Dellorco. SECOND** by **Hamblen. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

HEARINGS: None.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► Ms. Pellegrini stated a meeting is scheduled for January 15, 2020 at 6:00 PM for the Capital Plan review that was approved by the Finance Committee. ► Mr. Hellen stated all departments will give their presentations in one evening, including the School Department.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated the subcommittee met earlier tonight. Discussions included revising a solar bylaw in residential districts and cleaning up lot lines. ► Mr. Hellen stated the three proposals before the EDC tonight will come before the Town Council on January 22, 2020. The proposals are for referral to the Planning Board. The Planning Board will then have a public hearing. Depending on the hearing outcome, if the proposals are moved forward, they will come back to the Town Council for a first reading, second reading, and vote. ► Ms. Hamblen stated the next EDC meeting is scheduled for February 5, 2020 at 5:30 PM.

LEGISLATION FOR ACTION:

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

- b. **Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal - First Reading (Motion to Move Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading - Majority Vote).** ► Mr. Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading by **Dellorco. SECOND** by **Hamblen. Discussion:** Mr. Hellen stated this is an attempt to reinstate a snow and ice bylaw that had been adopted in 1975 and was repealed in 2017 which required businesses to shovel snow off sidewalks in front of their premises, notably in the downtown area. He displayed and discussed a map showing the locations.

He stated the debate in 2017 leading to repeal surrounded better enforcement of the bylaw or repeal the bylaw altogether. At a recent Finance Committee meeting, this issue was raised again. He stated this is the exact bylaw that was approved in 1975 with the only exception being a revised enforcement section. This bylaw was made consistent with other Town bylaws regarding enforcement in terms of fines and enforcement agents. He stated that putting this bylaw in place will take 20 percent relief off the DPW from cleaning those sidewalks, help people more easily walk downtown, and help businesses attract customers. ► Mr. Earls expressed concern regarding some of the bylaw wording and questioned if this bylaw regards only the small businesses. He noted there are residences and home businesses operating in those areas as well. ► Mr. Hellen stated he thinks the wording would encompass all of the above-mentioned entities. ► Mr. Kelly asked if the business owners in the affected areas were notified or sent letters and if the Downtown Partnership was notified. ► Mr. Hellen stated neither the businesses nor the Downtown Partnership was notified. ► Mr. Kelly stated he did not think the businesses would be against this; however, he stated they should have been reached out to about this. He stated before the second reading on this item, the businesses and Downtown Partnership should be notified. He noted concern that, for instance, on Dean Avenue there are both commercial businesses and residences. This would require the commercial businesses to shovel, but not the residences. He asked why the proposed bylaw is not inclusive. He is not against this, but wants it done the right way. He asked if this bylaw was vetted through the EDC. ► Mr. Hellen said it was not. ► Mr. Kelly stated he would like to hear the EDC's opinion on this before it comes back for a second reading. He asked if there should also be a senior exemption for this. ► Mr. Jones stated he agrees with both Mr. Earls' and Mr. Kelly's points. More explicit detailed locations need to be included in the bylaw. ► Mr. Dellorco stated he agreed with the opinions of Mr. Earls, Mr. Kelly, and Mr. Jones. ► Ms. Hamblen stated confusion about the sidewalk areas that the DPW would and would not plow. She stated the EDC should discuss this item. ► Mr. Hellen reviewed the high priority list of streets to be plowed. ► Mr. Chandler asked for confirmation of who would actually give the tickets. ► Mr. Hellen stated the DPW will be charged with giving tickets and sending letters of education. ► Ms. Pellegrini stated this item such be further discussed. She asked if the businesses could be required to shovel out before they are allowed to open for business. ► Mr. Cerel stated that is above the authority of the Town Council. ► Chair Mercer confirmed the enforcement fines are based on the calendar year. Based on comments from the Town Council members, he stated that he would like to see this motion withdrawn and started over again. ► **MOTION to Withdraw the Motion to Move** Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to a Second Reading by **Dellorco. SECOND** by **Jones. No Discussion. No Vote.** ► **MOTION to Send** Bylaw Amendment 20-848: Chapter 147, Snow and Ice Removal, to the EDC by **Dellorco. SECOND** by **Jones. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: ► **Franklin Brewing Company, LLC d/b/a 67 Degrees, New Farmer Series Pouring Permit for a Farmer-Brewery, located at 158 Grove Street.** ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Franklin Brewing Company, LLC d/b/a 67 Degrees, for a New Farmer Series Pouring Permit for a Farmer-Brewery, located at 158 Grove Street, pending successful final inspection from the Building Commissioner by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated that a few years ago the Town Council changed many bylaws to encourage wineries, breweries, and distilleries in Town. In the last few years, this is the fourth application. He noted this is good for economic development. ► Mr. Olivier Edouard, owner and co-partner with Laury Lucien, provided an overview of the company. They have put together a business plan and are partnering with Master Brewer Timothy Morse. He reviewed his experience and interest in creating this business; they are looking forward to opening the doors. He is planning for this to be a very family-friendly environment. He stated the requested pouring permit is critical to their business. ► Town Council members asked questions and stated this would be good for the Town's economic development; they are excited about the opening of the business. ► **VOTE: Yes-9, No-0, Absent-0.**

LEGISLATION FOR ACTION (continued):

- a. **Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition - First Reading (Motion to Move Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to a Second Reading - Majority Vote).** ► **MOTION to Waive** the reading by **Kelly**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Move** Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to a Second Reading by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** Mr. Hellen stated the Town has been debating a plastic bag prohibition. A discussion was held on this item at the last Town Council meeting. Based on the poll that was taken of the Town Council members, it was clear that a bylaw was the preference. Through the Town Attorney, this bylaw was put together; it can be amended. He noted a new definition was added regarding a biodegradable bag. He pointed out this bylaw has been approved by the Attorney General in other communities. He noted the effective date is July 1, 2020 with a waiver extension for businesses to use the plastic bag stock they already have. ► Mr. Earls proposed two amendments. He requested to change wording in Section 130-3; he read aloud his changes. ► Chair Mercer stated Mr. Earls' proposed wording would be incorporated for the second reading. ► Mr. Earls proposed a second amendment to add wording to Section 130-3, creating a subsection D regarding a fee. ► Mr. Cerel stated the Town had no authority to impose a fee; that would have to come from the State. ► **MOTION to Amend** Bylaw Amendment 20-847: New Chapter 130, Plastic Checkout Bag Prohibition, to amend the wording of Section 130-3 to read for subsection A, if any retail establishment as defined in Section 130-2 provides checkout bags to customers, the bag must be a recyclable paper bag, a biodegradable plastic bag, or a reusable checkout bag as defined in Section 130-2 by **Earls**. **SECOND** by **Kelly**. **No Discussion.** ► **VOTE (for the amendment): Yes-9, No-0, Absent-0.** ► **VOTE (to Move Bylaw Amendment 20-847, as Amended, to a Second Reading): Yes-8, No-1, Absent-0.** (Mr. Earls voted No.)
- c. **Bylaw Amendment 19-846: Chapter 153, Stormwater Management - Second Reading (Motion to Adopt Bylaw Amendment 19-846: Chapter 153, Stormwater Management - Majority Roll Call Vote).** ► Mr. Jones began to read the bylaw amendment. ► **MOTION to Waive** the balance of the reading by **Hamblen**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Adopt** Bylaw Amendment 19-846: Chapter 153, Stormwater Management by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated this is the second reading for establishing the utility. ► Mr. Earls asked if this should be reviewed with the ad hoc committee, recommendations made, and then put before the Town Council. ► Mr. Hellen discussed why the framework of the utility should be established first. He stated there will probably be a few tweaks needed and noted this will get people's attention. ► **ROLL CALL VOTE: Bissanti-YES; Chandler-YES; Dellorco-YES; Earls-YES; Hamblen-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegri-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 20-01: Gift Acceptance - Franklin Police Department, \$2,675 (Motion to Approve Resolution 20-01 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-01: Gift Acceptance - Franklin Police Department, \$2,675 by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen thanked the community members for their generous donations. ► **VOTE: Yes-9, No-0, Absent-0.**
- e. **Resolution 20-02: Gift Acceptance - Franklin Council on Aging, \$1,500 (Motion to Approve Resolution 20-02 - Majority Vote).** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-02: Gift Acceptance - Franklin Council on Aging, \$1,500 by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen thanked Fletcher Hospital Corporation for their generous donation and stated donations are greatly appreciated by the Senior Center. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Hellen requested the Town Council discuss the Town Council 2020-2021 Legislative Session Goals agenda item.

PRESENTATIONS/DISCUSSIONS: ► **Town Council 2020-2021 Legislative Session Goals.** ► Mr. Hellen stated that every two years, after the election, the Town Council holds its first meeting in January to go through a series of goals for the next two legislative sessions. Traditionally, the administration has put

forth a series of recommendations of projects and goals that they feel have come from the departments. He stated these goals reflect the vast majority of the big picture items that our agencies and departments are requesting to achieve this year. This is by no means a comprehensive list as there will be issues that will come up, items added to this list, and possibly items taken off; however, this is a starting place. He read aloud and discussed each section of the three-page document titled Town Council Meeting 2020 and 2021 Goals, Town Council Workshop, January 8, 2020, which was provided in the Town Council members' meeting packets. The document contained the following sections: Fiscal, Economic Development-to the EDC, Facilities, DPW, Recreation/Open Space, Community-Generally, Civic Engagement (New), Presentations/Discussions (tentatively/confirmed scheduled dates), Thoughts/Questions/Ideas from Town Councilors. ► Town Council members commented on and/or added items to each section; Mr. Hellen took note of this information. ► Chair Mercer stated this is a very aggressive list of 2020-2021 goals. He thanked Mr. Hellen for bringing these goals forward. He stated the Town Council looks forward to striving to achieve as many of these goals as they can over the next two years.

FUTURE AGENDA ITEMS: ► Mr. Bissanti stated he met with a homeless advocate, and he and Ms. Pellegrini have been working together on this issue. He stated they will be bringing food to Gilly's House. As well, he confirmed Milford offers shelter to the homeless through three of their churches on a rotating basis on very cold nights. He has been trying to find warm rooms for the nights that get below 18 degrees; they have not found anything in Franklin, yet. He is still working on this issue. He noted the Rod & Gun Club will be hosting their breakfast on Sunday, January 12, 2020.

COUNCIL COMMENTS: ► Ms. Hamblen stated happy new year to everyone. ► Ms. Pellegrini stated Mr. John Crehan, former animal control officer and DPW employee, passed away this week. Former Police Chief Stephan Semerjian's wife, Susan Semerjian, passed away this week. She discussed small nip bottles and said the Town of Falmouth is looking into putting some type of deposit on these. She thanked Mr. Earls and Mr. Cantoreggi for representing the Town at the Mass Municipal Association. She noted the Rod & Gun Club will be hosting their breakfast on Sunday, January 12, 2020. She discussed the process to register to vote. She stated that the problem is not getting people to register to vote, it is getting people to get out to vote on the election day. If anyone has ideas about how to get people to get out to vote, please get in touch with her. ► Mr. Bissanti stated it came to his attention on social media that there are some chronic runaway dogs in Franklin. He would like a question and answer session with the new dog officer about this. Many people are confused about what happens when these dogs get away on a chronic basis. ► Mr. Hellen stated he will add this item to the agenda after the current dog officer retires. ► Mr. Kelly and Mr. Jones gave prayers to the Semerjian and Crehan families. ► Mr. Jones congratulated Lyndon Gruner, senior at Franklin High School, who was recently promoted to the highest rank of Chief in the U.S. Naval Sea Cadet Corps; this is a huge undertaking and a tremendous honor. He congratulated his son who recently completed Petty Officer Leadership Training during his vacation. ► Mr. Dellorco gave condolences to the Semerjian and Crehan families. ► Chair Mercer gave his condolences and prayers to the Semerjian and Crehan families. He requested that Mr. Hellen ask the high school students who were involved in the Plastic Bag bylaw to attend the Town Council meeting when the bylaw will be voted through. ► Mr. Hellen stated he would coordinate that. ► Ms. Pellegrini suggested a proclamation be prepared for the high school students.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:57 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary