

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 21, 2020**

A meeting of the Town Council was held on Wednesday, October 21, 2020, 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, 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 (via Zoom); Chrissy Whelton, Assistant to the Town Administrator.

CALL TO ORDER: ► Chair Mercer called the meeting to order at 7:00 PM. He called for a moment of silence and all recited the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chair Mercer stated, as posted on the agenda, 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. Residents can attend and participate via the Zoom platform. 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. 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. ► ***Nancy Danello, Temporary Town Clerk.*** ► Ms. Danello stated that early voting started and will continue through October 30th. She provided the hours and location. She stated that there have been 2,600 in-person voters and 7,500 early ballots received; 12,000 ballots were mailed out. She asked residents to be patient as her office has been very busy. She explained that the State is allowing all in-person and mail-in ballots to be opened starting October 25th. The public may come and observe the process which she explained. She stated a vote tally will not be run until after the election on November 3rd. She discussed the December 5th Special Election to fill the vacant Town Council seat. ► ***Chief of Police Thomas J. Lynch: Unemployment Fraud PSA.*** ► Chief Thomas Lynch discussed fraudulent unemployment insurance claims. He explained that in July the FBI identified a spike in such unemployment claims. Criminals are applying for unemployment in other people's names. He explained how criminals obtain information from data breaches, the dark web, impersonation scams, and phishing scams. In September and October, a second wave of unemployment scams targeting public employees has been experienced in many communities in the Boston area. Since March 1st, the Franklin Police Department has received 238 complaints with a significant number regarding unemployment fraud. He reviewed tips for citizens to protect themselves from scams such not providing personal information, monitoring banks accounts, obtaining free credit reports, reporting unauthorized transactions, and reporting fraud and identify theft to the Franklin Police Department. ► ***DPW Director Brutus Cantoreggi: Massachusetts Drought Level 3.*** ► Mr. Cantoreggi introduced Mr. Doug Martin, Water and Sewer Superintendent. Mr. Cantoreggi stated that the area has gone from a Level 2 to Level 3 drought; we are in a critical phase. He explained that this year the Town is using 2.8 million gal/day whereas last year at this time the Town was using 2.3 million gal/day. He explained that this is probably due to more people being at home rather than at a work location; he noted that commercial water use is down. He discussed the aquifers and the state of Franklin's wells. He asked residents to conserve water and to check for and fix water leaks.

CITIZEN COMMENTS: ► None.

APPROVAL OF MINUTES: ► *September 16, 2020.* ► **MOTION** to Approve the **September 16, 2020**, meeting minutes by **Dellorco**. **SECOND** by **Kelly**. **No Discussion.** ► **VOTE:** Yes-8, No-0, Absent-0.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► *Board of Registrars - Gail Karner.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Gail Karner to serve as a member of the Board of Registrars with a term to expire on June 30, 2022, by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated this is a recommendation from the Temporary Town Clerk. ► Ms. Pellegrini noted the recent passing of former Board of Registrars appointee Ms. Elynor Crothers. She noted the current position was available due to the retirement of Mr. Richard Kerr. ► Mr. Bissanti expressed pride in the quality of people in Franklin who volunteer. ► **VOTE: Yes-8, No-0, Absent-0.** ► *Election Workers.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of the attached list of Election Workers as requested by the Town Clerk by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Chandler confirmed there are enough election workers. ► Mr. Jones thanked all those who handle the work needed for the election. ► **VOTE: Yes-8, No-0, Absent-0.** ► *Finance Committee: Natalie Riley.* ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Natalie Riley to serve as a member of the Finance Committee with a term to expire on June 30, 2023, by **Jones. SECOND** by **Dellorco. Discussion:** ► Mr. Hellen stated there were over 12 applicants for this vacancy; he interviewed all of them. The Finance Committee also conducted interviews and recommended Ms. Riley. ► **VOTE: Yes-8, No-0, Absent-0.**

► *Fire Department Pinnings: Joshua Impey, Joshua Sables, Kristopher Smith.* ► Fire Chief James McLaughlin introduced three new members of the Fire Department: Joshua Impey, Joshua Sables, and Kristopher Smith. He reviewed their backgrounds and experience. Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Impey was pinned by his wife, Mr. Sables was pinned by his wife, and Mr. Smith was pinned by his mother.

► *Police Department: Pinnings - Jonathan Giron, Nicholas Storelli, and Retiree Recognition - Doug Nix.* ► Police Chief Thomas Lynch introduced two new members of the Police Department: Jonathan Giron and Nicholas Storelli. He reviewed their backgrounds and experience. Temporary Town Clerk Nancy Danello performed the swearing in. Mr. Giron was pinned by his fiancée, and Mr. Storelli was pinned by his wife. Chief Lynch gave Recognition to Police Department retiree Doug Nix. He reviewed Mr. Nix's enforcement career and noted he retired earlier in the year; however, a recognition was not able to be held due to COVID. Chief Lynch read the inscription on the plaque provided to Mr. Nix. Mr. Nix expressed his appreciation for working for Franklin.

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Emergency Management (Trees & Power Outages): Chief McLaughlin (Fire Chief), Brutus Cantoreggi (DPW Director).* ► Mr. Hellen stated the Fire Chief is Franklin's point of contact for National Grid; Mr. Cantoreggi is the Tree Warden. ► Fire Chief James McLaughlin explained how the Emergency Management Team works. He reviewed the process of how he is provided with information regarding weather events and storms. He reviewed and explained the priority levels of responses for National Grid for power outages. He noted that crews in the bucket trucks cannot work in winds over 35 mph. He explained that sometimes after a storm event a residence that had not lost power during the storm may lose power during the restoration as circuits are reconnected. He stated that he continually updates the Town Administrator and Town Council Chair during such events. ► Town Council members asked questions. ► Chief McLaughlin reviewed that there have been improvements by National Grid in the handling of power restoration in the past few years including their estimates of response time. He stated that National Grid has responded well during the past few storm events; however, the Town Council can request National Grid to come in for a conversation.

► Mr. Cantoreggi stated that since the 2012 storms, National Grid has been more responsive. He answered questions regarding trees overhanging wires. He noted that last year his budget for trees was \$75,000; this year the budget is \$115,000. He stated that National Grid has spent \$516,000 this season on tree pruning in Franklin. He explained that National Grid has 14 circuits in Franklin, and each circuit gets pruned every five years. He explained that tree branches near wires on private property are not a Town issue; he cannot cut them down. He explained the importance of the Town's generators for the water stations and sewer pumping if the power goes out. He works with the Fire Chief during storm events and power outages. He explained that the Town gives the utility company an easement; therefore, trees that are growing through wires are on the property of the utility. The utility maintains that area, not the Town. He explained that residents often call regarding not wanting to have the utility company prune the trees. He responded to questions about trees on private property that appear to be dangerous as they are hanging over public ways. He explained that he has sent letters to property owners identifying that a tree on their private property is a hazard and if it causes damage the property owner can be held liable.

► **Beaver Street Interceptor: Brutus Cantoreggi (DPW Director), Doug Martin (Water/Sewer Superintendent).** ► Mr. Cantoreggi and Mr. Martin narrated a slideshow presentation addressing the Beaver Street interceptor replacement alternatives analysis. Mr. Cantoreggi explained that Arcadis works with the Town of Franklin and looked at the options for the Beaver Street interceptor. He stated that the Beaver Street interceptor collects about 70 percent of the sewer in Franklin; it is over 106 years old. It was not designed to handle the capacity that it does. He reviewed the interceptor location and existing conditions. He explained that it is a very bad location for the interceptor. He reviewed actions they have been taken to improve the interceptor such as metering the flow, cleaning it, rehabilitating the manholes, removing the trees near the pipes, repairing some of the culverts, and fixing some of the leaks. He explained that the system is old and something has to be done. ► Mr. Scott Haynes of Arcadis stated that he has been working since 2003 in Franklin; they looked at the existing profile and hydraulic model at a 50-year buildout for both 10-year and 25-year storm events. He reviewed the three alternatives that were determined. Alternative 1 is the rehabilitation of the existing Beaver Street interceptor by lining the current pipe in place. Alternative 2 is the replacement of the existing Beaver Street interceptor; however, it would still be left with deep manholes and wetland crossings. Alternative 3 is the rehabilitation and realignment of the existing Beaver Street interceptor involving lining pipes from Cottage Street to Beaver Street and moving/replacing the interceptor in various places out of the wetlands and easements. He reviewed the project cost estimates, comparisons of alternatives, and parameters for the alternatives: Alternative 1 - \$9 million; Alternative 2 - \$13 million; Alternative 3 - \$25 million. ► Town Council members asked questions. ► Mr. Haynes responded that Alternative 3 will result with manholes of acceptable depths and the required pump stations. ► Mr. Cantoreggi reviewed the sewer problem that occurred in Plymouth. He discussed the possibility and expense of a catastrophic sewer event in Franklin. He explained that it would take approximately two years to implement any of the three plans that were discussed. ► Mr. Hellen stated the sewer enterprise fund is in good shape at this time. He noted the Town currently has a great bond rating. He reviewed the process to get such a project started. ► Mr. Haynes confirmed flows were projected for 50 years for the provided alternatives analysis. He explained that if Alternative 1 or Alternative 2 is chosen and the current pipe is left in place in the wetlands and it had a leak or a failure, the Town will end up building Alternative 3 anyway. He discussed that Alternative 2 is just putting back what is there now with a new pipe. He stated that he does not suggest Alternative 2 as a viable alternative; it is more of a baseline analysis. ► Mr. Bissanti stated that he understands the importance of this but asked how we can spend money that we do not have. ► Mr. Hellen thanked Mr. Cantoreggi and Mr. Haynes for their presentation and the provided alternatives. He stated it is going to be costly, but he would like to look at the costs for the rate payers and how it can be financed. ► Chair Mercer stated this has been looked at for too long; we need to do due diligence and move forward to solve this problem.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Ms. Hamblen stated that another listening session was held on Monday with restaurants, hotels, and hospitality groups. She stated that lots of feedback was provided; it has

been great to hear what the Town Council can do to help local businesses. She noted the next session is in November.

LEGISLATION FOR ACTION:

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

- a. *Resolution 20-61: Authorization of Town Administrator to Grant Temporary Food Truck Permits to Farmers Series Licenses (Motion to approve Resolution 20-61 - Majority Vote).*** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 20-61: Authorization of Town Administrator to Grant Temporary Food Truck Permits to Farmers Series Licenses by **Dellorco. SECOND** by **Kelly. Discussion:** ► Mr. Hellen stated this is a small economic development item that affects three businesses in Town: 67 Degrees Brewing Company, La Cantina Winery, and GlenPharma Distillery. This resolution would expand the food truck zone. He noted that some of these three businesses may have a difficult winter once it gets cold. This would be an option for them to have a food truck outside and have their beverages inside. He noted that it is an option for any business to have catering if they have a ServSafe license; the Board of Health is going to support that. ► Mr. Dellorco stated that the Town Council needs to help businesses any way they can. He confirmed that when the State of Emergency goes away, this will go away. ► Mr. Chandler stated that he wants to help these businesses, but asked if the food trucks will take away business from nearby establishments. ► Mr. Cerel stated it could be a food truck or a caterer; it is to overcome the local requirement of having restaurant facilities on premise. ► Mr. Hellen stated there is a \$100 mobile food permit that must be obtained from the Board of Health; it is good for one year. ► Mr. Kelly discussed bylaws that need to be reviewed regarding small business owners not being able to prepare food in their homes or park food trucks at their residences. He asked if food truck drivers need a CORI check. ► Mr. Hellen said CORI checks are not done for food trucks, but they are done for ice cream trucks. ► Mr. Cerel discussed that there are strict regulations regarding when CORI checks can be done. He explained that this is only a problem for the Farmers Series Licenses; this is a way to address the implementation of the rules by the governor regarding serving of food. ► Mr. Hellen stated that this discussion leads to a question of food trucks in Franklin in general. ► Mr. Bissanti noted that restaurants in Town did not want the food truck industry coming into Franklin; he sees this as a threat to the existing restaurants in the community when caterers could be used for the food requirement rather than food trucks. ► Mr. Jones asked if any existing restaurants would like to have food trucks. ► Mr. Hellen stated that it may be a possibility. ► Ms. Laura Stevens, 140 Dean Avenue, chef and owner of Moonlight Chef private catering company, stated that she works out of clients homes, and due to COVID she will take a severe loss with the number of jobs she has had. She stated that she is ServSafe certified and has many State certifications. She discussed that COVID has left this industry broken. She is against the move by Franklin to have food trucks. She noted that Franklin did not want food trucks for years, and now suddenly they do. She asked why Franklin would want to squash small family-owned restaurants and businesses for food trucks. She discussed the cost of a local restaurant to invest in a food truck just so they can survive. She stated that adding food trucks to Franklin at this time is not a good idea. She asked the Town Council to listen to the smaller businesses that are just hanging on and not approve this. ► Ms. Pellegrini agreed with Ms. Stevens, Ms. Bissanti, and Mr. Jones. She does not think this item should be voted on tonight. ► Ms. Hamblen stated this resolution allows people to contract with third parties so they can do catering for their businesses. ► Mr. Dellorco stated that maybe they could remove the food trucks and just go with the catering. ► Mr. Cobi Frongillo stated that as 67 Degrees Brewing has no kitchen and many caterers and restaurants are not comfortable with the set up. The benefit of a food truck is that it opens up more options. ► Mr. Kelly stated that the Town Council should wait two weeks on this item in order to have La Cantina and 67 Degrees Brewing at the next Zoom meeting to advocate for themselves as they are the small businesses that need help. ► **MOTION to Table** Resolution 20-61: Authorization of Town Administrator to Grant Temporary Food Truck Permits to Farmers Series Licenses by **Pellegrini. SECOND** by **Dellorco. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.**
- b. *Resolution 20-62: Acceptance of Easement on the Westerly Side of Spring Street (Motion to approve Resolution 20-62 - Majority Vote).*** ► **MOTION to Waive** the reading by **Kelly. SECOND** by **Dellorco. No discussion.** ► **VOTE: Yes-8, No-0, Absent-0.** ► **MOTION to Approve** Resolution 20-62: Acceptance

of Easement on the Westerly Side of Spring Street by **Dellorco**. **SECOND** by **Kelly**. **No discussion**.
► VOTE: Yes-8, No-0, Absent-0.

- c. ***Zoning Bylaw Amendment 20-861: Zoning Map Changes on or near Oak Street - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-861 to the Planning Board - Majority Roll Call Vote)*** ► **MOTION** to Waive the reading by **Kelly**. **SECOND** by **Dellorco**. **No discussion**.
► VOTE: Yes-8, No-0, Absent-0. ► **MOTION** to Refer Zoning Bylaw Amendment 20-861: Zoning Map Changes on or near Oak Street to the Planning Board by **Dellorco**. **SECOND** by **Kelly**. **No discussion**.
► VOTE: Yes-8, No-0, Absent-0.
- d. ***Zoning Bylaw Amendment 20-862: Zoning Map Changes on or near Longhill Road and Pleasant Street - Referral to the Planning Board (Motion to Refer Zoning Bylaw Amendment 20-862 to the Planning Board - Majority Roll Call Vote)***. ► **MOTION** to Waive the reading by **Kelly**. **SECOND** by **Dellorco**. **No discussion**. ► **VOTE: Yes-8, No-0, Absent-0.** ► **MOTION** to Refer Zoning Bylaw Amendment 20-862: Zoning Map Changes on or near Longhill Road and Pleasant Street to the Planning Board by **Dellorco**. **SECOND** by **Kelly**. **No discussion**. ► **VOTE: Yes-8, No-0, Absent-0.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Hellen noted the governor’s executive order extending outdoor dining in perpetuity through the state of emergency. He stated there are 33 active COVID cases in Franklin. He stated that the cases have been isolated to households. He reminded everyone of the Firefighters Memorial service to be held this Sunday at 9 AM. He encouraged everyone to vote.

FUTURE AGENDA ITEMS: ► Mr. Kelly reiterated concern for a discussion about food trucks, catering, and work vehicle trucks. ► Ms. Pellegrini requested a future agenda item regarding the Town’s \$522,000 phishing incident; she stated that the Town Council has to let people know what is going on. ► Mr. Dellorco reiterated Ms. Pellegrini’s agenda item request.

COUNCIL COMMENTS: ► Mr. Chandler asked about the early voting procedure. He expressed concern regarding the grass that was recently planted at the high school. He stated that this grass will need to be watered at the same time the Director of Public Works Brutus Cantoreggi just spoke about the current drought; it seems like a waste of money at this time. ► Ms. Pellegrini reviewed the absentee voting procedure to open the ballots. ► Ms. Hamblen thanked all the volunteers and poll workers; she encouraged everyone to vote. She thanked everyone who attended the business listening sessions. ► Ms. Pellegrini stated the Historical Museum opening is Sunday, November 1st; the gift store is their major fund raiser. She stated early voting is working out well. She said that the grass planting is a problem and asked where will people hold signs. She questioned Halloween. She asked for a school update regarding COVID cases. ► Mr. Hellen stated the Town does not regulate Halloween. He stated COVID cases affecting school is a question for the School Department. ► Mr. Bissanti stated agreement with Ms. Pellegrini on her points made tonight; we need to respond to the people regarding the \$522,000 loss. He noted there are white dots on the grass and pavement regarding voting and holding signs at the polling location. ► Mr. Kelly stated there may have been a more aesthetically pleasing way to do what was done at the high school. ► Mr. Jones stated the governor discussed Halloween during his meeting. He stated in-person classes have been held at the school at which he teaches; it is scary, but it is working if the procedures and protocols are followed. ► Mr. Dellorco agreed that the discussion of the \$522,000 must be brought forward. He thanked the poll workers for their hard work. He encouraged everyone to vote. ► Chair Mercer thanked the police chief and the fire chief for bringing the pinning ceremonies to the Town Council. He stated he has spoken to Mr. Hellen and attorneys about the hacking and will bring something forward. He stated that we have to listen to our legal experts. He reminded everyone to vote. He discussed the markers located 150 ft. from the front door of the polling location. He noted that there are places to hold signs. He stated that over 8,000 residents have already voted. He gave condolences to the family and friends of Elynor Crothers.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Kelly. No Discussion. ► VOTE: Yes-8, No-0, Absent-0. Meeting adjourned at 10:14 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary