

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
April 24, 2019**

A meeting of the Town Council was held on Wednesday, April 24, 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 Pellegrini. 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. Kevin Sullivan, 35 Newell Drive, stated that he attended the Planning Board meeting on April 22, 2019, along with about 100 of his neighbors, regarding the proposed development off Maple Street that abuts his property. The developers are proposing 50-plus houses in both a conventional and an open-space plan. While he appreciates the gesture of donating 25-plus acres to the Town in an open-space plan in exchange for building the 50-plus houses on smaller one-third acre lots, the development would be wedged in between four or five existing neighborhoods. He stated that he did some reading on the Town website and it is a Chapter 61B property; the Town has the ability to purchase that land. He knows that at previous Town Council meetings there have been discussions to purchase some Chapter 61B land. He is aware there is a fund of about \$1 million set aside for the Town to purchase such land. He noted that this land abuts other open space land owned by the Town and the state. There is the ability to join these lands altogether, as it affects so many neighbors. He asked the Town Council and any other committees responsible for such decisions to consider the purchase.

APPROVAL OF MINUTES: ► *April 10, 2019.* ► **MOTION** to **Approve** the April 10, 2019 meeting minutes by **Kelly**. **SECOND** by **Dellorco**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: ► *Swearing in of Police Officers.* ► Police Chief Thomas Lynch introduced new police personnel: Officer Koblick and Officer Lacasse. He reviewed their education and backgrounds. ► Town Clerk Teresa Burr performed the swearing in. ► Chief Lynch reviewed personnel unit changes; Officer Baker and Officer Colecchi were both moved into the Detective Unit, and Officer Gove has been moved to the Community Services Unit. ► Town Council members welcomed the new police officers and congratulated those with new positions. ► Mr. Hellen noted the police chief's contract was up this year; he announced a five-year contract was signed to retain the services of Police Chief Lynch.

Chairman Mercer called a brief recess.

APPOINTMENTS: *None.*

HEARINGS: *None.*

LICENSE TRANSACTIONS: *None.*

PRESENTATIONS/DISCUSSIONS: ► *Old Meeting House on Washington Street Discussion.* ► Mr. Nutting provided background on the building located at 762 Washington Street. He stated it was built in the 1850s as a church. It is one of the most important historical buildings in Franklin. It was turned over to the

Town's Historical Commission in 1972; the deed came with a caveat that the property needed to be maintained in proper fashion to not be turned back over to the church. The building housed the Town's historical artifacts until 2007 when the museum opened downtown. In 2015, an architectural review was done of the building. At that time, it was estimated to cost about \$540,00 to bring it up to building code compliance; it did not include many items. Today, to do it all and bring it up to code may cost about \$1 million. Since the building has been empty, there have been many thoughts about a possible use. There are considerations such as cost, parking, maintenance, zoning, and the neighbors. This meeting is to start a discussion. He stated that it is important to preserve the building. He questioned how and for what should it be preserved. He stated that they must also think about Franklin's future including the budget. He stated that the FY 20 budget will be presented to the Town Council in May; there is about a \$2.5 million gap. He thinks an override will absolutely be needed for FY 21. He discussed upcoming capital improvements and noted there is a lot of financial pressure the community will face. He stated that letters to abutters were sent alerting them to this meeting and there is information online, as well. He reviewed some of the past ideas for uses for the building. It is currently not zoned for any use; anything beyond educational, government, or exempt by law would require a variance. He stated that the water pump station at the rear of the building would be maintained no matter what happens to the building. ► Chairman Mercer noted the walk through of the Meeting House just prior to tonight's Town Council meeting. ► Rev. Patricia Hatch, 118 Cottage Street, stated she serves a wide area. She stated the Meeting House venue would meet the needs of many people and families in the wider community who are not attached to any particular religious community. She would like to see the building as a public venue for rites of passage ceremonies, concerts, recitals, reunions, etc. She suggested the Thayer House in Medway be looked at as an example; Medway owns and rents it for many uses. ► Mr. Owen Acton, 1 Colt Road, stated that his property directly abuts the church. He would like to see it restored to its historical use. He stated that he read the architectural report and it seems like the price of \$500,000 was inflated. Not everything has to be done right away. If it was on the Massachusetts Register of Historical Places, there would be exemptions from some of the requirements to bring it up to code. He would like to see it preserved in the best way possible. ► Mr. Alan Earls, 23 Marvin Avenue, stated this is something that has been going on for too long. It is a matter of priorities. How can we preserve what people have come to Franklin for? He stated that he thinks creative people could make it happen below the reported cost to bring it up to code and that the Thayer House example is fantastic. ► Mr. Chris Wetmore, 9 Gwynne Road, stated that he is concerned with turning the building into a use facility as there is no parking so everyone will park in the neighborhood congesting the streets and there are already Washington Street traffic issues. Being aware of the shortfalls in the budget, he would like to make sure the building is preserved, but not push it any further in terms of expense or traffic. ► Mr. Ralph Delucia, Old Forge Hill Road, stated he would like to see it continue to be a meeting house. There are many organizations in Franklin that have no meeting place. The Town could come up with a reasonable monthly rent and have these clubs either pay rent or help with maintenance. ► Mr. Jones asked for the assessed value of the building. ► Mr. Nutting stated the assessed value is about \$280,000. DPW maintains the grounds. There has been no real cost to the building at this time as it has not been used. He stated that the report indicates there are many items to be brought up to code. To open it as a public use facility, everything has to be up to code. ► Mr. Earls asked how the outlook changes for the building if it is listed on the Historic Places registry. He asked about options to solicit donations or volunteer hours for the building. ► Mr. Nutting stated he would defer to the Building Commissioner to provide a report to answer the building code questions. Under the law, an architect has to be hired and there is a public process of going out to bid. Someone cannot just come in and put in a system. If the Town Council decides to fix the building, then it will go through a public construction process just like the school and the library. ► Mr. Cerel stated the National Register of Historic Places usually increases costs because it is required that all work on the building comply with special regulations, for instance, everything has to be period acceptable. ► Mr. Nutting stated the use would have to be defined first and then possibly go for the designation. He noted that the Thayer House in Medway cost over \$4 million to renovate. The Town of Medway has a special fund for that which Franklin does not have. ► Mr. Cerel noted that every town that has historical structures struggles with this problem. ► Mr. Dellorco asked if there was a more up-to-date cost. ► Mr. Nutting stated that for probably less than \$10,000 a new estimate could be done; he noted construction inflation has been great in the past few years. ► Chairman Mercer indicated that renovation is more expensive than new construction. He agreed with Mr. Nutting that the architectural firm should update

the estimate so they can tell the public the correct cost. Everything that is wanted and needed for the building should be included in the estimate. ► Mr. Kelly stated this is like the old town hall and the high school, both of which had to be taken down and replaced. This is the M.O. of the Facilities Director; it is lack of taking care of the properties. He stated that we should move on and get someone who really cares about our Town and our buildings. ► Mr. Nutting stated that he could not disagree more; he does not believe there is a town in the Commonwealth that has better maintained buildings than the Town of Franklin. ► Ms. Pellegrini stated she is in favor of keeping the building; it should not be sold. She liked the idea of having the building for group meetings. What about allowing a corporation or non-profit group to buy it, fix it, and run it? ► Mr. Nutting stated it would have to be rented seven nights per week to get any money. ► Mr. Cerel said it could be done if it was truly a separate entity that purchased it. ► Ms. Pellegrini stated that her second thought is to move the Meeting House next to the Historical Museum downtown; it would involve purchasing a parcel of land. ► Mr. Nutting stated the building is going to be preserved. However, you could never use it for a public use and charge enough money to ever pay for the renovations needed. Is there another way to preserve the historical value? ► Mr. Hellen discussed the Community Preservation Act and stated the money is no longer matched dollar for dollar, but rather 11.5 cents on the dollar; you have to go to the ballot for the CPA. ► Mr. Jones asked if the building is a hazard. He stated he agrees that a new estimate, covering everything, should be done. ► Mr. Nutting stated the building is unsafe at this time. ► Mr. Earls asked if a subcommittee should be considered regarding this building. ► Chairman Mercer stated more information is needed before putting something like that together. He stated that the way he sees it at this time is that everyone agrees to preserve the outside of the building in the best way no matter what is done with it. There are a few ways to deal with it. Sell the building for whatever it becomes on the inside and have it decided that the outside would remain preserved. Or, spend the money necessary to fix the building and use it as a meeting house. Or, the Town could outright sell it. His feeling is to find out what the actual number is for the Town to bring it up to code. Once we have that number, we can make an intelligent decision as to what direction we want to go. The last report did not include everything. He stated that he feels the Town Council members are in agreement to spend the money to get the report updated. ► Town Council members informally agreed. ► Mr. Nutting stated that he would get a price for a new estimate and bring it to the Town Council for a vote, probably at a June meeting. Then, the architect may get a price estimate back to the Town by fall. He suggested Building Commissioner Gus Brown be at the meeting, as well. ► Ms. Mary Olsson, Historical Commission member, stated it is a great building and preservation is the way to go. She stated there were a lot of great ideas. She supports renovation and would like to see about grants. ► Chairman Mercer requested that anyone with ideas or suggestions drop a note to a Town Council member or to the Administration.

SUBCOMMITTEE REPORTS:

- a. Capital Budget.* ► Mr. Dellorco stated that he had nothing to report at this time.
- b. Budget.* ► Mr. Padula stated he expects that soon he will have a date for a meeting, probably in June.
- c. Economic Development.* ► Mr. Kelly stated that a meeting will be scheduled for June.

LEGISLATION FOR ACTION:

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

- a. Bylaw Amendment 19-841: Municipal Service Fees – Ten Day Recycling Sticker – 1st Reading (Motion to Move Bylaw Amendment 19-841 to a 2nd Reading - 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** Bylaw Amendment 19-841: Municipal Service Fees – Ten Day Recycling Sticker to a 2nd reading by Kelly. **SECOND** by Dellorco. **Discussion:** ► Mr. Nutting stated that a few years ago a \$10 fee for a two-week pass was instituted. About 240 people per year get the sticker. The consensus of the staff is that most people who purchase a two-week sticker is for cleaning out a house and moving. He suggested that as the price of the full-year sticker has been increased, the price of the 10-day sticker should increase, as well. The fee was never imbedded in the bylaw. So, the fee should be put in the bylaw or done away with. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► *S&P Bond Rating.* ► Mr. Hellen reviewed the bond rating process. He stated that the Town was able to maintain its AA+ rating which is an excellent rating. He noted page 5 of the S&P report under the "Outlook" section and reviewed both the upside and downside scenarios provided. He summarized that Franklin is on the fence to either increase its bond rating or have that bond rating go down. This has an important reciprocal affect for the Town on money and funding, interest rate and debt service, borrowing ability, and position in the financial market. He is glad they were able to retain this bond rating for the past several years. This report is a public document and will be posted on the Town's website under the budget page. ► Mr. Hellen stated the annual classification plan has been put out along with a new employee manual. If Town Council members have any comments on these, please let him know within the next 30 days. These are scheduled to go into effect at the end of May. ► He thanked Ms. Karen Bratt and Ms. Lisa Trainor for the employee benefits fair at the Senior Center. The attendance was great from both the school and town sides. They hope to do this on an annual basis. ► Mr. Hellen stated ArtWeek starts on Saturday, April 27, 2019. There is a link on the Town website and on Facebook and Twitter. People can buy tickets in advance for the food trucks and beer garden. ► Town Council members clarified information about the S&P Report. ► Mr. Hellen noted that the Earth Day celebration and volunteering is this Saturday, 9:00 AM to 12:00 PM, at Beaver Street and DelCarte.

FUTURE AGENDA ITEMS: *None.*

COUNCIL COMMENTS: ► Mr. Earls stated concern about "Button-Island" which is a small gorge where Mine Brook feeds into the swamplands. This is near the former Incontro Restaurant. He stated that someone is running tours on this Town land and pulling buttons out of the stream and selling them. The person also has YouTube videos. ► Mr. Nutting requested the information be provided to him and he will look into it. ► Ms. Hamblen emphasized ArtWeek and encouraged people to buy tickets. ► Mr. Casey stated the annual Empty Bowls Dinner is on May 2, 2019, from 6:00 PM to 8:00 PM at the Franklin High School. The event raises funds for the food pantry. The cost is \$20 for adults and \$10 for children and students. Tickets must be purchased in advance at Franklinfoodpantry.org. He noted that the Safe Coalition Peer to Peer Race for Recovery 5K is on Sunday, April 28, 2019, at 9:00 AM, at the Remington Middle School. This third annual event is to promote opioid awareness and highlight recovery. The cost is \$20. ► Mr. Dellorco stated the Safe Coalition won an award from the YMCA for the community work they have done and how far they have come in the past five years. ► Mr. Jones said Happy Birthday to Chairman Mercer. ► Chairman Mercer noted ArtWeek starts this weekend; this is the first ArtWeek since the Cultural District designation. He asked everyone to come out and support ArtWeek.

EXECUTIVE SESSION: ► *Collective Bargaining: All Municipal Units.* ► *Pending Litigation: Litigation Challenging Current GR-V Zoning at 278-300 West Central Street.* ► Chairman Mercer read the executive session statement to discuss strategy with respect to Collective Bargaining: All Municipal Units, and to discuss strategy with respect to Pending Litigation: Litigation Challenging Current GR-V Zoning at 278-300 West Central Street. He noted the open session will not reconvene at the conclusion of the executive session. ► **MOTION to Move** that the Town Council go into Executive Session for the purposes to discuss strategy with respect to Collective Bargaining: All Municipal Units, and to discuss strategy with respect to Pending Litigation: Litigation Challenging Current GR-V Zoning at 278-300 West Central Street by **Jones**. No **SECOND** given. No **Discussion**. ► **ROLL CALL VOTE:** Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES; Padula-YES; Pellegri-YES. ► **VOTE: Yes-9, No-0, Absent-0.** ► **The open session of the Town Council Meeting adjourned at 8:27 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary