

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
November 15, 2017**

A meeting of the Town Council was held on Wednesday, November 15, 2017, 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.

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

**SWEARING IN OF TOWN COUNCIL:** Ms. Teresa Burr, Town Clerk, conducted the swearing in of the Town Council members.

**ELECTION OF OFFICERS:** Nominations were accepted for Town Council Chairman. **Nomination of Kelly by Mercer. SECOND by Padula. No Discussion. VOTE: Yes-9, No-0, Absent-0.**

Nominations were accepted for Town Council Vice Chairman. **Nomination of Mercer by Dellorco. SECOND by Jones. No Discussion. VOTE: Yes-8, No-0, Absent-0, Abstain-1** (Mr. Padula abstained).

Nominations were accepted for Town Council Clerk. **Nomination of Jones by McCarthy Earls. SECOND by Dellorco. No Discussion. VOTE: Yes-8, No-0, Absent-0, Abstain-1** (Mr. Padula abstained).

*Chairman Kelly called a one-minute recess.*

**APPROVAL OF MINUTES: September 27, 2017. ► MOTION to Approve** the September 27, 2017 meeting minutes by Mercer. **SECOND by Dellorco. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.**

**ANNOUNCEMENTS:** Chairman Kelly 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.

**PROCLAMATIONS/RECOGNITIONS:** *None.*

**CITIZEN COMMENTS:** ► Ms. Teresa Burr, Town Clerk, thanked all those who helped and assisted with the elections.

**APPOINTMENTS:** ► *Finance Director/Comptroller.* ► Mr. Jones read the appointment. ► **MOTION to Ratify** the appointment by the Town Administrator of Christopher M. Sandini, Sr. to serve as Finance Director/Comptroller of the Town of Franklin effective January 2, 2018 by Jones. **SECOND by Mercer. Discussion:** ► Mr. Nutting reviewed the search and hiring process for this position. Three qualified people were interviewed. Mr. Sandini has a great history and background in the public sector. ► Mr. Padula, as a member of the hiring team, reviewed the hiring process; he thinks they made a good choice. ► Ms. Pellegrini stated she was very pleased with the background of this candidate. ► Mr. Sandini thanked everyone and looks forward to this opportunity. ► **VOTE: Yes-9, No-0, Absent-0.**

**HEARINGS:** *None.*

**LICENSE TRANSACTIONS:** *None.*

**PRESENTATIONS/DISCUSSIONS:** ► *Open Meeting Law, Public Records, Public Hearings, & Ethics Presentation – Attorney Mark Cerel.* ► Mr. Nutting stated that every few years it is a good time to review with the Town Council members and the community-at-large the laws public and elected officials need to follow. He noted that all Town Council members must take the ethics exam online as required by law every two years. ► Attorney Cerel gave an overview of the responsibilities of the Town Council members regarding the Open Meeting Law, Public Records, Public Hearing Procedures, and Ethics Laws, and emphasized the statutory provisions and legal procedures of these which continue to have specific applications to the Town Council and its individual members. He pointed out that he provided the Town Council members with detailed memos on these items. He noted that social occasions where some or all Town Council members are present are permissible, as long as Town business is not discussed. He stated that for the Town Council, five members constitute a quorum. He is available to advise and consult when any member has a question or concern. He noted that on personal devices and town-owned devices to send electronic messages such as email and social media where a record is being made is a public record. He reminded Town Council members that even erased electronic information can still be retrieved. He stated there are very serious penalties under the Ethics Law; it is a criminal statute. If a Town Council member thinks they are in conflict, they must recuse themselves first before any discussion takes place. ► Town Council members and Mr. Nutting questioned, confirmed, and clarified information provided by Mr. Cerel. ► Mr. Hellen mentioned that all Town Council members have been given public emails; this was done to help the Town Council members separate their private emails from their public emails.

**SUBCOMMITTEE REPORTS:** *None.*

**LEGISLATION FOR ACTION:**

- 1. Resolution 17-67: Adoption of Town Council Procedures Manual (Motion to Move Resolution 17-67 – Majority vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move** Resolution 17-67: Adoption of Town Council Procedures Manual by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated this is something that every new council adopts. There has been talk about looking at some of the provisions in the future. **VOTE: Yes-9, No-0, Absent-0.**
- 2. Resolution 17-68: Authorization for Installation on the Town Common (Motion to Move Resolution 17-68 – Majority vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move** Resolution 17-68: Authorization for Installation on the Town Common by **Mercer. SECOND** by **Dellorco. Discussion:** ► Mr. Nutting stated that any permanent change to the Town Common is at the sole authority of the Town Council. At the last Town Council meeting there was a presentation for a plan to further honor the veterans. This resolution is to authorize the expansion and construction of the existing veterans' war memorial on the Town Common. In response to a Council member's question, he stated that the goal is to get this completed by Memorial Day or Veterans Day; it depends on how well the fundraising goes. ► Town Council members asked questions. ► Mr. Dale Kurtz, Veterans Agent, stated the funding has not started until this is approved by this resolution; there was an announcement at the Veterans Day luncheon that the VFW will be selling bricks as part of the fundraising, and other avenues for financial support are also being pursued. It is estimated that there will be over 5,000 bricks in the walkway, so there will most likely be blank bricks in the walkway. They would like to sell as many bricks as possible. They would like to plan that bricks would be sold and installed in perpetuity. A brick may be purchased for installation into the walkway for any veteran. ► **VOTE: Yes-9, No-0, Absent-0.**

3. **Resolution 17-69: Appropriation – Operating Budget Stabilization Fund (Motion to Move Resolution 17-69 – Majority vote (5)).** ► Mr. Jones read the resolution. ► **MOTION to Move Resolution 17-69: Appropriation – Operating Budget Stabilization Fund for \$475,000 by Mercer. SECOND by Padula. Discussion:** ► Mr. Nutting stated that every January/February when the budget is done, they try to estimate what new growth will be, additional tax revenue as a result of residential, commercial or industrial development. The assessor looks at past and current trends. The tax rate gets set in November and this year this is a lot more new growth than anticipated. He noted that he expects that FY 19 will be a difficult financial period; therefore, it was thought it would be appropriate to put the funds in the Budget Stabilization Account. ► Mr. Richard Ciccone, 185 Chestnut Street, asked how much this leaves in this stabilization account, and how is it decided which fund to reach to in time of budgetary need. ► Mr. Nutting stated \$1.8 million. Mr. Nutting explained that the Town has several stabilization accounts. There is a General Stabilization Account that the Town has had for many years has about \$5 million; that money has been the Town's anchor. There is also a Fire Truck Stabilization Account, a Turf Field Stabilization Account, and others. A Budget Stabilization Account was established because it was foreseen that the budget was going to face some problems which is about to happen. The Budget Stabilization Fund would be used to help stabilize the budget if needed. He stated that in FY 19 there will be a gap in revenues and the demand for services. ► **VOTE: Yes-9, No-0, Absent-0.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting congratulated all the Town Council members. He stated the Annual Tax Rate hearing will be at the next Town Council meeting. Mr. Cantoreggi will do a snow presentation. He stated a draft 2018 Town Council meeting schedule was provided to the Town Council members. Contact Mr. Nutting's office within the next week if there are date conflicts. He noted that remote participation of one councilor is allowed; the policy is in the Town Council procedures. Generally, every two years in January there is a goal's setting workshop; if any councilors have ideas, please put them on the list. ► Mr. Hellen stated Sen. Spilka emailed a few hours ago that the Agriculture Commission legislation that the Council approved and sent to the legislature six to seven months ago was approved in the Senate; they made a few tweaks, so it goes back to the House of Representatives.

**FUTURE AGENDA ITEMS:** ► Ms. Pellegrini stated she would like to have the July 4<sup>th</sup> celebration on the agenda to decide what type of support the Town Council would like to have. ► Chairman Kelly stated that there are the Budget, Economic Development, and the Capital subcommittees. If any councilors have any interest, please send him an email.

**COUNCIL COMMENTS:** ► Ms. Hamblen gave a thank you to the Town of Franklin; she is looking forward to serving for the next two years. ► Mr. Casey stated he is excited to be working with this great group. ► Mr. Dellorco welcomed the past and new councilors. ► Mr. Mercer thanked the voters of Franklin for re-electing him. He thanked the Lodge of Elks for sponsoring the veterans' breakfast last Friday. And he thanked the Museum for the veterans' coffee as well. ► Mr. McCarthy Earls stated he is looking forward to getting to work on behalf of the citizens of Franklin. ► Ms. Pellegrini thanked everyone. The DPW will be putting up the lights on the little trees uptown. She requested a list of all the subcommittees. She confirmed that former councilor Pfeffer would stay on with the Library Committee as she has done a wonderful job with the Library. She thanked Mr. Kurtz for a wonderful Veterans' Day event. ► Mr. Padula thanked the residents of Franklin for his re-election. He stated there are great people working for the Town. ► Mr. Jones thanked the people for allowing him to represent the Town again. The Franklin Education Foundation on November 17, 2017, at 6:30 PM holding its Harlem Wizards basketball game at Tri-County to support grants that go to all the Franklin public schools; tickets are still available. ► Chairman Kelly thanked the Ms. Judith Pfeffer and the Library Committee; they had the grand opening which was amazing. They had over 800 people in attendance. ►

**EXECUTIVE SESSION: *None.***

**ADJOURN: MOTION to Adjourn by Mercer. SECOND by Jones. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 8:22 PM.**

Respectfully submitted,

Judith Lizardi  
Recording Secretary