

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

September 1, 2023

To: Town Council

From: Jamie Hellen, Town Administrator
Amy Frigulietti, Deputy Town Administrator

Re: Resolution 23-49: Authorization for Intermunicipal Agreement with County of Plymouth for County of Plymouth to Provide Parking Ticket Computerization and Processing Services to Town of Franklin

The Town Council will consider approval of Resolution 23-49 which will allow the Town of Franklin to enter into an IMA with Plymouth County wherein Plymouth County will provide parking ticket computerization and processing services to the Town.

The approval of this legislation and allowing us to enter into the MOU will allow our police department to issue citations electronically, eliminate parking ticket books and allow for easier payment and tracking of citations. While it may appear strange to enter into an agreement with another county, over two dozen non-Plymouth County communities have already entered into a similar agreement to create a more efficient system for our Police to administer. Communities as far as Stockbridge in the Berkshires have entered into this system. The research of Lt. Jason Reilly and Kristin Gustaukas-Donovan at the Police Department suggest this will make our systems more efficient for our PD and Treasurer-Collector who administer parking citations.

The revenue stays within the town of Franklin! Plymouth County has developed a unique system and more and more communities have signed on. We expect that as more and more communities become familiar with the system, more communities will work to adopt their own systems. But they can be expensive and time consuming. Additionally, the Plymouth County system complies with the new Flowbird kiosks and our town software, making this a very easy transition.

Please let us know if you have any questions.



**TOWN OF FRANKLIN
RESOLUTION 23-49**

**AUTHORIZATION FOR INTERMUNICIPAL AGREEMENT
WITH COUNTY OF PLYMOUTH FOR COUNTY OF PLYMOUTH TO PROVIDE
PARKING TICKET COMPUTERIZATION AND PROCESSING SERVICES TO FRANKLIN**

WHEREAS, Franklin is in need of parking ticket computerization and processing services; and

WHEREAS, County of Plymouth (hereinafter: "County") is willing to provide said services to Franklin in consideration of Franklin's payment of compensation to County; and

WHEREAS, the proposed arrangement, which would be the subject of a written intermunicipal agreement between Franklin and County, a draft copy of which is attached hereto as "Exhibit 1", would benefit both governmental entities; and

WHEREAS, an intermunicipal agreement is governed by the provisions of G.L. Chapter 40, Section 4A which requires that each governmental entity authorize the agreement,

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Franklin hereby authorizes the Town Administrator pursuant to G.L. Chapter 40, Section 4A to negotiate and execute an intermunicipal agreement with the County of Plymouth in substantially the form attached hereto as "Exhibit 1", which agreement will provide for County to provide parking ticket computerization and processing services to Town of Franklin and to receive compensation therefor, provided that said agreement may contain provisions for its extension(s) and such other terms and conditions as the Town Administrator determines to be in the Town's best interest.

This Resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: _____, 2023

VOTED: _____

A TRUE RECORD ATTEST:

UNANIMOUS: _____

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

**Nancy Danello, CMC
Town Clerk**

**Glenn Jones, Clerk
Town Council**

INTERGOVERNMENTAL AGREEMENT

PLYMOUTH COUNTY PARKING TICKET SYSTEM

AGREEMENT effective this ___ day of _____, 2023 between the County of Plymouth (“the County”), as represented by the Plymouth County Commissioners, having a usual place of business at 44 Obery Street, Plymouth, Massachusetts 02360, and the Town of Franklin (“the Town”), as represented by its _____, having a usual place of business at 355 East Central Street, Franklin, Massachusetts 02038 for the computerization and processing of parking tickets in accordance with Massachusetts General Laws, Chapter 90, Section 20A½, as amended, issued by and under the supervision of the Town of Franklin in accordance with the following terms:

1. The County will provide the Town with access to its online citation issuance and administrative portal.
 - a. The County will ensure that its systems are compatible with any computers and printers deployed in Town police department vehicles. The County will provide support as needed, including, but not limited to, assisting in the setup and ongoing continuance of compatible user settings in Town computer equipment.
 - b. The Town, at its sole discretion, may obtain hand-held electronic ticketing equipment. Such equipment may be purchased through the County. Any such equipment sourced by the Town through other vendors must conform to standards and specifications as established by the County. The Town will be responsible for any cellular data plan costs, either through directly contracting with a service provider, or through reimbursing the County for using the County’s service provider.
 - c. All tickets issued by the Town via the online citation issuance portal will be uploaded to the County’s main parking ticket system server by County staff. Tickets issued prior to 3 p.m. will be uploaded the same business day. Tickets issued 3 p.m. or after will be uploaded the next business day. The main parking ticket system server will be the official record of parking violations and payments for the Town for the duration of this contract.

2. The Town may, at its sole discretion, issue paper parking tickets.
 - a. All paper parking tickets issued by and for the Town will be purchased by the Town and will conform to the computer design established by the County. Said ticket purchase will be billed to the Town and may be purchased through the County.
 - b. The Town will forward to the County on a weekly basis all parking tickets issued by and under the supervision of the Town of Franklin Police Department.
 - c. The Town may, at its sole discretion, forward such parking tickets on a weekly or more frequent basis to the County in a PDF format to an email address to be specified by the County. The Town may, at its sole discretion, retain physical

custody of tickets transmitted to the County in PDF format. Such tickets will be retained in a manner consistent with the Massachusetts Municipal Records Retention Schedule.

- d. The County will computerize all pertinent information on each ticket within one business day of receipt and will store them in a manner conducive to retrieval.
3. Tickets uploaded or entered into the main parking ticket system server will be made available for payment on the County's secure website no later than 12:01 a.m. the following day.
 4. The County will accept fine payments on a daily basis in the name of the Town and will deposit those funds and enter payments received into the official record.
 - a. The County will accept walk-in payments in the form of cash, check, money order, or postal note at its office at 44 Obery Street, Plymouth Massachusetts, Monday through Friday, 8 a.m. – 4 p.m., excepting state holidays.
 - b. The County will accept mail-in payments in the form of check, money order, or postal note.
 - c. The County will accept payments on its secure website. Payment methods shall include, but not be limited to Visa, Master Card, or Discover. The County, at its sole discretion, may charge the violator an online convenience fee and retain such fee.
 - d. The Town, at its sole discretion, may accept walk-in payments in any form, at such locations as it may designate. The Town shall notify the County of such payments within one business hour of receipt via a medium specified by the County.
 - e. The County's secure website shall be the exclusive medium for online payments. The Town may maintain a link to the County's website on its own website but shall not accept online payments.
 5. In the event that a violation is appealed within twenty-one days of issuance, the Town shall notify the County of any such violation dismissed within one business day of disposition via a medium specified by the County.
 6. The County will issue hearing notices in accordance with Massachusetts General Laws, Chapter 90, Section 20A½, as amended, to those persons with outstanding violations more than twenty-one days old in accordance with a hearing schedule to be determined by the Parking Clerk for the Town.
 7. The County will provide the Town a hearing list conforming to the hearing notices. At the conclusion of the hearing, the Town shall notify the County of any tickets dismissed or payments received within one business day of disposition via a medium specified by the County.

8. The County will obtain names and addresses of Massachusetts violators through electronic communication with the Registry of Motor Vehicles.
9. The County will report all Massachusetts violators who do not respond to the hearing notice to the Registry of Motor Vehicles by electronic means for the purposes of non-renewal of licenses and/or registrations.
10. The County will store all relevant data in accordance with the provisions and retention schedules of the Commonwealth of Massachusetts Municipal Records Retention Manual.
11. The County will respond to any questions from the Parking Clerk or the Town and will provide customer service assistance to members of the public via telephone, email, or walk-in visits during normal business hours.
12. The County will process all tickets received from the Town at a charge of two dollars (\$2.00) each and all payments against those tickets at no charge.

Any hearing notices on violations over twenty-one days old will be issued at the direction of the Town at a rate of fifty cents (\$0.50) per hearing notice for expenses, plus actual cost per hearing notice for postage.

13. On or before the tenth day of each month, the County will return to the Town all fines collected for the preceding month, less the fees and/or reimbursements noted in Item 12 and Item 1(b) of this Agreement, along with a report of all activity of the parking ticket system for the preceding month. The County reserves the right to furnish activity reports in an electronic format.
14. The terms of this Agreement shall commence July 17, 2023. Either the County or the Town may terminate this Agreement upon thirty (30) days written notice mailed to the usual place of business.

Upon termination of this Agreement, the County will provide all information in the system regarding the Town through electronic means.

15. This Agreement shall remain in full force and effect unless or until either party make a request in writing for a review, renegotiation, or termination of the terms set forth herein.

Jamie Hellen
Town Administrator
TOWN OF FRANKLIN

Jared L. Valanzola, Chairman

Sandra M. Wright, Commissioner

Gregory M. Hanley, Commissioner

PLYMOUTH COUNTY COMMISSIONERS