

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 21, 2023**

A meeting of the Town Council was held on Wednesday, June 21, 2023, at the Municipal Building, 2nd Floor, Council Chambers, 355 East Central Street, Franklin, MA. Councilors present: Brian Chandler, Theodore Cormier-Leger, Robert Dellorco, Cobi Frongillo, Melanie Hamblen, Glenn Jones, Thomas Mercer, Deborah Pellegri, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney.

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

ANNOUNCEMENTS: ► Chair Mercer reviewed the following as posted on the agenda. A Note to Residents: All citizens are welcome to attend public board and committee meetings in person. Meetings are live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. He announced that this meeting is being recorded by Franklin TV; this meeting may be recorded by others.

CITIZEN COMMENTS: None.

APPROVAL OF MINUTES: ► *May 24, 2023.* ► **MOTION** to Approve the May 24, 2023 meeting minutes by Dellorco. **SECOND** by Jones. No discussion. ► **VOTE: Yes-9, No-0, Absent-0.**

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► *Community Preservation Committee:*

- *Citizen At Large: Michael Giardino - June 30, 2025*
- *Citizen At Large: Lisa Oxford - June 30, 2025*
- *Conservation Commission: Jeffrey Livingstone - June 30, 2024*
- *Historical Commission: Phyllis Malcolm - June 30, 2024*
- *Housing Authority: Christopher Feeley - June 30, 2024*
- *Planning Board: Jay Mello - June 30, 2024*
- *Recreation Advisory Board: Wayne Simarrian - June 30, 2024.*

► **MOTION** to Ratify the appointments of the names listed above by the Town Administrator to serve as members of the Community Preservation Committee with terms to expire as listed above by Jones.

SECOND by Dellorco. **Discussion:** ► Mr. Hellen discussed that these were all reappointments with the exception of the Planning Board recommendation which is now Jay Mello as it previously was Rick Power. He reminded the public that the recommendations are coming from the boards as indicated. ► Councilor Frongillo noted a newspaper article that towns across the state are underspending CPA funds on housing, and he noted that this town is guilty as well. ► **VOTE: Yes-9, No-0, Absent-0.**

HEARINGS: 7:00 PM. None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: None.

LEGISLATION FOR ACTION:

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

- a. Bylaw Amendment 23-900: Chapter 170, Vehicles and Traffic, Article IV, Stopping, Standing and Parking, §170-15 Parking Prohibitions and Limitations, D. Parking Prohibited, Downtown Parking Map Amendment - First Reading (Motion to Move Bylaw Amendment 23-900 to a Second Reading - Majority Vote).* ► Councilor Jones read the bylaw amendment. ► **MOTION to Move** Bylaw Amendment 23-900: Chapter 170, Vehicles and Traffic, Article IV, Stopping, Standing and Parking, §170-15 Parking Prohibitions and Limitations, D. Parking Prohibited, Downtown Parking Map Amendment to a Second Reading by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen referenced his memo to the Town Council dated June 16, 2023, which was provided in the meeting packet. He reviewed that this is a first reading of Bylaw Amendment 23-900 which will amend the Downtown Parking District Map by changing the hours of no overnight parking at the Depot Street parking lot and the Ferrara lot from 2 AM to 6 AM to 12 AM to 5 AM. The purpose of this bylaw is to accommodate altering train schedules by the MBTA. He noted that 5 AM will be the earliest a train will run because of standard overnight track maintenance. The change from 6 AM to 5 AM is being proposed to accommodate MBTA commuters, as the earliest train departs at 5:09 AM. He noted that the Police Chief has assured him that tickets will not be issued during the hours of 5 AM to 6 AM at these locations until these changes are officially implemented and sufficient signage is posted. As the bylaw is being amended anyway and the overnight ban hours are being further restricted, the staff are requesting to reconsider the overnight parking ban hours and moving the curfew from 2 AM to midnight to assist the Police Department in enforcement. He reviewed that as the Police Chief explained at earlier hearings, midnight allows the patrol to do a compliance sweep between midnight and 1 AM, which is at the end of the shift. This is smoother for police operations as we have fewer officers on the overnight. If there is a call for service and officers are not available, then enforcement on the overnight parking bans, in the lots and on the streets, will not be able to be properly enforced. Additionally, the window of enforcement shrinks to only three hours with the adjustment for the commuter rail. He also discussed Davis-Thayer lot hours. As written in his memo, he stated that one issue neglected in more detail from the earlier map was parking in the Davis-Thayer lot. The hours proposed here are for the following reasons: 1. To prevent all-day parking at Davis-Thayer lot. 2. Recognizes that many library patrons still need more parking during the day and afternoons. Two hours is plenty of time. Again, this is used as overflow parking for major events, and we do not see an issue here. 3. Recognizes that the ballfields are used by sports leagues most afternoons and certainly weekends, thus parking is free and available for the little league teams. 4. Adds the same overnight parking provisions for the police to do a sweep seven days a week to ensure those cannot park for long periods in that lot. ► Town Council members asked questions and made comments. ► In response, Mr. Hellen reviewed that most places downtown are closed by 10 PM. He stated that if we want to enforce the three-hour window, it is pretty tough. He stated this helps the police to do the patrol. He stated that he is struggling to understand where the business market is at 1 AM in downtown Franklin. He does not think there is a business argument to be made. ► Chair Mercer noted that food must be served with the alcohol and the kitchens are shut down at that time. ► Mr. Hellen stated that maybe there should be a conversation about how to revitalize the Town's night time. He discussed the question of changing it from 12 AM to 1 AM. He discussed the enforcement element by the police at 12 AM to 1 AM which is the end of the police shift. He agreed that this item could be brought back if economic conditions change in the downtown. ► Councilor Frongillo stated that he cared less about the ease of enforcement than he does about what are the goals of the rules and giving businesses the opportunity to thrive. He stated he would be in favor of staying at 2 AM. ► Mr. Hellen noted that the Town leases the Ferrara lot. He stated that they have a lot of spaces not filled, and he is not sure if it is a priority to reach out to other lot owners regarding parking. He stated that as a community, we have not created a demand for downtown. He stated that we need more people coming to downtown first. ► Councilor Hamblen reviewed what the police chief indicated regarding enforcement and stated that people will not follow it if it is not enforced. She stated that the police are the experts on this, and they should make the decision. She stated it is important what the chief thinks. ► Councilor Chandler

stated that he agrees with the police. ► Mr. Hellen, in response to questions, stated that the Depot lot and Ferrara lot could be amended regarding the suggested parking times. ► Chief of Police Thomas Lynch discussed the lots and the parking and thought it would be fine to amend the parking times. He stated that you do not want people to park overnight there. ► **MOTION to Amend Bylaw Amendment 23-900: Chapter 170, Vehicles and Traffic, Article IV, Stopping, Standing and Parking, §170-15 Parking Prohibitions and Limitations, D. Parking Prohibited, Downtown Parking Map Amendment, for the parking map to say no overnight parking Sunday through Thursday 12 AM to 5 AM, no overnight parking Friday to Saturday 2 AM to 5 AM, by Frongillo. SECOND by Hamblen. No discussion.** ► **VOTE (on the amendment): Yes-9, No-0, Absent-0.** ► **MOTION to Move as Amended Bylaw Amendment 23-900: Chapter 170, Vehicles and Traffic, Article IV, Stopping, Standing and Parking, §170-15 Parking Prohibitions and Limitations, D. Parking Prohibited, Downtown Parking Map Amendment to a Second Reading by Dellorco. SECOND by Jones. Discussion:** ► Councilor Frongillo stated that he does not know if he specified which parking lots, but he thinks it should be Depot lot and Ferrara lot. ► Chair Mercer stated that he does not think anyone is going into the library at 2 AM. ► **VOTE (on the bylaw as amended): Yes-9, No-0, Absent-0.**

- b. **Resolution 23-41: Appropriation Transfers FY23 (Motion to Approve Resolution 23-41 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-41: Appropriation Transfers FY23 by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that the next three resolutions are what is needed to close out FY23. He stated that this has nothing to do with the new budget. He reviewed his memo to the Town Council dated June 16, 2023, regarding the requested transfers. He discussed that this item is for Facilities due to the rise in electricity rates by 4 cents/kw mid-year; \$400,000 of the \$427,925 in shortfalls is due to electricity rates and other utility increases due to inflation. He noted one minor change in the uses is that the fire salaries account is 220 not 210. He stated that the second resolution is the same for the sewer fund; the third resolution is actually leftover money that is required to be voted on to deposit into the MECC Stabilization Fund. ► **VOTE: Yes-9, No-0, Absent-0.**
- c. **Resolution 23-42: Sewer Enterprise Fund Supplemental Appropriation FY23 (Motion to Approve Resolution 23-42 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-42: Sewer Enterprise Fund Supplemental Appropriation FY23 by Dellorco. SECOND by Hamblen. Discussion:** ► Councilor Cormier-Leger noted that this is really a safety net appropriation and that the department may not need the money. ► **VOTE: Yes-9, No-0, Absent-0.**
- d. **Resolution 23-43: Transfer of FY23 Regional Dispatch Appropriation to the MECC/Public Safety Stabilization Fund (Motion to Approve Resolution 23-43 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-43: Transfer of FY23 Regional Dispatch Appropriation to the MECC/Public Safety Stabilization Fund by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that this is excess money in the regional dispatch account that needs to be voted on to be deposited into the rainy-day fund. This is the savings account we have to offset some of the huge increases we will see in FY25 and FY26 in the dispatch center. ► Councilor Cormier-Leger reviewed that money was just moved from this stabilization account to help the schools at the last meeting and now we are putting back money into it. He stated that the Town has many stabilization funds. He asked why this one was the one we dipped into to send money to the schools. ► Mr. Hellen explained that a grant was obtained for the dispatch center and it cannot be guaranteed that in two to four years those savings would be seen; so, we budgeted for the full assessment. He explained that this made fiscal sense. He explained that this is two different fiscal years. The recently approved budget for FY24 started July 1, 2023. This item is closing out FY23. ► **VOTE: Yes-9, No-0, Absent-0.**
- e. **Resolution 23-44: Appropriation of Funds to Enable Town to Implement Chapter 193 of Legislative Acts of 2018, Landfill Land Swap Legislation, So-Called (Motion to Approve Resolution 23-44 - Majority Vote).** ► Councilor Jones read the resolution. ► **MOTION to Approve Resolution 23-44:**

Appropriation of Funds to Enable Town to Implement Chapter 193 of Legislative Acts of 2018, Landfill Land Swap Legislation, So-Called by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated that this is a housekeeping item that the Commonwealth asked them to do. He explained that this will allow us to go to the next steps of the land swap with the state for the recycling center. The money has already been appropriated, but the state is looking for a cleaner copy of the appropriation for their files. ► **VOTE: Yes-9, No-0, Absent-0.**

- f. **Zoning Bylaw Amendment 23-898: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 9, Schedule of Lot, Area, Frontage, Yard and Height Requirements (Motion to Refer Bylaw Amendment 23-898 to the Planning Board - Majority Vote).** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Refer** Zoning Bylaw Amendment 23-898: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 9, Schedule of Lot, Area, Frontage, Yard and Height Requirements to the Planning Board by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen reviewed that the EDC voted unanimously to amend Zoning Bylaw Amendment 23-898 by increasing the percent of maximum impervious coverage allowed in the General Residential V (GRV) zoning district to 45% (structures) and 55% (structures plus paving) and to move Zoning Bylaw Amendment 23-898, as amended, to the full Town Council for consideration. ► Councilor Hamblen stated that this is from the Franklin for All project. She stated that it was suggested that we changed the impervious coverage for GRV because it was too restrictive to allow anything to be built there. She stated that we want this to get to the Planning Board so they can discuss it. ► **VOTE: Yes-9, No-0, Absent-0.**
- g. **Zoning Bylaw Amendment 23-899: Marijuana Use Overlay District, A Zoning Bylaw Amendment to the Code of the Town of Franklin at Chapter 185, Section 5, Zoning Map (Motion to Refer Bylaw Amendment 23-899 to the Planning Board - Majority Vote).** ► Councilor Jones read the zoning bylaw amendment. ► **MOTION to Refer** Zoning Bylaw Amendment 23-899: Marijuana Use Overlay District, A Zoning Bylaw Amendment to the Code of the Town of Franklin at Chapter 185, Section 5, Zoning Map to the Planning Board by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen reviewed that this is a housecleaning item of the marijuana overlay district. He stated there is no expansion. The EDC voted unanimously to move this zoning bylaw amendment to the full Town Council for consideration. ► Councilor Hamblen stated that this was on our goals for the year. She stated that the staff went through this, and it is their recommendation. She stated that she thinks it is important to get to the public hearing to hear from everyone which is why it is recommended to go to the Planning Board. ► Councilor Chandler noted that the bylaw amendment and zoning map were very clear to understand. ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► **Introduction of Deputy Town Administrator.** ► Mr. Hellen stated that the Fire Department was awarded a \$301,000 grant for fire fighter training. He announced the appointment of Ms. Amy Frigulietti as Deputy Town Administrator. He stated that Ms. Frigulietti is a career public servant who brings nearly 20 years of in-depth diverse and extensive public sector experience to the organization. He stated that he will be sending out her professional bio; she starts on July 3, 2023. He stated that the hiring process went very smoothly. He stated that 119 applications were received for this position. He discussed the interview panel and noted there were three days of interviews. He stated that he is very excited. He thanked the interview panel for their work on this and their thoughtful input. He reviewed some of the projects that Ms. Frigulietti will be focusing on. ► Ms. Frigulietti stated that she was thrilled to be here and cannot wait to start working with the departments and the staff. ► Town Council members made comments and welcomed Ms. Frigulietti.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** None.
- b. **Economic Development Subcommittee.** ► Councilor Hamblen stated they met tonight and discussed a branding and marketing plan. She thanked the Capital Budget Subcommittee for the money to do this work. She thanked those who have worked on this branding project.

- c. **Budget Subcommittee.** None.
- d. **GATRA Advisory Board.** ► Councilor Frongillo stated that GATRA met today, and they approved their FY24 budget. He stated that if anyone has any questions, please ask him.
- e. **Master Plan Update Committee.** ► Councilor Jones stated they had their first meeting on June 14. They spent time doing introductions and met BETA Group who is the consultant. The next meeting is June 28, at 6:30 PM.
- f. **Davis-Thayer Building Reuse Committee.** ► Councilor Pellegri stated that she spoke with Mr. Hellen who told her the meetings would not be starting until August. ► Mr. Hellen stated they are trying to get in one meeting in July.

FUTURE AGENDA ITEMS: ► Councilor Frongillo asked to have the flag conversation going.
 ► Councilor Sheridan asked to discuss bike lanes.

COUNCIL COMMENTS: ► Councilor Chandler thanked Councilor Dellorco for the compromise tonight. He stated Councilor Jones did a good job at the Master Plan Update Committee. He stated that he has seen a lot of Kindness Matters signs and he thanked Mary Oneill. ► Councilor Frongillo discussed an opportunity on Palomino Drive for affordable housing. ► Mr. Hellen stated Ms. Maxine Kinhart is the contact for that. ► Councilor Frongillo noted the Pride celebration this Sunday on the Town Common. He noted the third movie night of his pilot series is on Tuesday at 7 PM. ► Councilor Pellegri thanked the Food Pantry and noted all the work they did to transform the previous Edwins' building into the Food Pantry. She gave condolences to the family of Anthony Gates and to the family of Roger Rondeau. ► Councilor Sheridan gave condolences to the Gates and Rondeau families. He thanked those who organized the Strawberry Festival and those who organized the Fourth of July celebration. ► Councilor Cormier-Leger gave condolences to the Gates family. He thanked Ms. Oneill for his Kindness Matters sign. He welcomed Ms. Frigulietti. He thanked the Pride committee for the celebration. He thanked the Fourth of July committee that is gearing up. He thanked all of the volunteers for all the school year-end celebrations. ► Councilor Hamblen gave condolences to the Gates and Rondeau families. She noted the Strawberry Stroll was fun. She stated the Franklin Farmers Market is ongoing on Fridays from 2 PM to 6 PM. ► Councilor Jones gave condolences to the Gates and Rondeau families. He stated that he echoed everyone's comments regarding all the activities going on. He thanked all for making the Franklin Food Pantry come to fruition. ► Councilor Dellorco gave condolences to the Gates and Rondeau families. He welcomed Ms. Frigulietti. ► Chair Mercer gave condolences to the Gates and Rondeau families. He welcomed Ms. Frigulietti. He applauded the efforts of the Franklin Food Pantry. He stated all did a great job on the Strawberry Festival.

EXECUTIVE SESSION: None.

ADJOURN: ► **MOTION** to Adjourn by Dellorco. **SECOND** by Jones. No discussion. ► **VOTE:** Yes-9, No-0, Absent-0.

Meeting adjourned at 8:36 PM.

Respectfully submitted,

Judith Lizardi
 Recording Secretary