

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
June 8, 2022**

A meeting of the Town Council was held on Wednesday, June 8, 2022, 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 (via Zoom), Thomas Mercer, Deborah Pellegrini, Patrick Sheridan. Councilors absent: None. Administrative personnel in attendance: Jamie Hellen, Town Administrator; Mark Cerel, Town Attorney; Alecia Alleyne, Assistant to the Town Administrator.

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 and shown on Comcast channel 11 and Verizon Channel 29. This meeting may be recorded by others. He announced that Councilor Jones will be attending the meeting remotely. He stated that he asked Councilor Pellegrini to sit in as clerk for tonight's meeting.

CITIZEN COMMENTS: None.

APPROVAL OF MINUTES: ► *April 13, 2022 and May 4, 2022.* ► **MOTION to Approve** the April 13, 2022 meeting minutes by Dellorco. **SECOND** by Hamblen. **No discussion.** ► **ROLL CALL VOTE:** Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► **VOTE:** Yes-9, No-0, Absent-0. ► **MOTION to Approve** the May 4, 2022 meeting minutes by Dellorco. **SECOND** by Hamblen. **No discussion.** ► **ROLL CALL VOTE:** Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES. ► **VOTE:** Yes-9, No-0, Absent-0.

PROCLAMATIONS/RECOGNITIONS: ► *Proclamation - Franklin Flyers Youth Hockey Team.* ► Chair Mercer stated that this is a proclamation recognizing the Franklin Flyers Youth Hockey Team. ► Councilor Cormier-Leger read aloud the proclamation honoring the Franklin Flyers Youth Hockey Team for winning the South Shore Conference championship.

► *Proclamation - Franklin High School Theatre Company.* ► Chair Mercer stated that this is a proclamation recognizing the Franklin High School Theatre Company. ► Councilor Frongillo read aloud the proclamation honoring the Franklin High School Theatre Company on being selected as a finalist in the 2022 Massachusetts High School Drama Festival. ► Councilor Jones stated that he was very happy for this group. He stated that the group's performances are tremendous. He congratulated the group for their hard work.

Chair Mercer declared a two-minute recess.

APPOINTMENTS: None.

HEARINGS: None.

LICENSE TRANSACTIONS: ► *License Modification: Change of Hours - PH Franklin, Inc. d/b/a Raillery Public House, Located at 280 Franklin Village Drive, Franklin, MA 02038.* ► Councilor Pellegri read the license transaction. ► **MOTION to Approve** the request by PH Franklin House, Inc. d/b/a Raillery Public House to change the opening time of 11:00 a.m. to 10:00 a.m. on Sundays, by **Pellegri. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that the applicant is asking for an extension of one hour on Sundays. ► Councilor Chandler complimented Mr. Glenn Stowers on the Raillery Public House. ► Councilor Pellegri stated that opening one hour early bothers her. ► Mr. Stowers (via Zoom) discussed the request for the one-hour change. He stated that he wanted the hours changed to include brunch. ► Councilor Jones said that according to Franklin bylaws, there needs to be food of sustenance during the period of serving alcohol; he wanted to make sure they were aware of that bylaw. ► Mr. Stowers stated yes they are. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

► *New Farmer Winery-Farmers Market License - Crave Mead, LLC d/b/a Crave Mead, Located at 7 Main St., Unit 1, Blackstone, MA 01504.* ► Councilor Pellegri read the license transaction. ► **MOTION to Approve** the issuance of a Farmer Winery, Farmer's Market License to Rachel Humphries, Crave Mead, LLC, by **Pellegri. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that this application is for Ms. Rachel Humphries to have samples at the Franklin Farmers' Market. He stated that this application has been reviewed and approved by all departments. ► Councilor Chandler asked if the applicant was serving at last Friday's Farmers' Market. ► Ms. Humphries (via Zoom) stated that they skipped last Friday. She will be at the Farmers' Market on July 15, 2022. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *Presentation/Discussion: North Grove Priority Development Area Redevelopment Concept-Urban Land Institute Technical Assistance Panel & MassDevelopment.* ► Mr. Hellen stated that this presentation is about the Nu-Style property on Grove Street. He thanked Director of Planning and Community Development Bryan Taberner and Town Planner Amy Love for working on this and looking for a solution for this property. He stated that the Town does not have the needed technical staff to implement a project of this nature by itself. DPCD reached out to MassDevelopment for assistance in the form of funding and/or technical assistance. As a result, the Town is being provided with technical assistance through an Urban Land Institute Technical Assistance Panel (TAP). He thanked the presenters for financing this study. He noted that the team has been here all day; they have talked with all adjacent property owners, interviewed some of the businesses, and done site visits. He stated that the presenters would be providing a PowerPoint presentation of their ideas based on their full-day analysis. He noted that there is a proposal in the governor's budget for assessment and remediation at the Nu-Style property in Franklin for \$284,400. He thanked the presenters, the governor, and the administration for recognizing this complicated project. ► Mr. Ed O'Rourke of Azzur Group stated that he is from the Urban Land Institute. The Institute is a non-profit organization with 46,000 members internationally comprised of all manner of experts in the real estate industries. He stated that what we do in the Boston area is that we come together to look at problems that towns and municipalities have and we assemble the appropriate experts to look at it. Ms. Mary Ellen DeFrias, Vice President for Community Investment at Mass Development, stated that they have been working on this project with the Town for close to five years. She stated that brownfields are a problem and towns do not have money to fix them. Mr. Joe Marini of Gibson Sotheby's International Realty stated that he does project development. Mr. John Kucich stated that he is with Bohler Engineering. Mr. James Heffernan of Rich May Law stated that he is a co-chair. ► Mr. Heffernan narrated the slideshow presentation. He stated that the panel assignment addressed three questions: Is the Town's North Grove revitalization and access roadway project feasible given existing constraints or are there better options, can the Town create a

public/private development partnership to implement the proposed project, and what specific process should the Town take to implement the chosen revitalization project. He showed a map of the study area and reviewed the process to assess redevelopment which included the briefing meeting, the site visit, and stakeholder interviews. He stated that they will be putting together a more formal written draft of their ideas and this presentation which will be issued in 10 to 12 weeks. ► Ms. DeFrias reviewed the stakeholder input which included that the Nu-Style property needs to be cleaned, there are challenges due to layout, topography, and that it is no longer a recognized road, all stakeholders have to get on the same page, and lack of appetite for discussion around a roadway. She reviewed the existing condition of North Grove PDA which include that a number of the current parcels have environmental contamination; she reviewed the chemicals in the soil. She stated that they have not looked under the building. She reviewed the assets and opportunities which include that the Town already owns a parcel and has already commenced some remediation, accessibility from Rt. 140 and I-495, commuter rail station nearby, Forge Parkway, and helpful existing zoning bylaw. She reviewed the challenges which include that the site is still contaminated, multiple parcel owners, landlocked sites, lack of street frontage, location of Mine Brook, topography, and existing building conditions. ► Mr. Heffernan reviewed and discussed the recommendations which include that while the Access Roadway project is an attractive solution, there are better options to remediate and develop the Town's Nu-Style property and stimulate private investment in the site. He discussed one option is the Town becoming an active partner and facilitating a land swap allowing the Town-owned Lot 22 and 15 Grove Street to be joined and remediated, leading to a larger developable parcel with the additional benefit of increased curb appeal, and additionally, extending the biotechnology overlay district to provide economic incentive and increase the likelihood of private investment. To address the question of can the Town create a public/private development partnership to implement the proposed project, he reviewed that the panel recommends that the community works with the EPA, Mass DEP, and Mass Development to create a comprehensive remediation plan which will lead to future private investment in the site. He stated that the third questions regarding the specific process that should be implemented was a way to put it all together. He discussed the possible property acquisitions with 25 Grove Street and the remediation effort of the combined site. He stated that this is in a business district and suggested the Town add the biotechnology use overlay district. ► Ms. DeFrias stated that if the two lots were combined and the Town owned them both, they would be eligible for the grant funds. Mr. Marini discussed marketing and reviewed that once remediation is completed, the new parcel will benefit from additional hardscaping and landscaping. The final phase is to contract with a local commercial broker to divest from the property. ► Town Council members asked questions and made comments. In response, Mr. Hellen stated that the grant for this process was paid for by Mass Development and the Town has done several hundred thousand dollars' worth of remediation in the past. He stated that the Town has applied for many EPA grants in the past. It stated that it would take a public/private effort to reach the full potential of the parcel. Ms. DeFrias responded to Councilor Frongillo's request for assurance that there is a path for getting more money out of this than the Town is putting in. She discussed that the governor's bond bill was a very clear indication that he is taking it seriously for the funding for the cleanup. However, there may be other things the Town has to do. Mr. Hellen stated that the appropriation in the governor's bill will help with the next big step. After that, we can think of the land swap concept. If that were to happen and it were to be successful, the return on investment to the Town is good as we could sell the two parcels together and it would be a clean site. He stated that he would like to believe that in a real estate market like Massachusetts, it would be marketable. Mr. O'Rourke discussed the next steps if the land swap could not be done. Ms. DeFrias stated that they think they have a handle on the contamination, but they do not know about how extensive some of the hot spots are. She does not think that they are looking at a complete unknown. Mr. O'Rourke discussed the process of removing the contaminated soil. Ms. DeFrias stated that the metals have been removed. She stated that even with the land swap, she does not think this would rise to the cost of a Superfund site. She stated that the Town could check with their LSP, but her inclination is that as the EPA was here and did the cleanup, if they did not put the requirement to block off the site, then it is fine. They would have shut it down if they thought otherwise. She does not see anything indicated in the report that says there is

concern about where the karate school is located; she would check with the LSP. Mr. Hellen stated that the Town has already done \$0.5 million in remediation of taking the materials out; \$200,000 was from the EPA. He stated that 300 Fisher Street has a higher designation than what we are talking about here. He stated that area was fenced off and no one was allowed down there. He stated that he assures everyone that if this area being discussed needed to be fenced off and cautioned, we would have already been told to do it. Ms. DeFrias noted that these were one parcel at one point. Mr. Hellen asked what was the panel's opinion on the North Grove PDA proposed roadway concept. Mr. O'Rourke and Mr. Heffernan discussed their opinions; the roadway would be an uphill battle, but the idea should not be deleted. ► Chair Mercer thanked the presenters for their time and effort.

LEGISLATION FOR ACTION:

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

- a. **Resolution 22-32: Salary Schedule: Full-Time Elected Official - Town Clerk (Motion to Approve Resolution 22-32 - Majority Roll Call Vote).** ► Councilor Pellegri read the resolution. ► **MOTION to Approve** Resolution 22-32: Salary Schedule: Full-Time Elected Official - Town Clerk, to \$90,475 beginning July 1, 2022, by **Dellorco. SECOND** by **Hamblen.** ► **MOTION to Amend** Resolution 22-32: Salary Schedule: Full-Time Elected Official - Town Clerk, to \$96,000 beginning July 1, 2022, by **Chandler. SECOND** by **Dellorco. No discussion (on the amendment).** ► **ROLL CALL VOTE (on the amendment): Chandler-YES; Cormier-Leger-ABSTAIN; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Abstain-1.** ► **MOTION to Approve** Resolution 22-32 as Amended by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Councilor Frongillo questioned if they are confident that the compensation classification study will show that the Town Clerk is underpaid. ► Mr. Hellen stated that there is a 100 percent chance that she is underpaid. ► Councilor Cormier-Leger requested clarification of "market adjustment to make the salary more commensurate with comparable communities of the same job title" in Mr. Hellen's memo to the Town Council dated June 3, 2022. ► Mr. Hellen stated that there are numerous ways to do comparable communities. He stated that the Town's consultant has a fairly flawless methodology. The salary study is going to be for all non-union employees. He stated that he hesitates to provide the comparable communities right now because he does not want to jump ahead of the consultant in the study. He stated that suffice it to say that it is not just area communities like Medway as they are smaller communities; it looks at applicable metrics. He stated that it will be pointed out in the study that this position is appointed in some communities and elected in some communities. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-ABSTAIN; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Abstain-1.**
- b. **Resolution 22-30: FY22 Capital Plan Round 2 (Motion to Approve Resolution 22-30 - Majority Vote).** ► Councilor Pellegri read the resolution. ► **MOTION to Approve** Resolution 22-30: FY22 Capital Plan Round 2 by **Dellorco. SECOND** by **Hamblen. Discussion:** ► Mr. Hellen stated that Councilor Pellegri reviewed the resolution well. ► DPW Director Brutus Cantoreggi stated that the SNETT improvement work is going out to bid now; he stated that he anticipates getting it done by the end of the fiscal year. He reviewed that the work starts on Grove Street and goes through Bellingham. He noted that they are going to expand the parking lot there; it will be a benefit to the community. He reviewed his request for another \$200,000 for snow and ice for last year. He stated that the price of salt went up and they used more salt than anticipated. ► Mr. Hellen stated that the total for snow and ice is pretty average. ► Mr. Cantoreggi stated that he is cautious about the amount of salt they use. ► Chair Mercer asked where are the desktops and docking stations. ► Mr. Hellen stated it is a mix of Municipal and School. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-**

YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.
► VOTE: Yes-9, No-0, Absent-0.

- c. Resolution 22-34: Gift Acceptance - Senior Center (\$100), Fire Department (\$50) (Motion to Approve Resolution 22-34 - Majority Vote).** ► Councilor Pellegrini read the resolution. ► **MOTION to Approve Resolution 22-34: Gift Acceptance - Senior Center (\$100), Fire Department (\$50) by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that the names of the donors are Paul and Christine Molla for the Senior Center donation and Mary and Donald Ranieri for the Fire Department donation. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- d. Resolution 22-35: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 (Motion to Approve Resolution 22-35 - Majority Vote).** ► **MOTION to Waive the reading by Cormier-Leger. SECOND by Dellorco. No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve Resolution 22-35: Cable Funds in Support of PEG Service and Programming per MGL Ch. 44, §53F3/4 by Dellorco. SECOND by Hamblen. No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.**
- e. Resolution 22-39: Authorizing the Additional Borrowing of Money to Pay Additional Costs of the Beaver Street Interceptor Replacement Project (Motion to Approve Resolution 22-39 – Two-Thirds Majority Vote).** ► **MOTION to Waive the reading by Dellorco. SECOND by Hamblen. No discussion.** ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegrini-YES; Sheridan-YES.** ► **VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve Resolution 22-39: Authorizing the Additional Borrowing of Money to Pay Additional Costs of the Beaver Street Interceptor Replacement Project by Dellorco. SECOND by Hamblen. Discussion:** ► Mr. Hellen stated that they are in the final stages of applying for and getting authorization for the loan. He stated that we know that we have to get this started. He stated that \$25 million was authorized earlier this year for the Beaver Street Interceptor project; however, the costs have gone up. He stated that the cost of inaction and the potential catastrophe that looms are more than the additional \$8 million requested. He noted that just because it is authorized, it does not mean it will be spent. ► DPW Director Brutus Cantoreggi introduced Water Superintendent Doug Martin and Assistant Water Superintendent Jacob Stanley. Mr. Cantoreggi narrated a slideshow presentation highlighting where the cost drivers are. He stated that this piece of sewer infrastructure is 108 years old and located in a terrible place near a river and train tracks. He stated that a firm was hired in October to determine how much this will cost. He reviewed the proposed new Beaver Street pump station and force main; it will go up Rt. 140. He discussed the new pipe and sewers needed and the locations. He stated that they anticipate bidding in August of this year. He stated that cost for construction is approximately \$28 million, construction and post construction engineering is approximal \$3 million, and police details are approximately \$1 million for a total of approximately \$33 million. It is a 30-month construction duration. ► Mr. Martin discussed potential loan forgiveness of a few million off the loan. ► Mr. Cantoreggi discussed cost increase factors including fuel, supply chain issues, availability of materials, and project factors. ► Town Council members asked questions and made comments. ► In response, Mr. Martin stated that the funding loan is pretty standard at two percent. ► Mr. Hellen stated that the AAA bond rating has no effect. He discussed the Housing Choice Program which should make it 1.5 percent. He stated that a stabilization fund would not be considered due to the state program. ► Mr. Cantoreggi reiterated the completion timeline is 30 months with a start this fall. He stated that there would be no

benefit to keeping the old system going once the new one is completed; they have already extended the life of the old system as long as possible, and the costs would be too prohibitive. He stated that the old system will be filled in which is included in the cost. He discussed the inconvenience and impact to businesses and traffic for the 30 months of construction. He stated that there will be a lot of public outreach needed. ► Councilor Chandler explained that this project has to be done. Councilor Dellorco explained that the residents in Plymouth have had large tax increases due to that town's sewer problems. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Pellegri-YES; Sheridan-YES.**
 ► **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► None.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None.
- b. **Budget Subcommittee.** ► None.
- c. **Economic Development Subcommittee.** ► Councilor Hamblen stated that they met before tonight's Town Council meeting. She stated that they will be meeting on August 10, 2022, at 6 PM when they have more time to discuss the final recommendations for the Franklin for All project.

FUTURE AGENDA ITEMS: ► Councilor Frongillo suggested an agenda item for the Town to recognize June as Pride month. ► Councilor Cormier-Leger asked for co-chair Kaye Kelly to attend a meeting to talk about the Franklin Cultural Council. ► Councilor Pellegri asked to invite the Community Preservation Committee to let the Town Council know what they have done and how the money has been expended.

COUNCIL COMMENTS: ► Councilor Cormier-Leger thanked the Veterans' Administration and everyone who put the beautiful Memorial Day celebrations together. He wished everyone a happy Pride month. ► Councilor Chandler noted the great Memorial Day. He provided his new phone number to be added to the website. ► Councilor Sheridan thanked all those involved in the Memorial Day events. He noted the upcoming Strawberry Festival and event for Ukraine. ► Councilor Frongillo noted that there are many events in Franklin in June. He noted Pride Day and Juneteenth open mike events. ► Councilor Hamblen thanked everyone involved in the Memorial Day events and all those involved in last Friday's graduation. She noted the field hockey field opening. She noted Dean College parking is open to the public for the Strawberry Stroll. She stated that the Ladybug Trail will have its official opening. ► Councilors Pellegri, Jones, and Dellorco noted agreement with the other Town Council members' statements. ► Councilor Dellorco stated that on August 1, 2022, the SAFE Coalition will be moving from Norfolk to the Mosely Mills location in Franklin. ► Chair Mercer agreed that there will be a lot of activities going on in June in Franklin.

EXECUTIVE SESSION: ► *Exemption #6: To consider the purchase, exchange, lease or value of real property, because an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares. i. Schmidt's Farm, Prospect Street.*

► Chair Mercer stated there is a need for an executive session. He stated that he needs to recuse himself from the executive session; he will turn the gavel over to Vice Chair Dellorco. ► Vice Chair Dellorco stated that there is a need for an executive session to consider the purchase, exchange, lease or value of real property, because an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares, Schmidt's Farm, Prospect Street. ► **MOTION to Enter** executive session for the purpose of Exemption #6: To consider the purchase, exchange, lease or value of real property, because an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares, for Schmidt's Farm, Prospect Street, and the open meeting will not

reconvene at the conclusion of the executive session by **Pellegrini. SECOND** by **Hamblen. No Discussion.**
►ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES;
Hamblen-YES; Jones-YES; Pellegrini-YES; Sheridan-YES. ►VOTE: Yes-8, No-0, Recused-1.

Open Session ended at 9:27 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary