

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
December 12, 2018**

A meeting of the Town Council was held on Wednesday, December 12, 2018, 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: 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:** *None.*

**APPROVAL OF MINUTES:** *November 14, 2018.* ► **MOTION** to **Approve** the November 14, 2018 meeting minutes by **Dellorco**. **SECOND** by **Padula**. **No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0.**

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

**APPOINTMENTS:** ► **Board of Health, Ciera Maffei.** ► Mr. Hellen stated that the Town recently received notice of a resignation from the Board of Health. Per the Franklin Home Rule Charter, Article 3-3-1, any vacancy on an elected board is filled by the Town Council jointly with the remaining members of the respective board until the next regular Town election which is next November; he stated that Board of Health Chairman Donald Ranieri is present at tonight's meeting. Mr. Hellen reviewed the process for filling the seat during the next election in November. ► Mr. Jones stated this will be a role call vote of the Town Council and Board of Health Chairman Donald Ranieri. Mr. Jones read the appointment. ► **MOTION** to **Approve** Ciera Maffei to fill the vacancy on the Board of Health created as the result of a resignation until the next regular Town Election by **Kelly**. **SECOND** by **Padula**. **Discussion:** ► Ms. Maffei stated she was excited about the opportunity. ► **ROLL CALL VOTE:** Ranieri-YES; Casey-YES; Dellorco-YES; Hamblen-YES; Jones-YES; Kelly-YES; Earls-YES; Mercer-YES; Padula-YES; Pellegrini-YES. ► **VOTE: Yes-10, No-0, Absent-0.**

► **Zoning Board of Appeals, Philip Brunelli.** ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Philip Brunelli to serve as a full member of the Zoning Board of Appeals with an expiration of June 30, 2021, by **Jones**. **SECOND** by **Kelly**. **Discussion:** ► Mr. Hellen stated that Mr. Brunelli has been an associate member of the ZBA; he has been doing the job already. ► **VOTE: Yes-9, No-0, Absent-0.**

► **Zoning Board of Appeals, Associate, Christopher Stickney.** ► Mr. Jones read the appointment. ► **MOTION** to **Ratify** the appointment by the Town Administrator of Christopher Stickney to serve as a member of the Zoning Board of Appeals with an expiration of June 30, 2021, by **Jones**. **SECOND** by **Kelly**. **Discussion:** ► Mr. Stickney stated he appreciates the opportunity and looks forward to serving the Town. ► **VOTE: Yes-9, No-0, Absent-0.**

**HEARINGS:** *None.*

**LICENSE TRANSACTIONS:** ► *Shaw's Supermarkets-Change of Manager. Discussion:* ► Mr. Hellen stated Shaw's is just doing a Change of Manager; they have submitted all the required paperwork to send to the State. ► Mr. Padula reviewed Mr. Miller's background. ► Mr. Miller stated he has managed 19 different stores; this is the first one with alcohol. He stated he feels comfortable managing the alcohol piece. ► Mr. Jones read the license transaction. ► **MOTION to Approve** the request by Shaw's Supermarkets, Inc. for a Change of Manager to John F. Miller by **Jones. SECOND** by **Kelly**. ► **VOTE: Yes-9, No-0, Absent-0.**

**PRESENTATIONS/DISCUSSIONS:** ► *Benjamin Franklin Classical Charter Public School.*

► Executive Director Heather Zolnowski provided her background. She stated she is an 11-year resident of Franklin and has been at the Charter School for 12 years. She provided a slideshow presentation and discussed the slides including the BFCCPS Mission Statement, the Four Pillars, Construction Update, Front View Rendering of the new building, Front View from drone fly-over from November 2018, Side View Rendering, Side View from drone fly-over from December 2018, Aerial Side View from November 2018, Courtyard View Rendering, Courtyard View from drone fly-over from November 2018, BFCCPS Expansion (enrollment). ► Town Council members asked questions, discussed the Charter School, congratulated the school on the wonderful job they do, and thanked Ms. Zolnowski for the presentation. ► Ms. Zolnowski said that currently there are about 310 Franklin students throughout grades K-8. She stated they are hopeful the project will be completed by May 30, 2019; so, the first school year in the new building will be 2019-2020.

► **Risk Assessment.** ► Mr. Terenzio Volpicelli of Roselli, Clark & Associates, the organization that performed the risk assessment, and Mr. Christopher Sandini, Comptroller/Finance Director, addressed the Town Council. Mr. Volpicelli reviewed the financial risk assessment and findings as provided in his written Executive Summary. He noted the report was completed on time and under budget; it addresses the key areas in the Town. He stated the Town of Franklin is a well-governed organization. The Town has strong personnel and systems in place. He discussed items the Town should improve and what steps the Town is taking to remediate those findings. ► Mr. Hellen provided background on the process. The project was on the to-do list for some years as a good business practice to do every so often. He stated that we are a pretty well governed community. He noted the document is long. He reported that overall the Town has no major structural issues. He stated an area of improvement is that the Town document and update the Town's policies and procedures better and more frequently. Mr. Hellen stated that he and Mr. Nutting have sat down with each department head regarding the policies and procedures; department heads will be sending them to Mr. Hellen by approximately March 1, 2019. ► Mr. Volpicelli stated documentation is an issue throughout the Commonwealth; it is a matter of dedicating resources and prioritization. ► Town Council members ask questions, discussed the assessment, reviewed some of the identified risks, and requested a follow up to the remediation. ► Mr. Volpicelli stated Franklin is very near the top compared to other towns doing similar assessments. He noted the IT staff is exemplary. He discussed why he suggested the Town Clerk be appointed rather than elected and what may happen if an unqualified person was elected.

**SUBCOMMITTEE REPORTS:**

1. **Capital.** ► Mr. Dellorco stated nothing to report at this time.
2. **Budget.** ► Mr. Padula stated nothing to report at this time. They do expect to be busy the first quarter of the new year.
3. **Economic Development.** ► Mr. Kelly stated they met this evening. They talked about the brewery, winery, and distillery bylaw which will be coming forward to the Town Council shortly and the potential rezoning of the Clark-Cutler-McDermott site which will also come before the Town Council in the future.

**LEGISLATION FOR ACTION:**

- a. **Resolution 18-70: Appropriation Cable Funds in Support of PEG Service and Programming per MGL Ch.44, §53F3/4 (Motion to Approve Resolution 18-70 - Majority Vote (5)).** ► **MOTION** to

**Waive the reading by Padula. SECOND by Kelly. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. ► MOTION to Approve Resolution 18-70: Appropriation Cable Funds in Support of PEG Service and Programming per MGL Ch.44, §53F3/4 by Kelly. SECOND by Dellorco. Discussion: ► Mr. Hellen provided background information and stated the Department of Revenue made them accept and appropriate the PEG money on a quarterly basis; this is the quarterly legislation. The appropriation tonight is \$200,846.06. He stated that Mr. Peter Fasciano and Mr. Ken Norman of Franklin TV are present tonight and will address some of the concerns regarding issues with the video recordings of the Town board and committee meetings. ► Mr. Fasciano, Executive Director of Franklin TV, addressed the recent issues with the video recordings of the meetings. He stated they recently rebuilt the control room and the entire system for the Council Chambers room. They added a fifth camera and other refinements. In the course of designing something like this, there is a fair amount of new equipment in the room. Being digital, with respect to last week's meeting, his IT people upgraded some of the software in one of the devices from the remote location. The device said the software was great; but the software here indicated it needed to be reset. As a result of the issue, now, if the equipment is going to be updated, we will be sitting in front of it and not leave until it works. This is a policy change in how we do our updates. Regarding the School Committee issue, the public address system in the room, while it has a few refinements, works the same way it always has. He explained the design of the system. It appears that someone may have turned off the PA system as well as another switch within that system; we do not know who. Therefore, there was no audio until the problem could be discovered. He stated he has made a change and that particular piece of equipment can never be turned off again. These are the small things with a new system and human error that can occur. He is trying to be proactive. He noted there are other upgrades scheduled for this room in the next six months. He apologized for the situation that occurred. ► Town Council members asked questions and thanked Mr. Fasciano and Mr. Norman for coming in and working to fix the problem. ► Mr. Steve Sherlock, Franklin Matters, stated Franklin Matters captured the audio recording of the last Town Council meeting and it is available via iTunes and FranklinMatters.org. ► Mr. Hellen stated the meeting minutes for the last Town Council meeting would be taken from that audio recording. ► VOTE: Yes-9, No-0, Absent-0.**

- b. Resolution 18-71: Town Council Meeting Schedule for 2019 (Motion to Approve Resolution 18-71 - Majority Vote (5)). ► Mr. Jones read the resolution. ► MOTION to Approve Resolution 18-71: Town Council Meeting Schedule for 2019 by Kelly. SECOND by Dellorco. No Discussion. ► VOTE: Yes-9, No-0, Absent-0.**
- c. Bylaw Amendment 18-826: Chapter 170, Vehicles and Traffic - 2nd Reading (Motion to adopt Bylaw Amendment 18-826 - Majority Roll Call Vote (5)). ► MOTION to Waive the reading by Padula. SECOND by Kelly. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. ► MOTION to Adopt Bylaw Amendment 18-826: Chapter 170, Vehicles and Traffic by Kelly. SECOND by Padula. Discussion. ► Mr. Hellen stated this is the second vote for this new map for Downtown which really just extends the no-parking zone on Alpine Place to the cross of Milliken Avenue. ► 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.**
- d. Bylaw Amendment 18-827: Amendment to the Water System Map - 2nd Reading (Motion to adopt Bylaw Amendment 18-827 - Majority Roll Call Vote (5)). ► MOTION to Waive the reading by Padula. SECOND by Kelly. No Discussion. ► VOTE: Yes-9, No-0, Absent-0. ► MOTION to Adopt Bylaw Amendment 18-827: Amendment to the Water System Map by Kelly. SECOND by Padula. Discussion: ► Mr. Hellen stated this is the water system extension up to 11 Ridgeview Road; this is the second vote. When it was originally done, we had asked everyone if we could do it up the whole street; not everyone wanted to do it. This is now the second person that wants it. Hopefully, the Town Council will approve to get them some water. ► 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.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Hellen congratulated the Downtown Partnership for last weekend's successful Holiday Happenings. He stated that regarding Free Cash, they were hoping to have the FinCom meetings done for the Capital Program by this point. Unfortunately, the Free Cash has not been certified; nothing to be alarmed about. He is hoping that it will get done by end of December. Once the number is obtained, he will advise the Town Council and begin setting up the meetings.

**FUTURE AGENDA ITEMS:** *None.*

**COUNCIL COMMENTS:** ► Ms. Hamblen gave her condolences to the Gianetti family for the passing of Balda Gianetti. ► Mr. Casey thanked Mr. Volpicelli for discussing the risk assessment; he wishes the assessment could be done every year. He stated he was glad to hear the report. ► Mr. Dellorco gave condolences to the Worcester Fire Department for the loss of their firefighter. ► Mr. Jones thanked everyone who attended the Franklin Education Foundation's basketball fundraiser; it was a big hit. ► Mr. Mercer gave condolences to the Worcester Fire Department and to the Gianetti family.

**EXECUTIVE SESSION: Chairman Mercer stated that the Town Council needed to go into Executive Session.** Purpose #2: to conduct strategy session in preparation for negotiations and/or to conduct contract negotiations with non-union personnel, namely: new Town Administrator Jamie Hellen, on compensation and other terms and conditions of his employment agreement. They will Reconvene in Open Session if necessary, re: vote to offer employment agreement, specifying compensation and other employment terms and conditions to the new Town Administrator Jamie Hellen. ► **MOTION to Move** that the Town Council go into Executive Session by **Padula. SECOND by Dellorco. 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 8:05 PM.**

**The open session of the Town Council Meeting reconvened at 9:12 PM.**

**RECONVENE:** Reconvene in Open Session if necessary, re: vote to offer employment agreement, specifying compensation and other employment terms and conditions to the new Town Administrator Jamie Hellen. **Chairman Mercer called the meeting back to Public Session.**

**Resolution 18-74: Offer of Employment Agreement for New Town Administrator Jamie Hellen.** ► Mr. Jones read the resolution. ► **MOTION to Approve** Resolution 18-74: Offer of Employment Agreement for New Town Administrator Jamie Hellen by **Kelly. SECOND by Dellorco. Discussion:** ► Chairman Mercer stated he is aware that the last Town Council meeting was not on TV when it was voted to offer the job to Mr. Hellen; we are sorry that it was not on TV. Since the last meeting, the Town Council has met with Mr. Hellen and in Executive Session and fine-tuned the employment agreement that is being voted to offer to Mr. Hellen. We are hopeful he will accept it. ► **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.** ► Mr. Hellen reiterated that the last Town Council meeting was not televised and Mr. Fasciano explained the situation. He stated it is a privilege and honor to have this opportunity. He feels like Franklin has been a new family since his first day of work here. It is rewarding to have the confidence of the full Town Council. He thanked everyone for their support. ► Chairman Mercer stated the Town Council will now formalize it by signing the documents.

**ADJOURN: MOTION to Adjourn by Kelly. SECOND by Dellorco. No Discussion.** ► **VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 9:21 PM.**

Respectfully submitted,

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Judith Lizardi  
Recording Secretary