

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
April 6, 2022**

A meeting of the Town Council was held on Wednesday, April 6, 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, Thomas Mercer, Patrick Sheridan. Councilors absent: Deborah Pellegrini. 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. Additionally, in an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone or Zoom. The meetings will also be live-streamed by Franklin TV and shown on Comcast Channel 11 and Verizon Channel 29. He announced that Councilor Pellegrini will not be attending tonight's meeting. This meeting is being recorded by Franklin TV and may also be recorded by others.

► Chair Mercer requested that Fire Chief James McLaughlin make an announcement. ► Chief McLaughlin introduced Mr. Joe Pasco, Regional Manager with ISO. ► Mr. Pasco stated they are the leading provider of insurance data. They rate over 45,000 fire jurisdictions in the United States on a scale of 1 to 10 with 1 being the best and 10 being the worst. Out of those 45,000, currently there are 458 Class 1 fire departments. He stated that he was here today to congratulate the fire department, water department, 911 center and the building department of Franklin for being the 459th Public Protection Class 1. ► Chief McLaughlin thanked Mr. Pasco for being at the meeting. He thanked all those who worked very hard for this achievement; it was a true collaboration. He thanked members of the fire department. He reviewed the fire department's reorganization. He stated that training was what really helped to accomplish this achievement. He stated how proud he was of all the firefighters, fire safety officers, and all members of the department. He thanked the water department for all the support they have given to the fire department; they are an integral part of fire protection for the Town. He thanked Mr. Michael D'Angelo for his work on communication. He stated that all departments in Franklin work together. He thanked the legislative delegation for their support. He thanked Town Administrator Jamie Hellen and his staff. He acknowledged the Finance Committee for their support of the fire department. He thanked the Town Council for their support and approval of the department's reorganization and all things that cost money. He acknowledged Fire Chief Michael Kelleher of the Foxboro Fire Department whose department got their ISO #1 designation in 2020. ► Chair Mercer reviewed what is involved in getting this designation. He stated that it is important to note that only .7 percent are ISO #1; this is a remarkable accomplishment for Franklin.

CITIZEN COMMENTS: ► Mr. Arun Kavishwa, 710 Pond Street, student at Franklin High School and president of the student government, discussed students' lack of ability to effectively use convenient methods of payment at events at Franklin High School. He stated that this is a result of the rules regarding online payments such as Venmo. He stated that students may be more interested in events if they were able to pay more conveniently; this would help in fundraising more effectively.

APPROVAL OF MINUTES: None.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: ► *New Employees: Fire Department - James Koch and Michael Eaton.* ► Fire Chief James McLaughlin introduced two new firefighters/paramedics, James Koch and Michael Eaton. He reviewed Mr. Koch's education, background, and career. ► Town Clerk Nancy Danello performed the swearing in. ► Mr. Koch's wife pinned the badge. ► Chief McLaughlin reviewed Mr. Eaton's education, background, and career. ► Town Clerk Nancy Danello performed the swearing in. ► Mr. Eaton's daughter pinned the badge.

Chair Mercer called a two-minute recess.

HEARINGS: ► *Street Acceptances: Brandywine Drive and Portion of Charles Drive (Legislation for Action Item: 9b).* ► Chair Mercer opened the public hearing. ► Mr. Hellen noted that the action before the Town Council is to approve Resolution 22-12, Order of Layout, Acceptance, and Taking of Brandywine Road and a portion of Charles Drive and Drainage and Utility Easements. He stated that this is part of the Town Council's and Town Administrator's goals for the next two years to get more streets accepted and on the books. He stated that this is great public policy for the residents on the streets and for the Town as it gets reimbursed for publicly accepted streets from Chapter 90 money to maintain the streets. ► Councilor Hamblen stated that this item went through the EDC and then the Planning Board voted unanimously to approve this. ► In response to questions, Mr. Hellen stated that this is a unique case as it did not go through the streamlined process; therefore, they had to resort to the process established in the 1880s. He confirmed that there are about 60 units and about 25 percent are deemed affordable. ► **MOTION to Close the public hearing by Jones. SECOND by Hamblen. No discussion. ► VOTE: Yes-8, No-0, Absent-1.**

LEGISLATION FOR ACTION:

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

- b. Resolution 22-12: Order of Acceptance of Brandywine Drive and Portion of Charles Drive as Public Ways (Motion to Approve Resolution 22-12 – Two-Thirds Majority Vote).** ► Councilor Jones began to read the resolution. ► **MOTION to Waive the remainder of the reading by Hamblen. SECOND by Dellorco. No discussion. ► VOTE: Yes-8, No-0, Absent-1. ► MOTION to Approve Resolution 22-12: Order of Acceptance of Brandywine Drive and Portion of Charles Drive as Public Ways by Dellorco. SECOND by Hamblen. No discussion. ► VOTE: Yes-8, No-0, Absent-1.**

LICENSE TRANSACTIONS: ► *License Modification: Change of Location - NDO Enterprises, LLC d/ b/a Pour Richard's Wine and Spirits, Located at 14 Grove Street.* ► Councilor Jones read the license transaction. ► **MOTION to Approve the request by NDO Enterprises, LLC d/b/a Pour Richard's Wine and Spirits for a change of location to 835 West Central Street, Franklin, MA 02038 by Jones. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that this is a license transaction for an existing licensee moving the location. All departments have signed off on this application. ► Mr. Richard Cornetta, attorney on behalf of the applicant, stated that the location change is about four-tenths of a mile. They think this is a better location. He introduced the proprietor and noted that she has a stellar record at the former location. ► **VOTE: Yes-8, No-0, Absent-1.**

► *License Modification: Alteration of Premises - Let's Eat Franklin, LLC d/b/a 3 Restaurant, Located at 461 West Central Street.* ► Councilor Jones read the license transaction. ► **MOTION to Approve the request by Let's Eat Franklin, LLC d/b/a 3 Restaurant for an alteration of premises to add outdoor dining space on their §12 Restaurant, All Alcoholic Beverages License, as shown on "Exhibit A" by Jones. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that this is for an alteration of premise for a

permanent outdoor seating space. He noted that this is the first application since the pandemic for a fully permitted outdoor seating space. All departments have signed off on this application. ► Mr. Stephen Corcoran, owner of 3 Restaurant, stated that two years ago the Town Council approved the temporary patio; he stated that it has been a tremendous success. He stated that he is proposing to make the temporary patio permanent. He reviewed the plans for the patio. ► Town Council members asked questions and thanked Mr. Corcoran for his effort. ► Mr. Corcoran stated that they have not done many cocktails to go and do not plan to do too much of that. The patio area will not be covered. ► **VOTE: Yes-8, No-0, Absent-1.**

► ***New Section 12 Restaurant Common Victualer All Alcohol License and Approval of Veronika Matunin as the Manager - Windtop Acres d/b/a Birchwood Bakery, Located at 17 East Central Street.*** ► Councilor Jones read the license transaction. ► **MOTION to Approve** the request by Windtop Acres, Inc. d/b/a Birchwood Bakery, for a New Section 12 Restaurant All Alcoholic Beverages License and to approve Veronika Matunin as the manager by **Jones. SECOND by Dellorco. Discussion:** ► Mr. Hellen stated that this is a new license; he noted that Franklin has an unlimited quota. He stated that all departments have signed off on the liquor license. ► Town Council members asked questions. ► Ms. Matunin stated that she will do the TIPS training; she stated she just recertified herself today. She stated that she managed a country club in New York that served alcohol. Applicant reviewed reasoning for requesting All Alcohol License. ► Councilor Chandler stated that Dean College is the landlord for this location. He asked if Dean College pays property taxes on the building as they own it. ► Mr. Hellen stated that Dean College pays property taxes on the whole building. ► **VOTE: Yes-8, No-0, Absent-1.**

PRESENTATIONS/DISCUSSIONS: ► ***Presentation: ARPA Update - Town Administrator Jamie Hellen.*** ► Mr. Hellen narrated his slideshow presentation on the ARPA Funds Overview Update which was provided in the Town Council's meeting packet available online. He stated that the CARES Act money of \$2.92 million is gone and was spent by statutory deadline. He stated that he will not be talking about the FEMA reimbursement of approximately \$480,000. He noted that all cities and towns are waiting for the reimbursement, the reimbursement rules continue to be modified, and there is no estimated time of arrival for the reimbursement. He stated that he would review the American Rescue Plan Act (ARPA) of \$10,188,837. Congressional legislation approved this and it was signed by President Biden in March 2021. The funds are through two pots of monies: municipal and county. All funds have a new expiration date of December 31, 2026. However, projects need to be procured prior to December 31, 2024. ARPA Funds are available for the following five/six categories: support public health, economic impact, revenue replacement, employee premium pay, infrastructure-water & sewer (including certain stormwater work), and infrastructure-broadband. He explained that Norfolk county commissioners are the gatekeepers in distributing the county allocations. He stated that tonight's legislation for action finalizes the first application to the county; if approved, he anticipates receiving the funds this summer. He stated that guidance on ARPA funds will continue to evolve. He stated that the key change for Franklin is the revenue replacement category. This allows for up to \$10 million revenue loss "standard allowance" option. The Town Administrator will exercise this clause for more flexible spending on municipal allocation only. He reviewed the Town of Franklin Round 1 Plan County Allocations for which detailed information was provided on the slideshow presentation slides. The County Allocation #1 (\$3,211,185) Proposed Round 1 Projects list include the following. Project #1: Year 3 Water Main replacement plan & associated costs - \$1,471,185. Project #2: (eligible) Stormwater infrastructure - \$1,500,000. Project #3: Mental Health Clinician, Franklin Police Department - \$240,000. He stated that all of these projects benefit the public at large and save taxpayer money. He then reviewed the Town of Franklin Round 1 Plan Municipal Allocations. Municipal Allocation #1 (\$1,783,936 million) has been received (July 2021). He stated that he will revisit the plan for these monies and give an update later this summer. Municipal allocation #2 is expected later this year. ► Town Council members asked questions. It was noted that it is unfortunate that the towns have to go through the county for the money. ► In response to questions, Mr. Hellen stated that the county must follow the same timelines and rules for their three percent of the funds.

He stated that he would be putting back in two DPW positions that were reduced from last year's budget as they will be needed for the DPW to get all the work done that the Town has the money for. He confirmed that sidewalks can be looked at with some of the funding.

LEGISLATION FOR ACTION (*continued*):

- a. ***Resolution 22-24: Authorization for Town Administrator to Submit American Rescue Plan Act Applications to Norfolk County (Motion to Approve Resolution 22-24 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 22-24: Authorization for Town Administrator to Submit American Rescue Plan Act Applications to Norfolk County by **Dellorco**. **SECOND** by **Hamblen**. **No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**

- c. ***Bylaw Amendment 22-876: Chapter 153 Stormwater Management - Corrective Legislation (Motion to Approve Bylaw Amendment 22-876 - Majority Roll Call Vote).*** ► **MOTION to Waive** the reading by **Hamblen**. **SECOND** by **Dellorco**. **No discussion.** ► **VOTE: Yes-8, No-0, Absent-1.**
 ► **MOTION to Approve** Bylaw Amendment 22-876: Chapter 153 Stormwater Management - Corrective Legislation by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that this is the second reading of the bylaw approved at the last meeting which is the corrective legislation for the stormwater bylaw language that allows for the abatement credit as part of the program.
 ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**

- d. ***Bylaw Amendment 22-877: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration: Stormwater Utility Fee (Motion to Approve Bylaw Amendment 22-877 - Majority Roll Call Vote).*** ► Councilor Jones read the bylaw amendment. ► **MOTION to Approve** Bylaw Amendment 22-877: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration: Stormwater Utility Fee by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that this is the second and final vote to enact the utility fee for stormwater into the fee schedule of the Town code.
 ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**

- e. ***Bylaw Amendment 22-878: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration: Passport Photo Fee (Motion to Approve Bylaw Amendment 22-878 - Majority Roll Call Vote).*** ► Councilor Jones read the bylaw amendment. ► **MOTION to Approve** Bylaw Amendment 22-878: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration: Passport Photo Fee by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen stated that this is the second and final vote to put the passport photo fee of \$10 per photo into the Town code; now we are a full-service passport center. ► **ROLL CALL VOTE: Chandler-YES; Cormier-Leger-YES; Dellorco-YES; Frongillo-YES; Hamblen-YES; Jones-YES; Mercer-YES; Sheridan-YES.** ► **VOTE: Yes-8, No-0, Absent-1.**

- f. ***Resolution 22-25: Gift Acceptance: Conservation Commission (\$1,000.00) and Veterans' Services Dept. (\$300) (Motion to Approve Resolution 22-25 - Majority Vote).*** ► Councilor Jones read the resolution. ► **MOTION to Approve** Resolution 22-25: Gift Acceptance: Conservation Commission (\$1,000.00) and Veterans' Services Dept. (\$300) by **Dellorco**. **SECOND** by **Hamblen**. **Discussion:** ► Mr. Hellen thanked the donators for their generous donations; he noted Mr. Joseph Halligan's numerous contributions to the Conservation Commission. ► **VOTE: Yes-8, No-0, Absent-1.**

TOWN ADMINISTRATOR'S REPORT: ► *FY23 Budget Update.* ► Mr. Hellen stated that the budget would be out two weeks from today. He stated that the theme for this year is that we are going to be extraordinarily grateful for what we have and focus on the positives. He highlighted that the folks advocating for the School Department should feel really good as it appears that the number they have requested will be able to be put into the budget this year. He stated that we are going to be able to add in the additional positions we lost last year for the Public Works Department. He stated that we have done some reforms at the Senior Center. He stated that staff is working around the clock to put the budget together. He stated that he thinks everyone in town is going to be very pleased with the Town Administrator's recommended budget. He noted that on the Senior Center, the chef has arrived and started; the kitchen will be open on April 11th. He stated that they have received \$70,000 for the Quiet Zone study after nine months of advocacy from the MBTA; Mr. Michael Maglio will be getting the study going over the summer. He stated that the SNETT permitting for the \$200,000 of work for the land swap has been permitted by the Conservation Commission. He stated that Dave Morris of the Fire Department put in his retirement notice after 36-plus years. He stated that he is sad to have lost GIF Specialist Danica Cucchi. He stated that the Compensation/Classification study is going on right now. He stated that Chief James McLaughlin is doing an incredible job in the Fire Department. He stated that every residential homeowner and commercial owner in town needs to tell their homeowner or commercial insurer about the Fire Department's ISO #1 designation for insurance rate savings.

FUTURE AGENDA ITEMS: ► Councilor Frongillo stated that he wanted to follow up with the student concern.

COUNCIL COMMENTS: ► Councilor Sheridan congratulated the Fire Department. He congratulated Jermaine Samuels who is in the final four for Villanova. ► Councilor Frongillo noted events including the MetroWest Art & Culture Symposium on April 14th, Earth Day on April 23rd, and Senior Center Needs forum on April 8th, 12th and 27th. He stated that sports are still crushing it and theatre is incredible. ► Councilor Hamblen congratulated the Fire Department. She stated that there will be an EDC meeting before the next Town Council meeting; they were going to talk about parking and snow removal. ► Councilor Cormier-Leger stated that he wanted to thank the young man from the high school for his comments. He congratulated the Fire Department. He gave a shout-out to Franklin High School Cheer for being national champs. He stated that he wanted to put a plug out for Franklin football that registration is open. He congratulated the Franklin U14 hockey team as South Shore Conference champions. ► Councilor Chandler stated that Arlington Street was already started. ► DPW Director Brutus Cantoreggi confirmed that it was already started and going along great. ► Councilor Chandler stated the GIS Specialist will be missed. He stated that he agrees with the incredible teamwork. ► Councilor Jones noted how much hard work was put in by the Theatre Group; he gave congratulations to the actors in the play. He stated that he would like to invite the Theatre Group into the Town Council to give them a citation for their well-deserved award from the regionals. ► Councilor Dellorco stated that they had a good Recreation meeting and lots of good things are coming up. He gave condolences to the family of Mr. Eugene VanVort. ► Chair Mercer stated that there will be something coming out on the Memorial Day celebration. ► Mr. Hellen stated that he believed the invitation was sent to everyone today. He stated that currently Franklin has more Common Victualler licenses than pre-pandemic; that is great news for the community. ► Chair Mercer stated that the Fire Department is a tremendous team. He reminded the public to let their insurers know about the ISO rating. He gave condolences to the family of Mr. Dennis Costello.

SUBCOMMITTEE REPORTS:

- a. **Capital Budget Subcommittee.** ► None provided.
- b. **Budget Subcommittee.** ► None provided.
- c. **Economic Development Subcommittee.** ► None provided.

EXECUTIVE SESSION: None.

ADJOURN: ► MOTION to Adjourn by Dellorco. SECOND by Jones. No Discussion. ► VOTE: Yes-8, No-0, Absent-1.

Meeting adjourned at 8:57 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary