

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
May 25, 2016**

A meeting of the Town Council was held on Wednesday, May 25, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Councilors absent: Robert Dellorco. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: Chairman Kelly called the meeting to order at 7:00 PM with a moment of silence and the Pledge of Allegiance.

ANNOUNCEMENTS: ► Chairman Kelly announced the meeting would be recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others. ► FY 2017 Budget Hearings will be held tonight, Wednesday, May 25, 2016 and tomorrow, Thursday, May 26, 2016 at 7:10 PM. ► Agenda items will be taken out of order at tonight's meeting.

PROCLAMATIONS/RECOGNITIONS: None.

APPOINTMENTS: None.

LICENSE TRANSACTIONS: *La Cantina Winery – Farmer-Winery, Farmer's Market License.* ► Ms. Pfeffer read the license transaction request. **MOTION to Approve** the issuance of a Farmer-Winery, Farmer's Market License to Robert Vozzella, La Cantina Winery Company by **Mercer. SECOND by Jones. Discussion:** ► Mr. Nutting stated all of Mr. Vozzella's permits and applications have been submitted and are correct. This would allow him to present his wine and samples at the Franklin Farmer's Market. He recommended approval. **VOTE: Yes-7, No-0, Absent-2.** (Mr. Padula had not yet arrived).

PRESENTATIONS/DISCUSSIONS: *Veteran's Officer.* ► Mr. Dale Kurtz, Veteran's Agent, addressed the Town Council. He invited the veterans in the audience to join him while he discussed the history of the first "Empty Chair" installation. The Empty Chair now occupies many public and private buildings. Memorial Day is a time to remember the incredible cost of those who fought and died for our country. There are more than 88,000 veterans not accounted for from past wars fought to protect the freedoms of our country. The veterans of Franklin would like to remember those veterans serving in the past and present by presenting this Chair of Honor to the Town of Franklin. This chair along with a dedication plaque will be rotated through town offices and buildings to maximize the viewing. The chair will be a reminder of those that have not returned home to their families and loved ones. Mr. Kurtz thanked those that donated the chair, plaque and plaque stand.

► Mr. Christopher Papp, Exalted Ruler of the Franklin Elks, thanked Dale Kurtz for all the great things he has done for the Town of Franklin and for the veterans. On behalf of the Franklin Lodge of Elks and the National Elks who help out on many matters concerning veterans, they would like to make a donation of \$1,000 to the Franklin Veteran's Fund.

SUBCOMMITTEE REPORTS: None.

LEGISLATION FOR ACTION:

1. **Resolution 16-32: Compensation Plan – FY 2017 – Simple majority vote.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-32 for Compensation Plan – FY 2017 by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated that every year the Town Council is asked to adjust the compensation plan for non-union employees. This year two percent is requested. It changes the scale and does not guarantee a raise for any employee. **VOTE: Yes-6, No-1, Absent-2** (Ms. Pellegri voted No; Mr. Padula had not yet arrived).

Budget Resolutions: Simple Majority

2. **Resolution 16-34: Establishment of a Use of Facilities Account for FY 2017.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-34: Establishment of a Use of Facilities Account for FY 2017 by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated the next five resolutions are annual requirements to establish revolving accounts for the various purposes stated in the resolution. In this case have been taking funds and using to put in LED lighting in the school buildings. ► Mr. Jones asked about the fees for use of the facilities. ► Mr. Nutting stated the fees are established by the School Committee. It depends on the room, the time and the space; custodians must be paid, as well as surcharge for heat and lights, which goes into this account, which is then used for improvements. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).
3. **Resolution 16-35: Establishment of a Fire Department Fire Rescue Training Revolving Account for FY 2017.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-35: Establishment of a Fire Department Fire Rescue Training Revolving Account for FY 2017 by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated this is to provide training for the fire department. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).
4. **Resolution 16-36: Establishment of a Council on Aging Supportive Day Program Revolving Account for FY 2017.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-36: Establishment of a Council on Aging Supportive Day Program Revolving Account for FY 2017 by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated these are funds collected by participants in the Supportive Day Program to help Franklin seniors; it pays for the nurses and the staffing. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).
5. **Resolution 16-37: Establishment of a Council on Aging Senior Center Activities Program Revolving Account for FY 2017.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-37: Establishment of a Council on Aging Senior Center Activities Program Revolving Account for FY 2017 by **Mercer. SECOND** by **Jones. No discussion. VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).
6. **Resolution 16-38: Establishment of a Council on Aging Senior Center Respite Program Revolving Account for FY 2017.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-38: Establishment of a Council on Aging Senior Center Respite Program Revolving Account for FY 2017 by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated this is to help support the seniors. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).
7. **Resolution 16-39: Adoption of Amendment to Town Council Procedures Manual. MOTION to Waive** the reading by **Mercer. SECOND** by **Jones. No discussion. VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived). **MOTION to Move** Resolution 16-39: Adoption of Amendment to Town Council Procedures Manual by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated this will bring the Town Council's procedures in line with the open meeting law to make sure that

anything that is going to be on the agenda is posted. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).

Mr. Bissanti recused himself.

8. **Zoning Bylaw Amendment 16-753: Zoning Map Changes from Single Family Residential IV to General Residential V in an Area on or near West Central Street – 2nd Reading (Motion to Adopt Zoning Bylaw Amendment 16-753 – Roll Call 2/3 majority – 6 votes).** **MOTION to Table** Zoning Bylaw Amendment 16-753: Zoning Map Changes from Single Family Residential IV to General Residential V in an Area on or near West Central Street to July meeting by **Mercer. SECOND** by **Jones. No discussion. VOTE: Yes-6, No-0, Absent-2** (Mr. Padula had not yet arrived).

Mr. Bissanti re-entered the meeting.

9. **Bylaw Amendment 16-759: Amendment of Service Fees: Solid Waste and Recycling – 2nd Reading (Motion to Adopt Bylaw Amendment 16-759 – Roll Call - Simple Majority).** Ms. Pfeffer read the bylaw amendment. **MOTION to Adopt** Bylaw Amendment 16-759: Amendment of Service Fees: Solid Waste and Recycling by **Jones. SECOND** by **Mercer. Discussion:** ► Mr. Nutting stated this will help offset the cost of trash collection for the contracts. ► **ROLL CALL VOTE:** Bissanti-YES; Jones-YES; Kelly-YES; Mercer-YES; Pellegrini-YES; Pfeffer-YES; Vallee-YES. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).

10. **Bylaw Amendment 16-760: Amendment to Water System Map – 1st Reading (Motion to Move Bylaw Amendment 16-760 to a 2nd Reading – Simple Majority).** Ms. Pfeffer read the bylaw amendment. **MOTION to Move** Bylaw Amendment 16-760: Amendment to Water System Map to a second reading by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting stated the developer has asked for a water and sewer extension which he supports. It will loop the water and will help with water quality, flow and fire protection for the homes. ► Mr. Brutus Cantoreggi, Director, Department of Public Works, stated it was a good idea. ► Mr. Nutting asked if the applicant was fully supportive of all the conditions set forth by Mr. Cantoreggi and the DPW. ► Mr. Cantoreggi said Yes. ► Ms. Pfeffer stated in this case the town is connecting three lots to town water and sewer making them more valuable for the developer. ► Mr. Nutting stated the good thing for the town is that the developer is going to take two dead-end roads and create a through road which is good for police, fire and ambulance, and they are paying for the cost of that road and looping the water main which is good for water quality. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).

11. **Bylaw Amendment 16-761: Amendment to Sewer System Map – 1st Reading (Motion to Move Bylaw Amendment 16-761 to a 2nd Reading – Simple Majority).** Ms. Pfeffer read the bylaw amendment. **MOTION to Move** Bylaw Amendment 16-761: Amendment to Sewer System Map to a second reading by **Mercer. SECOND** by **Jones. Discussion:** ► Mr. Nutting asked if the developer agreed to all the conditions. ► Mr. Cantoreggi said Yes. **VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).

APPROVAL OF MINUTES: April 27, 2016 and May 11, 2016. ► **MOTION to Approve** the April 27, 2016 meeting minutes and the May 11, 2016 meeting minutes by **Jones. SECOND** by **Mercer. No discussion. VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived).

HEARINGS: FY 2017 Budget Hearing. ► **MOTION to Open** the FY 2017 Budget Hearing by **Jones. SECOND** by **Mercer. No discussion. VOTE: Yes-7, No-0, Absent-2** (Mr. Padula had not yet arrived). ► Jeffrey Nutting, Town Administrator; Susan Gagner, Comptroller; and Jim Dacey, Treasurer/Collector, addressed the Town Council. Mr. Nutting thanked everyone for their help and support in putting forth this

budget for the Town Council's consideration. He provided highlights of the budget. Revenue projections are based on the ability to increase tax levy by 2 ½ percent. This budget is balanced without using non-recurring revenues with the exception of the School Department which was hit with some unanticipated SPED costs that are affecting this year's budget and will force them to draw down on some reserve accounts to make ends meet for next fiscal year. Overall, there are very few changes in the budget. Asking for an additional position in the fire department and add an assistant treasurer/collector position. The current treasurer and assistant treasurer are scheduled to retire within months of each other and need to start training for that position. Asking to increase OPEB obligation by \$50,000. He thanked all School and Town employees and Unions for working together collaboratively to help manage healthcare costs. Insurance vendor had presented an 8 ½ percent increase. With cooperation and change in co-pays, town was able to lower that to 6 percent. He noted the town will still not meet the minimum criteria for public libraries. Anticipates that when library re-opens in one year, there will be some staffing increases. Town falls short on road infrastructure and will get worse. Town was able to increase police position last fall; now asking for a fire position. Gap that is left is DPW. Have slowly been able to add back public safety employees; DPW takes on more work with the same staff. He stated this is a great group of employees supporting the citizens of Franklin.

► Ms. Pfeffer read each *Operating Budget Town of Franklin Fiscal 2017 Line Item*.

► Ms. Pfeffer requested a Hold on Line Item 192: Public Property & Buildings – Salaries. ■She questioned the increase since last fiscal year. ■Mr. Nutting stated the collective bargaining agreement was settled and the vast majority of the amount is reflective of salary increases.

► Mr. Mercer requested a Hold on Line Item 192: Public Property & Buildings – Expenses. ■He questioned why the amount was lower. ■Mr. Nutting stated they went out to bid for electricity; electric rates are down so that is reflected in the budget reduction.

► Mr. Vallee requested a Hold on Line Item 210: Police. ■He stated he would hold his comments for tomorrow night until he gets more information.

► Mr. Vallee requested a Hold on Line Item 220: Fire. ■He stated he would hold his comments for tomorrow night until he gets more information.

► Mr. Mercer requested a Hold on Line Item 225: Regional Dispatch. ■He questioned why this item is half of what it was last year. ■Mr. Nutting stated because the building will not be opened until the fall of next year; do not think need to collect any more money, so it was cut in half. There will just be a little start up fund; in fiscal 2017 will see this grow exponentially. Police and Fire budgets will then come down.

► Ms. Pfeffer, Chairman Kelly and Mr. Mercer requested a Hold on Line Item 300: Town Schools. ■She asked when it was anticipated that the contract with the schools will be settled with the teachers. ■Ms. Maureen Sabolinski, Superintendent of Schools, stated hopefully in the next month or so; they are still in negotiations. ■Ms. Pfeffer stated there is a two percent increase across the board in this budget. Her concern is if it is not a two percent three-year increase for the schools, it would be unfair to every other Union in the Town of Franklin. ■Ms. Sabolinski stated they are in negotiations and she cannot speak publically about it at this time. ■Mr. Mercer asked for an overview of some of the major issues the schools are dealing with now and in the near future, specifically, special education. ■Ms. Sabolinski stated this year in the current fiscal budget there have been unanticipated costs and she had provided the Town Council with a memo outlining that. The attrition gap has been used to cover the unanticipated tuition costs. Have had a number of students move into Franklin from out of state; no idea a year ago they would be part of the community. Also, have had some students that have been in inclusion programs that

needed more restrictive programs and had to incur some unanticipated tuition costs. First goal is to maintain students in the Franklin public schools. ■Mr. Mercer asked about enrollment. When building new high school had projections of 1,650. Opened school 1 ½ years ago with 1,725. Currently, have 1,735. What is enrollment looking at for next few years? ■Ms. Sabolinski said middle and high school enrollments continue to grow as many families moving in. Elementary enrollment has been declining. Not sure how some of the new housing complexes will impact future elementary enrollment. ■Mr. Jones asked about anticipated future special education expenses. ■Ms. Sabolinski said moving target factor is how tuition rates get set.

► Mr. Jones noted he would be abstaining from a vote on Line Item 390: Regional School. ■Chairman Kelly asked Mr. Mark Cerel, Town Attorney, how this would be handled. ■Mr. Cerel stated Mr. Jones needs to recuse himself from any discussion and vote with that particular line item.

► Ms. Pfeffer, Chairman Kelly and Mr. Vallee requested a Hold on Line Item 440: DPW-Highway Department. ■Ms. Pfeffer noted that it has gone up more than \$82K. She stated that with Walsh Construction finishing the downtown construction, the Highway Department will be responsible for all the trees, plantings, shrubs, grass and mulch; in the past this has been a difficulty. If they need people to take care of this, then have to do it. Cannot spend all this money to fix it up and then not take care of it. Is there a maintenance plan for all the trees, shrubs, etc. that need to be taken care of? ■Mr. Nutting stated the plants will be warrantied for one year. ■Mr. Cantoreggi stated he appreciates that all the extra work they have to do is recognized. There are so many priorities. Have had discussions with Mr. Nutting about new high school fields coming online and having to maintain them with no additional staff, actually reductions. Looking at an island adoption plan for downtown for people to help out. There will be a lot of vegetation and streetscaping downtown. There have been many new projects. He will be asking for new DPW employees next year; would like another grounds person, another highway person, and another engineering staff person. ■Mr. Vallee noted Franklin has 29 sq. miles. Seems like that budget is rather low. He asked Mr. Cantoreggi to review budgets of other similar towns for tomorrow night. ■Mr. Cantoreggi stated he thought some of that was already done. ■Mr. Nutting stated towns have differences and this would be difficult to do in 24 hours. ■Mr. Jones said things look great and the website is very good.

► Chairman Kelly requested a Hold on Line Item 543: Veterans Services. ■He stated Mr. Dale Kurtz has done an amazing job. As Veterans Services are getting busier, does Mr. Kurtz see the need for more staffing. ■Mr. Kurtz stated he is employed by county, and works for the Town of Franklin. He has a tax work-off assistant and a volunteer citizen. Right now staffing is good. In two years may see some diminishing need. Last year brought \$3.7 million into the community from the VA; over 315 citizens received VA benefits.

► Mr. Jones requested a Hold on Line Item 610: Library. ■He asked Mr. Nutting about the statutory requirement for funding for the library. ■Mr. Nutting stated formula is that must increase library budget by 2 ½ percent on a rolling average. Seven years ago budget was \$920 million. Then it dropped during the recession. Now proposing \$731 million, but it should be up to \$969 million according to the State. Town has received another waiver. ■Ms. Felicia Oti, Library Director, stated the State is happy with what town is putting towards it and library does meet some of their requirements. Only place falling short is the money.

Mr. Padula entered the meeting at 8:03 PM.

► Mr. Mercer requested a Hold on Line Item 630: Recreation. ■He noted both salary and expenses are down, and asked if that was due to increase in fees or decrease in staff? ■Mr. Nutting stated town used to support the Town of Medway's recreation program and that has ceased so there are less costs.

► Mr. Jones requested a Hold on Line Item: Benefits: 910-OPEB. ■ Mr. Jones noted the current OPEB obligation and the addition of \$50K. During good times, should town be making more of an effort to fund? ■ Mr. Nutting reminded Town Council of presentation by Dan Sherman. Idea is to slowly and gradually increase funding and make good faith effort. Do not want to compromise other services. At this time OPEB is not a legal obligation, it is a recommendation. Pension obligation is a legal obligation. He believes there needs to be legislative relief. ■ Mr. Bissanti asked how many towns have the OPEB situation under control. ■ Mr. Nutting stated very few; the Town of Franklin is making a better than average effort. ■ Mr. Padula stated this has been discussed before. He will make a recommendation at the appropriate time to put this on the agenda to bring in legislators to talk specifically about OPEB to make suggestions about what town can do going forward.

► Chairman Kelly asked Town Council members if there were any other departments besides Police, Fire, and DPW-Highway that they would like to attend tomorrow night's meeting. ► Mr. Vallee asked Ms. Karen Alves, Senior Center Director, why the time for the breakfasts at the Senior Center is 8:30 AM. ► Ms. Alves stated a survey will be conducted and will look for feedback on that issue. ► Mr. Jones asked Mr. Ryan Jette, Director of Recreation, if he had noticed an increase in participation in the Recreation programs as a whole, and if he needed additional support. He commended the department. ► Mr. Ryan Jette, Recreation Director, stated participation fluctuates; change occurs with popularity of the sport. ► **MOTION to Close the FY 2017 Budget Hearing, May 25, 2016, by Jones. SECOND by Mercer. No discussion. VOTE: Yes-8, No-0, Absent-1.**

Chairman Kelly declared a two-minute recess.

CITIZEN COMMENTS: None.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting stated as part of the Downtown Project, East Central and Main Streets will be ground tonight and tomorrow and looking to pave roads the week of June 13th, weather permitting. Planning to transition the traffic after the Fourth of July. Still some plantings and brick work to do. Will be getting electronic sign boards placed around Downtown to give people notice. ► Thanked all department heads and staff for great job on the budget. ► Wished everyone a wonderful Memorial Day. ► Mr. Mercer stated he has received many positive comments about the regular reports that are provided to Downtown businesses. ► Mr. Hellen announced in the next month or so will be signing a Community Compact agreement with Lieutenant Governor's office for two projects: civic engagement cohort with state agency, and grant for \$25,000 from the state to do an EMS pilot program. ► Fire Chief Gary McCarragher stated there are increasing runs. Expecting mutual aid ambulances about 150 times this year. Trying to figure alternative means for disposition of patients. For instance, if could transfer someone with the flu to a mini-clinic or urgent care facility rather than bring to hospital, it would make ambulance available more quickly. Have secured funds to partner with the Collins Center of UMass to do a case study. Currently, anyone who says they want to go to the hospital is taken to the hospital whether they need to go or not. He also discussed the Regional Dispatch Center: have a large building, \$3.1 million in state funding, and architect with a design for the building. Working with inter-municipal agreement with Norfolk to do joint construction which should start in October. ► Mr. Nutting stated have money to build building, but need another \$3.0 million grant for the equipment to go into the building. Total of \$7.0 million budget.

OLD BUSINESS: ► Mr. Jones questioned February 2, 2016 memo from Conservation Commission regarding local wetlands bylaw and asked for news on Pond Street RFP. ► Mr. Nutting stated Conservation Commission made presentation and Town Council asked for time to consider it. There is a Purchase & Sale on the Pond Street parcel. ► Mr. Padula stated he wanted OPEB on the agenda, but wants it to be a specific item to give it the attention it deserves. ► Mr. Vallee stated he had requested

information on custodial staffing at the new high school comparing it to other high schools; it has not been forthcoming.

NEW BUSINESS: ► Mr. Bissanti asked what happened with the property at the Cottage Street/Union Street intersection. ► Mr. Nutting stated CSX originally wanted \$550,000 and deed restricted so could only put Commercial property on it. Price was high and could not do anything with it for a public purpose.

COUNCIL COMMENTS: ► Mr. Jones thanked Town Council members for their patience when he had to call in during the last meeting. Great job to everyone who worked on budget. ► Mr. Bissanti gave condolences to the family of David Down; he was a very special and great person. ► Ms. Pfeffer stated housing trust sold both houses today. Looking at purchasing another. Town Common looks great. She thanked the Lampasona family for their donation of time, money and materials. Thanked the Garden Club for their great job. She stated this is the Town Council's most important night of year when doing the budget and there is no newspaper coverage present. She stated it was great that the Veteran's Agent has a tax work-off assistant. ► Ms. Pellegrini stated Joe Halligan stated he was being held up by the State in his development across the street in regards to the light. Is there any way to help things move along to develop the parcel? ► Mr. Nutting stated he has spoken with District 3 engineer. It is a State highway. It is being worked on. ► Chairman Kelly thanked Mr. Kurtz for presenting the Chair of Honor. It is very impressive. Memorial Day Parade is scheduled for Monday, May 30, 2016 at 10:30 AM. Route has change slightly. Ceremony will be held at the War Memorial on the Town Common at 12:00 PM. He expressed disappointment that a newspaper reporter was not in attendance.

EXECUTIVE SESSION: None.

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Jones. VOTE: Yes-8, No-0, Absent-1. Meeting adjourned at 8:43 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary