



**FRANKLIN TOWN COUNCIL**

**February 13, 2013**

**7:00 PM**

**A. APPROVAL OF MINUTES** – *December 5, 2012*

**B. ANNOUNCEMENTS** – *This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon channel 29. This meeting may be recorded by Franklin Matters.*

**C. PROCLAMATIONS/RECOGNITIONS**

**D. CITIZEN COMMENTS**

**E. APPOINTMENTS**

**F. HEARINGS** – *Acceptance of Lady Slipper Lane, Pasture Way and Symmes Road as Public Ways – Public Hearing – 7:10 PM*

**G. LICENSE TRANSACTIONS**

**H. PRESENTATIONS/DISCUSSIONS** – *Gus Brown, Building Commissioner*

**I. SUBCOMMITTEE REPORTS**

**J. LEGISLATION FOR ACTION**

1. *Resolution 13-07: Order of Acceptance of Lady Slipper Lane, Pasture Way, and Symmes Road as Public Ways*

**K. TOWN ADMINISTRATOR'S REPORT**

**L. OLD BUSINESS**

**M. NEW BUSINESS**

**N. COUNCIL COMMENTS**

**O. EXECUTIVE SESSION** – *Negotiations, Litigation, Real Property, as May Be Required*

**P. ADJOURN**

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
December 5, 2012**

A meeting of the Town Council was held on Wednesday, December 5, 2012 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Matt Kelly, Thomas Mercer, Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Glenn Jones was absent. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator.

**CALL TO ORDER:** Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance. An Eagle Scout led the Pledge of Allegiance.

**APPROVAL OF MINUTES:** *April 18, 2012 Regular Session.* **MOTION** by Councilor Powderly to approve the minutes **SECONDED** by Councilor Mercer. **DISCUSSION:** Councilor Pfeffer asked why minutes from April were being approved in December. Ms. Kinhart explained there was a backlog of meeting minutes when the new secretary took over the position. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**ANNOUNCEMENTS:** Chairman Vallee announced the meeting was recorded by Franklin TV and available for viewing on Comcast Channel 11 and Verizon Channel 29. The meeting was also recorded by Franklin Matters.

**PROCLAMATIONS/RECOGNITIONS:** Chairman Vallee read the proclamation honoring Stella Jeon on behalf of the Franklin Town Council and Franklin citizens for being a lifelong active participant in the community. Ms. Jeon participated in multiple Town committees including the Franklin Finance Committee, Franklin Housing Partnership, Senior Center Building Committee, FISH, Council On Aging as well as hosting since 2004, her own cable TV show called "Senior Circle". Ms. Jeon accepted the proclamation as well as a crystal trophy and thanked several people. Ms. Jeon shared a poem she composed, which was read by Karen Alves.

**CITIZEN COMMENTS:** NONE.

**APPOINTMENTS:** *Caterina Colson – Cultural Council:* **MOTION** by Councilor Pfeffer to ratify the appointment of Caterina Colson of 8 Bald Hill Drive to the Cultural Council **SECONDED** by Councilor Powderly. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**Election Workers:** **MOTION** by Councilor Pfeffer to ratify the appointment of the attached list of people as Election Workers for the 2013-2014 Calendar. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**HEARINGS:** NONE

**LICENSE TRANSACTIONS:** *NDO Enterprises LLC d/b/a Pour Richard's Wine and Spirits – Change of Location/Alteration of Premises:* **MOTION** by Councilor Pfeffer to approve the change of location from 470 King Street to 14 Grove Street and approval for an alteration of 14 Grove Street premises **SECONDED** by Councilor Powderly. **DISCUSSION:** Neal Roche, Esquire briefly spoke about the new location and improvements. Mr. Nutting said everything was in order. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**2013 Annual Alcoholic Beverage Licenses Renewal:** **MOTION** by Councilor Pfeffer to approve the renewal of the alcoholic beverages licenses listed on the attached Renewal List for the year 2013 with licenses where funds are owed to the Town being held in the Town Administrator's Office until outstanding fees are paid **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting said there are only 3 licenses that will be "held". **VOTE to Approve: Yes-8, No-0, Absent-1.**

**PRESENTATIONS/DISCUSSIONS:** NONE

**SUBCOMMITTEE REPORTS:** NONE.

**LEGISLATION FOR ACTION:**

**Resolution 12-82: Legal Notices:** Councilor Pfeffer read the resolution designating the Milford Daily News to be utilized by all boards, departments, agencies, and agents of the Town to give notice to the public of pending public hearings for the next calendar year, 2013. **MOTION** by Councilor Powderly to move Resolution 12-82 **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting explained the Town had no other options. Several councilors expressed frustration by a lack of choice. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**Resolution 12-83: 2013 Schedule of Town Council Meetings:** Councilor Pfeffer read the resolution to set the Council Meetings for the 2013 Calendar Year. **MOTION** by Councilor Powderly to move Resolution 12-83 **SECONDED** by Councilor Mercer. **DISCUSSION:** The following meeting dates were changed: February 20 meeting moved to February 13; April 17 meeting moved to April 24; July 10 meeting moved to July 17, 2013. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**Resolution 12-84: Southern New England Trunkline Trail Multi-Community Joint Planning Resolution:** **MOTION** by Councilor Powderly to waive the reading **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-8, No-0, Absent-1.** **MOTION** by Councilor Powderly to move Resolution 12-84 **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting said several towns have been asked to sign on to a resolution allowing the participation in ongoing discussions concerning the design and development of the SNETT. **VOTE to Approve: Yes-8, No-0, Absent-1.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting said free metered parking in the downtown area would begin December 8, 2012 and run through the holidays. The 2-hour parking limit would however remain in effect. ► The Planning Board unanimously endorsed the new Site Plan Bylaw. The new bylaw will be added to the next meeting's agenda. ► Construction will begin next week on the DelCarte Dam and is expected to be completed in 4-5 months. ► Mr. Nutting outlined the Governor's struggle with the State Budget and how Franklin could be impacted. Mr. Nutting was not too concerned for FY13, but is concerned about FY14. ► Mr. Nutting notified the council of the need to address medical marijuana dispensaries. The new law will come into effect on January 1, 2013.

**OLD BUSINESS:** NONE.

**NEW BUSINESS:** NONE.

**COUNCILOR COMMENTS:** ► Councilor Roy congratulated Stella Jeon and shared his first experience being interviewed by Ms. Jeon. Councilor Roy said he received many compliments on the tree lighting on the Common. ► Councilor Bissanti commended and congratulated Ms. Jeon. ► Councilor Pfeffer thanked Ms. Jeon for her service. Councilor Pfeffer also asked about two swans that inhabit the area near the DelCarte Dam. Mr. Nutting said a conservation officer is on-site to monitor the swans. ► Councilor Powderly praised Ms. Jeon and said Ms. Jeon was the first person to call and congratulate Councilor Powderly when she was first elected to the Council. Councilor Powderly thanked all who made the

Common look so beautiful and said the Christmas Stroll was fabulous. ► Councilor Kelly congratulated Ms. Jeon and said the Common looks beautiful. ► Councilor Dellorco said M. Jeon had done a great job and people can learn from her example. Councilor Dellorco also pleased with the Common holiday lights. ► Councilor Mercer congratulated Ms. Jeon on the Citizenship Award, agreed the Common looks great and provided an update to the New High School Project. The foundation should be poured within the next two weeks and steel work would begin mid-January for the new high school. ► Chairman Vallee echoed the other councilors comments regarding Ms. Jeon's achievements. Chairman Vallee also thanked Karen Alves for going above and beyond her duties as Senior Center Director. Chairman Vallee announced Jim Vallee would be honored at the next Council Meeting.

**ADJOURN: MOTION** by Councilor Bissanti to adjourn **SECONDED** by Councilor Dellorco. **VOTE to Approve: Yes-8, No-0, Absent-1.**

The Regular Session of the meeting ended at 7:39PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary

PUBLIC

HEARINGS

ACCEPTANCE OF LADY SLIPPER LANE, PASTURE WAY AND  
SYMMES ROAD AS PUBLIC WAYS – 7:10 PM

January 28, 2013

Community Newspaper  
254 Second Avenue  
Needham, MA 02494

Attention: Mary, Legal Ad Department

PLEASE PUBLISH THE FOLLOWING LEGAL AD ONCE ON THURSDAY  
JANUARY 31, 2013 .

PLEASE SEND THE BILL AND TEAR SHEET TO:  
TOWN OF FRANKLIN  
TOWN ADMINISTRATOR'S OFFICE  
355 EAST CENTRAL STREET  
FRANKLIN, MA 02038

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Pursuant to Chapter 163 of the Legislative Acts of 2011, the Franklin Town Council will hold a public hearing on Wednesday, February 13, 2013 at 7:10 PM in the Council Chambers, located on the second floor of the Franklin Municipal Building 355 East Central Street, Franklin, MA to determine whether it is in the public interest to accept the following named roads in Symmes Estates residential subdivision as public ways:

Lady Slipper Lane  
Pasture Way  
Symmes Road

Please contact the Town Administrator's Office at 508-520-4949 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for persons with language barriers.

PRESENTATIONS  
AND  
DISCUSSIONS

GUS BROWN, BUILDING COMMISSIONER



Sponsor: Administration

**TOWN OF FRANKLIN  
RESOLUTION 13-07  
ORDER OF ACCEPTANCE OF LADY SLIPPER LANE,  
PASTURE WAY, AND SYMMES ROAD  
AS PUBLIC WAYS**

**WHEREAS,** The General Court enacted Chapter 163 of the Legislative Acts of 2011 "An Act Providing a Simplified Procedure for Municipal Acceptance of Subdivision Roads in the City Known as the Town of Franklin", (hereinafter: Chapter 163), and

**WHEREAS,** Lady Slipper Lane, Pasture Way, and Symmes Road are all laid-out and constructed roads in a residential subdivision shown on a definitive subdivision plan entitled Symmes Estates, approved by the Town of Franklin Planning Board and recorded at Norfolk County Registry of Deeds in Plan Book 338 as Plan No. 800 of 1986, and

**WHEREAS,** Town has fully complied with the requirements of Chapter 163 for the municipal acceptance of said roads as public ways; said compliance includes submittal of written certification and plans by the Town of Franklin Planning Board to the Franklin Town Council and the Franklin Town Council's holding of a public hearing this date, after having given prior written notice thereof to the owner of record of each property abutting the roads, as evidenced by the abutters list a true copy of which is attached hereto as "Exhibit A", and notice by newspaper publication,

**NOW THEREFORE, BE IT ORDERED THAT:**

1. The Town Council of the Town of Franklin determines that it is in the public interest to accept Lady Slipper Lane, Pasture Way and Symmes Road, all shown on the above-referenced definitive subdivision plan and also shown on the street acceptance plans entitled Street Acceptance Plan of: "Lady Slipper Lane" (sheet 1 of 5), "Pasture Way" (sheet 2 of 5), and "Symmes Road" (sheets 3 and 4 of 5), together with "Plan of Easements" (sheet 5 of 5), all further entitled: "Symmes Estates in the Town of Franklin, Norfolk County, Massachusetts", dated: June 13, 2003 and prepared by Guerriere and Halnon, Inc., Suite 205, 38 Pond Street, Franklin, MA, to be recorded herewith, as public ways.
2. In accordance with said determination, the Franklin Town Council hereby accepts the following roads shown on said street acceptance plans as public ways with the fee ownership thereof to vest in Town:

Lady Slipper Lane, for its entire length  
Pasture Way, for its entire length  
Symmes Road, for its entire length



Together with ownership of the following easements shown on said street acceptance plans:

Sewer and Drain Easement shown as Easement Area "A"  
Drain Easement shown as Easement Area "B"  
Drain Easement shown as Easement "D1 and D2"  
Drain Easement shown as Easement Area "E"  
Drain Easement shown as Easement Area "F"  
Five foot wide Sidewalk Easement shown as Easement Area "G"  
Drain Easement shown on Lots 23A and 24.

as well as all pipes, structures and other improvements located within any roadway or easement, upon recordation of a true copy of this order and said street acceptance plans at Norfolk County Registry of Deeds, as provided in Chapter 163.

3. The Franklin Town Council directs that a true copy of this Order of Acceptance, together with the original above-referenced street acceptance plans, be recorded at Norfolk County Registry of Deeds within thirty (30) days, in accordance with the provisions of Chapter 163.

This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

**DATED: February 13, 2013**

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**Deborah L. Pellegrini  
Town Clerk**

**ABSENT** \_\_\_\_\_

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**Judith Pond Pfeffer, Clerk  
Franklin Town Council**

EXHIBIT A

Parcel_ID	Location	Owner	Co-Owner	Mailing_Address	City	State	Zip
244-061-000-000	BROOK ST	TROTTIER STEPHEN P	TROTTIER HELEN A	167 BROOK ST	FRANKLIN	MA	02038
244-062-000-000	4 SYMMES RD	RYAN MARTIN J	RYAN DEBORAH L	4 SYMMES RD	FRANKLIN	MA	02038
244-063-000-000	6 SYMMES RD	COLMAN STEPHEN M	COLMAN KIMBERLY	6 SYMMES RD	FRANKLIN	MA	02038
244-064-000-000	8 SYMMES RD	MCGUINNESS JAMES L III	MCGUINNESS SHARON M	8 SYMMES RD	FRANKLIN	MA	02038
244-065-000-000	4 PASTURE WAY	NIELL JOSE S	NIELL HEIDI B	4 PASTURE WAY	FRANKLIN	MA	02038
244-066-000-000	6 PASTURE WAY	SALVAGGIO ALAN M	SALVAGGIO TERESA A	6 PASTURE WAY	FRANKLIN	MA	02038
244-067-000-000	8 PASTURE WAY	PANDISCIO JOHN K	PANDISCIO SANDRA J	8 PASTURE WAY	FRANKLIN	MA	02038
244-068-000-000	SYMMES RD	STOP RIVER REALTY TRUST	C/O LOROSSO GERARD C	3 BELCHER ST	PLAINVILLE	MA	02762
244-069-000-000	17 LADY SLIPPER LN	LAROSE RONALD R	LAROSE MARIA L	17 LADY SLIPPER LN	FRANKLIN	MA	02038
244-070-000-000	15 LADY SLIPPER LN	QUIGLEY LUKE C	QUIGLEY MEGHAN	15 LADY SLIPPER LN	FRANKLIN	MA	02038
244-150-000-000	12 LADY SLIPPER LN	MACLEOD JOHN A	MACLEOD MURIEL D	12 LADY SLIPPER LN	FRANKLIN	MA	02038
244-151-000-000	14 LADY SLIPPER LN	VACCAREZZA DIEGO H	VACCAREZZA KARIN A	14 LADY SLIPPER LN	FRANKLIN	MA	02038
244-152-000-000	16 LADY SLIPPER LN	CHURCH RICHARD J & JULIE		16 LADY SLIPPER LN	FRANKLIN	MA	02038
244-153-000-000	18 LADY SLIPPER LN	QU XIUPING		18 LADY SLIPPER LN	FRANKLIN	MA	02038
244-154-000-000	1 PASTURE WAY	SEREMETIS CHRISTOPHER	PANG LIXIN	1 PASTURE WAY	FRANKLIN	MA	02038
244-155-000-000	12 SYMMES RD	MICHEL SCOTT R	SEREMETIS THEODORA	12 SYMMES RD	FRANKLIN	MA	02038
244-156-000-000	14 SYMMES RD	LU YUJIE IRENE	MICHEL ERIN	14 SYMMES RD	FRANKLIN	MA	02038
244-157-000-000	16 SYMMES RD	SIGNORE ANTHONY J JR	SIGNORE WENDY	16 SYMMES RD	FRANKLIN	MA	02038
244-158-000-000	17 SYMMES RD	CONNOLLY MICHAEL J JR	CONNOLLY KRISTI	16 SYMMES RD	FRANKLIN	MA	02038
244-159-000-000	15 SYMMES RD	DOBECKI KRZYSZTOF	DOBECKI DONNA	17 SYMMES RD	FRANKLIN	MA	02038
244-160-000-000	13 SYMMES RD	SYMMES WILLIAM A & FRIEDA B TRS	SYMMES FAMILY TRUST	15 SYMMES ROAD	FRANKLIN	MA	02038
244-161-000-000	11 SYMMES RD	CHAPUT RICHARD W	CHAPUT ELIZABETH A	13 SYMMES RD	FRANKLIN	MA	02038
244-162-000-000	9 SYMMES RD	ELIAS STEPHEN S	ELIAS LAUREN	11 SYMMES RD	FRANKLIN	MA	02038
244-163-000-000	7 SYMMES RD	NICHOLSON TODD A	NICHOLSON AMY G	9 SYMMES RD	FRANKLIN	MA	02038
244-164-000-000	5 SYMMES RD	MARTIN REBECCA R & KENNETH M TRS	REBECCA R MARTIN REVOC TRUST	7 SYMMES RD	FRANKLIN	MA	02038
244-165-000-000	3 SYMMES RD	TYAGI AMIT	TYAGI PRIYA	5 SYMMES RD	FRANKLIN	MA	02038
244-166-000-000	165 BROOK ST	WILLIAMS NICOLE M	WILLIAMS ROGER M	3 SYMMES RD	FRANKLIN	MA	02038
				165 BROOK ST	FRANKLIN	MA	02038