



FRANKLIN TOWN COUNCIL

October 16, 2013

7:00 PM

- A. APPROVAL OF MINUTES** – *August 7, 2013*
- 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** - ▪ *Ichigo Ichie – Reconsideration of Penalty for Violation of M.G.L. 138 §34: Sale, Delivery of, Furnishing of an Alcoholic Beverage to a person under the age of 21*
- G. LICENSE TRANSACTIONS** – *Tastebuds Fresh Marketplace- New Wine & Malt Package Store License*
- H. PRESENTATIONS/DISCUSSIONS**
- I. SUBCOMMITTEE REPORTS**
- J. LEGISLATION FOR ACTION**
 - 1. Resolution 13-70: Acceptance of Easement for Public Sidewalk on Property at 411 West Central Street*
 - 2. Resolution 13-71: Adoption of FY 2014 Budget - Amended*
 - 3. Resolution 13-72: Authorization to Appropriate Premium*
 - 4. Resolution 13-73: Transfer from Water Enterprise and Rescind Borrowing Authority (Resolution No. 10-66 Appropriation Funding Sources)*
 - 5. Resolution 13-74: Appropriation: Chapter 90 Fund*
 - 6. Resolution 13-75: Appropriation: Administration GASB 45 Actuary Study*
 - 7. Resolution 13-76: Appropriation: FY 2014 School Department Budget*
 - 8. Resolution 13-77: Appropriation: FY 2014 Fire Department Expenses*
 - 9. Resolution 13-78: Appropriation: Ambulance Purchase FY 2014*
 - 10. Resolution 13-79: Appropriation: Roads/sidewalks/drainage/stormwater/and infrastructure, and all costs incidental and related thereto*
 - 11. Resolution 13-80: Appropriation: Senior Center Stabilization Fund*
 - 12. Resolution 13-81: Appropriation: Operating Budget Stabilization Fund*
 - 13. Zoning Bylaw Amendment 13-719: Amendment to Chapter 185 of the Town Code, Attachment 9. Schedule of Lot, Area, Frontage, Yard and Height Requirements – 2nd Reading*
 - 14. Zoning Bylaw Amendment 13-720: Amendment to Chapter 185, §4. Districts Enumerated – 2nd Reading*
 - 15. Zoning Bylaw Amendment 13-721: Amendment to Chapter 185, §5. Zoning Map- 2nd Reading*
 - 16. Zoning Bylaw Amendment 13-722: Amendment to Chapter 185, §50. Residential VII Zoning District – 2nd Reading*
 - 17. Zoning Bylaw Amendment 13-723: Amendment to Chapter 185, Use Regulation Schedule – 2nd Reading*
- 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
August 7, 2013**

A meeting of the Town Council was held on Wednesday, August 7, 2013 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Matt Kelly, Thomas Mercer, Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney. Administrative personnel absent: Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Robert Cantoreggi; Director of Department of Public Works, Jim Dacey; Treasurer-Collector, Gary McCarraher; Fire Chief.

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

APPROVAL OF MINUTES: *May 8, 2013, May 15, 16, 2013 Budget Hearings* **MOTION** by Councilor Powderly to move approval of minutes **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.**

ADDITION TO AGENDA: **MOTION** by Councilor Bissanti to add **Zoning Bylaw Amendment 13-718: Changes to Chapter 185, Section 7. – Compliance Required* to the August 7, 2013 Agenda. **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.**

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

PROCLAMATIONS/RECOGNITIONS: NONE.

CITIZEN COMMENTS: ► Lawrence Benedetto spoke on behalf of the Citizens Committee regarding two initiatives. One initiative was for the Town to assume ownership of the Depot Street Train Station, and the second initiative was for the Town to acquire 21 acres of land located to the left of the Recycling Center on Beaver Street. Both initiatives will be discussed at a future Council Meeting. ► Richard Cornetta introduced Roy MacDowell of Baystone Development and Todd MacDowell. **MOTION** by Councilor Bissanti to waive the residency rule as they pertain to the Citizen's Comments segment of the Council Meeting **SECONDED** by Councilor Powderly. **VOTE to Approve: Yes-9, No-0, Absent-0.** Roy MacDowell inquired about the Town owned Pond Street property and whether the property was available for sale. Chairman Vallee said the property could be discussed during the "New Business" segment of the Meeting.

APPOINTMENTS: *Paul Harrington – Conservation Commission:* **MOTION** by Councilor Pfeffer to ratify the appointment of Paul Harrington of 18 Ray Hill to the Conservation Commission **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting said there were three more vacancies on the Commission. Anyone interested in joining the Commission should contact the Town. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Rev. Bob Johnnene – Cultural Council: **MOTION** by Councilor Pfeffer to ratify the appointment of Rev. Bob Johnnene of 20 Veteran's Memorial Drive #200 to the Cultural Council **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Election Workers: **MOTION** by Councilor Pfeffer to ratify the appointment of the list of names submitted by the Town Clerk **SECONDED** by Councilor Jones. **DISCUSSION:** Councilor Roy said one of the proposed Election Workers no longer resides in Franklin. **MOTION** by Councilor Pfeffer to remove Alexandra Yurgenson from the Election Worker list **SECONDED** by Councilor Powderly. **VOTE to Approve: Yes-9,**

No-0, Absent-0. VOTE to Approve the Amended Election List: Yes-9, No-0, Absent-0.

HEARINGS: *Violation of M.G.L. Chapter 138, Section 34: Sale, Delivery or Furnishing of an Alcoholic Beverage to a Person under the Age of 21:* Mr. Nutting said the Hearing was postponed until September 4, 2013. **MOTION** by Councilor Mercer to postpone the Hearing until September 4th **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Zoning Bylaw Amendment 13-718: *Changes to Chapter 185, Section 7 – Compliance Required: **MOTION** by Councilor Jones to postpone the Hearing until September 4th **SECONDED** by Councilor Dellorco. **VOTE to Approve: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: NONE.

PRESENTATIONS/DISCUSSIONS: *Department of Public Works* – Robert Cantoreggi; Director of Department of Public Works introduced DPW department heads and presented the Council with an overview of road conditions in Franklin. All Town roads were rated last year by an outside consulting firm, with the Town receiving a rating of 77 overall. Mr. Cantoreggi said the Town's goal is to raise the rating to 80+. Mr. Cantoreggi outlined the difficulty of maintaining the Town's roads because of limited funding. The funding from Chapter 90, which entitles municipalities to reimbursement of documented expenditures on approved projects varies from year to year. The Town has appropriated funding for road repairs as well, but the appropriation amount is directly tied to the economy – again, this source of funding fluctuates from year to year. Mr. Cantoreggi said the amount of needed road repairs far exceeds the amount of funding available from either the State or the Town. If there is no other source of funding, the Town's roads will continue to deteriorate. Mr. Cantoreggi's presentation included the possibility of requesting a dedicated override to fund needed reconstruction and repair work to the Town's roads. With 2.3 million dollars, the Town could achieve an 80 rating within five years, barring emergencies or severe storm damage, or new regulations. ► Councilor Pfeffer and Chairman Vallee asked specifically about the reconstruction of Winterberry Drive. Mr. Cantoreggi said a portion of the road collapsed and needed to be reconstructed even though the subdivision road was relatively new. ► Chairman Vallee inquired about reimbursement for snow removal for this past winter. Mr. Cantoreggi said he believed the Town would receive approximately \$175,000 in FEMA Grants for last winter's storms. ► Councilor Kelly asked about the width of roads, specifically were new roads in compliance with new Stormwater rules. Mr. Cantoreggi said subdivision roads were being reduced from 30-32 feet wide to 24-26 feet wide when the subdivision roads are reconstructed. Reductions in subdivision road and cul-de-sac sizes reduce the construction costs as well as the maintenance costs associated with sand and salt treatment in the winter. ► Councilor Powderly supported making appropriation commitment to roads and would consider a dedicated override to fund roadwork. ► Councilor Roy discussed Chapter 90 funding and said if the Governor releases the remaining \$200 million dollars of the \$300 million dollars allocated to Chapter 90 funding by the Legislature, the Town would receive \$450 thousand dollars for roadwork. Councilor Roy said he would not support a dedicated override at this point. He said with the economy as it is, he would like to see how the Chapter 90 funding goes and revisit the subject when the Town has a better idea of what the actual funding necessary is. ► Councilor Bissanti reviewed the history of subdivisions constructed during the 1980s and early 1990s, which are the roads that will increasingly require reconstruction because "core" and "compression" testing of the roads were not done during that time period. ► Mr. Nutting reiterated the question at the moment is how will the Town continue to fund road projects. A 1 million dollar override would cost the average taxpayer \$88 dollars a year in FY13. Without adequate funding, resident complaints will increase and the Town will have a crisis. The Council thanked Mr. Cantoreggi and the DPW staff for their work on the presentation.

SUBCOMMITTEE REPORTS: *Senior Outreach Committee* – Councilor Powderly said the subcommittee had met earlier in the evening and had a couple of proposals that should be ready for Council presentation during the September Council Meeting.

LEGISLATION FOR ACTION:

Resolution 13-57: Submittal to Town Clerk of Final Form of Ballot Question, Re: Proposed Charter Amendment Changing Treasure-Collector from Elected to Appointed Position: Councilor Pfeffer read the resolution to add the ballot question for the November 5, 2013 local general election, the question of whether to eliminate the provision for election of the Town Treasurer-Collector and add a provision for appointment of the Town Treasurer-Collector by the Town Administrator, with input from a selection committee and ratification by the Town Council. **MOTION** by Councilor Jones to move Resolution 13-57 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Cerel said this ballot question is similar to a Proposition 2 ½ ballot question as far as the statute language. A copy of the ballot question is required to be mailed to all registered voters. ► Jim Dacey, Treasurer-Collector spoke in support of the ballot question and in favor of appointing future Treasurer-Collectors. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 13-58: Intermunicipal Agreement for Regional Public Safety Communications and Dispatch Center: Councilor Pfeffer read the resolution to approve the “Agreement by and Among the Towns of Franklin, Norfolk, Plainville, and Wrentham for a Regional Public Safety Communications and Dispatch Center”. **MOTION** by Councilor Powderly to move Resolution 13-58 **SECONDED** by Councilor Mercer. **DISCUSSION:** Gary McCarraher, Fire Chief urged the Council to support the Regional Dispatch Center as it will provide services better, cheaper and faster. Councilor Roy also urged Council support for this resolution. The Dispatch Center will be located in Wrentham and will give the Town the opportunity to have a state of the art facility with the best technology and a dedicated full time dispatch staff. Mr. Nutting thanked Representative Roy for getting the legislation allowing the Regional Dispatch Center passed by both branches of government and signed by the Governor when it had previously lingered. Mr. Nutting estimated the Regional Dispatch Center would open in approximately 18 months. **VOTE to Approve: Yes-9, No-0, Absent-0.**

NOTE: Councilor Bissanti recused himself from discussion on Resolution 13-59 due to a conflict of interest.

Resolution 13-59: Authorization to Sign Amended Regulatory Agreement: **MOTION** by Councilor Jones to waive the reading **SECONDED** by Councilor Powderly. **VOTE to Approve: Yes-8, No-0, Absent-0, Recused-1.** **MOTION** by Councilor Powderly to move Resolution 13-59 **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting explained the original developer in 2005 had agreed to construct 127 condominium units, with 45 units designated as affordable. The subsequent downturn in the economy affected the project, and the original developer went into bankruptcy. The current developer of the project would like to renegotiate the number and price of affordable housing units in one garden style building. The developer would like to reduce the number of affordable housing units in the building from 7 to 4 units, and to reduce the price from \$163,000 to \$149,000. Mr. Nutting said he supported the amended regulatory agreement, as it will serve the interest of the Town and the folks who want to purchase an affordable unit. ► Councilor Powderly inquired whether the change of affordable housing units had gone before the Zoning Board of Appeals. Richard Cornetta, who spoke on behalf of Merion Corporation, said the Zoning Board of Appeals approved the amendment. **VOTE to Approve: Yes-8, No-0, Absent-0, Recused-1.**

Resolution 13-60: Acceptance of Gift – Town of Franklin: Councilor Pfeffer read the resolution to gratefully accept the \$5,250 from Petroleum Engineering, Inc. to be used for sidewalks at the new Stop & Shop Gas Station. **MOTION** by Councilor Powderly to move Resolution 13-60 **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting clarified the donation will not be used for a sidewalk in front of the new gas station, but rather to construct a sidewalk farther down the road on West Central Street. **MOTION** by Councilor Powderly to amend Resolution 13-60, striking “at the new Stop & Shop Gas Station” and inserting “West Central Street” **SECONDED** by Councilor Jones. **VOTE to Approve Amended Language: Yes-9, No-0, Absent-0. VOTE to Approve Resolution as Amended: Yes-9, No-0, Absent-0.**

***Zoning Bylaw Amendment 13-718: Changes to Chapter 185, Section 7 – Compliance Required – 2nd**

Reading: MOTION by Councilor Mercer to continue Zoning Bylaw Amendment 13-718 until September 4th
SECONDED by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting had two announcements. The first announcement was FEMA had released \$741,920 in grant money for the Town to hire four firefighters for the next two years. The grant money will cover both wages and benefits. Mr. Nutting thanked Mr. McCarraher for the work he did to obtain this important grant. The second announcement was last week the Town had sold 50 million dollars worth of bonds at a rate of about 4%. Forty-five million was for the New High School, and five million for water. The Town also maintained its Standard & Poor's bond rating.

OLD BUSINESS: NONE.

NEW BUSINESS: ► Councilor Powderly said she was pleased with the many proposals submitted by the Citizens Committee, but would like the Committee to expand their proposals to include public safety and education as these issues are also very important to the town. ► Councilor Pfeffer requested the last 5 years of total pay to ATC for each fiscal year. ► Councilor Jones invited anyone, including Baystone Development to present their ideas for the Pond Street property at the next Economic Development Committee(EDC) meeting on September 4th at 6PM. ► Richard Cornetta on behalf of Baystone Development provided each council member with a brochure detailing Baystone Development's accomplishments and said he would like to attend the next Economic Development Committee on September 4th. Chairman Vallee said the developer would need to be more specific about the type of development they envision for the Pond St. site. Councilors Mercer and Bissanti said they would prefer the developer get a recommendation from the EDC before going before the Council.

COUNCILOR COMMENTS: ► Councilor Mercer announced two Building Committee meetings. The first meeting is scheduled for August 19th at 6:30PM in the Training Room and will include a presentation by the architects hired to evaluate Davis Thayer Elementary School and their recommendations for the school. The second meeting is an informal hearing scheduled for August 21st at 7:00PM in Council Chambers and will provide an update on the next phase of traffic pattern, parking and overall update on the high school. ► Councilor Powderly thanked Fire Chief Gary McCarraher for his work on successfully obtaining the grant to hire four firefighters, and for the intermunicipal agreement. ► Councilor Pfeffer said the new wrought iron fence installed around Dean College was a nice improvement. Councilor Pfeffer congratulated the Police Department and Rick's for partnering and giving children riding bikes with helmets free ice cream cones. Councilor Pfeffer thanked State Representative Roy for getting the Regional Dispatch Center legislation passed; which was State Representative Roy's first legislation passed. ► Councilor Jones invited anyone interested in offering the Economic Development Committee with ideas for development to contact the Committee. Councilor Jones also announced the Fight for Hunger Paintball Challenge scheduled for September 21st from 9-4 at Fox4 in Upton. All proceeds will benefit the Franklin Food Pantry. ► Councilor Roy announced the Master Plan Committee would hold a public hearing on August 10th at 10:00AM at the Library where the Committee hopes to obtain more comments from members of the public.

EXECUTIVE SESSION: MOTION by Councilor Pfeffer to go into Executive Session under Open Meeting Law Purpose Number Two; contract negotiations for non-union personnel to discuss the Town Administrator's contract with him and not reconvene at the conclusion of Executive Session. **SECONDED** by Councilor Powderly. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly- Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 9 – 0 – 0 Unanimous.**

The Regular Session of the meeting ended at 8:07PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary

Hearings

Ichigo Ichie - Reconsideration of Violation
of M.G.L. 138 §34: Sale, Delivery of
Furnishing of an Alcoholic Beverage to a
person under the age of 21



License Transactions:

**Extraordinary Foods, Inc. d/b/a
Tastebuds Fresh Marketplace
470A King Street**

This is an application for a new Wine and Malt beverages license for a new retail food store selling meats, deli, bakery, specialty groceries and prepared foods and specialty cheeses. The Manager is to be David J. Lanni Jr.

All departments have signed off on this application.

MOTION to approve the request for a new Wine and Malt beverages license for Tastebuds Fresh Marketplace located at 470A King Street and approve the Manager, David J. Lanni Jr.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

**Deborah L. Pellegrini
Town Clerk**

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



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

☐ For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

ABCC License Number

City/Town

Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee	<input type="text" value="Extraordinary Foods, Inc."/>	EIN of Licensee	<input type="text" value="45-4548190"/>				
D/B/A	<input type="text" value="Tastebuds Fresh Marketplace"/>	Manager	<input type="text" value="David J. Lanni Jr."/>				
ADDRESS:	<input type="text" value="470A King Street"/>	CITY/TOWN:	<input type="text" value="Franklin"/>	STATE	<input type="text" value="MA"/>	ZIP CODE	<input type="text" value="02038"/>
<input type="text" value="Annual"/>	<input type="text" value="Wine & Malt"/>	<input type="text" value="Package Store"/>					
Annual or Seasonal	Category: (All Alcohol- Wine & Malt- Wine, Malt & Cordials)	Type: (Restaurant, Club, Package Store, General On Premises, Etc.)					

Complete Description of Licensed Premises:

Retail food Store 964 square foot retail store with stockroom ,office and sales area. Selling meats, deli, bakery, specialty groceries, prepared foods, specialty cheeses, wine & beer.

Application Filed:	<input type="text"/>	Advertised:	<input type="text" value="Milford Daily News"/>	Abutters Notified:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Date & Time		Date & Attach Publication		

Contact Person for Transaction	<input type="text" value="David J. Lanni Jr."/>	Phone:	<input type="text" value="508-283-7959"/>				
ADDRESS:	<input type="text" value="10 haven Way"/>	CITY/TOWN:	<input type="text" value="Ashland"/>	STATE	<input type="text" value="MA"/>	ZIP CODE	<input type="text" value="01721"/>

Remarks:

The Local Licensing Authorities
By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

ABCC Remarks:

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Franklin

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant: (Corporation, LLC or Individual)

Extraordinary Foods, Inc.

B. Business Name (if different):

Tastebuds Fresh Marketplace

C. Manager of Record:

DAVID J. Lanni Jr.

D. ABCC License Number (for existing licenses only):

E. Address of Licensed Premises:

470A Kingsl.

City/Town:

Franklin

State:

MA

Zip:

02038

F. Business Phone:

G. Cell Phone:

508-631-3984

H. Email:

dj.lanni53@gmail.com

I. Website:

J. Mailing address (if different from E.):

10 HAVEN WAY

City/Town:

Ashland

State:

MA

Zip:

01721

2. TRANSACTION:

- ☒ New License ☐ New Officer/Director ☐ Transfer of Stock ☐ Issuance of Stock ☐ Pledge of Stock
☐ Transfer of License ☐ New Stockholder ☐ Management/Operating Agreement ☐ Pledge of License

The following transactions must be processed as new licenses:

- ☐ Seasonal to Annual ☐ (6) Day to (7)-Day License ☐ Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- ☐ §12 Restaurant ☐ §12 Hotel ☐ §12 Club ☐ §12 Veterans Club
☐ §12 General On-Premises ☐ §12 Tavern (No Sundays) ☒ §15 Package Store

4. LICENSE CATEGORY:

- ☐ All Alcoholic Beverages ☐ Wine & Malt Beverages Only ☒ Wine or Malt Only
☐ Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- ☒ Annual ☐ Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME:

DAVID J. Lanni Jr.

ADDRESS:

10 HAVEN WAY

CITY/TOWN:

Ashland

STATE:

MA

ZIP CODE:

01721

CONTACT PHONE NUMBER:

508 631-3984

FAX NUMBER:

508-283-7959

EMAIL:

dlanni53@gmail.com.

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43:

RETAIL food store selling meats, deli, bakery, specialty groceries, prepared foods, specialty cheeses, wine and beer.
965 Square foot, Stockroom, Office + Sales area. Two points entrance + egress.

Total Square Footage:

964

Number of Entrances:

2

Number of Exits:

2

Occupancy Number:

Seating Capacity:

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises?

Please select Final lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n):

Please Select

TRUST.

Other:

Name:

SILVER MAPLE Realty TRUST.

Phone:

Address:

PO BOX 369, 860 W. Central St.

City/Town:

Franklin

State:

MA

Zip:

05038

Initial Lease Term: Beginning Date

11/1/2013

Ending Date

10/31/2023

Renewal Term:

2

Options/Extensions at:

5

Years Each

Rent:

18,316.00

Per Year

Rent:

1526.33

Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?

Yes ☐ No ☒**IMPORTANT ATTACHMENTS (4):**

1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application.
2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

9. LICENSE STRUCTURE:The Applicant is a(n): Other:

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

State of Incorporation/Organization: Is the Corporation publicly traded? Yes ☐ No ☒**10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS (5):A. All individuals or entities listed below are required to complete a Personal Information Form.B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form.

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
Donna M. Lanni	President, all titles	100	
DAVID LANNI JR	MANAGER	P	

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list said interest below:

Name	License Type	Licensee Name & Address
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	
	<input type="text" value="Please Select"/>	

*If additional space is needed, please use last page.

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☒ No ☐ If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
DAVID IANNI JR	MIT FACULTY CLUB 50 MEMORIAL DR CAMBRIDGE MA	1986	LEFT Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :**A.) For Individual(s):**

1. Are you a U.S. Citizen?

Yes ☒ No ☐

2. Are you a Massachusetts Residents?

Yes ☒ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens?

Yes ☒ No ☐

2. Are a majority of Directors/LLC Managers Massachusetts Residents?

Yes ☒ No ☐

3. Is the License Manager or Principal Representative a U.S. Citizen?

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old?

Yes ☒ No ☐

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:**A.) For Individual(s):**

1. Are you a U.S. Citizen?

Yes ☒ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)?

Yes ☐ No ☒

2. Is the License Manager or Principal Representative a U.S. Citizen?

Yes ☒ No ☐

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old?

Yes ☒ No ☐

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	
B. Purchase Price for Business Assets:	
C. Costs of Renovations/Construction:	80,000 ±
D. Initial Start-Up Costs:	10,000 ±
E. Purchase Price for Inventory:	15,000 ±
F. Other: (Specify) <i>Architect Attorney permits</i>	15,000 ±
G: TOTAL COST	120,000 ±
H. TOTAL CASH	20,000 ±
I. TOTAL AMOUNT FINANCED	100,000 ±

IMPORTANT ATTACHMENTS (6): Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

- LINE OF CREDIT ON REAL ESTATE, 10 ARROW WAY, BURLINGTON, MA
- LEASE BACK OF PURCHASED EQUIPMENT

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

A.		
Name	Dollar Amount	Type of Financing
Middlesex Savings Bk	100,000	Equity LOC

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes ☐ No ☒

If yes, please describe:

--

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? ☐ Yes ☒ No

1. If yes, to whom:

2. Amount of Loan: 3. Interest Rate: 4. Length of Note:

5. Terms of Loan:

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? ☐ Yes ☒ No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? ☐ Yes ☒ No

If yes, to whom:

IMPORTANT ATTACHMENTS (7): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: ☒ Yes ☐ No

BUILDOUT TO INCLUDE INSTALLATION OF REFRIGERATED DISPLAY CASES,
REFRIGERATED WALKIN, MILLWORK, PAINTING, ELECTRICAL,
PLUMBING AND FLOORING.

21. ANTICIPATED OPENING DATE:

IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED

APPLICANT'S STATEMENT

I, Donna M. Lanni the ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP member
of EXTRAORDINARY FOODS, INC., hereby submit this application for RETAIL WINE & MALT (hereinafter the
"Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and
together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the
Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief.
I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the
Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying
documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the
ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the
information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in
disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the
Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing
Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including,
but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or
consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the
Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and
representations made in the Application may result in sanctions, including the revocation of any license for which the
Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or
sanctions including revocation of any license for which this Application is submitted.

Signature:

Donna M. Lanni

Date:

September 9, 2013

Title:

President



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

MANAGER APPLICATION

All proposed managers are required to complete a Personal Information Form,
and attach a copy of the corporate vote authorizing this action and appointing a manager.

1. LICENSEE INFORMATION:

Legal Name of Licensee: E. W. MORDEN FOODS, INC. Business Name (dba): Tastebuds Fresh Market Place
Address: 10 HAVENWAY
City/Town: ASHLAND State: MA Zip Code: 01721
ABCC License Number: N/A (If existing licensee) Phone Number of Premise: N/A

2. MANAGER INFORMATION:

A. Name: DAVID J. LANNI JR B. Cell Phone Number: 508 631 3984
C. List the number of hours per week you will spend on the licensed premises: 50 +

3. CITIZENSHIP INFORMATION:

A. Are you a U.S. Citizen: Yes ☒ No ☐ B. Date of Naturalization: C. Court of Naturalization:
(Submit proof of citizenship and/or naturalization such as US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers)

4. BACKGROUND INFORMATION:

A. Do you now, or have you ever, held any direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages? Yes ☒ No ☐
If yes, please describe: MIT FACULTY CLUB, 50 MEMORIAL DR. CAMBRIDGE, MA.
B. Have you ever been the Manager of Record of a license to sell alcoholic beverages that has been suspended, revoked or cancelled? Yes ☐ No ☒
If yes, please describe:
C. Have you ever been the Manager of Record of a license that was issued by this Commission? Yes ☒ No ☐
If yes, please describe: MIT FACULTY CLUB, 50 MEMORIAL DR. CAMBRIDGE, MA
D. Please list your employment for the past ten years (Dates, Position, Employer, Address and Telephone):
HOLLISTON SUPERETTE, 777 WASHINGTON ST, HOLLISTON MA, GENERAL MANAGER
508 4292009 - MARCH 2007 TO PRESENT
CAPASSO FARMS, SOUTH BORO, MA 2003 - 2007 - NO LONGER IN BUSINESS

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Date

9/8/2013



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee EXTRAORDINARY FOODS INC B. Business Name (dba) Tastebuds Fresh Marketplace
C. Address 10 HAWK WAY D. ABCC License Number (If existing licensee) N/A
E. City/Town ASHLAND MA State MA Zip Code 01721
F. Phone Number of Premise N/A G. EIN of License 45-4548190

2. PERSONAL INFORMATION:

A. Individual Name DAVID J. LANNI JR B. Home Phone Number 508 631 3984
C. Address 10 HAWK WAY
D. City/Town ASHLAND State MA Zip Code 01721
E. Social Security Number F. Date of Birth
G. Place of Employment EXTRAORDINARY FOODS, INC

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime?

Yes ☐ No ☒

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

GENERAL MANAGER OF OPERATIONS, SALARIED EMPLOYEE

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.

*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature [Signature] Date 9/9/2013

Title GENERAL MANAGER (If Corporation/LLC Representative)



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee EXTRAORDINARY Foods, Inc.
Donna M. Lanni

B. Business Name (dba) Tastebuds Fresh Market place

C. Address 470 King Street

D. ABCC License Number (If existing licensee)

E. City/Town Franklin, MA State MA Zip Code 02038

F. Phone Number of Premise

G. EIN of License 45-4548190

2. PERSONAL INFORMATION:

A. Individual Name Donna M. Lanni

B. Home Phone Number 508-380-7910

C. Address 10 HAVEN WAY

D. City/Town Ashland State MA Zip Code 01721

E. Social Security Number

F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime?

Yes ☐ No ☒

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

President, EXTRAORDINARY Foods, Inc. D/b/a TASTEBUDS Fresh Market place
working owner in all aspects of business.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.

*If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature

Donna M. Lanni

Date

9/28/2013

Title

President

(If Corporation/LLC Representative)

F
FPC

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

FORM MUST BE TYPED

Articles of Domestication

FORM MUST BE TYPED

(General Laws Chapter 156D, Section 9.22; 950 CMR 113.24)

- (1) Exact name of corporation in the jurisdiction of organization:

EXTRAORDINARY FOODS, INC.

- (2) A corporate name that satisfies the requirements of G. L. Chapter 156D, Section 4.01, if the name of the corporation is unavailable for use in the commonwealth, or the corporation desires to change its name:

- (3) Jurisdiction of incorporation:

FLORIDA

- (4) Date of incorporation in foreign jurisdiction:

February 14, 2012

- (5) The foreign corporation ☒ is / ☐ is not * authorized to conduct business in the commonwealth.

- (6) The domestication of the foreign corporation to a business corporation in the Commonwealth was duly authorized as required by the laws of the jurisdiction in which the corporation was incorporated.

- (7) The following information is required to be included in the articles of organization pursuant to G.L. Chapter 156D, Section 2.02(a) or permitted to be included in the articles pursuant to G.L. Chapter 156D, Section 2.02(b):

ARTICLE I

The exact name of the corporation upon domestication is:

EXTRAORDINARY FOODS, INC.

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. Chapter 156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:**

* Check the appropriate box

** Professional corporations governed by G.L. Chapter 156A and must specify the professional activities of the corporation.

ARTICLE III

State the total number of shares and par value, * if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common	100			

ARTICLE IV

Prior to the issuance of shares of any class or series, the articles of organization must set forth the preferences, limitations and relative rights of that class or series. The articles may also limit the type or specify the minimum amount of consideration for which shares of any class or series may be issued. Please set forth the preferences, limitations and relative rights of each class or series and, if desired, the required type and minimum amount of consideration to be received.

ARTICLE V

The restrictions, if any, imposed by the articles or organization upon the transfer of shares of any class or series of stock are:

ARTICLE VI

Other lawful provisions, and if there are no such provisions, this article may be left blank.

Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.

** G.L. Chapter 156D eliminates the concept of par value, however, a corporation may specify par value in Article III. See Section 6.21 and the comments relative thereto.*

ARTICLE VII

The effective date of organization of the corporation is the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than the 90th day after the articles are received for filing.

ARTICLE VIII

The information contained in this article is not a permanent part of the articles of organization.

- a. The street address of the initial registered office of the corporation in the commonwealth: 10 HAVENWAY
Ashland, MA 01721
- b. The name of its initial registered agent at its registered office:
Donna M. Lanni
- c. The names and addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

President: DONNA M. LANNI

Treasurer: DONNA M. LANNI

Secretary: DONNA M. LANNI

Director(s): DONNA M. LANNI

If a professional corporation, include a list of shareholders with residential addresses and attach certificates of the appropriate regulatory board.

- d. The fiscal year end of the corporation: 12/31
- e. A brief description of the type of business in which the corporation intends to engage: Food Service
- f. The street address of the principal office of the corporation: 10 HAVENWAY Ashland, MA 01721
- g. The street address where the records of the corporation required to be kept in the commonwealth are located is:
10 HAVENWAY Ashland, MA 01721, which is
(number, street, city or town, state, zip code)

- ☒ its principal office;
☐ an office of its transfer agent;
☐ an office of its secretary/assistant secretary;
☐ its registered office.

Signed by: Donna M. Lanni
(signature of authorized individual)

- ☐ Chairman of the board of directors,
☒ President,
☐ Other officer,
☐ Court-appointed fiduciary.

on this 23rd day of APRIL, 2013.

State of Florida

Department of State

I certify from the records of this office that EXTRAORDINARY FOODS, INC. is a corporation organized under the laws of the State of Florida, filed on February 14, 2012, effective February 14, 2012.

The document number of this corporation is P12000015541.

I further certify that said corporation has paid all fees due this office through December 31, 2013, that its most recent annual report/uniform business report was filed on February 24, 2013, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Twenty-sixth day of April,
2013*



Ken Detjen
Secretary of State

Authentication ID: CU1504676990

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

May 06, 2013 01:59 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

EXTRAORDINARY FOODS, INC.

MINUTES OF MEETING

BOARD OF DIRECTORS

Pursuant to notice duly provided, a Meeting of the Board of Directors of Extraordinary Foods, Inc. was held at the offices of Attorney Richard E. Manelis, 929 Worcester Road, Framingham, Massachusetts on Monday, the 16th day of September, 2013.

The sole Director of the Corporation was present.

A discussion ensued regarding the need and application for a Wine and Malt license.

Upon Motion duly made and seconded, it was:

VOTED: That the Corporation take any and all appropriate steps to obtain a Wine and Malt license from the Town of Franklin

Upon further discussion, it was duly:

VOTED: That David Lanni serve as Manager of Record for the Corporation relative to any application and resulting license from the Town of Franklin for Wine and Malt.

Upon Motion, it was:

VOTED: To adjourn

Adjourned accordingly.

A true record.

ATTEST:



Donna Lanni, Clerk

Director acknowledgement:



Donna Lanni

Legislation

For

Action



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 13-70

ACCEPTANCE OF EASEMENT FOR PUBLIC SIDEWALK ON PROPERTY AT 411 WEST CENTRAL STREET

WHEREAS, Joseph L. Vendetti, Jr. is the owner of a certain parcel of land located at 411 West Central Street in Franklin described in a quitclaim deed dated December 30, 2009 and recorded at Norfolk Registry of Deeds in Book 27348, Page 448 and

WHEREAS, Joseph L. Vendetti, Jr., having agreed to grant to the Town of Franklin a permanent easement over, under, and through that portion of Grantors' land shown as a 300 foot long by 5 foot wide easement on a Plan of Land captioned "Panther Way Sidewalk Easement on Land of Vendetti", said easement area containing about 1,500 square feet according to said plan for the purpose of constructing and maintaining a public pedestrian sidewalk, executed a Grant of Easement to the Town of Franklin for nominal consideration on August 28, 2013 with a copy of said plan attached as "Exhibit A", a true copy of said Grant of Easement with its attached "Exhibit A" being attached hereto as "Exhibit 1".

NOW THEREFORE, BE IT ORDERED that the Town of Franklin acting by and through its Town Council accepts the Grant of Easement with its attached "Exhibit A", a true copy of which is attached hereto as "Exhibit 1" and it is further ordered that a true copy of this resolution and Grant of Easement with its attached "Exhibit A" be recorded at Norfolk County Registry of Deeds.

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

DATED: October _____, 2013

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

ABSTAIN _____

**Deborah L. Pellegrini
Town Clerk**

ABSENT _____

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

EXHIBIT 1

GRANT OF EASEMENT

I, Joseph L. Vendetti, Jr., as owner of 411 West Central Street, Franklin, MA under Quitclaim Deed dated December 30, 2009, and recorded at Norfolk County Registry of Deeds in Book 27348 at Page 448, of 411 West Central Street, Franklin, MA.

respectfully, in consideration of ONE DOLLAR

GRANT to the Town of Franklin, a municipal corporation with administrative offices located in the Franklin Municipal Building, 355 East Central Street, Franklin, Norfolk County, MA a permanent easement over, under, and through that portion of Grantors' land shown as a 300 foot long by 5 foot wide easement on a Plan of Land captioned "Panther Way Sidewalk Easement on Land of Vendetti" a copy of which is attached hereto as "Exhibit A", said easement area containing about 1,500 square feet, according to said plan. Included in the foregoing grant of easement is the right to use said easement area as part of the public right of way for the purpose of constructing and maintaining a pedestrian sidewalk.

The Grantors, for themselves and their successors in title, covenant that they shall not permit any use within said easement area described herein which is inconsistent with this Grant of Easement including, but not limited to, the erection of any structures of any kind or performing any act which will impair the function and purpose of said Grant of Easement. Grantor shall not relocate easement without prior written consent of Grantee.

For Grantors' Title see deed dated December 30, 2009 recorded in Norfolk Registry of Deeds in Book 27348 at Page 448.

WITNESS our hands and seals this 28 day of Aug 2013.

Joseph L. Vendetti, Owner

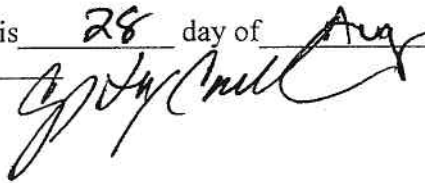
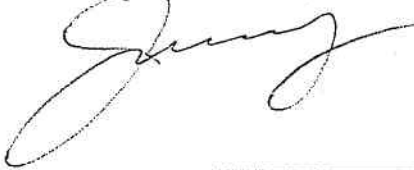
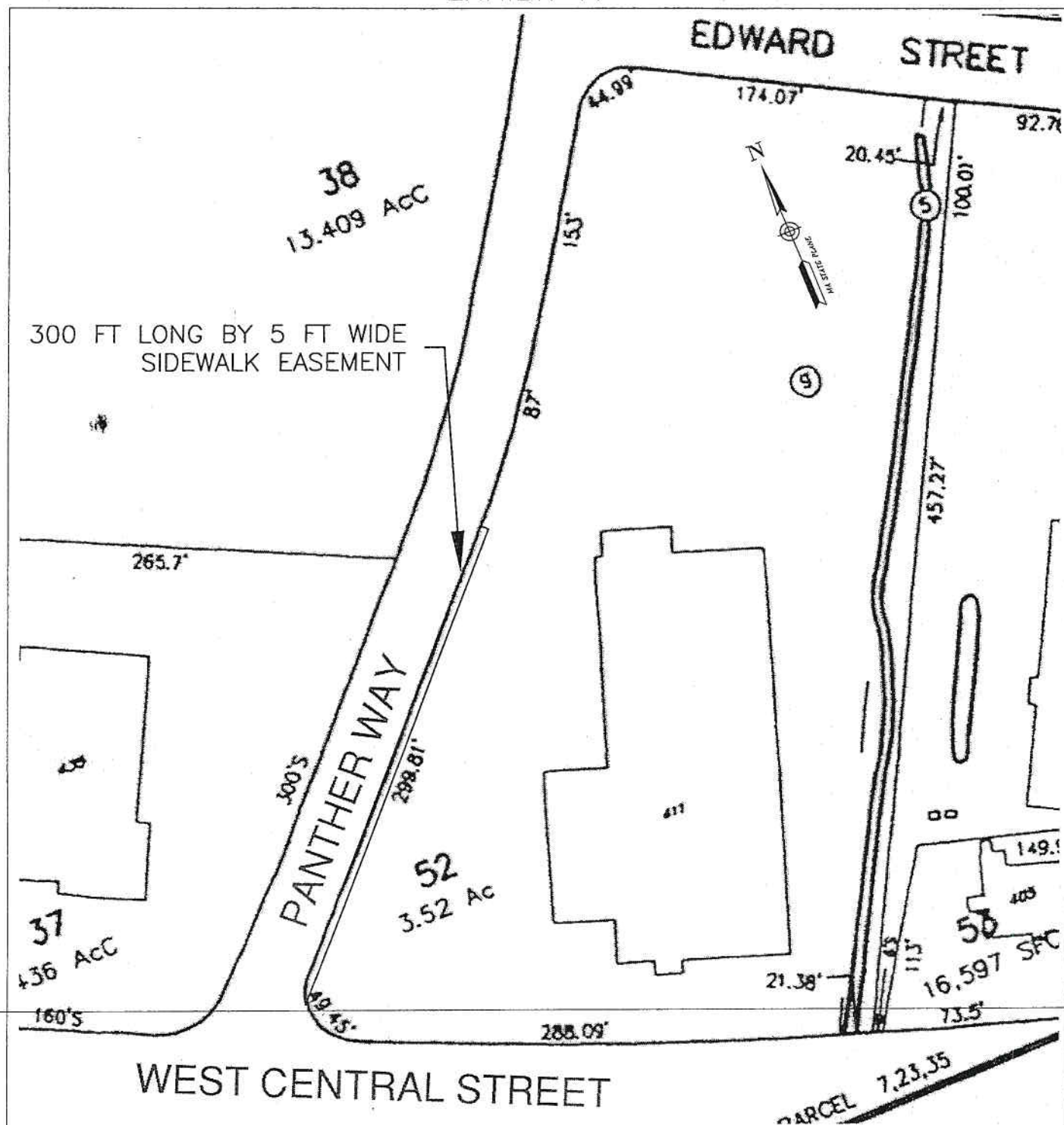


EXHIBIT A



TOWN OF FRANKLIN
DEPARTMENT OF
PUBLIC WORKS
ENGINEERING DIVISION

PANTHER WAY SIDEWALK EASEMENT
ON LAND OF VENDETTI

DATE:
7/22/2013

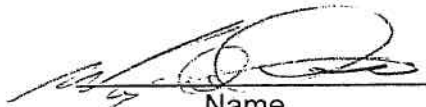
SCALE:
N.T.S.

MORTGAGEE'S ASSENT

Dean Bank, a duly-organized banking corporation with a principal place of business at 21 Main Street, Franklin, Norfolk County, MA holder of a mortgage from Joseph L. Vendetti, Jr. on the property located at 411 West Central Street, Franklin, Norfolk County, MA described in the foregoing grant of easement, said mortgage being recorded at Norfolk County Registry of Deeds in Book 27348 at Page 451, hereby assent to and join in the foregoing Grant of Easement.

In witness whereof, Dean Bank has caused this instrument to be executed on its behalf by its duly-authorized officer this 25 day of September 2013.

Dean Bank, by:

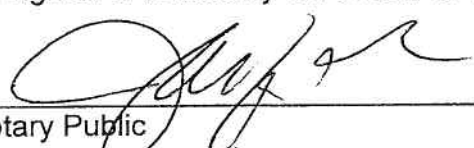
 / President
Name Position
Wayne A. Cottle

COMMONWEALTH OF MASSACHUSETTS

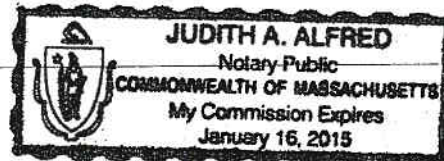
NORFOLK, SS:

September 25, ~~2011~~ 2013

On this 25 day of September, ~~2011~~ ²⁰¹³, before me, the undersigned notary public, personally appeared Wayne A. Cottle, as President of Dean Bank, proved to me through satisfactory evidence of identification, which was known to me, to be the person whose name is signed on the preceding document and acknowledged to me that he/she signed it voluntarily on behalf of the corporation for its stated purpose.


Notary Public

My commission expires: _____



OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: October 7, 2013
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Budget Adjustments

1. As the result of the sale of bonds for the High School (\$45,000,000), the general debt budget will increase by \$240,974 (it is debt excluded), and we will use the proceeds of the bond premium of \$1,010,000 to reduce the bond from \$45,000,000 to \$43,990,000. Further, we have an additional \$442,935 of premium that I recommend go towards reducing High School Debt Exclusion in FY 14, which will reduce the first year's increase from \$88 to \$50 (\$38 dollars) for the average taxpayer.
2. As a result of the sale of bonds for the water mains (\$5,000,000), the water debt will need to increase by \$50.
3. I am requesting the Council transfer \$88,000 from the solid waste retain earnings account, to maintain the trash fee at its current rate. We will use the surplus again next year to mitigate the increase in the rate.
4. I am requesting that we reduce the water bond authorization from \$7,500,000 to \$5,000,000 and pay cash for the balance from the retain earnings account. This would allow the Council to authorize another \$7,500,000 water bond without raising rates. The attached schedule proposes to borrow \$7,500,000 every five years for a term of 15 years to continue making improvements to the water system.
5. There is a one-time payment to our Chapter 90 account. As a result of the Comptrollers efforts to balance the account, going back many years, she determined that we were \$6,000 out of balance. This transfer will zero out the account.

6. I am requesting \$9,000 for our bi-annual GASB 45 (OPEB) study.

7. There are two requested budget adjustments to the annual operating budget.

The first is \$30,000 to the School salary account to allow them to hire an IT person in January in preparation for the opening of the new High School. The addition help is needed to deal with the tremendous amount of technology in the new school, as well as to support the staff. The funds will be included in the FY 15 School Budget.

The second request is for \$28,000 to pay for the new ambulance billing service. As a result of the audit a few years ago, we decided the best way to resolve some of the issues were to outsource the billing. This coincides with the retirement of the employee that was handling the billing, offsetting the costs.

8. After a review, the Council Capital Committee is recommending the following capital items:

- a. The replacement of an ambulance at \$245,000. This is included in the FY 14 Capital Budget, but since the lead time is 7 months, they are requesting the funds be appropriated a little ahead of the normal schedule. There is currently \$425,000 in the ambulance account.
- b. Raise \$500,000 (hotel tax \$475,000) and \$25,000 from taxation for a total of \$500,000 for road improvements.
- c. Raise \$125,000 and transfer into the Senior Center stabilization account. This account stands at \$351,000. We will need funds to increase the parking lot.
- d. Raise \$300,000 and transfer it into the Budget stabilization account. This will bring the account up to \$1,300,000.

I am happy to answer any questions that you may have prior to the meeting.

Attachments

TOWN OF FRANKLIN

RESOLUTION 13-71

ADOPTION OF FY 2014 BUDGET - AMMENDED

- WHEREAS,** the Town Council conducted two Public Hearings on the Budget on May 15, 2013 and May 16, 2013, after due notice was given in the Milford Daily News; and
- WHEREAS,** The Finance Committee issued printed recommendations with Copies made available at each Public Hearing; and
- WHEREAS,** The Town Council considered the FY 2014 Budget on a Departmental basis, and by vote so determined the size of the appropriations for each Department item on May 16, 2013.

NOW, THEREFORE, BE IT MOVED AND VOTED to adopt said General Fund Budget, Water Enterprise Fund Budget, Sewer Enterprise Fund Budget and Solid Waste Enterprise Fund Budget as voted on May 16, 2013 with a Total Appropriation of ~~\$105,560,492~~ **\$105,801,336** of which ~~\$94,870,492~~ **\$94,668,483** is to be raised and appropriated and the balance transferred from available funds and Enterprise fund revenues to be appropriated as follows:

RESERVE FOR EXCLUDED DEBT	\$ 222,477
PARKING METER RECEIPTS RESERVED	\$ 17,600
BOND PREMIUM	\$ 442,935
TOTAL AVAILABLE FUNDS TO BE TRANSFERRED	\$ 240,077 \$683,012
WATER FEES (ENTERPRISE FUND)	\$ 4,854,885 \$4,854,935
SEWER FEES (ENTERPRISE FUND)	\$ 3,652,810
SOLID WASTE FEES (ENTERPRISE FUND)	\$ 1,942,096 \$1,854,096
SOLID WASTE RETAINED EARNINGS	\$ 88,000
TOTAL ENTERPRISE FUND:	\$10,449,791 \$10,449,841

The attached document: FY 2014 Budget – Additional Appropriation Spreadsheet is a part of this Resolution.

General Fund Debt – Interest 01750200-592500 \$240,794
 Water Fund Debt – Interest 60750200-592500 \$ 50

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

DATED: _____, 2013

VOTED:
UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Deborah L. Pellegrini
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

**FY 2014 Budget - Additional Appropriation
Spreadsheet**

	Adopted Budget	CORRECTION	Additional Appropriation		Newly Adopted Budget
Budget:	\$105,560,492	\$0	\$240,844	1	\$105,801,336
Debt Interest					
01750200-592500			\$240,794	2	
60750200-592500			\$50		
			<u>\$240,844</u>		
Funding:					
Raise & appropriate	\$94,870,492	\$132	-\$202,141	2	\$94,668,483
Reserve for Excluded Debt	\$222,477				\$222,477
Parking Meter	\$17,600				\$17,600
Bond Premium	\$0		\$442,935	3	\$442,935
Water Fees	\$4,854,885		\$50	4	\$4,854,935
Sewer Fees	\$3,652,810				\$3,652,810
Solid Waste Fees	\$1,942,096				\$1,942,096
Total	\$105,560,360	\$132	\$240,844		\$105,801,336
Balanced/Correction needed	-\$132	\$132	\$0		\$0

1- 01750200-592500 additional appropriation \$ 240,794 (from \$715,000 to \$955,794)
60750200-592500 additional appropriation \$50 (from \$110,000 to \$110,050)

2 - \$442,935 Bond Premium to be used to reduce tax rate for HS bond Interest
(\$240,794 + \$202,141)

3- High School Bond premium used to reduce tax levy

4- Water debt adjustment

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration BUDGET: Expenses

ACCOUNT NO. & NAME: General fund Debt
01750200-592500

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 240,794

REASON:
Interest due on High School Bond increased from original projection

SOURCE OF FUNDING:
~~Bond Premium - High School~~ *Raise & apply*

SIGNATUR _____
Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

_____ RECOMMENDED AMOUNT \$ 240,794
_____ NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: *10/1/13* NUMBER PRESENT: *8* VOTE: *8-0*

_____ RESERVE FUND TRANSFER AMOUNT \$ *240,794*

_____ REFERRED TO TOWN COUNCIL AMOUNT \$ _____

_____ NOT RECOMMENDED

Susan Dewnap
FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration

BUDGET: Expenses

ACCOUNT NO. & NAME: Water fund Debt
60750200-592500

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 50

REASON:

Interest due on Water Bond increased from original projection

SOURCE OF FUNDING:

Water Revenues

SIGNATUR _____

Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

_____ RECOMMENDED AMOUNT \$ 50

_____ NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 8

VOTE: 8-0

_____ RESERVE FUND TRANSFER

AMOUNT \$ _____

_____ REFERRED TO TOWN COUNCIL

AMOUNT \$ _____

_____ NOT RECOMMENDED



FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration

BUDGET: Expenses

ACCOUNT NO. & NAME: Solid Waste Budget

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ -

REASON:

change in funding for FY 14 solid waste enterprise budget

SOURCE OF FUNDING:

vote funds from retained earnings, reduce use of solid waste 2014 revenues by \$88,000

SIGNATURE

Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

RECOMMENDED AMOUNT \$ -

NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 8

VOTE: 8-0

RESERVE FUND TRANSFER

AMOUNT \$ 88,000

REFERRED TO TOWN COUNCIL

AMOUNT \$

NOT RECOMMENDED


FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.



TOWN OF FRANKLIN

RESOLUTION 13-72

Authorization to Appropriate Premium

Whereas: The Town of Franklin sold its \$48,990,000 General Obligation Municipal Purpose Loan of 2013 Bonds dated August 15, 2013 (the "Bonds") on July 31, 2013.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Franklin that:

- (1) \$1,010,000 be appropriated from the premium paid to the Town upon the sale of the Bonds, a portion of which were issued for school construction purposes and are the subject of a Proposition 2½ debt exclusion, to pay costs of the school construction project being financed by a portion of the Bonds and to reduce the amount authorized to be borrowed for such project under Resolution 12-05 of the Town Council passed February 1, 2012, but not yet issued by the Town, by the same amount.
- (2) This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Deborah L. Pellegrini
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration

BUDGET: Expenses

ACCOUNT NO. & NAME: H.S. Capital Project

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 1,010,000

REASON:

Debt Excluded Bond Premium to be used to reduce Bond Authorization

SOURCE OF FUNDING:

Bond Premium

SIGNATURE

Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

RECOMMENDED AMOUNT \$ 1,010,000

NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 8

VOTE: 8-0

RESERVE FUND TRANSFER

AMOUNT \$

✓ REFERRED TO TOWN COUNCIL

AMOUNT \$ 1,010,000

NOT RECOMMENDED

Susan Donovan
FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.



TOWN OF FRANKLIN

RESOLUTION 13-73

**TRANSFER FROM WATER ENTERPRISE AND RESCIND BORROWING
AUTHORITY (RESOLUTION NO. 10-66 APPROPRIATION FUNDING
SOURCES)**

Whereas: The Town Council previously adopted Resolution No. 10-66 which appropriated and authorized a borrowing of \$7,500,000 for painting a water tank, replacing water lines, and other water infrastructure improvements, engineering, inspection, roadway improvements, including all costs incidental or related thereto; and

Whereas: The Town now wishes to fund a \$2,500,000 portion of the appropriation authorized under Resolution No. 10-66 by transfer from the water enterprise fund and to rescind a like amount of the borrowing authorized.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Franklin that:

“that to meet the appropriation made under Resolution No. 10-66 for painting a water tank, replacing water lines, and other water infrastructure improvements, engineering, inspection, roadway improvements, including all costs incidental or related thereto, \$2,500,000 shall be transferred from the water enterprise fund and \$2,500,000 of the \$7,500,000 borrowing authorized by Resolution No. 10-66 is hereby rescinded.

The Town Administrator is authorized to take any other action necessary or convenient to carry out this project and this Order.

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

DATED: _____, 2013

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Deborah L. Pellegrini
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

<u>Fiscal Year</u>	<u>Existing Actual Debt as of 8/1/13</u>	<u>bond 1 7.5 million 5%</u>	<u>bond 2 7.5 million 5%</u>	<u>bond 3 7.5 million 5%</u>	<u>New Debt</u>	<u>Total Projected Debt</u>
2015	\$ 1,879,769.46				\$ -	\$ 1,879,769.46
2016	\$ 1,808,062.28				\$ -	\$ 1,808,062.28
2017	\$ 1,591,754.38	\$ 875,000.00			\$ 875,000.00	\$ 2,466,754.38
2018	\$ 1,502,179.83	\$ 850,000.00			\$ 850,000.00	\$ 2,352,179.83
2019	\$ 1,472,926.65	\$ 825,000.00			\$ 825,000.00	\$ 2,297,926.65
2020	\$ 1,438,465.36	\$ 800,000.00			\$ 800,000.00	\$ 2,238,465.36
2021	\$ 1,403,113.63	\$ 775,000.00			\$ 775,000.00	\$ 2,178,113.63
2022	\$ 1,359,141.65	\$ 750,000.00	\$ 875,000.00		\$ 1,625,000.00	\$ 2,984,141.65
2023	\$ 1,244,716.28	\$ 725,000.00	\$ 850,000.00		\$ 1,575,000.00	\$ 2,819,716.28
2024	\$ 1,210,922.84	\$ 700,000.00	\$ 825,000.00		\$ 1,525,000.00	\$ 2,735,922.84
2025	\$ 1,100,976.53	\$ 675,000.00	\$ 800,000.00		\$ 1,475,000.00	\$ 2,575,976.53
2026	\$ 576,231.26	\$ 650,000.00	\$ 775,000.00		\$ 1,425,000.00	\$ 2,001,231.26
2027	\$ 555,631.26	\$ 625,000.00	\$ 750,000.00	\$ 875,000.00	\$ 2,250,000.00	\$ 2,805,631.26
2028	\$ 349,800.00	\$ 600,000.00	\$ 725,000.00	\$ 850,000.00	\$ 2,175,000.00	\$ 2,524,800.00
2029	\$ 336,600.00	\$ 575,000.00	\$ 700,000.00	\$ 825,000.00	\$ 2,100,000.00	\$ 2,436,600.00
2030		\$ 550,000.00	\$ 675,000.00	\$ 800,000.00	\$ 2,025,000.00	\$ 2,025,000.00
2031		\$ 525,000.00	\$ 650,000.00	\$ 775,000.00	\$ 1,950,000.00	\$ 1,950,000.00
2032			\$ 625,000.00	\$ 750,000.00	\$ 1,375,000.00	\$ 1,375,000.00
2033			\$ 600,000.00	\$ 725,000.00	\$ 1,325,000.00	\$ 1,325,000.00
2034			\$ 575,000.00	\$ 700,000.00	\$ 1,275,000.00	\$ 1,275,000.00
2035			\$ 550,000.00	\$ 675,000.00	\$ 1,225,000.00	\$ 1,225,000.00
2036			\$ 525,000.00	\$ 650,000.00	\$ 1,175,000.00	\$ 1,175,000.00
2037				\$ 625,000.00	\$ 625,000.00	\$ 625,000.00
2038				\$ 600,000.00	\$ 600,000.00	\$ 600,000.00
2039				\$ 575,000.00	\$ 575,000.00	\$ 575,000.00
2040				\$ 550,000.00	\$ 550,000.00	\$ 550,000.00
2041				\$ 525,000.00	\$ 525,000.00	\$ 525,000.00

BOND AMOUNT	TERM/YRS	INTEREST RATE	AVERAGE YEARLY		
\$ 7,500,000.00	15	5.00%	\$ 700,000.00	YEARLY	
YEAR	OUTSTANDING PR	PRINCIPAL	INTEREST	DEBT PAYMENT	
2015	\$ 7,500,000.00	\$ 500,000.00	\$ 375,000.00	\$	\$ 875,000.00
2016	\$ 7,000,000.00	\$ 500,000.00	\$ 350,000.00	\$	\$ 850,000.00
2017	\$ 6,500,000.00	\$ 500,000.00	\$ 325,000.00	\$	\$ 825,000.00
2018	\$ 6,000,000.00	\$ 500,000.00	\$ 300,000.00	\$	\$ 800,000.00
2019	\$ 5,500,000.00	\$ 500,000.00	\$ 275,000.00	\$	\$ 775,000.00
2020	\$ 5,000,000.00	\$ 500,000.00	\$ 250,000.00	\$	\$ 750,000.00
2021	\$ 4,500,000.00	\$ 500,000.00	\$ 225,000.00	\$	\$ 725,000.00
2022	\$ 4,000,000.00	\$ 500,000.00	\$ 200,000.00	\$	\$ 700,000.00
2023	\$ 3,500,000.00	\$ 500,000.00	\$ 175,000.00	\$	\$ 675,000.00
2024	\$ 3,000,000.00	\$ 500,000.00	\$ 150,000.00	\$	\$ 650,000.00
2025	\$ 2,500,000.00	\$ 500,000.00	\$ 125,000.00	\$	\$ 625,000.00
2026	\$ 2,000,000.00	\$ 500,000.00	\$ 100,000.00	\$	\$ 600,000.00
2027	\$ 1,500,000.00	\$ 500,000.00	\$ 75,000.00	\$	\$ 575,000.00
2028	\$ 1,000,000.00	\$ 500,000.00	\$ 50,000.00	\$	\$ 550,000.00
2029	\$ 500,000.00	\$ 500,000.00	\$ 25,000.00	\$	\$ 525,000.00

TOTAL DEBT SERVICE \$ 10,500,000.00

\$ 3,000,000.00

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration

BUDGET: Expenses

ACCOUNT NO. & NAME: Water Projects

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 2,500,000

REASON:

To reduce Res 10-66 Water Bond Authorization by 2,500,000 and vote 2,500,000 from water retained earnings

SOURCE OF FUNDING:

Water Retained Earnings

SIGNATURE

Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

RECOMMENDED AMOUNT \$ 2,500,000

NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 8

VOTE: 8-0

RESERVE FUND TRANSFER

AMOUNT \$ 2,500,000

✓ REFERRED TO TOWN COUNCIL

AMOUNT \$

NOT RECOMMENDED


FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

TOWN OF FRANKLIN

RESOLUTION NO.: 13-74

APPROPRIATION: Chapter 90 Fund

AMOUNT REQUESTED: \$ 6,000

PURPOSE: To fund the Chapter 90 Fund deficit.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 Vote: 8-0

Recommended Amount: 6,000.00

MOTION

Be It Moved and Voted by the Town Council transfer from Free Cash Six thousand dollars (\$6,000.00) to fund the Chapter 90 Fund deficit.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Deborah L. Pellegri
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

**TOWN OF FRANKLIN
REQUEST FOR FUNDS**

FISCAL YEAR 2014

DATE: 09/10/13

DEPARTMENT/COMMITTEE requesting funds Administration

ACCOUNT NAME Chapter 90

ACCOUNT NUMBER _____

BALANCES: (To be filled in by Town Comptroller)

ORIGINAL BUDGET \$ \$ -

BALANCE UNEXPENDED \$ \$ -

AMOUNT REQUESTED \$ \$ 6,000

REASON:

to fund the Chp 90 shortfall 6,000

SOURCE OF FUNDING:

Free Cash 6,000

Town Administrator Approval _____

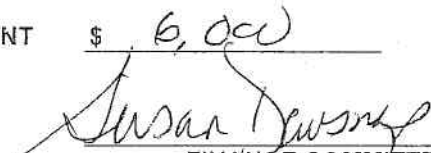
ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13 NUMBER PRESENT: 8 VOTE: 8-0

☒ RECOMMENDED

AMOUNT \$ 6,000

☐ NOT RECOMMENDED


FINANCE COMMITTEE CHAIR

TOWN OF FRANKLIN

RESOLUTION NO.: 13-75

APPROPRIATION: Administration: GASB 45 Actuary Study

AMOUNT REQUESTED: \$ 9,000

PURPOSE: To transfer funds to cover the costs to conduct an Actuary Study to determine the towns' liability as it relates to the unfunded retiree health insurance obligation, as required by GASB 45.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:** 8-0

Recommended Amount: 9,000.00

MOTION

Be It Moved and Voted by the Town Council that the sum of Nine thousand Dollars (\$9,000) be transferred to the above named account from Free Cash.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Deborah L. Pellegrini
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

TOWN OF FRANKLIN
REQUEST FOR FUNDS

FISCAL YEAR 2014

DATE: 09/10/13

DEPARTMENT/COMMITTEE requesting funds Administration

ACCOUNT NAME Town Administrator Expenses/Cont Services

ACCOUNT NUMBER _____

BALANCES: (To be filled in by Town Comptroller)

ORIGINAL BUDGET \$ \$ -

BALANCE UNEXPENDED \$ \$ -

AMOUNT REQUESTED \$ \$ 9,000

REASON:

OPEB Actuary Study for 9,000
June 30, 2013 as required
by GASB 45

SOURCE OF FUNDING:

Raise and appropriate FREE CASH 9,000

Town Administrator Approval _____

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13 NUMBER PRESENT: 8 VOTE: 8-0

✓ RECOMMENDED AMOUNT \$ 9,000

____ NOT RECOMMENDED

Susan Dwyer
FINANCE COMMITTEE CHAIR

TOWN OF FRANKLIN

RESOLUTION NO.: 13-76

APPROPRIATION: FY 2014 School Department Budget

AMOUNT REQUESTED: \$ 30,000

PURPOSE: To Raise and Appropriate \$30,000 for the FY 2014 School Department Budget.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:** 9-0

Recommended Amount: 30,000.00

MOTION

Be It Moved and Voted by the Town Council Raise and Appropriate Thirty thousand dollars (\$30,000.00) to be added to the FY 2014 School Department Budget.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Deborah L. Pellegri
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

Franklin Public Schools

Office of the Superintendent of Schools
355 East Central Street
Franklin, Massachusetts 02038

Telephone: (508) 541-5243

FAX: (508) 553-0321



To: Members of Franklin Finance Committee
Jeff Nutting/ Town Administrator

From: Maureen Sabolinski
Peter Light
Tim Rapoza

Re: Technology Position for New FHS

Date: October 1, 2013

We are requesting funds in the amount of \$30,000 to hire a technology support professional to assist with technology as we transition to opening the new high school. We anticipate hiring this individual in January, 2013 to begin the technology transition. We have been efficient in the implementation of technology advances with the current staffing of one technician. We offer that we have moved almost all functions of the high school to technology platforms without increasing support for these platforms over time. With approximately 130 professional staff and approximately 160 total staff in the building, one technician is insufficient to support future needs.

Present Level of Support:

- Its Learning /Platform for all blended online learning
 - Full implementation at FHS and partial implementation at all three middle schools
- Aspen/ Student Information System (SIMS)
 - Complex student information system that requires support and database management
 - Attendance, discipline, grades, communication with parents/students
- SNAP Software that comprises data collection of all student health records
- 400 netbooks in library for students to check out
- Anticipated roll out of a one-to-one environment
- 2013 roll out of Google Apps for education for all students and faculty
- Library software (Follett)
- Upgrade to Follett destiny software that will allow web-based access to catalogs
- Maintain and upload all educator evaluation documentation for submission DESE

Features of the new building that will require additional support:

- Interactive white boards, document cameras, sound systems in all classrooms in new building (approx. 70% increase over current allocation)
- IPTV system: all electronic functions of classrooms (smart boards, sound, etc.) will be controlled from a web portal that will require administration
- CCTV system administration (security cameras) - over 200 cameras in and out of building
- Increased network and wireless network usage in new building
- Access Control System Administration/Configuration - to control access to exterior and selected interior doors.
- Television studio
- Sound /Video production studio
- 1600 student devices

**Franklin Public Schools
Job Description**

Title: TECHNOLOGY SUPPORT TECHNICIAN

Qualifications:

- Ability to troubleshoot all Microsoft Windows Operating Systems
- A+ Certification preferred
- Demonstrated solid interpersonal and communications skills
- Application and System Training certificates
- Familiarity with network architecture
- Proven ability to practice good judgement under pressured situations

Reporting Relationships: Reports directly to the Director of Technology Services

General Responsibilities: To insure the effective operation of all PC hardware and peripherals and associated desktop applications, through installations, upgrades, problem resolution.

Performance Responsibilities:

- Installs and configures Software on Windows, MAC and Linux Operating Systems
- Rebuilds OS and Applications
- Configures e-mail and browser applications
- Installs Hardware, upgrades and configurations; installs batteries, hard drives, cmos configurations.
- Installs and configures AV devices
- Maintains up to date knowledge about systems software supplied by the manufacturer and other support resources for drivers, etc.
- Researches problem resolution through forums, newsgroups and web sites, etc.
- Initializes printer setup and configuration
- Provides hardware, software, application and technical support to end -users
- Installs upgrades, maintains and repairs computers and peripheral equipment
- Makes recommendations for upgrades and new technologies
- Installs and upgrades software applications system-wide
- Troubleshoots technical problems on all platforms
- Assists with backup and restore routines
- Assists with testing hardware and software technologies
- Performs other related duties as assigned by Technology Manager

Evaluation: Annually by the Director of Technology Services. Evaluation process to include completion of a self assessment by the technician concerning job performance based upon job description. Manager of Technology Services also completes review based upon job description. Following mutual conference the Director completes a written performance review and attaches the self assessment and Director's assessment to the overall performance review.

Terms of Employment:

Twelve months per year. Salary & Benefits to be determined by the Board

Date Adopted: _____

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: School Committee

BUDGET: Expenses

ACCOUNT NO. & NAME: School FY 14 appropriation

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 30,000

REASON:

additional funding for FY 14 School Dept budget

SOURCE OF FUNDING:

Raise and Appropriate

SIGNATURE _____

Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

_____ RECOMMENDED AMOUNT \$ 30,000

_____ NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 9

VOTE: 9-0

_____ RESERVE FUND TRANSFER

AMOUNT \$ 30,000

_____ REFERRED TO TOWN COUNCIL

AMOUNT \$

_____ NOT RECOMMENDED


FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

TOWN OF FRANKLIN

RESOLUTION NO.: 13-77

APPROPRIATION: FY 2014 Fire Department Expenses

AMOUNT REQUESTED: \$ 28,000

PURPOSE: To Raise and Appropriate \$28,000 for FY 2014 Fire Department Expense Budget to cover the cost of ambulance billing.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:** 9-0

Recommended Amount: \$ 28,000.00

MOTION

Be It Moved and Voted by the Town Council Raise and Appropriate Twenty-eight thousand dollars (\$28,000.00) for the FY 2014 Fire Department Expense budget.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Deborah L. Pellegri
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration BUDGET: Expenses

ACCOUNT NO. & NAME: Ambulance Expenses
01220200

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 28,000

REASON:

Ambulance billing not provided for in the FY 2014 operating budget

The town has contracted with an outside vendor to do the ambulance billing. It was not clear that the Town would be invoiced for the fee which is 3.5% of net revenues

SOURCE OF FUNDING:

Raise and Appropriate

SIGNATURE:

Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

RECOMMENDED AMOUNT \$ 28,000.00

NOT RECOMMENDED

DATE: September 10, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 9

VOTE: 9-0

RESERVE FUND TRANSFER

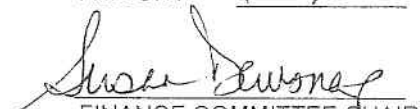
AMOUNT \$

✓

REFERRED TO TOWN COUNCIL

AMOUNT \$ 28,000

NOT RECOMMENDED



FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

TOWN OF FRANKLIN

RESOLUTION NO.: 13-78

APPROPRIATION: Ambulance Purchase FY 2014

AMOUNT REQUESTED: \$ 245,000

PURPOSE: To transfer \$245,000 from Ambulance Receipts Reserved for Appropriation for the purpose of buying a new ambulance.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:** 9-0

Recommended Amount: \$ 245,000.00

MOTION

Be It Moved and Voted by the Town Council transfer Two hundred and Forty-five thousand dollars (\$245,000.00) from Ambulance Receipts Reserved for Appropriation to purchase a new ambulance.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Deborah L. Pellegri
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council



FRANKLIN FIRE DEPARTMENT

TO : JEFFREY D. NUTTING, TOWN ADMINISTRATOR

FROM : G. B. MCCARRAHER, FIRE CHIEF

DATE : 22 AUGUST 2013

RE : AMBULANCE REPLACEMENT

The purpose of this memorandum is to respectfully request permission to purchase a replacement ambulance ahead of the normal Capital Improvement Program. The replacement schedule for this vehicle is in Fiscal Year 2014.

As you know we currently own 3 ambulances and rotate them through active duty and reserve status. The newest ambulance in the fleet is a 2013 model year and housed at Headquarters as a first response vehicle (Rescue #1). The vehicle housed at Station #2 for first response (Rescue #2) is a 2010 model year with 68,265 odometer miles and 2,065 engine hours (equivalent to 72,275 engine miles). The last vehicle, Rescue #3, is our reserve, and is a 2009 model year with 133,036 odometer miles and 6,361 engine hours (equivalent to 222,635 engine miles).

According to our fleet replacement plan, this year we are scheduled to replace Rescue #3 which will in turn, places Rescue #2 in reserve status. We are seeking to effect the replacement process prior to the Capital Improvement Process to minimize on-going problems we have experienced with Rescue #2 with its EPA mandated Diesel Regeneration system. As you know, EPA Regulations require the regeneration of diesel engines to reduce pollutants in the air. Rescue #2 was the first generation of vehicle to be manufactured with diesel regeneration. When the engine regenerates, it omits obnoxious sulfur like odors that permeate the vehicle including patient compartment, to the point where it has exacerbated the patient's health condition. Accordingly, if we can expedite the replacement program, Rescue #2 will then be place in reserve status quicker which will greatly reduce the frequency of diesel regeneration while transporting patients and the effects upon patients.

The Ambulance replacement account presently has a balance of \$424,000. I anticipate the replacement vehicle to cost approximately \$240,500, which includes the cost of the power lift system. I will have a firm price within the next week or so as we can purchase the vehicle under state bid contract.

Thank you for your attention regarding this matter. Please contact me should you have any questions or require any additional information.

CC: FILE

GREENWOOD EMERGENCY VEHICLES, INC.
530 John Dietsch Boulevard
North Attleboro, Massachusetts 02763
(508) 695-7138

EMERGENCY VEHICLE PROPOSAL

August 22, 2013

THIS PROPOSAL HAS BEEN PREPARED FOR:

**FRANKLIN FIRE DEPARTMENT
40 W CENTRAL STREET
FRANKLIN, MA 02038**

WE HEREBY PROPOSE TO FURNISH TO YOU, SUBJECT TO PROPER EXECUTION OF THE ATTACHED AGREEMENT BY YOU AND BY AN OFFICER OF THIS COMPANY, THE FOLLOWING VEHICLE AND EQUIPMENT TO BE BUILT IN ACCORDANCE WITH THE ATTACHED SPECIFICATIONS:

PER FCAM / MAPC STATE CONTRACT

QUANTITY: ONE (1)

MODEL: 2014 HORTON FORD F550 / 623 TYPE I AMBULANCE


PRICE: \$240,756.84 ~ Includes trade-in

DELIVERY WILL BE **F.O.B. FRANKLIN, MA** AND WILL BE MADE APPROXIMATELY **220-250 DAYS** AFTER RECEIPT AND PROPER EXECUTION OF THE ATTACHED AGREEMENT BY BOTH PARTIES

THIS PROPOSAL SHALL EXPIRE UNLESS ACCEPTED WITHIN **THIRTY (30) DAYS** AND MAY BE EXTENDED, IN WRITING, AT THE DISCRETION OF THE COMPANY.

THE UNDERSIGNED CERTIFIES UNDER PENALTIES OF PERJURY THAT THIS BID OR PROPOSAL HAS BEEN MADE AND SUBMITTED IN GOOD FAITH AND WITHOUT COLLUSION OR FRAUD WITH ANY OTHER PERSON. AS USED IN THIS CERTIFICATION, THE WORD "PERSON" SHALL MEAN ANY NATURAL PERSON, BUSINESS, PARTNERSHIP, CORPORATION, UNION, COMMITTEE, CLUB OR OTHER ORGANIZATION, ENTITY OR GROUP OF INDIVIDUALS.

GREENWOOD EMERGENCY VEHICLES, INC.



MARK MACDONALD
VP SALES & MARKETING

TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Fire

BUDGET: Capital

ACCOUNT NO. & NAME: Ambulance Purchase

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 245,000

REASON:
to purchase a new ambulance

SOURCE OF FUNDING:
Ambulance Receipts Reserved

SIGNATURE _____
Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

_____ RECOMMENDED AMOUNT \$ 245,000

_____ NOT RECOMMENDED

DATE: September 10, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13 NUMBER PRESENT: 9 VOTE: 9-0

_____ RESERVE FUND TRANSFER AMOUNT \$ 245,000

_____ REFERRED TO TOWN COUNCIL AMOUNT \$ -

_____ NOT RECOMMENDED


FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

TOWN OF FRANKLIN

RESOLUTION NO.: 13-79

APPROPRIATION: Roads/sidewalks/drainage/storm water/infrastructure

AMOUNT REQUESTED: \$ 500,000

PURPOSE: To provide funding for Roads/sidewalks/drainage/stormwater and infrastructure, and all costs incidental and related thereto.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:** 8-0

Recommended Amount: 475,000.00

MOTION

Be It Moved and Voted by the Town Council Raise and Appropriate Five Hundred thousand dollars (\$500,000.00) for Roads/sidewalks/drainage/stormwater and infrastructure, and all costs incidental and related thereto

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Deborah L. Pellegrini
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration

BUDGET: Expenses

ACCOUNT NO. & NAME: Roads FY 14

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 475,000

REASON:
to fund road construction/repairs

SOURCE OF FUNDING:

Raise and Appropriate (Hotel/Motel) ~~or Cash~~

SIGNATURE _____
Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

_____ RECOMMENDED AMOUNT \$ 475,000

_____ NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 8

VOTE: 8-0

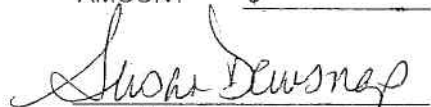
_____ RESERVE FUND TRANSFER

AMOUNT \$ 475,000

✓ _____ REFERRED TO TOWN COUNCIL

AMOUNT \$ _____

_____ NOT RECOMMENDED


FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

TOWN OF FRANKLIN

RESOLUTION NO.: 13-80

APPROPRIATION: Senior Center Stabilization Fund

AMOUNT REQUESTED: \$ 125,000

PURPOSE: To Raise and Appropriate funds to be transferred to the Senior Center Stabilization Fund.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:**

Recommended Amount: no vote

MOTION

Be It Moved and Voted by the Town Council to Raise and Appropriate One hundred and Twenty-five thousand dollars (\$125,000.00) to be transferred to the Senior Center Stabilization Fund.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Deborah L. Pellegrini
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

TOWN OF FRANKLIN

RESOLUTION NO.: 13-81

APPROPRIATION: Operating Budget Stabilization Fund

AMOUNT REQUESTED: \$ 300,000

PURPOSE: To Raise and Appropriate funds to be transferred to the Operating Budget Stabilization Fund.

FINANCE COMMITTEE ACTION

Meeting Date: 10/1/13 **Vote:** 8-0

Recommended Amount: 450,000

MOTION

Be It Moved and Voted by the Town Council Raise and Appropriate Three hundred thousand dollars (\$300,000) to be transferred to the Operating Budget Stabilization Fund.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Deborah L. Pellegri
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

**TOWN OF FRANKLIN
REQUEST FOR FUNDS
FISCAL 2014**

DATE: 09/10/13

DEPARTMENT/COMMITTEE: Administration

BUDGET:

ACCOUNT NO. & NAME: Budget Stabilization Fund

BALANCES: (To be filled in by Town Comptroller)

ORG BUDGET \$ -

ON ACCOUNT \$ -

AMOUNT REQUESTED \$ 450,000

REASON:
funds to Stabiization Account - Budget

SOURCE OF FUNDING:
Raise and Appropriate

SIGNATURE _____
Department Head

RECOMMENDATION OF TOWN ADMINISTRATOR

_____ RECOMMENDED AMOUNT \$ 450,000
_____ NOT RECOMMENDED

DATE: October 1, 2013

TOWN ADMINISTRATOR

ACTION OF FINANCE COMMITTEE

DATE OF MEETING: 10/1/13

NUMBER PRESENT: 8

VOTE: 8-0

_____ RESERVE FUND TRANSFER

AMOUNT \$ _____

☒ REFERRED TO TOWN COUNCIL

AMOUNT \$ 450,000

_____ NOT RECOMMENDED

Susan Newson
FINANCE COMMITTEE CHAIR

AN EXECUTED COPY WILL BE RETURNED TO THE DEPARTMENT.

Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4936



Planning Board
355 East Central Street
Franklin, Massachusetts 02038-1352

2013 OCT -8 PM 2:31

October 8, 2013

Deborah L. Pellegrini, Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038

CERTIFICATE OF VOTE –

RE: Residential VII Zoning District

Dear Mrs. Pellegrini:

Please be advised that at its meeting on Monday, October 7, 2013 the Planning Board re-voted the decision of the September 24, 2013 Planning Board meeting in reference to Zoning Bylaw Amendments 13-719: Changes to 185 Attachment 9 Schedule; Zoning Bylaw Amendment 13-720: Changes to 185-4 Districts Enumerated; Zoning Bylaw Amendment 13-721: Changes to 185-5 Zoning Map; Zoning Bylaw Amendment 13-722: Chapter 185-50 Residential VII Zoning District Bylaw; and Zoning Bylaw Amendment 13-723: Changes to 185, Use Regulation Schedule. Upon a motion duly made and seconded, the Planning Board voted (1-3-0) against recommending the above referenced Zoning Bylaws to Town Council.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Anthony Padula
Chairman

cc: Town Council
Town Administrator

Sponsor: *Town Council*

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 13-719

**A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
§185, ATTACHMENT 9. SCHEDULE OF LOT, AREA, FRONTAGE YARD
AND HEIGHT REQUIREMENTS**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding Residential VII Zoning District to §185, Attachment 9. Schedule of Lot, Area, Frontage and Height Requirements with dimensional requirements, as noted.

Town of Franklin
Schedule of Lot, Area, Frontage, Yard and Height Requirements

District	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height		Maximum Impervious Coverage of Existing Upland	
								of Building			
	Area	Continuous	Depth (feet)	Lot Width	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet	Structures	Structures
	(square feet)	Frontage (feet)		(minimum circle diameter)							Plus Paving ³
Rural Residential I	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VI	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VII ¹¹	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Rural Residential II	30,000	150	200	135 ⁴	40	35	35	3	35	20	25
Single Family Residential III	20,000	125	160	112.5	40	25	30	3	35	25	35
Single Family Residential IV	15,000	100	100	90	30	20	20	3	35	30	35
General Residential V	10,000	100	100	90	20	15	20	3	40	30	35
Neighborhood Commercial	18,000	100	100	90	20	30	40	3	35	30	35
Downtown Commercial	5,000	50	50	45	5 ¹⁰	0 ²	15	3 ⁹	40 ⁹	80	90
Commercial I ⁷	5,000	50	50	45	20 ¹	0 ²	15	3 ⁶	40 ⁶	90	100
Commercial II	40,000	175	200	157.5	40	30	30	3	40	70	80
Business	20,000	125	160	112.5	40	20	30	3	40	70	80
Industrial	40,000	175	200	157.5	40	30 ⁵	30 ⁵	3 ⁶	-	70	80
Limited Industrial	40,000	175	200	157.5	40	30 ⁸	30 ⁸	3 ⁶	40 ⁶	70	80
Office	40,000	100	100	90	20	30 ⁵	30 ⁵	3 ⁶	40 ⁶	70	80

Setbacks: No structure or pole carrying overhead wires shall be put up within 60 feet nor shall a billboard be erected within 100 feet of right-of-way which is 75 feet or more.

NOTES:

¹ But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.

² Increase to 20 feet when abutting a residential district.

³ See definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.

⁴ Within open space developments (see § 185-43), the lot width must be met for individual lots shall be no less than 1/2 those required within the underlying district.

⁵ Increase by the common building height of the structure, when abutting a residential use.

⁶ Up to 5 stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.

⁷ Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.

⁸ Increase by 1.5 the common building height of a structure, when abutting a residential district or use.

⁹ Up to 4 stories and/or 50 feet, whichever is less, may be permitted by a Special Permit from the Planning Board provided the structure is set back at least 15 feet from frontage.

¹⁰ Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.

¹¹ See §185-50.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Deborah L. Pellegrini
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 13-720**

DISTRICTS ENUMERATED

CHANGES TO §185, SECTION 4, DISTRICTS ENUMERATED

**A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN
AT CHAPTER 185, SECTION 4, DISTRICTS ENUMERATED, RE: CREATION
OF RESIDENTIAL VII ZONING DISTRICT**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by ~~deleting~~ and adding the following text at §185-4. Districts Enumerated:

- A. For the purposes of this chapter, the Town of Franklin is hereby divided into the following types of districts:

Rural Residential I (RRI)

Rural Residential II (RRII)

Single-Family Residential III (SFRIII)

Single-Family Residential IV (SFRIV)

General Residential V (GRV)

Residential VI (RVI)

Residential VII (RVII)

Commercial I (CI)

Commercial II (CII)

Business (B)

Industrial (I)

Limited Industrial (LI) [Added 10-2-2002 by Bylaw Amendment 02-507]

Neighborhood Commercial (NC) [Added 6-11-2003 by Bylaw Amendment 03-511]

Office (O) [Added 7-11-2001 by Bylaw Amendment 01-467]

Downtown Commercial (DC) [Added 7-13-2011 by Bylaw Amendment 11-652]

- B. In addition, there are eight overlay districts: the Flood Hazards District as established in §185-24, the Water Resource District as established in §185-40, the Wireless Communications Services District as established in §185-44, the Biotechnology Use Overlay District as established in §185-42, the Adult Use Overlay District as established in §185-47, the Senior Village Overlay District as established in §185-48, the Sign District Map as established in §185-20 and the Medical Marijuana Use Overlay District as established in §185-49.

C. Intent of districts. The intent of the zoning districts is as follows: (Please refer to the Table of Use for specific uses as they relate to each zoning district.) [Added 7-11-2001 by Bylaw Amendment 01-467]

- (1) The Rural Residential Districts (RRI, RRII) are intended primarily for single-family residential uses in a rural and semi-rural environment. Agricultural uses are generally permitted. Generally, commercial and industrial uses are not permitted.
- (2) The Single-Family Residential Districts (SFRIII, SFRIV) are intended primarily for single-family residential uses in a semi-rural and suburban environment. Two-family residential uses may be permitted in some areas. Generally commercial and industrial uses are not permitted; however, limited commercial uses may be permitted in some areas.
- (3) The General Residential V District (GRV) is intended primarily for single-family and two-family residential uses in a suburban downtown environment. Multifamily and apartment uses may also be permitted. In addition, certain commercial uses may be permitted, but most nonresidential uses are not allowed.
- (4) The Residential VI District (RVI) is intended primarily for multifamily and apartment residential uses in a suburban environment. Limited commercial uses may be permitted. See §185-38. Multifamily and flexible development zoning bylaw for further requirements of the Residential VI District.
- (5) The Residential VII District (RVII) is intended primarily for single-family residential uses in a semi-rural environment. Multiple, single-family dwelling units may be permitted. Preservation of open space is encouraged and most nonresidential uses are not allowed. Please see §185-50. Residential VII for further requirements of the RVII District.
- ~~(5)~~ (6) The Commercial I District (CI) is intended primarily for office, retail, service, trade, restaurant, and other commercial uses in a downtown environment. Limited industrial uses may be permitted. Single-family, two-family and multifamily and apartment residential uses may also be allowed.
- ~~(6)~~ (7) The Commercial II District (CII) is intended primarily for office, retail, service, trade, restaurant, and other commercial uses and limited industrial uses in a suburban commercial environment. Single-family and two-family residential uses may also be permitted. [Amended 6-11-2003 by Bylaw Amendment 03-511]
- ~~(7)~~ (8) The Business District (B) is intended primarily for nonresidential uses such as office, retail, service, trade, restaurant, and other commercial uses with some limited industrial uses in a suburban commercial environment.
- ~~(8)~~ (9) The Office District (O) is intended primarily for office parks, business uses, limited commercial and light industrial uses. Industrial uses such as warehouse and manufacturing are not permitted except as an accessory use. Residential uses are not permitted.

- ~~(9)~~ (10) The Industrial District (I) is intended primarily for light and medium industrial uses, warehouse and distribution uses, and business uses. Some commercial uses may be permitted but residential uses are not permitted.
- ~~(40)~~ (11) The Limited Industrial District (LI) is intended primarily for light industrial service, trade and limited business uses. In addition, accessory office and retail uses may be permitted. Residential uses are not allowed. [Added 10-2-2002 by Bylaw Amendment 02-507]
- ~~(44)~~ (12) The Neighborhood Commercial District (NC) is intended primarily for low-intensity commercial uses located in or within close proximity to primarily residential neighborhoods providing retail and personal services which serve the surrounding neighborhood. Industrial uses are not allowed. The District is further classified by its neighbor- and pedestrian-friendly design concepts including low luminescent lighting fixtures, visibly obscured parking areas, densely planted property borders, nonintrusive architecture and pedestrian scaled signage with external illumination. [Added 6-11-2003 by Bylaw Amendment 03-511]
- ~~(42)~~ (13) The Downtown Commercial District (DC) is intended as a mixed use, transit-oriented commercial district which combines first floor commercial uses with upper floor office or multi-unit residential uses. An emphasis is placed on commercial uses like restaurants and retail that support an economically rich downtown environment. [Amended 7-13-2011 by Bylaw Amendment 11-652]

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Deborah L. Pellegri
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk

SPONSOR: *Town Council*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 13-721
RESIDENTIAL VII**

CHANGES TO §185, SECTION 5: ZONING MAP

**A ZONING BY-LAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN
AT CHAPTER 185, SECTION 5, ZONING MAP, RE: ADDITION OF
RESIDENTIAL VII ZONING DISTRICT**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by making the following amendments to §185-5, of the Code of the Town of Franklin, Zoning Map:

That the Zoning Map of the Town of Franklin be amended by adding the Residential VII Zoning District an area containing 21.7 +/- acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps:

284-028-000	284-026-000	300-002-000 (portion, as
284-027-000	299-001-000	shown on attached map)
284-025-000		300-003-000

The area to be rezoned is shown on the attached zoning map.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2013

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Deborah L. Pellegrini
Town Clerk

ABSENT _____

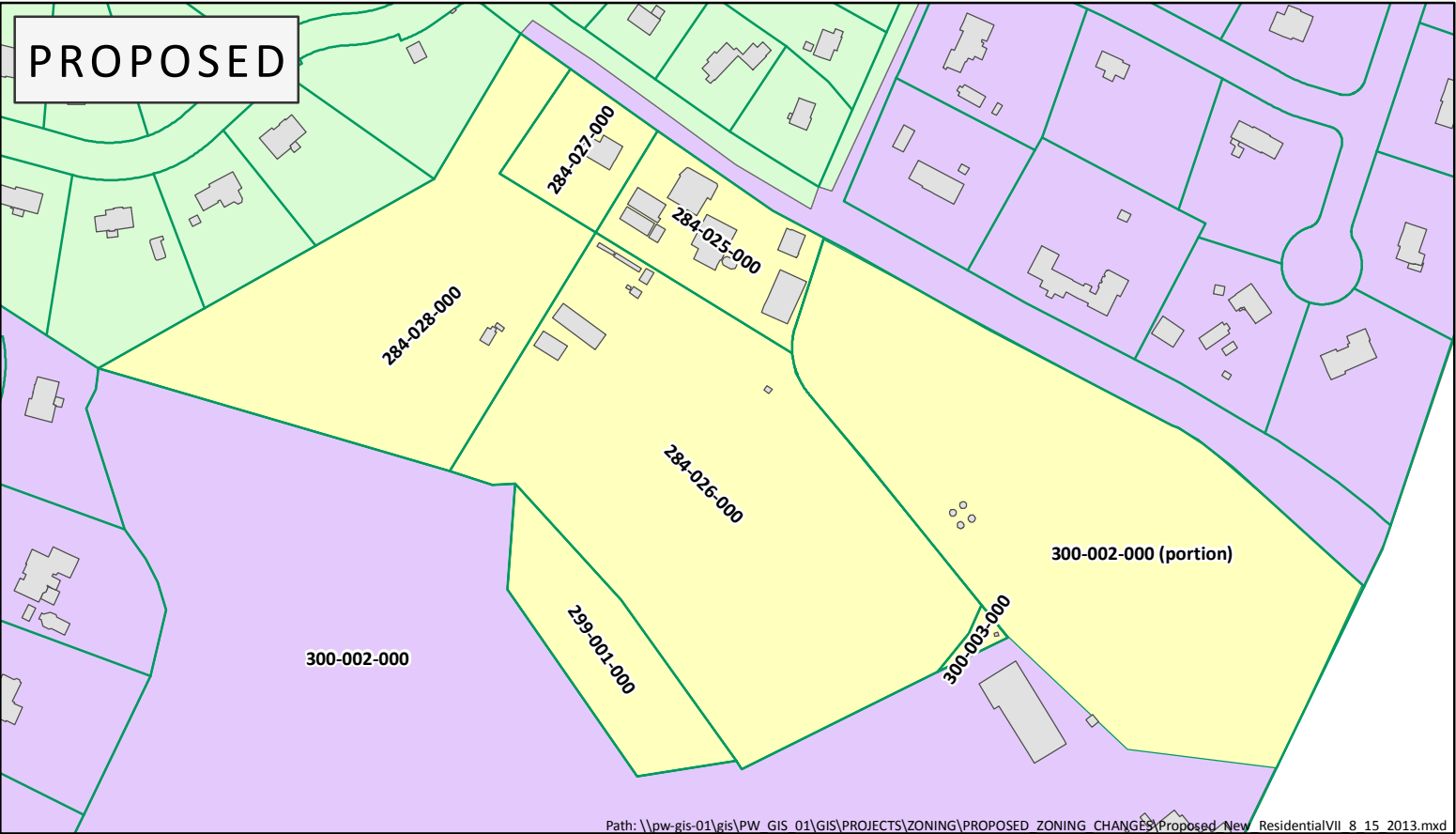
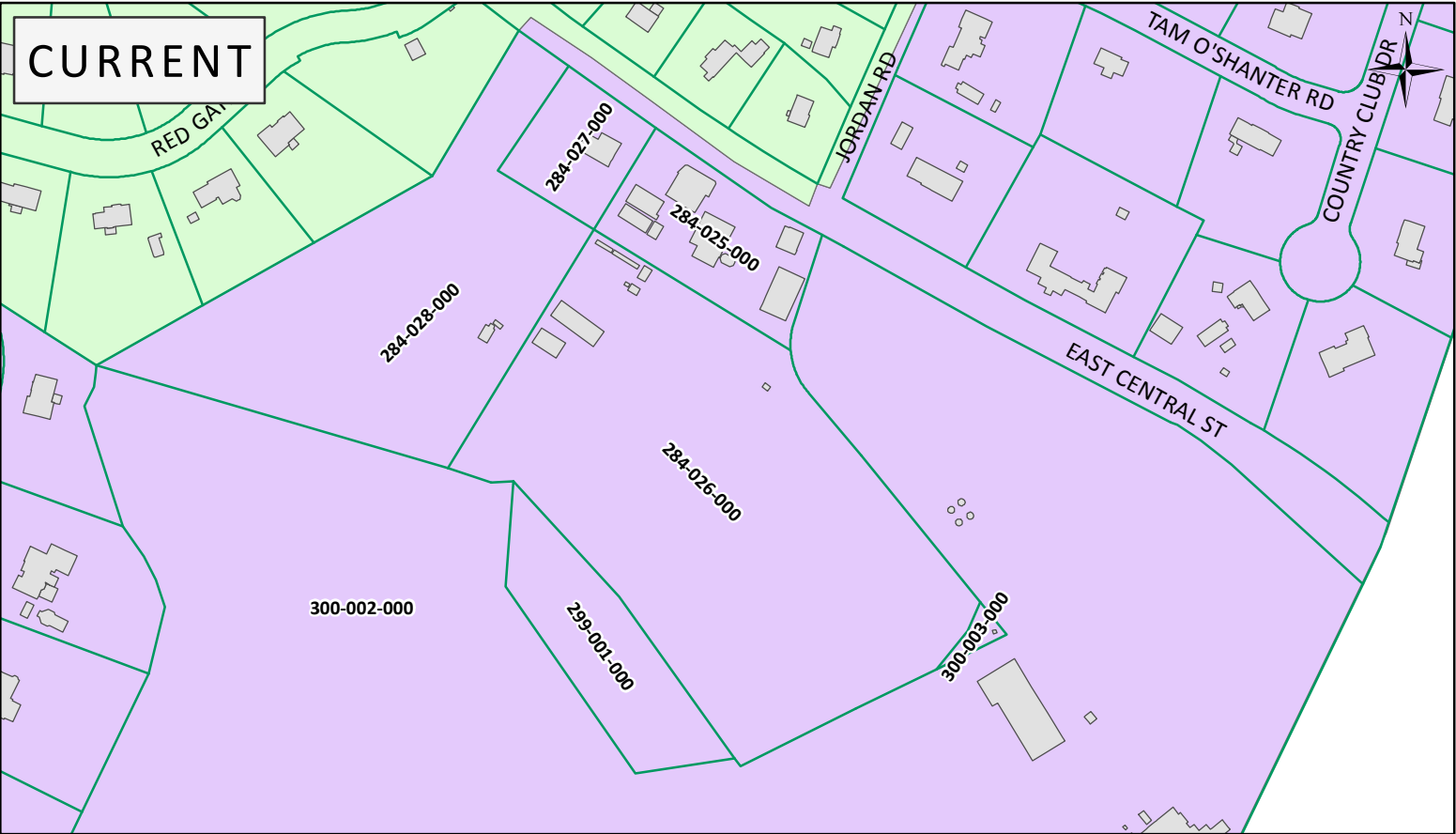
Judith Pond Pfeffer, Clerk
Franklin Town Council

Proposed Zoning Map Change

New District: Residential VII

- Parcel Line
- Single-Family III
- Rural Residential I
- Proposed Residential VII

0 75 150 300 450 600 Feet



TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 13-722
RESIDENTIAL VII ZONING DISTRICT
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SECTION 50

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding the following text at §185-50. Residential VII zoning district:

1. Purpose. To allow for planned residential developments.
 - A. Uses allowed:
 - (1) Single-family dwelling units by right;
 - (2) Multiple, single-family dwelling units by special permit from the Planning Board; and
 - (3) All other uses as permitted in Residential VII as shown in Chapter 185, Attachment 2, Town of Franklin Use Regulations Schedule.
 2. Special Permit, for multiple, single-family.
 - A. General requirements.
 - (1) Special Permits. Multiple, single-family dwelling units may be authorized by special permit from the Planning Board in the Residential VII zoning district, but only in accordance with the requirements as set out in Chapter 185-45. Administration and Enforcement, and if in accordance with the following requirements of this section, and as long as all other applicable requirements of Chapter 185 are met.
 - (2) Site plan review. The requirements of § 185-31, Site plan review, shall be complied with at the time of application for a special permit.
 - B. Other Requirements.
 - (1) Mitigation. Design and construction shall reduce, to the extent reasonably possible, the following:
 - (a) The volume of cut and fill.
 - (b) The number of trees removed.
 - (c) The extent of waterways altered or relocated.
 - (d) The visual prominence of man-made elements not necessary for safety or orientation.
 - (e) The removal of existing stonewalls.
 - (f) The visibility of building sites from existing streets.
 - (g) The alteration of groundwater or surface water elevations.

- (h) The disturbances of important wildlife habitats, outstanding botanical features and scenic or historic environs.
- (i) The soil loss or instability during and after construction.
- (2) Enhancement. Design and construction shall increase, to the extent reasonably possible, the following:
 - (a) Visual prominence of natural features of the landscape.
 - (b) Legal and physical protection of views from the public ways.
 - (c) Use of curvilinear street patterns.

C. Building design and placement.

- (1) Minimum lot size. Multiple, single-family developments shall be constructed on a parcel of land totaling at least five (5)-acres of upland.
- (2) Density. The maximum number of dwelling units permitted shall not exceed 4-units per acre of upland.
- (3) There shall be at least 20 feet between buildings or space between buildings may be reduced by 50% if all adjacent buildings are fire sprinkled. In all other respects, the requirements of the Schedule of Lot, Area, Frontage, Yard and Height Requirements must be met.
- (4) If no public water supply is available, dwelling units must be fire sprinkled.

D. Roadways.

- (1) Roadways construction. All the work and the materials used shall conform to the requirements of the MassDOTs "Standard Specifications for Highways and Bridges," including the most recent Supplemental Specifications.
 - (a) All roadways shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular and pedestrian travel.
 - (b) Width Requirements.
 - i. Roadways and alleys shall be 24 feet width of which a minimum of 20 feet shall be paved; the balance shall consist of a continuous shoulder with no obstructions, constructed in the opinion of the Fire Chief, to be capable of supporting and providing supplemental access for heavy emergency vehicles.
 - ii. Alleys may be reduced to 18 feet in width provided that the following requirements are met:
 - a. There is a primary roadway constructed consistent with the requirements of this section F. Roadways;
 - b. The alley is one way; and
 - c. There is no parking allowed along the alley.

(2) Dead-end street.

- (a) Dead-end streets shall be no longer than 600 feet measured the sideline of the closest, connecting street.
- (b) Dead-end streets shall be provided, if a closed end, with a turnaround having a pavement radius of 45 feet.
- (c) Approval. Approval of dead-end streets may be contingent upon provision of easements and necessary facilities to allow continuity of utility and drainage systems. Water mains shall normally be looped.

(3) Other roadway requirements.

- (a) Streets. Streets indicated on the plan that are not fully constructed to provide through traffic shall provide for paved temporary turnarounds suitable for snowplowing purposes, to be approved by the Planning Board, before any houses on such streets shall be occupied.

(4) Ownership and maintenance.

- (a) Ownership and maintenance of all roadways and related infrastructure shall remain private.
- (b) A private road covenant to ensure compliance with F.(4)(a) shall be approved by the Town Council prior to endorsement of plans by the Planning Board.

E. Other improvements.

- (1) Sidewalks. Location. Sidewalks are required on one side of the road to adequately service pedestrian traffic.
- (2) Sidewalks shall be at least five feet wide and shall extend to the paved roadway at intersections to provide convenient walk-off crossings. Sidewalks shall be ramped for handicapped to access the gutter with no curb. Handicap ramps shall be shown on the plan and shall be constructed in accordance with the latest Rules and Regulations of the Architectural Access Board.

F. Utilities.

- (1) Wiring. Electrical, telephone and television community cable conduits shall be placed underground. Size and materials of these conduits and lateral spacing between conduits shall meet the requirements of the respective utility company. The utilities shall not be located under either paved areas of roadways or the sidewalks.
 - (a) Ownership and maintenance of utilities shall remain private.
- (2) Water and Sewer. Water and Sewer services shall be constructed in compliance with Department of Public Works Standards.
 - (a) Water and sewer system shall remain private; however, DPW personnel shall have access as necessary to maintain the public systems.
 - (b) The Town of Franklin, its agents and servants shall have the right but not the obligation at all times to enter an approved development for the purposes of

inspecting, maintaining and or making emergency repairs including, but not limited to, private water, private sewer and/or private drainage systems. In such event, the private property owners shall be liable, jointly and severally, for the payment of all expenses incurred by the Town in connection therewith, and unpaid expenses shall constitute a lien on their property.

G. Homeowners' Association.

- (1) A homeowners' association shall be established to provide maintenance of all roadways, related infrastructure and utilities.
- (2) Legal documents creating such homeowners' association shall be submitted to the Town for review and shall be determined to be acceptable prior to plans being endorsed by the Planning Board.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2013

VOTED:
UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

ABSTAIN _____

Deborah L. Pellegrini
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk

SPONSOR: *Town Council*

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 13-723

CHANGES TO §185, USE REGULATION SCHEDULE.

**A ZONING BY-LAW TO AMEND CHAPTER 185, USE REGULATION SCHEDULE OF
THE CODE OF THE TOWN OF FRANKLIN**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by adding RVII to the first column of the Town of Franklin Use Regulation Schedule, Parts I through Parts VII:

	RRI												
	RRII												
	RVI												
Principal Uses	RVII	RVII	SFRIII	SFRIV	GRV	NC	CI	CII	DC	B	I	LI	O

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2013

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Deborah L. Pellegri
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk