



FRANKLIN TOWN COUNCIL

February 24, 2016

7:00 PM

A. APPROVAL OF MINUTES – *January 20, 2016, February 3, 2016*

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

C. PROCLAMATIONS/RECOGNITIONS

D. CITIZEN COMMENTS – *Citizens are welcome to express their views for up to five minutes on a matter that is not on the Agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

E. APPOINTMENTS - *Disability Commission
Election Workers
Council on Aging*

F. HEARINGS

G. LICENSE TRANSACTIONS

H. PRESENTATIONS/DISCUSSIONS -

1. *Spectra Energy*
2. *Conservation Commission*
 - *Delcarte Property*
 - *Wetland Bylaw*

I. SUBCOMMITTEE REPORTS – *Community Liaison Update*

J. LEGISLATION FOR ACTION

1. *Resolution 16-08: Appropriation: Facilities Van*
2. *Resolution 16-09: Rescind Borrowing Authority (Resolution 15-15, Purchase and Renovation of Improved Property for Franklin Recreation Department) Fund Through Appropriation*
3. *Resolution 16-10: Ratification of the Memorandum of Agreement Between the Department of Public Works, ASFME – Local 1298, Council 93 and the Town of Franklin*

K. TOWN ADMINISTRATOR'S REPORT

L. OLD BUSINESS

M. NEW BUSINESS

N. COUNCIL COMMENTS

O. EXECUTIVE SESSION - *Pending or threatened litigation*

1. *Proposed Excelon expansion of Medway electric generating facility pending before Energy Facilities Siting Board.*

P. ADJOURN

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 20, 2016**

A meeting of the Town Council was held on Wednesday, January 20, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer, Robert Vallee. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

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

APPROVAL OF MINUTES: *January 6, 2016, January 12, 2016.* ► **MOTION to Approve** the January 6, 2016 meeting minutes by **Padula. SECOND by Mercer. No Discussion. VOTE: Yes-9, No-0, Absent-0.** ► **MOTION to Approve** the January 12, 2016 meeting minutes by **Mercer. SECOND by Dellorco. No Discussion. VOTE: Yes-9, No-0, Absent-0.**

ANNOUNCEMENTS: ► Chairman Kelly announced the meeting would be recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

PROCLAMATIONS/RECOGNITIONS: *Miss Massachusetts Teen USA 2016.* Chairman Kelly read a proclamation congratulating Alexis Frasca, Miss Massachusetts Teen USA 2016, for her outstanding accomplishments.

CITIZEN COMMENTS: None.

APPOINTMENTS: *Historical Commission.* Ms. Pfeffer read the appointment. **MOTION to Ratify** the appointment of Richard Remillard by the Town Administrator to serve as a member of the Historical Commission by **Mercer. SECOND by Bissanti. No Discussion. VOTE: Yes-9, No-0.**

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Billboard.* ■ Mr. Nutting stated this was discussed at the Economic Development Committee meeting and applicant was told he would be on tonight's agenda. Applicant's proposal is to have the Town Council rezone land along Route 495 to allow up to three electronic billboards approximately 48 x 20+ feet wide. They suggested if Town does so they will contribute \$40,000 per year to the Town for one sign. Mr. Nutting recommended this was not in the Town's best interest as Town has worked hard to improve Town image and Franklin does not get better by having a billboard on Route 495. He noted applicant was turned down in Bellingham. ■ Mr. Bissanti stated in the interest of fairness this discussion should be continued until applicant is present. ■ Council members discussed that applicant was notified item was on tonight's meeting agenda. ■ Resident from Chestnut Street asked if Town was turning away money by deciding this today. He would like to hear discussion from applicant. ■ Mr. Padula stated the applicant was aware of the opportunity to attend tonight's meeting and therefore, this item does not need to be discussed further. ■ Ms. Pfeffer stated they should be given the opportunity to appear before the Town Council. ■ Mr. Dellorco stated he is aware the Town of Peabody has two such signs and the Town receives \$200,000 per year for each sign. ■ Mr. Cerel stated this should be discussed in terms of re-zoning, not in terms of compensation. There is no requirement that anyone putting up a billboard would have to pay the Town money. ■ Eileen Mason, 62

Beaver Street, stated having signs along Route 495 will not represent Franklin well, will be a distraction, and will offer no advertising benefits for local business owners. ■Chairman Kelly asked Mr. Nutting to put this item on the agenda for a future meeting.

► **Pond Street Land Discussion.** ■Mr. Nutting provided a handout to audience members and gave a brief overview of the Pond Street land owned by the Town and discussed the appropriate future use of the land. Options for this parcel include: do nothing, accept the condominium development, do another RFP for another purpose. He identified the wetlands area and the no-build zone on the map. About half of the 30 acres is available for building. When RFP was put out a greater frontage setback than legally required was requested. Proposal received for 99 condominiums. Traffic studies were looked at. He showed the rendering of the proposed condominium development. Another option the Town considered is a hotel built on this site. Differences between the costs, traffic, and taxes of the condominium and hotel developments were discussed. ■Seth Jackson, 466 Daley Drive, asked about the estimated tax benefit for the hotel and the condominium developments. If the Town sold a piece of the parcel for the hotel, would the Town still be able to sell the remainder? He is opposed to any development of the property. Franklin is over-built at this point already; there are three chain hotels in town. How would another one sustain business? Traffic will increase no matter what; but, the condos are the best of a worst case scenario. ■Mr. Nutting stated the estimated tax benefit for the hotel is \$300,000 with about the same for the condominiums. This seems to be a reasonable range given other developments in Town. Mr. Nutting discussed concerns about traffic. MassDOT came out and did a site observation. They will prepare a traffic study report about the intersection with short and long-term solutions for the stack lanes. Clearly there needs to be physical solutions which could take 3-5 years if the State is funding it. ■Stephanie Pazniokas, 4 Hilltop Road, asked if the MassDOT study would include the new development and the addition of cars. She stated she is adamantly opposed to hotel on the site. She questioned why Town is looking to buy additional conservation land when this parcel is owned. ■Mr. Nutting stated he advised MassDOT of the potential for a new development which may include additional 600-1,000 cars. ■Michelle Beksha, 743 Pond Street, stated concern with need to change intersection due to additional cars and mentioned many cars would be rerouted to Medway end of Pond Street. ■Maura Pearce, 2 Ashbury Drive, stated she is not an immediate abutter, but knows Town needs to raise revenue. Her first choice is to do nothing with the property and asked Town Council to think about property values for the residents in the Pond Street area. ■Mr. Nutting stated there would be no drain on Town services other than police or fire call and no children in the school system for the hotel as opposed to condos. ■Eileen Mason, 62 Beaver Street, stated condos are better than a hotel. As a realtor in town she knows there is a housing shortage and it would be more beneficial for Town to build another development like Eaton Place for seniors. ■Mr. Nutting stated they have spoken to developers of Eaton Place and discussed the difficulty of developing such a place. Federal government rules and regulations are difficult. ■Resident, Chestnut Street, asked if the reason Town wants to move property now is that Town needs the money, or if Town holds property the value may increase. The more money Town has the more it spends. He does not want so much development in town. ■Sandra Verhaegen, 24 Hilltop Road, stated she is adamantly opposed to a hotel because of what it would do to the community. If billboards would detract from the Town, so would the hotel with a sign on Route 495. Would like land preserved, but if must be developed would prefer the condominiums. She stated the Town Council has in the past stated that condominiums do not attract children and now it was said that condos will bring in some children. ■Mr. Nutting stated condominiums produce fewer children than single-family homes. ■Mr. Padula asked about issues regarding any contamination on the site. ■Mr. Nutting said buyer would be solely responsible for the property. If the condo development were to go through, developer would have to discuss and work out many issues before submitting to Planning Board. ■Mr. Jones said he agreed it needs to be built up not so much to gain revenue but because we have need in Town for additional housing. He reiterated the Town would have much input with a development agreement. He would not like to see a lot of the trees removed for any development of this property. ■Mr. Nutting reiterated that nothing in the wetlands can get cut. ■Mr. Dellorco asked about possible traffic solutions. ■Mr. Nutting said traffic engineer would need to look at

information. ■Mr. Bissanti thanked neighbors and residents for coming out and being so vocal on issue. ■Ms. Pfeffer stated she did not want the 99 condos as it is too much for that piece of land. The amount of tax even on a three bedroom condo is not enough for children to be educated in the Town of Franklin. Only the last RFPs had a residential component. ■Mr. Bissanti disagreed and said that all RFPs had come back with residential components. This is mixed use site. The fact that it faces Route 495 does not make it commercial. ■Bryan Taberner, Director of Planning and Community Development, stated that prior RFPs did not get sent out with residential component. ■Chairman Kelly stated if it was going to be condos he would prefer they be two bedroom not three bedroom. He noted the amount the State contributes does not cover the cost to educate a pupil in Franklin. ■Mr. Padula thanked people in audience for their participation in helping shape the decision. ■Roy McDowell and Todd McDowell with Baystone Development stated they are currently doing development in Hopkinton, Legacy Farms. Their proposal is majority of site would stay woods; they would put in trails and do cleanup. They would have both two and three bedroom condos, and some aged-targeted units. Taxes of \$311,000 are after paying for students, fire, and services. He does not want to overpromise. He would be happy to meet with neighbors to review. ■Mr. Jones wanted to confirm that the taxes of \$300,000 to \$400,000 would go to the general fund as it would be new growth. ■Mr. Nutting said the sale of the land would go to capital use.

SUBCOMMITTEE REPORTS: None.

LEGISLATION FOR ACTION:

1. ***Resolution 16-85: Acceptance of Gift – Franklin Police Department.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-85 for acceptance of gift of \$2,500 from Digital Federal Credit Union (DCU) to support the Police Department's efforts in providing programs that will make a difference by **Mercer. SECOND by Padula. Discussion:** ►Mr. Nutting stated it was a generous donation and a thank you will be sent. **VOTE: Yes-9, No-0.**
2. ***Resolution 16-86: Acceptance of Gift – Council on Aging.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-86 for acceptance of gift of \$250 to the Council on Aging from Richard Hertzberg of Ames Financial to be used where needed by **Mercer. SECOND by Padula. Discussion:** ►Mr. Nutting stated it was a generous donation and a thank you will be sent. **VOTE: Yes-9, No-0.**
3. ***Resolution 16-87: Acceptance of Gift – Franklin Police Department.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 16-87 for acceptance of gift of \$50 from Guerriere & Halnon, Inc. in support of Franklin Police Department and their programs by **Mercer. SECOND by Padula. Discussion:** ►Mr. Nutting stated it was a generous donation and a thank you will be sent. **VOTE: Yes-9, No-0.**

TOWN ADMINISTRATOR'S REPORT: ►The Downtown Project continues and updates will be provided as progress continues. ►Town Council voted to begin the aggregation process for electricity with hope to provide report in 30 days. ►Will be into budgets and capital plans soon. ►At next Town Council meeting will provide update on the Master Plan.

OLD BUSINESS: ►Mr. Padula asked if RFP should be back on the agenda and how process moves forward. ►Chairman Kelly said he will be meeting with Town Administrator and would like to move process along and get it on the next agenda. ►Mr. Nutting said it could go back to the Town Council for a decision. ►Mr. Vallee said it has taken too long.

NEW BUSINESS: ► Mr. Bissanti asked Mr. Cerel if an endorsement from the EDC was needed. ► Mr. Nutting said EDC only makes recommendations. The Chairman can put it on the agenda for a vote; the Town Council must make the decision. A resolution cannot be prepared until the vote is taken.

COUNCIL COMMENTS: ► Mr. Jones congratulated Nancy Danello who formally worked in Building Department and is now the Assistant Town Clerk, and welcomed Casey Thayer to the Building Department. ► Mr. Dellorco said the next Coalition event has been moved from the High School to Horace Mann on February 2, 2016 at 7:00 PM. ► Mr. Bissanti gave condolences to Peter Padula and his family for the loss of his mother. ► Ms. Pfeffer stated approval has been obtained for the two houses of the Housing Trust. Both will be in lottery on March 30, 2016. Also, the Coalition has Chris Harrington coming February 29, 2016 and he will spend day at School Department. ► Mr. Padula thanked the Franklin Police and Fire Departments for their professionalism and for how they treated his mother with dignity and respect. He thanked everyone for the support given to him and his family. ► Chairman Kelly thanked Mr. Hellen for updating the Town Council website and gave condolences to Peter Padula and his family.

EXECUTIVE SESSION: None.

ADJOURN: MOTION to Adjourn by Padula. **SECOND** by Bissanti. **VOTE: Yes-9, No-0. Meeting adjourned at 8:28 PM.**

Respectfully submitted,

Judith Lizardi
Recording Secretary

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
February 3, 2016**

A meeting of the Town Council was held on Wednesday, February 3, 2016 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Glenn Jones, Matthew Kelly, Thomas Mercer, Peter Padula, Deborah Pellegrini, Judith Pond Pfeffer. Councilors absent: Robert Vallee. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Jamie Hellen, Deputy Town Administrator; Mark Cerel, Town Attorney.

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

APPROVAL OF MINUTES: None.

ANNOUNCEMENTS: ► Chairman Kelly announced the meeting would be recorded by *Franklin TV* and available for viewing on Comcast Channel 11 and Verizon Channel 29. This meeting may also be recorded by others.

PROCLAMATIONS/RECOGNITIONS: None.

CITIZEN COMMENTS: ► James Hill, 5 Gloucester Drive, also speaking for Ray Milici, 75 Grey Wolf Drive, presented a follow up to the January 6 No Spectra Gas Pipeline presentation. He stated he is sharing the concerns of many Franklin residents about the safety of gas pipelines. He said the current pipeline is within 20 feet of some homes. The high consequence areas (HCAs) are within 660 feet radius. There was a gas leak in Medway on January 5. He cited facts and studies about pipeline dangers such as leaks and sparks that could cause a catastrophic incident or explosion. Given track record of pipelines, extreme pressure, and proposed location of new pipeline, he asked Town Council to consider both the safety of the Franklin citizens and legal ways to protect Town from this undesirable development.

APPOINTMENTS: None.

HEARINGS: None.

LICENSE TRANSACTIONS: None.

PRESENTATIONS/DISCUSSIONS: ► *Billboard Discussion.* ■ Mr. Nutting stated the Economic Development Committee had a presentation on the potential of a billboard on Rt. 495 near Grove and Beaver Streets. The proponent suggested a rezone of the area to allow up to three billboards. The EDC recommended a presentation to the full Town Council. There was a miscommunication about the last meeting, but they are here tonight. ■ Michael Doherty and Dave Gannon from Independent Outdoor stated they are proposing an amendment to the Town bylaw to allow electronic billboards on Rt. 495. It would not allow billboards in other places in Town, only abutting the interstate highway. There are no homes near the proposed location, only businesses; would only be visible from Rt. 495 and would not bother homes or property values. There would be benefits to the Town; client will pay \$40,000 per year for 20 years for this and willing to front-load for a number of years. That money could help Town and provide opportunity for bonding/borrowing money. Additional benefits include Town having right to put public service announcements on billboard. As long as the billboard is there, the money will be there. ■ Mr. Jones opined it would be an eyesore and distraction on the road, and \$40,000 is not a lot of money. ■ Ms. Pfeffer opined when driving on Rt. 495 no one will know if the sign is in Bellingham or Franklin, but \$40,000 per year is much too little. Money could go to the Recreation Department, High School for children's sports, Senior Center, etc. She has no problem with the sign. ■ Mr. Cerel stated what is being

asked for is zoning relief, so have to deal with the bigger issues. Compensation is a dicey matter and should be secondary, not primary motivator. If incidentally there was some compensation after it is in place that is another thing. ■Mr. Padula remarked it would be horrible for Franklin to have a sign flashing even for \$100,000. ■Ms. Pellegrini stated she has seen signs on other highway areas and does not have a problem with them. She likes the idea of an Amber Alert or other state-wide information. She questioned if the \$40,000 was the cost for the permit and noted the money could be used to take care of an employee's salary. ■Mr. Mercer stated the Council cannot asked for or negotiate for any money from a person or corporation looking to put a sign up just for changing zoning. ■Mr. Nutting stated this is a zoning issue, not a money issue. People are free to donate money to the Town. He stated the Town has worked for a long time to improve its image such as the Common, Downtown, new high school, and does not understand how a billboard would enhance or add value to the image of Franklin. It has been denied in Bellingham. ■Mr. Jones questioned if zoning changed to accommodate this sign what can of worms would be opened if do it for one and not for others. Therefore, he does not support this. ■Bryan Taberner stated he would not recommend going down this road; cannot just allow it for one sign. ■Mr. Doherty stated if Town puts even more restrictions on bylaw than state and federal regulations there may be only three other locations in Town where such signs could be placed. ■Mr. Cerel stated when sign bylaw was rewritten, great pains were taken to make sure it did not allow anything moving or flashing. If Council allows these on Rt. 495 making current bylaw weaker, it may have unintended consequences. ■Mr. Bissanti stated he never liked current sign bylaw. It is 2016 and state highways have signs flashing to tell drivers what to do. He does not find it offensive and does not think it takes away from New England flavor; bylaw must be written tightly. He stated he was on the fence about this. ■Eileen Mason, 62 Beaver Street, stated there is no way an electronic sign on Rt. 495 goes along with the Franklin character, values, and ethics of the Town, and should never take a bribe or money for changing zoning bylaws. Also, the location of this sign has changed from the last meeting. ■Michael Pearce, 2 Ashbury Drive, stated this is a horrible idea and does not want to see it in Town.

► **Recreation Department Update.** ■Mr. Ryan Jette, Recreation Director, and Megan Woodacre, Program Coordinator, appeared before the Town Council. Mr. Jette provided an update on the new Beaver Street building and the Recreation Department which offers a variety of programs and events and continues to grow each year. About 5,296 children enrolled in programs. Brought in \$508,406 revenue last year; exceeded expenses and salaries combined. They had over 85 programs ranging from arts, sports, and summer camps. Department runs events during holiday season, provides lessons, community service projects and opportunities, and seasonal programs. Staff includes 1 full-time director, 1 full-time program coordinator, and 2 part-time administrative which make up about 47% of salary budget. Other 53% includes camp counselors, life guards, gate guards, certified preschool teachers, referees, etc. Also, responsible for permitting all fields; work with DPW to make sure playgrounds are up to code. Department uses social media. He noted majority of the space at the new building was done by Town employees. He thanked many people for their help and support and noted it was a great undertaking and saved Town money. New building should be complete in 2016. ■Chairman Kelly noted grand opening for Recreation Center in future. ■Ms. Pfeffer asked the amount of excess revenue brought in by the department and where it went. She thanked Mr. Jette for having 19 seniors from the Senior Work-off program. ■Mr. Jette said each year they try to break even; last year they brought in about \$16,000 extra which goes into the General Fund. ■Mr. Padula thanked them for keeping kids off the street and out of trouble, and for their hard work. ■Councilors Jones, Dellorco and Mercer praised Mr. Jette and the Recreation Department and stated there is no better service to the children. ■Chairman Kelly noted working with manufacture to get playground fixed or replaced.

► **Mandatory Alcohol Awareness Training.** ■Mr. Nutting reiterated Mr. Bissanti's requested to put before the Council a consideration of whether all alcohol license holders should be required to have mandatory alcohol awareness training for all employees. The draft bylaw was put together with the idea if Town Council wanted to move forward would send it to all license holders and invite them to future

Council meeting for comments prior to a decision. Mr. Cerel prepared the draft based on Brookline. ■Ms. Pfeffer read the bylaw draft. ■Mr. Cerel stated many of the tests/trainings are done online. For a new licensee, this can be required before the license is given. The way it is currently worded does not allow for grandfathering. He remarked in past 14 years overall there have been very few problems compared to other municipalities. ■Councilors discussed testing frequency for managers and employees, how to verify certification, and what happens when managers change positions. ■Mr. Bissanti thanked the Town Council for support on this effort and the Town Attorney for working on draft. ■Council members requested license holders come in and provide feedback on a future agenda. ■Mark Lenzi, Franklin Liquors, thanked the Town Council for initiating this bylaw and thinks it is great for the community. He noted there is no state requirement for the training. But, the way the bylaw is written it is really not taking into account the four ways liquor is being sold today: small retail, large retail, restaurant servers, and bartenders. Therefore, should look at the bylaw in different ways. Also, should think of each business as a safety officer and let each owner do their own safety training such as alcohol awareness. He mentioned programs in towns of Plymouth and Framingham. ■Chairman Kelly suggested Mr. Cerel look at both mentioned towns. ■Mr. Cerel stated Framingham was over the top; he has not looked at Plymouth. ■Mr. Nutting suggested putting item on March agenda, get everyone's suggestions, make changes, and return with revised version.

► **Master Plan Update.** ■Mr. Nutting stated every year he tries to give Town Council and citizens an update as to what has taken place in the previous year. Bryan Taberner, AICP, Director, prepared the Master Plan Implementation Annual Update document. The Town Council has moved the community forward. He noted some of the Town's accomplishments including the DelCarte study, some open space purchased, Sculpture Park opened, some rezoning done, and working on Downtown roadway. Six to eight years from now can see what the goal was and what has been accomplished. ■Ms. Pfeffer questioned if Open Space Committee should be brought back. She noted concern about Town's water needs. ■Mr. Nutting stated until space becomes available there is not much for an Open Space Committee to do. Between the Town Council and the staff, the role is well serviced. Want to maintain water system and expansion is at the discretion of the Council. Wells 3 & 6 need to be studied to meet future water quality standards which is in the capital budget. Town does not use the capacity allowed to pump under permit. On average, have reduced overall consumption from 3.1 to 2.6 million gallons per day; use less water today than ten years ago with more people. ■Mr. Bissanti asked if some of the trails could be connected. ■Mr. Nutting said it would be great but need to purchase all the missing pieces. Part of the Open Space and Recreation Plan that is currently being updated would give an idea on this. ■Mr. Taberner stated there are some possibilities, but to connect three communities is a major expense; it would be a good long-term goal. ■Mr. Jones stated he was on the Open Space Committee eight years ago. It was a small group and overall the items that the Committee addressed were far and few between. ■Mr. Mercer asked where they are with the neighborhood commercial zoning district pieces. ■Mr. Taberner stated working in-house and will have meeting soon. ■Mr. Nutting stated he believes the current zoning bylaw should be abolished and a new neighborhood commercial should be written more suited to the intent. In 15 years it has never been implemented in its current form and staff is trying to brainstorm how to make this work. ■Stephanie Pazniokas, 4 Hilltop Road, mentioned recent meeting regarding Mine Brook access, and noted it was going to be expensive, but understands from meeting looking for sources of funding and it is going to be a big project. She stated a lot of opportunity for successful fundraising from many interested parties. She asked not to let the funding concern direct whether or not that would go forward. ■Mr. Nutting said need to develop plan before can determine what is needed or asked for. Thinks it is a great idea. He concurred with Ms. Pazniokas's statement. ■Chairman Kelly said Open Space presentation on future agenda.

► **Pond Street Discussion.** ■Chairman Kelly stated all Council members received packets outlining Options #1, #2, and #3. He would like to have non-binding, straw poll vote to determine direction of the Council. ■Gail Irwin, 56 Hilltop Road, asked for the three options to be clarified. ■Ms. Pfeffer read the memorandum: Option #1 is to work with the current RFP for the 85 condominiums. Option #2 is to reject

the current bid and issue a new RFP. Option #3 is to take no action. ■Maura Pearce, 2 Ashbury Drive, requested that before residents comment, Council members should comment. ■Mr. Padula stated he has been on EDC and the project has been around for a long time. It is time to do something. He is in favor of Option #1. ■Mr. Jones stated he concurs with Mr. Padula to move forward with Option #1. ■Mr. Bissanti said everyone knows his position. ■Mr. Dellorco said he was at first going to opt for doing nothing, but neighborhood seems all set with condos. He is against hotel or commercial at the site. He is in favor of Option #1. ■Ms. Pfeffer said she does not think anything should be done. The Department of Transportation just did study so should wait for their report. Was in favor of getting rid of land to commercial thinking Town would bring in some money on this. But now, this is not going to bring any money. Town will get \$1.5 million that will sit in capital account and cannot be touched until Town gets another capital project. Only \$300,000 in taxes and will have extra kids. Now have 280 apartment unit development coming up on West Central Street, 40B, and many will be three bedrooms. This will be about 400 new households in Franklin. With this many may possibly need another policeman and cruiser or ambulance or firefighter. Town is making no money on this. When appraised it was \$1.875 million. Now three years later when economy is better, selling it for only \$1.5 million. Leave it the way it is. ■Mr. Mercer stated he has been going between Options #1 and #2. He heard residents at last meeting mostly spoke in favor of condos, but has concern because only one bid on the parcel. With Option #2 he would put out again for strictly residential piece. ■Ms. Pellegrini stated in favor of Option #1. She has received emails from the people in the area and they seem pleased with the condos. ■Gail Irwin, 56 Hilltop Drive, said residents want it to be noted they do not want anything there and the condos were their fallback. She agreed with Ms. Pfeffer's comments. As the traffic is horrible, would like to wait for information from the new traffic study as previous traffic information is dated and estimated. ■Michael Pearce, 2 Ashbury Drive, agreed with Ms. Irwin that the preference is to do nothing. Open space is the best. But, fallback is for the residential over commercial development. ■Chantel Schools, 417 Coronation Drive, agreed with other residents and would rather do nothing, but residential is the lesser of two evils. As a public school teacher, 22 kids is a lot and must be considered. ■Stephanie Pazniokas, 4 Hilltop Drive, stated the first preference is to wait and ideally do nothing. It would be a burden on Franklin to clean up the sewer beds. The proposal for 85 condos is excessive and asked if there is a way to reduce that. She agreed with Ms. Pfeffer. The economy is going up so probably land will be worth more. Concerned with Option #2 is that if sending out new RFP hotel may come back. If a hotel does not succeed and is left vacant, the State can come in and put in more Section 8 housing. There is 40B already going in Town. ■Chairman Kelly clarified that Section 8 is not 40B.

MOTION to Approve Option #1 and authorize Town Administrator to prepare a resolution to accept the proposal by Baystone Development for 85 units of housing condominium units by **Padula. SECOND by Bissanti. Discussion:** ► Mr. Nutting asked Council if this was going to pass to amend it to provide a little different direction. It says 85 condos and commercial development, and people are saying they only want condos. Need flexibility to negotiate number of units and maybe not have commercial piece or set aside and acre of land. He understands the intent, but if constrained to this particular Motion, he does not think it is the intent of what most people are thinking. (No Vote taken.) ► **Mr. Bissanti withdrew his second to the Motion; Mr. Padula withdrew his first to the Motion.**

MOTION to Authorize to accept Option #1 with leaving discretion to the Town Administrator by way of negotiating by **Padula. SECOND by Bissanti. Discussion:** ► Mr. Cerel stated it would be better to do a straw poll to indicate a sense of the Council rather than a formal resolution with votes counted. (No Vote taken.) ► Chairman Kelly stated his intent was to get a straw poll and bring it back to the Council the first week in March as a Resolution. This would require withdrawing previous Motion. ► **Mr. Bissanti withdrew his second to the Motion; Mr. Padula withdrew his first to the Motion.**

■Mr. Jones wanted to make clear he stated Option #1 is the lesser of evils. His other option is to leave it alone. But, he noted he would not be in favor of the property ever becoming recreational because it is the

sewer beds. Also, he thinks 85 condos are too many and RFP should be modified. ■Attorney Richard Cornetta stated his concerns have been addressed by the Town Administrator for flexibility to negotiate. ■Ms. Pfeffer stated all the people from the neighborhood indicated their first choice was to do nothing and their fallback was the condos. Having hard time understanding how all Council members are going toward the condos, Option #1, which is the fallback and not choosing Option #3 which is to do nothing which is the residents' first choice. ■Chairman Kelly stated doing nothing sounds like a great idea today, but that is what was done the first time, the time before that, etc., and each time then spend another six months talking about it again. If do nothing, someone tomorrow could offer to buy it for commercial.

► **ROLL CALL VOTE FOR OPTION #1, #2, or #3:** Bissanti-#1; Dellorco-#1 with revisions; Jones-#1 with revisions; Mercer-#1 with revisions; Padula-#1 with revisions; Pellegrini-#1 with revisions; Pfeffer-#3; Kelly-#1. **VOTE: Option #1—7; Option #2—0; Option #3--1.**

SUBCOMMITTEE REPORTS: None.

LEGISLATION FOR ACTION: None.

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting thanked Representative Roy as received check for the Horace Mann Statue. Committee will work on final design; hopefully in ten months will be installed. ► 150 Emmons Street sold last week; no longer Town property. ► Snow and ice budget: have spent about \$275,000 out of \$950,000 so hope warm winter continues. ► He thanked Town employees for their commitment to make an old garage into the recreation facility. All pulled together, it is much appreciated. ► Mr. Hellen said over the last few weeks he has met with all the consultants for the municipal aggregation and just signed a contract with the Colonial Power Group from Marlborough. Hopefully, in next couple of months put out RFP to get spring/summer rates.

OLD BUSINESS: ► Mr. Bissanti asked about the wetlands issue at the Conservation Commission meeting. ► Mr. Nutting said it is on the agenda for February 24, 2016.

NEW BUSINESS: ► None.

COUNCIL COMMENTS: ► Mr. Dellorco stated author/professor Robert Putnam provided a great discussion at last night's S.A.F.E Coalition meeting; he thanked him for coming. ► Mr. Bissanti said he read about the conference and the speaker made excellent points. Social awareness is important; there is hope in the future. ► Ms. Pfeffer stated the speaker mentioned in the past all school sports were paid for by the towns; now, only kids who play sports are those whose families have enough money for their kids to play sports. Everyone should have the same opportunity to play sports; it should not be only for the wealthy. ► Ms. Pellegrini asked when demolition at 150 Emmons Street will begin. ► Mr. Nutting stated probably start within 60 days when spring breaks. ► Chairman Kelly thanked Franklin firefighters and all surrounding communities as there were two fires this week and the night before they did a water rescue. It was very impressive. He also thanked police. A few weeks ago he met with Downtown Partnership; they sent a thank you for the good meeting and look forward to working further with Town.

EXECUTIVE SESSION: None.

ADJOURN: MOTION to Adjourn by Bissanti. SECOND by Dellorco. VOTE: Yes-8, No-0. Meeting adjourned at 8:54 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary

APPOINTMENTS

- DISABILITY COMMISSION
- ELECTION WORKERS
- COUNCIL ON AGING



APPOINTMENTS

Franklin Disability Commission

Karen Gordon
55 Dean Avenue, Apt. 1

The Franklin Disability Commission has recommended Karen Gordon to serve as a member of the Commission.

MOTION to ratify the appointment by the Town Administrator of Karen Gordon to serve as a member of the Franklin Disability Commission.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

Mary E. O'Neill
102 Beaver Street
P.O. Box 156
Franklin, MA 02038
February 13, 2016

Jeffrey Nutting, Town Administrator
Town of Franklin
Municipal Building
355 E. Central Street
Franklin, MA 02038

Dear Mr. Nutting:

The Franklin Disability Commission has voted unanimously to have Karen Gordon become a member. She would be a valuable addition to the Commission.

Sincerely,



Mary E. O'Neill
Chairperson,
Franklin Disability Commission

Cc: Karen Gordon



APPOINTMENTS:

Election Workers

The Town Clerk has submitted the attached names to be appointed as Election Workers for the upcoming 2016 – 2017 elections.

MOTION to ratify the appointment by the Town Administrator of the attached Election Workers as requested by the Town Clerk.

DATED: _____, 2016

A True Record Attest:

Teresa M. Burr
Town Clerk

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

2016/2017 Poll Workers to be appointed

Adams, Joyce	110	Dean Avenue	520-3457
Bauer, Wolfgang	511	Union St.	774-571-8434
Bernstein, Camille	366	Lincoln St.	528-4665
Bissanti, Anne M.	215	Jordan Rd.	528-3164
Brown, Robert	3	Meadowbrook Rd.	528-3087
Brunelli, Peter	3	Burning Tree Rd.	
Burnard, Eileen	152	Stoneridge Rd	
Carrachino, Paul	14	Hayward St.	528-4260
Carrachino, Valarie	14	Hayward St.	528-4260
Clary, Paul	13	South Pine Dr	
Clary, Roberta	13	South Pine Dr	
Cussen, Joan	26	Ribero Dr.	520-6803
D'Alessando, Janice	670	Pond St.	528-3878
D'Errico, Mary	72	Deer View Way	528-0049
Gelineau, Gloria	201	Crossfield Rd.	528-2479
Gentili, Jean	200	Daniels St.	528-6040
Gleitchauf, Cynthia	8	Symphony Dr	397-5204
Halterman, Janet	34	South St.	346-3597
Hooper, Sheila	35	Pheasant Hill Rd	528-5658
Howe, Steve	46	Daniels St.	528-6777
Hutchinson, Joyce	59	Central Park Ter.	528-1312
Hynes, Judy	23	Brushwood Hill	528-5766
Ipacs, Carol	417	East Central St.	528-1417
Kautz, Carol	58	Wachusett St	528-8260
Kelly, Barbara	73	Union St.	528-9691
Kenney, Sandra	12	Sargent Lane	
Lane, Margie	154	Longhill Rd	
Malonson, Jayne	3	laurel Ct.	528-9903
Manning, Sharon	10	Noanet Brook Lane	346-3086
Martin, Elizabeth	5	Mackintosh	
McDermott, Lesley	38	Central Park Ter.	
Moore, Susan	31	Indian Lane	
Morgan, Lynne	35	Opal Circle	
Olsen, Tom	24	Parkhurst St	528-9221
Oliver, Robert	81	Partridge St.	520-1427
Pasquantonio, Joanne	112	Cottage St.	528-5131
Pedersen, Joyce	89	Highbank	
Picard, Betty	126	Central Park Ter.	528-6125
Pisani, Joyce	19	Stubb St	528-4748
Renkas, Paula	744	Summer St	528-3568
Richardson, Sara	5	Maplebrook Lane	774-571-9319
Rondeau, Barbara	204	Lincoln St.	528-0144
Santoro, Patricia	231	Chestnut St.	528-4818
Semerjian, Lucy	21	Garfield St.	528-3805
Smith, Joanne	44	Shady Ln.	528-6934
Tolman, Elaine	34	Worsted St.	
Tomaino, Richard	923	Washington Street	528-8717
Tomaino, Theresa	923	Washington Street	528-8717
Vozzella, Louise	90	Miller Street	528-0145

2016/2017 Poll Workers to be appointed


Witzel, Hazel	131	Highwood St	
Wright, Joanne	6	Keough St	528-4873

From:  Nancy Danello

Friday, February 19, 2016 11:14:44 AM 

Subject: 2016-2017 Poll Workers to be appointed

To:  Maxine Kinhart

Attachments:  2016-2017 Poll Workers to be appointed.pdf / Adobe Acrobat Document (60K)

Maxine, attached are the poll workers that need to be appointed.

The following are new workers:

Clary, Paul
Clary, Roberta
Howe, Steve
Kenney, Sandra
Lane, Margie
Martin, Elizabeth
Moore, Susan
Morgan, Lynne
Pedersen, Joyce
Pisani, Joyce
Renkas, Paula
Wright, Joanne

Thank You,

Nancy Danello
Assistant Town Clerk
Town of Franklin
355 East Central Street
Franklin, MA 02038
(508) 520-4892



APPOINTMENT:

Council on Aging

Gail Chirdon
14B Hawthorne Village

The members of the Council on Aging have voted to approve Gail Chirdon to be appointed to serve as a member of the Council.

MOTION to ratify the appointment of Gail Chirdon by the Town Administrator to serve as a Member of the Council on Aging.

DATED: _____, 2016

A True Record Attest:

Teresa M. Burr
Town Clerk

VOTED:


UNANIMOUS _____


YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council

From:  **Jeff Nutting**
Karen Alves
"SC-RECP-P1 Senior Ct" <ricoh@franklin.com>

Thu, Feb 18, 2016 4:27:40 PM 

Subject: Fwd(2):

To:  Chrissy Whelton  **Maxine Kinhart**

Attachments:  20160218115644707.pdf / Uploaded File (107K)

----- Original Message -----

Hi Jeff:

The COA interviewed 5 candidates for the vacancy today and voted to recommend Gail Chirdon whose application is attached. Thanks.

Karen Alves, Senior Center Director
Franklin Senior Center
10 Daniel McCahill Street
Franklin, MA 02038
(508) 520-4945
(508) 520-4917 fx

"It's not how old you are, but how you are old." - Marie Dressler

----- Original Message -----

This E-mail was sent from "SC-Ricoh-Printer-Copier" (Aficio MP 5500).

Scan Date: 02.18.2016 11:56:44 (-0500)

Queries to: tech@franklin.k12.ma.us

PRESENTATIONS AND DISCUSSIONS

- SPECTRA ENERGY
- CONSERVATION COMMISSION
 - DELCARTE PROPERTY
 - WETLAND BYLAW

SUBCOMMITTEE REPORTS

- COMMUNICATIONS LIAISON

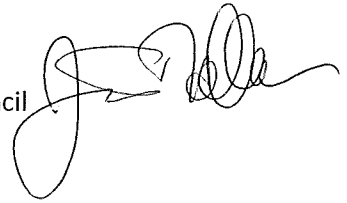
Memorandum

To: Jeff Nutting, Town Administrator; Glenn Jones, Communications Liaison, Town Council

From: Jamie Hellen, Deputy Administrator

Date: February 17, 2016

RE: Communications Accomplishments



Since I began on January 4, 2016, I been working with Councilor Jones and town staff to bring a renewed focus to enhanced communication with the public on the work being done by the Council and the town staff. I thought it would be helpful to share a few highlights the Town staff have had in the last six weeks since I started.

- The Municipal Building staff are engaging in daily Facebook posts and Tweets. Subsidiary town agencies are posting news at least once a week on their social media sites, if not much more often.
- The Town Facebook and Twitter accounts have increased followers of almost 12% on each account through simple word-of-mouth and without any promotion. Also:
 - Most Facebook posts are “reaching” an average of 400 people per post;
 - Most Twitter posts are receiving additional tweets or favorites, expanding the reach of the Town’s work;
 - Print media has even covered some stories from the information sent out via social media.
- Several webpages have been overhauled and updated, most notably the Affordable Housing Trust Website, Town Administrator, Human Resources and more.

We have also made some changes to the Council page, including building a customer service form for residents to email all nine Town Councilors at once and a new segment called “Actions Taken,” which communicates any formal votes or actions the Council took at a given meeting. Like the Council agendas and packets, these items are sent out via social media channels, as well.

Town departments have updated their sites with current staff and committee members.

We’ll focus next on getting a few more pictures up on line!

- The Deputy Administrator has met with all town departments, as well as Tri-County, Franklin TV, Daily News, Steve Spurlock and other stakeholders to listen and receive community feedback on how to move forward with increasing coordination and strategic planning. As a result...

- Staff are working through the final stages of a draft 2016-2017 Civic Engagement Roadmap that will focus on increased coordination and tasks that help give definition, context and “tell the story” of town government. Focus will be to enhance communications in various formats to reach as wide an audience as possible.
- Staff have updated a social media policy based off feedback from town departments.
- A **BIG** thank you and credit must be given to Chrissy Whelton in the Administrator’s office for her expertise and rapid response to updating webpages, managing social media accounts and assisting town staff on best practices.

LEGISLATION

FOR

ACTION

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: February 18, 2016
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Purchase of Van for Facilities

Please find attached a resolution to purchase a new van for the Facilities Department for use by the Carpenter. He is currently without a vehicle. His van, which is 15 years old with 116,000 miles, is out of service and is no longer usable. We have spent \$10,000 on repairs and currently it needs a radiator, head gasket, excess oil loss, and extensive body work. The cost of a new van is \$33,000. I am happy to answer any questions that you may have.

Cc: Michael D'Angelo, Director of Public Facilities

TOWN OF FRANKLIN

RESOLUTION NO.: 16-08

APPROPRIATION: Facilities Van

AMOUNT REQUESTED: \$ 33,000

PURPOSE: To provide funding for the purchase of a Facilities Van

MOTION

Be It Moved and Voted by the Town Council to appropriate from the following accounts:

Remington Jefferson Roof:	01350315-580000	\$10,854.00
FY 14 Capital – Election Booths:	01950414-587300-58161	\$12,117.32
FY 10 Capital – Building Imprv:	01950410-582500-58192	\$10,028.68

to purchase a Facilities Van and all costs incidental and related thereto.

DATED: _____, 2016

VOTED:

UNANIMOUS _____

YES _____ NO _____

A True Record Attest:

ABSTAIN _____

ABSENT _____

Teresa M. Burr
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

Municipal Equipment Management System

Equipment Maintenance Report

Equipment: PF-3 FORD VAN 2001 From: 7/1/2001 To: 1/30/2016

Department: FACILITY

WORK ORDER # 10150 Complete Date 5/7/2014

Labor	Work Description	Labor Date	Labor Hour	Labor Costs
PISTON	LEFT REAR CALIPER PISTON FROZE UP REPLACED CALIPER AND REAR PADS.	4/28/2014	2.00	\$72.00
Total Labor:			2.00	\$72.00

Parts	Part Description	Quantity	Units	Unit Cost \$	Total Cost \$
KIN 5162	REMAN CLAIPER	1.00	EACH	\$116.36	\$116.36
BR 1276	REAR BRAKE PADS	1.00	SET	\$49.95	\$49.95
Total Parts:		2.00		\$166.31	\$166.31
Work Order Total:					\$238.31

WORK ORDER # 10428 Complete Date 9/17/2014

Labor	Work Description	Labor Date	Labor Hour	Labor Costs
CALIPER	REPLAED CALIPER	9/5/2014	2.00	\$72.00
Total Labor:			2.00	\$72.00

Parts	Part Description	Quantity	Units	Unit Cost \$	Total Cost \$
CLP-18-B4760	CALIPER	1.00	EACH	\$58.63	\$58.63
FR1-BMD655H	CALIPER	1.00	EACH	\$48.99	\$48.99
Total Parts:		2.00		\$107.62	\$107.62
Work Order Total:					\$179.62

WORK ORDER # 10450 Complete Date 9/30/2014

Labor	Work Description	Labor Date	Labor Hour	Labor Costs
LUBE, OIL, FILTE	LUBE OIL AND FILTER CHANGE , REPAIRED BACK UP ALARM	9/12/2014	1.00	\$36.00
Total Labor:			1.00	\$36.00

needed - radiator
- head gasket
- roller surp
- Body fake
- excess oil
Loss
- spent \$10,000
Repairs

Municipal Equipment Management System

Equipment Maintenance Summary Report

Equipment PF-3 FORD VAN From 7/1/2001
To: 1/30/2016

WORK ORDER #	PARTS \$	LABOR \$	TOTAL \$
10150	\$166.31	\$72.00	\$238.31
10428	\$107.62	\$72.00	\$179.62
10450	\$38.20	\$36.00	\$74.20
10931	\$51.56	\$108.00	\$159.56
11030	\$266.89	\$213.00	\$479.89
11129	\$271.84	\$54.00	\$325.84
3719	\$369.30	\$355.00	\$724.30
4022	\$187.29	\$72.00	\$259.29
4131	\$82.95	\$36.00	\$118.95
4537	\$11.58	\$54.00	\$65.58
4741	\$80.47	\$426.00	\$506.47
4755	\$415.38	\$284.00	\$699.38
5405	\$256.41	\$396.00	\$652.41
5588	\$1.01	\$54.00	\$55.01
5664	\$293.43	\$144.00	\$437.43
5888	\$514.58	\$710.00	\$1,224.58
6108		\$54.00	\$54.00
6231	\$10.49	\$36.00	\$46.49
6572	\$282.35	\$108.00	\$390.35
7040	\$10.67	\$36.00	\$46.67
7586	\$130.04	\$54.00	\$184.04
8008	\$19.84	\$54.00	\$73.84
8010	\$74.65	\$144.00	\$218.65
8492	\$20.26	\$54.00	\$74.26
8621	\$483.99	\$162.00	\$645.99
8998	\$106.64	\$18.00	\$124.64
9090	\$12.66	\$54.00	\$66.66

Municipal Equipment Management System

Equipment Maintenance Summary Report

Equipment PF-3 FORD VAN From 7/1/2001
To: 1/30/2016


WORK ORDER #	PARTS \$	LABOR \$	TOTAL \$
9292	\$245.23	\$198.00	\$443.23
9782	\$285.36	\$54.00	\$339.36
9898	\$575.06	\$504.00	\$1,079.06
Totals:	\$5,372.06	\$4,616.00	\$9,988.06

OFFICE OF THE TOWN ADMINISTRATOR



MEMORANDUM

DATE: February 11, 2016
TO: Town Council
FROM: Jeffrey D. Nutting, Town Administrator
RE: Paying for Beaver Street Recreation Center



You may recall the Town Council voted to authorize the Town to borrow \$1,000,000 to purchase and improve the Beaver Street Recreation building. The attached resolutions request that you transfer \$500,000 from the sale of 150 Emmons Street and \$600,000 from Overlay surplus to pay off the loan and use \$100,000 to finish the rear building.

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

CC: Ryan Jette, Director of Recreation

TOWN OF FRANKLIN

RESOLUTION 16-09

**RESCIND BORROWING AUTHORITY (RESOLUTION 15-15 PURCHASE AND
RENOVATION OF IMPROVED PROPERTY FOR FRANKLIN RECREATION
DEPARTMENT) FUND THROUGH APPROPRIATION**

Whereas: The Town Council previously adopted Resolution No. 15-15, April 15, 2015 which appropriated and authorized a borrowing of \$1,000,000 to pay costs for of purchasing land with an existing building or buildings and the improvement and/or renovation of said land and/or building(s) for use of the Town of Franklin Recreation department to both house its administrative office and to provide space for its programs and activities.

Whereas: The Town now wishes to rescind said borrowing of \$1,000,000, and Resolution No. 15-15 is of no further force or effect.

Whereas: The Town now wishes to fund said project in the amount of \$1,100,000 by transferring \$500,000 from Receipts Reserved for Appropriation – Sale of Real Estate and \$600,000 from Overlay Reserve

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

to meet the appropriation made under Resolution No. 15-15 to pay costs of purchasing land with an existing building or buildings and the improvement and/or renovation of said land and/or building(s) for use of the Town of Franklin Recreation department to both house its administrative office and to provide space for its programs and activities, a total of \$1,100,000 shall be appropriated and transferred from the following accounts: Receipts Reserved for Appropriation–Sale of Real Estate (\$500,000) and Overlay Surplus (\$600,000) and the \$1,000,000 borrowing authorized by Resolution No. 15-15 is hereby rescinded and of no further force or effect.

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: _____, 2016

VOTED:

UNANIMOUS _____

YES _____ NO _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Teresa M. Burr
Town Clerk

JUDITH POND PFEFFER, CLERK
Franklin Town Council



Town of Franklin

Board of Assessors

355 East Central Street
Franklin, MA 02038-1352
(508) 520-4920
FAX (508) 520-4923
Web: www.franklin.ma.us

MEMO

TO: SUSAN GAGNER, TOWN COMPTROLLER
CC: JEFF NUTTING, TOWN ADMINISTRATOR
FROM: KEVIN W. DOYLE, DIRECTOR OF ASSESSING
RE: RELEASE OF OVERLAY TO SURPLUS
DATE: FEBRUARY 4, 2016

Jeff Nutting
Kevin Doyle

PLEASE BE ADVISED THAT AT THEIR MEETING ON THIS DATE, THE BOARD OF ASSESSORS VOTED TO TRANSFER THE FOLLOWING AMOUNTS FROM THESE SPECIFIC FISCAL YEARS' OVERLAY ACCOUNTS (ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS) TO OVERLAY SURPLUS:

FY 2013	\$ 150,000.00
FY 2014	300,000.00
FY 2015	160,000.00
<hr/>	
TOTAL TRANSFERED TO OVERLAY SURPLUS	\$ 610,000.00

AT THIS WRITING, THE BOARD HAS DEEMED THAT OTHER CURRENT BALANCES ARE REQUIRED TO BE RESERVED FOR PENDING APPEALS AND/OR REAL OR PERSONAL PROPERTY ACCOUNTS RECEIVABLE.





Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 16-10

Ratification of the Memorandum of Agreement Between the AFSCME Local 1298, Council 93, Department of Public Works and the Town of Franklin

BE IT RESOLVED THAT THE TOWN OF FRANKLIN acting by and through the Town Council:

Hereby ratifies the provisions of the Department of Public Works, AFSCME Local 1298, Council 93, Memorandum of Agreement dated December 2, 2015 which has been ratified by the Department of Public Works Employees. The provisions of the Agreement shall be in effect from July 1, 2015 to June 30, 2018 and shall become part of the existing contract.

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

DATED: _____, 2016

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ NO _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Judith Pond Pfeffer, Clerk
Franklin Town Council



Memorandum of Agreement
Department of Public Works
And
The Town of Franklin

The Following summary of changes reflects the results of OFF THE RECORD discussions between the Town of Franklin and AFSCME Department of Public Works employees at a meeting on December 2, 2015.

ARTICLE XIV (14) COMPENSATION

Across-the-board increases and steps shall be implemented the first day of the first pay period in the fiscal year. (See attached pay scale)

- a. July 12, 2015 2%
- b. July 10, 2016 2%
- c. July 9, 2017 2%

Withholding of a Step:

Any employee below the maximum step who in the judgment of the Town has not rendered satisfactory service and has received any disciplinary action prior to May 1, shall receive a warning that their step increase may be withheld or delayed. Thereafter, if the employee's service improves he/she shall receive the specified increase as provided by the salary schedule.

However, should the employee's service fail to improve, he/she shall receive written notice not later than June 15 that he/she will not receive the increase as provided by the salary schedule.

The performance will be reviewed in 90 days and the step will be awarded if the employee has achieved satisfactory performance.

An employee who has been denied a step increase as provided above may resort to the grievance procedure.

Replace Section 5 and Section 6 with:

Licenses

All employees are responsible for all costs associated with obtaining and maintaining their licenses, including, but not limited to drivers', hoisting, physicals, water treatment and

distribution, pesticide licenses. (Compensation for the CDL license is included in base.) Failure to obtain and retain all required license, included in their position description, shall be grounds for discipline up to and including termination.

Employees wishing to pursue professional licenses should obtain prior approval from their Director. With this prior approval, the department will pay for preparatory course and the test, after the employee passes the related test. The Department will not pay the license fee.

The Employer will pay for appropriate classes to maintain hoisting, water treatment and distribution, MADEP certifications, and Pesticide licenses if requested of, and approved by the Director, in advance of the course.

For employees receiving a stipend there will be a bi-weekly payment as outline below:

License	Criteria	Per Pay	Criteria	Per Pay Period
Commonwealth of MA Drinking Water Supply				
Grade I	Job Required	\$32.69	Not Job Required	\$15.28
Grade II	Job Required	\$36.53	Not Job Required	\$19.23
Grade III	Job Required	\$40.38	Not Job Required	\$23.07
Grade IV	Job Required	\$44.23	Not Job Required	\$26.92
Waste Water Treatment	Employees who held this license prior to July 1, 2012			\$23.07
The Town will pay 50% of a second D or T license when both licenses are required for their jobs.				

MADEP Backflow Prevention

Two (2) employees designated by Water/Sewer Supt by seniority \$15.38

MADEP Cross Connection Surveyor

Two employees designated by Water/Sewer Supt by seniority \$15.38

Pesticide Applicators' License

Two employees designated by Highway/Grounds Supt \$23.07

ASE, minimum three (3) current Medium/Heavy Truck ("T) Series Certs
Mechanics working in Central Motors \$19.16

ASE Master Truck technician, including HVAC;

Mechanics working in Central Motors \$38.31

Pesticide Certified Operators License

Two employees designated by Highway/Grounds Supt \$38.31

CDL Tanker Endorsement

Up to 5 employees (priority to Sewer Dept and 1 mechanic) \$3.83

CDL A

Up to 4 employees plus 1 Mechanic (1/division, seniority within division) \$3.83

Section 7 There will be bi-weekly payment, as outlined below, for all full-time permanent members of the DPW who have earned a college degree.

Associates	\$750 (\$28.85 per pay period)
Bachelors	\$1000 (\$38.46 per pay period)
Masters	No Payment

ARTICLE IX (9) OVERTIME

Replace 4th paragraph on page 8 with:

The Employer shall keep payroll records of the overtime worked. A summary of overtime by employee, including hours actually worked, hours refused, and hours unavailable, will be maintained by the Forepersons, and made available by the Forepersons as requested.

Delete "In case of a grievance involving such records they shall be subject to examination by the Union representative of the shop steward with the foreman of the division involved."

ARTICLE XI (11)

Revise 1st paragraph to read:

The Union shall designate in writing to the Town Administrator the name of its steward or the steward's alternate and all elected officials. Said steward shall be given reasonable time off during working hours to investigate and settle grievances and to attend hearings and proceedings, without loss of pay. Steward shall coordinate this time (steward's and employee's) with his/her Superintendent, Deputy of Operations or DPW Director.

ARTICLE XV (15) VACATION

Employees hired prior to July, 2015 may carryover up to 56 hours of vacation.

Employees hired after June 30, 2015 shall earn vacation, beginning with their first full month on the payroll according to the following schedule:

			Hours/yr per month	
start to 5 yrs	after 12 months	2 wks	80	6.667
6 to 10 yrs	60 to 120 months	3 wks	120	10.000
	121 to 240			
11 to 20 yrs	months	4 wks	160	13.333
Over 20 yrs	241 or more			
	months	5 wks	200	16.667

Employees may not use vacation during their probationary period.

Employees hired after June 30, 2015 may carry up to one year's accrual plus 56 hours at any time.

ARTICLE XVI (16) SICK LEAVE

Add. An employee may use up to three (3) days of accumulated sick leave in the case of a family illness. Family illness shall be limited to that of a spouse, parents/parent-in-law, children, or a member of the employee's household. (See Article 19 Funeral Leave for definition of household.)

Sick Leave donations:

An employee in good standing who is on an approved medical leave for a non-work related reason – may exhaust their earned time (sick, vacation, and personal leave). The employee may then make a request to the union for sick leave donations. (Neither the determination to allow donations made at Step 1 nor the members' donations in Step 2 are grievable.)

Step 1. Two members of management (The employee's manager and the TA or designee) and 1 person appointed by the union will review the employee's record to ensure that it is a valid

condition for medical leave purposes, that all available leave has been exhausted, and that the employee has not abused their leave prior to the medical onset. They will try to determine how much leave will be required.

Step 2. The union may then request members to donate up to two days of sick leave per person. Members are under no obligation to donate any sick leave.

Step 3. Authorization to transfer sick leave balances will be provided to payroll with the donating employee's signature and number of days clearly noted.

If the employee is unable to return to work when the donated leave is exhausted, the donation process may be repeated only once for this medical event.

5) FMLA

Add to existing language:

Any employee approved leave under the terms of the Family and Medical Leave Act of 1993 for conditions regarding family members (excluding birth or adoption of a child) may use utilize ten (10) accrued sick days prior to the use of his/her accrued holiday and personal time followed by any vacation time before any non-paid time off is utilized.

ARTICLE XX (20) UNIFORMS AND PROTECTIVE CLOTHING

Delete 4th paragraph

"The Employer agrees to provide all material, equipment, tools and license fees required to perform the duties assigned to the employees covered by this Agreement, except personal driver's license. Should the Town of Franklin require a special truck driver's license and/or a hoisting license as a condition of employment, then the Employer agrees to make up the difference between the cost of the employee's personal license and the cost of the truck driver's and/or hoisting license. This provision shall apply only to those employees required to drive trucks or use equipment that requires a hoisting license, as determined by the Director. "

ARTICLE XXI (21) SAFETY COMMITTEE

Replace the current paragraph with:

The Safety Committee shall be comprised of 4 people, three (3) members recommended by the union, and one (1) management designee. The union will supply a list of names of union appointees to the Director on or before July 1 of each year. The Committee will meet at least annually to review safety practices and the Town of Franklin Safety Code.

ARTICLE XXIII (23) JOB POSTING AND BIDDING

Revise paragraph 2 to read:

When a position covered by this Agreement becomes vacant, and Management determines that position is to be filled, such vacancy shall be posted in a conspicuous place, listing the pay, duties, qualifications and the area and hours of work. This notice of vacancy shall remain posted for seven (7) days. Employees interested shall apply in writing within the seven (7) day period. Should the employee not accept the position, then the Employer will offer the position to the next most qualified, internal applicant, who also shall accept or decline. The positions shall be awarded within 30 calendar days.

All new employees are subject to a six (6) month probationary period which may be extended by mutual agreement to twelve (12) months.

(top of pg 19) Internal candidates who do not meet all license requirements for a posted job, but are otherwise the best qualified candidate, shall have twelve (12) months to obtain such license.

Replace 2nd sentence of 2nd paragraph on page 19 with "If at the end of the trial and training period it is determined that the employee is not qualified to perform the work, the employee will be placed in a position determined by management at the previous rate of pay."

In accordance with MGL 71, Section 38R, all employees shall be subject to a CORI check every three (3) years as well as a one-time finger printing requirement by September 2016.

A side letter to read: The Town will make a one-time payment of \$35 to each member of the bargaining unit hired prior to July 1, 2015.

f. Employee licenses will be checked, at a minimum, on an annual basis. Employees shall notify the Director of Public Works the first work day after a license is suspended, non-renewed, or lost. Failure to report the license issue shall be grounds for discipline

Article 6. Grievance and Arbitration:

Arbitration shall be initiated and conducted under the auspices of the American Arbitration Association, or by mutual agreement between the Town and AFSCME, the Labor Relations Connection, pursuant to the then prevailing rules thereof.

The Side Letter (A) for Storm Water will be extended for the duration of this agreement.

Article I Recognition

Add "Grounds" and replace Equipment Maintenance with "Central Motors" to list of employees included in the unit

Article VII Civil Service

Add (revoked effective 7/18/2008)

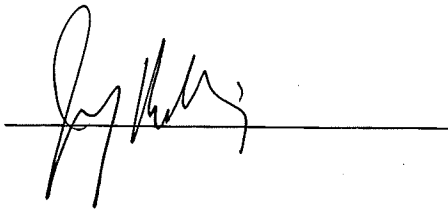
Edit second and third sentences of 1st paragraph to read: The Union acknowledges that the Town has rescinded its acceptance of the civil service law, M.G.L. c.31. That legislation includes a provision "grandfathering" all employees hired prior to 7/1/07, thereby allowing them to maintain their civil service status.

Delete final sentence of that paragraph and "Therefore, the language of Article VII, Civil Service will be replaced with the following:

In Sec. 1 a: and b insert 7/18/2008 in place of "the execution date of this agreement"

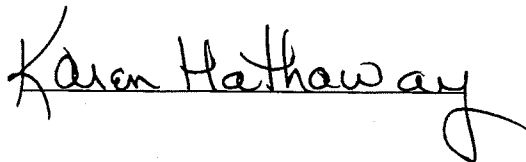
Sec. 3 Job Descriptions: delete "adopted by the Massachusetts HRD"

For the Town:



Date: 2-1-16

For the Union:



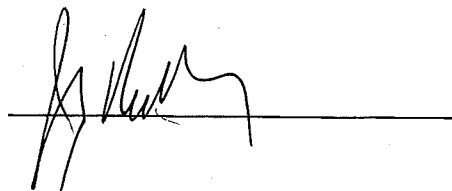
Date: 1/29/16

Notwithstanding the settlement of the parties' 2016 to 2018 collective bargaining agreement, the parties shall have continuing discussions about the impact of expected Massachusetts Department of Environmental Protection (DEP) and United States Environmental Protection Agency (EPA) Storm Water Regulations including the MS4 permit and Residual Designated Area (RDA) regulations.

The expected impact includes a mandate on phosphorus levels, which will as a practical matter, require, among other things, substantially expanded street sweeping and catch basin cleaning. It is anticipated that some of the expanded work will, as a practical matter, require the use of additional and replacement equipment not currently owned by the Town. When the scope of such work seems apparent, the Town will have the right to outsource such work, subject to two conditions:

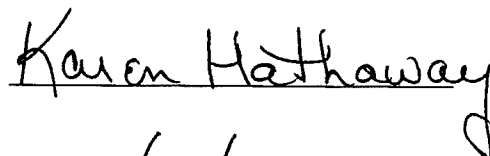
1. No member of the bargaining unit will be laid off solely as a result of such outsourcing,
2. The Town will bargain with the union about any demonstrable impacts on conditions of employment.
3. The Town will provide a copy of the MS4 or RDA when it arrives to discuss the implementation.

For the Town:



Date: 2-1-16

For the Union:



Date: 1/29/16

Side Letter-

Attachment B

Landscaping and Grounds Maintenance at the Franklin High and Horace Mann Middle Schools

Notwithstanding the settlement of the parties' 2015 to 2018 collective bargaining agreement, the parties shall have continuing discussions about the impacts of the Franklin High School outside grounds, court yard and new athletic playing fields.

The expected impacts and costs to maintain these new areas with current staffing levels of DPW personal are unknown.

Specifically, the costs associated with the man power, equipment and materials needed to maintain the school grounds can only be estimated. It is anticipated with the burden of maintaining these new areas at the High School, man power and resources will be drained from other areas of the DPW. The current overall "high maintenance level" at the Town and School departments will suffer not only at the High School, but at other Town and School facilities.

From July 1, 2015 through November 2018 the Town will have the right to outsource the following work to determine the cost of labor and resources at the High School and Horace Mann Middle School:

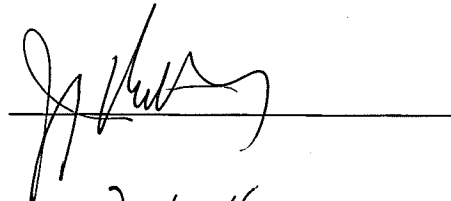
- Mowing and trimming of all "passive grass areas" i.e.: lawns around school buildings, lawns around parking areas, islands in parking areas, MS4 green spaces, and any area that is not used for athletics.
- Providing and installing Mulch to all planting beds.
- The picking up of litter in all passive grass areas mulched planting beds.
- Spring and Fall clean-ups, which may include mowing, weeding, leaf pick-ups for all "passive grass areas" outlined above and planting beds.

Due to the skill set of present DPW personnel and equipment already owned by DPW, DPW will continue to maintain all "active grass areas" i.e. sports fields at the High School and Horace Mann Middle School, which will include mowing and trimming of grass areas, litter pick up, and emptying of all trash containers. It also may include limited fertilization and line painting as determined by Director.

The Town has the right to outsource such work, subject to three conditions:

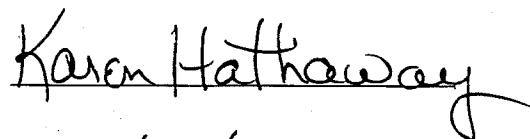
1. No member of the bargaining unit will be laid off solely as a result of such outsourcing.
2. The Town will bargain with the union about any demonstrable impacts on conditions of employment.
3. The Town will provide a copy of the bid documents for the out sourcing of said work, all costs associated with said work for future discussions.

For the Town:



Date: 2-1-16

For the Union:



Date: 1/29/16

GPS

The Union agrees that the Town, in its sole discretion, has the right to implement Global Positioning System (GPS) technology, on any and all Town owned vehicles. The primary purpose is enhancing operational efficiency, quality of delivery of services to residents, snow and ice operations, and ensuring the safety of employees.

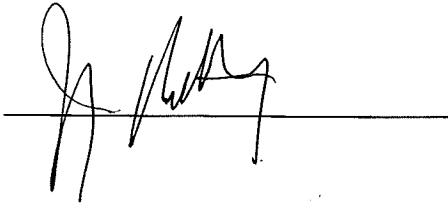
It is understood that disciplinary actions against employees is not a primary purpose of implementation. If the Director and/or designees determines that based on observation or reported actions, there is reason to question or consider discipline for an employee, data from the GPS system may be reviewed and used.

The parties agree that no disciplinary action will result from the monitoring of the GPS and that the GPS alone will not initiate any disciplinary action but rather can be used as evidence to support the action.

In the event of a disciplinary issue, the assigned Staff Representative and steward shall have access to any related data.

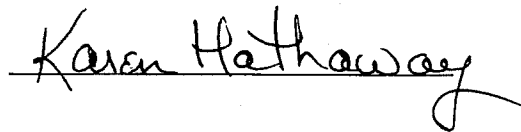
The parties agree that tampering with or disabling the GPS system may be grounds for discipline.

For the Town:



Date: 2-1-16

For the Union:



Date: 1/29/16

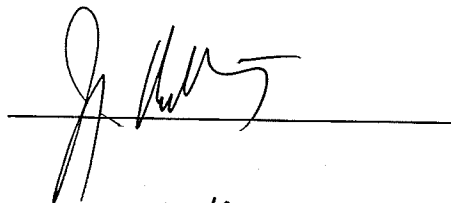
Reimbursement for Fingerprinting costs.

The Town will make a one time payment of \$35 to each member of the bargaining unit hired prior to July 1, 2015.

Summer Work Schedule

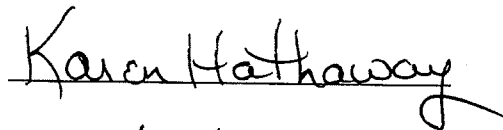
From June 5, 2016 through September 3, 2016 the DPW will work from 6:30 am until 2:30 pm. This will include a paid lunch period. This trial summer work schedule will be evaluated after the conclusion of the summer.

For the Town:



Date: 2-1-16

For the Union:



Date: 1/29/16