

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
May 2, 2012**

A meeting of the Town Council was held on Wednesday, May 2, 2012 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Thomas Mercer, Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Matt Kelly arrived at 8:30. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Director of Public Facilities Michael D'Angelo.

**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:** *April 12, 2012 Special Council Meeting; April 18, 2012 Executive Session* – **MOTION** by Councilor Jones to approve the April 12, 2012 Special Council Meeting and the April 18, 2012 Executive Session Minutes **SECONDED** by Councilor Powderly. **Vote to Approve: Yes-8, No-0, Absent-1.**

**ANNOUNCEMENTS:** Chairman Vallee announced that the Town Council meeting is being recorded by Comcast, Verizon and Franklin Matters. Chairman Vallee also announced that Ronald Calabrese has resigned from the Planning Board. Anyone interested in the Planning Board position should contact Jeff Nutting at the Town Hall. Chairman Vallee stated there has been a change to the Town Council Meeting Schedule. The August 18, 2012 Town Council Meeting has been changed to August 8, 2012.

**PROCLAMATIONS/RECOGNITIONS:** NONE

**CITIZENCOMMENTS:** NONE **APPOINTMENTS:** NONE

**HEARINGS:** NONE **LICENSE TRANSACTIONS:** NONE

**PRESENTATIONS/DISCUSSIONS:** *Procedure to Issue Package Store License:* The Town Administrator reviewed current procedure to issue a license. It was agreed by the Council to keep the same procedure in place.

**Local Aid Letter:** Chairman Vallee discussed his efforts to gain support from State Senators Karen Spilka and Richard Ross to back the House budget and Local Aid.

**NOTE:** *The National Grid Presentation and The Facilities Manager Presentation were taken out of order due to technical difficulties.*

**National Grid – Robert Russell:** Mr. Russell addressed National Grid's response to Hurricane Irene and the October Nor'easter. Mr. Russell acknowledged National Grid's response to these two recent storms could have been better. Mr. Russell provided updates on how National Grid is working on improving communication with the Town during power outages, as well as strengthening relations with other power companies when additional resources are needed. In the future, National Grid will be in contact with the

Town at least 1 to 2 days in advance of a weather event. National Grid will work diligently to know which Town Officials they should contact and have their correct contact information. The power company will also give the Town an estimated timetable of when power will be restored, so that the Town can make appropriate plans. Requesting back up from other power companies will be done sooner. Priority will be given to restoring power to critical facilities, such as skilled nursing homes, the water pumping station, the sewer lift stations, Town Hall and public safety buildings. National Grid will also use other forms of communication with customers should phone lines and Internet service be disrupted. National Grid is looking into the use of texting information, as well as the use of social media as a means of disseminating information to customers during power outages. National Grid has added two more servers to its website and the website will be updated more frequently during a power outage – all in an effort to inform customers of how the company is progressing with power restoration. Chairman Vallee asked about having a National Grid employee stationed in Franklin. Mr. Russell said that a National Grid Liaison will be assigned to Franklin who will work with emergency personnel and provide communication between National Grid and the Town. Councilor Roy questioned why the Town loses power so frequently. There was no definitive answer, but trimming trees more frequently and installing more fuses were discussed as areas that might reduce the number of power outages.

***Facilities Manager – Michael D’Angelo; Director of Public Facilities:*** Mr. D’Angelo and Richard Gaskin; Manager of Public Facilities gave an overview of what the department is responsible for, as well as staffing levels, custodial challenges, custodial accomplishments and capital projects. One of the department’s accomplishments was to receive a grade of 1.7 out of 2.0 from the Massachusetts School Building Authority. Several of the councilors asked questions regarding maintenance of schools and public buildings. Councilor Dellorco asked about water damage at the Remington Jefferson School. Mr. D’Angelo cited a flawed design of the building’s roof. The Senior Center also has some water damage from the 2010-2011 Winter storms. Councilor Pfeffer questioned why repairs had not yet been completed at the Senior Center. Mr. D’Angelo did not have an answer other than to say the damage was missed. Councilor Pfeffer expressed concern that Franklin High School was not maintained, and wanted to stress the need for Public Facilities to notify the Town Council of needed repairs to all public facilities. Several councilors requested an annual or bi-annual report be prepared by Public Facilities indicating information regarding requested repairs, completed repairs and how long it takes Public Facilities to process repairs. Councilor Jones asked how cost effective it is to hire contract workers as opposed to having more full-time employees. Mr. D’Angelo will assess the cost of contract workers verses full-time Town employees. Councilor Roy thanked Mr. D’Angelo for doing an outstanding job.

## **LEGISLATION FOR ACTION:**

***Resolution 12-25: Order of Layout, Acceptance, and Taking of Beaver Court, Mark’s Way and J.R.’s Lane and Order of Taking (Extinguishment) of Related Right-Of-Way Over Abutting Town-Owned Land*** – **MOTION** by Councilor Jones to waive the reading **SECONDED** by Councilor Powderly. **Vote to Approve: Yes-8, No-0, Absent-1.** **MOTION** by Councilor Powderly to move Resolution 12-25 to the Planning Board

**SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained that this resolution is the first part of a two-part process to allow public access to a plot of land located behind Horace Mann Middle School. The plan is for the land to be turned over to the Franklin Municipal Affordable Housing Trust who will in turn build two affordable housing units on the property. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Resolution 12-26: Appropriation - FY12 Wages (Contract Settlement) Amount***

**Requested: \$151,114.00** – Councilor Pfeffer read the resolution to appropriate FY 12 Additional State Aid as voted by the Commonwealth on October 27, 2011 and distributed to the Town on October 31, 2011 to fund FY 12 Wages (Contract Settlement).

**MOTION** by Councilor Pfeffer to move Resolution 12-26 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting explained one-time money received from the State would be used for a one-time payment of \$600.00 to employees of the nine contracts that expired June 30, 2011. Of the nine expired contracts, four contracts have been tentatively settled. The employees of the remaining five contracts would be eligible for the one-time payment if the contracts are settled by June 30, 2012. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Resolution 12-27: Ratification of AFSCME Local 1298 Public Safety***

**Telecommunications Unit** - Councilor Pfeffer read the resolution to ratify the provisions of the American Federation of State, County and Municipal Employees Local 1298, Public Safety Telecommunications Unit. **MOTION** by Councilor Powderly to move Resolution 12-27 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained that Resolution 12-27 and the following three resolutions have a similar framework. The contracts to be ratified, offer a one-year contract with a \$600.00 one-time payment to employees. The following three years offer: 1.5% for 2013, 2.0% for 2014 and 2.5% for 2015 for existing employees. A distinction is made between existing employees and new employees. The wage and benefit packages will differ between new and existing employees – this is a new concept that addresses the protection of current employees and the future sustainability of the Town. Mr. Nutting clarified for Councilor Pfeffer that the funds used for the one-time payment to employees, is not coming out of Town Funds, but the money is coming from a one-time payment from the State. Councilor Powderly thanked the Town Administrator and the employees of the unions and was pleased the Town's long-term sustainability and the protection of employees could be addressed in the contracts. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Resolution 12-28: Ratification of AFSCME Local 1298 Public Facilities Employees*** –

Councilor Pfeffer read the resolution to ratify the provisions of the American Federation of State, County and Municipal Employees Local 1298, Public Facilities Employees, Memorandums of Agreement dated April 25, 2012. **MOTION** by Councilor Powderly to move Resolution 12-28 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting thanked the Town's employees for being cooperative during these difficult economic times. The Town's employees have taken deferrals on wage increases for the last few years and have cooperated with the Town on health insurance premiums. Mr. Nutting was pleased to report the Town had saved \$300,000.00 this year on health insurance premiums. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Resolution 12-29: Ratification of AFSCME Local 1298 Municipal Building***

***Employees*** – Councilor Pfeffer read the resolution to ratify the provisions of the American Federation of State, County and Municipal Employees Local 1298, Municipal Building Employees, Memorandums of Agreement dated April 13, 2012. **MOTION** by Councilor Powderly to move Resolution 12-29 **SECONDED** by Councilor Jones. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Resolution 12-30: Ratification of AFSCME Local 1298 Custodians*** – Councilor Pfeffer read the resolution to ratify the provisions of the American Federation of State, County and Municipal Employees Local 1298, Custodians, Memorandums of Agreement dated April 24. **MOTION** by Councilor Powderly to move Resolution 12-30 **SECONDED** by Councilor Jones. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Resolution 12-31: Transfer Order for Unexpended Bond Proceeds*** – Councilor Pfeffer read the resolution to transfer \$21,916.04 which was originally borrowed but not needed to pay costs of the Keller-Sullivan School Project, to pay for costs of the New High School Project. **MOTION** by Councilor Powderly to move Resolution 12-31 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained that Treasurer Jim Dacey refinanced a number of bonds, one of which was the bond for the Keller-Sullivan School Project. The unused portion of the bond, \$21,916.04 must be utilized on another school project. Since the New Franklin High School Project is the only school project underway at this time, the money will be transferred toward that project, thereby reducing the amount of money the Town will borrow for the Project by \$21,916.04. **Vote to Approve: Yes-8, No-0, Absent-1.**

***Bylaw Amendment 12-681: Chapter 4, Section 3: Administration of Government – 2<sup>ND</sup>***

***Reading:*** **MOTION** by Councilor Powderly to waive the reading **SECONDED** by Councilor Jones. **Vote to Approve: Yes-8, No-0, Absent-1.** **MOTION** by Councilor Pfeffer to amend language of Bylaw Amendment **SECONDED** by Councilor Jones. **Vote to Approve: Yes-8, No-0, Absent-1.** **DISCUSSION:** Bylaw language amended under section 4-3 Reports to retain the first paragraph, and add the second paragraph. **MOTION** by Councilor Powderly to move Amendment 12-681 with newly adopted language **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-yes, Dellorco-yes, Jones-yes, Mercer-yes, Pfeffer-yes, Powderly-yes, Roy-yes, Vallee-yes.** **Vote to Approve: Yes-8, No-0, Absent-1.**

***Bylaw Amendment 12-682: Chapter 10: Licenses and Permits – Designation of***

***Issuing Authority – 2<sup>nd</sup> Reading:*** **MOTION** by Councilor Powderly to waive the reading **SECONDED** by Councilor Jones. **Vote to Approve: Yes-8, No-0, Absent-1.** **MOTION** by Councilor Powderly to move Bylaw Amendment 12-682 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained the amendment only involves the use of clearer language. **ROLL CALL: Bissanti-yes, Dellorco-yes, Jones-yes, Mercer-yes, Pfeffer-yes, Powderly-yes, Roy-yes, Vallee-yes.** **Vote to Approve: Yes-8, No-0, Absent-1.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting announced that Dave Roche's last day of work is May 19, 2012. Mr. Nutting wished Mr. Roche well in his new position with the Town of Needham. ► Mr. Nutting thanked all the volunteers who helped out on Earth Day. ► Mr. Nutting announced Beautification Day is May 19, 2012. ► Mr. Nutting also announced two upcoming Budget Meetings scheduled for May 23, 2012 and May 24, 2012 and encouraged citizens to attend the meetings in order to learn about the Town's budget.

**EXCUSED:** Councilor Pfeffer is excused from the meeting at 9:20 as she had a previously planned engagement.

**OLD BUSINESS:** NONE

**NEW BUSINESS:** ► Councilor Roy requested People's Rights Amendments be added to a future Town Council Agenda. ► It was agreed that the Town will wait to see if the State passes a bylaw requiring power companies to trim trees abutting power lines more frequently before introducing a bylaw on the local level. ► Councilor Bissanti asked for clarification regarding the timeframe for a Package Store License. Mr. Nutting said the Town will first advertise the availability of a package store license and allow 30 days for interested parties to come forward.

**COUNCILOR COMMENTS:** ► Councilor Roy announced two upcoming Master Plan Meetings. The first meeting is scheduled for Wednesday May 9, 2012 in the Training Room located on the 3<sup>rd</sup> Floor of the Municipal Building. The second meeting is scheduled for Saturday May 19, 2012 at 10:00AM at the Franklin Public Library. ► Councilors Bissanti, Jones, Mercer and Powderly all wished Dave Roche well in his future endeavors. ► Councilor Dellorco sent condolences to the family of Gino Carlucci (spelling) Family. Mr. Carlucci recently passed away. ► Councilor Powderly commended Ann Marie Bellavance who was the Franklin Food Pantry Manager for all of the amazing things she accomplished during her tenure. Ms. Bellavance has resigned to accept another job. Ms. Linda Sottile will be the Interim Pantry Manager. Councilor Powderly also encouraged people to support the food pantry.

**ADJOURN: MOTION** by Chairman Vallee to adjourn **SECONDED** by Councilor Dellorco. **VOTE to Approve: Yes-8, No-0, Absent-1.** Meeting adjourned at 9:28PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary