

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 17, 2012**

A meeting of the Town Council was held on Wednesday, October 17, 2012 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 and Maxine Kinhart; Assistant to the Town Administrator. Other Officials Present: Stephan Semerjian; Chief of Police.

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: *September 19, 2012 Regular Session:* **MOTION** by Councilor Powderly to approve the September 19, 2012 Minutes **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.**

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

PROCLAMATIONS/RECOGNITIONS: NONE.

AGENDA ADDITION: Mr. Nutting requested Resolution 12-71 be added to the evening's Agenda. **MOTION** by Councilor Powderly to add Resolution 12-71 to the Agenda **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly- Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Recused, Vallee-Yes. VOTE to Approve: Yes-8, No-0, Absent-0, Recused-1**

CITIZEN COMMENTS: NONE.

APPOINTMENTS: *Suzanne Wade – Council on Aging:* **MOTION** by Councilor Pfeffer to ratify the appointment of Suzanne Wade of 25 Central Park Terrace to the Council on Aging **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained Ms. Wade was unable to attend the Council Meeting as she relies on public transportation and was not able to get a ride to the evening meeting. **VOTE to Approve: Yes-9, No-0, Absent-0.**

NOTE: *The Subcommittee Report, Legislation for Action, Town Administrator's Report, Old Business and New Business were taken out of order.*

SUBCOMMITTEE REPORTS: NONE.

LEGISLATION FOR ACTION:

Resolution 12-70: Insurance Recovery Account 28123490-580000: Councilor Pfeffer read the resolution to appropriate \$27,638.00 from Insurance Recovery Account for the purchase of a new police vehicle. **MOTION** by Councilor Pfeffer to approve Resolution 12-70 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Nutting explained someone crashed into a police cruiser. The driver of the other vehicle was responsible, and the money recovered is needed to replace the damaged police cruiser. **VOTE to Approve: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting announced notices will soon be mailed to downtown property owners regarding the Waterline and Drainage Replacement Project. Mr. Nutting

indicated the Town will be requesting 40+ Temporary Easements in order to temporarily relocate sidewalks onto private property during the construction phase. Affected private property will be returned to its original condition upon completion of the project.

OLD BUSINESS: Councilor Pfeffer asked about additional proclamations. Mr. Nutting said two proclamations are “in the works”.

NEW BUSINESS: NONE.

RECESS: *Chairman Vallee called a 2-Minute Recess at 7:08PM.*

HEARINGS: *Alcoholic Beverage License – Failure to Pass Compliance Check: Franklin Wine and Spirits, 470 King Street:* Councilor Pfeffer read a letter dated October 1, 2012 from the Assistant to the Town Administrator Maxine Kinhart to Franklin Wine and Spirits’ owner Judith Crisileo. Chief of Police Stephan Semerjian reviewed the Compliance Check Operation on Saturday September 22, 2012 when a minor was allowed to purchase alcohol from Franklin Wine and Spirits. Chief Sumerian’s recommendation was a 3-Day Alcoholic Beverage License Suspension; 1 day to “serve” and 2 days held in abeyance for 2 years. Judith Crisileo addressed the Council and apologized to the Council, the Police Department and the community and agreed to the suspension. Ms. Crisileo reviewed the training, as well as visual aids utilized by herself and those employed at the store. **MOTION** by Councilor Jones to approve the penalty **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.**

LICENSE TRANSACTIONS: NONE.

PRESENTATIONS/DISCUSSIONS: NONE.

COUNCILOR COMMENTS: ► Councilor Pfeffer wished Bob Dean continued recovery. ► Councilor Powderly announced the Council on Aging is offering a workshop on available Tax Relief Programs on October 23, 2012 at 10:00AM at the Senior Center. ► Councilor Kelly commented on the recent well-attended Ground Breaking Ceremony for the High School Project and thanked Councilor Mercer for a fantastic job. ► Councilor Mercer thanked everyone involved with the Ground Breaking Ceremony. Special thanks went out to: Pandora Carlucci, Darleen Grove, Denise Miller, Leslie Betts, Richard Gaskin, Carlos Rebelo, Mike Peacock, Nancy Schoen and the school administration. Councilor Mercer announced the Building Committee will hold a public meeting on November 14, 2012 at 7:00PM in Council Chambers. Topics such as traffic patterns and project phases will be covered.

EXECUTIVE SESSION: Chairman Vallee said the Town Council would go into Executive Session to discuss real property and declared that an open meeting may have a detrimental effect on the position of the body. Open Session did reconvene at the conclusion of the Executive Session. **MOTION** by Councilor Pfeffer to go into Executive Session to discuss real property and to resume Open Session **SECONDED** by Councilor Powderly. **ROLL CALL: Bissanti-Yes, Dellorco-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Recused, Vallee-Yes. VOTE to Approve: Yes-8, No-0, Absent-0, Recused-1**

Adjourn to Executive Session at 7:21 PM

MOTION to ADJOURN EXECUTIVE SESSION AND RECONVENE OPEN SESSION by Councilor Jones. **SECOND** by Kelly. **ROLL CALL:** Bissanti-yes, Dellorco-yes, Jones-yes, Kelly-yes, Pfeffer-yes, Powderly-absent, Vallee-yes **VOTE to Approve: Yes-8, No-0, Absent-0, Recuse-1**
Meeting Adjourned to Open Session 7:44 PM.

LEGISLATION FOR ACTION:

Resolution 12-71: Order of Taking (Temporary Access Easement) Land of Duffy at 166 Oak Street:
MOTION by Councilor Pfeffer to table Resolution 12-71 **SECONDED** by Councilor Powderly.
VOTE to Approve: Yes-8, No-0, Absent-0, Recuse-1.

ADJOURN: MOTION by Councilor Mercer to adjourn **SECONDED** by Councilor Kelly. **VOTE to Approve: Unanimous.** Meeting adjourned at 7:47PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary