

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
July 17, 2013**

A meeting of the Town Council was held on Wednesday, July 17, 2013 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Glenn Jones, Matt Kelly, Thomas Mercer (Remote Participation), Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Councilors absent; Robert Dellorco. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Mike D'Angelo; Director of Public Facilities, Richard Gaskin; Manager of Public Facilities.

**CALL TO ORDER:** Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance. Chairman Vallee announced Councilor Mercer would be joining the meeting by Remote Participation.

**APPROVAL OF MINUTES:** NONE.

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

**PROCLAMATIONS/RECOGNITIONS:** NONE.

**CITIZEN COMMENTS:** NONE.      **APPOINTMENTS:** NONE.

**HEARINGS:** *Zoning Bylaw Amendment 13-718: Changes to Chapter 185, Section 7 – Compliance Required:* **MOTION** by Councilor Powderly to Open the Hearing **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 8 – 0 – 1.** **MOTION** by Councilor Jones to postpone the hearing for Zoning Bylaw Amendment 13-718 until the August 7, 2013 Council Meeting **SECONDED** by Councilor Bissanti. **ROLL CALL: Bissanti-Yes, , Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 8 – 0 – 1.**

**LICENSE TRANSACTIONS:** *Change of Manager, New Officers & Director – Shaw's Supermarkets, Inc.* – Councilor Pfeffer read the request by Shaw's Supermarkets, Inc. for the Change of Manager to Zulmira T. Comeau and for the change of officers and directors: Patrick Shane Sampson, President/Director; Thomas Patrick Vesey, VP Operations; Michael Douglas Bessent, VP Treasurer Secretary; Barbra Ann Nunziato, Asst. Secretary. **MOTION** by Councilor Pfeffer to approve the Change of Manager, New Officers & Director **SECONDED** by Councilor Jones. **ROLL CALL: Bissanti-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Pfeffer-Yes, Powderly-Yes, Roy-Yes, Vallee-Yes. VOTE to Approve: 8 – 0 – 1.**

**PRESENTATIONS/DISCUSSIONS:** *Mike D'Angelo; Director of Public Facilities* – Richard Gaskin; Manager of Public Facilities gave a brief presentation on the Work Order process for all Town owned buildings. Work Orders are generally approved within 1-2 days from submittal with priority given to Work Orders involving safety or emergency issues. Outstanding Work Orders are reviewed during bi-weekly meetings with tradespeople. Mr. Gaskin said he would like to improve the accuracy of the Work Order logs by making sure all Work Orders are listed, and the close out dates of each work order are correct. ► Councilor Pfeffer inquired whether all schools now had ladders as required. Mr. Gaskin said all schools had ladders, but some ladders were being switched for higher-grade ladders. Mr. D'Angelo confirmed the DPW Garage roof was repaired and no longer leaking. Councilor Pfeffer asked why there are so many leaks in all of the Town owned buildings. Mr. D'Angelo said the roofs are constructed of a single ply roofing system, which are prone to leaks. Councilor

Pfeffer said a better system should be used to be more efficient and less reliant on roofers. ► Councilor Kelly asked about time frames for emergency repairs, Mr. Gaskin said emergency repairs are handled immediately. ► Councilor Jones inquired how frequently the Fire Department reviews the safety of schools and asked about poor exit signs at Davis Thayer Elementary School. Mr. D’Angelo said the Fire Department does safety inspections each year, Sprinkler System inspections every six months and Fire Alarm inspections each quarter. Mr. D’Angelo agreed to look into the exit signs at Davis Thayer. Mr. Gaskins commended the trade and custodians for the difficult task of completing a summer’s worth of work in less time due to the school year ending late last June, and beginning earlier than usual this fall. The Councilors thanked Mr. D’Angelo and Mr. Gaskin for the presentation.

**Master Plan Committee:** *Jeff Roy; Master Plan Committee Chair* introduced committee members and presented an overview of the Committee’s history, the reasons why an updated Master Plan was necessary and the process of how all of the elements came together. The Committee formed four sub-committees: Land Use & Economic Development, Circulation & Housing, Community Services & Facilities, and Open Space/Recreation & Natural/Cultural & Historic Resources. Representatives from each sub-committee spoke briefly about their sub-committee’s goals. Mr. Roy said the 289 page Draft Master Plan included existing conditions, goals, vision and recommendations on how to move forward. Elements of the Draft Master Plan include: Land Use, Natural/Cultural/Historic Resources, Open Space/Recreation, Circulation, Housing, Economic Development, Community Services/Facilities. Mr. Roy said there was still time to provide the Committee with feedback and gave several options for contacting the Committee. Mr. Roy reviewed a timeline of important dates, concluding with the adoption of the Final Master Plan on September 18, 2013. Mr. Roy said the Committee recommends the appointment of an Implementation Committee to oversee the implementation of the Master Plan. Mr. Roy envisioned the Implementation Committee would meet quarterly and report to the Council on an annual basis. Mr. Roy thanked everyone involved with creating the Master Plan and providing a roadmap to the future. The Councilors thanked everyone as well for their hard work and effort. Mr. Nutting thanked the staff who did so much behind the scenes work.

**RECESS:** Chairman Vallee called a two-minute recess at 8:00PM.

**SUBCOMMITTEE REPORTS:** NONE.

**REMOTE PARTICIPATION:** Councilor Mercer’s Remote Participation was disconnected during the following presentation for Resolution 13-56 and did not resume.

**LEGISLATION FOR ACTION:**

**Resolution 13-56: The Woodlands – Approval of Amendment to Regulatory Agreement and Transfer of Ownership:** **MOTION** by Councilor Kelly to waive the reading **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-7, No-0, Absent-2.** **MOTION** by Councilor Jones to move Resolution 13-56 **SECONDED** by Councilor Powderly. **DISCUSSION:** Mr. Cerel and Mr. Nutting explained the history of the development and why it is important to the Town for this project to be completed. Fifteen years ago, the original developer, Pentad planned to develop a total of sixteen housing units on the site, with mixed affordable and market rate housing on property that was “land locked” and could only be accessed through Maple Street in Bellingham. Pentad completed construction on the four affordable housing units under Chapter 40B, and four market rate housing units before it declared bankruptcy – leaving eight market rate housing units to be constructed. The issue is the development’s roads, shared septic and drainage system are the responsibility of the development’s Homeowners Association. If the additional housing units are not built, the Homeowners Association will not be able to collect the fees from the additional eight housing units and may not have the necessary funds to maintain the roads, shared septic and drainage system – thereby becoming the responsibility of the Town. The Town would like to avoid the additional costs associated with providing these services to the development. The mortgage holder is having difficulty finding a developer willing to complete the project because of limitations in profits when involved with a 40B (affordable housing) project, and how to split the profit between the original developer and the developer completing the project. A representative of the mortgage holder, Scituate

Federal Savings Bank said the Town's assistance in amending the Regulatory Agreement to define the developer's maximum permissible profit calculation is necessary so another developer can complete construction of the development. **VOTE to Approve: Yes-7, No-0, Absent-2.**

**Zoning Bylaw Amendment 13-718: Chapter 185, Section 7 – Compliance Required – 1<sup>st</sup> Reading:** Mr. Nutting requested this zoning bylaw amendment be continued until August 7, 2013. **MOTION** by Councilor Powderly to continue the 1<sup>st</sup> Reading of Zoning Bylaw Amendment 13-718 until August 7, 2013 **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-7, No-0, Absent-2.**

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting said there would be staff walking around town spraying weeds with chemicals approved by the Commonwealth and the project would be completed by the end of the following week. ► Mr. Nutting said the Water Line Project materials for Lincoln Street should be delivered by the end of the week. ► Mr. Nutting invited folks to take a look at the progress on the DelCarte property. The playground equipment is on order, and the DPW will begin doing the site work for the playground. ► Mr. Nutting thanked State Representative and Councilor Jeff Roy for his assistance in getting the Regional Dispatch Bill to the Governor's desk. Mr. Nutting said he was hopeful the Bill would be signed within the next week, so the Town can proceed with an Interim Agreement. ► Mr. Nutting announced the Planning Board Workshop to discuss potential rezoning is scheduled for July 31<sup>st</sup> at 7PM. ► Mr. Nutting said the Conservation Commission would meet the following night regarding the construction of a sidewalk on Panther Way. The Council had already approved funding for the project. Mr. Nutting said he would like to have the sidewalk in place prior to the opening of the New High School. ► The MBTA will have the roof of the Dean College Station completed during the first half of August. ► Mr. Nutting said he and Representative Roy met with a CSX representative and are waiting to hear back from the representative. ► Mr. Nutting thanked the 4<sup>th</sup> of July Committee for a great job. ► The DPW is scheduled to come before the Council in August to do a presentation on the Town's roads. ► The Street Plan for the downtown area is 100% complete and will hopefully go out to bid this fall, with construction to begin next year. ► On behalf of the School Building Committee and Councilor Mercer, Mr. Nutting invited the Councilors and citizens to attend the August 19<sup>th</sup> School Committee Meeting to hear the architect's presentation regarding the available options for the Davis Thayer Elementary School.

**OLD BUSINESS:** ► Chairman Vallee inquired about the timeframe for the removal of the portables at Davis Thayer Elementary School. Mr. Nutting said the portables are scheduled to be removed from Davis Thayer next July. ► Chairman Vallee requested an update on the CSX property located on the corner of Union and Cottage Streets. Representative Roy said he met with a CSX representative and offered the representative two options - to clean up the property, or sell the property to the Town. The CSX representative was to discuss the two proposals with CSX management and get back to the Town. Mr. Nutting said a number of years ago the Town offered to buy the land from CSX at market rate, but CSX said they were not interested. ► Chairman Vallee inquired about the grant to hire four paramedics. Mr. Nutting said he is waiting for the "official" word, and said he anticipated having difficulty hiring the four paramedics because while the grant covers both salary and benefits, the grant only lasts for two years. Which means these four paramedics would be out of a job at the end of the grant. Mr. Nutting said the additional staff would help reduce the amount of overtime used by the Fire Department.

**NEW BUSINESS:** ► Councilor Pfeffer asked if the Council could have access to school repair records. Mr. Nutting said those records would not be available. Mr. Nutting supported the job the Facilities Director has done to date and said he would schedule the Facilities Director to prepare quarterly presentations to the Council if that is what they wanted. Councilor Pfeffer reiterated her displeasure with the state of the school's roofing systems – particularly that they all leak and a more efficient system should be put in place.

**COUNCILOR COMMENTS:** ► Councilor Roy announced the Regional Dispatch Bill passed both the House and Senate and was enacted on Monday. Councilor Roy thanked Senators Spilka and Ross for their help in

getting the Bill through the Senate. ► Councilor Bissanti sent out his condolences to the Colace family for the recent passing of Gail Colace. ► Councilor Jones said the Economic Development Committee is working on getting answers to the questions posed by the Council and the community regarding the Anaerobic Digester Project on Pond Street. Councilor Jones said the Governor continues to push to have institutional food waste no longer go to landfills and anticipates an aggression with other kinds of green energy that food waste can go into. ► Councilor Powderly inquired about traffic delays on Lincoln Street during construction. Mr. Nutting said one lane of traffic will be open during the project, and the goal is to have the portion of Lincoln Street from Brook Street to past the Keller/Sullivan School Complex completed prior to the beginning of the school year. Road construction will continue down Lincoln Street and onto Daniels Street for the rest of the “construction year”. The project will be completed next year. Councilor Powderly thanked the Milford Daily News for the new policy of no longer allowing people to blog anonymously. ► Councilor Kelly thanked the 4<sup>th</sup> of July Committee for the great job – as always.

**ADJOURN: MOTION** by Councilor Powderly to adjourn **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-7, No-0, Absent-2.** Meeting adjourned at 8:27PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary