

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
November 13, 2013**

A meeting of the Town Council was held on Wednesday, November 13, 2013 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Brett Feldman, Glenn Jones, Matt Kelly, Thomas Mercer, Peter Padula, Judith Pond Pfeffer, Robert Vallee, Steve Williams. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine KINHART; Assistant to the Town Administrator. Other officials present: Deborah Pellegri; Town Clerk, Robert Cantoreggi; DPW Director.

CALL TO ORDER: Town Clerk Deborah Pellegri called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance.

ORGANIZATION: *Election of Officers* – Ms. Pellegri administered the Oath of Office to the newly elected Town Council. ***Nominations*** – **MOTION** by Councilor Kelly to nominate Robert Vallee as Council Chair **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Padula to close the nominations **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Mercer to nominate Matt Kelly as the Council Vice Chair **SECONDED** by Councilor Bissanti. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Padula to close the nominations **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Jones to nominate Judith Pond Pfeffer for Council Clerk **SECONDED** by Councilor Padula. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Padula to close the nominations **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

APPROVAL OF MINUTES: *September 11, 2013, September 25, 2013, October 2, 2013 Regular Session.* **MOTION** by Councilor Jones to approve all the minutes **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-6, No-0, Abstain-3.**

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 also have recorded the meeting.

PROCLAMATIONS/RECOGNITIONS: ► Chairman Vallee read the proclamation honoring and commending Ken Norman for his involvement in numerous volunteer positions over the past 27 years.

CITIZEN COMMENTS: NONE.

APPOINTMENTS: *Conservation Commission – Steven Younis, Mark Cataldo:* **MOTION** by Councilor Pfeffer to ratify the appointments of Steven Younis of 47 Stone Ridge Road and Mark Cataldo of 63 Cleveland Avenue to the Conservation Commission **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Cultural Council – Craig Schwalb: **MOTION** by Councilor Pfeffer to ratify the appointment of Craig Schwalb of 19 Nina Lane to the Cultural Council **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Historical Commission – Minessa Konecky: **MOTION** by Councilor Pfeffer to ratify the appointment of Minessa Konecky of 6 Marks Way to the Historical Commission **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Library Board of Directors – Linda Hardin: **MOTION** by Councilor Pfeffer to ratify the appointment of

Linda Hardin of 4 Dover Circle to the Library Board of Directors **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Franklin Community Garden Committee – Bonnie Kaiden: **MOTION** by Councilor Pfeffer to ratify the appointment of Bonnie Kaiden of 14 Clarendon Common to the Community Garden Committee **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

HEARINGS: NONE.

LICENSE TRANSACTIONS: NONE.

PRESENTATIONS/DISCUSSIONS: *Downtown Project – DPW:* Robert Cantoreggi; DPW Director and Mike Maglio; Town Engineer provided the Council with an update on the Downtown Project. Construction is slated to begin during the Spring of 2014. The Downtown Project was initiated in 2002 and will be under the auspices of Mass DOT (Department of Transportation), which will provide oversight of the project. The Downtown Project will include improved roadways, sidewalks, crosswalks, lighting, signage, trees, trash/recycling containers, bike storage areas, benches and planters. Main Street and part of Emmons Street will become two-way streets in order to create more of a destination to downtown Franklin. One obstacle is the railroad track overpass, which is too narrow and will cause turn lane restrictions. Mr. Cantoreggi assured the Council there would be plenty of signs indicating how to access the downtown area. ► Councilor Pfeffer inquired about the Town's ability to hang American flags from the new light poles. Mr. Nutting said the new light poles will be fitted with banner arms, allowing for banners to be flown. Councilor Pfeffer said actual American flags should be hung. Councilor Pfeffer also inquired about the care for the planned trees for the downtown area. Mr. Cantoreggi said the new trees will require less care, and will grow in a way as to not block area business signs. ► Councilor Kelly inquired about parking meters located in the downtown area. Mr. Nutting said no decision had been made concerning the parking meters, but at the appropriate time the issue would be added to a future Council Agenda. ► Councilor Jones suggested having area businesses adopt a tree as a way to insure the care of the new trees in the downtown area. Mr. Cantoreggi said the idea was a good one, but there are issues regarding the type of care for different trees, as well as the type of signs crediting the business with a tree's care. Councilor Jones also inquired how the raised tables will impact snow removal. Mr. Cantoreggi said other towns have similar raised crosswalks and snow removal should not be a problem. ► Councilor Feldman inquired about the traffic patterns during construction and if designated bike lanes are part of the project. Mr. Cantoreggi said bike lanes are not part of the project because the roads are too narrow. In terms of road closures etc., Mass DOT will make those decisions. ► Councilor Mercer requested the traffic patterns, road closures and the evening's presentation be available on the Town's website. Mr. Nutting agreed to include construction information once the plans have been finalized. ► Chairman Vallee inquired about decisions made regarding the types of light poles and whether penalty clauses for missed construction deadlines will be included in the construction contract, and whether construction can occur at night. Mr. Nutting and Mr. Cantoreggi said many of the project details were decided many years ago, and adding penalty clauses and nighttime construction clauses will increase the project's cost. ► Lisa Piana; Executive Director of the Franklin Downtown Partnership said the Partnership has been working on this project for the past 9 years and is excited for the start of the project.

SUBCOMMITTEE REPORTS: NONE.

LEGISLATION FOR ACTION:

Resolution 13-82: *Adoption of Town Council Procedures Manual:* Councilor Pfeffer read the resolution to formally adopt the Procedures Manual of the Franklin Town Council, dated March 7, 2012. **MOTION** by Councilor Jones to move Resolution 13-82 **SECONDED** by Councilor Mercer. **DISCUSSION:** Chairman Vallee suggested, and Mr. Nutting agreed the vote on Resolution 13-82 should be postponed until all of the Council members have read the Manual. **MOTION** by Councilor Jones to postpone the vote on Resolution 13-

82 until the December Council Meeting **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0. DISCUSSION:** ► Mr. Cerel recommended the Manual be adopted and amend the document in the future if it is deemed necessary. Mr. Cerel said without the adoption of the Manual, there are no procedures in place. ► Councilor Padula suggested approving the Manual provisionally until all of the Councilors have read the document. **MOTION** by Councilor Padula to adopt the Procedures Manual as is, with the stipulation the Manual may be amended after Council review **SECONDED** by Councilor Kelly. **DISCUSSION:** There was discussion regarding the approval of Resolution 13-82 and Mr. Nutting recommended postponing the vote until the next Town Council Meeting for further review. **MOTION WITHDRAWN** by Councilor Padula.

Bylaw Amendment 13-724: Amendment of Chapter 82, Appendix A of Service Fee Rates – Solid Waste and Recycling – 1st Reading: Councilor Pfeffer read the bylaw amendment to update the sticker fee rates for the Beaver Street Recycling Center. **MOTION** by Councilor Jones to move Bylaw Amendment 13-724 **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting said this bylaw adds a second option for resident's use of the Recycling Center. In addition to the \$25 annual sticker fee, residents would have a second option of a 7-day Recycling Center Sticker available for \$10. Councilors Pfeffer and Williams asked about the number of days the \$10 sticker would cover given the Recycling Center is open 2 ½ days a week. Councilor Kelly questioned the \$25 annual fee and why the fee cannot be prorated. Councilor Jones suggested a punch card system. Mr. Cantoreggi said the \$25 annual fee is nominal, and the amount of time it takes to verify a person's residence, note the type of vehicle and issue the sticker is cumbersome. Mr. Cantoreggi said he had considered other options, but the option of either an annual sticker or a weeklong sticker were the best options. Councilor Padula concurred that the \$10 option for a weeklong sticker is economical. **MOTION** by Councilor Mercer to amend the motion to read 10 days instead of 7 days. **SECONDED** by Councilor Kelly. **VOTE to Approve the Amendment: Yes-9, No-0, Absent-0. DISCUSSION:** Chairman Vallee said the Recycling Center should be open more hours/days. Mr. Nutting said increased hours of operation of the Recycling Center would cost the Town more money. **MOTION** by Councilor Kelly to move Bylaw Amendment 13-724 to a 2nd Reading **SECONDED** by Councilor Mercer. **VOTE to Approve as Amended: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting congratulated the new Councilors and said he looked forward to working with the new Council. Mr. Nutting also reminded the Council that if they need anything, he is only an email or phone call away. ► Mr. Nutting said he is working on the 5-Year Forecast as was adopted by a resolution last year. ► Mr. Nutting said he continues to work on the Capital Plan with the Finance Committee and the Budget Committee. The Capital Plan is expected to be scaled back due to reduced funds in the Town's Free Cash Account. ► Mr. Nutting requested an Executive Session.

OLD BUSINESS: Councilor Bissanti complimented the Building Commissioner and Mr. Nutting for working so diligently to contact the owners of a number of dilapidated and abandoned properties in an effort to improve the conditions of the properties.

NEW BUSINESS: ► Councilor Bissanti said he approached the Elks to see if they would be interested in taking on the responsibility of lowering the American flags to half-mast when a Veteran passes away. The Elks have indicated they would be honored to take on that role. Mr. Nutting said he would be happy to discuss the Elks' offer further with Councilor Bissanti. ► Councilor Kelly requested a report from Mr. Nutting regarding the expenses and income generated from the Parking Meter Officer. Councilor Kelly also requested feedback from the Police Department be included in the report. Mr. Nutting agreed to provide the report. ► Councilor Mercer recognizing there were new Council members, offered to do a brief 15-minute presentation at a future Council Meeting regarding the progress of the new high school.

COUNCILOR COMMENTS: ► Councilor Padula thanked the voters and appreciated the opportunity to serve. Councilor Padula also thanked Chief Benedetto and the Franklin Police Department for all that they do. ► Councilor Mercer echoed Councilor Padula's comments regarding thanking the voters for re-electing him to

the Council and said he looked forward to serving for another 2 years. ► Councilor Kelly also thanked the voters and the Council for electing him as Vice Chair. Councilor Kelly congratulated Ken Norman. ► Chairman Vallee said this Council will be aggressive and proactive and he anticipated many changes in the coming year or two. ► Councilor Pfeffer thanked the voters. Councilor Pfeffer also thanked Bob Fahey the Veteran's Agent, and the Senior Center for the wonderful Veteran's Breakfast and for the Friends of Franklin Elders, Inc. for paying for the breakfast held last Friday. Councilor Pfeffer also commended Dean College for their Veteran's Tribute on Monday where Congressman Joe Kennedy spoke for a few minutes. Councilor Pfeffer also commended the nuns of St. Mary's Abbey for winning the Clean Air Award. ► Councilor Jones thanked the voters for re-electing him to a third term. Councilor Jones welcomed the three new Council members and echoed Chairman Vallee's comments regarding the anticipated proactive approach of the new Council. ► Councilor Bissanti said he was honored and touched by the outpouring of support he received from the voters and looks forward to a very strong Council. ► Councilor Williams thanked the voters and said he looked forward to the challenges of the next two years. Councilor Williams said he was disappointed only 11% of the populace turned out for the election and reminded folks what Veteran's Day means and that it is a right and a privilege to vote.

SUBCOMMITTEE APPOINTMENTS: Chairman Vallee announced the following Subcommittees: *Budget Subcommittee* - Councilors Mercer, Padula, Feldman and Bissanti. *Capital Improvement Committee* - Councilors Pfeffer, Kelly, Williams and Vallee. *Economic Committee* - Councilors Kelly, Bissanti, Jones and Vallee. Chairpersons to be selected by Chairman Vallee at the next Council Meeting.

EXECUTIVE SESSION: Chairman Vallee said the Town Council would go into Executive Session for the purpose to discuss strategy for the purpose of collective bargaining and real property and declared that an open meeting may have a detrimental effect on the bargaining position of the public body. Open Session not reconvene at the conclusion of the Executive Session. **MOTION** by Councilor Pfeffer for the Franklin Town Council to go into Executive Session for the purpose to discuss strategy with respect to collective bargaining and real property as an open meeting may have a detrimental effect on the bargaining position of the public body and as the Chair had so declared, the Open Session did not reconvene at the conclusion of the Executive Session **SECONDED** by Councilor Mercer. **ROLL CALL: Bissanti-Yes, Feldman-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Padula-Yes, Pfeffer-Yes, Vallee-Yes, Williams-Yes. VOTE to Approve: 9 – 0 – 0 Unanimous.**

The Regular Session of the meeting ended at 8:17PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary