

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
December 11, 2013**

A meeting of the Town Council was held on Wednesday, December 11, 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: Kevin W. Doyle; Director of Assessing.

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: 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 also have recorded the meeting. Chairman Vallee announced the Council Meeting of December 18th was cancelled; there is no Agenda and the next Council Meeting is scheduled for January 15th.

PROCLAMATIONS/RECOGNITIONS: NONE.

CITIZEN COMMENTS: Mark Ellis; Franklin Elks Chairman of Veterans Committee spoke in support of continuing the tradition of raising the flags on Main Street when a Veteran passes away as a way of recognizing their military service. Mr. Ellis said the Elks were willing to take over the responsibility of the flag program from the Town. The Elks would coordinate with the funeral directors, would post the flags for the wake/funeral, remove the flags and store the flags at the Elks Lodge. In addition, the Elks would post the flags whenever the Town wanted the flags posted – such as on Memorial Day, Labor Day and Veteran’s Day. Chairman Vallee said the Council would respond to this request under ‘New Business’.

APPOINTMENTS: NONE.

RECESS: Chairman Vallee called a three-minute recess at 7:07PM.

HEARINGS: *Tax Classification Hearing – 7:10PM.* Ken Norman; Chairman of the Board of Assessors introduced Board of Assessor members John Neas and Chris Feeley, as well as Kevin Doyle; Director of Assessing. Mr. Norman said the packet each Councilor was given was similar to the previous year’s packet, but with updated figures. Data was included for both ‘single-rate’ and ‘split-rate’ tax rates. The proposed ‘single-rate’ tax rate would be increased by \$.11 to \$14.45. Mr. Norman and Mr. Nutting explained what ‘single-rate’ and ‘split-rate’ tax rates mean. Mr. Nutting, Councilor Bissanti and Mr. Feeley supported a ‘single-rate’ tax rate. Mr. Nutting said the Town does not have enough commercial/industrial business to support a ‘split-rate’ tax rate; the businesses would have too great a burden to offset any tax decrease given to residential taxpayers. Per Councilor Feldman’s inquiry, the average increase in taxes per homeowner for the high school override will be \$50. Chairman Vallee invited public comment, but there were no comments. **MOTION** by Councilor Jones to close the Hearing **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: *Guidelines and Criteria for Penalizing Alcoholic Beverage License Holder Violations* – Mr. Nutting and Mr. Cerel presented the draft guideline document of how to proceed with future violations of the State’s liquor laws. Mr. Cerel said in general the Council is not constrained by the guidelines presented in the draft, but would offer the Council guidance so as to be consistent and predictable for failure of a business to pass a compliance check. The penalties for other operational violations, such incidents

or accidents where excessive drinking or underage drinking occurs would be case-by-case based on the totality of circumstances. Several Councilors spoke in support of the draft document and Mr. Nutting said the bylaw amendment would appear on the next meeting's Agenda.

LICENSE TRANSACTIONS: 2014 Annual Alcoholic Beverages License Renewals: MOTION by Councilor Pfeffer to renew alcoholic beverages licenses on the Renewal List for the year 2014 with the following businesses licenses held where funds are owed to the Town until outstanding fees are paid: 461 West Central Street, Maplegate Country Club located at 161 Maple Street Bellingham, Incontro Restaurant located at 861 West Central Street, Colwen Management located on Forge Parkway **SECONDED** by Councilor Mercer. **DISCUSSION:** Councilor Padula clarified as long as the four listed establishments pay their outstanding fees, they will have a liquor license for January 1st. Councilor Padula abstained from the vote, as there was a potential conflict of interest. **VOTE to Approve: Yes-8, No-0, Absent-0, Abstain-1.**

SUBCOMMITTEE REPORTS: Economic Committee – Councilor Jones announced there will be a workshop on January 21st regarding the Old Municipal Building located at 150 Emmons Street. A second workshop, which will address zoning issues, will take place on January 29th at 7:00PM in the Training Room.

LEGISLATION FOR ACTION:

Resolution 13-85: Classification Tax Allocation – Residential Factor: Councilor Pfeffer read the resolution to set the Residential Factor at one (1). MOTION by Councilor Pfeffer to move Resolution 13-85 **SECONDED** by Councilor Padula. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 13-86: Classification Tax Allocation – Open Space Exemption: Councilor Pfeffer read the resolution that there not be an exemption for Open Space. MOTION by Councilor Pfeffer to move Resolution 13-86 **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 13-87: Classification Tax Allocation – Small Business Exemption: Councilor Pfeffer read the resolution that there not be an exemption for small businesses. MOTION by Councilor Pfeffer to move Resolution 13-87 **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting explained by giving any one group a tax-exemption would shift the tax burden to all the other taxpayers. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 13-88: Classification Tax Allocation – Residential Property Exemption: Councilor Pfeffer read the resolution that there not be an exemption for residential property. MOTION by Councilor Pfeffer to move Resolution 13-88 **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 13-89: 2014 Schedule of Town Council Meetings: Councilor Pfeffer read the 2014 Town Council Schedule. MOTION by Councilor Jones to move Resolution 13-89 **SECONDED** by Councilor Padula. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 13-90: Legal Notices: Councilor Pfeffer read the resolution to designate the Milford Daily News to be utilized by all boards, departments, agencies, and agents of the Town to give notice to the public of pending public hearings for the next calendar year, 2014. MOTION by Councilor Jones to move Resolution 13-90 **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Zoning Bylaw Amendment 13-726: Amendment to Chapter 185, Attachment 9, Schedule of Lot, Area, Frontage Yard and Height Requirements – Referral to Planning Board: **RECUSED:** Councilors Bissanti, Mercer & Padula asked to be recused from Zoning Bylaw Amendment 13-726. MOTION by Councilor Jones to waive the reading **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-6, No-0, Absent-0, Recused-3.** MOTION by Councilor Jones to refer Bylaw Amendment 13-726 to the Planning Board **SECONDED** by Councilor Williams. **DISCUSSION:** Mr. Nutting explained this bylaw relates to the Zone 7 changes made a few months ago. This bylaw allows impervious coverage to be increased from 25% to 50%

with Special Permit for multiple single-family dwelling units in Zone 7. **VOTE to Approve: Yes-6, No-0, Absent-0, Recused-3.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting thanked the Downtown Partnership and Dean College for another wonderful Holiday Stroll. ► Mr. Nutting reviewed the contents of the handout provided to the Councilors from the Budget Subcommittee. The handout included fiscal information of current and proposed fiscal policies, debt information, OPEB obligation, school information and the initial 5-Year Forecast. ► Mr. Nutting reminded people during winter weather events, priority is given to main roadways before secondary roadways are treated and to use caution. ► Mr. Nutting thanked the Assessor's Office, Jim Dacey; Treasurer/Collector and Susan Gagner; Comptroller for coordinating their efforts to create the budget. The average tax increase for homeowners will be \$270. ► Mr. Nutting wished everyone a happy holiday. ► Mr. Nutting said he would resolve the flag issue with the Elks.

OLD BUSINESS: Councilor Padula thanked Mr. Cerel for meeting with him and for answering his questions.

NEW BUSINESS: ► Councilor Jones would like to add to a future Agenda the adoption of the draft document for alcohol penalties. ► Councilor Bissanti requested the appointment of Councilor Pfeffer to the Citizens Committee be added to the next Agenda.

COUNCILOR COMMENTS: ► Councilor Williams wished everyone a safe holiday season. ► Councilor Jones thanked Mass Development for having an event for the Economic Development community. In addition, Councilor Jones thanked EMC for hosting the event and all those who attended. ► Councilor Pfeffer thanked whoever was responsible for the wonderful new parking meter covers for the holiday season. Councilor Pfeffer acknowledged lifelong Franklin resident Victor Pisini and wished him a happy 85th Birthday. ► Councilor Mercer wished everyone happy holidays and said he enjoyed the Holiday Stroll. Councilor Mercer also provided an update on the new high school project. The building and roof are 'tight' for the winter so inside work can continue. ► Councilor Padula wished everyone a happy and safe holiday. ► Councilor Feldman wished happy holidays to everyone and said he enjoyed the ribbon cutting at the solar array at the Abbey. ► Chairman Vallee thanked Dr. Paula Rooney for hosting a reception at her home for the Council and others.

ADJOURN: MOTION by Councilor Mercer to adjourn **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.** Meeting adjourned at 7:50PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary