



FRANKLIN TOWN COUNCIL

June 4, 2014

MINUTES

Present were Councilors Andrew Bissanti, Brett Feldman, Glenn Jones, Matt Kelly, Tom Mercer, Peter Padula, Judith Pfeffer, Robert Vallee, Steve Williams and Administrator Jeff Nutting, Maxine Kinhart, and Counsel Mark Cerel

There was a moment of silence and a pledge of allegiance.

- A. APPROVAL OF MINUTES** – *March 19, 2014- MOVE Approval of minutes, Kelly, SECOND, Jones. VOTE: Unanimous*
- B. ANNOUNCEMENTS** – *The meeting is recorded by Franklin TV and shown on Comcast channel 11 and Verizon channel 29. The meeting is recorded by Franklin Matters.*
- C. PROCLAMATIONS/RECOGNITIONS** - None
- D. CITIZEN COMMENTS** - None
- E. APPOINTMENTS** - None
- F. HEARINGS** - None
- G. LICENSE TRANSACTIONS** – *Super HK, LLC d/b/a Maguro House- License request to change from a wine and malt license to all alcoholic beverages license. There is no bar. Drinks will be for diners only. MOVE to approve by Pfeffer. SECOND by Mercer. VOTE: Unanimous*
- H. PRESENTATIONS/DISCUSSIONS** – *Allan Mercer – Cultural District*
Several individuals and organizations are working towards creation of a Cultural District in and around Downtown Franklin. A meeting was held at Franklin Public Library on March 20th. Since the March meeting a partnership of organizations has begun to form. A second meeting was held in April. A Steering Committee of Allan Mercer, Peter Schultz, Roberta Trahan, Felecia Oti, Sue Sheridan, Pat Drier has formed. Application has to be initiated by the Town and signed by the highest elected official. Council must pass a resolution agreeing to participate in application process and help foster the development and sustainability. Currently have 30 organizations.501c3. Not looking for seed money from town. Will be fundraising in private sector. Week-long celebration of the arts in July. Bissanti and Jones and Kelly spoke in favor of the District.
- I. SUBCOMMITTEE REPORTS** - None
- J. LEGISLATION FOR ACTION**
- Resolution 14-37: Authorization for Planning and Design Costs for Library Reconstruction/Addition.** *MOVE Resolution 14-37, Kelly. SECOND, Padula. Whereas: The Town Council has been advised of a need for the design, engineering and preparation of plans for the reconstruction, repair, and furnishing of, and an addition to, the Franklin Public Library. Discussion: with a small addition library is still smallest in the area. Need to hire an architect and a project manager. Design get an estimate. 1 million is part of 6.6 estimate. Would pay out of debt schedule. Fiscal Policy. 3% of general fund revenue for general debt. Recreation, field, fire station, DPW, Senior Center, allowed to take on new*

debt as old debt gets paid off. Currently is at over 780,000 projected by 2018 1.2 million capacity. Pfeffer Many organizations support Library, they should come to the table. **VOTE: 2/3 Vote - Unanimous**

2. **Resolution 14-38: Appropriation – Town Administration: Zoning Board of Appeals. MOVE, Jones. SECOND Mercer.** Nutting stated that the next 5 resolutions are end of year transfers to balance the books. **VOTE: Unanimous**
3. **Resolution 14-39: Appropriation – Town Administration: Street Lights. MOVE, Mercer. SECOND, Kelly.** Be It Moved and Voted by the Town Council that the sum of Ten thousand dollars (\$10,000.00) be transferred from FY 14 DPW Contracted Services Account 01440200-530920 to the FY 2014 Streetlights Account 01424200-521010. **VOTED: Unanimous**
4. **Resolution 14-40: Appropriation – Town Administration: Legal Expenses. MOVE, Kelly. SECOND, Jones.** Be It Moved and Voted by the Town Council that the sum of Ten thousand dollars (\$10,000.00) be transferred from Available Funds (Free Cash) to the FY 2014 Legal Budget, Account # 01151200. **VOTE: Unanimous**
5. **Resolution 14-41: Appropriation – Snow & Ice. MOVE, Jones, SECOND, Kelly.** Be It Moved and Voted by the Town Council that the sum of Two Hundred and Eighty Thousand Dollars (\$280,000) be transferred to Snow & Ice Salaries: 01442100: \$130,104, Snow & Ice Expenses: 01442200: \$149,896 from Free Cash. **VOTE: Unanimous**
6. **Resolution 14-42: Appropriation – Town Administration: Comptroller. MOVE, Williams. SECOND, Jones.** Be It Moved and Voted by the Town Council that the sum of One thousand dollars (\$1,000.00) be transferred from Available Funds (Free Cash) to the FY 2014 Comptrollers Expense Account 01135200-571100 (training). **Discussion:** Training due to retirement. **VOTE: Unanimous**
7. **Resolution 14-44: Acceptance of Gift – Town of Franklin. MOTION to amend recipient to Franklin High School Building Committee. SECOND, Mercer. VOTE: Unanimous.** Franklin Community Access, Franklin TV, has very generously given a grant of \$164,000.00 to the Franklin High School Building Committee to be used for the purchase of video equipment. **MOTION to move 14-44 As Amended, Jones. SECOND, Mercer. VOTE: Unanimous**
8. **Resolution 14-45: Dedicated Proposition 2-1/2 Override Ballot Question for Stabilization Fund for Roadway, Sidewalk, and Related Drainage. MOVE 14-45, Kelly. SECOND, Mercer.** Shall the Town of Franklin be allowed to assess an additional \$1,500,000 in real estate and personal property taxes for the purpose of funding a stabilization fund as provided in GL Chapter 40 Section 5 B, said funds to be expended solely for roadway, sidewalk and related drainage work for the fiscal year beginning July first, two thousand and sixteen? **Discussion:** Letting the roads deteriorate costs more. Subdivisions of the 80s and 90s are going to show up all at once. This can only ever be used for roads or sidewalks. Kelly supports citizens' right to make the ultimate choice. **VOTE: Unanimous.**
9. **Zoning Bylaw Amendment 14-728-R: Industrial to Single-Family III-2nd Reading Changes to § 185-5 Zoning Map. MOVE 14-728R, Jones. SECOND, Padula.** That the Zoning Map of the Town of Franklin be amended by changing from Industrial to Single-family III an area containing 3.99± acres, comprising the following parcels of land as shown on the Town of Franklin's Assessor's Maps: 304-067-000, 304-068-000, 304-069-000, 304-070-000, 304-071-000, 304-073-000. **ROLL CALL: Bissantì – Yes, Feldman – Yes, Jones – Yes, Kelly – Yes, Mercer – Yes, Padula – Yes, Pfeffer – Yes, Vallee – Yes, Williams – Yes**

- VOTE: Yes -9 No-0 Absent-0. Unanimous**
10. **Zoning Bylaw Amendment 14-732: Amendment to the Franklin Town Code at Chapter 185, Section 21. Parking, Loading, and driveway requirements- 2nd Reading. MOTION by Mercer to Waive the Reading. Second by Kelly. Vote: Unanimous. MOVE 14-732, Pfeffer. SECOND, Jones. Discussion: Changes site distance from fixed 400 ft. to Mass DOT 2006 Project Development and Design Guide Standard. Planning Board may issue special permit. ROLL CALL: Bissanti – Yes, Feldman – Yes, Jones – Yes, Kelly – Yes, Mercer – Yes, Padula –Yes, Pfeffer – Yes, Vallee –Yes, Williams – Yes. VOTE: Yes -9 No-0 Absent-0 Unanimous**
 11. **Zoning Bylaw Amendment 14-733: Zoning Map changes from Commercial I to Downtown Commercial District in an Area on or Near Alpine Row-2nd Reading MOVE to Waive the Reading, Jones. SECOND, Mercer. VOTE: Unanimous. MOVE 14-733, Jones. SECOND, Bissanti. Discussion: This is a Master Plan recommendation. It takes parcels in CI and puts them in Downtown Commercial. ROLL CALL: Bissanti – No, Feldman – Yes, Jones – Yes, Kelly – Yes, Mercer – Yes, Padula –Yes, Pfeffer – No, Vallee –Yes, Williams – Yes VOTE: Yes - 7 No - 2 Absent – 0. Passes**
 12. **Zoning Bylaw Amendment 14-734: Zoning Map Changes from Industrial to General Residential V District in an Area on or Near Josephine Street - 2nd Reading. MOVE to Waive reading by Kelly, SECOND by Jones. VOTE: Unanimous. MOVE 14-734, Jones, SECOND by Williams. Discussion: Changes Industrial to Residential. Mostly non buildable and mostly swamp except for 2 lots. Roll Call: Bissanti – Yes, Feldman – Yes, Jones – Yes, Kelly – Yes, Mercer – Yes, Padula –Yes, Pfeffer – Yes, Vallee –Yes, Williams – Yes VOTE: Yes -9 No-0 Absent-0. Unanimous**
 13. **Bylaw Amendment 14-737: Amendment to Sewer System Map – 1st Reading. MOVE 14-737to a SECOND READING by Jones. Councilor Bissanti Recused himself from discussion. SECOND, by Mercer. 200' single extension – one home. No development potential beyond this lot. VOTE: Unanimous**

K. TOWN ADMINISTRATOR'S REPORT *Mass DOT approved funding unexpectedly for RT 140. On the good side it is almost complete. Concerts on the Common will begin on July 9. Held the Grand Opening of DelCarte Recreation and Conservation Area this afternoon.*

L. OLD BUSINESS

M. NEW BUSINESS

N. COUNCIL COMMENTS

O. EXECUTIVE SESSION – *Negotiations, Litigation, Real Property, as May Be Required*

P. ADJOURN – Meeting adjourned at 8:40 PM

Respectfully Submitted,

Maxine Kinhart