

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
January 15, 2014**

A meeting of the Town Council was held on Wednesday, January 15, 2014 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: Mike Maglio; Town Engineer, Stephan H. Semerjian; Chief of Police, Robert Cantoreggi; Director of Public Works.

CALL TO ORDER: Chairman Vallee called the meeting to order at 7:00PM and read a statement on behalf of the entire Council, which mourned the loss of two of the Town's youngest citizens and stated the Town was there for the Munroe family in their time of sorrow. Chairman Vallee thanked the Police Department, Fire Department and all first responders for their efforts, actions and dedication. Chairman Vallee paused for a moment of silence and requested all in attendance to keep the Munroe family in their thoughts. The Pledge of Allegiance followed the moment of silence.

APPROVAL OF MINUTES: *November 13, 2013, November 20, 2013, December 4, 2013 Regular Session and Executive Session Minutes of November 13, 2013.* **MOTION** by Councilor Jones to approve all Minutes **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

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 on Friday there would be a candlelight vigil for the Munroe family at 7:00PM at the Town Common, and all would be welcome.

PROCLAMATIONS/RECOGNITIONS: NONE.

CITIZEN COMMENTS: NONE.

APPOINTMENTS: *James P. Dacey Jr. – Treasurer Collector:* **MOTION** by Councilor Pfeffer to ratify the appointment of James P. Dacey Jr. of 345 Lincoln Street to serve as Treasurer Collector **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Judith Pond Pfeffer - Citizen Committee: **MOTION** by Councilor Pfeffer to appoint Judith Pond Pfeffer to serve as a member of the Citizen Committee **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.**

George Conley – Finance Committee: **MOTION** by Councilor Pfeffer to appoint George Conley of 7 Sherman Avenue to serve as a member of the Finance Committee **SECONDED** by Councilor Mercer. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Note: Presentations/Discussions and Hearings were taken out of order so as to allow the Hearing to begin at the designated time of 7:10PM.

PRESENTATIONS/DISCUSSIONS: *Waste Management* – Robert Cantoreggi; DPW Director and James Acela; Divisional Manager of Waste Management explained the circumstances of the previous week's unannounced disruption of trash/recycling pick-up. Mr. Acela apologized to the citizens of Franklin who experienced a disruption of service and said the initial delay was resultant from a two-day snowstorm, followed by severe cold temperatures, which impacted the performance of the equipment. In addition, DOT regulations restricted the amount of hours his employees can operate the trash removal trucks. Mr. Acela said all of the

collections would be up to date by the close of business on January 16th and Christmas tree collections would begin the following week. Several councilors cited the lack of communication from the vendor as well as from within the Administration as frustrating as residents sought out the Councilors for information and the Councilors did not have any information to offer. Mr. Cantoreggi agreed to issue an “all call” alerting residents that all trash, both in the containers and in trash bags would be picked up by the vendor. Chairman Vallee directed the Administration to immediately alert the Councilors of any future trash/recycling delays or other service disruption.

HEARINGS:

7:10PM

Zoning Bylaw Amendment 13-726: A Zoning Bylaw to Amend the Franklin Town Code at Chapter 185, Attachment 9 – Schedule of Lot, Area, Frontage, Yard and Height Requirements: Councilor Pfeffer read the bylaw which adds Residential VII Zoning District to Chapter 185, Attachment 9. Mr. Nutting provided a brief overview of the proposed zoning change which only affects the Cook Farm property located on East Central Street. Mr. Nutting said the previous Council approved the zoning change and it was just an oversight that the above outlined change to Impervious Coverage was not included in the original set of zoning bylaw changes necessary to re-zone the Cook Farm property. There were no Citizen Comments regarding the proposed zoning change. **RECUSED:** Councilors Bissanti and Mercer recused themselves from discussion and vote.

MOTION by Councilor Jones to close the Hearing **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-7, No-0, Recused-2, Absent-0.**

PRESENTATIONS/DISCUSSIONS (Continued): Franklin Matters – Steve Sherlock: Mr. Sherlock reviewed the background and content of the website Franklin Matters. Mr. Sherlock recommended the Town form a Communications Committee so the Town can do a better job of communicating and disseminating information to the Franklin community. Mr. Sherlock said he did not believe it would cost the Town a great deal of money to improve communication as most social media outlets are free and the benefit of having a better informed community would allow for more engagement from its residents. Chairman Vallee thanked Mr. Sherlock for the presentation.

LICENSE TRANSACTIONS: NONE.

SUBCOMMITTEE REPORTS: Economic Development Committee: – Councilor Jones reminded everyone of the upcoming “150 Emmons Street” Workshop to be held on January 21st at 7:00PM at the 3rd Floor Training Room.

LEGISLATION FOR ACTION:

Resolution 14-01: Appropriation Spring Valley Estates/Brielle Way – \$77,438: Councilor Pfeffer read the resolution to transfer \$77,438 from the Forfeited Performance Bond Account to the Spring Valley Estates/Brielle Way Account necessary to complete roadwork and related infrastructure work. **MOTION** by Councilor Pfeffer to move Resolution 14-01 **SECONDED** by Councilor Feldman. **DISCUSSION:** Mr. Nutting said this was a failed bond that the Town was taking over in order to complete a road in the subdivision. Town Engineer Mike Maglio said the funds should be sufficient to complete the roadwork and this is the only road in the subdivision requiring completion. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 14-02: Purchase of Land off Cottontail Lane Authorization and Appropriation: Councilor Pfeffer read the resolution to allow the Town to purchase eighteen and a quarter acres of unimproved land off Cottontail Lane for the sum of \$325,000 for access to abutting Town-owned land. **MOTION** by Councilor Jones to move Resolution 14-02 **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting explained the land abuts 30 acres of Town-owned land and abuts another 18 acres the Town plans to take ownership of in order to obtain in excess of 60 acres of land for open space and recreation. Mr. Nutting said the situation provided a unique opportunity to give to future generations a large area for potential recreation. **ROLL CALL: Bissanti-Yes, Feldman-Yes, Jones-Yes, Kelly-Yes, Mercer-Yes, Padula-Yes, Pfeffer-Yes, Vallee-Yes,**

Williams-Yes. VOTE to Approve: Yes-9, No-0, Absent-0 Unanimous.

Resolution 14-03: Support of Bill H1586 – An Act concerning Electronic Publication of Certain Legal Notices: Councilor Pfeffer read the resolution to endorse an Act concerning electronic publication of certain legal notices. **MOTION** by Councilor Jones to move Resolution 14-03 **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting said the Town spends over \$25,000 to publish Legal Notices when he believes there is a better way to advertise Legal Notices without the high expense. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Resolution 14-04: Acceptance of Gift – Town of Franklin – Police Department: Councilor Pfeffer read the resolution to gratefully accept from the Digital Federal Credit Union a gift of \$2,000 to be used by the Police Department for children’s programs. **MOTION** by Councilor Mercer to move Resolution 14-04 **SECONDED** by Councilor Kelly. **DISCUSSION:** Police Chief Stephan Semerjian said the very generous gift from DCU would be used for the D.A.R.E. Program. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Bylaw Amendment 13-725: Chapter 170 – Vehicles and Traffic – 2nd Reading: **MOTION** by Councilor Jones to waive the reading **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Pfeffer to amend Bylaw Amendment 13-725 by striking the final sentence and adding the bylaw will take place on or after June 30, 2015 **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Jones to move Bylaw Amendment 13-725 as Amended **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.**

Zoning Bylaw Amendment 13-726: Chapter 185, Attachment 9 – Schedule of Lot, Area, Frontage Yard and Height Requirements – 1st Reading: Councilor Pfeffer read the zoning bylaw amendment to add Residential VII Zoning District to Chapter 185, Attachment 9. **RECUSAL:** Councilors Mercer and Bissanti recused themselves from Zoning Bylaw Amendment 13-726. **MOTION** by Councilor Padula to move Zoning Bylaw Amendment 13-726 to a 2nd Reading **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-7, No-0, Recused-2, Absent-0.**

Bylaw Amendment 14-727: Chapter 47 – Alcoholic Beverages – 1st Reading: **MOTION** by Councilor Jones to waive the reading **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.** **MOTION** by Councilor Kelly to move Bylaw Amendment 14-727 to a 2nd Reading **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting said the Bylaw Amendment would provide guidance to this and future Councils regarding penalties for alcohol related violations. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Bylaw Amendment 14-729: Chapter 179, Section 9.1 – Water Map – 1st Reading: Councilor Pfeffer read the bylaw amendment to extend the water system from Uncas Avenue and Ledge Street to Crocker Avenue in order to service a new 9 lot subdivision off Uncas Avenue. **MOTION** by Councilor Jones to move Bylaw Amendment 14-729 to a 2nd Reading **SECONDED** by Councilor Mercer. **DISCUSSION:** Mr. Nutting provided a history of proposed developments for the site. **VOTE to Approve: Yes-9, No-0, Absent-0.**

Bylaw Amendment 14-730: Chapter 139 – Entitled Sewers – 1st Reading: Councilor Pfeffer read the bylaw amendment to extend the sewer system from Crocker Avenue approximately 980 feet off Uncas Avenue to service a new 9 lot subdivision. **MOTION** by Councilor Mercer to move Bylaw Amendment 14-730 to a 2nd Reading **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting, Mr. Cerel and the attorney for the developers discussed the Memorandum of Understanding and Councilor Kelly inquired about sewer capacity. Mr. Cantoreggi said he did not expect this subdivision to add much to the system. A discussion regarding Town water consumption and savings followed. **VOTE to Approve: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR’S REPORT: ► Mr. Nutting announced the 2nd Reading of Bylaw Amendment 14-730 would take place at the first Council meeting in February. ► Mr. Nutting said the Town had used

\$485,000 of the \$900,000 appropriated for snow and ice removal for the year. ► Work on the Capital Budget would begin in the next couple of weeks. ► Opening bids for the Downtown Project would be on February 4th. ► Mr. Nutting announced the Zoning Workshop would take place on the last Wednesday of the month. Mr. Nutting said the Council, Planning Board and any interested citizens would review potential zoning changes.

OLD BUSINESS: ► Councilor Jones requested the monthly presentations by one of the department heads continue.

NEW BUSINESS: ► Councilor Kelly requested the Facilities Director make a presentation as soon as possible. Councilor Kelly also requested the DPW Director present to the Council the plan for the Downtown Area during the Downtown Project construction. Councilor Kelly's main concern was the Fire Station lawn.

COUNCILOR COMMENTS: ► Councilor Mercer sent his thoughts and prayers to the Munroe family for their tragic loss this week. Councilor Mercer invited the Council to do a walk-through of the New High School project on February 10th at 6:00PM. ► Councilor Jones said he was glad the trash issue had been resolved. Secondly, Councilor Jones sent his prayers and condolences to the Munroe Family and as a note, Councilor Jones said there had been a memorial fund set up in the name of Lexi and Sean Munroe in care of Dean Bank. ► Councilor Bissanti sent his condolences to the Munroe family. Councilor Bissanti also thanked Mr. Nutting and Mr. Cantoreggi and the DPW for sharing flag raising and lowering services with the Elks. ► Chairman Vallee reiterated the need for communication between Administration and the Council and reminded the Administration that they work for the Council and the 32,000 residents of Franklin.

ADJOURN: MOTION by Councilor Jones to adjourn **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0, Absent-0.** Meeting adjourned at 8:23PM.

Respectfully Submitted,

Jan Brecht, Recording Secretary