

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
May 20, 2015**

A meeting of the Town Council was held on Wednesday, May 20, 2015 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Brett Feldman, Matt Kelly, Thomas Mercer, Peter Padula, Judith Pond Pfeffer, Robert Vallee, Steve Williams. Administrative personnel in attendance: Jeffrey Nutting, Town Administrator; Maxine Kinhart, Assistant to the Town Administrator; Mark Cerel, Town Attorney.

CALL TO ORDER: Chairman Vallee called the meeting to order at 7:00 PM 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. This meeting may also be recorded by and available on *Franklin Matters*.

PROCLAMATIONS/RECOGNITIONS: *Tri-County School.* Ms. Pfeffer reported that on May 19th Gus Brown, Building Commissioner; Jeff Nutting, Town Administrator; and Judith Pfeffer, Council Member, attended the Tri-County School to give acknowledgement and appreciation to the juniors and seniors in the plumbing, electrical and carpentry divisions who put together a new affordable housing three-bedroom modular ranch home which will be auctioned off this fall. She applauded the beautiful and precision workmanship. The house has been so well received that other towns in the area have already scheduled with Tri-County School to work on future homes.

CITIZEN COMMENTS: ► Gail Schroeder, 14B Hawthorne Village, stated that she and other environmentally conscious citizens are concerned about an additional gas pipeline through the Franklin community as well as the towns of Bellingham and Medway with parts trenched under the Charles River. She cited health issues such as pulmonary disease from environmental factors and safety issues such as increased risk of explosions and accidents. The pipeline, Spectra Atlantic Bridge project, will transport fracked gas through these communities to ports in Canada to be exported for sale. Pipeline construction will be paid for through increases in utility costs. The 30-inch wide pipeline, scheduled to be placed 24-36 inches underground, will be vulnerable to potential frost heaves and soil erosion. She stated difficulty in getting specific information from Spectra, including location and abutters of the project. She suggested that currently used gas pipelines be repaired rather than spend money to build a pipeline that will not benefit citizens. She hoped to educate Town officials and citizens about this matter. ► Henry Maddox, 90 Elm Street, resident for 40 years, stated he is an abutter to Algonquin gas and National Grid power lines. Although the companies have a right-of-way to maintain equipment, he insists they not use herbicides. He stated Spectra wants to put an additional 30-inch pipeline across his property, use his driveway as a work area for extended period of time, and cut down trees he planted to block power lines. He is concerned about the chemicals that may be used to treat new pipes during installation as his neighborhood has wells and septic systems. He stated he is having difficulty obtaining information from the company and wanted to bring these concerns to the Council's attention.

► Chairman Vallee stated a meeting is scheduled for May 28, 2015 at 7 PM to discuss this matter.

HEARINGS: None.

LICENSE TRANSACTIONS: ► *British Beer Company – Change of Manager.* Ms. Pfeffer read the motion. **No Discussion.** **MOTION** by **Pfeffer** to **Approve** the request by Franklin BBC, LLC d/b/a British Beer Company for a change of Manager from Kim Schwenderman to Daniel Whittenberger. **SECOND** by **Mercer.** **VOTE: Yes-9, No-0, Absent-0.**

CITIZEN COMMENTS (continued): ► Christine Manns, 18 Dover Circle, stated that although she attended the meeting at Hawthorn Suites hotel to learn more about the pipeline project, the company did not answer questions and indicated website information would be available sometime in June. She expressed concern about the lack of transparency and stated the Town needs to know answers.

LEGISLATION FOR ACTION:

1. Resolution 15-28: Creation of a Horace Mann Statue Committee. Ms. Pfeffer read the resolution to establish a seven-member committee to make recommendations to the Town Council on a design and placement of a Horace Mann statue at 150 Emmons Street. **MOTION** to **Move** Resolution 15-28 by **Mercer.** **SECOND** by **Kelly.** **Discussion:** ► Mr. Nutting stated there is a signed P&S with a proposed closing date of November 30, 2015. **VOTE: Yes-9, No-0, Absent-0.**

APPOINTMENTS: ► *Horace Mann Statue Committee.* Ms. Pfeffer read the Horace Mann Statute Committee members' names: Deborah Pellegrini, Charles Oteri, Jeffrey Roy, Mary Olsson, Lisa Piana, Robert Dellorco, Tom Mercer. **MOTION** by **Pfeffer** to **Appoint** the above named individuals to serve as members of the Horace Mann Statue Committee. **SECOND** by **Padula.** **VOTE: Yes-9, No-0, Absent-0.**

PRESENTATIONS/DISCUSSIONS: ► *Cable TV.* Ken Norman, President, Franklin Community Cable Access Corporation, Dr. Anne Bergen, Board of Directors, and Peter Fasciano, Executive Director, addressed the Town Council.

■ Ms. Bergen spoke of the need to address the drug problem within the community. Therefore, she is producing a panel discussion which will be aired for the public involving key members of the community regarding the impact of substance abuse and how the community can address this issue. ■ Mr. Norman stated Jeffrey Nutting had asked them to put together a video to market the Town of Franklin emphasizing the great aspects of the community to live and launch a business. He stated Mr. Fasciano oversaw the year-long project and created five videos, between 90 and 120 seconds each, on topics such as economic development, real estate, education and quality of life to help promote the Town. ■ Chairman Vallee gave accolades to Franklin TV for their video productions on Franklin. As well, he discussed the lack of coverage of Franklin news and suggested a part-time reporter to provide news about the happenings in Town. ■ Mr. Norman stated there are many factors to consider as a small business in hiring employees and this is not budgeted. However, they are providing community programming relative to schools, public town meetings, and community events with the goal to get people to watch the programs. He also stated they have a license for a 100-watt antenna and hopes the radio station will be operating within 18 months. ■ Mr. Kelly stated the videos are great. ■ Mr. Bissanti complimented their studio. ■ Mr. Fasciano stated he is working with Verizon for program specifics to be listed on the TV guide rather than labelled as "Local Access."

► *Police Chief Stephan Semerjian.* Chief Semerjian, introduced members of his staff in charge of drug investigations: Detective/Lieutenant John Ryan, Detective/Sergeant James Mill, and Detective/Sergeant Lee Drake.

■ Chief Semerjian stated the State is facing an opiate problem. Most everyone knows someone that is addicted, whether it be to alcohol or opiates. Prescription medications are in the house and kids may start to use them, or addiction could result from taking pain killers after a surgery. Discussed street costs of

opiates and heroin and how it is less expensive to take heroin. He outlined steps being taken to address the local drug problem and how police officers work to determine where users are getting their drugs. Appreciates support from politicians and community leaders to work together to find dealers. Franklin is not immune; usually certain percentage of population has a drug problem. Different age classes are committing crimes to support habits. He noted it is an individual choice for someone to report information; Police Department has tip line, email and officers available. Unfortunately, people usually mind their own business and are fearful of retaliation; there is no perfect solution. He stressed prevention and intervention, treatment and detox programs. In addition, potential legalization of recreational marijuana sends wrong measure to younger people. Reminded community about the drug take-back container located at the police station. ■Michael Morrissey, District Attorney, stated that if someone dies unattended it is the DA's responsibility to determine cause of death. An overdose is reviewed by DA, State Police and Town Police; they interview people, gather information, and perform drug investigation to arrest sellers and get users into rehabilitation. In 2014, in Norfolk County, 94 people died of drug overdoses. Heroin today is stronger and more potent. Alcohol and substance abuse affects everyone. USA is 5% of world population, but uses 95% of pain medication. 70% of young people get their first pain medication from home. He has referred doctors and pharmacies to medical boards for prescription violations. Ongoing programs for prevention initiatives discussed. Works with education community to get kids with opiate problems back into schools. DA's office can help set up a community coalition. ■Jeff Roy, State Representative, addressed the opiate crisis and stated that legislature is not ignoring this. Thanked Town Council for being proactive on opiate addiction problem. He discussed community coalition involvement and legislation being worked on to provide greater access to services and treatment for addiction. He has increased budget for places providing treatment options and cosponsored three bills on this issue including increased level of treatment from 14-day to 28-day program. He also mentioned the bills pending before legislature to legalize marijuana. Education about legalization of marijuana is necessary--is it really the road we want to go down. ■Dennis Giombetti, spokesperson for Karen Spilka, Massachusetts State Senator, thanked Town of Franklin for highlighting and addressing opiate epidemic and mentioned steps that are being taken at state level to address this public health problem including provisions in budget for prevention and treatment. Highlights included money to support training first responders to save lives of those overdosing on opiates, new treatment programs, residential beds after detox, and grants to school districts to hire substance abuse counselors. ■Franklin Police detectives stated education is the number one priority and the coalition is a great step to get the word out to educate and help those in need. Education includes support groups, hotlines, treatment centers, school involvement and knowing how to identify an addict. Enforcement is essential and the more people that can be involved, the better. After arrest and treatment, follow-up is necessary. As well, family members of the addicted need support groups.

■Mr. Kelly thanked police members for their presentation, stated the drug take-back box is great for the community, and asked what can community members do to help. ■Mr. Padula stated Franklin police officers are fantastic in fighting crime and working on drug problem. ■Mr. Dellorco stated great job done by Police Department. He expressed concern for parents and families that have to deal with problem alone when child is addicted and would like to start a committee with the coalition for people who have nowhere to turn to for help. ■Mr. Bissanti thanked Chief Semerjian and the Franklin Police Department for their work on this problem.

SUBCOMMITTEE REPORTS: None.

LEGISLATION FOR ACTION (*continued*):

2. ***Resolution 15-26: Purchase of Unimproved Land at 864 Lincoln Street Authorization and Appropriation.*** Ms. Pfeffer read the resolution. **MOTION to Move Resolution 15-26 by Mercer. SECOND by Kelly. Discussion:** ►Mr. Nutting stated this piece of property will tie in nicely with

property already owned to make a good-sized recreation area and benefit citizens. There is \$1.3 million in the Open Space account and will use \$251,000 for this. ► Ms. Pfeffer questioned if this land purchased through Open Space funds could at some time be used for a Fire Department substation, or could the land be funded with other money. ► Mr. Cerel, Town Attorney, indicated that there would be a restriction on how the space could be used when purchased with Open Space funds. ► Mr. Kelly indicated that an ambulance bay is needed and a portion of the land should be for this use as there is a very high response time in that area. Although recreation areas are beneficial, will vote “No” as this purchase may not allow the Town to do all that is needed with such a large parcel. ► Mr. Nutting stated that often open space is purchased with the intent to curb future development in the area. **ROLL CALL VOTE (2/3 vote required):** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-NO; Mercer-YES; Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: YES-8, NO-1. Passes.**

3. ***Resolution 15-27: Transfer from Water Enterprise and Rescind Borrowing Authority (Resolution 14-16 Appropriation Funding Sources).*** **MOTION to Waive** the Reading of Resolution 15-27 by Kelly. **SECOND** by Mercer. **VOTE: Yes-9, No-0, Absent-0.** **MOTION to Move** Resolution 15-27 by Mercer. **SECOND** by Kelly. **Discussion:** ► Mr. Nutting stated this would be the first phase of reducing the borrowed \$7.5 million and avoid borrowing on any water projects for the next year saving interest. **VOTE: Yes-9, No-0, Absent-0.**
4. ***Resolution 15-29: Acceptance of Deed of Open Space in Catherine Estate Open Space Residential Subdivision and Confirmatory Order of Taking.*** **MOTION to Waive** the Reading of Resolution 15-29 by Mercer. **SECOND** by Kelly. **VOTE: Yes-9, No-0, Absent-0.** **MOTION to Move** Resolution 15-29 by Mercer. **SECOND** by Kelly. **Discussion:** ► Mr. Nutting stated this is for the acceptance of open space land from a subdivision plan. **ROLL CALL VOTE (2/3 vote required):** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES; Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: YES-9, NO-0. Passes/Unanimous.**
5. ***Resolution 15-30: Compensation Plan – FY 2016.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-30 by Mercer. **SECOND** by Williams. **Discussion:** ► Mr. Nutting stated this is an annual proposal to adjust minimum and maximum salaries for pay ranges; a 2% change was suggested. **VOTE: Yes-9, No-0, Absent-0.**
6. ***Resolution 15-31: Appropriation – Snow & Ice.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-31 by Mercer. **SECOND** by Kelly. **Discussion:** ► Mr. Nutting stated this is the snow and ice budget deficit due to the difficult winter. Town may receive some money from FEMA for January 28th storm. **VOTE: Yes-9, No-0, Absent-0.**
7. ***Resolution 15-32: Appropriation – Animal Control Truck.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-32 by Padula. **SECOND** by Williams. **Discussion:** ► Mr. Nutting stated this is for half the cost of a new Animal Control truck shared with Bellingham. **VOTE: Yes-9, No-0, Absent-0.**
8. ***Resolution 15-33: Appropriation – GASB 45 Actuary Study.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-33 by Mercer. **SECOND** by Kelly. **Discussion:** ► Mr. Nutting stated this resolution is to transfer funds to conduct an actuary study to determine the Town’s liability as it relates to the unfunded retiree health insurance obligation. **VOTE: Yes-9, No-0, Absent-0.**
9. ***Resolution 15-34: Appropriation – Central Services.*** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-34 by Pfeffer. **SECOND** by Mercer. **Discussion:** ► Mr. Nutting stated this is

for a fund shortage in the postage account. **VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Thanked Gus Brown for his help on the affordable houses. ► Reminded all of public hearing on May 28th at 7 PM regarding the gas line. ► Acknowledged complaints about door-to-door salespeople at night. Bylaw is clear that solicitors must register and are not allowed after 8 PM. Rules and regulations have been discussed with those individuals. Information is available on the Town website. If concerned, do not answer the door, ask person(s) to leave, and call police. ► Thanked everyone for their participation in Beautification Day—it was a great example of community effort. ► National EMS week--if you see a firefighter or first responder, give them thanks. On behalf of citizens, he recognized the great job and service they provide. ► Noted that Chairman Vallee and Councilor Feldman attended a presentation at the High School for grant funding for lab equipment. Corporate sponsors are always welcomed. ► The RFPs for solar and other use for Pond Street are out and due back on July 9th. ► Suggested a committee for the opiate abuse problem.

OLD BUSINESS: None.

NEW BUSINESS: ► Ms. Pfeffer stated many groups, such as Art Association and Garden Committee, would like to use/rent municipal building space, but they are not allowed to sell their wares such as flower centerpieces, art work and crafted items. They can sell items and are allowed to have wine and cheese in Norfolk municipal buildings. It would help groups if Town allowed this. ► Mr. Nutting stated he would look into this. He reiterated people can rent space, but rules were made under the charter about items that can and cannot be brought into a municipal building--for instance, no alcohol in public space. ► Mr. Kelly would like to have discussion to make soliciting by for-profit organizations more time restrictive. Also, would like to have discussion about train noise. It seems as though overzealous engineers lean on train horn all the way from Norfolk to Forge Park station. Short bursts are not the problem. Would like to get quote on cost of "quiet zone" for Town to control noise; Norfolk has one. ► Mr. Nutting stated he would look into this. ► Mr. Bissanti requested clarification on the Library situation: If an author comes to speak and is getting paid, he cannot sell books, but if he is not getting paid, can he sell books?

COUNCIL COMMENTS: ► Ms. Pfeffer asked if Council can form a coalition on the drug issue. She stated the TV station did a great job creating the five videos. As well, she read a letter from the Council on Aging that expressed thanks for the rate increase to \$9.00 an hour for their work. ► Mr. Kelly requested the DelCarte information be put on the webpage. He stated the annual Memorial Day Parade is on Monday, May 25th. The route has been changed and two ceremonies are planned.

EXECUTIVE SESSION: None.

ADJOURN: MOTION by Mercer to Adjourn. SECOND by Kelly. VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 9:14 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary