

**FRANKLIN TOWN COUNCIL
MINUTES OF MEETING
October 7, 2015**

A meeting of the Town Council was held on Wednesday, October 7, 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. Councilors absent: None. Administrative personnel in attendance: Jeffrey Nutting, 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: *September 23, 2015.* **Motion to Approve** the September 23, 2015 meeting minutes by **Mercer. SECOND** by **Kelly. VOTE: 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. This meeting may also be recorded by others.

PROCLAMATIONS/RECOGNITIONS: **None.**

CITIZEN COMMENTS: **None.**

APPOINTMENTS: *Town Administrator's Contract Review Committee.* Chairman Vallee appointed a committee of three to review the Town Administrator's contract: Peter Padula, Chairman, Steve Williams, and Robert Vallee. These three committee members will provide a recommendation at the next Town Council meeting.

LICENSE TRANSACTIONS: **None.**

PRESENTATIONS/DISCUSSIONS: **None.**

SUBCOMMITTEE REPORTS: **None.**

LEGISLATION FOR ACTION:

- 1. Resolution 15-62: Establishment of a Council on Aging Senior Center Respite Program Revolving Account for Fiscal Year 2016.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-62 for the establishment of a Council on Aging Senior Center Respite Program revolving account for Fiscal Year 2016 to not exceed \$30,000 by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated the Council on Aging has begun a new program in FY 2016 for Respite Care. This new program is a service to caregivers whereby someone will come into the home to give the caregiver a two to three hour break caring for an elderly person so they can go out and do their errands. There is a small fee for this service which will go into the revolving account so program can be a more self-sustaining in order to pay the employees. Part of this program is being paid for by the METRO West Grant, but it is not enough. **VOTE: YES-9, NO-0, Absent-0.**
- 2. Resolution 15-63: Prior Year Bill – Firefighter Arbitrator Services.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-63 to raise and appropriate \$12,031.50 to pay a prior year bill for Fire Fighter Arbitrator Services invoice dated June 1, 2015 by **Mercer. SECOND** by **Kelly. Discussion:** ► Mr. Nutting stated this matter was resolved on June 24. Town then received bill which

was after fiscal year end. The Town pays half and the Union pays half. ► Ms. Pfeffer asked if the Union had paid their half yet. ► Mr. Nutting did not know. **VOTE: YES-9, NO-0, Absent-0.**

3. **Resolution 15-64: Ratification of AFSCME Municipal Building Employees Memorandum of Agreement.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-64 to ratify the provisions of the AFSCME, Municipal Building Employees, Memorandum of Agreement dated October 7, 2015 which has been ratified by the Municipal Building Employees; the provisions of the Agreement shall be in effect from July 1, 2015 to June 30, 2018 and shall become part of the existing contract by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Nutting stated this is a three-year contract. This resolution and the next resolution were ratified by the employee union groups today. **VOTE: Yes-9, No-0, Absent-0.**

Continued Discussion on Resolution 15-62: ► Senior Center Director Karen Alves addressed the Town Council. She provided an overview and additional information on the Council on Aging Senior Center Respite Program and need for revolving account for Fiscal Year 2016. This program has been covered by a grant for the past two years and now looking to establish an account to start putting in funds to keep it on a sustainable track for the future. ► Mr. Padula asked where the money is expected to come from. ► Ms. Alves stated an hourly fee of \$10.00 to \$12.00 per hour is charged for the program. This is about half the rate of a private agency. When caregivers look at paying \$24.00 per hour, they often decide they are not going to do it. This lower rate encourages caregivers to use the service. ► Mr. Dellorco asked how people would find out about the program. ► Ms. Alves stated they were promoting the program by tweeting, in the newsletter, and on the website. It is not on Facebook, yet. Ms. Alves also thanked the Town Council for their support on the Senior Center budget to expand the second floor of the center.

HEARINGS: 15-752: Nonconforming Buildings, Structures, and Uses, a Zoning Bylaw Amendment Proposed by the Franklin Town Administration to Amend the Franklin Town Code at Chapter 185, Section 18. Discussion: ► Mr. Nutting stated this has come before the Town Council for a referral. On the rare occasion that someone would want to rebuild a structure and it may not meet the current setback requirements, they would be allowed to apply for a special permit. Currently, they have to get a variance which is a much harder legal standard to meet. If they want to rebuild in the existing footprint, they would just need a special permit which is much easier to obtain. Streamlines the process, but still allows for a thorough review of the situation. **Motion to Close** the hearing by **Kelly. SECOND** by **Mercer. VOTE: Yes-9, No-0, Absent-0.**

LEGISLATION FOR ACTION *continued:*

4. **Resolution 15-65: Ratification of AFSCME Custodians Memorandum of Agreement.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-65 to ratify the provisions of the AFSCME Municipal Employees Local 1298, Custodians, Memorandum of Agreement dated October 7, 2015, which has been ratified by the Custodians; the provisions of the Agreement shall be in effect from July 1, 2015 to June 30, 2018 and shall become part of the existing contract, by **Mercer. SECOND** by **Padula. Discussion:** ► Mr. Padula asked why it was called a Memorandum of Agreement. ► Mr. Nutting stated if approved the language will be imbedded into the full contract. The memorandum highlights areas of the contract that have been changed. **VOTE: Yes-9, No-0, Absent-0.**
5. **Zoning Bylaw Amendment 15-752: Nonconforming Buildings, Structures, and Uses – 1st Reading.** Ms. Pfeffer read the zoning bylaw amendment. **MOTION to Move** Zoning Bylaw Amendment 15-752 Nonconforming Buildings, Structures, and Uses to a second reading by **Mercer. SECOND** by **Bissanti. No Discussion. VOTE: Yes-9, No-0, Absent-0.**

TOWN ADMINISTRATOR'S REPORT: ► Mr. Nutting reminded everyone that Question #1 on the ballot is a question to eliminate taxes on animals and requested to please vote *Yes*. The Town Council approved the question on the request of the Assessor. This way chickens, pigs, cows, etc., do not have to be taxed. ► The Stroll Downtown is October 15th from 4:00-8:00 PM. Come visit the Downtown and check out all the great places. ► Read a letter received from a resident thanking Police Department for helping their daughter change a flat tire at 1:30 AM. This was above and beyond the call of duty by the police department and he acknowledged the hard work they do. ► Downtown project continues. Paving Emmons Street and Summer Street should be done next week. Sidewalk work continues on West Central Street. Conduit will be put in on East Central Street. Have meeting next Tuesday and will provide additional updates.

OLD BUSINESS: ► Brett Feldman asked for an update on the pipeline. ► Mr. Nutting stated a packet of information was provided to council members from concerned residents regarding the proposed northeast access pipeline to go through several communities including Franklin. Concern was expressed about potential compressor station in Franklin. The company denies that will ever happen. By law they had to show an alternate and that was Franklin, but they are adamant that will not happen. Schedule is for proposed 2017 approval process and 2018 construction process. They want to put a gas pipeline from outside of New England north to provide more natural gas to the area to help winter electric rates. People are concerned about the environmental effects of the pipeline. Mr. Nutting said he will continue to monitor the proposal. ► Ms. Pfeffer remarked that she had previously asked Mr. Nutting about the solar panels at Parmenter School. As he responded to her with an email, Ms. Pfeffer wanted to make sure the townspeople were aware of the response. The solar panels are up and running and generating electricity, but there is a problem with the monitoring system. Mike D'Angelo has asked for assistance in correcting this problem. ► Mr. Nutting will keep everyone up to date with process of fixing the software issue.

NEW BUSINESS: ► Mr. Dellorco asked Mr. Nutting if he contacted the person from the Norfolk County Treasurer's Department regarding the free audit. ► Mr. Nutting stated he exchanged emails, but was not given a clear response. ► Mr. Dellorco stated he and Mr. Bissanti spoke to the person; he has saved other towns from \$70,000 to \$250,000. ► Mr. Nutting stated he asked the person what he was going to do, but the person would not explain it. Therefore, if it was not going to be explained what he was going to do, Mr. Nutting was not going to meet with him. ► Mr. Bissanti stated if the audit should be considered. ► Mr. Nutting reiterated the person was not clear, but he would be happy to talk with him. ► Mr. Dellorco stated he would speak to the person again. Mr. Dellorco stated this is an audit of employee benefits regarding where the Town can save money. They check all benefits to determine if the town is overpaying. The Norfolk County Treasurer chose Franklin as a town to provide a free audit. They charge other towns a fee. ► Chairman Vallee asked that Mr. Bissanti follow through with this. ► Mr. Bissanti stated on Crocker Avenue there is a great difference in elevation between the new road and the homeowners' driveways. ► Mr. Nutting stated he needed to talk to the town engineers to see what will be the solution. ► Chairman Vallee stated that Oak Street is not smooth. ► Mr. Nutting stated the street will be smoother when the top coat is put on. ► Mr. Kelly asked if the pipeline people could come in and talk to the Town Council or if a few Town Council members could meet with them. Many residents in the town may be concerned. He questioned if town should have a contact person to provide information. ► Chairman Vallee said this was a good idea. ► Mr. Nutting stated he thought people from the company would be able to meet with the Town Council to explain information to the TV audience. ► Mr. Dellorco asked if Town was involved with the new power plant in Medway. ► Mr. Nutting stated Franklin does not abut. ► Chairman Vallee stated that due to prevailing winds, Franklin is more affected by the plant fumes than Medway. Franklin is in the path of the summer and winter winds. ► Mr. Cerel stated this is an upgrade of an existing facility that has been there for 50 years so it will now be cleaner than before. ► Chairman Vallee asked if an attorney could be hired to try to stall the expansion and

perhaps in the future obtain a settlement. ► Mr. Cerel provided an overview of the plant expansion project.

COUNCIL COMMENTS: ► Ms. Pfeffer stated she had previously asked about the heating pipes leaking in the cellar of Parmenter School. She stated she is aware that certain pipe metals cannot be combined and it seems as though certain pipe metals were combined in the heating pipes causing leaks. ► Mr. Nutting stated he thought she was asking about the sump pumps and he has no knowledge of the heating pipe problem. ► Ms. Pfeffer asked Mr. Nutting to provide an update. ► Mr. Padula announced a *Happy Birthday* to his wife, Laurie. ► Mr. Feldman mentioned the deadline for solar is next week. Over 50 residents have signed up and they have reached their goals. The company will donate a ray to a local non-profit organization in town that needs it. He thanked everyone for participating in the program. He would like to continue to work on ways to try to save people money on their electric bills.

EXECUTIVE SESSION: None.

ADJOURN: MOTION to Adjourn by Mercer. SECOND by Kelly. VOTE: Yes-9, No-0, Absent-0. Meeting adjourned at 7:36 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary