

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
October 21, 2015**

A meeting of the Town Council was held on Wednesday, October 21, 2015 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present: Andrew Bissanti, Robert Dellorco, Brett Feldman, Matt Kelly, Thomas Mercer (by Remote Participation), 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:** 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 others.

**CITIZEN COMMENTS:** None.

**APPOINTMENTS:** None.

**LICENSE TRANSACTIONS:** None.

**PRESENTATIONS/DISCUSSIONS:** None.

**SUBCOMMITTEE REPORTS:** None.

**LEGISLATION FOR ACTION** (*taken out of order from agenda*):

1. **Resolution 15-70: Authorizing Tax Increment Financing, Cold Chain Technologies, Inc., and Knickerbocker Properties, Inc. XLIII.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-70 authorizing Tax Increment Financing, Cold Chain Technologies, Inc., and Knickerbocker Properties, Inc. XLIII by **Kelly**. **SECOND** by **Padula**. **Discussion:** ► Mr. Bissanti, Chairman of the Economic Development Committee, stated this evening the EDC voted to recommend positively this resolution for Cold Chain Technologies, Inc. ► Mr. Nutting stated Tax Incremental Financing, TIF, is a program by the Commonwealth of Massachusetts that is only for manufacturing companies which allows them to negotiate a local discount on their increased property value as well as get significant tax credits from the Commonwealth. The Town of Franklin has used this program in the past for Tegra Medical and Hamilton Technologies. Cold Chain Technologies would like to relocate from Holliston to 135 Constitution Boulevard, Franklin. He endorsed these programs as they stimulate good jobs, bring customers to town, and help the general town economy. ► Larry Gordon, CEO and owner, Cold Chain Technologies, Inc., addressed the Town Council and provided an overview of the company which produces thermal packaging for the shipment of pharmaceuticals and bio-tech products. ► The project consultant for Cold Chain Technologies expressed appreciation and stated the Town has been very enthusiastic about welcoming the company. ► Mr. Nutting stated this process began about three weeks ago and moved quickly. ► Mr. Gordon stated he expects to hire 50 new employees in the next five years and would look forward to hiring local people. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE:** Yes-9, No-0, Absent-0. **Unanimous.**

**HEARINGS: 15-52: Whether Public Safety, Necessity and Convenience Requires Laying Out and Acceptance of a Portion of Lewis Street Currently Private, as a Public Way - 2<sup>nd</sup> Reading.** ► Mr.

Nutting stated there is legislation for action on the agenda to accept a small portion of Lewis Street from Crocker Avenue to the end at the request of all the property owners to make this a public way. The Town will maintain it going forward. There are approximately eight houses on both sides of the street.

**MOTION to Close the public hearing by Kelly. SECOND by Padula. ►ROLL CALL VOTE:**

Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**

**LEGISLATION FOR ACTION (continued):**

2. **Resolution 15-52: Order of Layout, Acceptance, and Taking of a Portion of Lewis Street, Currently a Private Way-2/3 Vote.** **MOTION to Waive** the reading of Resolution 15-52 by **Kelly. SECOND by Padula. ►ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.** **MOTION to Move** Resolution 15-52 Order of Layout, Acceptance, and Taking of a Portion of Lewis Street, Currently a Private Way by **Kelly. SECOND by Padula. No Discussion. ►ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**

3. **Resolution 15-66: Reconstructing, Adding to, Equipping and Furnishing the Franklin Public Library-2/3 Vote.** Ms. Pfeffer read the resolution. **MOTION to Move** Resolution 15-66 Reconstructing, Adding to, Equipping and Furnishing the Franklin Public Library by **Kelly. SECOND by Padula.**

**Chairman Vallee called a one-minute recess.**

**Discussion:** ► Judith Pfeffer, Chair, Library Building Committee; Shane Nolan, Daedalus Projects Inc.; Drayton Fair, LLB Architects; and Brian Valentine, LLB Architects, provided the Town Council with an overview of the library addition project including construction cost estimates. Proposed renovation and addition upgrades include a new meeting room with movable wall, bathrooms with handicapped access, refrigerators and faucets in the meeting room, hanging fixtures for art work, more computer space, reading hall renovation, more space for collections, and additional storage. Mechanical, electrical, plumbing and sprinkler system upgrades will also be made. Library use has gone up steadily along with increase in Town population. The library will close for one year during this construction for safety reasons and construction speed. If library remained open, construction time would increase to 18-24 months. Modular space in Franklin will be located in order for some library programs to continue during closure. A fundraiser is also planned. Ms. Pfeffer introduced all members of the Library Building Committee: Sandra Brandfonbrener, Monique Doyle, Christopher Feeley, Matthew Kelly, Thomas Mercer, Joseph Mullen, Felicia Oti, Nancy Rappa, and James Roche. ► Mr. Fair and Mr. Valentine provided a visual presentation showing the library expansion plans with floor plans and proposed exterior covering described. ► Gail Chirdon, 14B Hawthorne Village, questioned if the library addition would require an increase in staff, and if so, does the money set aside for this project include the additional staff and benefits. ► Mr. Nutting stated the library was currently understaffed and believed additional staff would be required. He also stated that under Mass. Law when a project is bonded it cannot be for salaries. The cost estimate is just to construct the facility. He suspects in a future budget when construction is complete there will be requests for \$30,000 to \$50,000 for additional staff, such as two or three part-time employees at 12 to 18 hours per week. ► Mr. Fair stated the library is currently very full with tight quarters. The addition is designed with maximum amount of space being supervised by minimum amount of staff. ► Mr. Kelly

requested Mr. Nutting state where the \$10.5 million library project budget is coming from. ► Mr. Nutting stated about 14 years ago the Town Council adopted a fiscal policy to have up to 3.5 percent of general fund revenue as debt. Currently, have \$100 million budget and current debt level is \$2.7 million which is 2.7 percent. As old debt gets paid off, Town takes on new debt in order to maintain infrastructure. Many older debts have been paid within that plan. By 2028 all debt except high school is gone. So this new amount will be added in. As the Town owns the properties, the Town has to keep investing in them to keep them up. He has worked with Treasurer and came up with plan on how to budget for this. There is plenty of capacity in the plan to take on this debt. Tax bills will not go up as a result of this. ► Mr. Kelly gave his support of the project. ► Mr. Padula asked about the temporary library space. ► Mr. Nutting stated they will look at modular and/or rental spaces when project is about to start. The cost of relocating and moving is embedded in the budget. ► Mr. Bissanti commended architectural design. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**

*Chairman Vallee called a one-minute recess.*

4. **Resolution 15-67: Appropriation of Police Salaries.** Ms. Pfeffer read the resolution. **MOTION** to **Move** Resolution 15-67 to raise and appropriate \$15,000 into the Police Department FY 2016 Salary Budget by **Kelly**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated a long-time support staff retired. With that money and an additional \$15,000 an additional police officer can be hired. ► Mr. Kelly stated this is great. ► Mr. Dellorco asked if Franklin people were going to be looked at first for hiring. ► Mr. Bissanti stated there is merit in having Franklin people. ► Ms. Pfeffer stated there is a benefit to having someone from Franklin on the police force. She favored having anyone with 70 or higher from Franklin be interviewed. ► Mr. Nutting stated the most qualified person gets the job and he is always happy when it is a Franklin resident. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**
5. **Resolution 15-68: Appropriation of Fire Salaries.** Ms. Pfeffer read the resolution. **MOTION** to **Move** Resolution 15-68 to raise and appropriate \$75,000 into the Fire Department FY 2016 Salary Budget by **Kelly**. **SECOND** by **Padula**. **Discussion:** ► Mr. Nutting stated he had previously explained that there may be shortages in the fire department due to some unanticipated retirements. There have been more retirements and may have another so requesting \$75,000 to pay out the retirements and cover the additional costs. This money will be used to get through this fiscal year and then allow addition of another position in the fire department next fiscal year. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**
6. **Resolution 15-69: Amendment to the Town Administrator's Contract.** Ms. Pfeffer read the resolution. **MOTION** to **Move** Resolution 15-69 to ratify an amendment to the Town Administrator's five-year contract by **Kelly**. **SECOND** by **Williams**. **Discussion:** ► Mr. Padula, Chairman of the Subcommittee, stated that when the five-year contract was made it was only funded for the first two years. When the subcommittee met they discussed recommendations to do with numbers for the next three years. Currently, Town Administrator is in the beginning of the third-year of a five-year contract set to expire on June 30, 2018. Subcommittee was charged with reviewing Mr. Nutting's performance and determining how he should be compensated by way of any increases in the remaining term of his contract. Subcommittee found that Mr. Nutting's integrity, honesty, knowledge, and availability were excellent which benefit taxpayers of Franklin. Examples of Mr. Nutting's effectiveness and accomplishments, as well as areas of improvement, were provided. Subcommittee unanimously recommended that the Town Administrator receive increase in

compensation for next three years of 3 percent, 2 percent, and 2 percent, respectively. ► Mr. Dellorco confirmed that the original contract was funded for five years, but the increases for years three through five were not funded. There is no contract extension, just an increase over the base salary in the contract. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**

7. ***Zoning Bylaw Amendment 15-752: Nonconforming Buildings, Structures, and Uses – 2<sup>nd</sup> Reading.*** Ms. Pfeffer read the zoning bylaw amendment. **MOTION to Move** Zoning Bylaw Amendment 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, by **Padula. SECOND by Kelly. Discussion:** ► Mr. Nutting stated this is the second reading and the amendment corrects a deficiency in current zoning bylaw. This allows for a special permit rather than a zoning variance to build in same footprint. Gives more flexibility to commercial and industrial development, but still subject to review. ► Mr. Bissanti stated this is a great decision in helping to develop areas like the Downtown that have existing structures that could not meet existing zoning guidelines and variances are difficult to obtain. Applauds this amendment. ► **ROLL CALL VOTE:** Bissanti-YES; Dellorco-YES; Feldman-YES; Kelly-YES; Mercer-YES (by remote); Padula-YES; Pfeffer-YES; Vallee-YES; Williams-YES. **VOTE: Yes-9, No-0, Absent-0. Unanimous.**

*Chairman Vallee called a one-minute recess.*

**PROCLAMATIONS/RECOGNITIONS: Town Clerk.** ► Chairman Vallee read proclamations and recognitions honoring Town Clerk, Deborah Pellegrini, who was elected town clerk in April 1985 and has performed outstanding service for more than 30 years. She was recognized for her commitment and dedication to the Town of Franklin, congratulated for a job well done, and wished a happy retirement. The following were among the many proclamations and recognitions: Town Council read by Chairman Vallee; former Police Chief Larry Benedetto, read by Ms. Pfeffer; Governor of Massachusetts; Massachusetts Secretary of State Galvin, read by Jeffrey Roy; Massachusetts Congressman Joe Kennedy read by Matt Kelly; Massachusetts State Senate, read by Senator Karen Spilka; Massachusetts House of Representatives, read by Jeffrey Roy; Norfolk County District Attorney Michael Morrissey; Michael Bellotti, Norfolk County Sheriff; Andrew Dowd, President Massachusetts Town Clerks Association; Jacqueline Brown of Tri-County Clerks Association; and Franklin School Committee. ► Ms. Pellegrini addressed the Town Council. She reviewed her years as town clerk and thanked her family for their support. She said it had been a pleasure to work with all the people and departments at the Town.

*Chairman Vallee called a two-minute recess.*

► State Representative Jeffrey Roy recognized Steve Williams for his service as a Town Councilor and thanked him for all his help and guidance. He presented Mr. Williams with a Citation from the House of Representatives and offered sincere congratulations to Mr. Williams for his 40 years of dedicated service to the Town of Franklin and best wishes. State Senator Karen Spilka also recognized Mr. Williams and thanked him for his 40 years of dedicated service.

**TOWN ADMINISTRATOR'S REPORT:** ► Mr. Nutting recognized Ms. Pellegrini for all of her support during his years at the Town. He noted Ms. Pellegrini donated all supplies and equipment for the flower planter on the first floor of the Town Hall. ► He offered condolences to the Brown family for their recent tragedy and loss. ► He thanked the fire fighters for their support. ► Town received DEP grant for stormwater management; he gave ongoing credit to DPW. ► October 30<sup>th</sup> Pumpkins in the Park at the Franklin Sculpture Park on Panther Way. More information available online. ► He attended the ground breaking of YMCA splash park which will open next year. He wished the YMCA well. ► Reminded

citizens to vote *yes* on the tax vote to eliminate the tax on animals. ► Franklin was again awarded as a safe community. He thanked police and fire departments and everyone in town that makes this a safe community. ► He congratulated and thanked Councilor Williams for his great years of service.

**OLD BUSINESS:** ► Mr. Nutting said solar array is working in Parmenter School. Leak in same school was resolved this summer. ► Chairman Vallee indicated concern about the generation facility located on Summer Street in Medway regarding how this will affect Franklin citizens due to the proximity to citizens and prevailing winds. He would like to seek more information on this proposed expansion of the power plant. He would like to hire environmental attorney to gather more information regarding the polluting effect this will have on Franklin and what action the Town Council could take. He stated he would like to bring this topic up again and make a future motion. ► Mr. Nutting stated he would get reports and more detailed information from Medway. ► Gail Chirdon stated the people that are against the pipeline are not supporting the expansion of the plant. She stated she will bring up this concern at her next pipeline meeting.

**NEW BUSINESS:** None.

**COUNCIL COMMENTS:** ► Mr. Dellorco stated an opiate meeting will be held at Cable TV tomorrow at 7:00 PM with high school students talking with recovering addicts. ► Mr. Padula thanked Mr. Williams for his help and support through the years. ► Mr. Williams thanked people of Franklin for allowing him to serve for the past two years. He also thanked Mr. Nutting and other councilors for their help, support and guidance, and wished them all well. ► Mr. Kelly urged Town Council to reach out to get an attorney as to what is Franklin's recourse regarding power plant issue raised by Chairman Vallee. He stated Downtown construction project has resulted in many complaints from Downtown business owners. Communication from MassDOT is horrible with trucks driving through business parking lots, and front and back entrances of businesses being shut down without explanation. He thinks focus for future work needs to be on doing work at night. Franklin is getting the short end of the stick in the Downtown improvement project; coordination is not good. He thanked new council candidates that have come to Town Council meetings to listen and see what it is all about. Mr. Kelly thanked Councilor Williams and stated Franklin has been honored to have Mr. Williams as councilor and former police chief. He also expressed thanks to all council members he has worked with. ► Mr. Bissanti thanked everyone on the council and appreciated working with Steve Williams. He said it was a pleasure and a privilege to serve on this council as it got a lot done.

**EXECUTIVE SESSION:** None.

**ADJOURN:** MOTION to Adjourn by Williams. SECOND by Kelly. VOTE: Yes-8, No-0, Absent-1. (Mr. Mercer no longer on remote participation.) Meeting adjourned at 8:56 PM.

Respectfully submitted,

Judith Lizardi  
Recording Secretary