

**FRANKLIN TOWN COUNCIL  
MINUTES OF MEETING  
May 16, 2012**

A meeting of the Town Council was held on Wednesday, May 16, 2012 at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Councilors present; Andrew Bissanti, Robert Dellorco, Glenn Jones, Matt Kelly, Thomas Mercer, Judith Pfeffer, Tina Powderly, Jeff Roy, Robert Vallee. Administrative personnel in attendance: Jeffrey Nutting; Town Administrator, Mark Cerel; Town Attorney and Maxine Kinhart; Assistant to the Town Administrator. Other officials present: Police Chief Stephan Semerjian.

**CALL TO ORDER:** Chairman Vallee called the meeting to order at 7:00PM with a moment of silence and the Pledge of Allegiance.

**APPROVAL OF MINUTES:** *February 1, 2012 and February 15, 2012* – **MOTION** by Councilor Powderly to approve all minutes **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-9, No-0.**

**ANNOUNCEMENTS:** Chairman Vallee announced that the Town Council meeting is being recorded by Comcast, Verizon and Franklin Matters.

**PROCLAMATIONS/RECOGNITIONS:** Chairman Vallee read a proclamation in honor of Andrew E. Bissanti who on August 21, 1952 efficiently issued the evacuation of wounded soldiers, repeatedly exposing himself to enemy fire in the process. Chairman Vallee congratulated Mr. Bissanti on being awarded the Bronze Star Medal for Meritorious Services. Councilor Kelly invited Mr. Bissanti to be Grand Marshall of The Franklin Memorial Day Parade.

**CITIZEN COMMENTS:** ► Citizen Ken Norman announced fellow Board of Assessors Member Vinnie Debaggis has resigned due to health issues. Mr. Norman asked if anyone was interested in learning more about becoming a member of the Board, to please contact the Board of Assessors or to contact Mr. Nutting. ► Citizen Dennis Grillo addressed the Council and suggested installing a lifetime roof on the New Franklin High School and the possibility of drilling a well for use by the New High School's fields.

**APPOINTMENTS:** NONE.

**HEARINGS:** *Alcoholic Beverage License – Failure to Pass Compliance Check – Bamboo House – 7:10PM:* Franklin Police Chief Stephan Semerjian addressed the Council concerning the program in place to check underage drinking in the Town's restaurants and bars. Chief Semerjian described how on Friday April 13, 2012 an underage operative ordered a beer and was served without being asked for identification. The restaurant's owner, Pu Yong did not dispute that alcohol was served to a minor and contends that in the future he will train employees and keep an eye on employees especially on busy nights such as was the case on April 13<sup>th</sup>. Chief Semerjian recommended a three-day suspension of Bamboo House's Liquor License as is customary for first-time offenses. Mr. Yong agreed to have the restaurant's license

suspended this Friday, May 18, 2012. Councilor Roy and Councilor Bissanti questioned whether Mr. Yong understood the seriousness of the offense. **MOTION** by Councilor Jones to issue a three-day suspension of Bamboo House's Liquor License, one day to be served on Friday May 18, 2012, and two days to be held in abeyance for a period of two years. **SECONDED** by Councilor Kelly. **VOTE to Approve: Yes-9, No-0.**

**LICENSE TRANSACTIONS: NONE**

**PRESENTATIONS/DISCUSSIONS: Peoples Rights Amendment** – Councilor Roy requested the Council consider expressing its sentiments on the proposed 28<sup>th</sup> Amendment to the United States Constitution and join the 50 other Massachusetts Communities that have passed resolutions in support of the Peoples Rights Amendment. Councilor Roy reviewed the history of the amendment and welcomed discussion on the subject. Councilor Powderly agreed the issue is important, but would require more study. In addition, Councilor Powderly was concerned about setting a precedent if the Council agreed to vote on such a resolution as this issue does not directly affect the Franklin community. Councilor Kelly and Councilor Jones agreed with Councilor Powderly. Citizen Graydon Smith of 13 Flynn Road addressed the Council in opposition to supporting a resolution in favor of the Peoples Rights Amendment. Mr. Smith explained his position by stating that he did not believe that people give up their rights when they join a group or incorporate. Mr. Smith asked the council not to support this resolution and requested any and all votes on this resolution be done by Roll Call. Citizen Jim Hill of 5 Gloucester Drive addressed the Council in support of the Peoples Rights Amendment. Mr. Hill explained his position by saying he did not believe the Constitution was put together for corporations, but rather for living people. Mr. Hill asked the Council to pass this resolution to protect people's rights. Councilor Roy thanked the Council for engaging in the discussion of the Amendment.

**SUBCOMMITTEE REPORTS: NONE.**

**LEGISLATION FOR ACTION:**

**Resolution 12-32: Order Dedicating Town-Owned Land at 459 Pleasant Street For Use As A Public Playground Or Recreation Centre, As Provided in G.L. Chapter 45, Section 14:** Councilor Pfeffer read the resolution to dedicate said land for a public playground or recreation centre. **MOTION** by Councilor Powderly to move Resolution 12-32 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting explained that dedicating this land for a playground and/or picnic area will allow the Town to apply for a \$300,000.00 grant to develop the land for public use. Mr. Nutting pointed out there are not any playgrounds in that area of Franklin. **VOTE to Approve: Yes-9, No-0.**

**Resolution 12-34: Acceptance of Gift – Town of Franklin – Council on Aging –** Councilor Pfeffer read the resolution to accept a \$500.00 donation to the Town of Franklin for the Council on Aging from the organization known as the Busy Bees. **MOTION** by Councilor Powderly to move Resolution 12-34 **SECONDED** by Councilor Jones. **DISCUSSION:** Mr. Nutting thanked the Busy Bee organization for the donation. **VOTE to Approve: Yes-9, No-0.**

**Bylaw Amendment 12-683: Vehicles and Traffic – Parking: 1<sup>st</sup> Reading** – Councilor

Pfeffer read the bylaw amendment to add parking permit zones to parts of Emmons Street, Ray Street and the municipal parking lot. **MOTION** by Councilor Jones to move Bylaw Amendment 12-683 to a 2<sup>nd</sup> Reading **SECONDED** by Councilor Bissanti. **DISCUSSION:** Mr. Nutting explained the United States Post Office will be closing the Forge Park Annex and relocating 30 employees to the Post Office located on Main Street. The additional 30 employees will need a place to park and the town will be offering parking for a fee at the old Municipal Building Parking Lot for these employees. **VOTE to Approve: Yes-9, No-0.**

**Bylaw Amendment 12-684: Amendment of Service Fees: 1<sup>st</sup> Reading -** Councilor Pfeffer read the bylaw amendment to change the List of Service Fee Rates. **MOTION** by Councilor Powderly to move Bylaw Amendment 12-684 to a 2<sup>nd</sup> Reading **SECONDED** by Councilor Kelly. **DISCUSSION:** Mr. Nutting stated the annual parking rates for merchants will be increased from \$240/year to \$360/year – this is the first increase in 8 years. Councilor Powderly clarified with Mr. Nutting that this bylaw amendment is tied to the previous bylaw amendment and only applies to merchant parking spaces in the commuter lot, not parking spaces for commuters. **VOTE to Approve: Yes-9, No-0.**

**Councilor Roy leaves Meeting at 7:50PM**

**TOWN ADMINISTRATOR’S REPORT:** Mr. Nutting announced Budget Meetings are scheduled for Wednesday May 23, 2012 and Thursday May 24, 2012. The Meetings are open to the public. Mr. Nutting also announced Beautification Day is Saturday May 19, 2012. Mr. Nutting invited people to come out to help plant flowers.

**OLD BUSINESS:** NONE.

**NEW BUSINESS:** NONE.

**COUNCILOR COMMENTS:** ► Councilor Bissanti thanked Chairman Vallee, the Town Council and the citizens of Franklin for honoring his father at the evening’s Proclamation Ceremony. ► Councilor Jones was glad that Mr. Bissanti was honored. ► Councilor Pfeffer thanked the Department of Public Works for pruning and mulching several trees located on the corner of Cottage and Union Streets. Councilor Pfeffer also thanked the Department of Public Works for removing a mattress and box spring that were dumped at the Dean College Train Station. ► Councilor Mercer provided an update on the New Franklin High School Project. Councilor Mercer stated the project is on target and within budget. ► Councilor Dellorco thanked Mr. Bissanti and Vinnie DeBaggis for their hard work and years of service to Franklin. ► Councilor Kelly announced the Memorial Day Parade is Monday May 28, 2012. The parade begins at 10:30AM and the ceremony begins at 12PM. ► Councilor Powderly thanked both Mr. Bissanti and Mr. DeBaggis for being great citizens. ► Chairman Vallee announced there is a Veteran’s Breakfast being held on Friday May 25, 2012 at 9AM at the Elks Lodge. Reservations can be made by contacting the Senior Center.

**ADJOURN:** **MOTION** by Councilor Dellorco to adjourn **SECONDED** by Councilor Jones. **VOTE to Approve: Yes-8, No-0, Absent-1.** Meeting adjourned at 8:00PM.

Respectfully Submitted,

Jan Brecht – Recording Secretary