



CITY COUNCIL

MEMORIAL BUILDING – ROOM 113
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GEORGE P. KING, JR., CHAIR | ADAM C. STEINER, VICE CHAIR
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JANET LEOMBRUNO | CHRISTINE A. LONG | PHILIP R. OTTAVIANI, JR.
MARGARETH BASILIO SHEPARD | JOHN A. STEFANINI
CESAR G. STEWART-MORALES

MINUTES: MARCH 4, 2020 BLUMER COMMUNITY ROOM 7:15 PM

APPROVED: MARCH 31, 2020

Present: George P. King, Jr., Chair
Tracey Bryant
Michael P. Cannon
Robert D. Case
Janet Leombruno
Christine A. Long

Philip R. Ottaviani, Jr.
Margaret Basilio Shepard
John A. Stefanini
Adam C. Steiner, Vice Chair
Cesar Stewart-Morales

Absent: All Members were present.

Staff Present: Thatcher Kezer, Chief Operating Officer; Mary Ellen Kelley, Chief Financial Officer; Dr. Robert Tremblay, Superintendent of Schools; Lincoln Lynch, Executive Director of Finance and Operations, Framingham Public Schools; Mark Dempsey, Access Compliance Officer; Lt. Harry Wareham, Framingham Police Department; Jeanette Galliardt, Executive Assistant to the City Council.

Others Present: Adam Freudberg, Chair, School Committee; Ricky Finlay, Chair, Disability Commission.

CALL TO ORDER

At 7:15 PM Chairman King called the meeting to order and read aloud the agenda.

PUBLIC PARTICIPATION

Ms. Judith Grove reported that the dilapidated homes on the contaminated General Chemical property are being torn down. There was a request at the general Chemical meeting for more funds to help with the cleanup. She reported that demolition was delayed due to concerns about it being so near wetlands, and that has since been addressed. Ms. Grove reported that the playground at the Irving Street Park is being worked on. For the upcoming Earth Day Festival, she displayed the chart depicting voting districts so residents can find their home in their district. Councilor names on poster will be updated.

Mr. Gerry Bloomfield expressed concern for traffic gridlock, growing school populations, fiscal management and related topics.

Mr. Michael Najarian commented that increased funding for the Traffic Commission is not unique to Framingham. There was a recent news article that talked about "cut-through neighborhoods" and that nearly every city has a problem with this. Short cuts find their way into residential neighborhoods.

PUBLIC HEARINGS/DISCUSSIONS

Order 2020-010 -- Public Hearing on the Petition for Grant of Location by Verizon New England, Inc. and NSTAR Electric (Eversource) for the placement of a jointly owned pole on Fay Road (continued from February 4, 2020 and February 25, 2020)

Document(s) Reviewed: Utility Petition for Fay Road - Verizon and Eversource - 2-4-20 B; Fay Road Utility Petition Utility Petition for Fay Road - Verizon and Eversource - 2-4-20 C

Chairman King explained that this petition has not been resolved, adding that it may be withdrawn or a modified application will be submitted. He suggested a vote of No Action to close the loop on it; if a revised application comes in, the Order number will be reactivated.

Mr. Ottaviani made a motion that the City Council vote to take no action on the Verizon/NSTAR Electric Petition for the placement of a jointly owned pole on Fay Road; Ms. Leombruno seconded. No discussion. VOTE: 11-0-0

Report on Holiday Handicap Parking Patrol - Lt. Harry Wareham, Framingham Police Department

Document(s) Reviewed: Report on Holiday Handicap Parking Initiative

Present: Lt. Harry Wareham, Framingham Police Department; Ricky Finlay, Chair, Disability Commission.

Lt. Wareham briefly explained the program, the fines collected, and the number of violations in specific parking lots. He reported that roughly \$3,000 was spent for this program, adding that there are discussions to potentially extend this program on a year-round basis. Brief discussion followed.

Speaking to Mr. Najarian's comment, Lt. Wareham stated he serves on the Traffic Commission and there is a traffic study planned for Mr. Najarian's neighborhood.

Order 2020-023 -- Upon Request of the Disability Commission authorization of funds from the Handicap Parking Fine Account to help cover costs of attendance at ADA symposium

Document(s) Reviewed: council letter

Chairman King noted that the Council may not need to vote on it as it is not an appropriation, adding that Mr. Finlay could update the Council on Disability Commission activities.

Mr. Finlay reported that the Commission sent the Access Compliance Officer to the symposium, and he brought back a lot of information on programs and initiatives they were not aware of. The symposium is a valuable resource. He requested approval of \$2,977.90 from the Handicap Parking Fine Account to make up the difference in the registration fee of \$4,500. Other funds will come out of their budget.

Mr. Ottaviani made a motion to approve the expenditure of \$2,977.90 from the Handicap Parking Fine Account to complete the registration fee for the Access Compliance Officer to attend the American Disabilities Act Symposium; Mr. Steiner seconded. Brief discussion followed. VOTE: 10-0-1 (Leombruno abstained).

Update on 2020 Census -- Census Bureau and Framingham Complete Count Committee

Document(s) Reviewed: MA-Bari Presentation-Full-Framingham -- Census

Present: Alaa Abusalah, Citizen Participation Officer; Carly Bari, Census Bureau Partnership Specialist; Marcus Baptist, Census Bureau

Utilizing a PowerPoint presentation, Ms. Bari briefly reviewed the 2020 Census process, noting that there will be several mailings to residents, if they do not respond to any, Census workers will stop by the

residence. It is vital that all people are accurately counted. Ms. Abusalah updated the Council on the Complete Count Committee, noting they were doing community outreach, holding meetings, using social media, distributing posted. She added that a lot of the information from the PowerPoint will be included on the City website for residents to review.

Mr. Marcus Baptist explained that his job is to recruit people apply for the positions that are available. He passed around an electronic tablet showing the numbers today. For Framingham 92% of the goal has been met. He left his contact information for people who may be interested in census work.

Upon Request of Councilor Stefanini a request that the Council send a letter to the Mayor regarding funding for the Traffic Commission for traffic studies

Document(s) Reviewed: FC Request for funding for Traffic Commission

Mr. Stefanini briefly spoke about the Traffic Commission created by the Charter, explaining that the Commission itself has no funding, no matter how much they would like to do. He continued, highlighting some of the traffic concerns that have been expressed by residents, and while the Commission would like to do traffic studies, they have no way to pay for them. He suggested sending a letter to the Mayor asking her to include funding for the Commission in the FY21 budget.

Ms. Long noted that the Planning Board hears about traffic on every project that comes to the Planning Board. The first phase on the city-wide study has been completed, but Phase 2 is now stalled due to funding. Some grant funds have become available through the Department of Public Works, and this request tonight is out of order procedure-wise. At this time, **she made a motion to table this matter until all committees have had time to review it.** DPW is meeting with the Finance Subcommittee. Chairman King pointed out that once a councilor has spoken on a matter, that same councilor cannot make a motion to table that matter.

Mr. Ottaviani agreed that the traffic is bad, and the issue came up a lot during his campaign for the City Council. He described dangerous intersections near Bethany and on Salem End Road. Mr. Cannon agreed, indicating his support for the letter.

Mr. Stefanini emphasized that this request was made because the Traffic Commission has not been able to secure funds. Given that there have been 32 accidents in one area in two years, surely there is money out there in the Planning Board budget, DPW budget or other municipal budget. If there is funding in those groups, he would like an update on what might be available. At this time, **Mr. Stefanini made a motion that the City Council send the letter to the Mayor as submitted; Ms. Leombruno seconded.** Ms. Bryant asked about a traffic light at the Bethany Road intersection. Mr. Stefanini responded that area of the community was not covered in the first phase of the study. Brief discussion followed.

Mr. Steiner made a motion to table the matter; Mr. Case seconded. No discussion. VOTE: 6-5-0 (Cannon, King, Leombruno, Ottaviani, Stefanini opposed). Motion to table carried.

Order 2020-021-001 -- Upon Request of the School Committee a recommendation on the proposed five-year lease of space at 73 Mt. Wayte Avenue (aka Perini Building)

Document(s) Reviewed: School Committee Motion on Perini Building Lease

Chairman King briefly reviewed the events up to now, ending with a referral of the five-year lease to the School Committee. The School Committee would like to instead pursue a three-year lease as well as a new RFP. Brief discussion followed.

Mr. Ottaviani made a motion that, based on the recommendation of the School Committee, the City Council reject the proposed five-year lease relative to property at 73 Mt. Wayte Avenue (aka Perini Building); Ms. Leombruno seconded. No discussion. VOTE: 11-0-0.

Order 2020-008-006 -- Upon Request of the Appointments Subcommittee a recommendation on candidates for appointment to the Board of License Commissioners, Fair Housing Committee and the South Middlesex Regional Vocational School Committee (Keefe Tech School Committee)

Document(s) Reviewed: 02.11.2020 - CC Memo; Applications - BOLC and Keefe Tech; 02.20.2020 - CC Memo; 02.20.2020 - Fair Housing Committee - Robert Anspach

Mr. Ottaviani, Chair of the Appointments Subcommittee, reported that the subcommittee met and again there were great applicants. He explained that the current License Commissioner chose not to seek reappointment, and Laura Medrano was brought forward as a candidate to replace him.

Mr. Ottaviani made a motion to confirm Laura Medrano's appointment to the Board of License Commissioners for an appointment term to end on June 30, 2023; Mr. Cannon seconded. No discussion. VOTE: 11-0-0.

Mr. Ottaviani listed the candidates for appointment to the South Middlesex Regional Vocational School Committee and made a motion to support the Mayor's slate of candidates; Ms. Long seconded. He reported that the Appointments Subcommittee had voted the slate unanimously and appreciated the diverse backgrounds. Brief discussion followed on the interview and vetting process. VOTE: 11-0-0.

Mr. Ottaviani made a motion to confirm the appointment of Robert Anspach as an ex-officio member of the Fair Housing Committee to fill the balance of a term expiring on June 30, 2020; Ms. Leombruno seconded. No discussion. VOTE: 11-0-0.

Order 2020-013-001 -- Upon Request of the Planning & Zoning Subcommittee a recommendation on the expansion of the Zoning Board of Appeals to five full members

Document(s) Reviewed: Referral of ZBA article to City Council 2.24..2020

Ms. Long, Chair of the Planning and Zoning Subcommittee, reported the subcommittee met on the 24th and voted to recommend that the Council consider increasing the number to five members. An opinion from the City Solicitor indicated that a five-member board could be comprised of three-year terms with staggering roll-offs of 2-2-1. Chairman King noted this was suggested at the end of the last Council term, and it is in both the Zoning Bylaw and General Bylaws.

Mr. Ottaviani stated he was not in favor of it, adding that for the Zoning Bylaw to be amended, it would require a two-thirds vote of the Council, not just a majority. Amending the General Bylaw needs only a majority vote.

At this time, Mr. Steiner made a motion to refer this matter to the Planning Board; Ms. Long seconded. Brief discussion followed. Chairman King noted that if there is no recommendation from the Planning Board, there is no need to amend the General Bylaw. VOTE: 11-0-0.

Order 2020-022 -- Upon Request of the Framingham Retirement Board that the request for an increase to the Retirement Benefit COLA Base be referred to the Finance Subcommittee for review and a recommendation to the City Council

Document(s) Reviewed: Memo to City Council requesting COLA base change; Attachment A Framingham 2019 COLA study; framinghamval18; TG Pensionomics2018_MA-numbers

Mr. Ottaviani made a motion to refer this matter to the Finance Subcommittee for review and recommendation to the City Council; Ms. Bryant seconded. No discussion. VOTE: 11-0-0.

Update from Chief Operating Officer on Double Utility Poles

Document(s) Reviewed: Framingham NTG - page 1; Framingham 2 6 2020 NTG report

Mr. Thatcher Kezer, Chief Operating Officer, explained how the equipment removal is handled, noting that there is a specific protocol and established sequence of equipment being removed. He provided the most recent update from Verizon with the latest count of 176 poles as of January 1. 132 new poles have been installed, most replacing other poles, in the last year.

Brief discussion followed during which it was suggested that there could be an enterprise fund for pole removal. It is a challenge to get all the utilities to get their wires off in a timely fashion. Underground installation should be encouraged.

UPDATE FROM THE MAYOR

Mr. Thatcher Kezer, Chief Operating Officer, provided the highlights of a report that was emailed to the City Council earlier in the day:

Mayor Spicer holds on her calendar a weekly time slot, Mondays 4-5 p.m., specifically for City Councilors who want to drop in or call to meet with the Mayor on any matter. If that time slot does not work for a Councilor, Jennique Horrigan in the Mayor's office can work with you to find a scheduled time to meet with the Mayor. She can be reached via email at jhorrigan@framinghamma.gov <<mailto:jhorrigan@framinghamma.gov>> or by phone at (508) 532-5400.

Coronavirus Preparations

The Mayor's office issued a press release yesterday to reinforce the Massachusetts Department of Public Health and the Framingham Health Department's effort to inform the public to remain vigilant against all respiratory viruses like the Coronavirus and flu. It states the current status in the Commonwealth for the risk of COVID-19 is low; in contrast, the risk of flu is high. To date, there has been one confirmed and one "presumptive" case of COVID-19 in Massachusetts; there have been more than 30,000 confirmed cases of the flu. I have included a copy of the release to this update.

Framingham's role when it comes to an infectious disease ranges from communication; monitoring those in isolation, quarantine, and social distancing situations; making decisions about closures and/or cancelations; and helping people facing disruptions in their lives. The City also focuses on the continuity of critical City operations.

Much like Federal, State and Local governments across the country, we are working internally to be prepared for any impact that the potential outbreak of the virus may have on the City in providing critical services to the residents and businesses of Framingham. We are working with our Public Health, Public Works, Human Resources and public safety staff to review our Continuity of Government plans to be prepared for any impacts. We will be sharing more information as it becomes available.

General Chemical Site Cleanup

The City is working closely with MassDEP to assist them in preparing for the cleanup work at the site. We are working with them to identify all permits they will need from the City to proceed to and expedite those permits to assist keeping the cleanup on its tight schedule. Construction for the cleanup system is expected to begin in March 2020, and the operation of cleanup activities will be performed from mid-June to the end of September 2020.

MassDEP has received \$400,000 from the MassDEP general bond fund as additional resources for remediation in addition to the initial \$1.8 million received from a GCC escrow account. With this funding, MassDEP is planning on moving forward this spring with a contractor that will be able to address about 40% of the site. Actual on-site work is expected mid-May to late August 2020 with some pre-operation construction work to begin in early March. The DEP presentation is attached to this update.

Verizon Double Pole Update

Attached is the double pole report provided by Verizon that shows there are currently 176 double poles in the City of Framingham. Verizon continues is working diligently to remove poles in the City. However, as you will see from the summary chart, several parties still have a significant number of transfers in their "Next To Go" (NTG) before poles can be removed. Verizon's goal is to never have more than a handful in their NTG so as wire transfers occur, they keep up with the removals. Since January 1, 2019, 132 new poles were placed in Framingham for a variety of reasons (road projects, utility upgrades, maintenance, accidents, etc.) and 116 poles were removed. A spreadsheet detailing the location of double poles is attached to this report.

Summary of wire removals since January 1, 2019:

Framingham NTG	Count of Ticket Number	Average of Days Aged
EVERSOURCE	71	176
Streetlight	10	309
Fire Alarm	17	176
Fiber	12	394
RCN	60	316
COMCAST	4	65
Verizon	2	163
Grand Total	176	244

Summary of number of wire transfers and pole removals since January 1, 2019:

FRAMINGHAM COMPLETIONS 1/1/2019 YTD	TRANSFER		GRAND
		PULL POLE	TOTAL
EVERSOURCE	136	4	140
STREETLIGHT	23		23
FIRE ALARM	37		37
FIBER	11		11
RCN	41		41
COMCAST	88		88
VERIZON	105	112	217
Grand Total	441	116	557

Spring 2020 Framingham Government Academy

Spring 2020 Framingham Government Academy Open Enrollment begins today, Wednesday, March 4. The FGA is a series of educational and interactive workshops to educate residents about municipal functions to increase their understanding of the community. Sessions are hosted at

various locations around the city to give participants a chance to explore City facilities. Enrollment for the Spring 2020 Framingham Government Academy (FGA) opened today. **Application deadline is March 12.** More information is available at [Framinghamma.gov/Academy](https://www.framinghamma.gov/Academy)

The Marijuana Advisory Team (MAT) Status

The application for Marijuana cultivation at 296 Irving Street is still pending before the MAT team, which is working with the applicant for additional documentation. All other Host Community Agreements have been completed.

The latest Quarterly Report can be found at: <https://www.framinghamma.gov/marijuana-regulation>

Upcoming Filings with City Council

Following are a number of pending matters that will be coming to the City Council. More detailed information will be provided when these matters are filed with the Council.

Appointment of Division Heads

The Mayor will be submitting to the Council reappointments of Division Heads as required under Article III, section 3.a). The Division Heads all have differing expiration dates on the previous appointments with nearly all having expired, a submittal of reappointments will be submitted for an upcoming Council meeting.

Planning and Economic Development Reorganization

Kevin Shea, Director of Planning and Economic Development, is reviewing the previously drafted reorganization plans and consultant report. Once he has had sufficient time to make his own assessment, a final reorganization plan will be drafted and submitted to the Council for its review and approval. The timeline of submitting the reorganization plan has not yet been determined but will be within the next few months.

EDIC Strategic Plan and Recommendation

Another item pending under the Economic Development realm is an update of the Framingham Economic Development & Industrial Corporation (EDIC) Strategic Plan. A draft report and recommendation for the EDIC role going forward by the Barrett Planning Group is expected soon. The EDIC will be coming back to the Council with potential new legislation representing an updated strategic direction.

Mr. Ottaviani asked Mr. Kezer to forward details of the various retirement parties so that councilors could attend.

Mr. Stefanini asked if the Mayor's Office keeps a list of funding earmarks, adding that it would be helpful to know what those earmarks are. Chairman King reported that there was a list that may not have been sent out.

Mr. Cannon asked about the opening of marijuana establishments; Mr. Kezer responded that he would have to investigate as no information has come to him.

Mr. Cannon also asked for an update on discussions about extending Peter Pan bus service from Shoppers World. Mr. Kezer will find out.

Mr. Cannon reported he has received complaints from residents about difficulties with determining employee email addresses, asking if there was a standard format.

Chairman King asked if the City could reserve some of the center row spaces permanently for people doing business in City Hall. He noticed that the traffic flow during the Presidential Primary Election went smoothly as people came in and out quickly for coming to vote.

REPORT OF THE COUNCIL CHAIR

Chairman King shared some details about the new apartment complex, The Buckley, being constructed on Franklin Street. While more information is available in City Hall, there will be a public information session on March 23 in the Costin Room at the Framingham Public Library, main branch.

REPORTS OF SUBCOMMITTEES

Mr. Stewart-Morales, Chair of the Environment and Sustainability Subcommittee, reported that he registered the subcommittee for a booth at this year's Earth Day Festival, and ask Councilors to set aside an hour to be in the booth. Additionally, the Sustainability Coordinator Shawn Luz attended our last meeting, telling us about a partnership program with MassSave which is a community effort to advertise energy audits with the goal to have many residents do energy audits for their homes. Regarding a report on General Chemical, he will reach out to the legislative delegation. Chairman King noted that he emailed everyone today about the earmarked requests. Mr. Stewart-Morales continued, reporting that he received an update from Sustainable Framingham on things that we can do to advance initiatives in areas of sustainability. This is the group behind the Go Solar petition. At this time, Ms. Long mentioned that the Planning Board may have mitigation funds that could be used toward the General Chemical cleanup. Mr. Ottaviani added that there may be some funds left in his campaign account. He volunteered an hour in the Earth Day Festival booth.

Mr. Case announced that the Youth Council will be meeting on March 15 at the library.

REPORT OF COUNCILORS

Ms. Shepard made a **motion that the City Council approve placing a resolution on the next meeting, noting that there is a responsibility to represent the people of the community, and to forward the resolution to the legislative delegation.** She added that there is a statewide coalition to allow undocumented residents to have access to driver's licenses. This resolution would be in support of the Work and Family Mobility Bill. **Ms. Long seconded the motion.** Chairman King reported that the issue did come up during his re-election campaign. He suggested a discussion with the Council as to whether it would consider issues not under its direct control. Resolution from the previous Council term tended to be local issues. He cautioned that, if the Council is going to consider all kinds of issues, it must also consider the focus and time of the Council and the impact that it will have during busy times of the year. He suggested that, before we consider resolutions, that we have a discussion on the process instead of discussing this specific issue.

Mr. Stefanini noted that the Council will have very busy agendas going forward. He added that while he supported the bill, he questioned what it had to do with the Council and the work of the Council. At this time he **made a motion to amend Ms. Shepard's motion to add an agenda item to discuss the pros and cons of parameters associated with a policy.** Ms. Shepard pointed out that she would like to discuss a process, but has an issue of presenting a resolution and then being told that the rules are changed. Right now there is nothing in the City Council Rules regarding resolutions. We do need to have a clear policy about how we can place items on the agenda. Right now the Council Chair decides that. She stated she will keep her motion as she made it.

Chairman King reported that this item came forward on Monday and after thinking about it, he decided he wanted to have a discussion with the Council about the process. This is allowed under the current rules which can be revisited and changed. We could have both things on the next agenda, both the resolution and the overall process discussion.

Mr. Stewart-Morales recalled that there have been things that have been referred or voted on during councilor reports. Discussion followed. Ms. Long pointed out that the Open Meeting Law specifies votes should be taken only on the matters listed on the posted agenda. The agenda serves as notice to the public. Chairman King responded he will put the items on the agenda so there is no need to vote.

Brief discussion followed during which Mr. Ottaviani pointed out that his resolution was introduced, postponed and placed on the next agenda. Mr. Steiner noted that, according to the rules, the chairman sets the agenda, and a vote of the majority of members can add something. Ms. Shepard concluded by stating she is asking for residents' support of the petition.

Mr. Cannon announced that he will hold office hours on Friday, March 6, from 9:30 - 11 AM at the McAuliffe library.

Ms. Long announced that she has formally resigned from the Planning Board, and hopes that people will apply when the vacancy is posted. She notified the Mayor's Office and Human Resources as part of the resignation process. Brief discussion followed. Ms. Long noted that she has found it difficult to focus both on Planning Board and Council as well as subcommittees. Relieved that she can now focus on the Council. Phil thank Ms. Long for her work on the Planning Board.

Ms. Bryant thanked the workers at the Lifelong Learning Center for hosting the Annual Black History project. She extended sympathies to residents of Tennessee after their earthquake. Lastly, she reminded District 9 residents of a neighborhood meeting on March 19 about the Beaver Street Bridge Replacement Project.

ADJOURNMENT

At 9:18 PM Ms. Leombruno made a motion to adjourn; Ms. Long seconded. No discussion. VOTE: 11-0-0.

*Respectfully submitted,
Jeanette Galliardt*