

CITY OF FRANKLIN  
CITY COUNCIL MEETING  
January 9<sup>th</sup>, 2023  
and 2023 INAUGURAL  
6:00 P.M.





**FRANKLIN CITY COUNCIL  
2023 INAUGURAL PROGRAM AGENDA**

**Monday, January 9, 2023 - 6:00 p.m.**

**Council Chambers, Franklin City Hall**

**or view only via Zoom: <https://us02web.zoom.us/j/81179781319>**

**or by phone: 1-312-626-6799, Meeting ID# 811 7978 1319**

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**God Bless America - Choir**

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**Franklin Fire Department Color Guard will present the Colors**

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**Salute to the Flag - VFW**

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**National Anthem by Emma Vargas**

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**MOMENT OF SILENCE FOR OUR VETERANS**

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**Citizen of the Year Award Presented by Mayor Jo Brown**

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**2022 CITY COUNCIL BUSINESS**

**PUBLIC HEARINGS**

**Resolution 07-23 to appropriate \$100,268.84 of the state portion of funding to the New Hampshire Retirement System and EFA Phase Out grant to the Franklin School District for Fiscal Year 2023.**

**Resolution 08-23 authorizing the City to accept grant funds and borrow loan funds under the State of NH Drinking Water State Revolving Fund (\$1,440,000 grant, \$2,160,000 loan) for water improvements and Clean Water State Revolving Fund (\$1,500,00 grant, \$3,500,000 loan) for sewer replacement program on East/West Bow Streets.**



**Agenda Item I. (pg. 1)**

Council to consider the minutes of the November 14, 2022 City Council Meeting and the December 5, 2022 City Council Meeting.

**Agenda Item II. (pg. 101)**

Council to adopt Resolution 07-23 to appropriate \$100,268.84 of the state portion of funding to the New Hampshire Retirement System and EFA Phase Out grant to the Franklin School District for Fiscal Year 2023.

**Agenda Item III. (pg. 108)**

Council to adopt Resolution 08-23 authorizing the City to accept grant funds and borrow loan funds under the State of NH Drinking Water State Revolving Fund (\$1,440,000 grant, \$2,160,000 loan) for water improvements and Clean Water State Revolving Fund (\$1,500,00 grant, \$3,500,000 loan) for sewer replacement program on East/West Bow Streets.

**Agenda Item IV. (pg. 114)**

Council to consider deeding back map/lot #078-006-002, 6 Ring Street, to Gary Goodwin.

**Adjournment**

**2023 INAUGURAL PROGRAM**

**Invocation**

**Pastor Kate Harmon Siberine,  
Episcopal Mission of Franklin**

**Swearing in of Councilors (3-yr term):**

**Ward I, Councilor-Elect Ted Starkweather**

**Ward II, Councilor-Elect Olivia Zink**

**Ward III, Councilor-Elect Leigh Webb**

**City Attorney Paul Fitzgerald**

**Swearing in of School Board Members (3-yr term):** City Attorney Paul Fitzgerald  
Ward I, Jack Finley  
Ward II, Desiree McLaughlin  
Ward II, Liz Cote  
Ward II, Laura Cass  
Ward III, Tim Dow

**State of the City Address** Mayor Jo Brown

**Battle Hymn of the Republic** Choir

### **Reception and Refreshments**

### **2023 CITY COUNCIL BUSINESS**

### **COMMENTS FROM THE PUBLIC**

*Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary. Reminder that public comment is welcome and will be taken under advisement by the Manager & Council. Ongoing requests for status should be addressed to the city manager or her designee during regular business hours. The council is a public body required to conduct the business before it on the agenda that has been vetted through the City's professional staff.*

### **CITY COUNCIL ACKNOWLEDGEMENT**

The Mayor will recognize any Councilor who wishes to express their appreciation on behalf of the City.

### **LEGISLATIVE COMMENTS**

#### **Agenda Item I. (pg. 119)**

Monthly School Board Update



### **Agenda Item II. (pg. 121)**

Council to consider setting a public hearing for Resolution 09-23 to accept and appropriate \$1,407.50 in 2023 volunteer fire assistance grant funds from the State of New Hampshire.

### **Agenda Item III. (pg. 128)**

Council to consider setting a public hearing for Ordinance 05-23 readopting the optional veteran's credit.

### **Agenda Item IV. (pg. 133)**

Council to consider setting a public hearing for Ordinance 06-23 adjusting optional elderly exemptions.

### **Agenda Item V. (pg. 138)**

#### **Other Business**

- 1. Committee Appointments**
- 2. Committee Reports**
- 3. City Manager's Update**
- 4. Late Items**

#### **Adjournment**

*The City Council of the City of Franklin reserves the right to enter into non-public session when necessary, according to the provisions of RSA 91-A.*

*This location is accessible to the disabled by stairwell elevator. Those wishing to attend who are hearing or vision impaired may make their needs known by calling 934-3900 (voice), or through "Relay New Hampshire" 1-800-735-2964 (T.D./TRY)*

**2022 CITY COUNCIL MEETING**  
**AGENDA ITEM I**





**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of January 9<sup>th</sup>, 2023*

**Subject: Approval of Minutes**

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**Motion:** "I move that the Franklin City Council approve the minutes of the November 14, 2022 City Council Meeting and the December 5, 2022 City Council Meeting."

Mayor calls for a second, discussion and the vote.



**City Council Meeting Minutes  
Monday, November 14, 2022 - 6:00p.m.  
Council Chambers, City Hall**

**Council in attendance:** Mayor Jo Brown, Councilor Jay Chandler, Councilor Bob Desrochers, Councilor George Dzujna, Councilor Vincent Ribas, Councilor April Bunker, Councilor Valerie Blake, Councilor Ted Starkweather and Councilor Olivia Zink

**Absent:** Councilor Paul Trudel

**Others in attendance:** City Manager Judie Milner, City Department Heads, and members of the public.

Mayor Brown called the meeting to order in Council Chambers at 6:00 p.m.

Salute to the Flag was led by Councilor Desrochers, followed by a moment of silence in remembrance of the following veterans that recently passed:

Fernand Morency (100 years old), US Army South Pacific WW II, Burma and India.  
John Whedon, E-5 US Army, Viet Nam.  
Josephine Marchi, US Army, Cadets WW II.

**Public Hearing:**

**Presentation on the application to the US EPA for grant funds to clean-up the Brownfields contamination at the Ferrari Mill Site at 93-119 Memorial Street.**

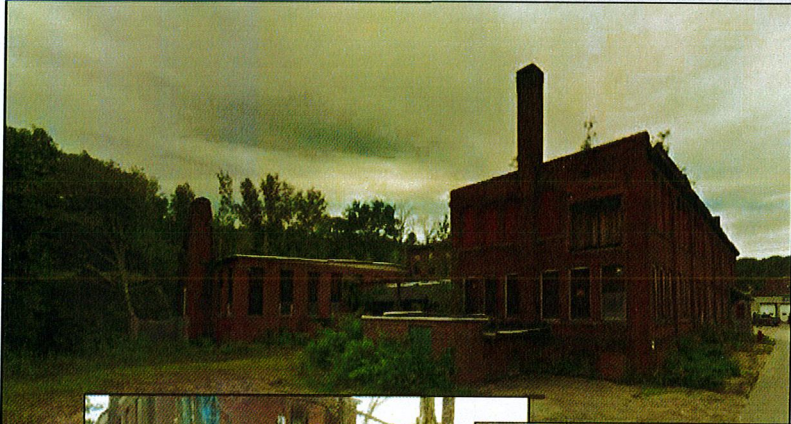
Mayor Brown stated that there was a public hearing that will start as a presentation.

The public hearing opened at 6:04 p.m.

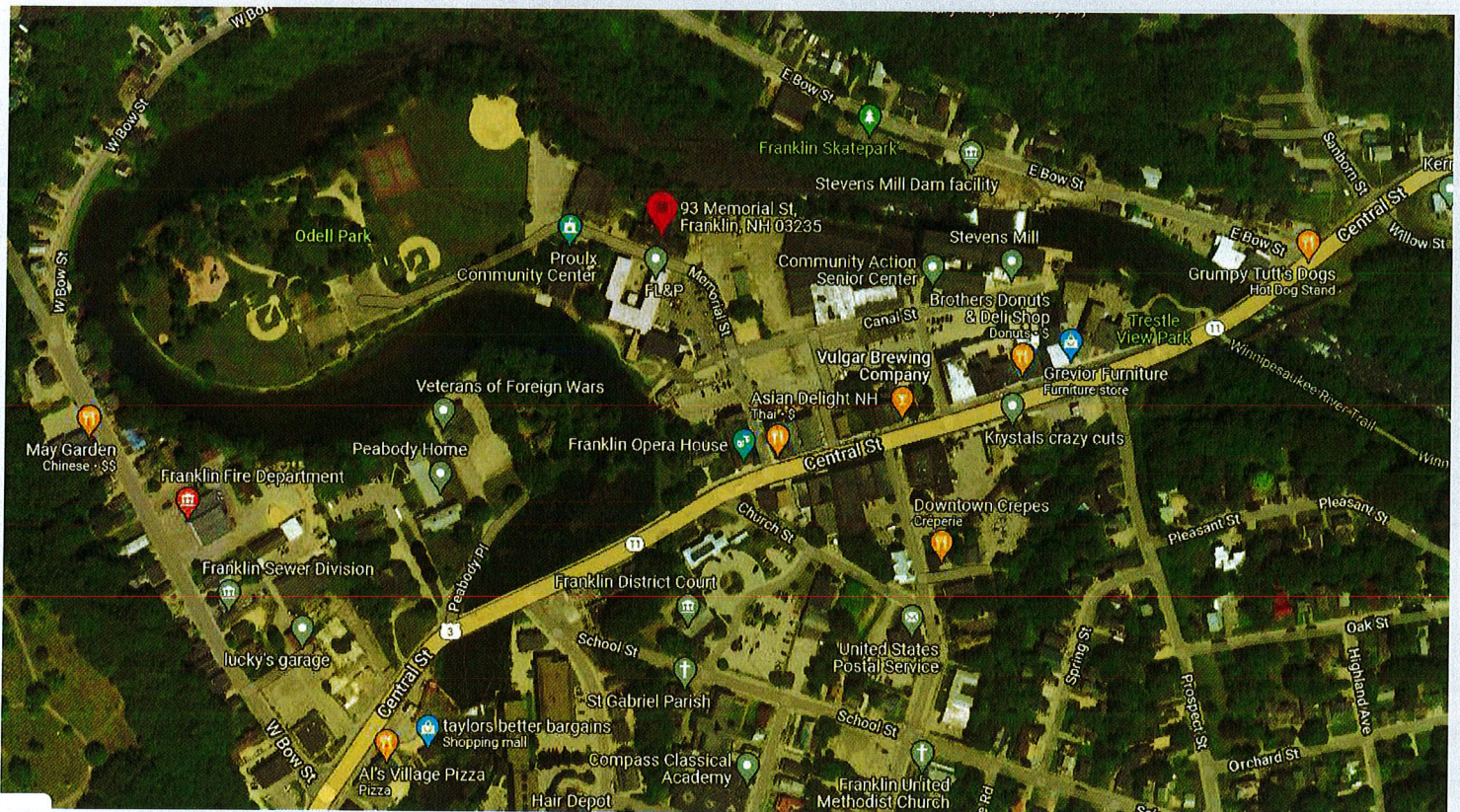
City Manager Milner introduced former Planning & Zoning Director, Dick Lewis, who has been working on an EPA grant application for the City of Franklin on the Brownsfields cleanup for the Ferrari Mill site.

Lewis gave a presentation with the following PowerPoint slides:






## Public Meeting for the Submission of an EPA Grant Application for Brownfields Cleanup





# What is the Project?

- ❖ The City of Franklin is seeking grant funding from the US EPA to cleanup the hazardous materials found on the property.
- ❖ The City is asking for approximately \$1.75 million in funding.
- ❖ No City Match is required, and the City is receiving funds from NH DES to assist in the demolition and clean up.



**Targeted Brownfields Assessment and Remedial Action Plan**


**Ferrari Mill Site**  
**Franklin, New Hampshire**  
NHDES Site No. 198606087, Project No. 33501  
Targeted Brownfields Site Assessment  
EPA Task Order No. 0108-SI-BZ-0100

**REMEDIAL ACTION CONTRACT**  
**No. EP-S1-06-03**

FOR  
**US Environmental Protection Agency**  
**Region 1**

BY  
**Nobis Engineering, Inc.**

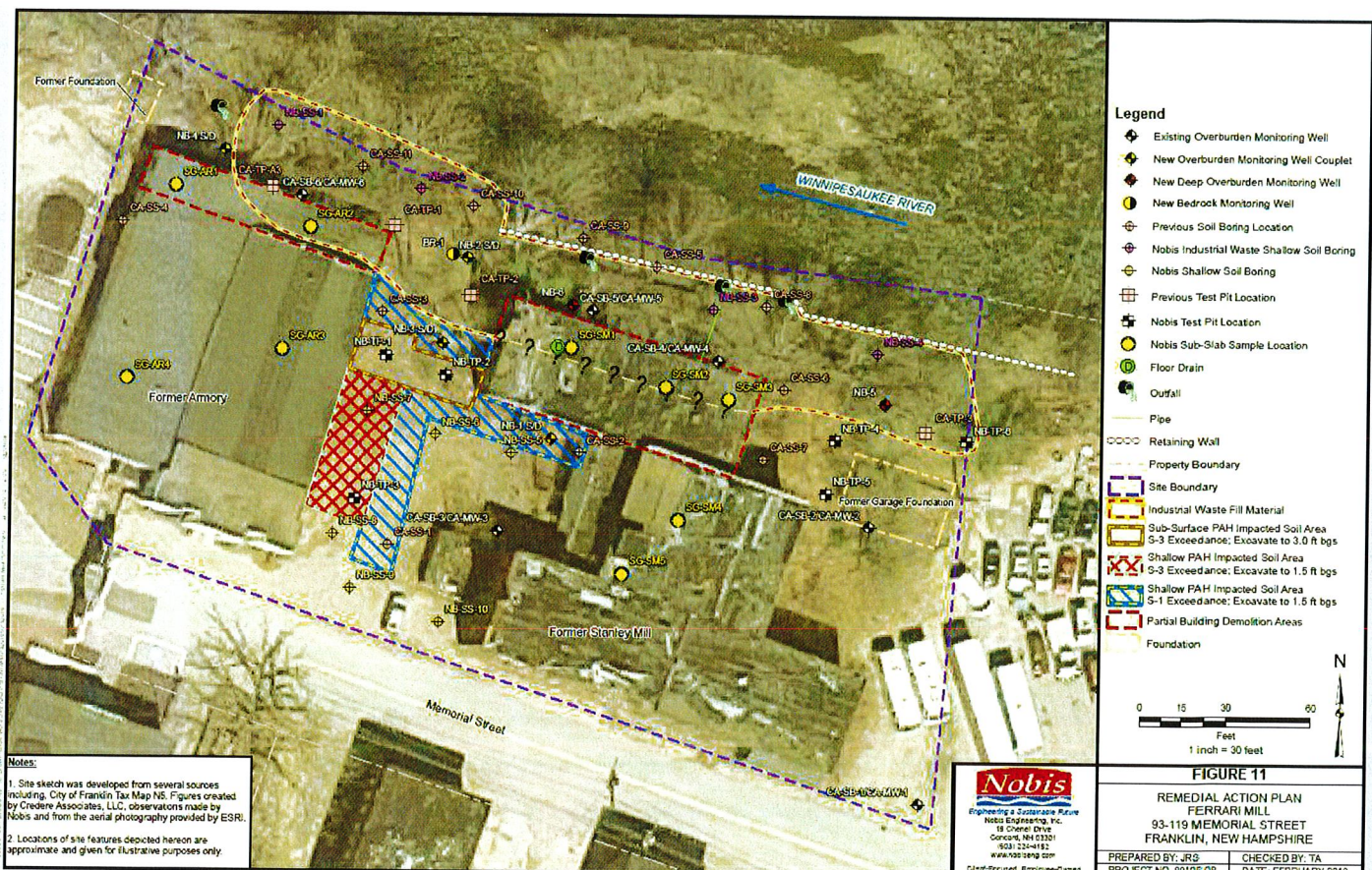
Nobis Project No. 80108  
February 2018

<b>U.S. Environmental Protection Agency</b> Region 1 5 Post Office Square, Suite 100 Boston, Massachusetts 02109-3919 	<b>Nobis Engineering, Inc.</b> Lowell, Massachusetts Concord, New Hampshire Phone (800) 394-4162 <a href="http://www.nobisengineering.com">www.nobisengineering.com</a>
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## What are the problems to be solved?

- ❖ For 80 years, the mill was used for the manufacturing of manufacturing hacksaw blades. The ground around the mill has buried blades and other industrial waste materials.
- ❖ The soils and groundwater have been impacted by various solvents and heavy metals over years of industrial use.
- ❖ The property abuts the Winnepesaukee River so the potential is that the contaminants and industrial wastes will migrate into the river and impact downstream water supplies. The bank of the river is subject to erosion that can cause significant environmental concerns.
- ❖ The property is in disrepair and cannot be utilized for beneficial purposes. Cleanup of the site will improve the value of the property and others in the vicinity, remove imminent human health hazards, and prepare the property for beneficial reuse.





## How will the funding be spent?

	Task 1 Program Management	Task 2 Community Outreach & Engagement	Task 3 Site Specific Cleanup	Task 4 Cleanup Oversight	Totals
<b>Direct Costs</b>					
Personnel	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Travel	\$3,500	\$0.00	\$0.00	\$0.00	\$3,500
Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contractual [QEP; excavators, truckers, disposal, etc.]	\$25,000	\$20,000	\$1,606,000	\$70,000	\$1,721,000
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Direct Costs</b>	<b>\$28,500</b>	<b>\$20,000</b>	<b>\$1,606,000</b>	<b>\$25,000</b>	<b>\$</b>
<b>Indirect Costs</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Budget</b>	<b>\$28,500</b>	<b>\$20,000</b>	<b>\$1,606,000,</b>	<b>\$70,000</b>	<b>\$1,724,500</b>

## What will be done with the property?

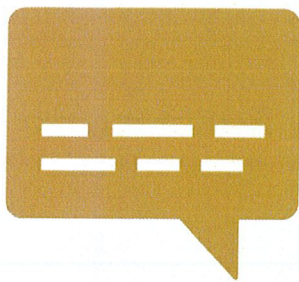
- ❖ The plan for redevelopment of the property includes the creation of additional parking on the east side of the parcel.
- ❖ The land containing the deteriorated mill building will be converted to public park and greenspace, with a walking path along the river connecting to the path around Odell Park.
- ❖ The former Armory Building will be repurposed into a mixed-use development. The City will seek bids from developers for the future use of the building.



## Why is this project important now?

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- ❖ The mill is a safety hazard due to the building deterioration. The property is a sore thumb in an area which is undergoing much needed commercial and residential redevelopment.
- ❖ The failure to cleanup the site could result in significant environmental problems if the contamination leaches or erodes into the abutting river. And cleaning up the property will help protect the health and welfare of the residents and visitors to the City.
- ❖ The EPA has not given this level of funding for Brownfields cleanups in the past 40 years. This is the best opportunity for the City to obtain the funds necessary to adequately remediate the contamination.



**Questions?  
Comments?**



Lewis added that the targeted Brownsfield assessment and remedial action plan of the Ferrari Mill site would be available on the city website and a hard copy would also be available for review in the City Manager's office at City Hall.

There was some discussion about how long the cleanup would take if the city is awarded the grant and Lewis stated that it will be a 3 to 4-year project in total.

The public hearing on the EPA grant presentation closed at 6:57 p.m.

**Resolution #05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation.**

The public hearing opened at 6:57 p.m.

There was no discussion on this hearing.

The public hearing on Resolution 05-23 closed at 6:59 p.m.

**Legislative Update:**

Mayor Brown stated that there were no legislative updates.

**Comments from the Public:**

Mayor Brown asked if there were any other generic public comments.

Public comments opened at 7:00 p.m.

Resident Desiree McLaughlin approached the Council to express her opinions on the trash ordinance hearing to be set at this meeting. She handed out a copy of her speech regarding trash ordinance 03-23 and included information on a petition that she is also putting together. This handout is included at the end of these minutes.

Partners in Prevention Project Director, Stephanie Wolff, gave a shout out to Parks & Recreation Director Alpers and all of the volunteers for making Franklin's Fall Fest a huge success.

City Clerk Stanyan thanked the mayor and the council for moving the city council meetings for the elections this year, as it made the setup much smoother.

Resident Mike Lombardo, Ward III, thanked Councilor Desrochers for donating the Purple Heart signage that he saw posted and he also thanked all of the election workers.

Resident Leigh Webb, Ward III, personally thanked MSD Director Hanscom for all of the road patching that has been done recently.



Public comments closed at 7:15 p.m.

**City Council Acknowledgement:**

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna thanked Parks & Recreation Director Alpers for her work on the Soupfest and everyone else who helped out, including Tim Morrill. He stated that Franklin's Fall Fest went very well.

**Mayor's Update:**

Mayor Brown stated that she had a few updates:

- Incoming Councilor Webb and herself met with the CEO of Easter Seals and they will be running a project that is going to be a veteran's campus and will be very impressive. Hopefully, there will be a concept ready for the Planning Board by late spring.
- She talked about a visit with the Episcopal Bishop and stated that he blessed the Irish Pub that will be opening.

**Agenda Item I.**

Approval of Minutes:

Council to consider the minutes of the October 11, 2022 City Council meeting.

**Motion - Councilor Blake moved that the Franklin City Council approve the minutes of the October 11, 2022 City Council Meeting with some edits from Councilor Vince Ribas. Seconded by Councilor Dzujna.**

Councilor Ribas stated that he sent a few corrections to Executive Secretary Jones for revisions and also made a statement about the section talking about the Opera House project. He was concerned that just stating that there was a discussion was insufficient and was not sure if anyone other councilors felt the same way, as it did not mention that the council was disappointed in the way that the request for funds for the feasibility study was presented.

There were no other comments on the minutes.

***7 in favor; 1 abstained; motion passes.***

**Agenda Item II.**

Council to hear from residents on speeding issues on Pleasant Street:

Resident Doug Veysy, Ward III, approached the council to talk about vehicular speeding in his neighborhood on Pleasant Street. It is a main access road to get to Tilton and downtown Franklin. The road is also not very well maintained, as far as potholes and such. Since signing and submitting a petition about the speeding he has noticed some police car presence, as there was none previously. He asked if the council can address the issue and maybe have more cruisers out

in that neighborhood.

Resident Cheryl Fisher, Ward III, added that residents have expressed sincere appreciation for addressing this subject as well.

There was a discussion about that road being on the list of roads that are being patched at the moment.

Councilor Desrochers stated that the speeding issue is more of a police matter and asked the Police Chief to expand on this.

Police Chief Goldstein let the residents know that he and the police department are doing the best that they can to address this subject and to try and cut down on the speeding on Pleasant Street. Speeding issues have become a national problem that all communities are trying to fight on a regular basis.

### **Agenda Item III.**

Council to consider giving permission to the Lakes Region Snowmobile Club for the use of the side of Lake Avenue and Lark Street:

**Motion - Councilor Ribas moved that the Franklin City Council approve the Snowmobile Trail Permission form for Lakes Region Snowmobile Club's trail access to City property along the side of Lake Avenue and Lark Street for a term to coincide with the approved City street crossing authorization through January 2024 and authorize the City Manager to sign the permission document on behalf of the City. Seconded by Councilor Starkweather.**

Lakes Region Snowmobile Club President, Jason Grevior, answered some questions that the councilors had about the exact location they were requesting permission of. This can also be seen in the meeting packet where the location is highlighted.

***All in favor; motion passes.***

### **Agenda Item IV.**

School Board Update:

School Board Committee Chair, Tim Dow, gave an update:

- Dow stated that Superintendent LeGallo is at a site visit in Colorado for the Portrait of a Graduate, which is one of the requirements for the foundation. There will be a few other site visits to other schools offering the same program successfully. They send a few students out with their parents and a staff member.
- The Franklin High School robotics team won the highest award at the last two meets in Manchester and Alton. Franklin has become well recognized for their robotics achievements so they are doing very well.
- Franklin's cheerleaders participated in the Division III Spirit competition and placed 3<sup>rd</sup>.

- Franklin was also the proud recipient of the \$25,000 book grant through the CLIF Foundation. One of the representatives recently came to the schools to read to the students and they loved it. This grant gives a lot of books to students, the school libraries and the Franklin Public Library.

Dow asked if there were any questions.

Councilor Zink did ask about the two walk out incidents at the Middle School this fall and Dow explained that the threats had been written in the girls rest room wall and the police department did an assessment before resuming classes. The administration is still investigating this as well.

Councilor Zink asked if he could provide any information on the Elementary School principal and whether there is no principal at the moment. Dow stated that he is unable to speak on that at this time. The board is still discussing this as it is an administrative personnel issue.

#### **Agenda Item V.**

Council to consider Resolution #05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation:

**Motion - Councilor Bunker moved that the Franklin City Council adopts Resolution 05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation. Seconded by Councilor Zink.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

#### **RESOLUTION # 05-23**

**A Resolution Granting Authority to Accept and Appropriate \$988,339 of Additional Adequacy Aid, SB420 Extraordinary Need Grant and Fund Balance Funding and \$165,000 in Grant Funding for the Franklin School District for Fiscal Year 2023.**

**In the year of our Lord, Two Thousand Twenty-Two,**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive additional adequacy aid of \$196,304.82 from the final updated calculation of ADM; and,

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive from SB420 Extraordinary Need Grant of \$360,164.58; and,

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district has identified additional year end fund balance of \$431,869.58; and,

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive a grant award of \$165,000 entitled Portrait of a Graduate from the Barr Foundation; and,

**WHEREAS**, the City Council of the City of Franklin would like to appropriate an additional \$988,339 to fund the replacement and upgrade of cameras and door access controls, create a technology coordinator position and to preserve potential fund balance from the 2023 year to be carried over to the 2024 fiscal year. Due to the challenges and uncertainties regarding the adequacy funding formula these funds could help support the next budget cycle. And City Council of the City of Franklin would like to appropriate \$165,000 of the Portrait of a Graduate grant funding from the Barr Foundation; **Now**,

**THEREFORE, BE IT RESOLVED**, *that at a regularly scheduled meeting of the City Council on November 7, 2022, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #05-23 to formally accept and appropriate \$1,153,339 of additional revenues for the Franklin School District as follows:*

**An Increase in Revenues:**

Adequacy Education Aid – One Hundred Ninety-Six, Three Hundred Four Dollars and Eighty-Two Cents (\$196,304.82)

SB420 Extraordinary Need Grant – Three Hundred Sixty, One Hundred Sixty-Four Dollars and Fifty-Eight Cents (\$360,164.58)

Use of Fund Balance – Four Hundred Thirty-One, Eight Hundred Sixty-Nine Dollars and Fifty-Eight Cents (\$431,869.58)

Grant Revenue – Portrait of a Graduate – One Hundred Sixty-Five Thousand Dollars (\$165,000),

**An Increase in Expenditures:**

School District Expenditures – Nine Hundred Eighty-Eight, Three Hundred Thirty-Nine (\$988,339)

Grant Expenditure – Portrait of a Graduate - Two Hundred Fifty Thousand Dollars (\$165,000)

**By a roll call vote.**

**Roll Call:**

**Councilor Dzujna      yes    Councilor Chandler      yes      Councilor Zink      yes**

Councilor Ribas      yes      Councilor Bunker      yes      Councilor Blake      yes  
Councilor Desrochers yes      Councilor Starkweather yes      Councilor Trudel      absent

*All in favor; motion passes.*

**Agenda Item VI.**

Council to consider the 2024-2025 AFSCME AFL-CIO Franklin Custodial Agreement:

**Motion - Councilor Ribas moved that the Franklin City Council approve the 2024 to 2025 AFSCME AFL-CIO Franklin Custodial Collective Bargaining Agreement as approved by the Franklin School Board and AFSCME AFL-CIO Franklin Custodians with an anticipated cost of \$26,786 in 2023-2024; an anticipated cost of \$17,863 in 2024-2025 to the general fund. Seconded by Councilor Dzujna.**

Mayor Brown asked if there was any discussion on this motion.

There was a discussion about this going to the general fund instead of the school funds and Milner explained that the city-wide budget includes the municipal and school budget so the general fund is the fund that is supported by the tax payers' dollars.

*All in favor; motion passes.*

**Agenda Item VII.**

Council to consider the 2024-2025 AFSCME Council 93/Local 3158 Franklin Support Staff Agreement:

**Motion - Councilor Bunker moved that the Franklin City Council approve the 2024 to 2025 AFSCME Council 93/Local 3158 Franklin Support Staff Bargaining Agreement as approved by the Franklin School Board and AFSCME Council 93/Local 3158 Franklin Support Staff with an anticipated cost of \$69,408.89 in 2023-2024; an anticipated cost of \$44,244.08 in 2024-2025 to the general fund. Seconded by Councilor Ribas.**

Mayor Brown asked if there was any discussion on this motion.

There was some discussion about how the school had to re-evaluate the contract amounts due to possibly needing to contract for para-professionals when they were unable to find any for hire. The councilors were also missing the summary of changes sheet so Braman stated that he would get that sent over, as he thought he had included it for the packets.

*All in favor; motion passes.*

Mayor Brown called for a quick break at 8:00 p.m.  
The meeting reconvened at 8:15 p.m.

**Agenda Item VIII.**

Council to consider setting a public hearing for Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the Municipal Code:

Mayor Brown wanted to give some quick information about this agenda item beforehand, as there seems to be some confusion over some of the items in the ordinance. She clarified that the yellow top program is not a requirement for businesses, but an option. Other options include having a dumpster or having tenants pay for their own trash bags that they would bring to the transfer station themselves. She wanted to make it clear that the city is not mandating the yellow top program for any residents or business owners, but offering it as a service.

**Motion - Councilor Dzujna moved that the Franklin City Council set a public hearing on Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the City of Franklin, New Hampshire, Municipal Code for Monday, December 5<sup>th</sup>, 2022 at 6:00 p.m. in the City Hall Council Chambers. Seconded by Councilor Ribas.**

Mayor Brown asked if there was any discussion on this motion.

Councilor Starkweather stated that this motion is just to set a public hearing and that discussions on how it would be implemented would be done at that hearing.

There was discussion about how the council worked on the language of the ordinance for 3-1/2 hours on October 24<sup>th</sup> and at this point this needs to go to a public hearing so that people can look at it and see what it entails.

***6 in favor; 2 opposed; motion passes.***

Mayor Brown, City Manager Milner and Councilor Ribas read the entire ordinance 03-23 to the public. This ordinance is attached at the end of these minutes.

**Agenda Item XI.**

Council to consider setting a public hearing for ordinance 04-23 to revise existing Chapter 233 Adoption of the Property Maintenance Code, and Chapter 233-2 Additions, Insertions and Changes:

**Motion - Councilor Bunker moved that the Franklin City Council set a public hearing date for 6:00 p.m., at the December 5<sup>th</sup>, 2022 meeting of the City Council, for Ordinance 04-23. Adoption of Ordinance 04-23 will result in the update to the City Municipal Code Chapter 233-1 and 233-2. Seconded by Councilor Dzujna.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

***All in favor; motion passes.***

**Agenda Item X.**

Council to consider setting a public hearing for resolution 06-23 accepting and appropriating funds from the Federal (CCASP) **Child Care Achieving Stabilization Program** for the Before and After School Program:

**Motion - Councilor Ribas moved that the Franklin City Council set a public hearing on Resolution 06-23 at 6:00 p.m. on December 5<sup>th</sup>, 2022 to accept and appropriate \$24,420 from the Federal CCASP (Child Care Achieving Stabilization Program) for the purpose of stabilizing child care and \$25,680 from CCDF (Child Care and Development Fund) Discretionary Funds quality grant for the Parks and Recreation Before and After School and Summer Program. Seconded by Councilor Zink.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

***All in favor; motion passes.***

**Agenda Item XI.**

Council to consider change in approved positions in Municipal Services Building & Grounds division:

**Motion - Councilor Dzujna moved that the Franklin City Council approves the position listing change in municipal services by eliminating two (2) part-time buildings and grounds custodians and adding one (1) full-time buildings and grounds custodian. Seconded by Councilor Starkweather.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

***All in favor; motion passes.***

**Agenda Item XII.**

Council to consider changing January 2023 City Council Meeting falling on the New Year's Day Holiday:

**Motion - Councilor Chandler moved that the Franklin City Council move the January 2<sup>nd</sup>, 2023 City Council meeting to Monday, January 9<sup>th</sup>, 2023. Seconded by Councilor Starkweather.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

***All in favor; motion passes.***



**Agenda Item XIII.**

**Other Business:**

**1. Mayor & Council Appointments**

There were no mayoral or council appointments.

**2. Committee Reports**

There were no committee reports.

**3. City Manager's Update:**

- a. Contingent Grant Line Activity – \$75 Recreation Scholarship (from Councilor Chandler); \$2,987 Franklin Partners in Prevention Soup Fest Fundraiser; \$612.78 Sex Offender Compliance Grant
- b. Trust fund for school funding – \$271.21
- c. Congratulations: Firefighter Paramedic Tony Roberts was promoted to Captain Paramedic; Firefighter AEMT Danforth was promoted to Captain; Matt Mercier from MSD earned his CDL-A license; and to Chief Goldstein, who is the speaker at commencement ceremony for new correctional officers at the NH Department of Corrections.
- d. Committee meetings – November:
  - Municipal Services – Wednesday, 11/23, 10am at the water treatment facility
  - City Finance – Monday, 11/21, 5:30pm at City Hall “Blue Conference Room”
  - CIP – Thurs, 12/1, 5:30pm at City Hall “Blue Conference Room”
- e. Welcome: Andrew Perkins (Fire), David Sabo (Fire)
- f. Tax Bills – The tax rate was set today and the tax bills will be going out by Monday, the latest. As a reminder, this tax rate includes a one-time payment by the State of NH for the state-wide educational tax of \$338,000, which lowered the tax rate for this year. Next year that \$338,000 will be back.
- g. Shout out – Kathy Rago for explaining the tax bill on her podcast and getting that out to the public.
- h. Thank you to all of those that reached out to 1<sup>st</sup> responders on October 28<sup>th</sup> regarding 1<sup>st</sup> Responder's Day.

- i. Random Acts of Community – She wanted to recognize Willow Hill for their wicked cool Halloween decorations!
- j. Media contacts – Union Leader, NY Times and Laconia Daily Sun
- k. Public Forum – the Economic Development Taskforce is holding a public forum on 11/28 at 6pm on the next steps for the Trestle Bridge project. This will be held at the Lodge of Elks.
- l. Fall Fest/Soup Fest/Get Out & Play Day/October Fest – This was on October 22<sup>nd</sup> and went very well. There were over 1,000 wristbands given out, which doesn't include people under the age of 21. There were over 300 wristbands given out for Soup Fest, which made over \$2,987. It was a great day for Franklin.
- m. Drug Take Back Day was held on October 29<sup>th</sup> and they got 6 very full and very heavy boxes totaling 174 lbs. State line collected 16,840 lbs.
- n. UNH President Visit – He came on 11/2 and the Economic Development team was invited by the mayor to show off what Franklin has been up to via a walking tour. The city will be receiving a promotional video featuring Franklin as a result of this visit.
- o. Senators Shaheen & Hassan visited on 11/3. They were invited to take a look at the SAFER grant for two of Franklin's firefighters and to ask them if they could add Franklin or Merrimack County to the Northern Borders Group so that the city can ask for funding from them. Milner stated that she should hear back on that shortly.
- p. Bishop Curry from the Episcopal Church visited on 11/4 to bless the Waterhorse Pub and the White-Water Park. She also gave a shout out to Pastor Kate as well for her work here in Franklin.
- q. Holiday Stroll is scheduled for December 2<sup>nd</sup>, starting at 4pm, and there will be craft tables, the Festival of Trees at City Hall, Santa coming on the fire truck, the tree lighting, horse drawn wagon rides and also there will be lots for kids to do at the Recreation Center.
- r. Kick off meeting with DRA for revaluation – This happens every five years so the next one is in 2023. The company being used is KRT. Milner handed out the flyer with FAQs on the city revaluation, which is included at the end of these minutes.
- s. 599 South Main St – It was sold and is back on the tax roll. It was sold to Ryan Dillon and will be used as a cabinetry showroom.
- t. Stanley Mill update – As you heard earlier in the meeting, Franklin is putting in an application for \$1.75M to EPA, which is due on 11/22. Franklin already received a grant from DES of \$200,000 and they have a grant from InvestNH, which is the funding

for the project for \$400,000. That one she has not heard back on yet. The city is closing with the Ferrari's and will be taking possession of the property this week.

- u. Solar lease litigation update - Milner is happy to report that the Superior Court ruled in favor of the city and the leases are now null and void. There will be more discussions on those properties soon.
- v. Water Source Project – The grant received by NH Water Works Association and DES means that they will be working in conjunction with the Town of Sanbornton to implement a Groundwater Protection Ordinance to protect Franklin's drinking water. There is a flyer about this attached to the end of these minutes and there will be more discussion on this soon.
- w. With the cost of a CDL license going from \$6,000/person to about \$9,000/person, MSD Director Hanscom has been trying to come up with some unique ways to cut costs for the city. There is a licensing school that is interested in holding a satellite location here in Franklin. This would heavily discount the cost of Franklin employees that attend the school. Milner stated that they are going to conduct a one-time pilot program before bringing it to the city council, just to work out a few bugs and hold one class here in the city of Franklin. After that they will know what the cost will be for employees to get their CDL license through this school.
- x. Milner let the council know that she will be attending the NHMA conference on 11/16 and 11/17, which is free of charge as she sits on that board.
- y. Reminder - City offices will be closed next Thursday and Friday in observance of the Thanksgiving Holiday.

#### 4. Late Items:

**Motion - Councilor Zink moved that the Franklin City Council take Ordinance 09-20 off of the table and send it to the Legislative Committee. Seconded by Councilor Ribas.**

Councilor Zink stated that this was the ordinance about the recounts that have been tabled since 2019 and it is time to address it.

Mayor Brown asked if there was any discussion on this motion.

Milner thought this had been taken off of the table and sent to the City Clerk, but Councilor Zink couldn't find anything stating that it had been.

***All in favor; motion passes.***

**Motion to adjourn was made by Councilor Ribas and seconded by Councilor Zink.**

***All in favor; motion passes.***

The meeting adjourned at 10:16 p.m.

Respectfully submitted,

Lisa Jones  
Executive Secretary

**Attachments:**

- Handout from Resident Desiree McLaughlin
- Ordinance 03-23
- Revaluation FAQs flyer
- Protecting Franklin's Drinking Water flyer

My public comment is regarding the city council's intention to Repeal and Replace for ordinance 3-23 in chapter 257 "Solid Waste" of the Municipal Code. It is understood The City of Franklin is experiencing a financial crisis regarding the disposal of our trash. That issue is indisputable. However, The City Council convened a "Special Meeting" on October 24th providing less than 4days notice of this meeting to residents on October 20th via email. The emailed notice did not inform the public that they would not be allowed to comment instead they were informed upon arrival.

The intention of this Special Meeting was a workshop to review the new ordinance and make a motion to set a hearing date. After their discussion resulted in a lack of agreement among councilors as well as a lack of information available from the Municipal Service Department head, the meeting was adjourned without a hearing date set. Today's City Council Agenda includes Item number VIII "Council to consider setting a public hearing for ordinance 3-23. So, when did the meeting occur that resolved the discord present in the Special Meeting on Oct 24<sup>th</sup> that would justify setting a public hearing tonight?

The negative impact the Repeal and Replace trash ordinance as proposed by the Franklin City Council would be significant and difficult, if not impossible to overcome or reverse. As written, it opens the City to increased liabilities only some of which I will list now.

1. What is the legal consideration to potential lawsuits should residents and property owners who have been unfairly segregated into a commercial category, while allowing single families and two families to operate in the same commercial capacity and reap tax dollar generated municipal benefits unjustly.
2. The economic burden of municipal services will be transferred directly from the City of Franklin's municipal budget, straight to the newly designated commercial property taxpayers with no adjustment to the property owners tax rate.
3. Small businesses located in the heart of the City of Franklin's revitalization efforts will incur additional municipal fees. These fees may translate to the former empty storefronts that blighted the downtown area for decades. Future businesses may be discouraged from considering Franklin as a destination for their business.
4. Rental rates for local businesses and residents will increase thus increasing the number of vacant but viable commercial spaces and residential apartments while the city faces rising numbers of homelessness and over-occupancy of rental apartments. Code violations will increase.
5. Additional burden will be placed upon both the police department as well as the municipal department to accommodate the proven statistical increase in illegal dumping and documentation of illegal dumping incidents
6. Increased burden on Franklin City Code Enforcement to investigate, report and resolve improperly stored trash occurrences which may lead to infestations of rodents and other pests increasing liability to property abutters.

The Franklin residents, taxpayers, and small business owners have drafted a petition to implore the Franklin City Council to recognize and continue curbside trash collection for the current commercial designation of 6 units and below as well as small businesses and for setting a series of at least 3 workshops allowing public suggestion and idea incorporation while exploring additional measures of remediation to alleviate the financial burden of trash disposal.

PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

PLEASE DO NOT: REDEFINE “COMMERCIAL UNIT”

DISCONTINUE SERVICES TO OUR SMALL BUSINESSES.

REMOVE THE PUBLIC FROM THIS PROCESS

The City of Franklin is experiencing a financial crisis regarding the disposal of our trash. The issue is indisputable. The City of Franklin collects taxes on all residential and commercial properties within the city limits. The City of Franklin is proposing to “Repeal and Replace” the current trash ordinance 03-23 that provides curbside collection services to a large majority of taxpayers. They propose to discontinue curbside collection service to all properties over 2 units and all small businesses. Their justification for this action is: Commercial properties can generate income as opposed to single family residences. **This statement is FALSE.** Many single-family and 2 family homes in Franklin are rental properties or short-term rentals. They are either locally owned or owned by out of staters. They are rented on a commercial basis. This invalidates the justification for reclassifying the definition of “commercial”. In addition, the ‘newly designated “properties proposed to lose curbside collection service in the new ordinance generate more city tax dollars than single-family or two-unit residences.

The City Council convened a “Special Meeting” on October 24, 2022, providing notice of this meeting to residents on October 20, 2022 via email. That is less than 4 days’ notice. There was no notice the public would not be allowed to comment. The public was notified upon arrival, they would not be allowed to participate, however Mayor Jo Brown allowed one resident over others to participate until properly censured by a city councilor. The intention of this Special Meeting was a workshop to review the new ordinance and make a motion to set a hearing date. After discussion with resulting discord and a lack of information available from the Municipal Service Department head, the meeting was adjourned without a hearing date set. The November 14, 2022, City Council Agenda includes Item VIII “Council to consider setting a public hearing for ordinance 03-23 repealing and replacing current Chapter 257 “Solid Waste” of the Municipal Code.”

The negative impact the Repeal and Replace trash ordinance as proposed by the Franklin City Council would be significant and difficult, if not impossible to overcome or reverse. As written, it opens the City to increased liabilities only some of which are listed below.

1. What is the legal consideration to potential lawsuits should residents and property owners who have been unfairly segregated into a commercial category, while allowing others operating in the same commercial capacity, to reap tax dollar generated municipal benefits unjustly.
2. The economic burden of municipal services will be transferred directly from the City of Franklin’s municipal budget, straight to the newly designated commercial property taxpayers with no adjustment to the property owners tax rate.
3. Small businesses located in the heart of the City of Franklin’s revitalization efforts will incur additional municipal fees. These fees may translate to the former empty storefronts that blighted the downtown area for decades. Future businesses may be discouraged from considering Franklin as a destination for their business.

4. Rental rates for local businesses and residents will increase the number of vacant but viable commercial spaces and residential apartments while the city faces rising numbers of homelessness and over-occupancy of rental apartments. Code violations will increase.
5. Additional burden will be placed upon both the police department as well as the municipal department to accommodate the proven statistical increase in illegal dumping and documentation of illegal dumping incidents
6. Increased burden on Franklin City Code Enforcement to investigate, report and resolve improperly stored trash occurrences which may lead to infestations of rodents and other pests increasing liability to property abutters.

Franklin residents, taxpayers, and small business owners. Please sign this petition. Please implore the Franklin City Council to recognize

1. The importance of continued curbside trash collection for the current commercial designation of 6 units and below as well as small businesses.
2. Setting a series of at least 3 workshops allowing public suggestion and incorporation while exploring additional measures of remediation to alleviate the financial burden of trash disposal.

This petition will be read to the Franklin City Council at the November 14, 2022, City Council Meeting and presented signed at either the December 5, 2022, City Council Meeting or if /the council sets a different date specifically for the hearing on the Trash Ordinance. Whichever comes first. Please write to your City Councilors and please furnish these communications to be included with the presentation of the final signed petition.

PLEASE FILL OUT AND SIGN THIS PETITION COMPLETELY

PLEASE WRITE TO YOUR CITY COUNCILOR AND FORWARD TO DESIREE @ [DMC92775@YAHOO.COM](mailto:DMC92775@YAHOO.COM)

THESE COMMUNICATIONS CAN BE INCLUDED WITH THE PETITION



**SOLID WASTE ORDINANCE 03-23 - Chapter 257**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

**In the Year of our Lord, Two Thousand Twenty-Two**

**Be it ordained by the City Council of the City of Franklin that the existing Chapter 257, Solid Waste, of Franklin Municipal Code, be repealed in its entirety and replaced with the following:**

**Chapter 257 Solid Waste Article I**

**General Provisions**

**257-01 Purpose:**

The purpose of this Chapter is to describe the procedures and requirements for the management, handling, and disposal of solid waste generated within the City of Franklin, New Hampshire. These provisions shall apply but not be limited to all activities at the Franklin Transfer Station; Commercial Collection and Storage; Recycling; the city provided Automated Curbside Collection System means of specialized containerized service using mechanized equipment; and all phases of solid waste enforcement. The proper management of solid waste is necessary to protect the health, safety and welfare of the citizens, property owners, and visitors to the City of Franklin.

**257-02 Definitions:**

The following words and abbreviations used in this Ordinance shall mean and be defined as outlined below. Any other words not outlined below and used in this Ordinance shall have its commonly used and understood definition.

- a. Accepted Public Way: A street or road that has been formally accepted and approved by the City Council for public use and maintained by the city, as well as any New Hampshire Department of Transportation State Highway within city limits.
- b. Automated Curbside Collection System: The curbside solid waste collection system used by the City of Franklin by means of automated collection trucks and specialized containers lifted into trucks by mechanical arms. There are two terms used in this document, "Automated Residential Curbside Collection System," specifically addressing residential

pickup, and "Automated Commercial Curbside Collection System," specifically addressing commercial pickup, both of which are discussed later in this document.

- c. Base level Service: The automated curbside collection system level being provided to eligible properties as defined in this Ordinance for curbside collection, and the disposal of municipal solid waste at the Transfer Station in compliance with "Transfer Station Guidelines" which will be updated with the City Council approval of a new Solid Waste Ordinance.
- d. Bypass Waste: Waste that is diverted to the end source without passing through the transfer station.
- e. City: The City of Franklin, NH, including city staff or subcontractors.
- f. City Council: The legislative body of the city as defined in the Franklin, NH City Charter.
- g. Commercial Hauler: A private, licensed company, corporation, or individual that operates within the city for the collection and disposal of solid waste hired either by the city or by the residential or commercial property owner.
- h. Commercial Unit/Use: A Commercial property containing a business entity or similar use, or a residential multifamily housing dwellings of three or more units or any combination thereof to include condominiums. The unit(s) may be an individual and/or stand-alone use, or it may be of mixed use with multiple business activities or commercial dwelling units.
- i. Concord Regional Solid Waste & Resource Recovery Cooperative (CRSWRRC): The Cooperative of which the city is a participating member where certain types of solid waste are disposed of for incineration; referred to as CRSWRRC in this Ordinance.
- j. Courtesy Notice: A notice, issued by the Director of Municipal Services or designee(s), under the enforcement provision outlined below, to inform a resident or property owners that they are not in compliance with one or more provisions of this Ordinance. This notice may be used as the first step in the overall enforcement process and is intended to be an educational and informational reminder for the proper preparation, handling, and management of municipal solid waste by the property owner.
- k. Construction & Demolition (C&D): All building and construction material not fit for processing at the incinerator or alternate facilities as specified in their regulations for delivery of materials.

- l. Contractor: A private, licensed company, corporation, or individual that operates within the city to manage and provide municipal solid waste curbside collection services. Also, a contractor licensed to provide various types of solid waste collection services within city limits.
- m. Curbside Trash Receptacle: Trash containers listed under Base Level Service that meet the specifications identified and suitable to be used by the city or their contractor to qualify for pickup by automated collection. These containers are specified by minimum and maximum size, lid color, manufacturer and other means.
- n. Customer: The individual property owner, tenant, lessee, or other party receiving the base level collection service provided by the city, or who uses the Transfer Station.
- o. Director: The Director of the Municipal Services Department or a designee(s) to act on the city's behalf to manage its Municipal Solid Waste Curbside Collection Program.
- p. Formal Notice of Noncompliance: A notice, issued by the Director of Municipal Services or designee(s) under the enforcement provision outlined below, to inform a resident(s) or property owner(s) they are not in compliance with one or more provisions of this Ordinance. This notice may be used as the first or second step in the overall enforcement process. The issuance of multiple formal notices can result in loss of service, penalties, or enforcement actions as outlined in this Ordinance.
- q. Gross Annual Tonnage: The amount of municipal solid waste that the city delivers to the CRSWRRRC and other permitted solid waste disposal facilities on an annual basis. This amount is annually calculated by the city and may change as the generation rates of municipal solid waste increase or decrease due to the various factors including: population growth, increases in the amount of solid waste generated, or general economic and market conditions.
- r. Hazardous Waste: All waste identified by the New Hampshire Department of Environmental Services and the NHDES Solid Waste Management Bureau requiring special handling, transport, and disposal.
- s. Incinerator: The facility being used by the city for the disposal and processing of solid waste.



- t. Municipal Services Committee: The committee established by the City Council to advise the Department on operational and budgetary issues and referenced in this Ordinance.
- u. Municipal Services Department: The department of the city that is responsible for the collection, handling and transport of all solid waste and trash and recyclable materials and referenced in this Ordinance as the MSD.
- v. Neglect: The misuse of a city-issued container that results in breakage or other damage of the container so it cannot be properly used to hold the materials. These conditions include: the lid of the container is removed or the lid or body of the container is significantly cracked so rain can enter; the wheels do not function; it cannot be picked up by the automated trucks; or is otherwise rendered inoperable. Any repairs to the city-owned containers will be performed by city staff. The property owner/customer shall contact the MSD office to report damage and request a repair. Containers damaged beyond repair by damage caused by city vehicles, must be replaced by the city. The city reserves the right to charge for container replacement, due to homeowner neglect, at a cost consistent with Chapter 160 "Fees" of the Franklin City Code. If containers are subject to neglect or other damage by the property owner as determined by the Director, the Director may issue a Notice of Noncompliance letter to the owner and/or customer indicating that the next repair necessary due to neglect or abuse will result in a charge for the repair or replacement of the container at a cost to the property owner or tenant. Similarly, if the containers are improperly removed from the property, the owner may be charged for the next replacement container. Property owners are ultimately responsible for all property owner damages or missing containers, and the owner shall work to educate the household members and/or tenants on the proper use, placement and maintenance of the containers.
- w. Policies: This includes procedures and guidelines prepared by the Director of Municipal Services and city staff for the proper implementation and operation of the provisions of this Ordinance.
- x. Recyclable Materials: For the purposes of this Ordinance this includes all the materials accepted by the City for recycling which will be transported to firms contracted by the city for recycling services. These materials are generated by residential units and commercial properties for disposal at the Transfer Station or a satellite collection center. The Director will issue a list of acceptable items, which may change due to market, regulatory and economic conditions. There are a variety of recyclable materials that include: glass bottles, tires, metals, clothing, batteries, household appliances, waste oil, mercury-containing devices, non-burnable wood-waste and construction materials,

leaves and yard waste, and other items included by the Director on the allowed-items list, which can be found in the written "Transfer Station Guidelines."

- y. Residential Unit: An individual residential dwelling used for habitation. A single-family home is one unit, a two-family structure is a two-unit building, and a multi-unit building or complex is designated by the number of individual units such as apartments, condominium complexes, mobile/manufactured home parks, or a mixed-use or cluster type of building development categorized as commercial use.
- z. Scavenging: The removal of, or the rummaging through, any form of solid waste (any recyclable or nonrecyclable material) from any container that has been placed at the curbside for collection by the city or for disposal at the Transfer Station. All solid waste and recyclable materials placed on the curbside for collection, or brought to the Transfer Station, are considered the property of the City of Franklin, and no scavenging of the materials is permitted. This section notwithstanding, the proper management of the materials placed curbside for collection is the responsibility of the property owner, directly or through any tenant or lessee, as outlined in Section 257-07.
- aa. Separation of Solid Waste: Items exempt from, or not accepted, for regular curbside municipal solid waste collection, which is acceptable at the Transfer Station in accordance with the State of N.H. issued permit to operate. Separated materials must be placed in the appropriate and approved containers for disposal at the Transfer Station.
- bb. Single Stream Recycling: A type of recycling program that allows for the mixing of all types of recyclable materials. The mixing is done by the homeowner or another resident, a business, or a property owner.
- cc. Solid Waste: This is the entire waste stream which includes both recyclable and nonrecyclable materials; also, sometimes referred to as the solid waste stream.
- dd. Special Waste: Types of wastes that are liquid, solid, gaseous or vapor in nature not considered hazardous requiring special handling. This waste is not permitted to be disposed of through Curbside Collection. It may be taken and separated at the Transfer Station for appropriate disposal.
- ee. State or Federal Statute: Any State or Federal statute, law, regulation or policy intended to address any issue related to the collection, storage or disposal of any solid waste material or any unacceptable or prohibited material.

- ff. Transfer Station: The facility operated by the city, located on Punch Brook Road, where eligible residents, businesses, contractors and persons may deposit trash, recyclables, and various yard and construction waste materials. Please refer to Article III of the Ordinance and the "Transfer Station Guideline" for additional information.
- gg. Transfer Station Guidelines: A written information packet summarizing operational guidelines, facility rules and other pertinent information for the Public who use the facility. These guidelines are updated as needed by the Municipal Services Director for public distribution.
- hh. Trash: Typical Municipal Solid Waste (MSW), i.e., trash and garbage that is generated by a residential dwelling unit or a commercial property, not requiring special handling.
- ii. Unacceptable and Unapproved Waste: Waste not designated in the city's permit or not permitted in the solid waste stream by an applicable city Ordinance, State or Federal Statute or Law, or by firms contracted with the city to handle and dispose of the waste.

**257-03 Administration of Chapter:**

The Director of the Municipal Services Department or designee(s) (hereinafter the "Director" and the "Department" respectively) shall have responsibility for the administration of this Chapter subject to the direction and control of the City Manager and the City Council. As deemed appropriate by the Director, certain responsibilities may be delegated to the Deputy Director or other appropriate city staff. As outlined below in Section 257-10, the Director shall have the full authority to make and enforce certain policies and procedures to carry out the purpose of this Chapter.

**257-04 Mandatory Separation of material at Transfer Station:**

By and through this Ordinance, it is a requirement in the City of Franklin that all waste delivered to the Municipal Transfer Station be separated by type and disposed of in a designated appropriate container(s). The mixing of special waste with trash is a violation of this Chapter and subject to the appropriate enforcement procedures as outlined in Section 257-11. The reason for mandatory separation at the Transfer Station is to help manage, contain and control the costs associated with the disposal and management of solid waste by diverting as many recyclables and specialized types of solid waste from the stream as possible and in accordance with waste bans required by the State of New Hampshire. The listing of designated recyclable materials shall be prepared by the Director and included in the "Transfer Station Guidelines," which can be found on the city website under Transfer Station, and at the

Municipal Services Department office. The list will also be available to civic and business organizations for use in their events and programs.

**257-05 Education:**

The City Council and the City Administration recognize that the most efficient, cost-effective way to handle/dispose of solid waste is to design and implement a solid waste program. Secondly, residents should be educated on ways to separate, reduce, reuse, and recycle as much solid waste as possible. The strong potential exists that costs associated with the disposal of trash will continue to increase and one method of reducing the overall costs to the city is to recycle and separate as many materials as possible. While the markets for recyclables are always fluctuating, the costs of disposing of solid waste are generally lower than the costs of disposing of nonrecyclables, if separated. Thus, the city along with interested individuals, schools, and civic organizations, will educate, inform, and encourage residents and business owners regarding city solid waste collection and disposal methods. Educational outreach programs and information will be made available on the City website, through the schools, at community events, cooperative efforts with local businesses and in the local media. The City Council welcomes the cooperation and assistance of all residents in making Franklin a leader in programs that reduce, reuse and re-purpose all types of municipal solid waste.

**257-06 Unlawful Disposal; Out of City Refuse; Unacceptable and Prohibited Materials:**

It shall be a violation of this Chapter for any individual, business, property owner, or other person or entity to unlawfully dispose of any solid waste, hazardous waste or special waste in a manner not in accordance with the provisions of this Chapter or contrary to any policy, regulation or guidelines established hereunder, or any applicable state statute or regulation. The dumping or disposal of any type of waste generated from any location outside of the boundaries of the city shall also be considered a violation. The previous sentence notwithstanding, the burial/disposal of ash on the CRSWRRRC property, or any future disposal agreement with the CRSWRRRC to use their land within the city, and approved by the City Council, shall be exempt from the restrictions of this Section. The penalties for any violation of this chapter will be as outlined in Section 257-11 below. Certain materials are not accepted and prohibited through the City Curbside Collection Program and at the Transfer Station. These materials may be banned through State or Federal Statutes or regulations, by the owner/operator of the incinerator where city trash is burned, any future final disposal location, or by City Ordinance per regulation. No individual shall dispose of or accumulate any unacceptable materials, as

defined in 257-02, ii Unacceptable and Unapproved Waste, within the City on public or private property. The Department office can be contacted for a listing of such materials or will direct the party to an online list outlining such materials. Violations may be reported to the City of Franklin, Municipal Services Department at 43 West Bow Street or by calling 603-934-4103.

**257-07    Obligation of Parties:**

The City assumes no obligation under this Chapter to remove trash, recyclables, garbage, rubbish, or other solid waste that is not properly managed and containerized by the property owner in conformance with this Chapter. It shall be the duty of any person owning, or having under his or her control, any property in the City to keep the same free from paper, rubbish, garbage and any other types of accumulated waste that may be a fire hazard, or obnoxious or dangerous to the general health, safety or welfare of the public and surrounding properties. If the City's Property Maintenance code (chapter 233), the Fire Chief, the Health Officer, the Code Enforcement Officers, Municipal Services Director, or the City Manager makes a determination that said material constitutes such a hazard or danger, then the owner or the responsible party shall remove said materials if ordered to do so by the appropriate city official.

**257-8    Use of Containers by others:**

The use of containers intended for the management of solid waste, whether for residential, commercial or industrial purposes, and in place on the subject property, is limited to the property owner, tenants, or lessees. No unauthorized person shall place or dispose of any solid waste in said containers, and any such placement or disposal shall be considered a violation of this Chapter and subject to the enforcement provisions of Section 257-11. The containers issued by the city for the automated curbside collection program shall not be used by any individual for any other purpose other than the collection of curbside waste generated from within the city.

**257-9    [Reserved]:**

**257-10    Policies and Procedures:**

The Director shall have the authority to create, and modify as needed, policies and procedures necessary and appropriate for the effective implementation of the provisions of this Chapter. These policies/ procedures are intended to address specific sections of this Chapter outlined below, or the general management and disposal of the overall solid waste stream, and shall apply to the automated curbside collection system, the operation of the Transfer



Station, and any private commercial collection services. This authority is deemed necessary by the City Council due to the variety of factors including, but not limited to: economic conditions, any changes to applicable State or Federal law or regulation that affects the disposal of solid waste and recyclables, or the availability of markets and/or disposal sites for either solid waste or recyclable materials. The Director is authorized to implement emergency fees after consulting with the City Manager when deemed necessary by changes in state or federal waste disposal statutes or laws, or if the disposal fee of any outside vendor changes. Any such emergency fees shall be submitted to the City Council at their next available meeting for review and approval or modification as deemed appropriate by the Council.

**257-11 Enforcement:**

The MSD Director and other city staff identified in this Ordinance are authorized to issue Notices of Noncompliance when it is determined that a property is in violation of the provisions of this Ordinance. The violation of any provision of this Chapter shall be considered a violation of the Codes of the City of Franklin and may result in the issues of notices, fines, penalties, or prosecution through the appropriate court of jurisdiction. Each violation shall be considered a separate offense and each day a violation exists shall be a separate violation. The city shall seek compensation from the violator for the costs of any prosecution associated with the enforcement of this Chapter. Per Section 1-16, General Penalties of the City Code, the fines shall not exceed \$1,000 per violation. The Director reserves the right to issue Courtesy Notices intended to inform the property owner that certain materials are not authorized for pick-up or disposal. If two (2) Courtesy Notices are issued to an individual property within the previous three (3) months, then the next violation shall result in the issuance of a Formal Notice of Noncompliance. The forgoing sentence notwithstanding, the Director is authorized to issue formal notices at any point in time if deemed as an appropriate enforcement action. The Courtesy Notices or the Formal Notices of Noncompliance may be issued by the Director, the MSD's solid waste staff, or the City's Code Enforcement Division. The issuance of two (2) Notices of Noncompliance may result in the loss of service for curbside pickup, and/or prohibit the offending individual from using the Transfer Station, until and unless the property owner/customer meets with the Director or designee(s) to discuss the violations and establish a mechanism to bring the property into compliance. The city reserves the right to conduct Trash Audits for the purpose of reviewing compliance with the provisions of this Ordinance. Initial trash audits will be used to determine if courtesy notices need to be issued. If a property is regularly and continually in noncompliance then the information gathered through the trash

audit may be used to issue penalties or an order to stop curbside pickup per § 257-33.

**257-12 Complaints:**

All complaints brought by a property owner, tenant, lessee, or other affected party shall be made in writing, through the submission of a service request, to the MSD Director. These forms are available at City Hall and on the city website. Complaints regarding missed pick up of trash shall be addressed by calling the company contracted by the city for the purpose of residential curbside collection.

**257-13 to 19 [Reserved]**

**Article II Automated Containerized "Residential Curbside Collection System"**

**257-20 Purpose:**

The purpose of the residential curbside collection program is to provide an efficient, reliable and effective means of solid waste collection for city residential/noncommercial properties as specified per this Ordinance. Per the adoption of this Ordinance, the Franklin City Council is continuing with its current residential automated curbside collection program with the noted changes, which now differentiates between residential and commercial curbside collections. This will include the collection of residential household municipal solid waste, as well as commercial containerized commercial collection by means of an outside contractor(s) approved by the city to operate within city limits and to use CRSWRRRC Facilities for disposal by means of registering annually on July 1 with the City Municipal Services Department. The sections below will address the automated collection service authorized and approved by the City Council and to be implemented by city staff per this Ordinance and the applicable policies, guidelines and regulations issued by the Director.

**257-21 Transition from the City's current Automated Curbside Collection System / "Base Level Service," to an Automated "Residential" Curbside Collection System / "Base Level Service."**

Until such time as the new automated residential curbside collection system is fully implemented, the current curbside collection practices and procedures will remain in effect. The city owns all containers used for automated pickup of residential curbside trash collection. These containers will be removed from all commercial properties when city services to commercial properties are phased out. During this

transition period the property owner(s) will be duly notified of the options and services available. The city reserves the right to phase in the implementation of revised residential automated curbside collection program in order to more efficiently deal with and address any operational issues and resulting changes. During this transition period, light commercial and multi-family dwellings three and over currently being serviced will be phased out consistent with this Ordinance. Those affected property owners will be notified in advance of changes to their service and provided options consistent with section 257-22 below. Once the transition occurs, this paragraph is null and void.

**257-22 Base Level Service:**

The implementation of the automated residential curbside collection program is carried out through the creation of a Base Level of Service that is available to properties identified below. Properties not covered under the Base Level of Service will rely on individually contracted commercial services (see Article IV below). This residential Base Level Service will be carried out using the same city owned containers. See Section 257-23 for a description of the types and sizing of the containers to be used.

- a. Single and two-family residences. All such residences must be on accepted, maintained public ways. Accessible private ways, as outlined in para d. below, will continue to be eligible for the base level automated residential curbside collection system services provided by the city.
- b.
  - i. Multifamily residential buildings with three units or greater. These units are considered commercial entities under provisions of this Ordinance, and will not be serviced by the city automated residential curbside collection system.
  - ii. Commercial properties. These properties, not be serviced by the city's automated residential curbside collection system in conformance with the provisions of Sections 252-23 through Section 252-35.
- c. Municipal Buildings, Public Schools (under the fiscal control of the Franklin School District), Charter Schools and Churches. These facilities will be serviced by the city's automated curbside collection system.
- d. Properties on private roadways or unaccepted subdivisions/roadways. These properties are potentially eligible for automated residential curbside collection service provided that the owner(s) or appropriate responsible parties provide the city with a Release of Liability, in a format acceptable to the City Attorney, and the subject property is fully accessible, as determined by the Director, to the city's collection vehicles in all seasons. All requests to provide residential base level service to these properties must be made in writing, and a site visit by the Director shall be conducted on a periodic basis to determine the adequacy of the access

and the ability to properly situate containers for the automated pick-up. The base level curbside collection service for these properties may be discontinued by the city at any time if the owner, developer, or the appropriate responsible party fails to maintain the road or access way so that the city's collection vehicles cannot properly, safely, and adequately access the subject properties for the automated collection. The Director may issue warning letters to these properties, but service may also be immediately discontinued or stopped without notice if adequate access is not provided as determined by the Director.

- e. The following properties are not eligible for Automated Residential Curbside Collection System provided by the city:
  - i. Condominium/apartment buildings or complexes, or multifamily buildings, with three or more individual residential dwellings.
  - ii. Mobile/ manufactured home parks, campgrounds, vacant lots and homes under an enforcement order for a Solid Waste Ordinance violation.
  - iii. Any property listed in Section "d" that does not provide the Release of Liability, and/or the access way is not reasonably accessible, as determined by the Director, to the collection vehicles.

**257-23 Automated Residential Curbside Collection Containers for City and established "Base Level Service:" Sizing, Weight, Maximum Weekly Pick-up, Container Maintenance:**

- a. The "Base Level Service" for the Automated Residential Curbside Collection will be accomplished using specialized containers designed for automated pickup by the city's contracted service. Generally speaking, the containers supplied by the city will continue to be 48, 64, or 96 gallons in size.
- b. Only approved containers, as obtained through the city, shall be used by the eligible properties for curbside pickup. No non-automated configured containers or stand-alone bags shall be used by the customer for the purpose of curbside pickup. All municipal solid waste must be bagged and placed in the designated container with the lid closed. Over-packed containers should be avoided, as trash will not dump from the container if stuffed.
- c. For residential properties, two units and under, the maximum weekly amount of trash that will be picked at the curb by the city will not exceed 192 gallons per housing unit, regardless of the number of containers. The total weight of trash placed in a container will not exceed 200 pounds. All containers of waste that exceed the "Base Level Service" amount must be disposed of at the Transfer Station or through the use of a residential, property owner purchase of a specified container from the city. Containers that become damaged or unsuitable for continued use will be required to be replaced through the city at the property owner's expense as outlined in para 257-02 v, above "Neglect."

- d. Appropriately sized city specified containers, or containers approved by the Director or designee(s), shall be provided by the city to each property owner eligible for curbside pickup at no charge up to the 192-gallon capacity. The Director or designee(s) will work with the solid waste staff to determine the sized containers for individual properties based on the amount of trash a property generates. Historic solid waste generation rates and/or trash audits may be conducted to determine the properly sized containers to be provided to each eligible residential property. Upon implementation of this ordinance, all excess containers (over base level service) will be removed from the property by the MSD Department.
- e. If a property owner/customer finds that the size of the container is not adequate then the MSD office should be contacted to discuss an exchange and upgrade of the container unit. A "trash audit" discussed in Section 257-35 below, might be used to determine the need for an increase in the size of the container and/or number of containers.
- f. For single-family and two-family units, the Director shall determine how many containers will be provided. More than one unit might be required to share trash containers based on site specific conditions and circumstances.
- g. The containers are the property of the City of Franklin and are not to be removed from the property even in the event of a change in ownership or resident status. All automated containers shall be assigned to a street address.
- h. If a container is stolen from a specific property, then the owner or resident shall contact the MSD office to report the theft.

**257-24 Automated Residential Curbside Collection Schedule and Holiday Schedules:**

The collection schedule for pickup shall be prepared by the Director or designee(s). The schedule, to include holiday collection, will be available at City Hall, the Transfer Station, the MSD Office, on the city website in the "Transfer Station Guidelines," and in educational materials distributed through the schools and civic organizations. The Holiday Collection Schedule will be posted in January of each year. Delays due to unforeseen circumstance, such as snow storms or mechanical issues, will be posted on the home page of the city's website.

**257-25 Preparation of Materials for Residential and Commercial Automated Curbside Collection:**

- a. For the automated curbside collection system, both commercial and residential, all trash shall be placed into the appropriate containers so that the lid can be securely shut. No solid waste placed on the ground or on top of a container or in any unapproved containers will be picked up by the city or its contractor. The containers shall not be overfilled or arranged in any manner that will prevent the lid from remaining closed at all times to prevent water from filling the container or to provide access to animals. If containers are improperly placed, overfilled or



contain unacceptable items, the city or contractor reserves the right to refuse container pickup.

- b. Any spillage from any containers placed for curbside pickup such as that resulting from animals, wind-blown litter and other weather conditions etc., shall be the responsibility of the owner/customer to clean up. City staff or contractor will not pick up or clean up such spillage. The city strongly recommends that all residents take care to protect the containers against spillage, wind-blown litter, vandalism and intrusion by animals.
- c. All trash must be bagged before placing it into the trash container.
- d. In the event of inclement weather or mechanical breakdowns resulting in a disruption to the pickup schedule, the container should be left out for pickup the following day and placed in a manner as not to interfere with snow removal operations.

**257-26 Placement of Containers:**

- a. For the automated residential and commercial curbside containerized collection program, the containers shall be placed at the curb-line and outside of the travel way and off the edge of the paved roadway at the end of the driveway apron, or at another appropriate location so that it is accessible for automated truck pickup. It is essential that containers be placed three feet apart and four feet away from any type of fixed object including but not limited to parked vehicles, mail boxes, trees, utility poles, overhead wires, etc. In selected cases, the Director or designee(s) may designate a specific location for the placement of containers.
- b. The containers shall be in place ready for collection by 6:45 AM on the designated collection day. The containers shall not be placed out for collection before 5 PM on the previous day.
- c. City staff or contractor will not cross over private property to pick up solid waste materials.
- d. The container handle must be facing inward toward the residence to allow for the automated truck to properly pickup and dump the container.

**257-27 Removal of Empty Containers:**

Empty containers shall be removed from the collection point by the end of the collection day and properly stored on the owners' property. Containers that are not removed from the point of collection within 24 hours after being emptied may be removed by the city or contractor for noncompliance.

**257-28 Approved Materials for Curbside Collection:**

Waste can be placed in both green and gray lid containers. Recyclable materials shall be mixed in with regular household trash. Recycling of certain household items may be dropped off at the Transfer Station in accordance with the "Transfer Station Guide-

lines." See section 257-29 below for prohibited / acceptable and unacceptable items.

**257-29 Prohibited and Unacceptable Materials and/or Hazardous Waste:**

Certain materials will not be collected by the city or the contractor at the curbside. These items include but are not limited to: sand, stone, or brick products, construction or demolition/building materials, electronics of any type, household appliances, auto parts, waste oil, paint, furniture, oils of any type, yard waste or tree limbs/roots, hot ashes, asbestos, propane tanks, pressurized containers, mercury containing devices, and scrap metal. If any resident has a question on whether or not an item is accepted or prohibited, they can contact the MSD office for more information. The Director is authorized to make a final determination as to what constitutes prohibited and unacceptable materials. Many of the items listed above are accepted at the Transfer Station for recycling or general disposal, some of which require a fee. (See Article III for more information on the Transfer Station). No hazardous materials or waste are permitted to be placed out for curbside pickup. All hazardous materials shall be disposed of at a city sponsored or sanctioned hazardous waste collection day, or at a regional collection facility authorized to accept hazardous materials.

**257-30 City's Right to Refuse Pickup:**

For the automated collection program in general, if the Director or designee(s) determine that materials being placed out for curbside pickup are unacceptable, or if the materials are not properly containerized or managed per the provisions of this Ordinance, then the city reserves the right to not pickup said materials. The property owner or resident will then be responsible for removing the materials from the curb or other location and properly disposing of the materials at the Transfer Station or other appropriate disposal facility.

257-31 **[Reserved]**

257-32 **[Reserved]**

257-33 **[Reserved]**

257-34 **[Reserved]**

257-35 **[Reserved]**

**Article III Transfer Station**

**257-41 Purpose:**

The Franklin Transfer Station provides an alternative method to city residents and commercial customers for the disposal of solid waste, recyclable and nonrecyclable materials that are generated within the boundaries of the City of Franklin. The disposal of certain waste products (for example, appliances, tires, electronics, construction and demolition debris, glass, yard waste, waste oil, mercury containing devices; batteries, propane tanks, certain light bulbs etc.,) may require a handling fee due to the disposal

charges paid for by the city for these items to redirect them to various markets. Each July the Director of Municipal Services makes available the "Transfer Station Guidelines." The purpose of this document is to update customers on fees, operational changes and any other factual information necessary to keep residents and commercial customers informed. These guidelines are available on the city website, at the Transfer Station and the Municipal Services Department office.

**257-42 Days and Hours of Operation:**

The Director shall establish days and hours of operation for the Transfer Station. These will be posted at the Transfer Station, on the city's website, at City Hall and the Municipal Services Department office, and outlined in the educational and information packages for solid waste management prepared by the city. Any change to the hours will be posted on the city website and will be listed in the "Transfer Station Guidelines."

**257-43 Authority of Staff:**

The staff of the Transfer Station reserve the right to not accept any solid waste materials that fails to conform to the policies and disposal procedures as established through this Ordinance or by the "Transfer Station Guidelines." The enforcement provisions of Section 257-11 shall apply.

**257-44 Transfer Station, Establishment of a "Base Level Service", Decals and Bags:**

**Decals.** All vehicles and commercial haulers received at the Transfer Station shall have a decal permanently attached to the passenger side of the vehicle. Decals are available at the Transfer Station or the MSD office. Decals are reserved for citizens and property owners of Franklin to deposit trash, special waste, and recyclables on an unlimited basis.

**City of Franklin Trash Bags.** All residential trash disposed of at the Transfer Station must be placed in a City of Franklin trash bag available for purchase at participating retailers (see the City Website for details). For property owners with Base Level Service that exceeds the maximum weekly amount of 192 gallons of residential trash, as described in Article II, paragraph 257-23, City of Franklin trash bags must be used and taken to the Transfer Station for disposal.

**Non bagged trash.** Any trash not bagged in City designated bags will be disposed of by scale weight; see Chapter 160, Fees, of the Franklin City Code. All other commercial haulers, packers and roll off containers, etc., are prohibited from using the Transfer Station – their material must be taken directly to a licensed facility. See Article V for further discussions on commercial collection services. The City reserves the right to refuse disposal if alternative means of disposal makes more sense. Diverting solid waste will result in bypassing the Transfer Station thus reducing the amount of handling and truck cost.

- 257-45     **Use of Transfer Station by Nonresidents and Contractors, Permits:**  
Nonresidents and contractors needing to dispose of solid waste and/or recyclables generated within the boundaries of the City of Franklin must obtain an authorization permit from the MSD office. Proper documentation of the source (tax bill, letter of authorization, contract between property owner and contractor), type and amount of materials, must be provided when requesting a permit. All applicable disposal policies, regulations and fees will be in effect for the issuance of the permit.
- 257-46 [Reserved]
- 257-47 [Reserved]
- 257-48     **Disposal of recyclables and other materials at the Transfer Station:**  
As addressed in 247-41, the Transfer Station provides for the disposal of certain other items that are outside of the normal waste stream and are not eligible to be picked up by the automated curbside collection program(s). Some of these materials may ultimately be recyclable or reusable. A complete list of all accepted materials will be issued and updated in the "Transfer Station Guidelines." A disposal fee is required for certain items as authorized by the Franklin City Council. Chapter 160, Fees, of the City Code contains the approved fees, but the Director is authorized to implement emergency fees after consulting with the City Manager when deemed necessary by changes in State or Federal waste disposal statutes or laws, or if the disposal fee of any outside vendor changes. Any such emergency fees shall be submitted to the City Council at its next available meeting for review and approval or modification as deemed appropriate by the Council.
- 257-49     **Handling and Management of Materials at, and on route to, the Transfer Station:**  
All vehicles, including cars, trucks, trailers and commercial haulers, etc., shall properly cover and contain any and all materials being transported to the Transfer Station so as to prevent the spillage of litter and blowing of materials onto the public roadway. Failure to provide such covering, resulting in the spillage and blowing of any materials onto the roadway, shall be considered a violation of this Chapter and the violator may be subject to the enforcement provisions of Section 257-11. The provisions of State RSA 266:72, which contains similar provisions and state requirements for the proper transport and handling of all materials, shall also apply.
- 257-50- 54 [Reserved]

Article IV Automated Curbside Commercial Collection System for Commercial Containers and Dumpsters

**257-55 Purpose:**

The City Council, as part of the overall establishment of this Ordinance, has made the determination that all commercial properties as identified in 257-02, will be responsible for the regular collection and disposal of all waste generated from commercial properties. This includes but is not limited to violations of the city's "Property Maintenance Code." Items disposed of at the Transfer Station must conform to the facility operations and the "Transfer Station Guidelines." Under this scenario, properties classified as "commercial" by the City Zoning Ordinance, are required to contract with a licensed and reputable solid waste hauler for the regular collection and disposal of all types of solid waste generated inside or outside of a property. All storage of commercial solid waste will be containerized in either dumpsters or roll out carts/containers. Storage, collection, and disposal will follow the same protocol identified, as applicable, throughout this Solid Waste Ordinance. Frequency of pickup and the number and size of containers must be coordinated between the property owner and trash collection company to ensure containers are not overfilled and the frequency of pickup is regularly scheduled based on a property's weekly or biweekly trash generation rate.

**257-56 Duties of the Property Owners; Landlords and Tenants:**

It shall be the responsibility of the property owner(s) of record to ensure that adequate storage capacity and trash disposal services are available for its tenants. The city requires pickup of all types of solid waste generated from a commercial property for numerous public health reasons. In order to guarantee compliance, the property owner(s) must provide a sufficient number of containers to meet the amount of trash generated by its tenants on a weekly or biweekly basis. Containers can either be a dumpster that is properly sized to meet the tenants needs, or a rollout curbside collection containers properly sized to meet the needs of each individual living unit. Property owner(s) that opt to use the city contractor for "commercial containerized curbside collection" pickup may contact the Municipal Services Department to obtain the contact information necessary to assist with obtaining commercial service that meets the requirements specified in this Ordinance. Property owners are responsible to pay all fees associated with trash collection. This ensures that regular service goes uninterrupted, and keeps a property in full compliance. Failure of the property owner(s) of record to comply with the provisions of this Ordinance may result in enforcement action by the city.

**257-57 Duties of Tenants:**



It is the duty and obligation of all Tenants occupying commercial property to maintain the area where trash containers are stored. Containers must be stored on private property, have lids closed at all times, and are not to be filled over capacity. The tenant(s) and property owner(s) are responsible for following established city rules for commercial trash collection services.

257-58 to 64 **[Reserved]**

Article V Commercial Collection and Container Storage

**257-65 Purpose:**

The purpose of this article is to outline the required operational and handling procedures for the collection and disposal of solid waste by private contractors within the city limits. These requirements are necessary in order to protect the health, safety, and welfare of the general public, as well as residents, businesses, and tenants using the properties served by private disposal firms.

**257-66 Registration Requirements:**

All Commercial Haulers, shall register with the Municipal Services Department on a form approved by the Director or designee(s). At the time of registration, the firm or individual shall demonstrate that they have the necessary permits and approvals required by state and local agencies to operate a legitimate disposal service. Registration period is normally the first three weeks of June or as needed throughout the period of July 1 through June 30<sup>th</sup> annually.

**257-67 Disposal of Waste under City's Annual Tonnage Agreement with disposal facility:**

The commercial haulers that pick up municipal solid waste in the City of Franklin are eligible to dispose of these materials at the disposal facility under the city's Gross Annual Tonnage allotment established annually. This financial benefit may be subject to changes based on the contract and any modifications to said contract, between the city and the firm or agency, for the final disposal of certain components of the solid waste stream. Commercial haulers are billed by the city for the tonnage disposed at the facility. An administrative handling fee is also charged to the hauler per Chapter 160, Fees, of the City Code. All commercial haulers/packers shall be registered with the appropriate firm, agency, or final disposal facility and vehicles shall meet the criteria that permits disposal. The purpose of bypassing the City Transfer Station and hauling directly to an outside facility is to avoid the reprocessing of municipal solid waste.

**257-68 Out of Town Refuse:**

Only trash and solid waste materials generated within the boundaries of the City of Franklin may be disposed of at the disposal facility. There will be no load mixing of solid waste from any sources, customers or municipalities, from outside the city. The city may request a list of customers for verification that they are complying with this requirement.

**257-69 Prohibited Wastes:**

Any firm that the city, or the appropriate regional agency, has a contract with to dispose of solid waste is authorized to prohibit or ban certain materials from disposal. No prohibited materials are to be placed or disposed of in any can, dumpster, or other receptacle. It is the obligation of all commercial haulers to provide their customers with a list of such prohibited items.

**257-70 Permitted Hours for Waste Collection and Transport:**

All commercial haulers/packers shall operate between the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. No collections are to be made outside of these hours except when unusual circumstances may arise. The Director of Municipal Services or designee(s) shall be notified and seek approval if such conditions warrant.

**257-71 Termination of Registration; Appeal Process and Reapplication:**

The Director reserves the right to terminate the registration of a firm or individual determined to be in noncompliance of this Ordinance. A letter of warning may be issued, but is not required, before any termination and upon the receipt of such a notification letter. If a violation is issued, the firm or individual is encouraged to meet with the Director to review noncompliance issues and create a process and mechanism to resolve the violations. If the Director determines that the proper corrective actions are not being taken or additional violations occur then the registration may be terminated. If a registration is terminated, the property owner and the collection firm shall be required to meet with the Director or designee(s) to review violations and to implement the necessary corrective actions before reinstatement of the registration. All other provisions of Section 257-11, Enforcement shall apply.

**257-72 Solid Waste Containers and Site Maintenance:**

For the purposes of protecting the health, safety, and welfare of the general public and specifically the residents and businesses of properties using private collection services, all containers and solid waste disposal areas used for private collection shall be operated and maintained in conformance to the following standards:

- a. The solid waste disposal areas shall be kept clean and free of trash, debris, windblown litter, furniture, and any other solid waste. All materials shall be placed within the appropriate containers and shall not be placed on the ground adjacent

to the containers. For items like furniture, mattresses, or other large items that cannot be placed in the containers or dumpster, the property owner or other responsible party is obligated to make arrangements with their collection firm to collect these items or to use the Franklin Transfer Station, and will be subject to appropriate fees. These types of items shall not be left in the open air for longer than 48 hours before a collection is made.

- b. All containers shall have a lid or other protective cover that shall be closed at all times, except when materials are being deposited in and/or removed from said containers. The containers shall not be overfilled so that the lid or cover is not closed or closable, or otherwise not effective in preventing spillage, blowing, or other dispersal of the waste materials.
- c. All containers shall be solid in design, such as metal or heavy plastic cans or the standard dumpster. This provision notwithstanding, if the Director or the Code Enforcement Division of the city determines that bags of waste inside the container are being repeatedly subject to ripping and damage from animals or the waste materials become a health hazard, then the city reserves the right to order that a more proper and appropriate container be used. Service and size of the container should be consistent with the amount of waste generated from a property over no more than a one-to-two-week period. Dumpsters should be equipped with a locking device in order to prevent unauthorized use.

**257-73 Service Frequency:**

All containers shall be regularly emptied so that the lids or covers for the containers can be closed so containers do not overflow. If inspections by the Director or other city staff result in a determination that the frequency of the collection service is not sufficient for the amount of waste generated from the property with all of these requirements, then the city reserves the right to terminate the registration per Section 257-71.

**257-74 Enforcement; Violations and Penalties:**

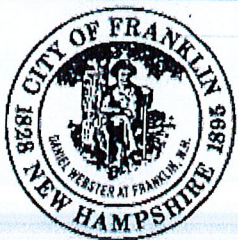
Failure to conform to any such provision of this Article will be a violation of this Ordinance and the enforcement and penalty provisions of Section 257-11 shall apply.

To be effective July 1, 2023, by roll call vote.

By a roll call vote.

Roll Call:





# City of Franklin, NH

## Revaluation Frequently Asked Questions

### *Why is a revaluation performed?*

A revaluation is done to equalize the values within a municipality to ensure a fair distribution of the tax burden. It is not done to raise taxes. It is required by State Statute to be completed at least once every five years.

Property values change over time, but they do not all change at the same rate. Market value may have increased more for some neighborhoods and property types than for others, while others still may have decreased in value. A revaluation is done to make sure assessed values reflect changes that have occurred in the real estate market.

### *Will a revaluation increase taxes?*

A revaluation may result in an increase or decrease in an individual property's tax burden depending on how the property's value increased or decreased relative to the average change in assessment. A revaluation does not mean all taxes will increase or decrease.

Assessed values are the base by which the tax burden is determined. In contrast, the tax bill is determined by the amount of tax which must be raised by the municipality to cover the municipal, county, and school budgets. For example, if the municipal, county, and school budgets were to remain the same and all assessed property values were to double, the tax rate would merely be cut in half, but the same property tax amount would be due from each property.

A revaluation does not increase the tax dollars that a municipality is able to raise. The amount of taxes to be raised is determined by the budgets that are passed by the municipality, school, and county, and not by property assessments.



### *Will all property values change?*

It is likely that most property values will change, however, they will not all change at the same rate. Market value may have increased more for some neighborhoods and property types than for others. The values of some neighborhoods and property types may have even stayed the same or decreased in the current market. The purpose of the revaluation is to make sure that the assessments reflect those changes in market value.

### *What is fair market value?*

Market value is defined as the amount a typical, well-informed buyer would be willing to pay a willing seller for a property. For a sale to be considered a qualified sale used to determine market value, it must be an arm's length transaction, the buyer and seller must not be related, the buyer must not be under pressure to buy and the seller must not be under pressure to sell, the property must be on the market for a reasonable length of time, the payment must be in cash or equivalent, and the financing must be typical for that type of property.

### *How will market value determine my assessed value?*

The value of your property is based on an analysis of the entire market for a specified period of time before the completion of the revaluation project, in this case from April 1, 2022 to March 31, 2023. The sales are researched and analyzed and factors such as location, size, quality of construction, age of improvements, topography, utilities, etc. are analyzed to establish valuation parameters (construction rates, land rates, market adjustments, etc.). When these valuation parameters are applied to the properties that sold, the calculation will result in a value that is very close to the sale price. The KRT appraisers then test that the valuation parameters consistently produce values that closely



## Revaluation Frequently Asked Questions (continued)

approximate the sales prices across all types of properties throughout the City. When this is accomplished, the KRT appraisers then reapply these same valuation parameters to all of the “non-sale” properties in the City. In doing so, they are approximating the market value of each property using the information derived from ALL of the recent, qualified sales. Using this methodology, there is no particular sale or group of sales that are used to determine your property’s value (unlike a bank appraisal for a mortgage).

### *The inside of my home was not inspected, so how could you reassess it?*

The ultimate goal over time is to see the inside of as many homes as possible. While KRT may not be able to accomplish this for many reasons, it is still possible to accurately estimate the data, quality and condition. The Assessor’s Office maintains a complete record of each property. Information is kept current through permit inspections, sales inspections, periodic re-inspection and exterior reviews. These records are available for your review in the Assessor’s Office or online at the City’s

website. The details on your property card are used to determine your new value. We encourage you to review your property card for accuracy.

### *Why did my assessment change when I haven’t done anything to my property?*

Market value is determined by the activity in the real estate market and the general economy. As property values change in the marketplace, which is reflected in sales, those changes will eventually be reflected on the assessment roll.

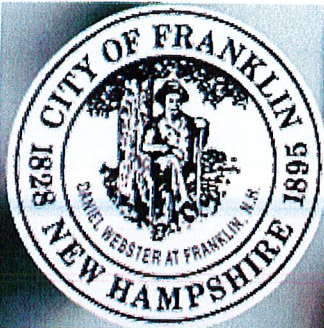
### *When will I know how much my resulting tax bill will be?*

A notice stating the proposed assessed value will be mailed to each property owner. The goal is for this phase to be completed in August of 2023. The tax rate (the rate used to calculate property taxes due) is determined after the municipal, county, and school budgets and values are finalized. Once the tax rate is set in the fall, tax bills will go out; it is only at time property owners will know what their resulting tax bill will be.

# Revaluation Timeline

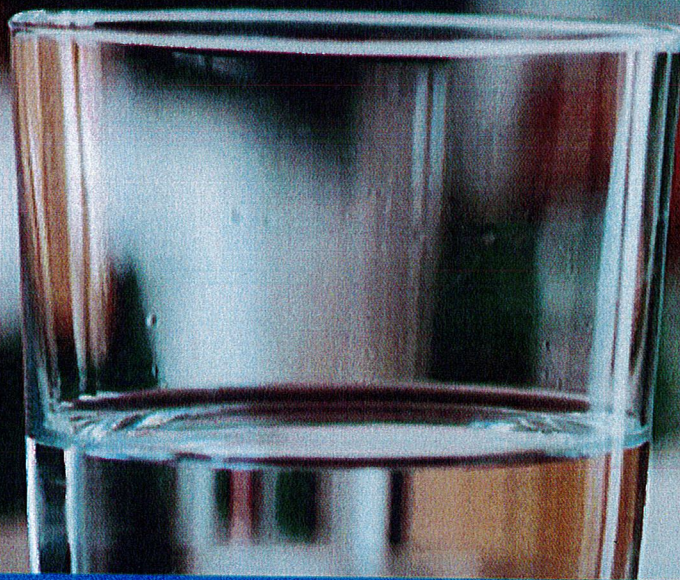
<u>Task</u>	<u>Start</u>	<u>Finish</u>
Sales Data Collection	November, 2022	May, 2023
Sales Review	December, 2022	May, 2023
Valuation	May, 2023	July, 2023
Assessor’s Valuation Review	July, 2023	August, 2023
Valuation Notices to Property Owners		August, 2023
Informal Meetings	August, 2023	August, 2023
Project Completion		September, 2023





# Protecting Franklin's Drinking Water

The City of Franklin is working with the NH Water Works association and NH Department of Environmental Services in conjunction with the Town of Sanbornton, to implement a Groundwater Protection Ordinance to protect Franklin's drinking water through *thoughtful* land-use planning and policy.



*Stay tuned for more information and ways to get involved such as attending Planning Board meetings, information sessions and submitting feedback to surveys!*





## **City Council Meeting Minutes Monday, December 5, 2022 - 6:00 p.m. Council Chambers, City Hall**

**Council in attendance:** Mayor Jo Brown, Councilor Jay Chandler, Councilor Bob Desrochers, Councilor George Dzujna, Councilor Vincent Ribas, Councilor Valerie Blake, Councilor Paul Trudel, Councilor April Bunker and Councilor Olivia Zink

**Absent:** Councilor Ted Starkweather

**Others in attendance:** City Manager Judie Milner, City Department Heads, and members of the public.

Mayor Brown called the meeting to order in Council Chambers at 6:02 p.m.

Salute to the Flag was led by Councilor Bunker. A moment of silence for the passing of Veteran George Savage was led by Councilor Desrochers.

Mayor Brown moved item II to the top of the agenda to be done before the start of public comments.

### **Agenda Item II.**

Jake and Ella Blanchette to present to the council a plan for putting up American flags on Central Street:

Jake and Ella Blanchette stated that they want to participate in the act of kindness put on by Franklin PD. They would like to display American flags on the light posts in downtown Franklin, on Central Street, as a way to show their patriotism to their country and veterans.

They proposed that the flags would be 3' x 5' and they can obtain the flags and pole kits from Leo Paquin, who is a local veteran. Mr. Paquin has agreed to help purchase the flags and pole kits, which come from the [www.americanlegion.com](http://www.americanlegion.com). They have spoken to the community and have support for the funding of this project. Jake and Ella stated that they are requesting the support from the council and the city to install these and maintain them.

**Motion - Councilor Bunker moved that the Franklin City Council accept the proposal of Jake and Ella Blanchette to work with Leo Paquin to donate flags and install them on the light posts on Central Street from bridge to bridge. Seconded by Councilor Trudel.**

No further discussion ensued.

***All in favor; motion passes.***

**Public Hearings:**

**Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the Municipal Code.**

The public hearing opened at 6:09 p.m.

The council heard from many residents and business owners. There were still a lot of questions about the changes in ordinance 03-23 and a lot of concerns. The following is a list of items that were covered during the public hearing:

- There were concerns that citizens may start to dump their trash on other pieces of land instead of paying for extra trash bags.
- There was a discussion about leaving out 501C non-profits from the list of businesses that could dispose of trash without an extra fee. The cemetery was an example, however, Milner clarified that this is owned by the city. All municipally owned businesses would be able to dispose of trash for free.
- There was a question as to why a multi-family that is 3 units and over would be considered commercial property. Milner did clarify that this is stated locally in RSA 674:43, which is different than commercial real estate definitions. The changes would discontinue curbside trash pickup for all commercial properties.
- There was clarification on the bags that would need to be purchased. Trash bags would only need to be purchased if residents were to go over the base level service permitted for curbside pickup. These bags would then need to be dropped off at the transfer station by the resident or the other option would be to bring the excess trash to the transfer station to pay for the weight of the scale.
- It was pointed out that a few sections of the ordinance seem to have discrepancies that need to be fixed so that it makes more sense.

There were many citizens that voiced being against this ordinance change and some that stated they understood the nature of why the city is requesting these changes.

There was a handout that was read to the council by resident and business owner, Desiree McLaughlin, along with her petition, a handout that was read to the council by Mill City Park President, Marty Parichand, and a letter from resident, Leo Guyotte, that was read to the council by Councilor Desrochers.

All have been attached to the end of these minutes.

The public hearing on Ordinance 03-23 closed at 7:23 p.m.

**Ordinance 04-23 to revise existing Chapter 233 Adoption of the Property Maintenance Code, and Chapter 233-2 Additions, Insertions and Changes.**

The public hearing opened at 7:23 p.m.



There was no discussion on this hearing.  
The public hearing on Ordinance 04-23 closed at 7:24 p.m.

**Resolution 06-23 accepting and appropriating funds from the Federal (CCASP) Child Care Achieving Stabilization Program for the Before and After School Program.**

The public hearing opened at 7:24 p.m.

There was no discussion on this hearing.  
The public hearing on Resolution 06-23 closed at 7:24 p.m.

**Legislative Update:**

Mayor Brown stated that there were no legislative updates.

**Comments from the Public:**

Mayor Brown asked if there were any other generic public comments.

Public comments opened at 7:24 p.m.

Resident Susan Lovering, Ward II, wanted to address her concerns for the renovations that are needed for the Franklin Opera House/City Hall. She mentioned that the city code requires three separate bids for price comparisons for getting the work done. She understands that the feasibility study passed through the city council and she is worried that the deadlines will not be met.

Milner did explain to Mrs. Lovering that the feasibility study does get bids from different trades and the city is following all of the guidelines.

Another resident commended Jake and Ella Blanchette for their presentation. The Franklin Rotary Club has also been working on a flag project as well with other businesses.

Public comments closed at 7:38 p.m.

**City Council Acknowledgement:**

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna had many people to thank; Kurt Weiner for the two big wreaths on the wheel donated at his cost, Glenn Morrill, Doug Veysy Tom Gumbart, and Heart and Stone Landscaping who hung those 700 lb. wreaths up. He also thanked Mark Picard, Beck & Bellucci, Inc. and the Franklin Fire Department for helping with the downtown tree décor and lighting.

Councilor Blake thanked everyone who helped out on the Holiday Stroll; George and Christine Dzujna, and Joya Pinkham, Library Director Sargent for the use of the library, City Manager Milner for assisting with the horse drawn wagon rides, Officer Burton for escorting the horses,

Police Chief Goldstein for the inaugural rides, Parks & Recreation Director Alpers for all of the marketing pieces, and everyone else who made the Holiday Stroll go so well.

Councilor Bunker wanted to commend Councilor Blake and Councilor Dzujna for the Holiday Stroll. She stated that she has never seen Marceau Park so crowded before.

She also wanted to make a public statement for the Citizens Taskforce, stating that they are not taking any financial donations. They were only asking for physical help.

Councilor Zink wanted to thank Firefighter Josh Lee for spearheading the wreaths downtown for the past 20 years.

Councilor Chandler commented on how wonderful the Holiday Stroll was as well.

**Mayor's Update:**

Mayor Brown stated that she had a few updates:

- She thanked everyone who participated in the Holiday Stroll along with all of the businesses.
- There was a ribbon cutting done for the Irish Pub, although they are not officially open yet. They are still working on parts of their kitchen and licensing from the state. They are hoping to be open for the end of this month or the beginning of January.

**Agenda Item I.**

Approval of Minutes:

Council to consider the minutes of the October 24, 2022 City Council Special meeting.

**Motion - Councilor Bunker moved that the Franklin City Council approve the minutes of the October 24, 2022 City Council Special Meeting. Seconded by Councilor Dzujna.**

There were no comments on the minutes.

***All in favor; motion passes.***

**Agenda Item III.**

School Board Update:

Superintendent LeGallo gave a brief update:

- He went over some of the trips for the Portrait of a Graduate that teachers, parents and students have been attending. One team went to Minnesota and another went to Colorado to visit some model high schools. He did send out an email about a trip to California in March and is inviting members from the council, the mayor and the city manager if their schedules will allow for it. He's looking to send a group of 12 people. If interested, he has 2 spots open for March 13<sup>th</sup>-16<sup>th</sup>.

- He stated that they have also been working on school safety and have sent teams to conferences in Florida and Nevada. These are the National School Safety conferences. There will be a forum for the community starting in February.
- The NH Homeland Security is coming in next Wednesday to do a site visit at the elementary school, the following week will be the middle school and the week after that will be a site visit to the high school.
- Lastly, they were able to hire a part-time high school math teacher and has a skill set that will allow them to continue offering the manufacturing math class.

Councilor Dzujna asked if there was anymore info on the elementary school principal. LeGallo stated that all he can say is that the principal put in for a resignation and the school board accepted it and they are looking for a new principal at this time.

Mayor Brown called a 10-minute break at 7:52 p.m.  
The meeting reconvened at 8:04 p.m.

#### **Agenda Item IV.**

Council to consider setting a public hearing for Resolution 07-23 to appropriate \$100,268.84 of the state portion of funding to the New Hampshire Retirement System and EFA Phase Out grant to the Franklin School District for Fiscal Year 2023:

**Motion – Councilor Dzujna moved that the Franklin City Council set a public hearing on January 9, 2023 at 6:00 p.m. in Council Chambers for Resolution 07-23 appropriating \$100,268.84 to the Franklin School District fiscal year 2023 budget. Seconded by Councilor Zink.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

***All in favor; motion passes.***

#### **Agenda Item V.**

Council to consider Ordinance 03-23 repealing and replacing current Chapter 257 “Solid Waste” of the Municipal Code:

**Motion – Councilor Dzujna moved that the Franklin City Council adopt Ordinance 03-23 repealing and replacing current Chapter 257 “Solid Waste” of the City of Franklin, New Hampshire, Municipal Code. Seconded by Councilor Blake.**

Mayor Brown asked if there was any discussion on this motion.

Councilor Desrochers stated that there are 16 people that have asked him to vote against this ordinance.

Councilor Dzujna stated that he reached out to 30-40 residents in Ward I and they all agreed that something needs to be done regarding this ordinance.

He also wanted to correct something that resident Merrifield mentioned in public comment about the city manager and MSD director being able to set fees in the case of an emergency. This verbiage has not been changed and has been in the previous ordinances and states that in the case of an emergency the city manager/MSD director would need to get permission from the city council at the next occurring meeting. This document does not state that they can set/change fees at any time.

City Manager Milner confirmed that section, 257-48, has not changed at all so there would be no need to change it at this time.

Councilor Bunker stated that she will be voting for this ordinance since the city cannot afford the tipping fees and the only other option would be to raise taxes, which cannot be done.

A few of the councilors had some comments and questions that Milner answered. She also mentioned that a small packet was put together that goes over some key information on this ordinance and it answers the most asked questions from residents. This was put together for the public, as there was public confusion, highlighting items from the last 16 meetings that have been held on this ordinance. Each councilor was given this packet today and is included at the end of these minutes.

There were concerns about rents being increased on properties that have 3 or more units, since the owners would now have to pay for their own trash. A lot of families may not be able to afford an increase, especially with the prices of so many other things going up.

A discussion about the ordinance still needing corrections ensued. It seemed that not everything had been revised on the ordinance per the city council workshop meeting where they went through it line by line. Sending any remaining corrections back to the city manager's secretary was mentioned, with postponing the public hearing to the February city council meeting.

**Motion – Councilor Ribas moved that the Franklin City Council refer Ordinance 03-23 back to the MSD Committee for any remaining corrections with a goal of postponing the public hearing to the February City Council meeting. Seconded by Councilor Bunker.**

***All in favor; motion passes.***

The council set up an MSD Committee meeting for December 19<sup>th</sup>, 2022 at 6pm at the Bessie Rowell. Mayor Brown asked that all final corrections from the council be emailed to Councilor Dzujna and City Manager's Secretary Jones so that the revisions can be brought back to the MSD meeting on the 19<sup>th</sup>.

#### **Agenda Item VI.**

Council to consider Ordinance 04-23 to revise existing Chapter 233 Adoption of the Property Maintenance Code, and Chapter 233-2 Additions, Insertions and Changes:

**Motion – Councilor Trudel moved that the Franklin City Council adopt Ordinance #04-23, which will update Chapter 233-1, and 233-2 of the International Property Maintenance Code from the 2018 International Code Council Edition, to the 2021 International Code Council Edition to include appendices and commentaries to be utilized for clarification and litigation if necessary. Seconded by Councilor Desrochers.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

### **Ordinance #04-23**

#### **§ 233-1**

Adoption of Property Maintenance Code.

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the International Property Maintenance Code, 2021 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Franklin, in the State of New Hampshire, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the Inspector's office are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 233-2 of this chapter.

#### **§ 233-2**

Additions, insertions and changes.

**A.**

Section 101.1. Insert "City of Franklin."

**B.**

Section 304.14. Insert "April 1 to December 1."

**C.**

Section 602.3. Insert "October 1 to May 15."

**D.**

Section 602.4. Insert "October 1 to May 15."

**E.**

Section 302.8 Insert "Exception": On owner-occupied detached single family dwelling properties not more than one currently unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.

[Amended 9-5-2019 by Ord. No. 04-20]

**F.**



Insert the following:

"Consultant: The Board of Appeals may, by majority vote, hire independent consultants to advise the Board with regard to matters in which particular expertise may be required. The cost of any such consultant shall be borne by the applicant prior to the incurring of any such expense. The refusal of the applicant to accept responsibility for such costs shall be grounds for the dismissal of any application or appeal." [1]

[1]

Editor's Note: For appeals procedures, see Section 111, Means of Appeal, in the International Property Maintenance Code.

**G.**

Section 202. Insert "Unlicensed - Not currently registered or inspected."

[Added 3-6-2006 by Ord. No. 05-06]

**H.**

Add a new Section 301.3.1 to read:

[Added 4-4-2011 by Ord. No. 05-11]

In order to prevent blight, to protect the integrity of the applicable business or residential zone, and to protect the health, safety, and welfare of the surrounding area, no structure or any part thereof shall be boarded up in any fashion except under the following circumstances:

In order to prevent blight, to protect the integrity of the applicable business or residential zone, and to protect the health, safety, and welfare of the surrounding area, no structure or any part thereof shall be boarded up in any fashion except under the following circumstances:

1.

Following a fire, explosion, automobile-related damage, or other similar casualty, the windows, doors, or portions of the exterior structure may be boarded up in order to secure and stabilize the building. The Code Enforcement Officer (CEO) shall be contacted the next available business day to discuss the stabilization of the building. The initial approval period for such action will be for 45 days from the date of the incident. Following the expiration of this initial time frame any request for a second forty-five-day approval period must demonstrate that there is a viable time line to initiate the work for the restoration of the structure. An approved building permit must be in place for the second approval period to be issued.

2.

An extension of the collective ninety-day period allowing portions of a structure to be boarded up shall only be approved if compelling evidence is submitted to the CEO that additional time is necessary to finalize insurance claims or an approval for the restoration work from the person or institution which holds the mortgage on the property. The CEO reserves the right to ask for any and all documentation necessary to substantiate a claim that an extension is necessary. For any extension beyond the ninety-day period outlined in Subsection 1 above, the wood or other material used to board up the building shall be painted to match the color scheme of the existing building.

3.

For any structure for which a building permit has been obtained, no portion of the structure shall be boarded up without the approval of the CEO. The request to permit such boarding up shall include a time frame for the completion of the exterior repairs or improvements. The forty-five-day and ninety-day time lines outlined above shall apply.

4.

For any vacant structure, the CEO may order or otherwise authorize the boarding up of the structure.

5.

All work and stabilization work approved under these provisions shall be completed in a professional and workmanlike manner as determined by the CEO, who reserves the right to order corrective work to insure the protection of the public's health, safety, and welfare and the integrity of the surrounding area. No materials used to board up or stabilize a structure shall be placed on City land (sidewalk, right-of-way, etc.) without the permission of the Municipal Services Director and the City Manager. Additionally, the CEO may require that the plywood or other material is painted to match the existing color scheme of the building.

The enforcement provisions of this code shall apply to all activities and work pursuant to this section.

To be effective January 1, 2023, by roll call vote.

**By a roll call vote.**

**Roll Call:**

Councilor Blake      yes      Councilor Dzujna      yes      Councilor Zink      yes

Councilor Ribas      yes      Councilor Bunker      yes      Councilor Chandler      yes

Councilor Desrochers      yes      Councilor Starkweather      absent      Councilor Trudel      yes

*All in favor; motion passes.*

**Agenda Item VII.**

Council to consider Resolution 06-23 accepting and appropriating funds from the Federal (CCASP) Child Care Achieving Stabilization Program for the Before and After School Program:

**Motion – Councilor Bunker moved that the Franklin City Council adopt Resolution #06-23 to accept and appropriate \$24,420 from the Federal CCASP (Child Care Achieving Stabilization Program) for the purpose of stabilizing child care and \$25,680 from CCDF (Child Care and Development Fund) Discretionary Funds quality grant for the Parks and Recreation Before and After School and Summer Program. Seconded by Councilor Blake.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

**RESOLUTION #06-23**

**A Resolution Relating to a supplemental appropriation for Fiscal Year 2023.**

**In the year of our Lord, Two Thousand Twenty-Two,**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2023 beginning July 1, 2022, **and**;

**WHEREAS**, the City Council realizes the child care workforce crisis and the need for stabilization and,

**WHEREAS**, the City of Franklin Recreation department has been awarded at total of \$50,100 due to the passing of the Federal CCASP (Child Care Achieving Stabilization Program) and CCDF (Child Care and Development Fund) Discretionary Funds and,

**WHEREAS**, the City Council appreciates and acknowledges the Recreation workers' continuing efforts to provide an essential service to the working parents of this community now,

**THEREFORE, BE IT RESOLVED**, *that at their regularly scheduled meeting of the City Council on Monday, December 5<sup>th</sup>, 2022, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #06-23 to authorize the City Manager to accept and appropriate the funds of \$50,100 (fifty thousand one hundred dollars)*

**An Increase in Revenue:**

Federal Grants Operating- CCASP Acct. No. 01-5-211-33111-129

**An Increase in Expenditures:**

Recreation Admin Summer Rec – Childcare Stabilization - Acct. No. 01-5-211-40121-129 – fifty thousand one hundred dollars (\$50,100)

**By a roll call vote.**

**Roll Call:**

Councilor Blake	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Zink	<u>yes</u>
Councilor Ribas	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Chandler	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Starkweather	<u>absent</u>	Councilor Trudel	<u>yes</u>

*All in favor; motion passes.*

**Agenda Item VIII.**

City Council to consider the approval of Franklin Savings Bank loan terms for the \$1.4 million short term bond anticipation note to be converted to long term debt and the loans for the approved vehicle purchases in the FY2023 budget:

**Motion – Councilor Ribas moved that the Franklin City Council accept the loan terms provided by Franklin Savings Bank for:**

- 1) the conversion of the \$1.4 million short term bond anticipation note to long term debt, as approved in resolutions 21-18 and 06-20, at an interest rate of 3.6% fixed over twenty years, and**
- 2) the financing of the vehicle/equipment purchases approved in the FY2023 budget (Resolution 01-23):**
  - a. (1) Chevy Trailblazer at an interest rate of 2.9% fixed for four years,**
  - b. (2) Chevy Colorado vehicles at an interest rate of 2.9% fixed for four years and**
  - c. (1) Case Loader backhoe at an interest rate of 3.05% fixed for six years.**

**Seconded by Councilor Dzujna.**

Mayor Brown asked if there was any discussion on this motion.  
No discussion ensued.

*All in favor; motion passes.*

#### **Agenda Item IX.**

##### **Other Business:**

##### **1. Mayor & Council Appointments**

Mayor Brown re-appointed Tim Stangroom to the Heritage Commission, seat HC5, term of service to January 2026.

Mayor Brown re-appointed Colby Morrill to the Heritage Commission, seat HC2, term of service to January 2026.

Mayor Brown re-appointed Kathy Lauer-Rago to the Planning Board, seat PB8, term of service to January 2026.

Mayor Brown re-appointed Christine Dzujna to the Planning Board, seat PB5, term of service to January 2026.

**Motion – Councilor Ribas moved that the Franklin City Council re-appoint Glen Feener to the Zoning Board of Adjustment, seat ZBA3, term of service to January 2026, re-appoint Cecile Cormier to the Zoning Board of Adjustment, seat ZBA5, term of service to January 2026, and accept the resignation of Meri-Lynn Banton from Ward Clerk, Ward III, seat WC3, effective immediately. Seconded by Councilor Blake.**

Mayor Brown asked if there was any discussion on this motion and thanked Mrs. Banton for her service.

No discussion ensued.

***All in favor; motion passes.***

## **2. Committee Reports**

Councilor Dzujna stated that the MSD Committee met on November 28<sup>th</sup> and discussed the handout on the trash ordinance 03-23 to help the public understand the changes better.

Councilor Desrochers stated that the CIP Committee met on December 1<sup>st</sup> and went over the priorities for the fire department, MSD and the police department. There are vehicles that will need replacing and body cameras as well.

## **3. City Manager's Update:**

- Contingent Grant Line Activity – \$1,000 from Benson Auto for Parks & Rec Youth Sports Scholarships and \$484.87 from the Sex Offender Compliance grant.
- Trust fund for school funding – \$271.21
- Congratulations: Paul Smith student, 1<sup>st</sup> grader named Brantley who received the Franklin Police Canine Association award for picking up trash on the rail trail and in West Franklin; Police department for several large drug operation busts this month; K9 Miller for breaking the language barrier with a Ukrainian refugee student at the middle school who does not speak English and was having a very difficult time.
- Committee meetings – December:
  - Police – Thursday, 12/15, noon, police department
  - Parks & Rec – Thursday, 12/22, 10am Bessie Rowell
  - MSD – Monday, 12/19, 6pm at Bessie Rowell
- Welcome New Businesses to Franklin: Newfound Pet Center - 760 Central St; Mike River's Automotive - 8 Green Street; Kettlehead – 20 Canal St (Stevens Mill)
- Tax Bills went out and are due on Monday, December 19<sup>th</sup>
- Shout Out – Library Director Rob Sargent, who received a positive social media post from a family that he had opened up the library to after hours.
- Random Acts of Community this month goes out to Jason Brassard, who powder coated the pole hangers for flowers in the City of Franklin.
- Media contacts – Concord Monitor



- 11/28 Public Forum Trestle Bridge - Very good discussion and clarification on the point of no return and the next steps. Received a lot of information on the grant needed as well.
- Holiday Stroll – Shout out to the Franklin Falls Business Group for putting this together. It was phenomenal.
- Assessment Revaluation Underway – KRT Appraisals is the company doing this. They have started fieldwork and Dan Scalzo will be going around properties to complete this. A picture of him and his car will be sent as a News & Announcement on the website for public safety.
- InvestNH grant – The municipal application has been completed. As a reminder, this is \$10,000/unit of affordable housing in Franklin. There are 31 units for affordable housing being built right now in the Chimborg project so the city is eligible for \$310,000. This application is part of one of the late items tonight.
- Stanley Mill update – ownership; the DES grant for \$200,000 has been awarded to the city for that project; the InvestNH grant of \$400,000 is also a late item tonight; the EPA grant for \$1.6M has been submitted
- Holiday Luncheon – This will be on December 23<sup>rd</sup> at noon and will be held at the fire department. The city council is invited along with city staff.
- City Manager Contract Renewal expires June 30, 2023. A copy of the contract is in the packet for the council to discuss at the January meeting, if there is no objection. She stated that the council could enter into a non-public tonight to discuss, if needed, or it could wait until January.

**1. Late Items:**

Late Item #1 - Permission needed for City Manager to Apply for InvestNH Grant. (Handout attached to the end of minutes)

**Motion – Councilor Bunker moved that the Franklin City Council allow City Manager, Judie Milner, or her designee, to apply for and accept InvestNH grants and act as the signatory on all related InvestNH matters. Seconded by Councilor Dzujna.**

Mayor Brown asked if there was any discussion on this motion.

City Manager Milner explained that \$400,000 was going towards Stanley Mill for demolition and \$310,000 would be coming to the municipality as a result of the Stevens Mill project, based on the 31 units of affordable housing.

No other discussion ensued.

***All in favor; motion passes.***

Late Item #2 – Set a public hearing on Resolution 08-23 for January 9, 2023, at 6pm at City Hall Council Chambers. (Handout attached to the end of minutes)

**Motion – Councilor Ribas moved that the Franklin City Council set a public hearing for Monday, January 9<sup>th</sup>, 2023, at 6pm on Resolution 08-23 authorizing the City to accept grant funds and borrow loan funds under the State of New Hampshire Drinking Water State Revolving Fund (\$1,440,000 grant, \$2,160,000 loan) for water improvements and Clean Water State Revolving Fund (\$1,500,000 grant, \$3,500,000 loan) for sewer replacement program on East/West Bow Streets. Seconded by Councilor Trudel.**

Mayor Brown asked if there was any discussion on this motion.

Councilor Zink pointed out that on the part of the resolution (the fourth line of 'WHEREAS') the date that is written as July 11, 2023 should be written July 11, 2022. She also asked why the city is 18 months late to accepting the grant funds.

Milner stated that she is unaware of there being an 18-month delay, as the funds were applied for earlier this year. They did require a little bit of a difference in the language than they had originally been submitted as, but that has been revised and the funding has been received.

Milner also clarified that they needed minutes from this meeting showing a public hearing was set to accept the funding and it needed to be voted on by the end of January. This gives the time needed to be able to accept the grant funds.

No other discussion ensued.

**By a roll call vote.**

**Roll Call:**

<b>Councilor Blake</b>	<b><u>yes</u></b>	<b>Councilor Desrochers</b>	<b><u>yes</u></b>	<b>Councilor Starkweather</b>	<b><u>absent</u></b>
<b>Councilor Bunker</b>	<b><u>yes</u></b>	<b>Councilor Dzunja</b>	<b><u>yes</u></b>	<b>Councilor Trudel</b>	<b><u>yes</u></b>
<b>Councilor Chandler</b>	<b><u>yes</u></b>	<b>Councilor Ribas</b>	<b><u>yes</u></b>	<b>Councilor Zink</b>	<b><u>yes</u></b>

***All in favor; motion passes.***

Mayor Brown stated that the council could enter into a non-public session to discuss the City Manager's contract, but there would not be any voting. She asked if that is what they'd like to do.

Councilor Trudel stated that he would prefer the council waits until newly elected Councilor Webb is seated and when Councilor Starkweather is back to discuss this contract.  
The council agreed.

**Motion to adjourn was made by Councilor Zink and seconded by Councilor Desrochers.**

***All in favor; motion passes.***

The meeting adjourned at 9:29 p.m.

Respectfully submitted,

Lisa Jones  
Executive Secretary

Attachments:

- Handout and petition from resident, Desiree McLaughlin
- Handout from Mill City Park President, Marty Parichand
- Letter from resident, Leo Guyotte
- Packet on FAQs on trash ordinance 03-23
- Late Item #1
- Late Item #2

PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

PLEASE DO NOT: REDEFINE "COMMERCIAL UNIT"

DISCONTINUE SERVICES TO OUR SMALL BUSINESSES.

REMOVE THE PUBLIC FROM THIS PROCESS

The City of Franklin is experiencing a financial crisis regarding the disposal of our trash. The issue is indisputable. The City of Franklin collects taxes on all residential and commercial properties within the city limits. The City of Franklin is proposing to "Repeal and Replace" the current trash ordinance 03-23 that provides curbside collection services to a large majority of taxpayers. They propose to discontinue curbside collection service to all properties over 2 units and all small businesses. Their justification for this action is: Commercial properties can generate income as opposed to single family residences. **This statement is FALSE.** Many single-family and 2 family homes in Franklin are rental properties or short-term rentals. They are either locally owned or owned by out of staters. They are rented on a commercial basis. This invalidates the justification for reclassifying the definition of "commercial". In addition, the 'newly designated "properties proposed to lose curbside collection service in the new ordinance generate more city tax dollars than single-family or two-unit residences.

The City Council convened a "Special Meeting" on October 24, 2022, providing notice of this meeting to residents on October 20, 2022 via email. That is less than 4 days' notice. There was no notice the public would not be allowed to comment. The public was notified upon arrival, they would not be allowed to participate, however Mayor Jo Brown allowed one resident over others to participate until properly censured by a city councilor. The intention of this Special Meeting was a workshop to review the new ordinance and make a motion to set a hearing date. After discussion with resulting discord and a lack of information available from the Municipal Service Department head, the meeting was adjourned without a hearing date set. The November 14, 2022, City Council Agenda includes Item VIII "Council to consider setting a public hearing for ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the Municipal Code."

The negative impact the Repeal and Replace trash ordinance as proposed by the Franklin City Council would be significant and difficult, if not impossible to overcome or reverse. As written, it opens the City to increased liabilities only some of which are listed below.

1. What is the legal consideration to potential lawsuits should residents and property owners who have been unfairly segregated into a commercial category, while allowing others operating in the same commercial capacity, to reap tax dollar generated municipal benefits unjustly.
2. The economic burden of municipal services will be transferred directly from the City of Franklin's municipal budget, straight to the newly designated commercial property taxpayers with no adjustment to the property owners tax rate.
3. Small businesses located in the heart of the City of Franklin's revitalization efforts will incur additional municipal fees. These fees may translate to the former empty storefronts that blighted the downtown area for decades. Future businesses may be discouraged from considering Franklin as a destination for their business.



4

4. Rental rates for local businesses and residents will increase the number of vacant but viable commercial spaces and residential apartments while the city faces rising numbers of homelessness and over-occupancy of rental apartments. Code violations will increase.
5. Additional burden will be placed upon both the police department as well as the municipal department to accommodate the proven statistical increase in illegal dumping and documentation of illegal dumping incidents
6. Increased burden on Franklin City Code Enforcement to investigate, report and resolve improperly stored trash occurrences which may lead to infestations of rodents and other pests increasing liability to property abutters.

Franklin residents, taxpayers, and small business owners. Please sign this petition. Please implore the Franklin City Council to recognize

1. The importance of continued curbside trash collection for the current commercial designation of 6 units and below as well as small businesses.
2. Setting a series of at least 3 workshops allowing public suggestion and incorporation while exploring additional measures of remediation to alleviate the financial burden of trash disposal.

This petition will be read to the Franklin City Council at the November 14, 2022, City Council Meeting and presented signed at either the December 5, 2022, City Council Meeting or if /the council sets a different date specifically for the hearing on the Trash Ordinance. Whichever comes first. Please write to your City Councilors and please furnish these communications to be included with the presentation of the final signed petition.

PLEASE FILL OUT AND SIGN THIS PETITION COMPLETELY

PLEASE WRITE TO YOUR CITY COUNCILOR AND FORWARD TO DESIREE @ [DMC92775@YAHOO.COM](mailto:DMC92775@YAHOO.COM)

THESE COMMUNICATIONS CAN BE INCLUDED WITH THE PETITION

PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

PLEASE DO NOT: REDEFINE "COMMERCIAL UNIT"  
DISCONTINUE SERVICES TO OUR SMALL BUSINESSES.

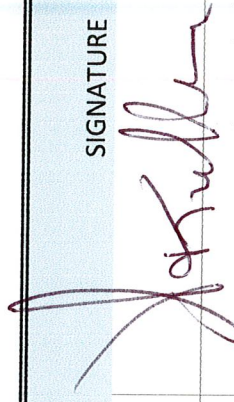





REMOVE THE PUBLIC FROM THIS PROCESS

PRINTED NAME	ADDRESS	SIGNATURE
Ben Ekstrom	419 Central St Franklin	Bentley Ekstrom
Rylee Deluca	1 River Street	Rylee Deluca
Madison Vezina	1 River Street	Madison Vezina
Phoenix Turcotte	97 Franklin C	Frank Turcotte
Donna Theriault	97 Franklin St.	Donna Theriault
NORMAN LEMPELX	93 FRANKLIN ST	Norman Lempe
Jessica Gaudin	97 Franklin St	Jessica Gaudin
Lisa Lundstrom	97A Franklin St.	Lisa Lundstrom
Heather Arsenault	102 Franklin St	Heather Arsenault



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PRINTED NAME	ADDRESS	SIGNATURE
Scott Fuller	98 Franklin St	
Michelle Talbot	98 Franklin St	
Brittany Talbot	98 Franklin St	
Angela Watson	104 Franklin St	
Paul and Gregory Wilson	104 Franklin St	
Paul Hudson	46 Orchard St	

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PRINTED NAME

Patricia A. Palm

ADDRESS

414 Central St. Franklin  
Edward Hill Rd. Franklin

SIGNATURE

Patricia A. Palm



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PRINTED NAME	ADDRESS	SIGNATURE
Susan Young	19 Memorial St	Susan Young
Dora S. Seiges	80 Clark St	Dora S. Seiges
MARILYN PLOURDE	18 River View Dr.	Marilyn S. Plourde
Amanda Maultsch	336 Central St	Amanda Maultsch
Roy Trotter	426 Central St.	Roy Trotter
Richard Franey	713 Central St	Richard Franey
Becky Brown	713 Central St	Becky Brown
Miriam Kovacs	418 Central St #4	Miriam Kovacs
[REDACTED]	[REDACTED]	[REDACTED]

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PRINTED NAME	ADDRESS	SIGNATURE
Sherry Downer Sherry Downer Anna Costa Turner	336 central st 174 Ward Hill Rd	Sherry Downer Anna Costa Turner
Josh Berrey	11 Pleasant St #2	[Signature]
Servius Durand	54 west bow st	[Signature]
Tyler Bacon	112 Pleasant St	Tyler Bacon
Philip Bray	21 Pearl St. Franklin NH.	[Signature]
Jane Sylvester Allen Davis	7 CLARK ST APT 2 FRANKLIN NH 11 Pleasant St.	Jane M Sylvester allen davis
[Redacted]	[Redacted]	[Redacted]



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PRINTED NAME	ADDRESS	SIGNATURE
Robert AD Magill	25 Country Ln	Robert AD Magill
Scott MANOLICH	418 Central St Franklin NH	Scott Manolich
JOANN TROTTIER	426 CENTRAL ST, FRANKLIN NH	Joann Trotter
Kathy Lauer-Rago	53 Maple sq Franklin	Kathy Lauer-Rago
Chuck Taylor	426 Central St	Chuck Taylor
AL WARNER	63 Maple Square	Al Warner
Suzanne Gardner	767 Hill Rd	Suzanne Gardner
Leo Guyotte	5 Aike Ave	Leo Guyotte
Helen Guyotte	5 Aike Ave	Helen Guyotte

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PRINTED NAME	ADDRESS	SIGNATURE
Becky Brown	713 Central St	Becky Brown
Michael Amas	49 Madison St	[Signature]
Leo J. Levesse	917 So. Main St.	[Signature]
Linda Doucet	22 Knicker Ave	Linda Doucet
Bob Doucet	"	Bob Doucet
Tanya Pailley	19 Oriole St	[Signature]
[Redacted]	122 Pleasant St	[Redacted]
Margaret Dandy	181 Franklin St	Margaret Dandy
Robert Desrochers Sr		Robert Desrochers Sr



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PRINTED NAME	ADDRESS	SIGNATURE
Barbara Therrien	94 Sanborn St	Barbara Therrien
David Therrien	94 Sanborn St	David Therrien
David Desrochers	19 Mark Rd	David Desrochers
Candy Desrochers	19 Mark Rd	Candy Desrochers
Dona Leal	68 West Bow	Dona Leal
Dana Leal	68 West	Dana Leal
CHARLOTTE EDMUNDS	500 Waveridge Rd	Charlotte Edmunds
Bruce Collins	47 Elkins St, Franklin N.H. 45 West Franklin Hospital	Bruce Collins
Robert M. Bennett	150 North Main St Apt #3 Franklin, NH 03235	Robert M. Bennett



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Please  
leave  
open!

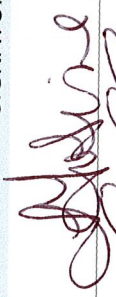




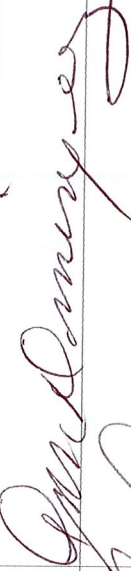



PRINTED NAME	ADDRESS	SIGNATURE
Ruth F Niven	120 Chancery Pond Road	Ruth F Niven
Richard J. Munn	501 Franklin St	Richard J. Munn
Heighster Webb	28 West Bow St Unit 7	Heighster Webb
Ann Marie Wright	197 E Bow St	Ann Marie Wright
RICHARD C WRIGHT	197 E Bow St	Richard C Wright
Nerise Elliott	197 E Bow St	Nerise Elliott
Mark Morrisette	170 W Bow St	Mark Morrisette
Kat Rickler	28 West Bow St Unit 4	Kat Rickler
Adam St. Jacques	120 West Bow St Franklin NH	Adam St. Jacques

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PRINTED NAME	ADDRESS	SIGNATURE
Jeremy A. LeBlanc	144 Franklin St Apt #1	Jeremy LeBlanc
Michelle St Jacques - LeBlanc	144 Franklin St, Apt 1 Franklin NH	<del>Michelle St Jacques - LeBlanc</del>
Tina Tortorella	162 Bow St. Franklin NH.	Tina Tortorella
Jessica Galt	99 Franklin St #C Folsom	Jessica Galt
Bill Blomquist	296 Webster Blvd #C	Bill Blomquist
Robin Priest	336 CENTRAL ST #24	Robin Priest
Karen Tibbs	336 Central St #24	Karen Tibbs
Jana Bertone	4 Glen St Franklin NH	Jana Bertone
Desiree McLaughlin	426 Central St	Desiree McLaughlin



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PRINTED NAME	ADDRESS	SIGNATURE
Trudi Gosine	22 Grogg Ave	
GEORGE ERIKSON	12 FLEET DR	
Daisy Magill	25 Country Ln	
William Philip	24 Lady Bug Ln	
Rick Stone	37 Pleasant St	
Ann Dominguez	424-430 Central st	
Tosé Dominguez	424-430 Central st	
Lisa Wright	66 West bow st	
Paul Dabbs	4261 Central street	

PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

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PRINTED NAME	ADDRESS	SIGNATURE
JOSEPH DAVIS	11 Pleasant St	JOSEPH DAVIS
Robert G. Grant	67 South Main St	Robert G Grant
Andrew Lobregue	96 West Bow St	Andrew
Asnief Cherry	37 Webster Lake Rd	Asnief Cherry
Leeann Clancy	42 Franklin St	Leeann Clancy
Merke Staw	42 Franklin St	Merke Staw
Kent Macary	426 Central St	Kent Macary
Ann Brader	59 Denise Webster Dr	Ann Brader
Clifford Brizer	59 Daniel Webster Dr	Clifford Brizer



PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

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PRINTED NAME	ADDRESS	SIGNATURE
Bruce Carey	53 Oak St.	Bruce Carey
Katelyn Valleres	53 Oak St.	Katelyn Valleres
Anthony Sattile	60 Independence Ave.	Anthony Sattile
Giliana Dolic	434 Central St	Giliana Dolic
Jamal Hemingway	148 South main st	Jamal Hemingway
Truitt Mullins	128 Victory Dr	Truitt Mullins
Joanna Stockbridge	42 Franklin St.	Joanna Stockbridge
Lottie Trask	42 Franklin St.	Lottie Trask
Brad Copp	2 Munroe St	Brad Copp
Jane & Robert Desrochers	25 Liberty Ave	Jane & Robert Desrochers

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PRINTED NAME	ADDRESS	SIGNATURE
MaryAnn Stark	132 Franklin St	MaryAnn Stark
Janine Rymy	3 Beaton St	Janine Rymy
Blane Leclerc	3 Beaton St	Blane Leclerc
Tim Reas	29 DEARBORN	Tim Reas
m'ke George	100 Memorial Mike George	m'ke George
Cindy Collyns	20 Russell St	Cindy Collyns
Rebecca Blodgett	141 Winnipeg Ave	Rebecca Blodgett



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PRINTED NAME	ADDRESS	SIGNATURE
Michael Ambrose	15 Sanger St Franklin	
AMANDA JACKSON	25 OXLEY RD Franklin	
Nancy Jackson	144 S Main St Apt 12	
FRANK EDWARDS	200 WOODBRIDGE RD	
William Sweeney	60 River St	
		
Wendy Seigurs	387 N. Main St	
	113 OYST Bow St	
Dan Lee	17 Vine St Franklin	

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PRINTED NAME

Dorey Carrier  
Carole Taylor

ADDRESS

270 S. Main St  
Baldwin St

SIGNATURE

[Signature]  
[Signature]



PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

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PRINTED NAME

ADDRESS

SIGNATURE

Jennifer St Jacques  
Thomas

59 Chestnut St Franklin  
59 Chestnut St

[Signature]  
[Signature]

**Marty Parichand**

**Ward 3**

I am a resident, a building owner, a business owner, I run a nonprofit and have the pleasure of working for the City Manager's Economic Development Team. I am proud of the work that we do, I love this community and wouldn't want to live anywhere else.

In June of 2022, the Laconia Daily Sun wrote an article entitled "Franklin's trajectory is upward." It ended with the following... "Franklin's strong civic mindedness, dedication to community service and central location to NH's unlimited recreation resources lead to a very promising future.... Franklin is on the move!"

Throughout the northeast, this is what we are hearing. Franklin is truly, making waves (pun intended).

I've been to my fair share of City Council Meetings. I've witnessed councilors voting down items then walking away and talking about how we just missed opportunities. At the last City Council Meeting, Councilor Desrochers and Starkweather identified clearly how the City Council has been, in their words, "kicking the can" for **years** regarding certain projects.

Please stop. It is time for decisiveness, change and improvement.

Trash has been one of these areas. In a city, that can't sustain its own school system, I am **most certainly** in favor of the trash ordinance, which requires businesses to pay and limits resident's trash output. Two trash barrels picked up at a resident's home is more than adequate in this small community. Most communities of this size outsource trash entirely.

Is it going to be a popular decision? No. Should it be done? Of course. The logic of anything else is ridiculous and fueled by personal gain over the community's improvement.

Although, I don't come to every meeting, I listen to them all. I am confused and disappointed that the city councilors, who own multi-families and/or commercial

properties are not recusing themselves from these discussions. This is a clear conflict of interest.

A city should strive for continued improvement through initiatives that save money within the operational budget. This will lead to a more efficient, effective and vibrant community.

Regarding, improvement.

- **Years have been wasted talking about roads.** This fiscal year, a solution was presented to replace 67% of the roads, it was voted down. Last fiscal year, a solution was identified that would have replaced 85% of the roads. Obviously, voted down.

- The Trestle Bridge requires at least **\$1.7M to demolish,**
- The whitewater park currently sits **unfinished,** and
- City Hall that has documented code issues **since the 1960s.**

Economists and community builders from around the world recognize that a tax cap is:

- a commitment to degradation,
- and a mandate for the deterioration of a community.

Within the tax cap program, it is allowable to move debt service outside of the formula. This is the **only way** to ensure that capital expenditures are actually executed. All other NH tax cap communities do this, except us.

If not, what will we do about City Hall, the roads or the Trestle Bridge. Will we kick the can for another 80 years? Waste countless hours making no decisions, resulting in no actions.

Decades of deferred maintenance will not magically be solved by the economic development team. Of the five members, none of us are even full-time on economic development. This further shows this disconnect between the city and its future.

A couple of months ago, Amanda Grappone sent me a Concord Monitor article, entitled "Franklin is on the way back." It was dated April 1986.

Stuart Trachy was quoted "We're seeing an enormous appreciation over the previous years in terms of sale prices and an enormous increase in demand. There are many buyers out there for properties that are not available."

Frank Edmunds is also quoted as saying "I think the city looks better now than it ever has. I think it is such that even the people who live here don't realize the interest in the city. The city has a great opportunity to put it all together, **if it wants to.**"

Both of these comments could be made today.

The story since 1986, is one of degradation and deterioration.

If we continue doing the same things we've always done, we can be sure we will get the same results we've always gotten.

The demonstrated inability to move debt service, means we will continue to talk about roads for the next two years and kick the can on any other item.

I will no longer be wasting my vote, on those that maintain the status quo. Franklin's future and next chapter deserve better. I beg that you take a stand, put community before yourself, do things different, learn from our mistakes and make positive change.







To the Mayor and City Councilors

I own and reside in a three-family dwelling and am totally opposed to the proposed trash pickup ordinance.

I attended the workshop where I heard a councilwoman say that she owned a single family home and that her taxes should include trash pickup. To be nondiscriminatory, I pay taxes for my three apartment building and feel that accordingly my trash pickup should also be included.

As a landlord I cannot expect my tenants to pay an additional cost. With the exorbitant water/sewer rates, rising electrical bills, and already high taxes, their rent is already at an unprecedented high. With the economy the way it is this is not the time to tax them when they are struggling as it is.

At that same meeting Mr. Dzujna stated that we would be considered commercial property. If that is indeed the case I assume that we would be granted the same rights and privileges as other commercial businesses and I could set up a business in my building to help defray the cost of this ordinance.

I understand that \$30,000 is the amount needed to carry on as usual. I am sure with the city budget as large as it is that some trimming could be done in all departments to make up the difference. Its time that all departments tighten their belts to help out the already overburdened citizens. From my perspective it does not seem that our elected officials are listening to nor working for the citizenry that elected them.

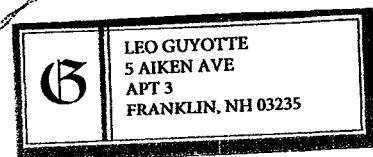
I also feel that if we are trying to encourage businesses to come to town that it would be a slap in the face to charge them for garbage pickup. Instead we need to work towards a more inviting community for businesses to come and occupy our empty storefronts.

I sincerely hope that you come to your senses and vote to veto this ordinance.

Sincerely,



Leo Guyotte



## Frequently Asked Questions/Misconception Surrounding the Solid Waste Ordinance 03-23

Misconception	Fact
curbside collection is going away	curbside collection will continue for single and two family households
you will need to purchase special bags (AKA Barney Bags) to throw out garbage at the curb	no special bags are required for curbside disposal
commercial entities are being treated differently	this ordinance defines commercial entities as is defined in city zoning and treats all commercial entities the same
transfer station is closing	the transfer station will be fully operational but there will be fees associated with household waste brought directly to the transfer station
the charter school will have to pay for disposal	franklin school district, charter schools and churches will be picked up at no cost
no numbers have been presented on solid waste	numbers have been presented throughout several meetings regarding solid waste; some numbers multiple times; see below for some of the relevant numbers
this is new, why are we rushing this?	Solid waste has been the topic of conversation for years; there are 14 public meetings leading up to this ordinance (see timeline below)
It costs more to outsource curbside collection	the city saves money by outsourcing collection (see charts below)
Some people will get more barrels than others	the ordinance defines base level service as 192 gallons of trash picked up weekly at the curb; barrels come in different sizes but total barrels (2x96gallon or 3x64 gallon) do not exceed the 192 gallons
the "yellow top" program will make money for the city	no, the yellow top program is a service offered by the current contractor at a cost; likely, the cost of the yellow top program will be the most cost effective for commercial entities though commercial entities may seek other programs/vendors; the city will be reimbursed \$75 which is the tipping cost paid by the city of one ton of household trash estimated to be generated by each container on an annual basis

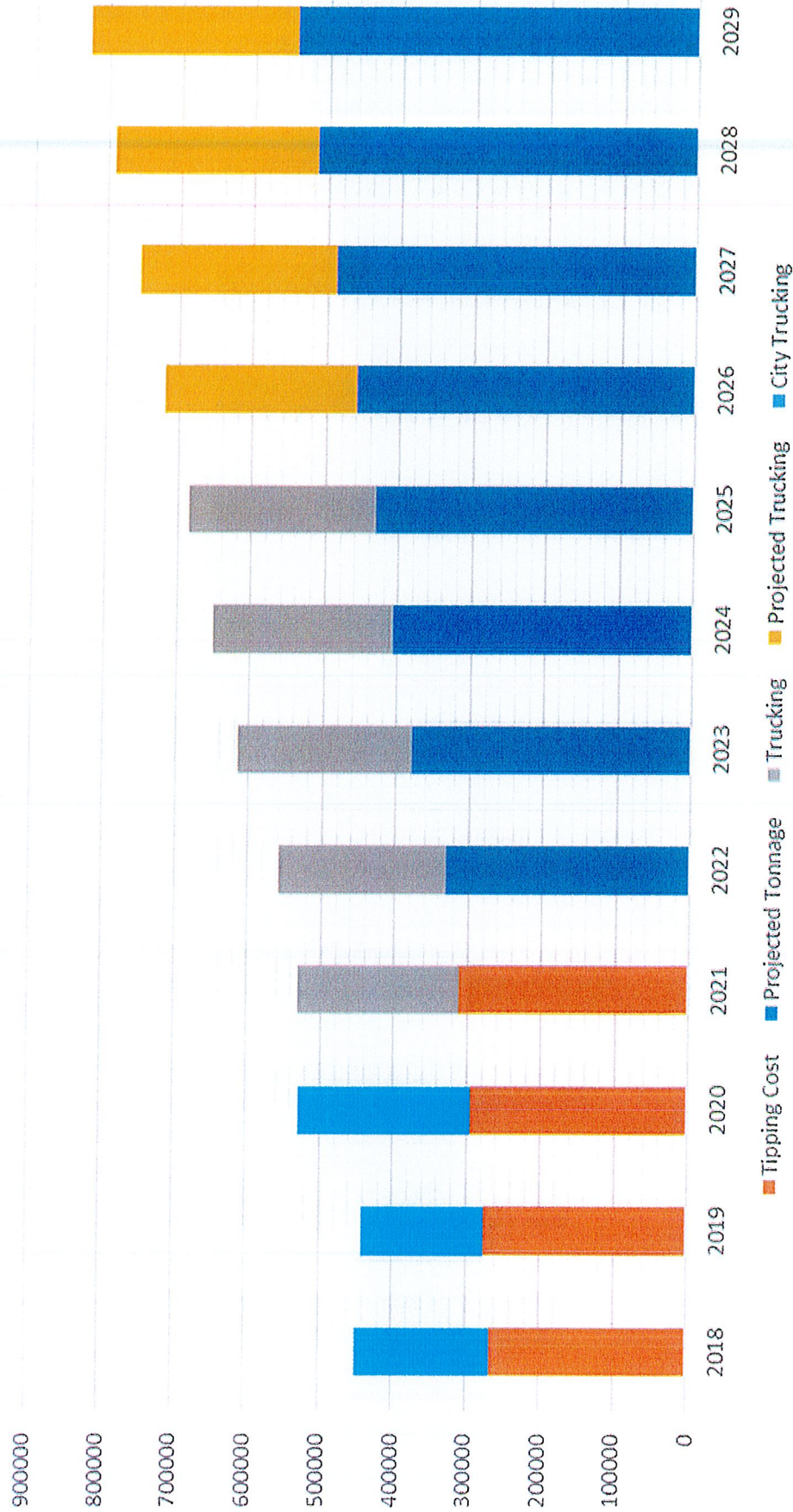


**City of Franklin**  
**Curbside Collection Costs**

Calendar Year	Annual Tonnage	Cost/Ton	Annual Cost of Tipping	Vendor Curbside Collection Cost
2018	3941.00	67.79	267,160.39	181,654.14
2019	3985.00	69.05	275,164.25	166,529.80
2020	4185.00	70.39	294,582.15	233,961.00
2021	4371.05	71.14	310,956.50	220,000.00
2022	4414.76	74.70	329,782.61	228,000.00
2023	4458.91	85.00	379,007.19	235,000.00
2024	4503.50	90.00	405,314.75	244,000.00
2025	4548.53	95.00	432,110.56	252,000.00
2026	4594.02	100.00	459,401.75	259,308.00
2027	4639.96	105.00	487,195.55	266,827.93
2028	4686.36	110.00	515,499.30	274,565.94
2029	4733.22	115.00	544,320.39	282,528.35
<b>Actual</b>				
<b>Projected</b>				

The following 2 pages depict this information in graph form

## Tipping and trucking with projections



Tipping Cost = Actual

Projected Tonnage – includes 1% estimate of annual growth in weight

Trucking – contracted service (Pinard)

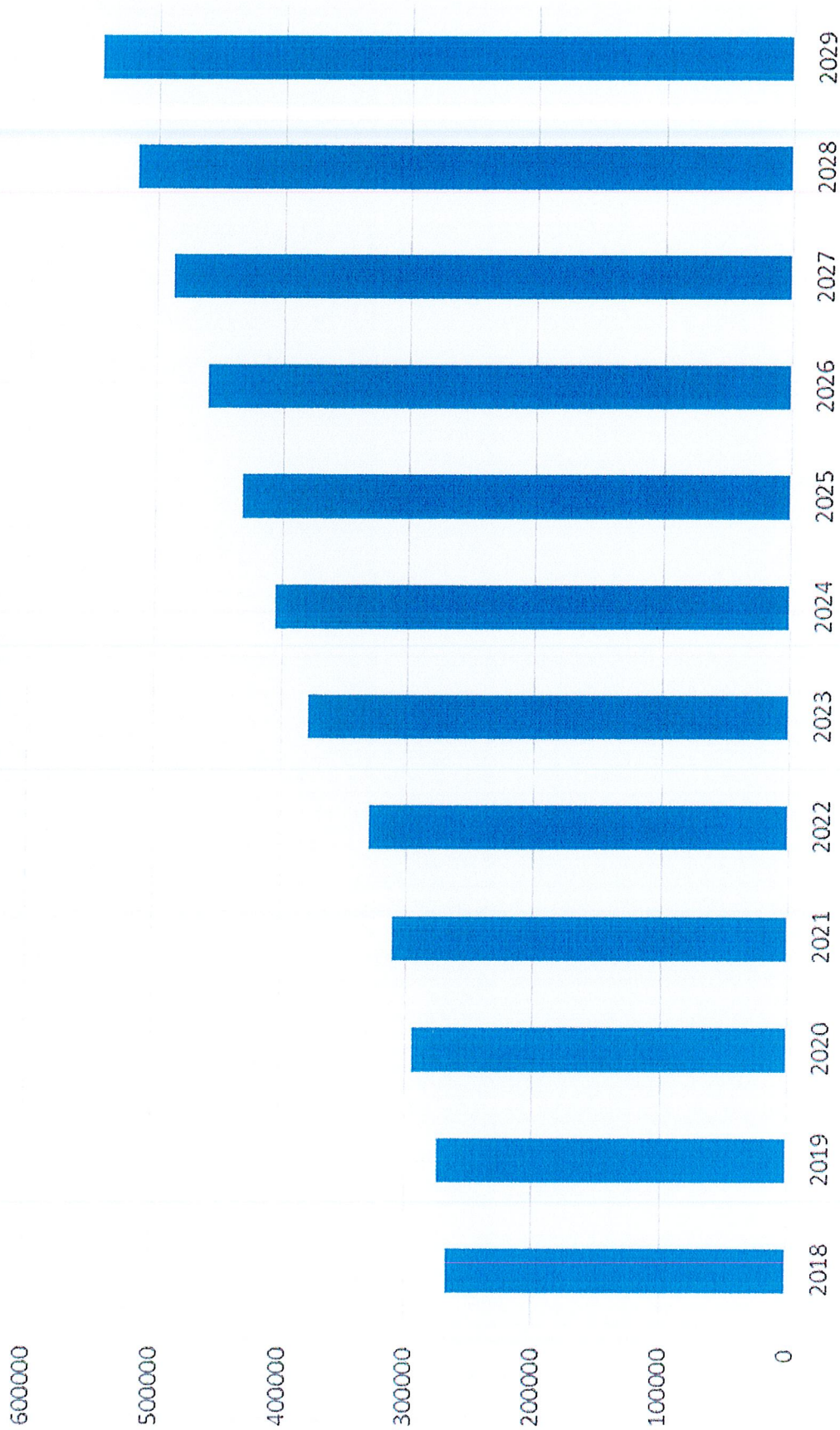
Projected Trucking – Based on current trucking contract with same cost escalator

City Trucking – in house actual costs of collection

2029 – end of current contract with WinWaste trash to energy incinerator



# Yearly Tipping Cost



Tipping Costs for trash collected at the curb only by calendar year

2018-2021 = actual

2022 = actual through October, estimated Nov & Dec

2023 + = projected

Comparison Presented When Making Decision for Outsourcing of Curbside Pick Up

City of Franklin, New Hampshire Solid Waste Review MSD Committee 5/20/20			
Budget Lines	Option 1 - Status Quo FY21 proposed budget (this is the "do nothing" scenario)	Option 2-Outsource all	Option 3- Inhouse/New Trucks
Total Solid Waste Budget	888,811	760,584	888,811
		220,000	
Costs Outside of the Solid Waste Budget (YTD):			
Vehicle parts/outside repairs (vehicles 67 & 68)	150,000		
Rental of trash truck	50,700		20,000
Debt Service			102,000
Total Costs	1,089,511	980,584	1,010,811
	FY21 proposed budget includes 4 employees as well as steps & cost of living adjustment which could change for managers proposal	Reduces staffing by one FT employee (outside contractor will pick up employee or City leaving water/sewer position open for inhouse employee transfer)	Based on experience, the trucks will need constant maintenance, therefore, mechanical garage services will require at least a half time position to assist (that cost is not reflected here)
	In house labor of 1,664 hours have been spent this year on vehicles 67 & 68 (2019)	reduces solid waste overtime by \$13,302; 0 maintenance hours, fuel costs, etc.	truck 67 & 68 not available due to condition; may receive some revenue for sale of trucks at White Farm
	1700 hours (July - Dec )of overtime and other employees in the mechanics division (FY20)	opens up staff time to assist with code enforcement issues relating to solid waste ordinance	change in operations could lead to some minimal reduction in overtime at transfer station
	Estimate received to get both trucks reconditioned and road worthy (67 is out of service, 68 is barely road worthy)		
	Needed to collect trash while 2 trucks (67 & 68) are being reconditioned	Outside Vendor cost	
		expiring debt service in the next couple of years could be utilized to start the program inhouse again, if desired	



2022 Curbside Collection Comparison			
	In House *		
	5 yr lease	7 yr lease	Outsourced
Annual Truck Payment with Warranty	\$93,098	\$66,498	n/a
Contract	n/a	n/a	\$228,000
Employee	\$105,000	\$105,000	n/a
Maintenance:			
Fuel @3.50	\$27,300	\$27,300	n/a
DEF	\$2,500	\$2,500	n/a
Front Tires	\$4,830	\$4,830	n/a
Rear Tires	\$13,870	\$13,870	n/a
Oil 42 quarts 6times per year	\$1,512	\$1,512	n/a
Filters	\$783	\$783	n/a
Arms 3X - not including chains	\$7,500	\$7,500	n/a
Brakes	\$3,400	\$3,400	n/a
Maintenance costs per year	\$61,695	\$61,695	n/a
Total Annual Cost	\$259,793	\$233,193	\$228,000
*does not include time off back fill of employee, insurance on truck, mechanical garage wages, rental for downtime.			

Other Requested Information

Old city trash trucks sold to Pinard \$31,000

Estimated cost of bags required to throw household trash not going over the scale at the transfer station (reminder – no special bags needed for curbside collection) = \$2.34 (13 gallon kitchen bag)

Units affected by change proposed in Ordinance 03-23:

Bldg. *	total	owner occupied	total units
3	56	13	168
4	39	5	156
5	10	0	50
6	11	0	66
	116		440

\*does not include commercial or mixed use (i.e., downtown)

Assumes 408 barrels (3 per 3 unit, 4 per 4-6 unit) = \$30,600 tonnage only cost (not pick up cost) AT CURRENT TIPPING FEE \$74.70/ton

Transfer station tonnage = 1200 per year = approx. 1/3 currently free drop off = savings in tipping only \$30,000-46,000

## Timeline

- 11/19/2019 Council Workshop – Solid Waste Costs – Numbers presented = tonnage, curbside collection costs, costs of new trucks
- 12/6/2019 MSD Committee – solid waste disposal & collection – numbers presented = tonnage, curbside collection costs, cost of new trucks, cost of maintaining old trucks
- 12/27/2019 MSD Committee – solid waste collection & disposal – same numbers presented as 12/6
- 1/6/2020 Council Meeting – Solid Waste Scenarios – numbers presented = cost savings for curbside collection
- 5/20/2020 MSD Committee – solid waste ordinance review, solid waste summary (curbside collection numbers), reviewed bids for outsourcing curbside collection
- 6/1/2020 City Council Meeting – Solid Waste Discussion – considered outsourcing of curbside collection, cost savings presented
- 11/4/2020 MSD Committee – solid waste ordinance review
- 12/15/2020 MSD Committee – solid waste ordinance review
- 1/25/2021 Council Special Meeting – solid waste costs – numbers presented = tonnage, curbside collection, new trucks
- 2/23/2022 MSD Committee – solid waste ordinance review
- 6/8/2022 MSD Committee – solid waste ordinance review
- 8/24/2022 MSD Committee – solid waste ordinance review
- 10/24/22 Council Special Meeting – solid waste ordinance review – numbers = #of units affected, cost of tonnage diversion from those units
- 11/14/2022 City Council Meeting – public hearing set on solid waste ordinance
- 11/30/2022 MSD Committee – Review of all solid waste numbers presented over the last several years
- 12/5/2022 City Council Meeting – public hearing ordinance 03-23 solid waste; council consideration of 03-23 solid waste



**CITY OF FRANKLIN**  
**COUNCIL AGENDA REPORT**  
for December 5<sup>th</sup>, 2022

**Date:** Submitted December 2, 2022 for December 05, 2022 City Council Meeting

**From:** Seth Creighton, Director of Planning & Zoning

**Subject:** Permission needed for City Manager to Apply for InvestNH Grant

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**Recommendation:** Allow City Manager, Judie Milner, or her designee, to apply for and accept InvestNH grants and act as the signatory on all related InvestNH matters.

**Suggested Motion:** "I move that the Franklin City Council allow City Manager, Judie Milner, or her designee, to apply for and accept InvestNH grants and act as the signatory on all related InvestNH matters."

**Discussion:** As was previously discussed with the City Council, the City applied for two InvestNH Grants from the NH Business and Economic Affairs. One of the grants is called a "Demolition Grant" and if awarded the City would apply the money to the demolition of Stanley Mill. The other grant is "Per Unit Grant" which offers up to \$10,000 for each recently approved affordable unit in the City (there are 31 such units in the Chinburg Stevens Mill project); if awarded these funds can be used as the City sees fit (ideas vetted by the Economic Development Task Force include infrastructure improvements downtown, addressing City Hall/Opera House code matters, remediation of the Stanley Mill project, Whitewater Park, etc.)

**Fiscal Impact:** There are no anticipated costs to the City related to this, the grant awards are 100%, with no match requirement.

**Alternatives:** The Council can choose not to seek these grants. Or the City Council can choose to seek these grants but choose someone else to be signatory on all the documents, however, this option is not in keeping with the way the City applies for and administers grants, and likely will result in delays which could result in loss of grants.



Late Item #2

**Suggested Motion 12/5/22 City Council Meeting**

Councilor moves, "I move that the Franklin City Council set a public hearing for Monday, January 9, 2023, at 6pm on resolution 08-23 authorizing the City to accept grant funds and borrow loan funds under the State of New Hampshire Drinking Water State Revolving Fund (\$1,440,000 grant, \$2,160,000 Loan) for water improvements and Clean Water State Revolving Fund (\$1,500,000 grant, \$3,500,000 loan) for sewer replacement program on East/West Bow Streets.



CITY OF FRANKLIN, NEW HAMPSHIRE  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 03235

(603) 934-3900  
fax: (603) 934-7413

**RESOLUTION 08-23**

**A Resolution authorizing the City to accept grant funds and borrow loan funds under the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) for water improvements and Clean Water State Revolving Fund (CWSRF) for sewer replacement program on East/West Bow Streets and to raise, appropriate and expend grant and loan funds for said project.**

**WHEREAS**, the City of Franklin, New Hampshire after thorough consideration of the nature of its water and sewer system needs, hereby determines that the undertaking of certain works, generally described as Water Main Improvements and Sewer Replacement Program for water and sewer main upgrades along East and West Bow Street is desirable and in the public interest, and to that end it is necessary to apply for assistance from the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF); and

**WHEREAS**, the City of Franklin has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, which relate to loans from the State of New Hampshire and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith; and

**WHEREAS**, the City of Franklin estimates the total project cost is \$3,600,000 (\$1,440,000 American Rescue Plan Act (ARPA) grant & \$2,160,000 loan) under the DWSRF program and \$5,000,000 (\$1,500,000 ARPA grant & \$3,500,000 loan under the CWSRF program; and

**WHEREAS**, the Franklin City Council adopted Resolution 01-23 on July 11, 2022<sup>2022</sup> appropriating the estimated loan payments and adjusting the rates in both the water and sewer enterprise funds;

**NOW, THEREFORE, BE IT RESOLVED BY** the City Council, the governing body of the City of Franklin, New Hampshire, as follows:

1. That the City of Franklin accepts and appropriates to expend \$2,940,000 (\$1,440,000 water project & \$1,500,000 sewer project) in grant funding under the American Rescue Plan Act.



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting June 6<sup>th</sup>, 2022*

**From:** Justin Hanscom, Municipal Services Director

**Subject:** City Council to consider adopting Resolution 17-22, granting the City Manager the authority to (1) file a State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) loan/grant final applications and (2) establish funding for East and West Bow St area water and sewer main upgrades.

---

**Recommended Motion:**

**Councilor moves,** "I move that the Franklin City Council adopt resolution 17-22, granting the City Manager the authority to (1) file a State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) loan/grant final applications and (2) establish funding for East and West Bow St area water and sewer main upgrades.

**Mayor calls for a second, discussion and roll call vote.**

---

**Discussion:**

In 2015 the Franklin Water Department completed its' "Capital Efficiency Plan" for the City water system. The study identified critical areas of our water distribution system in need of rehabilitation, repair, or replacement. At this time, it is the recommendation by both the Director of Municipal Services and our consulting engineers Tata and Howard, that upgrades to should made due age and size of the water main. Replacement of this water main is highly recommended due to the age, pipe condition, break history. Flows are restricted for directional flushing and fire protection.

In 2017 the Franklin Sewer Department started a study to look at Inflow and Infiltration to City sanitary sewer system led by Underwood Engineers. The ongoing study's purpose is to identify areas of inflow, infiltration, deficiencies and future failures of the sewer system. At this time, it is the recommendation by the Director of Municipal Services and our consulting engineers Underwood, East and West Bow St areas have a deficiency rating of poor and is a good candidate for upgrades.

**Concurrence:**

The purpose of the proposed project is to improve water quality and sewer inflow/ infiltration and flows. The plan is to do both projects and then pave the road. The plan is offset some of the road reconstruction cost with water and sewer paving to alleviate the cost to the general fund similar to New Hampton Rd. provide guidance in the planning of replacement and improvements to the sanitary sewer system

**Fiscal Impact:**

*Franklin - The Three Rivers City*

**2022 CITY COUNCIL MEETING**  
**AGENDA ITEM II**





**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

January 9, 2022

**From: Dan LeGallo, Superintendent**

**Subject: 2022-2023 Appropriations New Revenue**

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**Recommendation:**

To allow the Franklin School District to appropriate additional funding from the New Hampshire Retirement System Refund and Education Funding Account Phase Out Grant. The total amount of additional funding is \$100,268.84.

**Suggested Motions:**

**December 5, 2022**

Councilor moves, "I move that the Franklin City Council set a public hearing on January 9, 2023 for Resolution 07-23 appropriating \$100,268.84 to the Franklin School District fiscal year 2023 budget.

Mayor calls for a second, discussion and roll call vote.

**January 9, 2023**

Councilor moves, "I move that the Franklin City Council adopts Resolution 07-23 appropriating \$100,268.84 to the Franklin School District fiscal year 2023 budget.

Mayor calls for a second, discussion and roll call vote.

**Discussion:**

Due to legislative action taken by the state government of New Hampshire the state will be contributing 7.5% of the cost of the retirement contributions for teachers, fire fighters and police to the New Hampshire Retirement System. The actual dollar amount is based from the FY22 retirement contributions. This represents \$92,215 being refunded to the Franklin School District.

Also due to the passage of the Education Funding Accounts that provide scholarships to those students who choose to leave the public school of their residence to attend a different public school, private school or be home schooled, the State of New Hampshire has by legislative action enacted the EFA (Education Funding Account) Phase out grant that will provide 50% of the loss of base adequacy per ADM (Average Daily Membership). This amount if based

from the End of Year ADM calculation for FY22. This amount is \$8,053.84 from an ADM of 3.17.

**Fiscal Impact:**

This amount will have no effect on the taxes raised by the City of Franklin as this is excess funds to be received by the district from other sources.

**Alternatives:**

Do not appropriate at this time or use the funds for another purpose.

**Attachments/Exhibits:**

Resolution 07-23

Franklin School District Revenue Estimate Updated FY23.



**CITY OF FRANKLIN, NEW HAMPSHIRE**  
*"The Three Rivers City"*

---

316 Central Street  
Franklin, NH 03235

Phone: (603) 934-3900  
Fax: (603) 934-7413

**RESOLUTION # 07-23**

**A Resolution Granting Authority to Accept and Appropriate \$100,268.84 of the state portion of funding to the New Hampshire Retirement System and EFA Phase Out grant to the Franklin School District for Fiscal Year 2023.**

**In the year of our Lord, Two Thousand Twenty-Three,**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive a refund of 7.5% (or \$92,215) of its FY22 contribution for teachers to the state retirement system; and,

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive from the EFA (Education Funding Account) Phase Out Grant of \$8,053.84; and,

**WHEREAS**, the City Council of the City of Franklin would like to appropriate an additional \$100,268.84 to preserve potential fund balance from the 2023 year to be carried over to the 2024 fiscal year. Due to the challenges and uncertainties funding regarding the adequacy funding formula these funds could help support the next budget cycle; **Now,**

**THEREFORE, BE IT RESOLVED**, *that at a regularly scheduled meeting of the City Council on January 9, 2023, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #07-23 to formally accept and appropriate \$100,268.84 of additional revenues for the Franklin School District as follows:*

**An Increase in Revenues:**

New Hampshire Retirement System Ninety-Two Thousand, Two Hundred Fifteen Dollars  
(\$92,215)

EFA Phase Out Grant – Eight Thousand, Fifty-Three Dollars and Eighty-Four Cents (\$8,053.84)

**An Increase in Expenditures:**

School District Expenditures – One Hundred Thousand, Two Hundred Sixty-Eight and Eighty-Four Cents (\$100,268.84)

**By a roll call vote.**

**Roll Call:**

Councilor Blake	_____	Councilor Desrochers	_____	Councilor Starkweather	_____
Councilor Bunker	_____	Councilor Dzujna	_____	Councilor Trudel	_____
Councilor Chandler	_____	Councilor Ribas	_____	Councilor Zink	_____

**Approved:** \_\_\_\_\_  
Mayor

**Passed:** \_\_\_\_\_

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.

**A true copy, attested:** \_\_\_\_\_  
City Clerk

**Date:** \_\_\_\_\_



Franklin School District  
Revenue Projection  
Fiscal Year 2022/2023

Source	20-21 Actuals	21 22 Budgeted	22-23 Estimates	Difference
<b>General Fund:</b>				
Revenue from State Sources				
Special Education Aid	152,885	122,295	145,000	c 22,705
Charter School Aid	39,604	30,000	45,000	15,000
Vocational Transportation Aid	5,122	5,000	5,000	0
Adequate Education Grant	8,701,824	8,268,687	8,630,294	361,607
NHRS Refund	0	0	92,215	
EFA Phaseout Grant	0	0	8,054	
Extraordinary Grant	0	0	360,165	360,165
Building Aid	181,944	81,944	81,944	0
Indirect Costs	55,850	69,000	69,000	0
Revenue from Federal Sources				
Medicaid Reimbursement	162,932	175,000	160,000	(15,000)
E-Rate Funding	54,062	47,173	47,173	0
Local Revenue Other than Taxes				
Tuition	18,293	18,000	0	(18,000)
Earnings on Investments	2,084	2,500	2,500	0
Other Local Revenue	2,553	2,000	2,000	0
Insurance Premium Holidays	148,272	98,586	105,685	7,099
Athletic Receipts	0	3,500	3,500	0
NH Charitable Foundation (Aware)	75,000	0	0	0
Unreserved Fund Balance	402,418	1,211,997	1,281,870	69,873
<b>Total Revenues and Credits</b>	<b>10,002,844</b>	<b>10,135,682</b>	<b>11,039,399</b>	<b>803,449</b>
District Appropriation	4,467,354	4,595,004	4,943,755	348,751
Education Tax	1,201,740	1,190,971	886,084	(304,887)
Additional Voted By City Council	0	0	0	0
<b>Total General Fund</b>	<b>15,671,938</b>	<b>15,921,657</b>	<b>16,869,238</b>	<b>847,313</b>
Food Service Transfer	715,157	535,718	600,000	64,282
<b>Total General Fund and Food Service Revenues</b>	<b>16,387,095</b>	<b>16,457,375</b>	<b>17,469,238</b>	<b>1,011,864</b>
Grant Funds	1,997,972	1,729,650	1,565,000	(164,650)
ESSER/GOFERR Funding	225,895	1,278,897	1,300,000	21,103
<b>Grand Total Revenues</b>	<b>18,610,962</b>	<b>19,465,922</b>	<b>20,334,238</b>	<b>868,317</b>
		Appropriations	19,080,631	

**CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING & MEETING**

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, January 9, 2023 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #07-23, accepting and appropriating \$100,268.84 of the state portion of funding to the New Hampshire Retirement System and EFA Phase Out grant to the Franklin School District for Fiscal Year 2023.**

**Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.**

**City of Franklin  
316 Central Street  
Franklin, NH 03235  
(603) 934-3900**

**2022 CITY COUNCIL MEETING**  
**AGENDA ITEM III**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

January 9, 2023

**From:** Judie Milner, City Manager

**Subject:** Council to consider adoption of Resolution 08-23 authorizing the City to accept grant funds and borrow loan funds under the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) for water improvements and Clean Water State Revolving Fund (CWSRF) for sewer replacement program on East/West Bow Streets and to raise, appropriate and expend grant and loan funds for said project.

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**Suggested Motion**

Councilor moves, "I move that the Franklin City Council adopt Resolution 08-23 authorizing the City to accept grant funds and borrow loan funds under the State of New Hampshire Drinking Water State Revolving Fund (\$1,440,000 grant, \$2,160,000 loan) for water improvements and Clean Water State Revolving Fund (\$1,500,000 grant, \$3,500,000 loan) for sewer replacement program on East/West Bow Streets."

**Mayor calls for a second, discussion and roll call vote.**

**Background**

**12/5/2022 City Council Meeting:**

City council voted to set public hearing for 6pm 1/9/23 on resolution 08-23 which includes all of the language needed by both Drinking Water & Clean Water State Revolving Funds.

**12/2/2022 email excerpt to the City Council from City Manager:**

*Apparently, the resolution requirements for the clean water revolving fund and drinking water revolving fund are slightly different from each other and to make matters more confusing, drinking water requirements changed since our last project. Resolution 17-22 which you adopted that was copied from the previous drinking water app no longer includes what drinking water needs and never included everything clean water needed. So we're starting again.*

*A public hearing for January (old council business) will be needed. I'm going to run the new language through both sides of the "DES house" (clean water & drinking water) before*



*presented to the council; likely this won't be ready for Monday night; however, the mayor can set a public hearing. No matter what, you will be seeing the revised resolution for January's meeting. You have already approved and appropriated the funding in the FY2023 budget so this resolution will be administrative to meet their requirements.*

#### **Discussion from Director Hanscom's Council Agenda Report from Previous Resolution:**

*In 2015 the Franklin Water Department completed its' "Capital Efficiency Plan" for the City water system. The study identified critical areas of our water distribution system in need of rehabilitation, repair, or replacement. At this time, it is the recommendation by both the Director of Municipal Services and our consulting engineers Tata and Howard, that upgrades to should made due age and size of the water main. Replacement of this water main is highly recommended due to the age, pipe condition, break history. Flows are restricted for directional flushing and fire protection.*

*In 2017 the Franklin Sewer Department started a study to look at Inflow and Infiltration to City sanitary sewer system led by Underwood Engineers. The ongoing study's purpose is to identify areas of inflow, infiltration, deficiencies and future failures of the sewer system. At this time, it is the recommendation by the Director of Municipal Services and our consulting engineers Underwood, East and West Bow St areas have a deficiency rating of poor and is a good candidate for upgrades.*

*The purpose of the proposed project is to improve water quality and sewer inflow/ infiltration and flows. The plan is to do both projects and then pave the road. The plan is offset some of the road reconstruction cost with water and sewer paving to alleviate the cost to the general fund similar to New Hampton Rd. provide guidance in the planning of replacement and improvements to the sanitary sewer system*

#### **Fiscal Impact**

Funding for this project has been approved and appropriated in the FY2023 budget process. The ARPA grant portion saves the ratepayer \$2,940,000 on the project or \$.90 on the rate over the 20-year loan.

#### **Attachments/Exhibits**

Resolution 08-23



CITY OF FRANKLIN, NEW HAMPSHIRE  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 03235

(603) 934-3900  
fax: (603) 934-7413

**RESOLUTION 08-23**

**A Resolution authorizing the City to accept grant funds and borrow loan funds under the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) for water improvements and Clean Water State Revolving Fund (CWSRF) for sewer replacement program on East/West Bow Streets and to raise, appropriate and expend grant and loan funds for said project.**

**WHEREAS**, the City of Franklin, New Hampshire after thorough consideration of the nature of its water and sewer system needs, hereby determines that the undertaking of certain works, generally described as Water Main Improvements and Sewer Replacement Program for water and sewer main upgrades along East and West Bow Street is desirable and in the public interest, and to that end it is necessary to apply for assistance from the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF); and

**WHEREAS**, the City of Franklin has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, which relate to loans from the State of New Hampshire and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith; and

**WHEREAS**, the City of Franklin estimates the total project cost is \$3,600,000 (\$1,440,000 American Rescue Plan Act (ARPA) grant & \$2,160,000 loan) under the DWSRF program and \$5,000,000 (\$1,500,000 ARPA grant & \$3,500,000 loan under the CWSRF program; and

**WHEREAS**, the Franklin City Council adopted Resolution 01-23 on July 11, 2022 appropriating the estimated loan payments and adjusting the rates in both the water and sewer enterprise funds;

**NOW, THEREFORE, BE IT RESOLVED BY** the City Council, the governing body of the City of Franklin, New Hampshire, as follows:

1. That the City of Franklin accepts and appropriates to expend \$2,940,000 (\$1,440,000 water project & \$1,500,000 sewer project) in grant funding under the American Rescue Plan Act.
2. That the City of Franklin accepts and appropriates to expend \$5,660,000 (\$2,160,000 Drinking Water State Revolving Fund and \$3,500,000 Clean Water State Revolving Fund) loan proceeds.

3. That the person holding the title of City Manager currently held by Judie Milner is hereby designated as the authorized representative of the City of Franklin for the purpose of filing applications for the loans in accordance with New Hampshire Code of Administrative Rules noted above, furnishing such information, data, documents and disbursements pertaining to the applicant for the loans as may be required; and otherwise to act as the authorized representative of the City in connection with the loan applications.
4. That the City of Franklin, New Hampshire agrees to repay the loans as stipulated in the loan agreements.
5. That certified copies of this resolution be included as part of the application to be submitted for such loans.
6. That person holding the position of City Manager at the time of the loan execution is authorized to sign the loan agreements binding the City of Franklin to the terms and conditions of the loans.
7. That the City of Franklin, New Hampshire agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

**By a roll call vote.**

**Roll Call:**

<b>Councilor Blake</b>	<b>_____</b>	<b>Councilor Desrochers</b>	<b>_____</b>	<b>Councilor Starkweather</b>	<b>_____</b>
<b>Councilor Bunker</b>	<b>_____</b>	<b>Councilor Dzunja</b>	<b>_____</b>	<b>Councilor Trudel</b>	<b>_____</b>
<b>Councilor Chandler</b>	<b>_____</b>	<b>Councilor Ribas</b>	<b>_____</b>	<b>Councilor Zink</b>	<b>_____</b>

**Approved:** \_\_\_\_\_  
**Mayor**

**Passed:** \_\_\_\_\_

**I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.**

**A true copy, attested:** \_\_\_\_\_  
**City Clerk**

**Date:** \_\_\_\_\_

**CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING & MEETING**

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, January 9, 2023 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #08-23, authorizing the City to accept grant funds and borrow loan funds under the State of NH Drinking Water State Revolving Fund (\$1,440,000 grant, \$2,160,000 loan) for water improvements and Clean Water State Revolving Fund (\$1,500,00 grant, \$3,500,000 loan) for sewer replacement program on East/West Bow Streets.**

**Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.**

**City of Franklin  
316 Central Street  
Franklin, NH 03235  
(603) 934-3900**



**2022 CITY COUNCIL MEETING**  
**AGENDA ITEM IV**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council meeting January 9, 2023*

**From:** Judie Milner – City Manager

**Subject:** Repurchase of Tax Deeded Property by previous owner  
**Gary Goodwin, 6 Ring Street**

---

**Recommended Motion**

Councilor moves, "I move the Franklin City Council deed 6 Ring Street Map/Lot #078-006-002 back to Gary Goodwin."

**Mayor calls for a second, discussion, and vote.**

**Discussion**

The property was recently tax deeded to the City of Franklin for failure to pay property taxes. Mr. Goodwin applied for and received assistance from the American Rescue Plan Act (ARPA) homeowner's assistance fund through the State of New Hampshire. The ARPA fund paid the back taxes of \$2,783.10, which is the total amount due, to the city. The \$2,570 penalty equivalent to 10% of assessed value at the time of the deeding is waived per State statute as this is Mr. Goodwin's primary residence.

**Attachment**

Repurchase letter



**CITY OF FRANKLIN, NEW HAMPSHIRE**  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 03235

(603) 934-3900  
fax: (603) 934-7413  
citymgr@franklinnh.org

October 31, 2022

Via Certified Mail – Address Service Requested - Return Receipt Requested

Goodwin, Gary  
6 Ring Street  
Franklin, NH 03235

Re: Disposal of Tax Deeded Property  
6 Ring Street – Map/Lot 078-006-002

Dear Mr. Goodwin:

This notice is being provided to you pursuant to RSA 80:89 as notification of the City's intention to sell real estate (hereafter "the property") located at 6 Ring Street (Tax Map 078, Lot 006-002) by sealed bid or public auction or disposition on or about January 31, 2023. The property was acquired by the City pursuant to a Tax Collector's Deed dated September 15, 2022 which was recorded in the Merrimack County Registry of Deeds at Book 3808, Page 17 on October 5, 2022.

You are listed as the former owner of the property.

In accordance with RSA 80:89-I, you, as the former owner, have the right to repurchase the property prior to the City disposing of said property. You may repurchase the property from the City for the sum of **\$5,353.10 (Five Thousand Three Hundred Fifty-Three Dollars and Ten Cents) \***. This figure has been determined as follows:

- **\$2,256.26** representing all taxes assessed but unpaid as of the date of the tax deed, together with all taxes which would thereafter otherwise have been assessed against such property based on its valuation, but for its ownership by the municipality. See RSA 80:90, I(a);
- **\$328.37** representing all statutory interest actually accrued on all back taxes as of the date of the tax deed, together with all statutory interest which would otherwise thereafter have accrued on all taxes listed in subparagraph (a), but for the property's ownership by the municipality. See RSA 80:90, I(b);
- **\$43.47** for all fees associated with notice and recording in connection with the tax collection process. See RSA 80:90, I(c);

- **\$150.00** for all legal costs incurred by the municipality in connection with the property, including those connected with the municipality's sale or the former owner's repurchase. See RSA 80:90 I(d);
- **\$5.00** representing the incidental and consequential costs incurred by the City in connection with the ownership and disposition of the property. See RSA 80:90, I(e);
- **\$2,570.00** representing the statutory penalty of 10% of the assessed value of the property as of the date of the tax deed, adjusted by the equalization ratio for the year of assessment. See RSA 80:90, I(f); and

If you intend to exercise your right to repurchase the property for the amount specified above, you must inform the City of your intention within thirty (30) days of this notice 12/012022). See RSA 80:89, II. Notification to the City of your intention to repurchase must be by certified mail and shall indicate that you are ready, willing, and able to pay all back taxes, interest, costs and penalties, as defined in RSA 80:90, except that if the property is the former owner's principal residence, or was the former owner's principal residence at the time of execution of the tax deed under RSA 80:76, the additional penalty under RSA 80:90, I(f) shall not apply. See RSA 80:89, II. Within 15 days after notifying the City of your intention to repurchase the property, you must tender the repurchase amount by certified or bank check to the City for \$5,353.10 See RSA 80:89, II.

If you fail to notify the City of your intention to repurchase the property within the time prescribed above or if you fail to tender required payment within fifteen (15) days after notifying the City of your intention to repurchase, the City will proceed with its offering for sale by sealed bid or public auction and disposition of the property. See RSA 80:89, II.

If you should have any questions in this matter you may contact me at the address on this letterhead or by telephone at (603) 934-3900.

Sincerely,



Judie Milner  
City Manager

Cc:  
Michelle Stanyan, Tax Collector



# **2023 INAUGURAL**

**2023 CITY COUNCIL MEETING**  
**AGENDA ITEM I**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of January 9<sup>th</sup>, 2023*

**Subject: Monthly School Board Update**

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Superintendent Dan LeGallo will provide a monthly update to the Mayor and City Council.

**2023 CITY COUNCIL MEETING**  
**AGENDA ITEM II**





## CITY OF FRANKLIN COUNCIL AGENDA REPORT

*City Council Meetings of January 9, 2023 and February 6, 2023*

**From:** Michael Foss, Fire Chief/EMD

**Subject:** Franklin City Council to consider adoption of Resolution #09-23, authorization to accept and appropriate grant funds from the **2023 Volunteer Fire Assistance funds.**

---

### **Recommended Motions:**

#### **January 9, 2023**

Councilor moves, "I move the Franklin City Council set a public hearing for 6:00 p.m. on February 6, 2023 for Resolution #09-23, authorizing the City Manager to accept a grant totaling \$2,915 **2023 Volunteer Fire Assistance funds** and appropriate grant reimbursement funds in the amount of \$1,457.50 to the FY2023 budget."

**Mayor calls for a second, discussion, and vote.**

#### **February 6, 2023**

Councilor moves, "I move that the Franklin City Council adopt Resolution #09-23 to accept a grant totaling \$2,915 **2023 Volunteer Fire Assistance funds** and appropriate grant reimbursement funds in the amount of \$1,457.50 to the FY2023 budget and to authorize the City Manager to execute all necessary documents related to the grant program."

**Mayor calls for a second, discussion, and roll call vote.**

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**Background:** Every year the State of NH funds this program to provide necessary firefighting equipment and protective equipment for the purpose of fighting wildland fires. This grant is available to every community, however, not usually more than one year in a row. We have not received money from this source in two years. The fire department is in need of replacing hose that is no longer serviceable. This is not spare hose. This hose is used to fill packs that are carried on the apparatus. There are also 4 lengths of hose that will be used as water supply hose that carried on the trucks.

**Fiscal Impact:** The City will be required to purchase the hose, pay the invoices and submit the cancelled checks to the State for reimbursement of fifty percent of the cost. The City will be reimbursed for a total of \$1457.50 if the request is submitted prior to August 31, 2023.

**Alternatives:** The alternative to accepting this grant is paying the full price for necessary equipment.

### **Attachments:**

Resolution #09-23  
Grant Award



**CITY OF FRANKLIN, NEW HAMPSHIRE**  
*"The Three Rivers City"*

---

316 Central Street  
Franklin, NH 03235

Phone: (603) 934-3900  
Fax: (603) 934-7413

**RESOLUTION #09-23**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2023.**

**In the year of our Lord, Two Thousand Twenty-Three,**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2023 which began July 1, 2022, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the Fire Department received a state grant called 2023 Volunteer Fire Assistance funds totaling \$2,915, \$1457.50 state and \$1457.50 match for the purpose of purchasing wildland firefighting equipment, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the matching funds are appropriated in the FY2023 budget, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire wishes to accept the grant and appropriate the grant portion, **Now,**

**THEREFORE, BE IT RESOLVED** that at the scheduled meeting of the City Council on Monday, February 6, 2023 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #09-23 accepting the 2023 Volunteer Fire Assistance funds in the amount of \$2,915, authorizing the City Manager to execute all necessary paperwork and authorizing an increase in FY2023 revenues:

Federal Grant Revenue – 2023 Volunteer Fire Assistance Acct. No. 01-2-201-33111-440 – One Thousand Four Hundred and Seven dollars and 50 cents (\$1457.50),

And an increase in FY2023 expenditure accounts,

Suppression Equipment – 2023 Volunteer Fire Assistance Acct No. 01-2-202-40740-440 - One Thousand Four Hundred and Seven dollars and 50 cents (\$1457.50),

**By a roll call vote.**

**Roll Call:**

Councilor Chandler \_\_\_\_\_ Councilor Desrochers \_\_\_\_\_ Councilor Webb \_\_\_\_\_

Councilor Dzujna \_\_\_\_\_ Councilor Blake \_\_\_\_\_ Councilor Trudel \_\_\_\_\_

Councilor Ribas \_\_\_\_\_ Councilor Starkweather \_\_\_\_\_ Councilor Zink \_\_\_\_\_

Approved: \_\_\_\_\_  
Mayor

Passed: \_\_\_\_\_

I certify that said vote has not been amended or repealed and remain in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_





STATE OF NEW HAMPSHIRE  
DEPARTMENT of NATURAL and CULTURAL RESOURCES  
DIVISION OF FORESTS AND LANDS

172 Pembroke Road, Concord, New Hampshire 03301  
Phone: 271-2214 Fax: 271-6488 [www.nh.gov/nhdfl](http://www.nh.gov/nhdfl)

David Hall  
Town of Franklin  
59 W Bow St  
Franklin NH 03235

October 20, 2022

GRANT ITEMS

Dear Mr. Hall,

Your town has been awarded 2023 Volunteer Fire Assistance funds, as specified in the enclosed Memorandum of Understanding (MOU). In order to satisfy state and federal fiscal requirements, your community must match the amount of this grant. (For example if your town received \$500.00 in grant money, you must show expenditures of **at least** \$1,000.00.) You must come up with the total grant amount and we will reimburse you at 50%. You cannot use other federal funds for the 50% match. The amount shown on the enclosed MOU is the amount of grant money your town has been awarded.

The enclosed Memorandum of Understanding (MOU) must be signed and returned to our office before checks are mailed out. We require the MOU to be signed and returned within 30 days of this letter so we know that these funds are committed. No checks will be sent out until we receive the MOU, Financial Capabilities Checklist, bill of sale/invoice for all items and copy of cancelled check(s) or bank statement.

**Please note what is to be purchased with these funds:**

**\*These funds can only be utilized to purchase the items listed on the MOU\***

**\*\* We are required to obtain from each fire department the Financial Capability Checklist for Grants and Cooperative Agreements. Please fill out, sign and return with your signed MOU\*\***

To place an order with the Town Tools Program, you can obtain an order form our website at:  
<https://www.nh.gov/nhdfl/community/community-wildfire-protection-program.htm>. Please follow the directions on the form.

**In order to allow for processing to meet the VFA deadline of August 31<sup>st</sup>, orders through the Town Tool Program MUST be placed by June 1<sup>st</sup>. Orders placed after this date may not be processed and invoiced in time to meet the deadline which will result in the funds being de-obligated.**


If the original purchase and reimbursement for these items is from community (town/city) funds, all should be okay for reimbursement. If the purchase funds/reimbursement is to another organization (firemen's association, etc.) we need to know that so the reimbursement check is made out correctly. This alternative organization shall have a tax ID number and will be required to complete an Alternate W-9 Form to set up a vendor account with the State of New Hampshire.

**A copy of your Town's cancelled check(s) and paid invoice(s) needs to be sent to us no later than August 31, 2023. If they are not received by that date, the funds will be de-obligated.**

If you have any question, please do not hesitate to contact Leslie Sherman by phone at 271-3456 or by email [leslie.a.sherman@dncr.nh.gov](mailto:leslie.a.sherman@dncr.nh.gov)

Enclosures:  
Town Application (Copy)  
MOU  
Financial Capability Checklist

Sincerely,

  
Steven Sherman  
Chief, Forest Protection





## Industrial Protection Services, LLC

33 Northwestern Dr, Salem, NH 03079  
125 Roberts Rd, Ste 4, South Portland, ME 04106  
[www.ipp-ips.com](http://www.ipp-ips.com)

# Sales Quote

Date: 27-Sep-2022

Bill To: Dan Chapman  
Franklin Fire  
59 West Bow St  
Franklin NH 03235  
603-934-2205

Ship to: Dan Chapman  
Franklin Fire  
59 West Bow St  
Franklin  
NH 03235603-934-2205

Salesperson	Shipping Method	Purchase Order No
Gary Hicks	GH to deliver	Chief

Qty	Item #	Description	Each Price	Line Total
10	F115OW100-NP150	Kuriyama Forest Lite Type 1, 1 1/2 in. X 100' NPSH Coupling	138.00	1,380.00
10	F215OY100-NP150	Kuriyama Forest Lite Type 2, 1 1/2 in. X 100' NPSH Coupling	148.00	1,480.00

A 1,480.00  
B 1,435.00  
002  
TOTAL 2,915.00  
GRANT INCLUDING  
MATCH 2,915.00  
2.00  
GRANT REIMB 1,457.50

Gary Hicks

Email: [srogers@ipp-ij.com](mailto:srogers@ipp-ij.com)  
Cell: 603.455.2337 Fax: 603.455.5958

Quoted Freight Charges

\$ 2,860.00



1024 Suncook Valley Hwy., Unit 5-D  
Epsom NH, 03234  
TEL: 603.736.8500  
www.BergeronProtectiveClothing.com

## QUOTATION

No. : 211964

Doc. Date : 11/21/2022  
Payment Terms : NET30  
Valid Until: 12/30/2022  
Customer PO:  
Salesperson : Jackson Hillsgrove  
Page : Page 1 of 1

### Bill To

Franklin NH Fire Department  
Chief Mike Foss  
59 West Bow Street  
Franklin NH 03235

### Ship To :

Chief Mike Foss  
59 West Bow Street  
Franklin NH 03235

Quantity	Style	Description	Unit Price	Your Cost
5	FS25X50_25N	Snap Tite Hose PONN Supreme. 2.5" X 50' Coupled 2.5" NH Threads, Specify Color White hose, red stripe, NH threads  FS25X50WR15N	287.00	B 1,435.00

Subtotal 1,435.00  
Total 1,435.00

\*Notice: Products marked as 'Contains PFAS Chemicals' are considered notification; pursuant to NH Law 154:8-c Firefighting PPE. Financing options available on turnout gear purchases. Prices quoted do not include shipping and handling. Shipping is FOB factory. This quote is based on current prices, subject to change by Manufacturer without notice. TERMS NET 30 Days. Add 3% fee when paying via credit card. Exchanges may incur additional handling charges. Late fee 2% per mo. \$25 returned check fee MC/ Visa /Discover accepted.

**2023 CITY COUNCIL MEETING**  
**AGENDA ITEM III**



## CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meetings of January 9, 2023 and February 6, 2023

**From:** Judie Milner, City Manager

**Subject:** Council to consider re-adopting the Optional Veterans' Credit

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### Suggested Motions:

#### January 9, 2023

Councilor moves, "I move that the Franklin City Council set a public hearing for Monday, February 6, 2023 at 6pm regarding Ordinance 05-23 re-adopting the Optional Veteran's Credit **Chapter 272-4 Adoption of Provision; Designated Amount** of the Franklin Municipal Code."

**Mayor calls for a second, discussion and vote.**

#### February 6, 2023

Councilor moves, "I move that the Franklin City Council adopt Ordinance 05-23 re-adopting the Optional Veterans' Credit **Chapter 272-4 Adoption of Provision; Designated Amount** of the Franklin Municipal Code."

**Mayor calls for a second, discussion and roll call vote.**

### Discussion:

The New Hampshire Legislature passed and Governor Sununu signed into law House Bill 1667, amending eligibility criteria for certain veteran's property tax credits. Effective on July 26, 2022, the bill amended RSA 72:28 Optional Veterans' Tax Credit to expand the eligibility requirements of the veterans' tax credit to include individuals who have not yet been discharged for service in the armed forces.

Unfortunately, the bill was written in such a way that all communities with an optional veterans' tax credit would revert back to the standard veterans' tax credit of \$50 **unless** the municipality re-adopts the optional veterans' tax credit ordinance. Franklin enjoys a \$300 tax credit for veterans. The veteran credit must be re-adopted before the 2023 tax year begins (April 1, 2023). While preparing for this re-adoption, I noticed that the incorrect sections of the RSA are referenced in our current city code so I have made that one change.



**Fiscal Impact:**

It is unknown at this time what the impact of the eligibility change will be. Franklin's tax credit is not recommended to change at this time. This ordinance just re-adopts the same language.

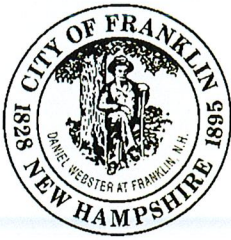
**Alternatives:**

Do not re-adopt. Veteran's credits will revert to \$50 (from \$300) on April 1, 2023.

**Attachments/Exhibits:**

Ordinance 05-23

RSA 72:28



**CITY OF FRANKLIN, NEW HAMPSHIRE**  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 03235

Phone: (603) 934-3900  
Fax: (603) 934-7413

**ORDINANCE #05-23**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

**In the year of our Lord, Two Thousand Twenty-Three;**

Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code, Chapter 272, Taxation, Article IV Optional Veterans' Tax Credit, 272-4 Adoption of provisions; designated amount be changed as follows (**red additional language**, strikethrough for deleted language):

The City of Franklin does hereby adopt the provisions of RSA 72:28, IV and V~~and VI~~, for an optional veterans' tax credit and an expanded qualifying war service period for veterans seeking the tax credit. The optional veterans' tax credit is \$300. ~~rather than \$250.~~

**By a roll call vote.**

**Roll Call:**

Councilor Chandler \_\_\_\_\_ Councilor Desrochers \_\_\_\_\_ Councilor Webb \_\_\_\_\_

Councilor Dzujna \_\_\_\_\_ Councilor Blake \_\_\_\_\_ Councilor Trudel \_\_\_\_\_

Councilor Ribas \_\_\_\_\_ Councilor Starkweather \_\_\_\_\_ Councilor Zink \_\_\_\_\_

Approved: \_\_\_\_\_  
Mayor

Passed: \_\_\_\_\_

I certify that said vote has not been amended or repealed and remain in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

# TITLE V TAXATION

## CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

### Property Taxes

#### Section 72:28

##### **72:28 Standard and Optional Veterans' Tax Credit. –**

- I. The standard veterans' tax credit shall be \$50.
- II. The optional veterans' tax credit, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$51 up to \$750. The optional veterans' tax credit shall replace the standard veterans' tax credit in its entirety and shall not be in addition thereto.
- III. Either the standard veterans' tax credit or the optional veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property. However, the surviving spouse of a resident who suffered a service-connected death may have the amount subtracted from the property tax on any real property in the same municipality where the surviving spouse is a resident.
- IV. The following persons shall qualify for the standard veterans' tax credit or the optional veterans' tax credit:
  - (a) Every resident of this state who is a veteran, as defined in RSA 21:50, and served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in this section, and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, provided that training for active duty by a member of the national guard or reserve shall be included as service under this subparagraph;
  - (b) Every resident of this state who was terminated from the armed forces because of service-connected disability; or the surviving spouse of such resident; and
  - (c) The surviving spouse of any resident who suffered a service-connected death.
- V. Service in a qualifying war or armed conflict shall be as follows:
  - (a) "World War I" between April 6, 1917 and November 11, 1918, extended to April 1, 1920 for service in Russia; provided that military or naval service on or after November 12, 1918 and before July 2, 1921, where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service;
  - (b) "World War II" between December 7, 1941 and December 31, 1946;
  - (c) "Korean Conflict" between June 25, 1950 and January 31, 1955;
  - (d) "Vietnam Conflict" between December 22, 1961 and May 7, 1975;
  - (e) "Vietnam Conflict" between July 1, 1958 and December 22, 1961, if the resident earned the Vietnam service medal or the armed forces expeditionary medal;
  - (f) "Persian Gulf War" between August 2, 1990 and the date thereafter prescribed by Presidential proclamation or by law; and
  - (g) Any other war or armed conflict that has occurred since May 8, 1975, and in which the resident earned an armed forces expeditionary medal or theater of operations service medal.

**2023 CITY COUNCIL MEETING**  
**AGENDA ITEM IV**





## CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meetings of January 9, 2023 and February 6, 2023

**From:** Judie Milner, City Manager

**Subject:** Council to consider change in Elderly Exemptions of Assessed Value

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### **Suggested Motions:**

#### **January 9, 2023**

Councilor moves, "I move that the Franklin City Council set a public hearing for Monday, February 6, 2023 at 6pm regarding Ordinance 06-23 an amendment to the Franklin Municipal Code, Chapter 272, Taxation, Article III Optional Adjusted Elderly Exemptions, 272-3 Designated Amounts; Qualifications with regard to the elderly assessment exemptions amounts and qualifying income thresholds."

**Mayor calls for a second, discussion and vote.**

#### **February 6, 2023**

Councilor moves, "I move that the Franklin City Council adopt Ordinance 06-23 an amendment to the Franklin Municipal Code, Chapter 272, Taxation, Article III Optional Adjusted Elderly Exemptions, 272-3 Designated Amounts; Qualifications with regard to the elderly assessment exemptions amounts and qualifying income thresholds."

**Mayor calls for a second, discussion and roll call vote.**

### **Discussion:**

The City contract assessors have significantly completed work on the City's cyclical revaluation this year (2023 tax year). For several reasons, assessed values are trending toward significant increases. Assessing recently brought to my attention that several of the City's elderly, particularly elderly over the age of 80, will be receiving tax bills (some significant) in 2023 for the first time in several years. These individuals who are on a fixed income would have 30 days to pay in some cases \$1000+ bills. The last time elderly exemptions were changed was 5 years ago for the same reason. In addition, because the City has not adjusted income levels in at least 5 years either, some elderly will no longer be eligible for an exemption and will pay several thousands of dollars that they were not expecting to pay in December 2023. I'm presenting

changes that should keep the elderly status quo from the previous year. In addition, net income amounts have been adjusted by the cost-of-living increases to social security for 2019-2022.

**Fiscal Impact:**

This change does not affect total taxes collected but rather the total assessed value by which the tax rate is set.

**Alternatives:**

Leave elderly exemptions and income thresholds unchanged and possibly offer those who cannot come up with the taxes the following options:

- 1) Payment plan (total taxes must be paid by the lien date giving them an additional 4 months to pay)
- 2) Public Assistance – Welfare may be able to assist with other bills to free up funding for taxes – subject to welfare application and guidelines
- 3) Optional tax deferral under RSA 72:38a – liens the property for the amount of taxes but accrues 5% per year (deferrals cannot exceed 85% of the properties equity).

**Attachments/Exhibits:**

Ordinance 06-23



**CITY OF FRANKLIN, NEW HAMPSHIRE**  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 03235

(603) 934-3900  
fax: (603) 934-7413

**ORDINANCE #06-23**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

**In the Year of our Lord, Two Thousand Twenty-Three;**

Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code, Chapter 272, Taxation, Article III Optional Adjusted Elderly Exemptions, 272-3 Designated Amounts; Qualifications with regard to the elderly assessment exemptions amounts and qualifying income thresholds be changed as follows (**red additional language**, strikethrough for deleted language):

The optional adjusted elderly exemptions shall be, for a person 65 years of age up to 75 years, **\$46,000 76,600**; for a person 75 years of age up to 80 years, **\$69,700 116,100**; for a person 80 years of age or older **\$160,300 267,000** of assessed value. To qualify the person must have been a New Hampshire resident for at least five years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least five years. In addition, the taxpayer must have a net income of not more than **\$30,250 35,800** or, if married, a combined net income of less than **\$37,750 44,700**, and own net assets not in excess of \$74,300 excluding the value of the person's residence. Under no circumstances shall the amounts of the exemption for any age category be less than \$5,000.

Change to be effective April 1, 2023 by a roll call vote.

**By a roll call vote.**

**Roll Call:**

Councilor Chandler	_____	Councilor Desrochers	_____	Councilor Webb	_____
Councilor Dzujna	_____	Councilor Blake	_____	Councilor Trudel	_____
Councilor Ribas	_____	Councilor Starkweather	_____	Councilor Zink	_____

Approved: \_\_\_\_\_  
Mayor

Passed: \_\_\_\_\_

**I certify that said vote has not been amended or repealed and remain in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.**

**A true copy, attested:** \_\_\_\_\_  
City Clerk

**Date:** \_\_\_\_\_



**2023 CITY COUNCIL MEETING**  
**AGENDA ITEM V**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of January 9<sup>th</sup>, 2023*

**Subject: Other Business**

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- 1. Mayor & Council Appointments**
- 2. Committee Reports**
- 3. City Manager's Update**
- 4. Late Items**

**Adjournment**

## **Mayor Appointments**

### **Recommended Motions:**

“I accept the resignation of John Neff from the Mayor’s Drug Task Force Leadership Committee.”

“I appoint Lori Seog to the Mayor’s Drug Task Force Leadership Committee, term of service to January 2025.”

## **Councilor Appointments**

### **Recommended Motions:**

“I move that the Franklin City Council re-appoint Robin Roper to the Library Board of Trustees, seat LT5, term of service to January 2026.”



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

City Council Meeting January 9, 2023

**Date:** January 4, 2023  
**From:** Judie Milner, City Manager  
**Subject:** City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$271.21
- Citizens Petition Results
- Congratulations:
  - Officer Francis – promoted to Sergeant
  - Detective Poirier – Everyday Hero Award through Hands of Hope (Granite State Children's Alliance)
  - Sean Riberdy, Matt Mercier and Rick Morton – weighmaster's license
  - Rick Morton – CDL-B endorsement
- Committee meetings – January:
  - Fire –
  - Finance –
- Welcome:
  - Keith McNulty – Firefighter/EMT w/ 10 years of experience
- Random Acts of Community – Franklin Falls Business Group
- Media contacts
- Reminder – Residential Solar Exemption expiring
- January Workshop



- Economic Development Community Forum – March 8<sup>th</sup> 6pm Location TBD
  - Trestle Bridge will be discussed – recommend holding off on next decisions for TAP grant until after forum

City of Franklin, NH			
City Council Request Follow Up Log			
Date Requested	Request	Status	Reported
12/5/22	is peabody place retaining wall in the TIF district	Yes, it is within the Franklin Falls TIF district	1/9/23