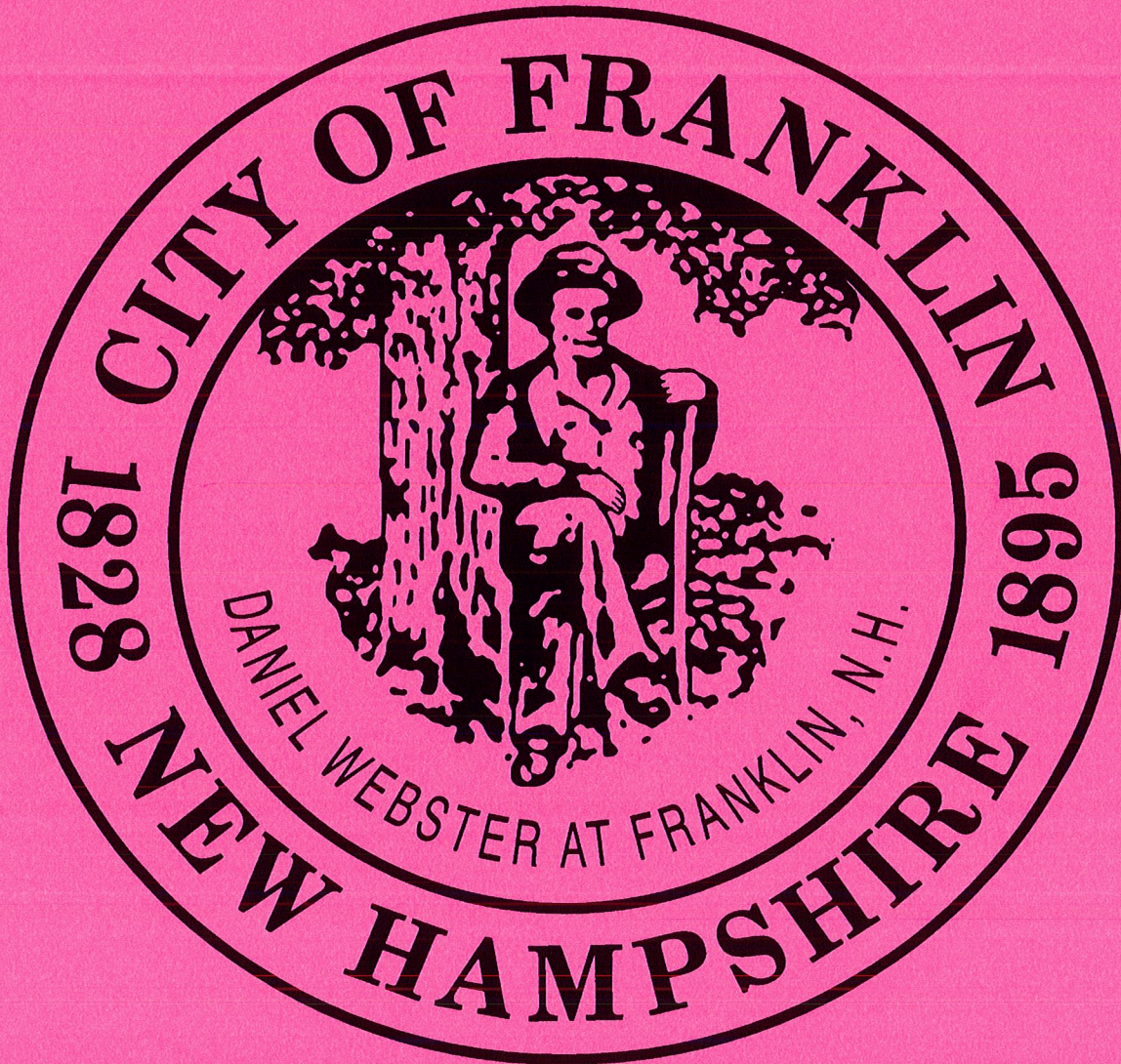


CITY OF FRANKLIN
CITY COUNCIL MEETING
February 5th, 2024
6:00 P.M.





CITY COUNCIL MEETING
Monday, February 5th, 2024 - 6:00 p.m.
Franklin Lodge of Elks

or view only via Zoom: <https://us02web.zoom.us/j/81110754056>

or by phone: 1-312-626-6799, Meeting ID# 811 1075 4056

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR OUR VETERANS

LEGISLATIVE UPDATE

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

MAYOR'S UPDATE

Agenda Item I. (pg. 1)

Council to consider the minutes of the January 8th, 2024 City Council meeting and the January 29th, 2024 City Council Workshop meeting.

Agenda Item II. (pg. 45)

City Manager's Update

Agenda Item III. (pg. 48)

School Board Update

Agenda Item IV. (pg. 50)

Council to consider setting a public hearing on Resolution 13-24 authorizing the City Manager to apply for CDFA Tax Credits up to \$625,000 to match federal funds for feature 2 of the whitewater park.

Agenda Item V. (pg. 58)

Council to consider authorizing the City Manager to apply for a grant through the US Department of Agriculture for a Food Coop feasibility study.

Agenda Item VI. (pg. 64)

Council to consider public trail permission agreement with Lakes Region Snowmobile Club.

Agenda Item VII. (pg. 68)

Council to consider disposition of city property in the police department.

Agenda Item VIII. (pg. 72)

Council to discuss city council meeting schedule policy.

Agenda Item IX. (pg. 92)

Other Business

1. Mayor & Council Appointments
2. Committee Reports
3. Late Items

Non-Public Needed:

RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

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. 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)

CITY COUNCIL MEETING
AGENDA ITEM I



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February 5th, 2024

Subject: Approval of Minutes

Motion: "I move that the Franklin City Council approve the minutes of the January 8th, 2024 City Council meeting, and the January 29th, 2024 City Council Workshop meeting."

Mayor calls for a second, discussion and the vote.



**City Council
Inaugural/Meeting Minutes
Monday, January 8, 2024 - 6:00 p.m.
Franklin Lodge of Elks**

Council in attendance: Mayor Jo Brown, Councilor Jay Chandler, Councilor Leigh Webb, Councilor Bob Desrochers, Councilor George Dzujna, Councilor Ted Starkweather, Councilor Valerie Blake, Councilor Paul Trudel, Councilor Vince Ribas and Councilor Olivia Zink

Absent: None

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

Mayor Brown called the meeting to order at 6:01 p.m.

Salute to the Flag was led by the Boy Scouts of America, Troop 61.

National Anthem was sung by the Franklin High School Performing Arts.

Councilor Desrochers led a moment of silence in honor of George Joseph Daigneault of the US Army (1954 – 1956).

Mayor Brown presented a Citizen of the Year Award to the Twin Rivers Food Pantry for all that they do for the community.

City Council 2023 Business:

Public Hearings:

Ordinance 06-24 regarding the elected and appointed officials code of conduct.

The public hearing opened at 6:13 p.m.

There was a small discussion on this. Councilor Desrochers read letters regarding this ordinance from Laurie Downing, Kathy Rago, Paul Doucette, and Jonathan Bowers. These letters are attached to the end of the minutes.

The public hearing on Ordinance 06-24 closed at 6:22 p.m.

Resolution 12-24 accepting and appropriating \$500,000 Community Development Block grant funds for the Healthfirst project.

The public hearing opened at 6:27 p.m.

There was no discussion on this hearing.

The public hearing on Resolution 12-24 closed at 6:27 p.m.

An informational document on the two following hearings was available to the public and is attached to the end of the minutes.

A proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Housing Grant Funds. Of the grant funds, up to \$30,000 will be retained by the City for administrative/labor compliance associated with the project, \$470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing.

The public hearing opened at 6:28 p.m.

Mayor Brown read the following:

The Public Hearing on the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project CDBG Application.

Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low- and moderate-income persons.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Housing Grant Funds. Of the grant funds, up to \$30,000 will be retained by the City for administrative/labor compliance associated with the project, \$470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing.

This project conforms with Franklin's Housing and Community Development Plan's goals of: Goal: Address issues of affordable housing. Encourage safe, decent, attractive and affordable housing for all segments of the population, with a focus on the increasing elderly population.

Mayor Brown asked if there was any public comment on this hearing.

There was no discussion.

The public hearing closed at 6:30 p.m.

The Residential Anti-displacement and Relocation Assistance Plan for the proposed Franklin Woods Rehabilitation Project.

The public hearing opened at 6:30 p.m.

Mayor Brown read the following:

Council Opens the Public Hearing on the Residential Anti-Displacement and Relocation Assistance Plan for the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project.

Please note the public hearing notice in the Union Leader incorrectly said this public hearing was for the Residential Anti-displacement and Relocation Assistance Plan for Healthfirst Family Care Center Improvements Project, which was a previous CDBG application. This Public Hearing is for the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project.

This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the City were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. Any displacement or relocation is anticipated to be on-site with tenants moved into rehabilitated units, all moving costs paid by the developer. Units will be kept vacant for this.

Mayor Brown asked if there was any public comment on this hearing.

There was no discussion.

The public hearing closed at 6:31 p.m.

Motion - Councilor Webb moved that the Franklin City Council have the public comments start before Agenda 1 on 2023 business. Seconded by Councilor Zink.

5 in favor; 4 opposed. Motion PASSED.

Comments from the Public

Mayor Brown opened the public comments at 6:33 p.m.

Judith Ackerson, Ward 3, read from a letter that is attached to the end of the minutes.

Bob Lucas, Ward 1, gave a thumbs up to Mayor Jo Brown for all that she has accomplished. He urged everyone to stay on the path of revitalization and welcomed all of the newly elected officials.

Jason Gerhard, state representative, stated that he was concerned about the transparency with a current litigation going on against the city of Franklin. He wanted to know how much it has cost the city to date, as he was told to send a 91A request and didn't have any answer back. Milner answered and stated that City Attorney, Paul Fitzgerald, is in the process of responding to his 91A request. The litigation is being paid for by the insurance company so there have been no costs associated with the city.

Mayor Brown, seeing that no one else wished to speak, closed the public comments at 6:41 p.m.

Agenda Item I.

Approval of Minutes:

Council to consider the minutes of the December 4, 2023 City Council Meeting, the December 4, 2023 City Council Nonpublic meeting, the December 14, 2023 City Council Workshop meeting and the December 14, 2023 City Council Workshop Nonpublic meeting.

Motion - Councilor Ribas moved that the Franklin City Council approve the minutes of the December 4, 2023 City Council Meeting, the December 4, 2023 City Council Nonpublic meeting, the December 14, 2023 City Council Workshop meeting and the December 14, 2023 City Council Workshop Nonpublic meeting. Seconded by Councilor Trudel.

Councilor Webb stated that the minutes were all correct, however, at the December 4th, 2023 meeting the council had two motions on the table in agenda 8 and only had a final vote on one. He suggested that they retake the votes after voting on the approval of the minutes. This was agreed upon.

All in favor. Motion PASSED.

Motion - Councilor Ribas moved that the Franklin City Council amend the motion to say one \$500,000 grant for the water feature and one \$500,000 grant for the land feature. Seconded by Councilor Trudel.

All in favor. Motion PASSED.

Motion - Councilor Trudel moved that the Franklin City Council authorize the City Manager to apply for (2) \$500,000 grants through Land & Water Conservation Fund for the construction of (2) water features in the river at Mill City Park. Seconded by Councilor Dzujna.

All in favor. Motion PASSED.

Agenda Item II.

Council to consider Ordinance 06-24 regarding the elected and appointed officials code of conduct.

Motion - Councilor Blake moved that the Franklin City Council adopt Ordinance 06-24 Code of Conduct for Elected Officials and Appointed Board Members. Seconded by Councilor Dzujna.

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

A discussion ensued about how this code of conduct has been in place for years. What this vote will do is turn it into an ordinance. The majority of the council wanted this brought to the Legislative Committee to be given more teeth and the committee decided not to codify it. Councilor Zink recommended some corrections on wording to the ordinance that was agreed upon.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Zink	<u>abstained</u>
Councilor Ribas	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Chandler	<u>yes</u>
Councilor Desrochers	<u>no</u>	Councilor Starkweather	<u>abstained</u>	Councilor Trudel	<u>no</u>

5 in favor; 2 opposed; 2 abstentions. Motion PASSED.

Agenda Item III.

Council to consider Resolution 12-24 accepting and appropriating \$500,000 Community Development Block grant funds for the Healthfirst project.

Motion - Councilor Zink moved that the Franklin City Council adopt adopts Resolution 12-24 accepting & appropriating \$500,000 Community Development Block Grant Public Facility Funds received through Community Development Finance Authority for the Healthfirst Renovation/Addition Project. Seconded by Councilor Webb.

Mayor Brown asked if there was any discussion.
No discussion ensued.

Motion - Councilor Zink moved that the physical address for Healthfirst be listed on the resolution. Seconded by Councilor Ribas.

All in favor. Motion PASSED.

RESOLUTION #12-24

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.

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

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2024 which began July 1, 2023, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire supported, at their June 5, 2023 City Council meeting, an application through Community Development Block Grant Public Facility Funds for Healthfirst Family Care renovation/addition project at 841 Central Street, Franklin, NH, and;

WHEREAS, the City Council of the City of Franklin acknowledges receipt of a Community Development Block Grant in the amount of \$500,000 from the Community Development Finance Authority for the Healthfirst Renovation/Addition Project, **Now**

THEREFORE, BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, January 8, 2024, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 12-24 accepting the community development block grant in the amount of \$500,000 from the Community Development Finance Authority and authorize the following non-lapsing appropriation:

An increase in revenue:

Federal Grants – CDBG Healthfirst Acct No. 14-9-012-33110-467 – Five Hundred Thousand Dollars (\$500,000),

And an increase in expenditure:

Federal Grant Buildings – CDBG Healthfirst Account No. 14-9-012-40720-467 in the amount of Five Hundred Thousand Dollars (\$500,000).

By a roll call vote.

Roll Call:

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

All in favor. Motion PASSED.

Agenda Item IV.

Council to consider a proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Housing Grant Funds. Of the grant funds, up to \$30,000 will be retained by the City for administrative/labor compliance associated with the project, \$470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing, AND the Residential Anti-displacement and Relocation Assistance Plan for the proposed Franklin Woods Rehabilitation Project.

Motion - Councilor Dzunja moved that the Franklin City Council approve the submittal of the CDBG application and vote to authorize the City Manager to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract, and any amendments thereto. Seconded by Councilor Ribas.

Mayor Brown asked if there was any discussion on this motion. There was none.

All in favor. Motion PASSED.

Motion - Councilor Dzujna moved that the Franklin City Council adopt the Anti-displacement and Relocation Assistance Plan. Seconded by Councilor Ribas.

Mayor Brown asked if there was any discussion on this motion. There was none.

All in favor. Motion PASSED.

Agenda Item V.

Council to consider unsealing any non-public meetings from 2022 & 2023.

Motion - Councilor Ribas moved that the Franklin City Council unseal the nonpublic meeting minutes dated April 4, 2022, February 13, 2023, June 5, 2023, and December 14, 2023. Seconded by Councilor Trudel.

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

All in favor. Motion PASSED.

Agenda Item VI.

Council to consider authorizing the City Manager to enter into franchise agreement negotiations with Comcast.

Motion - Councilor Trudel moved that the Franklin City Council authorize the City Manager to engage Attorney Kate Miller of Donahue, Tucker and Ciandella as legal counsel for negotiations and enter into cable franchise agreement negotiations with Comcast for the City. Seconded by Councilor Blake.

Mayor Brown asked if there was any discussion.
Milner explained that this would be in addition to Breezeline so it would give residents a choice on which service they would like to go with. Comcast approached Franklin and would like to build a new 100% fiber network to the premises of 4258 addresses in the city without city or grant support.

All in favor. Motion PASSED.

Agenda Item VII.

Council to consider city Customer Aggression Policy.

Motion - Councilor Zink moved that the Franklin City Council send the policy on Acceptable Customer Behavior to the Legislative Committee to review. Seconded by Councilor Ribas.

Mayor Brown asked if there was any discussion.

This policy was asked for by the council based on city employees being threatened by the public. There was a recommendation that the council should possibly have a workshop meeting on this policy after the Legislative Committee takes a look at it.

All in favor. Motion PASSED.

Motion to adjourn was made by Councilor Desrochers and seconded by Councilor Chandler.

All in favor. Motion PASSED.

The meeting adjourned at 7:26 p.m.

Mayor Brown recognized Councilor Desrochers for his term of service from 2012-2023 on the City Council and presented him with an award.

Councilor Paul Trudel, Councilor Jay Chandler, and Mayor Jo Brown all opted to have a Mill City Park paver made to recognize their service on the City Council.

Mayor Brown thanked the city manager, the department heads and everyone else for everything they have done for the City of Franklin during her term. She wished the newly elected mayor and city council the very best and she concluded the 2023 City Council meeting.

City Council 2024 Inaugural Program:

Mayor McLaughlin invited Deacon Tom Matzke to do the Invocation. Deacon Matzke thanked the Mayor, Council, School Board and Franklin residents. He asked all to join in as he led the prayer, meditation and reflection.

Mayor Desiree McLaughlin pledged her oath as she was sworn in by City Clerk Michelle Stanyan.

Ward I Councilor Timoth Johnston, Ward II Councilor Susan Hallett-Cook and Ward III Councilor Ed Prive pledged their oaths as they were sworn in by City Clerk Michelle Stanyan. They each took their respective seats at the Council table.

School Board Members Myla Marie Danforth, Liz Cote, and Jane Cote pledged their oath as they were sworn in by City Clerk Michelle Stanyan.

Mayor McLaughlin proclaimed her Inaugural Address which can be found attached to the end of the minutes.

A reception with refreshments followed.

City Council 2024 Business:

Council in attendance: Mayor Desiree McLaughlin, Councilor Valerie Blake, Councilor Tim Johnston, Councilor Ed Prive, Councilor George Dzujna, Councilor Vince Ribas, Councilor Ted Starkweather, Councilor Susan Hallett Cook, Councilor Olivia Zink and Councilor Leigh Webb.

Absent: None

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

Mayor McLaughlin called the meeting to order at 8:09 p.m. and stated that, without objection, that she would like to move up agenda item 3 before comments from the public. There was no objection from the council.

Agenda Item III.

Choose Franklin to present Junior Essay Contest Winner

Dan Darling presented a \$500 award from Choose Franklin to the winner of this year's Junior Essay Contest, Savaughna Slocum.

Ms. Slocum read her essay titled 'Don't Come to Franklin' and this can be found at the end of the minutes.

Comments from the Public

Public comments opened at 8:17 p.m.

Mayor McLaughlin stated that 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.

Bob Desrochers congratulated the new councilors and the new mayor. He let them know that they do not always have to agree and wished them all the best of luck.

Kaitlyn Shaw, Ward 1, read from an email that she sent out. This email can be found attached to the end of the minutes.

Mike Lombardo, Ward 3, asked who would take over the moment of silence for veterans and the answer was Councilor Ed Prive.

Tim Morrill, Ward 1, thanked the new mayor and councilors for stepping up to take office and wished them the best.

Coalition Coordinator, Stephanie Wolff, provided updates on Franklin's Partners in Prevention:

- January 10th from 6pm-7pm they are hosting an Overdose Prevention Kit Assembly night at the Bessie Rowell. Thanks to the community partners such as Healthfirst, Archways, The Doorway, Partnership for Public Health and many more; they are able to assemble these kits with two doses of Narcan, CPR face shields, Fentanyl and Xylazine test strips, basic first aid supplies and resources for treatment and services. These kits will be dispersed throughout the Winnepesaukee Region. They welcome anyone who would like to help to come and join them.
- As the Legislative session is picking up, she wanted to let everyone know about some bills that they are keeping an eye on:
 - **SB 335**: relative to alcohol packaging. Senate Bill 335 aims to reduce the attractiveness of advertising toward children and teenagers. The bill adds labeling restrictions to current alcohol advertising laws that will prohibit cartoons, toys, and characters in labels and advertisements. It also adds a prohibition on alcohol products that are named, packaged, marketed, or designed in a way that mimics commercially available non-alcoholic products.
 - **SB 505**: relative to the prohibition on the sale of hemp products containing certain levels of THC. Senate Bill 505 aims to prohibit sales of Delta-8 products in retail stores, a substance similar to the active ingredient in marijuana. The bill repeals the sunset provision, making the prohibition on these products permanent.
- January 26th to February 2nd she will be traveling to Washington DC with the High School's Student Assistance Coordinator and Climate and Culture Specialist to the CADCA Leadership Forum to learn about the latest information and strategies of substance use prevention. She looks forward to updating the council at next month's meeting on how it goes.
- FPIP Is currently working on creating a youth leadership through adventure project block with the schools Climate and Culture specialist. This project block would look to build leadership skills and prevention education into experiential learning opportunities

Councilor Blake read a letter in support of LeAnne Fifield being appointed to the School Board for Ward II. This letter can be found attached to the end of the minutes.

State Representative Jason Gerhard stated that he had not received information back on a request pertaining to an ongoing lawsuit. City Manager Milner let him know that he would be receiving an answer from City Attorney, Paul Fitzgerald.

Councilor Webb read a letter from Marty Parichand and that can be found attached to the end of the minutes.

Councilor Dzujna read a letter from an anonymous city employee addressed to the new mayor and that can be found attached to the end of the minutes.

Mayor McLaughlin did respond to the letter and stated that she appreciated the employee's bravery and she hopes that in the future that all employees will feel comfortable enough to come speak with her about any issues they are having so that a solution can be made together.

Councilor Dzujna stated that for two years, Mayor Brown had allowed him to honor people in the community who have helped or have been heroes and he appreciated the time that she had given him. He wanted to thank Mayor Jo Brown for the following:

- Her leadership.
- Her dedication to service.
- Her attention to detail.
- For organizing the NH Forward board toward helping the children to have a chance to train and enter a manufacturing field.
- For working with our federal government, specifically Senator Hassen, Congresswoman Kuster, and Senator Shaheen toward obtaining grants for the city.
- For working with Easter Seals to bring in the veteran Resource Center to Franklin.
- For being a tireless advocate for Franklin and making us proud.
- For working closely with both the Police Department and the Fire Department to help in any way she could during difficult times.

Councilor Dzujna stated that he worked on many boards with Mayor Brown, including Choose Franklin, NH Forward and the city council, and was always proud to work with her as our mayor and he is proud to call her his friend.

Mayor McLaughlin closed public comment at 8:44 p.m.

City Council Acknowledgements

Councilor Blake thanked everyone from MSD for helping with a water issue that came up over the weekend.

Councilor Zink thanked Ken Kreis from MSD for coming out to take care of an issue on her property and also thanked the entire MSD department for the many hours of service they put in for snow removal yesterday.

Councilor Webb stated that Franklin had a tremendous 1st Day and there were many people downtown observing and participating in the events.

Legislative Comments

State Representative Jason Gerhard gave some updates:

- On Thursday the House voted and passed the Defend the Guard bill. This bill would prevent the NH National Guard from being shipped overseas unless Congress declares war.
- Also, as a Franklin related issue directly, he put a bill in stating that if any bond is issued

over \$500,000 that if there are 50 or more residents to sign a petition, it'll have to go to a public vote and would only be able to pass with 2/3 vote.

- Lastly, the USS Liberty was attacked in 1967 by Israel where 34 US Sailors were killed, 173 were wounded and no legitimate investigation was ever done. On Friday, in state federal relations committee, the bill will be heard, debated, and hopefully brought to law so they can have a commission finally put to rest this tragic incident.

Councilor Webb stated that there were several house bills regarding the funding of education. He asked Mr. Gerhard if he was aware of those bills and which ones he approved of, which ones he didn't, and why.

Gerhard did not have any answers for Councilor Webb on that matter.

Agenda Item I.

City Manager's Update

- Contingent Grant Line Activity – Received \$1,000 from an anonymous donor so that a child could attend the afterschool program for the rest of the year.
- Trust fund for school funding – \$272.55
- Shout Out – Zeke's Sweets, who was featured on WMUR Chronicle on November 30th.
- Committee Meetings – January - Normally Finance Committee and Fire Committee is in January so once the new committees decide on dates/times those will be going out.
- Council Workshop – January 29th @ 6pm at the Lodge of Elks. The council will be hearing from all departments on challenges within the departments and the city as a whole.
- City SPIRIT Program with the NH DOJ– Save the Date for April 6th at the Bessie Rowell Community Center. This will be an all-day event.
- City Offices Closed – Monday, January 15, 2024, Civil Rights Holiday.
- City Clerk's Office Closed – Tuesday, January 23, 2024 for elections, reopening at noon on Wednesday, January 24, 2024.
- Media Contacts – Union Leader, who did an article on the school district and on 1st Day.
- Congrats – Firefighter Eric Tucker for receiving his firefighter 1 certification and MSD employees Adam Green, who just received his CDLB certification.
- Signage for the Safe Workplace is on order with the NH Correctional Industries, which will say the following: "This is a safe workplace. Please treat our staff with respect. Aggressive

behavior and any form of verbal or physical abuse to our employees will not be tolerated.” These will be going up in a few spaces soon.

- Stanley Mill RFP – Request for proposal to get a qualified engineer professional for the project is with the granting agency for review at this point.
- City Hall Update – She has not seen anything come back from the architect yet in her emails. She will follow up with the council on Friday.
- Legislative Updates:
 - **House Bill 1479** is a house bill that needs to be addressed or the NH Municipal Association thinks needs to be addressed. It limits a town’s ability to budget for our advocacy through the NHMA. The School Board Association and the NH GOFA is also affected. Any association, we would not be allowed to advocate for communities at the legislature. It basically takes away our voice as a community. There is a letter that the Executive Director of the NHMA worked on with several of our partners that they would like us to sign and send in to the committee that is hearing this bill. She had that letter tonight for the council to sign so she could get it mailed out.
 - **House Bill 1002** is up for a hearing on 1/17 @ 9am. This is about Right to Know Requests including voluminous requests, and whether or not we can charge per hour after a certain number of hours, generally 10 hours per request and then charging after that amount. She stated that she can send a link if anyone would like to write in to the committee. That is something that is being supported by the NHMA.
 - **House Bill 1640** is the qualified immunity bill. It is the exact same thing as the bill from last year and is back. It is in House Judiciary Committee. This would take away all of our protections that we have as a community. For example, if someone uses an apparatus in one of our parks incorrectly, it takes away our protection from being sued so it affects the taxpayers. She will send that link to the council as well.
 - **House Bill 307** is requiring that municipalities pay attorney fees for any Right to Know requests, lawsuits or through the ombudsman. It doesn’t matter if the community wins or loses. Hopefully, everyone can see where this would be problematic. It is at the point where the councilors need to reach out to Senator Innis on this because it is going to be going through the Senate. She will be sending the link to that one as well.

Milner stated that these are the big bills that need the council’s attention right away.

- Myth Busters:
 - There was no bond that was ever brought forward to the city council. There were 11 public forums on whether or not to bring that bond forward to the council and it never was. The accusation that there was no public input is wrong.
 - CDFA Tax Credits and how they work – The CDFA has a tax credit program, which they give it out like a grant, however, we have to sell these to businesses. So, the businesses buy these tax credits. They then get to take a percentage of the amount they buy as a tax burden for the NH business profit or business enterprise tax. The remainder is a charitable donation, as it goes towards a charitable project that is

approved and it is likely that they can take it off of their federal tax return. It is a very competitive program and Franklin has been successful in it a few times so far.

- There was talk about the city council changing the way that they vote. This is not the case. We follow the Roberts Rules and there are certain votes that require a roll call vote and certain votes do not require a roll call vote. That has not changed at all. Voting on Resolutions and Ordinances must be a roll call vote, as well as if someone is calling into a meeting remotely. The mayor can certainly ask for a roll call as well, if that is requested.
- Update on Central Street flashing lights – they are back to flashing since the timer was taking too long when they were fixed. Please take it easy in the meantime and try to be extra cautious.

Agenda Item II.

Monthly School Board update to the City Council:

Superintendent LeGallo went over the following updates:

- **Strategic Plan:** They have launched their new 3-year Strategic Plan. It has been sent out electronically to the community. He will have hard copies for City Councilors at the February City Council meeting. They have designed a webpage for the plan where the community can track the progress with them with updates coming every 3 months through June of 2027.
- **Class Day Parade:** The 100th year of the Class Day Parade will be on Thursday, June 13th at 12:30pm. If anyone is interested in being on the committee, please let him know.

Agenda Item IV.

Other Business:

1. Mayor/Council: Committee Resignations & Appointments

Mayor McLaughlin reappointed Rob Sargent to the Planning Board Committee, seat PB2, term of service to January 2026.

Mayor McLaughlin appointed Leigh Webb to the Heritage Commission, seat HC1, term of service to January 2027.

Councilor Ribas moved that the Franklin City Council accept the resignation of Debbie Davis from the Zoning Board of Adjustment Committee s an Alternate, seat ZBA6, AND reappoint Richard Soucier to the Personnel Advisory Board, seat PA2, term of service to January 2026, AND reappoint Sandra Burney to the Library Board of Trustees Committee, seat LT1, term of service to January 2027, AND reappoint Christine Dzujna to the Library Board of Trustees Committee, seat LT2, term of service to January 2027, AND reappoint Sam Durfee

to the TIF District Board, seat TIF1, term of service to January 2026, AND reappoint Caite Foley to the TIF District Board, seat TIF2, term of service to January 2026, AND accept the resignation of Roy Hubble from the Supervisors of the Checklist, Ward III, seat SCW32, effective immediately, AND appoint LeAnne Fifield to the School Board, Ward II, seat SBW21, term of service to January 2026. Seconded by Councilor Dzujna.

All in Favor. Motion PASSED.

ADJOURNMENT

Motion to adjourn was made by Councilor Zink and seconded by Councilor Ribas.
All in favor. Motion PASSED.

The meeting adjourned at 9:21 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary

From: laurie downey lauriegdowney@hotmail.com
Subject: Tonight's City Council Meeting
Date: Jan 8, 2024 at 4:52:17 PM
To: rodaj@netzero.net

Dear Councilor Desrochers,

Thank you for reading this email into the minutes of tonight's meeting.

I am writing to express my concern along with questions regarding Agenda Item II, namely Council to consider Ordinance 06-24 regarding the elected and appointed officials code of conduct. In reading through the minutes of December 4th 2023 it states that this is to be a public hearing in which the Council is to vote on the Code of Conduct for Elected Officials and Appointed Board Members, yet in looking at the agenda for tonight, it appears that the public will not be allowed to provide comment until after this is voted on. Tonight's agenda shows that the public comment comes AFTER the vote and swearing in ceremonies of the newly elected officials. My question is: If this is to be a public hearing, why is the public not allowed to comment until AFTER the council votes?

Screenshot of the minutes regarding the Agenda Item mentioned:

Agenda Item IX.

Council to consider setting public hearing on Ordinance 06-24 regarding the elected and appointed officials code of conduct.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing for 6pm on Monday, January 8, 2024, regarding the adoption of Ordinance 06-24, Code of Conduct for Elected Officials and Appointed Board Members. (In title only) Seconded by Councilor Trudel.

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

All in favor. Motion PASSED

Additionally, in further review of the minutes (listed as page 46 of 99) I read that on **FOUR** separate occasions the code of conduct was referred to the Legislative committee and on all **four** occasions their recommendation was to adopt the code of conduct as **policy** and not to codify. My concern is that it appears some want to dismiss the Legislative committee

recommendations and write their own history. If city officials, regardless of their title, dismiss these types of recommendations, then why have a Legislative committee at all if they won't take their recommendations seriously and chose to write their own rules? I do not support codifying this ordinance and believe that it should remain policy. We have enough rules and regulations as it is within our City, let's not add to it something additional that will be difficult to enforce.

Screenshot of Page 46 of 99 minutes:

History:

This is a current policy not city code. Last review was 2/1/21, last change 9/8/15.

At 1/3/22 Inaugural meeting code of ethics was referred to legislative committee for review and codification recommendation.

Legislative committees (2/22/22 & 3/1/23) have recommended keeping the code of conduct as a policy and not codifying the code of conduct.

Council sent the code of conduct back to legislative committee at the April 3, 2023 meeting to consider codification again. The legislative committee met on May 16, 2023 and recommended to adopt the code of conduct as a policy not to codify.

July 10, 2023 City Council directed to have code of conduct codified by ordinance.

Furthermore, Councilor Desrochers - I would like to thank you for your years of service to the City of Franklin and your constituents. You have been one who is always willing to answer questions and listen to our concerns. I appreciate all that you have done and for your being a voice for the citizens of Franklin. I wish you well in your retirement.

Sincerely,
Laurie Downey
Ward II Taxpayer

Lisa Jones

From: Olivia Zink <councilorzink@gmail.com>
Sent: Monday, January 8, 2024 1:58 PM
To: Lisa Jones
Subject: Fwd: New Aggression Policy

Begin forwarded message:

From: Kathleen Lauer Rago <kathy.lauer.rago@gmail.com>
Date: January 7, 2024 at 3:17:03 PM EST
To: txkatlr <txkatlr@msn.com>
Subject: New Aggression Policy

January 7, 2024

Dear City Councilors,

I'm writing in regards to this new Customer Aggression Policy Agenda Item #7 that you will be voting on Monday night.

After reading this policy I have many concerns, but will only address a couple of them. First of all, why is the public not being allowed to speak at all at the meeting prior to 2023 agenda items? We have always had that in the past. This is highly unusual to not allow public comments until after the 2024 council has been sworn in and all 2023 agenda items have been voted on.

Looking at Item 1.4 of the policy prohibits excessive emails, excessive voicemails and abusive messages on social media sites. Just these few items are a flagrant violation of Franklin citizens first amendment rights. I believe the claim of 'excessive' emails/vm's would never have happened recently had the city manager/mayor and some councilors been forthcoming with all the issues surrounding and arising from MCP and bond discussions kept from the public and how they were going to pay for them.

With this policy even our newly elected mayor would be banned from city hall for what the city manager deems 'excessive' 91-a requests. Which again, would not have been needed had previously mentioned persons been forthcoming to the public.

Maybe instead of attacking the citizens and trying to control what they think, say or write you should instead focus on providing training to staff on how to deal with challenging people. A new policy does not have to be put in place to do that very thing.

Item 5.1 should also apply to treating Franklin citizens in a courteous and civil manner by the staff.

I strongly encourage you to vote DOWN this policy and protect the Franklin citizens first amendment rights, after all, the First Amendment applies to all speech even that to which we may disagree.

Kathy Rago, Ward 3

Kathleen Lauer-Rago
603-393-6500

Lisa Jones

From: Olivia Zink <councilorzink@gmail.com>
Sent: Monday, January 8, 2024 1:58 PM
To: Lisa Jones
Subject: Fwd: CUSTOMER CODE OF ETHICS

Begin forwarded message:

From: Paul Doucette <pauldoucette@metrocast.net>
Date: January 7, 2024 at 6:05:33 PM EST
To: ozink@franklinnh.org
Subject: CUSTOMER CODE OF ETHICS

Honorable Oliva Zink ,

Customer Code of Ethics.

The customer code of ethics is entirely unenforceable , via personal research and chatting with attorney and friends. There is no reciprocity that is public officials elected officials appointed officials dealing interacting with the public.

This code took place without any public hearings. The public needs to be involved and there needs to be public hearings. Also goes for public hearings for reciprocity them to the citizens.

Enforcement is whimsical at the whims of an individual which means it is arbitrary and capricious. It seeks to limit highly protected political speech. Political speech has a much higher threshold of protection than pure speech. First Amendment cases are overseen by the Federal Courts.

Impossible for the City to prosecute, therefore the highly unlikely that a police officer would arrest anyone or remove them from City Hall because of social media postings. The code seeks to remove civil rights, equal rights , equal protection, and equal access to government. The entire customer code of ethics is unenforceable, moot and mundane.

Purely a grab for power by those that are losing power. Dictators and despots go this route when they are on the losing end.

Lastly, the code lacks sufficient due process; taking of personal rights. Due process authority and jurisdiction derives from a quasi Judiciary Board. A quasi Judiciary Board to have sufficient due process rights is via enactment by the State Legislature. Definitely not some witchery that the City of Franklin can implement.

Kind Regards,

Paul Doucette Ward 2.

Sent from [Mail](#) for Windows

Lisa Jones

From: Olivia Zink
Sent: Monday, January 8, 2024 2:11 PM
To: Lisa Jones
Subject: Fw: 1-8-2024 meeting

From: Jonathan Bowers <jonbowers@comcast.net>
Sent: Sunday, January 7, 2024 9:23 PM
To: Ted Starkweather <TStarkweather@franklinnh.org>; gdzunja@franklinnh.org <gdzunja@franklinnh.org>; Jay Chandler <JChandler@franklinnh.org>; Olivia Zink <OZink@franklinnh.org>; Vince Ribas <VRibas@franklinnh.org>; Robert Desrochers <RDesrochers@franklinnh.org>; Leigh Webb <LWebb@franklinnh.org>; Valerie Blake <VBlake@franklinnh.org>; Paul Trudel <PTrudel@franklinnh.org>
Subject: 1-8-2024 meeting

You don't often get email from jonbowers@comcast.net. [Learn why this is important](#)

Dear Members of City Council,

I write to you today with my concerns regarding two upcoming votes at the 1/8/2024 city council meeting. The first is in regard to the "policy on Acceptable Customer Behavior".

While I think that everyone agrees that our city employees deserve to be treated with respect, there are great concerns over government restriction of first amendment rights. The first regard is the vagueness of the term excessive. In recent months much has been discovered through email 91-A requests to the city. As written, the city manager or any other department head can cut off a citizen of the city when they are exercising their right to know.

The next comes to the idea of abusive messages on social media. This too is extremely vague and without definition. The first amendment permits freedom of speech without punishment within reason. In this case what is the scope of this policy? Criminal threatening is already illegal so what does this define? Afterall, if it is permissible for a city representative such as Niel Cannon to utilize Facebook to call those who criticize his ideas "Idiots" without repercussion, then by default the same liberties must be afforded to all residents. In fact, it was discovered that this also carried over to email conversations with the city manager in which similar abusive language was utilized, yet again without repercussions.

Next citizens are being informed that they must not record without prior approval. In this case ALL public meetings of late have been recorded. Consent works both ways. In this matter if the city takes the liberty to assume consent to record when individuals attend these meetings, then the consent to record by the citizen is by default granted. (see section 4.5 for an example)

Up next, we have the idea of restricting privileges based upon the idea that the person “refuses to accept documented evidence as factual.” This is another affront to a person’s first amendment right. It is also a dangerous approach for the city to force their views upon the taxpayers. I recall early in 2023 it was denied by the soon to be former mayor that Mill City Part was promised to be at no expense to taxpayers despite audio and written proof to the contrary.

There were zero repercussions to Jo Brown regarding this when proved otherwise. Citizens are afforded the right to form an opinion of their own without malicious coercion by the government. This yet again proves to be a potential violation of constitutional rights.

Because of the ambiguity of this policy, I strongly urge it be sent back for further review due to the fact that as written, it is too vague and too risky for the constitutional rights of the citizens of the city.

The next set of concerns comes from the proposed Code of Conduct for Elected Officials and Appointed Board Members.

In Section 308-6 It limits the release of legal communications to the discretion of only the City Manager. This is in fact a very dangerous precedent. The city council must retain all right to release this information as seen fit. The council DOES NOT work for the city manager and this power, being limited to just one person, prevents the city as a whole from knowing if there are any infractions or abuses taking place by the city manager.

Next is the actual attempt to restrict access to legal counsel by making requirements of council to go through the city manager. Once again, this places too much control on just one person, especially if such communications are in reference to the city manager’s office. Council must maintain their ability to seek council without such impedance.

Finally this code completely lacks the same standards in regard to abusive language towards citizens/customers as the previously mentioned ordinance. In Fact, over the last two years, it has become common for elected officials in official meetings on the record to refer to citizens as (and please excuse the language however it came from elected officials all on official city audio recordings) “Thugs” “Psychopaths” “Bitches” etc. This is completely unacceptable and must be addressed in this code, especially seeing that such slander has already been brought up in at least one pending lawsuit against the city. For the city to demand respect from its citizens, it must also reciprocate such expectations.

Thank you for your time,
Jonathan Bowers
Ward 3

Sent from my iPhone

CITY OF FRANKLIN, NH
Public Hearings
Community Development Block Grant Project

January 8, 2024 6:05pm

Public Hearing on the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project CDBG Application

Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low- and moderate-income persons.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Housing Grant Funds. Of the grant funds, up to \$30,000 will be retained by the City for administrative/labor compliance associated with the project, \$470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing.

This project conforms with Franklin's Housing and Community Development Plan's goals of: Goal: Address issues of affordable housing. Encourage safe, decent, attractive and affordable housing for all segments of the population, with a focus on the increasing elderly population.

Public Hearing on the Residential Anti-Displacement and Relocation Assistance Plan for the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project

Please note the public hearing notice in the Union Leader incorrectly said this public hearing was for the Residential Anti-displacement and Relocation Assistance Plan for Healthfirst Family Care Center Improvements Project, which was a previous CDBG application. This Public Hearing is for the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project

This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the City were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. Any displacement or relocation is anticipated to be on-site with tenants moved into rehabilitated units, all moving costs paid by the developer. Units will be kept vacant for this.

To: Members of City Council – Current and Outgoing

From: Ken & Judith Ackerson

Re: Thank you to Mayor Brown

Date: January 8, 2024

To members of the Franklin City Council and residents of Franklin, we wish to express our thanks to Mayor Jo Brown for her years of service as Mayor and for her many contributions to the health and vitality of our city.

Mayor Brown also started a successful small business in our downtown which showed her love of and commitment to our community.

Mayor Brown has served us with dignity, dedication and with a great understand. During her tenure, she forged relationships with the governor's office and our delegation to Washington DC. For a small city which is dependent on grant money for many of our needs, this has been vital to our success.

Mayor Brown worked cooperatively with the school board to create a bridge between the staff at Lakes Region Community College and Plymouth State University so that their staff and students could cover gaps in our teaching staff.

There are many more accomplishments I could mention but the most important of all is the relationships she formed with those who serve our city and her availability to all citizens of Franklin. Thank you, Mayor Brown, for your service.

January 8, 2024
City Council Meeting
Inaugural Address

Good evening to All,

I want to personally thank everyone attending tonight, either in person or in zoom, who has contributed not only to this evening but to this vibrant and proud community and for making it as wonderful as it is. Deacon Tom, The Franklin Elks Club, The Boy Scouts of Troop 61, The Franklin High School Choir, Members of the City Council both of 2023 and 2024, The City Manager, Judie Milner and her tireless support staff, Mayor Jo Brown, You, the residents of Franklin, and my overwhelmingly supportive and loving family and friends.

Many of my relationships in this city have been forged through my community engagement efforts or rather became established where the community engaged me, most often with little to no warning. When my family and I opened a small laundromat in the center of downtown, I had no idea it would be a life altering event. If in 2006, when we opened our doors, you told me I would be standing here, in the Elks club, addressing you as the Mayor of Franklin, I would have laughed at the whimsy. But alter my life the City of Franklin did, and what a change for the better. What a privilege to raise a child, grow a family and develop personally in this little City. As an individual who was raised in a loving, intact family but surrounded by the isolation of urban living, Franklin is a little slice of heaven. From the City's many multigenerational family's, rich with history, the natural resources and landscapes and most importantly, the core personal values that result from an environment steeped in tradition like the Outing Club at the Veterans Memorial Ski Area or our class day parade, this year is the 100th! At every turn and within every resident our City is abundant with its beauty. Let me tell you how I was not surprised in the least to discover we even have an article published in 1947 titled "Here's Your Home" "How a small New Hampshire City is solving the housing problem. By helping veterans it is also helping the community." by Isabelle H. Daniel. What better way is there to illustrate the deeply rooted culture and generous nature reflected in the Franklin people today? So many of our daily interactions reflect ideals that have been preserved from generation to generation. This is the reason I have devoted so much of my time to the protection of this way of life. It is the essential element to the strong foundation Franklin will use to enter the next phase of its future. Already so many new opportunities have begun to weave their way into the existing fabric of Franklin life. It is truly wonderful to see these changes evolve around

me. It is my sincere ambition to provide the balance these new opportunities need to flourish and exist in harmony with the present structure and population of our beautiful City.

I also beg for the patience of residents, members of the local government, and the agencies that we work with as I continue learning the proper stewardship of our City. If I can communicate and educate any one fact this evening, please come away with this knowledge that every single member of this local government whether appointed, elected or volunteer invests a precious number of hours a week to make sure this City continues running. I commit to working with many to foster relationships that will prove beneficial to the City and its people. Lets look forward to a public body that communicates with its residents, that acknowledges concerns, listens to feedback and puts in the work to overcome obstacles and protect the interests of the people. It is my goal to be an asset to this community. We have so much to work with, the potential is boundless. I feel it appropriate to end with Psalm 133 How pleasant is it when Gods people live together in Unity.

Mayor of Franklin

Desiree McLaughlin

Don't Come to Franklin

By: Savaughna Slocum

Why would someone choose Franklin, as somewhere they would like for their family to settle? There are many reasons why you should not choose Franklin. Don't come to Franklin if you don't want to be a part of a community that is binding closer and closer as time passes. Don't come to Franklin if you don't like trails that connect surrounding towns, while hearing the rushing of the river. Don't come to Franklin if you don't want to be immersed in history, with a step into nature one minute from downtown.

Don't come to Franklin if you don't want to be a part of a community that has become closer over the last few years. With more businesses coming to downtown Franklin, it has led to more opportunities for people who call Franklin home to come together and celebrate the new accomplishments and opportunities they now have access to. The Franklin High School's athletics department has branched out to reintroduce two sports, winter cheer and wrestling, while also adding more clubs for students to be a part of making it so everyone is getting involved. Home football games leave the stands full of cheering fans from all over the community, leading our team to victory. One of the Franklin football team's wide receivers, Kourtney Kaplan said "The fans that come out to see us play have a big impact on the performance of the team. They support us and push us to do our best and fight until the final buzzer goes off".

Don't come to Franklin if you don't like trails that connect surrounding towns. The Northern Rail Trail connects nine different towns that have multiple access points, Lebanon (3),

Enfield (2), Canaan/ Orange (2), Grafton (1), Danbury/ Wilmot (3), Andover (2), East Andover (3), Franklin (2), Boscawen (3). The Northern Rail Trail offers multiple activities that it can be used for. In Spring-Summer-Fall you can partake in walking, jogging, bicycling, and horseback riding. In Winter you can snowmobile, dog sled, snowshoe, and cross country ski. The trails of Franklin are valued by those who live here, for their beauty and how they connect us. “When the rain blew away today, I took a walk down the Winnepesaukee River Trail -- and when I saw the bridge in sunlight, I just had to scramble down the bank to catch some views” Karen Darling, a resident of Franklin, had posted in the towns facebook group, to share with her neighbors.

Don’t come to Franklin if you don’t want to be immersed in history, with a step into nature one minute from downtown. Downtown Franklin is filled with old mill buildings, many of them have been revamped and turned into new, upcoming businesses. While walking downtown, across from the wheel is one of the access points to the Northern Rail Trail. The trail is home to the old railroad tracks with signs explaining some of Franklin’s history. Franklin has a Historical Society’s Education Committee that informs residents and provides them with resources and knowledge of our town's history. “It’s really cool to see all of the old railroad tracks, while walking the trails with my family. It enables us to share our pride in our city with each other, while learning about those who were here before us” Sage Slocum, one of Franklin High School students said.

Come to Franklin if you want to be a part of a community that supports each other in times of need. Come to Franklin if you like feeling connected to surrounding towns. Come to Franklin if you want to learn about your cities’ history while being surrounded by nature. If these are things that you hold dear, come to Franklin and be a part of the change.

Lisa Jones

From: kaitlyncampbellshaw@gmail.com
Sent: Monday, January 8, 2024 8:39 AM
To: Lisa Jones
Subject: Fwd: Public comment for 1/8/24

Categories: Replied

You don't often get email from kaitlyncampbellshaw@gmail.com. [Learn why this is important](#)

Hi Lisa,

Forwarding this to you- please distribute to new mayor. I was unable to find her official email address.

Thank you!

-Kaitlyn Shaw

Begin forwarded message:

From: kaitlyncampbellshaw@gmail.com
Date: January 8, 2024 at 8:24:53 AM EST
To: JChandler@franklinnh.org, Gdzujna@franklinnh.org, TStarkweather@franklinnh.org, citymgr@franklinnh.org
Subject: Public comment for 1/8/24

Hello,

I am writing to support the elected and appointed officials code of conduct and the customer aggression code of conduct. Franklin employees should have a clear document to refer to when they are being mistreated by customers.

I would suggest the elected and appointed code of conduct be edited to include the use of social media by elected officials. Here is an example of a city social media policy. https://www.manchesternh.gov/Portals/2/Departments/human_resources/City_Of_Manchester_Social_Media_Policy.pdf?ver=2022-07-25-085427-047

Give the focus on RSA91A lately, it makes sense for elected officials to use a public figure social media account such that RSA 91A may be maintained.

The following is for public comment related to the swearing in of the new mayor and questions to the councilors. I could not find the new mayors official email- please forward to her.

Dear madam mayor and councilors,

Congratulations on your appointments, I look forward to seeing how you will further the mission of Franklin.

I request that within your first month as mayor that you and the councilors answer the following questions:

1. What role will social media play in civil discourse during your tenure?

2. Typically, city council meetings comments are made via email or during public comment. Do you plan to consider social media comments as public comment, and if so how will you consider all comments equitably and ensure all comments are made by residents?

3. What is your specific actionable plan to further the stated mission of the city: "We will work as a Team to Ensure Franklin's future by Strengthening Education, Promoting Recreation, Supporting Businesses and Providing a Safe Community through the Efficient use of Resources and Talent. We will Eliminate waste at all levels to Maximize Value to our Taxpayers."?

4. How will you measure and gauge progress on this mission?

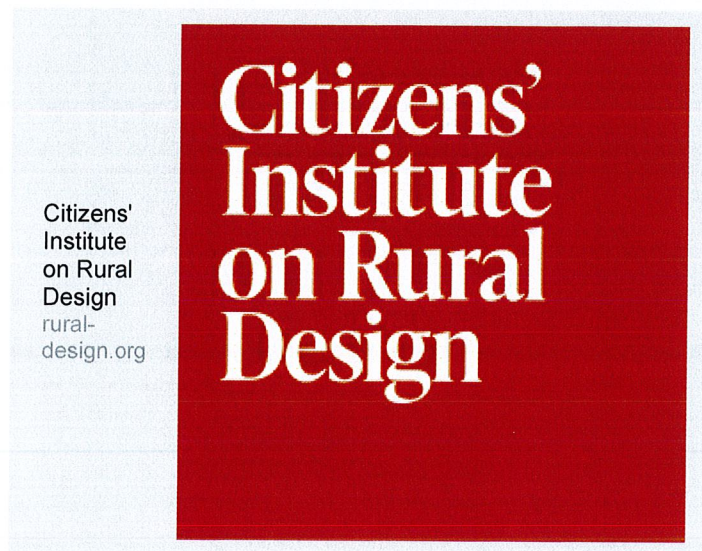
5. How will you continue to enact, update, and evolve the City's Master plan and the documents that came out of the Franklin for a Lifetime visioning exercise in 2015?

(Priorities from this community charrette included:

1. Marketing: "Champions for Franklin,"

2. Community events and recreational opportunities, 3. Housing and infrastructure, 4. Arts and culture, and 5. Volunteerism and civic life).

All these items are still important to Franklin. Working together as a united community will serve all the people of Franklin and foster collaborative avenues for progress on issues.



Sincerely,
Kaitlyn Shaw, Ward 1



School Board opening

1 message

Chris Seufert <cseufert@seufertlaw.com>
To: vplblake@gmail.com <vplblake@gmail.com>

Thu, Dec 21, 2023 at 5:48 PM

Valerie-

I understand that the school board has an upcoming opening and Leanne Fifield has thrown her hat in.

I have known Leanne Fifield for some time and she would make a great addition. Her family has long legs in this community so I know she would have the students best interests at heart.

Christopher J. Seufert, Esq.
Seufert Law Offices, P.A.
59 Central St. , Franklin, NH 03235
(603) 934-9837

January 8, 2024
City Council
Franklin, NH 03235



Dear City Council and Welcome,

As a community, we have our fair share of problems. Most are due to the unwillingness of addressing decades of decay, deterioration and deferred maintenance. A prime example are the roads. Everyone wants them fixed, but no one is willing to pay for them or work towards a solution.

The list of items that need to be addressed in a sustainable way seems to increase: City Hall, the School, funding for additional city staff (as most departments are under funded), the Trestle Bridge, funding the Capital Improvement Plan, and the list goes on.

Mill City Park is a solution and action based organization. Our crew does not sit on the sidelines and gossip. We get dirty, volunteer and work towards the solutions and priorities of the organization, which are documented in our Master Plan and Strategic Plan (see millcitypark.com).

In December, we answered City Councilor's questions, that were pertinent to the Memorandum of Agreement. In support of future initiatives, we are providing them for your reference and review, as well, please see attached.

Some of you ran for office on platforms that disparaged and attempted to defame us and others. While that is deplorable, as an organization built to make waves (aka change), we understand that our work is complex and difficult, that it draws attention and that not everyone will agree with our approach or work. That is okay.

The American Planners Association recently wrote an article, entitled "Strategic Investments in Parks Can Spark Economic Vitality Downtown." It documented why "homing in on people-centered places may be the best bet for reviving struggling city centers." See more here: <https://planning.org/planning/2023/fall/strategic-investments-in-parks-can-spark-economic-vitality-downtown/>

If you are a City Councilor or resident and you don't understand what we are trying to do, or how it could reduce residential tax payer's burden, then reach out. We are here to answer your questions and collaborate on moving Franklin forward.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Parichand".

Marty Parichand

Franklin Resident
Mill City Park at Franklin Falls
Buell Block Properties
Outdoor New England

A Message to Mayor McLaughlin to be read into Public Comment January 8, 2024:

Over the past year, you personally have created an atmosphere of anger, hatred and distrust of City employees through your posts on social media. You have encouraged others to voice their anger through escalated levels of vulgarity and hatred by simply not having the courage to stand up and speak out against the total disrespect for the people who actually keep the City of Franklin running. You say you care about all the people of Franklin, but your words and actions, and silence and inaction, speak to the total opposite.

Your complete lack of understanding of how municipal government functions, the laws that govern how municipalities must do things, and your inability to find common ground in your disagreements has fueled the ignorance of the general population who believe they can bully city staff into doing things their way, regardless of the laws and our policies and ordinances.

All of this has created a situation where city staff do not feel safe coming to work. And you, Mayor McLaughlin are personally responsible for that. We are here to do a job, to serve the people of Franklin to the best of our ability. We are not perfect, mistakes may occasionally happen, because we are human. There is a grave difference between making a mistake, and the word you throw around constantly – malfeasance. You will make mistakes in your new role, I guarantee it. It is a very steep learning curve, especially when you have no experience in municipal work. Should the public assume that every misstep of yours is done intentionally to deceive and manipulate the public? No, I don't think they should. And for your sake, I hope they will give you the space to learn. I pray you have the humility to accept that you have much to learn and take the time to do so.

Going forward, I implore you to be a voice of calm and reason, of respect, appreciation, and decency toward all City employees, to demonstrate what you claim is your goal for the City of Franklin. Unfortunately, I have felt the need to keep this message anonymous out of fear for my safety and possible retaliation from those who think violence and bullying is the way to make their voice heard. The uncomfortable truth is 'you broke it', and the question now is how are you going to fix it? Perhaps you could start by denouncing those who have weaponized social media to attack and insult those they disagree with. We all want the best for Franklin, even if we see different pathways to achieve it. There is room for everyone at the table.

Signed,

A concerned City employee

Lisa Jones

From: Olivia Zink <councilorzink@gmail.com>
Sent: Monday, January 8, 2024 1:58 PM
To: Lisa Jones
Subject: Fwd: Customer aggression policy

Begin forwarded message:

From: Scott Godbois <sgodbois74@gmail.com>
Date: January 7, 2024 at 4:03:56 PM EST
To: Gdzujna@franklinnh.org, ozink@franklinnh.org, JChandler@franklinnh.org, TStarkweather@franklinnh.org, citymgr@franklinnh.org, Vince Ribas <VRibas@franklinnh.org>, RDesrochers@franklinnh.org, VBlake@franklinnh.org, lwebb@franklinnh.org, PTrudel@franklinnh.org, mayor@franklinnh.org
Subject: Customer aggression policy

Hello councilors,

I am writing this email to all of you as you all represent all the taxpayers, I feel that this customer aggression policy is a form of censorship and a violation of our first amendment right to free speech. I do understand that us as a taxpayers base should be civil to each other as well as you all as councilor, and other members that provide services to us as taxpayers. We elected you because we believe you would do the best for us as a city. We may not agree on everthing that is voted on or don't see everthing that goes on behind the scenes, and are told to do our own research so we are forced to file for 91a to come to our own conclusions and make our own educated decisions. So for this policy to go into place if someone feels that we are being excessive on the request then we could be limited or even denied our right to information.

Also in this policy it extends to even including social media which is a violation of our first amendment rights and could set up for a civil suit for the city. This is on the agenda and we as a taxpayer don't even have a right to voice our opinion on this policy cause the public comment is not till after you vote on this issue again seem to be a form censorship.

This policy wants to tell us as taxpayers how to act and conduct our selves in the public but what about how our elected officials and public worker act towards us how is that ethical?

Email received via 91a

From: Niel Cannon coielcannon16@gmail.com
Sent: Monday, June 19, 2023 2:47 PM
To: 'lim Aberg' <ihabers@mettocast.net>; City Manager <citymgr@franklinnh.org>; Seth Creighton <Creighton@ftankiinnh.arp>; "Marty Parichand" <matty@nutdoornawengland.com>
Subject: Tonight
Importance: High

Looking forward to this evening (NOT!). Two things.

1 I would recommend that we not talk about hotel specifics..."we are still talking". It is one of several investment opportunities being looked at in the downtown, all spurred- at least in part- by the WWPI However, if we get too detailed it will open up the developers to negative trash

from the idiots, and if the deal subsequently falls through it will be I told you so". The Council has been briefed on the details and they are the ones that count.

This policy should be struck down and not voted on..

Thank you for you time

Scott and Samantha Godbois ward 2



City Council Meeting Minutes Monday, January 29th, 2024 - 6:00 p.m. Franklin Lodge of Elks

Council in attendance: Mayor Desiree McLaughlin, Councilor Tim Johnston, Councilor Leigh Webb, Councilor George Dzujna, Councilor Valerie Blake, Councilor Vince Ribas, Councilor Ted Starkweather, Councilor Olivia Zink, and Councilor Susan Hallett Cook (joined at 6:35pm)

Absent: Councilor Ed Prive

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

Mayor McLaughlin called the meeting to order at 6:01 p.m.

Salute to the Flag was led by Mayor McLaughlin.

Agenda Item I.

Meet & Greet with the Department Heads

Mayor McLaughlin turned the meeting over to City Manager Milner and her team.

The department heads present were:

Library Director, Rob Sargent
City Clerk, Michelle Stanyan
Police Chief, David Goldstein
Fire Chief, Michael Foss
Parks & Recreation Director, Krystal Alpers
Planning & Zoning Director, Seth Creighton
Municipal Services Director, Justin Hanscom

Milner thanked the council and stated that she had promised the newly elected councilors and mayor that their first workshop would be a meet & greet with the department heads so that they could get familiar with them and hear what their challenges are. She let the council know that they could ask questions of each department head afterwards.

Each director went through what their department does and what their challenges are. Police Chief Goldstein and Fire Chief Foss both provided a SWOT analysis as a handout for the council, which can be found at the end of the minutes.

Below is a summary of what each director spoke about:

Police Chief Goldstein:

- Hired a headhunter and was told they had been hiring all wrong. They are now hiring online only.
- Many officers are inexperienced.
- The administration/supervision is experienced.
- Public negativity has been a problem for the PD.

Planning & Zoning Director Creighton:

There are 2 full time positions filled; the Director and the Administrative Assistant.

This department wears many hats:

- Land Use - Issues permits
- Economic Development – He does this as a side job for the city, which includes applying for grants.
- Works with Code Enforcement on inspections.
- Always looking at what Franklin will look like in the future.
- Oversees other committees; Planning Board, Zoning Board of Adjustment and the Heritage Commission. He attends about 60-70 evening meetings annually.

City Clerk Stanyan:

There are 3 full time positions filled; City Clerk, Deputy Clerk, and Assistant Clerk. There is one unfunded position in this department that would be helpful.

Some of their duties include:

- Taxes
- Water/Sewer invoicing and late notices
- Motor Vehicle Registrations (over 10,000/year)
- Vital Records
- Elections
- Fish & Game licensing
- Dog licensing

She added that new election machines will need to be purchased this year and will be seen in the FY25 budget.

Fire Chief Foss:

He stated that he has been asking for more firefighters since 2018.

These were his key points:

- The majority is EMS service.
- 75% of this year's overtime budget has already been used up.
- He needs 6 more firefighter's/EMT's to keep up with calls and to lower the amount of OT his employees are working each shift.
- He is going to be in need of a new ambulance and a new fire engine, which will be expensive.

Library Director Sargent:

Sargent stated that he is the only department head that does not work for the City Manager, but the Library Trustees. The Manager does keep him on as part of the team.

He has 2 full time positions and the library is open 6 full days a week.

- Copy services are extremely popular at the library, as they have a low cost.

- The library is also used for Opera House events and committee meetings.

Parks & Recreation Director Alpers:

She has 3 full time positions and 1 part time in administration and the rest are all seasonal part timers. She stressed that the part time help is not paid enough. Alpers listed some of their duties:

- Community special events
- Program membership for sports
- Before/after school program
- Summer camp
- Overseeing the public parks

MSD Director Hanscom:

Hanscom stated that he runs 7 divisions:

- Administration – Coordination of all divisions
- Highway Division – Road maintenance and plowing
- Buildings & Grounds – Custodial and park/city property maintenance
- Solid Waste
- Transfer Station
- Mechanical Garage – Maintenance and repairs for all department vehicles
- Water department

Finance – City Manager Milner filled in for absent director:

There are 3 full time positions in finance; Director, Accountant, and Account Clerk.

These are a few of the duties of this department:

- HR – The city does not have an HR position. All of the department heads actually share this position. However, there should be one main HR position in this department.
- Payroll/Benefits
- Accounts Payables
- Risk management
- Cash management
- Budgets
- Financial Statements
- Oversees financial audit
- DRA reporting
- Grant administration

Milner mentioned that the finance department also works with the Trustees of the Library and the Trustees of the Trust Funds, which is uncommon and works very well.

They also have a state audit done once a year based on the amount of grants received.

This department would benefit from having a full time HR position and a full-time grant writing position.

The council asked questions and received answers throughout the meeting and they thanked all of the directors for being there to provide them with a description of their departments.

Milner wrapped up the meeting by reiterating to the council that staffing is an issue in many departments. Efficiency could be made better with new software. Having some departments in closer proximity may be helpful as well.

She also added that to increase morale, she is asking the council for support when hearing complaints about the city or its employees that they come and ask for the other side of the story before making any assumptions.

Milner thanked the council for their time. No other discussion ensued.

ADJOURNMENT:

Motion to adjourn was made by Councilor Webb and seconded by Councilor Ribas. All in favor. Motion PASSED.

The meeting adjourned at 8:49 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary

Police Department SWOT

Strengths:

- Experienced Administration/Supervision
- Professionalism
- Education & training
- Position in the NH LE Community
- Eclectic membership

Weaknesses:

- Inexperienced officers
- Ca. 1980s roster
- Funding
- Physical plant (i.e., bldg.)

Opportunities:

- Training
- Hiring benefits
- New personnel

Threats:

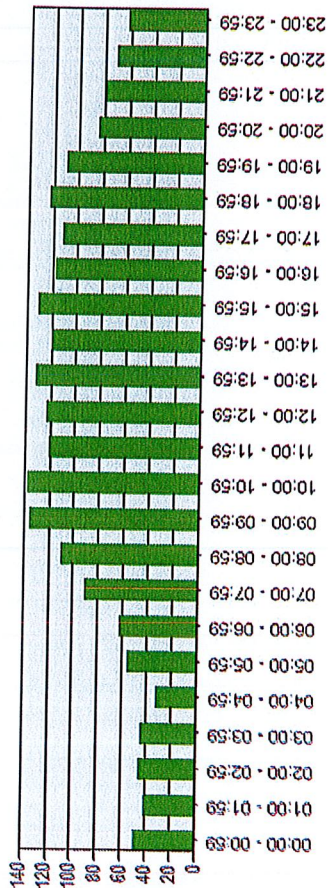
- Public attitudes/external negative influence
- On going suits
- “Generational” attitudes

Calendar Year
January 1, 2023 - December 31, 2023

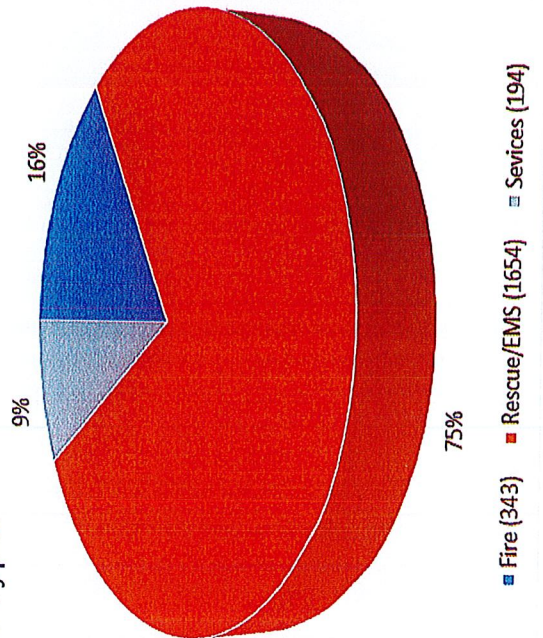
Franklin Fire Department

Incidents by Time:

Busiest Four Hours:	Slowest Four Hours:	Time of Greatest Vulnerability:
0900 - 1300 (9 am - 1 pm)	0100 - 0500 (1 am - 5 am)	1900 - 2300 (7 pm - 11pm)



Incident Type:



Concurrent Incidents:

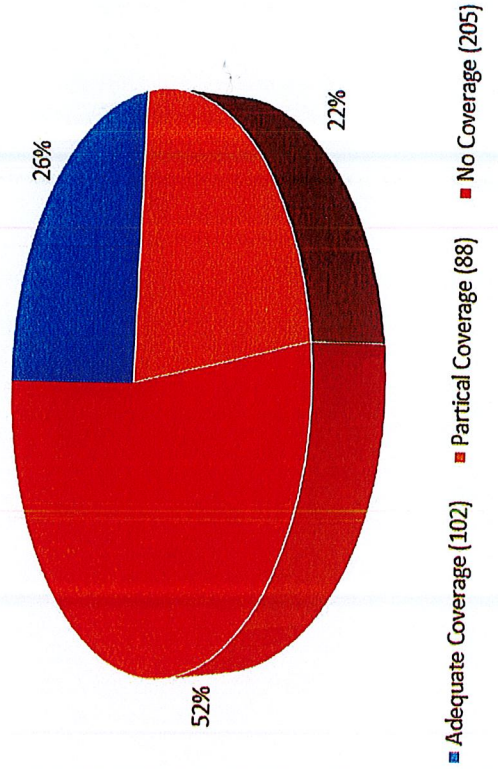
# OVERLAPPING	% OVERLAPPING	TOTAL
446	20.36	2191

Incidents Per Firefighter:

	Franklin*	Laconia	Plymouth	Gilford	Tilton/ Northfield	Concord	Franklin +/- to Average
Emergency Incidents/ Career Firefighter	157	115	180	114	133	123	20

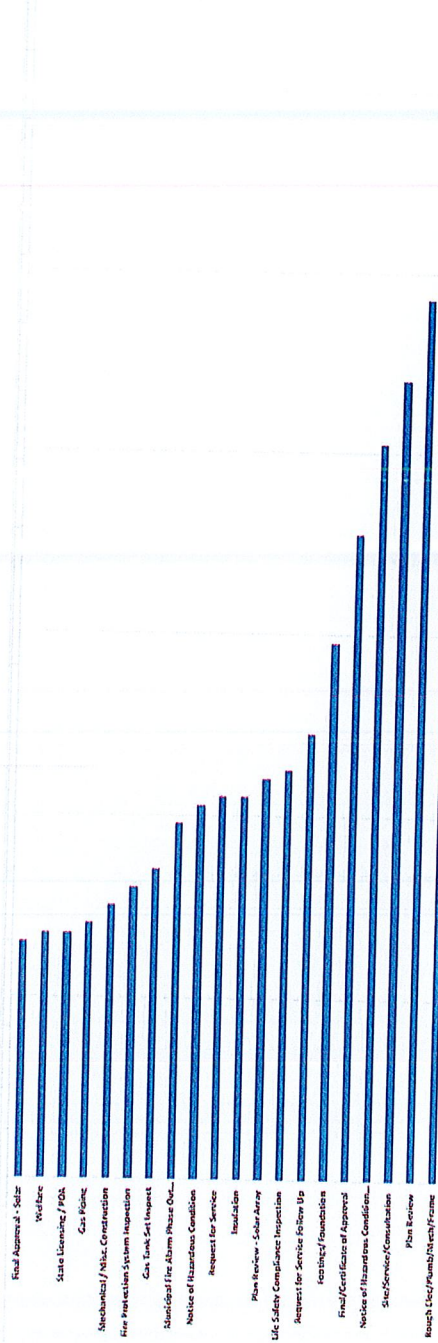
Off Duty Coverage:

The Fire Department Request for "Off Duty" Assistance Coverage. There was 395 calls for "Off Duty" assistance 102 calls recieved no coverage, 88 calls partial coverage, and 205 calls had adequate coverage



2023 Inspections		Ct
Apartment Inspection	28	28
Child Proof Inspection Follow Up	8	8
Apartment Inspection	0	0
Apartment Redesign	0	0
Rough Elec/Plumb/Mech/Frame	130	130
Plan Review	97	97
Site/Service/Consultation	88	88
Notice of Hazardous Condition Follow Up	81	81
Final Certificate of Approval	71	71
Footings/Foundation	59	59
Request for Service Follow Up	49	49
Life Safety Compliance Inspection	45	45
Plan Review - Solar Array	44	44
Insulation	42	42
Request for Service	42	42
Notice of Hazardous Condition	41	41
Municipal Fire Alarm Phase Out Inspection	39	39
Fire Protection System Inspection	34	34
Mechanical / Misc. Construction	32	32
Gas Piping	30	30
State Licensing / POA	28	28
Wellfare	27	27
Final Approval - Solar	27	27
Solar Array	26	26
Electrical SVC - New	25	25
Final Certificate of Occupancy	24	24
Property Maintenance Follow Up	24	24
Boiler/Furnace/Water Heater	24	24
Drywall/Paint/Fastener/Fit	23	23
Plan Review - Demolition	23	23
Underlath - Water/Elec/Gas	21	21
Property Maintenance	21	21
Electrical SVC - Incomplete	19	19
Demolition Inspection	18	18
Plan Review - Deck	17	17
Back Taxi/City Admin. Request	15	15
Plan Review - Shred	13	13
Emergency Preparedness Drill	12	12
Electrical SVC - Underground	11	11
Fire Protection System Consult	9	9
Generator	9	9
Above Ceiling Inspection	6	6
Final Approval - Shred	6	6
Fire Investigation Follow Up	6	6
Electrical SVC - Reconnect	5	5
Plan Review - Fire Protection System	5	5
Slab Ground Water Pre-Pour	4	4
Temp - CO	4	4
Travel Trailer / Rec Vehicles	3	3
Gas SVC New Service	2	2
Gas SVC Reconnect	2	2
Health Officer Related Inspection	2	2
Multi Family Follow	2	2
Plan Review - Pool	2	2
Special Events Inspection	2	2
Re-Roof Commercial Only	1	1
Wellfare Follow Up	1	1
Wood/Pellet Stove	1	1
Total		1454

Franklin Fire Prevention Inspections
2023 - Top 20 Inspection Types



NOTE - MH PARK & APARTMENT INSPECTIONS
excluded from counts. No MH Parks Inspected 2023

Franklin Fire Department - Annual Inspections Conducted

Year	January	February	March	April	May	June	July	August	September	October	November	December	Total
2017													1127
2018													881
2019	20	34	63	125	160	203	100	180	117	100	113	109	1324
2020	53	64	97	58	90	97	129	148	166	150	63	100	1215
2021	80	69	49	98	110	107	123	136	145	228	234	158	1537
2022	115	106	158	143	86	160	92	148	112	120	163	232	1635
2023	124	146	125	133	140	184	108	91	71	90	122	120	1454

CITY COUNCIL MEETING
AGENDA ITEM II



Subject: City Manager's Update

City Manager, Judie Milner, will provide a monthly update to the Mayor and City Council.

- Contingent Grant Line Activity –
- Trust fund for school funding –
- Committee Meetings – February:
- Council Workshop – February
- Upcoming Council Educational Workshops
- City SPIRIT – Save the Date & Facilitator Recruitment
- City Hall Update

- City Offices Closed – Monday, February 19, 2024, Presidents Civil Rights Holiday
- Misconception clarification from 1/8/24
- Merrimack County Community Power
- Bus Route
- Franchise Agreement Updates:
 - Breezeline – need consensus regional office
 - Comcast
- Senator Innis – Chief Bradley Haas Memorial
- 1st Responder Tuition Reimb Program
- Grants-
 - Received IT grants – MFA tokens; cybersecurity training; .gov migration
 - Submitted Franklin Woods CDBG application 1/29/24

CITY COUNCIL MEETING
AGENDA ITEM III



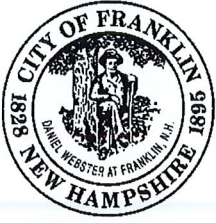
**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February 5th, 2024

Subject: Monthly School Board Update

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

CITY COUNCIL MEETING
AGENDA ITEM IV



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting February 5, 2024

From: Judie Milner, City Manager

Subject: Council to consider setting a public hearing on Resolution 13-24, granting the City Manager the authority to file an application with Community Development Finance Authority Tax Credit Program.

Recommended Motions:

February 5, 2024

Councilor moves, "I move that the Franklin City Council set a public hearing for 6pm on Monday February 26, 2024 regarding Resolution 13-24 authorizing the City Manager to file an application not to exceed \$625,000 with Community Development Finance Authority Tax Credit Program for the purposes of partially funding white water feature #2 and to sign all the necessary paperwork thereof."

Mayor calls for a second, discussion and vote.

February 26, 2024

Councilor moves, "I move that the Franklin City Council adopt Resolution 13-24 authorizing the City Manager to file an application not to exceed \$625,000 with Community Development Finance Authority Tax Credit Program for the purposes of partially funding white water feature #2 and to sign all the necessary paperwork thereof."

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

Discussion:

The City previously received tax credits of \$500,000 to support the construction of the white-water park feature (#3) currently under construction. This application for nonfederal tax credits will net the match needed for the \$500,000 federal Land & Water Conservation Fund grant applied for in December 2023 for funding feature #2 upstream from the newly constructed feature #3 adjacent to Trestle View Park.

As a reminder, the permitted white-water park consists of 3 separate features in the water as well as a slalom course between the 2 upriver features of which feature #3 is constructed to date.

The city has already received pledges from businesses to purchase tax credits under this application process. As a reminder, the city will be required to sell the tax credits after award.

If the City is approved for the tax credits, the council will have opportunity to appropriate the funding. The timeline could line up with the FY2025 budget process for appropriation.

Alternatives:

Do not apply and seek match funding through another source.

Attachment:

Resolution 13-24

Tax Credit Notice of Funding Opportunity

Tax Credit Info from CDFA Website



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION #13-24

A Resolution Relating to an application to Community Development Finance Authority's Tax Credit Program.

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

WHEREAS, the City Council of the City of Franklin authorized the city manager, at its regularly scheduled city council meeting on December 4, 2023, to apply for a grant in the amount of \$500,000 through Land & Water Conservation Fund for the purposed of partially funding feature #2 of the white-water park, **and**;

WHEREAS, the City Council of the City of Franklin recognizes the Land & Water Conservation Fund Grant requires matching funds in the amount of \$500,000, **and**;

WHEREAS, the City Council of the City of Franklin recognizes that the Tax Credit Program administered by the Community Development Finance Authority is an effective tool that helped fund the construction of the white-water park feature #3, **and**;

WHEREAS, the City wishes to utilize the Tax Credit Program administered by the Community Development Finance Authority again to match Land & Water Funding and partially fund the construction of white-water park feature #2 upstream of the newly constructed feature #3,
Now;

THEREFORE, BE IT RESOLVED, *that at their regularly scheduled meeting of the City Council on Monday, February 26, 2024, the City Council of Franklin New Hampshire does hereby adopt resolution 13-24, authorizing the City Manager to apply for up to \$625,000 in Tax Credits under the Tax Credit Program administered by the Community Development Finance Authority and sign and take action on all relevant documents pertaining to the application for tax credits.*

By a roll call vote.

Roll Call:

Councilor Blake

Councilor Dzujna

Councilor Zink

RESOLUTION #13-24

Councilor Ribas _____ Councilor Webb _____ Councilor Johnston _____

Councilor Hallett-Cook _____ Councilor Starkweather _____ Councilor Prive _____

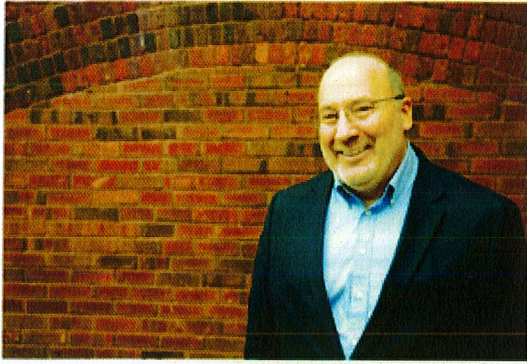
Approved: _____
Mayor

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: _____



George Hunton
Director of Tax Credits
603-717-9116
ghunton@nhcdfa.org

CDFA's Tax Credit Program is a competitive community and economic development investment program that awards approximately \$5 million in tax credits annually. The program aims to support organizations that are engaged in community economic development initiatives that show a high degree of community support, build partnerships and leverage other resources.

Grants made to eligible projects are in the form of tax credit equity and serve as a powerful fundraising tool. Businesses with New Hampshire tax liability support awarded projects by purchasing the credits resulting in the nonprofit receiving a donation and the company receiving a 75 percent New Hampshire state tax credit against that contribution. The credit can be applied against the Business Profits Tax, Business Enterprise Tax or Insurance Premium Tax. The donation may also be eligible for treatment as a state and federal charitable contribution.

The Tax Credit Program is a proven example of how to achieve local priorities by leveraging public-private partnerships.

Other Links

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Translate

32050 - 2025 and 2026 Investment Tax Credits

Funding Opportunity Details

Investment Tax Credits

Final Application Deadline: Mar 8, 2024 4:00 PM

Status:	Posted
Posted Date:	Jan 19, 2024 8:50 AM
Award Amount Range:	Not Applicable
Project Dates:	07/01/2024 - 06/30/2029
Award Announcement Date:	06/12/2024
Project Director:	George Hunton
Phone:	(603) 717-9116 x
Email:	ghunton@nhcdfa.org

Description

Description

2025-2026 Tax Credit Funding Opportunity

Funding Opportunity for NH Tax Credit Program - State Fiscal Years 2025-2026

Application Deadline: Friday, March 8, 2024 by 4:00 PM

Award Announcement: June 2024

CDFA Contact: George Hunton, Director Tax Credit Program ghunton@nhcdfa.org / 603-717-9116)

ABOUT THE NEW HAMPSHIRE TAX CREDIT PROGRAM

CDFA's Tax Credit Program is a competitive, community economic development investment program. The program seeks to advance community economic development projects that: show a high degree of community support, build partnerships, and leverage other resources.

Grants awarded under this program are provided to organizations in the form of tax credit equity, typically over a two-year period. Businesses with New Hampshire tax liability support awarded projects by purchasing the awardee's credits, res

CDFA's tax credit funds are allocated to specific projects that are of public benefit, for a public purpose, and can reasonably be expected to address one or more of the following objectives:

- Contribute to the development (or redevelopment) and economic well-being of a target area(s) or target population(s);
- Contribute to the economic development of the state;
- Increase or maintain threatened primary employment;
- Provide affordable housing opportunities to low- and moderate-income people.

Eligible applicants include community development corporations, other nonprofit organizations and municipal governments i

For detailed information please refer to the Tax Credit Application & Program Guide and the Tax Credit Application Workshop.

Attachments

Description	File Name	Type	Size	Upload Date
Clean Energy Resources	CDFA-Clean-Energy-Resources-Energy-Auditor-List-and-NHSaves-contacts.pdf	pdf	256 KB	12/05/2023 01:37 PM

Website Links

CITY COUNCIL MEETING
AGENDA ITEM V



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

February 5, 2024 City Council Meeting

From: Judie Milner, City Manager

Subject: 2024 Rural Development Grant Submission

Proposed Motion:

Councilor moves, "I move that the Franklin City Council authorize the City Manager to submit a Rural Business Development Grant to the USDA Rural Development Office for funds to support a feasibility study for a food co-op within the City of Franklin. A letter indicating this authorization and support by the Mayor and Council will be sent with the application."

Mayor calls for a second, discussion and vote.

Discussion:

As the City Council is aware, the city received grants, under this program, from the USDA Rural Development office in 2015, 2017, 2018 and 2020. All of the grant funds awarded were focused on general economic and downtown redevelopment projects. For the first two years, the grant supported the work of Niel Cannon, our Downtown Business Coordinator; in 2018, the funds supported the white-water park and Mill City Park; in 2020 the funds supported how to best utilize the Opportunity Zone designation in Franklin.

The city is looking to submit another application under this USDA program. This application would fund a consultant to produce a feasibility study on whether or not the region could support a food co-op located within Franklin.

This CAR would authorize the City Manager to sign and submit this application on behalf of the City. If the application is successful, a second Council Agenda Report will be presented to the City Council for the acceptance of the funds and the appropriation of the funds via resolution in accordance with the provisions of the grant.

Alternatives:

Do not apply.

Attachment:

Notice of Funding Opportunity



VIEW GRANT OPPORTUNITY

RDBCP-RBDG-2024

Rural Business Development Grant (RBDG)

Department of Agriculture

Rural Business-Cooperative Service

Apply

Subscribe

SYNOPSIS

VERSION HISTORY

RELATED DOCUMENTS

PACKAGE

General Information

Document Type:	Grants Notice	Version:	Synopsis 4
Funding Opportunity Number:	RDBCP-RBDG-2024	Posted Date:	Dec 12, 2023
Funding Opportunity Title:	Rural Business Development Grant (RBDG)	Last Updated Date:	Dec 20, 2023
Opportunity Category:	Discretionary	Original Closing Date for Applications:	Feb 28, 2024
Opportunity Category Explanation:			Complete applications may be submitted in paper or electronic format and must be received by 4:30 p.m. local time on February 28, 2023, in the USDA Rural Development State Office for the State where the Project
Funding Instrument Type:	Grant		

Category of Funding Activity:	Business and Commerce		is located. Late submissions will not be considered
Category Explanation:	This program is designed to provide technical assistance and training for small rural businesses. Small means that the business has fewer than 50 new workers and less than \$1 million in gross revenue.	Current Closing Date for Applications:	Feb 28, 2024 Complete applications may be submitted in paper or electronic format and must be received by 4:30 p.m. local time on February 28, 2024, in the USDA Rural Development State Office for the State where the Project is located. Late submissions will not be considered
Expected Number of Awards:	450		
CFDA Number(s):	10.351 -- Rural Business Development Grant	Archive Date:	Apr 10, 2024
Cost Sharing or Matching Requirement:	No	Estimated Total Program Funding:	
		Award Ceiling:	\$
		Award Floor:	\$

Eligibility

Eligible Applicants:	County governments State governments Private institutions of higher education Native American tribal governments (Federally recognized)
-----------------------------	--

	City or township governments
	Public and State controlled institutions of higher education
	Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education
Additional Information on Eligibility:	Rural public entities including, but not limited to:Towns, Communities, State agencies, Authorities, Nonprofit corporations, Institutions of higher education, Federally-recognized tribes, Rural cooperatives (if organized as a private nonprofit corporation).

Additional Information

Agency Name: Rural Business-Cooperative Service

Description: The purpose of the program is to promote economic development and job creation projects through the awarding of grant funds to eligible entities. Applications will compete in two separate categories, business opportunity grants and business enterprise grants, for use in funding various business and community projects that serve rural areas.

Link to Additional Information: [Link to program Web site](#)

Grantor Contact Information: If you have difficulty accessing the full announcement electronically, please contact:

Cindy Mason
Program Manager

[RBDG Program Contact](#)

[Return to top](#)

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Health & Human Services

[HHS.gov](#)

[EEOC / No Fear Act](#)

Community

[USA.gov](#)

[WhiteHouse.gov](#)

[USAspending.gov](#)

Additional Help

[Chat now with Grant](#)

CITY COUNCIL MEETING
AGENDA ITEM VI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February 5th, 2024

From: Judie Milner, City Manager

Subject: Snowmobile Club Trail Permission Agreement

Suggested Motion:

Councilor moves, "I move that the Franklin City Council grant the Lakes Region Snowmobile Club permission to provide public snowmobile access to multiple City owned street/road crossings 5 years from landowner approval."

Mayor calls for a second, discussion, and vote.

Discussion:

Lakes Region Snowmobile Club (LRSC) has been in existence since the 1960's and, as far back as I can find, has always received permission to access the City's property and road crossings. I am unaware of any issues arising from this relationship. The City is not liable for users of the trail and is not responsible for signage or maintenance of the trails.

Attachments/Exhibits:

Snowmobile Public Trail Permission Form
List of street addresses for crossing

SNOWMOBILE TRAIL PERMISSION

I give WRITTEN ☐ VERBAL ☐ permission to Lakes Region Snowmobile Club

(Name of Snowmobile Club)

to provide public **snowmobile** access on my property. It is understood that use of my property, for said purpose, in no way holds me liable or responsible for accidents that may occur as a result of others using my property as provided for in Chapter 212, Section 34, Laws of the State of New Hampshire (RSA 212:34 Duty of Care).

There shall be **no fee** for the **use** of this property. The above named Club agrees to mark, sign, and maintain the property in a proper and safe manner. The club also agrees to obtain my permission prior to any project work done on the trail system located on my property.

The State of New Hampshire, Department of Natural and Cultural Resources, Division of Parks and Recreation, Bureau of Trails, shall also provide a landowner liability insurance policy with coverage of \$2,000,000.00 for trails within the Grant-In-Aid Program.

This agreement shall have a **term** of:

- ☐ Indefinite
☐ 1 year from landowner approval
☐ 5 years from landowner approval

****THIS AGREEMENT MAY BE TERMINATED FOR ANY CAUSE, BY EITHER PARTY,
UPON THIRTY (30) DAYS WRITTEN NOTIFICATION.****

Dated this _____ day of _____, 20____

City Of Franklin

Landowner (Print Name)

Landowner Signature (If Not Verbal)

316 Central Street

Address

Franklin NH 03235

Town/City

State

Zip Code

603-934-3900 citymgr@franklinnh.org

Telephone #

Email

multiple city streets/crossings

Town/City Tax Map #, Lot #, Club Trail Name/Number

Lakes Region Snowmobile Club

Name of Snowmobile Club

P.O. Box 480

Club Address

Franklin NH 03235

Town/City

State

Zip Code

Kenneth Kreis Jr.

Club Officer (Print Name)

Trail Administrator

Officer's Title (President, Trail Administrator, etc.)

Kenneth Kreis Jr. T.A.

Club Officer's Signature

603-455-4006 kennykreis@gmail.com

Officer's Telephone #

Officer's Email

<u>Location</u>	<u>Land Owner</u>	<u>address of crossing</u>	<u>address of crossing</u>	<u>trail name/number</u>
Babbitt Road	City Of Franklin	86 Babbitt Rd	89 babbitt rd	eastside trail
Carr Street	City Of Franklin	Garneau	65 Carr St	corridor 11
Central Street	City Of Franklin	900 central st	901 central st	eastside trail
Center Road	City Of Franklin	Center Rd until 127		searles hill rd
Chance Pond Road	City Of Franklin	rail trail	rail trail	corridor 2/primary 335
Shoulder of Cross Mill Rd	City Of Franklin	33 Cross Mill Rd to	Northfield T/L	eastside trail
Daniel Park	City Of Franklin	Land use		powerlines
City Land on Freedom Dr	City Of Franklin	Snowmobile trail		
Shoulder of Freedom Drive	City Of Franklin	Lot 116-403	116-163	powerlines
Holy Cross Road	City Of Franklin	20 Holy Cross Rd	21 Holy Cross Rd	corridor 11
Shoulder of Lake Ave	City Of Franklin	Lot 75-401	to Lark St	corridor 11
Shoulder of Lark St	City Of Franklin	From Lake Ave to	76 Lark St	
New Hampton Road	City Of Franklin	158 new hampton rd	159 new hampton rd	eastside trail
Oriole Street	City Of Franklin	Lot 076-155	Lot 076-054	corridor 11
Punch Brook Road Class VI portion	City Of Franklin	From Salisbury Rd to	Lot 59-001	primary 335
Robin Street	City Of Franklin	Lot 76-45	Lot 76-65	corridor 11
Sanborn Street	City Of Franklin	260 sanborn st.	8 foundry place	eastside trail
Smith Hill Road	City Of Franklin	314 smith hill rd	343 smith hill rd	primary 335
Timberland Drive class V and VI	City Of Franklin	14 Timberland to	Andover T/L	philbrick trail
Ward Hill Road	City Of Franklin	Lot 131-402-01	53 Ward Hill	eastside trail
Webster Ave	City Of Franklin	Lot 74-41	Lot 74-42	
Griffin Beach	City Of Franklin	Land use to lake	Lot 74-41	parking area
Lagace Beach	City Of Franklin	Land use to lake	Lot 76-154	webster lake trail
Veterans Memorial Ski Area	City Of Franklin	Land use on snowmobile trail		
Flaghole Road	City Of Franklin	266 Flaghole Rd	Lot 37-402	primary 335
Montgomery Road	City Of Franklin	Powerlines at Lot 37-402	Lot 037-401	primary 335
			to Andover T/L	montgomery rd/335
Great Gains Forest - Lot 37-401	City Of Franklin	Land use on snowmobile trail		primary 335

CITY COUNCIL MEETING
AGENDA ITEM VII



**CITY OF FRANKLIN, NEW HAMPSHIRE
COUNCIL AGENDA REPORT**

City Council Meeting of February 5th, 2024

From: Daniel Poirier, Patrol Lieutenant-Police Department

Subject: City Council to consider the disposition of City Surplus Equipment

Recommended Motion:

“I move that the Franklin City Council authorize the Franklin Police Department to sell, via a bid process open for city employees, for the best possible price, a 2002 John Deere Gator.”

Mayor calls for second, discussion, and vote.

Discussion:

The City of Franklin participates in the Military (1033) Surplus Program. The program consists of Controlled Property and Non-Controlled Property at no cost to the City of Franklin Police Department.

Controlled Property consists of military items that are provided via a conditional transfer or “loan” basis where the title remains with the government. This includes items such as small arms/personal weapons, demilitarized vehicles and aircraft and night vision equipment. This property always remains in the Law Enforcement Support Office (LESO) because it still belongs to and is accountable to the Department of Defense. When a law enforcement agency no longer wants the controlled property, it must be returned to the Department of Defense for proper disposition.

Non-Controlled Property consists of common items Department of Defense would sell to the general public, such as office equipment, first aid kits/supplies, hand tools, sleeping bags, computers and digital cameras. The “Gator” in this CAR falls under Non-Controlled Property. After one-year, non-controlled property becomes the property of the law enforcement agency. It is no longer subject to the annual inventory requirements and is removed from the LESO database. This general property should be maintained and ultimately disposed of in accordance with provisions in state/territory and local laws that govern public property.

The vast majority of property issued to law enforcement agencies each year is non-controlled. In 2019 for example, 92 percent of property issued was non-controlled. Normally, small arms weapons make up about 5 percent and less than 1 percent of property issued is tactical vehicles.

The “Gator” attached to this CAR has been owned by the Franklin Police Department since 2019 and has not run for the past 2 years.

Concurrences:

Disposition of City surplus equipment must be authorized by the City Council. If approved, the Franklin Police Department will oversee the sale of this Non-Controlled Property.

Fiscal Impact:

Any proceeds from Military Surplus Program will be deposited back into the City of Franklin General Fund Police Department Miscellaneous Revenue budget per the agreement of the program.

Alternatives:

Do not authorize the sale of the “Gator”. Given the condition and age of the “Gator”, it will continue to take up space because of the repairs needed to get it running again. City also insures the Gator.

Attachments/Exhibits:

- Police Department, Surplus Equipment Disposition List

PD Surplus Equipment Disposition List - 2024

Franklin - The Three Rivers City

General Fund

- 2002 John Deere Gator – VIN – VGM6X4D09130000 – Color-Green

CITY COUNCIL MEETING
AGENDA ITEM VIII



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
February 5, 2024

Subject: Council to Discuss City Council Meeting Schedule Policy

Attachments:

City Council Meeting Schedule 2024
City Charter
City Code Chapter 50



CITY OF FRANKLIN, NEW HAMPSHIRE
OFFICE OF THE MAYOR

316 Central Street
Franklin, NH 03235
Telephone (603) 934-3900
Fax (603) 934-7413

**CITY COUNCIL MEETING SCHEDULE &
CLOSING DATES FOR 2024**

Council Meeting Date	Manager & Mayor Review Closing Date	Agenda and Supporting Documents Delivered to Councilors By
February 5, 2024	Noon – Friday, January 26, 2024	COB Wednesday, January 31, 2024
March 4, 2024	Noon – Friday, February 23, 2024	COB Wednesday, February 28, 2024
April 1, 2024	Noon – Friday, March 22, 2024	COB Wednesday, March 27, 2024
May 6, 2024	Noon – Friday, April 26, 2024	COB Wednesday, May 1, 2024
June 3, 2024	Noon – Friday, May 24, 2024	COB Wednesday, May 29, 2024
July 1, 2024	Noon – Friday, June 21, 2024	COB Wednesday, June 26, 2024
August 5, 2024	Noon – Friday, July 26, 2024	COB Wednesday, July 31, 2024
*September 2, 2024	Noon – Friday, August 23, 2024	COB Wednesday, August 28, 2024
October 7, 2024	Noon – Friday, September 27, 2024	COB Wednesday, October 2, 2024
November 4, 2024	Noon – Friday, October 25, 2024	COB Wednesday, October 30, 2024
December 2, 2024	Noon – Friday, November 22, 2024	COB Wednesday, November 27, 2024
January 6, 2025	Noon – Friday, December 27, 2024	COB Tuesday, December 31, 2024

*Council meeting date speculative due to holiday observances – changes are subject to Council approval.

Items for consideration by the Franklin City Council must be submitted to the City Manager's office by noon on the Manager & Mayor Review Closing Date.

Late items may be allowed for Council consideration with the concurrence of the Manager and the Mayor, but will be discussed only under the agenda heading "Late Submissions" at the end of the Council meeting.

Late material submitted for Council consideration will be clearly marked as such, and may be distributed by any reasonable means, but late submissions will in no instance delay the delivery of meeting packets to the Franklin City Council.

The Mayor or Manager may agree to make adjustments to the schedule as required by Council-approved holiday observances or similar circumstances. A new annual schedule will be prepared by the Manager in December of each year.

This policy was adopted by the Franklin City Council on May 5, 2008. Motion by Councilor Sharon, 2nd by Councilor Rabinowitz. All in Favor.

Franklin - The Three Rivers City

City of Franklin, NH
Monday, January 29, 2024

Chapter C. Charter

[HISTORY: Adopted by the New Hampshire Legislature as Ch. 260 of the Laws of 1893; adopted by town meeting 3-19-1894. Amendments noted where applicable.]

GENERAL REFERENCES

Administrative Code — See Ch. 4.

Fiscal year — See Ch. 24.

Officers and employees — See Ch. 61.

§ C-1. City established.

The inhabitants of the Town of Franklin in the County of Merrimack shall continue to be a body corporate and politic under the name of the City of Franklin.

§ C-2. Wards.

[Amended by Ch. 355 of the Laws of 1973]

Said City of Franklin is hereby divided into three wards, which shall be constituted as follows, namely:

- A. Ward 1 shall include all that portion of said Franklin located west of the Merrimack and Pemigewasset Rivers.
- B. Ward 2 shall include all that portion of the City of Franklin within the boundary commencing at the intersection of New Hampton Road and New Boston Road; then easterly to the Sanbornton town line; then following the Sanbornton town line northwesterly to New Hampton Road; then westerly to the Pemigewasset River; then southerly along the Pemigewasset and Merrimack Rivers to the Northfield town line; then easterly to Prospect Street; then northerly along Prospect Street to Central Street; then easterly along Central Street to Sanborn Street; then northerly along Sanborn Street to a point marked by a drill hole on property owned by the City of Franklin and currently occupied by the Franklin Middle School, so called; then turning and running N 78° 35' 01" W 81.27 feet to a point at a rock wall; then turning and running N 78° 16' 32" W 60.43 feet to an iron pipe in said wall; then continuing N 78° 16' 32" W 53.80 feet further along said wall; then turning and running N 77° 56' 13" W 50.19 feet to a granite bound; then turning and running N 78° 14' 54" W 699.98 feet to a point; then turning and running N 78° 52' 56" W 15.26 feet to a highway bound; then turning and running S 60° 58' 38" W 82.90 feet to a highway bound; then N 04° 51' 02" W 52.66 feet to a granite bound; then turning and running N 06° 13' 52" W 5.90 feet to a point; then turning and running N 06° 13' 52" W 77.41 feet to a point; then turning and running N 06° 13' 52" W 157.57 feet to a granite bound; then turning and running N 10° 07' 28" W 12.86 feet to a granite bound; then turning and running N 05° 19' 13" W 85.94 feet to a granite bound; then turning and running N 05° 26' 42" W 81.16 feet to a granite bound; then turning and running N 04° 59' 23" W 35.09 feet to a point; then turning and running S 84° 39' 09" E 121.92 feet to an iron pipe; then turning and running S 86° 17' 40" E 129.59 feet to a granite bound; then turning and running S 82° 14' 29" E 133.53 feet to a granite bound; then turning and running N 82° 45' 25" E 290.51 feet to a granite bound; then turning and running N 82° 50' 50" E 27.07 feet to a point; then turning and running N 82° 50' 50" E 0.87 feet to a granite bound; then turning and running N 84° 34' 50" E 330.51 feet to a point; then turning and running N 84° 34' 50" E 99.26 feet to a drill hole at a rock wall; then turning and running N 84° 04' 36" E 67.21 feet to a drill hole in said wall; then turning and

running S 07° 37' 30" E 400.03 feet to a granite bound; then turning and running S 22° 33' 28" E 284.11 feet to a granite bound; then turning and running S 59° 54' 55" E 170.28 feet to a granite bound; then turning and running S 78° 18' 30" E 189.40 feet to a drill hole set in a stone wall on the westerly side of Sanborn Street; then northerly along said Sanborn Street to Babbitt Road; then northwesterly along Babbitt Road to the intersection of Babbitt Road and Victory Drive; then northerly along New Hampton Road to the point of beginning.

[Amended 11-28-1995; 10-4-2022^[1]]

[1] *Editor's Note: The effective date of this amendment is 1-1-2023.*

- C. Ward 3 shall include all that portion of the City of Franklin remaining after the formation of the above-indicated lines for Wards 1 and 2.

§ C-3. Administration.

[Amended 11-24-1998]

The administration of all the fiscal, prudential and municipal affairs of said city, and the government thereof, shall be vested in one principal officer to be called the "Mayor" and one board consisting of nine members to be called the "Council," the members whereof shall be called "Councilmen." The Mayor and Council shall sit and act together and compose one body and in their joint capacity shall be called the "City Council." (See also § C-19.)

§ C-4. Powers and duties of Mayor and Council.

The Mayor and Council created by this act shall have all the powers and do and perform, in reference to each other or otherwise, all duties which mayors, boards of aldermen and common councils of cities are by law authorized or required to do and perform, either separately or otherwise, and all provisions of statutes pertaining to the duties or powers of aldermen and common councils of cities, separately or otherwise, shall be construed to apply to said City Council unless a contrary intention appears.

§ C-5. School district.

Said city shall constitute one school district, and the administration of all fiscal, prudential and district affairs of said district shall be vested in the City Council, except such as shall hereinafter be vested in the School Board.

[1] *Editor's Note: See also Ch. 82, School District, Art. I, Fiscal Policy.*

§ C-6. Property and debts.

All property of said Town of Franklin, or of the school district of said town, shall be vested in said city, and all debts of said town and said school district shall be considered for all purposes as the debts of said city.^[1]

[1] *Editor's Note: Former Section 7.00, regarding election to the General Court, Section 8.00, regarding election of moderators and supervisors of the checklist, as amended 11-7-1978, and Section 9.00, regarding checklists, which immediately followed this section, were deleted 11-24-1998.*

§ C-7. Annual meeting.

[Amended by referendum 11-27-2001]

The Annual Meeting of each ward shall be held on the First Tuesday of October in each year, at such place in said City as fixed by the City Council. Said Annual Meeting shall also be the time for conducting all municipal elections unless specifically designed otherwise in the Charter or by state statute.

§ C-8. Election of Councilman and Ward Clerk.

[Amended 11-7-1978]

At each annual election in each ward there shall be elected by ballot a Councilman who shall serve for three years. At each biennial city election in each ward, commencing with the election of 1978, there shall be elected by ballot a Ward Clerk who shall serve for two years.

§ C-9. Compensation of Councilmen.

[Added by Ch. 348 of the Laws of 1961]

Each Councilman shall be paid from the city a sum to be established by the Council, after notice and public hearing, not to exceed \$25, for each regular monthly meeting of the City Council which he attends, but not exceeding 12 meetings in any year. Said sums shall be paid to each Councilman quarter-annually and shall be in full payment for all services of any and every kind rendered by him as Councilman.

§ C-10. Mayor.

[Amended by Ch. 348 of the Laws of 1961; 11-22-1966]

The Mayor of said city shall be chosen biannually and shall have a negative upon all the actions of the Council to which his veto power would extend had the city government herein constituted provided for a board of aldermen. He shall preside in the meetings of the City Council but shall have no vote except in case of an equal division. In his absence the Council may elect one of their number Chairman, who shall have all the powers and perform all the duties of Mayor during his absence or disability or a vacancy in said office from any cause. The Mayor shall be paid out of the city treasury an annual salary to be established by the Council, after notice and public hearing, not to exceed \$2,000, payable quarter-annually, which shall be in full for all services of any and every kind rendered by him in said office. The Mayor shall not be paid any fixed sum as an expense account but shall be reimbursed only for such specific expenses made by him in connection with his office as may be authorized and approved by the Council prior to being incurred; provided, however, that the sums so authorized by the Council shall not exceed \$250 for any one year.

§ C-11. Vacancies.

[Added by Ch. 153 of the Laws of 1979; amended 11-26-1979; 11-25-1986; 10-5-2021]

If the Mayor, a member of the City Council or other elected city official is unable or unwilling to serve out his or her full term of office for any reason and the office becomes officially vacant during said term, then in any such event a new city official shall be appointed by the City Council for the remainder of that calendar year in which the vacancy occurred. An election shall occur at the next municipal election to fill the balance of the term caused by the vacancy. If the office of Mayor becomes vacant, the City Council shall designate one of its members to act as interim Mayor.

The Interim Mayor shall retain his/her vote as a Councilor and shall exercise all general duties as Mayor but shall not have the ability to cast an additional deciding vote in the event of an equal division of the Council nor shall he/she have the authority to veto any action of the Council. The interim Mayor shall so serve until the next scheduled City Election at which time a Mayor shall be elected to serve for the unexpired mayoral term and inaugurated as soon as practical.

§ C-12. Oath of office.

[Amended 11-24-1998]

The Mayor and Council shall annually, on the first Monday of January, meet for the purpose of taking their respective oaths.^[1]

[1] *Editor's Note: The following sections, which immediately followed this section and provided for appointments by the Council, were deleted 11-24-1998: Section 14.00, as amended by Ch. 382 of the Laws of 1959 and Ch. 322 of the Laws of 1961; Section 14.00-A, as added by Ch. 425 of the Laws of 1957; Sections 14.00-B and 14.00-C, as added by Ch. 382 of the Laws of 1959; and Section 14.00-D, as added by Ch. 322 of the Laws of 1961.*

§ C-13. Board of Education.

[Amended by Ch. 406 of the Laws of 1959; 11-27-1990; 11-28-1995]

- A. The general management and control of public schools, and of the building and property pertaining thereto, shall be vested in a Board of Education consisting of nine members, three of whom shall be designated from each ward. The ward members shall be chosen one from each ward by the voters of the city at the annual election, and no person shall be eligible to be a candidate from a ward unless he shall be a resident in such ward. Ward members shall serve for a term of three years and until their successors are elected and qualified. No person shall serve on both the Board of Education and the City Council simultaneously. Members of the Board shall receive such compensation as may be fixed by the Council, and their term of office shall begin on the first Monday of January following their election.
- B. For purposes of implementation of this section, no person shall be elected to the Franklin Board of Education at large after the regular municipal election of 1990, and all at-large seats chosen at that election, or prior to that election, shall be allowed to expire without being filled. Commencing with the municipal election of 1991, each ward shall elect one School Board representative to represent that ward for a period of three years, but at such election only each ward shall also elect a representative for a term of two years and a term of one year. Thereafter, all terms shall be for a period of three years for each ward representative and there shall be no at-large representation.^[1]

[1] *Editor's Note: Former Section 16.00, regarding the Board of Water Commissioners, and former Section 17.00, regarding establishment of a police court, as amended in 1895, which immediately followed this section, were deleted during codification (see Ch. 1, General Provisions, Art. II).*

§ C-14. Vacancies filled by appointment.

[Amended 11-25-1986]

All vacancies on the Board of Education, City Council and in all ward offices shall be filled by appointment of the City Council in accordance with § C-11 of this Charter.

§ C-15. Ballots; powers and duties of Clerk.

[Amended by Ch. 153 of the Laws of 1979; 11-26-1979; 11-25-1980]

The City Clerk shall prepare the ballots to be used at the municipal elections. The ballot shall contain the names in alphabetical order without party designation of all who file with the City Clerk as candidates for the office of Ward Councilman or for any other city elective office no earlier than 45 days before the election and not later than 5:00 p.m. in the afternoon 35 days before the election. Each candidate shall pay the City Clerk a fee of \$3, except one on whose behalf a petition shall have been filed by at least 50 qualified voters. No name shall be printed on the ballot by reason of such a petition unless consent thereto shall be endorsed on the petition by the candidate himself not later than 5:00 p.m. in the afternoon 35 days before the election. Below the list of names of the candidates there shall be as many blank spaces as there are Councilmen to be elected. The City Clerk shall have the same powers and duties with reference to municipal elections as has the Secretary of State with reference to general biennial elections, so far as such powers and duties are not inconsistent herewith. The general

provisions of the statute relating to state biennial elections shall apply to all elections for city and ward officers, so far as such provisions are not inconsistent herewith.

§ C-16. Canvass of votes; contested elections; tie votes.

[Added by Ch. 153 of the Laws of 1979; amended 11-26-1979]

Within seven days after a municipal election the Council shall canvass the votes cast, and the candidates receiving the highest number of votes for the offices to be filled shall be declared elected. Within seven days thereafter the Council shall, subject to such rules and regulations as it may prescribe, upon request of any candidate, recount the ballots cast in the election and hear and determine any contest on the grounds of fraud or misconduct therein. Decisions of the Council in cases of contested elections shall be final. Tie votes for any elective office shall be resolved by lot in the manner that the Council may determine. In cases arising under this section, the Council shall have the power to subpoena witnesses and compel the production of all pertinent books, records and papers.

§ C-17. When effective; duties of Supervisors.

[Amended 11-24-1998]

This act shall take effect, as to the election of ward, city and school officers under it, on the fourth Tuesday of November next after a vote of said town to adopt it, and for other purposes on the first Monday of January next after such vote to adopt it, and the Supervisors of said town shall seasonably post checklists and warrants for said first annual ward meetings and shall seasonably appoint a Moderator and Clerk for each of said wards from the legal voters thereof, who shall, after being duly sworn, have the powers and perform the duties of their respective offices at the first annual election under this act and until others are elected and qualified. The returns of votes provided by law to be made to the City Clerk shall at said first annual election be made to said Town Supervisors, who shall forthwith perform all the duties in relation thereto which are by law assigned to the Mayor and Council and City Clerk, respectively. Said Supervisors shall also select and provide a suitable place for the first meeting of the City Council and seasonably notify the members thereof of the place selected. (Said vote occurred on March 13, 1894, as reflected in City Council minutes of January 7, 1895.)

§ C-18. Adoption procedure.

The question of the adoption of this act shall be submitted to the voters of said town at a legal meeting thereof, and if a majority vote of those voting shall be cast in favor, it shall be adopted. If at any meeting this act shall fail of adoption, it may, at the expiration of three months from such meeting and prior to July 5, 1894, be again submitted for adoption. It shall be the duty of the Selectmen to call a meeting of the town to act on said question of adoption, in accordance with the foregoing provisions, upon the petition of 10 or more voters of said town.

§ C-19. Appointment of Manager.

[Added 11-25-1969; amended 10-5-2004^[1]]

The chief administrative officer of the City shall be called the "Manager." The Council shall appoint a qualified person as Manager for a term of employment and salary as negotiated by the Council and Manager in an employment agreement, and approved by a vote of 2/3 of the members of the Council. In setting the term of the Manager's employment agreement, the Council shall retain the right to discharge the Manager at any time during such term pursuant to other provisions of this Charter and/or employment agreement.

[1] *Editor's Note: Approved by a majority of the qualified electors at the City election held 10-5-2004.*

§ C-20. Qualifications of Manager; residency requirements.

[Added 11-25-1969; amended 9-13-1999^[1]]

The Manager shall be chosen solely on the basis of his/her executive administrative qualifications. The Council may impose reasonable residency requirements upon the Manager to assure his/her ability to respond personally to emergency or extraordinary situations within the city.

[1] *Editor's Note: This amendment was approved by a majority of the qualified electors at the election held 11-23-1999.*

§ C-21. Removal of Manager.

[Added 11-25-1969; amended 11-28-1995]

The Manager may be removed by a majority vote of the members of the Council as herein provided. At least 30 days before the proposed removal of the Manager, the Council shall adopt a resolution stating its intention to remove him and the reasons therefor, a copy of which shall be served forthwith on the Manager, who may, within 10 days, demand a public hearing, in which event the Manager shall not be removed until such public hearing has been held. Upon or after passage of such a resolution the Council may suspend him from duty, but his pay shall continue until his removal. In case of such a suspension the Council may appoint an Acting Manager to serve at the pleasure of the Council for not more than 180 days. The action of the Council in removing the Manager shall be final.

§ C-22. Vacancy in office of Manager.

[Added 11-25-1969; amended 11-28-1995; 11-24-1998]

If the office of City Manager shall be vacant for any cause, the City Council may appoint an Acting Manager to serve at the pleasure of the Council for not more than 180 days and shall appoint a permanent Manager in accordance with § C-19 within 181 days of the date of vacancy.

§ C-23. Acting Manager.

[Added 11-25-1969]

If the Manager is temporarily incapacitated or unable to act from any cause, the City Council may appoint an Acting Manager to serve at the pleasure of the Council. Said Acting Manager shall have all the powers and perform all the duties of the City Manager during his incapacity or inability to act. Said Acting Manager shall be paid such salary for his services hereunder as may be prescribed by the City Council.

§ C-24. Powers and duties of Manager.

[Added 11-25-1969; amended 11-24-1998]

The Manager shall supervise the administrative affairs of the city and shall carry out the policies enacted by the Council. He shall be charged with the preservation of the public peace and health and safety of persons and property and shall see to the enforcement of the ordinances of the city, this Charter and the laws of the state. He shall keep the Council informed of the condition and needs of the city and shall make such reports and recommendations as he may deem advisable and perform such other duties as may be prescribed by this Charter or required of him by ordinance or resolution of the Council not inconsistent with this Charter. He shall have and perform such other powers and duties not inconsistent with the provisions of this Charter as now are or hereafter may be conferred or imposed upon him by municipal ordinance or upon city managers by general law. He shall have the right to take part in the discussion of all matters coming before the Council but not the right to vote.

§ C-25. Appointive power of Manager.

[Added 11-25-1969; amended 11-27-1990; 10-1-2002]

The Manager shall have the power to appoint and remove, subject to the provisions of this Charter, all officers and employees in the administrative service of the City, but the Manager may authorize the head of the department or office responsible to him to appoint and remove in such department or office. It shall be the duty of the Manager to furnish the Council, in writing, with the identity of any person whom he proposes to appoint as the head of any department or office at least 10 days prior to the date on which the appointment is to be made. If the Council has any objection to the person proposed by the Manager for appointment, it shall certify its objections to the Manager, in writing, within said ten-day period. The Council, by a five-vote majority, being defined as an affirmative vote of at least 5 members of the Council present and voting within that ten-day period, may give a vote of disapproval to the person so proposed. If a vote of disapproval is passed, the Manager shall not appoint that person.

§ C-26. Noninterference by Council.

[Added 11-25-1969]

Neither the Council nor any of its members shall direct or request, except in writing, the appointment of any person to office or employment, or his removal therefrom, by the Manager or any of the administrative officers. Neither the Council nor any member thereof shall give orders to any of the administrative officers, either publicly or privately, but they may make suggestions and recommendations. Any violation of the provisions of this section by a member of the City Council shall be a misdemeanor, a conviction of which shall constitute immediate forfeiture of his office.

§ C-27. Appointive officers.

[Added 11-25-1969^[1]]

There shall be appointed, by the Manager, an Assessor or Assessors, a City Clerk, Tax Collector, Treasurer, Police Chief, Fire Chief, City Solicitor, Welfare Director and Director of the Municipal Services Department and such other officers as are necessary to administer all departments which the Council shall establish, which departments shall replace all existing departments, boards and commissions, except the Planning Board, Highway Safety Commission and Conservation Commission, which are hereby saved, and the ordinances and laws pertaining thereto. The power and duties of these officers and heads of departments so appointed shall be those prescribed by state law, by this Charter or by ordinance.

[1] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

§ C-28. Administrative Code; supervision of departments.

[Added 11-25-1969]

The first Manager under this Charter shall draft and submit to the Council, within nine months after assuming office, an ordinance dividing the administrative service of the city into departments, divisions and bureaus and defining the functions and duties of each. After the adoption of that ordinance, upon recommendation of the Manager, the Council by ordinance may create, consolidate or abolish departments, divisions and bureaus of the city and define or alter their functions and duties. Such ordinances shall be known as the "Administrative Code."^[1] Each officer shall have supervision and control of his department and the employees therein and shall have power to prescribe rules and regulations not inconsistent with general law, this Charter, the Administrative Code and the rules and regulations of the Merit Plan. Pending passage of such code the Manager may establish temporary regulation.

[1] *Editor's Note: See Ch. 4, Administrative Code.*

§ C-29. Purchasing procedures.

[Added 11-25-1969]

The Administrative Code shall establish purchasing and contract procedures, including the assignment of all responsibility for purchases to a single person, the combination of purchasing of similar articles by different departments and purchasing by competitive bids wherever practical.

§ C-30. Fiscal and budget year.

[Added 11-25-1969]

The fiscal and budget year of the city shall begin on the first day of January unless another date shall be fixed by ordinance. (See Chapter 24, Fiscal Year.)

§ C-31. Financial control.

[Added 11-25-1969]

The Manager shall appoint an officer other than the Treasurer who shall maintain accounting control over the finances of the city, make financial reports and perform such other duties as may be required by the Administrative Code. He shall audit and approve all authorized claims against the city before paying the same.

§ C-32. Budget procedure.

[Added 11-25-1969]

At such time as may be requested by the Manager or specified by the Administrative Code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control. The Manager shall submit the proposed budget to the Council at least one month before the start of the fiscal year of the budget.

- A. Limitation of budget increases. Recognizing that final tax rates for the City of Franklin are set by the New Hampshire Department of Revenue Administration pursuant to RSA 21-J:35, I, the administration, School Department and City Council of the City of Franklin shall develop their annual budget proposals and the City Council shall act upon such proposals in accordance with the mandates of this section. In establishing a combined municipal budget, the City Council shall be allowed to assume an estimated property tax rate only in an amount equal to the tax rate established during the prior fiscal year increased by a factor equal to the change in the National Cost of Living Index as published by the United States Department of Labor for the calendar year immediately preceding budget adoption. Total expenditures for any given budget year shall not exceed funds reasonably calculated to be derived by a tax rate so established in addition to other revenues generated by the municipality. In the event of the loss of other revenues other than from property taxes from any single source in excess of 2% of the prior year's revenues or a combination of sources in excess of 4% of the prior year's revenues, the Franklin City Council may, by a two-thirds vote, exceed the above limitation but not in excess of the amount of the lost revenue. This provision shall not limit the Council from appropriately funding any programs or accounts mandated to be paid from municipal funds by state or federal law.

[Added 11-28-1989]

- B. Exception to budget limitation. The total or any part of principal and interest payments of any municipal bond, whether established for school or municipal purposes, may be exempted from being included in expenditures subject to the prior limitation upon a two-thirds vote of the Franklin City Council. This decision shall be made annually. Additionally, capital expenditures deemed necessary by the Franklin City Council may similarly be exempted from this limitation by a two-thirds vote.

[Added 11-28-1989; amended 11-24-1998]

- C. Budget limitation in a revaluation year. When the City Council accepts an increase in real estate values as the result of a City-wide revaluation, the City Council shall adhere to a maximum increase

in the combined real estate tax revenues as follows: The combined real estate taxes raised from the prior budget year shall be increased by a factor no more than the change in the National Cost of Living Index as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, then using this figure in establishing the new combined municipal budget. In the event of the loss of other revenues other than from property taxes from any single source in excess of 2% of the prior year's revenue or a combination of sources in excess of 4% of the prior year's revenues, the Franklin City Council may, by a two-thirds vote, exceed the above limitation but not in excess of the amount of the lost revenue.

[Added by referendum 11-27-2001]

- D. Budget limitation with annual changes in assessments. When annual changes in real estate values occur as a result of State of New Hampshire assessing requirements, the City Council shall adhere to a maximum increase in combined real estate tax revenues as follows:

[Added 10-1-2002]

- (1) The combined real estate taxes raised from the prior year shall be increased by a factor no more than the change in the National Cost of Living Index as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, plus real estate taxes calculated by applying the prior year real estate tax rate to the net increase in new construction. "Net increase in new construction" is defined as: the total dollar value of building permits less total dollar value of demolition permits issued for the period of April 1-March 31 preceding budget adoption.
- (2) In the event of the loss of other revenues other than from property taxes from any single source in excess of 2% of the prior year's revenue or a combination of sources in excess of 4% of the prior year's revenues, the Franklin City Council may, by a two-thirds vote, exceed the above limitation but not in excess of the amount of the lost revenue.

§ C-33. Budget hearing and notice.

[Added 11-25-1969]

A public hearing on the budget shall be held before its final adoption by the Council, at such time and place as the Council shall direct, and notice of such public hearing, together with a summary of the budget as submitted, shall be published at least one week in advance by the City Clerk.

§ C-34. Date of final budget adoption.

[Added 11-25-1969]

No later than the 27th day of the first month of the fiscal year the budget shall be presented to the Council for action, and if such budget is not acted upon by the Council within 30 days after such presentation, it shall automatically become effective. This section shall not apply to the first fiscal year after this Charter takes effect.

§ C-35. Appropriations.

[Added 11-25-1969]

No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds majority of the Council after a public hearing held to discuss said appropriation. The Council shall by resolution designate the source of any money so appropriated.

§ C-36. Budget control.

[Added 11-25-1969]

At the beginning of each quarterly period during the fiscal year and more often if required by Council, the Manager shall submit to the Council data showing the relation between the estimated and actual income and expense to date, and if it shall appear that the income is less than anticipated, the Council or Manager may reduce the appropriation for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. The Manager may provide for monthly or quarterly allotments of appropriations to departments, funds or agencies under such rules as he shall prescribe.

§ C-37. Transfer of appropriations.

[Added 11-25-1969]

After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department, with the approval of the Manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within his department to another fund or agency within his department. The Manager, with the approval of the Council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

§ C-38. Deposit of funds.

[Added 11-25-1969]

The Council shall designate the depository or depositories for city funds and shall provide for the daily deposit of all city moneys. The Council may provide for such security for city deposits as it may deem necessary, except that personal surety bonds shall not be deemed proper security.

§ C-39. Independent audit; annual report.

[Added 11-25-1969^[1]]

An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the Council. Said audit shall be made by public accountants experienced in municipal accounting. An annual report of the city's business shall be printed and made available.

[1] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

§ C-40. Official bonds.

[Added 11-25-1969]

Any city officer elected or appointed by authority of this Charter may be required by the Manager to give a bond, to be approved by the City Solicitor, for the faithful performance of the duties of his office, but all officers receiving or disbursing city funds shall be so bonded. All officials' bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the city. Such bonds shall be filed with the City Clerk.

§ C-41. Borrowing procedure.

[Added 11-25-1969]

Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the Administrative Code, the Council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other

evidence of indebtedness therefor and may pledge the full faith, credit and resources of the city for the payment of the obligation created thereby.

§ C-42. Appointments and promotions.

[Added 11-25-1969]

Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicant's fitness. So far as practicable examinations shall be competitive.

§ C-43. Merit Plan; rules and regulations.

[Added 11-25-1969]

- A. The first Manager under this Charter shall draft and submit to the City Council, within three months after assuming office, a set of rules and regulations which shall become effective one month after its submission, unless vetoed by the Council within that period, providing for the establishment of a merit system of personnel administration and for the implementation of such portions of that system as are prescribed by this Charter.^[1] The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force subject to amendments submitted from time to time by the Manager which shall become effective one month after their submission, unless vetoed by the Council within that period.^[2]

[1] *Editor's Note: See Ch. 347, Personnel.*

[2] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

- B. Until the first set of such rules and regulations becomes effective, the Manager may establish temporary rules and regulations.

§ C-44. Salaries and compensation.

[Added 11-25-1969]

The compensation of all officers and employees not fixed by this Charter shall be fixed in the rules and regulations of the Merit Plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations. In increasing or decreasing items in the city budget, the Council shall not increase or decrease any individual salary but shall act solely with respect to total salaries in the various departments of the city.

§ C-45. Personnel Advisory Board.

[Added 11-25-1969^[1]]

There is hereby established a Personnel Advisory Board of three citizens holding no other municipal office and appointed one member by the Manager, one by the Council and the third by these two appointees. In the first instance only the member appointed by the Manager shall serve for one year, the member appointed by the Council for two years and the third member for three years, in each case beginning on the effective date of this Charter. The terms of all succeeding members shall be for three years, beginning on the expiration of the term each succeeds. It shall be the duty of the Personnel Advisory Board to study the broad problems of personnel policy and administration, to advise the Council concerning the personnel policies of the city and the Manager regarding the administration of the Merit Plan and to hear appeals from any employee aggrieved as to the status or condition of his

employment. The Board shall issue written reports containing findings of facts and recommendations to the Manager upon such appeals, but the Board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee for religious, racial or political reasons.

[1] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

§ C-46. Certification of compensation.

[Added 11-25-1969]

No compensation shall be paid without certification by the Manager, or such officer as he may direct, that the recipients are employed by the city and that their rates of compensation comply with the pay schedule provided for in § C-44. If such officer approves payments not in conformity therewith, he and his surety shall be liable for the amount of such payments. A taxpayer may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the city any sums paid contrary to the provisions of this Charter.

§ C-47. Effect on current employees.

[Added 11-25-1969]

No employee of the city at the time this Charter is adopted shall be required to take any examination in order to continue within the employment of the city. All other provisions of the Merit Plan will apply to such employees.

§ C-48. Special assessments; Council resolution.

[Added 11-25-1969]

The Council shall have the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, what part, if any, shall be a general obligation of the city and the number of installments in which special assessments may be paid and shall designate the districts or land and premises upon which special assessment shall be levied. If expenditures are to exceed \$1,000, a public hearing shall be held, action to be taken by the Council not earlier than seven days after said hearing.

§ C-49. Special assessment procedure.

[Added 11-25-1969]

The Council shall prescribe by general ordinance a complete special assessment procedure concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments and any other matters concerning the making of improvements by the special assessment method.

§ C-50. Oath of office.

[Added 11-25-1969]

Every person elected or appointed to any city office, before entering upon duties of this office, shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the City Clerk.

§ C-51. Notice of election or appointment.

[Added 11-25-1969^[1]]

Written notice of election or appointment of any city officer shall be mailed to him at his address by the City Clerk within 48 hours after the appointment is made or the vote canvassed. If within 10 days from the date of the notice such officer shall not take or subscribe to and file with the City Clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the Council shall extend the time in which such officer may qualify.

[1] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

§ C-52. Vacancies.

[Added 11-25-1969]

In addition to other provisions of this Charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony or is judicially declared to be mentally incompetent.

§ C-53. Conflict of interest.

[Added 11-25-1969]

No elective or appointive officer or employee of the city shall take part in a decision concerning the business of the city in which he has a financial interest, aside from his salary as such officer or employee, direct or indirect, greater than any other citizen or taxpayer.

§ C-54. Private use of public property.

[Added 11-25-1969]

No officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.^[1]

[1] *Editor's Note: Former Section 57.00, Use of Streets by Public Utilities, which immediately followed this section, was deleted during codification (see Ch. 1, General Provisions, Art. II). See now Ch. 262, Streets and Sidewalks, § 262-23.*

§ C-55. Liability for discharge.

[Added 11-25-1969]

The removal, in accordance with this Charter, with or without cause, of a person elected or appointed or otherwise chosen for a fixed term shall give no right of action for breach of contract.

§ C-56. Notice of claim against city.

[Added 11-25-1969]

No action at law or bill in equity for money or damages claimed due shall be sustained against the city unless a notice setting forth the nature and amount, if any, of the claim shall have been delivered or sent by registered mail to the office of the City Clerk not less than 60 days prior to the commencement of said action at law or bill in equity.

§ C-57. Violations and penalties.

[Added 11-25-1969^[1]]

Any person who violates any provisions of this Charter, unless otherwise provided, shall be fined not exceeding \$500 or imprisoned not exceeding 90 days, or both.

[1] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

§ C-58. Public records.

[Added 11-25-1969^[1]]

All records of the city shall be public, in accordance with RSA 91-A.

[1] *Editor's Note: Amended during codification (see Ch. 1, General Provisions, Art. II).*

§ C-59. Trust funds.

[Added 11-25-1969]

Trust funds of the City of Franklin, except where otherwise provided by the instrument creating such trust, shall continue to be kept separate and apart from all other funds and shall remain in the hands of the Trustees of Trust Funds, one of whom shall be appointed by the Mayor each year for a term of three years. Said Trustees shall invest such funds in securities legal for investment by savings banks of this state.

§ C-60. Effect on previous Charter and special legislation.

[Added 11-25-1969]

So much of the previous Charter of the City of Franklin and laws passed in amendment thereof as are now in force relative to the constitution and bounds of its several wards, the election of the Mayor and Council, their duties and powers, its school districts and their government and affairs and to the borrowing of money in aid of its school districts hereby continues in force, with the exception of such provisions as are inconsistent with this Charter. All special legislation relating to registration and elections, the jurisdiction of the Health Officer, library and Board of Library Trustees, police and fire retirement, schools and School Department and the borrowing of money for various purposes is hereby continued in force, with the exception of provisions inconsistent with this Charter, but all special legislation relative to the government of the city not herein expressly saved is hereby repealed. All general laws relative to the government of cities shall remain in force in the city so far as the same can be applied consistently with the interests and purposes of this Charter but shall be deemed superseded as to this city so far as inconsistent herewith. In all existing laws, ordinances and regulations hereby saved, references to the City Council or other bodies or officers hereby abolished and superseded or to bodies or officers whose constitution or functions are hereby altered shall be taken to mean the body or officer upon whom jurisdiction of the matter in question is conferred by this Charter or by the Administrative Code.

§ C-61. Effect on municipal legislation.

[Added 11-25-1969]

All ordinances and bylaws of the city or its City Council shall continue in force until altered or repealed, except where a contrary intent herein appears.

§ C-62. Incumbents.

[Added 11-25-1969]

The incumbents, when this Charter takes effect, who are not elected by popular vote, of all municipal offices not hereby abolished or superseded shall continue to hold the same until the expiration of their

respective terms where a term of years exists or until such offices are abolished or superseded by lawful ordinances.

§ C-63. Severability.

[Added 11-25-1969]

The sections of this act and of charters created hereunder are separable. If any portion of this act or of any charter adopted under the provisions hereof or if the application of the act or such charter to any person or circumstance shall be invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected hereby.

§ C-64. Effective date.

[Added 11-25-1969]

This Charter shall take effect as of January 1 following its adoption.

*City of Franklin, NH
Monday, January 29, 2024*

Chapter 50. Meetings

[HISTORY: Adopted by the City Council of the City of Franklin 5-5-1986 as Title One, Ch. IV of the 1986 Code. Amendments noted where applicable.]

§ 50-1. Annual Council meeting.

The annual meeting of the incoming City Council shall be held on the first Monday in January or as the Council may designate. Elected City officials shall take office on the date of said meeting.

§ 50-2. Regular Council meetings.

[Amended 6-7-2004 by Ord. No. 15-04; 5-7-2012 by Ord. No. 11-12]

The regular meetings of the City Council shall be held the first Monday of each month in City Hall at 6:00 p.m. in the evening.

§ 50-3. Legal holidays.

Any regular scheduled meeting which would occur on a legal holiday if held as scheduled shall be held in City Hall at 7:30 p.m. or at such other time and date as the Council may designate.

§ 50-4. Special meetings; notice.

A special meeting of the City Council may be called by the Mayor or by the majority of Council members in the absence or refusal of the Mayor. Notice of a special meeting shall be given to, left at the abode of or sent by mail to each Council member so that the receipt of such notice shall enable a Council member to be present if he or she is at his or her usual place of abode.

§ 50-5. Procedure.

The City Council meetings shall be held in accordance with Robert's Rules of Order.

§ 50-6. Minutes.

The City Clerk or Deputy City Clerk shall keep the minutes of all meetings of the City Council.

§ 50-7. Public access.

All proceedings of the City Council shall be public, except those which may be held privately in accordance with RSA 91-A.

§ 50-8. Work sessions.

[Amended 9-14-1998 by Ord. No. 98-4]

The Council may hold work sessions at times other than the regularly scheduled meetings for the purpose of receiving information or deliberating with regard to City business. Work sessions shall be public meetings except when called as a nonpublic session pursuant to RSA 91-A. In general, discussion at a work session shall be limited to the Mayor and Council and those other parties from whom information is being sought. A work session may be called by the Mayor or by a majority of the members of the Council.

§ 50-9. Agenda.

The agenda for all meetings of the City Council shall be under the control of the Mayor with regard to format and the order in which business is conducted. An item may be placed upon the agenda for discussion by the Mayor, any member of the Council or the City Manager. Other department heads and municipal officials shall submit any proposed agenda items to the City Manager for approval prior to such items being listed upon the agenda. Any citizen of the City may place an item upon the agenda for discussion by the Council by presenting to the Mayor, Council or City Manager a petition for such discussion containing the signatures of no fewer than 25 citizens of the City 18 years of age or older. The Council may, in its discretion, allow the discussion of items by methods other than those prescribed herein.

CITY COUNCIL MEETING
AGENDA ITEM IX



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February 5th, 2024

Subject: Other Business

- 1. Mayor & Council Appointments**
- 2. Committee Reports**
- 3. Late Items**

Adjournment

Mayor Appointments

Recommended Motions:

“I appoint Thomas Boyce to the Planning Board Committee, seat PB4, term of service to January 2027.”

“I appoint Donald Gagnon to the Planning Board Committee, seat PB6, term of service to January 2027.”

“I appoint Denis Duquette to the Planning Board Committee, seat PB7, term of service to January 2027.”

“I appoint Stephen Donahue to the Conservation Commission, seat CC7, term of service to September 2026.”

“I appoint Scott Godbois to the Conservation Commission, seat CC6, term of service to September 2024.”

Councilor Appointments

Recommended Motions:

“I move that the Franklin City Council appoint Robert Warner to the Supervisors of the Checklist, Ward III, seat SCW32, term of service to October 2, 2024.”

“I move that the Franklin City Council accept the resignation from David Liberatore from the LRPC Commission as an Alternate, effective immediately.”

Attachments:

Appointee Profile – Thomas Boyce

Appointee Profile – Donald Gagnon

Appointee Profile – Denis Duquette

Appointee Profile – Stephen Donahue

Appointee Profile – Scott Godbois

Appointee Profile – Robert Warner



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

Tel: (603) 934-3900

Fax: (603) 934-7413

316 Central Street
Franklin NH 03235

PROSPECTIVE APPOINTEE PROFILE

Name: Thomas Boyce Franklin NH 03235
Address: 244 Victory DR City State Zip Code
Telephone: 603-783-6643 Tcbnascarten@gmail.com
(Home Phone) (Work Phone) (Cell Phone) (email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 8 years

Employer: Diamond Appliance
Address: 2 Southville Road Southborough MA 01772
Street Address City State Zip Code

Interested in appointment to: Planning board

Please list below any specific skills, knowledge or experience you believe to be relevant:

I am the gm for Diamond Appliance and have Business
Skills that I feel would benefit the city in
making decisions in us move forward

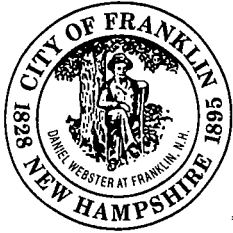
Please state briefly why you are interested in this Board/Committee:

I feel with the right people in place
we can make great strides in the city

Thomas Boyce
Signature

1/24/24
Date

Thank you for your willingness to provide us with this information.



CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin NH 03235

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

PROSPECTIVE APPOINTEE PROFILE

Name:

DONALD A GAGNON

Address:

60 VIEW STREET

Franklin

NH

03235

Street Address

City

State

Zip Code

Telephone:

(603) 545-3023

(603) 393-9741

DUGSTERNH@gmail.com

(Home Phone)

(Work Phone)

(Cell Phone)

(email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 23 yrs

Employer:

3M Innovative Papers

Address:

1 Paper Trail

Tilton

NH

03276

Street Address

City

State

Zip Code

Interested in appointment to: PLANNING BOARD

Please list below any specific skills, knowledge or experience you believe to be relevant:

Formerly a member of the Zoning Board of Appeals
Studied Civil Engineering - Taught Social Studies
Worked for Melanson Roofing

Please state briefly why you are interested in this Board/Committee:

I value the need for urban planning. The best way to preserve what we have as a community is to plan for the future.

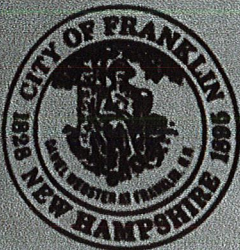


Signature

12-January-24

Date

Thank you for your willingness to provide us with this information.



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

316 Central Street
Franklin NH 03235

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

PROSPECTIVE APPOINTEE PROFILE

Name: Denis Duquette

Address: 339 Webster Lake Rd Franklin NH 03235
Street Address City State Zip Code

Telephone: 603-345-0546 dendug2@gmail.com
(Home Phone) (Work Phone) (Cell Phone) (email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 6 yrs. 3 mos.

Employer: Self-employed DMD Home Improvements LLC

Address: 339 Webster Lake Rd Franklin NH 03235
Street Address City State Zip Code

Interested in appointment to: Planning Board

Please list below any specific skills, knowledge or experience you believe to be relevant:

As a homeowner for over 30 yrs & more recently a
small business owner I have a solid understanding of
developing a plan, understanding financial means &
the need for ongoing development & upkeep.

Please state briefly why you are interested in this Board/Committee:

I am looking to serve the City in a volunteer
capacity to shape for future prosperity &
development.

[Signature]
Signature

1/16/2024
Date

Thank you for your willingness to provide us with this information.



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

316 Central Street
Franklin NH 03235

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

PROSPECTIVE APPOINTEE PROFILE

Name: Stephen Donahue

Address: 118 Range Rd. Franklin NH 03235
Street Address City State Zip Code

Telephone: 603-934-2434 603 455-0950 jdinhart1150@aol.com
(Home Phone) (Work Phone) (Cell Phone) (email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 38 years

Employer: Retired from USPS

Address: _____
Street Address City State Zip Code

Interested in appointment to: Conservation Commission

Please list below any specific skills, knowledge or experience you believe to be relevant:

BS Wildlife Management (1979)

Scout leader Troop 61 25 year Pack 61 10 years

Spend time in Great Gains Forest and established and made
all hiking trails within.

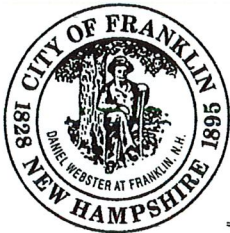
Please state briefly why you are interested in this Board/Committee:

Would like to be more active in our land
conservation properties to make them known and
accessible to the citizens of Franklin

Stephen Donahue
Signature

1/17/2024.
Date

Thank you for your willingness to provide us with this information.



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

316 Central Street
Franklin NH 03235

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

PROSPECTIVE APPOINTEE PROFILE

Name: Scott E Godbois

Address: 7 EVAN CT Franklin NH 03235
Street Address City State Zip Code

Telephone: (603) 800-1441 Same Sgodbois74@gmail.com
(Home Phone) (Work Phone) (Cell Phone) (email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 3 yrs in April

Employer: Portland glass

Address: 1118 Hooksett Rd Hooksett NH 03106
Street Address City State Zip Code

Interested in appointment to: Conservation Committee

Please list below any specific skills, knowledge or experience you believe to be relevant:

Looking to do some Volunteering work for the City
in my younger years I volunteered for Little League in Manchester
I used to Hunt and currently fish So being in the outdoors
I Enjoy

Please state briefly why you are interested in this Board/Committee:

Scott Godbois

Signature

1-21-2024

Date

Thank you for your willingness to provide us with this information.



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

316 Central Street
Franklin NH 03235

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

PROSPECTIVE APPOINTEE PROFILE

Name: ROBERT A. WARNER

Address: 63 MAPLE SQUARE Franklin NH 03235
Street Address City State Zip Code

Telephone: (603) 998-9854 al.warner@outlook.com
(Home Phone) (Work Phone) (Cell Phone) (email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 19 years

Employer: RETIRED

Address: _____
Street Address City State Zip Code

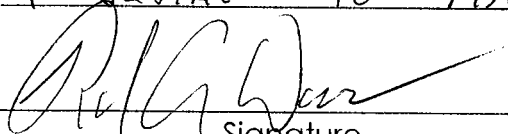
Interested in appointment to: WARD 3 Sup. of Checklist

Please list below any specific skills, knowledge or experience you believe to be relevant:

4 years school board - 4 decades IT

Please state briefly why you are interested in this Board/Committee:

EVENTS OF THE PAST FEW YEARS HAVE EVOKED A
CURIOSITY REGARDING HOW ELECTIONS WORK AND
A DESIRE TO MAINTAIN THEIR INTEGRITY


Signature

1/9/2024
Date

Thank you for your willingness to provide us with this information.