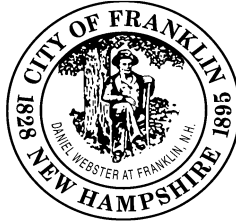


CITY OF FRANKLIN
CITY COUNCIL MEETING
March 6, 2023
6:00 P.M.





CITY COUNCIL MEETING

Monday, March 6, 2023 - 6:00 p.m.

Council Chambers, Franklin City Hall

or view only via Zoom: <https://us02web.zoom.us/j/81846367039>

or by phone: 1-312-626-6799, Meeting ID# 818 4636 7039

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR OUR VETERANS

PUBLIC HEARINGS

Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the City of Franklin, New Hampshire, Municipal Code.

Resolution #10-23 authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time revenues to support the program.

Resolution #12-23 at 6:00pm on March 6th, 2023 to accept and appropriate \$44,179.50 from the CCDF (Child Care Development Fund) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program.

Resolution 13-23 appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget.

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 30, 2023 City Council Workshop Meeting, the February 6, 2023 City Council Meeting and the Nonpublic minutes from the February 6th, 2023 City Council Meeting.

Agenda Item II. (pg. 33)

School Board Update

Agenda Item III. (pg. 35)

Council to consider Resolution 13-23 appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget.

Agenda Item IV. (pg. 41)

Council to consider Resolution 12-23 at 6:00pm on March 6th, 2023 to accept and appropriate \$44,179.50 from the CCDF (**Child Care Development Fund**) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program.

Agenda Item V. (pg. 46)

Council to consider Resolution 10-23 authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time revenues to support the program.

Agenda Item VI. (pg. 53)

Council to consider Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the City of Franklin, New Hampshire, Municipal Code.

Agenda Item VII. (pg. 79)

Council to consider setting a public hearing for Resolution 16-23 appropriating \$66,220 to the Franklin School District fiscal year 2023 budget.

Agenda Item VIII. (pg. 84)

Council to consider setting a public hearing for Resolution 14-23 accepting grant funds in the amount of \$9,000 from the NH Department of Safety, Division of Homeland Security and Emergency Management. These funds will be used for upgrades to the City's Hazard Mitigation Plan.

Agenda Item IX. (pg. 89)

Council to consider Building Permit Proposal for Property on a Private Road

Agenda Item X. (pg. 97)

Council to consider disposition of tax deeded property.

Agenda Item XI. (pg. 106)

Other Business

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

Adjournment

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

This location is accessible to the disabled. 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 March 6th, 2023

Subject: Approval of Minutes

Motion: "I move that the Franklin City Council approve the minutes of the January 30th, 2023 City Council Workshop Meeting, the February 6th, 2023 City Council Meeting and the Nonpublic minutes from the February 6th, 2023 City Council Meeting."

Mayor calls for a second, discussion and the vote.



City Council Meeting Minutes Monday, January 30th, 2023 - 6:00 p.m. Council Chambers, City Hall

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

Absent: Councilor Ted Starkweather

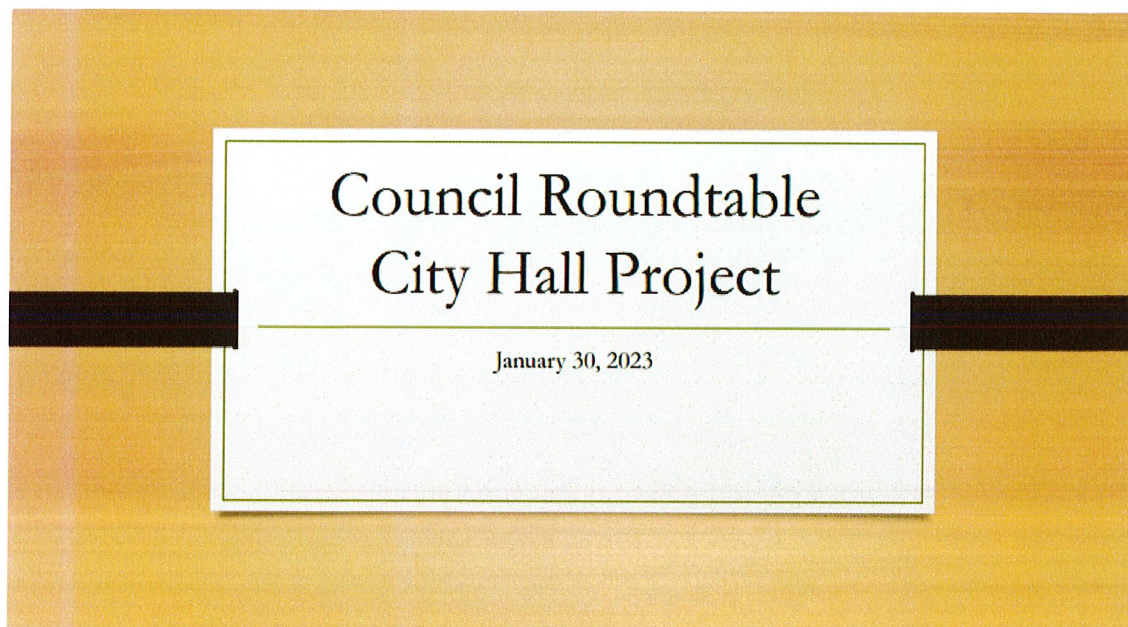
Others in attendance: City Manager Judie Milner, Fire Chief Mike Foss, MSD Director Justin Hanscom, P&Z Director Seth Creighton, F & D Consultant Niel Cannon, and members of the public.

Mayor Brown called the meeting to order in Council Chambers at 6:08 p.m.

Salute to the Flag was led by Councilor Ribas.

Mayor Brown stated that this was a workshop to talk about the options for how to go forward with city hall. Nothing has been decided and there have not been any bids that have gone out as of yet. She asked City Manager Milner to start the discussion.

Milner passed out the below PowerPoint handout to the council about City Hall conditions and read from each slide:



History

- July 25, 2022 City Council Workshop on Buildings
- City Manager established City Hall Working Group
 - City Staff – Chief Foss, Director Creighton, Director Hanscom, Captain Reale, Deputy Director Marsh
 - City Council Representation
 - Economic Dev Task Force
 - Opera House Representation
 - Heritage Commission Representation
 - Public Representation

Workgroup

- Task – Determine the Highest & Best Use of City Hall
- Ground Rules
 - City is example to investors (both current and future) in Franklin
 - Issues are 68 years old – need forward facing solution that will address issues and support use of the building well into the future
 - no idea too crazy – WWP was crazy 6 years ago

Highest and Best Use

- Transfer City Hall to Private Investor – mixed use, commercial/residential
- Opera House Takes over City Hall
- Opera House builds new – City Hall for City Functions “one stop shop”

Highest & Best Use

- City Hall becomes Art Center or Community Activity Building
 - Move MSD, Rec, Fire, Police to High School; City Hall to PD
 - Public Safety Complex, City Hall to PD
 - Fire/MSD Complex, City Hall to vacate Building Downtown
- City Hall/Opera House shared space
 - Not necessarily “status quo”

Workgroup Choice

- #1 City Hall becomes Art Center
- Final Recommendation– City Hall or Opera House Shared Space
 - Community not ready to support Art Center at this time
 - most economically feasible for both entities at this time
 - Not necessarily the same split of space – a lot of wasted space

Cost

- Jonathan Halle – Warren Street Architects
 - Pro-bono (thank you Gene & Niel)
 - Prior work with the city
 - Initial/preliminary cost estimate
 - City offices alone – not much difference in cost
- Next Steps for cost
 - Solidify cost estimates with individual sub-contractors

Costs

- Cost does not include temporary offices for staff
- Cost does not include lost revenue for opera house
- Grants? Other funding sources? Need to be considered but MAY NOT be received

Slowing Down – why?

- Pre-development loan – CDFA
- Grants, other funding options – timing
- One engineer
- Opera House ability to support debt
- Do it right the first time
-

Thought needed

- Do we want to take on the liability of doing nothing?
- Is city hall something we want to save for city hall business?
- Do we have the appetite to support the debt service that goes with the project?
- Where will we go? – either permanently or during construction
- How much debt can the opera house support?
- How can the opera house operate while under construction?
-

Direction Needed

- Do we stay, go or renovate? Do we share the building with the opera house?
- Do we appropriate the \$60,000 sale of municipal property for next step engineering?
 - building assessment, code analysis, space needs design, cost estimate of the building
- Do we move forward with financial analysis assistance to opera house for sustainability?
- Do we move forward with grant/other funding sources analysis and applications?
- Do we move forward with a location for temp or permanent “housing” of city hall functions and staff?
- Do we hold a public forum, send a survey, or do some other educational and/or promotional campaign?
-

Milner did remind everyone that City Hall does not have an occupancy permit or assembly permit and if no action is taken by August 1, 2023 the fire chief will consider the building unsafe and will write a notice of hazardous conditions, passing the liability to the city.

A discussion about all of the options ensued. The recommendation to keep the building as a shared use for city business and the opera house was favored. There were questions about whether there is time to secure a permit by the end of August and Cannon stated that it would not be possible within that time frame. Cannon stated that if Chief Foss is able to see that there is clear action being taken to proceed with renovations, he may be willing to make an exception or extend the time frame.

Milner stated that the next step would be appropriating \$60,000 from the recent sale of 599 S. Main Street towards the engineering study. This would allow the architect to get bids from all of the subcontractors needed for the entire project, which would then give the city a much better idea of what the total renovation cost will be. This appropriation would be outside of the bond needed for the project.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing on resolution 15-23 to appropriate \$60,000 from the sale of 599 S. Main Street towards the City Hall engineering study for Monday, February 13th, 2023 at 6 p.m. in Council Chambers. Seconded by Councilor Dzujna.

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

It was decided that the council should consider voting on setting a public hearing at an early workshop meeting in February, so that this first step can be started sooner than later. This would mean that the public hearing could be set for the March city council meeting instead of April.

7 in favor; 1 abstained. Motion PASSED.

ADJOURNMENT:

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

The meeting adjourned at 7:38 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary



**City Council Meeting Minutes
Monday, February 6, 2023 - 6:00 p.m.
Council Chambers, City Hall**

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 in Council Chambers at 6:01 p.m.

Salute to the Flag was led by Councilor Starkweather, followed by a moment of silence in remembrance of veterans Richard Joe Kenney and John A. Jipson, who passed away this month, led by Councilor Desrochers.

Public Hearings:

Ordinance 05-23 re-adopting the Optional Veterans' Credit Chapter 272-4 Adoption of Provision; Designated Amount of the Franklin Municipal Code.

The public hearing opened at 6:03 p.m.
There was no discussion on this hearing.
The public hearing on Ordinance 05-23 closed at 6:03 p.m.

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

The public hearing opened at 6:03 p.m.
There was no discussion on this hearing.
The public hearing on Ordinance 06-23 closed at 6:04 p.m.

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

The public hearing opened at 6:04 p.m.
There was no discussion on this hearing.
The public hearing on Resolution 09-23 closed at 6:04 p.m.

Resolution 11-23 appropriating \$78,925 to the Franklin School District fiscal year 2023 budget.

The public hearing opened at 6:04 p.m.
There was no discussion on this hearing.
The public hearing on Resolution 11-23 closed at 6:05 p.m.

Legislative Update:

NH Representative, Jason Gerhard, let the mayor and council know that he did not have anything in particular. He stated that he represents Northfield and Franklin so he can be contacted with any questions. He mentioned that he has a bill coming up tomorrow that would allow for a public bank so that loans could be taken out without any interest for projects.

Comments from the Public:

Public comments opened at 6:07 p.m.

Jule Finley, Ward I, thanked everyone for their thoughts on City Hall/Opera House and spoke about the building and its cultural impact on children and adults. She read from a letter that she wrote, which is attached to end of the minutes.

Zoe Nagle, Ward III, also let the council know that she supports the Opera House renovations and explained why it is so important to her.

The Mayor's Drug Task Force Director, Stephanie Wolff, gave some updates:

- She attended the Capital Leadership Conference in Washington, D.C. last week. She had the opportunity to network with coalitions across the country, as well as strengthen relationships with coalitions within the state. She also attended many training seminars that she found had very useful information.
- While in D.C. she also had the opportunity to meet with Senator Hassan, Senator Shaheen and Representative Chris Pappas. She did provide a document for them with Franklin's Drug Task force information and events and that is also attached to the end of the minutes.
- She is continuing to plan for their annual event that is occurring on March 24th. She stated that she has invitations for the mayor and council, which will be in their inboxes tomorrow morning.

Michael Lombardo, Ward III, let the council know that the rain has made the water wash out a bit of Trestle View Park.

Desiree McLaughlin, Ward III, spoke about the increase in homelessness in Franklin due to illegal evictions. She stated that there was no emergency plan in place for the extreme cold weather over the weekend.

Fire Chief Foss approached the council to speak on behalf of the weather over the weekend and stated that they did take a proactive effort. The police department did go out to known homeless encampments and contacted numerous individuals letting them know where they

could get city resources. The welfare department was a good start to get help with places to stay. He was also in contact with the State of New Hampshire ahead of time in case people needed placement. Merrimack County had placement in Concord and beyond. There was also a conversation with the mayor of Laconia, who was offering the Doobie Building as a shelter for the weekend.

Also, the NH 211 service has been referenced through nights, weekends, and holidays and there have definitely been instances where they have responded, as far as he knows.

Public comments closed at 6:26 p.m.

City Council Acknowledgement:

Councilor Blake thanked Executive Secretary, Lisa Jones, for everything that she does for the council to get them prepared for meetings, along with scheduling them and putting together packets.

Councilor Dzujna gave a shoutout to Tim Morrill and his board and volunteers for all that they are doing at the veterans ski area.

Councilor Trudel thanked City Manager Milner and City Solicitor, Paul Fitzgerald, for the very important informational session that was held for the councilors and committee members.

Councilor Webb thanked everyone who came out and spoke tonight and wanted to assure the public that their voices are being heard. The council does acknowledge the value of Soldier's Memorial Hall, which is the actual name of the City Hall building, and the Opera House.

Mayor's Update:

- This weekend was a challenge with the cold weather and she did see a lot of people at the laundromat. She stated that there are a lot of people that are very grateful that she keeps her doors open to anyone in need.
- Mayor Brown gave a shout out to the police department, the fire department and the welfare department for everything they did over the weekend. They were all very busy on Friday.
- The Winter Carnival is now in full swing. There is another three weekends to go that will end with the kayaking boat bash.
- She gave kudos to City Manager Milner, who wrote, completed, filed and received an \$80,000 grant to do some work on our street safety here in our city. She was also nominated and recognized as the Marquis Who's Who in America. Congratulations to City Manager Milner.

Councilor Desrochers wanted to bring up an item from City Manager Milner's update from last month where she had mentioned that the petition provided by Desiree McLaughlin regarding a trash ordinance, they were protesting had 119 signers, yet only 51 were registered voters. He stated that he represents every person who lives in the city of Franklin, not just registered voters. He believes that checking to see if the signers on the petition are registered voters is not right and excludes all voices. He provided the email from Milner as well to be attached to the end of the minutes.

City Manager Milner explained that she agrees that the councilors should listen to all residents in the city, however, they were following a New Hampshire RSA regarding that petition and were doing their job as far as that goes.

Agenda Item I.

Approval of Minutes.

Council to consider the minutes of the January 9, 2023 City Council/Inaugural meeting.

Motion - Councilor Dzujna moved that the Franklin City Council approve the minutes of the January 9, 2023 City Council/Inaugural meeting. Seconded by Councilor Ribas.

There were no comments on the minutes.

8 in favor; 1 abstained. Motion PASSED.

Agenda Item II.

School Board Update.

Superintendent LeGallo gave the following updates:

- **State Assessment Results:** The school assessment results released and the scores were disappointing, yet expected, as they continue to recover from the pandemic. He reminded everyone that the standardized computer tests done in one day do not measure everything that they do for students.
- The elementary and middle school have been identified as Comprehensive Support and Improvement schools for performance levels in the bottom 5% in the state for Title I schools. He stated that they will be receiving \$118,797.36 for the elementary school and \$151,870.53 for the middle school to assist in their improvement efforts. The high school has been identified as a Targeted Support and Improvement school for low performance of its white student subgroup. They are focusing their efforts on things they can control, which include:
 - o Continued implementation of their new reading program and assessments K-8 with the support and expertise of their newly hired Reading Specialist.
 - o Implementation of a new math curriculum for K-8 next year.
 - o Continued tutoring available at all levels for students.
 - o Developing a partnership with Plymouth State University to provide professional development to teachers in reading and math instruction, as well as recruitment of student teachers.
 - o Continued work on recruitment and retention of teachers.
 - o Continued work with their Portrait of a Graduate program to redesign the high school.

- **Dropout Rate:** LeGallo stated that he was pleased to share that their dropout rate for 22-23 was reduced to 1.5%. This is down from 8.33% 2 years ago and is right at the state average of 1.51%.
He mentioned that they have worked hard over the past two years to address this. They started by looking at the outcomes for each of their students who dropped out back in 2019-2020. They then implemented weekly meetings focusing on at risk students so that they could develop personalized programming for students. They changed the master schedule from half year to full year classes with more options and pathways for students. They also offered summer school for the past two summers for credit recovery and also offered competency recovery weeks at the end of each semester.
- **Portrait of a Graduate Forum:** They held their Portrait of a Graduate Forum at the Opera House on January 18th. He thanked the mayor and the city council members who attended the session, as well as the student and parent presenters. They will continue to engage parents and the community in their redesign efforts.
- **Community Safety Forum:** They held the Community Safety Forum on January 31st at the middle school. He thanked Police Chief Goldstein and Fire Chief Foss for participating in the presentation. The presentation will be up on their SAU website for anyone interested in viewing it.

Agenda Item III.

Council to consider Ordinance 05-23 re-adopting the Optional Veterans' Credit Chapter 272-4 Adoption of Provision; Designated Amount of the Franklin Municipal Code.

Motion - Councilor Chandler moved that the Franklin City Council adopt Ordinance 05-23 re-adopting the Optional Veterans' Credit Chapter 272-4 Adoption of Provision; Designated Amount of the Franklin Municipal Code. Seconded by Councilor Starkweather.

Mayor Brown asked if there was any discussion.

No discussion ensued.

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

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

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

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 V.

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

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

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

RESOLUTION #09-23

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

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

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

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

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

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

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

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

And an increase in FY2023 expenditure accounts,

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

By a roll call vote.

Roll Call:

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

All in favor. Motion PASSED.

Agenda Item VI.

Council to consider setting a public hearing on Ordinance 03-23 relating to Chapter 257, Solid Waste, of municipal code.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing on Ordinance 03-23 repealing and replacing current Chapter 257 “Solid Waste” of the City of Franklin, New Hampshire, Municipal Code for Monday, March 6, 2023 at 6:00 p.m. in the City Hall Council Chambers, to be read in title only. Seconded by Councilor Dzujna.

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

A few members of the council found a few minor grammatical corrections to be made. These will be provided in order to update the ordinance before the public hearing.

7 in favor; 2 opposed. Motion PASSED.

Agenda Item VII.

Council to consider setting a public hearing on Resolution 10-23 authorizing a retention bonus program and appropriating one time revenue for same.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing date for 6:00 p.m. on Monday, March 6, 2023, regarding Resolution #10-23 authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time unanticipated FY2023 revenues to support the program. Seconded by Councilor Starkweather.

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

There was a discussion about this retention being separate from the pay & class study that will be presented at the March city council workshop meeting. This is to thank employees for sticking with the city through COVID and to hire new staff using it as a hiring bonus after the first year of service.

Some of the councilors expressed a preference for prorating the retention bonuses so that employees with a longer tenure would receive a bigger bonus.

City Manager Milner stated that she did not prorate since other communities are offering \$2k - \$4k as a hiring bonus so she was trying to make Franklin competitive as well.

She will provide an option for prorating and will send it to the council for review.

All in favor. Motion PASSED.

Agenda Item VIII.

Council to consider Resolution 11-23 appropriating \$78,925 to the Franklin School District fiscal year 2023 budget.

Motion - Councilor Webb moved that the Franklin City Council adopt Resolution 11-23 appropriating \$78,925 to the Franklin School District fiscal year 2023 budget. Seconded by Councilor Ribas.

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

RESOLUTION # 11-23

A Resolution Granting Authority to Accept and Appropriate \$78,925 of the SAFE grants awarded by the New Hampshire Homeland Security and Emergency Management (HSEM) and the New Hampshire Department of Education (NHED) and the Barr Foundation and NGLC (Next Generation Learning Challenges.

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

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$54,925 for the SAFE grant funding from HSEM and NHED.

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive from the Barr Foundation and NGLC of \$24,000: and,

WHEREAS, the City Council of the City of Franklin would like to appropriate an additional \$78,925 to fund the upgrading of the door access controls systems at the Paul Smith School and to participate in the Portrait of a Graduate onsite visit to schools in Vista, California. ; **Now,**

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on February 6, 2023, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #11-23 to formally accept and appropriate \$78,925 of additional revenues for the Franklin School District as follows:*

An Increase in Revenues:

New Hampshire Homeland Security and Emergency Management Fifty-Four Thousand Nine Hundred Twenty-Five Dollars (\$54,925)

Barr Foundation and NGLC – Twenty-Four Thousand Dollars (\$24,000)

An Increase in Expenditures:

School District Expenditures – Seventy-Eight Thousand Nine Hundred Twenty-Five Dollars (\$78,925)

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>abstained</u>

All in favor. Motion PASSED.

Agenda Item IX.

Council to consider setting a public hearing for Resolution #12-23 to accept and appropriate \$44,179.50 from the CCDF (**Child Care Development Fund**) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program.

Motion - Councilor Webb moved that the Franklin City Council set a public hearing on Resolution #12-23 at 6:00pm on March 6th, 2023 to accept and appropriate \$44,179.50 from the CCDF (Child Care Development Fund) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program. Seconded by Councilor Dzujna.

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

All in favor. Motion PASSED.

Mayor Brown read resolution 12-23 to the public:

RESOLUTION #12-23

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

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

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

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

WHEREAS, the City of Franklin Recreation Department has received \$44,179.50 from the Child Care Scholarship Data Pilot from CCDF (Child Care and Development Fund) **and**,

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

THEREFORE, BE IT RESOLVED, *that at their regularly scheduled meeting of the City Council on Monday, March 6th, 2023, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #12-23 to authorize the City Manager to accept and appropriate the funds of \$44,179.50 (forty-four thousand, one hundred seventy-nine dollars and fifty cents).*

An Increase in Revenue:

Federal Grants Operating- CCASP Acct. No. 01-5-211-33111-129 – *forty-four thousand, one hundred seventy-nine dollars and fifty cents (\$44,179.50)*

An Increase in Expenditures:

Recreation Admin Summer Rec – Childcare Stabilization - Acct. No. 01-5-211-40121-129 – *forty-four thousand, one hundred seventy-nine dollars and fifty cents (\$44,179.50)*

Agenda Item X.

Council to consider setting a public hearing on Resolution 13-23 appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget.

Motion - Councilor Zink moved that the Franklin City Council set a public hearing on March 6th, 2023 at 6:00 p.m. in Council Chambers for Resolution 13-23 appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget. Seconded by Councilor Ribas.

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

All in favor. Motion PASSED.

Mayor Brown read resolution 13-23 to the public:

RESOLUTION # 13-23

A Resolution Granting Authority to Accept and Appropriate \$325,667.89 from The New Hampshire Education Department (NHED) for funding Comprehensive School Improvement (CSI) programs and Beyond School Enrichment programs

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

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$118,797.36 for the Paul Smith Elementary School from NHED and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$151,870.53 for the Franklin Middle School from NHED and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000.00 for the Franklin Middle School from NHED for a drama program and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000.00 for the Franklin High School for a drama program from NHED and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$15,000.00 for the Franklin High School for a freshman orientation program from NHED.; **Now,**

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on March 6, 2023, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #13-23*

to formally accept and appropriate \$325,667.89 of additional revenues for the Franklin School District as follows:

An Increase in Revenues:

New Hampshire Education Department of Three Hundred Twenty-Five, Six Hundred Sixty-Seven Dollars and Eighty-Nine Cents. (\$325,667.89).

An Increase in Expenditures:

School District Expenditures – Three Hundred Twenty-Five, Six Hundred Sixty-Seven Dollars and Eighty-Nine Cents. (\$325,667.89).

Agenda Item XI.

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

Motion - Councilor Desrochers moved that the Franklin City Council unseal all of the 2022 nonpublic meeting minutes. Seconded by Councilor Blake.

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

City Manager Milner stated that there were only two nonpublic meetings in 2022 (July 11, 2022 and August 1, 2022) that were recommended to be unsealed. The other minutes should be left sealed at this time.

Motion - Councilor Ribas amended the motion, moving that the Franklin City Council unseal the nonpublic meeting minutes dated July 11, 2022 and August 1, 2022 only. Seconded by Councilor Blake.

8 in favor; 1 abstained. Motion PASSED.

Agenda Item XII.

Other Business:

1. Mayor & Council Appointments

There were no appointments at this time.

2. Committee Reports

Councilor Ribas stated that the Finance Committee met on January 26th and looked at the pay & class study along with the retention bonus proposal. The 2021 audits are complete and 2022 is underway. The Joint Finance Committee looks like it will need to be rescheduled so that will be posted once confirmed.

Councilor Webb noticed that there is generally a Legislative Committee meeting held this month, but is unaware of any issues that need to be discussed. There may be some topics for next month.

There was a discussion about the recount ordinance that was placed back on the table and the code of conduct being items for the next Legislative Committee meeting.

3. City Manager's Update:

- Contingent Grant Line Activity – Received \$500 from the Lions for the basketball uniforms and \$956.73 under the sex offender compliance grant.
- Trust fund for school funding – \$273.21
- Congratulations: Judy Bibbins, in Planning & Zoning, for achieving her Justice of the Peace and the fire, police and welfare departments for all that they did over the weekend to help the homeless. She also thanked the mayor for coordinating with the mayor of Laconia on the use of beds, if needed, for people in need from Franklin.
- Committee meetings – February:
 - Legislative – This will need to be scheduled. A Doodle Poll will be sent out to coordinate a date.
 - Municipal Services – 2/22 @ 10 a.m.
 - Joint Finance - This is being rescheduled to either 2/21, 2/22 Or 2/23
- Welcome: Katherine Drapo to the Police Department.
- Random Acts of Community – “Glen Morrill Posse”, which is a group of volunteers that have taken on the work of cleaning up the hill across the street from Trestle View Park, which looks phenomenal.
- Media contacts – Laconia Daily Sun, Concord Monitor and ENR
- February Workshop – This will be on February 13th and it will be all about Soldier's Memorial Hall/City Hall renovations.
- Economic Development Community Forum – March 8th 6pm Location TBD (possibly within the Steven's Mill)
- City Offices closed Monday, 2/20/23 – In observance of Presidents' Day
- Myth Buster – The city is not targeting people with the downtown parking tickets. It is an enforcement action that is now being down due to more activity in the community in order to make parking fair in the downtown.
- Elected Official/Appointed Board Member forum – This was on January 28th and was very successful. She received a lot of positive feedback and would love any extra ideas for topics on the next one she sets up. She is thinking about making it an annual forum.

- \$80,000 DOT grant that was received, is a part of the American Rescue Act money. The was \$5B put into DOT for safe streets for all types of grants. The first is a two-step grant, so first receiving the money to produce what they would call the Action Plan grant. This is the part that Franklin received. Once the action plan is done, Milner stated that they will be eligible to apply for the implementation part of this grant. She believes that the threshold is \$5M - \$6M and she will then need a lot more help writing that part of the grant since it is a lot more technical.
- Late Item – This handout was at the table for the councilors and is also attached to the end of the minutes.
- (2) Non-Public Meetings Needed

4. Late Items:

Repurchase of Tax Deeded Property by previous owner, Jane A. Ingram, Edmunds Street (land only).

Motion - Councilor Ribas moved that the Franklin City Council deed Edmunds Street Map/Lot #118-024-000 back to Jane A. Ingram. Seconded by Councilor Webb.

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

The property was recently tax deeded to the City of Franklin for failure to pay property taxes. Ms. Ingram was able to come up with the money needed to buy back the property by the January 31, 2023 deadline (for FY2022 tax deeded properties). This is not Ms. Ingram's primary residence so the total due was \$7,244.27, including the statutory penalty of \$4,000 equivalent to 10% of assessed value at the time of the deeding. Ms. Ingram has paid the total due.

All in favor. Motion PASSED.

Motion – Councilor Ribas moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3, II (I) 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 AND according to RSA 91-A:3 II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. Seconded by Councilor Trudel.

Roll Call Vote:

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

All in favor. Motion PASSED.

Entered into nonpublic at 8:02 p.m.

**Motion – Councilor Dzujna moved to leave nonpublic session and return to public session.
Seconded by Councilor Ribas.**

All in favor. Motion PASSED.

Public Session reconvened at 10:39 p.m.

Motion — Councilor Ribas moved to seal the minutes. Seconded by Councilor Webb.

Roll Call Vote:

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

All in favor. Motion PASSED.

ADJOURNMENT:

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

The meeting adjourned at 10:41 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary

2/6/2023

Good evening,

City Councilors, City Manager and Mayor Brown, thank you for the opportunity to share a few thoughts on the impact of this building and Resolution 15-23. My name is Jule Finley (Ward 1) and I have been working and living in Franklin for the last 29 years. I am not even going to remotely address the central convenience for all city residents for all city business or the wonderful partnership and working relationship we have built between the city and the Opera House. I am purely going to speak about the impact of this building on so many adults and children who come here to seek cultural nourishment and the impact it has on the city of Franklin overall and for its future.

Starting the FHS Players and Franklin Footlight Theater 28 years ago, in the fall of 1994 through the summer of 1995, are two of the greatest accomplishments of my life. I now look at the thousands of people it has supported, the friendships and relationships that have developed, the futures that were provided with strong stepping stones, and the power and connections that have been created. When the Opera House was reopened in 2000 and provided a variety of entertainment as well as a “home” for the already existing theater programs, things continued to flourish. Between Franklin Footlight Community Theatre, the FHS Players, the new FMS Players, the Franklin Area Children’s Theater Summer camps and the District Wide Arts Integration Project, not to mention all of the Opera House events, thousands of people from around the Lakes Region and beyond, flow through this building multiple times a year. When I was finishing my graduate work at PSU, I did a qualitative research project on the impact of the Arts on the students in Franklin. I knew, I saw and continue to see it all the time, but to actually read numerous testimonials from students that spanned dozens of years- it was astounding. I still have that research if anyone is interested in reading it. To have now watched students graduating who started performing on this stage when they were in kindergarten, and have achieved levels of self confidence and belief in themselves to want to pursue further education or believe in themselves enough to make whatever their dreams are come true- that is worth more than anything else and ANY amount of money to me. This building, this theater, has become their home, their community, their safe space, their passion, their drive and their place that they love.

But let’s look at the more practical lens that I know some look through. Recently, someone from Hopkinton, who drove here to borrow resources from the Franklin theater department, asked how many shows we had going on right now. My answer was 4. The response was “Oh my goodness? Are there full time people?” and my response was, “No- this is all volunteer”. That of course does not include the Opera House events, which add even more to the schedule, more volunteers and fortunately a few part time paid staff.

Why? Because people care and love what the arts bring to them and to this city. A few weeks ago, the Opera House had the Dueling Piano show. Not only was the Opera House bustling with people, but so was Franklin. People were out, the streets were filled, parking was limited, restaurants were full and there was energy and excitement. THAT is what the Opera House brings to the city- constant cultural energy, a positive outlet for everyone, an energy to the city that supports the energy being brought by the waterpark. I spent months on an Arts and Culture Task Force as well as the Task Force to look at the best use of this building- and both outcomes consistently decided that the Opera House, the arts and culture of the city of Franklin, was crucial to further development and success.

Franklin Footlight Theatre has been recognized as the Best Community Theater program by the New Hampshire Community Theater Association, our high school FHS Players have been recognized numerous times through the New Hampshire Educational Theater Guild (notice the plaques on the wall), and we have students who have left here and are continuing to do bigger and better things due to their time here at the Opera House. We have 5 year olds to 85 year olds sharing this stage together, learning together, sharing memories and stories. And the work they produce has countlessly been compared to professional venues in other much bigger cities. It is crucial that we band together, support the arts in our community, support the impact that the arts can have on the growth of our city, and get this building up to code so it can be used and maximized for the greatest outcome for everyone in Franklin.

We are asking that the city support the needed updates to this building so the work can continue, and we also ask that decisions start to move soon. Footlight, the Opera House and everything I do with all the school programs, plan a year in advance. It takes that much time to get everything organized and in place. The span of time that this has already taken has been a financial and planning burden on all organizations. We also need some answers to start moving in a creative direction while the building is unusable. Shutting down these programs for two or more years is not an option. That would be worse than bouncing back from the impact of covid, and I don't believe there are federal funds sitting there to support that loss. We're going to need to figure out new spaces, what we can actually do in those alternative spaces and how to get information out so the public and dedicated patrons know. There are many other opportunities in nearby communities and cities, and I do worry that people will get used to attending those events and lose the passion we have built to attend our own events here in Franklin. It's taken us 20 years to build what we have right now and it will be a devastating blow if we need to rebuild it all again.

Please help us start moving forward and get done what needs to be done.

Thank you,

Jule C. Finley

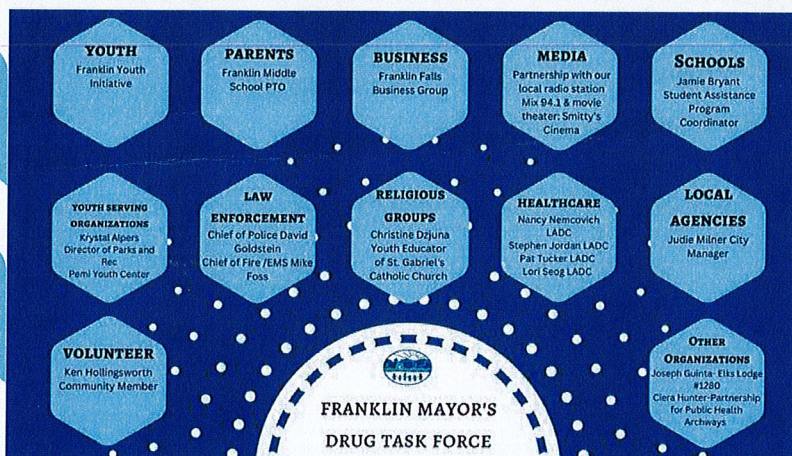


FRANKLIN MAYOR'S DRUG TASK FORCE

Promoting Wellness Through the Power of Community

We ensure all twelve sectors of our community play an active role in our coalition.

Our goals are simple: increase community engagement and decrease substance misuse in youth and adults



We are funded through Substance Use and Mental Health Administrations Partnership For Success Grant

We utilize the Strategic Planning Framework to achieve our goals

SOME OF OUR ANNUAL PREVENTION EVENTS INCLUDE:

Chem-Free: an after-prom event that offers substance free entertainment and activates for students attending the prom. In May 2022 we had 70 students attend this event.

Drug Take Back Day: a bi-annual partnered event with Franklin Police, Partnership for Public Health, and the DEA to provide the opportunity for residents to safely dispose of prescription medications. We also give free lock boxes while educated the importance of locking up medications. In October 2022, we collected approximately 175lbs of prescription medication and handed out 40 lock boxes.

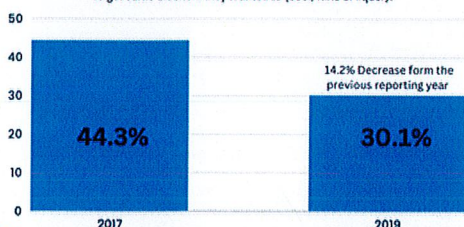
Annual Event: and event geared towards our community to discuss collected data, review highlights from the last year, present plans for the upcoming year and present community award. We will be hosting this event for the first time since 2019 in March 2023.

Community Day: An outdoor event hosted by a non-profit community partner to bring resources to our residents. At this event we survey our community members for coalition visibility, prevention effectiveness, current use and overall feedback. In 2022 we received 82 respondents.

Sticker Shock & Pizza Box Flyers: An annual campaign using stickers and flyers to educate community members on Social Host Liability. Our Franklin Youth Initiative group participates in this event by going to local convenient stores and grocery stores and places stickers on alcoholic containers. Our Coalition will give flyers to local pizza restaurants to post flyers on their delivery boxes.

FRANKLIN HIGH SCHOOL ALCOHOL USE - YOUTH RISK BEHAVIOR SURVEY

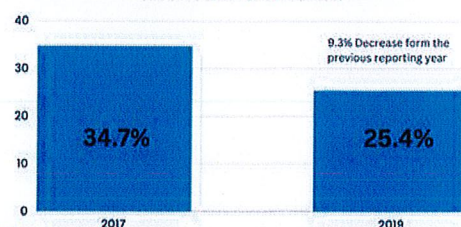
Percentage of Students who think it would be very easy for them to get some alcohol if they wanted to (beer, wine or liquor).



Our coalition targets several substances in our community: Alcohol, Marijuana, Prescription Drugs and Methamphetamines. These graphs show some of our successful impacts on accessibility of alcohol to minors.

FRANKLIN HIGH SCHOOL ALCOHOL USE - YOUTH RISK BEHAVIOR SURVEY

Percentage of Students who usually got the alcohol they drank by someone giving it to them (among students who currently drank alcohol) during the past 30 days



EXCITING NEWS FOR THIS YEAR!

The Franklin Mayor's Drug Task force is rebranding! On March 24th at our Annual event we will be announcing our official name change:

FRANKLIN PARTNERS IN PREVENTION

The Clerk's office has completed their review of the petition and found the following:

Of the 119 names on the list, 51 (or 43%) are registered voters. Names who were duplicated were only counted once if they were a registered voter. Reminder, although we have to certify by registered voter, it does not mean the 51 names are property owners in the City.

The 51 certified signatures equate to 1.12% of registered voters and .58% of population based on 2020 census.

Have a Wonderful Weekend,

Judie Milner

Judie Milner,
City Manager
City of Franklin
316 Central Street
Franklin, NH 03235
Ph: 603-934-3900 ext 250
Fx: 603-934-7413

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure.

Late Item



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council meeting February 6, 2023

From: Judie Milner – City Manager

Subject: Repurchase of Tax Deeded Property by previous owner
Jane A. Ingram, Edmunds Street (land only)

Recommended Motion

Councilor moves, "I move the Franklin City Council deed Edmunds Street Map/Lot #118-024-000 back to Jane A. Ingram."

Mayor calls for a second, discussion, and vote.

Discussion

The property was recently tax deeded to the City of Franklin for failure to pay property taxes. Ms. Ingram was able to come up with the money needed to buy back the property by the January 31, 2023 deadline (for FY2022 tax deeded properties). This is not Ms. Ingrams primary residence so the total due was \$7,244.27, including the statutory penalty of \$4,000 equivalent to 10% of assessed value at the time of the deeding. Ms. Ingram has paid the total due.

Attachment

Repurchase letter



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

316 Central Street
Franklin, NH 03235

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

October 31, 2022

Via Certified Mail – Address Service Requested - Return Receipt Requested

Ingram, Jane A.
10 Grove Street
Franklin, NH 03235

Re: Disposal of Tax Deeded Property
Edmunds Street-Land Only – Map/Lot 118-024-000

Dear Ms. Ingram:

This notice is being provided to you pursuant to RSA 80:89 as notification of the City's intention to sell real estate (hereafter "the property") located at Edmunds Street, land only (Tax Map 118, Lot 024-000) by sealed bid or public auction or disposition on or about January 31, 2023. The property was acquired by the City pursuant to a Tax Collector's Deed dated September 15, 2022 which was recorded in the Merrimack County Registry of Deeds at Book 3808, Page 23 on October 5, 2022.

You are listed as the former owner of the property.

In accordance with RSA 80:89-I, you, as the former owner, have the right to repurchase the property prior to the City disposing of said property. You may repurchase the property from the City for the sum of **\$7,244.27 (Seven Thousand Two Hundred Forty Four Dollars and Twenty Seven Cents) ***. This figure has been determined as follows:

- **\$2,434.10** representing all taxes assessed but unpaid as of the date of the tax deed, together with all taxes which would thereafter otherwise have been assessed against such property based on its valuation, but for its ownership by the municipality. See RSA 80:90, I(a);
- **\$531.04** representing all statutory interest actually accrued on all back taxes as of the date of the tax deed, together with all statutory interest which would otherwise thereafter have accrued on all taxes listed in subparagraph (a), but for the property's ownership by the municipality. See RSA 80:90, I(b);
- **\$79.13** for all fees associated with notice and recording in connection with the tax collection process. See RSA 80:90, I(c);

- **\$150.00** for all legal costs incurred by the municipality in connection with the property, including those connected with the municipality's sale or the former owner's repurchase. See RSA 80:90 I(d);
- **\$50.00** representing the incidental and consequential costs incurred by the City in connection with the ownership and disposition of the property. See RSA 80:90, I(e);
- **\$4,000.00** representing the statutory penalty of 10% of the assessed value of the property as of the date of the tax deed, adjusted by the equalization ratio for the year of assessment. See RSA 80:90, I(f); and

If you intend to exercise your right to repurchase the property for the amount specified above, you must inform the City of your intention within thirty (30) days of this notice 12/01/2022). See RSA 80:89, II. Notification to the City of your intention to repurchase must be by certified mail and shall indicate that you are ready, willing, and able to pay all back taxes, interest, costs and penalties, as defined in RSA 80:90, except that if the property is the former owner's principal residence, or was the former owner's principal residence at the time of execution of the tax deed under RSA 80:76, the additional penalty under RSA 80:90, I(f) shall not apply. See RSA 80:89, II. Within 15 days after notifying the City of your intention to repurchase the property, you must tender the repurchase amount by certified or bank check to the City for \$7,244.27 See RSA 80:89, II.

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

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

Sincerely,



Judie Milner
City Manager

Cc:
Michelle Stanyan, Tax Collector

CITY COUNCIL MEETING
AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of March 6th, 2023

Subject: Monthly School Board Update

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

CITY COUNCIL MEETING
AGENDA ITEM III



From: Dan LeGallo, Superintendent

Subject: 2022-2023 Appropriations New Revenue

Recommendation:

To allow the Franklin School District to appropriate additional funding from the New Hampshire Education Department (NHED) Funding for Comprehensive School Improvement (CSI) for the Paul Smith Elementary School of \$118,797.36 and the Franklin Middle School for \$151,870.53. Also the awarding from NHED for Beyond School Enrichment for the Franklin Middle School for \$20,000 to support an after school drama program, the Franklin High School for \$20,000 to support an after school drama program and for the Franklin High School for \$15,000 to run a freshman orientation program the summer of 2023. The total amount of additional funding is \$325,667.89.

Suggested Motions:

February 6, 2023

Councilor moves, "I move that the Franklin City Council set a public hearing on March 6th, 2023 at 6:00 p.m. in Council Chambers for Resolution 13-23 appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget.

Mayor calls for a second, discussion and vote.

March 6, 2023

Councilor moves, "I move that the Franklin City Council adopts Resolution 13-23 appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget.

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

Discussion:

Due to the Paul Smith Elementary School and the Franklin Middle School being identified as CSI (Comprehensive School Improvement) for lower performing schools the New Hampshire Education Department has awarded Paul Smith Elementary School \$118,797.86 and the Franklin Middle School \$151,870.53 to implement programs to improve educational outcomes of those schools.

The Franklin School District was also awarded \$20,000 each for Beyond School Enrichment for the Franklin Middle School and Franklin High School to support drama programs and \$15,000 to run a freshman orientation program the summer of 2023.

Fiscal Impact:

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

Alternatives:

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

Attachments/Exhibits:

Resolution 13-23



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION # 13-23

A Resolution Granting Authority to Accept and Appropriate \$325,667.89 from The New Hampshire Education Department(NHED) for funding Comprehensive School Improvement (CSI) programs and Beyond School Enrichment programs

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

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$118,797.36 for the Paul Smith Elementary School from NHED and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$151,870.53 for the Franklin Middle School from NHED and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000.00 for the Franklin Middle School from NHED for a drama program and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000.00 for the Franklin High School for a drama program from NHED and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$15,000.00 for the Franklin High School for a freshman orientation program from NHED.; **Now**,

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on March 6, 2023, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #13-23 to formally accept and appropriate \$325,667.89 of additional revenues for the Franklin School District as follows:*

An Increase in Revenues:

New Hampshire Education Department of Three Hundred Twenty Five, Six Hundred Sixty-Seven Dollars and Eighty-Nine Cents. (\$325,667.89).

An Increase in Expenditures:

School District Expenditures – Three Hundred Twenty Five, Six Hundred Sixty-Seven Dollars and Eighty-Nine Cents. (\$325,667.89).

By a roll call vote.

Roll Call:

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

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

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

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, March 6, 2023 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #13-23, appropriating \$325,667.89 to the Franklin School District fiscal year 2023 budget.

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

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

CITY COUNCIL MEETING
AGENDA ITEM IV



CITY OF FRANKLIN COUNCIL AGENDA REPORT

March 6th, 2023 City Council Meeting

From: Krystal Alpers, Parks and Recreation Director

Subject: City Council to consider accepting and appropriating funds from the Federal (CCDF) Child Care Development Fund for the Before and After School Program.

Recommended Motions:

February 6th, 2023

Council moves: "I move the Franklin City Council schedule a public hearing on Resolution #12-23 at 6:00pm on March 6th, 2023 to accept and appropriate \$44,179.50 from the CCDF (**Child Care Development Fund**) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program."

Mayor calls for a second, discussion and vote.

March 6th, 2023

Council moves: "I move the Franklin City Council vote to adopt Resolution #12-23 to accept and appropriate \$44,179.50 from the CCDF (**Child Care Development Fund**) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program."

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

Discussion:

The State of New Hampshire ran a "Pay by Enrollment" Data Pilot to determine the cost and impact of paying for child care scholarship based on a child being enrolled and not whether they are attending. The Parks and Recreation Department submitted the billing invoices to the State of NH for the students enrolled in the child care scholarship and received \$44,179.50 for the Data Pilot Program.

Fiscal Impact: This will have no effect on the taxes raised by the City of Franklin as this is a Data Pilot through the Child Care Development Fund.

Attachments/Exhibits:

1. Resolution #12-23



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION #12-23

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

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

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

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

WHEREAS, the City of Franklin Recreation Department has received \$44,179.50 from the Child Care Scholarship Data Pilot from CCDF (Child Care and Development Fund) and,

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

THEREFORE, BE IT RESOLVED, *that at their regularly scheduled meeting of the City Council on Monday, March 6th, 2023, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #12-23 to authorize the City Manager to accept and appropriate the funds of \$44,179.50 (forty-four thousand, one hundred seventy-nine dollars and fifty cents).*

An Increase in Revenue:

Federal Grants Operating- CCASP Acct. No. 01-5-211-33111-129 – *forty-four thousand, one hundred seventy-nine dollars and fifty cents (\$44,179.50)*

An Increase in Expenditures:

Recreation Admin Summer Rec – Childcare Stabilization - Acct. No. 01-5-211-40121-129 – *forty-four thousand, one hundred seventy-nine dollars and fifty cents (\$44,179.50)*

By a roll call vote.

Roll Call:

Councilor Blake _____ **Councilor Dzujna** _____ **Councilor Zink** _____

Councilor Ribas _____ **Councilor Webb** _____ **Councilor Chandler** _____

Councilor Desrochers _____ **Councilor Starkweather** _____ **Councilor Trudel** _____

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

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

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, March 6, 2023 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #12-23, to accept and appropriate \$44,179.50 from the CCDF (Child Care Development Fund) for the purpose of stabilizing child care for the Parks and Recreation Before and After School and Summer Program.

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

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

CITY COUNCIL MEETING
AGENDA ITEM V



CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meetings of February 6, 2023 and March 6, 2023

From: Judie Milner, City Manager

Subject: Franklin City Council to consider Resolution #10-23 authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time revenues to support the program.

Recommended Motions:

February 6, 2023

Councilor moves, "I move the Franklin City Council set a public hearing date for 6:00 p.m. on Monday, March 6, 2023, regarding Resolution #10-23 authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time unanticipated FY2023 revenues to support the program."

Mayor calls for a second, discussion, and vote.

March 6, 2023

Councilor moves, "I move that the Franklin City Council adopt Resolution #10-23 authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time unanticipated FY2023 revenues to support the program."

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

Background:

City management team brought the retention bonus concept forward to the City Finance Committee on November 21, 2022. The details and funding for the retention bonus program were discussed at the January 26, 2023 City Finance Committee with unanimous approval to bring forward to the City Council.

The retention bonus serves a dual purpose: assist with recruitment in a volatile labor market and reward employees who continue to serve the citizenry of Franklin with lower pay than surrounding and/or similar communities. Many of you may have heard of different communities and private business offering hiring and/or retention bonuses. Judging from a recent fairly robust NH Manager's listserv conversation, bonuses have ranged from \$2000 - \$4000. Franklin management has chosen to bring forward a retention bonus vs. a hiring bonus. The reason for this is a hiring bonus, which may assist in short term recruitment, does not address morale of

long-term employees who have continued employment with Franklin when most have been recruited by other communities for more wages (and less work).

Recently Franklin completed a pay & classification study through Municipal Resources Inc which has all classes of employees under paid by a significant amount as compared to surrounding and similar sized and demographic communities. We have heard both Chiefs report that our 1st responders are busier per officer/firefighter than Manchester. Pay, understaffing and increasing workload has put significant stress on current employees and the retention of employees and well as recruitment of new qualified employees. This is becoming more crucial as the workforce begins to age. The City Finance Committee has recently looked at ways to tackle the implementation of the pay & class study for FY2024. There is still work to be done but the finance committee unanimously agreed that the City's human capital is a priority. The retention bonus will go a long way in showing the employees that the City recognizes and appreciates their dedication and service while city management and city council worked together to implement the pay & classification study.

The retention bonus program would provide one tiered payment based on longevity to regularly scheduled employees per the adopted FY2023 position listing after the completion of one year of service. The proposed rules for the program are as follows:

Retention Bonus Rules:

One time retention bonus of \$2900 (1-9 years of service); \$3,150 (10-19 years of service); \$3,400 (20+ years of service) for FY2023 authorized position listing positions

Retention Bonus Earned after one year of employment; no proration of bonus for services under one year

Current employees with one year of service or greater will receive bonus in paycheck following approval by the council

Current employees with less than one year of service will receive bonus in paycheck following one year of service as long as they remain an active employee

Open positions (as of council approval date) hired between approval date and June 30, 2023 will receive bonus in paycheck following one year of service as long as they remain an active employee

The total cost of the program, \$280,825, can be funded through savings from unfilled open positions throughout the city, remaining unspent ARPA funds and by appropriating one-time revenues received in FY2023. See attached spreadsheet reviewed at the City Finance Committee meeting on January 26, 2023. The City Finance Committee unanimously supported the program and recommended bringing it forward to the City council.

Attachments:

Resolution 10-23

Retention Bonus Breakdown by the Numbers



CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin, NH 03235

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

RESOLUTION #10-23

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

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

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

WHEREAS, the City Council of the City of Franklin, New Hampshire understands the challenges of the current labor market and the city department's challenges in hiring and retaining employees as a result, **and**;

WHEREAS, the City Council of the City of Franklin, New Hampshire understands the recent pay & classification study completed by Municipal Resources, Inc. shows that the City's wages are significantly under the wages of comparable communities, **and**;

WHEREAS, the City Council of the City of Franklin, New Hampshire wishes to show appreciation to city employees and facilitate the recruitment process for open positions prior to pay & class implementation decisions in upcoming budgets through a retention bonus program, **and**

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes the funding totaling \$280,825, for this one-time retention bonus is coming from unspent appropriations from unfilled positions, remaining American Rescue Plan Act monies and from one-time unanticipated revenues from State of New Hampshire and PRIMEX received in FY2023, **Now**,

THEREFORE, BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, March 6, 2023 at 6pm the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #10-23 authorizing a one-time retention bonus program for regularly scheduled city positions per the FY2023 position listing adopted with the FY2023 budget under the following guidelines:

Retention Bonus Rules:

One time retention bonus of \$2900 (1-9 years of service); \$3,150 (10-19 years of service); \$3,400 (20+ years of service) for FY2023 authorized position listing positions

Retention Bonus Earned after one year of employment; no proration of bonus for service under one year.

Current employees with one year of service or greater will receive bonus in paycheck following approval by the council.

Current employees with less than one year of service will receive bonus in paycheck following one year of service as long as they remain an active employee.

Open positions (as of council approval date) hired between approval date and June 30, 2023 will receive bonus in paycheck following one year of service as long as they remain an active employee.

And appropriating one-time unanticipated FY2023 revenue by authorizing an increase in FY2023 revenues:

Miscellaneous Revenue Acct. No. 01-0-000-35090-000 – One Hundred Thousand Two Hundred Sixty-Six dollars (\$100,266)

And an increase in FY2023 expenditure accounts,

Retention Bonus Acct No. 01-1-302-40131-000 - One Hundred Thousand Two Hundred Sixty-Six dollars (\$100,266),

By a roll call vote.

Roll Call:

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

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

City of Franklin, New Hampshire									
Proposed Retention Bonus - \$3000									
FY2023									
Retention Bonus Rules: One time retention bonus of \$2900 (1-9 years of service); \$3,150 (10-19 years of service); \$3,400 (20+ years of service) for FY2023 authorized position listing positions Retention Bonus Earned after one year of employment; no proration of bonus for services under one year Current employees with one year of service or greater will receive bonus in paycheck following approval by the council Current employees with less than one year of service will receive bonus in paycheck following one year of service as long as they remain an active employee Open positions (as of council approval date) hired between approval date and June 30, 2023 will receive bonus in paycheck following one year of service as long as they remain an active employee									
FY2023 Budget Position Listing									
Approved employees	96								
Unfunded	-2								
Canines	-2								
bdgs & grds custodian change	-1								
library unfilled position	-1								
Employees eligible for bonus	90								
Cost of Bonus by Fund									
Allocated Employees:	# of positions	Percentage (FY2023 Budget)		Retention Bonus Allocation Amount			Total		
		general	water	sewer	general	water	sewer	Amount	
clerks	3	65%	17.5%	17.5%	\$ 5,655	\$ 1,523	\$ 1,523	\$ 8,700	
finance	3	80%	10%	10%	\$ 7,160	\$ 895	\$ 895	\$ 8,950	
MSD Admin Secretary	1	40%	45%	15%	\$ 1,360	\$ 1,530	\$ 510	\$ 3,400	
MSD Deputy Director	1	40%	45%	15%	\$ 1,160	\$ 1,305	\$ 435	\$ 2,900	
MSD Director	1	20%	65%	15%	\$ 580	\$ 1,885	\$ 435	\$ 2,900	
plumbers/mechanics	2	90%	5%	5%	\$ 5,220	\$ 290	\$ 290	\$ 5,800	
water/sewer employees	4		50%	50%		\$ 6,050	\$ 6,050	\$ 12,100	
water/sewer employees	2		90%	10%		\$ 5,220	\$ 580	\$ 5,800	
Non Allocated Employees:									
General employees	73	100%			\$ 216,700			\$ 216,700	
Total Bonus	90				\$ 237,835	\$ 18,698	\$ 10,718	\$ 267,250	
Social Security (6.2%)	53				\$ 7,876	\$ 1,159	\$ 664	\$ 9,700	
Medicare (1.45%)	90				\$ 3,449	\$ 271	\$ 155	\$ 3,875	
Total Expenditure/Expense					\$ 249,160	\$ 20,128	\$ 11,537	\$ 280,825	
Sources of Funding									
Wage & Benefit Unspent Appropriations for Open Positions					\$ (80,408)	\$ (20,128)	\$ (11,537)	\$ (112,073)	
Unspent FY2022 ARPA funding					\$ (68,486)			\$ (68,486)	
One Time State Return of 7.5% Police & Fire Retirement					\$ (61,964)			\$ (61,964)	
Opioid Lawsuit Settlements Received					\$ (25,020)			\$ (25,020)	
Primex Worker's Comp Return of Contribution					\$ (12,292)			\$ (12,292)	
Primex Unemployment Return of Contribution					\$ (990)			\$ (990)	
Total Sources of Funding					\$ (249,160)	\$ (20,128)	\$ (11,537)	\$ (280,825)	
(Excess)Shortfall of funding					\$ (0)	\$ (0)	\$ 0	\$ 0	
Amounts that need to be appropriated through a resolution in FY2023									
					\$ 100,266				

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

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, March 6, 2023 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #10-23, authorizing a one-time retention bonus program for employees and appropriating \$100,266 in one-time revenues to support the program.

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

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

CITY COUNCIL MEETING
AGENDA ITEM VI



CITY OF FRANKLIN COUNCIL AGENDA REPORT

March 6th, 2023

From: *Justin Hanscom, Municipal Services Director*

Subject: City Council to consider repealing the current Solid Waste Ordinance of the Franklin Municipal Code Chapter 257, entitled, "Solid Waste" and replacing with Ordinance #03-23 entitled Solid Waste Chapter 257.

Recommended Motion:

"I move that the Franklin City Council adopt Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the City of Franklin, New Hampshire, Municipal Code.

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

Discussion:

The City of Franklin along with numerous other municipalities throughout the State of New Hampshire are being faced with the challenges of locating various State of New Hampshire D.E.S permitted facilities to accept a wide variety of Municipal Solid Waste (MSW) and Recyclables. As predicted, we are now entering into a phase of a volatile and unpredictable market, which may become critical, due to a shortage of facilities which accept and process Franklin's MSW and Recyclables. As a result, City Staff along with assistance from our Municipal Services Committee and the City Council have worked on an affordable and acceptable "Transition Plan". This plan began with the outsourcing of curbside trash pickup in Fiscal Year 2020 with an affordable five -year contract.

It is difficult to project our future needs and balance costs thus, we continue to monitor and attempt to project where this current situation is headed over the next several years. The greatest problem is the "capacity" of our various disposal options and how the private sector resolves this issue along with associated costs. Currently, options within the recycling market continue to be limited, expensive to transport and to obtain reliable contracts for handling.

Concurrences: Over the past year the Municipal Services Committee has met on five occasions coupled with a special meeting of the entire City Council, providing input to City Staff towards the development of this new ordinance. The creation of this latest ordinance incorporates recommended changes as a result of these public meetings.

Fiscal Impact: The primary purpose to repeal and replace our current Solid Waste Ordinance is to reduce and stabilize costs associated with the collection and disposal of our Municipal Solid Waste and Recyclables.

Alternatives: Taking no action will result in a negative impact on future City Solid Waste Budgets. This proposed ordinance change will better position the City for future budgets while providing Staff with the guidance we need to meet our goals and establish an ongoing strategic plan.

Attachments/Exhibits:
Ordinance 03-23

SOLID WASTE ORDINANCE 03-23 - Chapter 257

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

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

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

Chapter 257 Solid Waste Article I

General Provisions

257-01 Purpose:

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

257-02 Definitions:

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

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

System,” specifically addressing commercial pickup, both of which are discussed later in this document.

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

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

- t. Municipal Services Committee: The committee established by the City Council to advise the Department on operational and budgetary issues and referenced in this Ordinance.
- u. Municipal Services Department: The department of the city that is responsible for the collection, handling and transport of all solid waste and trash and recyclable materials and referenced in this Ordinance as the MSD.
- v. Neglect and Container Repair: Conditions can occur such that a container that can no longer serve the intended purpose and safe functional operation. Such conditions may include but are not limited to missing parts, parts that are no longer functional such as wheels and lid, a container that can no longer be safely emptied by mechanical means or a container that exhibits conditions that pose a safety threat to the container user, passer-by and/or operators of the automated equipment used to empty the container.
 - a. Containers that are damaged and/or rendered no longer usable due to normal wear and tear will be replaced by the Municipal Services Department at no charge.
 - b. Containers that are damaged, rendered no longer functional or are unsafe due to intentional abuse or misuse will be repaired and/or replaced at the expense of the property owner to whom the container was issued. The determination to repair or replace will be made by the Municipal Services Director or designee and that decision will be final.
- w. Policies: This includes procedures and guidelines prepared by the Director of Municipal Services and city staff for the proper implementation and operation of the provisions of this Ordinance.
- x. Recyclable Materials: For the purposes of this Ordinance this includes all the materials accepted by the City for recycling which will be transported to firms contracted by the city for recycling services. These materials are generated by residential units and commercial properties for disposal at the Transfer Station or a satellite collection center. The Director will issue a list of acceptable items, which may change due to market, regulatory and economic conditions. There are a variety of recyclable materials that include: glass bottles, tires, metals, clothing, batteries, household appliances, waste oil, mercury-containing devices, non-burnable wood-waste and construction materials, leaves and yard waste, and other items included by the Director on the allowed-items list, which can be found in the written "Transfer Station Guidelines."

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

Article III of the Ordinance and the "Transfer Station Guideline" for additional information.

- gg. Transfer Station Guidelines: A written information packet summarizing operational guidelines, facility rules and other pertinent information for the Public who use the facility. These guidelines are updated as needed by the Municipal Services Director for public distribution.
- hh. Trash: Typical Municipal Solid Waste (MSW), i.e., trash and garbage that is generated by a residential dwelling unit or a commercial property, not requiring special handling.
- ii. Unacceptable and Unapproved Waste: Waste not designated in the city's permit or not permitted in the solid waste stream by an applicable city Ordinance, State or Federal Statute or Law, or by firms contracted with the city to handle and dispose of the waste.

257-03 Administration of Chapter:

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

257-04 Mandatory Separation of material at Transfer Station:

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

257-05 Education:

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

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

It shall be a violation of this Chapter for any individual, business, property owner, or other person or entity to unlawfully dispose of any solid waste, hazardous waste or special waste in a manner not in accordance with the provisions of this Chapter or contrary to any policy, regulation or guidelines established hereunder, or any applicable state statute or regulation. The dumping or disposal of any type of waste generated from any location outside of the boundaries of the city shall also be considered a violation. The previous sentence notwithstanding, the burial/disposal of ash on the CRSWRRC property, or any future disposal agreement with the CRSWRRC to use their land within the city, and approved by the City Council, shall be exempt from the restrictions of this Section. The penalties for any violation of this chapter will be as outlined in Section 257-11 below. Certain materials are not accepted and prohibited through the City Curbside Collection Program and at the Transfer Station. These materials may be banned through State or Federal Statutes or regulations, by the owner/operator of the incinerator where city trash is burned, any future final disposal location, or by City Ordinance per regulation. No individual shall dispose of or accumulate any unacceptable materials, as defined in 257-02, ii Unacceptable and Unapproved Waste, within the City on public or private property. The Department office can be contacted for a listing of such materials or will direct the party to an online list outlining such materials. Violations may be reported to the City of Franklin, Municipal Services Department at 43 West Bow Street or by calling 603-934-4103.

257-07 Obligation of Parties:

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

257-8 Use of Containers by others:

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

257-9 [Reserved]

257-10 Policies and Procedures:

The Director shall have the authority to create, and modify as needed, policies and procedures necessary and appropriate for the effective implementation of the provisions of this Chapter. These policies/ procedures are intended to address specific sections of this Chapter outlined below, or the general management and disposal of the overall solid waste stream, and shall apply to the automated curbside collection system, the operation of the Transfer Station, and any private commercial collection services. This authority is deemed necessary by the City Council due to the variety of factors including, but not limited to: economic conditions, any changes to applicable State or Federal law or regulation that affects the disposal of solid waste and recyclables, or the availability of markets and/or disposal sites for either solid waste or recyclable materials.

257-11 Enforcement:

The MSD Director and other city staff identified in this Ordinance are authorized to issue Notices of Noncompliance when it is determined that a property is in violation

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

257-12 Trash Audit:

The city reserves the right to conduct Trash Audits for the purpose of reviewing compliance with the provisions of this Ordinance. The audit may be requested by the property owner or by the Director of Municipal Services. Trash audits may be used to determine if, for example, more or less containers may be appropriate for the trash generated at the residence. Audits may also be requested to ensure that only proper items are being disposed of through the Automated Residential Curbside Collection System. If a property is regularly and continually in noncompliance then the information gathered through the trash audit may be used to issue penalties or an order to stop curbside pickup per § 257-33.

257-13 Complaints:

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

257-14 Special Exemptions:

Any eligible user of the Residential Curbside Collection Service or other services at the Franklin NH Transfer Station who has concerns about illegal dumping, property management as relates to trash disposal, or any other issues regarding the disposal of trash in the City of Franklin should contact the Director of Municipal Services to determine a satisfactory resolution to the issue.

257-15 to 19 [Reserved]

Article II Automated Containerized “Residential Curbside Collection System

257-20 Purpose:

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

257-21 Transition from the City’s current Automated Curbside Collection System / “Base Level Service,” to an Automated “Residential” Curbside Collection System / “Base Level Service.”

Until such time as the new automated residential curbside collection system is fully implemented, the current curbside collection practices and procedures will remain in effect. The city owns all containers used for automated pickup of residential curbside trash collection. These containers will be removed from all commercial properties when city services to commercial properties are phased out. During this transition period the property owner(s) will be duly notified of the options and services available. The city reserves the right to phase in the implementation of revised residential automated curbside collection program to more efficiently deal with and address any operational issues and resulting changes. During this transition period, light commercial and multi-family dwellings three and over, except for owner

occupied three family dwellings, currently being serviced will be phased out consistent with this Ordinance. Those affected property owners will be notified in advance of changes to their service and provided options consistent with section 257-22 below. These properties will not be phased out until July 1, 2024. Once the transition occurs, this paragraph is null and void.

257-22 Base Level Service:

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

- a. **Single and two-family residences and owner-occupied three family dwellings.** All such residences must be on accepted, maintained public ways. Accessible private ways, as outlined in para d. below, will continue to be eligible for the base level automated residential curbside collection system services provided by the city.
- b. **Multifamily residential buildings with three units or greater.** These units are considered commercial entities under provisions of this Ordinance and will not be serviced by the city automated residential curbside collection system.
- c. **Commercial properties.** These properties are not serviced by the city's automated residential curbside collection system in conformance with the provisions of Sections 257-23 through Section 257-30.
- d. **Municipal Buildings, Public Schools.** (Under the fiscal control of the Franklin School District), Charter Schools and Churches. These facilities will be serviced by the city's automated curbside collection system.
- e. **Properties on private roadways or unaccepted subdivisions/roadways.** These properties are potentially eligible for automated residential curbside collection service provided that the owner(s) or appropriate responsible parties provide the city with a Release of Liability, in a format acceptable to the City Attorney, and the subject property is fully accessible, as determined by the Director, to the city's collection vehicles in all seasons. All requests to provide residential base level service to these properties must be made in writing, and a site visit by the Director shall be conducted on a periodic basis to determine the adequacy of the access and the ability to properly situate containers for the automated pick-up. The base level curbside collection service for these properties may be discontinued by the city at any time if

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

- f. **Use of Transfer Station by Franklin Nonprofit volunteer groups or individuals.** Franklin nonprofit volunteer groups/individuals who clean City of Franklin parks, roads, cemeteries, and other common municipal properties needing to dispose of solid waste and/or recyclables generated within the boundaries of the City of Franklin may dispose of said material at the Transfer Station without being subject to Chapter 160 fees.
- g. **Properties are not eligible for Automated Residential Curbside Collection System provided by the city.**
 - a. Condominium/apartment buildings or complexes, or multifamily buildings, with three or more individual residential dwellings.
 - b. Mobile/ manufactured home parks, campgrounds, vacant lots and homes under an enforcement order for a Solid Waste Ordinance violation.
 - c. Any property listed in Section "e" that does not provide the Release of Liability, and/or the access way is not reasonably accessible, as determined by the Director, to the collection vehicles.

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

- a. The "Base Level Service" for the Automated Residential Curbside Collection will be accomplished using specialized containers designed for automated pickup by the city's contracted service. Generally speaking, the containers supplied by the city will continue to be 48, 64, or 96 gallons in size.
- b. Only approved containers, as obtained through the city, shall be used by the eligible properties for curbside pickup. No non-automated configured containers or stand-alone bags shall be used by the customer for the purpose of curbside pickup. All municipal solid waste must be bagged and placed in the designated container with the lid closed. Over packing of containers should be avoided as the container may not completely empty when dumped.
- c. For residential properties, two units and under, and owner occupied three units, the maximum weekly amount of trash that will be picked at the curb by the city will not exceed 192 gallons per housing unit, regardless of the number of containers.

The total weight of trash placed in a container will not exceed 200 pounds. All containers of waste that exceed the "Base Level Service" amount must be disposed of at the Transfer Station or through the use of a residential, property owner purchase of a specified container from the city.

- d. Appropriately sized city specified containers, or containers approved by the Director or designee(s), shall be provided by the city to each property owner eligible for curbside pickup at no charge up to the 192-gallon capacity. The Director or designee(s) will work with the solid waste staff to determine the sized containers for individual properties based on the amount of trash a property generates. Historic solid waste generation rates and/or trash audits may be conducted to determine the properly sized containers to be provided to each eligible residential property. Upon implementation of this ordinance, all excess containers (over base level service) will be removed from the property by the MSD Department.
- e. If a property owner/customer finds that the size of the container is not adequate, then the MSD office should be contacted to discuss an exchange and upgrade of the container unit. A "trash audit" discussed in Section 257-12 above, might be used to determine the need for an increase in the size of the container and/or number of containers.
- f. For single-family, two-family units, and three family owner occupied units, the Director shall determine how many containers will be provided. More than one unit might be required to share trash containers based on site specific conditions and circumstances.
- g. The containers are the property of the City of Franklin and are not to be removed from the property even in the event of a change in ownership or resident status. All automated containers shall be assigned to a street address.
- h. If a container is stolen from a specific property, then the owner or resident shall contact the MSD office to report the theft.

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

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

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

- a. For the automated curbside collection system, both commercial and residential, all trash shall be placed into the appropriate containers so that the lid can be securely shut. No solid waste placed on the ground or on top of a container or in any unapproved containers will be picked up by the city or its contractor. The containers shall not be overfilled or arranged in any manner that will prevent the lid from remaining closed at all times to prevent water from filling the container or to provide access to animals. If containers are improperly placed, overfilled or contain unacceptable items, the city or contractor reserves the right to refuse container pickup.
- b. Any spillage from any containers placed for curbside pickup such as that resulting from animals, wind-blown litter and other weather conditions etc., shall be the responsibility of the owner/customer to clean up. City staff or contractor will not pick up or clean up such spillage. The city strongly recommends that all residents take care to protect the containers against spillage, wind-blown litter, vandalism and intrusion by animals.
- c. All trash must be bagged before placing it into the trash container.
- d. In the event of inclement weather or mechanical breakdowns resulting in a disruption to the pickup schedule, the container should be left out for pick up the following day and placed in a manner as not to interfere with snow removal operations.

257-26 Placement of Containers:

- a. For the automated residential and commercial curbside containerized collection program, the containers shall be placed at the curb-line and outside of the travel way and off the edge of the paved roadway at the end of the driveway apron, or at another appropriate location so that it is accessible for automated truck pickup. It is essential that containers be placed three feet apart and four feet away from any type of fixed object including but not limited to parked vehicles, mail boxes, trees, utility poles, overhead wires, etc. In selected cases, the Director or designee(s) may designate a specific location for the placement of containers.
- b. The containers shall be in place ready for collection by 6:45 AM on the designated collection day. The containers shall not be placed out for collection before 5:00 PM on the previous day.

- c. City staff or contractor will not cross over private property to pick up solid waste materials.
- d. The container handle must be facing inward toward the residence to allow for the automated truck to properly pickup and dump the container.

257-27 Removal of Empty Containers:

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

257-28 Approved Materials for Curbside Collection:

Waste can be placed in both green and gray lid containers. Recyclable materials shall be mixed in with regular household trash. Recycling of certain household items may be dropped off at the Transfer Station in accordance with the "Transfer Station Guidelines." See section 257-29 below for prohibited / acceptable and unacceptable items.

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

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

257-30 City's Right to Refuse Pickup:

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

257-31 To 257-40 [Reserved]

Article III Transfer Station

257-41 Purpose:

The Franklin Transfer Station provides an alternative method to city residents and commercial customers for the disposal of solid waste, recyclable and nonrecyclable materials that are generated within the boundaries of the City of Franklin. The disposal of certain waste products (for example; appliances, tires, electronics, construction and demolition debris, glass, yard waste, waste oil, mercury containing devices; batteries, propane tanks, certain light bulbs etc.,) may require a handling fee due to the disposal charges paid for by the city for these items to redirect them to various markets. Each July the Director of Municipal Services makes available the "Transfer Station Guidelines." The purpose of this document is to update customers on fees, operational changes and any other factual information necessary to keep residents and commercial customers informed. These guidelines are available on the city website, at the Transfer Station and the Municipal Services Department office.

257-42 Days and Hours of Operation:

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

257-43 Authority of Staff:

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

257-44 Transfer Station Decals and City of Franklin Trash Bags:

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

City of Franklin Trash Bags. All residential trash disposed of at the Transfer Station, that **exceeds** the 192 gallons allowed each week for residential curbside pickup, as described in Article II, paragraph 257-23, must be placed in a City of Franklin trash

bag available for purchase at City Hall or participating retailers (see the City Website for details). The bag fee is set by the percentage of the cost the city pays for solid waste per ton.

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

257-45 **Use of Transfer Station by Nonresidents and Contractors, Permits:**

Nonresidents and contractors needing to dispose of solid waste and/or recyclables generated within the boundaries of the City of Franklin must obtain an authorization permit from the MSD office. Proper documentation of the source (tax bill, letter of authorization, contract between property owner and contractor), type and amount of materials, must be provided when requesting a permit. All applicable disposal policies, regulations and fees will be in effect for the issuance of the permit.

257-46 **[Reserved]**

257-47 **Disposal of recyclables and other materials at the Transfer Station:**

As addressed in 247-41, the Transfer Station provides for the disposal of certain other items that are outside of the normal waste stream and are not eligible to be picked up by the automated curbside collection program(s). Some of these materials may ultimately be recyclable or reusable. A complete list of all accepted materials will be issued and updated in the "Transfer Station Guidelines." A disposal fee is required for certain items as authorized by the Franklin City Council. Chapter 160, Fees, of the City Code contains the approved fees.

257-48 **Handling and Management of Materials at, and en route to, the Transfer Station:**

All vehicles, including cars, trucks, trailers and commercial haulers, etc., shall properly cover and contain any and all materials being transported to the Transfer Station so as to prevent the spillage of litter and blowing of materials onto the public roadway. Failure to provide such covering, resulting in the spillage and blowing of any materials onto the roadway, shall be considered a violation of this Chapter and the violator may be subject to the enforcement provisions of Section 257-11. The provisions of State RSA 266:72, which contains similar provisions and state requirements for the proper transport and handling of all materials, shall also apply.

257-49-54 [Reserved]

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

257-55 Purpose:

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

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

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

compliance. Failure of the property owner(s) of record to comply with the provisions of this Ordinance may result in enforcement action by the city.

257-57 Duties of Tenants:

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

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

Article V Commercial Collection and Container Storage

257-65 Purpose:

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

257-66 Registration Requirements:

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

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

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

hauling directly to an outside facility is to avoid the reprocessing of municipal solid waste.

257-68 Out of Town Refuse:

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

257-69 Prohibited Wastes:

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

257-70 Permitted Hours for Waste Collection and Transport:

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

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

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

257-72 Solid Waste Containers and Site Maintenance:

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

- a. The solid waste disposal areas shall be kept clean and free of trash, debris, windblown litter, furniture, and any other solid waste. All materials shall be placed within the appropriate containers and shall not be placed on the ground adjacent to the containers. For items like furniture, mattresses, or other large items that cannot be placed in the containers or dumpster, the property owner or other responsible party is obligated to make arrangements with their collection firm to collect these items or to use the Franklin Transfer Station, and will be subject to appropriate fees. These types of items shall not be left in the open air for longer than 48 hours before a collection is made. All containers shall have a lid or other protective cover that shall be closed at all times, except when materials are being deposited in and/or removed from said containers. The containers shall not be overfilled so that the lid or cover is not closed or closable, or otherwise not effective in preventing spillage, blowing, or other dispersal of the waste materials.
- b. All containers shall be solid in design, such as metal or heavy plastic cans or the standard dumpster. This provision notwithstanding, if the Director or the Code Enforcement Division of the city determines that bags of waste inside the container are being repeatedly subject to ripping and damage from animals or the waste materials become a health hazard, then the city reserves the right to order that a more proper and appropriate container be used. Service and size of the container should be consistent with the amount of waste generated from a property over no more than a one-to-two-week period. Dumpsters should be equipped with a locking device in order to prevent unauthorized use.

257-73 Service Frequency:

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

257-74 Enforcement; Violations and Penalties:

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

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

By a roll call vote.

Roll Call:

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

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

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

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, March 6, 2023 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Ordinance #03-23, repealing and replacing current Chapter 257 “Solid Waste” of the Municipal Code.

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

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

CITY COUNCIL MEETING
AGENDA ITEM VII



From: Dan LeGallo, Superintendent
Subject: 2022-2023 Appropriations New Revenue

Recommendation:

To allow the Franklin School District to appropriate additional funding from the New Hampshire Education Department (NHED) Funding for Beyond School Enrichment for the Franklin Middle School for \$20,000 to support a Summer Arts program, the Paul Smith Elementary School for \$20,000 to support a Summer Arts Program, the Paul Smith Elementary School for \$6,200 to support a Gardening Club program, The Paul Smith Elementary School for \$10,520 to support a Snowshoe Club program and the Franklin High School for \$9,500 to support a Multi-Media Club program. The total amount of additional funding is \$66,220.

Suggested Motions:

March 6, 2023

Councilor moves, "I move that the Franklin City Council set a public hearing for April 3rd, 2023 at 6:00 p.m. at City Hall Council Chambers for Resolution 16-23 appropriating \$66,220 to the Franklin School District fiscal year 2023 budget.

Mayor calls for a second, discussion and vote.

April 3, 2023

Councilor moves, "I move that the Franklin City Council adopts Resolution 16-23 appropriating \$66,220 to the Franklin School District fiscal year 2023 budget.

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

Discussion:

The Franklin School District was also awarded \$20,000 each for Beyond School Enrichment for the Franklin Middle School and Paul Smith Elementary School to support a Summer Arts program, \$6,200 and \$10,520 to the Paul Smith Elementary School to support a Gardening Club and a Snowshoe Club and \$9,500 for the Franklin High School to run a Multi-Media Club program.

Fiscal Impact:

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

Alternatives:

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

Attachments/Exhibits:

Resolution 16-23



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION # 16-23

A Resolution Granting Authority to Accept and Appropriate \$66,220.00 from The New Hampshire Education Department (NHED) for funding Beyond School Enrichment programs.

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

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000 for the Franklin Middle School from NHED for a Summer Arts program and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000 for the Paul Smith Elementary School from NHED for a Summer Arts program and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$6,200.00 for the Paul Smith Elementary School from NHED for a Gardening Club program and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$10,520.00 for the Paul Smith Elementary School from NHED for a Snowshoe Club and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$9,500.00 for the Franklin High School from NHED for a Multi-Media Club.; **Now,**

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on April 3, 2023, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #16-23 to formally accept and appropriate \$66,220 of additional revenues for the Franklin School District as follows:*

An Increase in Revenues:

New Hampshire Education Department of Sixty-Six Thousand, Two Hundred Twenty Dollars (66,220.00).

An Increase in Expenditures:

School District Expenditures – Sixty-Six Thousand, Two Hundred Twenty Dollars (66,220.00).

By a roll call vote.

Roll Call:

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

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

CITY COUNCIL MEETING
AGENDA ITEM VIII



CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meetings of March 6th, 2023 and April 3rd, 2023

From: Michael Foss, Fire Chief/EMD

Subject: City Council to consider adoption of Resolution #14-23 at the March 6th, 2023 meeting of the Franklin City Council. Adoption of Resolution #14-23 will result in the acceptance of grant funds in the amount of \$9,000 from the NH Department of Safety, Division of Homeland Security and Emergency Management. These funds will be used for upgrades to the City's Hazard Mitigation Plan.

Recommended Motion for the March 6th, 2023 Meeting of the City Council:

"I move that the Franklin City Council set a public hearing date for 6:00 pm, at the April 3rd, 2023 meeting of the City Council for Resolution 14-23. Adoption of Resolution 14-23 will result in acceptance of grant funds, in the amount of \$9,000 from the NH Department of Safety, Division of Homeland Security and Emergency Management. The \$9,000 will be utilized to improve and update the City of Franklin's Hazard Mitigation Plan. It is understood that there is a 25% (up to \$3,000) soft match by the City, which will bring the total cost of the project to \$12,000."

Mayor calls for a second, discussion and vote.

Recommended Motion for the April 3rd, 2023 Meeting of the City Council:

"I move that the Franklin City Council adopt Resolution 14-23 which will result in acceptance of grant funds, in the amount of \$9,000 from the NH Department of Safety, Division of Homeland Security and Emergency Management. The \$9,000 will be utilized to improve and update the City of Franklin's Hazard Mitigation Plan. It is understood that there is a 25% (up to \$3,000) soft match by the City, which will bring the total cost of the project to \$12,000."

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

Background: In May of 2019 the City of Franklin adopted and updated their Hazardous Mitigation Plan. The proposed update took place as a result of the five-year recommendation that was given by NH Homeland Security and Emergency Management. As stated in the plan, the goal of the update was to help with the following items:

- Plan for the protection of life, property, and critical facilities within the City of Franklin.
- To aid local, state, and federal coordination and communication so that this plan is a working document with realistic goals, objectives, and recommendations.
- Coordinate among City departments, including mid-level personnel, to implement the protection and prevention measures set forth in this plan. The overall goals of Franklin's Hazard Mitigation Plan update have not changed substantially since the adoption of the 2019 plan.
- Strengthen continuity of operations and continuity of government.

Fiscal Impact: No foreseen financial impact will result during the Hazardous Mitigation Plan update. It is anticipated that matching funds will be offset from salaries of staff working to improve the plan (soft match funding).

Alternatives: The alternative is to forego the acceptance of the grant funding and upgrade the Hazard Mitigation Plan later with unguaranteed sources of revenue. At this time, it is unclear if NH Homeland Security and Emergency Management grant funds will be available in the future.

Attachments: Proposed Resolution #14-23



CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin, NH 03235

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

RESOLUTION #14-23

A Resolution Granting Authority to Accept Grant Funds from the NH Department of Safety, Division of Homeland Security and Emergency Management

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

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

WHEREAS, the City Council understands that the City Manager and Fire Chief have identified that the City's Hazard Mitigation Plan needs to be updated, **and;**

WHEREAS, the City has been awarded a grant of \$9,000 from the NH Department of Safety, Division of Homeland Security and Emergency Management, to help offset the costs of the plan, **and;**

WHEREAS, matching funds, in the form of soft match for services, in the amount of \$3,000, will be directed towards this project for total project funding of \$12,000, **now;**

THEREFORE, BE IT RESOLVED, that at a regularly scheduled meeting of the City Council on Monday, April 3, 2023, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #14-23 to accept \$9,000, in grant funds from the NH Department of Safety, Division of Homeland Security and Emergency Management, to update the City's Hazard Mitigation Plan and to authorize City Manager, Judie Milner, to sign all relevant documents pertaining to the acceptance and administration of this grant award and hereby authorizes the following non-lapsing appropriations,

An Increase in Revenues:

State Grants Revenue Acct. No. 01-0-000-33591-000 – Nine Thousand Dollars (\$9,000),

An Increase in Expenditures:

Emergency Management Mach & Equipment Expense Acct. No. 01-2-208-40740-000 – Nine Thousand Dollars (\$9,000),

By a roll call vote.

Roll Call:

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

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

CITY COUNCIL MEETING
AGENDA ITEM IX



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
for March 06, 2023

Date: February 24, 2023

From: Seth Creighton, Director of Planning & Zoning SC

Subject: Building Permit Proposal for Property on a Private Road at
3 Kenwood Ave, Map-Lot 128-404-01

Recommendation:

Recommend approving the request to build/occupy a single-family residential structure at 3 Kenwood Ave, a private road.

Suggested Motion:

"I move that the Franklin City Council approve the issuance of a Building Permit and year-round Certificate of Occupancy for 3 Kenwood Ave, Map-Lot 128-404-01, and authorize the City Manager to execute the Agreement and Notice of Release from Municipal Responsibility and Liability between the City of Franklin and the owners. Said fully executed agreement is to be recorded at the Merrimack County Registry of Deed; the recording and recording fees are the responsibility of the applicant. Recording must be complete before permits can be issued."

Mayor calls for a second, discussion, and vote.

Discussion: When an individual wishes to build a structure on a private road or a Class VI road (a publicly owned unmaintained road) the provisions of NH State Law RSA 674:41 "Erection of Buildings on Streets; Appeals" apply. This law says that the issuance of the permit must be approved by the governing body (City Council). This statute also references that a recommendation on the request shall come from the Planning Board. The purpose of this law is to allow a municipality and the property owner to come to an understanding of what living/owning on an unmaintained road means, and/or if it's even safe to allow such. This procedure is applicable each time a new structure is proposed.

This request is relevant to 3 Kenwood Ave, a private road. The property is a vacant parcel.

The City's technical departments have reviewed the application and suggest approving the request.

Fiscal Impact: There are no anticipated costs to the City related to this request. The proposed home will add assessed value.

Alternatives: The Council can either approve with conditions, or deny, the request.

Attachments/Exhibits: Map showing the proposed home and driveway, Sample of "Release of Municipal Liability" that will be used as a template for this property.

Agreement and Notice of Release from Municipal Responsibility and Liability

This Agreement is made this [REDACTED] day of [REDACTED], 2023, by and between [REDACTED] ("the Owner"), of Franklin in Merrimack County, New Hampshire, and the City of Franklin ("the City"), 316 Central St, Franklin, New Hampshire, a municipal corporation organized under the laws of the State of New Hampshire.

WHEREAS, the Owner owns certain real property at [REDACTED] in the City of Franklin, New Hampshire, identified as [REDACTED], and described in a deed recorded at [REDACTED], at the Merrimack County Registry of Deeds [hereinafter "the property"]; and

WHEREAS, the portion of [REDACTED] upon which the property(ies) fronts is not a Class V or better public way; and

WHEREAS, the Owner seeks to use a portion of [REDACTED] in Franklin for access to the property; and

WHEREAS, as this section of road is either a not a City owned road by the City or is owned by the City but is a [REDACTED], the City currently bears no, nor assumes any, responsibility for the maintenance or upkeep, including, but not limited to, plowing, sanding or salting, grading, drainage repairs, damage from erosion and run-off, or the repairs of potholes, or any liability from the use of said roadway;

WHEREAS, the City has agreed on [REDACTED] to the issuance of a building permit for the construction or expansion of a residential structure/accessory structure with said use subject to the terms and conditions contained in the present Agreement and Release between the Owner and the City and upon the filing and recording of this notice pursuant to N.H. RSA 674:41;

NOW, THEREFORE, the City and the Owner agree as follows:

1. The City shall not accept or incur any responsibility for maintenance, including, but not limited to, plowing, sanding or salting, grading, drainage repairs, damage from erosion

and run-off, or the repairs of potholes, nor liability for any damages resulting from the use by the Owner, or any other persons, using said road for access to the property of the Owner.

2. The Owner, singularly, or in concert with other persons or property owners shall be responsible for maintaining access to the property over said road in a reasonable and safe condition and hereby release and discharge the City and its officers, agents, and employees from maintaining said road in any way.
3. Prior to implementation of such access, the Owner, singularly, or in concert with other persons or property owners shall improve said road, or portions thereof, to the satisfaction [as expressed in writing and filed with Planning Office) of the Franklin Municipal Services Director, or a designee, including installation of such culverts as may be required, maintenance of which culverts shall be the responsibility of the Owner, singularly, or in concert with other persons or property owners, thereafter.
4. The Owner shall indemnify and hold harmless the City from and against any claim or liability of any nature, whether in at law or in equity, including those incurred through non-provision of any municipal service, including police, fire, and ambulance services, arising out of the condition of the aforesaid road as a Class VI highway or private way, in any way arising from the condition of the said road.
5. The Owner shall assume responsibility for maintenance and repair of the aforesaid road and agree that at his/her own expense or at the expense of him/herself and other owners of property similarly located on said road, they will clear and maintain said roadway to a width of not less than twenty (20) feet, and to repair and maintain the traveled portion of the said road in a good and passable condition. That the roadway be maintained in such a way to support the weight and demands of fire apparatus. That the roadway remain clear of any debris or obstacles as to not prevent access for emergency vehicles. All proposed changes and improvements to the said road are to be approved in advance in writing by City's Municipal Services Director, in consultation with other appropriate city officials.
6. Construction and occupancy or use of the structure alluded to above shall not be deemed to constitute evidence of public necessity and convenience requiring layout or alteration of the said road as a Class V road.
7. The Owner shall be responsible for any cost of filing a copy of this Agreement in the Merrimack County Registry of Deeds.
8. This agreement shall be binding on the Owner and all heirs, successors and assigns.

Executed this _____ day of _____, 2023

Owner: _____(Signature) _____(Print)

Owner: _____(Signature) _____(Print)

City Manager, Franklin Duly Authorized by the Franklin City Council:

_____(Signature) _____(Print)

STATE OF NEW HAMPSHIRE)
COUNTY OF MERRIMACK) ss.

Before me, on this _____ day of _____, 2023, personally appeared _____ and _____ and _____, personally known (or satisfactorily proved) to me to be the same, and executed this instrument for the purposes within stated.

Justice of the Peace/Notary Public (Signature)

Printed name: _____

My commission expires: _____

Seth Creighton

From: Justin Hanscom
Sent: Friday, February 24, 2023 1:26 PM
To: Seth Creighton
Subject: RE: 3 Kenwood Lane

Seth,

I have no issues with them having the driveway off of Kenwood Ave. I am also in agreement that there should be a release of liability with the approval.

Justin Hanscom

Municipal Services Director
43 West Bow Street
Franklin, NH 03235
Office: (603) 934-4103

From: Seth Creighton <SCreighton@franklinnh.org>
Sent: Friday, February 24, 2023 12:55 PM
To: Justin Hanscom <jhanscom@franklinnh.org>
Subject: RE: 3 Kenwood Lane

From: Mike Foss <mfooss@franklinnh.org>
Sent: Monday, January 23, 2023 3:47 PM
To: Seth Creighton <SCreighton@franklinnh.org>
Cc: Stephen Reale <sreale@franklinnh.org>; Justin Hanscom <jhanscom@franklinnh.org>
Subject: RE: 3 Kenwood Lane

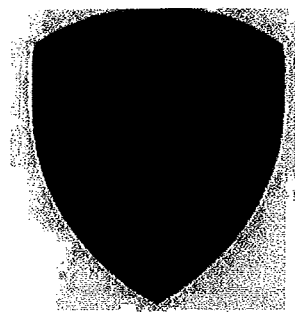
Seth,

I have reviewed the proposal regarding 3 Kenwood Ave. I am in complete support of the driveway being located off of Kenwood Ave. I also support the "release of liability" as you have proposed. Thank you for including us in this review. Please let me know if you need anything else here.

Mike

Michael Foss

Fire Chief/EMD
Franklin Fire Department
(603) 934-2205



From: Seth Creighton <SCreighton@franklinnh.org>
Sent: Friday, January 20, 2023 2:52 PM
To: Justin Hanscom <jhanscom@franklinnh.org>; Mike Foss <mfoss@franklinnh.org>
Cc: Stephen Reale <sreale@franklinnh.org>
Subject: 3 Kenwood Lane

Justin and Mike,

We have another request to build a new house off a private road, see attached.

This time it is for **3 Kenwood Ave, Map-Lot 128-404-01**. The property is currently vacant land, except for a slab/foundation. In the year 2020 a building permit was issued to construct a house on this lot, additionally water connection permits, and septic approvals were also secured at that time. The building permit contained a condition of approval that a "Release of Liability" be secured. As previously mentioned, only a slab/foundation was built over the last 2-3 years, and as such the building permit has expired. The owner (same owner as in 2020) has reapplied for a new permit, but NH RSA 674:41 prevents us from issuing a permit until after City Council has voted to allow such.

I briefly discussed with Steve and Justin ire Department and the consensus is the request should be approved given that locating the driveway off of Kenwood Ave is safer than locating the driveway on New Hampton Rd. The approval would be contingent upon the owner recording a "release of liability". Attached is a copy of recent "release of liability" that was accepted by the City and applicant and recorded for another property

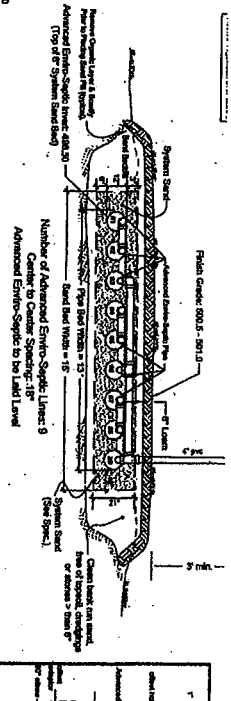
For the record, I'd like to have your written opinion/review comments be part of the file. To that end, will you please reply to this email with your review, or attach them in a memo/letter.

I'm also happy to talk about this before final thoughts are written and printed.

Hoping to get these by Wednesday of next week.

Thanks guys,

Seth Creighton, AICP
Planning & Zoning Director
City of Franklin
316 Central St – *mailing address*

[illegible]

SOKUS TEST P11

- [illegible]

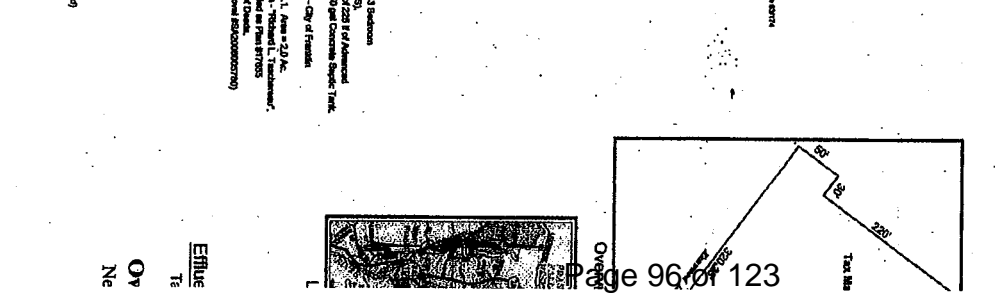
100

LEVEL BED CROSS SECTION
NOT TO SCALE


System Stand
Share Percent Possible
34* 100%
No. 10 0 - 50%
No. 35 40 - 50%
Not more than 5% allowed to
pass the #200 Share

*System Stand: Score an ASTM C-33 (concrete mix) accepted. No more than 5% of the Total Stand may
pass through a #200 Share.

Diagram illustrating a right-angled triangle with a vertical side of 100, a horizontal side of 220, and a hypotenuse of 240. The angle between the vertical side and the hypotenuse is labeled 22.0°.



10

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CITY COUNCIL MEETING
AGENDA ITEM X



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting March 6, 2023

From: Judie Milner, City Manager

Subject: City Council to consider disposition of 2022 Tax Acquired Property

Recommendation:

Pursuant to RSA 47:5, the City can dispose of property at any time. I suggest that the City Council authorize the City Manager to dispose of properties acquired through the 2022 tax deed process.

The options available to the Council include 1) Auction 2) Bid Process and 3) Direct Sale.

Suggested Motion:

Councilor moves, "I move to authorize the City Manager to dispose of the following property:

Map/Lot#	Location	Disposition Method	Recommended Minimum Bid	Notes
117-005-000	26 Pleasant Street	Direct Sale		Must be merged with successful abutter property within 60 days of acquisition; further conditions may be imposed
128-066-000	373 New Hampton Road	Bid	23,000	
096-412-018	18 Vine Street	Direct Sale		to park owner

Mayor calls for a second, discussion, and vote.

Discussion:

These properties were taken by tax deed September 15, 2022. The statutory buy back period expired on January 31, 2023.

Thought processes regarding recommendations:

26 Pleasant Street – this is a .1 acre lot in a crowded neighborhood. The Council may recall that this is one of the fire properties on Pleasant Street that the City cleaned up under RSA 155. The thought process is to sell to an abutter and have the property merged with the abutters property too alleviate congestions and possibly assist with parking challenges in that area.

373 New Hampton Road – This is a home that could be sold to recoup the amounts due to the city. Minimum bids are rounded up to the nearest thousand from what is owed to the city in back taxes and penalties. Anything received above these amounts must be returned to the original owner per State Statute.

5 Vine Street – this is a trailer on the land of another; this park owner has worked with the city in the past and not charged the city fees for the lot that the trailer sits on; the owner is also losing money from lot rent and is motivated to purchase the trailer and get it fixed up and rented or sold immediately. This scenario has proved successful with a past trailer taken for tax deed in this park where the end product was much better looking and worth more.

All bids, if applicable, will be submitted to city hall and to remain sealed until the public opening date. All abutters will be notified. The bid will be open to the abutters. The bid process to be published in the newspaper and all normal city posting locations (including the website).

Fiscal Impact:

Selling the property will place it back on the tax rolls, the assessor will value the property after closing.

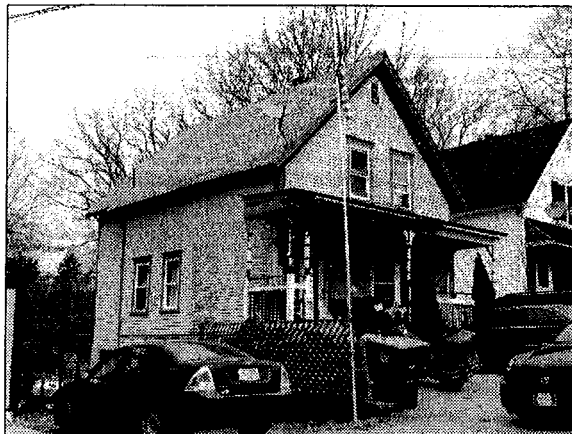
Attachments/Exhibits:

Tax cards

Maps



Property Card: PLEASANT STREET
Town of Franklin, NH



Parcel ID: 117 005 00
PID: 000117000005000000

Owner: FRANKLIN, CITY OF
Co-Owner:
Mailing Address: 316 CENTRAL STREET
FRANKLIN, NH 03235

General Information

Map: 000117
Lot: 000005
Sub: 000000

Land Use: 1F RES
Zone: R3W&S
Land Area in Acres: 0.1
Current Use: N
Neighborhood: N-E
Frontage: 0
Waterfront: N
View Factor: N

Assessed Value

Land: \$32,400
Buildings: \$0
Extra Features: \$0
Total: \$32,400

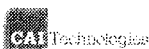
Sale History

Book/Page: 3808-14
Sale Date: 10/5/2022
Sale Price: \$1

Building Details

Model Description:
Total Gross Area: 0
Year Built: 0
Building Grade:
Stories:

Condition:
Depreciation: 0
No. Bedrooms: 0
No. Baths: 0
Adj Bas: 0



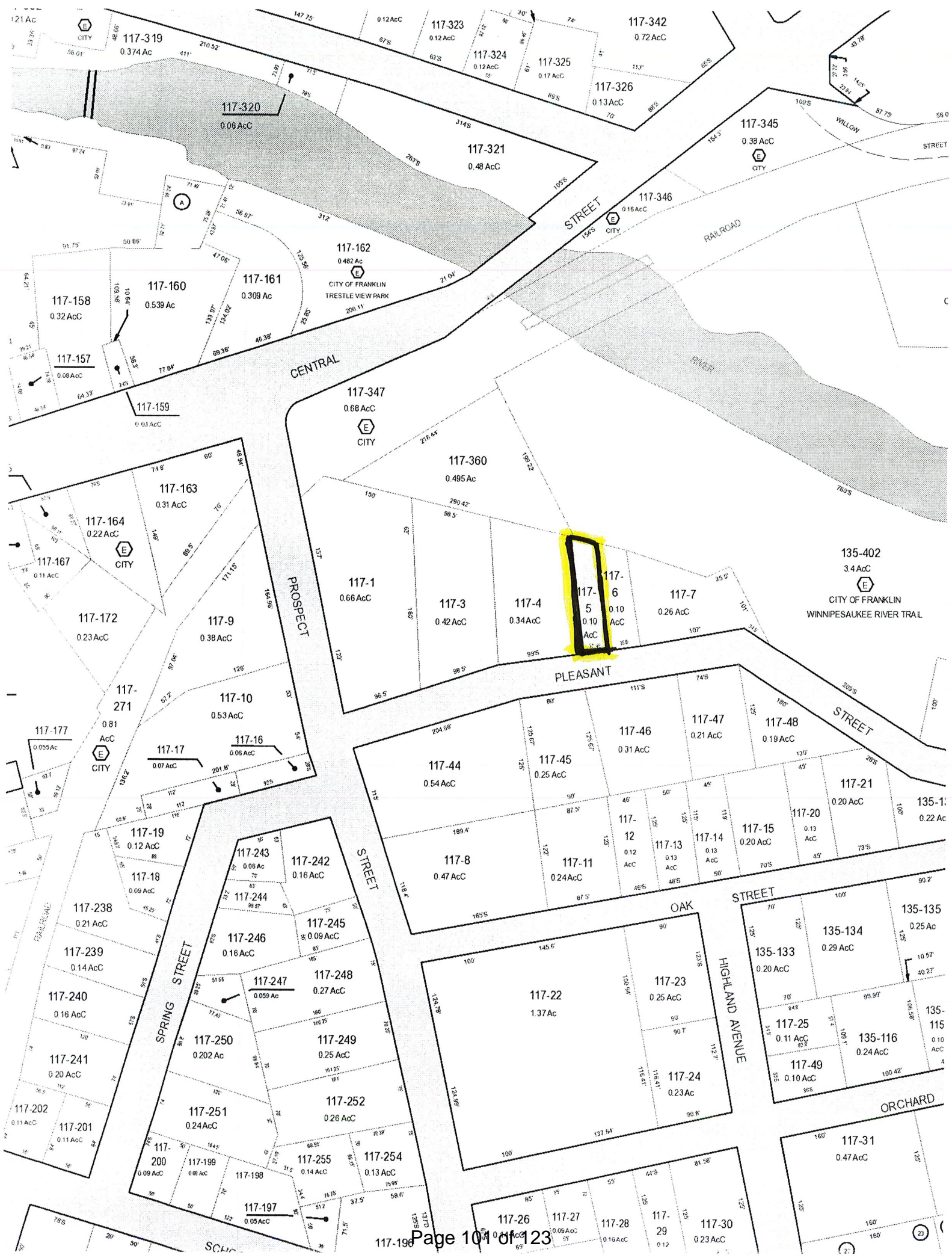
www.cai-tech.com

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2/27/2023

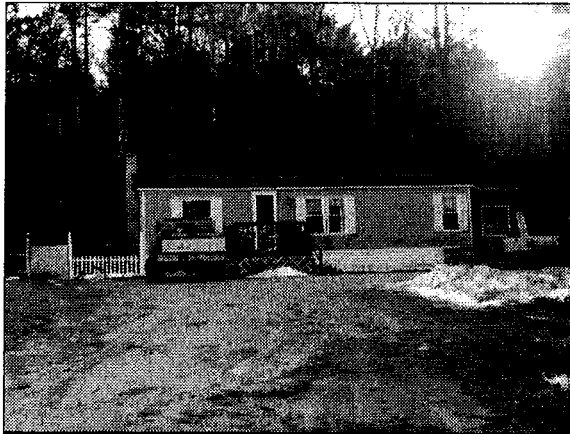
Page 1 of 1

Property Information - Franklin, NH





Property Card: 373 NEW HAMPTON ROAD
Town of Franklin, NH



Parcel ID: 128-066-00
PID: 000128000066000000

Owner: FRANKLIN, CITY OF
Co-Owner:
Mailing Address: 316 CENTRAL STREET
FRANKLIN, NH 03235

General Information

Map: 000128
Lot: 000066
Sub: 000000

Land Use: 1F RES
Zone: RRW/S
Land Area in Acres: 0.52
Current Use: N
Neighborhood: N-E
Frontage: 0
Waterfront: N
View Factor: N

Assessed Value

Land: \$67,900
Buildings: \$71,900
Extra Features: \$4,100
Total: \$143,900

Sale History

Book/Page: 3808-22
Sale Date: 10/5/2022
Sale Price: \$1

Building Details

Model Description: RANCH
Total Gross Area: 960
Year Built: 1988
Building Grade: AVG-10
Stories: 1 STORY

Condition: AVERAGE
Depreciation: 0
No. Bedrooms: 3
No. Baths: 2
Adj Bas: 0

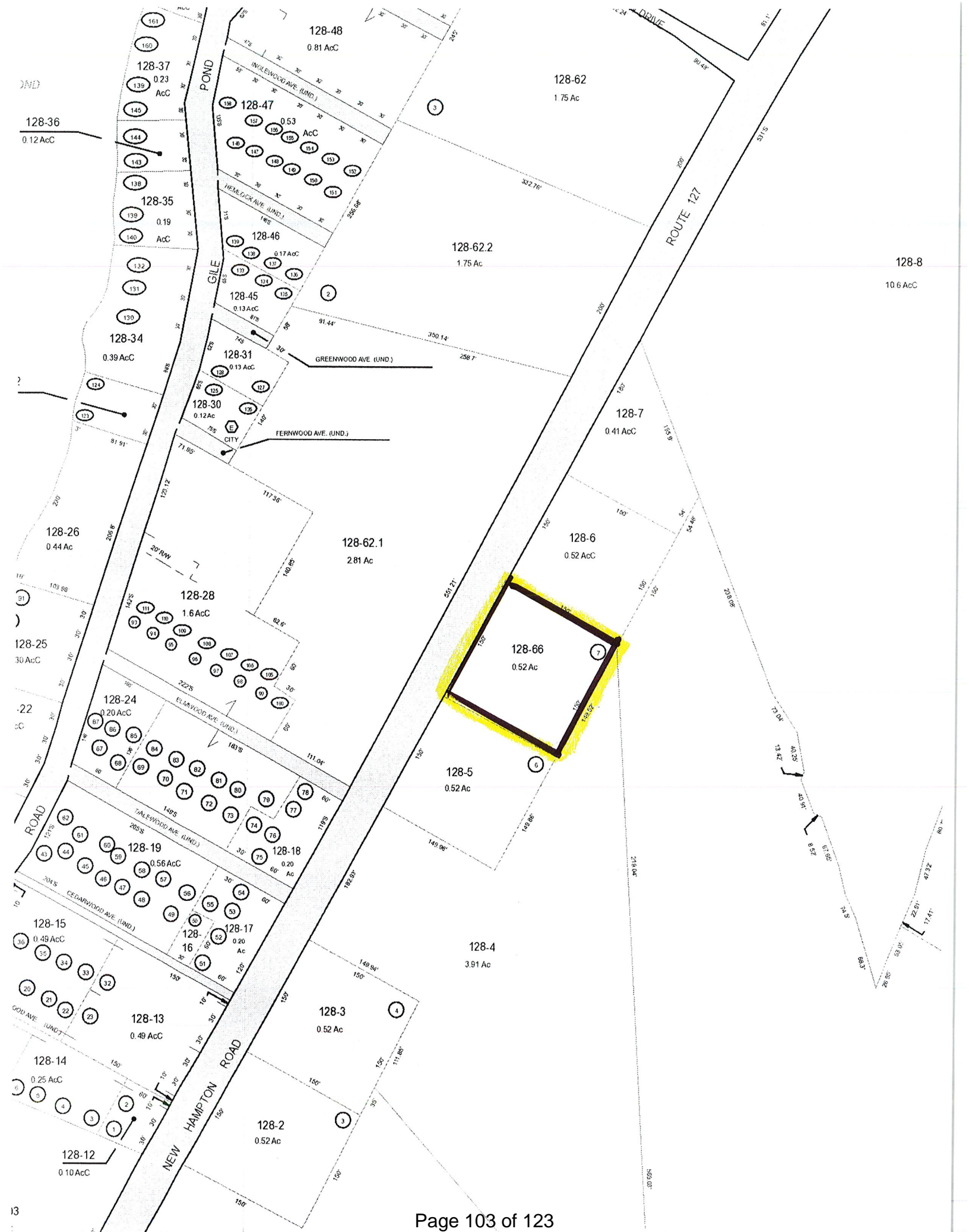


2/27/2023

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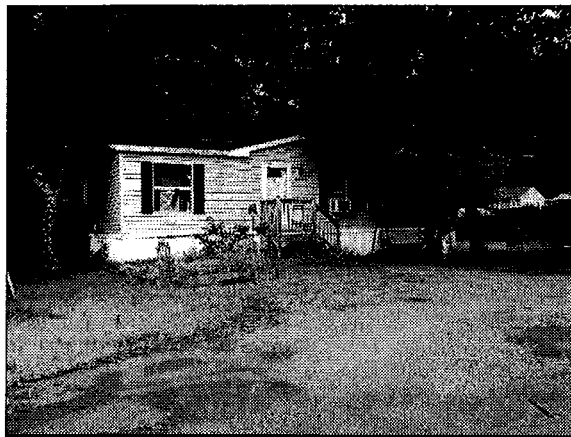
Page 1 of 1

Property Information - Franklin, NH





Property Card: 18 VINE STREET Unit 18
Town of Franklin, NH



Parcel ID: 096-412-00
PID: 000096000412000018

Owner: FRANKLIN, CITY OF
Co-Owner:
Mailing Address: 316 CENTRAL STREET
FRANKLIN, NH 03235

General Information

Map: 000096
Lot: 000412
Sub: 000018

Land Use: 1F RES
Zone: R2
Land Area in Acres: 0
Current Use: N
Neighborhood: N-E
Frontage: 0
Waterfront: N
View Factor: N

Assessed Value

Land: \$0
Buildings: \$48,100
Extra Features: \$0
Total: \$48,100

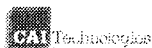
Sale History

Book/Page: 3808-13
Sale Date: 10/5/2022
Sale Price: \$1

Building Details

Model Description: MH
Total Gross Area: 960
Year Built: 1999
Building Grade: AVG
Stories: 1 STORY

Condition: AVERAGE
Depreciation: 0
No. Bedrooms: 3
No. Baths: 1
Adj Bas: 0



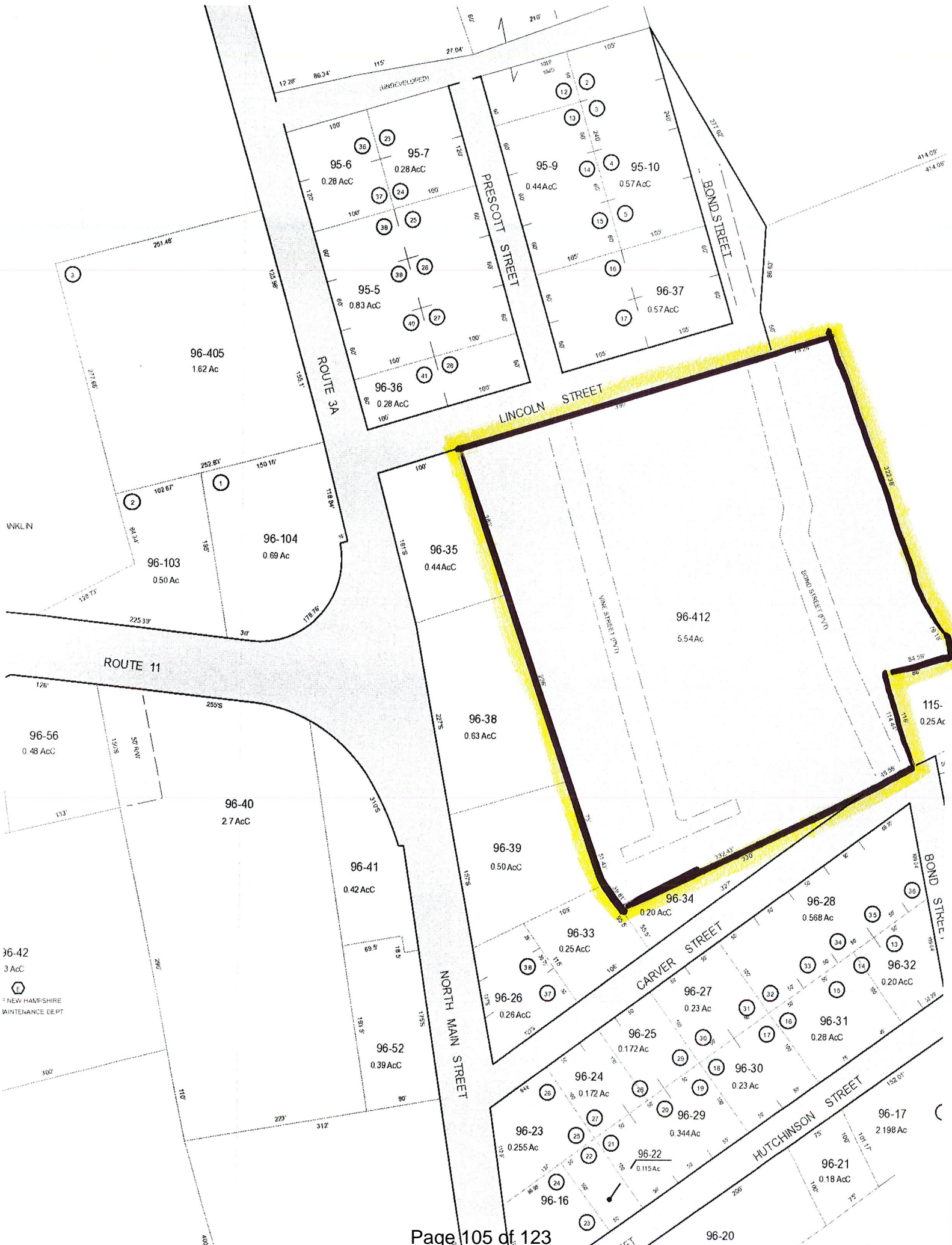
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2/27/2023

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Page 1 of 1

Property Information - Franklin, NH



CITY COUNCIL MEETING
AGENDA ITEM XI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of March 6th, 2023

Subject: Other Business

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

Adjournment

Mayor Appointments

Recommended Motions:

“I nominate Ted Nemetz to the Upper Merrimack River Local Advisory Committee.”

“I nominate Gregory Thompson to the Upper Merrimack River Local Advisory Committee.”

“I appoint Ernesto Gonzalez to the Planning Board, seat PB9, term of service to January 2025.”

Attachments:

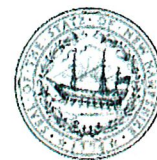
UMRLAC Application – Ted Nemetz

UMRLAC Application – Gregory Thompson

Prospective Appointee Profile & Resume – Ernesto Gonzalez



LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE NOMINEE FORM



New Hampshire Rivers Management and Protection Program

RSA 483:8-a

Please complete both sides of this form and email to riversprogram@des.nh.gov. Please type "NOMINEE FORM" and nominee's name in the subject line. Forms can also be sent by mail to: Rivers Coordinator, NHDES, 29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095. For questions please contact the Rivers Coordinator at 271-2959.

Nominee Information

Nominee Name: Ted Nemetz		Date: 2/10/23
Street Address: 84 New Hampton Rd.		
Town: Franklin		Zip Code: 03235
Phone (home): none	Phone (cell): 603-738-8195	Phone (work): 603-435-5082
Email: ted@inofab.com		

Nomination Information

Type of Appointment -	<input checked="" type="checkbox"/> New Appointment	<input type="checkbox"/> Reappointment
River Name: Merrimack		
Type of Representation -	Municipality: <input checked="" type="checkbox"/>	Other:
Please state your interest(s) in serving on the Local River Management Advisory Committee:		
<input type="checkbox"/> Local Government	<input checked="" type="checkbox"/> Conservation	<input type="checkbox"/> Agriculture
<input type="checkbox"/> Business	<input checked="" type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Riparian Landowners
<input type="checkbox"/> Other, please specify:		

Board of Selectmen or Authorized Signature(s) – REQUIRED (e-signature acceptable)

Name:	Title:
Name:	Title:

(603) 271-2959 riversprogram@des.nh.gov

PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

Additional Information

Please include a short description of your relevant background knowledge of local river-related issues or general river management and protection:

I currently live on the Pemi in Franklin and grew up using the Merrimack, and many other rivers, recreationally.

I understand the workings and importance of our local watersheds and would like to help preserve and protect them so other people/generations can enjoy them as much as I have throughout my life. I have no other relevant knowledge or experience but I would be happy to do what I can to help.

Most Local Advisory Committees engage in a variety of activities. Reviewing those activities listed below, please check those that are of most interest to you:

- ☐ Grant Writing ☐ Public Education ☐ Committee Administration
☐ Event Organization ☐ Public Relations ☒ Management Plan Preparation/Implementation
☐ Other, please specify:

Most Local Advisory Committees meet monthly. In some cases they may meet more frequently to complete specific tasks, while in other cases your attendance may not be required at all meetings. Please check one of the boxes below to indicate your availability to attend regularly scheduled meetings:

- ☒ I can attend monthly meetings on most weeknights
☐ I can attend monthly meetings only if scheduled on a specific weeknight
☐ I can only attend a limited number of monthly meetings
☐ I cannot attend monthly meetings, but am willing to complete tasks on behalf of the Committee

For NHDES Office Use Only

LAC Member List and Contacts Database updated (date):

LAC Chair and Nominee have been contacted regarding nomination on (date):

(603) 271-2959 riversprogram@des.nh.gov

PO Box 95, Concord, NH 03302-0095

www.des.nh.gov



LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE NOMINEE FORM



New Hampshire Rivers Management and Protection Program

RSA 483:8-a

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Nominee Information

Nominee Name: Gregory Thompson		Date: 15 February 2023
Street Address: 534 Prospect Street		
Town: Franklin		Zip Code: 03235
Phone (home):	Phone (cell): (508) 397-1283	Phone (work): (603) 400-9560
Email: thompsonagregory@gmail.com		

Nomination Information

Type of Appointment -	<input checked="" type="checkbox"/> New Appointment	<input type="checkbox"/> Reappointment
River Name: Merrimack River		
Type of Representation -	Municipality: Franklin	Other:
Please state your interest(s) in serving on the Local River Management Advisory Committee:		
<input checked="" type="checkbox"/> Local Government	<input checked="" type="checkbox"/> Conservation	<input type="checkbox"/> Agriculture
<input checked="" type="checkbox"/> Business	<input checked="" type="checkbox"/> Recreation	<input type="checkbox"/> Riparian Landowners
<input type="checkbox"/> Other, please specify: _____		

Board of Selectmen or Authorized Signature(s) – REQUIRED (e-signature acceptable)

Name:	Title:
Name:	Title:
Name:	Title:
<p><i>Note: By statute, the New Hampshire Rivers Management Advisory Committee appoints the Local River Management Advisory Committee (LAC) members for each Designated River from nominees submitted by the local governing bodies through which the Designated River flows (RSA 483:8-a).</i></p>	

(603) 271-2959 riversprogram@des.nh.gov

PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

Additional Information

Please include a short description of your relevant background knowledge of local river-related issues or general river management and protection:

I have a degree in biochemistry, molecular and cellular biology and I completed an active tour of service as a Chemical, Biological and Radiological Defense technician in the United States Marine Corps. I presented at an undergraduate academic conference the impact(s) of salt types on local stream ecology in Durham, NH. I provided my findings to Dana Hilliard, Mayor of Somersworth, to optimize the economic and ecological trade offs. In my experience as a manufacturing manager, I have completed the HAZMAT Team, in Hudson, NH, certification course as a HAZMAT responder. The understanding of river ecologic and economic impacts, has never been so important.

Most Local Advisory Committees engage in a variety of activities. Reviewing those activities listed below, please check those that are of most interest to you:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Grant Writing | <input type="checkbox"/> Public Education | <input checked="" type="checkbox"/> Committee Administration |
| <input type="checkbox"/> Event Organization | <input type="checkbox"/> Public Relations | <input checked="" type="checkbox"/> Management Plan Preparation/Implementation |
| <input type="checkbox"/> Other, please specify: _____ | | |

Most Local Advisory Committees meet monthly. In some cases they may meet more frequently to complete specific tasks, while in other cases your attendance may not be required at all meetings. Please check one of the boxes below to indicate your availability to attend regularly scheduled meetings:

- ☐ I can attend monthly meetings on most weeknights
- ☒ I can attend monthly meetings only if scheduled on a specific weeknight
- ☐ I can only attend a limited number of monthly meetings
- ☐ I cannot attend monthly meetings, but am willing to complete tasks on behalf of the Committee

For NHDES Office Use Only

LAC Member List and Contacts Database updated (date):

LAC Chair and Nominee have been contacted regarding nomination on (date):

RMPP Staff recommends appointment to the Rivers Management Advisory Committee -

☐ Approve RMPP staff: _____ Date: _____

Appointment confirmation sent to municipality and LAC Chair on (date):

Appointment letter and information packet sent on (date):

(603) 271-2959 riversprogram@des.nh.gov
 PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

PROSPECTIVE APPOINTEE PROFILE

Name: Ernesto Leonardo Gonzalez

Address: 13 Upland Drive Franklin NH 03235
Street Address City State Zip Code

Telephone: 60-455-9437 Klasker2003@yahoo.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? 21 years

Employer: John Stark Regional High School

Address: 618 N. Stark Hwy Weare N.H. 03281
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:

Planning has been a part of my life since my college days
(1990-98) (2002) (2011-13). I am a certified school teacher
(5-12) in Spanish/Social studies/History, English and Principal.
I was recently elected as a Franklin Delegate (2022)

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

I am interested because I believe this city has enormous
growth potential in every area and I wish to become
part of planning its progress

Ernesto L. Gonzalez 2-27-2023
Signature Date

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

Summary

Hardworking, Substitute/Full-time Teacher with skills to step into any classroom environment and support student needs with excellent discussion management, lecturing and mentoring abilities. Knowledgeable about special intervention plans, recordkeeping requirements and strategies for maintaining classroom discipline. Grades papers and homework and records grades for lead teacher. Forward-thinking strategies while bringing 23 years of experience in education. Focused on building connections with students to strengthen engagement and help students reach full potential through skill-building. Knowledgeable about planning activities, field trips and projects to diversify instruction and immerse students in subject material. Dedicated and responsive History Teacher with proven skills in classroom management, behavior modification and individualized support. Comfortable working with students of different skill levels to promote learning and boost educational success. Serves as role model by using growth mindset to develop young minds and inspire love of learning. Knowledgeable and available Substitute Teacher ready to share knowledge of Liberal Arts. Expert in working with students and maintaining control of classrooms while keeping up with lesson plans. Dedicated to helping students through transitional periods.

Skills

- Behavior modeling
- Compliance
- Activity planning
- Technology savvy
- Results-focused

Experience: John Stark Regional High School: 2022-23: Spanish Teacher 10-12 Graders

SPANISH LONG-TERM SUBSTITUTE TEACHER | 08/2021 - Current
Winnisquam Regional High School - Tilton, New Hampshire

- Implemented lesson plans assigned by classroom teacher to educate students about key concepts.
- Maintained student attendance and assignment records to prevent lapses during teacher absences.
- Enforced classroom routines to keep students on schedule and operating at consistent level.
- Educated students in various subjects to provide seamless transition during absence of head teacher.
- Managed high school classrooms during teacher absences.
- Helped students build learning and study skills to achieve educational goals.
- Provided notes and reports on school day activities to primary teacher.
- Requested as substitute teacher based on excellent referrals and trusted performance.
- Used Power School and Google Classroom to organize lesson plans for long-term interim assignments in a competency-based system.

- Maintained student attendance and assignment records to prevent lapses during teacher absences.
- Enforced classroom routines to keep students on schedule and operating at consistent level.
- Implemented lesson plans assigned by classroom teacher to educate students about key concepts.
- Requested as substitute teacher based on excellent referrals and trusted performance.
- Helped students build learning and study skills to achieve educational goals.
- Engaged students in discussions to promote interest and drive learning.
- Differentiated classroom and small group instruction to meet needs of students with various learning styles and abilities.
- Stayed up to date with current regional curriculums to maintain readiness for long- and short-term substitute jobs.
- Documented student growth, development and understanding using outlined grading procedures and assessment strategies.
- Managed high school classrooms during teacher absences.
- Provided notes and reports on school day activities to primary teacher.

PERMANENT SUBSTITUTE TEACHER | 08/2016 - 06/2017
Spaulding High School - Rochester, New Hampshire

- Maintained student attendance and assignment records to prevent lapses during teacher absences.
- Enforced classroom routines to keep students on schedule and operating at consistent level.
- Implemented lesson plans assigned by classroom teacher to educate students about key concepts.
- Requested as substitute teacher based on excellent referrals and trusted performance.
- Helped students build learning and study skills to achieve educational goals.
- Engaged students in discussions to promote interest and drive learning.
- Differentiated classroom and small group instruction to meet needs of students with various learning styles and abilities.
- Stayed up to date with current regional curriculums to maintain readiness for long- and short-term substitute jobs.
- Documented student growth, development and understanding using outlined grading procedures and assessment strategies.
- Managed high school classrooms during teacher absences.
- Provided notes and reports on school day activities to primary teacher.

LONG-TERM SUBSTITUTE SOCIAL STUDIES TEACHER | 04/2015 - 06/2015
Milford High School - Milford, New Hampshire

- Implemented lesson plans assigned by classroom teacher to educate students about key concepts.
- Enforced classroom routines to keep students on schedule and operating at consistent level.
- Maintained student attendance and assignment records to prevent lapses during teacher absences.
- Documented student growth, development and understanding using outlined grading procedures and assessment strategies.
- Stayed up to date with current regional curriculums to maintain readiness for long- and short-term substitute jobs.
- Differentiated classroom and small group instruction to meet needs of students with various learning styles and abilities.
- Provided notes and reports on school day activities to primary teacher.
- Helped students build learning and study skills to achieve educational goals.
- Oversaw pop quizzes, material exams and standardized tests to facilitate instruction.

- Requested as substitute teacher based on excellent referrals and trusted performance.
- Assigned homework to students based on curricula and modified based on daily progress.
- Promoted learning by leveraging traditional and modern instructional strategies.
- Studied various school subjects to better understand content and assist with projects and assignments.
- Managed high school classrooms during teacher absences.
- Adapted teaching methods and instructional materials to meet students' varying needs and interests.
- Presented information in exciting lectures to inspire students to engage and learn.

WORLD HISTORY TEACHER | 08/2013 - 06/2014

The Hunter School - Rumney, New Hampshire

- Communicated with parents and guardians to advocate for at-home learning.
- Developed research assignments to encourage engagement through exploration of indicated World History.
- Applied many pedagogical methodologies to improve learning development among every type of student.
- Maintained student development records and focused on meeting improvement goals.
- Researched western and non-western cultures to build cross-cultural empathy.
- Identified historical precedents to connect antecedent events that apply to modern era.
- Controlled classroom behavior through clearly established etiquette guidelines.
- Advised and mentored aspiring history enthusiasts to seek knowledge in secondary sources such as books, magazines and websites.
- Assigned tests, quizzes and group projects to assess growth of historical knowledge.
- Established adaptable and flexible teaching strategies to shift strategies according to learning environments.
- Facilitated extra-curricular activities such as clubs, events and community service initiatives.
- Established learning objectives to satisfy state and federal educational standards.
- Talked with students needing extra attention and made plans to assist with problems.
- Facilitated student success and academic growth through implementation of inclusive curriculums.
- Maintained school-wide culture of respect and actively used positive behavioral interventions and supports (PBIS) disciplinary methods.
- Cultivated collaborative and innovative learning environment to meet each student's unique educational needs.
- Guided students through exploration and analysis of different art forms and implemented hands-on approach to art education.
- Created lesson plans to address needs of entry-level and upper-level science students.

SUBSTITUTE TEACHER, K-12 | 08/2011 - 06/2012

Plymouth School District - Plymouth, New Hampshire

- Implemented lesson plans assigned by classroom teacher to educate students about key concepts.
- Maintained student attendance and assignment records to prevent lapses during teacher absences.
- Enforced classroom routines to keep students on schedule and operating at consistent level.
- Educated students in various subjects to provide seamless transition during absence of head teacher.
- Differentiated classroom and small group instruction to meet needs of students with various learning styles and abilities.
- Managed high school classrooms during teacher absences.
- Helped students build learning and study skills to achieve educational goals.
- Studied various school subjects to better understand content and assist with projects and assignments.
- Engaged students and boosted understanding of material using focused instructional strategies and hands-on activities.
- Stayed up to date with current regional curriculums to maintain readiness for long- and short-term substitute jobs.
- Documented student growth, development and understanding using outlined grading procedures and assessment strategies.

- Engaged students in discussions to promote interest and drive learning.
- Participated in workshops, trainings and conferences to improve educational skills.
- Identified and documented learning achievements by reporting outcomes, performance information and program adjustments used to boost comprehension.
- Created positive learning atmosphere by incorporating visual items into classroom.
- Streamlined procedures for testing student progress through updating protocols, resulting in 70% increase in classroom progress.
- Used various methods, including Direct Instruction and Socratic Methodologies to teach students with different learning abilities.

SPANISH LONG-TERM SUBSTITUTE TEACHER | 09/2003 - 06/2004

North Sutton High School - North Sutton, New Hampshire

- Instructed students using advanced methods to read, write and speak the Spanish language.
- Compiled multidimensional cultural and educational resources for students to expand knowledge of key topics beyond classroom limitations.
- Conducted quarterly assessments to determine progress and establish updated learning goals.
- Planned interactive theme days for students to highlight culture of Spanish-speaking countries.
- Developed language acquisition curriculum based in speaking, reading, writing and auditory understanding of Spanish.
- Worked one-on-one with students to create individualized lesson plans to increase progress.
- Developed class learning plans to meet all district and statement requirements for instruction.
- Integrated technology into classroom settings to engage students and diversify instruction.
- Assessed student performance, behavior and social development and devised improvement strategies for struggling children.
- Created safe and inclusive classroom environment to promote positive learning experience for youth with diverse backgrounds.
- Facilitated alternative assessments with project-based learning activities such as unit projects, portfolios and class presentations.
- Remediated linguistic weaknesses with one-on-one support and small group lessons.
- Analyzed world literature delving into language culture to learn proper grammar and syntax.
- Supported authentic, differentiated and rigorous educational experiences for over 85 students.
- Built life-long learning skills and strong study habits in students to help each prepare for higher-level education.
- Individualized lesson plans to meet each student's academic level.
- Developed language resources to support and supplement instructional activities.
- Administered positive and prompt feedback on student progress for self-monitoring.
- Organized materials for daily instruction in compliance with national academic standards.

SECONDARY ENGLISH TEACHER | 08/2002 - 06/2003

Epping-Middle High School - Epping, New Hampshire

- Conducted multiple assessments in compliance with district and state requirements to monitor and increase reading and writing skills.
- Attended professional development training to improve knowledge and skills.
- Contributed to significant increase in student achievement on standardized testing for English comprehension by previewing test sections with students.
- Raised average scores on written exams by over 80 points through goal-setting and improved study habits.
- Incorporated reading strategies such as repeated reading to inspire confidence and demonstrate fluent reading skills.
- Customized innovative methods and materials to produce effective learning experiences.

- Assessed student behavior and social development and devised improvement strategies for struggling children.
- Prepared informative classroom lectures on literature, poetry and historical authors to engage and educate students.
- Repeated key lesson information to teach grammar and help students grasp concepts.
- Assigned reading and homework with reasonable deadlines and detailed instructions.
- Evaluated students' comprehension of lessons through relevant test questions.
- Integrated technology into classroom settings to engage students and diversify instruction.
- Selected and implemented interesting and interactive learning media to increase student understanding of course materials.
- Discussed grades and methods for improvement with students privately.
- Taught essay writing classes to prepare students for college-level writing.
- Encouraged student critical thinking and discussion using variety of teaching techniques.
- Established and enforced clear class objectives and requirements to promote consistent education for all students.
- Tutored students requiring additional assistance in grammar and reading comprehension.
- Tested students on concepts taught in class to determine comprehension levels.
- Guided students on testing techniques and taught standardized test information.
- Employed wide variety of fiction and non-fiction textual materials to encourage students to read independently.
- Handled disciplinary problems with calm and poise and reported escalating issues to principal.
- Developed class learning plans to meet all district and state requirements for instruction.
- Identified online resources to complement traditional course materials and aid in student learning.

SECONDARY ENGLISH TEACHER | 08/1999 - 06/2002

Medford High School - Medford, Massachusetts

- Conducted multiple assessments in compliance with district and state requirements to monitor and increase reading and writing skills.
- Attended professional development training to improve knowledge and skills.
- Contributed to significant increase in student achievement on standardized testing for English comprehension by previewing test sections with students.
- Raised average scores on written exams by 45 points through goal-setting and improved study habits.
- Incorporated reading strategies such as repeated reading to inspire confidence and demonstrate fluent reading skills.
- Customized innovative methods and materials to produce effective learning experiences.
- Designed challenging course to meet academic, intellectual and social needs of students.
- Led multiple classes each semester, including general English courses, literature and creative writing.
- Urged students to choose books based on interests to boost reading frequency and engagement.
- Created and implemented lesson plans, modifying for differences in student learning styles.
- Assessed student performance, behavior and social development and devised improvement strategies for struggling children.
- Prepared informative classroom lectures on literature, poetry and historical authors to engage and educate students.
- Repeated key lesson information to teach grammar and help students grasp concepts.
- Assigned reading and homework with reasonable deadlines and detailed instructions.
- Evaluated students' comprehension of lessons through relevant test questions.
- Selected and implemented interesting and interactive learning media to increase student understanding of course materials.
- Discussed grades and methods for improvement with students privately.
- Taught essay writing classes to prepare students for college-level writing.
- Encouraged student critical thinking and discussion using variety of teaching techniques.

- Employed fiction and non-fiction textual materials to encourage students to read independently.
- Handled disciplinary problems with calm and poise and reported escalating issues to principal.
- Developed class learning plans to meet all district and state requirements for instruction.

ENGLISH TEACHER | 08/1997 - 06/1999

Bristol County Agricultural High School - Dighton, Massachusetts

- Repeated key lesson information to teach grammar and help students grasp concepts.
- Prepared informative classroom lectures on literature, poetry and historical authors to engage and educate students.
- Assessed student performance, behavior and social development and devised improvement strategies for struggling children.
- Identified online resources to complement traditional course materials and aid in student learning.
- Selected and implemented interesting and interactive learning media to increase student understanding of course materials.
- Met with parents and guardians in conference sessions to discuss students' progress.
- Integrated technology into classroom settings to engage students and diversify instruction.
- Discussed grades and methods for improvement with students privately.
- Customized innovative methods and materials to produce effective learning experiences.
- Evaluated students' comprehension of lessons through relevant test questions.
- Taught essay writing classes to prepare students for college-level writing.
- Established and enforced clear class objectives and requirements to promote consistent education for all students.
- Developed class learning plans to meet all district and state requirements for instruction.
- Encouraged student critical thinking and discussion using variety of teaching techniques.
- Attended professional development training to improve knowledge and skills.
- Conducted multiple assessments in compliance with district and state requirements to monitor and increase reading and writing skills.
- Urged students to choose books based on interests to boost reading frequency and engagement.
- Led multiple classes each semester, including general English courses, literature and creative writing.
- Tested students on concepts taught in class to determine comprehension levels.
- Handled disciplinary problems with calm and poise and reported escalating issues to principal.
- Guided students on testing techniques and taught standardized test information.
- Assigned reading and homework with reasonable deadlines and detailed instructions.
- Tutored students requiring additional assistance in grammar and reading comprehension.
- Employed wide variety of fiction and non-fiction textual materials to encourage students to read independently.

Education and Training

University of Massachusetts - Boston, MA | Bachelor of Arts

English/History, 09/1996

- 3.55 GPA
- Honor Roll (1990-96)
- History Recipient Award (1996)
- Minor in History
- Major in American History
- Magna cum laude graduate
- Dean's List Honoree (Fall 1995)

Tufts University - Medford | Master of Arts

- Handled disciplinary problems with calm and poise and reported escalating issues to principal.
- Developed class learning plans to meet all district and state requirements for instruction.

ENGLISH TEACHER | 08/1997 - 06/1999

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- Minor in History
- Major in American History
- Magna cum laude graduate
- Dean's List Honoree (Fall 1995)

Tufts University - Medford | Master of Arts

Emerson College - Boston, Massachusetts | Certificate In Editing And Publishing
Editing And Publishing, 05/2002

Plymouth State University - Plymouth, New Hampshire | Principalship
Education, 06/2013

Certifications

- Certified Highly Qualified Teacher (1997) (HQSSE)
- Areas of Certification: English (5-12), Social Studies (5-12), Spanish
- Principal



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting March 6, 2023

Date: February 27, 2023
From: Judie Milner, City Manager
Subject: City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding –
- Congratulations:
- Committee meetings – March:
 - Police – Thursday, 3/16, Noon, Police Department
 - Parks & Rec– Thursday, 3/23, 10 am Bessie Rowell
 - Joint Finance – Thursday, 3/23, 5:30pm City Hall “Blue Room”
- Welcome:
- Random Acts of Community –
- Media contacts –
- Economic Development Forum – March 8th 6pm
- Mayor's Drug Task Force Annual Event – March 24th
- City Hall Update

(3) Non-Publics Needed – see next page for motions

I move the City Council enter into nonpublic session under RSA 91-A:3 II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

I move the City Council enter into nonpublic session under RSA 91-A:3 II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

I move the City Council enter into nonpublic session under 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.