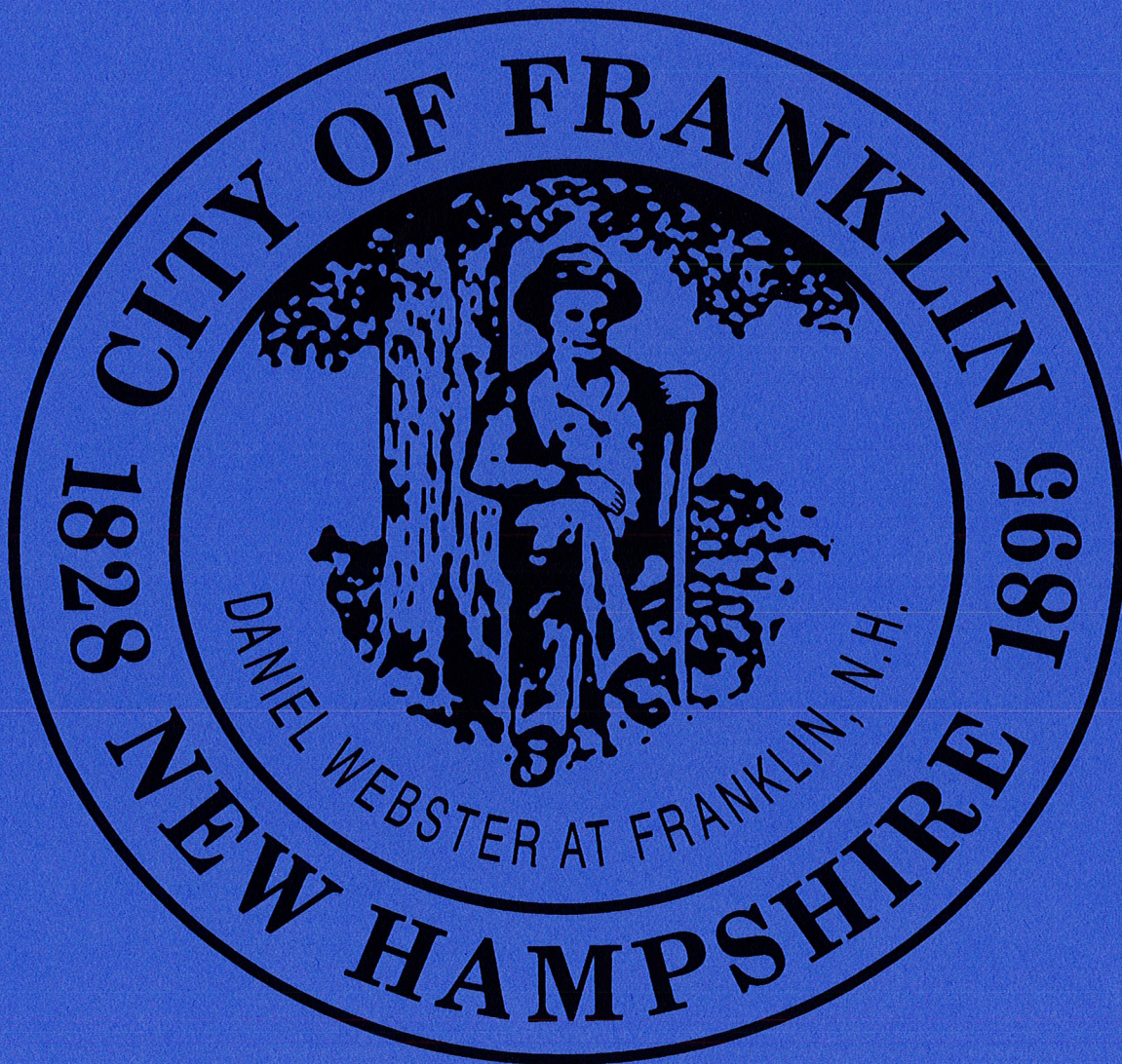


CITY OF FRANKLIN  
CITY COUNCIL MEETING  
May 2, 2022  
6:00 P.M.





## **CITY COUNCIL MEETING**

**Monday, May 2, 2022 - 6:00 p.m.**

**Council Chambers, Franklin City Hall**

or view only via Zoom: <https://us02web.zoom.us/j/83975603392>

or by phone: 1-312-626-6799, Meeting ID# 839 7560 3392

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### **SALUTE TO THE FLAG**

\*\*\*\*\*

### **MOMENT OF SILENCE FOR OUR VETERANS**

### **PUBLIC HEARINGS**

Resolution 16-22 to appropriate funding from the American Rescue Plan Act (ARPA).

Ordinance 03-22 relating to fireworks.

Present to the public and take comments on a CDBG Funded Hotel Feasibility Study

### **LEGISLATIVE UPDATE**

**FR. ROGER SARGENT TO LET THE COUNCIL AND PUBLIC KNOW THE DETAILS OF THE  
MEMORIAL DAY TRIBUTE TO LCPL JEDH COLBY BARKER**

### **COMMENTS FROM PUBLIC – WARD LINE CHANGES**

### **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.**

Council to consider the minutes of the March 28, 2022 Special City Council Meeting, the April 4, 2022 City Council Meeting, the non-public meeting minutes for April 4, 2022 and April 11, 2022 Special City Council Meeting.

### **Agenda Item II.**

School Board Update

### **Agenda Item III.**

Council to consider Resolution 16-22 to appropriate funding from the American Rescue Plan Act (ARPA).

### **Agenda Item IV.**

Council to consider Ordinance 03-22 relating to fireworks.

### **Agenda Item V.**

Council to consider authorizing the Fire Department to sell the 2002 Zumro rescue boat, motor and trailer.

### **Agenda Item VI.**

Council to consider approving lease for farming on city owned property.

### **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 May 2, 2022*

**Subject: Approval of Minutes**

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**Motion:** "I move that the Franklin City Council approve the minutes of the March 28, 2022 Special City Council Meeting, the April 4, 2022 City Council Meeting, the non-public meeting minutes for April 4, 2022, and April 11, 2022 Special City Council Meeting."

Mayor calls for a second, discussion and the vote.

Pending City Council Approval



## **City Council Meeting Minutes Monday, March 28, 2022 - 6:00 p.m. Council Chambers, City Hall**

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

**Absent:** Councilor Ted Starkweather and Councilor Bob Desrochers.

**Others in attendance:** City Manager Judie Milner, Municipal Services Director Justin Hanscom, and members of the public.

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

Salute to the Flag was led by Councilor Blake.

### **Agenda Item I: Solid Waste Discussion**

MSD Director Hanscom shared a PowerPoint presentation on solid waste costs and options with the council and public, which is included at the end of these minutes.

There was a discussion about current tipping costs for residential, light commercial and commercial and how much this will continue to go up going forward.

MSD Director Hanscom discussed the three options that he is looking to the Council for direction on:

Option 1: Take no action, leave the transfer station as is and continue to pay the increasing tipping costs.

Option 2: Discontinue commercial property subsidy. This would include rental properties that have 3+ units. The city would continue to do curbside pickup for residents, implementing yellow top bins so that Pinard knows which to empty, but the transfer station would need some extra work with the layout and staffing so that it could be open more than three days a week. Colored bags that need to be purchased could be an option to this as well, to offset the amount of time it takes business owners to use the scale.

Option 3: Discontinue curbside collection all together. This would save \$228,000 a year as this is the amount paid to Pinard for their service. There would need to be more work done on the transfer station and residents would need to opt for private curbside collection or bringing their

trash and recycling to the transfer station.

Councilors did agree that option 1 was not an option. There was a discussion about the City of Franklin paying to do curbside pickup of commercial properties since this is normally a business expense. This made option 2 seem to be the most popular option to go forward with now and that discontinuing curbside collection all together would be the next step later on. This would need to be phased.

MSD Director Hanscom did confirm that there is a lot more land at the transfer station to be able to reconfigure the layout and add on to it. The flow would need to be much better and more convenient for business owners and residents. There was talk about adding a composting area at the transfer station since 1/3 of trash is wet/compostable trash.

He added that there are already some things needed at the transfer station either way. They need a new scale, which would be about \$72,000, and to get a baler would be roughly \$90,000. A baler would be necessary for better recycling sorting. These could be things that happen while changing the layout and redesigning to make for a much more convenient experience for residents.

Councilor Zink asked where the city was at with their contract with Pinard.

MSD Director Hanscom answered saying that they are going into year 3 of a 5-year contract, but there is a 3 or 4 year opt out option with them. He also added that Pinard had the cheapest cost for private curbside collection, if option 3 is to happen. It would cost residents and businesses roughly \$300/year per trash bin. There would be other companies to choose from as well.

Mayor Brown asked how long it would take to implement the yellow top program.

MSD Director Hanscom answered that it would only take about 4-6 months for Pinard to do this.

Mayor Brown suggested that instead of scheduling another workshop meeting, that she meets with City Manager Judie, MSD Director Hanscom and MSD Committee Chair Dzujna to come up with an outline on the changes discussed and send out to the council to critique. This would also include a time line for the next 3-5 years. Once finalized this would be presented at a public hearing. The council agreed to this.

#### **Agenda Item II: Other Business**

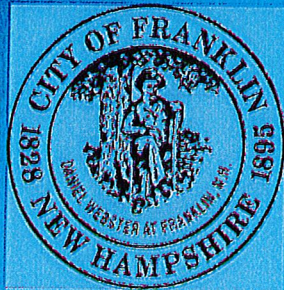
No other business was discussed.

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

The meeting adjourned at 7:47 p.m.

Respectfully submitted,  
Lisa Jones

# The Future of Solid Waste Disposal



City of Franklin, NH  
March 2022

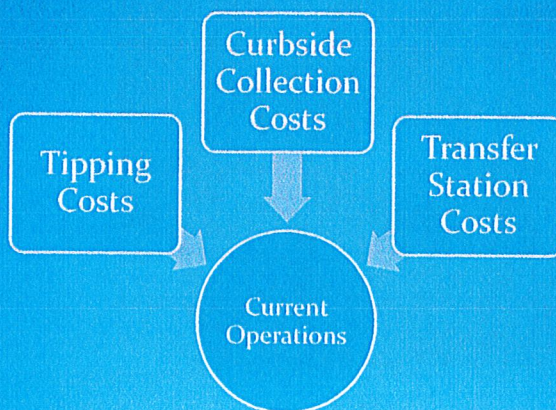
## Opening Remarks

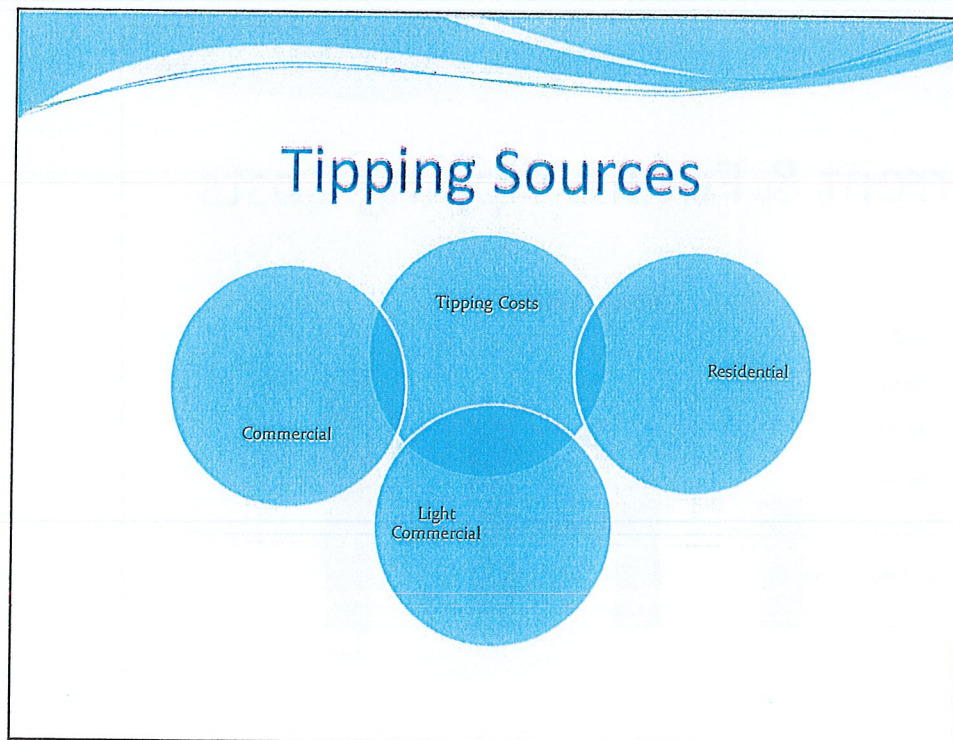


## What Will Be Covered Today

- Background Information
- Council Guidance
- Solutions
  - Pro/Cons
- Next Steps

## Background Information



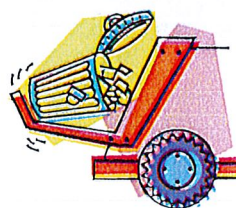


## Tipping Costs Calculation

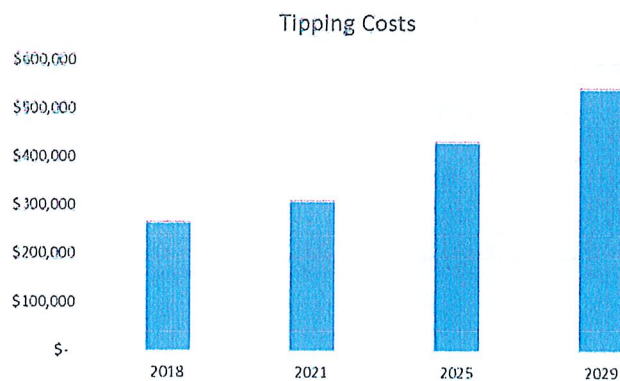
Gross Annual Tonnage (GAT) X

Tipping Fee per Ton =

Total Annual Costs



## Current & Future Tipping Costs



## Total Tipping Increases

Annual INCREASE in tipping to taxpayer:

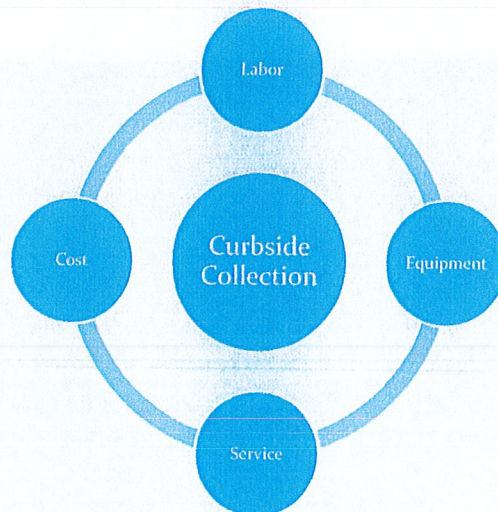
FY09-FY21 **\$125,185**

FY21-FY29 **\$191,712**

FY09-FY29 **\$316,898**

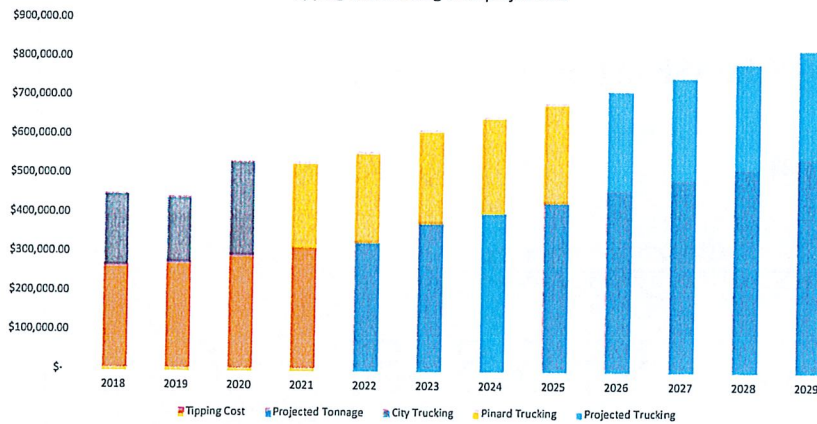


## Curbside Collection



## Tipping and Trucking

Tipping and trucking with projections



## Transfer Station

Labor

Service

Cost

## Transfer Station

- Labor
  - 3 FTE's
- Service
  - Residential Trash Drop Off
  - Commercial Trash
    - <250 lbs. per week FREE
    - >250 lbs. per week Charged
  - Limited Recycling
    - 5% reduction in MSW
  - Mostly Fee Based for other items



## Solid Waste Expenditure History

Year	Actual 2009	Actual 2019	Projected 2029
Solid Waste Expenditures	\$ 511,924	\$ 761,865	\$ 1,057,719



## Council Guidance

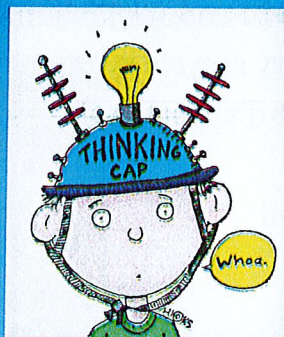


## Staff Direction from Council

- Cost Avoidance
  - Decrease Tonnage (Tipping Costs)
  - Eliminate Taxpayer Subsidy For Commercial Operations
  - Increase Revenues Through Targeted Recycling
  - Mandatory Recycling
- Increase Enforcement
  - Property Maintenance
  - Transfer Station
- Efficient Utilization of Transfer Station
- Increase Education
- Seek Alternative Programs

Solid Waste

## Solutions



## Alternatives – Take No Action

- Absorb astronomical tipping costs into the budget
- Tipping costs out pacing CPIU increases so increased costs will likely need to reduce other city services/needs
- Continue using privatized collection services at increased costs
- No funding plan to replace older equipment at transfer station
- Underutilized/Inefficient transfer station



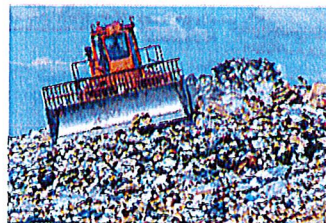
## Alternatives – Take No Action

- No personnel for trash audits/efficient use of transfer station/implement alternative programs
- No opportunity for increased code enforcement
- Hard to regulate mandatory recycling
- No future revenue to offset disposal costs
- Commercial still subsidized
- No citizen pushback
- No education needed



## Alternatives – Turn Over All Solid Waste Functions

- Privatization of all solid waste including the transfer station
- City choice:
  - Contract with private firm for curbside pick up
  - Get out of solid waste all together
    - Citizens utilize the privately run transfer station
    - Citizens subscribe to a private service
    - Cost savings for code enforcement
    - No ability to control costs to citizens
    - Citizen outcry
    - Taxpayer would pay for city and school trash removal



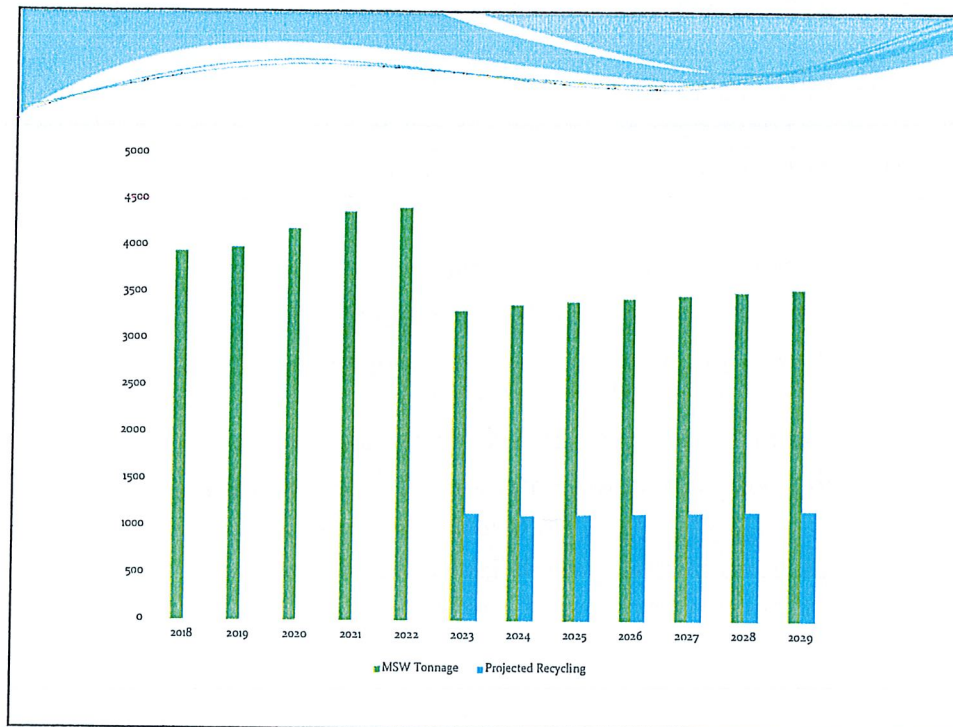
## Alternatives – Discontinue Commercial Property Subsidy

- Trash removal is a cost of doing business
- Reduces disposal costs paid for by the general fund
  - City could offer program for commercial properties who do not generate enough trash for a dumpster
- Difficult to control commercial activity at transfer station
- Not enough savings to increase personnel for code or trash compliance or aging equipment & infrastructure
- Hard to regulate mandatory recycling or implement alternative programs or provide increased education

## Alternatives – Discontinue Curbside Collection

- Cost savings from curbside could be directed to transfer station and code enforcement operations
  - Increase efficiency at transfer station
  - Allows for fluid operation to target revenue generating opportunities, i.e., recycling
- Easily implement mandatory recycling
- Commercial Subsidy more easily managed
- Decrease Tonnage – mitigate cost increases
- Implement alternative programs
- Up front costs for transfer station –
  - most costs needed even if stay status quo
- Education needed
- Citizen choice to utilize transfer station or subscription service





## Alternatives – Implement Pay as You Throw (PAYT) Option

- Cost Savings to General Fund
- City Choice on expenditures covered by PAYT program
- Education to public – recycling
- Hard to regulate recycling
- Commercial subsidy eliminated
- PAYT – barney bags or by the container
- Implementation and enforcement issues
- Doesn't address inefficiencies and capital needs at transfer station
- Limits ability to implement alternative programs



## Next Steps



## Council Direction

- Discuss and Determine best solution for Franklin
- Ordinance Revision
- Develop Time Table and Budget to fit solution
- Equip Personnel with tools necessary to implement solution
- Public Education



## Questions/Discussion



Pending City Council Approval



## City Council Meeting Minutes Monday, April 4, 2022 - 6:00 p.m. Council Chambers, City Hall

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

**Absent:** Councilor Ted Starkweather

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

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

Salute to the Flag was led by Councilor Bunker, followed by a moment of silence for the people affected by the dispute in the Ukraine and for the veterans as well, led by Mayor Brown.

The public hearing opened at 6:10 p.m.

### Public Hearing:

Mayor Brown started by reading through each Resolution that the City Council will be voting on at this meeting and opened each up to the public for comments:

**Resolution 15-22** to appropriate a \$95,000 return of contributions from the health insurance provider for a sweeper.

- MSD Director Hanscom approached the podium to speak about this Resolution. He stated that the current street sweeper that we have now is a 1996 Johnston, which is on its last legs and is costing a lot of money to repair and keep it road worthy. Normally, a new street sweeper would be around \$300,00 with a 38-week lead time. The county of Burlington, VT offered to sell us a used 'like new' sweeper for \$90,000 since it didn't pass through town meetings in Littleton, NH, who wanted to purchase it. This is available now. The extra \$5,000 would go towards purchasing new brooms for this sweeper.

Resident Leigh Webb, Ward III, asked if this amount would be from the entire health insurance return and City Manager Milner answered saying it is not. The return on health insurance contributions was \$124,000 so the \$95,000 would be coming from that.

Resident Michael Lombardo, Ward III, asked if the city were to purchase a brand-new sweeper would they be able to get a tax credit or depreciate it the way that a business does. City Manager Milner answered that municipalities do not work that way, as they work under a general fund. This money that it would be taken from is not an expected account, as this comes from the health

insurance premiums from 2020, due to Covid. People were not going to the doctor during that time and the insurance company saved a lot of money, therefore, they were required to give that money back.

No other public comments; closed.

**Ordinance 04-22** regarding an update to the City Municipal Code Chapter 21, Article I 'Fire Hydrants', Sections 21-1 and 21-2.

- Fire Chief Foss approached the podium to speak about this Ordinance. He stated that there are about 30 private hydrants that are located on private property for specific use for businesses, like the water treatment plant. Since there is no clear definition on private or public hydrants for billing for the hydrant fee of \$250/year, Fire Chief Foss stated that over the past few years they may have been passing up about \$7,500, maybe a little less if people were to opt to do their own testing. He also mentioned that he has worked with the Fire Committee, the MSD Department and the Water Department to update and define what a public hydrant is, what a private hydrant is and what the testing options would be. This would give residents the option to have the city do testing on the private hydrants for a fee or they could get testing done elsewhere. As of right now, when MSD does their annual flushing, nothing is done with those 30 +/- hydrants so the Fire Department tries not to ever use those, as they don't know when the last time they were tested was. If the hydrant testing is required and the home owners don't want to pay the \$250 fee to have the city test, they can get it done elsewhere and would just need to provide proof that it passed.

Resident Leigh Webb, Ward III, asked if this means there are certain hydrants in the city that haven't been tested on a regular basis. Fire Chief Foss answered saying that it is possible that around 30 hydrants have not been tested regularly. Some businesses are supplying proof of passing annually if they aren't getting tested by the city.

No other public comments; closed.

**Legislative Update:**

Mayor Brown stated that there was no one at the meeting with any updates.

**Comments from the Public:**

Mayor Brown opened up the floor for any other public comments.

Resident A. Andreozzi, Ward III, wanted to let the City Council know that some of the wording, pertaining to the waiver for the building permit proposals for property on a private Class IV Road (Agenda Item VII), should be more specific. She thinks that school buses should be included to make sure to protect the city from any liability.

One resident did ask when the city was going to fix the roads.

Mayor Brown stated that they were going to be talking about that in the next few months, as some of the ARPA funds will be going towards road repairs.

Drug Task Force Coordinator, Kandyce Tucker, announced a few updates.

- Chem-Free, which is a substance free after prom party for teens to go, will be happening this year. They are severely under prepared and lacking funds for this, since they did not know that prom was going to happen this year because of Covid. She needs as many donations and volunteers as possible and it will be taking place on May 14, 2022. This runs after prom until 6am the next day.
- Drug Take Back Day is April 30, 2022 from 10:00 a.m. – 2:00 p.m. The only thing not being accepted are syringes and there will be a document on how to dispose of them.
- The epidemiology firm contract is all set and there will be some surveys going out to the community shortly.
- HB1598, which is the marijuana legalization bill has been brought to the Senate for a vote and we should know when that vote will take place by Thursday. Stay tuned for that.
- HB1639 is going to the Senate to be voted on. She stated that The Concord Monitor interviewed her and there will be an article about how this bill would affect the community and the school district.
- On June 8, 2022 from 6:00 p.m. to 8:00 p.m. we are working on a Regional Family Engagement night for 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> graders. This will hopefully be at Winnisquam School District in partnership with Franklin and Laconia. This will be for middle schoolers and their families to attend and there will be fun activities.

Mayor Brown closed public comment at 6:28 p.m.

#### **City Council Acknowledgement:**

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna wanted to mention Tom Morgan who is a teacher for Proctor Academy. He had some of his students here working on revitalization and talking with the Mayor and interviewing Parks & Rec Director, Krystal Alpers. Councilor Dzujna wanted to tell Mr. Morgan that he and the kids did a great job on talking about our revitalization ethics.

Councilor Ribas wanted to thank John Benham, who hosted two tours for Unitarian church for abutters at the Peabody Place opening. It was generous of him to donate his time.

#### **Mayor's Update:**

Mayor Brown stated that she had a Proclamation to make tonight. She got up from her seat to approach the podium and she invited Drug Task Force Director, Kandyce Tucker, to come up and join her.

Mayor Brown stated that Kandyce Tucker was recognized as a recipient of the Virginia Allen Young Careerist Award about two months ago so she had a Proclamation of Honor for Kandyce. She is a dedicated young profession who is deeply involved in the youth of the City of Franklin and Hill and serves as Director of the Franklin Mayor's Drug Task Force, whose mission is to providing a healthy environment for the drug and alcohol-free development of our youth and families.

Kandyce goes above and beyond to organize several city-wide events providing drug and alcohol prevention activities, such as, Drug Take Back Days, After Prom Chem-Free Party, Winni River Days 5K, and National Night Out.

Mayor Brown proclaimed today, April 4, 2022, as Kandyce Tucker Day in the City of Franklin. She asked that everyone congratulate her and there was a round of applause before a few pictures were taken.

Mayor Brown returned to her seat and mentioned that she had a couple of other announcements.

- Last week she was at the Peabody Place for their ribbon cutting. She stated that it is a beautiful place and she can't wait until it is 100% complete, as she thinks it will be absolutely stunning.
- Mayor Brown and City Manager Milner both attended a police training program that focused on hostage negotiations. She stated that the reason for letting everyone know about this is to confirm that the City of Franklin has incredible negotiators. They have done a lot of training and it was an incredible display of teamwork with some other towns as well.
- Lastly, Mayor Brown stated that Governor Sununu appointed her to the State Workforce Innovation Board for three months.

#### **Agenda Item I.**

Council to consider the minutes of the February 28, 2022 Special City Council Meeting, the March 7, 2022 City Council Meeting and the non-public meeting minutes for December 6, 2021 and January 24, 2022.

**Motion - Councilor Bunker moved that the Franklin City Council approve the minutes of the February 28, 2022 Special City Council Meeting, the March 7, 2022 City Council Meeting and the non-public meeting minutes for December 6, 2021 and January 24, 2022. Seconded by Councilor Chandler.**

Councilor Ribas had some grammatical corrections to be amended on all four meeting minutes that were sent to Executive Secretary Jones.

Mayor Brown stated that because Councilor Desrochers is present via speaker phone that all votes will need to be done as roll call votes tonight.

#### **Roll Call Vote:**

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

*\*Councilor Bunker abstained on February 28, 2022 minutes, but approved all other minutes.*

*\*Councilor Blake abstained on December 6, 2022 minutes, but approved all other minutes.*

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

## **Agenda Item II.**

### **School Board Update.**

Superintendent Dan LeGallo approached the City Council to provide a monthly update.

- The 2022/2023 budget has been approved on March 8, 2022 by the school board. It's a tax cap budget for the 5<sup>th</sup> year in a row. Hopefully, the preliminary information will be getting to the Council soon so if there are any questions, he would like to know right away so that he can add them to the presentation, which he believes will be on May 4, 2022.
- Aviation update: Councilor Chandler has been working with us at the Middle School and we are hoping to get him over to the High School as well. At the Middle School he has been working with our teacher, Kelly Niel. He has spearheaded a field trip to the National Flight Simulator Museum at the Manchester airport and the next steps are to work with the High School that he has ordered two drones for. He thanked Councilor Chandler and told him that the kids are loving it.
- Manufacturing Program update: He spoke with the superintendent and the principal at Winnisquam and they are all on board with getting the SPLIT program back up and running, after Covid halting it for the past 2 years. That's the easy next step, but he does not know what Winnisquam's long term goal is at the moment. How Franklin makes this work logistically is going to be the next discussion, since our district is so small, we do have room in our classrooms for other districts to attend.
- Superintendent LeGallo wanted to celebrate 5 female high school students who received the Aspirations in Computing Rising Star award. This was from participating in Graphic Design and a variety of AP computer classes.
- Their second session of woodworking and culinary enrichment for the middle school students begins this week. Classes will start tomorrow. He also acknowledged Mayor Brown, as she will be assisting with the culinary program for the next eight weeks.
- The high school graduation is scheduled for June 17<sup>th</sup> at 6:00pm. The Council is invited to participate.
- The Portrait of the Graduate Day for the high school will be on April 20<sup>th</sup> and will start at 8:30am and the middle school will be on April 8<sup>th</sup> starting at 9:30am. They are both all day events.
- There were some articles in the Laconia Daily Sun that mentioned the Franklin school district positively and how well things are going after Covid.
- Principal search update: The middle school principal will be Jenny Everette, who was previously known to everyone as Jenny Doyle. There is a candidate for the elementary school principal and will be going in front of the school board on April 18<sup>th</sup>. She has already accepted the position so she is just waiting for the board's nomination.
- If you have not heard, the high school principal has resigned at the end of the year so interviews will start within the next few weeks.

**Agenda Item III.**

**Motion – Councilor Dzujna moved that the Franklin City Council adopt Resolution #15-22 to appropriate \$95,000 in returned prior year health insurance premiums paid for a used Street Sweeper and authorize the City Manager to sign necessary paperwork thereof. Seconded by Councilor Blake.**

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

Councilor Desrochers had some concerns about purchasing a used piece of equipment, as opposed to new, since this is 9 years old. His worry is that if we keep buying used, the equipment may not last as long as new and needs more servicing. He thinks it's time to order some new equipment for MSD.

Mayor Brown asked MDS Director what he thinks the life expectancy will be, if the Council votes to purchase the used street sweeper.

MSD Director Hanscom said they should be able to get at least 12-15 years out of it since it is a seasonal vehicle.

Councilor Zink mentioned that there was a conflict of what year the street sweeper is. She asked if it is a 1995 or 1996. MSD Director Hanscom said that it should be listed as a 1995 in the Resolution.

Councilor Zink stated that this should be voted on per an amendment for the sweeper year on the final Resolution.

**Roll Call Vote:**

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

***1 against. All others in favor; motion passes.***

**Agenda Item IV.**

**Motion – Councilor Ribas moved that the Franklin City Council adopt Ordinance #04-22, which will update the City Municipal Chapter 21, Article I 'Fire Hydrants', Sections 21-1 and 21-2. Seconded by Councilor Trudel.**

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

There were a few questions for Fire Chief Foss that he was able to answer.

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Agenda Item V.**

**Motion – Councilor Ribas moved that Franklin City Council set a public hearing on Monday, May 2, 2022 at 6pm regarding Ordinance 03-22 changes to the noise ordinance; specifically, the fireworks and violations & penalties sections. Seconded by Councilor Bunker.**

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

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Agenda Item VI.**

**Motion – Councilor Dzujna moved that the Franklin City Council set a public hearing date for 6:00 p.m. on May 2, 2022 regarding Resolution #16-22, appropriating \$454,667 first tranche of Franklin's direct federal American Rescue Plan Act monies for broadband and water projects. Seconded by Councilor Blake.**

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

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Agenda Item VII.**

Council to consider Building Permit Proposals for Properties on a Class VI Public Roads and/or Private Roads.

P&Z Director Creighton approached the podium to speak with the Council about a request to build a single-family house and garage/accessory structure on a newly created lot on River St. Extension. The lot directly abuts, and was part of 357 River St., the land of Kirkwood Weyant Land Holdings (Three Rivers Wreath).

Since the road is city owned property, state owned property and has an easement through private property, it makes things confusing and not entirely clear. He would like to have the Council approve the issuance of a Building Permit for residential structure(s) for Tax Map 121, Lot 450 at River St. 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. The approval would be contingent upon the State of NH supporting the proposal as well.

There was some discussion from the Council on this and it was noted that some language changes and additional verbiage should be added to the document that P&Z Director Creighton provided before they could approve this.

Councilor Trudel suggested tabling this until the changes are made.

Councilor Zink stated that they could make a new motion to defer this to the next meeting.

**Motion – Councilor Zink moved that the Building Permit Proposals for Properties on a Class VI Public Roads and/or Private Roads be considered by the Franklin City Council at the May 2, 2022 City Council meeting so that some changes can be made to the language of the document. Seconded by Councilor Ribas.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Agenda Item VIII.**

There were some discussions about vendor fees and what had been done in the past.

**Motion – Councilor Zink moved that the Franklin City Council waive the vendor fees for the Farmers Market at Marceau Park. Seconded by Councilor Trudel.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Motion – Councilor Zink moved that the Franklin City Council waive the vendor fees for the Winni River Day in Trestle View Park and Mill City Park. Seconded by Councilor Trudel.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Motion – Councilor Zink moved that the Franklin City Council waive the vendor fees for Community Day in Odell Park. Seconded by Councilor Chandler.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Agenda Item IX.**

**Motion – Councilor Dzujna moved that the Franklin City Council consider approving the lease for Concord Hospital-Franklin/Mill City Park signage on City property in the location of the former Franklin Hospital sign. Seconded by Councilor Trudel.**

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

Councilor Ribas asked who was going to be paying the fee for the sign and City Manager Milner answered saying that the fee would be paid for by Concord Hospital – Franklin. Mill City Park will be taking care of the maintenance of the sign, which includes backlighting, flowers, trimming and any painting that needs to be done. There is an agreement between the two businesses on this.

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Other Business:**

**1. Mayor & Council Appointments**

Mayor Brown appointed Ken Hollingsworth to the Mayor's Drug & Alcohol Task Force term of service to January 2024 term of office.

Mayor Brown stated that there are also some Council appointments.

**Motion – Councilor Ribas moved that the Franklin City Council re-appoint Justin Hanscom to the Concord Regional Solid Waste/Resource Recovery Cooperative Joint Board, term of service to December 2023. Seconded by Councilor Dzujna.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

**Motion – Councilor Ribas moved that the Franklin City Council appoint Lewis “Rocky” Marsh as an alternate to the Concord Regional Solid Waste/Resource Recovery Cooperative Joint Board, term of service to December 2023. Seconded by Councilor Dzujna.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

## **2. Committee Reports**

Councilor Chandler mentioned that Chief Goldstein went out of his way to set the bar high and the Franklin police Department is putting together a mountain bike school starting on June 10<sup>th</sup> for Franklin and other departments. There will be tuition.

Councilor Chandler also asked Chief Goldstein if he could bring someone in to update everyone on where we’re at with the communications center.

Dispatch Supervisor Kulacz discussed the Communications Center upgrade project with the Council. Supplies and equipment have been ordered. Due to supply chain issues, they know that it’s going to take awhile for a lot of the pieces to come in so this is in progress. Site work is still being done and MSD Director Hanscom is going to be going out to take care of treating the clinical sites.

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

- a. Contingent Grant Line Activity for the month – We received \$359.52 for our sex offender compliant plan, \$2,500 from Wellsense for Lock Boxes at the Drug Task Force, and a \$10 donation in Fire memory of Patrick Jenkins's father.
- b. The trust fund for school funding is at \$147.79.
- c. She gave a welcome aboard to:
  - a. Greg Cantara – Municipal Services
  - b. Rick Morton – Municipal Services
  - c. Brendan Merchant - Police
- d. Congratulations was in order for Mark Faro, Police Department, who did Critical Incident Training and is now certified in Critical Incident Stress Management.

City Manager Milner also thanked the PD for inviting her and the Mayor to the SRT training event. Franklin not only has a great hostage negotiator, but a great response team as well. It was a really nice collaboration with the other departments.

- e. Shout outs:
  - a. The Clerk's Office held a rabies clinic last Saturday and she heard positives things about that. She thanked the clerks for coming in on a Saturday to provide that service.
  - b. In the Fire Department, Tony Roberts and Alex Greene have completed their Fire Officer I certifications. Congratulations to both of them.
  - c. The Masons helped out on moving day at the Peabody Place last Saturday for Seniors Helping Seniors. It was a great community outreach.
  - d. The Catholic Church will be starting their once-a-week hot dog station for the community at the Unitarian Church. She believes this will be on Tuesdays. This will start on May 1, 2022.
- f. The Ward Line Changes Interactive City Council Workshop is scheduled for April 11, 2022 in Council Chambers at 6:00pm.
- g. The next Workshop Meeting is scheduled for April 25, 2022, on CIP with a focus on buildings.
- h. Committee meetings in April are as follows:
  - a. Joint Finance Committee – April 13<sup>th</sup>, at 5:30pm in the Blue Room
  - b. Fire Committee – April 6<sup>th</sup> at 5:30pm at Fire Department
  - c. The CIP Committee – this date is TBD
- i. There is a new process for meeting minutes on the website, since the meeting minutes drafts are not available online. She had a discussion at the Department Head level and with City Attorney Fitzgerald and the RSA does mention that the minutes need to be available, but not necessarily on the website. Going forward we won't be posting draft minutes on the website, but we will be posting all audio recordings on the website of committee meetings for everyone's listening pleasure. The Zoom meetings for the City Council are already posted on the website as well. The public is welcome to come in to review draft minutes, but we will not be handing them out before they are approved by the City Council.
- j. There was a new law regarding Nonpublic Meetings that started on January 1<sup>st</sup>. There will need to be some kind of spreadsheet that lists each non-public meeting date, with the reason for it being non-public, if/when the minutes were sealed, and why they

were sealed. This is to keep the public aware of non-public minutes and why they were treated as such. Once a year we are required to take a look at these and decide on unsealing the non-public that no longer need to be sealed.

- k. We are required to have a public hearing on the CDBG Funded Hotel Feasibility Study, which is scheduled for our May 2, 2022 City Council meeting per the requirement of the grant.
- l. We sent out a joint Breezeline Cable Survey with the other collaborating communities. It is on our website, so please take the survey. This is the cable franchise agreement. We can't negotiate the internet part of it, but we are going to try and push them for better service.
- m. WorkCamp NE is coming to Franklin, NH the week of July 10, 2022. This is a program for those who own their homes, can have a mortgage, meet their requirements and need free work done. Please contact Welfare Director Ryea at City Hall, 603-934-3404, to walk you through the application process.
- n. We had an ARPA Funding workshop and there was a public hearing for appropriating this tonight. We do have another opportunity through Senator Shaheen's Office for direct spending ask. We are planning to put our body cameras and cruiser cameras through that direct spending ask. In addition, the Opera House is putting in a direct spending ask for a sprinkler system in this building.
- o. Legislative Update:
  - a. HB 1417 is somehow still alive, which will reinstate 7.5% of share from the State of NH Retirement System Funding. This wouldn't become effective until July 1, 2023, however, it has passed the House and is moving along. She will be keeping an eye on this since that will help our city budget.
  - b. Senate bill 249 has a House hearing coming up and is the one that keeps us from regulating AirBNB's in the city, therefore, allowing people to use their shed for such use. City Manager Milner stated that she will be submitting the Council's letter to that committee as well.
  - c. She also wanted to let the Council know about a new Senate bill 401, which is a one-time property tax relief appropriation of state fiscal year of 2022 surplus. This has passed the Senate. It puts \$36 million in bridge aid, \$30 million in highway help and \$1 million in body camera grants. That could be happening on July 1<sup>st</sup> of this year, so she will be keeping an eye on that.
  - d. HB 1033 is being laid out on the table.
- p. We have moved into the next step of the Mill City EDA grant.
- q. Youth government for this year is going to take place on Monday, May 9<sup>th</sup> – May, 11<sup>th</sup>. On the first day, May 9<sup>th</sup>, at 8:45am the students will be in Council Chambers and the Mayor and Council are invited to join and let the students know how the process works. On the last day, May 11<sup>th</sup>, at 6:30pm there will be a mock council meeting with the students at the Elks and everyone is invited to attend.
- r. City Manager Milner stated that she will be taking time off from 4/18/22 - 4/22/22.

City Manager Milner stated that she is in need of a non-public for two legal discussions tonight.

**4. Late items: None**

**Motion – Councilor Dzujna moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3, II (I) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.***  
**Seconded by Councilor Ribas.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.***

Entered into nonpublic at 8:12 p.m.

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

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.***

Public Session reconvened at 8:30 p.m.

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

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

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

Roll Call Vote:

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<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 passes.*

The meeting adjourned at 8:32 p.m.

Respectfully submitted,  
Lisa Jones



**City Council Meeting Minutes**  
**Monday, April 11, 2022 - 6:00 p.m.**  
**Council Chambers, City Hall**

**Council in attendance:** Mayor Jo Brown, Councilor April Bunker, Councilor Jay Chandler, Councilor George Dzujna, Councilor Paul Trudel, Councilor Olivia Zink, Councilor Vincent Ribas, Councilor Valerie Blake, Councilor Ted Starkweather and Councilor Bob Desrochers (on the phone).

**Absent:** N/A

**Others in attendance:** City Manager Judie Milner, City Clerk/Tax Collector Michelle Stanyan, 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 Mayor Brown.

**Agenda Item I: Discussion on ward line changes due to the Decennial Census**

Mayor Brown started off by saying that this is a workshop meeting and stated that City Manager Milner would be giving a brief slide show presentation about the options for ward line changes that will be discussed at this meeting.

Mayor Brown stated that after the presentation the council would discuss first and then the public would be able to voice any of their opinions as well.

The council will need to decide on which change to go with by June 6<sup>th</sup>.

City Manager Milner gave a quick presentation. (The slide show is attached to the end of these meeting minutes.)

A change is necessary based on the decennial census. One option would be to change the ward lines to even out the population in all 3 wards. There are a few different ways this can be accomplished. Maps showing the possible ward line changes were included in the slide show and were also printed in a much larger scale and posted in Council Chambers for everyone to take a look at.

Another option would be to eliminate ward lines and make Franklin a city at large.

The council discussed the different options. The majority agreed that the best option would be to make the change as simple as possible at this time so that residents are not more confused with where they need to vote.

Councilor Zink mentioned that the last time Franklin made ward line changes was in 1995 since the population numbers were compliant until the 2020 census.

There was discussion about eliminating ward lines and being a city at large. This would allow for one voting spot, or possibly two, and would be simpler and cheaper. The council would like to hear from the public about their thoughts on this option as well.

Mayor Brown turned the discussion over to the public.

The majority of the public seemed to be for going at large and eliminating ward lines all together due to the simplicity and cost benefits.

If changing the ward lines, moving Mountain View Estates from ward 3 to ward 2 would most likely be the cleanest shift, according to some residents.

Mayor Brown thanked the public for all of their comments and urged them to talk with their neighbors and contact their councilors to voice any opinions since they will be voting on this change soon.

City Clerk Stanyan stated that she came from another municipality with a similar population to Franklin, but it was a town so they did not have any wards. Voting costs were not as high due to less staff, less spent on tabulators, less supplies, less annual maintenance fees on the machines due to lower quantities. She also mentioned that if anyone wanted to see any statistics or had any questions whatsoever, she would be happy to answer and can be reached at the clerk's office, by email or by phone.

Mayor Brown stated that any charter change would go on the October ballot with January 1<sup>st</sup>, 2023 being the effective date so that it doesn't interfere with any of the 2022 elections.

If eliminating ward lines were added to the ballot and voted against that would bring everything back to where we are now without any change, which needs to be done.

The plan is to change the ward lines to comply with the census for now and then decide on whether or not the ward lines are eliminated afterwards, before the next census.

Mayor Brown stated again that a decision needs to be made by June 6<sup>th</sup>, 2022, at the latest so it would be best to come to a consensus in May on the ward line changes.

Councilor Trudel stated that maybe a public hearing on this could be added to the May City Council meeting.

Councilor Zink did mention that two public hearings are required before voting on the ward line change.

Mayor Brown agreed and stated that there would be two more chances for the public to speak on this subject. There will be a public hearing at the City Council meeting on May 2, 2022 and the second public hearing is to be determined. There will also be an email blast on this as well.

The maps will remain in Council Chambers as well so that people can come in and take a look at them.

**Agenda Item II: Other Business**

No other business was discussed.

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

The meeting adjourned at 7:10 p.m.

Respectfully submitted,  
Lisa Jones



## What does tonight look like?

- Mayor – 5 min
- PowerPoint Informational Presentation – 15 min
- Council comments – 20 min
- **Interactive Discussion on Maps – 20 minutes**
- **Public comments/questions – 1 hour**

## Why is this discussion necessary?

- Decennial Census
- Constitution
- COVID affect
- Our Numbers by Ward
- Franklin Charter

Ward 1	3001
Ward 2	2607
Ward 3	3133

## Options?

- All Options require a charter change
- Ward Line Change
- Move Ward Lines from Charter to Code
- Remove Ward Lines

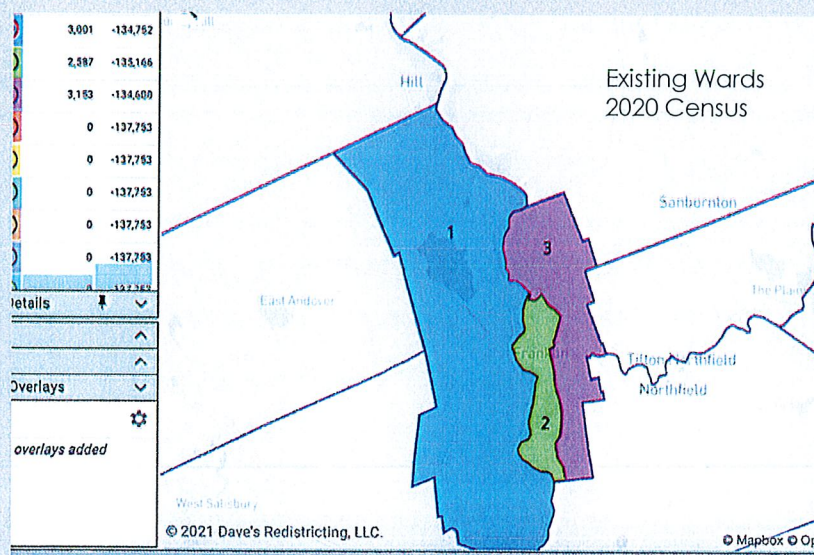
## Considerations for Moving Forward

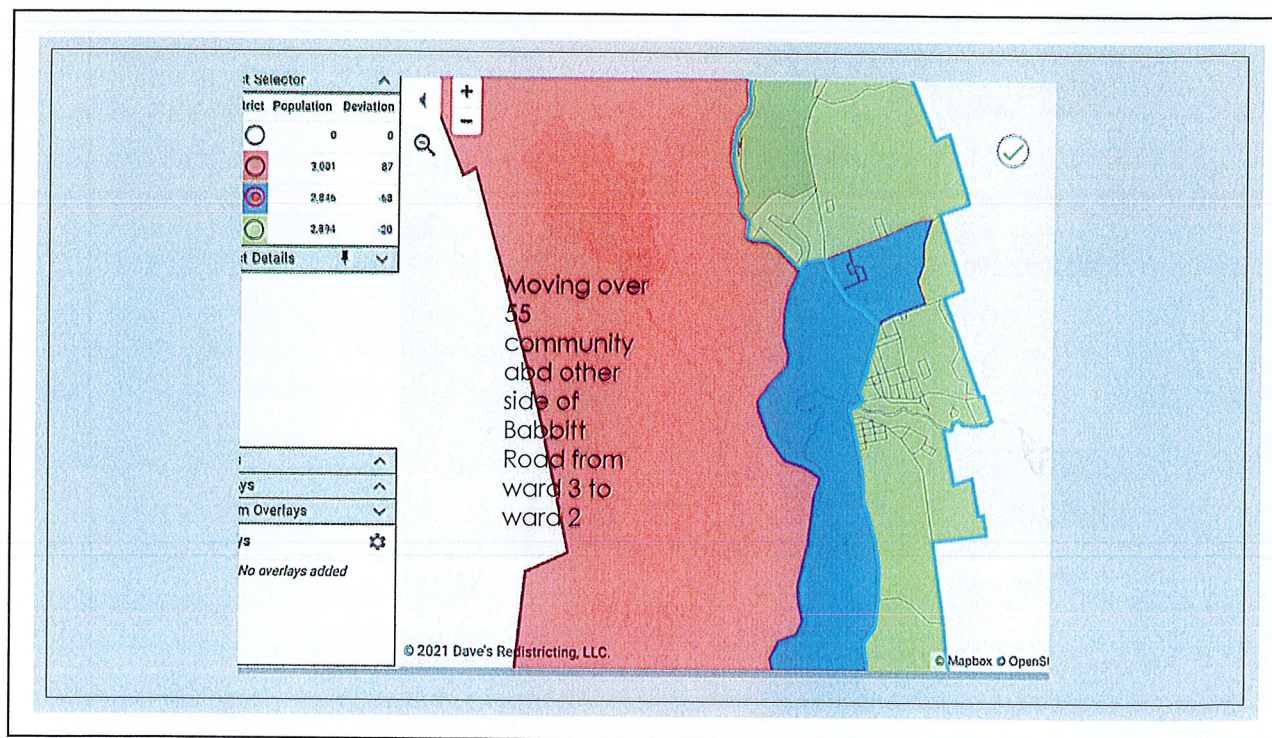
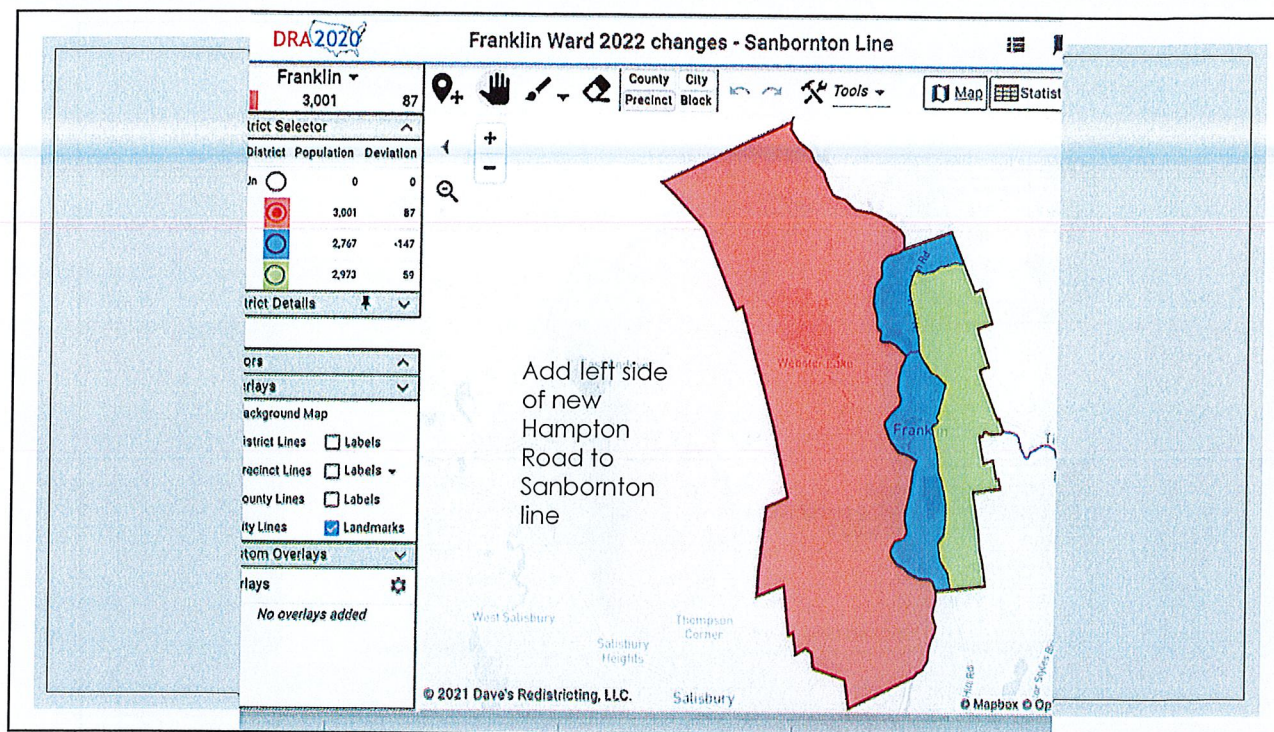
- Ward Change This Year
- Consider other Options before the next Census

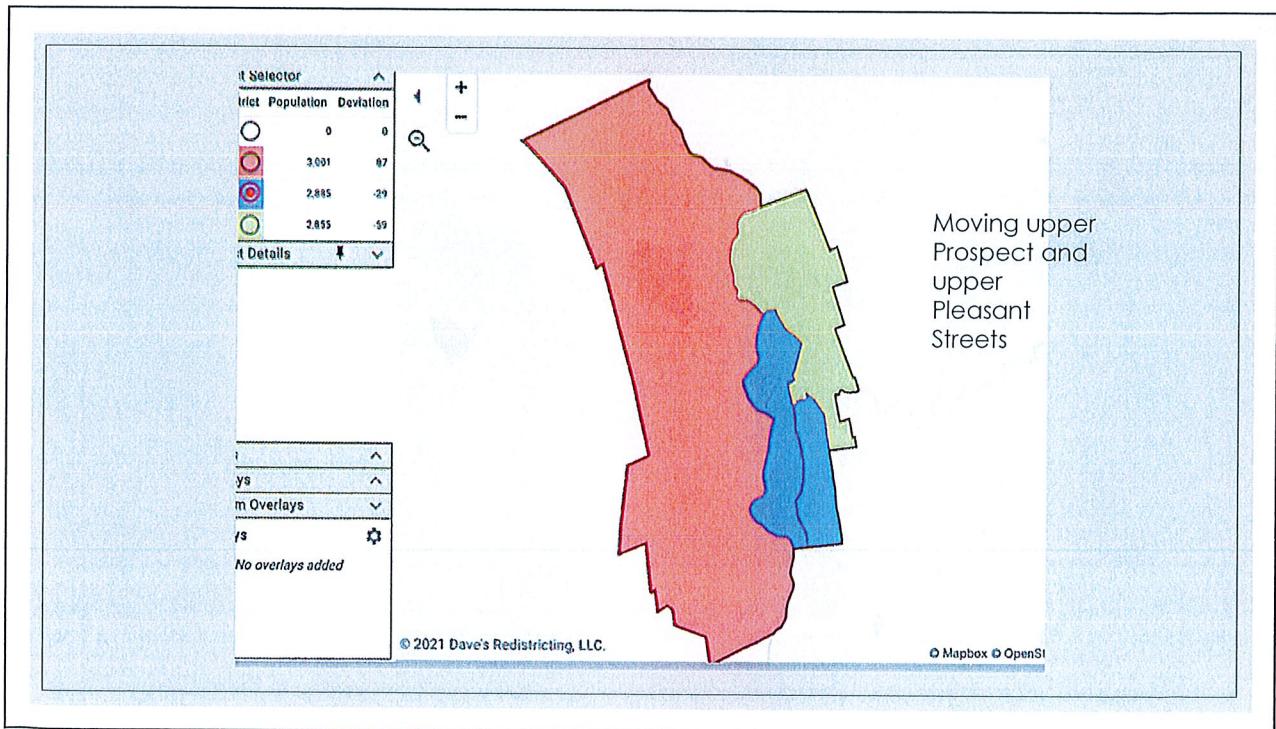
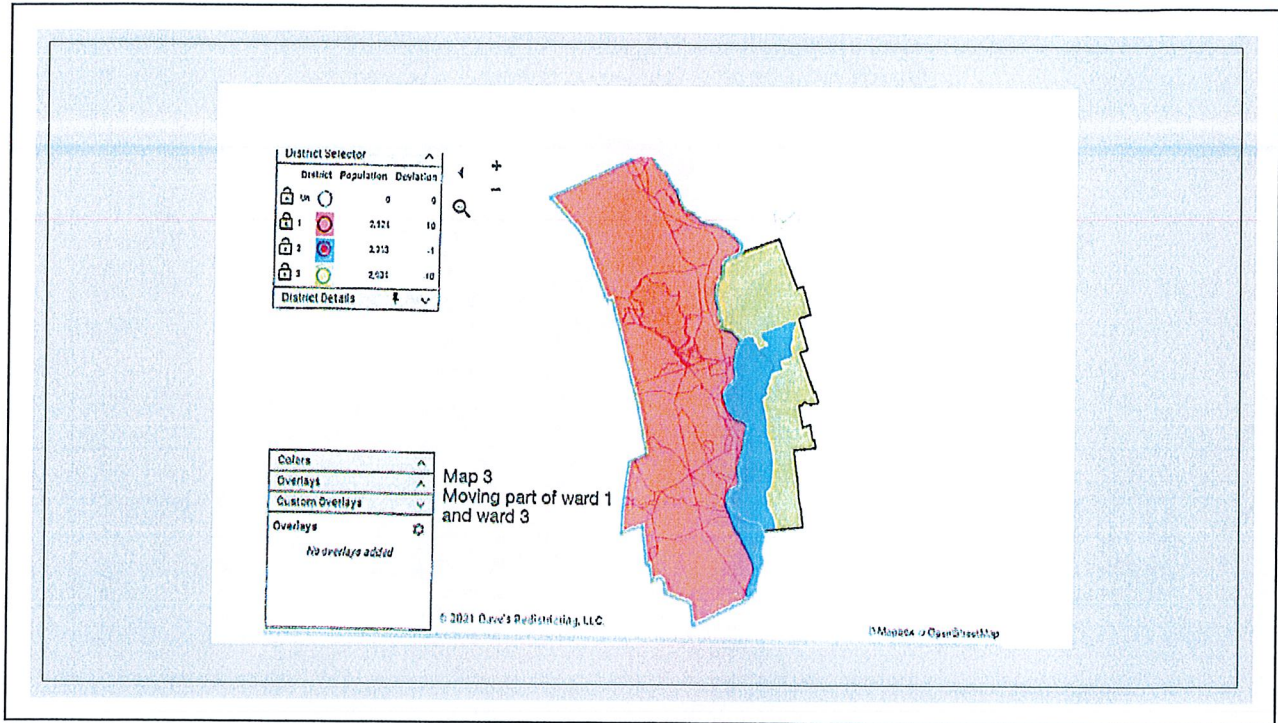
## Timeline

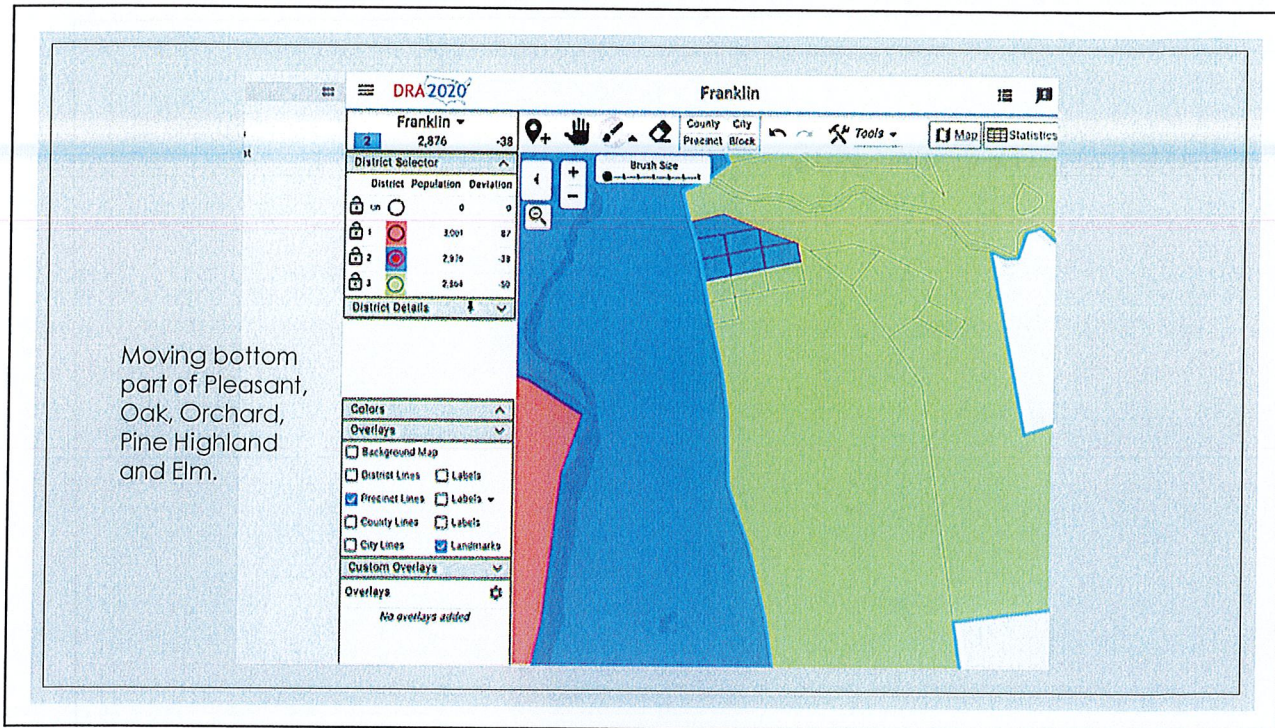
- June 6, 2022 Meeting

## Maps – Suggested Changes









## Council Comments

## Interactive Maps

## Audience Comments

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



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of May 2, 2022*

**Subject: Monthly School Board Update**

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

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



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meetings of April 4, 2022 and May 2, 2022*

**From:** Judie Milner, City Manager

**Subject:** Franklin City Council to consider adoption of Resolution #16-22 appropriating \$454,667 first tranche of Franklin's direct federal American Rescue Plan Act monies for broadband and water projects.

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**Recommended Motions:**

**April 4, 2022**

Councilor moves, "I move the Franklin City Council set a public hearing date for 6:00 p.m. on May 2, 2022 regarding Resolution #16-22, appropriating \$454,667 first tranche of Franklin's direct federal American Rescue Plan Act monies for broadband and water projects."

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

**May 2, 2022**

Councilor moves, "I move that the Franklin City Council adopt Resolution #16-22 to accept and appropriate \$454,667 first tranche of Franklin's direct federal American Rescue Plan Act monies for broadband and water projects and authorize the City Manager to sign necessary paperwork thereof."

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

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**Background:**

The City Council held a special workshop meeting on February 28, 2022 regarding American Rescue Plan Act monies both indirect and direct to Franklin. The City Council directed staff to bring forward a resolution in the April meeting to set a public hearing in May for the first tranche (half) of Franklin's direct allocation of funding.

Workshop meeting Zoom recording can be viewed through the following link:

<https://www.franklinnh.org/city-council-mayor/pages/city-council-meeting-videos>

Timeline for ARPA funding is as follows:

- May 17, 2021 – Treasury issued Final Interim Rules
- July 26, 2021 First City Council Workshop – Council consensus to accept City's direct allotment
- July 29, 2021 – City Manager applied for City's direct allotment through NH GOFERR website
- August 18, 2021 – deadline for non-entitlement units (NEU) to apply for direct allotment of ARPA funds through NH GOFERR website
- August 20, 2021 – Franklin received 1<sup>st</sup> tranche of direct funding from State of NH (\$454,667.14)
- January 6, 2022 – Treasury issued Final Rule
- February 28, 2022 – City Council Special Workshop on ARPA funds

**Attachment:**

Resolution 16-22

**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, May 2, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #16-22, to appropriate funding from the American Rescue Plan Act (ARPA).**

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

316 Central Street  
Franklin, NH 03235

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

**RESOLUTION #16-22**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2022.**

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

**WHEREAS**, the City of Franklin, New Hampshire budget for Fiscal Year 2022 began on July 1, 2021, and;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the receipt of the first tranche of American Rescue Plan Act (ARPA) federal funding directly allocated to the City of Franklin in August of 2021, and;

**WHEREAS**, the City Council of the City of Franklin held a special workshop meeting on February 28, 2022 to discuss projects to be supported by ARPA funding, and:

**WHEREAS**, the City Council of the City of Franklin wishes to utilize the first tranche of ARPA funding for broadband audit and critical water projects, **Now**

**THEREFORE, BE IT RESOLVED**, that at the scheduled meeting of the City Council on Monday, May 2, 2022, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 16-22 appropriating American Rescue Plan Act funding for broadband audit and critical water projects and authorize the following:

**An increase in revenues:**

Federal Grant Revenue Acct. No. 01-0-000-33111-000 – Seven Thousand Five Hundred Dollars (\$7,500),

Federal Grant Revenue Acct. No. 21-0-000-33111-000 - Four Hundred Forty-Seven Thousand One Hundred Sixty-Seven Dollars (\$447,167),

**And an increase in expenditures:**

Other Professional Services City Manager Office Acct. No. 01-1-302-40390-000 – Seven Thousand Five Hundred Dollars (\$7,500),



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



**CITY OF FRANKLIN**  
**COUNCIL AGENDA REPORT**  
April 4, 2022

**From:** Legislative Committee

**Subject:** Council to Consider Setting a public hearing on Ordinance 03-22 Changes to the Noise Ordinance, Fireworks and Violations and Penalties Sections

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**Suggested Motions:**

**April 4, 2022**

Councilor moves, "I move that the Franklin City Council set a public hearing on Monday, May 2, 2022 at 6pm regarding Ordinance 03-22 changes to the noise ordinance; specifically, the fireworks and violations & penalties sections."

Mayor calls for a second, discussion and vote.

**May 2, 2022**

Councilor moves, "I move that the Franklin City Council adopts Ordinance 03-22 changes to the noise ordinance; specifically, the fireworks and violations & penalties sections."

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

**Discussion:**

The legislative committee met on Wednesday August 25, 2021 to review the fireworks ordinance in response to citizen complaints. Members of the committee are bringing forward a few changes in order to provide a fair policy for most. Changes are as follows:

Prohibit fireworks usage on Monday, Tuesday, Wednesday and Thursday with the exception of Federal Holidays.

Change the end time of permitted use on Friday, Saturday and Sunday to 10pm.

Change the penalty to \$100 for first offense and \$500 for every offense thereafter.

This ordinance was tabled by the council at the November 2021 meeting. At the February 22, 2022 Legislative Committee meeting, the committee reviewed all ordinances on the table and discussed changes. The legislative committee kept the language as previously presented but

added language disallowing fireworks on City property except by permit like alcohol on city property.

At the March 7, 2022 City Council meeting the council removed the ordinance from the table and directed staff to update the ordinance per the February 22, 2022 Legislative Committee meeting and present to the council to set a public hearing in April for the May meeting.

The goal of the legislative committee is to have something in place and advertised ahead of Memorial Day weekend which kicks off the fireworks season in Franklin.

**Attachments/Exhibits:**

Ordinance 03-22

**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, May 2, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Ordinance #03-22, regarding an amendment to the Franklin Municipal Code, Chapter 215 Noise, 215-4.1 Fireworks and 215-6 Violations and Penalties.**

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

316 Central Street  
Franklin, NH 03235

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

**ORDINANCE #03-22**

**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 Franklin Municipal Code, Chapter 215, Noise, 215-4.1 Fireworks and 215-6 Violations and Penalties be changed as follows (**bold additional language**, strikethrough for deleted language):

**Chapter 215. Noise**

**§ 215-4.1. Fireworks.**

[Added 9-4-2007 by Ord. No. 05-08; amended 9-5-2017 by Ord. No. 07-18]

A.

Statement. It is the intent of the City of Franklin to allow the safe and authorized use of Class B fireworks and legal Class C "permissible fireworks" as described by the New Hampshire State Fire Marshal's Office pursuant to all regulatory guidelines under NH RSA 160-B and NH RSA 160-C. Furthermore, it is intended to protect the health and welfare of the citizens of the City of Franklin and preserve the quality of life in this community, without unduly prohibiting, limiting or otherwise regulating the legal sale and display of fireworks defined in NH RSA 160-C. The purpose of this section is to establish standards for the control of fireworks in the City by prohibiting specific activities during designated times.

B.

Without limitation of the prohibition contained in § 215-2, it shall be unlawful for any person within any residential, commercial, retail or industrial zone of the City to ignite fireworks, **Monday through Thursday of any given week with the exception of Federal Holidays. Further, it shall be unlawful for any person within residential, commercial, retail or industrial zone of the City to ignite fireworks** past the hour of 10:00 p.m. until 12:00 noon the following day **on Friday, Saturday and Sunday of a given week.**

C.

No person shall ignite fireworks in or on any public highway or sidewalk in the City of Franklin or in or on any municipal building, park, beach, parking lot, land or other facility of the City of Franklin without first obtaining a written permit as hereinafter provided.

D.

Permits to ignite fireworks in or on any municipal facility which is under the management and control of the Board of Education of the City of Franklin must be obtained from said Board. All other permits required by this chapter must be obtained from a committee consisting of the City Manager, Chief of Police, Fire Chief and the Director of Recreation.

E.

It shall be unlawful for any person to violate any of the provisions or regulations as set forth by this section.

## § 215-6. Violations and penalties.

Any person who violates any of the provisions of this chapter shall be guilty of a violation and a penalty shall be imposed upon him or her not to exceed the sum of \$100 **for the first offense and not to exceed the sum of \$500 for each offense thereafter**. Such person shall be deemed to be guilty if a violation of this chapter is committed, continued or permitted by such person and shall be punishable therefor as provided herein.

Effective May 1, 2022 by a roll call vote.

By a roll call vote.

Roll Call:

Councilor Blake	___	Councilor Dzujna	___	Councilor Zink	___
Councilor Ribas	___	Councilor Bunker	___	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 COUNCIL MEETING**  
**AGENDA ITEM V**



**CITY OF FRANKLIN**  
**COUNCIL AGENDA REPORT**  
*City Council Meeting of May 2<sup>nd</sup>, 2022*

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

**Subject:** For the Franklin City Council to consider selling the 2002 Zumro Fire Department rescue boat

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**Recommended Motion for the May 2<sup>nd</sup>, 2022 Meeting of the City Council:**

"I move that the Franklin City Council authorize the Fire Department Administration to sell the 2002 Zumro rescue boat, motor and trailer for the best possible price. It is intended that the proceeds from this sale will be used to replenish the Raymond and Betty Turcotte Expendable Trust Fund."

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

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**Background:**

At the March 7<sup>th</sup>, 2022 Franklin City Council meeting, the council voted to adopt Resolution #11-22. The passing of Resolution #11-22 allowed for the purchase of a new Fire Department rescue boat. Funds for this purchase were made available through the use of the Raymond and Betty Turcotte Expendable Trust Fund.

It is anticipated that the Fire Department will be placing the newly purchased rescue boat in service at the beginning of May of 2022. Once the new boat is placed in service for the City, and Fire Department staff members have been trained on its use, the Fire Department administration is looking to sell the old boat for the best possible price. It is unclear at this point how much revenue the sale of the old rescue boat will generate. Once a sale has been completed, the Fire Department administration will then approach the City Council for consideration of using these funds to replenish the Turcotte Expendable Trust Fund.

**Fiscal Impact:**

The Fire Department administration will determine the most reasonable/profitable selling price for all said items. It is unknown how much money this equipment will draw. It is the goal of the Fire Department that the revenue generated from this sale will be used to replenish the Raymond and Betty Turcotte Expendable Trust Fund.

**Alternatives:**

The alternative is to forgo the sale of the 2002 Zumro Rescue Boat. As a result, a storage place will need to be located.

**CITY COUNCIL MEETING**  
**AGENDA ITEM VI**



CITY OF FRANKLIN  
COUNCIL AGENDA REPORT

May 2, 2022 City Council Meeting

**Subject: Approval of Annual Agricultural Real Estate Lease,  
Tax Map 123, Lot 403, with Mr. Brent Fife**

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**Motion: *"I move that the Franklin City Council approves an Agricultural Real Estate Lease with Mr. Brent Fife for 11 acres of City owned property located off River Street which is not being used for an approved solar project, identified as Tax Map 123, Lot 403, and to authorize City Manager Milner to duly execute the lease on behalf of the City."***

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The attached lease is the same (with the dates changed) as used in the last couple of years and has been approved by Attorney Fitzgerald.

Reminder, City is in lease agreement and must abide by lease agreement for Town Solar 1 & Town Solar 2 at least until legal proceedings have concluded.

Attachment: One Year Lease Agreement

## **AGRICULTURAL REAL ESTATE LEASE**

**City of Franklin**

**And**

**Brent Fife**

**LEASE AGREEMENT** made this \_\_\_\_\_ day of May, 2022, by and between the City of Franklin, New Hampshire, a municipal corporation located in the County of Merrimack, hereinafter referred to as the Lessor, and Brent Fife of 925 South Main Street, Franklin, County of Merrimack and State of New Hampshire, hereinafter referred to as the Lessee.

**PREMISES:** The parties agree that the Lessor shall lease to the Lessee a portion of a certain parcel of land located within the City of Franklin, and owned by the Lessor and located off River Street. The Lessor is leasing the 11 acres of the 34 acres not being used for the solar projects approved in Franklin Solar 1 and Franklin Solar 2. Said parcel is more specifically identified on the Franklin Tax Map as Parcel #123-403-00 and Land Lease Agreements for solar arrays between the City and Franklin Town Solar 1 & 2 LLC. It is understood that such agricultural purposes and operations supporting those purposes shall not interfere with the installation, ownership, maintenance or use of the solar arrays.

**CONSIDERATION:** Consideration for this rental shall be in conformance with RSA 72:23 and any amendments thereto. Annual payments shall be equivalent to \$25.00 per acre.

**LEASE TERM:** This lease shall be for a period of one year subject to cancellation as described herein. However, it is hereby understood and agreed by the parties that the Lessee shall have the use and enjoyment of the premises only from the period of May 1 through November 1 of 2022. For the remaining six months of any year, the property shall be subject to the use and occupancy of the Lessor.

**PURPOSES:** It is understood and agreed that the leased premises are to be used solely for agricultural purposes. Any other use of the premises shall be approved by the Lessor prior to such a use being established by the Lessee. The Lessee may not sublet any portion of the premises or assign his responsibilities or rights under this lease agreement to any other party without the written consent of the Lessor.

**CANCELLATION:** Either party may cancel this agreement upon 60 days notice to the other. However, in the event that the Lessor exercises its option to cancel this agreement during the months of May, June, July, August, September or October of any year, then the Lessor shall allow the Lessee the right to enter upon the leased premises, care for and harvest any crops which have been planted prior to receipt of notice of cancellation. Cancellation notice by any party shall be in writing, certified mail with return receipt requested.

**LIABILITY:** The Lessee agrees to hold the Lessor harmless for any injury, loss or occurrence to any party that arises or is in any way connected with the Lessee's use of the premises. Lessee shall, upon request of the City Manager, provide the City with proof of insurance in an adequate amount to protect the City's interest in this regard. Lessee shall not be required to have insurance coverage of higher face amounts than that carried by Lessor. However, in the event of claims which exceed Lessee's coverage, any overage payment shall be borne by the Lessee.

**MERGER:** All agreements and representations made by the parties are contained herein and, unless specifically enumerated in this document shall not form a part of this agreement.

**AMENDMENT:** Any amendment to this agreement shall be in writing executed by the parties.

**SEVERABILITY:** Should any clause, sentence or paragraph of this document be found void, illegal or of no effect, the remainder of the document shall not be affected by such a finding and shall remain in full force and effect.

**APPLICABLE LAW:** The parties agree that this contract shall be construed under the laws of the State of New Hampshire. Should any future statutory amendments or court decisions revise the applicable law with regard to the lease of municipal property, such provisions shall be incorporated into this agreement to the highest degree possible.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Judie Milner, City Manager  
City of Franklin, Duly Authorized

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Brent Fife



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of May 2, 2022*

**Subject: Other Business**

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

**Adjournment**

### **Council Appointments**

I move that the Franklin City Council re-appoint Sam Durfee to the TIF District Advisory Board, term of service to January 2024.

I move that the Franklin City Council re-appoint Caite Foley to the TIF District Advisory Board, term of service to January 2024.

I move that the Franklin City Council re-appoint Robert Morin, Jr. to the TIF District Advisory Board, term of service to January 2024.

I move that the Franklin City Council re-appoint Jason Grevior to the TIF District Advisory Board, term of service to January 2026.

I move that the Franklin City Council re-appoint Ron Magoon to the TIF District Advisory Board, term of service to January 2026.

I move that the Franklin City Council re-appoint Michael Mullavey, Jr. to the TIF District Advisory Board, term of service to January 2026.

I move that the Franklin City Council re-appoint Leo Paquin to the TIF District Advisory Board, term of service to January 2026.



**CITY OF FRANKLIN**  
**COUNCIL AGENDA REPORT**  
City Council Meeting May 2, 2022

**Date:** April 26, 2022  
**From:** Judie Milner, City Manager  
**Subject:** City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$265.61
- Congratulations:
- Budget Workshop Meetings-all in council chambers
  - Wednesday, May 4, 6pm – school district
  - Monday, May 9, 6pm – municipal departments
  - Monday, May 16, 6pm – municipal departments
  - Monday, May 23, 6pm – municipal departments
- Committee meetings – May:
  - Municipal Services – Thursday, May 26<sup>th</sup> City Hall Blue Meeting Room
  - Legislative –
  - CIP Committee – Tuesday, May 24<sup>th</sup> Library
- Legislative Update
- Communications Center Project Update
- Drug Take Back Day
- Stevens Mill Update
- Youth Government
- Community Day

- Arts Integration Weekend
- Eversource Leadership Academy – 5/10
- NH Planners Association – professional development workshop that will highlight the revitalization of Franklin – June 2

City of Franklin, NH			
City Council Request Follow Up Log			
Date Requested	Request	Status	Reported
4/4/22	Tax Increment Financing District timeline	reviewing at 5/2/22 city council meeting	5/2/22

