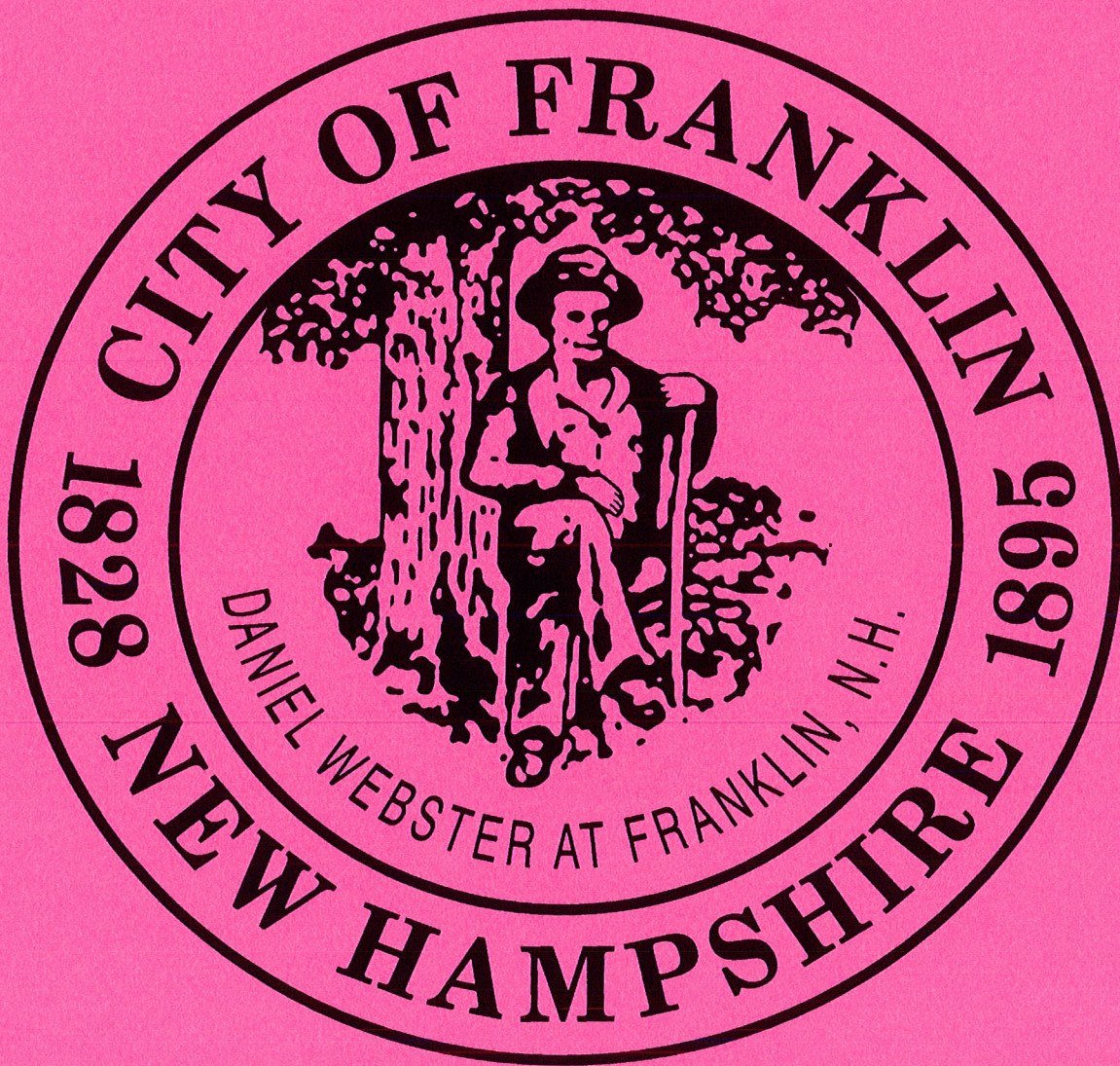


CITY OF FRANKLIN
CITY COUNCIL MEETING
August 1, 2022
6:00 P.M.





CITY COUNCIL MEETING

Monday, August 1, 2022 - 6:00 p.m.

Council Chambers, Franklin City Hall

or view only via Zoom: <https://us02web.zoom.us/j/87101623150>

or by phone: 1-312-626-6799, Meeting ID# 871 0162 3150

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR OUR VETERANS

NO PUBLIC HEARINGS

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.

Council to consider the minutes of the May 16, 2022 City Council Special Meeting, May 23, 2022 City Council Special Meeting, the July 11, 2022 City Council Meeting and the non-public minutes of the July 11, 2022 City Council Meeting.

Agenda Item II.

School Board Update

Agenda Item III.

Council to consider changing the dates of the September, October and November City Council meetings due to a holiday and elections.

Agenda Item IV.

Council to consider setting a public hearing on Trash Ordinance 03-23

Agenda Item V.

Council to consider Franklin becoming a Purple Heart Community

Agenda Item VI.

Council to consider parking lease with IFA Realty Holdings – Franklin LLC

Agenda Item VII.

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 August 1, 2022

Subject: Approval of Minutes

Motion: “I move that the Franklin City Council approve the minutes of the May 16, 2022 City Council Special Meeting, the May 23, 2022 City Council Special Meeting, the July 11, 2022 City Council Meeting, and the non-public meeting minutes of the July 11, 2022 City Council Meeting.”

Mayor calls for a second, discussion and the vote.



City Council Special Meeting Minutes Municipal Budget Presentation Wednesday, May 16, 2022 - 6:00 p.m. Upstairs, Franklin Public Library

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

Absent: None

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

Mayor Brown called the meeting to order in Council Chambers at 6:00 p.m. and led a salute to the Flag.

Mayor Brown stated that this is the second FY23 municipal budget presentation and asked City Manager Milner to begin.

City Manager Milner introduced all of the department heads and started the presentation with the following slides:

FY2023 City Manager's
Budget Proposal
Monday, May 16, 2022

FY2023 Manager's Budget Proposal – Professional Staff

Judie Milner, City Manager

Finance Director	Esaundra Gaudette
City Clerk/Tax Collector	Michelle Stanyan
Fire Chief	Michael Foss
Library Director	Robert Sargent
Municipal Services Director	Justin Hanscom
Planning/Zoning Director & Special Projects Coordinator	Seth Creighton
Police Chief	David Goldstein
Recreation Director	Krystal Alpers

FY2023 Manager's Budget Proposal – May 19 2022 Review

- Budget Timeline
- Vision/Mission
- Budget Preparation Guiding Principles
- Tax Rate
- Revenue Review
- Payroll & Benefits
- Executive, Legal, Insurance & Other
- Outside Agencies, Economic Development
- Debt Service, Capital, Operating Transfers Out
- Other Funds – non taxpayer supported – Grants, P&R Revolving, Police Outside Detail

City Manager Milner went through the followup answers from questions that came up at the previous budget hearing on May 9, 2022. These are listed in the slide below.

FY2023 Manager's Budget Proposal – May 9, 2022 Follow Up Questions & Answers

- 7% CPIU Affect on a \$200,000
 - \$324
- \$ amount of 4.1% increase in WC
 - \$7,819
- Current House Bill in Legislature Restoring Retirement – HB1417
 - 7.5% share of Police, Fire Teachers = approx. \$150,000
- Legal Breakout
 - \$14,100 Retainer; \$38,000 average annual including items outside the retainer
- Debt Service – Vehicles being replaced
 - Fire Car 3 - 2006 Tahoe
 - Fire Utility 3 – 2010 F150
 - MSD Utility 18 – 2008 Blazer
 - MSD Back Hoe – 2000 CAT
- Roads – Average Cost per Mile
 - \$213,000

The information on Workers' Comp. and Retirement can be found in the City Manager's Budget Proposal on page 21.

For the vehicles being replaced, to answer the second part of the question of what they are being replaced with; Chevy Colorado's for the Fire Department at \$51,350/each with outfitting, Trailblazer for MSD at \$31,000, and a brand new back hoe for MSD will be \$180,000. These would come out of the Debt Service line in the budget, which is on page 150.

FY2023 Manager's Budget Proposal – Follow Up From Last Week

- FY2014 Pay & Class
 - \$1.2M to implement fully
 - Slowly implemented partially over last 10 years
 - Some positions are still \$2-\$3 under FY2014 pay & class recommendation
 - Incorporated fully paid benefits into study
 - Recruit employees need to hire step 6 or greater

Milner explained the FY2014 Pay & Class in more detail, per the above slide. There is a new Pay & Class study being done at the Department Head meeting tomorrow.

FY2023 Manager's Proposed Budget – Follow Up From Last Week

Cost of Capital

C-32B = 18 cents on tax rate per \$100,000 of added expenditure (using current rate)

Resets Tax Cap to include capital

Road program approx. \$800K per year (\$1.44 on tax rate)

The above slide is a portion of the tax cap that City Council had met. This proposal would mean that the tax rate would take effect and increase by double on this year's December tax bill, but the following year each tax bill would be increased by half of the December's added amount.

For example, based on a \$200,000 house, this July's tax bill would have no increase, December's tax bill would be \$288 more, but every other tax bill going forward would be an increase of \$144.

FY2023 Manager's Budget Proposal – May 16, 2022 Overview

- City Clerk/Tax Collector
- Finance & IT
- Planning & Zoning
- Recreation
- Library
- Fire
- Police

The above slide shows the departments that will each be giving a presentation tonight. Milner stated that Finance will actually start before City Clerk/Tax Collector.

FY2023 Manager's Proposed Budget – Expenditures

- Finance (page 113; statistics page 76)
- IT (page 115)

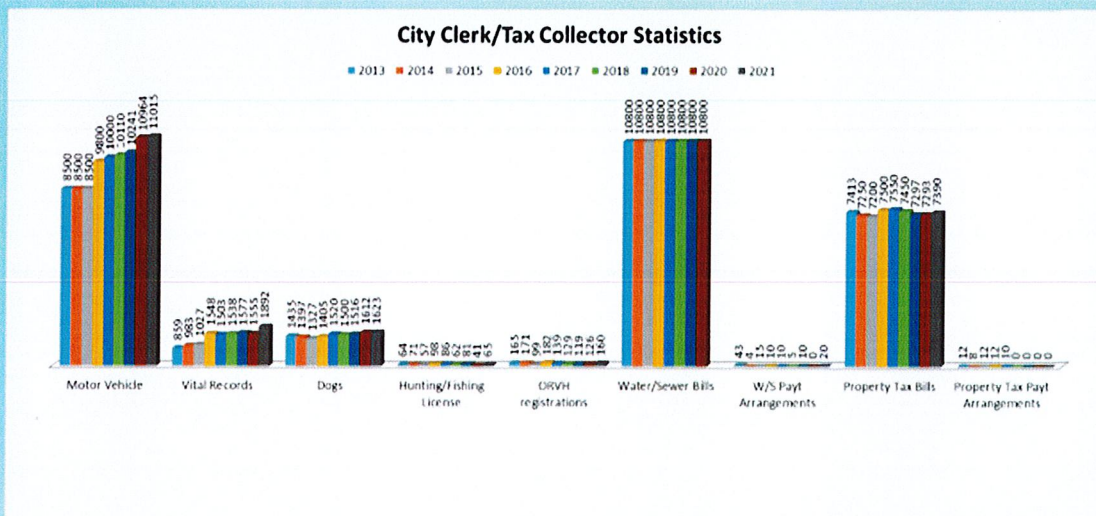
Finance Director Gaudette stated that she added a miscellaneous expenditure line for a new shredding company so that her staff was not spending so much time shredding manually. This line also covers other miscellaneous items like stamps for notaries.

Councilor Zink asked if the finance department has a lot of overtime and Finance Director Gaudette stated that during COVID there was a lot of overtime but her department has cut back on it now.

Gaudette also added that for the IT department the current company they use for security is no longer insuring schools or municipalities due to being more of a high risk. She is waiting for answers and pricing from some other companies.

FY2023 Manager's Proposed Budget –
 Expenditures

–City Clerk/Tax Collector (page
 111; statistics page 73)



City Clerk/Tax Collector Stanyan went over the statistics on the above slide. She also noted that in the proposed budget packet that her department handles about 11,000 motor vehicle and boat transactions, 1,892 vital records, 225 NH Fish and Game transactions, 1,600 dog licenses, over 10,600 annual water and sewer bills, and almost 7,400 annual property tax bills. They also send out the late water/sewer, dog renewal, and motor vehicle renewal notices.

Stanyan also stated that the Clerk's office is also responsible for all of the elections for the city. Some years are as small as one election in a year, and every four years it is as many as four elections. This year there will be three elections, the NH State Primary on September 13, 2022, the City of Franklin on October 4, 2022 and the General Election on November 8, 2022. This is the largest line increase on the budget from last year, due to the amount of elections increasing this year verses the last physical year.

The increases in the rest of the budget are mainly due to rising costs for supplies and vendors. Other than that, the budget closely mirrors most of last year, minus the inflated costs.

She also wanted to mention that her staff has an amazing level of customer service and it has been noticed by a lot of residents that come in.

FY2023 Manager's Proposed Budget –
Expenditures

–Planning & Zoning (page 116,
statistics page 79)

P&Z Director Creighton gave everyone the below handout:

Planning, Zoning, Building Dept. FY 2023 Budget:

A) Who we are:

1 part-time Administrative Secretary (32 hr./week).

1 full-time Director.

The good: Your staff believe in Franklin! We are constantly cheerleading the City's efforts to better itself while working on ways to make ideas become reality. We also aren't afraid to say "no" or "stop" when we see something that isn't allowed and will be a detriment to the City.

The bad: Your staff are overworked and wear too many hats.

B) What we do (some of it, not all):

We are the "land-use" department. This means we are tasked with guiding and processing permits for everything from sign permits, to changes-of-use, to sheds, to additions, to new parking lots, to new homes, to new apartments, to new industrial facilities, to senior living facilities, to complete rehab and reuse of nearly an entire City block.

We work with the Economic Development Task Force to secure millions of dollars in grants.

We act as enforcement (land-use police) with regards to land-use and property codes.

We are tasked to create plans for how the City wants to be (grow/change/etc.) and then we write rules to ensure that these desires become reality and are applicable to all development.

We assist customers with permitting, understanding what they can/can't do on the land, understand property lines, septic systems, and State and Federal rules such as Shoreland Protection/Wetlands/Flood Zone, etc.

We staff the Planning Board, Zoning Board, and Heritage Commission. Each board is scheduled to meet monthly; both staff members also attend these meetings:

Annual night meetings:

36 Board meetings

12 City Council meetings

12 Other night meetings (i.e.- Task Force, special projects, Regional Planning, etc.)

Total annual night meetings: 60 +/-. *(This represents the need to work a night meeting on 23% of the days worked).*

C. What we need:

More staff. Separation of “Building” from “Planning”. Compensation for staff (Administrative Secretary).

As the City grows, the applications and applicants will become more complicated. All of the easily developed land is already built/rebuilt. Codes will continue to become more complex. This means that each application will become more time-consuming.

To start, the Department needs to increase the Admin. position to full time, this will at least provide office coverage during open hours and a few extra hours to accomplish work. The City Manager's budget has included the proposal to add eight more hours/week to the Administrative Secretary, thus becoming full-time

We are spread thin, and too much of our time is spent turning-our-wheels constantly reprioritizing what is priority. In addition to it being impossible to do it all, having just one or two people do-it-all is also confusing to customers. Most customers can't understand why we are '2-faced'. I.E. - I wear my “Planner” hat to work with someone to get a good

project approved, when it makes sense to approve, even if it doesn't quite meet the rules. But at the same time, I have to be the Zoning Administrator and tell them why the project can't be done due to a generic "Zoning" code. Even worse are the times I work with someone that has a great project that meets all Planning and Zoning rules, but then gets stopped at the Building Permit stage because of a Building Code issue, which I end up enforcing and delivering the bad news on (the Building Inspector enforces Building Code, but my department administers the building permit review process).

The addition of another full-time Planner or Zoning Technician, and/or creating a separate Building Department to house an additional employee, would alleviate much of this.

Franklin Planning, Zoning, Building Dept - SWOT Analysis

<u>Strengths</u> Staff: <ul style="list-style-type: none">• Intelligent, supportive, customer friendly staff• 30+ cumulative years of experience in/with municipal/local government• Frugal• Work well with all departments• Connected to others in local and State government roles.• Progressive thinkers while respecting the NH way.	<u>Weaknesses</u> <ul style="list-style-type: none">• Paper reliant (lack of permitting software)• CIP lacks Planning related items such as: masterplans; main street (Central St) plans and improvements.• Outdated regulations and zoning ordinances.• Too few employees.• Administration of too many divisions.• Insufficient collaboration with other departments.
<u>Opportunities</u> <ul style="list-style-type: none">• Grant funding available (for regulation updates and tangible projects)• Time is perfect to reinvent the City – increase tax base while shaping development patterns.• Improve processes.• Build better relationships.	<u>Threats</u> <ul style="list-style-type: none">• Staff burnout.• Customer dissatisfaction (customer satisfaction will decline as staff becomes overwhelmed with applications and processing times lengthen.• Mistakes will be made (due to things being rushed in an attempt to keep up).• Misguided development.• Investment will go elsewhere if Franklin's process isn't smooth.

Planning, Zoning, Building Dept. related pages in the Budget Book:

Pages 5: Proposed Fees

Page 79: Calendar year summary of some, but not all permits processed

Page 98: Revenues

Pages 116 – 117: City Manager's supported budget for Planning & Zoning

Pages 176, 177, 179, 182, 185, 186: Existing Fees

P&Z Director Creighton went over the items on the handout. He also mentioned that his part-time administrative assistant is extremely knowledgeable and a huge asset. Her 32 hours a week prevents having her there to greet people when her shift is over and being able to help answer questions if he is out of the building for appointments with residents. She would like to go to full time status, which he stated she is ready for, and he mentioned that he needs her to be full time as well. That is included in his budget.

The Assessing Technician position was also revised and includes some duties that were part of Planning & Zoning and this position will be working under Creighton.

City Manager Milner stated that her and P&Z Director Creighton had two interviews last week and will be interviewing this week as well. She stated that they are fairly certain they have the right candidate for this position.

FY2023 Manager's Proposed Budget –
Expenditures

–Recreation (page 146 statistics
page 90)

Parks & Recreation Director Alpers provided the below handout:

Franklin Parks and Recreation - SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none">• Dedicated Personnel• Affordable programming and Child Care provided for the community• Community Connections – programming and collaboration• Bessie Rowell Community Center (BRCC)• Strong relationship with tenants in BRCC	<ul style="list-style-type: none">• Staff pay• Youth Sports Coordinator• Executive Assistant – only dept without• Vandalism• Limited space at BRCC for growth• Staff turnover• Beach Management

<ul style="list-style-type: none"> • Volunteers • Great parks • Community Beaches • Flexible department adapting to community needs • Hours of operation - 6:30am-6pm • Capital planning for BRCC 	<ul style="list-style-type: none"> • Department Vehicles • Parent Involvement • Lack of capital park planning • Lack of volunteers
Opportunities <ul style="list-style-type: none"> • Additional Programming – Middle School/High School • Youth Sports • Existing programming growth • Community collaborations – new partners • Capital planning 	Threats <ul style="list-style-type: none"> • Competition • Local Businesses Hourly Wage • Lack of grant funding • Vandalism • Lack of space to grow • Staff turnover • Beach Management • Park upkeep • Capital funding

Alpers started off by acknowledging how amazing her team is to work with, including her fellow department heads and the City Manager. The Recreation department is not always seen as essential, however, this team has never viewed recreation as a less important department than any other.

She continued explaining that they have had to drastically change the way that they do many things over the past two years, due to the pandemic. They are starting to shift back into normal operations. The pandemic did shed some light on how important child care is for families. There has been a waitlist for most of the school year, as they are at maximum capacity within their facility. Summer camp has been full for over a month and filled up within 2 weeks of being advertised.

Alpers stated that her group of recreational professionals are underpaid and burnt out. Due to the part time nature of the job, it is often a second job for most. \$10-\$15/hour is not a reasonable amount for pay for what the staff has to deal with, especially considering the rate of pay elsewhere in positions that are not as stressful. Through the 21st Century Grant, COVID funding and childcare stabilization funding, she has been able to pay her staff at a more comparable rate to other local employers for the last year. COVID funding is coming to an end and she will not be able to keep that rate at that point.

Alpers mentioned that she also needs more staff. The Recreation Department is the only department in the city that does not have an Executive Assistant and that position would really help to free her and upper level staff up to alleviate being spread so thin. She also mentioned that the parks and beaches need to be kept up and will need money to be put aside for replacement costs at Odell Park and other city playgrounds as they are starting to age. Odell Park is 14 years old and the average life of a playground is about 20 years.

FY2023 Manager's Proposed Budget –
Expenditures

–Library (page 159, statistics
page 93)

Library Director Sargent stated that the library is continuing to get better. Circulation is up 63% over the same period last year, however, he kept the spending down this fiscal year since they had not returned to programming. The library did spend trust fund money on the interior painting of the main floor and the front stairwell. They were also able to expand their operations by an additional 10 hours a week last month, bringing the total to 55.

Sargent mentioned that the Library Board of Trustees and himself are seeking a level-funded operating grant. Since they will not be expending all of their allotted resources in the current budget, it was not necessary to ask for more.

FY2023 Manager's Proposed Budget

- 1ST Responder Focus Group
 - Mental Health
 - Fatigue
 - Stress
 - Burn Out

City Manager Milner stated that the above slide shows that the 1st Responder Focus Group created a survey for the fire and police department employees that was quite telling and this group has been coming up with ways to help with stress, burn out and mental health.

Milner stated that the Fire Department budget presentation was next, which starts on page 126.

Mayor Brown called for a quick break at 7:50 p.m. and the meeting reconvened at 8:02 p.m.

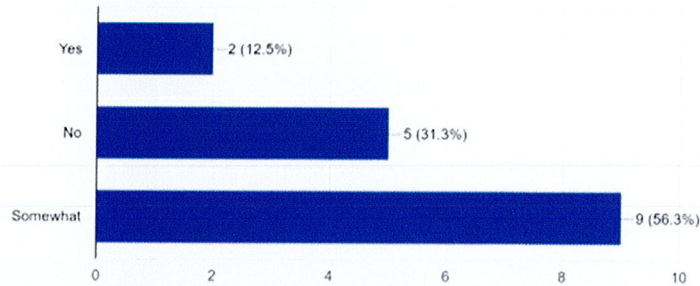
Fire Chief Foss started his presentation with the below slides, which show some survey statistics that were completed by his employees. These surveys asked about whether they had a good work-life balance, whether compensation or benefits were more important and if they felt they had enough time off to sustain a healthy mental state.

FY2023 Manager's Proposed Budget –
Expenditures

–Fire Department (page 126,
statistics page 83)

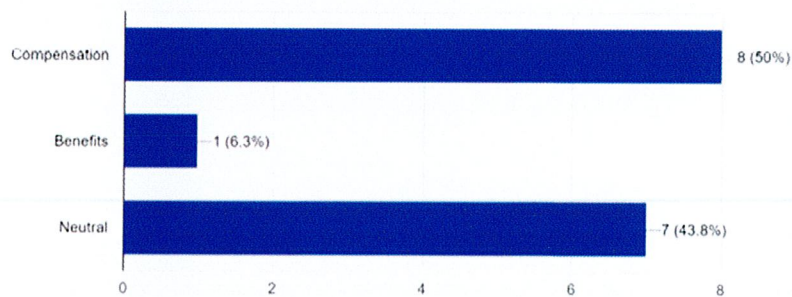
Fire Department Survey

Do you have a good work-life balance?
16 responses



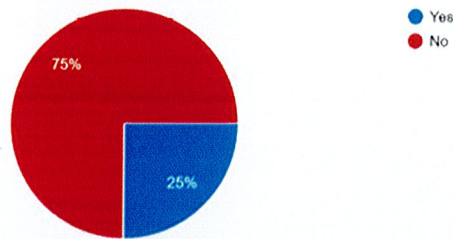
Fire Department Survey

What is more important to you, your compensation or your benefits?
16 responses



Fire Department Survey

Do you feel you receive enough leave time to remain emotionally healthy at work?
16 responses



Foss stated that he believes that if they implement the 5% COLA that is presented in the budget that it will help stabilize the staff and get the department in the ball park with other comparable communities.

One way to also help staff, and this would be city wide, would be to add some days off for employees. He mentioned they are working on a new personnel policy that possibly adds a few extra personal days off.

Next, Police Chief Goldstein went over the bellow slides for his department. He also went over some of the same surveys as the fire department, which shows a slightly better result. Goldstein stated that they are fully staffed right now but there are not enough supervisors.

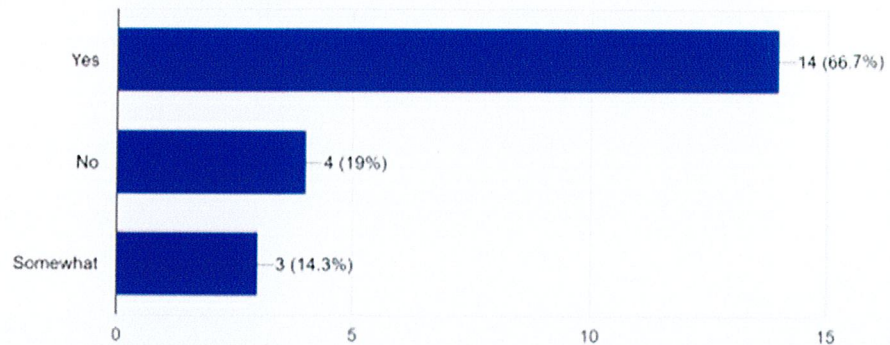
FY2023 Manager's Proposed Budget – Expenditures

–Police Department (page 121,
statistics page 80)

Police Department - Survey

Do you have a good work-life balance?

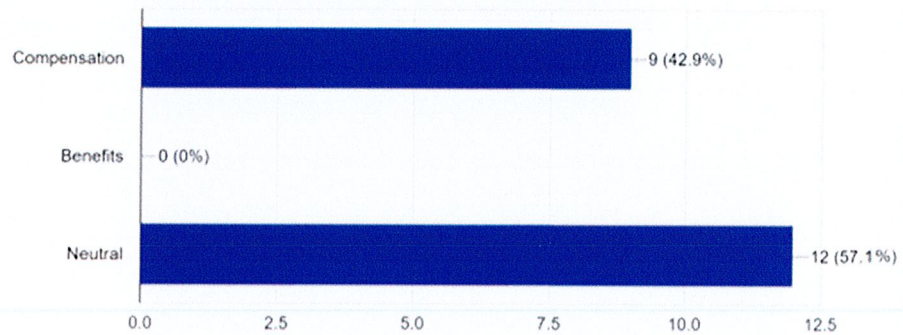
21 responses



Police Department - Survey

What is more important to you, your compensation or your benefits?

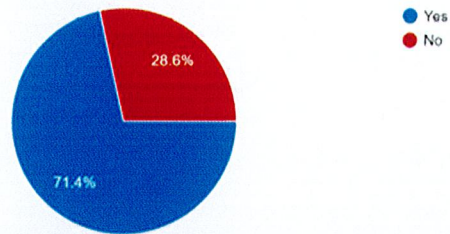
21 responses



Police Department - Survey

Do you have the equipment to effectively do your job?

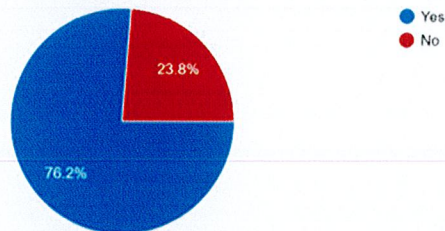
21 responses



Police Department - Survey

Do you have the software to effectively do your job?

21 responses



Goldstein added that the Police Department supplies everything except for socks and underwear for the officers. There was also some discussion about the statistics on page 80 in the FY2023 City Managers Budget Proposal packet.

Milner stated that this concludes the second part of the municipal budget presentation and reminded the council that the last part will be held on May 23, 2022 and that this would be covering the Municipal Services only, as that is the last department to go over.

Mayor Brown thanked all of the department heads and stated that she appreciates all of the time they put in, their hard work and for being here to present their budgets.

There was no further discussion.

Mayor Brown adjourned the meeting at 8:57 p.m.

Respectfully submitted,

Lisa Jones

Executive Secretary



Pending Approval of City Council

City Council Meeting Minutes Monday, May 23, 2022 - 6:00 p.m. City Hall, Council Chambers

Council in attendance: Mayor Jo Brown, 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.

Absent: Councilor April Bunker

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

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

Salute to the Flag was led by Councilor Ribas.

Agenda Item I: Municipal Budget FY23 – Part III (Municipal Services)

City Manager Milner started a slide show to go over the remaining FY2023 budget proposal, which are included in these minutes.

FY2023 City Manager's
Budget Proposal
Monday, May 23, 2022

Milner started by introducing all of the city department heads, which were all present.

FY2023 Manager's Budget Proposal – Professional Staff

Judie Milner, City Manager	
Finance Director	Esaundra Gaudette
City Clerk/Tax Collector	Michelle Stanyan
Fire Chief	Michael Foss
Library Director	Robert Sargent
Municipal Services Director	Justin Hanscom
Planning/Zoning Director & Special Projects Coordinator	Seth Creighton
Police Chief	David Goldstein
Recreation Director	Krystal Alpers

FY2023 Manager's Budget Proposal – May 16, 2022 Review

- City Clerk/Tax Collector
- Finance & IT
- Planning & Zoning
- Recreation
- Library
- Fire
- Police

Milner answered some follow up questions from the May 16, 2022 budget meeting, per the slides below.

FY2023 Manager's Budget Proposal – May 16, 2022 Follow Up Questions & Answers

- Cost of completing implementation of FY2014 Pay & Class Study
 - Important Assumption - COLA's since 2014 reduced implementation costs
- Eversource Valuation
- Gas/Diesel pricing
- Election Workers Pay

Elections Key		
Title	Rates	
	Per Hour	Per Election
Supervisor	\$10	
Moderator		\$150
Assitant Moderator		\$100
Clerk Pro-tem		\$75
Ward Clerk		\$125
Ballot Inspector		\$100
Supervisor Assistant		\$75
Greeters		\$75

FY2023 Manager's Budget Proposal – May 16, 2022 Follow Up Questions & Answers

- Parks & Recreation
 - Administration – supported by City – keep open but not run programs; maintain beaches, maintain parks & fields
 - Programs – revenues offset all expenditures and a portion of administration
- | | | |
|----------|----------------|------------------------|
| – FY2020 | Programs Rev | \$279,976 |
| – FY2020 | Programs Exp | (\$237,892) |
| – FY2020 | Excess Revenue | \$42,084 |
| – FY2021 | Programs Rev | \$279,975 |
| – FY2021 | Programs Exp | (\$276,865) |
| – FY2021 | Excess Revenue | \$3,110 (COVID affect) |

Milner stated that she is closing on the TIF bond early and Chimburg is guaranteeing that bond. She also added that interest rates are on the rise as of right now.

FY2023 Manager's Proposed Budget – Follow Up From Last Week

- Fire OT/SAFER Grant
- Follow up on debt service rate increases

Below shows an overview of the FY2023 Manager's Budget Proposal for Municipal Services that are being presented. This also includes the pages that these subjects can be found in the budget packet.

FY2023 Manager's Budget Proposal – May 23, 2022 Overview

- General Fund
 - Municipal Services
 - General Government Buildings
 - Administration
 - Highway
 - Mechanical Garage
 - Buildings & Grounds
 - Solid Waste
- Enterprise Funds
 - Municipal Services
 - Water
 - Sewer

FY2023 Manager's Proposed Budget – Expenditures

Municipal Services - Buildings

City Hall – page 117
Parks & Beaches – page 117
Odell – page 118
Bessie Rowell – page 118
Police – page 125
Fire – page 131
Municipal Services – page 139

Municipal Services Director Hanscom went through his presentation with the below slides showing the page number in the budget proposal packet and he also provided a handout with bullet points on each slide with more details, which is also included below.

FY2023 Manager's Proposed Budget –
Expenditures

**Municipal Services (statistics page
86):**

Administration (Page 133)

FY2023 Manager's Proposed Budget –
Expenditures

**Municipal Services (statistics page
86):**

Highway (Page 134)

FY2023 Manager's Proposed Budget –
Expenditures

**Municipal Services (statistics page
86):**

Mechanical Garage (Page 136)

FY2023 Manager's Proposed Budget –
Expenditures

**Municipal Services (statistics page
86):**

Buildings & Grounds (Page 138)

FY2023 Manager's Proposed Budget –
Expenditures

**Municipal Services (statistics page
86):**

Solid Waste (Page 140)

FY2023 Manager's Proposed Budget –
Expenses

Water – Statistics page 89
(expenses page 161, revenue page 104)

FY2023 Manager's Proposed Budget –
Expenses

Sewer – statistics page 89
(expenses page 165, revenue page 105)

Thank you for your
support



MSD 2022 Budget Report

OVERVIEW: Thank you to Council and Mayor.

This my first time presenting the MSD budget. The City is in a nice position with a bright future. Not only with outdoor recreation and development, but also the team of employees. The commitment and desire to see this City succeed is tremendous from the top down. The way everyone pulls and works together is genuine. The employees are truly this City's greatest asset. With that being said they also need the proper tools and equipment to perform. If this is to become a destination then we need to look we showcase it. MSD has bought 2 used trucks the past 2 years, both different colors. It's a small thing but it is about perception.

ADMIN

- Biggest increase is in staff training. New Entry Level Driver Training (ELDT) requirements for CDL drivers. Now mandatory for classroom hours, yard hours and driving hours. About \$8450 for an A and \$4800 for a B
- Added a little extra for memberships and dues

Highway

- Property service added 2nd tranche of ARPA funds
- Added line 40610 supplies operating. Easier for coding and to match use. Gravel, loam, asphalt not really special for the line of work.
- Result is 40611 spec supplies is down

Snow and Ice

- Sand and salt held. Hopefully we can get cooperative pricing
- Vehicle maintenance is up - Reflects aging fleet and increasing prices

Drainage/ Vegetation

- Cost increase for catch basin cleaning
- Hazardous tree removal
 - o List of trees that need be removed keeps growing and needs to addressed before more fall

Traffic/ Lighting

- Line painting increase

Garage

- Outside repairs increase due to age of fleet
 - o Older vehicles breaking down causing more extensive repairs
 - o Work load for 2 mechanics to take the time to repair is not practical

B & G

- Biggest possible impact for fuel increase as of now due to there equipment using the most unleaded

Transfer Station

- Fuel usage is up due to C&D being brought to Bradford instead of Belmont
 - o Still seeing a saving of approximately \$26,000 due to lower tipping cost

Water

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 7:42 p.m.

Respectfully submitted,

Lisa Jones
Executive Secretary

DRAFT Minutes - Pending City Council Approval



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

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

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 6:02 p.m.

Salute to the Flag was led by Councilor Dzujna, followed by a moment of silence for all veterans that suffer from PTSD or have taken their own lives, led by Councilor Desrochers.

Public Hearing:

The public hearing opened at 6:03 p.m.

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

Ordinance 01-23 to set the water and sewer rates for the FY2023 budget:

Resident Kathy Rago, Ward III, stated that this is going to make it harder for families to afford their homes and asked that they reconsider this ordinance.

No other public comments; closed.

Ordinance 02-23 changes to Chapter 160 fees for the FY2023 budget:

No public comments; closed.

Resolution 01-23 adopting the FY2023 budget:

No public comments; closed.

Legislative Update:

Representative Greg Hill passed out some literature to the council and the public, which has been

included at the end of these minutes.

He wanted to let the council know about Student Tracker, which is a private company that tracks students after graduating high school for their next 6 years. This is to see how many kids are going on to college and whether they are graduating with college degrees or not. It is a tool that gives statistics to see how strong the public schools are. He had been made aware of this company in 2010 and Winnisquam High has been using this for some time now as well. He also mentioned that this is a pretty inexpensive tool and that it is anonymous. The students don't know that their progress is being tracked, as it is something that the schools set up before they graduate. All of the info is included in the handouts.

Comments from the Public:

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

Chairman Glen Feener of the Heritage Commission approached the podium to address the council about the crosswalk art that had been done downtown. He stated that the Heritage Commission never heard anything about it beforehand and anything being done downtown should be going through them first to approve. He added that the colors do not follow their historical color scheme.

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

- She stated that she will be at the Farmers Market from 3pm – 6pm this Thursday for Franklin residents to fill out a survey.
- Franklin Night Out will be at Odell Park on August 2, 2022 and she is still looking for sponsorships.

Resident Kathy Rago, Ward III, cited Charter 82-1: *"This article is adopted pursuant to § C-5 of the Franklin City Charter which vests fiscal oversight of the Franklin School District in the Franklin City Council"*. She wanted to let the council know that she spoke at a school board meeting and wanted to make the council aware of a club at the middle school called GSA (Gender & Sexuality Awareness), also known as the Diversity Club, and it seems like it is grooming these young children. This club has been going on for a year now. She stated that schools should be for academics only.

She also asked the mayor who approved the crosswalk art designs.

City Manager Milner answered her and said it was all arts focused. The art teachers verified the designs were appropriate and this was mentioned in several city council meetings. Primary colors were used to be mixed and they used approved street paint.

Resident Marie Danforth, Ward I, also wanted to address the diversity club in the middle school. She stated that not all children are mature enough to understand the subject matter.

Resident Debbie Auger, Ward III, stated that she agrees with the last two residents and that they mentioned the same concerns that she has on the subject of the middle school diversity club. She does think that it seems like the schools are grooming these kids and that they are way too young. As far as the crosswalks, she believes that the one done by the elementary children showing a rainbow and hearts signifies gay pride and felt that when she brought this to the city's attention, she was made to feel ridiculed for her concern.

Mayor Brown closed public comment at 6:35 p.m.

City Council Acknowledgement:

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna wanted to talk about the Beth Macdonald award. Beth was a resident here and a Paraprofessional here in our schools. She was well loved and involved in all of the school activities. After she passed away this award was intended for someone who volunteers their time in the schools and the city and shows a great interest in our children. He stated that he has the pleasure of announcing that Christine Dzujna has received this honor.

Councilor Blake gave a shout out to Library Director Sargent for allowing the Franklin Falls Downtown Business Group to meet at the library and appreciates the help.

Councilor Chandler thanked all of the city employees, department heads and the city manager for all of their hard work on the budget. He acknowledged that it has been a busy and difficult time.

Mayor's Update:

Mayor Brown stated that she had a few updates:

- She gave an update on the DC trip that she made for the NH Business Group. It was a really good presentation and she was really proud to be a part of that.
- Brown also mentioned that City Manager Milner and herself went on a tour at the Webster Place for the veterans. A lot of ARPA money went towards this veteran's campus project by Governor Sununu, P&Z Director Creighton, City Manager Milner and herself, who met with the project management team. They are very excited about the project.

Agenda Item I.

Council to consider the minutes of the May 4, 2022 City Council Special Meeting, May 9, 2022 City Council Special Meeting, June 6, 2022 City Council Meeting, the non-public minutes from the June 6, 2022 City Council Meeting, and the June 20, 2022 City Council Special Meeting.

Motion - Councilor Dzujna moved that the Franklin City Council approve the minutes of the May 4, 2022 City Council Special Meeting, May 9, 2022 City Council Special Meeting, June 6, 2022 City Council Meeting, the non-public minutes from the June 6, 2022 City Council Meeting, and the June 20, 2022 City Council Special Meeting with some grammatical corrections. Seconded by Councilor Ribas.

8 in favor, 1 opposed; motion passes.

Agenda Item II.

School Board Update.

School Board Chair Tim Dow approached the City Council to provide a monthly update on Superintendent Dan LeGallo's behalf:

- Dow stated that he would give the Student Tracker information that was just handed out to Superintendent LeGallo to look into.
- He let the council know that LeGallo will be giving a presentation of the diversity club (GSA) at the middle school at the August City Council meeting so they are aware of what it is all about.
- For the graduations this year, he wanted to recognize and thank the Police and Fire departments for all of their help.
- The kindergarten, 8th grade and senior graduations all went very well.
- The three new principals have started at the schools already.
- Summer programs are in progress and there are 132 kids enrolled.

Business Administrator Jefferson Braman also added that the school board wanted him to mention that there are 13 open paraprofessional positions still open that they have not been able to fill.

Braman stated that WorkcampNE is using their school as their home base while they are there during July 10th – 23rd for dinner and sleeping.

Agenda Item III.

Motion – Councilor Blake moved that the Franklin City Council approve Ordinance 01-23 to set the water and sewer rates for the FY2023 budget. Seconded by Councilor Dzujna.

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

Councilor Bunker stated that she agrees with Kathy Rago about it being a bad time to raise rates asked what the repercussion would be if this is not approved.

City Manager Milner answered saying that the water and sewer is under the enterprise fund and there is also aging infrastructure. These funds are fragile and believes this needs to be approved. As a recap, she stated that an average family of 4 would be looking at an increase of \$18/year on their water bill and \$14/year on their sewer bill.

Councilor Dzujna mentioned that he believes it is necessary to save the infrastructure.

No other discussion ensued.

Roll Call Vote:

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

5 in favor, 4 opposed; motion passes.

Agenda Item IV.

Motion – Councilor Trudel moved that the Franklin City Council approve Ordinance 02-23 changes to Chapter 160 fees for the FY2023 budget. Seconded by Councilor Ribas.

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

Councilor Starkweather had a question about the storage container permit fees that Planning and Zoning Director Creighton was able to explain and let him know that the fees are state mandated.

No other discussion ensued.

Roll Call Vote:

Councilor Starkweather	<u>yes</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 the Franklin City Council approve Resolution 01-23 adopting the FY2023 budget. Seconded by Councilor Bunker.

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

Councilor Desrochers had some questions that came up from residents that Milner was able to answer.

No other discussion ensued.

Roll Call Vote:

Councilor Starkweather	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Trudel	<u>no</u>

Councilor Desrochers no Councilor Chandler yes Councilor Zink no

6 in favor, 3 opposed; motion passes.

Agenda Item VI.

Council to discuss City Manager goals for FY23

Mayor Brown stated that she had handouts of the city goals that combined what the council had spoken about in some past meetings. These handouts are included at the bottom of these minutes.

Brown added that on the Proposed City Manager Goals for 2022-2023 that she handed out, that number 2 that mentions the reduced wait time for service requests to be 24 hours to acknowledge the request should be changed to 2 business days since that would be more realistic.

There was a quick discussion just going over the goals and there were no questions going forward.

Motion – Councilor Ribas moved that the Franklin City Council adopt the Proposed City Manager Goals sheet that is dated July 10, 2022, which includes 10 items, with item #2 being revised from 24 hours to 2 business days. Seconded by Councilor Chandler.

All in favor; motion passes.

Agenda Item VII.

Other Business:

1. Mayor & Council Appointments

Mayor Brown stated that there were a few mayoral appointments:

Mayor Brown re-appointed Robert Sargent to the Planning Board, seat PB2, term of service to January 2024.

Mayor Brown appointed Joya Pinkham Clark to the Heritage Commission as an alternate, seat HC6, term of service to January 2025.

Mayor Brown appointed Gregory Thompson to the Zoning Board of Adjustment, seat ZBA1, term of service to January 2024.

2. Committee Reports

Councilor Blake mentioned the Parks & Recreation meeting went over the summer program that

is coming along and it is good to see kids outside and playing.

Councilor Starkweather stated that the Fire Committee meeting that was scheduled for July 12th had been cancelled and postponed to the end of the year due to conflicting schedules. He also had a handout on the Fire Department Capital Improvement Plan, which is included at the end of these minutes.

Councilor Chandler handed out a Police Committee report from their June 23, 2022 meeting, which is included at the end of these minutes.

3. City Manager's Update:

- a. Contingent Grant Line Activity – No activity
- b. Trust fund for school funding – \$265.61
- c. Shout out Kathy Fuller and Thrift Closet team - \$1,413 proceeds from the used book sale for the library
- d. Shout out Annette Andreozzi – She put a free book kiosk in Trestle View Park after the book sale
- e. FBI IT Audit – Milner gave a shoutout to Deb Kulacz for the audit as they gave us a thumbs up for that audit
- f. Welcome aboard Sandra Martin as the new Assessing Technician, who started today and will be down at the Proulx Center with Planning & Zoning.
- g. Congratulations:
 - o Congratulations to Municipal Services for their award from the Lakes Region Planning Commission for being a long-standing excellent household hazardous waste site
 - o Ken Labraney – Promoted to Heavy Equipment Operator II
 - o At the Fire Department, Sierra Rodenhuis received her EMT license so congrats to her
- h. Committee meetings – July:
 - o Fire Committee meeting has been rescheduled to October
 - o Finance Committee – This is TBD, but may want to consider moving to October as well. This would be the next quarterly meeting for both committees.
- i. Communications Center Project Update – Milner thanked Councilor Chandler for providing this update tonight.
- j. NH Planners Association – shout out to P&Z Director Seth Creighton
- k. LRPC Annual Banquet – This was held on June 29th in Franklin at Mojalaki with Marty Parichaund as the keynote speaker
- l. Winni River Days – This was on June 17th with a ribbon cutting and it was well attended
- m. CDFA Tax Credit Award – The city of Franklin received another \$400,000 tax credit grant that was applied towards the White-Water Park.
- n. Mayors Drug & Alcohol – 5k Fundraiser was on June 17th as well. There were 35 participants and they made about \$760 towards the fundraiser.
- o. Source Water Project – Franklin and Sanbornton were chosen by the NH Water Works Association to collaborate on this project. They needed to pick communities to work with

their grant. This will require a little staff time to provide assistance and Milner stated that she will be getting some legal advice on this as well.

- p. NHMA Floor Policy – Milner sent the council an email with the new legislature on NHMA any proposals for the Floor Policy are due by 8/12. The deadline to put any proposals on the City Council meeting agenda is July 22nd, as the meeting will be on August 1, 2022.
- q. Media contacts
 - o Concord Monitor
 - o Laconia Daily Sun
 - o Union Leader
- r. The next City Council Workshop meeting is on July 25, 2022 in the Library upstairs and this will be about buildings.
- s. National Night Out will be on August 2, 2022 at Odell Park from 5pm – 8pm.
- t. As a follow up to a question from the last meeting from Councilor Blake about getting a sign placed at Cumberland Farms property saying “Coming Soon”, this has been placed on order.

Milner stated that she was also in need of a non-public meeting tonight as well. No other late items would be needed afterwards.

Motion – Councilor Bunker moved that the Franklin City Council enter into nonpublic according to 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. Seconded by Councilor Ribas.

Roll Call Vote:

Councilor Starkweather	<u>yes</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 7:43 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>yes</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 7:56 p.m.

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

Roll Call Vote:

Councilor Starkweather	<u>yes</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.

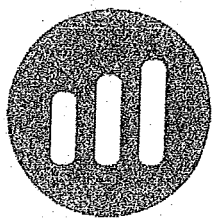
Motion to adjourn was made by Councilor Zink and seconded by Councilor Blake.

All in favor; motion passes.

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Lisa Jones
Executive Secretary



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July 10, 2022

Proposed City Manager Goals

2022 -2023

1. Complete a comprehensive city-wide fee review.
 - a. NOTE: This is done every year through the budget process but we can keep it as a goal.
2. Reduce wait time for service requests. Acknowledgement of request received within 24 hours and track completion of request.
3. Establish Employee Incentive Program on ways to save money and then recognize employees for implemented suggestions.
4. Have the City Manager (CM) maintain a chart/spreadsheet with a listing of the various grants that have been applied for by all departments and the status of those grant applications and report to City Council (CC) quarterly.
5. Have the CM continue to maintain a chart/spreadsheet of Councilor questions from one meeting and report status at the following CC meeting.
6. Increase community communication by 30 % through the development and maintenance of a city social media platform – FACBOOK, Instagram, etc.
7. Provide the CC Economic Task force updates at least semi- annually.
8. Review and update Planning, Zoning and code Enforcement requirements to ensure Business Friendly environment.
9. Ensure appropriate employee training to maintain safety and work efficiency and report to the CC on what training has been completed in CM's Report at CC as appropriate.
10. Offer alternative funding suggestions to the CC for consideration during budget review

July 10, 2022

All take a look at my comments below – I have been reviewing some of our thoughts and have some concerns about not only what we are asking the City Manager to do – may be out of her area, but also the impression that we as a Council may be seen as not supporting our department head by questioning their ability to maximize the tax cap budget they must construct each year. See my comments below and let me know your thoughts.

Proposed City Manager Goals with Comments

1. LEAN Initiative: set a % of cost savings achieved through LEAN –
 - a. The Tax Cap already has us doing more with less and recall that many of our departments are already doing so without adequate resources. All departments have talked about a lack of adequate staffing and funding as a threat. We need to be sensitive to our city employees who are making it work with their lean staffing now. Also, how would we fund a LEAN initiative – we cannot assume it will be done free of charge. As a point of reference our police officers are busier than a Manchester police officer based on caseload/calls for service per officer.

SUGGESTED GOAL: Smaller focus through a process review, not a full-blown LEAN, to evaluate city wide processes and look for savings that could help support the resources and staffing we should have. The upcoming workshop on Trash would be a good example.

2. Complete a comprehensive city-wide fee review
 - a. This is done every year through the budget process but we can keep it as a goal.
3. Determine all city services by three categories:
 1. Federal required municipal service
 2. Critical municipal services
 3. Nice to have services
 - a. I do not see this as a City Manager Goal – while the City Manager and the various Departments run the city day to day – it is the Council that sets the policy. This is something that the Council would

need to determine with the greater good of the city in mind, especially as we are finally opening new businesses, developing our region's exclusive white-water park, etc. As new people move in, it may not be the best time to look at cutting some services, although we may need to do so with our Transfer Station in the near future.

- b. Further - this goal suggests that some departments are not critical and that their services are "nice to have". I will comment on one that seems to always come up - Parks and Rec. I believe that if we were to shut down this department and eliminate all before and after school care, plus after school activities, it will be the Police Department who will be rounding up the kids who do not have parents at home or any place to go after school or sports in the summer. As we revitalize our community based on outdoor recreation, it seems short sighted to consider eliminating a dept that costs the taxpayers about .14 or less a person and receives less than \$150K a year in a multi-million \$ budget.

4. Reduce wait time for services requests. Acknowledgement of request received within 24 hours and track completion of request.

5. Establish Employee Incentive Program on ways to save money and then recognize employees for implemented suggestions.

6. Install employee comment boxes in each department so employees can provide feedback to directors, CM etc.

- a. The intent of this suggestion may be to provide feedback on job performance; however, it could also become a source of sour grapes by people who are not happy with their boss or other employees. These issues should be handled through appropriate personnel channels and not through a comment box stuffed by a disgruntled employee. The 360 review that Councilor Ribas has suggested would provide a more credible assessment of performance.

7. Perform a city-wide SWOT analysis.

- a. A lot of this work has already been done by the Departments both as part of their annual budget preparation under a tax cap budget and, for some, with the help of Richard Ellert pre-COVID. Not sure what more can be accomplished, and again cost and time are a consideration.

8. Determine if Parks and Rec can be an Enterprise Fund.

- a. This was discussed during Director Alpers budget presentation at the last workshop. This would likely impact young families who could not pay higher fees to make an Enterprise Fund viable.

City Manager CM) Goals continued – sourced from City Manager 4/2/21-4/2/22/ Goals spreadsheet and Councilor feedback.

1. Have the CM maintain a chart/spreadsheet with a listing of the various grants that have been applied for by all departments and the status of those grant applications and report to City Council (CC) at least quarterly.
2. Have the CM continue to maintain a chart/spreadsheet of Councilor questions from one meeting and report status at the following CC meeting.
3. Increase community communication by X % through the development and maintenance of a city social media platform – FACBOOK, Instagram, etc.
4. Provide the CC Economic Task force updates at least semi- annually.
5. Update and adopt a Capital Improvement Plan and include 1/20th (in dollars) of the CIP plan in the Manager's proposed budget.
 - a. COMMENT This would represent a \$2.4M per year addition to the City Manager Budget UNDER the tax cap – a 26% of payroll for example. Who should be eliminated?
6. Review and update Planning, Zoning and code Enforcement requirements to ensure Business Friendly environment.
7. Ensure appropriate employee training to maintain safety and work efficiency.
8. Offer alternative funding suggestions to the CC for consideration during budget review.

Lisa Jones

From: Lisa Jones
Sent: Monday, July 11, 2022 4:32 PM
To: Lisa Jones
Subject: FW: Additional CM Goal.

From: Mayor
Sent: Sunday, July 10, 2022 3:41:23 PM
To: Vince Ribas <VRibas@franklinnh.org>; George Dzujna <Gdzujna@franklinnh.org>; Ted Starkweather <TStarkweather@franklinnh.org>; Jay Chandler <JChandler@franklinnh.org>; Paul Trudel <PTRudel@franklinnh.org>; Valerie Blake <VBlake@franklinnh.org>; Robert Desrochers <RDesrochers@franklinnh.org>; April Bunker <ABunker@franklinnh.org>; Olivia Zink <OZink@franklinnh.org>
Subject: Additional CM Goal.

All this is another councilor goal for your review. My sense on this is that it implies that the city workforce does not have a culture of excellence and does not strive to continuously improve. In fact there have been several examples of continuous improvement throughout the staff as the City Manager reports in her Council update. I remember several for police and fire and at least one for MSD. This is also implied in the goal for employees to come up with new ideas to improve processes.

Let me know your thoughts.

Goal: Instill culture of excellence and continuous improvement in the City workforce. Encourage employees to aspire to be the best and to be recognized amongst their peers. Their accomplishments help to establish a reputation of excellence.

Jo

Jo Brown, Mayor
City of Franklin



CITY OF FRANKLIN
Fire Department
"The Three Rivers City"

59 West Bow Street • 03235
Michael J Foss, Fire Chief/EMD

Tel: (603) 934-2205
FAX• (603) 934-7408
David J Hall, Deputy Chief

Capital Improvement Plan

<u>Capital Item</u>	<u>Year Planned to be Replaced</u>	<u>Estimated Amount Needed</u>
2012 PL Custom Ambulance	FY24	\$ 290,000
2013 Ford F-350 Utility	FY25	\$ 57,000
2009 ALF Fire Engine	FY25	\$ 700,000
1998 Mack Rescue Truck	FY28	\$ 800,000 **
2018 PL Custom Ambulance	FY29	\$ 310,000
1998 ALF Ladder Truck	FY29	\$ 1,700,000
2018 Ford Explorer(Car 1)	FY29	\$ 55,000
2019 Ford Explorer(Car 2)	FY30	\$ 55,000
2015 SCBA Scott Pack	2030	\$ 275,000
2016 Ford F550 Bucket Truck	2036	\$ - **
2017 Sutphen Fire Engine	2036	\$ 700,000
2022 Inmar Rescue Boat	2042	_\$ 25,000
		<hr/>
		\$ 4,967,000

** Looking at alternative options

Items Budgeted for Replacement in FY 2023

2006 Chevy Tahoe (Car 3, Inspector Vehicle)	\$ 51,500
2010 Ford F-150 (Utility 3 Inspector Vehicle)	\$ 51,500
2013 LifePak Cardiac Monitors (2)	\$ 18,416

Replacement Item

Chevy Colorado
Chevy Colorado
Zoll Monitors as replacement
\$50,000 Grant, \$18,416 from
Turcotte Fund)

Police Committee Report

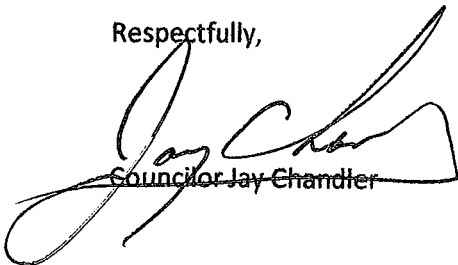
23 June 2022

1. Met on June 23, 2022 at noon:
2. Received an update on the dispatch system. Progressing well except the radio parts from Motorola. Most of the remaining equipment is in.
3. Discussed grants. Most grants have strings attached. Can fund hiring police officers for 3 years but after that, the funding stops and the city must fund the officer from there on out. One city hired 100 officers and after 3 years fired them all. Chief Goldstein continues to research grant funding for the city police department.
4. Dispatcher software was discussed. It is no longer supported. One dispatcher had two 911 calls going at the same time, entering data and looking up information to keep the officers informed. The software crashed and rebooted. During this time the dispatcher was unable to research the persons involved to determine the status of prior records. This profoundly effects the on-scene situation and could be a severe safety risk if those involved have previous aggressive behavior.

I believe we voted and approved appropriations last City Council meeting to fund the new software.

5. The police department conducted a mountain bike school in June to other departments. Franklin and Concord are the only two departments in the state to offer this training. It was great to witness our police officers riding and leading the way through Trestle View Park last month during the course, when I was visiting the park.

Respectfully,



Councilor Jay Chandler

CITY COUNCIL MEETING
AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of August 1, 2022

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



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 1, 2022

Subject: Council to Consider Rescheduling September 2022, October 2022 and November 2022 City Council Meetings

Discussion

As the city departments continue to analyze operations and efficiencies, we have identified an area that the city council could assist with – changing city council meetings held on evenings prior to election days. We utilize city hall for city council meetings and as the voting location for ward 2 residents. When city council meetings precede an election day, municipal services workers come in early to set up for the election, which not only incurs unnecessary overtime for the municipal workers but sometimes puts pressure on the election workers and the city clerk's office to be set up in time to open for voting. By changing our city council meeting, we can become more efficient by eliminating overtime payments and alleviating some of the stress of getting ready to greet voters. For 2022, there are 3 elections coming up:

Primary	September 13
Municipal	October 4
State	November 8

September City Council Meeting

The regular city council meeting for September falls on the Labor Day Holiday (9/5). Traditionally, the city council moves the September city council meeting to either the Tuesday following the holiday (9/6 for 2022) or the following Monday (9/12 for 2022). **Staff respectfully recommends the city council considers moving the September meeting to Tuesday, 9/6/22.**

October City Council Meeting

The regular city council meeting for October falls on Monday, October 3, 2022. Municipal elections are Tuesday, October 4th. Monday October 10th is the Columbus Day Holiday. **Staff respectfully recommends the city council considers moving the October meeting to Tuesday, 10/11/22.** This will allow us to include the "canvass of the votes" as an agenda item at that meeting eliminating the need for the council to hold another meeting in October for this task.

November City Council Meeting

The regular city council meeting for November falls on Monday, November 7, 2022. State elections are Tuesday, November 8th. **Staff respectfully recommends the city council considers moving the November meeting to Monday, 11/14/22.**

CITY COUNCIL MEETING
AGENDA ITEM IV



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 1st, 2022

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 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 _____ at 6:00 P.M. in the City Hall Council Chambers.

Mayor calls for a second, discussion and 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 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; City provided Automated Residential Curbside Collection by means of specialized containerized service using mechanized equipment and all phases of solid waste enforcement. The proper management of solid waste is necessary in order 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, as 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 which has been formally accepted and approved by the City Council for public use and maintained by the City, as well as, New Hampshire Department of Transportation State Highway's within City limits.
- b. Automated Collection System: The curbside solid waste collection system utilized by the City of Franklin which by means of automated collection trucks and specialized containers that are lifted into the truck by mechanical arms.

- c. Base level Service: The automated curbside collection service level being provided to eligible properties, as defined in this Ordinance, for the curbside collection and disposal of municipal solid waste and at the Transfer Station in compliance with facility "Transfer Station Guidelines".
- d. Bypass Waste: Waste that is diverted to the end source without passing through the transfer station.
- e. City: The City of Franklin, New Hampshire including City Staff or subcontractors.
- f. City Council: The legislative body for the City.
- g. Commercial Hauler: A private company, corporation, other individual who operates within the City for the collection and disposal of solid waste for hire 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 **and** residential multi- family housing dwellings comprised of three or more units or any combination thereof. The unit(s) may be an individual and stand-alone use or it may be of a 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 solid waste are disposed of for incineration for final disposal; referenced as CRSWRRC in this Ordinance.
- j. Courtesy Notice: A notice, issued by the Director of Municipal Services or designee 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 education 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 incinerator or alternate facilities as specified in their regulations for delivery of materials.

- l. Contractor: A company contracted by the City to manage and provide municipal solid waste curbside collection services. Also, a contractor licensed to provide various types of solid waste collection services within City Limits.
- m. Curbside Trash Receptacle: Trash containers listed under Base Level Service which meet the specifications identified and suitable to be used by the City or their contractor to qualify for pickup by automated collection. These cans are specified by minimum and maximum size, lid color can color, can manufacturer and by other means.
- n. Customer: The individual property owner, tenant, lessee, or other party who is receiving the base level collection service provided by the City or utilizes 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 Non-compliance: A notice, issued by the Director of Municipal Services or designee under the enforcement provision outlined below, to inform a resident or property owner(s) that 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 calculated by the City annually 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 requiring special handling, transport and disposal. Identified by the NHDES, Solid Waste Management Bureau.
- s. Incinerator: The facility currently being used for the City for the disposal and processing of solid waste currently known as Win-Waste Innovations.
- t. Municipal Services Committee: The committee established by the City Council to advise the Department on operational and budgetary issues; referenced in this Ordinance.

- u. Municipal Services Department: The department of the City which is responsible for the collection, handling and transport of all solid waste, trash and recyclable materials; referenced in this Ordinance as the MSD.
- v. Neglect: The misuse of a City-issued container that results in breakage or other damage of the container so it cannot be properly used to hold the materials, the lid of the container is removed or the lid or body of the container is significantly cracked so that rain can enter, the wheels do not function, it cannot be picked-up by the automated trucks, or otherwise rendered inoperable.
- 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 is collectively all of the materials accepted by the City for recycling and which will be transported to firm's contracted by the City for the recycling services. These materials could be generated by either residential units or commercial properties for disposal at the Transfer Station. 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:

Recyclables can be disposed of at the Transfer Station or other satellite collection centers. This category includes: 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 list of allowed items 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 multiunit building or complex is designated by the number of individual units such as apartments, condominium complexes, mobile/manufactured home parks or a mixed-use type of building or cluster type development categorized as commercial use.
- z. Scavenging: The removal of, or the rummaging through, any form of solid waste [any recyclable or non-recyclable material] from any container that has been placed at the curbside for collection by the City or for disposal at the Transfer Station.
- aa. Separation of Solid Waste: Items exempt or not accepted from 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. Separation of all of such materials is

required to be placed in the appropriate and approved containers for disposal at the Transfer Station.

- bb. Single Stream Recycling: A type of recycling program which allows for the mixing of all types of recyclable materials, with this mixing being carried out by the homeowner or other resident, a business, or other property owner.
- cc. Solid Waste: This is the entire waste stream which includes both recyclable and non-recyclable materials; also, sometimes referred to as the solid waste stream.
- dd. Special Waste: Hazardous and other types of wastes which are liquid, solid, gaseous or vapor in nature requiring special handling and not permitted to be disposed of at the Transfer Station or for Curbside Collection.
- ee. State or Federal Statute: This refers to 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 utilize 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.
- ii. Unacceptable and Unapproved Waste: Waste not designated in the City's permit to operate or not permitted in the solid waste stream by an applicable City Ordinance, any State or Federal Statute or Law, or by firms contracted with the City to handle and dispose of the collected solid waste.

257-03 Administration of Chapter:

The Director of the Municipal Services Department or designee [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 effectuate the purpose of this Chapter.

257-04 Mandatory Separation:

By and through this Ordinance, it is a requirement in the City of Franklin that all solid waste being delivered to the Municipal Transfer Station be separated by type and disposed of in a designated appropriate container(s). The mixing of recyclable and non-recyclable materials is a violation of this Chapter and subject to the appropriate enforcement mechanisms 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 solid waste 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 obtained on the City website; at the Transfer Station and at the Municipal Services Department office. The list will also be made 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 way to handle and dispose of solid waste, and the most cost-effective way to design and implement a solid waste program, is to educate the residents of the City of Franklin on ways to separate, reduce, re-use, and recycle as much solid waste as possible. The strong potential exists that the costs associated with the disposal of trash will continue to rise 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 non-recyclables if separated. Thus, the City along with interested individuals, the schools, and civic organizations, will work to educate, inform, and encourage the residents and business owners on 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 which reduce, reuse and re-purpose all types of municipal solid waste.

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

It shall be a violation of this Chapter for any individual, business, property owner, or other person **or entity** to unlawfully dispose of any solid waste, hazardous waste or special waste in a manner not in accordance with the provisions of this Chapter or contrary to any policy, regulation or guidelines established hereunder, or any applicable state statute or regulation. The dumping or disposal of any type of waste generated from any location outside of the boundaries of the City shall also be considered a violation. The previous sentence notwithstanding, the burial/disposal of ash on the CRSWRRRC property, or any future disposal agreement with the CRSWRRRC to utilize 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 or 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 or any future final disposal location, or by City Ordinance per regulation. No individual shall dispose of or accumulate any unacceptable materials within the City on public or private property. The Department office can be contacted for a listing of such materials or directed to an on-line list outlining such materials. Violations may be reported to the City of Franklin, Municipal Services Department located 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 managed and containerized properly 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. Per 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 Receptacles by others:

The use of receptacles 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 receptacles 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 collection of MSW generated from within the City.

257-9 Anti-scavenging:

All solid waste and recyclable materials that have been placed on the curbside for collection, or brought to the Transfer Station are considered to be 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 on the curbside for collection is the responsibility of the property owner, directly or through any tenant or lessee, as outlined in Section 257-07.

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

257-11 Enforcement:

The 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. This 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 Non-compliance may be issued by the Director, the MSD's solid waste staff, or the City's Code Enforcement Division. Following the issuance of any formal Notice of Non-compliance of which fines may be assessed, the Director is authorized to order a discontinuance of the curbside pick-up for the subject property or to prohibit the offending individual from utilizing the Transfer Station. If such an order is issued no curbside collection service or privileges for the Transfer Station shall be restored until the offender meets with the Director or his/her designee to discuss the violations and establish a mechanism to restore necessary compliance, and the Director is satisfied that a workable solution is achieved.

257-12 Complaints:

Any complaints brought by any property owner, tenant, lessee, or other affected party shall be made in writing to the Municipal Services Department.

257-13 to 19 [Reserved]

Article II Automated Containerized "Residential Curbside Collection Services"

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 / non - commercial 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 differentiate between residential and commercial curbside collection.

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 utilize CRSWRRRC Facilities for disposal by means of registering annually on July 1 with the City Municipal Services Department. The sections below will address the automated collection service authorized and approved by the City Council and to be implemented by City staff per this Ordinance and the applicable policies, guidelines and regulations issued by the Director.

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

Until such time as the new automated residential curbside collection program is fully implemented, the current curbside collection practices and procedures will remain in effect. The City reserves the right to phase in the implementation of revised residential automated curbside collection program in order to more efficiently deal with and address any operational issues and resulting changes. During this transition period, light commercial and multi-family dwellings three and over currently being serviced will be phased out consistent with this Ordinance. Those affected property owners will be notified in advance of changes to their service and provided options consistent with section 257-22 below.

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 utilizing the same City owned containers. See Section 257-23 for a description on the types and sizing of the containers to be used.

- a. Single and two-family residence, all of which must be located on accepted maintained public ways and some accessible private ways will continue to be eligible for base level residential curbside collection services provided by the City.
- b.
 - i. Multi-family residential buildings with three unit's and greater are considered commercial entities under provisions of this Ordinance and will not be serviced by the City residential automated curbside collection program.
 - ii. Commercial properties likewise, will not be serviced by the City residential automated curbside collection program, in conformance with the provisions of Sections 252-23 through Section 252-35.
- c. Municipal Buildings, Public Schools (under the fiscal control of the Franklin School District) and Churches will be serviced by the City automated curbside collection program.
- d. Properties located on private roadways or unaccepted subdivisions/roadways are potentially eligible for residential automated 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 Solicitor, and the subject property is fully accessible to the City's collection vehicles in all seasons as determined by the Director. All requests to provide residential base level service

to these types of 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 locate the 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 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 if adequate access is not provided as determined by the Director without notice.

- e. The following properties are not eligible for residential base level automated curbside collection service provided by the City:
 - i. Condominium/apartment buildings or complexes, or multi-family buildings, with three or more individual residential dwellings;
 - ii. Mobile/ manufactured home parks, campgrounds, vacant lots and homes under an enforcement order for a Solid Waste Ordinance violation.
 - iii. Any property listed in Section "d" and 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 Curbside Collection Containers for City established "Base Level Service": Sizing; Weight; Maximum Weekly Pick-up; Container Maintenance:

- a. The "Base Level Service" for the automated curbside collection program will be accomplished utilizing specialized containers designed for automated pick-up by the City it's contracted service. Generally speaking, the containers supplied by the City will continue to be 48, 64, or 96 gallon in size.
- b. Only approved containers as obtained through the City shall be used by the eligible properties for curbside pickup. No non-automated containers or bags shall be used by the customer for the purpose of curbside pick-up. All Municipal Solid Waste must be bagged and placed in the designated container with lid closed. Over packed containers should be avoided as trash will not dump from the container if stuffed.
- c. Per residential, two units and under, the maximum weekly amount of trash that will be picked at the curb by the City will be up to but not to exceed 192 gallons. The total weight of trash placed in a container will not exceed 200 pounds. All containers which exceed the "Base Level Service" amount specified must be disposed of at the Transfer Station or by means of the residential property owner purchasing a specified container by the City. Containers which become damaged or unsuitable for continued use will also be required to be replaced through the city at the property owner's expense.

- d. Appropriately sized City specified containers or a container approved by the Director or designee shall be provided by the City to each property owner eligible for curb-side pick-up at no charge up to the 192 gallon capacity. The Director or designee 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 audit's 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.
- e. If a property owner/customer finds that the size of the container is not adequate then the MSD office should be contacted to discuss an exchange and upgrade of the container unit. A "trash audit" discussed in Section 257-35, below, may be used to determine the need for an increase in the size of the container and number of containers.
- f. For single-family and two-family units, the Director shall determine how many containers will be provided. More than one unit may be required to share containers for trash 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. Any repairs to the City owned containers will be performed by City staff. The property owner/customer shall contact the MSD office to report damage and request a repair. Containers damaged beyond repair must be replaced by the City. The City reserves the right to charge for container replacement at a cost consistent with Chapter 160 "Fees" of the Franklin City Code.
- i. The terms of paragraph "h" above aside, if the containers are subject to neglect or other damage as determined by the Director, the Director may issue a Notice of Non-compliance letter to the owner and/or customer indicting that the next repair necessary due to neglect or abuse will result in a charge for the repair or replacement of the container at a cost to the property owner or tenant. Similarly, if the containers are improperly removed from the property, the owner may be charged for the next replacement container. The property owners are the ultimate party responsible for all damages or missing containers and the owner shall work to educate the household members and/or tenants on the proper use, placement and maintenance of the containers.
- j. 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 **Residential Automated Curbside Collection Schedule and Holiday Schedules:**

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

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

- a. For the containerized automated collection program 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 by animals. If containers are placed improperly, overfilled or contain unacceptable items, the City or contractor reserves the right to refuse container pickup.
- b. Any spillage, such as that resulting from animals, wind-blown litter and other weather conditions, etc., from any containers placed for curbside pick-up 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 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 so as not to interfere with snow removal operations.

257-26 Placement of Containers:

- a. For the automated collection program, the containers shall be placed at the curb-line and outside of the travel way, off the edge paved roadway, at the end of the driveway apron, or at another appropriate location, so that it is accessible to automated trucks for pick-up. 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 may designate a specific location for the placement of containers.

- b. The containers shall be in place ready for collection by 6:45 AM on the designated collection day. The containers shall not be placed out for collection before 5 PM on the previous day.
- c. City staff or contractor will not cross over private property to pick-up solid waste materials.
- d. The container handle must be facing inward towards the residence to allow for the automated truck to properly pick-up 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 which are not removed from the point of collection within 24 hours after being emptied may be removed by the City or contractor for the reason of non-compliance.

257-28 Approved Materials for Pick-up:

Waste can be placed in both green and gray lid containers. Recyclable materials shall 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, the following: sand, stone, or brick products; construction or demolition / building materials; electronics or white-good appliances; household appliances; auto parts; waste oil; paint; furniture; electronics of any type; automotive part; oils of any type; yard waste or tree limbs/roots; hot ashes; asbestos; propane tanks; pressurized containers; mercury containing devices; 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 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 pick-up. 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 Pick-up:

For the automated collection program, if the Director or designees determine that materials being placed out for curb-side pick-up are unacceptable material, or if the materials are not properly containerized or managed per the provisions of this

Ordinance, then the City reserves the right to not pick-up 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 Policies and Procedures:

As outlined in Section 257-10, above, the Director has the authority to create and modify policies and procedures for the implementation of the curbside collection program as conditions warrant.

257-32 Complaints:

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 services. All other complaints shall be made in writing to the MSD Director by filling out an "Service Request Form" available at City Hall on the City website.

257-33 Notification for Non-compliance:

As outlined in Section 257-11, the Director and other City staff identified in this Ordinance are authorized to issue notices of non-compliance when it is determined that a property is in violation of the provisions of this Ordinance. The issuance of two (2) notices of non-compliance may result in the loss of service for curbside pick-up, until and unless the property owner/customer meets with the Director or designee to discuss the violations and establish a mechanism to bring the property into compliance.

257-34 [Reserved]

257-35 Enforcement:

In addition to the Enforcement provision discussed in Section 257-11 above, the City reserves the right to conduct Trash Audits for the purpose of reviewing compliance with the provisions of this Ordinance. Initial trash audits will be used to determine if courtesy notices need to be issued. If a property is regularly and continually in noncompliance then the information gathered through the trash audit may be used to

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 non- recyclable materials which 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.] some of which require a handling fee, due to the disposal charges paid for by the City for these items to re-direct them to various markets. Each July of the year the Director of Municipal Services provides an update for customers entitled the "Transfer Station Guidelines." The purpose of this document is to update customers relating to 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 City's website; available in the 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, Enforcement:

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

257-44 Transfer Station, Establishment of a "Base Level Service", Permits and Decal's:

All vehicles and commercial haulers being received at the Transfer Station shall have a decal permanently attached to the passenger side of the vehicle. They shall be 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. All residential trash disposed at the transfer station will be placed in a City of Franklin trash bag purchased at participating retailers. Any trash not bagged in City designated bags will be disposed of by scale weight; see Chapter 160, Fees, of the Franklin City Code.

All other commercial haulers, packers, roll off containers etc. are prohibited from using the Transfer Station and their materials 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 make more sense. Diverting such solid waste will result in bypassing the Transfer Station thus reducing the amount of handling and trucking costs.

257-45 **Use of the Transfer Station by Non-Residents and Contractors:**

Non-residents and contractors needing to dispose of solid waste and/or recyclables generated within the boundaries of the City of Franklin may obtain an authorization permit from the MSD office. Proper documentation of the source, type and amount of materials [such as a tax bill, letter of authorization, contract between property owner and contractor] 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 **Anti-scavenging:**

As noted in Section 257-9 above, all solid waste deposited at the Transfer Station is considered to be the property of the City.

257-47 **Mandatory Separation:**

As noted in Section **257-04**, the City of Franklin requires that all items be separated from household trash. The Transfer Station has specific containers for the disposal of the materials. The policies and regulations issued by the Director shall identify the complete list of all materials that are accepted by the City. This list can be found in the "Transfer Station Guidelines."

257-48 **Disposal of recyclables and other materials at the Transfer Station:**

As addressed in the 247-41 above, the Transfer Station provides for the disposal of certain other items that are outside of the normal waste stream and are not eligible to be picked-up by the automated curbside collection program(s). Some of these materials may ultimately be recyclable or reusable. A complete list of all accepted materials will be issued and updated in the "Transfer Station Guidelines".

A disposal fee is required for certain items as authorized by the Franklin City Council. Chapter 160, Fees, of the City Code contains the approved fees, but in addition the Director is authorized to implement emergency fees after consulting with the City Manager when deemed necessary by changes in state or federal waste disposal statutes or laws, or if the disposal fee of any outside vendor changes. Any such emergency fees shall be submitted to the City Council at their next available meeting for review and approval or modification as deemed appropriate by the Council.

257-49 **Handling and Management of Materials at, and on route to, the Transfer Station:** All vehicles, including cars, trucks, trailers and commercial haulers, etc. shall properly cover and contain any and all materials being transported to the Transfer Station so as to prevent the spillage litter and blowing of materials onto the public roadway system. Failure to provide for such covering, resulting in the spillage and blowing of any materials onto the roadway, shall be considered a violation of this Chapter and the violator may be subject to the enforcement provisions of Section 257-11. The

provisions of State RSA 266:72, which contains similar provisions and state requirements for the proper transport and handling of all materials, shall also apply.

257-50 to 54 [Reserved]

Article IV Automated Commercial Containerized Curbside Collection Service for Commercial Containers and Dumpsters

257-55 Purpose:

The City Council, as part of the overall establishment of this Ordinance, has made the determination that all commercial properties as identified in 257-02, will be responsible for the regular collection and disposal of all waste generated from commercial properties. This includes but is not limited to violations of the City's "Property Maintenance Code." Items disposed of at the Transfer Station must conform with 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 properties weekly or bi-weekly 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 bi weekly basis. Containerized receptacles can either be a dumpster which is properly sized to meet the tenants needs or by means of rollout curbside collection containers properly sized to meet the needs of each individual living unit.

Property owner(s) that opt to utilize 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 meet the requirements specified in this Ordinance. Property owners

are responsible to pay fees associated with trash collection. This ensures that regular service goes uninterrupted, thus keeping 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 to be taken 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 receptacles 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 Approved Containers and Transition Period:

The City owns all containers used for automated pickup of residential curbside trash collection. These containers will be removed from all commercial properties at the time 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.

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 class 2 and 3 Commercial Rubbish Haulers, section 257-44, shall register with the Municipal Services Department on a form approved by the Director or designee. 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 during the first three weeks of every 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 Wheelabrator and the CRSWRRC:

The commercial haulers who pick up municipal solid waste in the City of Franklin are eligible to dispose of these materials at the regional incinerator facility under the City's Gross Annual Tonnage allotment established yearly by the City of Franklin. This financial benefit may be subject to change based in 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 the vehicles shall meet the criteria which permits disposal. The purpose of bypassing the City Transfer Station and hauling directly to an outside facility is to avoid the re-processing 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 regional incinerator or other disposal facility. There will be no load mixing of solid waste from any sources, customers or municipalities from outside the City of Franklin. The City may request a list of customers for verification that they are complying with this requirement.

257-69 Prohibited Wastes:

Any firm which the City, or the appropriate regional agency, has a contract 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 licensed haulers to inform 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 AM to 7 PM, 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 shall be notified and seek approval if such conditions warrant.

257-71 Termination of Registration; Appeal Process and Re-application:

The Director reserves the right to terminate a registration of a firm or individual upon determined to be in non-compliance of this Ordinance. A letter of warning may be issued, but is not required, prior to 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 non-compliance 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, then prior to reinstatement of the registration, the property owner and the collection firm shall be required to meet with the Director or designee to review violations and to implement the necessary corrective actions. 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 utilizing 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 such as 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 arrangement with their collection firm to collect these items or to utilize the Franklin Transfer Station and subject to appropriate fees. These types of items shall not be left in the open air for longer than 48 hours before a collection is made.
- b. All containers shall have a lid or other protective cover which shall be closed at all times, except when materials are being deposited in and/or removed from said containers. The containers shall not be overfilled so that the lid or cover is not closed or closable, or otherwise not effective in preventing spillage, blowing, or other dispersal of the waste materials.
- c. All containers shall be solid in design, such as metal or heavy plastic cans or the standard dumpster. This provision notwithstanding, if the Director or the Code Enforcement Division of the City determines that the bags 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 proper and appropriate containers are 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 and so that the 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 January 1, 2023, by 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 August 1st, 2022

From: Lisa Jones, Executive Secretary

Subject: City Council to consider making the City of Franklin a Purple Heart Community

Recommended Motion:

Councilor moves, "I move that the Franklin City Council approve moving forward with a Proclamation and event so that Franklin can become a Purple Heart Community."

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

Discussion:

To become a Purple Heart Community, Franklin must have at least one Purple Heart recipient residing in the city, which has been verified by City Clerk Stanyan. A Proclamation would need to be written and an event to include local Veterans, the local newspapers and other dignitaries would need to be organized. The Proclamation can be framed and hung at Franklin City Hall. The Purple Heart trail signs are different than the community signs that show a Veteran's name. These would have the Purple Heart emblem and the city name to denote it as a Purple Heart Community. Locations for the signage needs to be discussed.

Concurrence:

The purpose of the Purple Heart Community is to create a tribute to the men and women who have been awarded the Purple Heart medal. With the presence of the signs designated in the city as a Purple Heart Community, the public will have a visual reminder of the sacrifices paid by the Purple Heart recipients and a notice that Franklin supports the military heroes who have made sacrifices for the way of life all of our residents enjoy.

Fiscal Impact:

There will be no fiscal impact as the signage will be purchased by the VFW/Elks Lodge/Leo Paquin. These signs would be installed by the City in locations of choice.

Attachments/Exhibits: Information from the Purple Heart Community Project Advocate, Marie Grella



A Purple Heart Community

Meeting with a Community

Thank you for inviting me here today/tonight. My name is Marie Grella from Amherst. I am here today/tonight to request that the Board of Selectmen approve a Proclamation to make your town/city a Purple Heart Community.

Please read the attached information about what it means to be a Purple Heart Community. Any questions can be directed to me at (603) 673-4905 or email: marietgrella@gmail.com

Marie Grella

Purple Heart Community Project Advocate

(603) 673-4905

marietgrella@gmail.com



Becoming a Purple Heart Community

The Town/City Clerk will be able to verify if there is a least one Purple Heart recipient in the town/city. A name is not necessary, but verification of residency within the town/city is important.

A meeting with the Town Council, the Board of Selectmen or Aldermen to request their approval for the process is necessary to inform them of the process and significance. A Zoom meeting can also be set up if that is more convenient for all participants. If becoming a Purple Heart Community is approved, then a Proclamation is written by the governing board. There should be no cost to the community as typically there is a Veteran's group that will pay for the cost of the signs that are placed at the entrance to the town/city on all major routes.

A Purple Heart trail sign is different than the community sign as the trail sign has a Veteran's name on it. The community sign has the Purple Heart emblem and the town or city name to denote it as a Purple Heart Community.

Once a proclamation is signed by the governing board, the signed documents need to be sent to marietgrella@gmail.com. There should be an event to include local Veterans, the local newspapers and other dignitaries. The Proclamation can be framed and hung at Town/City Hall.

After receipt of your paperwork by Marie Grella, the signs can be purchased as per the attached instructions.

Current New Hampshire Purple Heart Communities are:

Amherst, Boscowen, Brentwood, Greenville, Harrisville, Litchfield, Lyndeborough, Manchester, Merrimack, Milford, Mont Vernon, New Boston, New Ipswich, Swanzey, Temple & Wilton.



What is the Purple Heart?

The Purple Heart is specifically a combat decoration and it is our nation's oldest military medal. It was created by General George Washington in 1782 and was known as the Badge of Military Merit. It was first awarded to three soldiers in Newburgh, New York. The Badge of Military Merit was made of cloth and it is the predecessor of the Purple Heart medal.

The current Purple Heart medal was developed by General Douglas MacArthur in 1932. The new design was created by Miss Elisabeth Will, an Army heraldic specialist in the Office of the Quartermaster General.

The Purple Heart is awarded to members of the armed forces of the United States who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action. The heritage it represents is sacred to those who understand the price paid to wear it.

Purpose of the Purple Heart Community

The purpose of the Purple Heart Community is to create a tribute to the men and women who have been awarded the Purple Heart medal. With the presence of the signs designated in your town as a Purple Heart Community, the public will have a visual reminder of the sacrifices paid by the Purple Heart recipients and a notice that your town supports the military heroes who have made sacrifices for the way of life all of our residents enjoy.



Purple Heart Community

Contact Information

Signs for your town/city can be purchased by contacting:

Nathan Gauntt
(603) 271-1874
Nathan.d.gauntt@doc.nh.gov

Signs are made at the State of New Hampshire prison.

Price List:*

\$52.70 after 15% discount per sign - 24"x30" - (SCR2430)
\$35.00 per green pole (12-0100-02)
\$316.20 for 6 or more signs

**Price is subject to change. Prices will be discounted for Veterans.*

Your Town/City Department of Public Works will install these signs in the locations of your choice. If it is a State Road, you are required to contact the New Hampshire Department of Transportation at (603) 271-2291. Locations of the signs will be marked and Dig Safe will be contacted.

There is a cost for shipping the signs. It is recommended that the cost of the signs be covered by a Veteran Group and not your Town/City.

Marie Grella
Purple Heart Community Project Advocate
(603) 673-4905

The Selectmen of the Town of Amherst, New Hampshire hereby proclaim

WHEREAS, the people of the Town of Amherst have great admiration and the utmost gratitude for all the citizens of our community who have selflessly served in the Armed Forces, which has been vital in maintaining the freedom and the way of life enjoyed by our citizens; and,

WHEREAS, citizens of our community have been killed in action while serving in the Armed Forces and have been posthumously awarded the Purple Heart for their ultimate sacrifice; and,

WHEREAS, the Purple Heart is the oldest American military decoration and was created as The Badge of Military Merit, made of purple cloth in the shape of a heart with the word "Merit" sewn upon it, on August 7, 1782 in Newburgh, New York by General George Washington; and,

WHEREAS, the heritage it represents is sacred to those who know the price paid to wear the Purple Heart; and,

WHEREAS, August 7th is nationally recognized as Purple Heart Day;

NOW, THEREFORE, We, The Board of Selectmen of the Town of Amherst, New Hampshire will recognize August 7th, annually, as Purple Heart Day, and urge the people and organizations of Amherst to display the American Flag as well as other public expressions of recognition of our Purple Heart recipients.

PROCLAIMED this 29th day of April 2019 by the Amherst Board of Selectmen.

Peter Lyon, Chairman

Thomas Grella

Dwight Brew, Vice Chairman

John D'Angelo

Reed Panasiti, Clerk

SAMPLE



TOWN OF AMHERST, NH

"A Purple Heart Community"

CITY COUNCIL MEETING
AGENDA ITEM VI



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 1, 2022 City Council Meeting

**Subject: Council to consider approval of parking lease agreement with IFA Realty Holdings
– Franklin LLC**

Motion: *"I move that the Franklin City Council approves the parking lease with IFA Realty Holdings – Franklin LLC for 18 municipal parking spaces, 14 located at tax map 117-161-00 and 4 located at tax map 117-148-00, and to authorize City Manager Milner to duly execute the lease on behalf of the city."*

Discussion:

Several years ago, at the request of the city manager's economic task force, Independence Financial Advisors (IFA), a subsidiary of Franklin Savings Bank considered and ultimately invested in 3 buildings in the downtown in order to re-purpose them with an eye toward highest and best use. In addition, IFA was outgrowing their space at the 387 Central Street address and needed a bigger location for their operations. This move kept the buildings in play and contributing to Franklin's revitalization efforts.

In a bold move, IFA proposed a project to convert the upper levels of the defunct Oddfellows Building to high end condo units. These high-end units would complete the City's economic task force objectives of providing for housing of all income levels from subsidized, working force, market rate and high end. The task force has subscribed to the quote made famous by Kennedy "a rising tide lifts all boats" and believes this mix of housing is necessary for a vibrant community. As with most projects in an aging former mill town, the numbers didn't make sense without some help and creative solutions to the challenges of the project.

The City Manager's economic development task force recognized the importance of the project and supported the efforts of IFA early on and brought the project to the City Council's attention. In January of 2020, the City Council recognized the importance of a supportive community bank as well as the extraordinary effort Franklin Savings Bank (FSB) has put into the revitalization of the city. The \$250,000 donation to the white-water park effort, which ultimately leveraged millions of grant funding for the project, being just one example of FSB's unwavering support.

In order to assist with the challenge of permanent parking for a building with a zero lot line, the City Council supported the idea of building a parking lot on City property in the downtown to lease spaces to the future inhabitants of the condo units. 18 spaces were necessary. If the new lot did not support the spaces, the overflow would be in the municipal parking lot located between central and canal streets.

The project has been completed with 7 beautiful high end condo units: 1 is occupied, 5 under agreement and 1 still for sale. The workmanship, attention to detail and nod toward our industrial roots are evident throughout the building. IFA certainly delivered. Attached is the proposed lease agreement for parking with IFA. The new lot provides for 14 spaces with 4 spaces recommended in the municipal lot off of Canal Street. This agreement is the same as the one recently executed with Stevens Mill as part of their developer's agreement and has been vetted by Paul Fitzgerald.

Attachments:

City Manager correspondence with Ron Magoon, Franklin Savings Bank President
Lease Agreement

Magoon, Ronald <Ronald.Magoon@fsbnh.bank>
To: City Manager <citymgr@franklinnh.org>

Wed, Jan 8, 2020 at 5:49 AM

Good morning Judie, like you I am humbled by the response of the Council. The decisions made by them last evening demonstrate significant appreciation for, and acknowledgment of the work FSB and IFA are doing to support our wonderful community. Through continued collaboration we can all help Franklin achieve its potential!

We are looking forward to starting our Odd Fellows Building project in the coming weeks. The actions of the Council last evening have assured us that this project has the necessary support to make it a successful endeavor.

Thank you!
Ron

Sent from Workspace ONE Boxer

On January 7, 2020 at 6:01:35 PM EST, City Manager <citymgr@franklinnh.org> wrote:

Good Afternoon Ron,

As I promised, I spoke to the Council last night in non-public session about my ideas to support your IFA project. Councilor Clarenbach had to recuse himself for obvious reasons but the rest of the ENTIRE COUNCIL was very supportive and very appreciative of what you are doing in the downtown for the overall benefit of residents of the City. I was very confident that I would get their support but was taken aback and quite honestly humbled by their strong supportive reaction. It's important you know that your City is also behind you.

With that said, we are prepared to offer you 18 dedicated parking spaces for your tenants – we would like to get all 18 in the City owned lot next to the Shop Express. However, I'm not sure 18 will fit there properly so we are prepared to offer some dedicated spaces in the "infield" municipal lot to make up the difference (if necessary). We want the spaces as close to your building as possible.

In addition, they are supportive of having City water staff assist with the 6" water main into the building at cost. You and I had discussed that the water fund with it's limited resources and customer base just isn't able to support additional expenditures at this time. However, I just learned of an unfortunate error that our assessing contractors made on FSB existing building assessed value therefore underbilling FSB around \$10,000 in real estate taxes. I have support to abate that bill for the current tax year which should offset the cost of the water main extension into your building.

I did not need additional support for the alley/fence in the back as that is not City property but I did let them know that I will dedicate a team to facilitate the discussions with all the abutting property owners to come up with the best design for that area that will integrate into the already approved "infield parking lot improvements" under TIF amendment #1. They are thrilled with this direction. They are also onboard with the planned façade improvements for the "back" sides of the buildings along the north side of central street and possible future grants and programs that will assist property owner's with those.

I have a meeting in the morning but am available in the afternoon should you wish to discuss further. I'm looking forward to working with you on another great project in Franklin.

Take Care,

Judie Milner
Judie Milner,
City Manager



316 Central Street
Franklin, New Hampshire 03235
Telephone (603) 934-3900 ext. 10
Email citymgr@franklinnh.org

November 19, 2019

Ron Magoon, CEO
Franklin Savings Bank
387 Central Street
Franklin, NH 03235

Dear Mr. Magoon,

I know that Independent Financial Advisors and Franklin Savings Bank are exploring the feasibility of redeveloping the upper floors of the Odd Fellows building into high end apartments and/or condos at a very substantial cost. It goes without saying that such a huge investment would have a far reaching and positive impact on all of our downtown businesses and properties. The Odd Fellows building is certainly a keystone property and the improvements you've completed on the ground level set a high bar for other investors.

I want you and your team to know that I and the City's economic development team fully support this project. We can work with you to establish more off-street parking, help to redesign the alleyway in the rear of the building and look for ways to aid in the extension of the water main into the building. All of these issues come down to available dollars, but we should work together to explore creative solutions. The team is committed to look for ways to make things happen!

Franklin Savings Bank has been the single most supportive investor in the redevelopment of downtown Franklin, and your commitment to our community is unparalleled. I greatly appreciate the close working relationship that City has with Franklin Savings Bank, and I am personally grateful for your involvement in our community improvement projects.

Sincerely, ,

Judie Milner,
City Manager

Franklin - The Three Rivers City

LEASE AGREEMENT

This Lease is effective August __, 2022, by and between the **CITY OF FRANKLIN**, a municipal corporation, with a principal place of business at 316 Central Street, Franklin, New Hampshire, hereafter "Lessor," and **IFA REALTY HOLDINGS - FRANKLIN LLC** a limited liability company formed under the laws of the State of New Hampshire, with a mailing address of 402 Central Street, Franklin, NH 03235, hereafter, the "Lessee."

ARTICLE I

LEASED PREMISES

The Leased Premises (the "Premises") are eighteen (18) parking spaces located within one or more of the Lessor's parking lots as identified on **Exhibit A**. The exact location of the Premises shall be all fourteen (14) parking spaces located at Tax Map 117 - Lot 161 and four (4) parking spaces located in the municipal parking lot at Tax Map 117 - Lot 148.

ARTICLE II

TERM OF LEASE

The Lease shall be for an initial base term of twenty (20) years beginning at the issuance of the project's first Certificate of Occupancy and delivery of the Premises as required in Article I and shall include three 5-year extension options to be exercised at Lessee's sole discretion. Lessee shall exercise an extension option by giving Lessor written notice no later than ninety (90) days prior to the expiration of the Lease term, as extended. In the event, Lessee fails to give written notice, the Lease will continue on a year to year basis, unless otherwise terminated by Lessee.

This Lease may be modified at the sole option of the Lessor in the event that the Lessee acquires ownership of other property within the City of Franklin which could accommodate all or some of the equivalent leased parking spaces and is within reasonable walking distance of any portion of the leased premises. "Reasonable walking distance" shall be defined as a distance normally traversed by a pedestrian at a normal pace within three minutes. The term "Lessee" for purposes of this section shall include any entity which would be an approved assignation as defined in Article VII, hereafter.

ARTICLE III

RENT

Year 1 rent shall be set at \$10/space/month for a total of \$180/month or \$2,160 per year increased by 2% annually.

Payment shall be made on the first business day of each month to the Office of the City Manager, 316 Central Street, Franklin, NH 03235.

The Lessee shall timely pay all real estate taxes assessed against the leased premises pursuant to RSA72:23(b).

ARTICLE IV

QUIET ENJOYMENT

Lessee and Lessee's tenants, employees and contractors shall have exclusive Twenty-Four (24) hour possession of the Premises during the term of this Lease.

ARTICLE V

REPAIR AND MAINTENANCE

The Lessor shall keep the Premises in good and orderly repair as reasonably expected for use as a residential parking facility. The Lessor shall not cause the same to suffer any unreasonable or unnecessary harm, waste, damage or neglect, other than normal wear and tear. The Lessor is responsible for striping and lighting the Premises.

The Lessee shall have the right to place signage on the Premises designating its exclusive use and stating Lessee's enforcement rights, including but not limited to towing or booting an unauthorized vehicle parking on the Premises. Lessee shall be responsible for the repair, maintenance, and replacement of any signs marking the Premises.

ARTICLE VI

SECURITY OF THE PREMISE

The Lessor is not responsible for articles stolen from vehicles on the leased premises, stolen or damaged vehicles, or injury or damage to persons or property on the leased premises.

ARTICLE VII

ASSIGNMENT AND SUB-LEASING

With the exception of Lessee's tenants, condominium unit owners, employees, and contractors, the Lessee may not assign or sub-let this Lease, in whole or in part, without the prior written consent of the City Manager, such consent not to be unreasonably withheld. However, Lessee shall have the right to assign the Lease to an entity owned or controlled by Lessee without Lessor's approval; provided 51% of the new entity is owned or controlled by the Lessee or the same members of Lessee.

ARTICLE VIII

INDEMNIFICATION

The parties shall fully defend, indemnify, and hold harmless each other from any and all claims, lawsuits, demands and causes of action, liability, loss, damage and/or injury of any kind

whatsoever (including without limitation all claims for monetary loss, property damage, equitable relief, personal injury, and/or wrongful death), whether brought by an individual or other entity, or imposed by a court of competent jurisdiction or by administrative action of any federal, state, or local government body or agency, arising out of, in any way whatsoever, any acts, omissions, negligence, or other misconduct related to a party's use of the Premises, unless caused by the negligent or willful misconduct of the other party, its agents, employees or contractors. This indemnification applies to and includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys' fees, and related costs or expenses.

ARTICLE IX

LEGAL COMPLIANCE

The Lessee recognizes and agrees that it is responsible for compliance with any and all applicable local, state, and federal laws and regulations while making use of the Premise. The Lessee acknowledges that the Premise location upon municipal property does not exempt it from compliance with any of the above named laws and regulations.

ARTICLE X

ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the Parties related to the matters specified herein, and supersedes all prior oral or written statements or agreements between the Parties related to such matter.

ARTICLE XI

NOTICES

All communications related to this Lease to Lessor shall be delivered to the Office of the City Manager, 316 Central Street, Franklin, NH 03235. All communications related to this Lease to Lessee shall be delivered to IFA REALTY HOLDINGS - FRANKLIN LLC with a mailing address of 402 Central Street, Franklin, New Hampshire 03235.

ARTICLE XII

AUTHORITY

Each of the persons executing this Lease on behalf of the parties, and the parties thereto, hereby covenants and represents that it has the authority to enter into this Lease and that such action does not violate any other agreement or law, and that such Lease is binding on all parties. This lease is a result of an agreement between the City and IFA REALTY HOLDINGS - FRANKLIN LLC which was supported by the City Council on January 6, 2020.

ARTICLE XIII

LEASEHOLD MORTGAGE

Lessee may at any time execute and deliver one or more mortgages, deeds to secure debt or deeds of trust (any such mortgage, deed to secure debt or deed of trust is herein called a "Leasehold Mortgage") granting a lien or security interest in Lessee's leasehold estate and rights hereunder without the consent of Lessor; provided, however, that Lessee shall remain liable hereunder for the payment of Rent and for performance of all the obligations of Lessee under this Lease. In no event shall any such Leasehold Mortgage encumber Lessor's interest in the Premises. If either Lessee or the holder of any such Leasehold Mortgage notifies Lessor of the existence of such Leasehold Mortgage and the address of the holder thereunder for the service of notices, such holder shall be deemed to be a "Leasehold Mortgagee" as such term is used in this Lease. Leasehold Mortgages will have a termination date on or before the end of the lease term.

ARTICLE XIV

NOTICE OF LEASE

Lessee agrees that it will not record this Lease, but the parties agree to execute and record a Notice of Lease in the form attached as **Exhibit B**.

ARTICLE XI

DEFAULT

Lessor shall be deemed to be in default of the Lease if it fails to perform its obligations within (10) ten days written notice of a violation from Lessee.

Lessee shall be deemed to be in default of the Lease, if it fails to pay rent within (7) days after written demand or fails to comply with its obligations under this Lease within (10) days written notice of a violation of the Lease.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

CITY OF FRANKLIN

Witness

By: _____
Judie Milner, City Manager
Duly authorized

IFA REALTY HOLDINGS - FRANKLIN LLC

Witness

By: _____
Ronald Magoon, Manager
Duly authorized

EXHIBIT A

PREMISES LOCUS PLAN



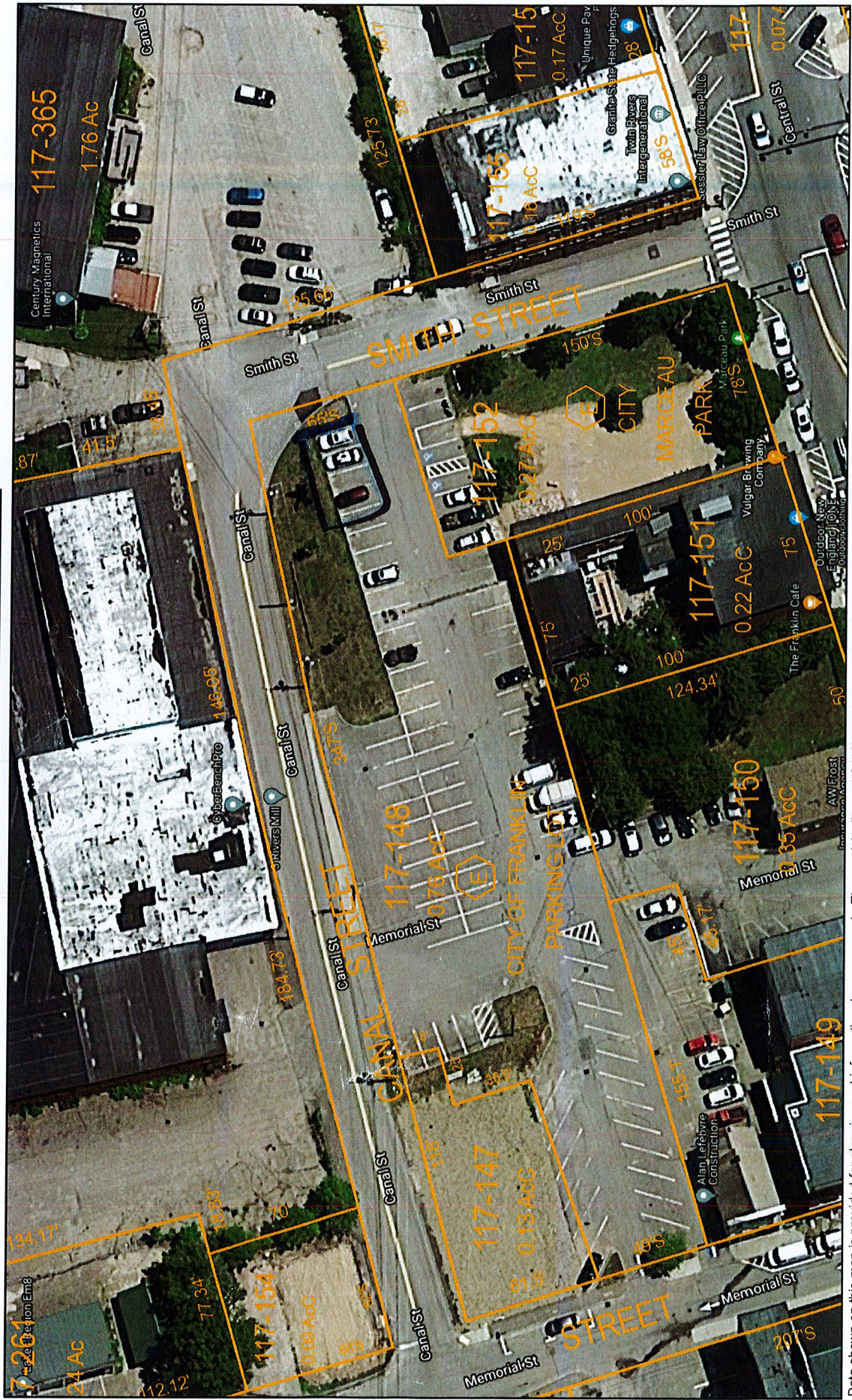
Franklin, NH

June 24, 2022

1 inch = 60 Feet



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

***SPACES PROPOSED**

EXHIBIT B

SEE ATTACHED NOTICE OF LEASE

NOTICE OF LEASE

THIS NOTICE OF LEASE is made by the **CITY OF FRANKLIN**, a municipal corporation, with a principal place of business at 316 Central Street, Franklin, New Hampshire, hereafter "Lessor," and **IFA REALTY HOLDINGS - FRANKLIN LLC** a limited liability company formed under the laws of the State of New Hampshire, with a mailing address of 402 Central Street, Franklin, NH 03235, hereafter, the "Lessee."

WITNESSETH:

The parties hereto entered into a written Lease dated August __, 2022 for the premises known and designated as eighteen (18) parking spaces located within one or more of the Lessor's parking lots as identified on **Exhibit A**. The exact location of the Premises shall be all fourteen (14) parking spaces located at Tax Map 117 - Lot 161 and four (4) parking spaces located in the municipal parking lot at Tax Map 117 - Lot 148 in the City of Franklin, Merrimack County, New Hampshire, together with all appurtenant rights and privileges, for a term of twenty (20) years running from and including the date of August __, 2022 through and including the date of __, 2042. Lessee shall have the right and option to extend the Lease for three 5-year extension options upon the same terms and conditions, for a total rental period, including extensions of thirty-five (35) years.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

CITY OF FRANKLIN

Witness

By: _____
Judie Milner, City Manager
Duly authorized

STEVENS MILL, LLC

Witness

By: _____
Ronald Magoon, Manager
Duly authorized

CITY COUNCIL MEETING
AGENDA ITEM VII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of August 1, 2022

Subject: Other Business

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

Adjournment

Mayor Appointments

Recommended Motions:

“I accept the resignation of Secretary, Roy Gilbreth (Seat CC6) from the Conservation Commission, effective immediately.”

“I re-appoint Vice Chair, Glen Morrill (Seat CC4) to the Conservation Commission, term of service to September 2025.”

Council Appointments

Recommended Motions:

“I move that the Franklin City Council appoint Gregory Thompson to Zoning Board of Adjustment (seat ZBA1), term of service to January 2024.”

“I move that the Franklin City Council re-appoint Brian Barry to Code Enforcement Appeals Board (seat CEAB1), term of service to September 2024.”

“I move that the Franklin City Council re-appoint Doug Morin to Code Enforcement Appeals Board (seat CEAB2), term of service to September 2024.”

“I move that the Franklin City Council re-appoint Gary Auger to Code Enforcement Appeals Board, as an alternate (seat CEAB5), term of service to September 2024.”

Attached:

Appointee Profile: Gregory Thompson

Resignation Email: Roy Gilbreth



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

316 Central Street
Franklin NH 03235

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

PROSPECTIVE APPOINTEE PROFILE

Name: Gregory Thompson

Address: 534 Prospect Street Franklin NH 03235
Street Address City State Zip Code

Telephone: (603) 400-9560 (cell) (508) 397-1283 thompsonagregory@gmail.com
(Home Phone) (Work Phone) (Cell Phone) (email)

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

Franklin Resident: ☒ Yes For how long? 1 year

Employer: Corning Aerospace Defense Division

Address: 69 Island Street Keene NH 03431
Street Address City State Zip Code

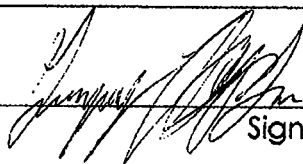
Interested in appointment to: Vacant seat on ~~CIP and Planning Board~~ Zoning Board

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

PMP® certified project manager with 4 plus years in project management and manufacturing in advanced tech
companies in the Granite State. Born and raised in NH with capital project experience combined with dedication to
service through active tour in the United States Marine Corps. UNH undergraduate and UNH MBA graduate

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

My father raised me to be value my community and heritage. He taught me town and city government is not free,
it is paid through the values and love for your neighbor and state. He reminds me every day that I can help and keeps
reminding me why I live here and if I want to keep the place I love that I have to work to keep it.


Signature

June 19th, 2022
Date

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

Lisa Jones

From: Donna Gilbreth <dgilbreth@myfairpoint.net>
Sent: Tuesday, July 12, 2022 11:12 AM
To: Lisa Jones
Cc: Sam McLaughlin; Glenn Morrill; Tim Stangroom; Christine Sheedy
Subject: Resignation

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Replied

Hi Lisa,

I write to inform Mayor Jo Brown that I am resigning from the Franklin Conservation Commission effective immediately. Until a new commission secretary is chosen Sam McLaughlin will be your new contact.

I wish you continued success on your job.. It has been a pleasure working with you.

Best wishes,

Roy Gilbreth
Franklin Conservation Commission



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting August 1, 2022

Date: July 27, 2022
From: Judie Milner, City Manager
Subject: City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$265.61
- Congratulations:
- Committee meetings – August:
 - Legislative
 - Municipal Services
- Communications Center Project Update
- Source Water Project Kick off meeting – NH Water Works Association project; collaboration with Sanborton
- NHMA Floor Policy
- One time Aid from State - Municipal Bridge Aid; 7.5% NHRS for police, fire and teachers
- Media contacts – Concord Monitor, Laconia Daily Sun, Andover Beacon
- Late Item
- Non Public Needed:
Motion to go into non-public according to RSA 91-A:3 II (d) consideration of 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.

*****LATE ITEM*****



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 1, 2022

From: Judie Milner, City Manager

Subject: Council to Consider Appointing Members to City Manager's Working Group on City Hall Code Issues and Solutions

Discussion:

At the buildings workshop/special meeting on July 25th, we discussed City Hall and the code issues that need to be addressed in the building. At the meeting I asked if 2 councilors would be interested in sitting on my work group/task force to discuss highest and best use of the building, issues that need to be addressed and come up with solutions to present to the city council.

The fire chief has given the deadline of a solid plan in place, i.e., plan that will be moving forward to building permit, of January 25, 2023 which means the substantial work of this group needs to be completed prior to 12/31/22 in order to present to the council. This group will be busy, I expect to conduct public forums, have guest speakers and aggressively seek creative solutions and/or funding sources.

I am planning to partner with as many stakeholders as possible and would really appreciate council involvement at this level. I do understand other commitments could preclude involvement but wanted to extend the invitation to the council anyway. Thank you for your consideration.

Attachments:

7/25/22 PowerPoint
Fire Chief Letter
Fire Code Report



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

59 West Bow Street • 03235

Tel : (603) 934-2205
FAX: (603) 934-7408

Michael J Foss, Fire Chief/EMD

David J Hall, Deputy Chief

February 1st, 2022

Franklin City Hall
316 Central Street
Franklin, NH 03235

Dear Manager Milner,

I am writing as a follow-up to our conversation regarding the May 18th, 2021 fire protection and life safety code review of Franklin City Hall. This was conducted after our discussion where I vocalized my concern with the current condition of the building, specifically as it relates to its use for gatherings, events, and generalized assembly purposes. I believe that the results of the study conducted by JS Consulting LLC will support my concerns, and further help to provide us direction as to how we should rectify any and all fire-related hazards.

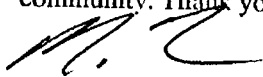
Though most identified hazards were created prior to your administration, the generalized risks still remain. Chiefs Navaroli, Beauchemin, Clarenbach, LaChapelle, along with Inspector Bodein have all reiterated their concerns to previous City Managers as well. In a letter dated August 6th, 1996, Retired Chief Clarenbach wrote the following to City Manager Jim Pitts in regards to the necessity of a sprinkler system to protect the building. Chief Clarenbach wrote, "By installing sprinklers it would not only satisfy the intent of the code but would also protect this valuable landmark in time of fire." I wholeheartedly agree with this assessment and echo his recognition of this challenge.

As a result of layout modifications, code changes, and other contributing factors, having a newly conducted Fire Protection study was in the best interest of the City of Franklin and those who occupy this structure. Further, after reading through other various correspondence regarding City Hall's condition it has become all the more apparent that an Occupancy and Assembly permit is necessary. This building is utilized to accommodate large crowds, employees, and members of the general public for various events

and meetings. The City of Franklin would continue to be negligent without properly addressing all the fire and life safety concerns outlined in JS Consulting's report. It is my recommendation that we work together in conjunction with the Municipal Services Director to address JS Consulting's concerns. The major areas identified as needing attention are as follows:

- *The building needs to be fully sprinklered to maintain its current use. Further, this would assist in obtaining of an assembly and occupancy permit.*
- *Separation of "Stair 1" and "Stair 3" would help to prevent fire spread throughout the structure in the event of an emergency.*
- *The unprotected penetrations through the building (in-between floors) need to be addressed where appropriate.*
- *An additional means of egress needs to be incorporated for use when GAR Hall is being utilized.*
- *Panic hardware needs to be installed as identified in the report dated May 18th, 2021.*
- *Proper handrails need to be installed when using the theater-type seating.*
- *Exit signage must be visible and properly labeled in all egress portions of the building.*
- *Additional fire extinguishers need to be installed where deficiencies are noted.*
- *Fire alarm system notification must be incorporated into the attic space.*
- *Storage of combustible supplies must only be housed in proper and approved locations.*
- *The stage area exceeds 1,000 ft². Therefore, the installation of an approved ventilation system and extinguishment hose lines are necessary to continue with its current use.*
- *All pending electrical wiring replacement needs to be completed. All extension cord used as a replacement to permanent wiring must cease, and all knob-and-tube wiring needs to be inspected and replaced as indicated after review by a qualified electrician. It would benefit the city to have an electrical engineer or licensed electrician provide a plan to correct all electrical hazards.*

To help provide greater detail of the aforementioned items, I have attached the detailed report provided by JS Consulting Engineers, LLC. I am confident that we can address these issues together with the help of the City Council, Municipal Services Director, and members of your leadership team. I look forward to discussing these hazards with you and proposing a solution so that City Hall can continue to benefit our community. Thank you for your consideration.



Michael Foss

Fire Chief/EMD

cc: Justin Hanscom, MSD Director
enclosure



**City Hall
316 Central Street, Franklin, NH
Fire Protection & Life Safety
Existing Conditions Assessment Report**

May 18, 2021

Office: 603.327.8650
Web: www.jsfirecode.com
224 Main Street | Suite 2C
Salem, NH 03079

1 BACKGROUND

JS Consulting Engineers, PLLC (JSCE) has prepared this existing building conditions assessment report for the building located at 316 Central Street in Franklin, New Hampshire. The purpose of this assessment is to visually examine the existing fire protection, life safety and accessibility features provided in the building in order to determine the general overall condition of the building and to identify observable fire protection, life safety and accessibility code deficiencies.

Note that JSCE's scope of work did not include review of existing mechanical, electrical, plumbing or structural systems or energy performance / efficiency. This Report is based on the site visit performed by Sean M. Donnelly, P.E. on April 8, 2021 and the requirements of the applicable codes and standards identified below.

The site visit included a visual observation of the general layout of the building. No system testing or destructive or intrusive inspections were conducted by JSCE. The objective of this review is to determine the general condition of the building. Where specific deficiencies are noted, the list is in no way comprehensive and should be considered cursory in nature.

1.1 EXISTING BUILDING DESCRIPTION

The building is a multi-purpose building owned and operated by the City of Franklin, NH. The building includes the city administrative offices (Group B, Business), multi-purpose meeting space (Group A-3, Assembly) and a theater space used by the community (Group A-1, Assembly). The building is an existing 3-story mixed-use occupancy with an unoccupied attic space. The total area of the building is approximately 13,002 square feet. The existing building is not equipped with an automatic sprinkler system; however, it is equipped with an automatic fire alarm and detection system.

2 APPLICABLE CODES AND STANDARDS

- **Accessibility** – 2010 Americans with Disabilities Act Standards (ADAS), ICC A117.1 as adopted by the NHBC Chapter 11.
- **Building** – New Hampshire State Building Code (NHBC) which is an amended version of the 2015 International Building Code
- **Existing Building** – New Hampshire Existing State Building Code (NHEBC) which is an amended version of the 2015 International Existing Building Code and the existing building provisions of Saf-C 6000.
- **Fire Safety** – Saf-C 6000 which is an amended version of NFPA 101, *The Life Safety Code*, 2015 Edition (LSC) and NFPA 1, *The National Fire Code*, 2015 Edition (NFPA 1)
- **Other** – Additional Select National Fire Protection Association (NFPA) Standards as referenced by NHBC and Saf-C 6000

3 CODE COMPLIANCE APPROACH

It is JSCE's understanding that the building has not undergone any recent renovations and that there are no planned renovations at this time. Based on this information, the existing building is required to comply with the requirements of the New Hampshire State Fire Code Saf-C 6000 for existing assembly and business occupancies. The requirements of Saf-C 6000 establish a minimum level of fire and life safety for existing buildings. This Report describes the proposed code compliance approach relative to fire protection, life safety and accessibility.

3.1 OCCUPANCY CLASSIFICATION

The building is currently utilized as office space for Franklin City Hall with several spaces dedicated to assembly use including a 2-story theater space.

The building is classified as a non-separated mixed-use with Group A-1 and A-3 (Assembly) and Group B (Business) occupancies.

3.2 EXISTING BUILDING CONSTRUCTION

The building is 3-stories in height; referred to in this Report as the 1st Floor, 2nd Floor and 3rd Floor. The building is provided with an attic space that is utilized only for storage and is not accessible to the general public. The total area of the building is approximately 13,002 square feet.

The existing 3-story building is constructed of various non-combustible and combustible materials including brick exterior and wood interior. Based on the mixed construction, it is assumed the building's construction most nearly resembles Type V(000).

Since there is no current work proposed for the building; review of the existing building construction relative to its use, height and area under the requirements of the NHBC is not required¹.

The location of an Assembly Use space in an existing building is regulated by the LSC based on the existing construction type of the building and whether the building is fully sprinklered (LSC Table 13.1.6). The LSC does not regulate the construction of an existing Business occupancy. In accordance with LSC Table 13.1.6 Assembly occupancies are only permitted to be located on the 1st Floor in an existing nonsprinklered Type V(000) building. If the building were fully sprinklered; LSC Table 13.1.6 would permit Assembly occupancy use on the 2nd Floor. However, use of the 3rd Floor for spaces classified as an Assembly occupancy is prohibited by the LSC.

As such, even where no new work is proposed for the building; the building is required to be fully sprinklered to continue its use as an Assembly occupancy on the 2nd Floor. Additionally, rooms or spaces classified as an Assembly Occupancy are not permitted on the 3rd Floor; therefore, approval for the use of the upper-level theater seating is required.

3.2.1 VERICAL OPENINGS

The following describes the stairs serving each floor of the building.

1st Floor

- **Stair 1** – An unenclosed stair which connects the office area of the 1st Floor to the 2nd Floor.
- **Stair 2** – An enclosed stair which connects the back of house area to the stage/theater on the 2nd Floor.

2nd Floor

- **Stair 3** – An unenclosed stair which connects the main lobby of the 2nd Floor to the 3rd Floor
- **Stairs 4 & 5** – Two additional unenclosed stairs are located within the theater area; however, these stairs are no longer in use.

3rd Floor

- **Stair 3** – An unenclosed stair which connects the main lobby of the 2nd Floor to the 3rd Floor

Attic

- **Stair 6** – An enclosed access stair which discharges at the top of Stair 3 on the 3rd Floor.

Assembly occupancies protected throughout with an approved automatic sprinkler system are permitted to have unprotected vertical openings (e.g. stairs) between any two adjacent floors provided that such openings are separated from other unprotected openings (LSC §13.3.1)².

Stair 1 and Stair 3 are considered to be non-separated open stairs. In order to properly enclose Stair 1 and Stair 3 and separate these stairs from one another, a new self-closing and latching 1-hour fire resistance rated door assembly should be installed to enclose Stair 3 on the 2nd Floor.

The existing stairs were observed to meet the dimensional criteria prescribed by LSC §7.2.2.2.1.1(b) for existing egress stairs.

¹ Per the NHBC a nonsprinklered Type VB (Type V(000)) building classified as a Group A-1 occupancy is limited to a maximum height of 1-story (40-feet) and a maximum area of 5,500 square feet not including any allowable increase in area due to open building frontage.

² Unprotected vertical openings between any two adjacent floors are not permitted in nonsprinklered buildings.

Additionally, every floor that separates stories in a building is required to be constructed as a smoke barrier. (LSC §8.6.1).

JSCE observed several unprotected penetrations, or holes between floors throughout the building. These holes and penetrations should be addressed as part of maintaining the building to the minimum requirements of the LSC and Saf-C 6000.

3.3 INTERIOR FINISHES

Existing interior finishes in the building are required to meet the existing construction requirements of the LSC §13.3.3 and §39.3.3. The table below summarizes the interior finish ratings required in existing Assembly and Business occupancies, with an occupant load greater than 300-people, where the building is not protected by an automatic sprinkler system (LSC Table A.10.2.2).

Table 1. Interior Finish Ratings – Nonsprinklered Building

Use Group	Exits	Exit Access Corridors	Other Rooms and Enclosed Spaces
A	Class A	Class A or B	Class A or B
B	Class A or B	Class A or B	Class A, B or C

More information is needed in order to verify if the interior wood finishes and acoustical ceiling tiles provide a Class A or B flame spread rating.

3.4 MEANS OF EGRESS

The following describes the means of egress serving each floor the building. Due to the sloping site, there is access to the exterior at grade level on the 1st and 2nd Floors. However, the level of exit discharge is identified as the 2nd Floor.

1st Floor

- **Exit A** – Single leaf exit door to the exterior at the rear parking lot.
- **Exit B** – Single leaf exit door to the exterior at Memorial Street.
- **Stair 1** – Unenclosed exit access stair with access to Exit D on the 2nd Floor.

2nd Floor

- **Exit C** – Double leaf exit door to the exterior at Central Street.
- **Exit D** – Single leaf exit door to the exterior at Memorial Street.
- **Exit E / Fire Escape** – An exterior fire escape stair, accessed from a single leaf exit door on the 2nd Floor near the stage, discharging to the rear parking lot.

3rd Floor

- **Stair 3** – Unenclosed exit access stair with access to Exit C on the 2nd Floor.
- **Exit F / Fire Escape** – An exterior fire escape stair, accessed from a single leaf exit door on the 3rd Floor balcony of the Theater, discharging to the rear parking lot.

Attic

- **Stair 6** – An enclosed exit access stair with access to Stair 3 on the 3rd Floor.

3.4.1 Number of Means of Egress

Each floor of the building is required to be served by two (2) remotely located building exits (LSC §7.4.1 and §13.2.4.1)³.

³ The attic appears to be primarily utilized for the storage of miscellaneous combustible materials. A single means of egress is permitted from any floor provided that the materials stored are consistent with ordinary hazard contents and that the maximum travel distance to the exit does not exceed 100-feet (LSC §42.2.4.1(2)). The materials stored in the attic appear to be consistent with the definition of ordinary hazard contents (LSC §6.2.2.3). The maximum travel distance does not appear to exceed 100-feet.

All floors and spaces in the building are provided with two (2) exits, where required, with the exception of Gar Hall on the 3rd Floor. The second exit serving the 3rd Floor is Exit F, the fire escape, accessed from within the theater space. Access to a required exit through an unrelated room or space is not permitted. Per the AHJ, the occupant load of Gar Hall is to be maintained at 49 or less.

3.4.2 Doors

In an Assembly occupancy, doors serving rooms and spaces with a capacity of 100-people or more are required to be equipped with panic hardware (LSC §13.2.2.2.3).

The following doors were not observed to be equipped with panic hardware:

1st Floor

- Exit A
- Exit B

2nd Floor

- The main entry/exit door serving the theater

3rd Floor

- The main entry/exit door serving the theater

3.4.3 Occupant Load and Exit Capacity

The exit capacity for the means of egress elements should be based on the following factors (LSC §7.3.3.1):

Table 2. Egress Capacity Factors

Egress Element	Egress Capacity
Stairs	0.3 inches per person
Doors, Ramps, Exit Passageways, Corridors	0.2 inches per person

Based on the proposed uses of the building, the following occupant load factors are applicable (LSC Table 7.3.1.2):

Table 3. Occupant Load Factors

Egress Element	Egress Capacity
Accessory Storage Areas, Mechanical Equipment Room	300 sf/pp
Assembly Areas – Table and Chair Seating, Meeting Rooms, Stage	15 nsf/pp
Assembly Areas – Seating in Rows	7 nsf/pp
Assembly – Fixed Seating	Seat Count
Business Areas	100 sf/pp
Dressing Room	50 sf/pp

The tables below summarize the estimated occupant load of the building. The occupant loads shown in these tables is based on information provided to JSCE by the City of Franklin. These are not accurate calculated egress occupant loads; they more closely represent program loads based on various potential seating arrangements expected to be utilized in the building.

Table 4. 1st Floor Egress Occupant Load

1st Floor			
Room / Space	Gross Area (sf)	Occupant Load Factor (sf/pp)	Egress Occupant Load (pp)
Theater Back of House Area	Unknown	Posted	90
Meeting Room	921 sf	15	62
Office	Unknown	100 ⁴	3
Total			155

Table 5. 2nd Floor Egress Occupant Load

2nd Floor			
Room / Space	Gross Area	Occupant Load Factor	Egress Occupant Load
City Clerk / Tax Collector Office	Unknown	100 ⁴	3
City Manager's Office	Unknown	100 ⁵	2
Meeting Room	434 sf	15	29
Stage	Unknown	Posted	90
Theater	Unknown	Fixed	125
Welfare Director's Office	Unknown	100 ⁶	1
Total			250

Table 6. 3rd Floor Egress Occupant Load

3rd Floor			
Room / Space	Gross Area	Occupant Load Factor	Egress Occupant Load
Gar Hall	1,052 sf	15	71
Meeting Room	303 sf	15	21
Theater	Unknown	Fixed	169
Total			261

The Tables below summarize the available exit capacity calculated for each floor of the building.

There is sufficient exit capacity serving each floor to accommodate the egress occupant load of each floor as represented in the Tables above.

⁴ The actual area of the office space could not be calculated; however, there are three (3) workstations within the space.

⁵ The actual area of the office space could not be calculated; however, there are two (2) workstations within the space.

⁶ The actual area of the office space could not be calculated; however, there is one (1) workstation within the space.

Table 7. 1st Floor Exit Capacity

1 st Floor				
Exit	Door Clear Width	Ramp / Stair Clear Width	Limiting Egress Element	Exit Capacity (pp)
Exit A	34 inches	82 inches	Door	170
Exit B	34 inches	75 inches	Door	170
Exit D / Stair 1	40 inches	77 inches	Door	200
Total				540

Table 8. 2nd Floor Exit Capacity

2 nd Floor				
Exit	Door Clear Width	Ramp / Stair Clear Width	Limiting Egress Element	Exit Capacity
Exit C	56 inches	N/A	Door	280
Exit D / Stair 1	40 inches	77 inches	Door	200
Exit E / Fire Escape	34 inches	51 inches	Door	170
Total				650

Table 9. 3rd Floor Exit Capacity

3 rd Floor				
Exit	Door Clear Width	Ramp / Stair Clear Width	Limiting Egress Element	Exit Capacity
Stair 3	N/A	77 inches	Stair	257
Exit F / Fire Escape	34 inches	51 inches	Door	170
Total				427

3.4.4 Theater-Type Seating (Balcony)

The exit capacity for the means of egress elements for theater-type seating should be based on the following factors (LSC Table 13.2.3.2):

Table 10. Egress Capacity Factors – Theater-Type Seating

Egress Element	Required Egress Capacity	
Stairs	0.3 AB ⁷	0.45 inches per person
Doors, Ramps, Exit Passageways, Corridors	0.22 C ⁸	0.242 inches per person

Each stair in the theater seating provides an exit capacity of 80 people. The maximum calculated occupant load for any one aisle is 67 people. Each aisleway through the theater provides an exit capacity of 136 people. The maximum occupant load of any one aisleway leading to an exit is calculated to be 85 people⁹. There is sufficient exit capacity serving the theater-type seating on the balcony.

Handrails are required in aisle stairs serving seating not at tables, unless the risers do not exceed 7-inches in height.

The aisle stairs serving the theater-type seating are not equipped with handrails and were observed to have a riser height of 8-inches.

⁷ A = 1.2; B = 1.25 (LSC §13.2.3.3(1) and §13.2.3.3(3)).

⁸ C = 1.10 (LSC §13.2.3.3(4)).

⁹ One-half of the total occupant load of 169.

3.4.5 Arrangement of Means of Egress

The following table summarizes some of the major means of egress criteria prescribed by LSC:

Table 11. Means of Egress

Means of Egress Element	Prescriptive Code Requirement
Travel Distance	200-feet
Common Path of Travel	20-feet
Maximum Dead-End Distance	20-feet
Minimum Headroom Height	7-feet (Existing Buildings)
Minimum Door Clear Width	32-inches ¹⁰
Minimum Corridor Width	44-inches ¹⁰
Minimum Width Accessible Route	36-inches ¹⁰

Unless previously noted, occupants of the building have access to a minimum of two (2) exits without excessive travel to an exit or travel via an excessive common path. Excessive dead-ends were not observed. All doors, corridors and accessible routes appear to comply with the required means of egress criteria outlined above with the exception of the door from the attic which was observed to be 28-inches.

3.4.6 Exit Signs and Means of Egress Lighting

Exit signage should be provided throughout the building in accordance with LSC §7.10 along all paths of egress travel and from any room or space requiring two (2) or more means of egress (LSC §13.2.10). Normal and emergency means of egress lighting is required to illuminate the egress paths and exits. Exterior lighting to illuminate the points of exit discharge and path of travel to the public way is also required.

The following areas were not provided with exit signs or emergency means of egress lighting.

- **Exit Signs**
 - 1st Floor – corridor to Exit B
 - 1st Floor – lounge area
 - 2nd Floor – Exit C
 - 2nd Floor – meeting room
 - 3rd Floor – meeting room
- **Emergency Means of Egress Lighting**
 - 1st Floor – break room
 - 1st Floor – women's dressing room
 - 2nd Floor – meeting room
 - 3rd Floor – meeting room

3.5 FIRE PROTECTION

3.5.1 Automatic Sprinkler System

The existing building is not protected by an automatic sprinkler system. To allow for the continued use of the 2nd Floor as Assembly occupancies, the entire building is required to be sprinklered (LSC Table 13.1.6).

Based on the existing construction type of the building and the use of the 2nd Floor, the existing building is not permitted to remain unsprinklered. The building is required to be protected by an automatic sprinkler system throughout installed in accordance with the NHBC, Saf-C 6000, and NFPA 13.

¹⁰ Not less than the width required to serve the occupant load. Refer to the exit capacity and occupant load tables in this Report.

3.5.2 Fire Extinguishers

Portable fire extinguishers are required to be located throughout the building in accordance with NFPA 1 §1-13.6, and NFPA 10.

Portable fire extinguishers were observed in the existing building and appear to be located throughout the building with the exception of the following spaces on the 3rd Floor balcony seating area. It is recommended that additional extinguishers be installed within the balcony seating area.

3.5.3 Fire Alarm and Detection System

Existing assembly occupancies with an occupant load of 300-people or more are required to be equipped with a fire alarm system per LSC §13.3.4.1.1.

Based on the estimated egress occupant load, which exceeds 300-people, the building is required to be equipped with a fire alarm and detection system. The existing building is equipped with a fire alarm and detection system which includes area smoke detection and occupant notification. It was noted that notification appliances were not installed in the attic.

3.5.4 Protection from Hazards and Combustible Storage

The following rooms or spaces are required to be separated from the remainder of the building by fire barriers having a minimum 1-hour fire resistance rating when the room or space is not protected by an automatic extinguishing system.

- Boiler and furnace rooms, unless the equipment has an input rating less than 200,000 Btu and the room is not used for storage
- Rooms or spaces used for the storage of combustible supplies in quantities deemed hazardous by the Authority Having Jurisdiction

There are several rooms and spaces within the building dedicated for the storage of combustible materials. These rooms or spaces are required to meet the following (NFPA 1 §10.18):

- Storage is required to be maintained 2-feet or more from the ceiling in unsprinklered buildings
- Combustible materials are not permitted to be stored in exits
- Combustible materials are not permitted in boiler rooms, mechanical rooms or electrical rooms unless the materials stored are used for the operation and maintenance of the equipment located in the room

Attics used for storage of combustible materials are required to be protected by one of the following means (LSC §8.7.1.1):

- The area shall be enclosed by a fire barrier with a 1-hour fire resistance rating
- The area shall be protected by an automatic sprinkler system

It was noted that the attic was used for the storage of combustible supplies. Additionally, combustible materials are stored in the room located near the boiler room, in the dressing rooms and in the corridor leading to Exit A on the 1st Floor.

Per the AHJ, combustible materials are required to be removed from the attic and the 1st Floor corridor. The materials located in the boiler room are considered acceptable to remain as is. The combustible materials located in the storage room near the boiler room and the dressing rooms are to be reduced and minimized per the AHJ.

3.6 ACCESSIBILITY

The original construction of the building pre-dates the ADA Standards (circa 1992). However, any new work or renovations performed since the early 1990's in the building should have complied with the applicable state and federal accessibility standards at the time of design and construction.

In addition, per 28 CFR §36.304 under Title III of the ADA, the accessibility features of the building should be on a program to continually improve the level of accessibility in the building to the extent such work is "readily achievable". JSCE recommends that, at a minimum, the following accessible features should be provided in the building, if not currently provided or not currently fully accessible:

- At least one (1) accessible building entrance connected to an accessible route from the public way (e.g., parking lot, sidewalk, etc.)
- An accessible route through each level of the building. This should include not less than 32-inches of clear width through doorways along the circulation route, accessible room signage, and accessible fire alarm notification appliances.
- At least one (1) accessible bathroom

3.6.1 Accessible Building Entrance / Accessible Route

Per ADAS §202.4, §203.9 and §206.1 the building is required to be served by an accessible building entrance and an accessible route through the building. It appears that there is an accessible route throughout the 1st and 2nd Floors. The 2nd Floor is provided with an accessible entrance from Memorial Street.

The building is not equipped with an elevator; however, a platform lift is provided for access between the 1st and 2nd Floors. The platform lift also provides access to the accessible building entrance. An operational plan for all seasons should be developed to allow patrons to travel between floors. Consideration should also be given to providing access to the 3rd Floor. Minimally all public uses of the 3rd Floor should also be offered in kind on the 1st or 2nd Floor.

3.6.2 Accessible Bathrooms

Per ADAS §202.4, the building is required to be served by an accessible bathroom. There is an accessible men's bathroom located on the 1st Floor and an accessible women's bathroom located on the 2nd Floor. Since there is no elevator to provide an accessible route between floors; each bathroom on each floor is required to have an accessible toilet and sink provided in accordance with NHBC §1109.2, ICC/ANSI A117.1 and ADAS §603.0, §604.0 and §606.0.

4 STAGES AND PLATFORMS

4.1.1 Ventilation and Smoke Control

Regular stages in excess of 1,000 ft² are required to be provided with emergency ventilation to provide a means of removing smoke and combustion gases directly to the outside in the event of a fire. The ventilation can be achieved by a smoke control system, roof vents or other approved alternate means of removing smoke and combustion gases.

A regular stage is defined as a stage with a height of 50 ft or less measured from the lowest point on the stage floor to the highest point of the roof or floor deck above. The stage provided in the theater is considered to be a regular stage.

It does not appear that the stage is equipped with means for emergency ventilation. The stage area exceeds 1,000 ft² (approximately 1,116 ft²); stage ventilation is required.

4.1.2 Fire Protection Systems

Every stage is required to be protected by an automatic sprinkler system providing protection throughout the stage and in storerooms, workshops, permanent dressing rooms and other spaces considered to be accessory to the stage.

Based on the presence of the stage and the spaces on the 1st Floor considered to be accessory to the stage, the existing building is not permitted to remain unsprinklered. The building is required to be protected by an automatic sprinkler system throughout installed in accordance with Saf-C 6000 and NFPA 13.

Stages over 1,000 ft² are required to be equipped with 1½" hose lines on each side of the stage. **The stage area exceeds 1,000 ft²; 1½" hose lines are required.**

4.1.3 Flame-Retardant Requirements

Cloth, film or dry vegetation scenery is required to meet one of the following (LSC §13.4.6.11.1):

- The flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.
- Exhibit a heat release rate not exceeding 100 kW when tested in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source.

Foamed plastics are permitted to be used if they exhibit a heat release rate not exceeding 100 kW when tested in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source or by specific approval of the authority having jurisdiction.

Scenery located on the stage, that is not separated from the audience by the proscenium opening, is required to be of noncombustible materials, limited-combustible materials, or fire-retardant-treated wood (LSC §13.4.6.11.3).

It should be confirmed that the materials used on the stage meet the requirements listed above.

5 ELECTRICAL FIRE SAFETY

Wiring that is no longer in use is required to be identified or removed from all accessible areas and insulated from contact with other live electrical wiring or devices (NFPA 1 §11.1.2.3).

Multiplug extension cords, cube adapters, strip plugs or other devices are required to be listed and used in accordance with their listing (NFPA 1 §11.1.3). Extension cords are required to be plugged directly into an approved receptacle, power tap or multiplug adapter and shall serve only one portable appliance unless approved multiplug extensions cords are used (NFPA 1 §11.1.5.1). Extension cords are required to be maintained in good condition without splices, deterioration or damage and shall be grounded if servicing grounded portable appliances (NFPA 1 §11.1.5.3 and §11.1.5.4). Extension cords shall not be affixed to structures, extend through walls, ceiling or floors or under doors or floor coverings.

Existing electrical wiring, fixtures, appliances and equipment is permitted to be maintained in accordance with the edition of NFPA 70, *National Electrical Code*, in effect at the time of installation unless determined to present an imminent danger. JSCE noted that exposed knob-and-tube wiring was installed throughout the building, specifically in the attic where loose insulation is present. JSCE is not able to confirm the date of installation of the knob-and-tube wiring. It should be noted that under the current edition of NFPA 70 knob-and-tube wiring is only permitted when concealed. Additionally, concealed knob-and-tube wiring is not permitted to be installed in the following locations:

- Theaters
- Hollow spaces of walls, ceilings and attics where such spaces are insulated by loose, rolled, or foamed-in-place insulation materials that envelop the conductors

It is recommended that a full review of the electrical service in the building be conducted by a licensed electrician or electrical engineer.

6 SUMMARY

The following major fire protection and life safety issues were identified as part of this review:

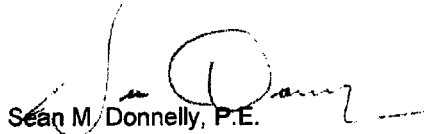
- Even where no new work is proposed for the building; the building is required to be fully sprinklered to continue its use as an Assembly occupancy on the 2nd Floor. Additionally, rooms or spaces classified as an Assembly Occupancy are not permitted on the 3rd Floor; therefore, approval for the use of the upper-level theater seating is required.
- Stair 1 and Stair 3 are considered to be non-separated open stairs. In order to properly enclose Stair 1 and Stair 3 and separate these stairs from one another, a new self-closing and latching 1-hour fire resistance rated door assembly should be installed to enclose Stair 3 on the 2nd Floor.
- Several unprotected penetrations, or holes between floors were observed throughout the building. These holes and penetrations should be addressed as part of maintaining the building to the minimum requirements of the LSC and Saf-C 6000.
- All floors and spaces in the building are provided with two (2) exits with the exception of Gar Hall on the 3rd Floor. The second exit serving the 3rd Floor is Exit F, the fire escape, accessed from within the theater space. Access to a required exit through an unrelated room or space is not permitted. Per the AHJ, the occupant load of Gar Hall is to be maintained at 49 or less.

- The following doors were not observed to be equipped with panic hardware:
 - 1st Floor
 - Exit A
 - Exit B
 - 2nd Floor
 - The main entry/exit door serving the theater
 - 3rd Floor
 - The main entry/exit door serving the theater
- The aisle stairs serving the theater-type seating are not equipped with handrails and were observed to have a riser height of 8-inches.
- The door from the attic which was observed to be 28-inches.
- The following areas were not provided with exit signs or emergency means of egress lighting.
 - Exit Signs
 - 1st Floor – corridor to Exit B
 - 1st Floor – lounge area
 - 2nd Floor – Exit C
 - 2nd Floor – meeting room
 - 3rd Floor – meeting room
 - Emergency Means of Egress Lighting
 - 1st Floor – break room
 - 1st Floor – women's dressing room
 - 2nd Floor – meeting room
 - 3rd Floor – meeting room
- Portable fire extinguishers were observed in the existing building and appear to be located throughout the building with the exception of the following spaces on the 3rd Floor balcony seating area.
- It was noted that notification appliances were not installed in the attic.
- It was noted that the attic was used for the storage of combustible supplies. Additionally, combustible materials are stored in the room located near the boiler room, in the dressing rooms and in the corridor leading to Exit A on the 1st Floor. Per the AHJ, combustible materials are required to be removed from the attic and the 1st Floor corridor. The materials located in the boiler room are considered acceptable to remain as is. The combustible materials located in the storage room near the boiler room and the dressing rooms are to be reduced and minimized per the AHJ.
- The stage area exceeds 1,000 ft²; therefore, the 1½" hose lines on each side of the stage and stage ventilation are required.
- It is recommended that a full review of the electrical service in the building be conducted by a licensed electrician or electrical engineer in order to review the presence of electrical wiring no longer in use, the use of extensions chords and existing knob-and-tube wiring.

If there are any questions regarding the issues identified in this Report or other areas of the building; please contact Sean Donnelly at 603-327-8650 or by email at s.donnelly@jsfirecode.com.

Prepared by:

JS CONSULTING ENGINEERS, PLLC



Sean M. Donnelly, P.E.
Sr. Consulting Engineer

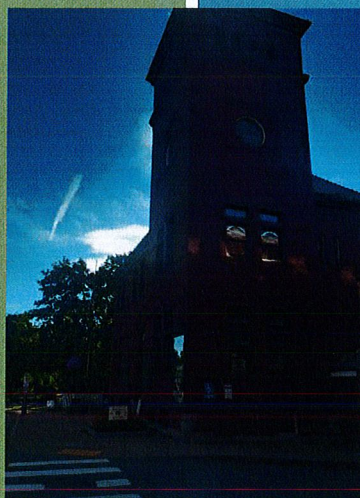
*****END OF REPORT*****

City Council Workshop Meeting - Buildings

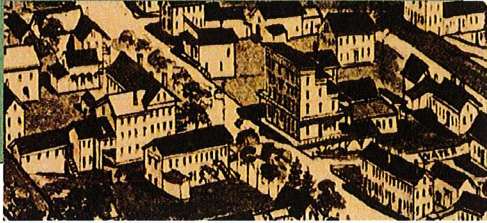
July 25, 2022



City Hall Conditions



History



- Building Constructed in 1892
- February 2, 1955 Chief Mercier began to identify problems
- Chief's since that have provided notices of correction
 - Chief Navaroli
 - Chief Beauchemin
 - Chief Clarenbach
 - Chief LaChapelle
 - Enacted a temporary crowd management program
 - Chief Foss
- Currently some of the problems have been addressed however there is still numerous deficiencies that are preventing the building from receiving an assembly and/or occupancy permit.
- May 18, 2021 a Fire protection study was completed by JS Consulting Engineers

Fire Protection and Life Safety Issues Identified

- The building is required to be fully sprinklered to continue its use as an Assembly occupancy.
- Stair 1 and Stair 3 are considered to be non-separated open stairs. In order to properly enclose and separate a new self-closing and latching 1-hour fire resistance rated door assembly should be installed.
- Several unprotected penetrations, or holes between floors were observed throughout the building. These should be addressed as part of maintaining the building to the minimum requirements of the LSC and Saf-C 6000.



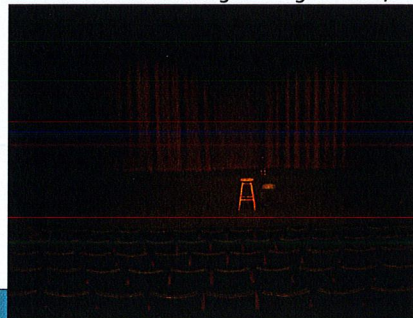
Fire Protection and Life Safety Issues Identified

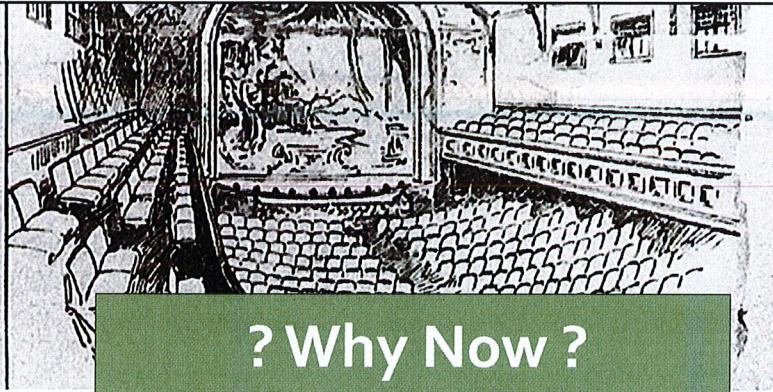
- An additional means of egress needs to be incorporated for use when GAR Hall is being utilized. Per the AHJ, the occupant load of GAR Hall is to be maintained at 49 or less.
- Doors were not observed to be equipped with panic hardware:
- The aisle stairs serving the theater-type seating are not equipped with handrails.
- Exit signs or emergency means of egress lighting needs to be visible and properly labeled in all portions of the building.



Fire Protection and Life Safety Issues Identified

- Per the AHJ, combustible materials are required to be removed from the attic and the 1st Floor corridor. The materials located in the boiler room are considered acceptable to remain as is. The combustible materials located in the storage room near the boiler room and the dressing rooms are to be reduced and minimized per the AHJ.
- The stage area exceeds 1,000 ft²; therefore, the 1½" hose lines on each side of the stage and stage ventilation are required.
- It is recommended that a full review of the electrical service in the building be conducted by a licensed electrician or electrical engineer in order to review the presence of electrical wiring no longer in use, the use of extensions chords and existing knob-and-tube wiring.





? Why Now ?

- City of Franklin – Property owner assumes all liability
- Failure to correct could result in;
 - Injury or Death
 - Lack of insurance coverage
 - Notice of Hazard issued
 - Violation notice issued

Idea's




- City Fixes Building
 - Guts Building
 - Existing conditions report
- Property change of ownership
 - Has to fix problems
- Relocation of City offices
 - Public safety complex (Fire, Police, MSD)
- Reallocation of City offices
- Grants to fix
- Do nothing
 - Large assumption of liability on City
- Other potential ideas????



Realistic Approach

- Form a committee
 - City Council
 - City Department Heads
 - Vested Community Members
 - Others
- 6 month check in on recommendation
 - Jan 25, 2023
- 1 Year full recommendation
 - July 25, 2023



Question and Answer