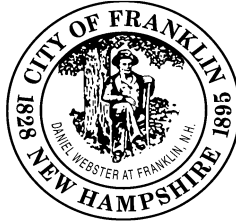


CITY OF FRANKLIN  
CITY COUNCIL MEETING  
October 11, 2022  
6:00 P.M.





## **CITY COUNCIL MEETING**

**Tuesday, October 11, 2022 - 6:00 p.m.**

**Council Chambers, Franklin City Hall**

or view only via Zoom: <https://us02web.zoom.us/j/86516444268>

or by phone: 1-312-626-6799, Meeting ID# 865 1644 4268

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### **SALUTE TO THE FLAG**

\*\*\*\*\*

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

### **PUBLIC HEARINGS**

**Resolution #03-23 appropriating \$600,986 in one time highway block funding for roads and bridges.**

**Resolution #04-23 to accept approximately \$12,646.07 from Franklin Women's Club for the purpose of setting up an expendable scholarship fund with the City's Trustees of Trust Funds called "Franklin Women's Club Scholarship".**

### **LEGISLATIVE UPDATE**

### **COMMENTS FROM THE PUBLIC**

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

### **CITY COUNCIL ACKNOWLEDGEMENT**

### **MAYOR'S UPDATE**

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

Public information presentation to discuss existing conditions, findings and possible reuse options for Trestle Bridge.

**Agenda Item II. (pg. 4)**

Council to consider the minutes of the July 25, 2022 City Council Special Meeting, the August 8, 2022 City Council Special Meeting, and the September 6, 2022 City Council Meeting.

**Agenda Item III. (pg. 58)**

Canvas of the vote

**Agenda Item IV. (pg. 64)**

School Board Update

**Agenda Item V. (pg. 66)**

Council to consider Resolution #03-23 appropriating \$600,986 in one time highway block funding for roads and bridges

**Agenda Item VI. (pg. 85)**

Council to consider Resolution #04-23, to accept approximately \$12,646.07 from Franklin Women's Club for the purpose of setting up an expendable scholarship fund with the City's Trustees of Trust Funds called "Franklin Women's Club Scholarship"

**Agenda Item VII. (pg. 90)**

Council to consider setting a public hearing for Resolution 05-23 appropriating additional revenue from state adequate education grant, portrait of a graduate grant, extraordinary need grant and prior year fund balance.

**Agenda Item VIII. (pg. 95)**

Council discussion on Engineering Study for City Hall

**Agenda Item IX. (pg. 97)**

Council to consider setting a public hearing for Ordinance #03-23

**Agenda Item X. (pg. 122)**

**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**  
for October 11, 2022

**Date:** Submitted September 22, 2022 for October 11, 2022 City Council Meeting

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

**Subject:** Presentation of existing conditions, and possible reuse options (with cost estimates) for the Trestle Bridge

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**Recommendation:** Allow for a presentation of existing conditions findings and reuse options for the Trestle Bridge.

**Suggested Motion:** Not applicable, no motion needed.

**Discussion:** As part of the development of Mill City Park and downtown redevelopment efforts, circa 2018 the City applied for Federal grant funding through the Transportation Alternatives Program [TAP] to rehabilitate the Trestle Bridge into a pedestrian walk over the river. The bridge's walkway would connect the Winnepesaukee River Trail and the Mill City Park land. The City was awarded this grant circa 2019.

Engineering firm McFarland Johnson was awarded oversight of this project. They have performed multiple existing conditions studies of the bridge and the surrounding/underlying land. They have also developed a series of cost estimates for possible rehabilitation and reuse options. It is these findings and budgets that will be presented at the October 11, 2022 City Council meeting.

The purpose of the meeting is to inform the Council and public, and begin to have all parties provide feedback on options and alternatives for the Trestle Bridge.

**Fiscal Impact:** There are no anticipated costs to the City related to this public hearing.

**Alternatives:** The Council can choose not to hold this hearing and/or abandon the grant; this could result in delays and costs.

**Attachments/Exhibits:** None. A PowerPoint presentation will be shared at the Council meeting.

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

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Presentation on Tuesday, October 11, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding information on existing conditions, findings and possible reuse options for Trestle Bridge, with funding provided by Transportation Alternatives Program [TAP] grant.**

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

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

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



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of October 11, 2022*

**Subject: Approval of Minutes**

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**Motion:** "I move that the Franklin City Council approve the minutes of the July 25, 2022 City Council Special Meeting, the August 8, 2022 City Council Special Meeting, and the September 6, 2022 City Council Meeting."

Mayor calls for a second, discussion and the vote.



Pending Approval from the City Council

## City Council Meeting Minutes Monday, July 25, 2022 - 6:00 p.m. Public Library, Upstairs

**Council in attendance:** Mayor Jo Brown, Councilor Jay Chandler, Councilor George Dzujna, Councilor Valerie Blake, Councilor Bob Desrochers and Councilor Paul Trudel

**Absent:** Councilor Olivia Zink, Councilor April Bunker, Councilor Ted Starkweather and Councilor Vincent Ribas

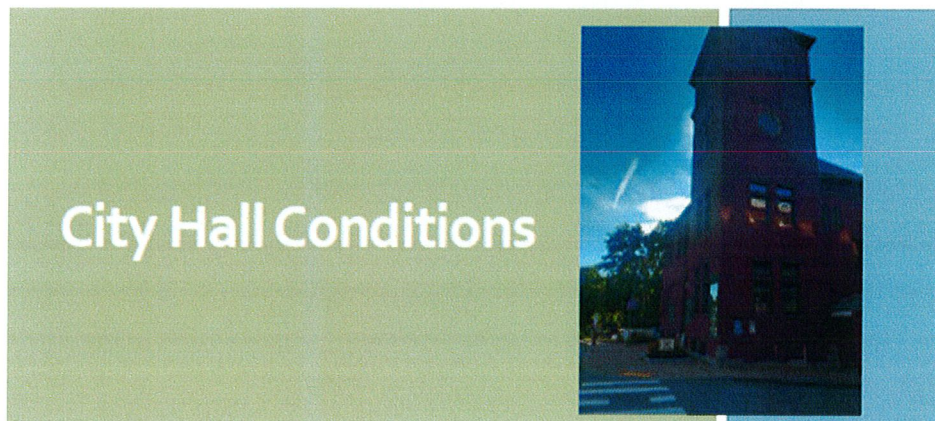
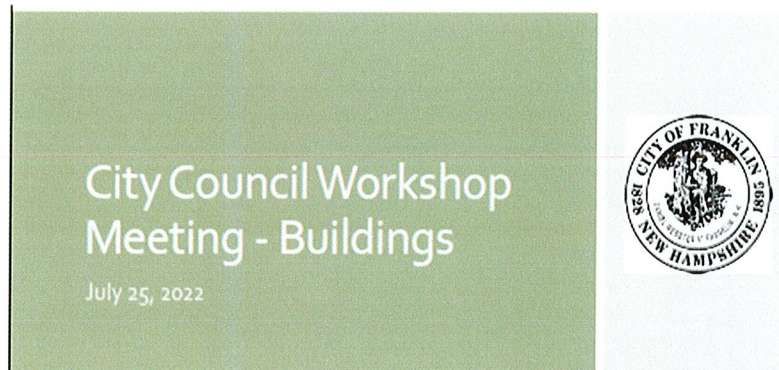
**Others in attendance:** City Manager Judie Milner, Fire Chief Mike Foss, Code Enforcement Building Inspector Steve Reale and members of the public

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

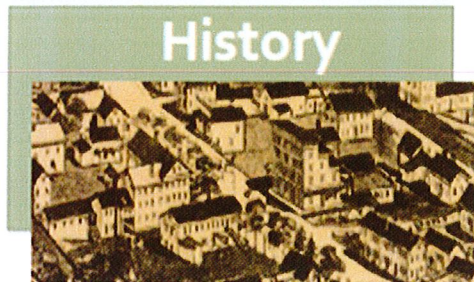
Salute to the Flag was led by Councilor Ribas.

### Agenda Item I: Buildings Workshop:

City Manager Milner started with a PowerPoint presentation per the below slides:







- 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

Milner went through the above bullet points and pointed out that the crowd management program was temporary. There are definitely items that need to be addressed.

Chief Foss then took over presenting the next slides, listed below, and stated that this would be a 1,000 foot view.

## 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.



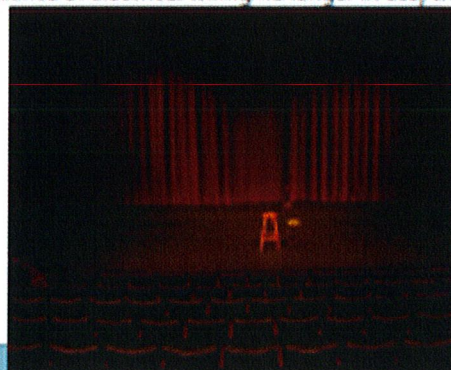
## Fire Protection and Life Safety Issues Identified

- 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 1<sup>st</sup> 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 ft<sup>2</sup>; 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.

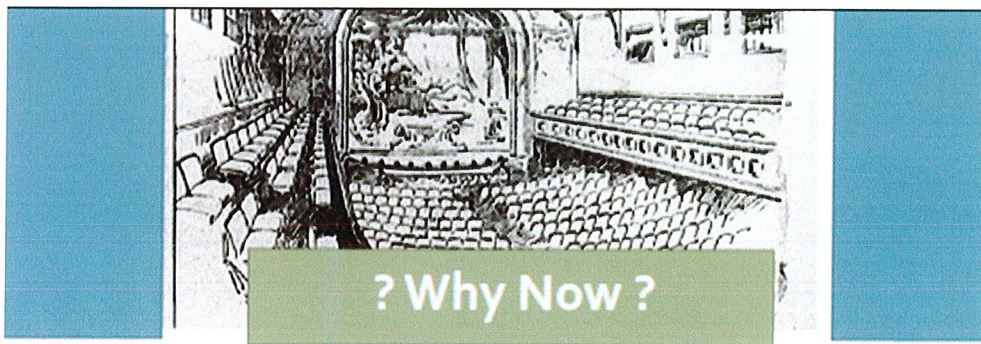




Foss stated that adding sprinklers would not be the only thing needed to be able to have an assembly occupancy. There are also a lot of combustible materials that would need to be removed as well to prevent fire from spreading, there is old knob and tube wiring that would need to be replaced, ADA compliance issues, handrail and exit signage issues. Those being the biggest issues. All of these things will need to be addressed and fixed to get an assembly permit and/or an occupancy permit.

The crowd management program was put in place 7 years ago temporarily so that the Opera House could still hold shows. These are intended to be in place so that things can be addressed during that time, however, 7 years is way past a temporary crowd management program.

Milner went on to talk about why this is coming up now per the below slide.



**? 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

Milner stated that the Economic Task Force has had a lot of discussions about city buildings since there are too many and they are also looking at the future of the river from the result of what is being done in the city.

The council has heard that Fire Chief Foss needs an expansive study done for the fire station, the police station has run out of space in their area as well and the CIP Committee are looking at these things individually as well.

If we know that MSD, Fire and Police have all outgrown their buildings is it time for a safety complex somewhere else that is not downtown? The Economic Task Force is also looking at what is going to be prime real estate, which is riverfront, where two of our buildings sit.

The other thing to think about is the fact that the more people that come into Franklin, the more they are going to be looking for things to do after 5pm. Arts and culture are good to have in a community. The Franklin Opera House would like to be able to do more and make more revenue, however, there are a few reasons that they are not able to expand. First, they really need a loading dock. Second, the city offices take up a lot of the space in the building and lastly, we have

to limit them on the amount of people they can have for shows and cannot fill up the seats since we do not have an assembly permit. Maybe we, the city, can help the Opera House to be more sustainable, have an arts makerspace in the front and put City Hall back on the tax roll, which would put us somewhere else.

## 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

Milner stated that she would like to form a committee and invite two councilors to join this with a recommendation for the council from the committee on January 25, 2023. She would like to have some department heads on this, other community members, and would like to invite the Opera House Director, Dan Darling as well. This would be her recommendation so that they can continue to talk about it and come up with a realistic approach, that they can then bring to the council.

Milner then let everyone know that she wanted to hear their thoughts and to see if the councilors are against City Hall moving out of the current building or not, since that would determine the direction to go in this matter.

A discussion ensued with the councilors. There were ideas about possibly moving City Hall into the police station and having a safety center where the departments are all together.

Code Enforcement Officer Reale clarified that intent of this meeting is not to make any decisions on where to move any departments or any how to proceed, but to determine whether a committee should be formed to come up with recommendations. He also mentioned that the issues at this building are not new and still need to be addressed.

Fire Chief Foss let the council know that if they do not want to proceed and work/revisions have been halted he will need to write a notice of violation. If the council approves going forward with recommendations, he will hold off on writing a violation as long as a plan is put in place in January.

Milner stated that she would like the council to, at least, volunteer two councilors to join the City Hall Group. As of right now, she has Fire Chief Foss, MSD Director Hanscom, P&Z Director Creighton and herself on board as city members for the committee. She is also going to ask Dan Darling for a member of his board that lives in Franklin and himself and Leigh Webb from the Historical Society.

This committee will take a look at City Hall and come up with some alternatives for the council.

Resident Leigh Webb wanted to mention that the Opera House is no hurry to expand, so there is no pressure there. They have rarely had any sell outs since he got involved in 2004.

He also added two things about City Hall that he was dealing with. The room that is up in the attic still has old windows stored up there that he thought he needed to hold onto to prove that the building could be restored to its original design for the sake of federal grants. He is no longer under the opinion that this would be necessary, so the old windows in the attic can be tossed. There is also old original wainscoting and wood from 1893 in the attic. He would be willing to help with disposing of that material.

Also, the wiring is a result of the police department when it used to be in the building and he is guessing that half of it is not even functional so it would be great to get rid of that as well.

Mayor Brown concluded that it would be a good idea for City Manager Milner to form a committee to discuss options and alternatives for City Hall to bring to the council in January of 2023. She can put out a summary to everyone, including the councilors that are absent tonight, and if any councilors would like to volunteer to be on the committee, they can let Milner know. She would like to see that this committee is formed by the next city council meeting in August.

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

Mayor Brown stated that she had one last thing. She wasn't sure if the council was fully aware that they voted for a 7% property increase in the FY23 budget so they may get a lot of calls about this from residents. What is not being understood is that the State is offsetting a chunk of that 7%, which was discussed at one of the May budget meetings. Milner put together a calculation about what it means to the everyday tax payer, which was handed out to the council and attached to the end of these minutes.

It is actually a 4.7% increase with the State offsetting the 7%. Mayor Brown wanted to go over this with the council in case they received any questions. She hoped this would help to explain the increase better.

Milner wanted to let the council know that the Municipal Services mechanical garage was broken into last night. About \$7,000 worth of tools were taken. There is a camera over there and it is being investigated.

Lastly, Milner let everyone know that the Drug Task Force Director, Kandyce Tucker, has given her notice. She is going to a bigger outfit in Plymouth where she will be able to utilize her talents with several communities, still including Franklin. She is working hard on getting a replacement for her and her last day is going to be Friday, September 2<sup>nd</sup>.

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

The meeting adjourned at 7:13 p.m.

Respectfully submitted,

Lisa Jones  
Executive Secretary





**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 1<sup>st</sup>, 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 18<sup>th</sup>, 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.

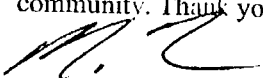
As a result of layout modifications, code changes, and other contributing factors, having a newly conducted Fire Protection study was in the best interest of the City of Franklin and those who occupy this structure. Further, after reading through other various correspondence regarding City Hall's condition 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

Page 1 of 2

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 ft<sup>2</sup>. 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](http://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 1<sup>st</sup> Floor, 2<sup>nd</sup> Floor and 3<sup>rd</sup> 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 required<sup>1</sup>.

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 1<sup>st</sup> 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 2<sup>nd</sup> Floor. However, use of the 3<sup>rd</sup> 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 2<sup>nd</sup> Floor. Additionally, rooms or spaces classified as an Assembly Occupancy are not permitted on the 3<sup>rd</sup> 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.

#### 1<sup>st</sup> Floor

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

#### 2<sup>nd</sup> Floor

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

#### 3<sup>rd</sup> Floor

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

#### Attic

- **Stair 6** – An enclosed access stair which discharges at the top of Stair 3 on the 3<sup>rd</sup> 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)<sup>2</sup>.

**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 2<sup>nd</sup> Floor.**

**The existing stairs were observed to meet the dimensional criteria prescribed by LSC §7.2.2.1.1(b) for existing egress stairs.**

<sup>1</sup> 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.

<sup>2</sup> 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 1<sup>st</sup> and 2<sup>nd</sup> Floors. However, the level of exit discharge is identified as the 2<sup>nd</sup> Floor.

#### 1<sup>st</sup> 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 2<sup>nd</sup> Floor.

#### 2<sup>nd</sup> 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 2<sup>nd</sup> Floor near the stage, discharging to the rear parking lot.

#### 3<sup>rd</sup> Floor

- **Stair 3** – Unenclosed exit access stair with access to Exit C on the 2<sup>nd</sup> Floor.
- **Exit F / Fire Escape** – An exterior fire escape stair, accessed from a single leaf exit door on the 3<sup>rd</sup> 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 3<sup>rd</sup> 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)<sup>3</sup>.

<sup>3</sup> 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 3<sup>rd</sup> Floor. The second exit serving the 3<sup>rd</sup> 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:

#### 1<sup>st</sup> Floor

- Exit A
- Exit B

#### 2<sup>nd</sup> Floor

- The main entry/exit door serving the theater

#### 3<sup>rd</sup> 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. 1<sup>st</sup> Floor Egress Occupant Load**

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

**Table 5. 2<sup>nd</sup> Floor Egress Occupant Load**

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

**Table 6. 3<sup>rd</sup> Floor Egress Occupant Load**

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

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.**

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

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

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

**Table 7. 1<sup>st</sup> Floor Exit Capacity**

1 <sup>st</sup> 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
<b>Total</b>				<b>540</b>

**Table 8. 2<sup>nd</sup> Floor Exit Capacity**

2 <sup>nd</sup> 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
<b>Total</b>				<b>650</b>

**Table 9. 3<sup>rd</sup> Floor Exit Capacity**

3 <sup>rd</sup> 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
<b>Total</b>				<b>427</b>

#### 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 <sup>7</sup>	0.45 inches per person
Doors, Ramps, Exit Passageways, Corridors	0.22 C <sup>8</sup>	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 people<sup>9</sup>. 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.

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

<sup>8</sup> C = 1.10 (LSC §13.2.3.3(4)).

<sup>9</sup> 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 <sup>10</sup>
Minimum Corridor Width	44-inches <sup>10</sup>
Minimum Width Accessible Route	36-inches <sup>10</sup>

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

<sup>10</sup> 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 3<sup>rd</sup> 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 1<sup>st</sup> Floor.**

**Per the AHJ, combustible materials are required to be removed from the attic and the 1<sup>st</sup> 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 1<sup>st</sup> and 2<sup>nd</sup> Floors. The 2<sup>nd</sup> 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 1<sup>st</sup> and 2<sup>nd</sup> 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 3<sup>rd</sup> Floor. Minimally all public uses of the 3<sup>rd</sup> Floor should also be offered in kind on the 1<sup>st</sup> or 2<sup>nd</sup> 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 1<sup>st</sup> Floor and an accessible women's bathroom located on the 2<sup>nd</sup> 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 ft<sup>2</sup> 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 ft<sup>2</sup> (approximately 1,116 ft<sup>2</sup>); 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 1<sup>st</sup> 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 ft<sup>2</sup> are required to be equipped with 1½" hose lines on each side of the stage. **The stage area exceeds 1,000 ft<sup>2</sup>; 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 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 2<sup>nd</sup> Floor. Additionally, rooms or spaces classified as an Assembly Occupancy are not permitted on the 3<sup>rd</sup> 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 2<sup>nd</sup> 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 3<sup>rd</sup> Floor. The second exit serving the 3<sup>rd</sup> 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:
  - 1<sup>st</sup> Floor
    - Exit A
    - Exit B
  - 2<sup>nd</sup> Floor
    - The main entry/exit door serving the theater
  - 3<sup>rd</sup> 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
    - 1<sup>st</sup> Floor – corridor to Exit B
    - 1<sup>st</sup> Floor – lounge area
    - 2<sup>nd</sup> Floor – Exit C
    - 2<sup>nd</sup> Floor – meeting room
    - 3<sup>rd</sup> Floor – meeting room
  - Emergency Means of Egress Lighting
    - 1<sup>st</sup> Floor – break room
    - 1<sup>st</sup> Floor – women's dressing room
    - 2<sup>nd</sup> Floor – meeting room
    - 3<sup>rd</sup> 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 3<sup>rd</sup> 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 1<sup>st</sup> Floor. Per the AHJ, combustible materials are required to be removed from the attic and the 1<sup>st</sup> 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 ft<sup>2</sup>; 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](mailto:s.donnelly@jsfirecode.com).

Prepared by:

**JS CONSULTING ENGINEERS, PLLC**



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

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

**City of Franklin, New Hampshire**  
**Tax Cap Calculation**  
**FY2023 Budget**

**Additional Revenues Calculation:**

Total Amount of Property Taxes Assessed in Previous Year's Budget	16,046,667	
National Consumer Price Index - Urban (Dec-Dec Average from Bureau of Labor Statistics)	7.0%	1,123,267
Pick Ups for New Construction (As of April 1st estimated by city assessor)	0	
Prior Year Tax Rate (approved by DRA) per \$1000 of assessed value	23.21	0
<b>Additional Revenues Allowed to be Raised</b>		<b>1,123,267</b>

**Tax Cap Calculation:**

Total Amount of Property Taxes Assessed in Previous Year's Budget (from DRA approved final tax rate)	16,046,667
Additional Revenues Allowed to be Raised	1,123,267
<b>Total Property Tax Allowed to be Raised to Support Current Budget</b>	<b>17,169,934</b>

**Tax Cap Proof:**

School Statewide Property Tax	886,084	5.16%
School Statewide Property Tax one time stipend	338,585	1.97%
School Local School District	4,943,755	28.79%
Merrimack County	1,851,087	10.78%
TIF Districts	83,785	0.49%
Veteran's Credits	136,325	0.79%
Overlay	31,000	0.18%
Municipal Operations	8,899,312	51.83%
<b>Total Property Tax Supporting Current Budget</b>	<b>17,169,934</b>	<b>100.00%</b>

Budget Under (Over) Tax Cap

(0.00)

Paid By Franklin Taxpayer  
\$16,831,349  
Paid by State of NH one  
time stipend \$338,585

Assume:  
1) \$200,000 home value  
2) no change in assessed value from previous year

\$214 net ANNUAL increase (4.7% or \$214/\$4642)

2021 Total Bill \$4,642

2022 tax bills breakdown:

1st bill = \$2,321

2nd bill = \$2,535

Total 2022 \$4,856



Pending Approval from the City Council

**City Council Meeting Minutes  
Monday, August 8, 2022 - 6:00 p.m.  
City Hall, Council Chambers**

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

**Absent:** Councilor Bob Desrochers and Councilor Paul Trudel

**Others in attendance:** Police Chief David Goldstein and members of the public

**Call to Order**

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

Salute to the Flag was led by Councilor Ribas.

**Agenda Item I: Discussion Around Racist Attacks on Local Businesses within the City:**

Mayor Brown addressed the reason for this particular city council meeting. Citizens and business owners of the city have recently been treated poorly. She was made aware of some cyber attacks against business owners and she and the council have discussed putting together a resolution that condemns hate and intolerance in the City of Franklin, as it is never appropriate to tear anybody down via any platform. It is never appropriate to make threats or to do any sort of action that negatively impacts a business due to differences.

She stated that she would like to hear from the public on their opinions and also any other businesses facing attacks as well. She mentioned that everyone will be allowed 3 minutes to speak and she was also welcoming other communities to speak at this meeting.

Mayor Brown first had a request from a citizen who could not make the meeting. A letter was written by Karen Darling, Ward III, and Brown read this out loud. This is included at the end of these minutes.

**Public Comment:**

Mayor Brown opened up the meeting to the public at 6:06 p.m. to hear from citizens on how they would like the council to proceed in making Franklin a welcome community.

Franklin residents and business owners, along with citizens from other communities, all discussed the recent social media attacks and threats that have been made throughout New Hampshire based on differences of race and opinion. Everyone agreed that more proactive forms of acceptance and support would be great to see from the community.

Public comment was closed at 6:30 p.m.

Mayor Brown turned the comments over to the City Council. All of the councilors in attendance individually let the public know that they do not condone intolerance or hateful attacks in any form, whether it is through social media or in person. Most of the councilors were unaware of these attacks.

The idea of putting together a community task force as a sub-committee of the Downtown Business Group was discussed. This would include citizens of Franklin and the councilors asked the public to reach out if they were interested in joining.

Mayor Brown thanked everyone for speaking at this meeting and letting her and the council know what has been going on.

The next steps will be as follows:

- The community task force will be discussed at the next Downtown Business Group, which is on Wednesday, August 10<sup>th</sup>.
- Mayor Brown and Councilor Ribas will get together to work on a resolution within the week.
- Mayor Brown will send out some letters to the NH delegation making everyone aware of the attacks in Franklin.

**Agenda Item II: Other Business:**

Councilor Dzujna mentioned that the ordinance that was tabled at the last city council meeting would be brought back to the MSD Committee for review and revisions. They will be meeting on August 24<sup>th</sup>. He stated that if any councilors have input, to please get that to him before the MSD Committee meeting.

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

The meeting adjourned at 7:05 p.m.

Respectfully submitted,

Lisa Jones  
Executive Secretary





Hi Judie,

I'm traveling home from Montana and won't make it to the Council's special meeting tonight. Dan briefly told me, from the Concord Monitor article, about what had occurred. I surely wish I could be there tonight (and Dan has a Board meeting, so he can't either), as I would make these 4 points, if there is an opportunity for public comment. I'm wondering if you could read these points for me? (And if not, maybe you can recommend who? I'm on a 3-hour layover.) These are my points:

1) The Council may recall the document, "Path to Racial Justice" by the National Spiritual Assembly of the Baha'is of the United States, which Dan and I distributed to the Councilors at its June meeting. At the time, Franklin hadn't yet experienced any overtly racist actions, so it seemed perhaps not timely then. I would encourage the Council to revisit this document, if members still have a copy, and note especially the paragraphs I read aloud in June, which included:

*"An essential element of the process will be honest and truthful discourse about current conditions and their causes, and understanding, in particular, the deeply entrenched notions of anti-Blackness that pervade our society. We must build the capacity to truly hear and acknowledge the voices of those who have directly suffered from the effects of racism. This capacity should manifest itself in our schools, the media, and other civic arenas, as well as in our work and personal relations. This should not end with words, but lead to meaningful, constructive action."*



2) I would like to offer myself as a resource -- I am a facilitator for the Institute for the Healing of Racism, and have given workshops for various civic groups. I would offer this to the City, organizations and individuals at no charge, except perhaps a stipend for travel expenses for a co-facilitator (these workshops are usually given by an interracial team) probably from the Seacoast area.

3) Love is a more powerful force than hate; light is stronger than darkness; understanding replaces ignorance. One simple act we can take is a public display of welcome and appreciation of all. Dan and I have a yard sign in front of our house, with "No room in my heart for prejudice" on one side, and "World citizen" on the other (with attractive graphics -- I've attached a copy, so you can see -- I would bring a sample if I could be there tonight). When we got ours a few years ago, they cost \$15. Perhaps others would like to post one?



4) Lastly, if a community task force is formed, I'd be happy to volunteer to be on it.

Thank you so much,  
Karen Darling (Ward 3)





**City Council Meeting Minutes  
Tuesday, September 6, 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 Ted Starkweather and Councilor Olivia Zink

**Absent:** None

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

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

Salute to the Flag was led by Councilor Dzujna, followed by a moment of silence in remembrance of all of our veterans after the Labor Day weekend, led by Councilor Desrochers.

**Public Hearing:**

**Resolution #02-23**, condemning intolerance and hate.

Mayor Brown started off by reading a letter from the United States Attorney's Office District of NH, which is included at the end of these minutes.

Councilor Ribas then read Resolution #02-23 in its entirety.

The public hearing opened at 6:16 p.m.

Mayor Brown welcomed Franklin residents to speak on behalf of this resolution.

There were many citizens that spoke in support for the resolution and were glad that this was addressed by the council. There was some discussion about trying to legislate the condemnation of intolerance and hate since it is not possible to change people. A few residents were worried about singling out other dangerous hate groups, however, everyone seemed to agree that Franklin should be a welcoming community that is against attacks that are based on differences.

The public hearing on Resolution #02-23 closed at 6:54 p.m.

Councilor Ribas also read the below letter and email from two different residents that were unable to attend the meeting.

September 1, 2022

Franklin City Council  
Town Hall  
316 Central Street  
Franklin, NH 03235

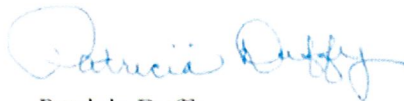
RE: Special City Council Meeting on September 6, 2022

Dear Council Members,

Franklin is an up and coming city, thanks to the visions and efforts of a lot of wonderful people. Let's not let some rotten underpinnings destroy that.

I applaud your desire to put a halt to the intolerance and hateful activities showing up in Franklin.

How can I help?



Patricia Duffy  
Ward Three

**Email:**

**From:** Contact form at Franklin NH <cmsmailer@civicplus.com>

**Sent:** Tuesday, September 6, 2022 9:47 AM

**To:** Lisa Jones <ljones@franklinnh.org>

**Subject:** [Franklin NH] Public hearing re Resolution #02-23 (Sent by Ruth F Niven, ruthniven@hotmail.com)

Hello Ljones,

For health reasons, I can't attend the Franklin City Council meeting tonight, September 6, 2022. I hope it's not too late to include my support for Resolution #02-23, declaring that Franklin is opposed to intolerance, hate and racial/religious supremacist activity.

Thank you,

Ruth F Niven

**Legislative Update:**

Mayor Brown stated that there were no legislative updates.

**Comments from the Public:**

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

Resident Leigh Webb, Ward III, stated that he is hoping that there will be some clarification on some items on the trash ordinance if it is to be taken off of the table in this meeting. He also mentioned that he would like to hear more discussions on recycling.

Webb also commented on the property at 599-601 S. Main Street, as there seems to be an offer on the table. If the man purchasing the property reaches out to him, he knows who originally built that barn in 1869 and also has a diary with dated entries from the whole construction of the barn that he can show him.

Lastly, Webb confirmed that when the city takes over a deeded property, the city is just trying to recover the amount of the overdue taxes.

Resident Janet Desrochers, Ward II, stated that she was looking for an update on the sign issue where there was a heart placed over it. She wanted to know if there was a plan to replace the signs in the city. City Manager Milner stated that the heart sign is not something that the city sanctioned so that is scheduled to come down tomorrow. The Economic Development Group has been working on a plan for the other city signs that are in very poor condition.

Mayor Brown thanked everyone for speaking about the resolution and handling it so well and with professionalism.

**City Council Acknowledgement:**

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna wanted to recognize the 3 clerks that work at City Hall, as they are the face of the city and they are very accommodating and helpful.

Councilor Zink also recognized the clerks for getting everything ready for the election and working with the ballot clerks and supervisors.

**Proclamation to Make Franklin a Purple Heart Community:**

Mayor Brown read the below proclamation out loud:

## **A Mayoral Proclamation in Honor of Making Franklin A Purple Heart Community**

**WHEREAS**, the people of the City of Franklin 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 who have been wounded or killed in action while serving in the Armed Forces and have been posthumously awarded the Purple Heart for their ultimate sacrifices; 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 7<sup>th</sup> is nationally recognized as Purple Heart Day;

**NOW, THEREFORE, BE IT RESOLVED** that I, Jo Brown, Mayor of the City of Franklin, New Hampshire, will recognize August 7<sup>th</sup>, annually, as Purple Heart Day, and urge the people and organizations of Franklin to display the American Flag as well as other public expressions of recognition of our Purple Heart recipients.

**PROCLAIMED** this 6<sup>th</sup> day of September 2022 by the Mayor of Franklin.

Given by my hand with the authority of the People of Franklin and under the Great Seal of Their City in the year of Our Lord two thousand and twenty-two, and the Independence of the United States, two hundred and forty-six.

Mayor Brown thanked Councilor Desrochers for the purchasing the signage for the City of Franklin.

**Mayor's Update:**

Mayor Brown stated that she had a few updates:

- She thanked the former Drug Task Force Coordinator, Kandyce Tucker, for a wonderful National Night Out event. It was very well attended.
- Brown stated that she was able to speak at a Webster Lake Association annual meeting this past August and let them know what was going on downtown, using the Economic Development briefing that the council heard back in January.
- She also spoke with the Superintendent and the High School Principal about some possible funding opportunities for the school.
- The 200<sup>th</sup> year anniversary of the Congregational Church was a great event. It was well organized and they had a lot of support. She congratulated everyone from that community.
- The City Manager and her met with Lilly Johnson from the high school honor society about recycling. She has some great ideas and options and will be meeting with MSD Director Hanscom to discuss more.

- Last Friday Governor Sununu was in Franklin and had the opportunity to meet with her, Eric Chimborg, Marty Parichand and City Manager Milner to talk about not only what has been done so far at Mill City Park, but also some other potential resources that have recently become available to Merrimack County.

### **Agenda Item I.**

#### Approval of Minutes:

Council to consider the minutes of the June 27, 2022 City Council Special Meeting, the August 1, 2022 City Council Meeting, and the non-public minutes from the August 1, 2022 City Council Meeting.

**Motion - Councilor Dzujna moved that the Franklin City Council approve the minutes of the June 27, 2022 City Council Special Meeting, the August 1, 2022 City Council Meeting, and the non-public minutes from the August 1, 2022 City Council Meeting. Seconded by Councilor Bunker.**

Councilor Ribas stated that he sent a few corrections to Executive Secretary Jones for revisions.

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

### **Agenda Item II.**

#### School Board Update:

Superintendent Dan LeGallo gave a school board update:

- LeGallo wanted to start by recognizing Councilor Desrochers and his wife, Janet, for donating school supplies and Mayor Brown and Chief Goldstein for coming on Thursday for the opening day for all of the staff members.
- He introduced the 3 new Principals and this was the first day of school for them as well.
  - o High School Principal, David Levesque
  - o Middle School Principal, Virginia Everett
  - o Paul Smith Elementary School Principal, Robert LaRoche

Each principal introduced themselves to the council and expressed their excitement to be a part of the Franklin SAU.

- Business Administrator Braman gave the council some new information from the Department of Education. They received their final adequacy aid grant for this year based on the end of year enrollment numbers. The total amount of aid ended up coming out to \$8,630,249. This is good news since it comes out to be more than expected by about \$360,164.
- Braman stated that during a cleanup of reconciliation they found an extra \$431,870 from what was originally budgeted. This is due primarily to the special education costs being less than originally contracted.
- Braman also mentioned that district received an additional \$165,000 from the Barr

foundation.

- LeGallo gave a hiring update:
  - o There is a paraprofessional shortage. They raised wages and added benefits and were able to hire 12 new paraprofessionals so this worked out very well.
  - o For the Makerspace collaboration there are short-term and long-term goals that they are continuing to try and integrate into the school.
  - o The school board and the custodial union have agreed on a two-year contract, which would go to FY25. There will be a CAR coming in October asking to set a public hearing with the details on the custodial contract.
- LeGallo invited Jule Finley to provide some information that she had on the downtown crosswalk art project after all of the comments at the last few meetings.
  - o Finley passed out a packet to the Mayor, Council and the City Manager, which is included at the end of these minutes. She stated that she is aware of the fact that art can be seen differently by people and she wanted to clarify the timeline of the crosswalks that were entirely designed by the students. None of the students or staff had painted a crosswalk before, so there was a learning curve to mixing the paint colors to get what they wanted. This was a city driven project and there was no ulterior motive whatsoever.
- LeGallo stated that Councilor Trudel had four questions at the last city council meeting that he was able to provide answers for:
  - o How many students are using pronouns? LeGallo stated that he has no idea as they do not promote pronouns or track this kind of information.
  - o How many parents know that their children are using pronouns? This is not something that the staff could ask parents. The 12 students that are members of the diversity club did get permission slips from their parents so that would be the only information he has on that subject.
  - o Are the parents of K-9<sup>th</sup> grade students aware of these clubs? LeGallo looked into this and they had decided to list all of the clubs in the student handbooks with a description of each club for parents and students to review.
  - o Why are these clubs not listed on the website? These clubs are in the handbook, which are posted on the school website.
  - o Councilor Trudel added one more question, asking how many of the Franklin schools have these diversity clubs and LeGallo answered that the clubs are only in the middle and high school.

Mayor Brown called for a 10-minute break at 7:46 pm.

The meeting reconvened at 7:59 pm.

### **Agenda Item III.**

Council to consider Resolution #02-23 Condemning Intolerance & Hate:

**Motion – Councilor Bunker moved that the Franklin City Council adopt resolution 02-23, stating that the City of Franklin does not condone any form of hate speech and condemns those who use such speech or attacks anyone via any means based on their race, creed, color, gender, sexual orientation, gender identity or national origin. Seconded by Councilor Zink.**

Mayor Brown asked if there was any discussion on this.

There was a discussion about being able to condemn hate and intolerance through legislation. A few councilors mentioned that they don't think that they have the authority to pass a resolution on this matter. There were also other councilors that felt this was a necessary step to show that they are in support of this and hope that the citizen task force will aid in more ideas to keep hate and intolerance out of the City of Franklin.

Councilor Zink pointed out that the year was typed incorrectly on the resolution and should be changed from 'September 6, 2023' to 'September 6, 2022'.

### **RESOLUTION #02-23**

#### **A Resolution Condemning Intolerance and Hate.**

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

**WHEREAS**, there has been a significant rise in intolerance in our nation over the last several years, and

**WHEREAS**, such intolerance has led to attacks on citizens, physical, emotional and virtual, including Franklin residents and business owners, simply because of their race, creed, color, gender, sexual orientation, gender identity or national origin, and

**WHEREAS**, the Declaration of Independence affirms that we all are equal and endowed with "certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness," and

**WHEREAS**, the New Hampshire Constitution reaffirms this, stating "Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin," and

**WHEREAS**, at a special City Council meeting held on August 8, 2022 to address this issue, where there was unanimous public outcry against such attacks,

**THEREFORE, BE IT RESOLVED**, that at the scheduled meeting of the City Council on Tuesday, September 6, 2022, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #02-23 stating that

The City of Franklin does not condone any form of hate speech and condemns those who use such speech or attacks anyone via any means based on their race, creed, color, gender, sexual orientation, gender identity or national origin, and

In particular, the City condemns white supremacists who have attacked our citizens based on an ideology that is in opposition to our country's and our state's founding documents, and

The City encourages all elected officials, but especially our governor and our federal delegation to condemn such attacks, and

The City recommends the formation of a citizen task force, to include residents, business owners, and city officials, to address this intolerable action.

**An Increase in Revenue:**

None.

**An Increase in Expenditures:**

None.

**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>abstained</u>
Councilor Desrochers	<u>abstained</u>	Councilor Chandler	<u>abstained</u>	Councilor Zink	<u>yes</u>

***6 in favor; 3 abstained; motion passes.***

**Agenda Item IV.**

City Council to consider setting a public hearing to accept scholarship money from the Women's Club in Franklin:

**Motion – Councilor Zink moved that the Franklin City Council set a public hearing for Tuesday, October 11, 2022, at 6:00pm regarding resolution 04-23 to accept approximately \$12,646.07 from Franklin Women's Club for the purpose of setting up an expendable scholarship fund with the City's Trustees of Trust Funds called "Franklin Women's Club Scholarship". Seconded by Councilor Ribas.**

Mayor Brown asked if there was any discussion on this motion.  
There was no discussion.

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

**Agenda Item V.**

City Council to consider setting a public hearing on Resolution #03-23 regarding one time bridge



aid from the State of NH:

**Motion – Councilor Trudel moved that the Franklin City Council set a public hearing for Tuesday, October 11, 2022, at 6:00pm regarding resolution #03-23, appropriating \$600,986 in one-time additional Highway Block funds from the State of New Hampshire. Seconded by Councilor Blake.**

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

Milner clarified that this is one-time bridge aid money for the bulk of it, which is \$425,445 of the \$600,986. It can be used later to match a state fund bridge aid grant that the city may apply for. The recommendation is to put it into the capital reserve fund for bridges and save it for that match.

*All in favor; motion passes.*

**Agenda Item VI.**

Council to consider offer for sale of 599 South Main Street:

**Motion – Councilor Dzujna moved that the Franklin City Council authorizes the sale of 599-601 South Main Street to Ryan Dillon for \$60,000. Seconded by Councilor Starkweather.**

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

There was a discussion about why the property was not being put up for public auction to possibly make more money on it. Milner explained that there has not been any other offers and it is a Brownfields property so this is the best offer received.

*All in favor; motion passes.*

**Agenda Item VII.**

Council to consider taking properties via tax deed:

**Motion - Councilor Ribas moved that the Franklin City Council accept the tax deeds on the following parcels: Map/Lot: 112-015-000 (Building/Land), Map/Lot: 078-006-002 (Building Only), Map/Lot: 135-115-000 (Building/Land), Map/Lot: 118-024-000 (Land Only), Map/Lot: 128-066-000 (Building/Land), Map/Lot: 116-026-000 (Building/Land), Map/Lot: 117-005-000 (Land Only), and Map/Lot: 096-412-018 (Building Only). Seconded by Councilor Bunker.**

Mayor Brown asked if there was any discussion on this motion.  
There was no discussion.

**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 VIII.**

#### **Other Business:**

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

Mayor Brown re-appointed Kenneth Duguay to the Trustees of the Trust Funds, seat TT2, term of service to September 2025.

Mayor Brown appointed Elizabeth Cote to the Conservation Commission, seat CC1, term of service to September 2024.

**Motion – Councilor Dzujna moved that the Franklin City Council appoint Laurie Cass to the Supervisors of the Checklist, Ward II, to fill in for seat SCW22, term of service to October 5, 2022 and appoint Tina Nelson to the Supervisors of the Checklist, Ward II, to fill in for seat SCW23, term of service to October 5, 2022. Seconded by Councilor Ribas.**

*All in favor; motion passes.*

##### **2. Committee Reports**

Councilor Dzujna stated that at the last MSD Committee meeting on August 24, 2022, they talked about the many positions that are still not filled and a big part of that is the fact that MSD employees are grossly underpaid.

He also mentioned that they were not able to talk about Ordinance 03-23, since it had been tabled. He did have all of the typos revised instead and would like to take this ordinance off of the table, since there is going to be a public forum on this subject on September 19, 2022 at the Elks Lodge.

**Motion – Councilor Blake moved that the Franklin City Council take Ordinance 03-23 off of the table. Seconded by Councilor Ribas.**

*8 in favor; 1 opposed; motion passes.*

**Motion – Councilor Blake moved that the Franklin City Council set a public hearing for Ordinance 03-23. Seconded by Councilor Ribas.**

***All opposed; motion fails.***

**Motion – Councilor Blake moved that the Franklin City Council refer Ordinance 03-23 back to the MSD Committee for discussion. Seconded by Councilor Ribas.**

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

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

- a. Contingent Grant Line Activity – Received \$1,515.84 from Sex Offender Compliance, \$75 from a Rec Scholarship Donation, \$300 from the Lion's Club for police K-9's, \$250 from FSB National Night Out.
- b. Trust fund for school funding – \$265.61
- c. Congratulations: Police Chief Goldstein, who received the Fisher Cat's 1<sup>st</sup> Responder Award and threw the 1<sup>st</sup> pitch of the game on August 22<sup>nd</sup>.
- d. Welcome Aboard: Michael Provencher, Nicholas Santy and Bryant Carbone to the Fire Department.
- e. Reminder – City Council Meeting Dates for October & November are Tuesday, 10/11 and Monday, 11/14.
- f. Committee meetings – September:
  - Parks & Rec – September 22<sup>nd</sup> at 10am at the Bessie Rowell
  - Police – September 15<sup>th</sup> at noon at the Police Department
  - Finance – October 3<sup>rd</sup> at 5:30pm in the Blue Conference Room
  - CIP – September 21<sup>st</sup> at 5:30pm in the Blue Conference Room
- g. Shout out – To the hiring committee, Christine Dzujna, Jamie Bryant, Police Chief Goldstein, Kandyce Tucker and Pat Tucker for helping with the hiring of a new Drug Task Force Project Director. Stephanie Wolff has been offered the position and she is tentatively scheduled to start on October 3<sup>rd</sup>.
- h. City Clerk's Office will be closed on 9/13, 10/4 & 11/8 due to elections.
- i. Ward Line Change Ballot Question – This has been approved by State agencies for the ballot and there will be educational material left in City Hall and the Library.
- j. Purple Heart Community Signage – Looking to have 5 signs purchased to be placed coming in and out of North and South Main Street, both sides of Central St. and Rte 127, as long as there is no objection. There was no objection and Milner thanked Councilor Desrochers again for purchasing these signs.

- k. Community Forum on Solid Waste – 9/19/22 at the Lodge of Elks at 6pm. This will be an informational discussion on what's to come.
- l. Communications Center Project Update – They are still waiting on equipment but everything else is moving along and almost complete.
- m. Broadband Committee Update – There was a meeting held on this. Some of the ARPA money was used for the study on this to be able to link broadband to all citizens in Franklin. There is a company coming in to map everything out in October. There should be a public hearing on the final map and data sometime in the month of December. The final presentation after applying the set priorities will be sometime in the month of February. The funding for this project will be from grant money and not the City of Franklin.
- n. City Hall Committee Update – This committee was formed and will be meeting aggressively biweekly so that they can come up with solutions by the January 25<sup>th</sup> deadline. There will be some public forums expected in either October or November to discuss this further.
- o. Media contacts – NH Magazine, Concord Monitor, and Daily Sun
- p. The Fire Department is short staffed right now and experiencing some burnout so they have decreased the day shifts to have 3 people instead of 4 people per shift. This may cause some longer lead times.
- q. Eversource Project – A111 Corridor project is complete.
- r. ARPA Fund Update – They are applying for the DOT grant and also applying for a targeted Brownfields grant to clean up contaminated properties. InvestNH is another grant that they are applying for as well, which they can use for demolition of Stanley Mill.
- s. Shout Out for National Night Out – There was over 1,000 people at that event and were all having a good time. She thanked everyone that participated in that event.
- t. Last Friday there was a surprise visit from Governor Sununu. His people called Marty from ONE and said that the Governor wanted to come see the White Water Park and also wanted to take a look at the Chinburg project. It was a very productive visit, as they discussed some other avenues for funding the White Water Park.
- u. NHMA delegate for voting – The legislative policies that were sent out to the council in July didn't have any changes to them. That voting happens on September 23<sup>rd</sup> at 9am and we will need to vote for a delegate to vote on our behalf. Milner's recommendation is that they vote for the Mayor as a delegate to vote on our behalf for NHMA. That needs to

be done at this meeting. Milner stated that without any objections the Mayor will be our delegate. There was no objection.

- v. Late Item – There is one late item for this meeting.

#### **4. Late Items:**

Mayor Brown stated that this had been put in front of the Planning Board and needs approval from the City Council.

**Motion – Councilor Trudel moved that the Franklin City Council approve the issuance of a Building Permit and year-round Certificate of Occupancy for 41 Riverview Dr., Map-Lot 115-024, and authorize the City Manager to execute the Agreement and Notice of Release from Municipal Responsibility and Liability between the City of Franklin and the owners. Said fully executed agreement is to be recorded at the *Merrimack County Registry of Deed; the recording and recording fees are the responsibility of the applicant. Recording must be complete before permits can be issued.* Seconded by Councilor Ribas.**

Mayor Brown asked if there was any discussion.

P&Z Director Creighton approached the council to let them know that the motion had the wrong address listed. It should read ***“14 Dotties Lane, Map-Lot 115-093-000”*** like it is written in the subject line. This was a copy and paste error.

**Amended Motion – Councilor Trudel moved that the Franklin City Council approve the issuance of a Building Permit and year-round Certificate of Occupancy for 14 Dotties Lane., Map-Lot 115-093-000, and authorize the City Manager to execute the Agreement and Notice of Release from Municipal Responsibility and Liability between the City of Franklin and the owners. Said fully executed agreement is to be recorded at the *Merrimack County Registry of Deed; the recording and recording fees are the responsibility of the applicant. Recording must be complete before permits can be issued.* Seconded by Councilor Ribas.**

There was a discussion about what this means for the property if there are any issues with the unmaintained private road. The city would not be liable. The owner originally removed a 1960 mobile home and started rebuilding a new home without permits. P&Z went out and the work had to be stopped until they pulled the appropriate permits. It is at a point now that they are ready to resume construction and will need to know if this request will be approved.

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

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

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

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Lisa Jones  
Executive Secretary

**United States Attorney's Office  
District of New Hampshire**



**New Hampshire  
Attorney General's Office**



**Federal and State Hate Crimes – An Overview & Resources**

It has come to our attention that flyers espousing hate speech have been placed in various communities in New Hampshire. When hate speech constitutes a crime or violation of a person's civil rights it cannot be tolerated. This memo is intended to provide guidance on when such actions rise to criminal acts or violations of a person's civil rights.

Episodes of leafletting by extremist organizations that espouse hatred toward a particular group or class of people confront law enforcement and community leaders with a challenging question: When do extreme expressions of opinion or forecasts of future violent actions based on political, social, or religious ideologies or bias against a specific group cross the line from First Amendment protected speech to federal or state hate-motivated criminal threats? To help address that question, the following is a brief overview of the types of speech that violate federal and state law and the factors law enforcement, prosecutors, and courts weigh to determine whether speech is protected or a violation of criminal or civil rights statutes.

Because the process of determining whether certain hate-motivated threats constitute criminal conduct or protected activity is fact-intensive and depends greatly upon the circumstances surrounding when, where, how, and by whom the speech was made, any person who believes that they have been the victim of a hate-motivated threat should report that to law enforcement. If any person is confronted by speech or conduct that makes them feel unsafe in their home, school, community, etc., they should report that to law enforcement.

**Federal Hate Crimes: Categories of Hate-Motivated Criminal Threats**

Generally, four types of threats of force violate federal criminal civil rights laws:

1. Threats to interfere with housing rights, including occupying a home, when the threat is based on race, color, religion, sex, sexual orientation, familial status (including a minor living with and under the care of an unrelated adult), or national origin. 42 U.S.C. § 3631.

2. Threats made to interfere with certain federally protected activities, when the threat is based on race, color, religion, or national origin. 18 U.S.C. § 245. Examples of federally protected activities are:
  - Enrolling in or attending any public school or public college
  - Enjoying public streets or parks
  - Working or seeking employment in the private or public sectors
  - Travelling in or using any facility of interstate commerce (e.g., using the services of a common carrier)
  - Serving as grand or petit juror in state court
  - Enjoying any public accommodation (e.g., hotel, restaurant, entertainment venue)
3. Threats made to interfere with the free exercise of religion, regardless of an additional bias motivation. 18 U.S.C. § 247.
4. Threats made to interfere with reproductive healthcare services regardless of an additional bias motivation. 18 U.S.C. § 248.

### **State Hate Crimes and Civil Rights Violations: Categories of Hate-Motivated Criminal Threats**

Generally, four types of threats violate state criminal laws and are considered hate-motivated crimes:

1. Threats to commit any crime against another person with the purpose to coerce or terrorize *any* person when the threat is motivated by the victim's religion, race, creed, sexual orientation, national origin, sex, or gender identity. RSA 631:4, I(d); RSA 651:6, I(f).
2. Threats to commit any crime against another person's property with the purpose to coerce or terrorize *any* person when that threat is motivated by the victim's religion, race, creed, sexual orientation, national origin, sex, or gender identity. RSA 631:4, I(c); RSA 651:6, I(f).
3. Threats by physical conduct, when that threat is motivated by the victim's religion, race, creed, sexual orientation, national origin, sex, or gender identity, and the actor places or attempts to place any other person in fear of imminent bodily injury or physical contact. RSA 631:4, I(a); RSA 651:6, I(f).



4. Placing objects or graffiti on another person's property with the purpose to coerce or terrorize *any* person when the placement of the object or graffiti is motivated by the victim's religion, race, creed, sexual orientation, national origin, sex, or gender identity. RSA 631:4, I(b); RSA 651:6, I(f).

For the purposes of state law, "terrorize" means causing alarm, fright, or dread or the state of mind induced by the apprehension of hurt from some hostile or threatening event. RSA 631:4, II(b).

In addition to these criminal violations, the state's Civil Rights Act (RSA 354-B) prohibits hate-motivated threats that interfere with the rights of others and subjects violators to civil enforcement actions. These rights range from peacefully walking the streets or living in your home to the right to vote, to freely assemble, or to protest.

If the person threatens or actually: (1) uses physical force or violence, (2) engages in property damage, or (3) trespasses upon the property of another, and their threat is motivated by race, color, religion, national origin, ancestry, sexual orientation, sex, gender identity, or disability, that person has violated the civil rights of another and can be subject to a restraining order, a civil penalty, and ordered to pay restitution to the victim(s). RSA 354-B:1. In this context, a threat means any communication of an intent to inflict harm on a person or a person's property by some unlawful act with a purpose to coerce or terrorize.

### **Requirement of a "True Threat"**

Because threats often involve speech, they can raise First Amendment or other free speech related questions. The free speech provisions of the state and federal constitutions do not protect what the Supreme Court has defined as "true threats." To be considered a "true threat," the threat must communicate a serious expression of an intent to commit an unlawful act against a particular person, group, or property.

Determining whether speech conveys a "true threat" is often a fact-intensive inquiry. Law enforcement, prosecutors, and courts consider many factors when evaluating whether certain speech is a "true threat." No single factor is controlling or dispositive. This means that the presence of multiple factors does not necessarily make something a "true threat," nor does the absence of factors mean that something is not a "true threat." The factors serve as reference points that guide the analysis of whether certain speech constitutes a serious expression of an intent to commit an unlawful act against a particular person, group, or property.

Below are some examples of the factors that law enforcement, prosecutors, and courts consider when determining whether certain speech constitutes a “true threat”:

1. What was the recipient’s reaction to receiving the communication? Was he or she alarmed or scared? Did he or she act out of concern after receiving the communication (e.g., reporting to the police, relocating, taking protective or self-defense measures).
2. Was the threat conditional or predictive? Of course, most threats are conditional; harm is threatened unless the recipient does something or fails to do something. The focus here is on whether the condition or predictive harm is impossible or unlikely to occur. For example, the threat, “Do as I say, or I will turn you into a vampire,” is unlikely to be taken as a serious threat of future harm. But a threat to burn the recipient’s house down if they move into the neighborhood is likely a true threat even though it is conditional.
3. Was the threat communicated directly to the recipient? A direct communication is strong evidence that the threat was a serious expression of intended harm. But courts have also held that a generally communicated threat may be true threat. For example, a threat posted on social media that targets a specific person or group may be a “true threat” even though it is not directly communicated to the intended victim.
4. The context in which the threat was made, including the relationship between the person making the threat and the recipient, also informs whether the threat was serious. Context in this instance includes historical or political references. For example, a threat delivered to a Jewish temple that includes a reference to The Holocaust may be a strong indicator that the threat was serious.

### **Symbolic Expressions**

The use of racist symbols may also constitute a prosecutable true threat. For example, delivering the image of a burning cross to a black person or burning a cross on his or her property may evince an intent to intimidate. Similarly, imagery associated with The Holocaust like a swastika or pictures of concentration camp cremation ovens may be evidence that a communication was intended as a serious threat.

## **Resources**

The United States Attorney's Office is available to help address whether conduct or a communication is prosecutable as federal civil rights crime or a violation of another federal criminal statute. Please feel free to contact the U.S. Attorney's Office:

General Phone Number, 603-225-1552

Jane E. Young  
United States Attorney  
[jane.young@usdoj.gov](mailto:jane.young@usdoj.gov)

Jay McCormack  
First Assistant United States Attorney  
[jay.mccormack@usdoj.gov](mailto:jay.mccormack@usdoj.gov)

Seth Aframe  
Deputy Criminal Chief  
Civil Rights Point of Contact  
603-230-2532  
[seth.aframe@usdoj.gov](mailto:seth.aframe@usdoj.gov)

Mark S. Zuckerman  
Criminal Chief  
603-230-2579  
[mark.zuckerman@usdoj.gov](mailto:mark.zuckerman@usdoj.gov)

The New Hampshire Department of Justice's Civil Rights Unit is also available to help address whether conduct or a communication is prosecutable as a state hate-crime, a state civil rights act violation, or a violation of another state criminal statute. Please feel free to contact the New Hampshire Department of Justice at:

General Phone Number: 603-271-3658  
General Email Address: [doj.civilrights@doj.nh.gov](mailto:doj.civilrights@doj.nh.gov)

John M. Formella  
Attorney General  
[john.m.formella@doj.nh.gov](mailto:john.m.formella@doj.nh.gov)

James T. Boffetti  
Deputy Attorney General  
[james.t.boffetti@doj.nh.gov](mailto:james.t.boffetti@doj.nh.gov)

Sean R. Locke  
Assistant Attorney General  
Director, Civil Rights Unit  
603-271-3650  
[sean.r.locke@doj.nh.gov](mailto:sean.r.locke@doj.nh.gov)

The United States Department of Justice Community Relations Service (CRS) is available to help prevent and respond to violent hate crimes based on gender, gender identity, sexual orientation, religion, disability, race, color, or national origin. Its services include:

- Facilitating engagement between community leaders, stakeholders, and interested parties to identify issues and solutions.
- Mediation to provide a structured process to resolve conflicts.
- Consultation on technical assistance, best practices, and evidence-based resources.
- Training.

Among its services, CRS is available to provide hate crime forums to discuss federal and state hate crimes and their prosecution, effective investigation methods, available resources, including grants and training opportunities, and community responses to bias incidents or hate crimes.

The Community Relations Service may be contacted through the United States Attorney's Office or directly at:

202-302-2935  
[www.justice.gov/crs](http://www.justice.gov/crs)

### **Crosswalk Project Timeline:**

#### **Fall of 2021:** Arts and Culture Meetings began upon request of City

Numerous brainstorming sessions

Various ideas for bringing more art and culture to City

Ideas included:

Opera House

Regal Theater

Industrial Relic Art

Murals on Buildings

Art in the Parks

Crosswalk Painting

Art in empty windows

Artist in Residency

Art displays in library or other public buildings featuring local artists

#### **Fall of 2022:** Jule Finley agreed to head two projects:

Student Art in empty storefronts

Crosswalk project: Decided to implement in late May

to coincide with Spring Musical- An Arts

Integration weekend

When school started in September, Jule worked with

all three school art teachers with the May goal in mind

#### **Winter 2022:** Continued discussion and planning with art teachers

City set goal of Community Day to have windows full

of student art

Email conversations on crosswalk expectations:

Designs needed to be done prior and sent to

City (sent in early May)

#### **March 2022:** Continued planning and discussion on how to

make this project work

Confirmed with city that they would provide

supplies if we provided the students and designs

Was decided that art would go in windows by end of April and crosswalks

would be done on Saturday, May 21, 2022

**April/ May 2022:**     Art work went up in windows of Regal from all three schools  
Decided that trying to paint the crosswalks on a Saturday would be too great a disturbance to the weekend traffic and would be challenging to get staff or students to return  
Changed date to Friday, May 20 during school  
City arranged for traffic notices and routing  
Jule arranged for students, busing, permission forms and all school related needs

**Friday, May 20:**     Jule met PSS Art Teacher and Principal to tape off the PSS crosswalk to ensure success for all PSS 3rd graders  
PSS and FMS painted from 7:45 am- 11:40 am  
FHS students painted two crosswalks from 12- 4 pm

**Things we Learned:**

Complaints on traffic routes and road closures need to be addressed

None of us had ever painted crosswalks before!

We had no idea how long any of it would take to create, paint or Dry- especially with shifts of 3rd graders coming and going on buses

We had no idea how many supplies we would need- volunteers had to run out and get more brushes, cups, paint, etc.

We had no idea how the paint itself would work

We were given 5 primary colors:

Blue, red, yellow, white, black

The colors did NOT mix as we had hoped

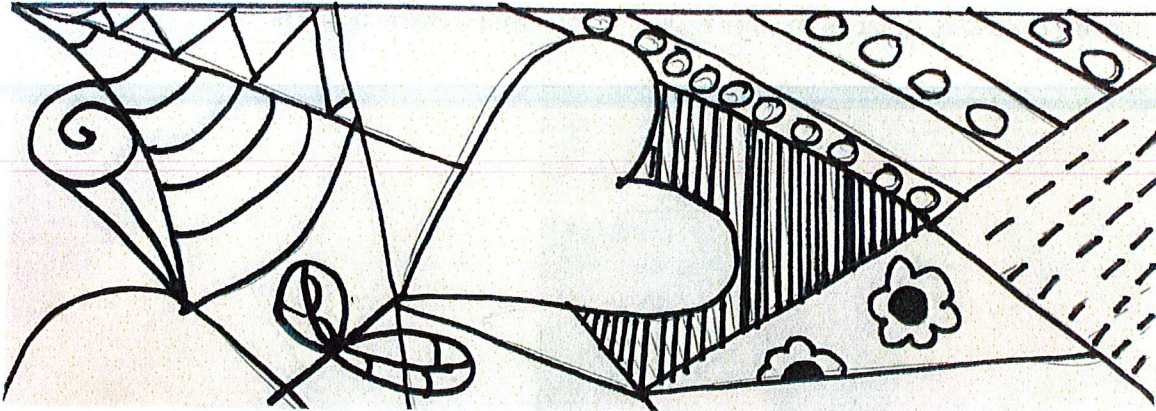
Jim Jones ran to get us green paint and more supplies- which is the ONLY reason the green band came out accurately as green

3rd graders and FMS devoured all of our brushes and paint cups before high school even started

PSS Art teacher had originally thought she would only bring a few students, but was told that she needed to include the entire 3rd grade. This was a great idea, but threw a whole new set of issues and required us to simplify the original idea



**Original PSS Design done BY 3rd grade students:**



**Original PSS Design with color done BY 3rd grade student**

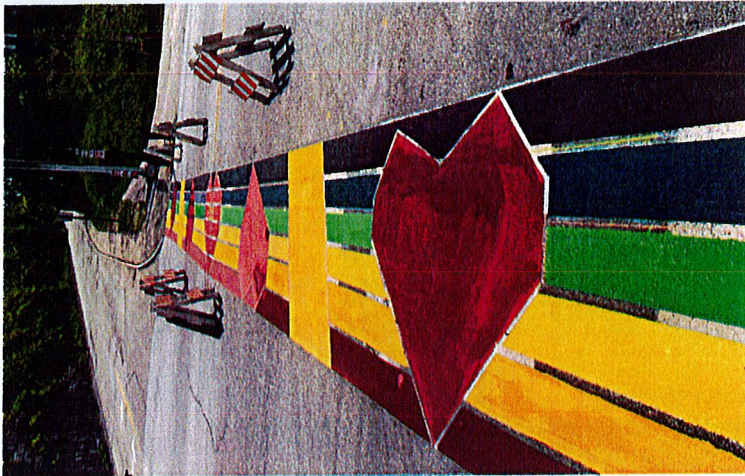


**Initial Painting Job simplified to include all students:**

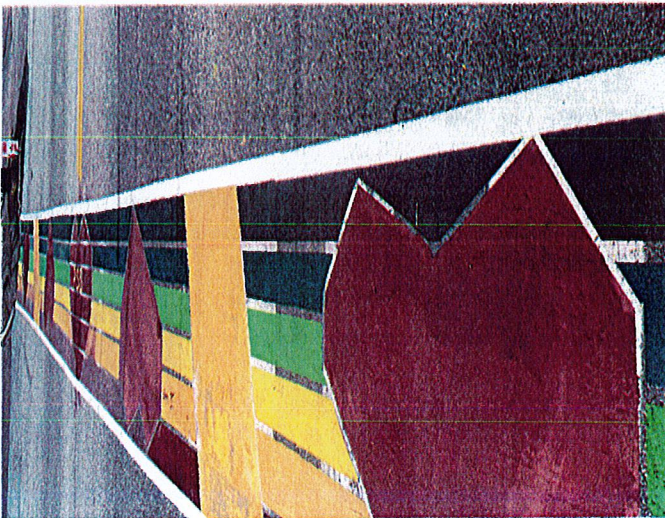
We needed to be able to tape it all off into even sections so students could shift through (25 students per group) in ½ hour time spans- Art teacher, principal and Jule spent from 6:30 am until 8 am taping off the entire crosswalk to ensure it was ready for students to paint- each group of 3rd graders was given a taped off space to paint

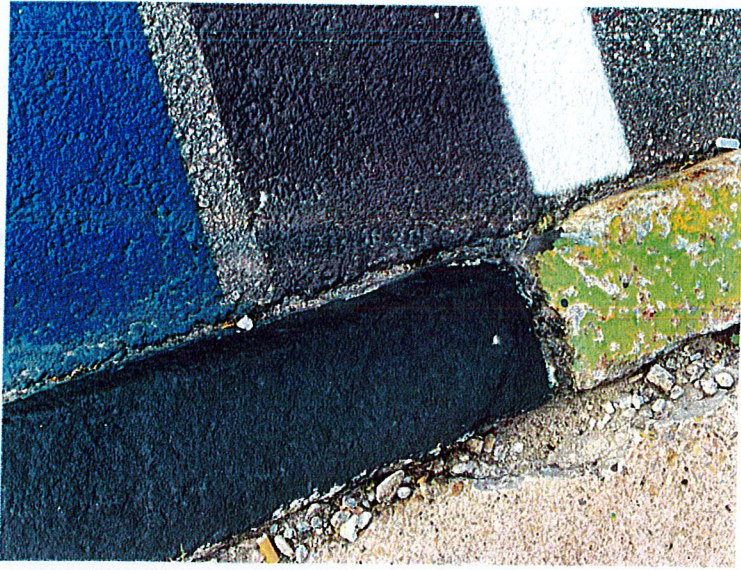


Initial Painting Job did not turn out as we had planned or hoped due to the street paint not mixing as most paints do. The colors were remixed numerous times by the art teacher to try to get an orange (red/ yellow) and purple (blue/ red)- neither color turned out as planned. Side note: the art teacher had asked to get the paint ahead of time to mix colors, but we were not able to do that. It set up a rather rushed and stressful scenario trying to mix them on the spot.



Over time, the sun, weather and traffic has altered the last color band even darker than it was originally painted. Also not something we knew or planned on due to this whole project being a new experience for everyone involved.





The above picture was taken very recently. You can still see there is still a difference between the purple band and the black outlining that the city added.

There was absolutely no ulterior motive or hidden message. This was simply a design created by children that was simplified to ensure success and completion in a 4 hour time frame. This was an unawareness on paint mixing and how street paint blends (or does not). This was supposed to represent the colors of the rainbow per the children's design. No one was more disappointed in how the colors turned out than those of us who worked to create it- but we had to accept what we had to work with. Overall, the most important thing was that the children who painted from K-12 were SO proud of their work and excited every time they drove through town and saw their work again and again. It was engaging, it was a connection to school and community and gave those students a huge sense of pride. THAT is the most important outcome of this project.



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



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**  
*City Council Meeting October 11, 2022*

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**From:** Michelle Stanyan, City Clerk

**Subject:** Council to Canvas the votes from the October 4, 2022 City Election:

**Recommended Motions:**

1. Councilor moves:  
"I move that the Franklin City Council accept the return of votes and declare the following elected:"
2. Mayor asks for a second, discussion, and calls the vote.

---

**Attachments/Exhibits:**

1. Wards 1, 2 & 3 Election Results

# CITY OF FRANKLIN – WARD I

## CITY ELECTION RESULTS

OCTOBER 4, 2022

Total Voters on the Checklist- 1593

Ballots Cast- 231

Voter Turnout- 15%

---

**Council- Three Years**

Cecile M. Cormier	90
Ted Starkweather	130
Over Votes	0
Under Votes	10
Write-In's	1

---

**School Board-Three Years**

Marie Danforth	80
Jack Finley	142
Over Votes	1
Under Votes	7
Write-In's	1

---

**Election Moderator- Two Years**

Debra Dear	199
Over Votes	0
Under Votes	28
Write-In's	4

---

**Ward Clerk-Two Years**

Marty Russo	206
Over Vote	0
Under Votes	25
Write-In's	0

---

**QUESTION:**

Change to the Franklin City Charter in regards to ward lines

Yes	163
No	34
Under Votes	34
Over Votes	0

A TRUE COPY ATTEST:

  
Signature of City Clerk

# CITY OF FRANKLIN – WARD II

## CITY ELECTION RESULTS

OCTOBER 4, 2022

Total Voters on the Checklist- 1188

Ballots Cast- 186

Voter Turnout- 16%

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**City Councilor-Three Years**

C. Olivia Zink	145
Over Votes	0
Under Votes	32
Write-In's-Scattered	9

---

**School Board-One Year**

Liz Cote	96
Peter McLaughlin	84
Over Votes	1
Under Votes	5
Write-In's	0

---

**School Board- Two Years**

Laurie Cass	105
Dave Testerman	77
Over Votes	0
Under Votes	4
Write In's	0

---

**School Board-Three Years**

Desiree McLaughlin	150
Over Votes	0
Under Votes	28
Write In's-Scattered	8

---

**Election Moderator-Two Years**

Tamara J. Feener	152
Over Votes	0
Under Votes	30
Write In's	1

---

**Ward Clerk-Two Years**

Janet Desrochers	158
Over Votes	0
Under Votes	25
Write In's	3

---

**Supervisor of Checklist-Two Years**

Write In's-Laurie Cass	12
Write In's-Scattered	10
Over Votes	0
Under Votes	161

**Supervisor of Checklist-Four Year**

Write In's-Tina Nelson	11
Write In's-Scattered	5
Over Votes	0
Under Votes	167

---

**QUESTION:**

Change to the Franklin City Charter in regards to ward lines

Yes	104
No	32
Over Votes	0
Under Votes	45

**A TRUE COPY ATTEST:**

  
Signature of City Clerk

# CITY OF FRANKLIN – WARD III

## CITY ELECTION RESULTS

OCTOBER 4, 2022

Total Voters on the Checklist- 1745

Ballots Cast- 272

Voter Turnout- 16%

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**Councilor-Three Years**

Leigh Webb	235
Over Votes	0
Under Votes	33
Write In's	4

---

**School Board-Three Years**

Timothy Dow	167
Robert "Roy" Hubble	93
Over Votes	0
Under Votes	5
Write In's	7

---

**Election Moderator-Two Years**

Cameron M. Temple	234
Over Votes	0
Under Votes	37
Write In's	1

---

**Ward Clerk-Two Years**

Meri-lynn Banton	237
Over Votes	0
Under Votes	34
Write In's	1

---

**QUESTION:**

Change to the Franklin City Charter in regards to ward lines

Yes	169
No	76
Over Votes	0
Under Votes	27

A TRUE COPY ATTEST:

  
Signature of City Clerk



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



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of October 11, 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 V**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meetings of September 6, 2022 and October 11, 2022*

**From:** Judie Milner, City Manager

**Subject:** Franklin City Council to consider Resolution #03-23 appropriating \$600,986 in one time highway block funding for roads and bridges.

---

**Recommended Motions:**

**September 6, 2022**

Councilor moves, "I move the Franklin City Council set a public hearing date for 6:00 p.m. on Tuesday, October 11, 2022, regarding Resolution #03-23, appropriating \$600,986 in one-time additional Highway Block funds from the State of New Hampshire."

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

**October 11, 2022**

Councilor moves, "I move that the Franklin City Council adopt Resolution #03-23 to accept and appropriate \$600,986 in one-time additional Highway Block funds from the State of New Hampshire for roads and bridges."

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

---

**Background:**

This one-time funding was appropriated by the legislature through SB401 and signed into law by the governor. See attached for SB401 language and funding allocations for the city. As the City does not have any red listed bridges at this time, management recommends placing the one-time bridge aid portion into the established capital reserve fund for bridges which could be used as the City's match toward a future bridge aid application.

**Attachment:**

Resolution 03-23  
SB401 Final Chaptered  
Highway Block Grant Allocation  
Bridge Aid Allocation



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

316 Central Street  
Franklin, NH 03235

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

**RESOLUTION #03-23**

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

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

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

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the State appropriated one-time payments to municipalities for roads and bridges in FY2023, and;

**WHEREAS**, the City Council of the City of Franklin wishes to appropriate those one-time payments, **Now**

**THEREFORE BE IT RESOLVED**, that at the scheduled meeting of the City Council on Tuesday, October 11, 2022, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 03-23 appropriating one-time state funding for roads and bridges and authorize the following non lapsing appropriation:

**An increase in revenue:**

Highway Block Grant Revenue Acct. No. 01-3-122-33530-000 – Six Hundred Thousand Nine Hundred Eighty Six Dollars (\$600,986),

**And an increase in expenditures:**

Road Maintenance Other Property Service Acct. No. 01-3-122-40490-000-One Hundred Seventy Five Thousand, Five Hundred Forty One Dollars (\$175,541),

Transfer to Capital Reserve Fund Acct. No. 01-0-000-40970-000 – Four Hundred Twenty Five Thousand Four Hundred Forty Five Dollars (\$425,445)

**by a roll call vote.**

**Roll Call:**

Councilor Dzujna     \_\_\_     Councilor Chandler     \_\_\_     Councilor Zink     \_\_\_

Councilor Ribas     \_\_\_     Councilor Bunker     \_\_\_     Councilor Blake     \_\_\_

Councilor Desrochers     \_\_\_     Councilor Starkweather     \_\_\_     Councilor Trudel     \_\_\_

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

**Mayor**

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

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

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

**City Clerk**

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

**SB401-FN**

## Bill Details

**Title:** (Fifth New Title) making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund, and permitting the department of transportation to operate dash cameras in fleet vehicles.

**Sponsors:** (*Prime*) [Jeb Bradley \(R\)](#), [Erin Hennessey \(R\)](#), [Watters \(D\)](#), [Rosenwald \(D\)](#), [Sherman \(D\)](#), [Carson \(R\)](#), [Gray \(R\)](#), [Whitley \(D\)](#), [D'Allesandro \(D\)](#), [Perkins Kwoka \(D\)](#), [Ricciardi \(R\)](#), [Prentiss \(D\)](#), [Avard \(R\)](#), [Gannon \(R\)](#), [Cavanaugh \(D\)](#), [Kahn \(D\)](#), [Donna Soucy \(D\)](#), [Umberger \(R\)](#), [Wallner \(d\)](#), [Tucker \(D\)](#)

LSR Number: **22-2934**

General Status: **SIGNED BY GOVERNOR**

Chapter Number: **338**

House:

**Committee:** Finance

**Due Out:** 4/14/2022

**Status:** CONFERENCE REPORT ADOPTED

Senate:

**Committee:** Finance

**Floor Date:** 5/26/2022

**Status:** CONFERENCE REPORT ADOPTED

## CHAPTER 338

## SB 401-FN - FINAL VERSION

03/17/2022 1062s  
03/31/2022 1269s  
03/31/2022 1293s  
4May2022... 1844h  
4May2022... 1927h  
05/26/2022 2086CofC  
05/26/2022 2122EBA

## 2022 SESSION

22-2934  
05/10

SENATE BILL **401-FN**

AN ACT making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund, and permitting the department of transportation to operate dash cameras in fleet vehicles.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Rosenwald, Dist 13; Sen. Sherman, Dist 24; Sen. Carson, Dist 14; Sen. Gray, Dist 6; Sen. Whitley, Dist 15; Sen. D'Allesandro, Dist 20; Sen. Perkins Kwoka, Dist 21; Sen. Ricciardi, Dist 9; Sen. Prentiss, Dist 5; Sen. Avard, Dist 12; Sen. Gannon, Dist 23; Sen. Cavanaugh, Dist 16; Sen. Kahn, Dist 10; Sen. Soucy, Dist 18; Rep. Umberger, Carr. 2; Rep. Wallner, Merr. 10; Rep. Tucker, Coos 5

COMMITTEE: Health and Human Services

## AMENDED ANALYSIS

This bill:

- I. Makes appropriations to the department of transportation for state bridge aid and municipal bridge aid.
- II. Makes an appropriation to the body-worn and dashboard camera fund.
- III. Permits the department of transportation to operate dash cameras in fleet vehicles.
- IV. Authorizes the department of transportation to proceed with the Dixville-Colebrook road project if certain criteria are met and make an appropriation to the department of transportation for this purpose.

-----

Explanation: Matter added to current law appears in *bold italics*.  
Matter removed from current law appears [in brackets and struck through].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

03/17/2022 1062s  
03/31/2022 1269s  
03/31/2022 1293s  
4May2022... 1844h  
4May2022... 1927h  
05/26/2022 2086CofC  
05/26/2022 2122EBA 22-2934  
05/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund, and permitting the department of transportation to operate dash cameras in fleet vehicles.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

338:1 Department of Transportation; Municipal Bridges; Appropriation. There is hereby appropriated to the department of transportation the sum of \$36,000,000 for the fiscal year ending June 30, 2022, which shall be nonlapsing and expended for municipal bridges by municipalities with existing bridges. One half of the funds (\$18,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's total bridge deck area per department inventory, as of January 1, 2022. The other half of the funds (\$18,000,000) shall be distributed to municipalities with municipally-owned bridges based on each municipality's share of total state population based on the office of planning and development's population estimate with each municipal population in proportion to the total population of the state as of July 1, 2021. The funds to be distributed under this section shall be in addition to all other state and federal aid specifically authorized by statute.

The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for bridge maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

338:2 Department of Transportation; "Apportionment A" Distributions; Appropriation. There is hereby appropriated to the department of transportation the sum of \$30,000,000 for the fiscal year ending June 30, 2022, which shall be nonlapsing and expended as additional "Apportionment A" distributions under RSA 235:23, I. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. No funds appropriated under this section shall be used to supplant locally budgeted and approved funds for road maintenance or construction. The funds appropriated in this section may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

338:3 Body-Worn and Dashboard Camera Fund; Appropriation. The sum of \$1,000,000 for the fiscal year ending June 30, 2022, is hereby appropriated to the body-worn and dashboard camera fund established in RSA 105-D:3. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The funds appropriated in this section may be considered unanticipated money though fiscal year 2023, under RSA 31:95-b, and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a political subdivision has adopted the provisions of RSA 31:95-b.

338:4 New Subparagraph; Highway Surveillance Prohibited; Exception for Dash Cameras in Fleet Vehicles. Amend RSA 236:130, III by inserting after subparagraph (g) the following new subparagraph:

(h) Is undertaken for safety and security by the department of transportation to operate dash cameras in its fleet. Except as otherwise provided, no video recording shall be stored longer than 3 business days. Any video recordings requested by the department of transportation or another legal entity, and retrieved prior to expiration of the 3 business days, shall be copied and retained by the department of transportation's transportation management center. The stored recording may only be used by the requesting party for a lawful purpose, including as evidence in a judicial or administrative proceeding.

338:5 Department of Transportation; Dixville-Colebrook Road Project. The department of transportation is authorized to proceed with the road project named Dixville-Colebrook, project number 40518, subject to the following contingencies:

- I. The department of transportation shall not commence construction on project number 40518 until such time as all approvals necessary for the road project are received and financing is secured.
- II. Financing must be sufficient for the redevelopment of the resort facility and property formerly known as "the balsams grand resort hotel" and for the commencement of commercial operations at the former resort facility.
- III. Prior to construction of project number 40518, the towns and/or county shall execute an agreement with the department, agreeing to take ownership of the road with responsibility for continuing maintenance and repairs.
- IV. Construction costs and other project costs associated with project number 40518 shall not exceed \$4,100,000. The governor is authorized to draw a warrant for the necessary sum out of any money in the treasury not otherwise appropriated, for construction costs and other project expenses. The appropriation shall be non-lapsing. Project costs shall not be charged to the highway fund.

338:6 Effective Date. This act shall take effect upon its passage.

Approved: July 25, 2022

Effective Date: July 25, 2022



## Municipal Bridge - Funding Distribution

Funding to be distributed      \$36,000,000

TOWN NAME	MUNICIPAL BRIDGE COUNT	MUNICIPAL DECK AREA [SF]	POPULATION 2022 (BGA)	AREA PER CAPITA	50% by Deck Area	50% by Population	DISTRIBUTION 50% Deck Area 50% Population
Acworth	8	7,656	915	8.37 \$	52,701 \$	12,247 \$	64,948 \$
Albany	5	5,124	760	6.74 \$	35,269 \$	10,172 \$	45,441 \$
Alexandria	20	13,414	1,665	8.06 \$	92,334 \$	22,285 \$	114,620 \$
Allenstown	1	480	4,417	0.11 \$	3,306 \$	59,119 \$	62,425 \$
Alstead	6	2,677	1,988	1.35 \$	18,425 \$	26,608 \$	45,033 \$
Alton	11	4,986	5,427	0.92 \$	34,322 \$	72,638 \$	106,960 \$
Amherst	16	14,760	11,778	1.25 \$	101,595 \$	157,643 \$	259,238 \$
Andover	18	10,863	2,397	4.53 \$	74,775 \$	32,083 \$	106,858 \$
Antrim	18	19,480	2,666	7.31 \$	134,088 \$	35,683 \$	169,771 \$
Ashland	6	4,908	2,117	2.32 \$	33,783 \$	28,335 \$	62,118 \$
Atkinson	1	320	7,217	0.04 \$	2,202 \$	96,596 \$	98,798 \$
Auburn	8	4,846	5,775	0.84 \$	33,355 \$	77,296 \$	110,650 \$
Barnstead	15	13,308	4,805	2.77 \$	91,600 \$	64,313 \$	155,913 \$
Barrington	5	3,379	9,238	0.37 \$	23,259 \$	123,646 \$	146,905 \$
Bartlett	6	8,987	2,877	3.12 \$	61,862 \$	38,507 \$	100,369 \$
Bath	6	15,590	1,134	13.75 \$	107,314 \$	15,178 \$	122,492 \$
Bedford	18	9,190	23,780	0.39 \$	63,254 \$	318,284 \$	381,538 \$
Belmont	6	3,857	7,422	0.52 \$	26,548 \$	99,340 \$	125,888 \$
Bennington	4	6,862	1,499	4.58 \$	47,230 \$	20,063 \$	67,293 \$
Benton	2	2,379	379	6.28 \$	16,373 \$	5,073 \$	21,446 \$
Berlin	12	56,141	10,003	5.61 \$	386,440 \$	133,885 \$	520,325 \$
Bethlehem	2	5,857	2,643	2.22 \$	40,318 \$	35,375 \$	75,693 \$
Boscawen	2	577	4,049	0.14 \$	3,970 \$	54,194 \$	58,164 \$
Bow	5	3,783	8,015	0.47 \$	26,040 \$	107,277 \$	133,317 \$
Bradford	19	15,514	1,710	9.07 \$	106,791 \$	22,888 \$	129,679 \$
Brentwood	5	3,941	4,670	0.84 \$	27,129 \$	62,506 \$	89,634 \$
Bridgewater	7	2,538	1,119	2.27 \$	17,473 \$	14,977 \$	32,451 \$
Bristol	4	12,377	3,155	3.92 \$	85,193 \$	42,228 \$	127,421 \$
Brookfield	2	740	755	0.98 \$	5,093 \$	10,105 \$	15,199 \$
Brookline	5	4,391	5,486	0.80 \$	30,225 \$	73,427 \$	103,652 \$
Campton	10	9,997	3,449	2.90 \$	68,815 \$	46,163 \$	114,978 \$
Canaan	9	10,224	4,027	2.54 \$	70,372 \$	53,899 \$	124,271 \$

## Municipal Bridge - Funding Distribution

Funding to be distributed      \$36,000,000

TOWN NAME	MUNICIPAL BRIDGE COUNT	MUNICIPAL DECK AREA [SF]	POPULATION 2022 (BGA)	AREA PER CAPITA	50% by Deck Area	50% by Population	DISTRIBUTION 50% Deck Area 50% Population
Candia	3	2,176	4,020	0.54	\$ 14,979	\$ 53,806	\$ 68,785
Canterbury	5	2,444	2,439	1.00	\$ 16,825	\$ 32,645	\$ 49,470
Carroll	1	1,218	838	1.45	\$ 8,384	\$ 11,216	\$ 19,600
Center Harbor	1	681	1,106	0.62	\$ 4,690	\$ 14,803	\$ 19,493
Charlestown	6	3,585	5,197	0.69	\$ 24,673	\$ 69,559	\$ 94,233
Chatham	4	1,752	348	5.03	\$ 12,060	\$ 4,658	\$ 16,717
Chester	5	3,486	5,375	0.65	\$ 23,995	\$ 71,942	\$ 95,937
Chesterfield	6	2,671	3,749	0.71	\$ 18,387	\$ 50,179	\$ 68,565
Chichester	5	13,717	2,657	5.16	\$ 94,415	\$ 35,563	\$ 129,978
Claremont	10	30,457	13,351	2.28	\$ 209,646	\$ 178,697	\$ 388,343
Clarksville	1	1,097	282	3.89	\$ 7,554	\$ 3,774	\$ 11,329
Colebrook	6	5,205	2,353	2.21	\$ 35,830	\$ 31,494	\$ 67,324
Columbia	6	5,395	786	6.86	\$ 37,135	\$ 10,520	\$ 47,655
Concord	21	200,598	43,209	4.64	\$ 1,380,782	\$ 578,332	\$ 1,959,114
Conway	8	16,271	10,367	1.57	\$ 111,996	\$ 138,757	\$ 250,754
Cornish	20	12,003	1,673	7.17	\$ 82,621	\$ 22,392	\$ 105,014
Croydon	3	3,421	790	4.33	\$ 23,544	\$ 10,574	\$ 34,118
Dalton	2	4,016	1,010	3.98	\$ 27,646	\$ 13,518	\$ 41,164
Danbury	15	8,366	1,218	6.87	\$ 57,583	\$ 16,302	\$ 73,886
Danville	2	918	4,662	0.20	\$ 6,319	\$ 62,399	\$ 68,718
Deerfield	7	4,809	4,738	1.02	\$ 33,103	\$ 63,416	\$ 96,519
Deering	5	6,294	1,955	3.22	\$ 43,324	\$ 26,167	\$ 69,490
Derry	17	14,582	33,589	0.43	\$ 100,374	\$ 449,573	\$ 549,946
Dorchester	7	3,678	367	10.02	\$ 25,314	\$ 4,912	\$ 30,226
Dover	11	62,239	32,352	1.92	\$ 428,415	\$ 433,016	\$ 861,431
Dublin	9	5,634	1,612	3.50	\$ 38,781	\$ 21,576	\$ 60,357
Dummer	1	2,366	304	7.78	\$ 16,286	\$ 4,069	\$ 20,355
Dunbarton	2	1,175	2,961	0.40	\$ 8,088	\$ 39,632	\$ 47,719
Durham	7	9,637	16,051	0.60	\$ 66,335	\$ 214,835	\$ 281,170
East Kingston	1	935	2,450	0.38	\$ 6,434	\$ 32,792	\$ 39,226
Eaton	5	2,544	422	6.03	\$ 17,509	\$ 5,648	\$ 23,157
Effingham	6	6,845	1,517	4.51	\$ 47,114	\$ 20,304	\$ 67,418



## Municipal Bridge - Funding Distribution

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TOWN NAME	MUNICIPAL BRIDGE COUNT	MUNICIPAL DECK AREA [SF]	POPULATION 2022 (BGA)	AREA PER CAPITA	50% by Deck Area	50% by Population	DISTRIBUTION 50% Deck Area 50% Population
Ellsworth	3	1,485	87	17.07	\$ 10,221	\$ 1,164	\$ 11,385
Enfield	8	7,925	4,769	1.66	\$ 54,548	\$ 63,831	\$ 118,379
Epping	3	5,856	7,190	0.81	\$ 40,306	\$ 96,235	\$ 136,540
Epsom	9	5,225	4,838	1.08	\$ 35,968	\$ 64,754	\$ 100,722
Exeter	9	14,986	15,488	0.97	\$ 103,156	\$ 207,299	\$ 310,455
Farmington	12	8,982	6,971	1.29	\$ 61,824	\$ 93,304	\$ 155,127
Fitzwilliam	4	1,130	2,440	0.46	\$ 7,778	\$ 32,658	\$ 40,437
Francestown	15	14,883	1,603	9.28	\$ 102,445	\$ 21,455	\$ 123,900
Franconia	4	4,299	1,148	3.74	\$ 29,590	\$ 15,365	\$ 44,955
Franklin	6	44,782	8,756	5.11	\$ 308,250	\$ 117,195	\$ 425,445
Freedom	2	1,237	1,611	0.77	\$ 8,512	\$ 21,562	\$ 30,075
Fremont	5	4,046	4,817	0.84	\$ 27,851	\$ 64,473	\$ 92,324
Gilford	11	11,908	7,335	1.62	\$ 81,965	\$ 98,175	\$ 180,140
Gilmanton	6	5,173	3,845	1.35	\$ 35,605	\$ 51,463	\$ 87,068
Gilsom	4	4,556	841	5.42	\$ 31,359	\$ 11,256	\$ 42,615
Goffstown	18	17,051	18,130	0.94	\$ 117,366	\$ 242,661	\$ 360,028
Gorham	3	3,329	2,841	1.17	\$ 22,915	\$ 38,025	\$ 60,940
Goshen	6	4,142	818	5.06	\$ 28,512	\$ 10,949	\$ 39,461
Grafton	20	12,410	1,383	8.97	\$ 85,423	\$ 18,511	\$ 103,934
Grantham	6	3,622	3,074	1.18	\$ 24,931	\$ 41,144	\$ 66,075
Greenfield	2	339	1,788	0.19	\$ 2,333	\$ 23,932	\$ 26,265
Greenville	2	5,752	2,097	2.74	\$ 39,593	\$ 28,067	\$ 67,660
Groton	4	1,676	620	2.70	\$ 11,533	\$ 8,298	\$ 19,832
Hampton	4	3,836	15,357	0.25	\$ 26,402	\$ 205,546	\$ 231,948
Hampton Falls	1	410	2,459	0.17	\$ 2,821	\$ 32,913	\$ 35,734
Hancock	10	9,156	1,685	5.43	\$ 63,024	\$ 22,553	\$ 85,577
Hanover	19	10,024	11,272	0.89	\$ 69,000	\$ 150,870	\$ 219,870
Harrisville	8	4,139	982	4.21	\$ 28,490	\$ 13,144	\$ 41,634
Haverhill	7	5,312	4,683	1.13	\$ 36,562	\$ 62,680	\$ 99,241
Hebron	4	4,282	639	6.70	\$ 29,475	\$ 8,553	\$ 38,027
Henniker	8	20,002	4,933	4.05	\$ 137,680	\$ 66,026	\$ 203,706
Hill	6	5,560	1,117	4.98	\$ 38,271	\$ 14,951	\$ 53,222



## Municipal Bridge - Funding Distribution

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TOWN NAME	MUNICIPAL BRIDGE COUNT	MUNICIPAL DECK AREA [SF]	POPULATION 2022 (BGA)	AREA PER CAPITA	50% by Deck Area	50% by Population	DISTRIBUTION 50% Deck Area 50% Population
Hillsborough	21	19,123	6,054	3.16	\$ 131,628	\$ 81,030	\$ 212,658
Hinsdale	4	10,337	4,086	2.53	\$ 71,155	\$ 54,689	\$ 125,844
Holderness	1	536	2,161	0.25	\$ 3,689	\$ 28,924	\$ 32,613
Hollis	4	1,608	8,165	0.20	\$ 11,068	\$ 109,285	\$ 120,353
Hooksett	3	12,346	14,891	0.83	\$ 84,985	\$ 199,309	\$ 284,294
Hopkinton	6	14,766	5,785	2.55	\$ 101,640	\$ 77,429	\$ 179,070
Hudson	10	48,319	25,753	1.88	\$ 332,597	\$ 344,692	\$ 677,288
Jackson	5	4,331	862	5.02	\$ 29,812	\$ 11,537	\$ 41,349
Jaffrey	11	10,423	5,465	1.91	\$ 71,745	\$ 73,146	\$ 144,892
Jefferson	5	2,620	1,146	2.29	\$ 18,035	\$ 15,339	\$ 33,373
Keene	35	59,284	23,650	2.51	\$ 408,069	\$ 316,544	\$ 724,612
Kingston	10	3,951	6,303	0.63	\$ 27,196	\$ 84,363	\$ 111,559
Laconia	15	69,008	16,792	4.11	\$ 475,006	\$ 224,753	\$ 699,759
Lancaster	12	12,719	3,558	3.57	\$ 87,550	\$ 47,622	\$ 135,172
Landaff	5	1,629	429	3.80	\$ 11,214	\$ 5,742	\$ 16,956
Langdon	5	6,154	705	8.73	\$ 42,357	\$ 9,436	\$ 51,793
Lebanon	18	62,188	14,352	4.33	\$ 428,058	\$ 192,095	\$ 620,152
Lee	5	2,738	4,548	0.60	\$ 18,847	\$ 60,873	\$ 79,720
Lempster	7	3,427	1,196	2.87	\$ 23,586	\$ 16,008	\$ 39,594
Lincoln	1	14,291	1,773	8.06	\$ 98,373	\$ 23,731	\$ 122,104
Lisbon	11	17,259	1,702	10.14	\$ 118,800	\$ 22,780	\$ 141,581
Litchfield	4	2,048	8,758	0.23	\$ 14,097	\$ 117,222	\$ 131,319
Littleton	5	26,963	6,003	4.49	\$ 185,592	\$ 80,347	\$ 265,939
Londonderry	9	5,394	26,946	0.20	\$ 37,127	\$ 360,659	\$ 397,786
Loudon	14	15,434	5,781	2.67	\$ 106,236	\$ 77,376	\$ 183,612
Lyman	8	3,310	556	5.95	\$ 22,786	\$ 7,442	\$ 30,227
Lyme	11	6,685	1,748	3.82	\$ 46,014	\$ 23,396	\$ 69,410
Lyndeborough	3	2,330	1,747	1.33	\$ 16,038	\$ 39,383	\$ 55,421
Madbury	2	481	1,865	0.26	\$ 3,314	\$ 24,962	\$ 28,276
Madison	4	2,259	2,688	0.84	\$ 15,549	\$ 35,978	\$ 51,527
Manchester	34	414,242	111,614	3.71	\$ 2,851,366	\$ 1,493,900	\$ 4,345,266
Marlborough	11	7,252	2,161	3.36	\$ 49,916	\$ 28,924	\$ 78,840



## Municipal Bridge - Funding Distribution

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TOWN NAME	MUNICIPAL BRIDGE COUNT	MUNICIPAL DECK AREA [SF]	POPULATION 2022 (BGA)	AREA PER CAPITA	50% by Deck Area	50% by Population	DISTRIBUTION 50% Deck Area 50% Population
Marlow	2	2,324	756	3.07	\$ 15,997	\$ 10,119	\$ 26,116
Meredith	2	732	6,469	0.11	\$ 5,039	\$ 86,584	\$ 91,624
Merrimack	15	35,661	27,479	1.30	\$ 245,463	\$ 367,793	\$ 613,256
Middleton	1	313	1,830	0.17	\$ 2,156	\$ 24,494	\$ 26,650
Milan	4	1,840	1,355	1.36	\$ 12,662	\$ 18,136	\$ 30,798
Milford	17	17,906	16,212	1.10	\$ 123,256	\$ 216,990	\$ 340,246
Milton	7	9,878	4,666	2.12	\$ 67,993	\$ 62,452	\$ 130,445
Monroe	2	617	821	0.75	\$ 4,246	\$ 10,989	\$ 15,235
Mont Vernon	1	660	2,660	0.25	\$ 4,543	\$ 35,603	\$ 40,146
Moultonborough	4	2,014	4,186	0.48	\$ 13,864	\$ 56,028	\$ 69,892
Nashua	15	83,146	89,572	0.93	\$ 572,321	\$ 1,198,878	\$ 1,771,200
Nelson	3	1,675	742	2.26	\$ 11,526	\$ 9,931	\$ 21,458
New Boston	11	14,061	5,964	2.36	\$ 96,786	\$ 79,825	\$ 176,612
New Durham	1	742	2,687	0.28	\$ 5,106	\$ 35,964	\$ 41,070
New Hampton	9	3,608	2,341	1.54	\$ 24,833	\$ 31,333	\$ 56,166
New Ipswich	5	3,366	5,425	0.62	\$ 23,169	\$ 72,611	\$ 95,780
New London	8	3,557	4,201	0.85	\$ 24,481	\$ 56,228	\$ 80,710
Newbury	8	5,450	2,221	2.45	\$ 37,514	\$ 29,727	\$ 67,241
Newfields	1	405	1,741	0.23	\$ 2,788	\$ 23,302	\$ 26,090
Newington	3	1,857	815	2.28	\$ 12,782	\$ 10,908	\$ 23,691
Newmarket	2	2,327	9,575	0.24	\$ 16,014	\$ 128,157	\$ 144,171
Newport	16	20,160	6,533	3.09	\$ 138,768	\$ 87,441	\$ 226,209
Newton	2	540	5,035	0.11	\$ 3,717	\$ 67,391	\$ 71,108
Northfield	8	5,266	4,942	1.07	\$ 36,245	\$ 66,146	\$ 102,391
Northumberland	2	2,691	2,256	1.19	\$ 18,522	\$ 30,195	\$ 48,718
Northwood	2	1,152	4,364	0.26	\$ 7,929	\$ 58,410	\$ 66,339
Nottingham	7	3,284	5,245	0.63	\$ 22,603	\$ 70,202	\$ 92,805
Orange	5	3,188	341	9.35	\$ 21,943	\$ 4,564	\$ 26,507
Orford	13	8,231	1,269	6.49	\$ 56,656	\$ 16,985	\$ 73,641
Ossipee	18	12,576	4,475	2.81	\$ 86,563	\$ 59,896	\$ 146,459
Pelham	5	8,519	14,294	0.60	\$ 58,638	\$ 191,318	\$ 249,956
Pembroke	1	408	7,149	0.06	\$ 2,809	\$ 95,686	\$ 98,494

## Municipal Bridge - Funding Distribution

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Peterborough	17	21,327	6,801	3.14	\$ 146,802	\$ 91,028	\$ 237,830
Piermont	6	2,983	801	3.72	\$ 20,535	\$ 10,721	\$ 31,256
Pittsburg	4	4,336	903	4.80	\$ 29,844	\$ 12,086	\$ 41,931
Pittsfield	2	3,236	4,140	0.78	\$ 22,275	\$ 55,412	\$ 77,687
Plainfield	13	7,293	2,484	2.94	\$ 50,198	\$ 33,247	\$ 83,446
Plaistow	2	1,457	7,825	0.19	\$ 10,029	\$ 104,734	\$ 114,763
Plymouth	6	3,031	7,100	0.43	\$ 20,865	\$ 95,030	\$ 115,896
Portsmouth	15	63,904	22,548	2.83	\$ 439,869	\$ 301,794	\$ 741,663
Randolph	4	1,832	310	5.91	\$ 12,613	\$ 4,149	\$ 16,762
Raymond	6	8,797	10,639	0.83	\$ 60,553	\$ 142,398	\$ 202,951
Richmond	5	2,636	1,204	2.19	\$ 18,141	\$ 16,115	\$ 34,256
Rindge	3	3,266	6,367	0.51	\$ 22,478	\$ 85,219	\$ 107,697
Rochester	19	45,782	31,592	1.45	\$ 315,130	\$ 422,844	\$ 737,973
Rollinsford	1	389	2,610	0.15	\$ 2,674	\$ 34,934	\$ 37,608
Rumney	7	4,206	1,518	2.77	\$ 28,949	\$ 20,318	\$ 49,267
Rye	1	606	5,535	0.11	\$ 4,171	\$ 74,083	\$ 78,255
Salem	19	22,949	31,042	0.74	\$ 157,966	\$ 415,482	\$ 573,448
Salisbury	5	9,203	1,451	6.34	\$ 63,348	\$ 19,421	\$ 82,769
Sanbornton	12	6,570	3,039	2.16	\$ 45,221	\$ 40,676	\$ 85,896
Sandown	3	1,038	6,559	0.16	\$ 7,141	\$ 87,789	\$ 94,931
Sandwich	16	11,939	1,374	8.69	\$ 82,179	\$ 18,390	\$ 100,569
Seabrook	2	1,356	8,999	0.15	\$ 9,332	\$ 120,447	\$ 129,779
Sharon	5	2,518	369	6.82	\$ 17,332	\$ 4,939	\$ 22,271
Shelburne	1	1,354	382	3.55	\$ 9,323	\$ 5,113	\$ 14,436
Somersworth	3	14,520	11,971	1.21	\$ 99,945	\$ 160,226	\$ 260,171
South Hampton	2	1,303	834	1.56	\$ 8,966	\$ 11,163	\$ 20,129
Springfield	2	612	1,362	0.45	\$ 4,213	\$ 18,230	\$ 22,442
Stark	8	17,116	579	29.56	\$ 117,818	\$ 7,750	\$ 125,567
Stewartstown	3	1,105	1,048	1.05	\$ 7,603	\$ 14,027	\$ 21,630
Stoddard	3	1,818	1,303	1.40	\$ 12,514	\$ 17,440	\$ 29,954
Strafford	6	2,904	4,253	0.68	\$ 19,989	\$ 56,924	\$ 76,914
Stratford	5	4,868	778	6.26	\$ 33,511	\$ 10,413	\$ 43,924

## Municipal Bridge - Funding Distribution

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Sugar Hill	2	2,225	590	3.77	\$ 15,317	\$ 7,897	\$ 23,214
Sullivan	6	3,566	706	5.05	\$ 24,547	\$ 9,449	\$ 33,997
Sunapee	11	6,471	3,541	1.83	\$ 44,541	\$ 47,395	\$ 91,935
Surry	2	1,875	773	2.43	\$ 12,904	\$ 10,346	\$ 23,250
Sutton	13	5,715	1,903	3.00	\$ 39,341	\$ 25,471	\$ 64,812
Swansey	11	23,449	7,514	3.12	\$ 161,404	\$ 100,571	\$ 261,976
Tamworth	13	9,840	2,948	3.34	\$ 67,731	\$ 39,458	\$ 107,189
Temple	12	5,773	1,408	4.10	\$ 39,737	\$ 18,845	\$ 58,583
Thornton	10	11,558	2,643	4.37	\$ 79,558	\$ 35,375	\$ 114,933
Tilton	1	3,847	3,699	1.04	\$ 26,483	\$ 49,509	\$ 75,992
Troy	2	1,516	2,156	0.70	\$ 10,434	\$ 28,857	\$ 39,291
Tuftsboro	5	2,895	2,453	1.18	\$ 19,926	\$ 32,832	\$ 52,758
Unity	12	9,114	1,599	5.70	\$ 62,736	\$ 21,402	\$ 84,138
Wakefield	7	4,418	5,203	0.85	\$ 30,407	\$ 69,640	\$ 100,047
Walpole	11	7,062	3,903	1.81	\$ 48,610	\$ 52,240	\$ 100,850
Warner	19	18,900	2,950	6.41	\$ 130,093	\$ 39,484	\$ 169,577
Warren	9	9,805	937	10.46	\$ 67,493	\$ 12,541	\$ 80,034
Washington	10	6,454	1,161	5.56	\$ 44,423	\$ 15,539	\$ 59,962
Waterville Valley	5	4,864	250	19.46	\$ 33,480	\$ 3,346	\$ 36,826
Weare	17	29,834	9,086	3.28	\$ 205,354	\$ 121,612	\$ 326,966
Webster	3	2,566	1,930	1.33	\$ 17,661	\$ 25,832	\$ 43,493
Wentworth	13	12,913	942	13.71	\$ 88,882	\$ 12,608	\$ 101,490
Westmoreland	12	12,249	1,754	6.98	\$ 84,311	\$ 23,476	\$ 107,787
Whitefield	4	2,725	2,426	1.12	\$ 18,755	\$ 32,471	\$ 51,226
Wilmot	17	11,179	1,400	7.99	\$ 76,952	\$ 18,738	\$ 95,690
Wilton	14	11,781	3,830	3.08	\$ 81,094	\$ 51,263	\$ 132,357
Winchester	13	19,378	4,397	4.41	\$ 133,383	\$ 58,852	\$ 192,235
Windham	9	4,415	15,044	0.29	\$ 30,389	\$ 201,357	\$ 231,746
Wolfeboro	4	3,900	6,405	0.61	\$ 26,846	\$ 85,728	\$ 112,574
<b>TOTALS</b>	<b>1,671</b>	<b>2,615,014</b>	<b>1,344,837</b>	<b>685</b>	<b>\$ 18,000,000</b>	<b>\$ 18,000,000</b>	<b>\$ 36,000,000</b>



# Block Grant Aid - Funding Distribution

5/23/2022

Funding to be distributed \$30,000,000

TOWN NAME	FY 2022 TOWN A DOLLARS	FY 2022 TOWN A ADJUSTMENTS	FY 2022 TOWN A TOTAL FUNDING	% OF FY 2022 TOTAL	ADDITIONAL DISBURSEMENT
ACWORTH	\$ 73,261.21	\$ (327.20)	\$ 72,934.01	0.24%	\$71,903.35
ALBANY	\$ 33,523.82	\$ (149.72)	\$ 33,374.10	0.11%	\$32,902.48
ALEXANDRIA	\$ 73,571.77	\$ (328.58)	\$ 73,243.19	0.24%	\$72,208.16
ALLENSTOWN	\$ 77,896.54	\$ (347.90)	\$ 77,548.64	0.25%	\$76,452.77
ALSTEAD	\$ 82,962.53	\$ (370.52)	\$ 82,592.01	0.27%	\$81,424.87
ALTON	\$ 168,844.23	\$ (754.08)	\$ 168,090.15	0.55%	\$165,714.79
AMHERST	\$ 288,078.74	\$ (1,286.60)	\$ 286,792.14	0.94%	\$282,739.35
ANDOVER	\$ 87,156.08	\$ (389.25)	\$ 86,766.83	0.29%	\$85,540.69
ANTRIM	\$ 82,062.00	\$ (366.50)	\$ 81,695.50	0.27%	\$80,541.02
ASHLAND	\$ 48,248.25	\$ (215.48)	\$ 48,032.77	0.16%	\$47,354.00
ATKINSON	\$ 142,009.41	\$ (634.23)	\$ 141,375.18	0.46%	\$139,377.35
AUBURN	\$ 141,728.82	\$ (632.98)	\$ 141,095.84	0.46%	\$139,101.95
BARNSTEAD	\$ 152,298.36	\$ (680.19)	\$ 151,618.17	0.50%	\$149,475.59
BARRINGTON	\$ 195,068.73	\$ (871.20)	\$ 194,197.53	0.64%	\$191,453.24
BARTLETT	\$ 90,898.54	\$ (405.97)	\$ 90,492.57	0.30%	\$89,213.78
BATH	\$ 64,169.45	\$ (286.59)	\$ 63,882.86	0.21%	\$62,980.10
BEDFORD	\$ 501,251.34	\$ (2,238.66)	\$ 499,012.68	1.64%	\$491,960.91
BELMONT	\$ 168,897.87	\$ (754.32)	\$ 168,143.55	0.55%	\$165,767.44
BENNINGTON	\$ 38,513.31	\$ (172.01)	\$ 38,341.30	0.13%	\$37,799.48
BENTON	\$ 13,505.77	\$ (60.32)	\$ 13,445.45	0.04%	\$13,255.45
BERLIN	\$ 198,554.91	\$ (886.77)	\$ 197,668.14	0.65%	\$194,874.80
BETHLEHEM	\$ 94,111.09	\$ (420.31)	\$ 93,690.78	0.31%	\$92,366.79
BOSCAWEN	\$ 74,211.21	\$ (331.44)	\$ 73,879.77	0.24%	\$72,835.74
BOW	\$ 194,358.73	\$ (868.03)	\$ 193,490.70	0.64%	\$190,756.40
BRADFORD	\$ 77,865.24	\$ (347.75)	\$ 77,517.49	0.25%	\$76,422.06
BRENTWOOD	\$ 102,517.69	\$ (457.86)	\$ 102,059.83	0.34%	\$100,617.58
BRIDGEWATER	\$ 45,113.49	\$ (201.49)	\$ 44,912.00	0.15%	\$44,277.33
BRISTOL	\$ 80,972.72	\$ (361.64)	\$ 80,611.08	0.26%	\$79,471.93
BROOKFIELD	\$ 28,834.73	\$ (128.78)	\$ 28,705.95	0.09%	\$28,300.29
BROOKLINE	\$ 125,473.26	\$ (560.38)	\$ 124,912.88	0.41%	\$123,147.68
CAMPTON	\$ 112,328.43	\$ (501.68)	\$ 111,826.75	0.37%	\$110,246.48
CANAAN	\$ 137,530.27	\$ (614.23)	\$ 136,916.04	0.45%	\$134,981.22
CANDIA	\$ 98,307.82	\$ (439.05)	\$ 97,868.77	0.32%	\$96,485.74
CANTERBURY	\$ 82,367.15	\$ (367.86)	\$ 81,999.29	0.27%	\$80,840.52
CARROLL	\$ 24,447.49	\$ (109.19)	\$ 24,338.30	0.08%	\$23,994.36
CENTER HARBOR	\$ 34,712.89	\$ (155.03)	\$ 34,557.86	0.11%	\$34,069.51
CHARLESTOWN	\$ 134,518.69	\$ (600.77)	\$ 133,917.92	0.44%	\$132,025.47
CHATHAM	\$ 12,072.48	\$ (53.92)	\$ 12,018.56	0.04%	\$11,848.72
CHESTER	\$ 127,992.57	\$ (571.64)	\$ 127,420.93	0.42%	\$125,620.29
CHESTERFIELD	\$ 132,831.16	\$ (593.24)	\$ 132,237.92	0.43%	\$130,369.21
CHICHESTER	\$ 78,864.18	\$ (352.22)	\$ 78,511.96	0.26%	\$77,402.47
CLAREMONT	\$ 278,845.21	\$ (1,245.36)	\$ 277,599.85	0.91%	\$273,676.96
CLARKSVILLE	\$ 18,135.83	\$ (81.00)	\$ 18,054.83	0.06%	\$17,799.69
COLEBROOK	\$ 81,562.48	\$ (364.27)	\$ 81,198.21	0.27%	\$80,050.76
COLUMBIA	\$ 36,354.86	\$ (162.36)	\$ 36,192.50	0.12%	\$35,681.05
CONCORD	\$ 754,995.55	\$ (3,371.90)	\$ 751,623.65	2.47%	\$741,002.13
CONWAY	\$ 220,921.78	\$ (986.66)	\$ 219,935.12	0.72%	\$216,827.12
CORNISH	\$ 86,695.27	\$ (387.19)	\$ 86,308.08	0.28%	\$85,088.42
CROYDON	\$ 33,051.47	\$ (147.61)	\$ 32,903.86	0.11%	\$32,438.88

DALTON	\$	53,788.75	\$	(240.22)	\$	53,548.53	0.18%	\$52,791.81
DANBURY	\$	74,753.01	\$	(333.85)	\$	74,419.16	0.24%	\$73,367.51
DANVILLE	\$	96,648.94	\$	(431.65)	\$	96,217.29	0.32%	\$94,857.60
DEERFIELD	\$	130,666.87	\$	(583.58)	\$	130,083.29	0.43%	\$128,245.03
DEERING	\$	82,820.80	\$	(369.89)	\$	82,450.91	0.27%	\$81,285.76
DERRY	\$	583,871.33	\$	(2,607.64)	\$	581,263.69	1.91%	\$573,049.60
DORCHESTER	\$	21,913.21	\$	(97.87)	\$	21,815.34	0.07%	\$21,507.06
DOVER	\$	528,754.42	\$	(2,361.48)	\$	526,392.94	1.73%	\$518,954.25
DUBLIN	\$	68,807.82	\$	(307.31)	\$	68,500.51	0.23%	\$67,532.50
DUMMER	\$	15,919.85	\$	(71.10)	\$	15,848.75	0.05%	\$15,624.78
DUNBARTON	\$	89,147.35	\$	(398.14)	\$	88,749.21	0.29%	\$87,495.06
DURHAM	\$	253,882.07	\$	(1,133.87)	\$	252,748.20	0.83%	\$249,176.50
EAST KINGSTON	\$	45,638.42	\$	(203.83)	\$	45,434.59	0.15%	\$44,792.53
EASTON	\$	7,596.38	\$	(33.93)	\$	7,562.45	0.02%	\$7,455.58
EATON	\$	36,906.24	\$	(164.82)	\$	36,741.42	0.12%	\$36,222.21
EFFINGHAM	\$	70,998.71	\$	(317.09)	\$	70,681.62	0.23%	\$69,682.79
ELLSWORTH	\$	5,023.29	\$	(22.43)	\$	5,000.86	0.02%	\$4,930.19
ENFIELD	\$	124,179.64	\$	(554.60)	\$	123,625.04	0.41%	\$121,878.04
EPPING	\$	160,217.62	\$	(715.55)	\$	159,502.07	0.52%	\$157,248.08
EPSOM	\$	112,866.71	\$	(504.07)	\$	112,362.64	0.37%	\$110,774.79
ERROL	\$	4,222.00	\$	(18.86)	\$	4,203.14	0.01%	\$4,143.74
EXETER	\$	262,096.08	\$	(1,170.56)	\$	260,925.52	0.86%	\$257,238.27
FARMINGTON	\$	143,711.65	\$	(641.83)	\$	143,069.82	0.47%	\$141,048.04
FITZWILLIAM	\$	87,741.00	\$	(391.86)	\$	87,349.14	0.29%	\$86,114.77
FRANCESTOWN	\$	81,651.38	\$	(364.66)	\$	81,286.72	0.27%	\$80,138.02
FRANCONIA	\$	46,409.18	\$	(207.27)	\$	46,201.91	0.15%	\$45,549.01
FRANKLIN	\$	178,856.47	\$	(798.79)	\$	178,057.68	0.59%	\$175,541.47
FREEDOM	\$	75,885.37	\$	(338.92)	\$	75,546.45	0.25%	\$74,478.87
FREMONT	\$	101,540.40	\$	(453.49)	\$	101,086.91	0.33%	\$99,658.41
GILFORD	\$	194,145.23	\$	(867.08)	\$	193,278.15	0.64%	\$190,546.85
GILMANTON	\$	134,006.75	\$	(598.49)	\$	133,408.26	0.44%	\$131,523.01
GILSUM	\$	28,127.82	\$	(125.62)	\$	28,002.20	0.09%	\$27,606.49
GOFFSTOWN	\$	369,168.67	\$	(1,648.75)	\$	367,519.92	1.21%	\$362,326.33
GORHAM	\$	54,591.74	\$	(243.82)	\$	54,347.92	0.18%	\$53,579.91
GOSHEN	\$	26,745.27	\$	(119.45)	\$	26,625.82	0.09%	\$26,249.56
GRAFTON	\$	77,827.93	\$	(347.59)	\$	77,480.34	0.25%	\$76,385.43
GRANTHAM	\$	58,411.07	\$	(260.87)	\$	58,150.20	0.19%	\$57,328.45
GREENFIELD	\$	65,541.33	\$	(292.72)	\$	65,248.61	0.21%	\$64,326.55
GREENLAND	\$	80,778.44	\$	(360.77)	\$	80,417.67	0.26%	\$79,281.25
GREENVILLE	\$	37,465.63	\$	(167.32)	\$	37,298.31	0.12%	\$36,771.23
GROTON	\$	22,845.11	\$	(102.03)	\$	22,743.08	0.07%	\$22,421.69
HAMPSTEAD	\$	173,834.87	\$	(776.37)	\$	173,058.50	0.57%	\$170,612.93
HAMPTON	\$	269,213.49	\$	(1,202.34)	\$	268,011.15	0.88%	\$264,223.77
HAMPTON FALLS	\$	60,815.91	\$	(271.61)	\$	60,544.30	0.20%	\$59,688.72
HANCOCK	\$	79,699.21	\$	(355.95)	\$	79,343.26	0.26%	\$78,222.03
HANOVER	\$	245,285.95	\$	(1,095.48)	\$	244,190.47	0.80%	\$240,739.71
HARRISVILLE	\$	51,045.85	\$	(227.98)	\$	50,817.87	0.17%	\$50,099.74
HARTS LOCATION	\$	1,874.27	\$	(8.37)	\$	1,865.90	0.01%	\$1,839.53
HAVERHILL	\$	151,385.89	\$	(676.11)	\$	150,709.78	0.50%	\$148,580.03
HEBRON	\$	24,178.21	\$	(107.99)	\$	24,070.22	0.08%	\$23,730.07
HENNIKER	\$	148,794.71	\$	(664.53)	\$	148,130.18	0.49%	\$146,036.89
HILL	\$	45,077.34	\$	(201.32)	\$	44,876.02	0.15%	\$44,241.86
HILLSBOROUGH	\$	156,086.68	\$	(697.11)	\$	155,389.57	0.51%	\$153,193.69
HINSDALE	\$	84,107.12	\$	(375.64)	\$	83,731.48	0.28%	\$82,548.23
HOLDERNESS	\$	62,728.63	\$	(280.16)	\$	62,448.47	0.21%	\$61,565.98
HOLLIS	\$	197,771.90	\$	(883.27)	\$	196,888.63	0.65%	\$194,106.31
HOOKSETT	\$	266,134.87	\$	(1,188.59)	\$	264,946.28	0.87%	\$261,202.21
HOPKINTON	\$	165,517.63	\$	(739.22)	\$	164,778.41	0.54%	\$162,449.85

HUDSON	\$	476,326.70	\$	(2,127.33)	\$	474,199.37	1.56%	\$467,498.25
JACKSON	\$	35,571.23	\$	(158.87)	\$	35,412.36	0.12%	\$34,911.93
JAFFREY	\$	140,132.72	\$	(625.85)	\$	139,506.87	0.46%	\$137,535.44
JEFFERSON	\$	40,358.47	\$	(180.24)	\$	40,178.23	0.13%	\$39,610.45
KEENE	\$	421,973.23	\$	(1,884.58)	\$	420,088.65	1.38%	\$414,152.19
KENSINGTON	\$	49,932.00	\$	(223.00)	\$	49,709.00	0.16%	\$49,006.54
KINGSTON	\$	147,595.38	\$	(659.18)	\$	146,936.20	0.48%	\$144,859.78
LACONIA	\$	289,406.61	\$	(1,292.52)	\$	288,114.09	0.95%	\$284,042.62
LANCASTER	\$	91,967.68	\$	(410.74)	\$	91,556.94	0.30%	\$90,263.11
LANDAFF	\$	25,440.46	\$	(113.62)	\$	25,326.84	0.08%	\$24,968.94
LANGDON	\$	37,056.37	\$	(165.50)	\$	36,890.87	0.12%	\$36,369.55
LEBANON	\$	282,292.24	\$	(1,260.75)	\$	281,031.49	0.92%	\$277,060.11
LEE	\$	97,713.44	\$	(436.40)	\$	97,277.04	0.32%	\$95,902.38
LEMPSTER	\$	58,470.05	\$	(261.13)	\$	58,208.92	0.19%	\$57,386.34
LINCOLN	\$	31,504.11	\$	(140.70)	\$	31,363.41	0.10%	\$30,920.20
LISBON	\$	69,106.52	\$	(308.64)	\$	68,797.88	0.23%	\$67,825.67
LITCHFIELD	\$	176,507.33	\$	(788.30)	\$	175,719.03	0.58%	\$173,235.87
LITTLETON	\$	153,103.77	\$	(683.78)	\$	152,419.99	0.50%	\$150,266.08
LONDONDERRY	\$	540,331.66	\$	(2,413.19)	\$	537,918.47	1.77%	\$530,316.91
LOUDON	\$	155,048.24	\$	(692.47)	\$	154,355.77	0.51%	\$152,174.50
LYMAN	\$	42,325.53	\$	(189.03)	\$	42,136.50	0.14%	\$41,541.05
LYME	\$	84,093.51	\$	(375.57)	\$	83,717.94	0.28%	\$82,534.88
LYNDEBOROUGH	\$	74,635.12	\$	(333.33)	\$	74,301.79	0.24%	\$73,251.80
MADBURY	\$	47,589.94	\$	(212.55)	\$	47,377.39	0.16%	\$46,707.88
MADISON	\$	88,756.91	\$	(396.40)	\$	88,360.51	0.29%	\$87,111.85
MANCHESTER	\$	1,746,861.07	\$	(7,801.64)	\$	1,739,059.43	5.71%	\$1,714,484.02
MARLBOROUGH	\$	65,716.25	\$	(293.50)	\$	65,422.75	0.21%	\$64,498.23
MARLOW	\$	38,436.41	\$	(171.67)	\$	38,264.74	0.13%	\$37,724.00
MASON	\$	66,370.75	\$	(296.42)	\$	66,074.33	0.22%	\$65,140.60
MEREDITH	\$	184,500.17	\$	(824.00)	\$	183,676.17	0.60%	\$181,080.56
MERRIMACK	\$	524,493.21	\$	(2,342.45)	\$	522,150.76	1.72%	\$514,772.02
MIDDLETON	\$	53,029.72	\$	(236.84)	\$	52,792.88	0.17%	\$52,046.84
MILAN	\$	39,989.28	\$	(178.60)	\$	39,810.68	0.13%	\$39,248.10
MILFORD	\$	289,831.03	\$	(1,294.42)	\$	288,536.61	0.95%	\$284,459.17
MILTON	\$	111,800.13	\$	(499.31)	\$	111,300.82	0.37%	\$109,727.98
MONROE	\$	29,094.09	\$	(129.94)	\$	28,964.15	0.10%	\$28,554.84
MONT VERNON	\$	82,256.65	\$	(367.37)	\$	81,889.28	0.27%	\$80,732.07
MOULTONBOROUGH	\$	127,760.03	\$	(570.59)	\$	127,189.44	0.42%	\$125,392.07
NASHUA	\$	1,380,762.44	\$	(6,166.66)	\$	1,374,595.78	4.52%	\$1,355,170.76
NELSON	\$	37,660.96	\$	(168.20)	\$	37,492.76	0.12%	\$36,962.93
NEW BOSTON	\$	178,405.70	\$	(796.79)	\$	177,608.91	0.58%	\$175,099.04
NEW CASTLE	\$	16,973.13	\$	(75.81)	\$	16,897.32	0.06%	\$16,658.54
NEW DURHAM	\$	98,492.39	\$	(439.88)	\$	98,052.51	0.32%	\$96,666.89
NEW HAMPTON	\$	91,528.42	\$	(408.78)	\$	91,119.64	0.30%	\$89,831.99
NEW IPSWICH	\$	130,567.46	\$	(583.13)	\$	129,984.33	0.43%	\$128,147.46
NEW LONDON	\$	115,435.76	\$	(515.55)	\$	114,920.21	0.38%	\$113,296.22
NEWBURY	\$	102,655.85	\$	(458.48)	\$	102,197.37	0.34%	\$100,753.17
NEWFIELDS	\$	37,188.95	\$	(166.09)	\$	37,022.86	0.12%	\$36,499.67
NEWINGTON	\$	33,094.30	\$	(147.80)	\$	32,946.50	0.11%	\$32,480.92
NEWMARKET	\$	158,571.65	\$	(708.20)	\$	157,863.45	0.52%	\$155,632.61
NEWPORT	\$	155,123.57	\$	(692.80)	\$	154,430.77	0.51%	\$152,248.44
NEWTON	\$	92,750.76	\$	(414.24)	\$	92,336.52	0.30%	\$91,031.67
NORTH HAMPTON	\$	88,976.64	\$	(397.38)	\$	88,579.26	0.29%	\$87,327.51
NORTHFIELD	\$	113,245.94	\$	(505.77)	\$	112,740.17	0.37%	\$111,146.99
NORTHUMBERLAND	\$	44,084.24	\$	(196.88)	\$	43,887.36	0.14%	\$43,267.17
NORTHWOOD	\$	89,223.43	\$	(398.48)	\$	88,824.95	0.29%	\$87,569.73
NOTTINGHAM	\$	132,227.28	\$	(590.54)	\$	131,636.74	0.43%	\$129,776.52
ORANGE	\$	19,187.43	\$	(85.69)	\$	19,101.74	0.06%	\$18,831.80

ORFORD	\$	55,659.68	\$	(248.58)	\$	55,411.10	0.18%	\$54,628.06
OSSIPEE	\$	155,119.02	\$	(692.78)	\$	154,426.24	0.51%	\$152,243.97
PELHAM	\$	284,030.12	\$	(1,268.52)	\$	282,761.60	0.93%	\$278,765.77
PEMBROKE	\$	142,912.24	\$	(638.26)	\$	142,273.98	0.47%	\$140,263.44
PETERBOROUGH	\$	167,600.52	\$	(748.53)	\$	166,851.99	0.55%	\$164,494.13
PIERMONT	\$	31,057.09	\$	(138.71)	\$	30,918.38	0.10%	\$30,481.46
PITTSBURG	\$	55,126.21	\$	(246.20)	\$	54,880.01	0.18%	\$54,104.48
PITTSFIELD	\$	100,251.89	\$	(447.74)	\$	99,804.15	0.33%	\$98,393.77
PLAINFIELD	\$	101,053.48	\$	(451.31)	\$	100,602.17	0.33%	\$99,180.52
PLAISTOW	\$	134,061.40	\$	(598.73)	\$	133,462.67	0.44%	\$131,576.65
PLYMOUTH	\$	130,140.29	\$	(581.22)	\$	129,559.07	0.43%	\$127,728.21
PORTSMOUTH	\$	379,437.47	\$	(1,694.62)	\$	377,742.85	1.24%	\$372,404.80
RANDOLPH	\$	14,594.06	\$	(65.18)	\$	14,528.88	0.05%	\$14,323.57
RAYMOND	\$	212,959.61	\$	(951.10)	\$	212,008.51	0.70%	\$209,012.52
RICHMOND	\$	49,303.01	\$	(220.20)	\$	49,082.81	0.16%	\$48,389.20
RINDGE	\$	153,152.20	\$	(684.00)	\$	152,468.20	0.50%	\$150,313.60
ROCHESTER	\$	547,089.27	\$	(2,443.37)	\$	544,645.90	1.79%	\$536,949.27
ROLLINSFORD	\$	50,452.21	\$	(225.33)	\$	50,226.88	0.17%	\$49,517.10
ROXBURY	\$	13,641.98	\$	(60.93)	\$	13,581.05	0.04%	\$13,389.13
RUMNEY	\$	45,524.93	\$	(203.32)	\$	45,321.61	0.15%	\$44,681.15
RYE	\$	117,580.37	\$	(525.13)	\$	117,055.24	0.38%	\$115,401.08
SALEM	\$	580,236.22	\$	(2,591.41)	\$	577,644.81	1.90%	\$569,481.86
SALISBURY	\$	59,261.82	\$	(264.67)	\$	58,997.15	0.19%	\$58,163.44
SANBORNTON	\$	120,492.77	\$	(538.14)	\$	119,954.63	0.39%	\$118,259.50
SANDOWN	\$	143,661.92	\$	(641.61)	\$	143,020.31	0.47%	\$140,999.23
SANDWICH	\$	97,916.11	\$	(437.30)	\$	97,478.81	0.32%	\$96,101.29
SEABROOK	\$	153,595.26	\$	(685.98)	\$	152,909.28	0.50%	\$150,748.45
SHARON	\$	17,840.73	\$	(79.68)	\$	17,761.05	0.06%	\$17,510.06
SHELBURNE	\$	11,482.21	\$	(51.28)	\$	11,430.93	0.04%	\$11,269.39
SOMERSWORTH	\$	197,750.99	\$	(883.18)	\$	196,867.81	0.65%	\$194,085.78
SOUTH HAMPTON	\$	20,009.17	\$	(89.36)	\$	19,919.81	0.07%	\$19,638.31
SPRINGFIELD	\$	51,464.57	\$	(229.85)	\$	51,234.72	0.17%	\$50,510.70
STARK	\$	37,050.59	\$	(165.47)	\$	36,885.12	0.12%	\$36,363.88
STEWARTSTOWN	\$	55,813.29	\$	(249.27)	\$	55,564.02	0.18%	\$54,778.82
STODDARD	\$	31,423.27	\$	(140.34)	\$	31,282.93	0.10%	\$30,840.86
STRAFFORD	\$	110,884.60	\$	(495.22)	\$	110,389.38	0.36%	\$108,829.42
STRATFORD	\$	18,850.10	\$	(84.19)	\$	18,765.91	0.06%	\$18,500.72
STRATHAM	\$	154,287.75	\$	(689.07)	\$	153,598.68	0.50%	\$151,428.11
SUGAR HILL	\$	43,395.18	\$	(193.81)	\$	43,201.37	0.14%	\$42,590.87
SULLIVAN	\$	33,767.90	\$	(150.81)	\$	33,617.09	0.11%	\$33,142.03
SUNAPEE	\$	106,473.70	\$	(475.53)	\$	105,998.17	0.35%	\$104,500.26
SURRY	\$	23,972.23	\$	(107.06)	\$	23,865.17	0.08%	\$23,527.92
SUTTON	\$	97,367.06	\$	(434.85)	\$	96,932.21	0.32%	\$95,562.42
SWANZEY	\$	164,695.47	\$	(735.55)	\$	163,959.92	0.54%	\$161,642.93
TAMWORTH	\$	110,516.30	\$	(493.58)	\$	110,022.72	0.36%	\$108,467.94
TEMPLE	\$	62,922.46	\$	(281.02)	\$	62,641.44	0.21%	\$61,756.23
THORNTON	\$	91,176.72	\$	(407.20)	\$	90,769.52	0.30%	\$89,486.82
TILTON	\$	54,622.11	\$	(243.95)	\$	54,378.16	0.18%	\$53,609.72
TROY	\$	47,812.36	\$	(213.54)	\$	47,598.82	0.16%	\$46,926.18
TUFTONBORO	\$	71,842.61	\$	(320.86)	\$	71,521.75	0.24%	\$70,511.04
UNITY	\$	74,301.51	\$	(331.84)	\$	73,969.67	0.24%	\$72,924.37
WAKEFIELD	\$	118,027.77	\$	(527.13)	\$	117,500.64	0.39%	\$115,840.19
WALPOLE	\$	121,245.33	\$	(541.50)	\$	120,703.83	0.40%	\$118,998.11
WARNER	\$	112,419.08	\$	(502.08)	\$	111,917.00	0.37%	\$110,335.45
WARREN	\$	32,400.10	\$	(144.71)	\$	32,255.39	0.11%	\$31,799.57
WASHINGTON	\$	54,329.38	\$	(242.64)	\$	54,086.74	0.18%	\$53,322.42
WATERVILLE VALLEY	\$	12,037.54	\$	(53.76)	\$	11,983.78	0.04%	\$11,814.43
WEARE	\$	243,896.56	\$	(1,089.28)	\$	242,807.28	0.80%	\$239,376.06



WEBSTER	\$	62,321.11	\$	(278.34)	\$	62,042.77	0.20%	\$61,166.02
WENTWORTH	\$	49,912.15	\$	(222.91)	\$	49,689.24	0.16%	\$48,987.06
WESTMORELAND	\$	72,250.16	\$	(322.68)	\$	71,927.48	0.24%	\$70,911.04
WHITEFIELD	\$	69,774.01	\$	(311.62)	\$	69,462.39	0.23%	\$68,480.79
WILMOT	\$	73,677.16	\$	(329.05)	\$	73,348.11	0.24%	\$72,311.60
WILTON	\$	110,019.17	\$	(491.36)	\$	109,527.81	0.36%	\$107,980.02
WINCHESTER	\$	121,351.55	\$	(541.97)	\$	120,809.58	0.40%	\$119,102.37
WINDHAM	\$	297,202.95	\$	(1,327.35)	\$	295,875.60	0.97%	\$291,694.45
WINDSOR	\$	3,240.77	\$	(14.47)	\$	3,226.30	0.01%	\$3,180.71
WOLFEBORO	\$	155,369.49	\$	(693.90)	\$	154,675.59	0.51%	\$152,489.80
WOODSTOCK	\$	25,673.48	\$	(114.66)	\$	25,558.82	0.08%	\$25,197.64
<b>Grand Total</b>	\$	<b>30,566,534.00</b>	\$	<b>(136,514.00)</b>	\$	<b>30,430,020.00</b>	<b>100%</b>	<b>\$ 30,000,000.00</b>

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

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Tuesday, October 11, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #03-23, appropriating \$600,986 in one time highway block funding for roads and bridges.**

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

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

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





**Subject:** Acceptance of Trust Fund Money

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**Suggested Motions:**

**September 6, 2022**

Councilor moves, "I move that the Franklin City Council set a public hearing for Tuesday, October 11, 2022, at 6:00pm regarding resolution 04-23 to accept approximately \$12,646.07 from Franklin Women's Club for the purpose of setting up an expendable scholarship fund with the City's Trustees of Trust Funds called "Franklin Women's Club Scholarship".

**October 11, 2022**

Councilor moves, "I move that the Franklin City Council adopt resolution 04-23 accepting approximately \$12,646.07 from Franklin Women's Club for the purpose of setting up an expendable scholarship fund with the City's Trustees of Trust Funds called "Franklin Women's Club Scholarship".

**Discussion:**

The Franklin Women's Club established a scholarship fund in late 1980's for female high school seniors looking to further their education in a higher education institution. The women's club administered their own fund over the years; however, the last surviving member of the women's club, Mary Hamm, would like to turn it over to the trustees of trust funds. The scholarship should be awarded by a committee of school authorities and will be distributed after the successful completion of the recipient's first college semester. Report card or transcript and proof of enrollment for the subsequent semester are required for distribution.

**Concurrences:**

This trust fund (along with the other scholarship funds) would be managed by the City's Trustees of Trust Funds, recorded as an expendable trust fund in the City's financial system and reported as an agency fund in the City's financial statements.

**Fiscal Impact:**

This trust fund would not have an impact on the City funds but rather would provide an annual scholarship to one high school senior.



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

316 Central Street  
Franklin, NH 03235

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

**RESOLUTION #04-23**

**A Resolution Relating to the Acceptance of Trust Fund Money.**

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

**WHEREAS**, the City Council of the City of Franklin recognizes the Franklin Women's Club wishes to offer an annual scholarship to Franklin High School students, **and**;

**WHEREAS**, the Franklin Women's Club would like to relinquish their administrative responsibility of the expendable scholarship fund totaling approximately \$12,646.07 to the Franklin Trustees of Trust Funds, **and**;

**WHEREAS**, one annual scholarship of up to \$500 will be awarded to female high school senior attending college in the fall using the award criteria that Franklin High School deems appropriate, **and**;

**WHEREAS**, the scholarship will be released after the successful completion of first semester in college and with proof of continued enrollment for second semester, **now**;

**THEREFORE, BE IT RESOLVED**, that at their regularly scheduled meeting of the City Council on Tuesday, October 11, 2020, the City Council of Franklin, New Hampshire does hereby vote to accept \$12,646.07 from the Franklin Women's Club for the purpose of starting a Franklin High School Scholarship Fund called "Franklin Women's Club Scholarship Fund" placing the monies in an expendable scholarship fund with the City's Trustees of Trust Funds". Female scholarship recipients will be limited to one \$500 scholarship, to be made prior to the start of the second semester with proof of successful completion of first semester and continued enrollment in second semester, using the award criteria that Franklin High School deems appropriate.

**By a roll call vote.**

**Roll Call:**

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

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

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

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

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

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

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

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Tuesday, October 11, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #04-23, to accept approximately \$12,646.07 from Franklin Women's Club for the purpose of setting up an expendable scholarship fund with the City's Trustees of Trust Funds called "Franklin Women's Club Scholarship".**

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

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

**CITY COUNCIL MEETING**  
**AGENDA ITEM VII**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

October 11, 2022

**From: Dan LeGallo, Superintendent**

**Subject: 2022-2023 Appropriations Fund Balance and New Revenue and  
Portrait of a Graduate Grant Funding**

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**Recommendation:**

To allow the Franklin School District to appropriate additional funding from increased adequacy aid, SB420 Extraordinary Need Grant and additional fund balance. The total amount of additional funding is \$988,339. **Also,**

To allow the Franklin School District to appropriate a Portrait of a Graduate grant funding from the Barr Foundation. The total amount of grant funding is \$165,000.

**Suggested Motions:**

**October 11, 2022**

Councilor moves, "I move that the Franklin City Council set a public hearing on November 14<sup>th</sup>, 2022 for Resolution 05-23 appropriating \$988,399 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation.

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

**November 14, 2022**

Councilor moves, "I move that the Franklin City Council adopts Resolution 05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation.

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

**Discussion:**

Due to the final calculation of the adequacy aid formula based on final end of year ADM (Average Daily Membership) the amount increased to \$8,630,294.42 This caused a net increase of \$196,304.82 from original budget projection. The legislature also passed SB420 – Extraordinary Need Grant which provides to the Franklin School District an additional \$360,164.58. Also, due to final year end calculations there was an additional \$431,869.58 of

*Franklin - The Three Rivers City*

FY2022 fund balance. The total amount of additional funding for the school district is \$933,339. The intent of this additional funding would be to appropriate \$234,000 towards to replacement and upgrade of the camera and door access control systems in the district. Also we would like to allocate \$105,244 for the creation of a technology coordinator. The Extraordinary Need Grant is part of the adequacy aid formula and has a specific purpose to the school district which requires an accountability plan due January 9, 2023. The balance of \$288,960.42 we would like to carry it over to support the FY24 budget development.

Franklin School District also was awarded a grant from the Barr Foundation to continue the work of the Portrait of a Graduate program started in FY21. Total new grant funding is \$165,000. This funding will continue the program involving teachers, students, parents and community members to work collaboratively to re-imagine the learning experience in Franklin.

**Fiscal Impact:**

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

**Alternatives:**

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

**Attachments/Exhibits:**

Resolution 05-23





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

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316 Central Street  
Franklin, NH 03235

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

**RESOLUTION # 05-23**

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

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

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

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

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

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

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

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

**An Increase in Revenues:**

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

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

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

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

**An Increase in Expenditures:**

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

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

**By a roll call vote.**

**Roll Call:**

**Councilor Blake** \_\_\_\_\_ **Councilor Desrochers** \_\_\_\_\_ **Councilor Starkweather** \_\_\_\_\_

**Councilor Bunker** \_\_\_\_\_ **Councilor Dzujna** \_\_\_\_\_ **Councilor Trudel** \_\_\_\_\_

**Councilor Chandler** \_\_\_\_\_ **Councilor Ribas** \_\_\_\_\_ **Councilor Zink** \_\_\_\_\_

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

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

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

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

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

**CITY COUNCIL MEETING**  
**AGENDA ITEM VIII**



**CITY OF FRANKLIN**  
**COUNCIL AGENDA REPORT**  
October 11, 2022

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**Subject:      Update on City Hall Committee & Council Consensus on Engineering Study**

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**CITY COUNCIL MEETING**  
**AGENDA ITEM IX**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*October 11, 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

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**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 Monday, November 14, 2022 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 03-23 - Chapter 257**

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

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

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

#### **Chapter 257 Solid Waste Article I**

##### **General Provisions**

**257-01 Purpose:**

The purpose of this Chapter is to describe the procedures and requirements for the management, handling, and disposal of solid waste generated within the City of Franklin, New Hampshire. These provisions shall apply, but not be limited to all activities at the Franklin Transfer Station; Commercial Collection and Storage; Recycling; 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 used in this Ordinance shall mean and be defined as outlined below. Any other words not outlined below and used in this Ordinance shall have its commonly used and understood definition.

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

- 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, NH, including city staff or subcontractors.
- f. City Council: The legislative body of the city.
- g. Commercial Hauler: A private company, corporation, or individual that operates within the city for the collection and disposal of solid waste hired either by the city or by the residential or commercial property owner.
- h. Commercial Unit / Use: A Commercial property containing a business entity or similar use **and** residential multifamily housing dwellings 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 mixed use with multiple business activities or commercial dwelling units.
- i. Concord Regional Solid Waste & Resource Recovery Cooperative (CRSWRRC): The Cooperative of which the city is a participating member where certain types of solid waste are disposed of for incineration; referred to as CRSWRRC in this Ordinance.
- j. Courtesy Notice: A notice, issued by the Director of Municipal Services or designee under the enforcement provision outlined below, to inform a resident or property owners that they are not in compliance with one or more provisions of this Ordinance. This notice may be used as the first step in the overall enforcement process and is intended to be an educational and informational reminder for the proper preparation, handling, and management of municipal solid waste by the property owner.
- k. Construction & Demolition (C&D): All building and construction material not fit for processing at 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 that meet the specifications identified and suitable to be used by the city or their contractor to qualify for pickup by automated collection. These containers are specified by minimum and maximum size, lid color, manufacturer and by other means.
- n. Customer: The individual property owner, tenant, lessee, or other party receiving the base level collection service provided by the city or uses the Transfer Station.
- o. Director: The Director of the Municipal Services Department or a designee(s) to act on the city's behalf to manage its Municipal Solid Waste Curbside Collection Program.
- p. Formal Notice of Noncompliance: A notice, issued by the Director of Municipal Services or designee under the enforcement provision outlined below, to inform a resident(s) or property owner(s) they are not in compliance with one or more provisions of this Ordinance. This notice may be used as the first or second step in the overall enforcement process. The issuance of multiple formal notices can result in loss of service, penalties, or enforcement actions as outlined in this Ordinance.
- q. Gross Annual Tonnage: The amount of municipal solid waste that the city delivers to the CRSWRRRC and other permitted solid waste disposal facilities on an annual basis. This amount is annually calculated by the city and might 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 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 that 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 all of the materials accepted by the City for recycling and which will be transported to firms contracted by the city for recycling services. These materials could be generated by residential units and 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 allowed-items list, which can be found in the written "Transfer Station Guidelines."

- y. Residential Unit: An individual residential dwelling used for habitation. A single-family home is one unit; a two-family structure is a two-unit building; and a multiunit building or complex is designated by the number of individual units like 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 nonrecyclable 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 from or not accepted for regular curbside municipal solid waste collection, which is acceptable at the Transfer Station in accordance with the State of N.H. issued permit to operate. Separated materials must be placed in the appropriate and approved containers for disposal at the Transfer Station.

- bb. Single Stream Recycling: A type of recycling program that allows for the mixing of all types of recyclable materials. The mixing done 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 nonrecyclable materials; also, sometimes referred to as the solid waste stream.
- dd. Special Waste: Hazardous and other types of wastes that 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: Any State or Federal statute, law, regulation or policy intended to address any issue related to the collection, storage or disposal of any solid waste material or any unacceptable or prohibited material.
- ff. Transfer Station: The facility operated by the city, located on Punch Brook Road, where eligible residents, businesses, contractors and persons may deposit trash, recyclables, and various yard and construction waste materials. Please refer to Article III of the Ordinance and the "Transfer Station Guideline" for additional information.
- gg. Transfer Station Guidelines: A written information packet summarizing operational guidelines, facility rules and other pertinent information for the Public who use the facility. These guidelines are updated as needed by the Municipal Services Director for public distribution.
- hh. Trash: Typical Municipal Solid Waste (MSW), i.e. trash and garbage that is generated by a residential dwelling unit or a commercial property.
- 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 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 carry out 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 nonrecyclable materials is a violation of this Chapter and subject to the appropriate enforcement procedures as outlined in Section 257-11. The reason for mandatory separation at the Transfer Station is to help manage, contain and control the costs associated with the disposal and management of solid waste by diverting as many recyclables and specialized types of solid waste from the stream as possible and in accordance with waste bans required by the State of New Hampshire. The listing of designated recyclable materials shall be prepared by the Director and included in the "Transfer Station Guidelines" which can be found on the city website; at the Transfer Station and at the Municipal Services Department office. The list will also be available to civic and business organizations for use in their events and programs.

**257-05 Education:**

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

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

It shall be a violation of this Chapter for any individual, business, property owner, or other person **or entity** to unlawfully dispose of any solid waste, hazardous waste or special waste in a manner not in accordance with the provisions of this Chapter or



contrary to any policy, regulation or guidelines established hereunder, or any applicable state statute or regulation. The dumping or disposal of any type of waste generated from any location outside of the boundaries of the city shall also be considered a violation. The previous sentence notwithstanding, the burial/disposal of ash on the CRSWRRRC property, or any future disposal agreement with the CRSWRRRC to use their land within the city, and approved by the City Council, shall be exempt from the restrictions of this Section. The penalties for any violation of this chapter will be as outlined in Section 257-11 below. Certain materials are not accepted and prohibited through the City Curbside Collection Program and at the Transfer Station. These materials might 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 online list outlining such materials. Violations may be reported to the City of Franklin, Municipal Services Department at 43 West Bow Street or by calling 603-934-4103.

**257-07    Obligation of Parties:**

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

**257-8      Use of 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 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. The forgoing sentence notwithstanding, the Director is authorized to issue formal notices at any point in time if deemed as an appropriate enforcement

action. The Courtesy Notices or the Formal Notices of Noncompliance may be issued by the Director, the MSD's solid waste staff, or the City's Code Enforcement Division. Following the issuance of any formal Notice of Noncompliance of which fines may be assessed, the Director is authorized to order a discontinuance of the curbside pickup for the subject property or to prohibit the offending individual from using 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/noncommercial properties as specified per this Ordinance. Per the adoption of this Ordinance, the Franklin City Council is continuing with its current residential automated curbside collection program with the noted changes, which now 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 use CRSWRRRC Facilities for disposal by means of registering annually on July 1 with the City Municipal Services Department. The sections below will address the automated collection service authorized and approved by the City Council and to be implemented by city staff per this Ordinance and the applicable policies, guidelines and regulations issued by the Director.

**257-21 Transition from the City's current Automated 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 multifamily 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 using the same city owned containers. See Section 257-23 for a description of the types and sizing of the containers to be used.

- a. Single and two-family residences, all of which must be 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. Multifamily residential buildings with three units or 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 will likewise 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 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, as determined by the Director, to the city's collection vehicles in all seasons. All requests to provide residential base level service to these properties must be made in writing and a site visit by the Director shall be conducted on a periodic basis to determine the adequacy of the access and the ability to properly situate containers for the automated pick-up. The base level curbside collection service for these properties may be discontinued by the city at

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

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

**257-23 Automated 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 using specialized containers designed for automated pickup by the city's contracted service. Generally speaking, the containers supplied by the City will continue to be 48, 64, or 96 gallons in size.
- b. Only approved containers as obtained through the city shall be used by the eligible properties for curbside pickup. No nonautomated containers or bags shall be used by the customer for the purpose of curbside pickup. All municipal solid waste must be bagged and placed in the designated container with lid closed. Over-packed containers should be avoided since 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 that exceed the "Base Level Service" amount must be disposed of at the Transfer Station or by means of the residential property owner purchasing a specified container by the city. Containers that 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 containers approved by the Director or designee shall be provided by the city to each property owner eligible for curbside pickup at no charge up to the 192-gallon capacity. The Director or

designee will work with the solid waste staff to determine the sized containers for individual properties based on the amount of trash a property generates. Historic solid waste generation rates and/or trash audits might 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, might 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 might be required to share trash containers based on site specific conditions and circumstances.
- g. The containers are the property of the City of Franklin and are not to be removed from the property even in the event of a change in ownership or resident status. All automated containers shall be assigned to a street address.
- h. 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 Noncompliance letter to the owner and/or customer indicating that the next repair necessary due to neglect or abuse will result in a charge for the repair or replacement of the container at a cost to the property owner or tenant. Similarly, if the containers are improperly removed from the property, the owner might be charged for the next replacement container. The property owners are ultimately 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 pickup shall be prepared by the Director or designee. The schedule will be available at City Hall, the 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 to animals. If containers are improperly placed, overfilled or contain unacceptable items, the city or contractor reserves the right to refuse container pickup.
- b. Any spillage, such as that resulting from animals, wind-blown litter and other weather conditions, etc., from any containers placed for curbside pickup shall be the responsibility of the owner/customer to clean up. City staff or contractor will not pick up or cleanup 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 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 pickup. It is essential that containers be placed three feet apart and four feet away from any type of fixed object including but not limited to parked vehicles, mail boxes, trees, utility poles, overhead wires, etc. In selected cases, the Director or designee 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 pickup solid waste materials.



- d. The container handle must be facing inward toward the residence to allow for the automated truck to properly pickup and dump the container.

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

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

**257-28 Approved Materials for Pickup:**

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

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

Certain materials will not be collected by the city or the contractor at the curbside. These items include, but are not limited to, sand, stone, or brick products; construction or demolition/building materials; electronics 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 to what constitutes prohibited and unacceptable materials. Many of the items listed above are accepted at the Transfer Station for recycling or general disposal, some of which require a fee. (See Article III for more information on the Transfer Station). No hazardous materials or waste are permitted to be placed out for curbside pickup. All hazardous materials shall be disposed of at a city sponsored or sanctioned hazardous waste collection day or at a regional collection facility authorized to accept hazardous materials.

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

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

**257-31 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 Noncompliance:**

As outlined in Section 257-11, the Director and other city staff identified in this Ordinance are authorized to issue Notices of Noncompliance when it is determined that a property is in violation of the provisions of this Ordinance. The issuance of two (2) Notices of Noncompliance may result in the loss of service for curbside pickup, 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 issue penalties or an order to stop curbside pickup per § 257-33.

### **Article III Transfer Station**

**257-41 Purpose:**

The Franklin Transfer Station provides an alternative method to city residents and commercial customers for the disposal of solid waste, recyclable and nonrecyclable materials that are generated within the boundaries of the City of Franklin. The disposal of certain waste products (for example, appliances, tires, electronics, construction and demolition debris, glass, yard waste, waste oil, mercury containing devices; batteries, propane tanks, certain light bulbs etc.) might require a handling fee due to the disposal charges paid for by the city for these items to redirect them to various markets. Each July the Director of Municipal Services provides an update for customers entitled the "Transfer Station Guidelines." The purpose of this document is to update customers

on fees, operational changes and any other factual information necessary to keep residents and commercial customers informed. These guidelines are available on the city website, at the Transfer Station and the Municipal Services Department office.

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

The Director shall establish days and hours of operation for the Transfer Station. These will be posted at the Transfer Station; on the city's website; 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 Decals:**

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 Nonresidents and Contractors:**

Nonresidents 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 (like a tax bill, letter of authorization, contract between property owner and contractor), and type and

amount of materials must be provided when requesting a permit. All applicable disposal polices, 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 statues or laws, or if the disposal fee of any outside vendor changes. Any such emergency fees shall be submitted to the City Council at its next available meeting for review and approval or modification as deemed appropriate by the Council.

257-49    **Handling and Management of Materials at, and on route to, the Transfer Station:** All vehicles, including cars, trucks, trailers and commercial haulers, etc., shall properly cover and contain any and all materials being transported to the Transfer Station so as to prevent the spillage litter and blowing of materials onto the public roadway system. Failure to provide such covering, resulting in the spillage and blowing of any materials onto the roadway, shall be considered a violation of this Chapter and the violator may be subject to the enforcement provisions of Section 257-11. The provisions of State RSA 266:72, which contains similar provisions and state requirements for the proper transport and handling of all materials, shall also apply.

257-50    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 property's weekly or biweekly trash generation rate.

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

It shall be the responsibility of the property owner(s) of record to ensure that adequate storage capacity and trash disposal services are available for its tenants. The city requires pickup of all types of solid waste generated from a commercial property for numerous public health reasons. In order to guarantee compliance, the property owner(s) must provide a sufficient number of containers to meet the amount of trash generated by its tenants on a weekly or biweekly basis. Containerized receptacles can either be a dumpster that 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 use the city contractor for "commercial containerized curbside collection" pickup may contact the Municipal Services Department to obtain the contact information necessary to assist with obtaining commercial service that 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 30<sup>th</sup> annually.

**257-67 Disposal of Waste under City's Annual Tonnage Agreement with Wheelabrator and the CRSWRRRC:**

The commercial haulers that 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 might 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 that permits disposal. The purpose of bypassing the City Transfer Station and hauling directly to an outside facility is to avoid the reprocessing of municipal solid waste.

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

Only trash and solid waste materials generated within the boundaries of the City of Franklin may be disposed of at the 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. The city may request a list of customers for verification that they are complying with this requirement.

**257-69 Prohibited Wastes:**

Any firm that the city, or the appropriate regional agency, has a contract with to dispose of solid waste is authorized to prohibit or ban certain materials from disposal. No prohibited materials are to be placed or disposed of in any can, dumpster, or other receptacle. It is the obligation of all 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 7:00 a.m. to 7:00 p.m., Monday through Saturday. No collections are to be made outside of these hours except when unusual circumstances may arise. The Director of Municipal Services or designee shall be notified and seek approval if such conditions warrant.

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

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



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

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

- a. The solid waste disposal areas shall be kept clean and free of trash, debris, windblown litter, furniture, and any other solid waste. All materials shall be placed within the appropriate containers and shall not be placed on the ground adjacent to the containers. For items like furniture, mattresses, or other large items that cannot be placed in the containers or dumpster, the property owner or other responsible party is obligated to make arrangement with their collection firm to collect these items or to use 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 that shall be closed at all times, except when materials are being deposited in and/or removed from said containers. The containers shall not be overfilled so that the lid or cover is not closed or closable, or otherwise not effective in preventing spillage, blowing, or other dispersal of the waste materials.
- c. All containers shall be solid in design, such as metal or heavy plastic cans or the standard dumpster. This provision notwithstanding, if the Director or the Code Enforcement Division of the city determines that 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 X**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of October 11, 2022*

**Subject: Other Business**

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

**Adjournment**

## **Mayor Appointments**

### **Recommended Motions:**

“I re-nominate Wayne St. Ives for the Upper Merrimack River Local Advisory Committee, seat MR3, term of service to October 2028.”

## **Councilor Appointments**

### **Recommended Motions:**

“I move that the Franklin City Council accept the resignation of Angela Swett from the Library Board of Trustees effective immediately.”



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

City Council Meeting October 11, 2022

**Date:** October 5, 2022  
**From:** Judie Milner, City Manager  
**Subject:** City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$265.61
- Congratulations:
- Reminder – City Council Meeting Date for November
- Committee meetings – October:
  - Fire
  - Joint Finance
- Welcome:
- City Clerk's Office Closed 11/8
- Media contacts – Spark Magazine
- Shout Outs
- Public Forum
- Soup Fest/Get Out & Play Day
- Drug Take Back Day