

CITY OF FRANKLIN
CITY COUNCIL MEETING
August 6, 2018
6:00 P.M.





CITY COUNCIL MEETING
Monday, August 6, 2018
6:00 PM – Council Chambers – CITY HALL

SALUTE TO THE FLAG

PUBLIC HEARINGS

Ordinance #03-19 – An Ordinance proposing an amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1 Fees with regard to Fees charged for Services by the City of Franklin; Fire Alarm Listed Agent Fees.

Agenda Item I.

City Council to consider the minutes of the minutes of the July 2nd City Council Meeting.

Agenda Item II.

Monthly School Board Update.

Agenda Item III.

Update from the Mayor's Drug Task Force.

Agenda Item IV.

Update on Property Re-evaluation.

Agenda Item V.

Council to consider Ordinance #03-19, a change to the Franklin Municipal Code Chapter 160, Fees to add Listed Agent Fees.

Agenda Item VI.

Council to consider rescheduling the September Council Meeting falling on the Labor Day Holiday.

Agenda Item VII.

Council to consider selling back 175 South Main Street taken by tax deed to previous owner.

Agenda Item VIII.

Council to consider disposition of City property to merge with 15 Tannery Street.

Agenda Item IX.

Council to consider ratification of the Municipal Services employee's union contract through 6/30/21. *(Agenda correction made and approved by the City Manager during the August 6, 2018 City Council Meeting). This date was originally incorrectly stated "through 6/30/20" but should have stated "through 6/30/21. "*

Agenda Item X.

Council to consider setting a public hearing for Resolution #02-19, accepting and appropriating a \$30,000 USDA grant for technical assistance.

Agenda Item XI.

Council to consider setting 2 consecutive public hearings for application for Community Development Block Grant Feasibility Study funds for predevelopment technical assistance for the Arts & Culture Hub.

Agenda Item XII.

Council to consider setting a public hearing on resolution 03-19 Authority to Borrow additional funds from the Drinking Water State Revolving Fund for the Pleasant street pressure reducing vault project.

Agenda Item XIII.

Other Business

1. Committee Reports
2. City Manager's Update
3. 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 by stairwell elevator. Those wishing to attend who are hearing or vision impaired may make their needs known by calling 934-3900 (voice), or through "Relay New Hampshire" 1-800-735-2964 (T.D./TRY)

CITY COUNCIL MEETING
AGENDA ITEM I



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting Of August 6, 2018

Subject: Approval of Meeting Minutes

Motion: “I move that the Franklin City Council approve the minutes of the July 2nd City Council Meeting.”

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



Pending City Council Approval

City Council Meeting July 2, 2018

Call to Order

Mayor Giunta called the meeting to order in the Council Chambers, Franklin City Hall at 6:01 p.m.

City Council in Attendance

Mayor Tony Giunta, Councilor Paul Trudel, Councilor George Dzujna, Councilor Jo Brown, Councilor Heather Moquin, Councilor Bob Desrochers, Councilor Olivia Zink, Councilor Scott Clarenbach, Councilor Bob Ribas, Councilor Steve Barton

Salute to the Flag was led by City Manager Judie Milner.

Public Hearing

A public hearing was scheduled regarding Ordinance #01-19, proposing a change to the Franklin Municipal Code Chapter 160, Fees, 160-1 Fees to increase the Water Commodity Charge and an increase in the Sewer Disposal Charge.

Resident Roy Delbrack, 4 Edwards St. returned again for another water increase hearing. Mr. Delbrack expressed some frustration apologizing for wasting the City Council's time and also the City Council wasting his time. He stated that the water commodity charge has risen 43% in the last 4 years. If this latest increase is approved, it will increase 46.8% in the 4.5 years. He stressed that during this same period, inflation has increase 5.67%. The water flat rate was \$20.00 in 2014, up 50% in the 1st quarter of 2015. He feels this is like hitting a defenseless player or defenseless rate payer. He compared this rate increase with other consumer increases that residents have experienced during this time frame. He began by sharing the last 4 years of his bills with rate information for Metrocast Atlantic Broadband Cable TV which are up 36.2% for expanded basic service. He stated that when our water expense increases are out running our cable tv rate, we have a problem. PSNH is up 8.9%. Dartmouth College only raised their rates 13.3%. People are borrowing money to pay for these school increases. Adding runaway water rates will not be a good recipe mix for this town. He further expressed his frustration stating that this financial tactic compares to a slum lord on Bow Street who needs to squeeze a few more dollars out of a section 8 housing program. If rates increases continue, there will be more vacant properties and water conservation from those who live here. He stated that he'd like to make a \$20.00 wager that the City will increase water by \$10.00 (33%) by the end of 2019. He continued by stating that we shouldn't worry and keep searching for the Franklin Holy Grail industry to come here and save us. And keep a candle burning in hopes that Northern Pass will happen. He concluded by stating that maybe Permaculture, our shiny new revitalization plan, will bless our downtown with fancy restaurants and expensive products and food that no-one here can afford.

David Terrian, ward 2 resident stated that he has returned again to oppose this latest rate increase. He asked the City if it is back charging waterworks to service vehicles and asked if the dump trucks

are being used for other purposes such as snow plowing. He stated that he saw back hoe trucks being used for snow plowing and wondered how that is handled as far as back charges.

City Manager Judie Milner responded to Mr. Terrian stating that she and Director Brian Sullivan discuss the budget and number of vehicles every year and allocate out the Water and Sewer. The Water and Sewer is separated out and handled and accounted for like its own private business. Water and Sewer has two vans used for data collection (for billing). The City charges "one-time fees" to plow the Water and Sewer Department streets (Tannery St., Water & Sewer garage, water treatment facility and the road to the water treatment facility). Milner stated that she is unaware of the excavator out doing snow removal and only a portion of the fleet is charged to Water and Sewer.

Mr. Terrian asked City Manager Milner if she didn't know if the back hoe is being used to plow and Milner clarified that she wasn't aware that it was being used but it could be if it was needed for Water and Sewer purposes as mentioned above or possibly a burst pipe. Milner stated that the fleet is reviewed every year, last time was this past January, and at that point, it wasn't being used.

Franklin resident (Desiree) asked if this fee increase includes the infrastructure renewal or will it keep going up every time we need to update our infrastructure and what is the sustainability plan since she is the owner/operator of the laundry matt? She understands that increases are nationwide, not just in Franklin.

City Manager Milner replied to Desiree stating that the Water and Sewer rates that were in the manager's Proposal did not include a sustainability plan. It only reflects a minimum increase. When it was discussed at the Council level, members asked about a sustainability plan to help smooth out the rates over the next few years. The Council requested 2.5% increase each year to help smooth out rates of the next few years and get some funds to do more capital projects and address the ones that haven't been done over the last several years. The City's infrastructure is older and needs updating.

Mayor Giunta stated that Director Brian Sullivan has been out for a little while and City Manager Milner is answering some questions that he would normally be speaking to.

Leigh Webb, ward 3 resident stated that he had several conversations with Director Sullivan and understand the increasing need to raise the rates due to infrastructure failures. Mr. Webb's question based on his neighbor's comments that over the last 4 years, there have been significant raises but how many years before that, has the City actually raised the rates and do we have a history of rate increases. Maybe they can be spread out over time and be a little less painful. When we are talking about infrastructure that is close to failure, these increases become a necessity. Can we afford not to do the work that is needed. What if a hydrant didn't have water going to it in case of a fire? We are very close to an infrastructure crisis. He concluded by stating that as painful as it is, he is in favor of the increase.

Mayor Giunta asked City Manager Milner if we have a history of the water rate increases by year. Milner replied that we do and on page 15 of the manager's budget proposal is the history of increases for both Water and Sewer and stated that Mr. Webb is correct by stating we maintained the same

Water and Sewer rate for about 7 years. Milner stated that the City used some placeholder money being held for the new water facility, toward the water rates so they could stay the same.

Franklin resident asked if the 2.5% increase was the increase of the total bill or is it 2.5% for water and another 2.5% for the sewer. City Manager Milner stated that the bill isn't split 50/50 or 2.5% and 2.5% because some people don't have sewer and they are different total amounts. The 2.5% increase applies to the entire bill.

A Franklin resident heard and asked the Council if monthly, bi-monthly or quarterly billing is being considered. Mayor Giunta stated that he wasn't aware of this and has not discussed this with the City Council. City Manager Milner stated that monthly billing would be difficult to do because of the current staff and availability to administratively create and process monthly billing. It's currently split by ward and manageable to process quarterly billing based on this. Franklin resident stated that he had a conversation with Director Sullivan who said the City was going to start doing this monthly. The Franklin resident wasn't sure if Director Sullivan was just trying to push his buttons and upset him. Franklin resident had questioned the early 1st quarter bill (early by 2-3 weeks) and figured there would be 5 payments for the rest of the year and felt like the residents were getting the short end of the stick.

No further comments from the public.

Public Hearing on Ordinance #01-19 closed at 6:21PM

Open for Public Comments

Annette Andreozzi, ward 3 resident stated as a Choose Franklin board member, she officially requested on behalf of the board to utilize the Opera House on the 4th Monday of September for the Candidate's members meeting. Her second request as she is involved in the Celebrity Waiters Dinner on September 8th, is for 'celebrity waiters' to help serve dinner. Mayor Giunta has committed to being one of the waiters and asked the rest of the City Council if others would volunteer. Stop by the Opera House and let Dan know that you want to join in. Mayor Giunta stated that he has volunteered for the last 15 years and he enjoys it very much.

Leigh Webb, ward 3 resident questioned the language describing 82 Elkins St. and asked if it were truly dilapidated and uninhabitable. He stated that he walked through this building and asked the Council if they have actually walked through it and if they agree on it being dilapidated and uninhabitable. Council responses (could not hear who) said that it was somewhat of both and to certain degrees. Leigh believes that it's still a functioning building. His main reason for mentioning 82 Elkins is that once it is torn down and new construction begins, the City will oversee the practices of new materials and proper disposal of the old possible toxic materials.

Leigh wanted to share some facts regarding the recent Tax Cap discussion at the previous Budget Workshop meeting. Leigh shared a newspaper article from 1996 and discovered that the tax rate was

\$27.28 (still under the tax cap) and last year's rate was \$25.56. Surprisingly the actual increase rate would bring the numbers to about the same. On the flip side of that, Mayor Giunta stated that property values have doubled in some cases.

No further comments from the Public.

Public Comments Session closed at 6:26PM

City Council Acknowledgement

Mayor Giunta shared a Thank You card in response to the City's Welcome card that was given to the new Downtown Franklin business; Driven by Art. Councilor Dzujna delivered the new business the card and flowers. Mayor Giunta thanked Councilor Dzujna for doing the very kind gesture.

Agenda Item I.

City Council to consider approval of the minutes of the May 9th School Budget Presentation and the minutes of the June 4th City Council Meeting.

Motion - Councilor George Dzujna moved that the City Council approve the minutes of the May 9th School Budget Presentation and the minutes of the June 4th City Council Meeting

Seconded by Councilor Paul Trudel

Councilor Steve Barton Abstained.

Discussion: Councilor Ribas request to approve with amended changes he provided.

All in favor. Motion passed.

Agenda Item II.

Monthly School Board update provided by Dan LeGallo. The Schools are quiet and slower pace with the kids not there however the summer programs kick up next week so the hallways will be busy again. Mr. LeGallo introduced two new employees: Jefferson Brayman is the new business administrator and Ken Darsney as the new Middle School Principal. Mr. LeGallo recognized the Mayor and those from the City Council who attended the High School graduation on June 15th. It was a great evening and those who attended did not go unnoticed.

Mr. LeGallo stated that the roof project has been on site and began working since June 21st. The project is moving quickly. He stated that he met with the Energy company (EEI) this morning and the installation of the 5 boilers is moving along (2 are already installed). There will need to be a few power outages at the schools to light the boilers and he will contact Kevin to be sure he's aware. He also stated that the safety projects are moving along as well. Two safety projects were approved and the Governor or Governor's Council will need to sign off on the third round of funding for these. It is a very busy summer with all the projects going on at all three schools this year.

Councilor Dzujna asked Mr. LeGallo if part of the safety projects is to paint the lines at the schools. Mr. LeGallo stated that this is considered routine maintenance, not part of the safety project and the schools are mainly responsible but may reach out to the City for help. He agreed that it is time to do this.

Agenda Item III.

Mayor's Drug and Alcohol Task Force update by Kayla Bertolino. Kayla stated that the Task Force holds a leadership meeting on the 3rd Tuesday of each month here at City Hall. During the June Leadership meeting, topics discussed were on sustainability and possibly adding a coalition to the calendar so there can be more community involvement. There were monthly coalition meetings in the past and Kayla stated that she'd like to start having them again. Upcoming events were shared: National Night Out and Franklin Area Theatre Shows. The Task force provides a little financial support and runs a quick video before the show start time. She visits with the children during free lunch time at the high school and during the Farmer's Market. Kayla stated that a Task Force table was set up for the Winni River Days event where she spoke with families and handed out a few Task Force items. She stated that she participated in a Youth Health Training Class offered by the Merrimack County Juvenile Services Department and is now Certified to handle a variety of other mental health issues. She is engaging in Coalitions with other communities to discuss the latest struggles our youth is facing such as Vaping. One study recently showed that 37% of 15-24 year olds are uncertain whether Juling/Vaping contains nicotine. They don't understand or know what they are putting in their bodies and ALL Jule products have nicotine in them. She stated that the focus during this summer and fall will be making sure the students and staff, all understand these risks. During the summer, the Task Force will be working closely with school district SAP Christina Lamate from the Office of School Wellness to create a presentation of the use of e-cigarettes and vaping teaching our youth so can then go back out and present to the community the things they have learned. Kayla is also working on partnering with the Franklin Recreational Center and Franklin Boys and Girls club to share ideas on prevention.

Mayor Giunta asked if the Council had any questions for Kayla. Councilor Ribas stated that he was glad the Juling topic has come up and he directed his comments toward Superintendent LeGallo as well, asking them both how prevalent is Juling in our community. Kayla stated that it's happening daily in the bathrooms and is a big problem. Councilor Dzujna stated that some of the names of the flavors (cotton candy, gummi bears, etc.) open the door for very young kids to be attracted and addicted to doing this. Dzujna also commented on sustainability and asked when the funding stops. Kayla responded that it goes to September 2019.

Agenda Item IV.

City Council to consider approval of Ordinance #01-19, allowing an Amendment to the Franklin Municipal Code Chapter 160, Fees, 160-1 Fees charged for FY2019 Water Commodity and Sewer Disposal Rates.

Mayor asked for discussion.

Councilor Dzujna stated that he understands the reasons for the increase due to the City's failing infrastructure however he'd like a meeting with Director of Municipal Services to be held first to look at what is actually needed for repairs and how the cost can possibly be spread out.

Motion - Councilor Dzujna moved that the City Council TABLE the Approval of Ordinance #01-19. Seconded by Councilor Trudel.

By show of hands, all those in favor of TABLING Ordinance #01-19.

4 - Yes

5 – No

Motion to TABLE FAILS

Motion - Councilor Clarenbach moved that the Franklin City council adopt Ordinance #01-19 relating to Chapter 160-1, Fees changing the Water Commodity Charge to \$6.62 and Sewer Disposal Charge to \$7.09 effective July 1, 2018 by a roll call vote.

Seconded by Councilor Ribas

Mayor Giunta asks for Discussion.

Councilor Desrochers stated that this is not a plan this is just another increase. Franklin residents cannot afford another rate increase. Landlords end up having to cover the extra expenses because renters can't afford it and pretty soon, many homes and apartments will be empty. The rates just keep going up and up. He stated that we have to do better planning. He opposes this type of increase and will not vote for it without a plan.

Councilor Clarenbach spoke directly to Councilor Desrochers stating that he understands his concerns and recognizes that the City's Water & Sewer Infrastructure is in dire conditions. He stated that the Plan that Desrochers is asking for will end up costing the taxpayers even more than this current type of requested increase. Clarenbach shared that it's unfortunate that no-one is speaking to the last 14 years when there was no increase to water whatsoever. The need here is for Franklin to provide adequate drinking water and have water available for Fire Protection. He agreed with Mr. Terrian's comments referring to equalizing labor, equipment, and hydrant use to the general taxpayer. Under the tax cap, we're not going to get the taxpayer to help fund the water use charge for fire hydrants

like they do in other communities. There are a lot of pieces to this. He stated that he doesn't see any year when the rates won't go up, even slightly. The cost of everything continuously goes up. Water conservation is decreasing revenue and why the user fee has increased. He doesn't like the fact that fees have to go up but due to the needs of the City's infrastructure, Clarenbach stated that he supports the Amendment and will vote to increase the Water and Sewer rates.

There were no additional comments from the Council.

Mayor Giunta asked City Manager what her proposals were in the original FY19 Proposed Budget. City Manager replied that the increase for Water was 1.3% (\$6.53) and the Sewer Disposal rate increase was .7% (\$6.96). Mayor Giunta stated that he will VETO the increase as proposed but won't VETO if the City Manager's proposed rates are accepted by the council. Mayor Giunta asked the Council if anyone was willing to make an Amendment to the Motion.

Motion - Councilor Jo Brown to amend the original Motion as stated above and change the Water rate to \$6.53 and Sewer Disposal rates to \$6.96.

Seconded by Councilor Desrochers.

Councilor Ribas asked City Manager Judie Milner if she could speak to how this reduction in the rate increase would affect the work that needs to happen which will not with this change.

City Manager Milner stated that during a recent Budget Workshop, the Council asked for a 2.5% increase to level out the increases over the years instead of up and down over the years. This resulted in a Capital Outlay increase to our Water Fund by \$20,000 and the Sewer Fund by \$24,000. The pressure reduction vault is one of the projects planned with the funds raised from the 2.5% increase. Councilor Ribas stated that the vault is very important and can't support the Amended Motion. Mayor Giunta added that if Director Brian Sullivan were here tonight, he would explain the work that is necessary so because he is not, he doesn't feel comfortable supporting the vote on the higher original amounts.

There were no further comments.

By show of hands, in FAVOR of the Amended Motion as stated above with the change in the Water rate to \$6.53 and Sewer Disposal rate to \$6.96.

5 – Yes

4 – No

Roll Call was then requested.

Roll call:

Councilor Barton	<u>Yes</u>	Councilor Desrochers	<u>Yes</u>	Councilor Ribas	<u>Yes</u>
Councilor Brown	<u>Yes</u>	Councilor Dzujna	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Clarenbach	<u>No</u>	Councilor Moquin	<u>No</u>	Councilor Zink	<u>Yes</u>

Amended Motion Passed

Agenda Item V.

City Council to consider disposition of Tax Acquired Property.

City Manager Milner provided some background on 139 Thunder Road and Prescott Street. She stated that she chose these two particular properties due to the City's interest in them. She reviewed the locations and conditions that will need to be met by winning bid purchaser.

Motion - Councilor Ribas moved to authorize the City Manager to dispose of the following properties through a bid process with the minimum bid as shown and conditions of properties as outlined above and to further execute all closing documents required for the conclusion of the referenced sale. Map/Lot# 100-012-00, 139 Thunder Road, recommended minimum bid of \$10,000 and Map/Lot# 095-008-00, Prescott Road, recommended minimum bid of \$2,500.

Seconded by Councilor Trudel

Mayor Giunta asked for any discussion.

Councilor Dzujna wanted to know if the noted parameters need to be stated as part of the motion. City Manager Milner replied stating the Map/Lot# and Property Location are the only requirements for the Motion.

Councilor Ribas commended the City Manager for identifying these properties with potential buyers so the City doesn't have to pay the cost of tearing down these dilapidated structures.

Roll Call:

Councilor Barton	<u>Yes</u>	Councilor Desrochers	<u>Yes</u>	Councilor Ribas	<u>Yes</u>
Councilor Brown	<u>Yes</u>	Councilor Dzujna	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Moquin	<u>Yes</u>	Councilor Zink	<u>Yes</u>

All in Favor. Motion Passed

Agenda Item VI.

City Council to consider lease of 82 Elkins Street to the Community Action Program.

City Manager Milner stated that this address is City owned and currently holds CAP and a Diversion Program and one other. The building is old and falling apart. CAP received a CDBG Grant and USDA Grant so the building can be raised and replaced with a modular type building to sit on the same slab

foundation. In the summer of 2017, the City Council approved the CDBG Grant and this project with the understanding that a lease would be forthcoming once we knew what their funding would be. There is a loan portion of the Grant money and a 30 year lease is required in order to move forward. Both Paul Fitzgerald and the CAP Attorney have reviewed and are in agreement with the Lease Agreement between the City of Franklin and CAP.

Motion - Councilor Ribas moved that the Franklin City Council approve the 30 year lease of 82 Elkins Street to the Community Action Program foregoing rental payments considering this an in kind donation to the Community Action Program and authorize the City Manager to sign the lease on behalf of the City.

Seconded by Councilor Desrochers

Mayor asked for Discussion.

Councilor Ribas stated that the Juvenile services really want to get back into Franklin due to better location and easier to commute to.

Councilor Zink asked if CAP wanted to move out of the new facility for any reason, are we liable to continue to pay on the lease since we own the property? City Manager Milner stated that there is a document called the Lease Hold Mortgage that will be signed between CAP and USDA that will protect the City from having to pay on the remaining balance of the Lease.

Mayor asked for the vote. By unanimous decision, Motion PASSED.

Agenda Item VII.

There were no updates for the Committee Report Out

City Manager's Update presented by City Manager, Judie Milner.

- 1) City Manager Milner stated that the City received a \$100.00 donation for the tennis backboard from Levin this month.
- 2) Federal Agency Day was held on June 12th. The event was hosted by Mayor Giunta and was well attended. The City of Franklin was given the opportunity to present our biggest ideas in support of our business owners and in turn, the Federal Agencies who attended, provided information on how they can help fund these projects. The river project was walked with the EDA Agent so they could see the project and discuss the plans for this project. EDA is currently funding the permitting and the design.
- 3) Milner stated that she reached out to John Freeman, Doug Hall, Andru Volinsky and John Tobin regarding a school **funding Workshop in Franklin similar to the one on July 13th in Pittsfield**, and they are very interested so stay tuned for that date.
- 4) On June 25th, Mayor Giunta and City Manager Milner attended the annual meeting of the Lakes Region Planning commission where Marty Parichand and Todd Workman received

community service awards for their work in the City of Franklin's downtown and community. Congratulations and Well Done to Marty and Todd!

- 5) June 22nd through June 24th was first annual Winni River Days festival which was held downtown and despite the rainy weather, it was very well attended and a big success. Job Well Done to Krystal Alpers.
- 6) Milner stated that Haynes Brook have completed their project, 4 weeks early. There is still some minor paving that can be done fairly quickly.
- 7) Assessing re-evaluations is complete. Letters will be sent out with phone numbers and meeting dates during the end of July. Taxpayers who have questions about the Assessments should contact the Assessing department.
- 8) Milner explained that the Town of Salisbury is about to celebrate their 250 year Anniversary and asked if Franklin would like to participate in their parade. The Parade will be held at 10AM on August 11th. Milner stated that she is planning to dress up and drive her 5 ton in the parade. All councilors are invited to ride or walk. Please arrive by 9:00AM to get situated.
- 9) Milner concluded with the Choose Franklin's request to use the Council Chambers on the 4th Monday of September for the candidates' forum. The Council is fine with Choose Franklin using the Council Chambers on September 24th.

Councilor Desrochers commented on the very bumpy road at Haynes Brook and wondered if there was any grant money left for road repairs. City Manager Milner stated that the City reached its' maximum on the grant money but there is also some road work with the MTIF that hasn't been used and in the very least, Liberty Utilities will come out and smooth out there work. Either way, the City is currently working with the road engineers to get the road fixed at Haynes Brook.

Motion - Councilor Desrochers moved to enter into a non-public session according to RSA 91-A:3, II(I) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present. By roll call vote.

Seconded by Councilor Trudel

Councilor Barton	<u>Yes</u>	Councilor Desrochers	<u>Yes</u>	Councilor Ribas	<u>Yes</u>
Councilor Brown	<u>Yes</u>	Councilor Dzujna	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Moquin	<u>Yes</u>	Councilor Zink	<u>Yes</u>

By unanimous vote, motion passed.

Entered into non-public session at 7:09 PM

Motion made by Councilor Desrochers to enter back into public session.

Seconded by Councilor Trudel.

Entered into Public Session at 8:07 PM

Motion - Councilor Trudel to reconsider the vote that was taken on Thursday June 28th between the City Council and the School Board.

Seconded by Councilor Dzujna.

Mayor asked for Discussion. There was none.

Roll call to reconsider the vote on June 28th:

Councilor Barton	<u>Yes</u>	Councilor Desrochers	<u>Yes</u>	Councilor Ribas	<u>No</u>
Councilor Brown	<u>Yes</u>	Councilor Dzujna	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Clarenbach	<u>No</u>	Councilor Moquin	<u>No</u>	Councilor Zink	<u>No</u>

5-Support

4-Oppose

Motion to reconsider vote on June 28th PASSED.

Mayor Giunta clarified that this motion means that we need to go back to square one and review options and find a solution to fund the school deficit.

Motion - Councilor Desrochers to adopt resolution 01-19 for appropriations and Estimated Revenues for the fiscal year 2019, In the year of our lord, two thousand and eighteen. Be it resolved by the Franklin City Council of the City of Franklin of the following appropriation of revenues be made for fiscal year 2018/2019:

Seconded by Councilor Trudel

RESOLUTION #01-19

A resolution relating to Appropriations and Estimated Revenues for Fiscal Year 2019.

In the Year of our Lord, Two Thousand and Eighteen.

THEREFORE, BE IT RESOLVED by The City Council of the City of Franklin that the following appropriations and revenues be made for Fiscal Year 2018-2019:

MUNICIPAL DEPARTMENTS

APPROPRIATIONS:

General Operations (MS-232):

General Government	\$1,683,062
Public Safety	5,733,178
Highways & Streets	1,420,512
Sanitation	823,843
Health	194,462
Welfare	141,402
Culture & Recreation	1,052,604
Conservation & Development	105,000
Debt Service	299,585
Capital Outlay	0
Interfund Operating Transfers Out	347,014
Total General Operations Appropriations	\$11,800,661
Other Funds:	
Parks & Recreation Appropriations	\$15,500
Outside Police Detail Appropriations	10,354
Water Appropriations	1,773,460
Sewer Appropriations	1,579,734
Capital Projects Appropriations	1,000,000
Pass Through Grant Appropriations	535,000
Total Municipal Appropriations	<u>\$16,714,709</u>

ESTIMATED REVENUES:

General Operations (MS-434):	
City Revenues General Fund	\$4,140,652
Interfund Operating Transfers In	24,292
Local Taxation	7,635,716
Total General Operations Estimated Revenues	\$11,800,660
Other Funds:	
Parks & Recreation Estimated Revenues	\$15,500
Outside Police Detail Estimated Revenues	10,354
Water Estimated Revenues	1,773,460
Sewer Estimated Revenues	1,579,734
Capital Projects Estimated Revenues	1,000,000
Pass Through Grant Estimated Revenues	535,000
Total Municipal Estimated Revenues	<u>\$16,714,708</u>

SCHOOL DEPARTMENT

APPROPRIATIONS:

General Operations	\$18,304,901
Food Service	0
Total School Department Appropriations	<u>\$18,304,901</u>

ESTIMATED REVENUES:

General Operations	\$12,561,906
Transfer from City	
Use of Fund Balance	260,000
Transfer from Capital Reserve	149,041
Food Service	0
Local & State Taxation	5,333,954
Total School Estimated Revenues	<u>\$18,304,901</u>

MERRIMACK COUNTY

Estimated Tax to be Raised	\$1,652,070
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INDUSTRIAL PARK TAX INCREMENT FINANCING DISTRICT

Estimated Tax to be Raised	\$41,000
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FRANKLIN FALLS MIXED USE TAX INCREMENT FINANCING DISTRICT

Estimated Tax to be Raised	\$40,082
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VETERAN'S CREDITS

Estimated Tax to be Raised	\$144,825
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OVERLAY

Estimated Tax to be Raised	\$31,000
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Roll Call:

Councilor Barton	_____	Councilor Moquin	_____
Councilor Brown	_____	Councilor Ribas	_____
Councilor Clarenbach	_____	Councilor Trudel	_____
Councilor Desrochers	_____	Councilor Zink	_____
Councilor Dzujna	_____		

Councilor Zink asked City Manager if the Water & Sewer reflects tonight's numbers. City Manager stated that it did not and she left Council Chambers to retrieve the correct numbers.

Councilor Barton asked the Mayor if the Council was going to vote tonight on this original budget or if the Council is voting on the budget discussed from last week. The Mayor said that a motion was made tonight and seconded to vote on this budget reviewed tonight by Councilor Desrochers. Councilor Barton expressed concern that this was going to be voted on without the public's understanding. The Mayor stated that the public is present tonight.

Mayor Giunta stated that this budget includes \$207,000 that was moved over and the other \$57,000 that was repurposed outside of their roof account. Councilor Clarenbach stated that this is Judie's budget plus \$157,000 and there needs to be consideration of the Municipal's budget to the School but we haven't had the opportunity to review that with them. Clarenbach stated that due to time constraints this isn't allowing for enough appropriate time and review since last week's meeting was looking at breaking the tax cap. Now that we've started over, the Council hasn't had time to review Judie's budget and we're doing a disservice to Franklin residents. Councilor Clarenbach further explained that since last Thursday's meeting when the Council looked at numbers to help fund the school and voted to break the tax cap which met the goal for the school now as we sit here tonight looking at this version of the budget, we have not, as a Council body, had the opportunity to review the Municipal side of the budget. Mayor Giunta responded stating that the Council has had the opportunity to look at the Municipal side.

Councilor Zink requested to set up a public hearing for July 18th first to review this budget resolution before it is voted on.

Motion - Councilor Desrochers moved to AMEND his motion above and request a public hearing on July 18 to review the Proposed Budget as stated above.

The Council accepted the Amended Motion and agreed to set a public hearing on July 18th.

Motion -Councilor Ribas moved to amend the budget to EXEMPT Municipal Debt Service taking \$459,039 from debt service and make it available to the schools.

Mayor Giunta clarified that this essentially breaks the cap, raise the bar for next year and move \$459,039 over to the school. City Manager Milner directed the Council to look at page 58 of the manger's budget. The CPIU amount is 2.1% (\$300,990), pick-ups are \$167,616, plus \$102,222 from the 18th, plus \$459,039 just exempted would give us a % increase from last year of 7.2% in taxes. If looking at CPIU and the debt only, it would increase 5.3%.

Councilor Clarenbach asked for clarification from Mayor Giunta that if the Council voted to table this discussion, due to timing of Public Notice, the City Manager's Budget will automatically default

without Public Notice by July 18th. Mayor Giunta replied that yes, it will automatically take affect if there is further delay.

**Motion – Councilor Barton moved to TABLE the discussion.
No Second**

Councilor Barton requested clarification on whether the Council will have to vote again adding monies back into Debt Services. He asked if that would automatically come out again next year. Mayor Giunta replied stating that it does not automatically come back out. If the Council wants to exempt municipal bonds again next year, the Council would have to vote again next year to break the cap again next year. The amount that Councilor Ribas proposed stays in the budget for next year, it does not come out. It was further clarified that whatever tax rate is voted on this year, it will remain that same rate next year and new vote will need to be made to lower it.

Councilor Clarenbach shared his frustration as the outcome of working together during the June 28th Budget Meeting has gone backwards due to technicalities and legalities. We are trying to unwind the work we all did last week. He stated that we are, once again, kicking the can down the road for another year if the above Resolution moves forward. The Council felt as if progress was being made last week but is now greatly disappointed.

Councilor Barton expressed concern that neither side, School or City are sitting down, looking at percentages, and coming up with a plan. He stated that he feels this is a sneaky way of reviewing this budget. The public needs a chance to review as well. Mayor Giunta stated that we have just about run out of time before the deadline. He also reminded everyone that we have been reviewing this for three months and no-one is sneaking anything by.

Councilor Ribas agreed with Councilor Barton and Councilor Clarenbach stating that motion last week was a majority vote to provide the schools with the money they needed but now looking at, essentially the same motion but \$200,000 less. He stated that he would like approve this motion and then immediately motion to start next year's budget minus the \$459,000 before negotiations regarding what the tax cap would be. Mayor Giunta responded that a motion can't be made that binds next year's Council.

Councilor Dzujna stated that both sides need to sit down right away next year and talk about how to collaborate and where both sides can save. He believes that if we break the tax cap, it won't come back down and every year we'll keep breaking it. He stated that he doesn't want to see this ride on the backs of the people especially the seniors who can't afford higher taxes.

Roll call on the Amended Motion above

Councilor Barton	<u>Yes</u>	Councilor Desrochers	<u>No</u>	Councilor Ribas	<u>Yes</u>
Councilor Brown	<u>No</u>	Councilor Dzujna	<u>No</u>	Councilor Trudel	<u>No</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Moquin	<u>Yes</u>	Councilor Zink	<u>Yes</u>

Amended Motion Fails (2/3rd Council needed to Pass)

Motion - Councilor Zink moved to move \$99,297 to the school and not purchase or lease any new vehicles this year.

Seconded by Councilor Moquin

City Manager Milner stated that this number includes vehicles that we already have or in process of making payments on.

Motion - Councilor Zink moved to AMEND previous motion to move \$16,500 to the schools and not purchase a new vehicle next year.

Seconded by Councilor Moquin

No further discussion.

Mayor Giunta asked for a raise of hands in favor of no new vehicles next year.

6 – Support

3 – Opposed

Motion Passed

Motion - Councilor Zink moved to amend previous motion and include No COLA/raises for City Employees this year shifting \$79,628 to the schools.

Seconded by Councilor Clarenbach

City Manager Milner stated the background on the COLA. This year union contracts were voted for the school district with teachers receiving 3% increases. A pay study was done almost 5 budget cycles ago and other than department heads; no-one is at the paying class they should be. Some are \$4-\$5 dollars off. She stated that she reviewed teacher's average salaries from the DOE website and placed that onto the City's wage scale. Only 6 other City employees make more than a teacher; the MSD Director, the Fire Chief, the Police Chief, the City Manager, the Finance Director, and the Planning and Zoning Director. People earning less than our teacher's salaries: Police Sergeants who supervise employees, Fire Captains who supervise employees, the Parks and Rec Director, the City Clerk/Tax collector, the Library Director. Milner made clear that she believes teachers are underpaid in the first place. Everyone in this City is underpaid and does not want to balance this budget on the backs of the City's employees either.

Councilor Clarenbach questioned the City employees receiving 100% health care and is difficult to continue each year. Milner responded stating that she requested the school's health care costs but hasn't received it yet however, she believes that the amount the school pays for their employees is close to or more than what the City pays for theirs.

Councilor Desrochers stated that a study was done a few years back and employees chose to keep their health benefits in tact as opposed to receiving salary increases. Other departments are receiving raises. He suggested one way to save money is to plow the streets only from 9-5 instead of overnight but it would add to snow days.

Councilor Zink stated that she didn't make this motion lightly. City employees work hard and deserve raises. Our options are very limited. Cut the City Budget or not shift money to the school and suffer consequences from that. She stated that she prefers to raise taxes and that it equates to an increase on her taxes of \$2.00 per week. But that motion failed so we're down to looking at cuts. The State cut the school's budget not the City but the City has to find the 4% loss to replace that.

Roll call vote on no COLA

Councilor Barton	<u>Abstain</u>	Councilor Desrochers	<u>No</u>	Councilor Ribas	<u>Yes</u>
Councilor Brown	<u>No</u>	Councilor Dzujna	<u>No</u>	Councilor Trudel	<u>No</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Moquin	<u>Yes</u>	Councilor Zink	<u>Yes</u>

Tie Vote – Mayor Giunta exercises NO vote.

Motion fails

Councilor Zink asked for clarification in the Manager's budget for \$60,000 and \$30,000 under contingencies. City Manager Milner stated that the \$60,000 line is offset with \$60,000 of revenue. The donated services and in-kind donations of the Mayor's Drug Task Force are recorded this way. The Grant Agency there is the Federal Health and Services which is required by them to see this line item in the budget. The offsetting revenue can be found on page 66. Contingent Grant Revenue are smaller grants that would cost more than the grant money to place an ad in the paper to appropriate the money.

Motion – Councilor Moquin moved to reduce the Investigation Education Professional Development by \$3,000 and move these funds to the school.

Seconded by Ribas

City Manager Milner referenced page 102 of the proposed budget. The item in question is to pay for the City Prosecutor's Law License and also used for our police detective's required training and investigative supplies.

Councilor Dzujna asked City Manager Milner if this reduction would hinder the detectives. Milner replied that Chief Goldstein had mentioned that cuts to training would cause problems because the training deadlines are here and now.

Roll call

Councilor Barton	<u>No</u>	Councilor Desrochers	<u>No</u>	Councilor Ribas	<u>Yes</u>
Councilor Brown	<u>No</u>	Councilor Dzujna	<u>No</u>	Councilor Trudel	<u>No</u>
Councilor Clarenbach	<u>No</u>	Councilor Moquin	<u>Yes</u>	Councilor Zink	<u>Yes</u>

Motion FAILS

Councilor Zink referred to page 106 of the Manager's budget.

Motion – Councilor Zink moved to no new fence or cameras and shift \$15,413 from the budget to the schools.

Seconded by Councilor Moquin

City Manager Milner stated that these items are needed at the Police Department as our impound lot has been broken into quite a few times this year which jeopardizes evidence and affects the prosecution process. Councilor Clarenbach suggests that we not pick apart line items in a department rather suggest a % cut from a particular department and let them decide where to assess and adjust.

Councilor Dzujna requested clarification on the amount of the gap we are looking to fill. He stated that we need both boards at the table and look at cuts on both sides. Councilor Clarenbach stated that Mayor Giunta made a promise to get us as close to \$400,000 as possible. We have already found \$207,000 so another \$150,000-\$200,000 is what he is hoping for.

Councilor Desrochers stated that if Debt Service Bonds are eliminated, that gives them \$459,039. That equates to \$.83 per thousand tax increase. He asked firmly, why are we not doing this? We can't keep going like this with-out an end in sight. We have no other options. Mayor Giunta replied that this would mean breaking the tax cap.

Councilor Zink withdrew her motion to move the fence and camera maintenance money.

Mayor Giunta offered a suggestion of utilizing the assessed value of \$100,000 that Eversource gave us. City Manager Milner is very conservative and didn't want to add this into the budget. There's a very small chance this could go up for abatement. But time has lapsed and we don't believe they would do that. Mayor Giunta stated to take the other \$100,000 out of fund balance and finish this. Mayor Giunta is not in support of breaking the tax cap. It has been in place for the last 30 years.

Motion – Councilor Ribas moved to take \$250,000 from Fund Balance and make it available to the school.

Mayor Giunta stated that Fund Balance is so critical and would feel better is the assessed value money was used instead. Councilor Ribas responded stated that he'd rather support using money

that we know we have and if we end up getting the \$100,000 from Eversource, then put that money back into Fund Balance.

Councilor Dzujna commented on using the \$250,000 for the City-wide Survey and asked if that would now be eliminated if we move this money from the Fund Balance to the school. City Manager Milner stated that the survey would be one-time expenditure and easier to explain to Moody's especially if we are moving toward a City-wide Efficiency Study that will show us future savings; forward thinking. She stated that she would like a plan in place on how to replace the money.

Mayor Giunta asked for City Manager Milner's opinion on if it is better to take the \$250,000 all from Fund Balance or utilize the \$100,000 from Eversource. Milner stated that would feel better to take the anticipated money from the Eversource and then look at Fund Balance if needed.

Councilor Brown requested the amount that would move to the schools if we do this instead of breaking the tax cap. City Manager Milner stated that the total amount moved to the school would be \$422,722.

Motion – Councilor Clarenbach moved to amend motion and move \$147,760 from Fund Balance, and also use the \$102,240 pick-ups from Eversource.

Seconded by Councilor Desrochers

City Manager Milner reviewed the breakdown of the funds moving to the school: Pick-ups from Eversource from the 6/18/18 meeting of \$102,240, the anticipated assessment from Eversource of \$102,240, Fund Balance of \$147,760, transfer from Capital Reserve of \$54,982, lease payment not to be utilized is \$16,500. **Total is \$422,722.**

Councilor Clarenbach stated that the \$102,240 x2 would come back to the school again next year. The other money would not be going back to the school next year. He stated that we are not out of the hole and lots of work needs to happen to plan for next year.

8 in favor of the Amendment

1 opposed

Motion Passed

Mayor Giunta stressed that we found this money without breaking the Cap.

Back to the original Motion to hold a public hearing on July 18th on this amended budget.

All in favor

Motion passed.

The City Manager will update the Resolution – Mayor Giunta honored a recess for 5 minutes.

Motion – Councilor Zink moved to amend her motion of Fire Department to not be specific on where the \$16,500 would be reduced and allow it to be assessed and reduced from the Fire Departments budget at the Fire Chief’s discretion.

Seconded by Councilor Ribas.

Mayor Giunta requested that Councilor Desrochers motion from his original motion with the adjustments that Judie just reviewed. Then we’ll return with reconsideration on just the one \$16,500 not to be used for lease payments or cars but to be reduced by the Fire Departments budget.

The updated Resolution 01-19 is as follows:

A resolution relating to Appropriations and Estimated Revenues for Fiscal Year 2019.

In the Year of our Lord, Two Thousand and Eighteen.

THEREFORE, BE IT RESOLVED by The City Council of the City of Franklin that the following appropriations and revenues be made for Fiscal Year 2018-2019:

MUNICIPAL DEPARTMENTS

APPROPRIATIONS:

General Operations (MS-232):

General Government	\$1,683,062
Public Safety	5,716,678
Highways & Streets	1,420,512
Sanitation	823,843
Health	194,462
Welfare	141,402
Culture & Recreation	1,052,604
Conservation & Development	105,000
Debt Service	299,585
Capital Outlay	0
Interfund Operating Transfers Out	347,014
Transfer to School District	164,260
Total General Operations Appropriations	<u>\$11,948,420</u>

Other Funds:

Parks & Recreation Appropriations	\$15,500
Outside Police Detail Appropriations	10,354
Water Appropriations	1,773,460
Sewer Appropriations	1,579,734
Capital Projects Appropriations	1,000,000
Pass Through Grant Appropriations	535,000
Total Municipal Appropriations	<u><u>\$16,862,468</u></u>

ESTIMATED REVENUES:

General Operations (MS-434):

City Revenues General Fund	\$4,140,652
Use of Fund Balance	\$147,760
Interfund Operating Transfers In	24,292
Local Taxation	<u>7,635,716</u>
Total General Operations Estimated Revenues	<u>\$11,948,420</u>

Other Funds:

Parks & Recreation Estimated Revenues	\$15,500
Outside Police Detail Estimated Revenues	10,354
Water Estimated Revenues	1,773,460
Sewer Estimated Revenues	1,579,734
Capital Projects Estimated Revenues	1,000,000
Pass Through Grant Estimated Revenues	<u>535,000</u>
Total Municipal Estimated Revenues	<u><u>\$16,862,468</u></u>

SCHOOL DEPARTMENT

APPROPRIATIONS:

General Operations	\$18,571,401
Food Service	<u>0</u>
Total School Department Appropriations	<u><u>\$18,571,401</u></u>

ESTIMATED REVENUES:

General Operations	\$12,561,906
Transfer from Municipal	164,260
Use of Fund Balance	260,000
Transfer from Capital Reserve	149,041
Food Service	0
Local & State Taxation	<u>5,436,194</u>
Total School Estimated Revenues	<u><u>\$18,571,401</u></u>

MERRIMACK COUNTY

Estimated Tax to be Raised	\$1,652,070
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INDUSTRIAL PARK TAX INCREMENT FINANCING DISTRICT

Estimated Tax to be Raised	\$41,000
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FRANKLIN FALLS MIXED USE TAX INCREMENT FINANCING DISTRICT

Estimated Tax to be Raised	\$40,082
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**VETERAN'S
CREDITS**

Estimated Tax to be Raised	\$144,825
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OVERLAY

Estimated Tax to be Raised	\$31,000
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**Motion - Councilor Desrochers moved to accept the changes as shown
Seconded by Councilor Dzujna**

Other Business

Set Public Hearing on Resolution #01-19

All in favor. Motion Passed

Councilor Clarenbach stated that joint school and City Council meetings start as soon as possible in September.

**Motion to Adjourn made by Councilor Zink
Seconded by Councilor Ribas**

Meeting Adjourned at 9:54PM

CITY COUNCIL MEETING
AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of August 6, 2018

Subject: School Board Update

A member of the School Board will provide an update to the Mayor and the City Council.

CITY COUNCIL MEETING

AGENDA ITEM III



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of August 6, 2018

Subject: Mayor's Drug and Alcohol Task Force

Kayla Bertolino will provide a Task Force update to the Mayor and the City Council.

CITY COUNCIL MEETING

AGENDA ITEM IV



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of August 6, 2018

Subject: Property Re-evaluation Update

Mark Stetson will provide an update to the Mayor and the City Council on the re-evaluation process.

CITY COUNCIL MEETING
AGENDA ITEM V



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 6, 2018

From: Judie Milner, City Manager

Subject: Ordinance 03-18, Listed Agent Program Fees

Suggested Motion:

Councilor moves, "I move the Franklin City Council adopt ordinance 03-19 amending the Franklin City Code chapter 160, Fees to include fees of the fire alarm listed agent program."

Mayor calls for second, discussion and roll call vote.

Discussion:

This program and fee are included in the FY2019 budget and discussed at the revenue and fire department budget hearings; however, due to clerical error, it was not included in the fee change ordinance 02-19 passed with the budget in July.

Attachments/Exhibits:

Ordinance 03-19
Listed Agent Program



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

316 Central Street
Franklin, NH 03235

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

ORDINANCE #03-19

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Eighteen;

Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code, Chapter 160, Fees, 160-1 Fees charged for service by the City of Franklin be changed as follows (**bold additional language**, strikethrough for deleted language):

	<u>Current Fee</u>	<u>Change To</u>
Fire Alarm Listed Agent Fees:		
Initial Application	\$0	\$50
Annual Fee	\$0	\$65
Franklin Fire Dept Onsite at Master Box	\$0	\$25
Violation Fees:		
1 st offense	\$0	\$25
2 nd offense	\$0	\$50
After 2 nd offense	\$0	\$100

Fees to be effective July 1, 2018 by a roll call vote.

Roll Call:

Councilor Barton	_____	Councilor Desrochers	_____	Councilor Ribas	_____
Councilor Brown	_____	Councilor Dzujna	_____	Councilor Trudel	_____
Councilor Clarenbach	_____	Councilor Moquin	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____



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

59 West Bow Street • 03235

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

Kevin LaChapelle, Fire Chief

Michael Foss, Deputy Chief

Stephen Reale, Fire Prevention Division, Captain

LISTED AGENT PROGRAM

DEFINITIONS:

CITYWIDE AGENT: One who works for a fire alarm or sprinkler company and may disconnect a fire alarm system from any master box in the City of Franklin, NH for which the agent is legally responsible. Listed agents shall **NOT** disconnect any fire alarm system for any purpose other than system installation or maintenance.

PROPERTY AGENT: One who is a representative of a property owner and may disconnect a fire alarm system from a specific master box or boxes in the City of Franklin, NH for the purpose of maintenance or installation activities. Listed agents shall **NOT** disconnect any fire alarm system for any purpose other than system installation or maintenance.

LISTED AGENT: A listed agent is an individual who has applied for and received training as a Master Fire Alarm Box Listed Agent in the City of Franklin, NH.

WHO MAY APPLY: Any individual who is employed in the fire alarm or sprinkler business or who is a representative of a property owner and has a working knowledge of the operation of the fire alarm system.

ABOUT THE LISTED AGENT PROGRAM

This program has been implemented so that those employed in the fire alarm or sprinkler business or those who are a representative of a property owner and has a working knowledge of the operation of all systems that interact with the master box may disconnect a fire alarm system from any master box in the City of Franklin, NH.

The procedure is as follows:

The company or prospective agent would visit our website or call the Franklin Fire Department for the next Listed Agent Class. Our website is www.franklinnh.org/fire-department/pages/listed-agent-program.

They would complete the online application to become a listed agent. The company will be notified through e-mail with a list of dates for upcoming training sessions. It is required that if you are applying for citywide agent or property agent for a wired master box that the individual shall bring a short arm to the class so that we may engrave their agent number on the part. This part, #23429, may be purchased through Mammoth Fire Alarm at 1-800-995-9808 or RB Allen at 1-800-427-5748 or Progressive Alarm Services at 603-347-8844. Each employee within an organization is required to maintain control of their assigned short arm and master box key.

During the training session the rules and regulations will be reviewed and instructions will be discussed on the disconnect and reconnect procedures. Each individual will also receive a copy of the rules and regulations for future reference.

There is an initial application fee of \$50.00, payable when the application has been submitted. **There will also be an annual fee of \$65.00. Renewal forms and invoices will be mailed annually after July 1st.** Any listed agent that does not return the renewal with the annual fee will be removed from the listed agent program.

For more information regarding this program please visit our website at www.franklinnh.org/fire-department/pages/listed-agent-program.

RULES AND REGULATIONS FOR FIRE ALARM BOX LISTED AGENTS

DISCONNECTION PROCEDURES:

All listed agents shall abide by the following procedures when disconnecting a fire alarm system from a master box:

1. Call the Franklin Fire Department before any disconnection activity is performed.
2. Give the Franklin Fire Department your name and listed agent ID. Describe the type of activity requiring the disconnection.
3. Once you have received authority from the Franklin Fire Department take the following steps:

WIRE MASTER BOX: Open the red outer door and the white inner door of the master box. Carefully remove the long arm from the mechanism. Replace the long arm with the short arm. Place the long arm on top of the white inner case. Close the white inner door and the red outer door of the master box.

Proceed with the system maintenance activity.

4. If at any time while you are in a Wire Master Box and the box bell tapper sounds you shall stop all activity and wait for the bell to stop tapping. If you inadvertently trip the master box, allow the box to complete all four rounds and **IMMEDIATELY** call the Franklin Fire Department to verify the accidental trip and rewind the box.
5. When the maintenance activity has been completed take the following steps:

WIRE MASTER BOX: Open the red outer door and the white inner door of the master box. Carefully remove the short arm from the mechanism and replace it with the long arm. Check to

see that the metal portion of the long arm is under the black trip mechanism and the trip arm reads set. Check to see that the master box is fully wound. Close the white door and make the certain that no keys, short arms or other objects are in contact with the wiring or the bell-shortening bar in the box. Close the red outer door.

6. Check the status of the fire alarm system. If any yellow or red indicators are lit or if a trouble signal is sound you must check the system and clear it.
7. Call the Franklin Fire Department and give them your name and listed agent ID and let them know that you have completed your maintenance and that the master box has been long armed again.
8. Listed agents shall not, under any circumstance, jump out or disconnect any wiring inside the master box.
9. While the master box is short armed the listed agent **MUST** remain on site
10. Listed agents shall be responsible to provide their own set of master box keys. The listed agent shall present the short arm to the Franklin Fire Department for engraving of his ID number.
11. All questions regarding this program shall be directed to the Franklin Fire Department's Fire Prevention Division.

DURATION OF A LISTING AGENT: A listing agent shall remain in effect until the individual no longer meets the requirements for a listing or has violated the requirements of the Franklin Fire Department for the master fire alarm box listed agents. Listed agents who change employment must reapply for a new listing (this will not require additional classroom instruction, but does require the completion of a new application).

VIOLATION OF REQUIREMENTS FOR LISTED AGENTS: Upon the first violation of these provisions the listed agent and their employer shall receive a written warning of the offense and the employer shall be fined \$25.00.

Upon the second violation of these provisions the listed agent and their employer shall receive a written warning of the offense and the employer shall be fined \$50.00.

Upon the third violation of these provisions the listed agent and their employer shall receive a written warning of the offense and the employer shall be fined \$100.00. The listed agent's privileges will be revoked for a 90-day period. Once the listed agent's privileges have been revoked they will need to call the Franklin Fire Department to have someone go to the location to short arm/long arm their master box. There will be a fee of \$25.00 for each time the Franklin Fire Department has to go to the master box site.

The listed agent will not be reinstated without written proof that the listed agent has received training on the proper use of the fire alarm systems within the City of Franklin.

DISCLAIMER: The Franklin Fire Department by virtue of listing agents does not guarantee, warranty, qualify, approve or certify any individual or company or their performance. The training provided and the rules and regulations which govern the listed agent program are intended to set minimum standards and procedures for listed agents. It is the responsibility of the listed agent and the property owner to assure that the fire alarm system and the master box restored to a normal operating condition after each disconnection.

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

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, August 6th at 6:00 p.m. in the Council Chambers, Franklin City Hall regarding Ordinance #03-19, proposing an amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1 Fees with regard to Fees charged for Services by the City of Franklin; Fire Alarm Listed Agent Fees.

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

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

CITY COUNCIL MEETING
AGENDA ITEM VI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 6, 2018

Subject: Consider rescheduling regularly scheduled September 2018 City Council Meeting falling on the Labor Day Holiday

Suggested Motion:

Councilor moves, "I move that the City Council move the Monday, September 3, 2018, City Council meeting which falls on the Labor Day holiday to ____ (day) ____, ____ (date) ____ at 6pm."

Mayor calls for a second, discussion and vote.

CITY COUNCIL MEETING
AGENDA ITEM VII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council meeting August 6, 2018

From: Judie Milner – City Manager

Subject: Repurchase of Tax Deeded Properties by previous owner
175 South Main Street Map/Lot 099/055/000 (Ham)

Recommended Motion:

Councilor moves, "I move the Franklin City Council deed back 175 South Main Street Map/Lot 099/055/000 upon receipt of all back taxes, water/sewer bills, and interest and penalties prior to August 31, 2018 to Carlton and Mary Ham."

Mayor calls for second, discussion and vote.

Discussion:

For failure to pay property taxes the above property was tax deeded to the City of Franklin.

This property contains a funeral parlor and the previous owner has several prepaid funerals to provide. Mr. Ham has secured funding to repurchase the property totaling \$47,032.15 through 8/31/18. I spoke with Director Lewis and he does not have any problems with and/or restrictions for the property.

If the City chooses not to deed back the property, it will remain off the tax roll until the City cleans out the property, and places it out to bid. The City just took this property so we would be within the 3 year holding period forcing any proceeds above and beyond the amount owed to the City by Mr. Ham to be returned to Mr. & Mrs. Ham. If the City waited to bid out after the 3 year holding period, the property would remain off the tax roll and be susceptible to vandalism, etc.

Attachments/Exhibits:

Property card
Tax statement

OWNER INFORMATION			SALES HISTORY			PICTURE	
FRANKLIN, CITY OF			Date	Book	Page	Type	Price
316 CENTRAL STREET			05/10/2018	3593	2003	U150	1 HAM, CARLTON C & MARY
FRANKLIN, NH 03235			03/27/1981	1390	88	U199	1 ??
LISTING HISTORY			NOTES				
10/19/16	RD	OCC NOT HOME	175 SOUTH MAIN STREET; OIL HEAT 2 FIREPLACES, WALL A/C. FRG HAS 2 CHIMNEY'S; OLD WINDOWS, SIDING GD, ROOF AV/GD= EXT GD FOR AGE; 10/16 - CYCL/NOH - MADE DATA & SKETCH CHANGES; DBA: HL YOUNG & COMPANY MEMORIAL HOME;				
11/02/13	RS	MEASURE ONLY					
03/01/01	CM	ESTIMATED					

EXTRA FEATURES VALUATION									
Feature Type	Units	Length	Width	Size	Adj	Rate	Cond	Market Value	Notes
GARAGE-1 STY	1,320	60	x 22		72	21.63	63	12,951	Yr1980;\$13100;RG4
GARAGE-1 STY	176	22	x 8		151	21.63	17	977	Yr1980;\$1000;RS1
GARAGE-1 STY	3,600				64	21.63	7	3,488	Yr1980;\$3300;PA1
								17,400	
MUNICIPAL SOFTWARE BY AVIAR									
FRANKLIN ASSESSING OFFICE									
PARCEL TOTAL TAXABLE VALUE									
Year	Building	Features	Land						
2016	\$ 168,400	\$ 0	\$ 42,800						
			Parcel Total: \$ 211,200						
2017	\$ 152,200	\$ 17,400	\$ 42,900						
			Parcel Total: \$ 212,500						
2018	\$ 152,200	\$ 17,400	\$ 42,900						
			Parcel Total: \$ 212,500						

LAND VALUATION									
Zone: B1W&S		Minimum Acreage: 0.23	Minimum Frontage: 100	Site: GOOD Driveway: PAVED Road: PAVED					
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond
COM/IND	0.230 ac	42,670	E	100	105	100	100	95 -- MILD	100
COM/IND	0.470 ac	x 646	X	100				95 -- MILD	100
		0.700 ac							
									42,900
									42,900



FRANKLIN, CITY OF
316 CENTRAL STREET
FRANKLIN, NH 03235

OWNER		TAXABLE DISTRICTS	
Date	Permit ID	Permit Type	Notes
FRANKLIN, CITY OF			
316 CENTRAL STREET			
FRANKLIN, NH 03235			
PERMITS			

PERMITS

Date	Permit ID	Permit Type	Notes
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Quality: A2 AVG+20

Com. Wall:

Size Adj: 0.8771

Base Rate:

Bldg. Rate:

Sq. Foot Cost:

BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Effect.
ATF	ATTIC FINISHED	1932	0.25	483
UFF	UPPER FLR FIN	2166	1.00	2166
FFF	FST FLR FIN	2847	1.00	2847
BMU	BSMNT	1932	0.15	290
OPF	OPEN PORCH	342	0.25	86
CRL	CRAWL SPACE	775	0.05	39
SLB	SLB	100	0.00	0
GAR	GARAGE	784	0.45	353
DEK	DECK/ENTRANCE	20	0.10	2
GLA:	5,496	10,898		6,266

2013 BASE YEAR BUILDING VALUATION	
Market Cost New:	\$ 214,297
Year Built:	1879
Condition For Age:	29 %
Physical:	GOOD
Functional:	
Economic:	
Temporary:	
Total Depreciation:	29 %
Building Value:	Data Conversion
	\$ 152,200

Payoff Calculations- Tax Deed Property

175 South Main St

Name: Ham, Carlton C & Mary A

Map 099

Lot 055

Sub 000

Type: Single family

LEVY YEAR DEEDED: 2015 DEED DATE: 4/13/2018 DATE DEED RECORDED: 5/10/2018

PAYOFF DATE: 8/31/2018 ASSESSED VALUE: 2018

\$ 212,500.00

TOTAL AMOUNTS OWED AT DEEDING- 18%

Year: 2015	Principal	\$ 5,765.88	Interest	\$ 2,095.62	Costs	\$ 78.44	Total	\$ 7,939.94
Year: 2016	Principal	\$ 5,680.32	Interest	\$ 1,039.27	Costs	\$ 27.00	Total	\$ 6,746.59
Year: 2017	Principal	\$ 5,766.10	Interest	\$ 82.46	Costs	\$ 25.72	Total	\$ 5,874.28

Days from Deed to

Payoff 140

\$ 1,188.32 PerDiem \$ 8.49

Total Prior Tax Principal \$ 17,212.30 Interest \$ 4,405.67 Costs \$ 131.16 Total \$ 21,749.13

WATER/SEWER AMOUNTS OWED AT DEEDING- 15%

2018W31	Principal	\$ 78.48	Interest	\$ 5.00	Penalty	\$ 10.00	Total	\$ 93.48
2018S31	Principal	\$ 70.16	Interest	\$ 4.47	Penalty	\$ 10.00	Total	\$ 84.63
2018W32	Principal	\$ 81.60	Interest	\$ 1.68	Penalty	\$ 10.00	Total	\$ 93.28
2018S32	Principal	\$ 85.28	Interest	\$ 1.75	Penalty	\$ 10.00	Total	\$ 97.03
2018W33	Principal	\$ 81.60	Interest	\$ -	Penalty	\$ 10.00	Total	\$ 91.60
2018S33	Principal	\$ 85.28	Interest	\$ -	Penalty	\$ 10.00	Total	\$ 95.28

Days from Deed to

Payoff 140

\$ 27.72 PerDiem \$ 0.20

Total Prior Water/Sewer \$ 482.40 \$ 40.62 \$ 60.00 Total \$ 583.02

Total Prior: Principal \$ 17,694.70 Interest \$ 4,446.29 Costs \$ 191.16 Total \$ 22,332.15

SUBSEQUENT TAXES ACCRUED AFTER DEEDING

12%

Year: 2018	Principal	\$ 2,715.75	Interest	\$ 53.57	PerDiem	\$ 0.89	Total	\$ 2,769.32
*1st Half Due	7/2/2018	60						
Year: 2018	Principal		Interest		PerDiem	\$ -	Total	\$ -
*2nd half Due	12/1/2018	(92)						
Year: 2019	Principal		Interest		PerDiem	\$ -	Total	\$ -
*1st Half Due	7/2/2019	-305						

SUBSEQUENT WATER/SEWER ACCRUED AFTER DEEDING- 15%

Year: 2018W34	Principal	30.06	Interest	\$ -	Costs	\$ -	Total	\$ 30.06
2018S34	Principal	30.07	Interest		Costs	\$ -	Total	\$ 30.07
2019W31	Principal		Interest		Costs	\$ -	Total	\$ -
2019S31	Principal		Interest		Costs	\$ -	Total	\$ -
2019W32	Principal		Interest		Costs	\$ -	Total	\$ -
2019S32	Principal		Interest		Costs	\$ -	Total	\$ -
2019W33	Principal		Interest		Costs	\$ -	Total	\$ -
2019S33	Principal		Interest		Costs	\$ -	Total	\$ -

Total Subsequent Taxes:

Principal	\$ 2,775.88	Interest	\$ 53.57	PerDiem	\$ 0.89	Total	\$ 2,829.45
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A: Total Prior

\$ 22,332.15

B: Total Subsequent

\$ 2,829.45

C: Equalized Assessed Value

\$ 212,500.00	Penalty Adjustment	10%	\$ 21,250.00
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D: *Other Charges prior to tax stamp

\$ 270.43

PAYOFF PRIOR TO TAX STAMP:

\$ 46,682.03

TAX STAMP:

Conveyances to a former owner under this section shall not be subject to the real estate transfer tax under RSA 78-B, §40.00 Min

TOTAL PAYOFF:

\$ 350.12

\$ 47,032.15

* Other Charges to include deed preparation, legal and recording fees, etc. at time of sale

- \$ 10.00 Tax Collector's Deed
- \$ 12.49 Record Deed to City
- \$ 30.84 Repurchase Letters
- \$ 12.49 Record Deed
- \$ 54.61 Insurance Premium
- \$ 150.00 Attorney Fees (preparation of closing documents)

CITY COUNCIL MEETING

AGENDA ITEM VIII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 6, 2018

From: Judie Milner, City Manager

Subject: Consideration of disposition of City property (map/lot 097-404-00) abutting 15 Tannery Street

Suggested Motion:

Councilor moves, "I move the Franklin City Council authorizes the City Manager to dispose of City owned property abutting 15 Tannery Street (Map/Lot 097-404-00) through a direct sale to the owner of 15 Tannery Street in the best interest of the City with the conditions the owner of 15 Tannery Street merge the City property with the exception of the boat ramp with 15 Tannery Street property within 30 days of closing and to further execute all closing documents in reference to the sale."

Mayor calls for a second, discussion and vote.

Discussion:

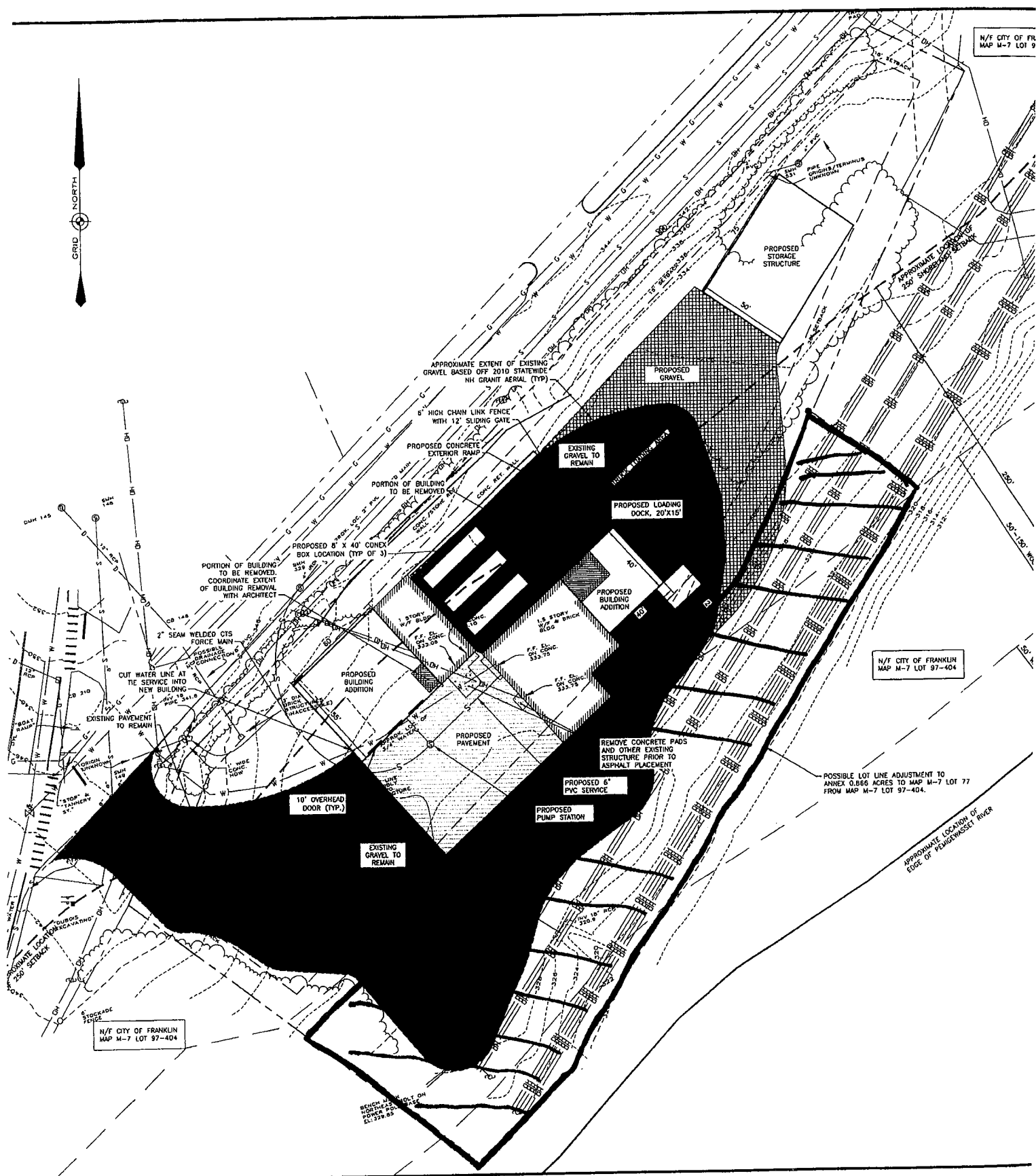
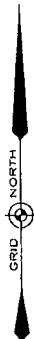
I wanted to open this up to the Council for discussion prior to the developer spending money for site plans, etc. for the planning board. I was approached by Rob Pearlman, who is developing the abutting property at 15 Tannery Street, about acquiring the City's property. The City's property is the piece under the utility lines and down to the Pemigewasset River including the boat ramp. Mr. Pearlman is mostly interested in the portion of the property under the utility lines which closest to his Tannery street property for more turning radius for construction and/or delivery vehicles. Mr. Pearlman is amenable to splitting the property above the water line or providing an easement for fisherman along the water line; whichever the City choses. I recommend that Mr. Pearlman be responsible for the cost of splitting off the boat ramp and merging the remainder of the City owned property with 15 Tannery St.

Fiscal Impact:

The new assessed value for the City owned property is \$84,700. The 2017 value was 24,000 which would add approx. \$600 onto the tax roll at the current tax rate.

Attachments/Exhibits:

Pearlman Mark Up
City Map



N/F CITY OF FR
MAP M-7 LOT 9

N/F CITY OF FRANKLIN
MAP M-7 LOT 97-404

N/F CITY OF FRANKLIN
MAP M-7 LOT 97-404

POSSIBLE LOT LINE ADJUSTMENT TO
ANNEX 0.866 ACRES TO MAP M-7 LOT 77
FROM MAP M-7 LOT 97-404.

APPROXIMATE LOCATION OF
EDGE OF PENNESSSET RIVER

APPROXIMATE EXTENT OF EXISTING
GRAVEL BASED OFF 2010 STATEWIDE
NH GRANIT AERIAL (TYP)

6" HIGH CHAIN LINK FENCE
WITH 12" SLIDING GATE

PROPOSED CONCRETE
EXTERIOR RAMP

PORTION OF BUILDING
TO BE REMOVED

PROPOSED 8' X 40' CONEX
BOX LOCATION (TYP OF 3)

PORTION OF BUILDING
TO BE REMOVED.
COORDINATE EXTENT
OF BUILDING REMOVAL
WITH ARCHITECT

2" SEAM WELDED CTS
FORCE MAIN

CUT WATER LINE AT
THE SERVICE INTO
NEW BUILDING

EXISTING PAVEMENT
TO REMAIN

PROPOSED
BUILDING
ADDITION

PROPOSED PAVEMENT

10' OVERHEAD
DOOR (TYP.)

EXISTING
GRAVEL TO
REMAIN

PROPOSED 6"
PVC SERVICE

PROPOSED
PUMP STATION

REMOVE CONCRETE PADS
AND OTHER EXISTING
STRUCTURE PRIOR TO
ASPHALT PLACEMENT

PROPOSED LOADING
DOCK, 20'X15'

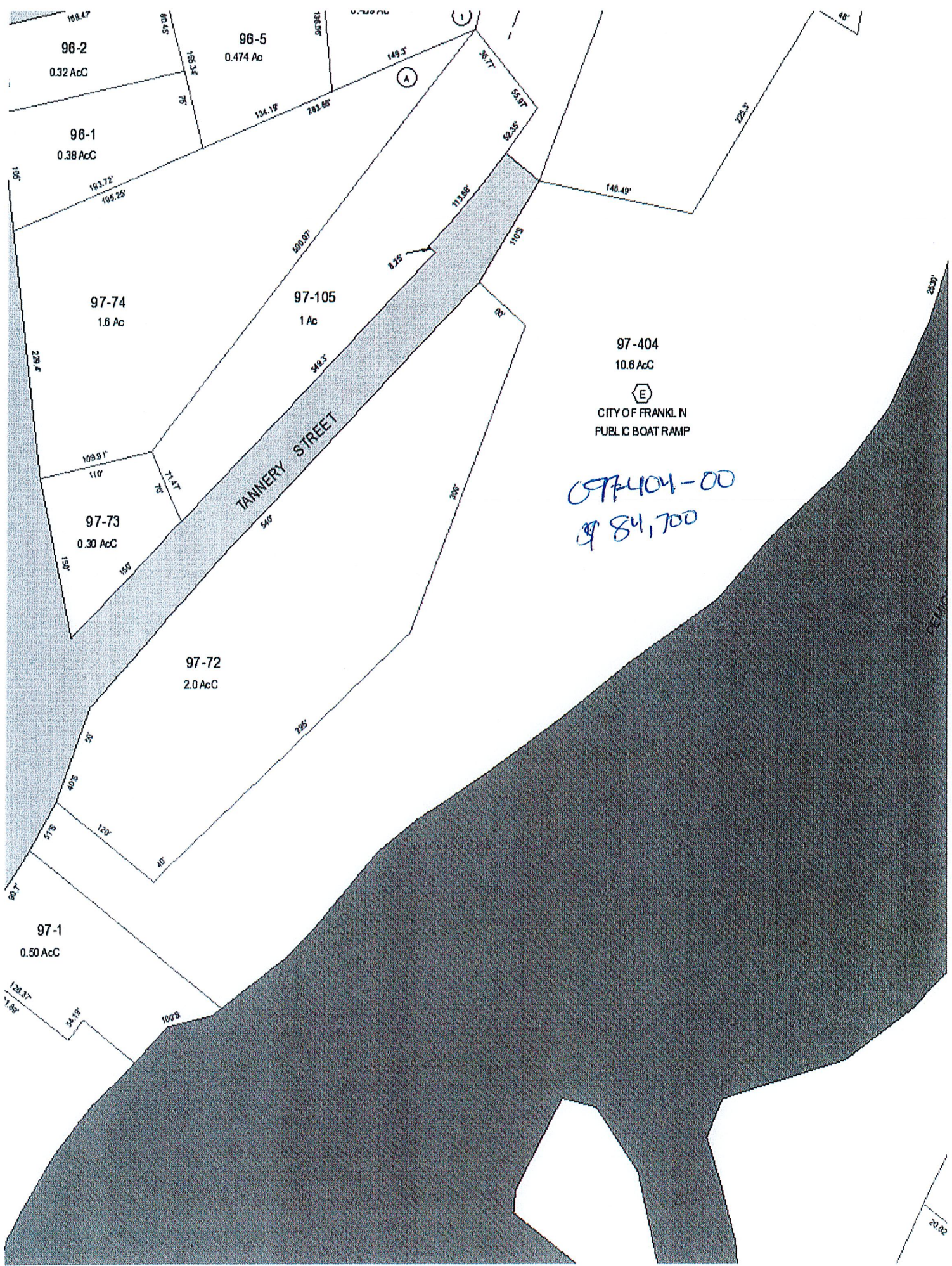
EXISTING
GRAVEL TO
REMAIN

PROPOSED
GRAVEL

PROPOSED STORAGE
STRUCTURE

APPROXIMATE LOCATION OF
SHORELINE SETBACK

BEACH AREA
ORDERED
FOR POWER
EL. 529.88



96-5
0.474 Ac

96-2
0.32 Ac

96-1
0.38 Ac

97-74
1.6 Ac

97-105
1 Ac

97-73
0.30 Ac

97-72
2.0 Ac

97-1
0.50 Ac

97-404
10.6 Ac


CITY OF FRANKLIN
PUBLIC BOAT RAMP

97-404-00
\$84,700

TANNERY STREET

CITY COUNCIL MEETING

AGENDA ITEM IX



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting August 6, 2018

From: Judie Milner, City Manager

Subject: City Council to consider approval of a three year Employee Labor Contract with the State Employee's Association of NH (SEA) (representing municipal service department positions).

City Manager Recommendation:

Approve a three year SEA agreement.

Recommended Motion:

Councilor moves, "I move that the Franklin City Council approve a three year agreement as presented from July 1, 2018 to June 30, 2021 between the City of Franklin and the State Employee's Association of New Hampshire, Inc. (Municipal Service Department Employees)."

Mayor calls for second, discussion, and vote.

Discussion:

The proposed contract changes include:

- 1) Section 2.3, added 2 newest discrimination categories to mirror federal discrimination law.
- 2) Section 3.6, dues for the union have been reported monthly in my entire tenure with the City so adjusted from weekly to monthly to mirror practice.
- 3) Section 5.2, notification of union visits to include Municipal Services office in addition to the City Manager's office.
- 4) Section 5.3, Assigns responsible for content on union board to the union president.
- 5) Section 5.5, another change to mirror practice; the City only has one identification number for employees, payroll number.
- 6) Section 6.2, to remain gender neutral with the addition of "her" when referring to shop steward.
- 7) Section 7.3, added job classifications to management's rights.
- 8) Section 7.4.6, added technologies to list of items management can add, change or discharge.

- 9) Section 7.1.13, added language as conditions warrant to comply with ongoing changes as mandated by federal and state agencies.
- 10) Section 9.5, changed verbiage to actual Personnel Policy (not personnel rules).
- 11) Section 9.6, added clarifying language to call back roster so that the next employee in line that is qualified to handle the issue at hand is called back, changed pager to cell phone, and title of dispatching center at the PD.
- 12) Section 9.6.1, puts responsibility on employee swapping stand by shift to notify PD.
- 13) Section 9.6.2, change to mirror practice for a couple of years now due to operations change in water division – one system check on weekends & holidays now vs. 2.
- 14) Section 9.7, cleaned up language to reflect how comp time actually works and practice; adds MSD Director discretion with notification requirements for comp time usage.
- 15) Section 10.1, adjust the union pay matrix by an additional 1% (over nonunion COLA) for FY2019. This brings the positions in the union a little closer to the pay and class study numbers. I felt this was important to address while the contract was open as it will be 3 years before the contract opens again. The annual FY2019 cost of this adjustment is \$6,370.28. FY2020 and FY2021 COLA and step will match the nonunion employees.
- 16) Section 10.2, corrected the version of current personnel policies, struck the language about employees hired before 7/1/1995 as there are no more employees in that category, corrected title of personnel report used by management since I've been here.
- 17) Article XI, Uniforms, changed to reflect practice. Director Sullivan dispensed with the practice of providing a standardized list of uniforms to all employees several years ago. The employees were not utilizing all of the items but the City was paying for them. Now employees choose up to a limit, the approved uniform clothing that they prefer. This practice has saved the City thousands for items that some employees never took out of their closet year after year.
- 18) Section 14.2, adds clarifying language that comp time must be brought down to a 40 limit before accruing again in the instance employees go over the 40 hour limit when called into worked on Christmas or Thanksgiving holidays.
- 19) Section 14.2.1, adds in the practice of allowing transfer station employees to accrue 40 hours of holiday to take off at a later date. This practice was implemented when the City eliminated a position at the transfer station and operations changed to a Tuesday – Saturday work week for transfer station employees.
- 20) Sections 14.3.1, 14.3.2, and 14.3.3, cleaned up and clarified the vacation language
- 21) Section 14.3.6 C, changed NHRS deductions for terminating employees to mirror State RSA. Whether or not payout of accrued time is subject to retirement depends on whether or not the employee was vested by 7/1/2011. Other changes in retirement occur annually through the legislature, so now the contract will follow RSA and not be out of compliance when changes are made.
- 22) Section 14.5, changes made to mirror personnel policy.
- 23) Section 14.9, added Deputy Director to authorize personal leave.
- 24) Sections 14.11.1, 18.4.2, and 18.4.3 fixed typos.
- 25) Article XXII, changed effective dates of contract to 7/1/18-6/30/21.

ARTICLE II NON-DISCRIMINATION

- 2.3 The provisions of the Agreement shall be applied equally to all employees in the bargaining unit without discrimination as to age, sex, marital status, race, color, creed, national origin, ***sexual orientation, genetics*** or political affiliation. The Association shall share equally with the City the responsibility for applying this provision of the Agreement.

ARTICLE III DUES AND DUES CHECKOFF

- 3.6. The foregoing deductions shall be made for each pay period. The amounts deducted and a list of the employees from whose wage deductions have been made shall be sent to the Treasurer of the Association ~~monthly~~ ***weekly***. The Association agrees to collect all special assessments, initial fees and similar member charges without deductions being made from the employee's wages.

ARTICLE V ASSOCIATION RIGHTS

- 5.2. Staff representatives of the Association shall be allowed to visit the work areas of the employees during working hours and confer on conditions of employment to the extent that such visitations do not disrupt the work activities of the area being visited. Such visits will occur only after the City Manager's ***and Municipal Services*** Office ~~is~~ ***are*** notified ***as to the date and time of the visit.***

- 5.3. The City shall provide a bulletin board for the exclusive use of the Association communicating with employees in the bargaining unit. This board should be located in close proximity to the time clock in the Municipal Services Garage and is to be used solely by the Association to communicate official notices to its members. No posting shall be inflammatory or critical of the department, the City, its employees or any subdivision or board of the City. ***The Chapter President is responsible for maintenance of the postings and upkeep of this board.***

- 5.5. Member and Employee Reports: The Employer agrees to provide payroll deduction information to the Association in usable electronic format or other mutually agreed format at least monthly for the administration of dues deductions and Association programs. In addition, the Employer shall notify the Association at least monthly of all newly hired full-time employees, the names and addresses of all permanent unit employees, and employees who have terminated Franklin service within that month in usable electronic format, or other mutually agreed format.

These reports shall include the following:

Employee's name

Employee's home address
~~Employee's Franklin identification number~~
Employee's payroll number
Employee's labor grade and step
Employee's salary schedule
Employee's placement in any salary structure used or adopted by Franklin
Employee's job classification or job level
Employee's date of employment

ARTICLE VI ASSOCIATION REPRESENTATION

6.2. The Department Head, or person in charge, shall authorize a reasonable amount of time, if necessary, during work hours without loss of time or pay to permit the Steward to carry out his/*her* responsibilities to the employees in the unit. The Steward shall, prior to taking such time off, notify the Department Head or his/*her* designee.

ARTICLE VII MANAGEMENT'S RIGHTS

7.3. It is understood and agreed that the City has all the customary and usual rights, powers, functions and authority of management. Any of the rights, powers, functions or authority which the City had prior to the signing of this agreement, including those in respect of rates of pay, *job classifications*, hours of employment, or conditions of work, are retained by the City except as those rights, powers, functions or authority are specifically abridged or modified by this agreement.

7.4.6. To implement new, and to revise or discharge, wholly or in part, old methods, procedures, materials, equipment, *technologies*, facilities and standards.

7.4.13. The City may prepare, issue, and enforce rules and safety regulations necessary for safe, orderly, efficient operations *as conditions warrant to comply with ongoing changes as mandated by federal and state agencies*.

ARTICLE IX OVERTIME

9.5. Call back provisions shall conform with the Personnel *Policy Rules*.

9.6. The City shall establish a rotating roster for emergency response. All bargaining unit employees eligible for emergency response shall be placed in the rotation, which shall, in the first instance, be established by seniority *and/or job qualifications in order to address the emergency/situation at hand*. New employees shall be placed within the rosters by the director. Any employee who is unable to discharge all duties when scheduled to do so by the roster shall forfeit that opportunity and the opportunity shall pass to the next *eligible/qualified* employee on the roster. Any employee assigned for emergency

response/*call duty* shall wear or keep in his/her immediate proximity a *cell* phone ~~paging device~~ provided by the City. Additionally, the employee assigned for response shall keep the Franklin Police Department *Communications* Dispatch Center advised of *the status of the situation upon completion*. ~~his/her location for purposes of telephone communications at all times that the employee is on stand-by status.~~

9.6.1. An employee on stand-by status may make arrangements for another qualified employee to perform stand-by duties for a portion or all of his/her stand-by shift upon receiving the approval of the director or assistant director *and* upon appropriate notice to the *communications* ~~dispatch~~ center of the Franklin Police Department.

9.6.2. An employee on stand-by/~~pager~~-pay status shall receive additional compensation at the rate of \$1.50 per hour while on such status and shall receive call-back pay pursuant to the relevant provisions of this contract in the event of an emergency response. The additional compensation as stand-by/~~pager~~-pay shall not be included in an employee's base rate for purposes of calculation of over time nor shall it be otherwise subject to the overtime provisions of this agreement. In the event an employee receives multiple calls within the same two hour period, only one (1), two (2) hour call-back premium shall be paid. In the event that the actual time worked exceeds two (2) hours, the relevant portions of this contract dealing with call-back and overtime pay shall apply. It is understood that the employee on call *for the water/sewer divisions* shall be responsible for *one* ~~two (1) (2)~~ system checks to occur on Saturday, and ~~two~~ *one (1) (2)* similar system checks to occur on Sunday and holidays. The employee shall receive call-back pay pursuant to the terms of this article for each of the ~~four (4)~~ scheduled system checks.

9.7. Compensatory Time: All members of the bargaining unit shall be allowed to accumulate up to 40 hours of compensatory time at any given time as opposed to receiving overtime pay.

Compensatory time will be credited to the employee at time and one-half ~~the employee's regular~~ *rate of the hours worked*, subject to the approval of the Municipal Services Director or his/her designee. Notification by the employee of an intention to use compensatory time shall be not more than fifteen days and no less than five days without the approval of the Municipal Services Director. *Occasional exceptions to the notification requirements may be granted by the Municipal Services Director.* Compensatory time may be utilized in conjunction with vacation. The employee shall always retain the right to receive financial compensation as opposed to the use of compensatory time.

ARTICLE X

SALARIES

10.1. All members of the bargaining unit shall receive wage compensation as determined by the attached matrix, for the time period July 1, 2016 ~~2018~~ through June 30, 2018 ~~2021~~. All general wage increases (COLA's) shall become effective with the commencement of the first full pay period after July 1st of any contract year unless otherwise designated by the City Council. All employees within the Bargaining Unit shall receive a *general wage increase of 1% cost of living adjustment of 0.7% on July 1, 2016 2018 in addition to* ~~Effective July 1, 2017, all~~ employees within the Bargaining Unit shall be entitled to receive any general cost adjustment *or step progression* granted by the City to non-unionized employees of living

~~throughout the~~ *term of this agreement.* Movement through the Appendix B matrix shall be done in accordance with Article 10.2.

10.2. ~~Any employee who otherwise meets the requirements of this provision shall receive a merit pay increase during the contract year beginning July 1, 2016 through June 30, 2017. Thereafter,~~ ~~m~~ Movement through the Appendix **B A** matrix shall be as authorized by the City Council. The employees of the Municipal Services Unit shall be under the Merit Pay Plan as defined in the City Personnel Policies dated ~~January 1~~ **October 3, 1995-2011** and shall move through the City pay scale as established, and as limited by such scale. Merit pay shall be ~~used~~ based upon an annual evaluation of the employee, which shall occur, on or about the employee's anniversary date. ~~All current employees of the Municipal Services Department hired prior to July 1, 1995, shall be assigned an anniversary date of July 1st.~~ Any employee promoted from one position to another within the Department shall establish a new anniversary date, which shall be the date of the assumption of their new duties.

The granting of merit raises, being a matter of management rights and discretion, shall not be subject to the grievance procedure. However, an underlying **Spot Performance Appraisal** ~~personnel action report~~, which is relied upon for the denial of a merit raise, shall be subject to the grievance procedure. It is understood and agreed that in the absence of an adverse **Spot Performance Appraisal** ~~personnel action report~~, an employee shall be entitled to receive the merit increase discussed herein.

ARTICLE XI UNIFORMS

11.1. All bargaining unit employees shall be required to wear a departmental uniform during working hours. The uniform items listed below shall constitute the official uniform of the Municipal Services Department; ~~however and there shall be no substitution of items may be approved by the Municipal Services Director or Deputy Director. by the employee or alterations of uniform items except that reasonably good dungarees may be worn in substitution for City issued pants at the employee's discretion.~~

11.2. The following items shall be issued to each employee ~~of~~ by the Department **based on need** and shall be subject to the replacement policy listed below:

Item Replacement

<i>Up to</i> 11 Uniform Shirts	As Needed
<i>Up to</i> 11 Uniform Pants	As Needed
<i>Up to</i> 5 T-Shirts (<i>long or short sleeved</i>)	Annually in May
2-Light-weight Jackets	As Needed
<i>Up to</i> 2 + Winter Reflectorized Jackets	As Needed
1 Pair – Summer Gloves	As Needed
1 Pair – Insulated Gloves	As Needed
1 Pair – Steel-toed Boots or equivalent	Annually in October
1 Pair – Rubber Overshoes	As Needed

2 4 Uninsulated Coveralls (*shop only*) As Needed

1 Set – Full Rain Gear (hat, jacket and pants) As Needed

1 Sweatshirt As Needed

Safety Vests As Needed

1 Baseball Cap As Needed

~~1 Reflective Jacket As needed for winter use~~

Boot Allowance: The City shall pay a maximum allotment of \$225.00 per year per employee to approved vendors for steel toed boots *or equivalent*.

(Bargaining Unit employees *have the option of utilizing the uniform service cleaning option* assigned as mechanics or regularly working trash collection and disposal positions will receive a minimum of 11 uniform shirts, pants and t-shirts as well as 2 lightweight jackets and 2 winter jackets, all of which shall be cleaned pursuant to Article 11.5).

Tool Allowance: A tool allowance in the amount of \$600.00 shall be paid annually to each of the mechanics in the month of July.

~~11.5. All unit employees employed as mechanics or involved in trash collection or disposal will receive uniform cleaning service for uniform shirts (not tee-shirts), uniform pants, jackets and coveralls.~~

ARTICLE XIV **BENEFITS**

14.2. Any employee of the Municipal Services Unit who is required to work on Thanksgiving and/or Christmas Day shall receive pay at time and one-half for all hours worked, and, in addition, receive compensatory time off at a time mutually agreeable to both the City and the employee. *This compensatory time is not subject to the 40 hour limit as dictated by section 9.7 above; however compensatory time must be used and brought down to below the 40 hour limit before accruing more time.*

14.2.1. Unit employees shall be entitled to the following holidays:

New Year's Day

President's Day

Martin Luther King Day

Memorial Day

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Day After Thanksgiving

Christmas Day

These holidays are to be celebrated on the appointed days or as appointed by law.

A. Any of the aforementioned holidays falling on a Sunday shall be treated as falling on the following Monday. In like manner, any of the aforementioned holidays falling on a Saturday, shall be treated as falling on the preceding Friday.

- B. All holidays must be taken in full day increments only.
- C. Every employee will be paid one normal day's pay for each holiday.
- D. Employees called in to work on a holiday shall receive time and one-half for all hours worked.

DE. Transfer station employees on a varying work week schedule may accrue holidays to a maximum of 40 hours to be taken off at a later date.

14.3.1. VACATION SEASON:

Weekly ~~vacations~~ will usually be scheduled ***within the months of April through October and*** ~~in the main summer months~~, will seldom, ~~if ever~~, be scheduled for the winter months (~~November - March~~ ***November - April***) and may be scheduled in the other months.

14.3.2. VACATION SCHEDULING:

- A. A full vacation (***at least one continuous week***) must be taken each year by each employee.

14.3.3. DIVIDED VACATION:

- A. ***Individual vacation days above and beyond the one week requirement as defined by section 14.3.2 above*** ~~Up to five (5) vacation days may be taken individually~~ ***may be taken*** (one day at a time) providing ***notification to the director or designee at least 5 days in advance*** ~~prior approval is given by the Department Head.~~ ***Occasional exceptions to notification requirements may be granted by the department head.***

14.3.6. TERMINATION OF EMPLOYMENT:

- A. An eligible employee, who resigns, is discharged or retires, will promptly thereafter receive the full vacation allowance to which he/she may be entitled. In the case of eligible employees who die, vacation allowance will be paid to the employee's beneficiary.
- B. The termination date of an employee leaving the City's work forces is the day last worked by the employee.
- C. Payroll deductions for retirement shall be made ***according to State of New Hampshire RSA*** ~~only for the last week of employment.~~

D. Additional insurance premium deductions will be made to provide the necessary amount required to complete ~~a~~ ***the current*** month's premium ~~if one or more deductions have~~ ~~previously been made for the month.~~

E. It shall be the responsibility of the Department Head to ascertain that the payroll sheet of the last week worked by a terminating employee contains all of the necessary information needed for the paymaster to prepare the employee's final checks.

14.5. BEREAVEMENT LEAVE:

A. Any permanent full-time employee shall be excused from work for not more than three (3) consecutive work days, provided that such excused work days can be taken in four consecutive ~~work calendar~~ days, because of death in the immediate family and shall be paid his normal rate of pay for the scheduled working hours excused.

B. Immediate family shall mean spouse, parents, ***grandparents***, children, brother, sisters, mother-in-law, father-in-law, step-parents, step-children, or a blood relative or ward residing in the same house.

C. Subject to the approval of the Department Head an employee may be granted time off with pay, ***utilizing vacation or compensatory time off***, in the case of death of an employee's relative other than those listed above or a close friend to attend a funeral or services. Such leave shall not be unreasonably requested.

14.9 PERSONAL LEAVE:

Each employee shall be entitled to eight (8) hours of personal leave per year. This leave is to be used for personal business that is required to be carried or during work hours. Permission for such leave shall be at the discretion of the Department Director ***or Deputy*** and shall not be unreasonably denied.

14.11.1 As of June 30, 1997, the following system for the accrual of a longevity benefit shall be utilized:

A. On the appropriate Hire Date Anniversary, Regular (full time) employees shall be moved to the corresponding Longevity Pay Table.

Anniversary Annual Longevity Pay

New Hire	Series 7000 (Regular Pay Table)
10 th Anniv. (120 mos.)	Series 8000 (\$500.00 Annual Increase)
20 th Anniv. (240 mos.)	Series 9000 (addit. \$500.00 Annual Increase)

Employees moved to a Longevity Pay Table will occupy the same labor grade and step as on the previous table. The Longevity Pay Tables (~~8000B~~ and ~~9000C~~) award longevity payments on an hourly basis which equate to annual payments as shown below:

ARTICLE XVIII **GRIEVANCE PROCEDURE**

18.4.2. STEP TWO – WRITTEN (City Manager)

If the aggrieved employee feels that further review of the grievance is justified, the employee or steward will submit a written statement of all the facts pertaining to the grievance to the City Manager within ten (10) working days. The City Manager shall arrange a meeting between all interested parties in an effort to resolve the grievance.

The City Manager shall render a decision in writing within ten (10) working days of the appeal hearing.

The decision of the City Manager shall be final and binding upon the parties and shall not be subject to any further appeal or redetermination. However, the Union may request an advisory opinion of the Personnel Advisory Board pursuant to Section **18.4.3** ~~C~~, below. It is understood that this step shall be advisory only and shall not alter the binding authority of the Manager in these matters.

18.4.3. WRITTEN AND ORAL PRESENTATION APPEALS BOARD

The City Manager may be requested, in writing, within ten (10) working days of his/her decision to bring the matter to the Personnel Advisory Board as established by the City Charter, Section ~~42~~ **45**. These steps are to be followed in sequence. The requirements of a written presentation are not intended to preclude the use of frank and informal conferences as a means of reaching settlement.

ARTICLE XXII **DURATION AND REOPENING**

22.1. This Agreement shall be effective July 1, ~~2016~~ **2018** and terminate on June 30, ~~2018~~ **2021** *or* upon the negotiation and ratification of a successor agreement.

22.2. Renegotiation of this Agreement will be effective by written notice by one of the party to the other not later than December 1, ~~2017~~ **2020** or earlier by mutual agreement. Negotiations shall commence within fifteen (15) days after receipt of such notice.

CITY COUNCIL MEETING
AGENDA ITEM X



CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meetings of August 6, 2018, and September, 2018

From: Richard Lewis, Director of Planning and Zoning
Subject: Setting of Public Hearing to consider Resolution 02-19 for the acceptance, the appropriation, and the expenditure of grant funds from the USDA's Rural Development office and matching funds

Approval of Resolution 02-19 at the September, 2018 Meeting of the City Council

Recommended Motion for the August 2018 meeting of the City Council:

"I move that the Franklin City Council set a public hearing to be held at 6:05 on the date of the September meeting of the City Council for Resolution 02-19 for the acceptance of Rural Development grant funds and matching funds, and the appropriation and expenditures of these funds starting in Fiscal Year 2019. The funds will support the work of the White Water Park Development Coordinator and the efforts to design, permit, and construct Phase I of the White Water Park and associated work on Mill City Park."

Recommended Motion for the September, 2018 Meeting of the City Council:

"I move that the Franklin City Council vote to approve Resolution 02-19, which accepts the grant funds from the USDA Rural Development office, and the matching funds and approves these new revenues and the expenditures of these funds for White Water Park Development Coordinator. I further move that the City Council authorize the City Manager to sign and take action on all relevant documents pertaining to the administration of this grant."

Discussion:

As you are aware, the City received grants from USDA Rural Development in 2015 and 2017. We used those funds to establish the position of a Downtown Business Coordinator, who focused on bringing new ideas and improved communication to several key tasks including marketing assistance for the downtown businesses, helping new or emerging businesses gain the proper foundation to grow and prosper, seeking other grant or loans that might assist businesses or property owners, and working with all businesses and investors to bring increased vitality to the downtown area.

For the 2018 grant application to Rural Development, the focus has shifted to the efforts for the establishment of the White Water Park. The City's application was awarded \$30,000 in grant funds; another \$15,000 in matching funds will also be used to support this project.

The recommended motion for the September meeting of the City Council calls for the acceptance and expenditure of these funds, and will provide for all actions to administer the grant.

Concurrences and Fiscal Impact:

The City Council supported the submission of the 2018 grant application. There are no direct expenditures by the City for this project.

Attachment: Copy of Resolution 02-19



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION # 02-19

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2019.

In the year of our Lord, Two Thousand Eighteen,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2019 which began July 1, 2018, and;

WHEREAS, the City Council recognizes the recent efforts to improve the economic and residential viability of the downtown and the need to continue with additional progress, and;

WHEREAS, the City has been awarded another grant from the Rural Development Office of the US Department of Agriculture in the amount of \$30,000, with the funds to be used for the White Water Park Development Coordinator to assist with the successful creation and establishment of the white water park, and;

WHEREAS, matching funds in the amount of \$15,000 will be directed towards this project for a total project funding of \$45,000, and;

WHEREAS, \$17,100 in soft matching funds [time dedicated by the City and FBIDC staff] will also be directed towards this project, and

WHEREAS, the City Council recognizes that these grant funds will provide the City a unique opportunity to assist in the redevelopment efforts which will benefit all downtown property owners and business owners, Now,

THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on _____, September ____, 2018, the City Council of the City of Franklin, New Hampshire does hereby vote to adopt resolution 02-19, accepting the grant funds from the USDA, Rural Development office, and accepting the matching funds, hereby authorizes the City Manager to execute all grant documents and hereby authorizes the following non lapsing appropriations,

An increase in revenues:

Acct# 01-1-000-33111-437 Federal Grant – USDA Rural Technical Assistance – Thirty Thousand Dollars (\$30,000.00),

Acct#01-0-000-35085-437 Donations – Fifteen Thousand Dollars (\$15,000.00),

And an increase in expenditures:

Acct# 01-1-302-40110-437 Wages – USDA Rural Technical Assistance Forty-Five Thousand Dollars (\$45,000.00)

By a roll call vote.

Roll Call:

Councilor Barton	_____	Councilor Dzujna	_____	Councilor Ribas	_____
Councilor Clarenbach	_____	Councilor Brown	_____	Councilor Trudel	_____
Councilor Desrochers	_____	Councilor Moquin	_____	Councilor Zink	_____

Approved: _____
Tony Giunta 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 Katie A. Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: _____
City Clerk

Date: _____

CITY COUNCIL MEETING
AGENDA ITEM XI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting August 6, 2018

From: Judie Milner, City Manager

Subject: City Council to consider scheduling two consecutive public hearings necessary to apply for up to \$12,000 of CDBG feasibility grant funds on behalf of PermaCityLife for predevelopment technical assistance of an art block in downtown Franklin.

Suggested Motion:

Councilor moves, "I move that the Franklin City Council schedule two consecutive public hearings on September , 2018 beginning at 6:00 pm regarding an application for a Community Development Block Grant (CDBG) Planning Grant up to \$12,000 on behalf of PermaCityLife for predevelopment technical assistance feasibility study of an art block in downtown Franklin."

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

Discussion:

The Council needs to schedule a public hearing if they wish to apply for a CDBG grant through the Community Development Financing Authority (CDFA) on behalf of PermaCityLife.

Community Development Block Grant funds are available to municipalities for economic development, public facility and housing rehabilitation projects and feasibility studies that primarily benefit low and moderate income persons. The City of Franklin is eligible for up to \$500,000 a year for public facility/housing rehabilitation, up to \$500,000 for economic development projects, as well as up to \$350,000 in emergency funds. Feasibility Study funds are available for up to \$12,000 per study.

The purpose of a public hearing for CDBG funding is to receive public comment on a proposed application to the Community Development Finance Authority for up to \$12,000 in Community Development Block Grant funds for predevelopment technical assistance feasibility study of the proposed art block at 337 Central & 20 Church Streets.

A public hearing is also required on the Residential and Antidisplacement and Relocation Assistance Plan.

CITY COUNCIL MEETING
AGENDA ITEM XII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 6, 2018

From: Judie Milner, City Manager

Subject: Council to consider borrowing additional funds from the Drinking Water State Revolving Fund (DWSRF) to cover the cost of the Pleasant Street Water Reducing Vault replacement.

Suggested Motions:

August 6, 2018

Councilor moves, "I move that the Franklin City Council set a public hearing on ____ (day of week) ____, September ____, 2018 at 6pm regarding resolution 03-19 authority to borrow \$100,000 in additional funding from the Drinking Water State Revolving Fund for the Pleasant Street pressure reducing vault project".

September ____, 2018

Councilor moves, "I move that the Franklin City Council adopts resolution 03-19 authority to borrow \$100,000 in additional funding from the Drinking Water State Revolving Fund for the Pleasant Street pressure reducing vault project".

Discussion:

In November 2017, the City Council adopted resolution 06-18 authorizing the City to borrow \$250,000 from the State of New Hampshire's Drinking Water State Revolving Fund (DWSRF) for the Pleasant Street pressure reducing vault project. Since then, the project was put out to bid and bids were received. The City's engineering firm, Tata & Howard, reviewed the bids and believe the lowest bid is fair and equitable; however the lowest bid puts the cost of the entire project at approximately \$350,000 or \$100,000 over the original cost. Therefore, we are asking to adjust the DWSRF loan amount by the \$100,000. DES is amenable with this change.

I've attached Director Sullivan's original CAR and resolution 06-18 as a refresher on the project.

Fiscal Impact:

The additional \$100,000 will change the loan amount to \$350,000 and the annual average debt service to \$37,000 (from \$27k for \$250,000 loan). This change will have an approx. 4 cent effect

of the water rate; however, Director Sullivan and I agreed to take this additional \$10,000 from the capital line in future budgets if needed.

Alternatives:

As Director Sullivan reported in FY18, this project is critical. The City could pay the additional \$100,000 out of the current year (FY2019) water fund capital outlay line but this approach would defer the Acme 2 Well rehabilitation project for another year (which is not recommended by Director Sullivan).

Attachments/Exhibits:

Resolution 03-19

Director Sullivan CAR 11/6/17

Resolution 06-18 adopted 11/6/17



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION 03-19

A Resolution granting the City Manager the authority to file a Loan Amendment Application for additional funding under the State of New Hampshire, Drinking Water State Revolving Fund (DWSRF) Program and designating the City Manager as the City's authorized representative.

WHEREAS, the City of Franklin, New Hampshire after thorough consideration of the nature of its drinking water system needs, hereby determines that the construction of certain works, generally described as the "Pleasant Street Pressure Reducing Vault" is desirable and in the public interest, and to that end it is necessary to apply for assistance from the New Hampshire, Drinking Water State Revolving Fund (DWSRF) in an amount not to exceed \$250,000 through resolution 06-18 adopted by City Council November 6, 2017; and

WHEREAS, the City of Franklin, New Hampshire after receipt of bids for the project wishes to apply for an additional \$100,000 making the total DWSRF loan funding for the "Pleasant Street Pressure Reducing Vault" project \$350,000; and

WHEREAS, the City of Franklin, New Hampshire has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, which relate to loans from the Drinking Water State Revolving Fund and deems it to be in the public interest to file a final loan application and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED BY the Franklin City Council, Franklin, New Hampshire, the governing body of said City of Franklin, New Hampshire as follows:

1. That the person holding the position of City Manager currently held by Judie Milner is hereby designated as the Authorized Representative of the City of Franklin for the purpose of filing an application for a loan in accordance with New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, furnishing such information, data and documents pertaining to the applicant for a loan as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application and if such loan can be made, is the designated Authorized Representative of the Applicant responsible for furnishing such information, data and documents pertaining to disbursements for the loan.
2. That if such loan be made, the City of Franklin agrees to repay the loan as stipulated in the loan agreement.
3. That certified copies of this resolution be included as part of the application to be submitted for a loan.
4. That persons holding the following position(s) at the time of loan execution are authorized to sign the loan agreement binding the City of Franklin to the terms and conditions of the loan: Primary signatory being Judie Milner, City Manager and in the event of her absence, Brian Barry, Deputy Municipal Services Director.
5. That if such loan be made, the City of Franklin agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

Roll Call:

Councilor Barton	_____	Councilor Desrochers	_____	Councilor Ribas	_____
Councilor Brown	_____	Councilor Dzujna	_____	Councilor Trudel	_____
Councilor Clarenbach	_____	Councilor Moquin	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

CERTIFYING AUTHORIZATION TO BORROW

I, the undersigned, the duly qualified and acting City Clerk/Tax Collector of the City of Franklin, Franklin, New Hampshire herein called the "applicant" and keeper of the records of the applicant, including the journal of the proceedings of the City of Franklin herein called the "Governing Body" do hereby certify:

1. That the attached Resolution #06-18 is a true and correct copy of the Resolution as finally adopted at a meeting of the Governing Body held on the 6th day of November 2017 and duly recorded in my office;
2. That said meeting was duly convened and held in all respects in accordance with law and to the extent required by law; due and proper notice of such meeting was given; and a legal quorum was present throughout the meeting; and a legally sufficient number of members of the governing body voted in the proper manner and for the adoption of said Resolution including publication, if required, have been duly fulfilled, carried out, and otherwise observed; and that I am authorized to execute this certificate;
3. That if an impression of the seal has been affixed below, it constitutes the official seal of the City of Franklin and this Certificate is hereby executed under such official seal; but if no seal has been affixed, the Applicant does not have an official seal;

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2018.

(seal)

Katie A. Gargano,

City Clerk City of Franklin



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

November 6, 2017

From: Brian J. Sullivan, Municipal Services Director

Subject: The Franklin City to consider passage of Resolution #06-18. A resolution relating to funding the "Pleasant Street Pressure Reducing Vault Project" borrowing from the State of New Hampshire, Drinking Water State Revolving Fund".

Recommended Motion:

1. Councilor moves: I" move that the Franklin City Council approve Resolution #06-18 by roll call vote".
2. Mayor asks for a second, discussion, and roll call vote.

Discussion:

In the Fiscal Year 2018 Water Department Budget, the Franklin City Council approved funding the principal and interest in order to borrow \$250,000 from the New Hampshire Department of Environmental Services (NHDES), Drinking Water State Revolving Fund (DWSRF) program. Subsequent to this appropriation, I filed and received funding for the City under the DWSRF grant / loan program in order to move forward with the "Pleasant Street Pressure Reducing Vault Project." Typically the forgiveness (grant) portion of the program ranges from 20% to 30%. As we did for the "Cross Street Water Tank Rehabilitation Project" we have budgeted for a 10 year loan term at an excellent interest rate of 1.5%.

City Council passage of Resolution #06-18 is the first step required in order to secure funding and move forward with the final application and preparation of documents in order that Governor and Council can formally proceed towards authorization of the project funding.

The current "Pleasant Street Pressure Reducing Vault" lowers pressure from the one million gallon water tank located on Pleasant Street. This is necessary so that over pressurization of the water distribution system does not occur. It is a critical piece of infrastructure which was constructed in 1972. Its condition, depth and antiquated valve configuration make it prone to failure. Replacement is long overdue.

The replacement of this vault involves moving its location; raising the floor elevation from a 12 foot depth to approximately six feet. New valves will be installed and the elimination of the manhole structure housing the present equipment with replacement of a 15 foot by 20 foot concrete building. This will further minimize the current confined space issue thus significantly improving access and egress for City Staff.

Concurrences:

The replacement of this vault has been identified in the Water Department "Capital Efficiency Plan" as well as, the "City of Franklin, Capital Improvements Plan." Its configuration was recognized by NHDES in our past "Sanitary Surveys." Because of it's depth it is prone to flooding and has the potential of effecting water quality. The City Council acknowledged the need for this project by appropriating funds in the Fiscal Year 2018 Water Department Budget.

Fiscal Impact:

As indicated there is consensus for the project. As in the past, I have evaluated various funding sources which have the least impact on the Ratepayer. In order to accomplish this, the best alternative is to take advantage on the NHDES / DWSRF program. A ten year loan at an interest rate of 1.5% is a very good deal for the City. This is especially the case when there is principle loan forgiveness involved. Now is the time to undertake this project while interest rate are low, the bid climate is very competitive and project funding has been approved by NHDES.

Alternatives:

Not approving Resolution #06-18 will result in project delays; affect our ability to take advantage of our approved NHDES /DWSRF loan; prolong the need to replace this critical piece of Water Distribution Infrastructure and will result in a greater expense to the Ratepayer as construction costs will inevitably increase. Passage of this Resolution by the City Council is strongly recommended.

Enclosures:

- > NHDES Award Letter
- > Resolution #06-18



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Robert R. Scott, Commissioner



August 22, 2017

Brian Sullivan
City of Franklin
43 W Bow Street
Franklin, NH 03235

Subject: Drinking Water State Revolving Loan Fund (DWSRF) Pre-Applications
FY 2017 Project Priority List
Franklin Water Works; PWS#0851010

Dear Mr. Sullivan:

The purpose of this letter is to inform you that the FY 2017 DWSRF Project Priority List has been finalized and that DWSRF funding is available for the following project:

<u>Public Water System</u>	<u>Project Description</u>	<u>Project Amount</u>
Franklin Water Works	Pressure Reducing Vault	\$250,000

The next step to move forward with project funding is to submit a final application. The documents are listed on the enclosed checklist and available on line at <http://des.nh.gov/organization/divisions/water/dwgb/capacity/dwsrf.htm>

Funding for this project is available until June 30, 2018. However, we encourage you to move forward at this time to seek the authority to borrow. The current charge rates have been enclosed. Please be advised that these rates are subject to change. From this point forward any non-construction work completed after the date of the public hearing (8/3/17) is eligible for reimbursement.

Save the date: On Monday November 20, 2017, the DWSRF will be hosting a State Revolving Fund workshop. Please see the attached flyer for additional information.

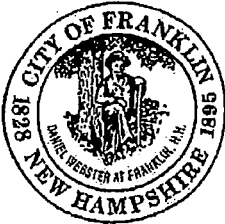
We ask that you keep us informed of progress made toward seeking the authority to borrow. Should your project not move forward, please contact us as soon as possible. If you have any questions, please contact me at 271-7017 or at johnna.mckenna@des.nh.gov.

Sincerely,

Johnna McKenna
Drinking Water and Groundwater Bureau

cc: Janet Levy, P.E.

Attachments: Final Application Checklist, SRF Workshop-Save the Date and Charge Rates



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION #06-18

A Resolution granting the City Finance Director the authority to file a Final Application for the State of New Hampshire, Drinking Water State Revolving Fund (DWSRF) Program and designating the City Finance Director as the City's authorized representative.

In the year of our Lord, Two Thousand Seventeen,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2018 which began on July 1, 2017, and;

WHEREAS, the City of Franklin, New Hampshire after thorough consideration of the nature of its drinking water system needs, hereby determines that the construction of certain works, generally described as the "Pleasant Street Pressure Reducing Vault" is desirable and in the public interest, and to that end it is necessary to apply for assistance from the New Hampshire, Drinking Water State Revolving Fund (DWSRF) in an amount not to exceed \$250,000; and

WHEREAS, the City of Franklin, New Hampshire has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, which relate to loans from the Drinking Water State Revolving Fund and deems it to be in the public interest to file a final loan application and to authorize other actions in connection therewith; and Now,

THEREFORE, BE IT RESOLVED BY the Franklin City Council, Franklin, New Hampshire, the governing body of said City of Franklin, New Hampshire as follows:

1. That the person holding the position of Finance Director currently held by Judie Milner is hereby designated as the Authorized Representative of the City of Franklin for the purpose of filing an application for a loan in accordance with New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, furnishing such information, data and documents pertaining to the applicant for a loan as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application and if such loan can be made, is the designated Authorized Representative of the Applicant responsible for furnishing such information, data and documents pertaining to disbursements for the loan.
2. That if such loan be made, the City of Franklin agrees to repay the loan as stipulated in the loan agreement.
3. That certified copies of this resolution be included as part of the application to be submitted for a loan.
4. That persons holding the following position(s) at the time of loan execution are authorized to sign the loan agreement binding the City of Franklin to the terms and conditions of the loan:

Primary signatory being Judie Milner, Finance Director and in the event of her absence, Brian Sullivan, Municipal Services Director.

That if such loan be made, the City of Franklin agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

By a roll call vote.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>abs</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

Approved:

Scott R. Clendenen
Interim Mayor

Passed: November 6, 2017

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 Katie A. Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested:

Maile Morang, Deputy
City Clerk

Date:

11/6/17

CITY COUNCIL MEETING

AGENDA ITEM XIII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting Of August 6, 2018

Subject: Other Business

- 1. Committee Reports**
- 2. City Manager's Update**
- 3. Late Items**



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting August 6, 2018

Date: June 27, 2018

From: Judie Milner, City Manager

Subject: City Manager's Update

1) Contingent Grant Line Activity

\$1,650 from Cecile Rowel for benches at BRCC playground

\$6,065 from ClearChoiceMD for paramedic training (FF Anthony Roberts)

2) Congratulations, Sergeant Guerriero!

3) Recycling

4) DES Update

5) NHMA Legislative Policies

6) School Funding Meeting Update

7) Strategic Plan/Vision Statement Update

8) Salisbury Parade

9) Non Public needed – Suggested Motion: Motion to go into nonpublic session according to RSA 91-A:3 II (d) consideration of acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.