

CITY OF FRANKLIN
CITY COUNCIL MEETING
October 1, 2018
6:00 P.M.





CITY COUNCIL MEETING
Monday, October 1, 2018
6:00 PM – Council Chambers – CITY HALL

SALUTE TO THE FLAG

PUBLIC HEARINGS

Resolution #04-19 – A Resolution accepting the appropriation of \$100,000 of Municipal Transportation Improvement Funds (MTIF) for road work

COMMENTS FROM THE PUBLIC

Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary

CITY COUNCIL ACKNOWLEDGEMENT

The Mayor will recognize any Councilor who wishes to express their appreciation on behalf of the City

MAYOR'S UPDATE

Agenda Item I.

Council to consider the minutes of the September 10th City Council Meeting

Agenda Item II.

Monthly School Board Update

Agenda Item III.

Council to consider Resolution #04-19, Approval of the appropriation of \$100,000 of Municipal Transportation Improvement Funds (MTIF) for road work

Agenda Item IV.

EMS 360 Presentation

Agenda Item V.

Council to consider disposal of Engine 3

Agenda Item VI.

Council to consider approval of the Disposition of City Owned Surplus Equipment and transfer ownership of a Humvee Trailer to the Town of Danbury New Hampshire

Agenda Item VII.

Council to consider setting a public hearing on Resolution #05-19, Appropriating Opioid Grant funds

Agenda Item VIII.

Other Business

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

Non-Public Session in Accordance with RSA 91-A:3, II(d)

Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

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 October 1, 2018

Subject: Approval of Minutes

Motion: “I move that the Franklin City Council approve the minutes of the September 10th City Council Meeting.”

Mayor calls for a second, discussion and the vote.



Pending City Council Approval

City Council Budget Workshop Meeting September 10, 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 Steve Barton, Councilor Scott Clarenbach, Councilor Vince Ribas.

Others in attendance

City Manager Judie Milner

Salute to the Flag was led by Councilor Jo Brown.

Mayor Giunta shared well wishes that everyone enjoyed the Labor Day weekend last week.

Councilor Desrochers asked for a moment of silence for Franklin Citizen David Fuller, a Rank E5 Veteran, who lost his battle with Agent Orange.

Mayor Giunta opened up the first Public Hearing at 6:04pm.

Public Hearings

Resolution #02-19, a Resolution accepting the appropriation and expenditure of Rural Development Grant and Matching Funds.

City Manager Judie Milner provided the public and Council the background and details of the Resolution. She stated that this \$30,000 grant is provided through the USDA and for the Coordinator/Director of Mill City Park. The Matching funds portion of \$15,000 is being provided by Mill City Park. The total is \$45,000 to be used towards the Whitewater Project in downtown Franklin.

Resident Annette Andreozzi, ward 3 requested clarification on the \$15,000 as she is referencing documentation that states there is also a soft match of \$17,100 and asked if this is the City Portion soft dollar match. City Manager Milner confirmed that the soft match portion is City hours already spent in Downtown Economic Committee bi-weekly meetings. Neil Cannon, PCL team, MCP team, and the FBIDC team attend these meetings. Annette asked if the money they make in their regular jobs is how this number is calculated and Milner agreed that yes that is the soft match.

Mayor Giunta asked for further public comment. There was none.
Public hearing for Resolution #02-19 closed at 6:05pm.

Resolution #03-19, a Resolution authorizing to borrow \$100,000 in additional funds from the Drinking Water State Revolving Fund for the Pressure Reduction Vault Project.

City Manager Milner provided background stating that in fiscal 2018 we were approved to borrow \$250,000 from the Drinking Water State Revolving Fund for a Pleasant Street Project. For this Pressure Reduction Vault project, the bidding came in over the planned \$100,000 so we're asking for the additional \$100,000 from the Drinking Water State Revolving Fund. It will be based on the same terms as the original amount and span over a ten-year period.

Mayor Giunta asked for any Public comment. There was none. Public hearing for Resolution #03-19 closed at 6:07pm.

Community Development Block Grant Funding Public Hearing opened at 6:07pm.
Informational Packets were made available to the Public.

Part 1) – Regarding the application and use of said funds through the NH community Development Finance Authority. Mayor Giunta read the following statement:

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, up to \$500,000 for public facility and housing projects and up to \$350,000 for emergency activities that directly benefit low- and moderate-income persons. Up to \$12,000 is available for feasibility study grants.

This is a proposed application to the Community Development Finance authority for a proposed application to the Community Development Finance Authority for up to \$12,000 in planning study funds for predevelopment technical assistance feasibility study of an Art Block in downtown Franklin at 337 Central Street and 20 Church Street. The City will retain up to \$500.00 for administrative costs. The remaining funds, up to \$11,500, or the benefit of, will be sub granted to the PermaCityLife. If constructed, the art block would create jobs, the majority of which would be available to low- and moderate-income households.

This project conforms to Franklin's Housing and Community Development Plan's Goal of: Participate in economic development opportunities (Long-Term & Short-Term Goal).

Funding request: up to \$12,000

Mayor Giunta asked for Public Comments.

Resident Annette Andreozzi, ward 3 stated she has concerns with this Art Block Study. She stated that the information Mayor Giunta just read is the only information available and the informational packets were just made available tonight. This information wasn't on the City website. She also stated that she doesn't know what an Art Block Study is about and doesn't think the Mayor knows either since this is the only information being shared. She stated that she is a member of three Arts

Organizations in Franklin none of which were consulted about this. Nor was the Opera House consulted. Because of the City's limited funds, once this money is spent on an ARTs Block, it can't be spent for another organization that would benefit. She is concerned because no-one knows what this Block is about, how the money will be spent, or how to measure the feasibility study money is being well spent. Annette doesn't feel that an application should be submitted until the public is heard and those measurable items can be thought through.

City Manager Milner responded that the application is for the Feasibility Study to see if an ARTS Block would be a nice fit in our community. The Grant money would be used for a consultant to come in and consult with those organizations mentioned and also other City folks as well as stakeholders in the City to determine whether or not this would be a good fit. Milner continued that there are several studies available that show that an ARTS Block in combination with other things like our Whitewater park, attract more visitors into our City. A similar city of our size brings in \$165,000 a year since adding an ART Block. PermaCityLife believe that this is a good option and use of some of the buildings they purchased downtown and this motion is to authorize the City to apply for the Grant. Once we receive the Grant, we can choose if we want to accept it and appropriate it at that time.

Mayor Giunta asked City Manager Milner if there are other Grants that the City could apply for and she replied that there is a USDA Grant but we've missed the deadline for that one.

Mayor Giunta asked for further public comments.

Resident Leigh Webb, ward 3 stated that this Grant is separate and wondered why it wouldn't fall under the purview of Neil Cannon who is already being paid as a consultant to develop our downtown area and this money be used for something that he couldn't do or another better use.

City Manager Milner stated that the consultant would need to go out for bid and need to be paid. So, if it went out for bid and Neil won it, he'd have to be paid on top of what he receives now. However, his consultation grant money has run out and he is on a budget line with the City this year. Due to the way this type of Grant is awarded, Neil cannot qualify to apply for the same type of funding for the same type of work for several years because he'd have to show sustainability.

Warner Horn, ward 2 stated that he assumes we are setting the guideline for the consultant and hopes that the consultant would be guided to find something unique that's not already being done in NH. We already have unique Arts being our Opera House so perimeters should include not copying what someone else is already doing. A smaller type of Currier Museum wouldn't necessarily be a draw. Mr. Horn stated that it's uncomfortable for him when he thinks about the word ARTs Block because of ARTs Car and that didn't turn out so well. He also suggested possibly finding a different name to call this Block. Chuckles heard from the Council on this comment.

Resident Annette Andreozzi, ward 3 added that the example that the Council has shown with the money that was applied for and has gone to the Whitewater Park, there's been no discussion from the public and money has automatically gone there once the Grant was received. She implored to the Council that if this is going to be passed tonight, that different wording should allow for broader

description that PermaCityLife isn't automatically getting money for what they determine an ARTs Block should be. She believes that there are feasibility studies on ARTs Blocks already and using the Opera House as a basis for bringing in outside visitors. Speak to Asian Delight and ask how much they bring in when there is a show next door.

City Manager Milner responded to Annette Andreozzi stating that the funding for the White Water Park was appropriated by the Council and that it is being used for a Design Study and permitting which are both underway. The permitting piece should be complete by November 1st. We are close to presenting some of these ideas out for the Economic Development of Franklin and all of these processes take time. Milner stated that we won't even hear back on the permitting piece until April of 2019. Other grants will need to be sought for the next steps such as Design and shared that the City has not just given money away we're nothing is happening. She added that PermaCityLife has to coordinate with the City on what we want as well.

Werner Horn, ward 2 asked the Council for clarification on what Residential Antidisplacement and Relocation Assistance is. City Manager Milner responded that it's a requirement by the Community Development Finance Authority (CDFA). The two buildings in question are empty so this doesn't apply however if it was not empty and if the City had to ask residents to move, there would have to be a plan on how to accomplish that and assist people if they had to move.

Mayor Giunta stated that the Public Hearing for this very topic will be opening in few minutes and asked the public if there were any further questions or comments on the first section of this topic.

There were no further public comments.

Public Hearing for the application to the CDFA closed at 6:19pm.

Public Hearing for the Residential Antidisplacement and Relocation Assistance Plans opened at 6:19pm.

Part 2) Mayor Giunta stated that although this project does not involve any displacement or relocation of persons or businesses, if the city were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or be located.

Mayor into asked for public comment at 6:20pm.

There were no public comments.

The Public Hearing for the Residential Antidisplacement and Relocation Assistance Plan closed at 6:20 PM.

Public comment
opened at 6:21 PM.

Resident Leigh Webb, ward 3 wanted to bring to everyone's attention regarding David Fuller. Mr. Webb stated that Mr. Fuller's uniform, from his Vietnam services, is on display at the historical society and as long as he has a part at the Historical Society, it will remain in a place of honor.

Mayor Giunta asked if anyone had any further comments.

Werner Horn, Ward 2 stated that part of the budget process happens in a small timeline and some ideas don't get flushed out so rather than wait for June of 2019, he wanted to share his perspective. Mr. Horn stated that he was in the Army and leadership was exemplified by taking care of the people beneath you so corporals take care of the privates, sergeants take care of the corporals and privates, and the officers take care of everybody else. When you're feeding your unit, all the privates eat first. The officers eat after the last soldier and sleep where everyone else sleeps not in a special unit. Mr. Warren stated that when you have people working for you, you do the same thing. Not as formally as you take your lunch last, But the idea is that someone who works for you, has entrusted you with their livelihood (their life) and he stated that he takes that trust to be sacred. Mr. Horn continued that when we are reflecting on the job someone who works for us, does, if they perform above and beyond, that must be recognized. If we can't give them something large like a City car, then we should show our appreciation in a different way. The City has some great departments and department heads and as the leaders of the City, he hopes the Council will consider some gesture that will make up the fact that even the Fire Department gets paid below State averages but are one of the busiest and best departments in the State. The City's MSD team takes care of our roads hanging on by a shoestring. Heaven forbid the shoestring breaks. If the City can find some gesture to show them appreciation, when the City comes back financially, make it up to them.

Mayor Giunta asked for further Public Comments. There were none.
Public Comments closed at 6:25pm.

Legislative Comments

Mayor Giunta opened stating that the last couple of months, the Legislation wasn't in session but an unusual day is coming (Veto override day) and asked Mr. Werner Horn if he had some insight to share. *Mr. Horn's response was not captured in the audio.*

Representative Dave Testerman, Merrimack Ward 1, Ward 2, and Hill. He stated that yes, we have Veto activities this week and have a narrow window to put in Legislation so if anyone has a bill or something they want to be considered, please send it to him or Mr. Werner now.

Representative Horn, 2nd District Ward 1, Ward 2, and the community of Hill. Veto override day comes around every year and is the final legislative act after all the bills have been considered. The one's that make it to the Governor's desk are divided into two sessions. Senate Bills that were Vetoed (the Senate will take up), House Bills that were vetoed (the House will take up) and needs to be 2/3 vote in one of those chambers to send it to the other chamber. He further explained that every single Senate Bill that fails to receive the 2/3 vote, dies on the veto. Same process for the House Bills. If they make it through this process, then they are subjected to a second vote in the opposite House and

again need to make that 2/3 threshold. Both sides of the house must agree in order to override the Governor's veto. SP446 is of special interest and allowed the people of Franklin to see how this all works. He stated that he's deeply grateful for the experts that came out of it. Mr. Horn asked if there were any questions from anyone in attendance on anything that is about to be voted on. He also concluded that the meeting was primarily Bipartisan attended. At least one Democrat for State Rep was in place to listen to the information.

Mayor Giunta extended his appreciation to Mr. Horn for pulling people together for that meeting which had a great turnout. This meeting helped gather information for everyone including the Mayor himself. Mayor Giunta asked if anyone had any questions for Mr. Horn. There were none.

City Council Acknowledgement

Councilor Dzujna acknowledged City Clerk, Katie Gargano and Ward II Moderator, Tamara Feener for coordinating this year's and the previously held Election Workshop Training Sessions. The workshops were attended by many including State office employees. Councilor Dzujna stated that over 160 people came to our City that day which also was a great opportunity for them to see some of our revitalization that is gearing up.

Mayor's Update

Mayor Giunta presented a Mayoral Proclamation in honor of Mark Lorenze for his distinct work as President of the Webster Lake Association and his work filing Webster Lake as a 5013C non-profit Association. Mr. Lorenze was instrumental in obtaining grants to address critical storm water issues at Webster Lake and other forward-thinking actions that will help protect the lake's waters future. Mayor Giunta stated today, Monday, September 10, 2018 as Mark Lorenze day. Congratulations to Mr. Lorenze and his family. Applause from all in attendance.

Mr. Lorenze thanked the City and introduced Valerie Perkins as the new President of the Webster Lake Association.

Agenda Item I.

City Council to consider amendment of the minutes of the March 14th Special Meeting, the minutes of the May 7th City Council Meeting and the minutes of the June 4th City Council Meeting to include the roll call vote that was taken to seal the minutes of the nonpublic sessions but inadvertently left out of the minutes.

**Motion: Councilor Ribas moved that the Franklin City Council approve the amendment of minutes of the March 14th Special Meeting, the minutes of the May 7th City Council Meeting and the minutes of the June 4th City Council Meeting to include the roll call vote that was taken to seal the minutes of the nonpublic sessions but inadvertently left out of the minutes. Seconded by Councilor Dzujna.
8 in Favor, 1 abstention. Motion PASSED.**

Agenda Item II.

City Council to Consider the minutes of the August 6th City Council Meeting.

Motion: Council Ribas moved to approve the minutes of the August 6th City Council Meeting with amendments provided.

Seconded by Councilor Brown.

All in Favor. Motion PASSED.

Agenda Item III.

Monthly School Report provided by Superintendent Dan LeGallo.

Mr. LeGallo began by wishing everyone had a great summer! School is back in session. Mr. LeGallo shared an update on the Strategic Plan which will be approved by the School Board within the next week and copies will be sent out the Council once approved. Posters of the Plan were created for quick reference. Mr. LeGallo gave a poster to City Manager Judie Milner to hang at City Hall.

Mr. LeGallo continued with an update on the Middle School roof project, which has been completed at a final cost of \$423,260. An unplanned issue with Vertical Services was paid costing \$17k. The final cost still came in under the original estimate.

LeGallo stated that the Energy Projects are still moving forward. Franklin High School and Middle School lighting project is further along. Paul Smith School is due to have their most up-to-date lighting technology completed by mid-October. LeGallo shared his appreciation toward the City for showing support of this project.

Safety Projects continued over the summer through grants provided by the Department of Education. LeGallo stated that all the outside doors were rekeyed. Bollards were installed at all three schools as well as video cameras and radios. New telephones at two of the schools were provided and now dialing an extension between schools can be achieved so dialing a complete phone number is no longer necessary.

After a long budget season, LeGallo stated that the schools had to cut a total of 8 positions, 4 of those were existing positions. Eliminated were: a French Teacher (high school), a Behavior Specialist (Paul Smith), a Guidance Counselor (Middle School; one will remain and be shared between schools), and a night custodian.

Fiscal 2017 Audit for Franklin will be approved at the next School Board Meeting and will be posted up on the SAU website, LeGallo stated. He also mentioned that 2015 and 2016 audits are already available and up on the website.

A School Board member resignation was received and LeGallo stated that he'll work with the City on getting a new member. LeGallo also stated that he and Chairman Tim Dow will be meeting with a representative of Senator Jean Shaheen's office to discuss Special Education Costs. This connection was made during the Federal Agency Day Event.

LeGallo stated that the Federal Audit (DOE) is scheduled to do a grant audit on November 12th and will occur all of this week. He will share information on this audit at the December City Council Meeting. In closing, LeGallo shared that he participated in the Celebrity Dinner Event as a Celebrity Waiter and was very pleased to have helped raise money for the Opera House.

LeGallo asked if the Council had any questions.

Councilor Brown commented that the Draft Strategic Plan shared with the Council a couple of months ago, was a great beginning. Councilor Brown asked Mr. LeGallo how we measure ourselves each year and will this be part of the upcoming discussions. LeGallo responded stating that it is part of what is in the plan. There are approximately 27 measurable action steps in the plan that the school will be working toward over the next 5 years. Brown asked LeGallo who will complete these measures of success. LeGallo responded that the School Board will complete the measurable steps.

Councilor Brown asked where the cameras are located. Mr. LeGallo responded that the cameras in the hallways and perimeter outside including entrances and exits. All open areas as well, such as the cafeteria and gymnasium. Brown offered Congratulations to the Football team for taking home their first win of the season!

Councilor Moquin asked Mr. LeGallo if a Grant writer was replaced and Mr. LeGallo confirmed that the SAU has hired a new Grant Writer and is making a huge difference already by getting things caught up.

Mayor Giunta reviewed the replacement of the School Board position process Mr. LeGallo and stated that we first advertise on the City Website, get applications, the City Council appoints, and then at that point, the person would need to run for the position the following year. City Elections are coming up during the first week of October but the deadline to get on the ballot has passed. Mayor Giunta confirmed that the new appointed person would fill in for the year and then get voted in in next year's election.

City Manager Judie Milner stated that the posting will be posted on the City Website, we'll ask for an appointee profile to be completed first, and then bring any completed profiles forward to the City Council at the next meeting.

Councilor Desrochers stated that he has a problem with profiles. For the City Council to do their job effectively, having some sort of actual interview should be conducted before someone is appointed. People shouldn't automatically be appointed just because they like working with kids. The City Council and the School Board should be part of this process where everyone believes the applicant is a good fit.

Councilor Clarenbach agrees with Councilor Desrochers and also believes the issue is public transparency. Any potential candidate should approach the podium at a given date and have some back and forth discussion with the Council and the public in attendance as well. Clarenbach suggested that this process should be followed for any board position and not just the school board.

Mayor Giunta stated that it was done this way in prior years. The Council agreed to proceed with posting in this way for this School Board seat and for any future board type positions.

Agenda Item IV.

Council to consider Resolution #02-19, Approval of the appropriation and expenditure of Rural Development Grant and Matching funds.

**Motion: Councilor Ribas moved that the Franklin City Council vote to approve Resolution #02-19, which accept 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 a 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.
Seconded by Councilor Brown.**

By a roll call vote.

Councilor Barton Yes Councilor Dzujna Yes Councilor Ribas Yes

Councilor Clarenbach Yes Councilor Brown Yes Councilor Trudel Yes

Councilor Desrochers Yes Councilor Moquin Yes Councilor Zink Yes

All in Favor. Motion PASSED.

Agenda Item V.

Council to consider Resolution #03-19, Approval of additional funds from the Drinking Water State Revolving Fund for the Pressure Reduction Vault Project.

**Motion: Councilor Dzujna moved 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.
Seconded by Councilor Trudel.**

Mayor Giunta asked if anyone had questions.

Councilor Zink mentioned that during the budget process, an increase in the water rates in order to pay for this loan was discussed. She stated that the rate was only increased a certain percentage and not the whole percentage amount as discussed so now that we need to borrow this additional \$100K, can we absorb this new payment in the budget and also, is there a plan on the maintenance of the Water Plan since we know there is more maintenance to do.

City Manager Milner replied that there is a plan to absorb the payment through the Capital line so we won't need to do another rate adjustment for the current year. She continued that moving forward, we do have a Capital Improvements Plan for the Water Fund looking at the 5-year scope of a 25-year plan, so there will be Capital Projects in each of the budgets moving forward as well.

No further questions were asked of the Council.

By a roll call vote.

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

All in Favor. Motion PASSED.

Agenda Item VI.

Council to consider approval of the Community Development Block Grant Application and the Residential Antidisplacement and Relocation Plans.

**Motion: 1) Councilor Barton moved that the Franklin City Council adopt the Antidisplacement and Relocation Assistance Plan.
Seconded by Councilor Dzujna.**

Mayor Giunta asked for discussion.

Councilor Zink stated that in section a., three years is mentioned but in section h. line 1, five years is explained. She asked why these numbers of years different.

City Manager Milner replied that section a. and section h. are referring to two different things but offered to get back to Councilor Zink with more clarification. Milner also stated that there are no occupants in the building of interest so there will be no relocation costs.

Councilor Moquin echoed some of the concerns that were brought forward earlier on in this meeting and asked if there is any other information provided by PermaCityLife on their intentions and thoughts themselves on what an ART Block actually is or if anyone could provide any general information.

City Manager Milner replied that her belief of what PermaCityLife is attempting and will be flushed out through the Feasibility Study, is similar to what was done in Concord. Possibly different artists sharing a building in order to sell their wares. Milner also stated that there would be some free/reduced classes offered to the community.

Councilor Zink stated that the Feasibility Study listed only on 337 Central Street and 20 Church Street as the addresses for this study. She continued that the language should be changed to reflect a City-wide study and not just list those two addresses.

City Manager Milner responded by confirming that the Feasibility Study is not City wide and will only include these two buildings which PermaCityLife owns. The plan is to open up the two buildings inside since they are connected to create the desired space for the ART Block.

Councilor Dzujna commented that the idea behind this is to have Artists also help art student and the school leadership.

Councilor Zink asked where subparagraph 1 is since there is reference to it but it isn't there. There are two minutes of inaudible discussion. City Manager stated that this is the entire document.

Councilor Desrochers stated that the Council is essentially voting on a moot point for this specific grant. City Manager Milner replied that voting approval is required each time there is a \$500K CDBG grant.

No further discussion.

8 in Favor. One opposed. Motion #1) PASSED

Motion: 2) Councilor Desrochers moved that the Franklin City Council authorized the City Manager to sign and submit a Community Development Block Grant (CDBG) Planning Grant up to \$12,000 for a predevelopment technical assistance feasibility study of an art block in downtown Franklin and, upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract and any amendments thereto.

Seconded by Councilor Ribas.

Councilor Clarenbach asked the Council if the City Manager is getting the authorization to execute the contract because he thought it would be brought back to the Council first before it is executed on. City Manager replied that she would bring it back to the Council first to ACCEPT the grant and APPROPRIATE the grant.

Councilor Clarenbach reiterated that he agrees with other Councilors who spoke this evening and wants to see some amount of guidance so the Council can provide input on what they want to see in the Community as opposed to having individual people come forward with ideas that may or may not mesh. He stated that he is voting in favor of this knowing that he will see it again if its' approved.

Mayor Giunta asked if there was any further discussion. There was none.

8 in Favor. One opposed. Motion PASSED.

Agenda Item VII.

Council to consider disposition of 51 Beech Street. Tax deeded property.

**Motion: Councilor Clarenbach moved to authorized the City Manager to dispose of the following property through a bid process with a minimum bid amount of \$30,000 and to further execute all closing documents required for the conclusion of the referenced sale.
Map/lot# 135-132-00, Location: 51 Beech Street. Recommended Minimum bid \$30,000.
Seconded by Councilor Ribas.**

Councilor Clarenbach stated his appreciation to the City Manager Milner for bringing this forward and would like to see a complete list of City owned properties and would like to see us move as many of these as possible instead of waiting for a neighbor to say they have interest. City Manager Milner replied stating that she will email the list of City Owned property to the Council.

Councilor Desrochers stated that he thinks the recommended minimum bid is a little low for a property parcel total is at \$179,200. City Manager Milner replied that this property was taken this year and is within the three-year period. This means that anything over \$30K will need to be returned to the former owner anyway and why she started with this minimum bid.

Mayor Giunta asked for if there were any further questions.

Mr. Werner Horn corrected the spelling of Beech Street. Previously spelled incorrectly in the agenda as Beach Street.

Councilor Ribas asked City Manager Milner if the \$17,900 is a penalty on top of the \$20,889 and should we try to recoup \$38K instead of just \$30K. Milner stated that she wasn't sure if we would collect the \$17,920 because it's not a first home.

There was no further discussion.

All in Favor. Motion PASSED.

Agenda Item VIII.

Council to set a public hearing on Resolution #04-19 to appropriate \$100,000 of the Municipal Transportation Improvement Fund.

**Motion: Councilor Trudel moved that the Franklin City Council set a public hearing on Monday, October 1st, 2018 at 6:00pm regarding Resolution #04-19, Appropriating \$100,000 in Municipal Transportation Improvement Funds (MTIF) for road work.
Seconded by Councilor Zink**

Mayor Giunta asked for any discussion. There was none.

All in Favor. Motion PASSED.

**Motion: Councilor Zink moved to read the title only of Resolution #04-19.
Seconded by Councilor Ribas.
All in Favor. Motion PASSED.**

Mayor Giunta read the title only of Resolution #04-19.

RESOLUTION #04-19

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 of the City of Franklin, New Hampshire recognizes the need for road improvement throughout the City, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire understands the Municipal Transportation Improvement Fund (MTIF) established in the City 2009 under State RSA 261:153 is for the purpose of road infrastructure improvement, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire understands that the MTIF fund has a current unobligated balance of approximately \$150,609, **and;**

WHEREAS, the City Council of the City of Franklin wishes to appropriate from the Municipal Transportation Improvement Fund an amount not to exceed \$100,000 for the purpose of roadway repairs to Prospect Street and New Hampton Road, **Now**,

THEREFORE, BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, October 1, 2018 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 04-19 allowing the withdrawal of One Hundred Thousand Dollars (\$100,000) from the Municipal Transportation Improvement Fund and authorizing an increase in FY19 revenues:

Transfer In – Capital Reserve Funds Acct. No. 01-0-000-39150-000 – One Hundred Thousand Dollars (\$100,000),

And an increase in expenditure account,

MSD Roadway Maintenance, Other Contracted Services Acct. No. 01-3-122-40490-000 – One Hundred Thousand Dollars (\$100,000),

By a roll call vote.

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: _____

Agenda Item IX.

Other Business

1. Committee Reports

- a. Councilor Brown provided an update on the Designing Franklin's Education for the 21st Century.
 - i. There have been two meetings so far and getting a lot of feedback. Email comments to: DFFranklinNH@gmail.com.
 - ii. Next public meeting will be September 20th at City Hall (downstairs Blue Room)
 - iii. Attendance at the August meeting was good. Teachers, parents, Council members, and others attended.
 - iv. The leadership team is going to Hinsdale NH later in the month of September.
 - v. Comments coming from the August meeting were:
 1. Buildings and Grounds in the winter are tough to get the schools cleared. Some ice in front caused concern. How can we do better?
 2. Health Insurance Premiums differences between City and School. City Manager Milner explained that the City picked a plan that is less "rich" than the School's plan. The City's 100% paid plan is still less tax payers' dollars, than the 90% paid "richer" School's plan. The City will be looking at this again and going out to RFP for health insurance plans.
 3. Investing in quality teachers and lessening the turnover. Stability and job security are high on the list for both parents and teachers themselves. How do we build in Stability?
 4. Develop a sense of Pride in the students.
 5. Working closer with the Opera House and Arts programs and making them a part of the curriculum.
 6. Incorporating Life Skills Training.
 7. VLACS does fill the gaps.
 8. Go through the School Budget line by line to consolidate and combine
 9. A better way for school students/workers to communicate with the School Board and/or City Council. Possibly a representative of the school board and City Council would pick a class to go to and be a point of contact. Suggestion for all leadership to meet 1x per quarter and ask what has anyone heard. Working/not working.
 10. All comments are being added into a spreadsheet and available on the City Website.
- b. Councilor Zink stated that the Franklin Tilton Northfield Sanbornton Fire & EMS Collaboration Meeting will be held on September 25th @ 5PM at the Tilton Town Hall. There is a draft MOU that has passed through attorneys and municipalities and hope to bring it to the Council this fall.

2. Mayor Appointments and Nominations

Trustees of the Trust Fund:

- a. Motion "I reappoint Julie Buker to the Trustees of the Trust Fund (Seat TT3), Term of Service is 3 years from September 2018 to September 2021."

Highway Safety Commission:

- b. Motion "I appoint Glenn Morrill to the Highway Safety Commission (Seat HS5), Term of Service is 3 years from September 2018 to September 2021."

Conservation Commission:

- c. Motion "I reappoint Roy Gilberth to the Conservation Commission (Seat CC6), Term of Service is 3 years from September 2018 to September 2021."
- d. Motion "I appoint Terri Lemire to the Conservation Commission (Seat CC1), Term of Service is 3 years from September 2018 to September 2021."

Planning Board:

- e. Motion "I appoint Brian Barry to replace Brian Sullivan on the Planning Board (Seat PB2), Term of Service is through to January 2021."

Upper Merrimack River Local Advisor Committee:

- f. Motion "I nominate Jeff Perkin to the Upper Merrimack River Local Advisor Committee (Seat MR4), Term of service is 3 years pending the Department of Environmental Services acceptance of nomination and granting of appointment."

3. City Council Resignations

- a. **Motion made by Councilor Zink to accept the resignation of the Supervisor of Ward 3, Gayle Cook. Seconded by Councilor Ribas. All in Favor, Motion PASSED.**
- b. **Motion made by Councilor Dzujna to accept the resignation of Ward 1 Clerk, Joan Hinds. Seconded by Councilor Ribas.**
All in Favor. Motion PASSED.

Councilor Zink asked how we will fill these two positions with Primary Elections tomorrow. City Clerk Katie Gargano stated that she has two temporary fill-ins for tomorrow's election.

4. City Manager's Update

- a) Contingent Grant Line Activity – No activity for the month.
- b) Frank Lossani, new Finance Director, welcome is delayed a few days due to a personal medical urgency.
- c) The City is just about ready for an Economic Development Workshop. The Mill City Park folks are working on a master plan to share with the Council. Steven's Mill folks are working on their preliminary plan and may also need a few weeks to complete. A general downtown discussion is needed as well. City Manager Milner would like to schedule an Economic Development Workshop meeting with the City Council. The last Monday of October (the 29th) is already held for the City Council.
- d) Milner invited the Mayor and City Council to the Annual Employee BBQ on September 18th, 11:30 @ Odell Park.
- e) Milner passed out to the Council, the New Hampshire Municipal Association Legislative Policies that the Association is planning to bring forward during legislative sessions to vote on or take a stance on during the legislative sessions. Milner asked the Council if they reviewed the policies and if they oppose anything in that document.
 - I. Councilor Desrochers referred to page 2, item #5 (Municipal Regulation of Fire Arms). He stated that this should be left to the Federal and State authorities not on a local level.

Milner asked the Council if they support Councilor Desrochers.

Councilor Ribas stated that his position is the opposite and not in agreement with Councilor Desrochers statement. Prevention of bringing firearms to schools during elections and should be part of local level decision making. Local Municipalities should be able to make their own rules.

Mayor Giunta asked for the Chief of Police, David Goldstein's insight on what is currently allowed or not allowed (legal/not legal). Chief Goldstein responded that school is open. Inaudible comments. Microphone not used.

Superintendent Dan LeGallo stated that schools are not open during election times.

Councilor Ribas asked if the Council could abstain on voting on this because they are not all in agreement of this policy. The Municipal Association is voting on these policies on Friday, September 14 so there's no time to hold on this.

Mayor Giunta requested the Council to state each of their positions. An answer of Yes = object to this being part of legislation; non-support from the Council; no local control.

No = to leave the policy in the legislation; Council supports; local control.

Councilor Clarenbach: No, Councilor Brown: No, Councilor Ribas: No, Councilor Barton: No, Councilor Desrochers: Yes, Councilor Trudel: Yes, Councilor Moquin: Abstain, Councilor Dzujna: No, Councilor Zink: Abstain.

4/2 Majority of Council supports leaving the policy in the legislation.

City Manager Milner asked the Council to approve Katie Gargano as the Voting Delegate for Friday's legislative meeting. Councilor Ribas so moved. Seconded by Councilor Brown.

All in Favor. Motion PASSED.

Councilor Dzujna asked Katie Gargano if she was faxing the packet into the Municipal Association. City Manager Milner apologized and stated that the deadline was missed for voting on the legislative policies and will plan ahead for next year.

- f) The Developer of 15 Tannery was very thankful to discuss a lot line adjustment. There is a large water management run off project next to 15 Tannery that would require several thousand dollars' worth of work in the ground. The developer of 15 Tannery has been in agreeable conversations to pay for the project in lieu of the lot line adjustment. This is not final and City Manager Milner will keep the Council updated on progress. She also added that the lot line does not go down to the river. The City will maintain the boat ramp and all of the land along the river.

g) Tax Deeded Property & Demolition Update:

- I. 12 Prescott Street sale has closed and in private hands. Land only on Prescott Street, out to bid for the abutters, sold for \$5,100. The land buyer has a lot of work ahead of him. The buyer had to clean out the shed, boat, approximately 20 TVs, and piles upon piles of junk.
- II. 175 South Main Street is back with the previous owner and off the Tax Deed list.
- III. 139 Thunder Road was voted on a couple of months ago to send out to bid. There were a couple of interested parties and knew there was the building required to come down. However, they did not bid at the \$10,000 minimum so Milner asked the Council to consider going out to bid starting at \$5,000 or if they had any other ideas. Councilor Dzujna asked City Manager Milner what she thought was the reason no one placed bids and Milner responded stating that it may be due to the high cost of demolition of the building may not have been worth a land only purchase. But this is speculation.

Motion: Councilor Brown moved to drop the minimum bid of 139 Thunder road, map/lot #100-012-00. Seconded by Councilor Dzujna.

Councilor Ribas asked if the \$10,000 minimum bid was based on back taxes. City Manager Milner responded that this is about half of the outstanding taxes and with consideration of paying for the demo, the amount was driven from this.

8 in Favor. One opposed. Motion PASSED.

Demolition update: 69 Lark street demolition is complete. The demo company is gearing up for 74-76 River Street. Next will be Church Street, School Street, and then 33 Memorial Street. There may be some phone calls coming in because the owners of Packers Meat Market are also using the same demo company (All-Ways Wrecking) as the City. Packers is not a City owned property.

- h) The Efficiency Study/Strategic Plan Vision Statement – City Manager Milner spoke to Carl Webber at Primex but because the City is not a Property Liability Customer of Primex, their board did not approve Carl to come to the City and assist us with Strategic Plan. With some good luck for the City, new resident of Franklin (Mr. Ellert), happened to reach out to the City and offer his LEAN process services for free. He is an international level expert of the LEAN process. The LEAN process is similar to an efficiency study. It weeds out things that we don't do efficiently and where we can do better. The LEAN process should be done prior to the Strategic Plan Vision Statement. He is starting with the Fire Department first. Milner would like to hold a review session, meet with Mr. Ellert, and discuss a timeline with the Council on October 17th at 6pm in City Council Chambers.
- i) City Manager Milner is registering for a Radically Rural 2-day Conference in Keene NH on September 27th and 28th focusing on revitalizing downtown areas.
- j) Homeless update – Serious issue. The City has offered assistance but some won't take our help. We can't force them into a shelter. A large part of our homeless has taken up

residence on privately owned property. The City has approached the owner and they are not interested in putting up No Trespassing Signs but we will continue to work on this situation. The homeless can't have leniency with bad behavior. Notify the police if anyone sees something that shouldn't be going on. The City Welfare Director, Sherry Rhea, has contacted the Regional Homeless Outreach Coordinator for Merrimack County, who will go out and visit the homeless camps and try to bring in homeless back into the social work system which helps get them back on their feet and moving forward.

- k) The Mural Project – Previous City Manager Elizabeth Dragon began this project and handed it over to new City Manager Milner. Grevior's offered the side of their building, which can be seen on the right side coming down the hill and into the downtown area. The Mayor's Drug Task Force set aside some money for this mural. Large building size murals are expensive (\$20,000) and since that amount was not expected and set aside, the project has gone out to bid. Those submitting were asked to create renderings, one of which is in the City Manager's office and folks are welcome to view it. Mr. Grevior's approval is needed and voting will happen once the other rendering is ready. The Heritage Commission will participate in this process as well.
- l) School Funding update – City Manager Milner spoke with Glen Smith Northfield Town Administrator to discuss the School Funding issue and Adequate Funding. Mr. Smith is looking at the numbers and will assist by hosting a meeting in Northfield NH with the Lawyers and invite Franklin along. The lawyers are looking for a non-political angle on this and not getting any pro-bono sign-ups for this. Communities with fiscal disparity and property poor cities are not considered when analyzing the disparity piece of the formula. We were told that because we have a tax cap, those pieces of the formula aren't considered. Milner and Smith will present this information back to them in this way.
 - I. Councilor Desrochers stated that during Claremont I and II etc... (Franklin had a tax cap then), how have the requirements changed. City Manager Milner stated that it's possible that this time around, they are looking at it more as a State and community problem and not just at an individual community level.
- m) The City has submitted a grant to DOT for Transportation Alternatives Program which is directed toward a Trestle View Refurb as part of the Mill City Park project providing interconnectability between Mill City Park (car wash side) and the Winni River Trail. This is a highly competitive grant.
- n) McDonalds has awarded a Community Policing Award to Officer Rector and Officer Max. Presentation of this award will be on October 3rd at 4:30pm at McDonald in Franklin. Congratulations Officer Rector and Officer Max. Applause.

Councilor Dzujna praised City Manager Milner on embracing the new relationship with Mr. Ellert who will work on the LEAN process for the City. Dzujna asked how long it will take for the process to take place for each department. Milner responded that it may take about 4 hours per week, per department. Dzujna asked that if the school is willing, will Mr. Ellert analyze the school as well. Milner responded that Mr. Ellert highly recommends doing the entire City including the school department.

Councilor Dzujna asked the Chief of Police, David Goldstein if anything can be done about the homeless sleeping on benches and store fronts etc. He asked if there is a vagrancy law that we can

enforce. Mr. Goldstein responded that there are loitering laws but there needs to be a potential form crime in order to make an arrest. They are asked to move along. The owners of the properties need to call the police so action can be taken and some have gone to the police department to discuss this with Chief Goldstein. He also stated that they are offered services.

Councilor Zink stated that other communities have homelessness plans in place and asked if Franklin has begun to talk about such a plan to address this issue. She asked if we need to change or create ordinances within the City.

City Manager Milner stated that she has been meeting with Director of Planning and Zoning, Dick Lewis and Chief Goldstein on these issues and working on solutions and due to the colder weather coming in, this will force some of the homeless to come inside to City Hall and get the services they need. However, if they are on private property and the owner allows them to stay there, there's not a lot the City can do.

Council Zink asked about previous discussions on changing the name of Columbus Day and thought it would have been on the agenda for tonight. Zink wondered if discussions will be on hold until next year or at least have a discussion.

Mayor Giunta responded to Councilor Zink stating that he asked City Manager Milner the same question and shared his recollection of the last meeting that it was brought up and when he looked around for additional support, but there was none. That was taken as not having any support other than the one councilor who brought it up to make is an agenda item for tonight or this year.

City Manager Milner provide a hand-out to the Council of Mr. Ellert's LEAN Map

Request for Nonpublic

**Motion: Councilor Trudel moved that the Franklin City Council go into a 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.
Seconded by Councilor Dzujna.**

Roll Call:

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

Entered into Nonpublic Session at 8:06PM

Motion: Councilor Ribas moved to leave nonpublic session and return to public session.

**Seconded by Councilor Trudel
All in Favor. Motion PASSED.**

Public Session reconvened at 9:04PM

**Motion: Councilor Trudel moved to seal the minutes because it is determined that
divulgence of this information likely would render a proposed action ineffective.
Seconded by Councilor Ribas.**

Roll Call:

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

All in Favor. Motion PASSED.

**Motion to adjourn made by Councilor Barton. Seconded by Councilor Ribas.
All in Favor. Motion PASSED.**

Meeting adjourned at 9:06PM

CITY COUNCIL MEETING
AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of October 1, 2018

Subject: School Board Report

The Superintendent will provide a monthly report to the Mayor and City Council.

CITY COUNCIL MEETING
AGENDA ITEM III



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

October 1, 2018

From: Judie Milner, City Manager

Subject: Resolution 04-19 Appropriating Municipal Transportation Improvement Fund Monies

Recommendation:

I recommend (Director Sullivan concurs) that the City Council adopt resolution 04-19 appropriating \$100,000 in municipal transportation improvement funds (MTIF) for road work on Prospect Street and New Hampton Road.

Suggested Motions:

September 10, 2018

Councilor moves, "I move that the Franklin City Council set a public hearing on Monday, October 1, 2018 at 6pm regarding resolution 04-19 appropriating \$100,000 in municipal transportation improvement funds (MTIF) for road work."

Mayor calls for a second, discussion and vote.

October 1, 2018

Councilor moves, "I move that the Franklin City Council adopts resolution 04-19 appropriating \$100,000 in municipal transportation improvement funds (MTIF) for road work by a roll call vote."

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

Discussion:

For several months now, Director Sullivan and I have been discussing the condition of Daniels Bridge and Central Street. The report came back from the State on Daniels Bridge and the recommendation is as Director Sullivan predicted. We need to seal (repave) from the top as the membrane is in place. Director Sullivan feels we could get another 10 years out of the bridge. Originally, I had placed a placeholder in the FY19 budget for a possible bridge or road bond in

FY2020 for Central Street. Since then, the high maintenance costs due to the deteriorating condition of Central Street and the fact that 18,000 -20,000 vehicles travel Central Street daily, I have reprioritized road work.

The City carried over as an encumbrance the one-time additional highway block funding from the State of NH (\$174k) as well as the previously appropriated MTIF funds for road work (\$159k) from the FY2018 budget into the FY2019 budget. GMI, who has the contract for the road work, believes they can scour and put down 1 ½ inches of pavement from Daniels Bridge to the Tilton town line within the total encumbered money. This will resolve the issues with Central Street and extend the life of the road and bridge by at least 10 years.

If I use this encumbrance for Central Street then I need to do grader patching on the roads that we were originally going to use the money for: remaining Prospect St sections and New Hampton Road. Grader patching will improve the rideability of these roads and reduce maintenance costs. The \$100,000 MTIF appropriation will pay for this.

Director Sullivan and I feel strongly that this is the correct use of our limited funding for roads and will save on winter plowing costs and other maintenance costs for these roads.

Fiscal Impact:

The MTIF fund is a capital reserve fund on the City's books as allowed by RSA 261:153. The City adopted the provisions of the MTIF RSA in 2009 which allows the City to add a fee (\$5) on to motor vehicle registrations to be used for specific purposes deemed as municipal transportation improvements. The fee generates approximately \$45,000 in annual revenue to the MTIF fund. The City has appropriated funds from the MTIF capital reserve fund on 4 occasions in the past: Overage in the downtown transportation project, Industrial Park Drive Road Plans, road improvements and match for Haynes Brook rehabilitation project. The fund has \$150,609 unobligated balance as of 7/31/18.

Alternatives:

Do not appropriate additional MTIF funding and continue to maintain Prospect and New Hampton Road as needed.

Attachments/Exhibits:

Resolution 04-19



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION #04-19

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 of the City of Franklin, New Hampshire recognizes the need for road improvement throughout the City, **and**;

WHEREAS, the City Council of the City of Franklin, New Hampshire understands the Municipal Transportation Improvement Fund (MTIF) established in the City 2009 under State RSA 261:153 is for the purpose of road infrastructure improvement, **and**;

WHEREAS, the City Council of the City of Franklin, New Hampshire understands that the MTIF fund has a current unobligated balance of approximately \$150,609, **and**;

WHEREAS, the City Council of the City of Franklin wishes to appropriate from the Municipal Transportation Improvement Fund an amount not to exceed \$100,000 for the purpose of roadway repairs to Prospect Street and New Hampton Road, **Now**,

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, October 1, 2018 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 04-19 allowing the withdrawal of One Hundred Thousand Dollars (\$100,000) from the Municipal Transportation Improvement Fund and authorizing an increase in FY19 revenues:

Transfer In – Capital Reserve Funds Acct. No. 01-0-000-39150-000 – One Hundred Thousand Dollars (\$100,000),

And an increase in expenditure account,

MSD Roadway Maintenance, Other Contracted Services Acct. No. 01-3-122-40490-000 – One Hundred Thousand Dollars (\$100,000),

By a roll call vote.

Resolution #04-19

Page 2 of 2

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
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, October 1st, 2018 at 6:00 p.m. in the Council Chambers, Franklin City Hall regarding Resolution #04-19, the Appropriation of \$100,000 of Municipal Transportation Improvement Funds (MTIF) for road work.

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

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

CITY COUNCIL MEETING

AGENDA ITEM IV



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of October 1, 2018

Subject: EMS Presentation

Fire Chief Kevin Lachapelle will present information regarding EMS 360

CITY COUNCIL MEETING
AGENDA ITEM V



CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meeting, October 1, 2018

From: Kevin LaChapelle, Fire Chief

Subject: For the Franklin City Council to consider the sale of the 1984 Mack Fire Engine.
A.K.A. Engine 3.

Recommending motion:

1. Councilor moves: "I move that the Franklin City Council authorize the Fire Chief to sell Engine 3 seeking the highest value possible. The proceeds from this sale will be used toward the replacement of the station generator at the fire department."

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

Background:

Engine 3 was purchased by Chief Beauchemin in 1985 and placed into service as the City's "Hose Wagon". This engine has served the City well while in the capacity that it was intended. While the average age of a fire engine is 25-30 years, the Franklin Fire Department has continuously pushed the threshold into the 35+ range. Engine 3 is no exception and is showing its age with a weeping water tank and increase wear of chassis components and parts. Furthermore, in recent years the Fire Department has streamlined our operation to be more in-line with national standards. With this change, Engine 3 is very seldom used and sits dormant in the station. The truck was driven to one fire in 2017 and two fires in 2016.

The fire department administration and operational leadership team has recently conducted a workshop that builds confidence in this decision.

Fiscal Impact:

It is estimated that the sale of Engine 3 will draw \$5k-\$10k. The sale of Engine 3 will be conducted through a sealed bid process.



Attachments/Exhibits:

CITY COUNCIL MEETING
AGENDA ITEM VI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

September 21, 2018

From: Brian D. Barry, Municipal Services Deputy Director

Subject: Franklin City Council to consider authorizing the disposition of City owned Surplus Equipment at the October 20, 2018 State of New Hampshire, Surplus Property Auction and to consider authorizing permanent transfer of City owned Humvee Trailer to the Town of Danbury, NH

Recommended Motion(s):

Motion 1

Councilor Moves:

"I move that the Franklin City Council authorize the Municipal Services Deputy Director to sell, for the best possible price the Surplus City Equipment, referenced below within this Council Agenda Report, utilizing the State of New Hampshire, Surplus Property Auction to be held on Saturday October 20, 2018".

Motion 2

Councilor Moves:

"I move that the Franklin City Council authorize the Municipal Services Deputy Director to permanently transfer a Humvee trailer to the town of Danbury NH at no cost".

Discussion Motion 1:

Annually, the City of Franklin, New Hampshire participates in the State of New Hampshire, White Farm Surplus Property Auction located at 144 Clinton Street in Concord, New Hampshire. In the past, we have received very good prices for surplus, obsolete and/or unused City vehicles, tools and equipment. The following items have been determined by City Staff as surplus equipment and recommended for disposition and sale at the upcoming October 20, 2017 White Farm Auction.

- Four (4) wheeled fiberglass storage containers
- 1989 International 4600 Rack Body VIN# 1HTSAZRM3LH694563
- 2005 Chevy Impala VIN# 2G1WF55K859356265
- 1992 Sky Track Fork Lift VIN# 6000M2P2059
- Two (2) 2005 Humvee Military Trailers

Discussion Motion 2:

This unit was acquired as military surplus equipment, much of which through the efforts of Sergeant Dan Ball. Sergeant Ball should be commended for his efforts in acquiring a large amount of military surplus equipment. Much of the equipment has been put to use by the City and other items have been declared surplus and sold generating revenue.

Mayor calls for a second and a vote.

Concurrences:

In accordance with City Code, declared surplus equipment must be authorized for disposition by the City Council. Upon sale, items are then removed from the City's inventory.

Fiscal Impact:

Auction proceeds from the sale of surplus equipment are deposited into "Miscellaneous Revenues" Account in the City's General Fund.

Alternatives:

Should the City Council not decide to move forward, the Municipal Services Department will need to retain the equipment, but, as it is no longer serving a purpose, it will only take up storage space.

Attachments / Exhibits: James R. St. Jean Auctioneers, State of New Hampshire, Surplus Property Auction Notice, dated - April 2017.

JAMES R. ST. JEAN AUCTIONEERS

September 2018

TO: ALL MUNICIPALITIES & NON-PROFITS

RE: STATE OF NH SURPLUS PROPERTY AUCTION

This memo is to advise all City and Town Personnel that the State of NH allows, as well as encourages, your participation in the State of NH Surplus Property Auction to be held Saturday, October 20, 2018 at the White Farm, 144 Clinton Street, Concord, NH.

In the past the Cities and Towns who have participated have consigned many items such as vehicles, equipment, furniture and fixtures. Through the auction process many of these Cities and Towns have found the auction method to be very lucrative, especially in the sale of motor vehicles. In the spring of 2018 over 30 Cities and Towns throughout NH participated in the auction; visit our website: www.jsjauctions.com for sale results. Should the October 20, 2018 date of the live auction not fit into your timeline, please note that St. Jean Auctioneers conducts online vehicle & equipment auctions throughout the year and would be happy to meet with you to discuss alternative auction methods. Please contact Jay or Sue at (603) 734-4348 and we'll provide detailed information on both live and online auction options.

The following are the live auction guidelines:

1. All items entered into the auction will be sold at **"absolute auction", that is, with no minimum or reserve bids.**
2. We must have a complete inventory list on town letterhead or use the attached form
3. Vehicles year 2000 or newer need a Title of Ownership signed and dated 10/20/18. Vehicles older than year 2000 need: A copy of the Title of Ownership signed & dated 10/20/18 or a (TMDV 22A), it's a pink State of NH form with one of the following: A copy of the title, copy of last registration or a (TDMV-19A), it's a blue State of NH Verification of Vehicle Identification form.
4. All consignors are responsible for delivery of items to the auction site which is located at 144 Clinton Street, Concord, NH (exit 2 off of I-89).
5. Drop off times: Thursday, Oct. 11 from 8am-3:30pm; Friday Oct. 12, from 8am-1pm and by appointment with auctioneers. All consignors will be required to submit an inventory listing upon or before arrival and to assist with unloading. The State of NH will provide forklift/loader assistance for heavy equipment and palletized loads.

St. Jean Auctioneers will make payment approximately ten days after the auction sale. Our payment will include a listing of each item sold and the sale price. A check will be made payable in the manner you indicate to us minus a yard fee of ten percent of the gross sales amount.

We look forward to working with you and if you have any questions, please do not hesitate to contact our office at (603) 734-4348.

CITY COUNCIL MEETING
AGENDA ITEM VII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting 1 October 2018

From: Chief David Goldstein, City of Franklin Police Chief

Subject: City Council to consider the approval of Resolution # 05-19, increasing revenue and expenditure accounts based on the awarding of a grant from the New Hampshire Department of Safety, Office of Highway Safety for the Franklin Police Department in the amount of \$5,000.00.

Recommended motions:

October 1, 2018

Councilor moves: ***"I move that the Franklin City Council schedule a public hearing on Resolution #05-19, on Monday 5 November 2018 at 6:05 pm in Council Chambers, Franklin City Hall regarding accepting the Law Enforcement Opioid Abuse Reduction Initiative grant in the amount of Five Thousand dollars, and approving the Memorandum of Agreement with Tilton and Northfield Police Departments"***

Mayor calls for a second, discussion and the vote.

November 5, 2018

Councilor moves: ***"I move that the Franklin City Council adopt Resolution #05-19 accepting the Law Enforcement Opioid Abuse Reduction Initiative grant in the amount of Five Thousand dollars, approving the Memorandum of Agreement with Tilton and Northfield Police Departments."***

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

Discussion:

The Franklin Police Department has been awarded a grant from the New Hampshire Department of Safety, Division of State Police, for the purpose of investigating and apprehending individuals or organizations that are involved in opioid related drug use and trafficking in the amount of 5,000 dollars.

Fiscal Impact:

The grant does not have a match. There is no monetary impact to the city of Franklin. The execution of the grant is expected to be split with the Tilton and Northfield Police Departments.

Alternatives:

The City of Franklin declines to approve the grant from the New Hampshire Department of Safety, Division of State Police (Operation Granite Hammer).

Attachments:

Grant Award

Grant Agreement

Memorandum of Agreement

Resolution 05-19



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION #05-19

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 of the City of Franklin, New Hampshire understands the Police Department sought and received a 100% federal non-matching grant from the State of New Hampshire called the Law Enforcement Opioid Abuse Reduction Initiative Grant totaling \$5,000 for the purpose of investigating and apprehending individuals or organizations involved in opioid related drug use and trafficking, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire understands that the grant requirements will be fulfilled in a joint effort by Franklin, Northfield and Tilton police departments and that each department will bill and receive grant funds directly according the grant memorandum of agreement, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire understands that Franklin police department is expected to receive approximately 1/3 of the grant funding totaling \$1,667 and wishes to appropriate this funding, **Now,**

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, November 5, 2018 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 05-19 accepting the Law Enforcement Opioid Abuse Reduction Initiative grant from the Office of Highway Safety in the amount of \$5,000, approving the memorandum of agreement with the agencies listed above, authorizing the City Manager to execute all necessary paperwork and authorizing an increase in FY2019 revenues:

Grant Revenue - Police Acct. No. 01-2-103-33111-000 – One Thousand Six Hundred Sixty-Seven Dollars (\$1,667),

And an increase in FY2019 expenditure accounts,

Overtime Wages – Investigations Acct. No. 01-2-102-40140-000 – One Thousand Two Hundred Seventy-Four Dollars (\$1,274),

Medicare – Investigations Acct. No. 01-2-102-40225-000 – eighteen Dollars (\$18),

New Hampshire Retirement Acct. No. 01-2-102-40230-000 – Three Hundred Seventy-Five Dollars (\$375)

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: _____

Stephanie Clough

From: Glover, Susan <Susan.Glover@dos.nh.gov>
Sent: Wednesday, June 20, 2018 3:47 PM
To: 'LT. S. Clough'
Cc: Urban-Morin, Pamela; 'Chief Goldstein'; 'jmilner@franklinnh.org'
Subject: 2019 Opioid Grant Award Notification
Attachments: Franklin Grant Agreement.doc; Franklin Northfield MOA.doc; Franklin Tilton MOA.doc

Thank you for completing the application process. We are pleased to inform you of your award of \$5,000.00 as approved today by Governor and Council. We look forward to working with you on the grant details. If you plan on adding any additional partners please notify us at this time so we may revise the agreement and MOA's, attached to this email.

Please find attached the Grant Agreement and MOA's for the 2019 Law Enforcement Opioid Abuse Reduction Initiative Grant. The Grant Agreement and MOA's must be filled in completely in order to be processed through for approval by the Governor and Executive Council. Applicants must comply with all applicable laws regarding their authority to enter into contracts and accept funds.

- 1) Applicants must include with their Grant Agreement: official documentation that demonstrates compliance with applicable laws and authority for all signatures, including but not limited to certificate of authority, minutes from meetings of a Selectboard, of a Board of County Commissioners, or of a Mayor and Aldermen.
- 2) Please note the provision of 17, 17.1.1 and 17.1.2. Copies of these documents/policies must be included when you return your original signed documentation.
- 3) No work can begin until Dept. of Safety (GMU Office) receives these executed documents and the NH Dept. of Justice approves them.
- 4) Reminder: All work related to this grant must be completed 6/30/19.

Please return this contract documentation with original signatures as soon as possible to:

Grants Management Unit, 2nd Floor
NH Dept of Safety
33 Hazen Drive
Concord, NH 03305

Once all documentation is in order and approved, we will notify you with the approval to proceed with activities under this grant.

Please feel free to contact me at 271-4298 if you have any questions.

Thank you

Susan Glover
Program Specialist IV
NH Department of Safety
Grants Management Unit
33 Hazen Drive
Concord, NH 03305

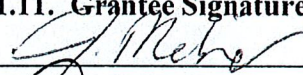
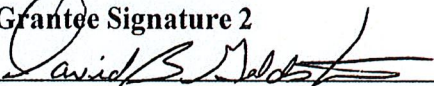
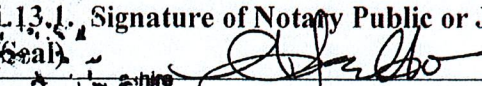
This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by law. If you are not the intended recipient or the person

GRANT AGREEMENT


The State of New Hampshire and the Grantee hereby mutually agree as follows:

GENERAL PROVISIONS

1. Identification and Definitions.

1.1. State Agency Name NH Department of Safety Division of State Police		1.2. State Agency Address 33 Hazen Drive Concord, NH 03305	
1.3. Grantee Name City of Franklin Police Department		1.4. Grantee Address 5 Hancock Terrace, Franklin, NH 03235	
1.5. Effective Date G&C Approval	1.6. Completion Date 6/30/2019	1.7. Audit Date N/A	1.8. Grant Limitation \$5,000.00
1.9. Grant Officer for State Agency Pamela Urban-Morin		1.10. State Agency Telephone Number (603) 271-7663	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
1.11. Grantee Signature 1 		1.12. Name & Title of Grantee Signor 1 JUDIE MILNER, CITY MANAGER	
Grantee Signature 2 		Name & Title of Grantee Signor 2 DAVID B. GOLDSTEIN, CHIEF OF POLICE	
Grantee Signature 3		Name & Title of Grantee Signor 3	
1.13. Acknowledgment: State of New Hampshire, County of Merrimack, on 8/13/18, before the undersigned officer, personally appeared the person identified in block 1.12., known to me (or satisfactorily proven) to be the person whose name is signed in block 1.11., and acknowledged that he executed this document in the capacity indicated in block 1.12.			
1.13.1. Signature of Notary Public or Justice of the Peace 			
1.13.2. Name & Title of Notary Public or Justice of the Peace Audrey Lanzillo, Notary Public			
1.14. State Agency Signature(s)		1.15. Name & Title of State Agency Signor(s) Steven Lavoie, Director of Administration	
1.16. Approval by Attorney General (Form, Substance and Execution) By: _____ Assistant Attorney General, On: ____ / ____ / ____			
1.17. Approval by Governor and Council By: _____ On: ____ / ____ / ____			

2. **SCOPE OF WORK:** In exchange for grant funds provided by the state of New Hampshire, acting through the agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:66, the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

Grantee Initials 

Date 8-13-18

3. AREA COVERED. Except as otherwise specifically provided for herein, the Grantee shall perform the Project in, and with respect to, the State of New Hampshire.
4. EFFECTIVE DATE: COMPLETION OF PROJECT.
- 4.1. This Agreement, and all obligations of the parties hereunder, shall become effective on the date in block 1.5 or on the date of approval of this Agreement by the Governor and Council of the State of New Hampshire whichever is later (hereinafter referred to as "the effective date").
- 4.2. Except as otherwise specifically provided herein, the Project, including all reports required by this Agreement, shall be completed in its entirety prior to the date in block 1.6 (hereinafter referred to as "the Completion Date").
5. GRANT AMOUNT: LIMITATION ON AMOUNT: VOUCHERS: PAYMENT.
- 5.1. The Grant Amount is identified and more particularly described in EXHIBIT B, attached hereto.
- 5.2. The manner of, and schedule of payment shall be as set forth in EXHIBIT B.
- 5.3. In accordance with the provisions set forth in EXHIBIT B, and in consideration of the satisfactory performance of the Project, as determined by the State, and as limited by subparagraph 5.5 of these general provisions, the State shall pay the Grantee the Grant Amount. The State shall withhold from the amount otherwise payable to the Grantee under this subparagraph 5.3 those sums required, or permitted, to be withheld pursuant to N.H. RSA 80:7 through 7-c.
- 5.4. The payment by the State of the Grant amount shall be the only, and the complete, payment to the Grantee for all expenses, of whatever nature, incurred by the Grantee in the performance hereof, and shall be the only, and the complete, compensation to the Grantee for the Project. The State shall have no liabilities to the Grantee other than the Grant Amount.
- 5.5. Notwithstanding anything in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made, hereunder exceed the Grant limitation set forth in block 1.8 of these general provisions.
6. COMPLIANCE BY GRANTEE WITH LAWS AND REGULATIONS. In connection with the performance of the Project, the Grantee shall comply with all statutes, laws regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Grantee, including the acquisition of any and all necessary permits.
7. RECORDS and ACCOUNTS.
- 7.1. Between the Effective Date and the date seven (7) years after the Completion Date the Grantee shall keep detailed accounts of all expenses incurred in connection with the Project, including, but not limited to, costs of administration, transportation, insurance, telephone calls, and clerical materials and services. Such accounts shall be supported by receipts, invoices, bills and other similar documents.
- 7.2. Between the Effective Date and the date seven (7) years after the Completion Date, at any time during the Grantee's normal business hours, and as often as the State shall demand, the Grantee shall make available to the State all records pertaining to matters covered by this Agreement. The Grantee shall permit the State to audit, examine, and reproduce such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, data (as that term is hereinafter defined), and other information relating to all matters covered by this Agreement. As used in this paragraph, "Grantee" includes all persons, natural or fictional, affiliated with, controlled by, or under common ownership with, the entity identified as the Grantee in block 1.3 of these general provisions.
8. PERSONNEL.
- 8.1. The Grantee shall, at its own expense, provide all personnel necessary to perform the Project. The Grantee warrants that all personnel engaged in the Project shall be qualified to perform such Project, and shall be properly licensed and authorized to perform such Project under all applicable laws.
- 8.2. The Grantee shall not hire, and it shall not permit any subcontractor, subgrantee, or other person, firm or corporation with whom it is engaged in a combined effort to perform the Project, to hire any person who has a contractual relationship with the State, or who is a State officer or employee, elected or appointed.
- 8.3. The Grant Officer shall be the representative of the State hereunder. In the event of any dispute hereunder, the interpretation of this Agreement by the Grant Officer, and his/her decision on any dispute, shall be final.
9. DATA: RETENTION OF DATA: ACCESS.
- 9.1. As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, paper, and documents, all whether finished or unfinished.
- 9.2. Between the Effective Date and the Completion Date the Grantee shall grant to the State, or any person designated by it, unrestricted access to all data for examination, duplication, publication, translation, sale, disposal, or for any other purpose whatsoever.
- 9.3. No data shall be subject to copyright in the United States or any other country by anyone other than the State.
- 9.4. On and after the Effective Date, all data and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason, whichever shall first occur.
- 9.5. The State, and anyone it shall designate, shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, all data.
10. CONDITIONAL NATURE OR AGREEMENT. Notwithstanding anything in this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability or continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available or appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Grantee notice of such termination.
11. EVENT OF DEFAULT: REMEDIES.
- 11.1. Any one or more of the following acts or omissions of the Grantee shall constitute an event of default hereunder (hereinafter referred to as "Events of Default"):
- 11.1.1 Failure to perform the Project satisfactorily or on schedule; or
- 11.1.2 Failure to submit any report required hereunder; or
- 11.1.3 Failure to maintain, or permit access to, the records required hereunder; or
- 11.1.4 Failure to perform any of the other covenants and conditions of this Agreement.
- 11.2. Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:
- 11.2.1 Give the Grantee a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Grantee notice of termination; and
- 11.2.2 Give the Grantee a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the Grant Amount which would otherwise accrue to the grantee during the period from the date of such notice until such time as the State determines that the Grantee has cured the Event of Default shall never be paid to the Grantee; and
- 11.2.3 Set off against any other obligation the State may owe to the Grantee any damages the State suffers by reason of any Event of Default; and
- 11.2.4 Treat the agreement as breached and pursue any of its remedies at law or in equity, or both.
12. TERMINATION.
- 12.1. In the event of any early termination of this Agreement for any reason other than the completion of the Project, the Grantee shall deliver to the Grant Officer, not later than fifteen (15) days after the date of termination, a report (hereinafter referred to as the "Termination Report") describing in detail all Project Work performed, and the Grant Amount earned, to and including the date of termination.
- 12.2. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall entitle the Grantee to receive that portion of the Grant amount earned to and including the date of termination.
- 12.3. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall in no event relieve the Grantee from any and all liability for damages sustained or incurred by the State as a result of the Grantee's breach of its obligations hereunder.
- 12.4. Notwithstanding anything in this Agreement to the contrary, either the State or, except where notice default has been given to the Grantee hereunder, the Grantee may terminate this Agreement without cause upon thirty (30) days written notice.
13. CONFLICT OF INTEREST. No officer, member of employee of the Grantee, and no representative, officer or employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or

Grantee Initials

Date

8-13-18

- approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.
14. GRANTEE'S RELATION TO THE STATE. In the performance of this Agreement the Grantee, its employees, and any subcontractor or subgrantee of the Grantee are in all respects independent contractors, and are neither agents nor employees of the State. Neither the Grantee nor any of its officers, employees, agents, members, subcontractors or subgrantees, shall have authority to bind the State nor are they entitled to any of the benefits, workmen's compensation or emoluments provided by the State to its employees.
15. ASSIGNMENT AND SUBCONTRACTS. The Grantee shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the State. None of the Project Work shall be subcontracted or subgranted by the Grantee other than as set forth in Exhibit A without the prior written consent of the State.
16. INDEMNIFICATION. The Grantee shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Grantee or Subcontractor, or subgrantee or other agent of the Grantee. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.
17. INSURANCE AND BOND.
- 17.1 The Grantee shall, at its own expense, obtain and maintain in force, or shall require any subcontractor, subgrantee or assignee performing Project work to obtain and maintain in force, both for the benefit of the State, the following insurance:
- 17.1.1 Statutory workmen's compensation and employees liability insurance for all employees engaged in the performance of the Project, and
- 17.1.2 Comprehensive public liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$1,000,000 per occurrence and \$2,000,000 aggregate; and
- 17.2. The policies described in subparagraph 17.1 of this paragraph shall be the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State of New Hampshire. Each policy shall contain a clause prohibiting cancellation or modification of the policy earlier than ten (10) days after written notice thereof has been received by the State.
18. WAIVER OF BREACH. No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event, or any subsequent Event. No express waiver of any Event of Default shall be deemed a waiver of any provisions hereof. No such failure of waiver shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other default on the part of the Grantee.
19. NOTICE. Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses first above given.
20. AMENDMENT. This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Council of the State of New Hampshire.
21. CONSTRUCTION OF AGREEMENT AND TERMS. This Agreement shall be construed in accordance with the law of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assignees. The captions and contents of the "subject" blank are used only as a matter of convenience, and are not to be considered a part of this Agreement or to be used in determining the intent of the parties hereto.
22. THIRD PARTIES. The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.
23. ENTIRE AGREEMENT. This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings relating hereto.
24. SPECIAL PROVISIONS. The additional provisions set forth in Exhibit C hereto are incorporated as part of this agreement.

EXHIBIT A SCOPE OF SERVICES

1. The Department of Safety, Division of State Police (hereinafter referred to as "the State") is awarding the City of Franklin Police Department (hereinafter referred to as "the Grantee") \$5,000.00 for the purpose of investigating and apprehending individuals or organizations that are involved in opioid related drug use and trafficking.
2. "The Grantee" agrees that the project grant period ends June 30, 2019 and that all expenses must be incurred and paid prior to this date and reimbursement requests submitted on form DSAD 69 must be submitted to the Department of Safety, Grants Management Unit, prior to June 30, 2019.
3. "The Grantee" agrees to comply with all applicable federal and state laws, rules, regulations, and requirements.
4. "The Grantee", is responsible for the overall direction and assignment of all grant funded activities. Some activities may be assigned to the Town of Tilton Police Department and/or Town of Northfield Police Department (hereinafter referred to as "the Municipality"). When assigned grant funded activities by "the Grantee", "the Municipality" is eligible for reimbursement directly from "the State" in accordance with the MOA(s) in Exhibit D, pending the submission of appropriate documentation, and approval from "the Grantee".
5. The grant application as submitted by "the Grantee" is hereby fully incorporated into this grant agreement.



8.13.18

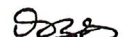


EXHIBIT B
GRANT AMOUNT AND METHOD OF PAYMENT

1. Grant Amount: \$5,000.00
2. Payment Schedule
 - a. "The Grantee" agrees that the total payment by "the State" under this grant agreement shall be up to \$5,000.00
 - b. "The State" shall reimburse up to \$5,000.00 to "the Grantee" upon "the State" receiving appropriate documentation of expended funds (i.e: copies of payroll documentation and proof of payment) submitted with form DSAD 69.
 - c. "The Grantee" is responsible for the overall direction and assignment of all 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) grant funded activities. When "the Municipality" is assigned grant funded activities by "the Grantee", "the State" will reimburse "the Municipality" directly upon receiving appropriate documentation of expended funds and approval from "the Grantee". Payments made directly to "the Municipality" will be considered payments made to "the Grantee" for the purposes of this grant agreement.

EXHIBIT D

Memorandum of Agreement (MOA)

Grantee Initials
Date

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8.13.18

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EXHIBIT C

SPECIAL PROVISIONS

1. Grant expenses must be incurred and paid prior to June 30, 2019. All grant reimbursement requests must be submitted prior to June 30, 2019 using form DSAD 69 to allow payment prior to June 30, 2019. Only expenses approved as outlined in Exhibit A and outlined in Saf-C 2904.02 Allowable Costs may be reimbursed. Reimbursement requests shall meet all requirements of Saf-C 2908 Administrative Requirements.
2. "The Grantee" shall maintain financial records, supporting documents, and all other pertinent records for a period of 3 years from the grant period end date per Saf-C 2909.01 Recordkeeping.
3. Grant Agreement Revision to Provision 16. INDEMNIFICATION. The Grantee shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Grantee or Subcontractor, or subgrantee or other agent of the Grantee. ***The Grantee's liability herein shall not exceed the amount of \$1,000,000.*** Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.

Memorandum of Agreement (MOA)

The State of New Hampshire, Department of Safety (herein referred to as the “State”), the Town of Northfield Police Department (herein referred to as the “Municipality”), and City of Franklin Police Department (herein referred to as the “Grantee”) agree to administer funding of the 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) as authorized under RSA 21-P:66 and Saf-C 2900 in the manner detailed within this Memorandum of Agreement.

The “Grantee”, as the grant award recipient, is responsible for the overall direction and assignment of all 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) grant funded activities. Some of these activities may be assigned to the “Municipality”. When the “Municipality” is assigned grant funded activities, the “Municipality” is eligible for reimbursement directly from the “State”, pending the submission of appropriate documentation, approval from the “Grantee”, and in accordance with the grant award requirements. This agreement may be modified by written mutual agreement of the parties. This agreement shall remain in effect until the grant period has expired.

The “Grantee” is responsible for:

- Coordination of activities as specified in RSA 21-P:66 and Saf-C 2900 and outlined in the application and grant award documentation;
- Reviewing and approving all reimbursement requests submitted by the “Municipality”;
- Submitting “Municipality” reimbursement requests to the “State”;
- Any costs related to activities that are not previously approved by the “State” or that exceed any previously approved amount.

The “Municipality” is responsible for:

- Participating in specified “Grantee” assigned activities as per the final grant agreement;
- Documenting specified “Grantee” assigned activities in accordance with the grant agreement using the attached Overtime form and appropriate back-up as specified in the Grant application and Saf-C 2908.01 on form DSAD 69;
- Submitting reimbursement requests supported by documentation to the “Grantee”;
- Any costs related to activities that are not previously approved by the “Grantee”, that exceed any previously approved amount, or that are deemed ineligible per the grant agreement.

The “State” is responsible for:

- Reimbursing the “Municipality” for “Grantee” approved grant related activities that are supported by proper documentation and approved by the “Grantee”;
- Ensuring that submitted reimbursements have been approved by the “Grantee”;
- Providing notification to the “Grantee” and “Municipality” of any documentation deficiencies and the steps necessary to resolve the issue.

Memorandum of Agreement (MOA)

The State of New Hampshire, Department of Safety (herein referred to as the "State"), the Town of Tilton Police Department (herein referred to as the "Municipality"), and City of Franklin Police Department (herein referred to as the "Grantee") agree to administer funding of the 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) as authorized under RSA 21-P:66 and Saf-C 2900 in the manner detailed within this Memorandum of Agreement.

The "Grantee", as the grant award recipient, is responsible for the overall direction and assignment of all 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) grant funded activities. Some of these activities may be assigned to the "Municipality". When the "Municipality" is assigned grant funded activities, the "Municipality" is eligible for reimbursement directly from the "State", pending the submission of appropriate documentation, approval from the "Grantee", and in accordance with the grant award requirements. This agreement may be modified by written mutual agreement of the parties. This agreement shall remain in effect until the grant period has expired.

The "Grantee" is responsible for:

- Coordination of activities as specified in RSA 21-P:66 and Saf-C 2900 and outlined in the application and grant award documentation;
- Reviewing and approving all reimbursement requests submitted by the "Municipality";
- Submitting "Municipality" reimbursement requests to the "State";
- Any costs related to activities that are not previously approved by the "State" or that exceed any previously approved amount.

The "Municipality" is responsible for:

- Participating in specified "Grantee" assigned activities as per the final grant agreement;
- Documenting specified "Grantee" assigned activities in accordance with the grant agreement using the attached Overtime form and appropriate back-up as specified in the Grant application and Saf-C 2908.01 on form DSAD 69;
- Submitting reimbursement requests supported by documentation to the "Grantee";
- Any costs related to activities that are not previously approved by the "Grantee", that exceed any previously approved amount, or that are deemed ineligible per the grant agreement.

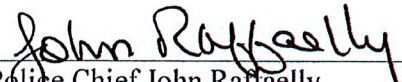
The "State" is responsible for:

- Reimbursing the "Municipality" for "Grantee" approved grant related activities that are supported by proper documentation and approved by the "Grantee";
- Ensuring that submitted reimbursements have been approved by the "Grantee";
- Providing notification to the "Grantee" and "Municipality" of any documentation deficiencies and the steps necessary to resolve the issue.

Nothing in this agreement guarantees payment of any amounts to the "Grantee" or "Municipality" or alters or changes the grant agreement with the "Grantee". Costs for the entire activity may not exceed the maximum award to the "Grantee".

The undersigned, on behalf of the State of New Hampshire, Department of Safety (the "State"), the Town of Northfield Police Department (the "Municipality"), and the City of Franklin Department (the "Grantee") agree to administer funding of the 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) as authorized under RSA 21-P:66 and Saf-C 2900 in the manner detailed within this Memorandum of Agreement.


Town of Northfield Police Department


Police Chief John Raffaelli

7/31/18
Date

Email: JRaffaelli@NorthfieldNH.org Phone: 286-8982

City of Franklin Police Department


Police Chief David Goldstein

7-17-18
Date

New Hampshire Division of State Police

Christopher Wagner
Colonel

Date

New Hampshire Department of Safety

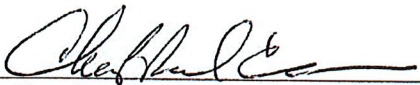
Steven R. Lavoie
Director of Administration

Date

Nothing in this agreement guarantees payment of any amounts to the "Grantee" or "Municipality" or alters or changes the grant agreement with the "Grantee". Costs for the entire activity may not exceed the maximum award to the "Grantee".

The undersigned, on behalf of the State of New Hampshire, Department of Safety (the "State"), the Town of Tilton Police Department (the "Municipality"), and the City of Franklin Department (the "Grantee") agree to administer funding of the 2019 Law Enforcement Opioid Abuse Reduction Initiative (OARI) as authorized under RSA 21-P:66 and Saf-C 2900 in the manner detailed within this Memorandum of Agreement.

Town of Tilton Police Department



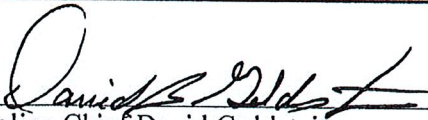
Police Chief Robert L. Cormier

8/9/18
Date

Email: Chief@TiltonNH.org

Phone: 603-286-8287

City of Franklin Police Department



Police Chief David Goldstein

8-17-18
Date

New Hampshire Division of State Police

Christopher Wagner
Colonel

Date

New Hampshire Department of Safety

Steven R. Lavoie
Director of Administration

Date

CITY COUNCIL MEETING
AGENDA ITEM VIII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of October 1, 2018

Subject: Other Business

- 1. Committee Reports**
- 2. Resignations**
 - a. School Board**
- 3. City Manager's Update**
- 4. Late Items**

Nonpublic Session

City Council

Resignation

Motion – “Councilor moves to accept the resignation of Franklin School Board member, Paul Doucette.”

Audrey Lanzillo

From: Daniel LeGallo <dlegallo@sau18.org>
Sent: Monday, September 17, 2018 3:25 PM
To: Audrey Lanzillo
Subject: FW: RESIGNATION

Here you go Audrey.

Dan

From: PAUL DOUCETTE [mailto:PAULDOUCETTE@METROCAST.NET]
Sent: Tuesday, August 28, 2018 2:14 PM
To: Daniel LeGallo <dlegallo@sau18.org>; Anya Twarog <atwarog@sau18.org>; Chris Kneeland <ckneeland@sau18.org>; Deborah Brown <dbrown@sau18.org>; Delaney Carrier <dcarrier@sau18.org>; Jeff Savary <jsavary@sau18.org>; Paul Doucette <pdoucette@sau18.org>; Scott Burns <sburns@sau18.org>; Susan Hallett-Cook <scook@sau18.org>; Tim Dow <tdow@sau18.org>
Subject: RESIGNATION

Good Afternoon Dan, Et Al,

Effective immediately please accept my resignation from the Franklin School Board.

Talks to peruse a different path began in May and were finalized this morning August 28, 2018.

I am very appreciative to the Citizens of Franklin, you Superintendent Daniel LeGallo, fellow School Board members, and the SAU 18 staff for your support and edification. A great learning experience Thank You

Respectively Submitted,

**Paul Doucette
Digital Signature**



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting October 1, 2018

Date: September 25, 2018

From: Judie Milner, City Manager

Subject: City Manager's Update

1) Contingent Grant Line Activity

No activity for the month.

2) Welcome Frank Lossani

3) Set Meeting Date to Canvas the Votes from the City Election.

Friday, October 5th or Tuesday, October 9th

4) Economic Development Workshop – 10/29

5) CAP Office – 11/1/18 moving into City Hall temporarily

6) NH Representatives & Senators candidate forum with Northfield

7) Central Street Maintenance Paving

8) Tax Deeded Property & Demolition Update

9) LEAN process/Strategic Plan/Vision Statement Update

10) Non-Public needed – Suggested Motion: Motion to go into nonpublic session according to RSA 91-A:3 II (e) consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled.