

CITY OF FRANKLIN
CITY COUNCIL MEETING
February 6, 2017
6:00 P.M.





**FRANKLIN CITY COUNCIL
AGENDA**

Council Chambers

Monday, February 6, 2017

6:00 P.M.

SALUTE TO THE FLAG

CEREMONIAL RECGONITION

PUBLIC HEARINGS

Resolution #07-17: A Resolution regarding trade-in of a Rubber Tire Excavator, pay off of its current lease and enter into a new lease schedule for the purchase of a smaller Track Propelled Excavator with financing derived from the existing sewer fund.

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.

LEGISLATIVE COMMENTS

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.

City Council to consider the minutes of January 3, 2017 City Council Inaugural Meeting.

Agenda Item II.

Monthly School Board Report.

Agenda Item III.

City Council to consider adopting Resolution #07-17, trade-in of a Rubber Tire Excavator, pay off of its current lease and enter into a new lease schedule for the purchase of a smaller Track Propelled Excavator with financing derived from the existing sewer fund.

Agenda Item IV.

City Council to consider Community Day vendor permits.

Agenda Item V.

City Council to consider the acceptance of tax deed property.

Agenda Item VI.

City Council to consider setting a public hearing for Resolution #08-17, appropriating funds of \$2,600 from the sale of Mascoko Foundry items to the nuisance abatement line.

Agenda Item VII.

City Council to authorize City Manager to file and sign all documents necessary for the Rural Government Grant for Downtown business Coordinator.

Agenda Item VIII.

City Council to consider setting a public hearing for Resolution #09-17, consider the appropriation of \$5,600 from the outside police detail fund balance for the replacement of the engine and related parts in the K-9 cruiser.

Agenda Item IX.

Chief LaChapelle to present the newest version of the NH 911 maps.

Agenda Item X.

Other Business

- 1. Committee Reports**
- 2. City Council Appointments/Resignations**
Library Board of Trustees
- 3. City Manager's Update**
- 4. Late Items**

Adjournment

The City Council of the City of Franklin reserves the right to enter into non-public session when necessary according to the provisions of RSA 91-A.

This location is accessible to the disabled 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

PENDING COUNCIL APPROVAL



**City Council Inaugural Meeting
January 3, 2017**

Call to Order

Mayor Merrifield called the meeting to order in the Council Chambers, Franklin City Hall at 6:00 p.m.

In Attendance

Councilor Clarenbach, Councilor Starkweather, Councilor Barton, Councilor Giunta, Councilor Desrochers, Councilor Wells, Councilor Zink, Councilor Dzujna, Councilor-elect, Moquin, Councilor-elect Ribas, Mayor Merrifield, and City Manager Dragon.

Absent

Councilor Boyd

Presentation of the Color Guard was done by the Franklin Fire Department.

Salute to the Flag was led by Boys Scouts of America.

Cindy Moquin presented the National Anthem with Jo Brown on piano.

The Serendipity Singers sang God Bless America.

Invocation was given by Reverend Glen Carter.

Citizen of the Year 2016

Mayor Merrifield presented Mr. Stephen Donahue with Citizen of the Year and a copy of the Mayor's Citizen of the Year speech is attached.

2016 City Council Meeting

Public Hearings

Payment in Lieu of Taxes (PILOT) agreements for seven solar projects being developed by NH Solar Gardens throughout the City on both private and public property.

This public hearing was cancelled and not heard.

Agenda Item I.

City Council to consider the minutes of the November 28, 2016 City Council Special Workshop Meeting and the December 5, 2015 City Council Meeting.

Motion: Councilor Zink moved that the Franklin City Council consider the minutes of the November 28, 2016 City Council Special Workshop Meeting and the December 5, 2016 City Council Meeting. Motion seconded by Councilor Dzujna.

All in favor; motion passes.

Agenda Item II.

City Council to consider Payment in Lieu of Taxes (PILOT) agreements for seven solar projects being developed by NH Solar Gardens throughout the City on both private and public property.

Public Hearing was cancelled so this item was skipped.

Agenda Item III.

City Council to consider approving and adopting the revised Franklin Falls Mixed Use Tax Increment Financing (TIF) Plan.

Motion: Councilor Desrochers moved that the Franklin City Council approve and adopt the 2017 Franklin Falls Mixed Use Tax Increment Finance District Plan. Motion seconded by Councilor Starkweather.

Councilor Barton stated a TIF plan for Upper Central Street was talked about and what is the process to do that and how long does that process take. City Manager Dragon explained that at the last meeting there was a comment made to add Upper Central St. That is a possibility as the combined TIF districts are well below the limits for property and total dollars. The Planning Director would start drafting another TIF document and public hearing to do that. If the Council wanted to create another district Councilor Barton asked that it can be no more than 5% and City Manager Dragon stated it is 5% total, all TIFs together. Councilor Barton asked if we were at 3% now and City Manager Dragon stated she thought it was lower than that. Planning Director Lewis stated that for the size of the district we are much less than the 5% maximum and for all taxable property we are at 3% of the 8% maximum. Councilor Barton asked if it could be added to this or does it have to be voted on later. City Manager Dragon stated you would need to expand the properties, determine which fall into that district, draw up a plan similar to this one, have another public hearing and vote on that plan.

Councilor Wells stated he is confused as to why the river property is going into the TIF plan. That property to be included is already owned by the City so there are no tax dollars coming from that, so why is it included. It would take away from the properties in the downtown that are investing or would like to invest in their property and then spend it elsewhere with no ability to recover the money. He stated he has also received calls about eminent domain which is in the current State Legislation and it would or could be included in this as this plan follows that legislation. Councilor Wells stated he is opposed to it as he doesn't see any future in it. City Manager Dragon stated that the riverfront City property may not have a tax value but as it is part of the overall redevelopment plan as a whole. Any increase in the tax revenue increment could be used in that area of City property to build infrastructure or other things that would be used for future economic development projects. It keeps the TIF funds in the district but allows the possibility of other development in the district to bring that economic development project forward.

Councilor Desrochers stated that on page 8 item 10 it talks about proposed use of private property. He stated he is not comfortable with the language "or taking of private property" as it keeps the door wide open for someone who wants to do something for their property. Councilor Desrochers feels that he can't negotiate properly knowing that he can just take the property because the other person doesn't want to sell for the price they are willing to pay. He stated on page 12 item 20 already has an item in there under number 5. Eminent domain he feels is to do public good and not to build strip malls or parking garages. He would feel more comfortable if the language on page 8 is removed. City Manager Dragon stated that Councilor Wells spoke about this and the use of eminent domain is outlined in the State Statute whether there is a TIF district or not. You can use eminent domain and follow all the rules outlined in the Statute. It doesn't change the use of public funds for eminent domain purposes.

Mayor Merrifield stated that language can be removed from this TIF document without it changing the plan and no eminent domain is being proposed by adopting this plan. Any decision of any case would have to come before the Council. City Manager added that a lot of the language in the TIF plan is straight from the State Statute. State Statute on TIF districts and has language on eminent domain so the language that was used in this plan mirrored the Statute language.

Councilor Giunta asked, since legal council is present, if language was stricken from the plan would that make any difference. City Attorney Fitzgerald stated that without going through the plan and comparing it to the statute he wouldn't be able to answer the question.

Amendment: Councilor Desrochers moved that the Franklin City Council strike language of "or taking" from page 8 section 10 of the 2017 Franklin Falls Mixed Use Tax Increment Finance District Plan. Motion seconded by Councilor Barton.

Councilor Zink asked if the whole sentence should be stricken as it doesn't make sense in context. Councilor Desrochers stated if you just take out that language the sentence is fine.

All in favor; motion as amended passes.

There was no other discussion. Mayor Merrifield called for a vote on this plan as amended.

Councilor Wells opposed, All others in favor; plan as amended passes.

Agenda Item IV.

City Council to consider the School CBA for the Custodial Agreement.

Mayor Merrifield stated there is new information from the school district regarding the CBA's. Superintendent LeGallo stated he sensed there was some confusion regarding the Support Staff agreement. The contract has two components, changes in insurance and raises for employees. For changes in insurance for the 1st year yields a \$63K savings and raises for the 1st year yields \$42K leaving a \$21K in savings. The 2nd year used a guaranteed 8.9% maximum for insurance which yields \$36,554 in savings and raises yields \$56,399 costing the school \$19,845. For the first two (2) years of the contract there is no new money used as they offset each other. For the third (3) year the raises total \$43K and you can't predict the guaranteed max rate of the insurance but there is \$36K to work with so you hope there is a savings. The only new money would be in the third (3) year.

Councilor Desrochers asked Superintendent LeGallo where the \$43K is for the third year coming from. Superintendent LeGallo stated there are many factors that go into that but with student enrollment reducing there could be a reduction in personnel if things keep heading in that direction. The \$43K is for the personnel that the school currently has but that could change in three (3) years.

Mayor Merrifield asked Superintendent LeGallo that addresses Support Staff contracts and he stated that it doesn't address Custodial contracts.

Superintendent LeGallo stated the custodial contract has only eleven (11) members is different. The 1st year has \$19K in raises and only \$12K in savings from insurance. There is new money that needs to be outlaid. The second (2) year \$9,271 and the third (3) year is \$13,677.

Mayor Merrifield stated that the Council received legal advice since the last meeting. Councilor Clarenbach stated that he was unsure if the school board knows what that advice is but they negotiated a good faith contract with each union that wasn't voted on by the Council which is the funding authority for contracts. The challenge is that each union is receiving the first year funds through the school district's budget and there is a shortfall of \$1.2 M in next year's budget. He stated he has a hard time ratifying a three contract that wasn't brought to the Council before the final signing of the document. The parties believe they have a valid contract and are being paid the first year of that contract. The City Council now getting this 6-7 months

later are now looking at how is this going to be paid for and to approve it. The staff believed in good faith that this was a valid agreement and signed contract. The legal advice is that is not the case as it is not a legal contract until ratified by the City Council. Councilor Clarenbach stated the challenge is how does the Council move forward on these contracts. The school has already engaged in year one of the contracts and are meeting those obligations.

Councilor Desrochers stated he agrees with Councilor Clarenbach and how can the City Council can approve an illegal contract as it just makes it wrong all around. He feels the only way to fix this is the school board rescind their vote and then bring the contracts to the City Council to vote on would make it a legal document. There is also the issue of how this will be paid.

Mayor Merrifield asked City Attorney Fitzgerald could the school board bring back a package that includes the retroactive wages that have already been paid. City Attorney Fitzgerald stated yes. Mayor Merrifield asked as long as it was a new package and City Attorney Fitzgerald stated yes.

Mayor Merrifield stated there is no motion for Agenda Item IV or Agenda Item V.

Agenda Item V.

City Council to consider the School CBA for the Support Staff Agreement.

See discussion in Agenda Item IV.

Presentation to Councilor Arthur "Ted" Starkweather

Mayor Merrifield presented an award to outgoing Councilor Starkweather who has served on the City Council since 2004 and has a remarkable record of service to the City Council and as a member of the Planning Board and other committees. He has a lot of selfless devotion to the City of Franklin. Mayor Merrifield expressed his personal thanks for his friendship and service. Councilor Starkweather has been appointed to the Planning Board so he will continue his service to the City of Franklin.

Councilor Starkweather commented that it is a time for change and Heather Moquin is going to take over his seat. He stated he has all the confidence in the world in her and the biggest challenges she is facing, as well as the rest of the Council, is what is the State doing to us rather than for us. He stated that it is not anything new as if you look at the City seal you see Daniel Webster very patiently sitting under a tree waiting for good news to come from Concord and he had not realized that on the State seal it is a ship on the rocks so that tells you what you can expect from Concord. He wished Heather good luck.

Battle Hymn of the Republic was sung by the Serendipity Singers.

Adjournment

***Motion to adjourn made by Councilor Starkweather and seconded by Councilor Desrochers.
All in favor; meeting for 2016 business adjourned.***

2017 INAUGURAL

City Council

Term of Office Three Years: Councilor Moquin, Ward I
 Councilor Ribas, Ward II
 Councilor Barton, Ward III

School Board

Term of Office Three Years: Anya Twarog, Ward I
 Timothy Dow, Ward III

Term of Office Two Years: Susan Hallett Cook, Ward II

State of the City Address

A copy of Mayor Merrifield's State of the City address is attached to these minutes.

Recess was taken for reception and refreshments.

2017 City Council Meeting

Agenda Item I.

City Council to consider authorizing Municipal Services Director to sell or dispose of items from the Macosko Foundry on Chance Pond Rd.

Motion: Councilor Dzujna moved that the Franklin City Council authorize Municipal Services Director to sell or otherwise dispose of all tools, machinery, and related items which are now City property as a result of the tax deeding of the Macosko Foundry parcels on Chance Pond Road. Motion seconded by Councilor Desrochers.

Councilor Dzujna asked if there are any items that the school could use in their industrial arts program. Planning Director Lewis stated MSD Director Sullivan stated that School Board Member Burns has already taken some items and MSD Deputy Director Barry has also spoken to the school about some other items.

Councilor Desrochers stated to give him a call and he can go over to see what is good and what isn't and what can be salvaged for the school as he has been in the business for 50 years.

All in favor; motion passes.

Agenda Item II.

City Council to consider setting a public hearing on Resolution #07-17 to authorize a trade-in and payoff of current equipment lease and enter into a new lease agreement for downsized equipment.

Motion: Councilor Desrochers moved that the Franklin City Council set a Public Hearing for Resolution #07-17 on February 6, 2017 at 6:05 p.m. at the Franklin City Hall, city Council Chambers. Motion seconded by Councilor Giunta.

Mayor Merrifield read Resolution #07-17:

A Resolution Relating to trade in of a Rubber Tired Excavator, pay off of its current lease and enter into a new lease schedule for the purchase of a smaller Track Propelled Excavator with financing derived from the Existing Sewer Fund,

In the year of our Lord, Two Thousand Seventeen,

WHEREAS, the City of Franklin, New Hampshire entered into a master lease agreement with Kansas State Bank for the purchase of a 2015 Volvo EW160 Wheeled Excavator (schedule 1) at an interest rate of 2.72%, and;

WHEREAS, as a result of specific personnel changes and subsequent work flow evaluation, management has determined that a smaller sized track propelled excavator will now serve as a more versatile machine in light of the type of maintenance work to suit the needs in the sewer department, and;

WHEREAS, Chadwick-BaRoss will pay the City \$160,000 for the Volvo EW160, the schedule 1 lease payoff for the Rubber Tired Excavator is approximately \$136,000, leaving approximately \$24,000 to reduce the cost of the smaller Track Propelled Excavator, and;

WHEREAS, the recommended new excavator, 2017 VOLVO ECR88D, costs \$129,750 less the trade in of \$24,000 from the Rubber Tired Excavator leaving approximately \$105,750 to finance through Kansas State Bank master lease agreement schedule 2 at an interest rate of 2.69% over the same remaining period as lease schedule 1 (4 years), Now,

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, February 6, 2017 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 07-17 authorizing the trade in of the 2015 Volvo EW160 Excavator, pay off of related Kansas State Bank master lease schedule 1, purchase of 2017 Volvo ECR88D under Kansas State Bank master lease schedule 2 and further authorizing the City Manager to sign all necessary documents.

All in favor; motion passes.

Agenda Item III.

City Council to consider the adoption of tax deed property.

Motion: *Councilor Desrochers moved that the Franklin City Council accept the tax deeds on the following parcel Map/Lot: 097/046/000. Motion seconded by Councilor Dzujna.*

Councilor Clarenbach asked that the left part of the column talks about partial payments so it appears they have been making payments and now they have stopped and are due that money back by State Statute. City Manager Dragon stated that is correct. They were originally up for tax deeding with the other properties and came to the City to make payment arrangements but they have not keep the terms of that arrangement. They made a few payments and then stopped. We have tried to contact them via certified mail and other ways but have had no further contact so by State Statute we will need to return those funds. Councilor Clarenbach stated that the Statute states if they don't pay the arrangement then you take the property and return the money. City Manager Dragon stated no the Statue is based on the year which you take the property. You take the property if three (3) years behind and if they pay in the year which you are taking then you return that and the tax year is taken on the oldest year. Councilor Clarenbach asked since they have paid money we are tax deeding the property in this tax year we are allowed to keep the money. City Manager Dragon stated that is correct. Councilor Clarenbach then asked if we waited until the next tax year could we keep that money. City Manager Dragon stated her only concern she has is likely they don't pay, our policy could be that we wait when someone defaults on their property tax arrangement but that is our only tool to enforce the property tax arrangements. We were supposed to take it months ago and didn't. We could take it in the next tax deeding but they would owe more. City Clerk Gargano explained the process and in March we would not have to return the money. City Manager Dragon explained that the City has been successful in getting rid of all properties taken in tax deeding. Councilor Clarenbach asked if it was worth waiting two (2) more months rather than returning the money and are we sure of that.

Councilor Giunta stated that we are only looking at a month to get the answer so he made a motion to table the item and seconded by Councilor Ribas.

All in favor of tabling the item; motion passes.

Agenda Item IV.

Other Business

City Council Appointments - Zoning Board

Motion made by Councilor Desrochers to appoint Debbie Davis to a regular member from and alternate member of the Zoning Board of Adjustment (Seat ZBA2); term of service to January 2018. Seconded by Councilor Dzujna. All in favor, motion passes.

1. **City Manager's Update** - City Manager Dragon advised that the City received the following contingent grant line amount: \$100 for the book club and \$4,650.24 for the Step Grant.

City Manager Dragon explained, for the new councilors, that she includes all grants received that do not require a match. The Council adopted a policy several years ago that this money can go through contingent grant line and is reported each month as long as it didn't require a match.

City Manager Dragon also reported that she has been officially approved for ICMA credentialing through the International City Manager's Association. It is quite an honor as you have to be a Manager for a number of years, certain education and training regimen.

Mayor Merrifield stated that he has not opened the envelope in front of him. City Manager Dragon stated that it is confidential information and there is no meeting needed at this time.

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.

Leigh Webb stated he was sorry that all the seats that were filled at the end of 2016 are now empty for 2017 and wish the public was here more often and participate. He would like to thank the City for the plastering that was done in the Opera House ceiling. He also wanted to mention about article HB174 brought by Rep. Greg Hill and that the Council look into that bill very seriously as it will have a negative impact for all educational funding. He also stated he is more than happy to testify in Concord about it as having no court oversight and leaving it just up to the legislature leaves the checks and balances out of the system.

Tina Thurber stated that she and others are in the process of bringing a teen center to Franklin. They have partnered with the Pemi Youth Center in Plymouth and it will service 13-17 year olds.

They are working hard to find a location that is within walking distance from the high school. If the Council had any ideas or locations they could work with as this is not funded by the taxpayers so there is no cost to the City. City Manager Dragon stated she has been working with the Recreation Director and they have suggested some possible locations in the City.

There were no further public comments, Mayor Merrifield closed public comment.

LEGISLATIVE COMMENTS

State Rep. Horn welcomed the new Councilors. He stated they have the final language on LSR 725. It is the LSR to halt the stabilization cut so it will be level funded next year. The biggest challenge is to find the funding. He also has an LSR in for the State to stop censuses three (3) times a year which is where they get their numbers for adequacy funding. It is a touch out of base with municipal budgets as municipalities don't budget (3) times a year so they should be paying in thirds. Push back he has gotten is students moving from district to district and it helps them keep a better track and award adequacy better. City Manager Dragon thanked Rep. Horn for taking LSR 725 and running with it and they know there will be challenges along the way but they will reach out to all the participants of the forum that the Mayor held to help with that. Rep. Horn stated that class picture day for the legislature will be tomorrow and they will also find out who is on what committee. Rep. Horn stated he is on the transportation committee again so that will allow him more time for other things.

Councilor Dzujna asked if we are still meeting on January 23 at 6:00 pm for a workshop. City Manager Dragon stated yes.

Adjournment

Motion to adjourn made by Councilor Giunta and seconded by Councilor Clarenbach. All in favor; meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Lauraine G. Paquin



CITY OF FRANKLIN, NEW HAMPSHIRE

OFFICE OF THE MAYOR

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Citizen of the Year 2016

I first want to thank all those who have made suggestions for this year's **Citizen of the Year Award**. It is incredibly hard to choose just one person when your city is filled with great, community-minded people. Fear not, because there are fraternal organizations in Franklin that also make similar awards each year!

Our Citizen of the Year has devoted himself to developing the character of the youth of our community for over twenty years with the Boy Scouts of America;

As a volunteer, he is responsible for numerous improvements to buildings in downtown Franklin, not limited to the Buell Block and Toad Hall;

He has improved the recreational value of many Franklin assets, not limited to Odell Park, renovations of the lodge at the Veterans Memorial Ski Area, the Rotary Park below the trestle bridge, and the cemetery near the Daniel Webster birthplace.

He has spent countless hours improving the trail system in Franklin, notably in the Great Gains forest.

Despite all this effort, he remains a humble man of few words, and is entirely deserving of this recognition by his City. In the words of someone who has observed his efforts up close: "He is an inspiration and an asset to the community, most people view him as a keystone in building up the city. I couldn't be prouder of him or his vision for Franklin."

Please join me in honoring Franklin's Citizen of the Year - Mr. Stephen Donahue!



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-January 3, 2017-

Pastor Carter, honorable members of the City Council for 2016 and 2017, City Manager Dragon and Department Directors, honored School Board members, friends, and fellow citizens:

This brief talk did not actually appear on our agenda tonight. I hope there was not a message to me implied there? It remains customary for the Mayor to offer a few remarks at this time on the state of our city.

In looking back at the past year's budget discussions, I can only say how difficult it was for me personally, and I know, for many of you. We observed problems that haven't been present here for many years. It's hard for those of us who deeply love this community to have outside circumstances place some of us at odds. I pray that the coming year will be better, but we must all recognize that severe challenges still exist.

It is very important, I think, to recognize the source of adversity when you face it. It does no good to create villains in our ranks where there are none. The City Council has uniformly increased the amount of local funds available for education, and this despite the dire need for infrastructure and equipment in the municipal departments. In the current budget, the City Council went to extraordinary lengths to assist the school department with a serious outside revenue shortfall, and redirected hundreds of thousands of dollars to education.

That shortfall was not caused by anyone in this chamber or this city. The departure of Hill students and declining State aid to education, whether in the form of lost stabilization grants, or in the form of lost aid due to lower enrollment, created the crisis for us. Those conditions still exist, and will require even more creativity and cooperation to overcome in 2017.

Some foresee a shift of emphasis, away from municipal needs, towards greater local funding of schools. You will hear in coming days what that shift would mean for our residents. Very recent events in Franklin have demonstrated the need for supporting public safety and municipal services, which receive hardly any State support. A large reduction to any of those departments is not a simple, nor a desirable answer. These very hard decisions will ultimately reside with the City Council.

Franklin - The Three Rivers City

All that said, this city government has taken a leadership role among New Hampshire communities to bring attention to this education funding dilemma. It is a problem that faces many other school districts in New Hampshire, and we should take heart from the fact that we are NOT alone.

While I acknowledge the great financial challenge that looms before us, one that we have been working to address constantly since the adoption of the current budget last summer, I don't want to leave the podium without sharing a message of profound hope and optimism for Franklin's future.

A brilliant transformation is taking place in our downtown, and will even accelerate this spring. The largest investment in the history of downtown Franklin has begun at Riverbend Mill, and I believe this will spark further growth and development. Todd Workman, PermaCity Life, Marty Parichand, Jo Brown, your city government, and a host of other community boosters are making downtown Franklin an even greater destination.

Beyond that - however you may have cast your ballots in the November election - I believe that the incoming administrations in Washington and Concord will make the construction of the Northern Pass project a virtual certainty. Despite the aforementioned financial concerns, that project promises a complete reset of our fiscal picture by essentially doubling the taxable value of our city, and yielding millions of new dollars every year for our school and municipal needs. Moreover, the construction process will breathe excitement and life into the greater Franklin economy. I, for one, cannot wait to see it happen.

Because it would bring justice to the good people of this city, the elderly, the young, the workers and their families, the entrepreneur and the wage earner alike - all deserve at least an equal starting point with people from any other community in the State.

And I believe this justification will come to pass for us, even as we optimistically strive with great creativity, determination, and resolution to solve every challenge before us, and to celebrate the unique, singular beauty of Franklin and its people - for the Prophet said in 40th chapter of Isaiah that "...those who hope in the Lord will renew their strength. They will soar on wings like eagles..."

So let it be for the good people of the best city on earth.

Thank you and God bless you.

CITY COUNCIL MEETING
AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February, 2017

Subject: School Board Report

A member of the School Board will provide a monthly report to the Mayor and City Council.

CITY COUNCIL MEETING
AGENDA ITEM III



CITY OF FRANKLIN COUNCIL AGENDA REPORT

January 3, 2017

From: Brian J. Sullivan, Municipal Services Director

Subject: Franklin City Council to consider setting a Public Hearing on Resolution # 07-17 for February 6, 2017 at 6:05 P.M. in the City Council Chambers, Franklin City Hall. A Resolution relating to the trade- in and payoff of a six year lease purchase of a "Volvo Robber Tired Excavator" currently budgeted **totally within the SEWER FUND**, further authorizing the City Manager to enter into a new **four** year lease purchase program within the **SEWER FUND** for a smaller "Volvo Track Propelled Excavator."

Recommended Motion for January 3, 2017 City Council Meeting:

1. Councilor Moves: I move that the Franklin City Council set a Public Hearing for Resolution #07-17 on February 6, 2017 at 6:05 P.M. at the Franklin City Hall, City Council Chambers.
2. Mayor calls for a second, discussion and then calls for a vote to set the Public Hearing.

Recommended Motion for February 6, 2017 City Council Meeting:

1. Councilor Moves: I move that the Franklin City Council Adopt Resolution # 07-17, by Roll Call Vote.
2. Mayor asks for second, discussion and then calls for a vote.

Discussion:

In 2015 the Franklin City Council approved a six year lease purchase for a Rubber Tired Excavator with funding derived from the **Sewer Department Enterprise Fund**. The need for an excavator is due to the fact that we are now into far deeper and more complex excavations involving the City's Sanitary Sewer, Water and Stormwater Systems. Much of the work we have been performing is that which a backhoe can not undertake therefore, we were renting an excavator for \$4,100 per month and over a six month period spending \$ 24,600. As a result, the City Council approved a six year lease purchase for a rubber tired excavator which has been in service for two construction seasons.

Over this past summer we have evaluated much of the water, drainage and sanitary sewer systems throughout the City and the necessary maintenance work that needs to be undertaken. The amount is significant! Not only do we have work within roads but we are now encountering off road work that requires a track driven machine. Furthermore, we are changing our focus to more maintenance type

(2)

activities thus. in the long run it is my feeling that even though a rubber tired machine is still practical we need a machine with more **versatility**.

I am strongly recommending that we reconsider our current lease purchase and evaluate what will best serve our long term needs. As a result, it is staffs desire to down size the excavator from the current rubber tired machine to a smaller more versatile track driven machine. I will be present at the Council meetings should you have particular questions.

Concurrences:

The original lease purchase was approved by unanimous vote of the City Council. City Staff's recommendation is to downsize the present machine and enter into a new lease costing less money. The payments already made on the original six year lease will result in a new lease for the remaining four year term. All funding is presently in place within the **SEWER ENTERPRISE FUND, WHICH IS NOT TO BE CONFUSED WITH THE CITY'S GENERAL FUND.**

Fiscal Impact:

The " 2015 Volvo EW160" was purchased for \$199,805 through a Kansas State Bank lease schedule one, at an interest rate of 2.72% over six years. Four years remain on this lease. The payoff of \$135,611.17 is good through 1/6/17. Payoff quotes are good for thirty days only. It is anticipated the payoff will be closer to \$136,000 at the time of the February 6, 2017 City Council Meeting.

Chadwick-Bay Ross has valued the trade of the rubber tired excavator at \$160,000. This is approximately \$24,000 higher than the lease payoff (\$160,000 minus \$136,000 = \$24,000). The Finance Director recommends using the surplus \$24,000 to reduce the \$129, 750 cost of the new excavator, a "2017 Volvo ECR88D" and financing the difference in the amount of \$105,750 through Kansas Bank lease schedule two, at an interest rate of 2.60% over a four year term. Annual payments under the new lease schedule will be \$28,240.66. The old lease schedule had an annual payment of \$35,590.34 further saving \$29,398.72 over the life of the four year lease.

Alternatives:

Keep the rubber tired excavator. This is not recommended by the Municipal Services Director and our Staff. As operations and anticipated maintenance activities continue to evolve within the Municipal Services Department, a track driven excavator will prove to be far more beneficial, versatile and fuel efficient in the long run thus eliminating the need to rent a second machine when we need to perform off road work. I strongly urge the City Council to approve Resolution #07-17.

Attachments / Exhibits:

Resolution #07-17



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

316 Central Street
Franklin, NH 03235

(603) 934-3900
fax: (603) 934-7413
cityhall@franklinnh.org

RESOLUTION #07-17

A Resolution Relating to trade in of a Rubber Tired Excavator, pay off of its current lease and enter into a new lease schedule for the purchase of a smaller Track Propelled Excavator with financing derived from the Existing Sewer Fund

In the year of our Lord, Two Thousand Seventeen,

WHEREAS, the City of Franklin, New Hampshire entered into a master lease agreement with Kansas State Bank for the purchase of a 2015 Volvo EW160 Wheeled Excavator (schedule 1) at an interest rate of 2.72%, and;

WHEREAS, as a result of specific personnel changes and subsequent work flow evaluation, management has determined that a smaller sized track propelled excavator will now serve as a more versatile machine in light of the type of maintenance work to suit the needs in the sewer department, and;

WHEREAS, Chadwick-BaRoss will pay the City \$160,000 for the Volvo EW160, the schedule 1 lease payoff for the Rubber Tired Excavator is approximately \$136,000, leaving approximately \$24,000 to reduce the cost of the smaller Track Propelled Excavator, and;

WHEREAS, the recommended new excavator, 2017 VOLVO ECR88D, costs \$129,750 less the trade in of \$24,000 from the Rubber Tired Excavator leaving approximately \$105,750 to finance through Kansas State Bank master lease agreement schedule 2 at an interest rate of 2.69% over the same remaining period as lease schedule 1 (4 years), Now,

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, February 6, 2017 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 07-17 authorizing the trade in of the 2015 Volvo EW160 Excavator, pay off of related Kansas State Bank master lease schedule 1, purchase of 2017 Volvo ECR88D under Kansas State Bank master lease schedule 2 and further authorizing the City Manager to sign all necessary documents.

By a roll call vote.

Roll Call:

Councilor Barton	_____	Councilor Dzujna	_____	Councilor Ribas	_____
Councilor Clarenbach	_____	Councilor Giunta	_____	Councilor Wells	_____
Councilor Desrochers	_____	Councilor Moquin	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A. 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, February 6, 2017 at 6:05 p.m. in the Council Chambers, Franklin City Hall regarding Resolution #07-17, trade-in of a Rubber Tire Excavator, pay off of its current lease and enter into a new lease schedule for the purchase of a smaller Track Propelled Excavator with financing derived from the existing sewer fund.

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



2017 Choose Franklin Community Day



January 23, 2017

To: The Honorable Mayor, City Councilors and City Manager

Community Day 2017 will be held on May 13. This year, along with the events at Odell Park, there will be activity throughout the downtown, including Marceau and Trestle View Park. The theme this year is "Building Community".

As we have in the past, we are requesting formal permission from the Franklin City Council to waive the necessity of vendor permits for this event. The day will include a parade (at 10 AM), children's activities, food, crafts and various businesses and community service organizations as vendors.

We wish to thank the departments of the City who have partnered with us for this event, including parks and recreation, police, fire, library, and municipal services. We would also like to encourage those departments to join with us in displaying the many positive initiatives that they bring to our community by offering booth space at no cost to these City departments.

The work of countless community volunteers has made this successful community-wide event possible for the past twelve years. Thank you, once again, for your support.

Choose Franklin Community Day Committee

CITY COUNCIL MEETING
AGENDA ITEM V



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**
City Council Meeting February 2017

From: Katie Gargano, Tax Collector

Subject: Council to consider adoption of the following tax deed:

- | |
|---|
| 1. Map/ Lot: 097/046/000
(Land & Building) |
|---|

Recommended Motions:

1. Councilor moves:

"I move that the Franklin City Council take from the table to accept the tax deed of on the following parcel Map/Lot: 097/046/000"

2. Mayor asks for a second, discussion, and calls the vote.
3. Once taken off the table-I recommend the council vote against the motion or amend the motion to reject the tax deed instead of accepting it.

Discussion:

This tax deed was brought before the Council at your January 2017 meeting. The Council voted to table the motion to accept the deed for this property to provide time to look into a question as it relates to return of funds.

The City Clerk has researched the topic. The 2014 tax deeding will be eligible any time after March 17 but the research and notifications process will need to be done all over again (estimated cost under \$30). Due to the City Clerk's maternity leave the process won't occur until June. Therefore the council will see this item again on the July agenda if you decide to reject the deed tonight. Deeding for 2014 instead of 2013 will prevent the city from needing to refund partial payments in the amount of \$2,055.

From : January's CAR report:

This process is consistent with the State of New Hampshire Statutes with respect to deeding properties. If the Council decided against accepting this deed, the tax lien shall remain in effect indefinitely, retaining its priority over the other liens. The taxpayer's right of redemption as provided by RSA 80:69 shall likewise be extended indefinitely, with interest continuing to accrue as provided in that section.

If at any time, in the judgement of the municipal governing body, the reasons for refusing the tax deed no longer apply, and the tax lien has not been satisfied, the governing body may instruct the tax

collector to issue the tax deed, and the collector shall do so after giving the notices required by RSA 80:38a and 80:38b.

80:76 II-a: the governing body of the municipality may refuse to accept a tax deed on behalf of the municipality, and shall so notify the collector, whenever in its judgment acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest. Such a decision shall not be made solely for the private benefit of a taxpayer.

Fiscal Impact:

Lost revenue to the city.

Alternative:

Referring to RSA 80:76 it states that the municipality may refuse to accept a tax deed on behalf of the municipality, and may so notify the collector, whenever in its judgment acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest. The tax lien may be enforced by the municipality by suit as provided under RSA 80:50, and through any remedy provided by law for the enforcement of other types of liens and attachments.

Attachments/Exhibits:

1. Property Tax Payment Arrangement
2. Statement of Account
3. Property Tax Card



Property Tax Payment Agreement

This agreement is made as of the 12th day of April, 2016 between the City of Franklin City Manager, Elizabeth Dragon, and Karen St Jacques C/O Marjorie St Jacques Estate. In reference to the real estate taxes and interest due on the taxpayer's property located on 39 Chance Pond Rd, Franklin, NH and referred to as Map 097, Lot 046-000.

The taxpayer agrees that they will pay all of the outstanding taxes and interest on the delinquent taxes for the 2013 Tax Lien by October 31, 2016.

The taxpayer will also continue to make payments at least 3 more payments monthly towards other delinquent taxes after the 2013 Taxes are paid in order to qualify for any future payment arrangements with the City of Franklin.

The taxpayer agrees to pay the following;

\$575.00 - Due on 15th of every month until the above mentioned lien is paid in full

Checks are made payable to City of Franklin, in the memo please reference your account number 097-046-000

If the payments are not made by the end of the month that the payment is due, the taxpayer shall be at risk to have the property taken by tax deed and the payment arrangement will be null and void.

If any payments are skipped and/or missed throughout the payment arrangement, no future arrangements with the City of Franklin will be made.

CITY OF FRANKLIN

Elizabeth Dragon
Elizabeth Dragon, City Manager

Kath A. Hargens
Witness

TAXPAYER

Karen St Jacques 5/2/16
Karen St Jacques Date

Kath A. Hargens 5/2/16
Witness Date

Phone #

Mailing Address:

455-3834 / 998-1283 work 934-5355

39 Chance Pond Rd
Franklin NH 03235

CITY OF FRANKLIN

316 Central Street

Franklin, NH 03235

Office Hours

Monday - Friday

8:15 AM - 5:00 PM

(603) 934-3109

ST JACQUES ESTATE, MARJORIE C
% ST JACQUES, KAREN A
39 CHANCE POND ROAD
FRANKLIN, NH 03235

OFFICE OF THE TAX COLLECTOR
SUMMARY OF ACTIVITY BY OWNER
Printed Thursday, December 22, 2016
Interest Calculated As Of 12/15/2016

Map Lot Sub: 000097 000046 000000

Invoice: 2013L03000232		Acres: 0.10	Location: 39 CHANCE POND ROAD		
Bill Amount: \$ 2,641.06		Due Date: 03/18/2014			
Date	Activity	Amount	Int. Paid	Penalty	Int./Pen. Due
04/16/2014	Mtge Search/Notice	\$ 0.00	\$ 0.00	\$ 23.90	\$ 0.00
04/07/2016	Deed Notice	\$ 0.00	\$ 0.00	\$ 44.50	\$ 0.00
04/12/2016	Payment of \$500.00 (Cash)	\$ 0.00	(\$ 431.60)	(\$ 68.40)	\$ 0.00
	Paid By: KAREN ST JACQUES				
05/02/2016	Payment of \$75.00 (Cash)	\$ 0.00	(\$ 75.00)	\$ 0.00	\$ 0.00
	Paid By: ST JACQUES ESTATE, MARJORIE C				
05/02/2016	Payment of \$45.00 (Cash)	\$ 0.00	(\$ 45.00)	\$ 0.00	\$ 0.00
	Paid By: ST JACQUES ESTATE, MARJORIE C				
05/27/2016	Payment of \$535.00 (Cash)	(\$ 43.34)	(\$ 491.66)	\$ 0.00	\$ 0.00
	Paid By: ST JACQUES, KAREN				
07/01/2016	Payment of \$400.00 (Cash)	(\$ 355.16)	(\$ 44.84)	\$ 0.00	\$ 0.00
	Paid By: ST JACQUES ESTATE, MARJORIE C				
08/04/2016	Payment of \$175.00 (Cash)	(\$ 137.40)	(\$ 37.60)	\$ 0.00	\$ 0.00
	Paid By: ST JACQUES ESTATE, MARJORIE C				
08/04/2016	Payment of \$325.00 (Cash)	(\$ 325.00)	\$ 0.00	\$ 0.00	\$ 0.00
	Paid By: ST JACQUES ESTATE, MARJORIE C				
11/15/2016	Deed Notice	\$ 0.00	\$ 0.00	\$ 44.00	\$ 0.00
12/15/2016	Int/Pen From 08/04/2016	\$ 0.00	\$ 0.00	\$ 0.00	\$ 160.76
Per Diem: 0.8779		Total Due For Invoice 2013L03000232:			\$ 1,940.92

Invoice: 2014L01000183		Acres: 0.10	Location: 39 CHANCE POND ROAD		
		Bill Amount: \$ 2,401.70	Due Date: 03/16/2015		
Date	Activity	Amount	Int. Paid	Penalty	Int./Pen. Due
04/16/2015	Mtge Search/Notice	\$ 0.00	\$ 0.00	\$ 27.00	\$ 0.00
12/15/2016	Int/Pen From 03/16/2015	\$ 0.00	\$ 0.00	\$ 0.00	\$ 785.02
Per Diem: 1.1844		Total Due For Invoice 2014L01000183:			\$ 3,186.72

Invoice: 2015L01000184		Acres: 0.07	Location: 39 CHANCE POND ROAD		
		Bill Amount: \$ 2,408.62	Due Date: 04/06/2016		
Date	Activity	Amount	Int. Paid	Penalty	Int./Pen. Due
05/18/2016	Mtge Search/Notice	\$ 0.00	\$ 0.00	\$ 27.00	\$ 0.00
12/15/2016	Int/Pen From 04/06/2016	\$ 0.00	\$ 0.00	\$ 0.00	\$ 327.52
Per Diem: 1.1878		Total Due For Invoice 2015L01000184:			\$ 2,736.14

Invoice: 2016P01047701		Acres:	0.07	Location: 39 CHANCE POND ROAD		
		Bill Amount:	\$ 1,117.68	Due Date: 07/08/2016		
Date	Activity		Amount	Int. Paid	Penalty	Int./Pen. Due
12/15/2016	Int/Pen From 07/08/2016		\$ 0.00	\$ 0.00	\$ 0.00	\$ 58.79
Per Diem:		0.3675	Total Due For Invoice 2016P01047701:			\$ 1,176.47

Invoice: 2016P02047701		Acres:	0.07	Location: 39 CHANCE POND ROAD		
		Bill Amount:	\$ 1,132.84	Due Date: 01/10/2017		
Date	Activity		Amount	Int. Paid	Penalty	Int./Pen. Due
12/15/2016	Int/Pen From 01/10/2017		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Per Diem:		0.3724	Total Due For Invoice 2016P02047701:			\$ 1,132.84

Invoice: 2017S31000699		Acres:	0.00	Location: 39 CHANCE POND ROAD		
		Bill Amount:	\$ 82.70	Due Date: 11/30/2016		
Date	Activity		Amount	Int. Paid	Penalty	Int./Pen. Due
12/06/2016	Late Payment		\$ 0.00	\$ 0.00	\$ 10.00	\$ 0.00
12/15/2016	Int/Pen From 11/30/2016		\$ 0.00	\$ 0.00	\$ 0.00	\$ 10.51
Per Diem:		0.0340	Total Due For Invoice 2017S31000699:			\$ 93.21

Invoice: 2017W31000699		Acres:	0.00	Location: 39 CHANCE POND ROAD		
		Bill Amount:	\$ 88.10	Due Date: 11/30/2016		
Date	Activity		Amount	Int. Paid	Penalty	Int./Pen. Due
12/06/2016	Late Payment		\$ 0.00	\$ 0.00	\$ 10.00	\$ 0.00
12/15/2016	Int/Pen From 11/30/2016		\$ 0.00	\$ 0.00	\$ 0.00	\$ 10.54
Per Diem:		0.0362	Total Due For Invoice 2017W31000699:			\$ 98.64

Total Due For Parcel 000097 000046 000000: \$ 10,364.94

Per Diem: 4.0602 Total Due For All Parcels: \$ 10,364.94

LEVY YEAR TAX TYPE INFORMATION

B - Betterment	P - Property	T - Timber Yield
G - Gravel Yield	R - Residence	U - Use Change
L - Lien	S - Sewer	W - Water

39 CHANCE POND ROAD	MAP/LOT: 097-046-00	77	ZONING: B1	LIVING UNITS: 1	CLASS: R - 101	CARD # 1 OF 1
CURRENT OWNER/ADDRESS						
ST JACQUES ESTATE, MARJORIE C % ST JACQUES, KAREN A	LAND DATA: TYPE LINEAR W.F. 10					
39 CHANCE POND ROAD FRANKLIN	NH 03235	PRIMARY	0.070	INFLUENCE FACTORS % -50	LAND VALUE 3,050	NBHD ID: 119.00 - ASSESSMENT INFORMATION - PRIOR CURRENT
DEED BOOK: 717 DEED PAGE: 119 DEED DATE: 19520702		TOT. ACRE	0.070	TOTAL LAND VALUE:	22,700	LAND BUILDING TOTAL 22,700 66,500 89,200 - PROPERTY VISIT HISTORY - 20140707 RD 20140630 CB 20081003 RB FIELD REVIEW MEASURE ONLY OCC.NOT HOME UPDATE

Sale info not verified by assessor's office

SALES DATA:				PERMIT DATA:				ADDITION DATA:			
Date	Type	Price	Valid Date	#	Amount	Purpose		Lower Level	First Floor	Second Floor	Third Floor
					20020123 R02-0	6,500 VINYL SIDING		A Bsmnt Unfsh	Enc Frm Prch		
								B Bsmnt Unfsh	Enc Frm Prch		
								C Bsmnt Unfsh	Frame Bay		
								D Bsmnt Unfsh	1s Frame		
								E			
								F			
								G			
								H			

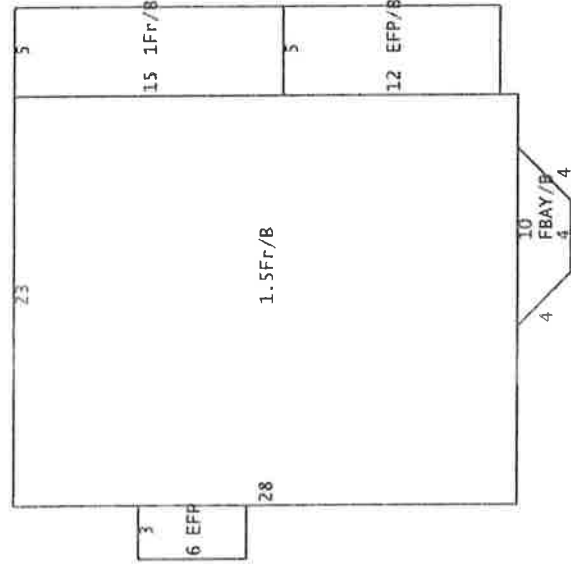
DWELLING DATA:

Style: OLD STYLE
Story Ht. 1.50
Attic: NONE
Walls: ALUM/VINYL
Bedrooms: 2
Total Rooms: 5
Full Baths: 1
Half Baths: 1
Add'l Fixtures: 1
Total Fixtures: 7
Basement: FULL
Fin Bsm. Living Area: 0
Basement Rec Room Area: 0
Heating System: GAS
Heating Type: BASIC
FIREPLACE: 1
Basement Garage (# cars) 1
Ground Fir Area: 644
Total Living Area: 1223
Quality Grade: C
Condition: AVERAGE
Marketability: AV
Year Built: 1900
Eff. Year Built:
Unfinished Area:
Unheated Area:

COST APPROACH COMPUTATIONS
Base Price 88,750
Plumbing 2280
Additions 11,300
Unfin. Area
Basement
Attic
Heat/AC Adj.
FBLA
Rec Rm
Fireplace
Bsmnt Gar.
SUBTOTAL 102,330
Grade Factor 1.00
C & D Factor
TOTAL RCN 102,330
% Good 0.65
Market Adj.
Ecnom Obscn
Functn Obscn
Nbhd/Style Adj
Under Constcn %
TOTAL RCNLD 66,500

OUTBUILDING DATA

Type	Qty	Yr	Size1	Size2	Grd	Cond	Ma	Value
								66,500



VALUE FLAG: 5

NOTES:

NEW WINDOWS & SIDING

OUTBUILDING TOTAL:
House Color: 1 WHITE

MAP SHEET # N7

CITY COUNCIL MEETING
AGENDA ITEM VI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February 6, 2017

From: Richard Lewis, Director of Planning and Special Projects

Subject: Resolution # 08-17
Appropriation of Funds from sale of items from Macosko Foundry on Chance Pond Road

Recommended Motion:

"I move that the Franklin City Council set a public hearing for Monday, March 6, 2017 at 6:05 PM on Resolution # 08-17 for the appropriation of \$2,600 to the Nuisance Abatement Account, said funds originating from the sale of the tools and equipment from the Macosko Foundry."

Discussion / Concurrences:

The City Council on 1/3/17 authorized the sale of tools and equipment from the Macosko Foundry properties, which were taken by tax deeding in 2014. Following that vote, the City came to an agreement with a machine shop owner in Laconia for the purchase of the items. The price was \$2,600.

Per the CAR that was presented to the City Council in January, the City was recommending that the proceeds from the sale be placed into the 2017 Budget's Nuisance Abatement account. Resolution # 08-17 will effectuate that recommendation.

Fiscal Impact:

The sale of the tools and equipment will help provide additional funds to the Nuisance Abatement Account.

Alternatives:

The Council can vote to not place the proceeds into the Nuisance Abatement and the funds would then go into the General Fund.



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RESOLUTION #08-17

A Resolution Relating to a supplemental appropriation for Fiscal Year 2017.

In the year of our Lord, Two Thousand Seventeen,

WHEREAS, the City Council of the City of Franklin, New Hampshire authorized the disposal of all tools, machinery, and related items which were city property as a result of the tax deeding of the Macosko Foundry parcels on Chance Pond Road, and;

WHEREAS, the City sold the majority of the items for \$2,600, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes the need to continue the work of cleaning up properties around the City in order to sell them to private individuals so the property value is back onto the property tax roll, and;

WHEREAS, the Franklin City Council wishes to appropriate the \$2,600 to the nuisance abatement account in the fiscal year 2017 budget, Now,

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, March 6, 2017 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 08-17 authorizing an increase in fiscal year 2017 revenues:

Miscellaneous Revenue Acct. No. 01-0-000-35090-000, Two Thousand Six Hundred Dollars (\$2,600), and
An increase in fiscal year 2017 expenditure account:

Nuisance Abatement Acct. No. 01-1-302-40491-000, Two Thousand Six Hundred Dollars (\$2,600),

By a roll call vote.

Roll Call:

Councilor Barton	_____	Councilor Dzujna	_____	Councilor Ribas	_____
Councilor Clarenbach	_____	Councilor Giunta	_____	Councilor Wells	_____
Councilor Desrochers	_____	Councilor Moquin	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

CITY COUNCIL MEETING
AGENDA ITEM VII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

February 6, 2017 City Council Meeting

From: Richard Lewis, Director of Planning and Zoning

Subject: 2017 Rural Development Grant Submission

Proposed Motion:

"I move that the Franklin City Council vote to authorize the City Manager, and City Staff to submit a Rural Business Development Grant to the USDA Rural Development Office for funds to support overall downtown and mill district revitalization programs."

Discussion:

As the City Council is aware, the City received a grant in 2015 from the USDAS Rural Development Office for funds to support downtown revitalization efforts. These grant monies expire in May of this year.

At the recent Economic Development workshop, it was discussed that the City is preparing a second grant application. The submission date is February 15, 2017.

This CAR would authorize the City Manager to sign and submit this application on behalf of the City. If the application is successful, a second CAR will be presented to the City Council for the acceptance of the funds and the appropriation of the funds in accordance with the provisions of the grant.

I did attend a workshop for this grant round and I have spoken with Rural Development staff about the specifics of the application. We remain confident that we will again be awarded a grant, which this year is in the amount of \$30,000.

The work to date of the Downtown Business Coordinator, who is funded through the grant monies, has been very successful. He has helped to bring in almost \$900,000 in grants, loans and tax credits that will support a variety of downtown revitalization efforts.

Alternatives:

If the City did not authorize the submission of the grant, then we would lose out on the ability to retain the services of the Downtown Business Coordinator for new and additional projects that will help in overall redevelopment options and opportunities.

CITY COUNCIL MEETING
AGENDA ITEM VIII



CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meeting February 6, 2017

From: Chief David Goldstein, City of Franklin Police Chief

Subject: City Council to consider the approval of Resolution # 09-17, transferring revenue amount of five thousand six hundred dollars (\$5,600.00) to the Vehicle Maintenance Account (general fund) from the Police Outside Detail fund for the replacement of the engine in the dedicated K9 cruiser.

Recommended motions:

February 6, 2017

Councilor moves: *"I move that the Franklin City Council set a public hearing for Monday, March 6, 2017 at 6:07pm regarding Resolution #09-17 appropriating the transfer of five thousand six hundred dollars (\$5,600) from the Police Outside Detail Account to the General Fund Vehicle Maintenance Account."*

March 6, 2017

Councilor moves: *"I move that the Franklin City Council adopt Resolution #09-17 appropriating the transfer of five thousand six hundred dollars (\$5,600) from the Police Outside Detail Account to the General Fund Vehicle Maintenance Account."*

Discussion: The Franklin Police K-9 vehicle needs replacement of an engine long block in the amount of \$4,946.70 (includes parts and labor). The cruiser is currently dead lined and inoperable. The K-9 vehicle had repairs completed for replacement of a bad injector, costing six hundred and forty six dollars (\$643.06). The K-9 car is a dedicated cruiser and has associated equipment unlike any other online cruiser for climate control, and safe transporting of, and deployment of our K-9 Max. This expense was unexpected. The Police Detail account provides for replacement of equipment and repairs to our fleet.

Fiscal Impact: The City of Franklin will have a decrease in the outside police detail revenues in the amount of five thousand six hundred dollars (\$5,600.00) and increase of the general fund expenditure account for the payment of the repairs for the K-9 car.

Alternatives:

1. The City of Franklin declines to fix the K-9 car.
2. The City of Franklin takes a frontline cruiser out of the fleet and equips/converts it as a K-9 car for \$3012.75+/-.

Attachments:

Resolution# 09-17

Estimate for repair from Grappone

Bill for completed repair \$ 643.06

RO # 116980

OP	Acct	Tech	Hours	Complaint/Cause/Correction	Charge
A	SCP-F	C			
					Labor Total: 0.00
CUSTOMER STATES: MANUFACTURER RECOMMENDED SERVICE					
VISUAL MULTI POINT REPORT CARD					
B	SCP-F	091142C	4.20		
					Labor Total: 424.20
CUSTOMER STATES: BLOWS WHITE SMOKE AND HAS A MISFIRE CODE IN					
PCM FOR #6 CYL ALSO HAS TAPPING NOISE. CHECK AND ADVISE					
TICKING IN ENGINE					
Parts:	1	BR3Z9F593B		INJECTOR ASY	44.90 44.90
	1	FOFZ9229A		KIT - "O" RING	26.38 26.38
	6	7T4Z9229B		RING - SEALING	15.48 92.88
	1	AT4Z9H486A		GASKET	16.95 16.95
					Total Parts: 181.11
					Operation Total: 605.31
C	SCP-X	C			
					Labor Total: 0.00
CUSTOMER STATES: 848-3203					
D	SCP-F	C			
					Labor Total: 0.00
CUSTOMER STATES:					
REPLACE BAD INJECTOR AND CHANGE GAS SOAKED OIL AND FILTER					
Total Labor Hours: 4.20					

** PAY SUMMARY **

SCP-F	605.31
Customer Paid Shop Charge	37.75

Customer Total: 643.06

TROY



Grappone Ford / Mazda

Rt 3A Bow Jct.
P.O. Box 1200
Concord, NH 03302
603-226-8049

Estimate of Repairs

Name	CITY OF FRANKLIN PD	Date	1/19/2017
Address		RO #	
		Phone #	

Year	2013	Model	EXPLORE	Vin #	
Make	FORD	License		Color	
					Mileage 80,000

[illegible]

Bodo



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

316 Central Street
Franklin, NH 03235

(603) 934-3900
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RESOLUTION #09-17

A Resolution Relating to a supplemental appropriation for Fiscal Year 2017.

In the year of our Lord, Two Thousand Seventeen,

WHEREAS, the City Council of the City of Franklin, New Hampshire acknowledges the engine in the dedicated K9 cruiser is in need of replacement and this replacement was unexpected, and;

WHEREAS, the cruiser is specially equipped and dedicated to the K9 officer and canine, and;

WHEREAS, the outside police detail fund has approximately \$39,000 in fund balance, and;

WHEREAS, the Franklin City Council wishes to appropriate \$5,600 from the outside police detail fund to replace the engine and related parts of the K-9 cruiser in the fiscal year 2017 budget, Now,

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, March 6, 2017 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 09-17 authorizing an increase in fiscal year 2017 general fund revenues:

Transfer In – Police Detail Acct. No. 01-0-000-39145-000, Five Thousand Six Hundred Dollars (\$5,600), and

An increase in fiscal year 2017 general fund expenditure account:

Vehicle Maintenance Acct. No. 01-2-103-40660-000, Five Thousand Six Hundred Dollars (\$5,600), and

An increase in fiscal year 2017 outside police detail revenues:

Use of Fund Balance Acct. No. 25-0-000-39399-000, Five Thousand Six Hundred Dollars (\$5,600), and

An increase in fiscal year 2017 outside police detail expenditures:

Transfer Out – General Fund Acct. No. 25-0-000-40901-000, Five Thousand Six Hundred Dollars (\$5,600),

By a roll call vote.

Roll Call:

Councilor Barton	_____	Councilor Dzujna	_____	Councilor Ribas	_____
Councilor Clarenbach	_____	Councilor Giunta	_____	Councilor Wells	_____
Councilor Desrochers	_____	Councilor Moquin	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

CITY COUNCIL MEETING
AGENDA ITEM IX



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February, 2017

**Subject: Chief LaChapelle to present the newest version of the NH
911 maps**

CITY COUNCIL MEETING
AGENDA ITEM X



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of February, 2017

Subject: Other Business

1. Committee Reports

2. City Council Appointments/Resignations
Library Board of Trustees

3. City Manager's Update

4. Late Items

To Whom It May Concern:

It is with much sorrow that I must resign as chairman of the Franklin Public Library board of trustees. I no longer qualify for the position, since I no longer own property in the town of Franklin. I have enjoyed my many years of service and will continue to patron the library.

Thank you,

Stephanie Bendixsen

**Franklin Public Library
Board of Trustees
Minutes**

September 14, 2016

The meeting of September 14 was called to order at 6:00 pm.

Trustees in attendance: Stephanie Bendixsen (Chair), Christine Dzujna (Treasurer), Mike Gula, Justine Koch, and Angela Swett. Also in attendance: Rob Sargent, Library Director.

Minutes of the June 8: Justine moved to accept the minutes of the June meeting. Angela seconded the motion, and the minutes of the June meeting were approved.

Vendor report: Angela moved to pay the July, August, and September vendors in the total amount of \$12,301.07. Mike seconded the motion, and the Board agreed to pay the vendors in the total amount of \$12,301.07.

Old business: All old business was incorporated into new business.

New Business: 1.) With regret, Stephanie submitted her resignation from the Board. She and her family moved out of Franklin, and she is no longer eligible to serve. The Board offered their sincere appreciation for her contributions, and she will be missed terribly. Christine chose to remain as treasurer rather than become chair. Justine then moved that Angela be elected as chair. Mike seconded the motion, and Angela is now chair of the board. 2.) Christine discussed moving the Northway Bank account to a Franklin institution for more convenient access and better interest rates. Mike advised a ladder approach to certificate of deposits investing with some money being readily available in a checking account. The Board agreed with this idea and rate sheets from banks with Franklin branches will be gathered for the October meeting. 3.) Rob distributed a proposal from Mango Security for three exterior cameras to be tied into the DVR at City Hall. The proposal is in response to building damage as well as garbage pile-ups from earlier this summer. Christine moved to accept Mango's proposal for \$11,481 to be paid with Northway money. Justine seconded the motion, and the Board agreed to proceed with the installation of exterior security cameras. 4.) Christine read an email she received from Amanda Maguire regarding a teen center for Franklin. Rob relayed that Ms. Maguire's exploratory meeting was to be held at the Library on September 20. 5.) Christine shared that Concord Public Library distributes free books to kids at a community event, and she wondered if the Board would be interested in doing the same at Franklin's Community Day. There was interest, and the matter will be discussed more fully at another time. 6.) Christine revisited the Library gardens matter from last year. There was no discussion on this matter. 7.) Mike encouraged everyone to visit other libraries for ideas and inspiration whenever they have the opportunity.

Adjournment: Christine moved to adjourn the meeting. Angela seconded the motion, and the Board agreed to adjourn the meeting at 7:15.



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting February 2017

Date: January 26, 2017
From: Elizabeth Dragon, City Manager
Subject: Manager's Update

Contingency Grant Line Activity: The City received the following in the contingent grant line this month:

\$15,000 NH Charitable Foundation for BRCC playground
\$6,313 State of NH for Industrial Park Signage
\$343.90 STEP grant

Snow & Ice Activity report: Attached is a snow & activity report through 1/25/17.

Legislative activity regarding Education funding: On Tuesday January 24th, a great number of individuals from Franklin and other communities across the state came to Concord to support House Bill 525. House Bill 525 was put forward on our behalf by Representative Horn. On Tuesday Representative Horn put forward an amendment to the bill which would freeze stabilization grants for one year. Several individuals from across the state testified in support of a two year freeze to match the biennium budget process and provide ample time for the legislature to find a long term solution. Assuming the bill makes it through committee-the next step in the process will be to communicate with this larger engaged group from the across the state to ensure we have representation and support at the finance committee meetings.

There are other bills impacting education funding that we are keeping an eye on. For example, HB 597 amends the formula for an adequate education, provides a small fiscal capacity disparity aid payment, and amends the stabilization grants to be disbursed in 2018-2019. I have forwarded the bill to the superintendant to request a calculation using the bills language to determine what the impact would be for Franklin

- increases per pupil cost from \$3,561.27 to \$3,636.06 (is an increase of \$74.79 per pupil).
- creates categories for schools with students receiving free & reduced lunch. The higher percentage of students receiving aid the larger per pupil cost provided (it looks like we would received \$3,636.06 for each pupil receiving free or reduced lunch instead of \$1,780.63=\$1,855.43 increase.
- Increases other per pupil costs.

HB583 proposed by Representative Horn would require the state to calculate Average Daily Attendance once per year instead of the three times per year it is done now. This would make revenue forecasting much easier for towns & schools.

Representative Greg Hill has a constitutional amendment being proposed to give the general court authority to define standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education. He also has proposed HB 174 to limit Superior Court's authority over certain adequate education statutes and grants. These two proposals would have an undeterminable impact to communities. (both drafts are attached)

Emergency Services Workshop: I would like to request a Council workshop this month to discuss some of the challenges we are facing in both the Police & Fire Department. Would either of the two dates council chambers is available work-

- Monday Feb 13th or Monday Feb 27th at 6pm?

SNOW & ICE ACTIVITY REPORT - 2016 / 2017 (page 1 of 2)

<u>DATE</u>	<u>TOTAL ACCUMULATIONS</u>	<u>WEATHER CONDITIONS</u>	<u>TIME / TEMP</u>	<u>SNOW & ICE ACTIVITY</u>
11/21/16		Light ice		Treated Bridges / Spot Sanded
11/25/16		Light ice		Treated Bridges / Hills / Main Roads
11/29/16		Freezing Rain	5 a.m.	Treated All Roads & Sidewalks
12/5/16	2"	Dry Snow	6 a.m. / 19°	Treated All Roads & Sidewalks
12/6/16		Dusting	5 a.m. / 26°	Re-treat / check All Roads & Sidewalks
12/7/16	1"	Wet Snow	4 a.m.	Treated All Roads & Sidewalks
12/8/16		Dusting		Treated / Spot Sanded (1 Truck)
12/11/16 - 12/12/16	5"	Dry Snow		Pre-treated All Roads & Sidewalks
12/13/16				Scraped / Spot Sanded All Roads & Sidewalks (Clean-up)
12/15/16	1 1/2"	Snow Squall		Treated All Roads & Sidewalks
12/17/16	6"	Snow	8°	Treated, Plowed All Roads & Sidewalks
12/18/16		Snow / Sleet / Rain	Freezing Adv.	Treated & Scraped Roads & Sidewalks
12/19/16		Ice	7°	Spot Sanded All Roads & Sidewalks
12/21/16				Snow Removal - Business Areas
12/22/16	3"	Snow		Treated, Plowed All Roads & Sidewalks
12/23/16				Clean-up, Scrape, Complete Sidewalks, etc
12/26/16		Ice / Freezing Rain	Weather Adv.	Treated All Roads
12/29/16 - 12/30/16	11"	Snow		Plowed All Roads, Sidewalks and Parking Lots
1/3/17		Freezing Drizzle	Weather Adv.	Treated All Road & Sidewalks
1/4/17		Freezing Drizzle		Treated, Scraped Roads & Sidewalks
1/6/17				Snow Removal - Business Areas

SNOW & ICE ACTIVITY REPORT - 2016 / 2017 (page 2 of 2)

DATE	TOTAL ACCUMULATIONS	WEATHER CONDITIONS	TIME / TEMP	SNOW & ICE ACTIVITY
1/6/17	1/2"	Light Snow		Treated All Main Roads & Sidewalks
1/10/17	1/10"	Ice / Freezing Rain	32°	Treated All Roads & Sidewalks
1/11/17	1/10"	Ice	30°	Spot Sanded & Dirt Roads
1/17/17 - 1/18/17	6"	Wet Snow	28°	Treated / Plowed All Rds & Sidewalks
1/19/17	2"	Dry Snow	28°	Re-scraped & Treated All Roads & Sidewalks
1/23/17 - 1/24/17	3"	Snow / Ice / Sleet	29°	Scraped & Treated All Roads and Sidewalks
1/25/17	Slush	Checked All Routes	30°	Re-treated as Needed / Clean-up



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2017 SESSION

17-0319
06/04CONSTITUTIONAL AMENDMENT
CONCURRENT RESOLUTION 7

RELATING TO: public education.

PROVIDING THAT: the general court shall have the authority to define standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.

SPONSORS: Rep. Itse, Rock. 10; Rep. Hill, Merr. 3; Rep. McGuire, Merr. 29; Rep. Hoell, Merr. 23; Rep. Spillane, Rock. 2; Sen. Reagan, Dist 17

COMMITTEE: Education



ANALYSIS

This constitutional amendment concurrent resolution provides that the general court shall have the authority to define standards for education, establish standards of accountability, and mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

17-0319
06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: public education.

PROVIDING THAT: the general court shall have the authority to define standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

I. That the second part of the constitution be amended by inserting after article 5-b the following new article:

[Art.] 5-c [Public Education.] In fulfillment of the provisions with respect to education set forth in Part II, Article 83, the General Court shall have the authority and full discretion to define reasonable standards for elementary and secondary public education, to establish reasonable standards of accountability therefor, and to mitigate local disparities in educational opportunity and fiscal capacity. Further, in the exercise thereof, the General Court shall have full discretion to determine the amount of, and methods of raising and distributing, State funding for education.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2018.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2018 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2017 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the second part of the constitution by inserting after article 5-b a new article to read as follows:

[Art.] 5-c [Public Education.] In fulfillment of the provisions with respect to education set forth in Part II, Article 83, the General Court shall have the authority and full discretion to define reasonable standards for elementary and secondary public education, to establish reasonable standards of accountability therefor, and to mitigate local disparities in educational opportunity and fiscal capacity. Further, in the exercise thereof, the General Court shall have full discretion to determine the amount of, and methods of raising and distributing, State funding for education."

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 2017 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.



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2017 SESSION

17-0336
09/04HOUSE BILL **174**

AN ACT limiting jurisdiction of the superior courts over certain adequate education statutes and adequate education grants.

SPONSORS: Rep. Hill, Merr. 3; Rep. Itse, Rock. 10; Sen. French, Dist 7; Sen. Avard, Dist 12; Sen. Giuda, Dist 2

COMMITTEE: Judiciary

ANALYSIS

This bill limits the jurisdiction of the superior courts over certain adequate education statutes and adequate education grants.



Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

17-0336
09/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT limiting jurisdiction of the superior courts over certain adequate education statutes and adequate education grants.

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

1 Superior Court; Jurisdiction. Amend RSA 491:7 to read as follows:

491:7 Jurisdiction. The superior court shall take cognizance of civil actions and pleas, real, personal, and mixed, according to the course of the common law, except such actions as are required to be brought in the family division under RSA 490-D, district courts under RSA 502-A, or the probate courts under RSA 547; ***of laws adopted under RSA 193-E or distributions made pursuant to the provisions of RSA 198***; of writs of mandamus and quo warranto and of proceedings in relation thereto; of petition and appeals relating to highways and property taken therefor and for other public use; of actions commenced in the probate or district courts where a right to jury trial is guaranteed by the constitution; of actions commenced in a district court which are

transferable by statute to the superior court; of suits in equity under RSA 498:1; of petitions for new trials; of petitions for the redemption and foreclosure of mortgages; of all other proceedings and matters to be entered in, or heard at, said court by special provisions of law; and of all other proceedings and matters cognizable therein for which other special provision is not made.

2 Effective Date. This act shall take effect January 1, 2018.

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107 North Main Street, Concord, New Hampshire, 03301, (603) 271-3661

**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, February 6, 2017 at 6:05 p.m. in the Council Chambers, Franklin City Hall regarding Resolution #07-17, trade-in of a Rubber Tire Excavator, pay off of its current lease and enter into a new lease schedule for the purchase of a smaller Track Propelled Excavator with financing derived from the existing sewer fund.

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**