

CITY OF FRANKLIN  
CITY COUNCIL MEETING  
January 3rd, 2022  
and 2022 INAUGURAL  
6:00 P.M.





**FRANKLIN CITY COUNCIL  
2022 INAUGURAL PROGRAM AGENDA**

**Monday, January 3, 2022 - 6:00 p.m.**

**Council Chambers, Franklin City Hall**

**or view only via Zoom: <https://us02web.zoom.us/j/87505691671>**

**or by phone: 1-312-626-6799, Meeting ID# 875 0569 1671**

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**God Bless America - Choir**

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**Franklin Fire Department Color Guard will present the Colors**

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**Salute to the Flag - VFW**

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**National Anthem by Sierra Rodenhuis**

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**MOMENT OF SILENCE FOR OUR VETERANS**

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**Citizen of the Year Award Presented by Mayor Jo Brown**

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**2021 CITY COUNCIL BUSINESS**

**Agenda Item I.**

Council to consider the minutes of the December 6th City Council Meeting.

**Adjournment**

## **2022 INAUGURAL PROGRAM**

Invocation	Pastor Kate Harmon Siberine, Episcopal Mission of Franklin
Swearing in of our Mayor: Jo Brown	City Attorney Paul Fitzgerald
Swearing in of Councilors (3-yr term): Ward I, Councilor-Elect George Dzujna Ward II, Councilor-Elect Vincent Ribas Ward III, Councilor-Elect Valerie Blake	City Attorney Paul Fitzgerald
Swearing in of School Board Members (3-yr term): Ward I, Delaney Carrier Ward III, Deborah Brown	City Attorney Paul Fitzgerald
State of the City Address	Mayor Jo Brown
Mayoral Proclamation	
Battle Hymn of the Republic	Choir

## **Reception and Refreshments**

## **2022 CITY COUNCIL BUSINESS**

### **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 of behalf of the City.

## **LEGISLATIVE COMMENTS**

### **Agenda Item I.**

Monthly School Board Update

### **Agenda Item II.**

Mayor's Drug and Alcohol Task Force Update

### **Agenda Item III.**

Council to review the Code of Conduct for Elected Officials.

### **Agenda Item IV.**

## **Other Business**

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

## **Adjournment**

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

*This location is accessible to the disabled 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 January 3, 2022*

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**Subject: Approval of Minutes**

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**Motion:** "I move that the Franklin City Council approve the minutes of the December 6, 2021 City Council Meeting."

Mayor calls for a second, discussion and the vote.

Pending City Council Approval



**City Council Meeting Minutes  
Monday, December 6, 2021 - 6:00 p.m.  
Council Chambers, City Hall**

**Council in attendance:** Mayor Jo Brown, Councilor Scott Clarenbach, Councilor Bob Desrochers, Councilor Ted Starkweather, Councilor April Bunker, Councilor Olivia Zink, Councilor Paul Trudel, Councilor George Dzujna.

**Absent:** Councilor Jay Chandler and Councilor Karen Testerman.

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

Mayor Brown called the meeting to order in Council Chambers at 6:02 p.m.

Salute to the Flag was led by Councilor Desrochers.

Councilor Desrochers honored the following: Specialist 5<sup>th</sup> class James A. Marchi served in the U.S. Army from 1943-1946. He also served in George Patton's 3<sup>rd</sup> Army and the Normandy Invasion. He was also owner of Marchi's Body shop in Franklin on Douphinett Street. Peter Gauthier served in the U.S. Navy Seabees and John Talbert, Jr. served in the U.S. Air Force. Mayor Brown recognized Senator Robert Dole from Kansas.

A moment of silence commenced in their honor.

**Public Hearings**

Resolution #07-22, to accept and appropriate \$6,076,391.29 of ARP ESSER III Funds for Franklin School District.

The public hearing opened at 6:02 p.m.

Mayor Brown asked if there was anyone who had comments or questions.

No comments on Resolution #07-22, public hearing closed at 6:03 p.m.

Resolution #08-22, authorizing the City Manager to borrow up to \$520,894 and appropriate \$454,106 in capital reserve funds for the police communications center upgrade.

The public hearing on Resolution #08-22 opened at 6:03 p.m.

Police Chief Goldstein discussed the needs of the communications center upgrade and used a wants vs needs as a comparison. The communications center is a need and is the most important

thing to serve the taxpayers of the community. The communications center is done, there are no longer parts for the system and it is at its end of life. If it is not replaced the police department will be reduced to possibly using only portable radios and cell phones. Police Chief Goldstein read some statistics that Dispatcher Jen Kulacz created showing how busy the police department is. These numbers are only from January 1, 2021 to present: Alexandria – 2,571; Andover – 3,880; Bristol – 9,588; Danbury - 1,746; Franklin – 38,255; Hill – 1,235 for a total of 57,275 calls. This total is only recorded calls and doesn't include walk-ins and non-recorded calls. Dispatchers are receiving on average 200 calls a day across three shifts. About 73,000 recorded calls are handled by the dispatchers a year. Police Chief Goldstein read a sheet of supporting information comparing this to other needs. He stated if this system cannot be replaced the dispatching is done and there is no place to go as State and County can't take us, this is it.

Councilor Trudel asked what the service life is of what is being proposed for purchase. Police Chief Goldstein deferred to the representative from Ossipee Mountain and she stated a minimum of 10-12 years before you have parts issues. Councilor Trudel asked what the warranty and the representative from Ossipee Mountain stated the manufacturer's warranty is one year for the equipment with an option for the City to buy an extended warranty. Councilor Dzujna asked how long to get it up and running and the representative from Ossipee Mountain stated 9-12 months as it will be done in phases. Dispatcher Kulacz stated there is a lot of prep work that can be done while waiting for the equipment. Mayor Brown asked if there is any degradation of service while transitioning to the new one and the representative from Ossipee Mountain stated no.

Councilor Starkweather asked what are we getting for our money? Dispatcher Kulacz stated we are going from one transmit site to four transmit sites, going from direct transmit to a simulcast combo which is microwave with eline. Currently, we have copper wiring and it is the copper wiring that is causing issues with the transmission and quality of transmission. Dispatcher Kulacz explained in detail how the transmission works and will work with the new system. Councilor Starkweather asked if this will fix all the problems they had in the past with the station and the tower. Dispatcher Kulacz stated it should as long as they can get the elines from the PD to the water tower as those elines are to do away with the copper lines. The copper lines are costing the City more money than they realize as those lines can't be worked on anymore since it is antiquated technology and the City is paying for the 4 lines that go to the tower when the new system will only have one eline. Councilor Trudel asked if the eline is subject to storm damage and Dispatcher Kulacz replied it is no different than another other network line. Councilor Trudel asked if this is going to fix the repeater issue that has been going on for at least the last six years? Police Chief Goldstein stated that is the belief and hope. Dispatcher Kulacz explained how the microwave will work with the new system.

Councilor Bunker asked what is the total budget for the project and Mayor Brown stated it's the borrowed amount and the capital reserve amount. Dispatcher Kulacz stated that is the amount Ossipee Mountain can provide the City. There are items not included such as Ragged Mountain needs upgrade to our equipment that's up there. Councilor Bunker asked where that money will come from? Dispatcher Kulacz stated the equipment is in the number not the electrical contract or upgrade. She stated there are other avenues to get the funds. Councilor Bunker asked if this isn't approved tonight will there be a rise in costs and Dispatcher Kulacz stated absolutely as it has gone up since the quote a year ago. Councilor Bunker asked of the \$975K how much is for project management and implementation? (Couldn't hear amount.) Councilor Bunker asked if developments have been done for this project and if not can having no dead zones be a requirement of the project. Dispatcher Kulacz stated you can't totally eliminate dead zones but

we can minimize it the best we can.

Councilor Dzujna asked if there will be anymore training need for the new system and Dispatcher Kulacz stated it would be minimal.

Councilor Trudel asked if the amount asked for tonight will not cover the total project costs? City Manager Milner stated the \$975K is for most of the project through Ossipee Mountain. There are other small costs that the City will take out of the budget and she doesn't see any other costs but if there are she will have to come back to the council. Councilor Trudel asked how do you lock in the contract for what we are approving? Police Chief Goldstein stated they are looking at some other funding sources and hope they come to fruition. Councilor Bunker asked if the licensing is part of the number and Dispatcher Kulacz stated yes. Councilor Bunker asked that the amount that is being asked for approval tonight is the \$520,894? City Manager Milner stated the council is approving authorization to borrow \$520,894 and appropriating the capital reserve money that is saved for a total of \$975K.

Police Chief David Suckling from Alexandria and Danbury Police Departments. He explained his departments issues with the system.

Ward 3 resident Deb Brown stated her support for the project. She asked if the service contract is annual and what is the cost? The representative from Ossipee Mountain stated that it is an annual contract and she couldn't quote the cost off the top of her head. Resident Brown then asked what would be the approximate estimate for the next budget? Ossipee Mountain stated about 16,000 Resident Brown asked what are the revenues from the other towns to support the dispatch system? City Manager Milner explained that information is in the budget on the revenue portion as there is a line for dispatch services. She believes that line totals \$90K for 2022 and that line is evaluated every year so it can change or stay the same.

Ward 3 resident Tim Dow asked the council to support this funding for dispatch.

Ward 3 resident Kathy Rago reminded the City Council about their oversight of the Franklin School District based on the Charter chapter 82. She supports this dispatch project but she doesn't support the financing of it because the school district is receiving over \$10M over a three-year period while the City is scraping by to fund this. She doesn't understand why the City doesn't look outside the box to figure out other ways to fund City's needs. With the budget coming up, why the Council can't take a serious look at ways of reducing what the taxpayers are paying for a school district that is getting \$10M over three years. If the City would reduce what they give the school district for one year of \$600K that would fund this project.

Ward 3 resident Leigh Webb voiced his support for this project.

Police Chief Joe Mahoney talked about his experience and issues with the dispatch.

Ward 3 Michael Lombardo stated he has several experiences with calling emergency services and they have been very diligent and wonderful. He thanked all emergency workers. He asked if this will be an interdepartmental system or will his calls still go to Lakes Region Dispatch. Dispatcher Kulacz stated police goes through Franklin and Fire and Medical go through Lakes Region so it depends what your call is about.

The public hearing closed at 6:44 p.m.

**Legislative Update** - None

**Comments from the Public**

Ward 3 resident Leigh Webb asked where the solar sites were that was talked about on WMUR. Mayor Brown stated it is the Mark and Duffy solar sites. Resident Webb asked if there was any direct benefit to the City other than property taxes and City Manager Milner shook her head no. He stated there was an RFP out for a pay and classification study and wanted to know if any changes were made as a result of the 2014 study? City Manager Milner stated the 2014 study would have cost the City over \$1M if they implemented at once. Since 2014 they have taken the worst cases and implemented changes and regraded for those positions. Resident Webb asked if the next study implementation would be done in cycles? City Manager Milner stated those positions that they consider priorities would get recommendations brought to the council. Resident Webb stated the money to the school from federal sources are for specific purposes and can't be targeted. He stated there is a lot of money from the infrastructure bill and should be investigated for our needs. The urban compact is such a financial burden on the City for state roads so this might be the perfect time to go after that federal money.

Ward 3 resident Dean Laughy stated the way the WMUR broadcast regarding the solar was conveyed with what really happened. He asked if the Mark & Duffy, which is really Foundry Solar Development was that federally funded as that was said on WMUR as one of the seven sites and federally funded two of them? City Manager Milner stated they did host Undersecretary Torres-Small from Rural Development and talked with her regarding the \$10M in rural development over the last ten years has helped City of Franklin. For these types of projects, they offer low interest rate loans and that loan was what assisted the private project up on Mark & Duffy. Resident Laughy asked who got the loan and City Manager Milner stated she believes it was the original company who put the solar site in and Go Light purchased it and most likely the debt. Resident Laughy stated we have a federally funded program interest loan into a private company who sold it at market value capital to a third party in the City of Franklin. The way it was conveyed on the news didn't put Franklin in a good light. This doesn't benefit the City as we get a little taxation but a digression in taxes for the residential neighbors. He believes this was conveyed in a light and was inconsistent with where the City of Franklin wants to go. He asked why the public didn't know this event was happening? City Manager Milner stated we are one of the last people to know that politicians are coming. She found out late Thursday night and Friday morning and she send out invitations over email to her contact list. She tries to do the best to get the information out as quickly as possible when she's notified. Resident Laughy stated he understands that any utility that operates and has equipment in the City has to pay taxes and asked do they? City Manager Milner stated yes, they do as they have to provide the assessor with their inventory and the assessor figures out what that inventory is worth and they get taxed. He questioned the permitting process for as the City doesn't have one so is there a way to get a handle on this so they are paying their justified taxes? Mayor Brown asked if they were talking about Eversource and asked what flexibility do we have to charge Eversource. City Manager Milner stated Eversource is required to give us their inventory for all of their items and we can dispute that inventory if we feel it is

not correct. Resident Laughy stated that without a formal permitting process that the City had 10-12 years ago, how do we know they are paying their fair share? He asked what is it going to take to get this permitting process started? Councilor Clarenbach stated City Councilor Milner wants to do it in house before bringing it to the MSD Committee. City Manager Milner stated she did ask to have city staff handle it before bringing it to the MSD Committee so we can understand it and bring a recommendation to the committee. Her understanding was that the Planning & Zoning Director and the Mayor already had a conversation on this but she will follow up. Resident Laughy stated it has already been two years and he had 5 different meetings with former Planning and Zoning Director Lewis and he couldn't find anything. He knows Assistant Deputy Director of the PUC visited MSD and city hall and he couldn't find anything.

Councilor Bunker stated they should be telling us they are putting up a pole, correct? Resident Laughy stated they should be but on the Foundry Solar they just showed up and he had a conversation with the Eversource gentlemen who stated he was putting that pole in and if you don't like it, he was still doing it and the poles went in.

Ward 1 resident Christine Dzujna spoke in support of the dispatch upgrade being a school employee.

Councilor Desrochers read a statement that he wrote as both a Councilor and taxpayer regarding the City's scheme to circumvent the tax cap with a new solid waste ordinance to have a fee for curbside trash pickup for buildings with 3 or more apartments. Mayor Brown stated there is metal and glass recycling at the transfer station. She stated that since you are on the MSD Committee you had the opportunity to talk about this. She stated they are going through with the Solid Waste Ordinance and he will still have the opportunity to speak regarding it. Mayor Brown said all the committees are open to the public and are posted so if you want to talk about something please attend the meeting.

Ward 3 resident Leigh Webb stated before single stream there was recycling at the transfer station and only about 5% of the population did recycle. There still is glass and all metal recycling at the transfer station.

Councilor Desrochers stated you need to make this mandatory and not an option to do recycling.

Ward 3 resident Wayne Ives mentioned the flower boxes outside city hall are great and thank you for how beautiful they were.

### **City Council Acknowledgements**

Councilor Dzujna thanked Stacy Marshland for bringing in 25 vendors to the library for the holiday stroll.

### **Mayor's Update**

Mayor Brown shared her thanks to Councilor-elect Blake, Judy Tilton, City Manager Milner,

Pastor Kate, Kandyce Tucker, Beth DeGrood, Linda Phinney, Christine Dzujna and several others for all their hard work on the Holiday Stroll. She talked about the tree lighting and some not thinking it was as good this year as they changed it to have students in the middle school to write about their hero and Mason Vandel was selected. She thanked all those who came out and she is sure it will only get better each year.

Mayor Brown touched upon on the visit from Undersecretary of Rural Development Torres-Small and the funding. The City really relies on that funding and the focus was really on what the City has done with that money.

**Agenda Item I.**

Council to consider the minutes of the October 25, 2021 City Council Special Meeting, the minutes of the November 1, 2021 City Council Meeting, and the minutes of the November 1, 2021 City Council Nonpublic session.

**Motion - Councilor Dzujna moved that the Franklin City Council approve the minutes of the October 25, 2021 City Council Special Meeting, the minutes of the November 1, 2021 City Council Meeting, and the minutes of the November 1, 2021 City Council Nonpublic session. Seconded by Councilor Starkweather.**

Councilor Dzujna made an amendment to the October 25<sup>th</sup> minutes as his name wasn't listed but he was there.

**All in favor. Motion PASSED.**

**Agenda Item II.**

Council to consider Resolution #07-22, to accept and appropriate \$6,076,391.29 of ARP ESSER III Funds for the Franklin School District.

**Motion – Council Bunker moved that the Franklin City Council vote to adopt Resolution #07-22, to accept and appropriate \$5,987,252.10 of ARPA Act funding under the ESSER III (Elementary and Secondary School Emergency Relief) Fund and \$73,458.43 for ARP IDEA/Preschool and \$15,680.76 for ARP Homeless Children and Youth, for the purpose of funding costs associated with COVID 19 pandemic for the Franklin School District. Seconded by Councilor Trudel.**

By a roll call vote.

Councilor Bunker	<u>Yes</u>	Councilor Desrochers	<u>Yes</u>	Councilor Testerman	<u>Abs</u>
Councilor Chandler	<u>Abs</u>	Councilor Dzujna	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Starkweather	<u>Yes</u>	Councilor Zink	<u>Yes</u>

**Motion PASSED.**

**Agenda Item III.**

Council to consider adoption of Resolution #08-22, authorization to borrow and appropriation of Capital Reserve Funds for the Police Communication Center Upgrade project.

**Motion – Councilor Dzujna moved that the Franklin City Council adopt Resolution #08-22 authorizing the City Manager to borrow up to \$520,894 and appropriating \$454,106 in capital reserve funds for the police communications center upgrade. Seconded by Councilor Clarenbach.**

Councilor Zink mentioned that the PAR states the interest rate is 1.95% but the Resolution says we will borrow for the best interest rate the City can receive. Is that an estimate of what they City is thinking it can receive? City Manager Milner stated that was the rate from our last long-term debt. The City has done a long-term debt in between and got a lower rate so she left the 1.95% hoping to get the best rate they can when it is funded. Councilor Zink asked when will the loan close and City Manager Milner replied she was going to get it done as quick as possible after tonight to take advantage of the low rates. Councilor Dzujna talked about how he always err on the side of safety.

**By a roll call vote.**

Councilor Bunker	<u>Yes</u>	Councilor Desrochers	<u>Yes</u>	Councilor Testerman	<u>Abs</u>
Councilor Chandler	<u>Abs</u>	Councilor Dzujna	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Starkweather	<u>Yes</u>	Councilor Zink	<u>Yes</u>

**Motion PASSED.**

**Agenda Item IV.**

Superintendent Dan LeGallo provided an update to the City Council.

Superintendent LeGallo did some digging regarding personnel from last month's conversation as 63% of the budget goes towards salary and benefits. Some percentages from other towns are: Manchester, Gilford, Laconia 75%; Newfound 76%; Belmont and Merrimack Valley 80%. Last month we also talked about why only 3% for supplies in the school budget, which was believed to be too low, but it equates to \$464,000 of the budget. Councilor Bunker asked what the numbers of the supplies were. Superintendent LeGallo replied for books/electronics/supplies it was \$464,326, software \$13,067, equipment/computers/capital software \$32,641, dues and fees \$47,500. He stated he sent reading scores for grades 1-3 and the district was challenged as kids returned to school. There are 120 kids in remediation and over 70 getting special services for about 200 students that are behind but it's a starting point for the new program they talked about last month.

Carisa Corrow talked about the portrait of a graduate program and passed out a draft graphic. Councilor Bunker asked to add a skier to the graphics. Mayor Brown asked how they will measure community resource limits, etc on these? Ms. Corrow stated its not measuring it is understanding how students are demonstrating their commitment to the community. Councilor Dzujna asked how many students are involved with this? Ms. Corrow stated they have students working on this

in many different ways. She spoke about the student facilitator and student working teams. Councilor Dzujna asked is it only high school or middle school involved as well. Ms. Corrow stated that the action plan calls to involve the whole school. They have a community advisory that is being formed. Councilor Dzujna asked how long will it take to set up the community advisory? Ms. Corrow stated they are going to see what it looks like in six months to see what did and didn't work. Councilor Bunker asked if there is someone tasked to overseeing what the course descriptions are and rebranding them? Ms. Corrow replied no but that is part of the work that's done.

Councilor Dzujna talked about the discussions regarding the \$6M and now \$10M funds. Are the extra teachers for the children with learning issues in these funds? Superintendent LeGallo stated they have to spend at least 20% of the funds on learning. Councilor Dzujna stated he knows this money is earmarked and that information really needs to be made clear to all. Superintendent LeGallo stated they have to work within the federal guidelines but are taking suggestions as that is a requirement to get community input. They are still taking community input as there are still 2 ½ more years of the funds. DOE just approved the conceptual plans that were submitted at the end of summer.

Councilor Zink asked what the numbers are for kids moving in and out of the district, homeless kids or kids living afar. Superintendent LeGallo stated the numbers are consistent with what has been in the past. We are at 18% of kids in and out and its only December. They feel it is about 30% but it is hard to track over the last year. For homelessness they haven't seen a huge increase. Councilor Zink asked if the backpack program still going. Superintendent LeGallo stated yes, they received 50 hats, coats and mittens for kids and the food bags go out every Thursday. Councilor Bunker asked if the extra funds can be used on infrastructure improvements for school buildings? Superintendent LeGallo stated the school board is looking at ventilation and windows.

#### **Agenda Item V.**

City Council to consider Building Permit Proposals for Property on a Private Road, 41 Riverview Dr, Map-Lot 115-024-00.

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

Councilor Clarenbach talked about how they are going to ask for the municipal release after the fact. He stated we are telling them not asking them as they are already residing there. We are making up on something that was missed as a housekeeping item. Planning & Zoning Director Creighton stated the City caught it before the Certificate of Occupancy was issued so a three-season temporary Certificate of Occupancy was issued. He stated the owners want this and it has already been to the planning board.

**All in favor. Motion PASSED.**

City Council to consider a request to build a freestanding residential accessory structure (barn/garage) at 68–70 Kelly Rd, a Class VI road.

**Motion – Councilor Zink moved that the Franklin City approve and issue a Building Permit for a garage/barn at 68-70 Kelly Road (a Class VI road), Map-Lot 138-403.1 with the condition that the City’s standard Release of Liability be signed by both parties and recorded at Merrimack County Registry of Deed. The recording and recording fees are to be the responsibility of the applicant. Applicant also understand they shall maintain the road such that it supports the weight of Fire Department apparatus, per NFPA 1 Chapter 18. Recording must be complete before permits are issued. Seconded by Councilor Dzujna.**

Councilor Clarenbach stated this request is different then the last one and the second paragraph under discussion states they want to add a barn/garage to a property which currently houses two single family homes. Are one of those homes an accessory dwelling unit or how are two single family homes on one parcel? Planning and Zoning Director Creighton stated the Zoning Board back in the 2000’s gave a variance to allow two single family homes on one lot.

**Six in Favor and One Opposed. Motion PASSED.**

City Council to consider approving a request to build a 10,000 +/- woodworking shop at 21 Kenrick Farm Rd, a private road

Planning and Zoning Director Creighton asked to postpone this as it is not ready for discussion at this time. Mayor Brown stated they will table it for now.

#### **Agenda Item VI.**

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

**Motion – Councilor Bunker moved that the Franklin City Council approve a three-year agreement as presented from July 1, 2021 to June 30, 2024 between the City of Franklin and the State Employee’s Association of New Hampshire, Inc. (Municipal Service Department (MSD) Employee’s). Seconded by Councilor Starkweather.**

Councilor Zink questioned the uniform increase is only one sweatshirt and was that something they requested and City Manager Milner nodded yes. Councilor Zink asked about the total cost increase. City Manager Milner stated the first increase is \$600 for sweatshirts and the “me too” portion in the contract is already in the budget with COLA \$4800 and the steps just under \$4300.

**All in favor. Motion PASSED.**

#### **Agenda Item VII.**

##### **Other Business**

##### **1. Mayor/Council: Committee Resignations & Appointments**

- a. Mayor Brown accepted the resignation of Dave Testerman from the Planning Board, seat PB9, effective as of November 3, 2021.
- b. Councilor Bunker moved that the Franklin City Council accept the resignation of Dave Testerman from the Zoning Board of Adjustments, seat ZBA1, effective as of November 3, 2021. Seconded by Councilor Clarenbach.
- c. Christine Dzujna from the Library Board recommended Robin Roper based on she is a new resident who wants to get involved in the community, she and her family frequents the library and she teaches at Paul Smith School.

Councilor Bunker moved that the Franklin City Council appoint Robin Madore Roper to the Library Board of Trustees (seat LT6). Term of service is 3 years to January 2023. Seconded by Councilor Dzujna.

**All in Favor. Motion passes.**

Councilor Zink stated she thought it was wonderful that Franklin had three residents who were willing to serve on the Library Board at a time when volunteering for boards is down. She thanked the other two people for filling out the application and maybe they can be appointed in another year. Councilor Dzujna mentioned a gentleman prior to the meeting approached Executive Secretary Lanzillo about how to get on the school board but since that position was already filled, he was told about other board positions he could apply for. Councilor Clarenbach asked if a thank you letter could be send to the two applicants who didn't get the position.

## **2. Committee Reports: None**

## **3. City Manager's Update: (two months of information)**

- a. Contingent Grant Line Activity - \$75 for Recreational Scholarships, \$35 from Watts for Fire Department, \$2,553 raised from Soup Fest; \$684.42 for Sex Offender Compliance Grant, \$2,500 from Wilsons for Mayor's Drug Task Force Lock Boxes.
- b. Trust Fund for School Funding is \$147.79.
- c. Welcome Heather Getman our new Finance Assistant, thanked Audrey Lanzillo for her work with in the City Manager's Office as she moves on to her new position and congratulations to Rocky Marsh who was promoted to Deputy Municipal Services Director.
- d. Next Workshop Meeting is on 1/24/22 for economic development.
- e. The cannon is back in front of the old Elks Club. Thanked Leo Paquin for the fundraising and Mike & MaryAnn Moses for restoring the cannon.
- f. Committee Meetings for December – Police Committee will be meeting Monday the 13<sup>th</sup> from 5:30-7:30 pm at the police station.
- g. Media Connections – Union Leader about the White Water Park
- h. Business & Professional Women held an event at Lodge of Elks on November 17 and projects happening in the city was also discussed and it was a very informative night.
- i. NHMA does a bi-monthly magazine that we have been getting in paper form will be no

longer as we have gone to digital. All councilors have been signed up using the emails that are used on the City's website.

- j. Mill City Park Update – Engineer from Colorado to be here on Weds. the 8<sup>th</sup> to make sure the feature is running as it should and is complete. All plantings will be done in the spring. Mill City Park board expects a ribbon cutting ceremony on third Friday in June.
- k. City offices will be closed at noon on 12/23 and all day on 12/24 for the holiday. City Manager Milner gave a shout out to the Holiday Stroll that was organized by the newly formed downtown business group. She gave a shout out to Recreation Dept, MSD, Library, Mayor's Drug Task Force and Fire Department for all their hard work that Friday night.
- l. Undersecretary of Rural Development – got to spend time talking with her prior to the actual meeting regarding the \$8M the City has received over the ten years. Was able to show her several projects in the City and projects coming forward. Thanked them all for choosing Franklin to visit.

City Manager Milner passed out a spreadsheet of City Council follow up. She is working on the letter per Council direction from the November 1 meeting. She thanked Mayor Brown for talking with Dan Darling regarding new microphones and what he would recommend is hoping to order them this week. She mentioned that there is still no decision regarding the Mojolaki Solar case in Superior Court.

Councilor Clarenbach stated he had several questions – 1. The water departments has a new water van and is the old van going to the MSD, is that correct? He is not sure if we should be transferring assets from an enterprise to the City without fair market value or some compensation for the use of that vehicle going from one to another. 2. He asked about the Chinburg Project and the building permit for the Die House? Is that separate from the rest of the project. City Manager Milner stated she will follow up on those for the next meeting.

Councilor Zink has been approached by several people regarding a changing table in the restrooms. City Manager Milner stated the Opera House has approached her and it has been approved but she is unsure how one will fit in the men's room as that is very small.

Councilor Bunker stated she was approached by a community member with another community member regarding a community wood pile along the same lines of the community garden. She wanted to mention the idea but not sure of a location.

Mayor Brown thanked everyone for being here and to have a wonderful holiday season.

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

The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Lauraine Paquin

**CITY COUNCIL MEETING**  
**AGENDA ITEM I**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of January 3, 2022*

**Subject: Monthly School Board Update**

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Superintendent Dan LeGallo will provide an update to the Mayor and City Council.

# **CITY COUNCIL MEETING**

## **AGENDA ITEM II**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of January 3, 2022*

**Subject: Mayor's Alcohol and Drug Task Force**

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**Drug Task Force Coordinator Kandyce Tucker will provide an update to the Mayor and City Council.**

**CITY COUNCIL MEETING**

**AGENDA ITEM III**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

January 3, 2022

**Subject: Review & approve code of conduct for elected officials and appointed board members policy**

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**Suggested Motion:**

Councilor moves, "I move that the Franklin City Council re-adopt the 9/8/15 code of conduct for elected officials and appointed board members policy."

Mayor calls for a second, discussion and vote.

**Discussion:**

This is the annual review of the policy. Last review was 2/1/21, last change 9/8/15.

**Alternatives:**

The city council could choose to codify this policy. As the council may recall, Attorney Fitzgerald recently opined that this policy is a suggestion to all elected officials and appointed positions but cannot be enforced. However, should the council choose to codify the policy it is a rule not a suggestion.

Should the council choose to codify the policy, the recommendation is to send it to legislative committee for review and presentation to the council as an ordinance.

CITY OF FRANKLIN

CODE OF CONDUCT

FOR

ELECTED OFFICIALS

AND

APPOINTED BOARD

MEMBERS

Date Approved: April 1, 2002

*Revised: September 8, 2015*

*Reviewed: July 1, 2019, February 1, 2021*

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PREFACE

The purpose of the Code of Conduct is to assist Elected officials and appointed board members in performing their duties for the public. The Code of Conduct is a guide for the members to follow during their term in office. This Code does not reduce the authority granted to Elected officials and appointed board members by the laws of the United States and the State of New Hampshire, as well as the Charter for the City of Franklin.

We remember that we are, first and foremost, servants of the people and treat them with the highest respect and dignity in our public meetings and outside of those meetings. Further, Franklin's public officials should educate themselves on the requirements of the law and ordinances to ensure that they are never using their position to avoid either.

The Code of Conduct will be distributed to all City Council and board members annually in January, and new board members as they are appointed during the year.

## ATTENDANCE

Elected officials and appointed board members should make every effort to notify the Mayor, or City Manager (in the case of the City Council), or the Chairman of their respective board, if they will be unable to attend or will be late to a meeting. In the event a member needs to leave a meeting, while the meeting is in session, the member should receive acknowledgement of their departure from the presiding officer.

## CONDUCT AS A PUBLIC OFFICIAL

Public service is a public trust, requiring elected officials and appointed board members to place loyalty to the constitution of the United States and the New Hampshire Constitution, federal and state laws, city ordinances and Charter provisions and ethical principles above private gain for themselves or others.

Elected officials and appointed board members shall not, except as otherwise permitted by ordinance, solicit or accept any gift, service or favor from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City of Franklin, whose interests may be affected by the performance or non-performance of the elected official's or appointed board member's duties.

Elected officials and appointed board members shall never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept favors or benefits under circumstances which might be construed as influencing the performance of their public duties.

Elected officials and appointed board members shall put forth honest effort in the performance of the public duties, remaining impartial and responsible to the public.

Elected officials and appointed board members shall make no promises of any kind binding upon the duties of their office, since an elected official or appointed board member only have authority to make binding decisions, when voting at a legally posted meeting of their board or committee, when a quorum is in attendance.

Elected officials and appointed board members shall not interfere with the powers and duties of the City Manager, as set forth in the Franklin City Charter, or interfere with the powers and duties of the Superintendent of Schools, as set forth by the laws in the State of New Hampshire. Interference by elected officials or appointed board members with the City Manager or Superintendent's powers and duties could

constitute immediate forfeiture of their office and criminal charges.

## CONDUCT AT MEETINGS

At City meetings a councilor or board member shall be recognized to speak by the Mayor or chair or in his/her absence the person appointed by the Mayor/Chair. The behavior of an elected official/board member both in public and in private should reflect the trust placed in them as leaders of the community.

The goal of a Franklin elected official or board member is to provide the highest quality leadership for all its citizens, to be fiscally responsible and to be dedicated while listening to the needs of others.

## CONFLICT OF INTEREST

Elected officials and appointed board members of the City of Franklin shall avoid conflicts of interest when conducting City business – even the appearance of a conflict of interest.

State law demands that City officials, and board members, not participate in any matter in which they (or a member of their family) have a personal interest, which may directly or indirectly influence the impartial performance of their duties. In such instances, officials

shall recuse themselves from discussion and decision-making.

If an elected or appointed office holder insists upon participation when there is a clear and serious conflict of interest, the Franklin City Council will consider this misconduct and may take corrective action allowable under State law and the City Charter.

Recusal means to remove oneself completely from all further participation in the matter. In the setting of a meeting, an official or board member who has been recused shall immediately leave the meeting room or seat themselves with other members of the public who are present. The person recused shall not participate in further discussions, unless it is clearly stated for the record that such comments are made only as a member of the public. A recused person may not deliberate or vote on the matter in question.

Immediate uncertainty about conflicts and recusal can be resolved by majority vote of the board or committee. Any such vote would be non-binding, but can assist the official's decision regarding participation.

## LEGAL COMMUNICATIONS

Designate legal counsel shall attend any meetings of the Council when requested by the Mayor or City Manager. Any member of the Council (through the City Manager when possible) may call upon Counsel for an oral or written opinion to decide any question of law or parliamentary procedure.

All boards in the City of Franklin shall direct all communications to Counsel through the Chairperson of their respective boards, and the Chairperson shall go through the City Manager when possible.

Legal communications received from the City Attorney are not public information and will not be shared with the public unless authorized by the City Manager.

## NON-PUBLIC SESSION

The meetings of all governmental bodies are open to the public, in accordance with the State of New Hampshire “Right-To-Know Law”, RSA 91-A. There are occasions when governmental bodies need to conduct business in non-public sessions, as allowed under the provisions of RSA 91-A. The intent of non-public sessions, or “non-meetings” to meet with legal council are to allow for the governing bodies to discuss confidential information, that could affect someone’s

reputation, or releasing the information would make the action taken ineffectual.

The confidential information discussed, or actions taken in non-public sessions are to remain confidential. No elected official or appointed board member in the City of Franklin shall violate the confidentiality of non-public sessions by publicizing, gossiping or discussing the information acquired in the course of official duties without a legitimate reason to do so. No elected official or appointed board member in the City of Franklin shall use any confidential information acquired by virtue of the individual’s official position for personal benefit, or for the benefit of any other person or business. This does not apply to information, which is readily available to the general public.

The misuse of confidential information by any elected official or appointed board member in the city of Franklin could lead to the forfeiture of their office, or even criminal charges.

## SALE AND USE OF PUBLIC PROPERTY

Elected officials shall protect and conserve City property and services and shall not use them for other than authorized purposes or for personal benefit and or gain. No elected or appointed official shall devote any City property or labor to private use, except as may be provided by Law or Ordinance.

## SEXUAL HARASSMENT

All officials and board members of the City of Franklin are entitled to operate in an environment free of sexual harassment. History has shown that public entities are far from immune to this illegal behavior. This City is committed to preventing such misconduct. To accomplish these goals, the City's policy against sexual harassment shall be clearly communicated to all officials and board members. In addition, this policy will be reinforced through a complaint investigation procedure.

All complaints of sexual harassment or retaliation shall be promptly and thoroughly investigated by the City Manager or by the Mayor or his/her appointed designee when necessary. While it can never be completely guaranteed, particular care shall be taken in the course of investigations to protect confidentiality. Should it be

determined through investigation that an elected or appointed City official has committed sexual harassment; their immediate removal from office may be considered by the City Council. The reason for removal shall be brought to the attention of the Superior Court, who holds jurisdiction over removal proceedings.

## CODE REVIEW

The Code of Conduct can be amended any time by the City Council. The Code should be reviewed and approved by the City Council annually.

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



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of January 3, 2022*

**Subject: Other Business**

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

**Adjournment**

**Mayor**

I appoint Leigh Webb as an alternate on the Heritage Commission, seat HC7, term of service through January 2025.

**Council**

I move that the Franklin City Council appoint Timothy Fisher to the Library Board of Trustees, seat LT4, term of service through January 2025.

I move that the Franklin City Council appoint \_\_\_\_\_ to school board Ward II, seat SBW23, term of service to the next City election.



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

316 Central Street  
Franklin NH 03235

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

**PROSPECTIVE APPOINTEE PROFILE**

Name: Timothy D. Fisher

Address: 213 Pleasant St. Franklin NH 03235  
Street Address City State Zip Code

Telephone: — 603-271-6484 603-630-1179 timfisher1954@gmail.com  
(Home Phone) (Work Phone) (Cell Phone) (email)  
EXT 4028

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

Franklin Resident: ☒ Yes For how long? 5 years 7 mo.

Employer: Community College System of New Hampshire

Address: 31 College Dr. Concord, NH 03301  
Street Address City State Zip Code

Interested in appointment to: Library Board of Trustees

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

Master of Library and Information Studies (MLIS)  
from the UNIVERSITY OF OKLAHOMA. 23+ YEARS EX-  
perience as Librarian Specialist, Asst. Library Manager,  
AND LIBRARY CIRCULATION Supervisor.

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

To apply my experience and background to  
assist in the promotion and support of  
the library in my hometown.

[Signature]  
Signature

14 Dec 21  
Date

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

**TIMOTHY D. FISHER**  
**timfisher1954@gmail.com**

213 Pleasant Street

Franklin, NH 03235

(603) 630-1179

**OBJECTIVE:** To obtain the position with the Library Board of Trustees for the City of Franklin.

**CAREER**

**SUMMARY:** More than five years' experience as Circulation Supervisor at NHTI Library in Concord, NH. I open the library for business, help students with checking materials in and out, help with computer and printer issues, give directions, sign reserve materials in and out, process and submit Interlibrary Loans through the NHAIS system, and ensure compliance with all COVID-19 safety procedures. I have also coordinated monthly art displays in the library gallery; collected monies and made regular donations to area charities in the name of the students and staff at NHTI; and coordinated virtual meetings by presenters through the auspices of NH Humanities as well as local speakers in the areas of graduate careers. Previously, I had served more than 18 years as Reference Librarian and Assistant Manager at the Downtown branch of the Metropolitan Library System, Oklahoma City, Oklahoma. I managed the daily work schedule for 12 FTE Librarians and 20 other paraprofessionals. I approved leave requests, reported timesheet information, scheduled in-house and contractor training sessions for library staff and perform other duties as assigned by the Library Manager. Experienced in meeting customer information needs in person, by telephone, by e-mail, by fax and by regular mail, including genealogical research, business reference, Government Documents management, collection development, online and CD-ROM database searching, Internet research, and other duties as required.

**EXPERIENCE:** In charge of the daily activities of the NHTI Library, including services to students and faculty, training library staff and Federal Work Study students in library procedures, collection maintenance, opening and closing the library building, reporting IT and maintenance problems, and coordinating with my supervisor in carrying out all needed tasks. Previous experience as Reference Librarian and Assistant Manager of a major metropolitan library. Prior experience includes more than seventeen years progressive responsibility in results-oriented management system as an officer in the United States Air Force. Held positions as Flight Commander, Mission Crew Commander, Chief of Squadron Operations Training, Chief of Exercises and Evaluations, Chief of Standardization and Evaluation Branch as well as other supervisory positions where I had primary responsibility for the scheduling, directing, training, counseling, written evaluation and operational deployment of groups as large as 60-85 employees.

**EDUCATION:** Master of Library and Information Studies (MLIS) from the University of Oklahoma, Norman, Oklahoma. BS in Aeronautics, Miami University, Oxford, Ohio. Squadron Officers School, Air University, Maxwell Air Force Base, Alabama. Air Command and Staff College, Air University, Tyndall Air Force Base, Florida. Graduate work (18 credit hours), International Relations, Troy State University, European Branch, Bitburg Air Base, Germany.

**STRENGTHS:** Ability to work with others in a cooperative team environment. Ability to gain the loyalty and cooperation of my team members to accomplish system goals. Willingness to take on any task to forward the aims of the library system. Reliability and dedication to getting the job done.

**OTHER**

**DATA:** Experienced with TLC and other library-specific software plus Microsoft Office programs including Word, Excel, Publisher, Outlook and Office 365. Major, USAF (Ret.). Have held top-secret security clearance.



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

City Council Meeting January 3, 2022

**Date:** December 28, 2021  
**From:** Judie Milner, City Manager  
**Subject:** City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$147.79
- Welcome Aboard:
  - Kirk Kelly, Bldgs & Grounds Foreman
  - Chris Laquidara, Water/Sewer
  - Ainsley Bruno, Police
  - Allysia Burton, Police
- Congratulations:
  - Sierra Rodenhuis, Fire – CDL Certification
  - John Alessandro, MSD – Water Treatment II License
  - Mike Miller, MSD – CDL Certification
  - Kendall Poirier, Police – Sworn in as a Deputy US Marshall
  - Kent Matthews, Police – certified drone operator, certified bike instructor
  - Dan Ball, Police – certified instructor in deploying less than lethal chemical munitions
  - Jon Francis, Police – certified bicycle instructor
  - 4 officers completed Sig Sauer SWAT training
  - 6 officers – trained warrant containment team
- Fire Department Swearing In Ceremony – 12/15
  - Paul Bourque III – New Firefighter
  - Sierra Rodenhuis – New Firefighter
  - Aiden Obrien – Promoted to Master Firefighter
  - Alex Green - Promoted to Captain

- Dan Chapman - Promoted to Captain
- Employee Luncheon – Years of Service Awards:
  - 5 years

Steve Reale	Fire
Sherry Ryea	Welfare
Matt Parent	MSD (municipal services)
Rocky Marsh	MSD
Jacob Drouin	Police
Kan LaBraney	MSD
  - 10 years

Eric Drouin	Police
Forrest Walker	Police
  - 15 years

Jason Jenkins	Fire
Tracy Goldthwaite	Fire
  - 20 years

Rob Sargent	Library
Kan Kreis	MSD
  - 40 years

Richard Davis Jr	Fire
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- Next Workshop Meeting – 1/24/22 – economic development
- Committee meetings – January:
  - Fire – January 19<sup>th</sup> 5:30pm at Fire Dept
  - Finance - TBD
- City Offices Closed – January 17<sup>th</sup> in observance of Martin Luther King/Civil Rights Day
- City Manager Scheduled Days Off – 1/6, 1/7, 1/14, 1/21pm

- Media Connections – Concord Monitor (several); Laconia Daily Sun
- NH Business Review, NH 200 The Granite State's Most Influential Business Leaders – Hospitality Category – Franklin's own Marty Parichand, Outdoor New England
- Industrial Relics Walk - Art Walk Franklin Style
- Mill City Park Update
- Cumberland Farms Update