

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





CITY COUNCIL MEETING

Monday, June 6, 2022 - 6:00 p.m.

Council Chambers, Franklin City Hall

or view only via Zoom: <https://us02web.zoom.us/j/86874279574>

or by phone: 1-312-626-6799, Meeting ID# 868 7427 9574

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR OUR VETERANS

PUBLIC HEARINGS

Present to the public and take comments on option 2 charter change regarding ward lines for ballot in October

Resolution 17-22 authorizing the City Manager to file an application(s) for \$2,160,000 DWSRF loan funds and \$1,440,000 ARPA grant funding for water main improvements; file an application(s) for \$3,500,000 CWSRF loan funds and \$1,500,000 ARPA funding for sewer main improvements.

LEGISLATIVE UPDATE

COMMENTS FROM THE PUBLIC

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

CITY COUNCIL ACKNOWLEDGEMENT

MAYOR'S UPDATE

Agenda Item I.

Council to consider the minutes of the May 2, 2022 City Council Meeting, and the May 12, 2022 Special City Council Meeting.

Agenda Item II.

School Board Update

Agenda Item III.

Council to consider option 2 charter change regarding ward lines for ballot in October.

Agenda Item IV.

Council to consider Resolution 17-22 authorizing the City Manager to accept and appropriate \$2,160,000 DWSRF loan funds and \$1,440,000 ARPA grant funding for water main improvements; accept and appropriate \$3,500,000 CWSRF loan funds and \$1,500,000 ARPA funding for sewer main improvements.

Agenda Item V.

Council to consider resolution 18-22 continuing appropriations FY2023.

Agenda Item VI.

Council to consider interest & penalty abatement request from Lodge of Elks.

Agenda Item VII.

Other Business

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

Adjournment

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

This location is accessible to the disabled. Those wishing to attend who are hearing or vision impaired may make their needs known by calling 934-3900 (voice), or through "Relay New Hampshire" 1-800-735-2964 (T.D./TRY)

CITY COUNCIL MEETING
AGENDA ITEM I



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of June 6, 2022

Subject: Approval of Minutes

Motion: "I move that the Franklin City Council approve the minutes of the May 2, 2022 City Council Meeting and the May 12, 2022 Special City Council Meeting."

Mayor calls for a second, discussion and the vote.

Pending City Council Approval



**City Council Meeting Minutes
Monday, May 2, 2022 - 6:00 p.m.
Council Chambers, City Hall**

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

Absent: N/A

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 Bunker, followed by a moment of silence, led by Councilor Desrochers, for **Forrest ????** who passed away last month and had served in the U.S. Army in the early 60's.

The public hearing opened at 6:04 p.m.

Public Hearing:

Mayor Brown started the public hearing by reading through each Resolution that the City Council will be voting on at this meeting and opened each one up to the public for comments:

Resolution 16-22 to appropriate funding from the American Rescue Plan Act (ARPA).

No public comments; closed.

Ordinance 03-22 relating to fireworks.

Resident Debra Auger asked how to handle the debris from fireworks ending up on someone else's property.

City Manager Milner stated that fireworks still defer to the NH State Fire Marshal's office and RSA, which states how far away a resident should be from another property to set off fireworks. She also mentioned that she could contact the Police Department or the Fire Department in a circumstance that violates the Fire Marshal's RSA.

No other public comments; closed.

CDBG Funded Hotel Feasibility Study to be presented to the public.

City Manager Milner read out loud from the following handout that was available:

Handout

CITY OF FRANKLIN
Public Hearing
Community Development Block Grant Project

Public Hearing Presenting the Findings of the CDBG Hotel Study

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for Public Facility Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Economic Development Projects, and up to \$350,000 for Emergency Activities that directly benefit low and moderate income persons. Up to \$25,000 per study is available for Planning Grants. The purpose of the hearing is to present to the public on, and take comments on, a hotel feasibility study. The study was funded with CDBG funds.

The study was performed by the Pinnacle Group of Boston, Massachusetts. The primary reason for the market study was to assist the City with understanding the financial viability of hotel development as part of a downtown revitalization program. More specifically, the goal of this engagement was to determine the type of hotel and general facility plan that could accommodate existing lodging demand as well as potential new demand that could be generated from a whitewater rafting and kayaking venue.

The major conclusions of the study are:

- There are over 152,500 room nights (419 rooms) available in the primary market competing with Franklin (6 facilities in Tilton, Northfield, Gilford, and Laconia).
- Average Occupancy (pre-COVID) was about 54%.
- Average Daily Rate (ADR) was \$124.00.
- The study analyzed the feasibility of a small (25 room) hotel with limited services (continental breakfast, fitness room, small meeting room, parking). The study concluded that such a facility could command an ADR of \$117 in Year 1 (2024) and \$127 by 2027. However, despite strong occupancy in the summer months average occupancy was only 44%, which was insufficient to produce profitability. The consultants concluded that that Franklin will experience slow growth, as it relates to lodging, over the foreseeable future. The outdoor recreation industry offers the most promising industry as it relates to tourism and should support growth in Franklin.
- Based on these conclusions the City's Economic Development Task Force requested that the consultant prepare a second income and expense forecast for the proposed 25 room hotel under certain hypothetical considerations regarding debt service and occupancy demand generated by the Whitewater Park. Under these considerations, the proposed 25-room hotel would generate positive cash flow and 70% occupancy at an ADR of \$141.13 in its third full year of operation (2026).

Neil Cannon gave a brief presentation on this study that he believes proves that this would be a great opportunity for the city over a few years of growth.

Resident Leigh Webb, Ward III, asked if this study was based on a specific location or on a concept and Mr. Cannon answered saying that it was based on a concept within the downtown area.

Resident Mike Lombardo, Ward III, mentioned that he knows a group that opens up boutique hotels that may be interested.

Resident Kathy Rago, Ward III, asked if any of this would be subsidized by the city and Mr. Cannon said no, which was confirmed by Mayor Brown.

No other public comments; closed.

Legislative Update:

Mayor Brown asked Representative Dave Testerman if there was a Legislative update.

Representative Testerman approached the podium and stated that they had a session about a week and a half ago. One recommendation sent to the Finance Committee was to raise the amount of money donated to the Retired System account by 7.5%.

He mentioned that other than that, there really wasn't anything monumental to talk about as of right now.

Mayor Brown thanked Representative Testerman and stated that next up was Fr. Roger Sargent;

FR. ROGER SARGENT TO LET THE COUNCIL AND PUBLIC KNOW THE DETAILS OF THE MEMORIAL DAY TRIBUTE TO LCPL JEDH COLBY BARKER.

Fr. Roger Sargent stated that he sent out an extensive email to the council about the schedule of events they have planned for Memorial Day to honor all veterans and to invite them all to attend. One stop includes Franklin City Hall and he would like permission from the City Council to hang a plaque with the honorable medal for Jedh Colby Parker, who was born in Franklin, in the City Hall foyer on that day. Fr. Sargent did show the Council what the plaque would look like. He also asked if the City would accept a flag case that was donated by the Veterans Home, made by students, along with the flag that is coming from the United States Capitol. He stated that they run on donations only.

Councilor Desrochers moved that the City Council allow a memorial marker to be placed on Franklin property identified as Garden Glen across from the Franklin High School in honor of Franklin born, LCPL Jedh Colby Barker, USMC 4th Division, who was awarded the Congressional Medal of Honor for his bravery and sacrifice in the Vietnam war.

Seconded by Councilor Starkweather.

All in favor; motion passes.

Mayor Brown thanked Fr. Roger Sargent and mentioned that this is a great event that he is organizing.

COMMENTS FROM PUBLIC ON WARD LINE CHANGES

Mayor Brown stated that she wanted to make it very clear that the council has not made any decisions on this matter as of yet and will not be voting on Ward Line changes until they have heard more from the public.

Mayor Brown then mentioned that City Manager Milner received a letter from City Attorney Fitzgerald about the legalities of removing ward lines and changing to a city at large, which is one of the options up for discussion. She let the Council know that a motion would be needed to grant City Manager Milner permission to read this letter out loud.

Councilor Dzujna moved that the City Council give approval to City Manager Milner to read the legal letter from City Attorney Fitzgerald out loud. Seconded by Councilor Blake.

All in favor; motion passes.

City Manager Milner read from the below attached letter from City Attorney Fitzgerald:



WESCOTT LAW P.A. EST. 1927
Sound Counsel. Practical Solutions.

PAUL T. FITZGERALD
PFITZGERALD@WESCOTTLAWNH.COM

28 BOWMAN STREET
LAGONIA, NEW HAMPSHIRE 03246-3761
T (603) 524-2166 ~ F (603) 528-2122

May 2, 2022

(via e-mail only)

Judie Milner, City Manager
City of Franklin
316 Central Street
Franklin, NH 03235

Re: Ward Elimination

Dear Manager Milner,

In response to your recent inquiry, it is my opinion that the City may move forward with a proposal to eliminate the three ward system that has existed since the original Franklin City Charter was granted by the State Legislature in 1893. Where the ward lines are established by the Charter, this change would have to be accomplished by a formal charter change which is a process that the City has gone through several times previously. As you know, before being voted upon by the voters, there is a process for the change to be submitted to the New Hampshire Department of Justice, the Secretary of State's office and the Department of Revenue Administration. The purpose of these submissions is to ensure that no amendment is adopted which runs counter to the general state law and this is a process that the similar amendment adopted by the City of Berlin in 2012 would have undergone.

I understand that there has been some question as to whether such amendment could be adopted given the wording of RSA 49-C: 3 which requires that a city adopting a charter continue with the same number of wards and that the general laws of the state in reference to ward elections continue to be followed. However, as we discuss telephonically RSA 49-C is a model charter which allows municipalities to adopt it in its entirety or in part without requiring a special act of the Legislature (see RSA 49-C:1). It has generally been understood that as long as the subject matter of the various sections of RSA 49-C are dealt with in a charter revision or amendment that variations are allowed which, has actually happened, when comparing charters of the various cities in the state. It is probably also noteworthy that RSA 44:4 indicates that a city may be divided into wards but does not say that it is mandatory. Finally,

WWW.WESCOTTLAWNH.COM

28 BOWMAN STREET
LAGONIA
(MAIN OFFICE)

272 DANIEL WEBSTER HWY.
MERRIDEN
(BY APPOINTMENT)

ONE BRIDGE STREET
PLYMOUTH
(BY APPOINTMENT)

Judie Milner, City Manager

RE: Ward Elimination

May 2, 2022

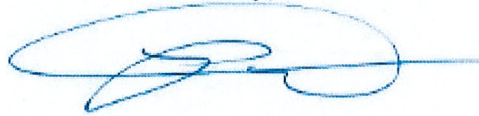
Page 2

if the language of RSA 49-C:3 was taken as mandatory, a city would never be able to change the number of wards, regardless of how compelling the reason.

Should you or the Council need further information on the charter amendment process, please feel free to inquire.

Thank you for your attention to this matter.

Sincerely,



Paul T. Fitzgerald

PTF:src

Confidentiality Clause

This document is subject to the attorney/client privilege and should not be considered part of any public record without the consent of the intended recipient.

Mayor Brown stated that she was going to go through each option and wanted public comment on the pros and cons of each, starting with option #7;

Option #7 – Removing all Ward Lines and becoming a city at large:

- (CON) Representative Dave Testerman, Ward II, considers this option a con, as it makes campaigning more difficult.
- (CON) Resident Leigh Webb, Ward III, mentioned that he was surprised that this option got so much attention at the last meeting. He is afraid that there may potentially be a geological bias and he prefers option #4.
- (CON) Commissioner Ken Merrifield, Ward I, is very concerned about this option, as he thinks it will prevent people from applying for public service. He also mentioned that the whole point of redistricting is to rebalance the population.
- (CON) Resident Paul Ducette, Ward II, favors option #1. He mentioned that Berlin did away with all of their ward lines and all of their councilors live within a small section of the city. The rest of Berlin is not being represented.
- (CON) Resident Erin Meagher, Ward II, has the same concerns as the other speakers before her and would like to hear how this option would bring a cost savings. She also

believes that it will be too difficult for councilors to represent the entire city instead of their specified Ward.

- (CON) Councilor Bunker stated that Resident Sarah Eastman, Ward III, messaged her to let her know that she prefers to have 3 wards so that everyone is represented, not just the downtown area.

No other public comments; closed.

Option #6 – Make changes to all Wards, changing Ward 3 (upper Babbitt Road/Sanborn) to Ward 2 and one census block in Ward 1 to Ward 2:

No public comments; closed.

Option #5 – Divide Central St. down the middle with the upper portion on the map moving to Ward 3 and the lower portion on the map moving to Ward 2:

- (CON) Resident Janet Desrochers, Ward II, mentioned that this option seems like a lot of work when there are better options to choose from.
- (Question) Resident Mike Lombardo, Ward III, did ask what happens if a councilor shifts wards. Mayor Brown stated that the councilors would stay, as is, until their term is up and then would need to run again in their new ward.

No other public comments; closed.

Option #4 – Move upper Prospect St. and upper Pleasant St. to the Northfield line beyond Kelly Road from Ward 3 to Ward 2:

- (PRO) Resident Leigh Webb, Ward III, considers this to be the best option.

No other public comments; closed.

Option #3 – Move the bottom section of Pleasant, Oak, Orchard, Pine Highland & Elm from Ward 3 into Ward 2:

No public comments; closed.

Option #2 – Move the Ward 3 boundary line to include the river side of New Hampton Road and both sides of New Hampton Road after New Boston Road to Ward 2:

No public comments; closed.

Option #1 – Move Mountain View Estates from Ward 3 to Ward 2:

- (PRO) Representative Dave Testerman, Ward II, stated that this seems to be the simplest option.
- (PRO) Resident Mike Lombardo, Ward III, thinks this makes the most sense.

No other public comments; closed.

The Councilors discussed that they would like the simplest option as well. They did bring up the need for some extra information on the map for option #1 to see if this change does include all of Mountain View Estates or not.

Resident Gerard Desrochers, Ward III, did ask how this works if the charter change language needs to be voted on in June, while this is budget season.

Mayor Brown stated that it is going to be a very busy month.

Mayor Brown wrapped up on the Ward change options and stated that they should consider focusing on options 1 through 5, with option 7 completely off of the table.

Councilor Zink mentioned that she can share the URL of the map options with the Council for viewing the street names in the maps by zooming in.

City Manager Milner suggested that they have another meeting to discuss this again before voting on the charter change language in June. She offered May 12, 2022 at 6pm as a new meeting date and the council agreed on that.

Mayor Brown closed the Ward line discussion and asked if there were any other public comments for the night.

No other public comments.

Mayor Brown closed public comment at 7:43 p.m.

City Council Acknowledgement:

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna mentioned that at one of their workshop meetings a resident came up to him and wanted to thank MSD and all of the road employees. She let him know that she has never seen any other place in NH where the road crew comes right out and keeps filling holes.

Councilor Dzujna thanked MSD Director Hanscom.

Councilor Zink stated that in honor of Municipal Clerk's week she would like to thank all of the staff at the clerk's office for all of their hard work on so many topics. She mentioned that they are the face of our city and they always do such a great job.

Mayor's Update:

Mayor Brown had some brief updates:

- She will be attending a NH Business Day luncheon on June 8th in Washington, DC. It is sponsored by the Business & Industry Association of NH so there will be no cost to the city for this.
- There are 3 new restaurant openings coming up:

- The Shorey's Grilled Cheese & Ice Cream will be having their ribbon cutting this Saturday, May 7th.
- There is a new pub & restaurant opening up in the Toad Hall building that will be called Waterhorse Irish Pub, which are the same owners of Kathleen's Pub in Bristol. This is supposed to be opening in June.
- Downtown Crepes, which is right by the post office will be opening sometime in June or July.
- She received a wonderful packet from Compass Academy's 2nd grade class. They decided as a group that they wanted to write to the Mayor and they sent her letters to say that what the Council needs to be focusing on right now is recycling. The other concern was asking why we can't all treat each other as equals instead of the color of our skin. The penmanship of these 2nd graders was outstanding. She thanked all of the students who sent her a letter and wrote back to each one of them.

Agenda Item I.

Council to consider the minutes of the March 28, 2022 Special City Council Meeting, the April 4, 2022 City Council Meeting, the non-public meeting minutes for April 4, 2022 and April 11, 2022 Special City Council Meeting.

Motion - Councilor Blake moved that the Franklin City Council approve the minutes of the March 28, 2022 Special City Council Meeting, the April 4, 2022 City Council Meeting, the non-public meeting minutes for April 4, 2022 and April 11, 2022 Special City Council Meeting with a few amendments. Seconded by Councilor Dzujna.

Councilor Ribas had a few grammatical corrections to be amended on the March 28, 2022 and April 4, 2022 meeting minutes that were sent to Executive Secretary Jones.

**Councilor Starkweather abstained on March 28, 2022 and April 4, 2022 minutes, but approved the April 11, 2022 minutes.*

All in favor; motion passes.

Agenda Item II.

School Board Update.

Superintendent Dan LeGallo approached the City Council to provide a monthly update:

- He had given everyone the annual District Report Card for 2021-2022 that was approved by the school board last month and this will also go out to the families in an email blast.
- The Elementary School Principal was hired for next year and his name is Robert Laroche and he brings 14 years of experience as a principal in MA and NH.
- He will be nominating a new High School principal to the board tomorrow night.
- The Middle School Assistant Principal is resigning at the end of this year so the search for a

new Assistant principal will start soon.

- He is prepared for the School Budget meeting next Monday night and mentioned that all of the administrators will be there to present the budget.
- Community Day is May 14th and he is looking forward to that.
- Class Day Parade will be on June 13th at noon time.
- High School graduation is scheduled for June 17th at 6pm and the 8th grade graduation is on June 20th at 6pm.
- The last day of school is June 21st, which is a half day for students.
- The school performance of 'School of Rock' will be May 18th – May 22nd.

Agenda Item III.

Motion – Councilor Bunker moved that the Franklin City Council adopt Resolution 16-22 to accept and appropriate \$454,667 first tranche of Franklin’s direct federal American Rescue Plan Act monies for broadband and water projects and authorize the City Manager to sign necessary paperwork thereof. Seconded by Councilor Dzujna.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

Roll Call Vote:

Councilor Starkweather	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Chandler	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item IV.

Motion – Councilor Dzujna moved that the Franklin City Council adopts Ordinance 03-22 changes to the noise ordinance; specifically, the fireworks and violations & penalties sections. Seconded by Councilor Starkweather.

Mayor Brown asked if there was any discussion on this motion.
Councilor Desrochers stated that he would not be voting for this Ordinance since he doesn’t feel it is enforceable.

Roll Call Vote:

Councilor Starkweather	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Trudel	<u>yes</u>

Councilor Desrochers no Councilor Chandler yes Councilor Zink yes

1 against, all others in favor; motion passes.

Agenda Item V.

Motion – Councilor Ribas moved that the Franklin City Council authorize the Fire Department Administration to sell the 2002 Zumro rescue boat, motor and trailer for the best possible price. It is intended that the proceeds from this sale will be used to replenish the Raymond and Betty Turcotte Expendable Trust Fund. Seconded by Councilor Starkweather.

Mayor Brown asked if there was any discussion on this motion.
Councilor Desrochers had a question that Fire Chief Foss was able to answer.

All in favor; motion passes.

Agenda Item VI.

Motion – Councilor Ribas moved that the Franklin City Council approves an Agricultural Real Estate Lease with Mr. Brent Fife for 11 acres of City owned property located off River Street which is not being used for an approved solar project, identified as Tax Map 123, Lot 403, and to authorize City Manager Milner to duly execute the lease on behalf of the City. Seconded by Councilor Dzujna.

Mayor Brown asked if there was any discussion on this motion.
There was a discussion about the use of this land and the amount that it is leased for, which is \$25 per acre on the 11 acres total. The farmer does not store anything on this land. It is only used for farming corn that is not for human consumption, but is an outlet for biosolids from the treatment plant. It also helps to feed wildlife.

All in favor; motion passes.

Other Business:

1. Mayor & Council Appointments

Mayor Brown stated that there are some Council appointments.

Motion – Councilor Ribas moved that the Franklin City Council re-appoint Sam Durfee, Caite Foley and Robert Morin, Jr. to the TIF District Advisory Board, term of service to January 2024, and Jason Grevior, Ron Magoon, Michael Mullavey, Jr. and Leo Paquin, term of service to January 2026. Seconded by Councilor Starkweather.

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

Councilor Zink asked for clarification on how many Franklin residents and how many business owners needed to be on this board. She asked if there also needs to be one that is both a Franklin resident and business owner.

City Manager Milner stated that this is the same board being reappointed so the numbers are correct with Jason Grevior being the one board member that is a Franklin resident and a Franklin business owner.

All in favor; motion passes.

2. Committee Reports

Councilor Dzujna stated that the MSD Committee meeting is on May 26th at 6pm in the City Hall Blue Conference room.

3. City Manager's Update:

- a. Contingent Grant Line Activity this month – We have received \$1,500 in the Kayak Beatification Program, \$806 from the Sex Offenders Compliance grant, and \$675 from Chem-Free Prom. Thank you to all who have donated to those categories.
- b. The trust fund for school funding is at \$265.61.
- c. Congratulations: Milner gave a shout out to the Mayor's Drug Task Force Director, Kandyce Tucker, who gave great testimony and answered questions at the State House regarding legalization of the marijuana bill.
- d. Budget Workshop Meeting dates are listed below, all to be held in Council Chambers. Milner handed out the City Manager's Budget Proposal to the Council, which can be found on the website under City Manager/City Budgets.
 - Wednesday, May 4, 6pm – school district
 - Monday, May 9, 6pm – municipal departments
 - Monday, May 16, 6pm – municipal departments
 - Monday, May 23, 6pm – municipal departments
- e. Committee meetings in May:
 - Municipal Services – Thursday, May 26th, 6pm, at City Hall in the Blue Room
 - Legislative – This is TBD for this month
 - CIP Committee – Tuesday, May 24th, 6pm, upstairs at the Library
- f. Legislative Update – Milner passed out a cheat sheet from NHMA showing the updated list of priority bills for the upcoming House session, which is attached to the bottom of these minutes. She mentioned that there are a couple of items that they have already sent letters on. If anyone can call on the 3rd and 4th items on the list and let them know how you feel about them that would be good.
- g. Communications Center Project Update – The equipment is ordered and the deposit has been made and work is continuing.
- h. Drug Take Back Day – this was the past Saturday, April 30th. Milner gave a shout out to Chris Milner, Councilor Dzujna and Christine Dzujna for volunteering. They were able to get about three boxes of drugs off of the streets and also got a lot of surveys completely. She also wanted to thank Chief Gilman from Tilton who helped out along with Officer Merchant.
- i. Stevens Mill Update – The closing is schedule for May 5th.

- j. Youth Government – This will be Monday to Wednesday this year starting on May 9th and at 8:45am the students will be ready for a brief overview from the Council and Department Heads on their job descriptions. This will end at the Elk's Lodge on May 11th, at 6:15pm starting with a dinner and a mock council meeting by the students.
- k. Community Day – May 14th and the parade starts at 9am.
- l. Arts Integration Weekend – One of the things that was discussed was getting the students downtown to do art crosswalks. They are shooting for May 20th, during the school day, to paint the art on 4 crosswalks in an art theme.
- m. Eversource Leadership Academy – This will be at Franklin City Hall on May 10th, and the Economic Task Force has been invited to talk to the group about how we went about the revitalization in Franklin.
- n. NH Planners Association – They have scheduled a professional development workshop that will highlight *our* revitalization of Franklin. This will be at Franklin City Hall on June 2nd.
- o. The City Clerk's office will be closed for the day on June 8th for training.
- p. As a follow up to the last meeting, Milner passed out a Tax Increment Financing timeline, which is attached to these minutes.

4. Late items: None

Motion to adjourn was made by Councilor Chandler and seconded by Councilor Bunker.

All in favor; motion passes.

The meeting adjourned at 8:32 p.m.

Respectfully submitted,
Lisa Jones

Municipal Officials Urged to Contact Their Reps Today!

See below for the **updated** list of NHMA priority bills for the upcoming House session

Bill Number	Description	NHMA Position	Committee Recommendation	Vote
<u>SB 249</u>	prohibits municipalities from adopting ordinances that ban or regulate short-term rentals.	Oppose	Interim Study	YEA
<u>SB 273-A</u>	permits towns to authorize the borrowing of money for broadband infrastructure at special meetings.	Support	OTP	YEA
<u>SB 317-L</u>	reduces the interest rate applied to the amount of paid property taxes abated by a municipality.	Support	OTP	YEA
<u>SB 329</u>	establishing a commission to study barriers to specific housing development in New Hampshire and establishing a procedure for overriding a local tax cap.	Neutral on bill; opposed to bill as amended	OTP-A	NAY
<u>SB 400</u>	relative to training and procedures for zoning and planning boards; relative to financial investments and incentives for affordable housing development; limiting the authority for city council bylaws and ordinances and limiting the authority of town health officers; and relative to the adoption of school district budget caps.	Neutral on bill; opposed to bill as amended	OTP-A	NAY
<u>SB 401-FN</u>	makes appropriations to the department of transportation for local bridge and highway aid and to the body-worn and dashboard camera fund and permitting the department of transportation to operate dash cameras in fleet vehicles.	Support	OTP-A	YEA
<u>SB 402-FN</u>	creates an avenue for the governor, with the approval of the fiscal committee and the executive council, to disburse financial assistance to municipalities affected by federally-declared disasters or governor-declared state of emergencies.	Support	OTP-A	YEA
<u>SB 409</u>	modifies the circumstances under which the governor may approve exceptional disaster relief loans.	Support	OTP-A	YEA
<u>SB 418-FN</u>	provides for verification of voter affidavits by establishing affidavit balloting.	Oppose	OTP-A	NAY
<u>SB 445</u>	appropriates \$122,100,000 to the broadband matching grant fund established in RSA 12-O:63, administered by the Department of Business and Economic Affairs. The source of this appropriation would be funds from the American Rescue Plan Act (ARPA).	Support	OTP-A	YEA
<u>HB 307</u>	Punishes municipal officials for adopting ordinances relative to firearms	Oppose	Passed Senate with amendment; House must concur, non-	NON CONCUR

Proposed TIF Project Amendment # 1
Franklin Fall Mixed Use TIF District
Adopted March, 21, 2018
Amended November 4, 2019 by Resolution #06-20

Add a new Section VI.A to the approved TIF Plan to read as follows:

Amendment # 1 satisfies the overall purposes of the TIF Plan in that:

1. It will improve public infrastructure and public amenities that encourage and create opportunities for the expansion of new businesses and commercial redevelopment in the district; and,
2. It will facilitate improvements to the infrastructure so that expanded recreational opportunities [biking, walking and river-use] can be created.

This project is also consistent with the general outline of projects described in Section VI of the approved TIF Plan.

Amendment # 1 involves the following activities to be undertaken in the Mill District:

- a. The acquisition properties and the demolition of any buildings on the acquired properties.
- b. The design and construction of new parking areas and transportation improvements.
- c. Modifications to the existing municipal parking area located between Memorial, Canal, and Smith Streets to create improved parking designs and traffic flow patterns.
- d. Evaluation and design of potential improvements to drainage systems to enhance water quality and improve any discharges to the Winnepesaukee River.
- e. Potential improvements to public spaces which will enhance public safety and help create a more attractive downtown environment.
- f. Design and construction of whitewater features with the Winnepesaukee River as well as river access points and a spectator seating area at Trestle View Park

Amendment # 1 has an estimated cost of \$1,400,000.

5/2/22 City Council Meeting

Franklin Falls Mixed Use Tax Increment Financing (TIF) timeline is as follows:

1/3/17	Franklin Falls Mixed Use Tax Increment Financing District (TIF) Established
2/5/18	Resolution 16-18 establishing TIF board
2/14/18	TIF advisory board approved amendment #1 as revised
3/5/18	Public Hearing held on TIF amendment #1
3/21/18	City Council Approved TIF amendment #1
4/2/18	Public Hearing held on resolution 21-18 authorization to borrow for TIF amendment #1
5/7/18	Council adopted resolution 21-18
9/2018	Entered into Bond Anticipation Note with FSB for project
8/20/19	TIF advisory board approved the recommended changes to TIF amendment #1
9/5/19	City Council consider to consider setting public hearing on recommended changes and increase the authority to borrow (resolution 06-20)
10/7/19	Public hearing held on changes to TIF amendment #1
11/4/19	City Council to approved TIF amendment #1 changes and adopted resolution 06-20 increasing the authority to borrow for TIF amendment #1
10/2020	Rolled over the Bond Anticipation Note with FSB for project
10/4/20	City Council approves developers agreement with Stevens Mill LLC which includes guarantee of TIF amendment #1 bond payment
10/7/21	Developers Agreement completed with Stevens Mill LLC

Upcoming Events:

Summer 2022	Municipal parking lot construction – CDBG grant match (TIF)
October 2022	Convert Bond Anticipation Note to Long Term Debt

Pending City Council Approval



**City Council Meeting Minutes
Monday, May 12, 2022 - 6:00 p.m.
Upstairs at the Franklin
Public Library**

Council in attendance: Mayor Jo Brown, Councilor Jay Chandler, Councilor George Dzujna, Councilor Paul Trudel, Councilor Olivia Zink, Councilor Vincent Ribas, Councilor Valerie Blake, Councilor Ted Starkweather and Councilor Bob Desrochers.

Absent: Councilor April Bunker

Others in attendance: City Manager Judie Milner, City Clerk/Tax Collector Michelle Stanyan, and members of the public.

Mayor Brown called the meeting to order at the Franklin Public Library at 6:01 p.m. and stated that this would be a quick meeting to decide on which option would be best to proceed with going forward.

Agenda Item I: Ward Line Change Discussion

City Manager Milner stated that there were pros and cons added to the fact sheet in the provided packet. She explained that the pros and cons were compiled from the last two meeting discussions on the ward line change. The packet also has the 7 map options, which were also displayed in the library, along with the current Charter language (Chapter C) pertaining to Ward I, II and III. This handout is attached to the bottom of these minutes.

City Manager Milner mentioned that she has the Assessor, the City Attorney and the cartographic mapping people on standby for the decision tonight so that changes to the language can be made and a public hearing can be set for next Monday or the following, which will keep them within the timeline needed. So there needs to be a decision made on the Ward line change tonight.

Mayor Brown asked if there was any public comment.

Resident Tamara Feener, Moderator for Ward II, was looking at the displayed maps and mentioned that she likes option #3, which moves the bottom section of Pleasant, Oak, Orchard, pine Highland and Elm from Ward III into Ward II.

Resident Janet Desrochers, Ward III, stated that she would like the simplest option possible.

Public comment was closed.

Mayor Brown went through each option separately to get comments from the Council on their opinions. A discussion ensued and the council all agreed that the simplest option would be preferred and option #2 was considered to be the cleanest and simplest Ward line change.

Motion – Councilor Zink moved that the Franklin City Council direct City Attorney Fitzgerald to draft the language to amend the city ward lines with map option 2, to move the riverside of New Hampton Road to the Sanbornton line (43.490400, -71.642931) and both sides of New Hampton Road and the New Boston Road (43.483052, -71.634342), which would take effect on January 1, 2023. Councilor Zink also moved that the Franklin City Council set a public hearing on the charter ward line change at the City Council meeting at City Hall on June 6, 2022 at 6:00 p.m. Seconded by Councilor Ribas.

All in favor; motion passes.

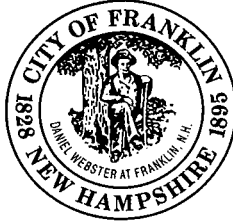
Agenda Item II: Other Business

No other business was discussed.

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

The meeting adjourned at 6:23 p.m.

Respectfully submitted,
Lisa Jones



City of Franklin Ward Line Change Proposals Fact Sheet

These options can be seen on printed maps that are color coded by ward and are on display at Franklin City Hall.

Option 1: Move Mountain View Estates from Ward 3 to Ward 2

PROS: Mayor Brown/Dave Testerman/Paul Doucette-moving Mountain View Estates would be the simplest area to shift. Testerman and Doucette also suggested to survey the residents. There were several residents that thought this was the most logical to move street wise.

CONS: None stated

Option 2: Move the Ward 3 boundary line to include the river side of New Hampton Road and both sides of New Hampton Road after New Boston Road to Ward 2

PROS: Councilor Zink stated this option is the cleanest in her opinion, it would also allow for room for growth in Ward 2 as the population changes.

CONS: None stated

Option 3: Move the bottom section of Pleasant, Oak, Orchard, Pine Highland & Elm from Ward 3 into Ward 2

PROS: None stated

CONS: Leigh Webb, who lives on Orchard Street did not think this would work well.

Option 4: Move upper Prospect Street and upper Pleasant Street to the Northfield line beyond Kelly Road from Ward 3 to Ward 2

PROS: Leigh Webb supported this.

CONS: Upon further review of the census blocks, this one will not work.

Option 5: Divide Central St down the Middle with the upper portion on the map moving to Ward 3 and the lower portion on the map moving to Ward 2

PROS: None stated

CONS: Janet Desrochers pointed out this one will result in a city property needing to be “cut out” to have a polling location for Ward 2, since City Hall will be in Ward Three.

Option 6: Make changes to all the Wards, changing Ward 3 (upper Babbitt Road/Sanborn) to Ward 2 and one census block in Ward 1 (South Main Street – River side after Punch Brook Road to the Boscawen line) to Ward 2

PROS: None

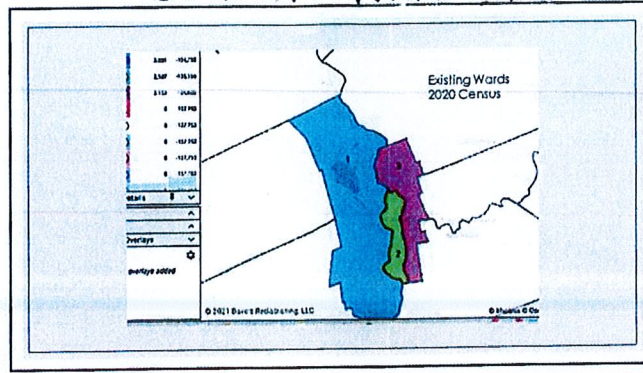
CONS: None

Option 7: Remove all Ward Lines and have all Councilors and School Board members represent the City of Franklin as a whole versus just a Ward

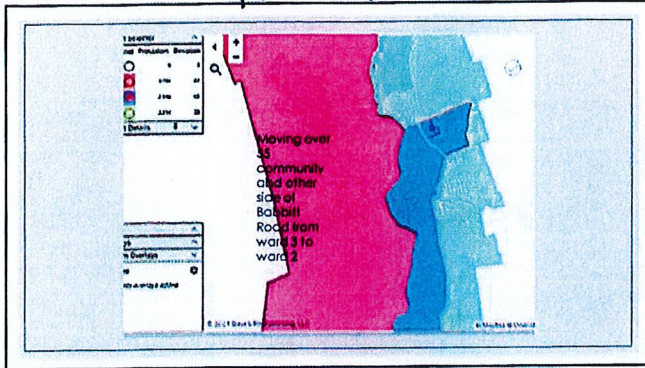
PROS: There were no pros stated during the May council meeting. Yet, during the workshop there were several individuals that were in favor of option 7. Various pros were will be the voters are able to vote for any candidate, potentially one polling location, few election workers, and easier to fill some one the elected positions, and is more cost effect for the city.

CONS: Three were residents that reached out to some of the councilors that did not like this option. Testerman stated this option would make it costlier for individuals running for elected positions within the city. Also, it would potentially make it so the candidates have a harder time campaigning. This may also result in representation coming from one part of the city verses a balance of elected officials from the city as a whole.

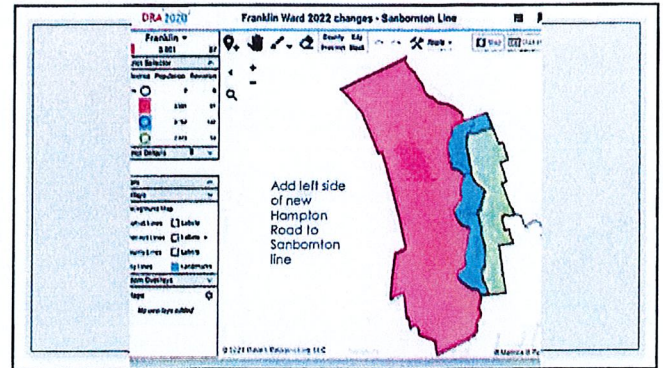
CURRENT WARD LINES



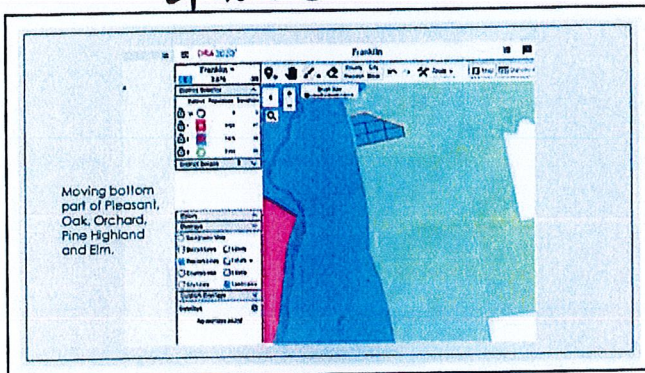
Option 1



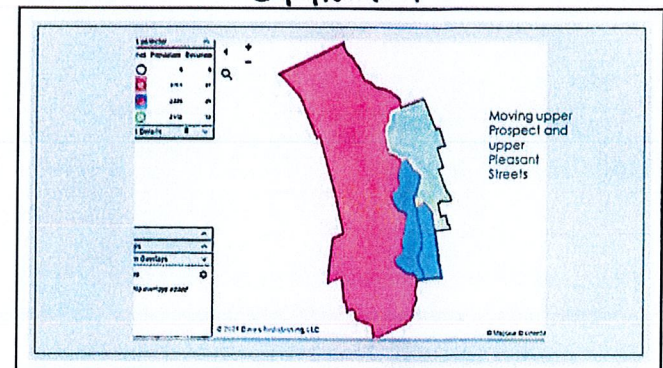
Option 2



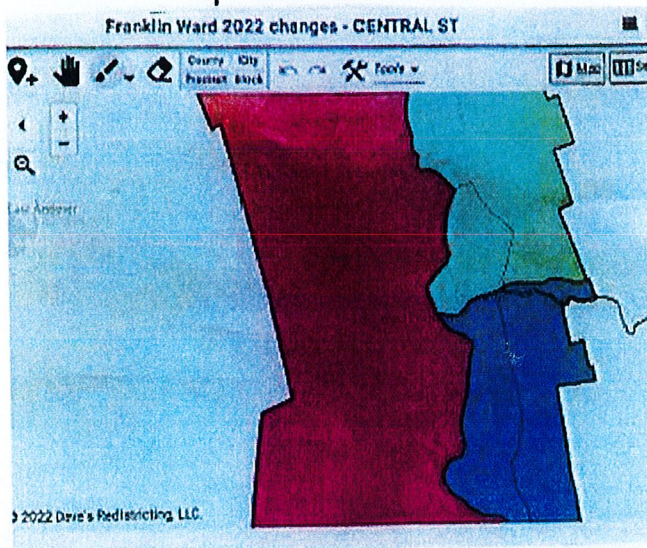
Option 3



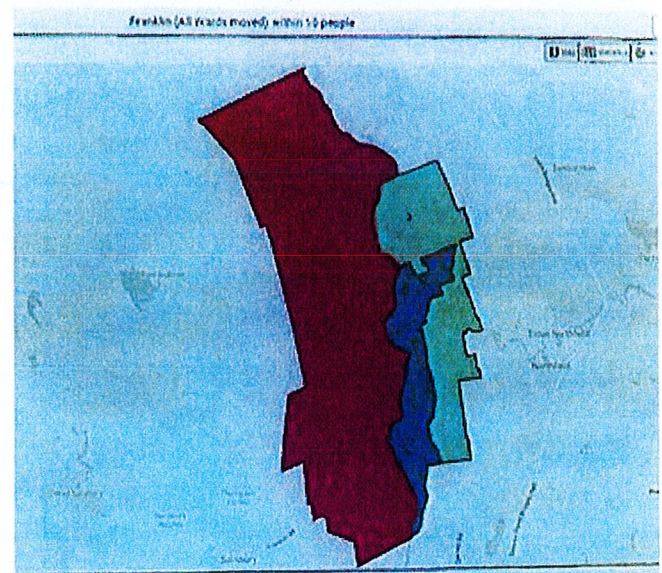
Option 4



Option 5



Option 6



Chapter C. Charter

§ C-2. Wards.

[Amended by Ch. 355 of the Laws of 1973]

Said City of Franklin is hereby divided into three wards, which shall be constituted as follows, namely:

- A. Ward 1 shall include all that portion of said Franklin located west of the Merrimack and Pemigewasset Rivers.
- B. Ward 2 shall include all that portion of the City of Franklin within the boundary commencing at the intersection of Babbitt Road and Victory Drive; then westerly to the Pemigewasset River; then southerly along the Pemigewasset and Merrimack Rivers to the Northfield town line; then easterly to Prospect Street; then northerly along Prospect Street to Central Street; then easterly along Central Street to Sanborn Street; then northerly along Sanborn Street to a point marked by a drill hole on property owned by the City of Franklin and currently occupied by the Franklin Middle School, so called; then turning and running N 78° 35' 01" W 81.27 feet to a point at a rock wall; then turning and running N 78° 16' 32" W 60.43 feet to an iron pipe in said wall; then continuing N 78° 16' 32" W 53.80 feet further along said wall; then turning and running N 77° 56' 13" W 50.19 feet to a granite bound; then turning and running N 78° 14' 54" W 699.98 feet to a point; then turning and running N 78° 52' 56" W 15.26 feet to a highway bound; then turning and running S 60° 58' 38" W 82.90 feet to a highway bound; then N 04° 51' 02" W 52.66 feet to a granite bound; then turning and running N 06° 13' 52" W 5.90 feet to a point; then turning and running N 06° 13' 52" W 77.41 feet to a point; then turning and running N 06° 13' 52" W 157.57 feet to a granite bound; then turning and running N 10° 07' 28" W 12.86 feet to a granite bound; then turning and running N 05° 19' 13" W 85.94 feet to a granite bound; then turning and running N 05° 26' 42" W 81.16 feet to a granite bound; then turning and running N 04° 59' 23" W 35.09 feet to a point; then turning and running S 84° 39' 09" E 121.92 feet to an iron pipe; then turning and running S 86° 17' 40" E 129.59 feet to a granite bound; then turning and running S 82° 14' 29" E 133.53 feet to a granite bound; then turning and running N 82° 45' 25" E 290.51 feet to a granite bound; then turning and running N 82° 50' 50" E 27.07 feet to a point; then turning and running N 82° 50' 50" E 0.87 feet to a granite bound; then turning and running N 84° 34' 50" E 330.51 feet to a point; then turning and running N 84° 34' 50" E 99.26 feet to a drill hole at a rock wall; then turning and running N 84° 04' 36" E 67.21 feet to a drill hole in said wall; then turning and running S 07° 37' 30" E 400.03 feet to a granite bound; then turning and running S 22° 33' 28" E 284.11 feet to a granite bound; then turning and running S 59° 54' 55" E 170.28 feet to a granite bound; then turning and running S 78° 18' 30" E 189.40 feet to a drill hole set in a stone wall on the westerly side of Sanborn Street; then northerly along said Sanborn Street to Babbitt Road; then northwesterly along Babbitt Road to the point of beginning.

[Amended 11-28-1995]

- C. Ward 3 shall include all that portion of the City of Franklin remaining after the formation of the above-indicated lines for Wards 1 and 2.

CITY COUNCIL MEETING
AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of June 6, 2022

Subject: Monthly School Board Update

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

CITY COUNCIL MEETING
AGENDA ITEM III



CITY OF FRANKLIN COUNCIL AGENDA REPORT

City Council Meeting June 6, 2022

Subject: Council to discuss best direction for charter change due to ward line changes as a result of the decennial census.

SUGGESTED MOTION

Councilor moves, "I move that the Franklin City Council approve the following charter change under Chapter C, C-2, Wards and direct City Clerk Michelle Stanyan to place the language as a charter change question on all ballots for the City's October 4, 2022 election:

§ C-2 Wards.

[Amended by Ch. 355 of the Laws of 1973]

Said City of Franklin is hereby divided into three wards, which shall be constituted as follows, namely:

- A. Ward 1 shall include all that portion of said Franklin located west of the Merrimack and Pemigewasset Rivers.
- B. Ward 2 shall include all that portion of the City of Franklin within the boundary commencing at the intersection of ~~Babbitt Road~~ New Hampton Road and ~~Victory Drive~~ New Boston Road; then easterly to the Sanbornton town line; then following the Sanbornton town line northwesterly to New Hampton Road; then westerly to the Pemigewasset River; then southerly along the Pemigewasset and Merrimack Rivers to the Northfield town line; then easterly to Prospect Street; then northerly along Prospect Street to Central Street; then easterly along Central Street to Sanborn Street; then northerly along Sanborn Street to a point marked by a drill bole on property owned by the City of Franklin and currently occupied by the Franklin Middle School, so called; then turning and running N 78° 35' 01" W 81.27 feet to a point at a rock wall; then turning and running N 78° 16' 32" W 60.43 feet to an iron pipe in said wall; then continuing N 78° 16' 32" W 53.80 feet further along said wall; then turning and running N 77° 56' 13" W 50.19 feet to a granite bound; then turning and running N 78° 14' 54" W 699.98 feet to a point; then turning and running N 78° 52' 56" W 15.26 feet to a highway bound; then turning and running S 60° 58' 38" W 82.90 feet to a highway bound; then N 04° 51' 02" W 52.66 feet to a granite bound; then turning and running N 06° 13' 52" W 5.90 feet to a point; then turning and running N 06° 13' 52" W 77.41 feet to a point; then turning and running N 06° 13' 52" W 157.57 feet to a granite bound; then turning and running N 10° 07' 28" W 12.86 feet to a granite bound; then turning and running N 05° 19' 13" W 85.94 feet to a granite bound; then turning and running N 05° 26' 42" W 81.16 feet to a granite bound; then turning and running N 04° 59' 23" W 35.09 feet to a point; then turning and running S 84° 39' 09" E 121.92 feet to an iron pipe; then turning and running S 86° 17' 40" E 129.59 feet to a granite bound; then turning and running S 82° 14' 29" E 133.53 feet to a granite bound; then turning and running N 82° 45' 25" E

290.51 feet to a granite bound; then turning and running N 82° 50' 50" E 27.07 feet to a point; then turning and running N 82° 50' 50" E 0.87 feet to a granite bound; then turning and running N 84° 34' 50" E 330.51 feet to a point; then turning and running N 84° 34' 50" E 99.26 feet to a drill hole at a rock wall; then turning and running N 84° 04' 36" E 67.21 feet to a drill hole in said wall; then turning and running S 07° 37' 30" E 400.03 feet to a granite bound; then turning and running S 22° 33' 28" E 284.11 feet to a granite bound; then turning and running S 59° 54' 55" E 170.28 feet to a granite bound; then turning and running S 78° 18' 30" E 189.40 feet to a drill hole set in a stone wall on the westerly side of Sanborn Street; then northerly along said Sanborn Street to Babbitt Road; then northwesterly along Babbitt Road to the intersection of Babbitt Road and Victory Drive; then northerly along New Hampton Road to the point of beginning. [Amended 11-28-1995]

- C. Ward 3 shall include all that portion of the City of Franklin remaining after the formation of the above-indicated lines for Wards 1 and 2.”

HISTORY

March 7, 2022 City Council Meeting

Why this discussion?

The federal law that governs redistricting activity in the states includes Article 1, Sec 2 of the U.S. constitution, the 14th Amendment, the Voting Rights Act of 1965, the Census Act and the three-Judge Court Act. State law includes state constitutional provisions and state statute.

Case law shows that less than 10% deviation between wards (in our case) is generally acceptable but over 10% deviation is not.

The 2020 Census has population of Franklin’s wards as follows:

Ward 1 3001

Ward 2 2607

Ward 3 3133

Franklin wards now have >10% deviation in Franklin. Ward lines are part of Franklin’s charter so a charter change needs to be done in order to comply with redistricting laws and rules. The discussion revolves around which is the best charter change option for Franklin now and moving forward.

Charter Change Options Considered

A – Keep the ward lines in the City Charter and recommend a charter change to adjust those lines within a 10% variation. This is the status quo. It will require a charter change going forward for ward line changes as a result of the Census every 10 years.

B – Recommend a charter change to move the ward lines outside of the charter and into the city code. This will eliminate the need for a charter change for ward line changes; rather, the city council would adjust ward lines through an ordinance (with a public hearing).

C – Recommend a charter change to eliminate wards which would make all city councilors elected at large.

General consensus of the council was to focus on getting the wards into compliance (option A) and consider other options between now and the next decennial census.

Ward Line Adjustments Options Presented

Councilor Zink developed and presented several ward line change options that would bring the city into compliance with equal representation. Another option was added by suggestion from one of our moderators (elections). Council decided to hold a special interactive workshop meeting for the public specifically on ward line changes for April 11, 2022.

April 11, 2022 Special City Council Interactive Meeting on Ward Line Changes

The Council heard testimony from and asked questions of the residents who came to the meeting concerning different options. Mayor Brown asked for public comment section of the agenda for the next regularly scheduled (5/2/22) City Council meeting to give the public an additional opportunity to give testimony on ward line changes. Please see below for options and a summary of pros and cons based on comments from both public comment opportunities.

May 2, 2022 Regular City Council Meeting Ward Line Changes Public Comment

The Council had a comment period specifically dedicated to ward line changes and took testimony and asked questions of the residents who presented during this comment opportunity. The Council set a public meeting on May 12, 2022 to discuss which option they would bring forward as charter change language for the June 6, 2022 city council meeting for public comment.

Summary of Ward Line Adjustment Options and Comments from both April 11th and May 2nd Meetings

Option 1: Move Mountain View Estates from Ward 3 to Ward 2

PROS: Mayor Brown/Dave Testerman/Paul Doucette-moving Mountain View Estates would be the simplest area to shift. Testerman and Doucette also suggested to survey the residents. There were several residents that thought this was the most logical to move street wise.

CONS: None stated

Option 2: Move the Ward 3 boundary line to include the river side of New Hampton Road and both sides of New Hampton Road after New Boston Road to Ward 2

PROS: Councilor Zink stated this option is the cleanest in her opinion, it would also allow for room for growth in Ward 2 as the population changes.

CONS: None stated

Option 3: Move the bottom section of Pleasant, Oak, Orchard, Pine Highland & Elm from Ward 3 into Ward 2

PROS: None stated

CONS: Leigh Webb, who lives on Orchard Street did not think this would work well.

Option 4: Move upper Prospect Street and upper Pleasant Street to the Northfield line beyond Kelly Road from Ward 3 to Ward 2

PROS: Leigh Webb supported this.

CONS: Upon further review of the census blocks, this one will not work.

Option 5: Divide Central St down the Middle with the upper portion on the map moving to Ward 3 and the lower portion on the map moving to Ward 2

PROS: None stated

CONS: Janet Desrochers pointed out this one will result in a city property needing to be “cut out” to have a polling location for Ward 2, since City Hall will be in Ward Three.

Option 6: Make changes to all the Wards, changing Ward 3 (upper Babbitt Road/Sanborn) to Ward 2 and one census block in Ward 1 (South Main Street – River side after Punch Brook Road to the Boscawen line) to Ward 2

PROS: None

CONS: None

Option 7: Remove all Ward Lines and have all Councilors and School Board members represent the City of Franklin as a whole versus just a Ward

PROS: There were no pros stated during the May council meeting. Yet, during the workshop there were several individuals that were in favor of option 7. Various pros will be the voters are

able to vote for any candidate, potentially one polling location, few election workers, and easier to fill some of the elected positions, and is more cost effective for the city.

CONS: Three were residents that reached out to some of the councilors that did not like this option. Testerman stated this option would make it costlier for individuals running for elected positions within the city. Also, it would potentially make it so the candidates have a harder time campaigning. This may also result in representation coming from one part of the city versus a balance of elected officials from the city as a whole.

May 12, 2022 Special City Council Meeting on Ward Lines

City Council discussed options and voted to bring forward to the public "option 2" moving the Ward 3 boundary line to include the river side of New Hampton Road and both sides of New Hampton Road after New Boston Road to Ward 2. The Council set a public hearing on this ward line change language for Monday June 6, 2022 at 6pm.

The ward line change language has been approved, as required, by City Solicitor Fitzgerald.

**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, June 6, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall relative to placing an item on the ballot in October, 2022 as follows:

Amend Section C-2 of the City Charter to read as follows:

§ C-2 Wards.

[Amended by Ch. 355 of the Laws of 1973]

Said City of Franklin is hereby divided into three wards, which shall be constituted as follows, namely:

- A. Ward 1 shall include all that portion of said Franklin located west of the Merrimack and Pemigewasset Rivers.**
- B. Ward 2 shall include all that portion of the City of Franklin within the boundary commencing at the intersection of ~~Babbit Road~~ New Hampton Road and ~~Vietory Drive~~ New Boston Road; then easterly to the Sanbornton town line; then following the Sanbornton town line northwesterly to New Hampton Road; then westerly to the Pemigewasset River; then southerly along the Pemigewasset and Merrimack Rivers to the Northfield town line; then easterly to Prospect Street; then northerly along Prospect Street to Central Street; then easterly along Central Street to Sanborn Street; then northerly along Sanborn Street to a point marked by a drill hole on property owned by the City of Franklin and currently occupied by the Franklin Middle School, so called; then turning and running N 78° 35' 01" W 81.27 feet to a point at a rock wall; then turning and running N 78° 16' 32" W 60.43 feet to an iron pipe in said wall; then continuing N 78° 16' 32" W 53.80 feet further along said wall; then turning and running N 77° 56' 13" W 50.19 feet to a granite bound; then turning and running N 78° 14' 54" W 699.98 feet to a point; then turning and running N 78° 52' 56" W 15.26 feet to a highway bound; then turning and running S 60° 58' 38" W 82.90 feet to a highway bound; then N 04° 51' 02" W**

52.66 feet to a granite bound; then turning and running N 06° 13' 52" W 5.90 feet to a point; then turning and running N 06° 13' 52' W 77.41 feet to a point; then turning and running N 06° 13' 52' W 157.57 feet to a granite bound; then turning and running N 10° 07' 28" W 12.86 feet to a granite bound; then turning and running N 05° 19' 13" W 85.94 feet to a granite bound; then turning and running N 05° 26' 42" W 81.16 feet to a granite bound; then turning and running N 04° 59' 23" W 35.09 feet to a point; then turning and running S 84° 39' 09' E 121.92 feet to an iron pipe; then turning and running S 86° 17' 40" E 129.59 feet to a granite bound; then turning and running S 82° 14' 29" E 133.53 feet to a granite bound; then turning and running N 82° 45' 25" E 290.51 feet to a granite bound; then turning and running N 82° 50' 50" E 27.07 feet to a point; then turning and running N 82° 50' 50" E 0.87 feet to a granite bound; then turning and running N 84° 34' 50" E 330.51 feet to a point; then turning and running N 84° 34' 50" E 99.26 feet to a drill hole at a rock wall; then turning and running N 84° 04' 36" E 67.21 feet to a drill hole in said wall; then turning and running S 07° 37' 30" E 400.03 feet to a granite bound; then turning and running S 22° 33' 28" E 284.11 feet to a granite bound; then turning and running S 59° 54' 55" E 170.28 feet to a granite bound; then turning and running S 78° 18' 30" E 189.40 feet to a drill hole set in a stone wall on the westerly side of Sanborn Street; then northerly along said Sanborn Street to Babbitt Road; then northwesterly along Babbitt Road to the intersection of Babbitt Road and Victory Drive; then northerly along New Hampton Road to the point of beginning. [Amended 11-28-1995]

- C. Ward 3 shall include all that portion of the City of Franklin remaining after the formation of the above-indicated lines for Wards 1 and 2.

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

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

CITY COUNCIL MEETING
AGENDA ITEM IV



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting June 6th, 2022

From: Justin Hanscom, Municipal Services Director

Subject: City Council to consider adopting Resolution 17-22, granting the City Manager the authority to (1) file a State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) loan/grant final applications and (2) establish funding for East and West Bow St area water and sewer main upgrades.

Recommended Motion:

Councilor moves, "I move that the Franklin City Council adopt resolution 17-22, granting the City Manager the authority to (1) file a State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) loan/grant final applications and (2) establish funding for East and West Bow St area water and sewer main upgrades.

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

Discussion:

In 2015 the Franklin Water Department completed its' "Capital Efficiency Plan" for the City water system. The study identified critical areas of our water distribution system in need of rehabilitation, repair, or replacement. At this time, it is the recommendation by both the Director of Municipal Services and our consulting engineers Tata and Howard, that upgrades to should made due age and size of the water main. Replacement of this water main is highly recommended due to the age, pipe condition, break history. Flows are restricted for directional flushing and fire protection.

In 2017 the Franklin Sewer Department started a study to look at Inflow and Infiltration to City sanitary sewer system led by Underwood Engineers. The ongoing study's purpose is to identify areas of inflow, infiltration, deficiencies and future failures of the sewer system. At this time, it is the recommendation by the Director of Municipal Services and our consulting engineers Underwood, East and West Bow St areas have a deficiency rating of poor and is a good candidate for upgrades.

Concurrence:

The purpose of the proposed project is to improve water quality and sewer inflow/ infiltration and flows. The plan is to do both projects and then pave the road. The plan is offset some of the road reconstruction cost with water and sewer paving to alleviate the cost to the general fund similar to New Hampton Rd. provide guidance in the planning of replacement and improvements to the sanitary sewer system

Fiscal Impact:

The DWSRF of \$3,600,000 and CWSRF \$5,000,000 loans will both be offset by ARPA funding, \$1,440,000 for the DWSRF and \$1,500,000 for the CWSRF, and principal forgiveness of 10%. In order to support the loan, the water commodity charge will need to be increased by \$0.15 per 100 cubic feet. For the average water customer of a family of four, using 9,600 cubic feet of water (approx. 72,000 gallons) per year, this equates to a \$14.40 increase annually on their water bill.

To support the CWSRF loan the sewer commodity charge will increase \$0.13 per 100 cubic feet. The result is an increase of \$12.48 per year for the same family of four. The total increase is \$26.88 for the year. Taking advantage of these loans with ARPA grants to offset overall cost lessens the ratepayer cost of just a loan. Now is the time to move and take advantage of the available funding.

Alternatives:

Deferring the projects to later date will only increase overall costs to the job and available grant funding may not be available in the future increasing cost even further to the users. Complete a road reconstruction without doing the underground utilities and then run the risk of having to excavate newly laid pavement to make subsurface repairs.

Attachments/Exhibits: Resolution #17-22



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION 17-22

A Resolution authorizing the City Manager to file an application(s) under the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) and designating the City Manager as the authorized representative.

WHEREAS, the City of Franklin, Franklin, New Hampshire after thorough consideration of the nature of its water system needs, hereby determines that the undertaking of certain works, generally described as East and West Bow St water and sewer main upgrades is desirable and in the public interest, and to that end it is necessary to apply for assistance from the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF); and

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

the Franklin City Council, Franklin, New Hampshire, the governing body of said City as follows:

1. That Judie Milner, City Manager for the City of Franklin, NH is hereby authorized on behalf of the City of Franklin to file an application for loans to be made in accordance with New Hampshire Code of Administrative Rules Chapter Env-Dw 1100 and all other laws.
2. That if such loans be made, the City of Franklin, NH agrees to repay the loans as stipulated in the loan agreements.
3. That the said City Manager is hereby authorized to furnish such information and to take such other action as may be necessary to enable the City of Franklin to qualify for the loans.
4. That the City Manager is hereby designated as the authorized representative of the City of Franklin for the purpose of furnishing such information, data and documents pertaining to the applicant for a loan as may be required; and otherwise, to act as the authorized representative of the City of Franklin in connection with these applications.
5. That certified copies of this resolution be included as part of the application to be submitted for such loans.

Resolution 17-22

Page 2

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

Roll Call:

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

Approved: _____

Mayor

Passed: _____

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

A true copy, attested: _____

City Clerk

Date: _____

**CITY 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, June 6, 2022 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Resolution #17-22, authorizing the City Manager to accept and appropriate \$2,160,000 DWSRF loan funds and \$1,440,000 ARPA grant funding for water main improvements; accept and appropriate \$3,500,000 CWSRF loan funds and \$1,500,000 ARPA funding for sewer main improvements.

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 V



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

June 6, 2022

From: Judie Milner

Subject: FY23 Continuing Appropriations Resolution

Recommendation:

I recommend that the City Council adopts resolution 18-22 so that the City can continue to operate until the FY23 budget is passed. This resolution approves like appropriations which means that any new expenditure which was not budgeted for in FY22, i.e., capital projects, new leases, etc, will not be incurred until the FY23 budget is enacted.

Suggested Motion:

June 6, 2022

Councilor moves, "I move that the Franklin City Council adopts resolution 18-22 to allow the City to expend like appropriations until the FY23 budget is enacted."



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

316 Central Street
Franklin, NH 03235

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

RESOLUTION #18-22

A Resolution Relating to payment of necessary accounts payable and payroll in Fiscal Year 2023.

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

WHEREAS, the City Council of the City of Franklin has not adopted a Budget for Fiscal Year 2023, which will begin on July 1, 2022, **and;**

WHEREAS, The City Council of the City of Franklin wishes that all necessary accounts payable and payrolls be paid during the month of July 2022, **now;**

THEREFORE, BE IT RESOLVED THAT, The City Council of the City of Franklin does hereby authorize payment of like FY2022 expenditures for both accounts payable and payroll and further authorizes the City Treasurer to draw necessary drafts as approved by the City Manager/Superintendent up to the time that the 2023 Fiscal Budget is enacted.

By a roll call vote.

Roll Call:

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

Approved: _____
Mayor

Passed: _____

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

A true copy, attested: _____
City Clerk

Date: _____

CITY COUNCIL MEETING
AGENDA ITEM VI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

June 6, 2022

Subject: Council to Consider Waiving Interest & Penalties Associated with Taxes on the 125 South Main Street Location.

Suggested Motion:

Councilor moves, "I move that the Franklin City Council waive the interest and penalties of \$3,422.02 associated with the delinquent 2018 taxes associated with the Franklin Lodge of Elks property at 125 South Main Street."

Mayor calls for a second, discussion and vote.

Discussion:

RSA 76:16 allows the council to abate taxes (or waive penalties in this case). The Lodge of Elks is typically exempt from taxes but could not receive the exemption before occupancy was granted to their new location. The Elks was planning to pay for these taxes when the old location on Central Street sold. Due to a mix up, the Elks did not apply for their exemption from taxes on the old location for one year so property taxes were assessed. Thus, the funds they planned to utilize to pay the tax burden on the 125 South Main Street location from the sale of the Central Street location were paid to the City for the Central Street property tax assessed (including interest & penalties).

The Elks is a good community partner, sponsoring several events, and will pay the taxes due but need the interest & penalties waived on the South Main Street location at this point to make ends meet. Under this scenario, even if the interest & penalties were waived, the Elks is actually paying more (\$14,777.86) than what the City would have received (\$9,328.06) if the exemption paperwork were filed properly.

Attachments/Exhibits:

Letter from Lodge of Elks



Steve Bourdeau, PER, PDD
Exalted Ruler

FRANKLIN LODGE NO. 1280
Benevolent Protective Order of Elks
Of the United States of America
A Fraternal Organization
INSTITUTED JUNE 25, 1912
FRANKLIN, NEW HAMPSHIRE



Winnie Keyser
Secretary

May 25th, 2022

Office of the Tax Collector
316 Central St.
Franklin, NH 03235

To whom it may concern:

The Franklin Elks is requesting the interest and penalties be waived (\$3,422.02) as of 6/6/22. We will pay original bill amount of \$5,906.04.

The Property (map lot sub:00098 000051 0000EX) at 125 South Main Street has been tax exempt for all years except 2018 and the plan was to pay when the other property sold to Cumberland farms, but there were unexpected back taxes on that property due to exemptions not being filed because of a misunderstanding. Therefore, the Elks had to pay over \$9,000 at closing.

We definitely want to pay our taxes on this property but the interest is more than 50% of the actual bill and this additional amount will create financial hardship on our organization.

The Franklin Elks Lodge is a non-profit fraternal organization. Our continued support to the surrounding communities is one of the many things the Elks do. We support all our community activities such as: Veterans, Drug Awareness, Scholarship programs, Copper Cannon Children's Camp, Elk's National Foundation (ENF) programs: Helping support our kid's programs such as the Christmas party, Fishing derby, Hoop Shoot, Soccer Shoot, and Youth Government. We give food basket out at Thanksgiving and Christmas to families.

We thank you for taking the time to consider our request.

Jeff Davis, PER

Steve Bourdeau, ER, PER, PDD

Chairman of the Board of Director

Exalted Ruler

125 S. Main St Franklin, NH
603-934-9852

CITY COUNCIL MEETING
AGENDA ITEM VII



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of June 6, 2022

Subject: Other Business

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

Adjournment



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting June 6, 2022

Date: May 31, 2022
From: Judie Milner, City Manager
Subject: City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$265.61
- Clerk's office closed – 6/8
- Congratulations:
 - Officer Tracy & K9 Miller – Modern Woodman Hometown Hero Award
 - Economic Development Task Force – Eversource Leadership Academy
- Budget Next Steps
- Committee meetings – June:
 - Municipal Services –
 - Parks & Recreation – 6/23 10am BRCC
 - Police – 6/27 10am Police Dept
- Legislative Update
- Communications Center Project Update
- Youth Government
- Community Day
- Arts Integration Weekend

- Memorial Day Event
- NH Planners Association – professional development workshop that will highlight the revitalization of Franklin – June 2
- Winni River Days – 6/17 & 6/18 – Ribbon Cutting 6/17 4pm
- Mayors Drug & Alcohol – 5k Fundraiser – 6/18 9am
- Reminder – next regular City Council 7/11 due to Holiday
- Manager – year in review

Possible Non-Public

I move the City Council enter into nonpublic session under RSA 91-A:3 II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.