



Approved by City Council on January 8, 2018

City Council Meeting December 4, 2017

Call to Order

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

In Attendance

Councilor Ribas, Councilor Moquin, Councilor Barton, Councilor Giunta, Councilor Desrochers, Councilor Wells, Councilor Zink, Councilor Dzujna, Acting City Manager/Finance Director Milner and Interim Mayor/Councilor Clarenbach.

Salute to the Flag was led by Councilor Giunta.

Ellie Zink sang the star spangled banner.

Public Hearings

Resolution # 10-18 – no comments.

Resolution # 11-18 – no comments.

Resolution # 12-18 –no comments.

Ordinance # 09-18 – Ed Prive asked if he could volunteer to be a flagger. Interim Mayor/Councilor Clarenbach stated this Ordinance is to allow the police chief or the MSD Director to decide if a flagger or police detail is needed. Usually the flagger is an employee from the company doing the work needing a flagger.

State Rep. Horn stated his concern using law enforcement to do a flagging detail and hopes there is a more economical way to do that as it takes an officer off duty.

Police Chief Goldstein explained to the council that this ordinance doesn't take an officer out of service as this is an extra detail. If the city doesn't have an ordinance then it will default to the state statute and there would be no local control.

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.

Keith Dunbar stated he would like not to see taxing solar as getting them was one way to save money and help the environment.

Police Chief Goldstein clarified regarding the flyer about the upcoming luncheon for the Mayor's Drug Task Force. They are not in favor of legalization of marijuana and this luncheon is an educational/informational session on what would happen if marijuana is legalized.

Fire Chief LaChapelle stated the Secret Santa has once again given \$2K to the fire department to distribute appropriately among the youth in Franklin and have done that for about nine (9) years now. He and his wife went out shopping and bought 35 jackets, 50 gloves, winter hats, body soap, shampoo and a bunch of other items to help the impoverished youth stay warm and clean.

Ed Prive stated he went to one of the committee meetings about commercializing marijuana in Concord and it was an eye opening experience. He went to see how the government works and is here tonight to see how the city council works. He is against these LLCs coming in and setting up shop and reap all the profits and gives nothing back to the city. The 70 communities in Colorado are documented that their police costs went up, the crime rate went up and human resources went up when marijuana was legalized. The world is destroying the future of the young people.

Choose Franklin – Steve Foley stated that they are reviewing their vision, mission statement, roles and what they should be doing to fit and support their initiatives. Community Day and First Day have brought people together. The growth of Mill City Park will continue to bring growth to First Day. The kayakers will also come back in June. Steve Foley stated they have partnered with the Rotary Club to sell trees and it has been going well. This Thursday is their monthly meeting and the topic is "Winter in Franklin".

Legislative Comments – State Rep. Horn stated that Jean Chandler will be the speaker of the house for the rest of the year. There are a record number of bills submitted this year and you can view them online. Three Rivers Representative Committee is bringing CASA to Franklin on Wednesday at Pizza Chef. There are no foster families in Franklin so the children are put into other school districts Franklin School District spent \$800K last year in out of district placements due to this. This meeting is for CASA to share what the experience is and fill people in on how to be trained to be in CASA and to give them the information to get trained as foster parents.

City Council Acknowledgements – Councilor Dzujna stated he spoke with four (4) families at the Choose Franklin tree selling. One woman stated her sister from MA, who is a realtor, told her to buy in Franklin as there are many great things happening in Franklin and your house is only going to go up. The more we stay positive the better these things are going to happen.

Mayor's Update – Interim Mayor/Councilor Clarenbach stated he has been Interim Mayor for the last eight (8) months and this will be his last update. There are open board/committee positions in the city. Interim Mayor/Councilor Clarenbach stated he met with Tim Dow and Dan LeGallo as they wanted to clarify to the council that all discussions about the independent school district so far has not resulted in spending any money. They felt that was misrepresented at the end of a meeting

previously. He also stated to them that they have more work to do to get the two bodies (council and school) aligned. They should get together and have meaningful discussions for the betterment of the community.

Agenda Item I.

City Council to consider the minutes of the November 14 City Council Workshop Meeting and the November 6, 2017 City Council Meeting.

Motion: Councilor Dzujna moved that the Franklin City Council accept the minutes of the November 14 City Council Workshop Meeting and the November 6, 2017 City Council Meeting. Motion seconded by Councilor Barton.

Acting City Manager/Finance Director Milner stated on page 2 of November 14 third paragraph down fourth line from the bottom should add "in grade 22".

All in favor as amended; motion passes.

Agenda Item II.

School Board Report

Superintendent LeGallo thanked Councilor Wells for taking a tour with him. The middle school is still a focus school and they received \$50K for teacher development and assessment materials in the school. They received a student assistance grant for a drug and alcohol counselor. Christine Lemay started last week to help the families in need. The DHHS grant is \$100K for this year and next year. The energy audit went out to bid for an RFQ and five (5) companies were interested and they received two (2) bids. They agreed to go with EEI, same company that the city used. The custodian agreement has seen both sides come to an agreement.

The estimate for adequacy aid for next year is about \$410K less than it currently is. 4% is the loss in adequacy they face each year and the rest is the decrease in enrollment.

The fund balance for 16-17 is going to probably be between \$250-\$270K. \$200K has already been committed to the operating budget. Superintendent LeGallo would like to ask the remaining amount be given to the school to help with the \$84K shortfall from adequacy and having to add a kindergarten teacher due to enrollment.

Councilor Zink asked if they know what the budget gap is for 2018-2019. Superintendent LeGallo stated he hadn't looked at it that closely but will have that next month. He stated it will be significant like in the previous years.

Agenda Item III.

City Council to consider adopting Resolution #10-18, that increases revenue and expenditure accounts based on the awarding of a grant from the New Hampshire Department of Safety, Office of Highway Safety for Franklin Police Department in the amount of \$8,296.00.

Motion: Councilor Ribas moved that the Franklin City Council adopt Resolution #10-18 to accept a grant from New Hampshire Department of Safety, Office of Highway Safety for Ten Thousand Three Hundred and Seventy Dollars (\$10,370.00) and appropriate federal portion of \$8,296.00. Motion seconded by Councilor Desrochers.

Roll Call:

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

All in favor; motion passes.

Agenda Item IV.

City Council to consider adopting Resolution #11-18, to accept and appropriate \$45,000 from the State of NH Land and Water Conservation Fund for the renovation of Bessie Rowell Community Center Playground.

Motion: Councilor Zink moved that the Franklin City Council accepts \$45,000 from the State of New Hampshire Land and Water Conservation Fund for the renovation of the Bessie Rowell Community Center Playground and adopt Resolution #11-18 by a roll call vote. Motion seconded by Councilor Ribas.

Roll Call:

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

All in favor; motion passes.

Agenda Item V.

City Council to consider adopting Resolution #12-18, to re-allocate \$4,700 in FY2018 capital appropriation and appropriate and additional \$7,717 from the Bessie Rowell Community Center Capital Reserve Fund to replace the blinds at the Bessie Rowell Community Center.

Motion: Councilor Barton moved that the Franklin City Council adopt Resolution #12-18 re-allocating \$4,700 from the \$7,000 brick repointing work budgeted in the FY18 budget process and add an additional \$7,717 for a total of \$12,417 from the Bessie Rowell Community Center Capital Reserve to replace the blinds at the Bessie Rowell Community Center. Motion seconded by Councilor Ribas.

Councilor Zink asked if we are not repointing the brick. Acting City Manager/Finance Director Milner stated that work was done and there was money left over.

Roll Call:

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

All in favor; motion passes.

Agenda Item VI.

City Council to consider adopting Ordinance #09-18 to establish guidelines for the use of police officers and/or non-public traffic control personnel (i.e. flaggers) within the city limits of the City of Franklin.

Motion: Councilor Ribas moved that the Franklin City Council adopt Ordinance #09-18 establishing guidelines for the use of police officers and/or non-police traffic control personnel (i.e. flaggers) within the city limits of the City of Franklin. Motion seconded by Councilor Desrochers.

Interim Mayor/Councilor Clarenbach asked Police Chief Goldstein about MUTCD manual which is required by federal statute but you stated a state law change is that going to try and change the federal regulations. Police Chief Goldstein stated no the state is trying to adopt the federal law. Police Chief Goldstein stated there are federal regulations, state regulations and local regulations.

Roll Call:

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

All in favor; motion passes.

Agenda Item VII.

City Council to consider setting a public hearing on Ordinance #10-18, revise existing Chapter 284-12 – Parking; prohibited practices, Chapter 284-13 – Parking restrictions, Chapter 284-16 – Violations and penalties, Chapter 284-18 – Penalty payment procedure and Chapter 284-20 – Fines of the Municipal Code.

Motion: Councilor Desrochers moved that the Franklin City Council set a public hearing for Ordinance #10-18 at 6:00 pm on January 8, 2018 to be held in the Council Chambers at Franklin City Hall. Motion seconded by Councilor Ribas.

Councilor Zink asked if the winter parking ban and snow removal will be needed before January. Interim Mayor/Councilor Clarenbach stated there is currently an ordinance and this is changing some language.

Amendment: Councilor Giunta moved that the Franklin City Council allow Ordinance #10-18 be read in title only. Motion seconded by Councilor Ribas.

All in favor; amendment passes.

All in favor of reading in title only; motion passes.

Interim Mayor/Councilor Clarenbach read the Ordinance #10-18 in title only.

Roll Call:

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

All in favor; motion passes.

Agenda Item VIII.

City Council to consider setting a public hearing on Resolution #13-18, authorization to borrow for the middle school roof and the school district wide energy efficiency upgrades.

Motion: *Councilor Ribas moved that the Franklin City Council schedule a public hearing for Monday, January 8, 2018 regarding Resolution #13-18 allowing the Franklin School District to borrow \$2,000,000 for the purposes of funding the middle school roof repairs and district wide energy upgrade projects. Motion seconded by Councilor Zink.*

Amendment: Councilor Zink made an amendment to add 6:00 pm to that Public Hearing. Councilor Ribas seconded.

Councilor Barton stated that \$2M is a lot of money and he didn't see anything from the Joint Finance Committee or if there were any grants applied for this. Interim Mayor/Councilor Clarenbach stated this is to set a public hearing so voice all concerns to Superintendent LeGallo. Councilor Barton asked if the Joint Finance Committee met about this or made recommendations. Superintendent LeGallo stated no.

Councilor Dzujna stated his concern is that this has not been talked about and there is no amortization schedule. The document does state in 2020 the bond for the high school will be satisfied and what is that amount. There are just a lot of concerns over all of this.

Councilor Giunta stated the amendment for the time is outstanding. Interim Mayor/Councilor Clarenbach stated there is an amendment for the time to 6:00 pm any discussion on that.

All in favor; amendment passes.

Councilor Desrochers stated he is in favor for fixing the roof but his concern is this is a lot of money and how is it to be paid back. He feels they need to sit and look at the real hard numbers so when the public hearing comes the public will be well informed. He stated Superintendent LeGallo, Acting City Manager/Finance Director Milner and School Business Administrator Bergquist should meet to discuss the budget and get those numbers together. He feels this needs to be postponed until there are hard numbers.

Councilor Zink stated she feels that doing all of this is valuable and it is going to save \$76K a year. She feels the children need to be able to go to school in warm classrooms with appropriate lighting.

Councilor Giunta stated that energy upgrades aren't always a good thing. This is the largest one time expenditure that this council has ever seen. There has been a lot of talk of the city council and school board getting together and this is the first he is seeing a \$2M expenditure with only one page of explanation. When you are looking at this much money it is not what you are saving it is what is the return on investment. The question is how much does the \$76K actually return on a \$2M expenditure. If you are looking at a return of more than five (5) years it is not worth the investment and don't do it. He feels that there needs to be upgrades but not to spend \$2M next month. They need to sit down and look at what companies were bidding, their prices and then look at this item by item to see what the return on investment would be.

Motion: Councilor Giunta made a motion to table this item. Councilor Ribas seconded.

Six (6) in favor and Three (3) opposed; motion passes to table.

Agenda Item IX.

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

Motion: Councilor Barton moved that the Franklin City Council accept the contract for the custodians as presented. Motion seconded by Councilor Dzujna.

All in favor; motion passes.

Councilor Barton asked if it is 2% each year. Superintendent LeGallo stated it is a two (2) year contract with 1.5% the first year and 2% the second year. Councilor Barton asked if this is a step. Superintendent LeGallo stated there are no steps.

Councilor Zink asked if they have a place in the budget for these increases for the next two (2) years to offset the increases. Superintendent LeGallo stated there is the additional utility revenue that the school will receive annually of about \$60K and it will come from that. Acting City Manager/Finance Director Milner stated this year it went into capital reserve but going forward it will be split and add additional revenue per the tax cap formula. Both Councilor Desrochers and Councilor Dzujna had the same question.

Councilor Barton stated the increase is 1.5% of the base so does the base go up yearly. Superintendent LeGallo stated no.

All in favor; motion passes.

Agenda Item X.

Other Business

1. **Committee Reports** – Councilor Zink stated the Joint Fire Committee will meet again on Dec. 20 and they will be working on to write up a document on how to share training resources and other items the departments are doing cooperatively.
2. **Mayor Appointments**
Planning Board

Interim Mayor/Councilor Clarenbach stated he is deferring these appointments until the new Mayor-Elect takes the position.

3. City Council Appointments

Library Board of Trustees

Motion: *Councilor Ribas moved that the Franklin City Council reappoint Sandra Burney to the Franklin Public Library Board of Trustees (Seat LT1), Term of Service to January 2021. Motion seconded by Councilor Desrochers.*

All in favor; motion passes.

Motion: *Councilor Zink moved that the Franklin City Council reappoint Christine Dzujna to the Franklin Public Library Board of Trustees (Seat LT2), Term of Service to January 2021. Motion seconded by Councilor Desrochers.*

Councilor Dzujna abstained, all others in favor; motion passes.

Concord Regional Solid Waste/Resource Recovery Cooperative

Motion: *Councilor Zink moved that the Franklin City Council reappoint Brian Sullivan as a regular member to the Joint Board of the Concord Regional Solid Waste/Resource Recovery Cooperative, Term of Service to December 2020. Motion seconded by Councilor Dzujna.*

All in favor; motion passes.

Motion: *Councilor Ribas moved that the Franklin City Council reappoint Brian Barry as an alternate member to the Joint Board of the Concord Regional Solid Waste/Resource Recovery Cooperative, Term of Service to December 2020. Motion seconded by Councilor Giunta.*

All in favor; motion passes.

Zoning Board

Motion: *Councilor Dzujna moved that the Franklin City Council reappoint Dave Testerman to the Zoning Board of Adjustment (Seat ZBA1), Term of Service to January 2021. Motion seconded by Councilor Desrochers.*

All in favor; motion passes.

Motion: *Councilor Ribas moved that the Franklin City Council reappoint Debbie Davis to the Zoning Board of Adjustment (Seat ZBA2), Term of Service to January 2021. Motion seconded by Councilor Dzujna.*

All in favor; motion passes.

4. Acting City Manager's Update

Acting City Manager/Finance Director Milner stated that for the contingency grant line they received \$250 from the Lions Club for the Book Club.

On November 15th Acting City Manager/Finance Director stated that she and Mayor-Elect Giunta attended the Business & Professional Women's annual Woman of Achievement ceremony where Parks and Recreation Director won the 2017 Woman of Achievement Award.

Fiber is now strung between buildings and is now being terminated at each site and upon completion of the fiber terminations to bring other departments over to the new server.

The Northern Pass was approved for the presidential permit by the US Department of Energy. They are expecting to begin mid-2018 and that is expected to bring significant additional tax revenue to the City of Franklin.

The City Manager recruitment period ended on November 24th and the recruiter has received 28 applications. There is a scheduled meeting on Monday, December 18th for the council to meet with the recruiter, The Mercer Group. This meeting is to narrow down the candidates to interview with the council. This will be a non-public meeting as it involves the hiring of an employee.

She stated the employee luncheon is on Friday, December 22 at noon and rsvp with Lauraine.

5. Late Item

The Mill City Park board would like to do some advertising and would like to display a banner for about a week at three (3) different events. This banner would be hung 3 days prior to the event to 3 days after the event. The first event is the First Day and it will hang from Trestle Bridge. The second is the Boat Bash and it will be hung at the ski area. The third is the June Release and the banner will hang from Trestle View Park.

Councilor Giunta stated as Northern Pass winds down he would like to turn up the heat with the Sight Evaluation Committee (SEC). They were to have a decision in one (1) year and now we are in year (2) two. There are 29 communities that will benefit tax wise from this project. He stated he would like to add a ticker to show how much is lost daily which is an estimate of \$15K a day. Acting City Manager/Finance Director Milner stated she believes they can do that.

Motion: Councilor Giunta moved that there is a need for a non-public session per 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 public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Motion seconded by Councilor Desrochers.

Roll Call:

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

All in favor; motion passes.

Entered nonpublic session at 7:19 p.m.

Motion: Councilor Zink moved that the Franklin City Council leave nonpublic session and return to public session. Motion seconded by Councilor Ribas.

All in favor; motion passes.

Public session reconvened at 7:36 p.m.

Motion: Councilor Desrochers moved that the Franklin City Council seal the minutes because it is determined that divulgence of this information likely would render a proposed action ineffective. Motion seconded by Councilor Giunta.

Roll Call:

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

All in favor; motion passes.

Motion: Councilor Dzujna moved that the Franklin City Council appoint Richard Soucier as the City Council Representative to the Personal Advisory Board and Johanna "Jo" Brown as an alternate. Motion seconded by Councilor Giunta.

All in favor; motion passes.

Councilor Zink asked if there was any homework to be done before the Monday meeting. Acting City Manager/Finance Director Milner stated they should have a packet about a week before. Councilor

Zink asked if they were going to have some type of matrix. Acting City Manager/Finance Director Milner stated he should have something for them but she will check with him.

Motion to adjourn made by Councilor Desrochers and seconded by Councilor Giunta. All in favor; meeting adjourned at 7:39 p.m.

Respectfully Submitted,

Lauraine G. Paquin