



**City Council Meeting Minutes**  
**Monday, July 6, 2020 – 6:00 p.m.**  
**Webmeeting via Zoom**

**City Council attendance:**

	<b>Location/others present</b>
Mayor Giunta	Home/ no others present
Councilor Jo Brown	Home/no others present
Councilor Scott Clarenbach	Home/no others present in the room
Councilor Bob Desrochers	Home/no others present in the room
Councilors George Dzujna	Home/wife Christine is present
Councilor April Bunker	Home/husband Steven is present
Councilor Ted Starkweather	Home/no others present
Councilor Olivia Zink	Home/no others present in the room
Councilor Paul Trudel	Home/no others present in the room
Councilor Karen Testerman	Home/no others present

Mayor Giunta called the meeting to order at 6:09 p.m. via Zoom. He then read the Compliant Right to Know Statement.

Salute to the Flag was led by Councilor Trudel.

Mayor Giunta presented a Mayoral Proclamation in Honor of 25 Years of Theatre in Franklin. He read the proclamation and proudly named July 6<sup>th</sup>, 2020 as Appreciation Day for 25 Years of Theatre in Franklin. Mayor Giunta thanked representative Werner Horn for the reminder of this special day.

**A Mayoral Proclamation in Honor of  
25 Years of Theatre in Franklin**

**WHEREAS, Theatre and Art programs are an essential indelible part of our Community; AND**

**WHEREAS, Franklin Theatre has thrived in our Great City for the past 25 years and was a catalyst that resulted in the 2001 reopening of the glorious stage in our very own Franklin Opera House; AND**

**WHEREAS, Theatre in the City of Franklin has been a unifying force drawing Citizens of Franklin and surrounding communities together so that all can enjoy and admire the talents of those who participate in the art of Theatre; AND**

**WHEREAS**, Theatre, being transcendent and altruistic, has spawned other unifying beneficial entertainment entities such as Franklin Footlight Theatre and Franklin Area Children’s Theatre; AND

**WHEREAS**, Theatre in Franklin has not only contributed culturally to our City but also philanthropically by offering scholarships to graduating area seniors such as The Jule C. Finley Scholarship which gives at least \$1000 a year to a Franklin senior for exemplary community service, and the Footlight Scholarship which awards at least \$500 to any senior in the state who looks to advance their studies in the arts; AND

**WHEREAS**, every civilized nation, every great people have shared one thing in common-a deep respect, admiration, and appreciation for “The Theatre”;

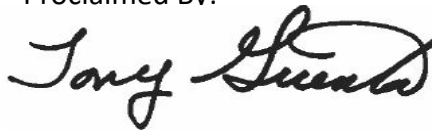
**NOW, THEREFORE, BE IT RESOLVED** that I, Tony Giunta, Mayor of the City of Franklin, New Hampshire, do hereby proclaim Monday, July 6th as:

**Appreciation Day for 25 Years of Theatre**

in the City of Franklin and urge all citizens to join with family and friends in celebrating this very special day by extending our congratulations and best wishes to all of those who have contributed to bringing Theatre to our City and Surrounding Communities.

*Given by my hand with the authority of the People of Franklin and under the Great Seal of Their City in the year of Our Lord two thousand and nineteen, and the Independence of the United States, two hundred and forty-three.*

Proclaimed By:

A handwritten signature in black ink, appearing to read "Tony Giunta", written in a cursive style.

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Tony Giunta, Mayor, City of Franklin

**Public Hearings**

**Resolution #19-20**, a resolution appropriating grant funds associated with COVID-19 for Fiscal Year 2020.

Mayor Giunta opened the public hearing at 6:17 p.m. and asked if anyone had comments to share with the Council.

Mario Talamas, Ward 2 resident asked for the details on the resolution before he could provide any comments.

City Manager explained that the resolution is due to COVID-19 and the expenses that the City has incurred due to this pandemic. Federal reimbursement will be through the CARES Act and FEMA. These expenditures will be included in the budget.

There were no further comments.

The public hearing on Resolution #19-20 closed at 6:19 p.m.

**Ordinance #01-21**, an amendment to the Franklin Municipal Code, Chapter 160-1 Fees, Water Commodity, and Sewer Disposal Fee changes.

Mayor Giunta opened the public hearing at 6:20 p.m.

Michelle Iller, Ward 2 asked what the new fee would be, what the reason is for the increase, what the major concern is, and where the locations are that need to be addressed.

City Manager Milner replied that the Water Commodity rate will be raised from \$7.32 to \$7.50 and the Sewer rate will be raised from \$7.00 to \$7.13. The reason for the increase is due to aging infrastructure in both water and sewer. There are specific capital improvements in each fund.

Director of Municipal Services Brian Sullivan stated that an inflow and infiltration study was just completed. The State is providing us with a \$105K grant which will help however, 67% of our infrastructure is being infiltrating by fresh water into the sewer system. Per order of the US EPA to reduce the inflow and infiltration. Also, Franklin is part of the Winnepesaukee River Basin program and they control 65-70% of the Sewer Department's budget. We have an obligation as one of ten other communities to pay our share.

Sullivan continued to explain there is a Capital Efficiency plan for the Water Department. Franklin's water system was constructed in 1898 and it needs continuous improvements and repairs. This infrastructure needs to meet the demands of the residents and also for Fire protection. Inflation and cost of keeping things running is expensive. Fees were raised last year and have been every year since 2004.

David Therrien, Ward 2 is not in support of these increases. He would like to see the fees collected from renting the water tower for cell tower usage, to be put back into the water and sewer department. He also stated that the water and sewer department purchased equipment that they are paying for but hardly use and the departments using the equipment are not reallocating some of that cost back into the water and sewer department.

Janet Desrochers, Ward 2, stated that she is not in support of this increase. The residents were told that when the Catch Housing project was completed, that it would be a big help for the rate payers. With what is happening right now during this pandemic, it is not the right time to be raising rates. This department needs to do better with decisions from hiring employees, allocating employees to other work in the City, and show careful thought when purchasing equipment and spending money. It seems that too much is being fully funded by the water and sewer rate payers when more should be paid by the general tax payer.

Roy Gilbreth, Ward 2 asked if Director Sullivan may know of when things might start to level off. He doesn't see anyone watering their lawns anymore. There has also been someone going to the lake to take water for their garden. He also suggested offering residents the purchase of bonds with a safer rate of return. Then the City could raise the money needed without raising rates and things could level off a little bit for everyone.

Mayor Giunta responded stating that it's going to take something different like this to help level things off.

Director Sullivan replied that water is a precious resource and the cost country wide is increasing. There are water well rotations, cleanings, and EPA regulations that have rising costs associated with it as well. The demand increases, systems deteriorate, and so water rates will increase. Sullivan stated that he is very sensitive to raising rates and they try to keep it down as much as possible. Franklin has to maintain 52 miles of pipeline, 5 water tanks, a water treatment plan, and water well fields but the City only has 2,495 customers that support the cost of this. Sullivan concluded stating that it is getting harder and harder to find qualified companies to do the work needed for some of these repairs and maintenance.

Mayor Giunta stated that more water users from near future projects are coming and the more users we have, the more it will help with costs. He also stated that there have been discussions on a massive Federal Infrastructure Bill that may be coming and available to Franklin.

There were no further comments.

The public hearing on Ordinance #01-21 closed at 6:39 p.m.

**Ordinance #02-21**, an amendment to the Franklin Municipal Code, Chapter 160-1, Fees charged for services, Solid Waste admin and Transfer Station Fees charged.

The public hearing opened at 6:39 p.m.

Mayor Giunta asked if there were any comments. There were none.

The public hearing closed at 6:40 p.m.

**Resolution #01-21**, a resolution to approve the proposed Fiscal Year 2020-2021 Manager's Budget.

The public hearing opened at 6:40 p.m.

Mayor Giunta asked if there was anyone who had questions or comments. There were none.

The public hearing on Resolution #01-21 closed at 6:41 p.m.

**Resolution #02-21**, a resolution authorizing the City of Franklin to establish a Capital Reserve Fund for the Police Dispatch Unit.

The public hearing opened at 6:41 p.m.

Mario Talamas, Ward 2 resident stated that there is a lot of money needed in the Water Department so the City shouldn't be giving any money to the Police Dispatch. He suggested the Police brainstorm other fundraising ideas and cut back on their budget. He stated that they drive to Laconia to dry clean their uniforms so maybe they could cut back on some of their expenditures and possibly sell some cruisers that are not being used. He also hopes to get our recycling program back up and running. He also asked if Tutors can be provided to the children because due to COVID 19, kids are not learning as much as they would be if they were in school. Third grade reading age students need attention in particular.

Mayor Giunta thanked Mario Talamas for his comments and stated that many people confuse Water and Sewer as Enterprise Funds so any savings in those funds are used to offset rates, freeze, or reduce rates. We are not allowed to take money from those funds and intermingle them with the General Fund.

Michelle Iller, Ward 2 resident asked how much money is needed in the Capital Reserve Fund. Milner replied that the Capital Reserve Fund is being created for one-time use from the State of New Hampshire's Surplus for the Police Dispatch Unit. The amount of the Capital Reserve Fund will be \$229,696. She stated that she is in full support of the Police Dispatch upgrade project.

There were no further comments.

Public hearing on Resolution #02-21 closed at 6:44 p.m.

### **Comments from the Public**

Mario Talamas W2 resident stated that \$229,696 is an absurd amount of money to go toward the dispatch unit.

Mayor Giunta replied that some of the numbers for equipment and things stagger all of us. The cost of things is never small.

Christine Dzujna Ward 1 resident applauded the Library staff for their community support and all of their work during COVID 19. She stated that there will be a meeting at the Library this week and attendees will be wearing masks as well as self-distancing. The meeting will be about discussing when and how the Library will open back up to the public.

Mrs. Dzujna also gave a shout out to the Animal Shelter for all of their hard work caring for the animals which has continued all through this pandemic as well.

Mario Tamalas asked how the \$229K for dispatch will be used.

City Manager Milner stated that it is for a Capital Improvement project in the Dispatch Center for upgrades to all their equipment and obsolete radios. The entire project will cost \$1M so the \$229K is going to help them get started. Mario replied that he is of the mind that if it isn't broken then don't fix it and asked if the radios are not working. Milner replied that they are in constant repair. Mario asked if they are working today and Milner replied that she isn't aware that they are not working today however when they are down, it is a serious safety issue.

Mayor Giunta stated that more money will be going into the Capital Reserve for this. They are planning for the future and technology is always changing and in need of upgrading. The rate of change or upgrades in these times is staggering.

Mario Talamas stated that these funds would be better used to help the children with schooling and reading needs. This could help keep them stay away from a life of crime and away from jail.

Janet Desrochers just learned that there is two hour parking on Franklin Street in a certain area. She asked how the residents in that specific area are supposed to know since there are only 2 signs in front of Thibault-Neun's Funeral Home. There are no other signs on that stretch of road to let the residents know of this time limit. Janet also asked if there is a plan to fix the ordinances on the website because a lot of what is there seems outdated. She referred to the parking lot on Franklin Street.

Mayor Giunta asked Milner to respond to the ordinance updating questions. Milner replied that a service request will go in for the first one. Milner stated that the ordinances are all on-line now and can be found by clicking the Charter and Code green box on the City's website front page. There is also a list of ordinances that have not been added to the code yet and will show which those codes are. The updates to the electronic code book happen once a year due to the expense. This keeps the public informed however there are a few things in ordinances that need updating such as the fee for parking in the Franklin Street parking lot. Department heads will meet and review those ordinances and codes to make sure they are up to date.

Janet Desrochers thanked Councilor Zink for replying to her email. She sent the email to three Councilors and only Zink replied.

Councilor Desrochers responded to the comments regarding the Police Dispatch upgrade project and stated that the police have been scavenging for parts for their equipment for years and these parts are becoming scarce and obsolete. The Police Dispatch Communication Center needs to be replaced due to this growing problem. It must be done or there will be critical communication equipment down which would be a serious problem if this were to happen in the Police Department.

Mayor Giunta challenges any other City to get more efficiency from their equipment than Franklin does.

### **City Council Acknowledgement**

Councilor Dzujna thanked everyone for jumping right into virtual City Council meetings. He stated that it is not an easy thing to do and is glad the public called in tonight. Mayor Giunta thanked everyone as well.

### **Mayor's Update**

Mayor Giunta stated it seems New Hampshire is doing ok through COVID. The amount of deaths from this has dropped. He feels we have turned a corner and hopes we continue in this trajectory.

### **Agenda Item I.**

Council is to consider the minutes of the February 3<sup>rd</sup>, 2020 non-public City Council meetings, the minutes of the May 4<sup>th</sup>, 2020 City Council Meeting, the minutes of the May 11<sup>th</sup>, 2020 City Council Special Meeting, the minutes of the June 1<sup>st</sup>, 2020 City Council Meeting, and the minutes of the June 8<sup>th</sup>, 2020 City Council Special Meeting.

**Motion – Councilor Bunker moved that the Franklin City Council approve the minutes of the February 3<sup>rd</sup>, 2020 non-public City Council meetings, the minutes of the May 4<sup>th</sup>, 2020 City Council Meeting, the minutes of the May 11<sup>th</sup>, 2020 City Council Special Meeting, the minutes of the June 1<sup>st</sup>, 2020 City Council Meeting, and the minutes of the June 8<sup>th</sup>, 2020 City Council Special Meeting.**

**Seconded by Councilor Dzujna.**

Councilor Bunker would like mention that she was having internet issues as the reason why she joined the May 4<sup>th</sup> City Council meeting late.

Councilor Desrochers stated that he will abstain from voting on the February 3<sup>rd</sup>, 2020 nonpublic City Council meetings. He also stated that a correction is needed on the June 8<sup>th</sup>, 2020 meeting on page 13. His motion regarding moving the polling location for the elections, should read that they take place in September, October, and November.

Councilor Zink stated that she will be abstaining from voting to approve the February 3<sup>rd</sup>, 2020 City Council Meetings because she didn't receive the password to open the secure documents therefore could not read them.

Roll call to accept the minutes:

Councilor Zink	Abstain Feb 3 <sup>rd</sup> Yes on others	Councilor Testerman	Yes	Councilor Brown	Yes
Councilor Bunker	Yes	Councilor Clarenbach	Yes	Councilor Dzujna	Yes
Councilor Desrochers	Abstain Feb 3 <sup>rd</sup> Yes on others	Councilor Starkweather	Yes	Councilor Trudel	Yes

**Motion PASSED.**

**Agenda Item II.**

Superintendent Dan LeGallo provided an update to the Council.

LeGallo stated that the School District received a waiver from the Federal Government to continue to allow the school to use the busses and food service program to feed the students of Franklin. Approximately 900 meals are prepared daily and over 17K meals in the month of June were served. LeGallo gave a shout out to the Food Service Workers where they typically have summers off but have all volunteered to step up and work throughout the summer including Food Service Director Brenda Patel. He is eternally grateful to them for doing a marvelous job.

Mayor Giunta stated that those are staggering numbers and he is in awe at the volunteers and what they are doing to make sure all the children of Franklin are fed. He asked LeGallo to work with him on a letter of appreciation for them.

LeGallo stated that they are working diligently on their reopening plans for the fall. They are looking at all scenarios at this point. Many are hoping everyone goes back to school full time but it could end up being some sort of hybrid of part-time classroom and part-time on-line, or possibly full-time on-line. It hasn't been decided on yet.

The School Bus provider stated that only 11 students per bus are allowed. That is due to the social distancing guidelines. LeGallo stated that this is obviously very problematic since 5 busses were used previously so considering the new guidelines, that would mean over 20 busses would be needed to accommodate this requirement which is not possible. Busses would have to be running pretty close to all day long to bring children back and forth. A survey is going out to parents asking what kinds of transportation they can arrange for their children. Some children may need to be dropped off at school early where tutoring programs could be available to them. LeGallo wanted to inform the Council of this significant issue they are faced with.



LeGallo informed the Council that the schools will be expected to purchase their own Personal Protection Equipment (PPE). The CARES Act funds will help with this. LeGallo stated that things could change after school has been open where another lock down could happen so they will have a plan and be prepared for any condition and scenario. The school board doesn't normally meet over the summer but they have been meeting every two weeks to discuss these critical issues.

Mayor Giunta stated that knowing 20 busses would be needed is such a show stopper because we don't have 20 busses at our disposal making that option completely impossible. He asked LeGallo if this was a State or Federal mandate. LeGallo replied that it is coming down from the corporate office of the First Student bus company that we use.

LeGallo stated that the Governor is supposed to provide some guidance for the schools this week. Mayor Giunta stated that when he is on the call with the Governor this week, he will bring this specific issue up and ask for help.

Mayor Giunta stated that when he was on the last call with the Governor two weeks ago, he brought up the PPE topic and that the schools will need to buy their own so he asked the Governor if the State can help with this. LeGallo stated that he is going to wait until after Mayor Giunta speaks to the Governor and also have the schools wait before expending funds for PPE that they don't need to spend if the State is going to help.

Councilor Testerman asked LeGallo if he has sent a survey to parents asking if they plan to send their children back to school or opt for on-line or home schooling instead. LeGallo replied that a survey is going to parents tomorrow. This survey will also ask if the parents can arrange transportation for their child and if they have internet service.

Testerman asked if he would circulate the results of the survey back to the City Council as soon as he compiles them.

Councilor Zink thanked LeGallo for all he is doing through the COVID concerns. She asked if LeGallo thought about alternating school hours and also asked if the State Law requires the School to provide transportation to every student. LeGallo replied that under State Law, transportation is required for students up to the 8<sup>th</sup> grade. High School transportation is not required. He also stated that the school board has been thinking of many scenarios for students to return to school.

LeGallo shared that some of these scenarios include alternating days and weeks when age groups would go to the classroom. Also having the young students use all three buildings so they are all in the classroom thus having the older students only do remote learning. These are just a few of the many scenarios that are discussed.

Councilor Dzujna asked LeGallo if there is away to find out which students are doing well with

virtual learning and which are not. Maybe those that are doing will through on-line would stick with it and those that are not would go to the classroom.

LeGallo replied that he could work with the teachers to get that information.

City Manager Milner informed LeGallo that she may be able to help the schools with PPE if they need it.

**Agenda Item III.**

Council is to consider approval of Resolution #19-20, appropriating grant funds associated with COVID-19 for Fiscal Year 2020.

**Motion – Councilor Dzujna moved that the Franklin City Council approve Resolution #19-20 appropriating grant funds associated with COVID-19 for Fiscal Year 2020.**

**Seconded by Councilor Desrochers.**

Mayor Giunta asked if there was any discussion.

Councilor Clarenbach stated that since FY2020 has expired, will this be an encumbrance or be rolled into the 2020 budget. Milner replied that the City has already expended approximately \$185K of the \$200K in FY2020 therefore some will be an encumbrance for FY2021.

Councilor Testerman asked Milner where she can find the detail of where the money is and what it will be used for. Milner replied that there was a project code set up just for COVID-19 expenses. Much of it is stipend expenditures for the First Responders which was allowed by the Governor. She explained that extra cleaning supplies needed to be purchased as well. The City is considering purchasing a sanitizing fumigator apparatus.

Testerman asked if the Financials were on the Website yet. Milner replied that the audited Financials are up on the website and they go back to FY2007. The monthly financials have not been posted yet.

Councilor Zink asked how much of the \$200K was last year's expenditures versus this year's expenditures. Milner replied that the City has expended \$185K in FY2020 (last fiscal year's expenditures) and the remaining \$15K will be encumbered for FY2021.

Mayor Giunta stated that the Council should be very proud of the Finance Department as they are watching every single red penny and if it is COVID related, the City will be reimbursed for it.

There were no further questions or comments.

### **RESOLUTION #19-20**

**A Resolution Relating to a supplemental appropriation for Fiscal Year 2020.**

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

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2020 beginning July 1, 2019, **and**;

**WHEREAS**, the City has incurred expenses for the Covid 19 Pandemic, **and**:

**WHEREAS**, the City will be receiving funds to offset these expenditures, **now**

**THEREFORE, BE IT RESOLVED**, *that at their regularly scheduled meeting of the City Council on Monday, July 6, 2020, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #19-20 to appropriate the funds of \$200,000 (Two hundred Thousand dollars)*

**An Increase in Revenue:**

Federal Grants Operating- Covid 19 Acct. No. 01-0-000-33111-123,

**An Increase in Expenditures:**

General Government Operating Supplies-Covid 19 Expense Acct. No. 01-1-991-40610-123

**By a roll call vote.**

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

### **Agenda Item IV.**

Council to consider approval of Ordinance #01-21, amending the Franklin Municipal Code, Chapter 160-1 Fees, Water Commodity and Sewer Disposal fees.

**Motion – Councilor Brown moved that the Franklin City Council adopt Ordinance #01-21, relating to the FY2021 Budget, Water Commodity and Sewer disposal rates.**

**Seconded by Councilor Dzujna.**

Mayor Giunta asked if there was any discussion.

Councilor Testerman receives numerous calls from residents asking why the water rates keep going up. She stated that she understands it is because of the aging infrastructure however, the residents see this as their taxes being raised beyond the tax cap. It's difficult to explain this to the residents. Testerman asked if there was anywhere else where expenses could be cut to give our aging residents who are on a fixed income some relief.

Mayor Giunta deferred to City Manager Milner but stated that Water and Sewer are Enterprise Funds so savings would need to be in that department in order to apply it in that area and offset the increase. The second part of that is if we could offset it with property taxes by looking everywhere to bring the property tax further below the tax cap.

Milner replied that the City looks at these two funds very closely every year and the City Manager's proposal is always less than the department head's proposal in trying to keep any increases under control. The National Average shows that Franklin is at approximately 42% of the National Average for Water and Sewer systems and at 57% of the New Hampshire average.

Milner added that there are a lot of reports out there which support what Director Sullivan has been relaying to the Council. Aging infrastructure is a national issue and requirements through DES and EPA drive expenses increasingly higher every year. It is a necessary commodity that is needed for public health and it needs to be clean and meet state guidelines.

Milner continued to explain that there are a minimal amount of projects in Water and Sewer therefore in order to find savings to avoid raising rates could mean cutting a necessary Water and Sewer project and hope that a failure in the system wouldn't happen in FY2021.

Testerman asked if there was a way to de-regulate any of the requirements from DES or EPA. Milner replied that this makes her think of the health crisis in Flint Michigan where over 100,000 of its residents consumed high levels of contaminants. Milner stated that DES may be over regulated but this is a public health issue and a requirement so we need to put their health before cost.

Councilor Desrochers received questions from residents regarding the number of employees that Water and Sewer have and that at least two of their employees' plow snow in the winter. He asked who is tracking their hours and how does the Municipal Department pay back Water and Sewer for those hours. Desrochers continued to mention the back hoe that Water and Sewer purchased that is being used to plow snow. Desrochers also asked how the usage of that back hoe, by other departments is being reimbursed to the Water and Sewer department.

Desrochers also asked what is being done with the inflow and infiltration from the houses behind the Red Apple. This has been a known problem for the last four years and nothing has been done to fix it which is costing the rate payers more money because it is not fixed.

Desrochers also asked the Council to consider the Cell tower antennas on the water towers and referenced page 102 of the budget packet. There is \$51,192 that City collects on the water tower from the Cell antennas. That money should go to the Water Department to help keep rates down. Ratepayers paid for a \$500K bond to repair that water tower and the income from the antennas should go back to the ratepayers. The water rates have been increasing since 2014 and the income from those antennas goes elsewhere in the City. This money and the increase in water usage from the Catch Housing should be helping the ratepayers.

He is not in support of this ordinance and will make a motion to move that money from the City budget to the water department.

Milner replied to Desrochers and understands the frustration. She stated that employee hours are tracked when someone from the water department is working on MSD assignments however, a better job can be done in this area. The City is not hiding money from the water and sewer funds. As discussed at the budget workshop, she would like to look at a couple of ways to do this and at the minimum, a work order system connected to our payroll system would help. It is all done manually right now but the work order system would be automated and more exact. Milner is also considering a Water and Sewer Commission or even privatization. Only 17% of NH communities are privatizing so that may not be the way to go since they are for profit. She will be making sure things are more transparent and confirmed that the City is not subsidizing the General Fund with Water and Sewer. She asked for the year to work on the solution for that.

Milner then addressed the cell tower lease and stated that there is a legal opinion on that as well as accounting standard explanation for why it is set up the way it is. If the revenues from the cell tower were to go into the water and sewer fund, it would not be considered an Enterprise Fund.

Mayor Giunta asked if the suggestion from Councilor Desrochers on making a motion to move the cell tower lease income to water and sewer were appropriate and how or when should that be done considering budget approval is in the forefront.

Milner replied that legal opinion was that the income from the cell tower lease should remain in the General Fund and not move to the Enterprise Fund. She supports this legal opinion and recommends not moving the funds.

Desrochers stated that the Council has the right to move money from one fund to another. He stated that it is done when money from the school is moved from the City to the School. Milner replied that is because the school is also part of the General Fund. An Enterprise Fund is a separate entity and because of the legal opinion and accounting standards, she would not recommend moving money between the General Fund and the Enterprise Fund.

Councilor Clarenbach supports Councilor Desrochers. Clarenbach stated that he has yet to see

how the City is helping the water and sewer ratepayers. He will vote no on this Ordinance. The sewer department is paying \$200K for an excavator that they hardly use and other items that are burdening the ratepayers. The Council governs three different entities; the taxpayers (the General Fund), Water (Enterprise Fund), and the Sewer (Enterprise Fund) and the Council has the ability to make decisions about what fits in each of these funds. Clarenbach stated the Enterprise funds can make money so it should be that we can't make money on the water tower and not allow it to go into the Water Enterprise Fund.

Councilor Starkweather stated part of the reason we are having this problem with water rates is because there hadn't been an increase for 17 years so we are trying to catch up to where we should have been. He asked what the number of hours of use on the excavator outside of Water and Sewer, what was the amount of money moved back into the Water and Sewer, and how was it calculated. Starkweather asked if Director Sullivan could provide some numbers on this.

Milner replied that she can get those numbers but it is based on the audited financials since it's a manual system she doesn't have this current Fiscal Year's audited numbers. Many times, there is an urgent need to move someone to another area to help address a critical situation due to staffing so a manual calculation needs to be done every year to look locate those number. She can provide the past numbers to the Council but does not have all those numbers to share tonight.

As mentioned earlier, Milner stated that she knows the City can do better with transparency and didn't want to implement something that costs the taxpayers but she had money aside in the General Fund to pay for the work order system. She stated she will work on this solution diligently throughout the year.

Starkweather stated that tracking someone's time appropriately doesn't have to be a difficult thing to implement. When someone moves from one job to the next, they call the office and their time is tracked appropriately. It is not necessary to spend money on a work order system if doing it manually can be done diligently. This does not have to be a long complicated thing to manage. Starkweather is not in support of this ordinance.

Councilor Zink is also is not in support of this ordinance. Increasing the water rates again is not acceptable and is too much of a burden on the ratepayers. She stated that she does not want to see resident's water being shut off. The City needs to do something different.

Councilor Bunker stated that she has also heard from many residents who also feel as though this is a tax increase in disguise. More transparency is needed and she agreed with Starkweather's comments in that this does not need to be an expensive work order system. Bunker works for the state and they use a very manual spreadsheet to list what projects they are working on and it works very well for their finance department.

Councilor Brown asked Director Sullivan what the impact would be if this increase does not happen.

Milner stated that she had numbers in front of her providing the financial impacts. For the water department (page 161 in the budget book), it would equate to a \$40,500 reduction under Infrastructure. In the sewer department (page 165), it would equate to a \$24,00 reduction in the same line.

Milner stated that a water main replacement on North Main Street would not happen, meter replacements would be cut, and addressing the inflow and infiltration work would not be done.

Director Sullivan stated that it could be any of those yes, and that he would need to meet with the Municipal Services Committee and review which projects will be cut. He added that if there is a critical infrastructure failure, it would go before the Council and be dealt with and paid for in some unplanned way. He will continue to look for grant opportunities.

Councilor Clarenbach stated that the savings and an offset for the rate increases can be found in the cell tower income and the last payment of the lease in sewer.

Desrochers stated that several houses are known culprits of the inflow and infiltration problem and they haven't been approached to be told they can't do that. They cannot dump water from their sub pumps into the sewer line. The City needs to speak to them and start doing things differently.

Councilor Brown asked City Manager Milner if the Council can appropriate the funds as Clarenbach suggested and negate the rise of the rate increases. She asked if another meeting would be needed to be scheduled or can it be done tonight.

Milner replied that appropriating money between funds can be done by the Council. The basic rule is setting a public hearing first.

Brown asked if this would affect passing the budget tonight. Milner replied that it would place a portion of the budget on the table for discussion and she is not sure if the Governor has pushed out the budget deadline. The City Manager's budget is chosen by default on July 27<sup>th</sup>. If another public hearing needs to be held to discuss these topics, a public hearing needs to be set quickly.

Mayor Giunta asked Milner if the budget could be voted on anyway even if the Ordinance was not passed and a resolution can be done later to address water and sewer.

Mayor Giunta suggested that Councilor Desrochers hold his motion to move the cell tower lease money and wait until tonight's business can be finished then come back and address it. He doesn't want to make this too complicated in the same night.

**Motion - Councilor Desrochers moved to call the question. Seconded by Councilor Starkweather.**

**Roll call to call the question:**

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

**ORDINANCE #01-21**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

**In the Year of our Lord, Two Thousand and Twenty;**

**Be it ordained by the City Council of the City of Franklin New Hampshire, that the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charges for service by the City of Franklin Water/Sewer Departments be changed as follows:**

	<u>Current Fee</u>	<u>Change To</u>	<u>New Fee</u>
Water Commodity Charge Per 100 cubic feet	\$ 7.32		\$ 7.50
Sewer Disposal Charge Per 100 cubic feet	\$ 7.00		\$ 7.13

Fee to be effective July 1, 2020, by roll call vote.

Councilor Brown	No	Councilor Dzujna	Yes	Councilor Zink	No
Councilor Clarenbach	No	Councilor Bunker	No	Councilor Testerman	No
Councilor Desrochers	No	Councilor Starkweather	No	Councilor Trudel	No

**Motion FAILED.**

**Motion – Councilor Desrochers moved the Franklin City Council move \$51,192 from the General Fund budget to the Water and Sewer Enterprise fund. Seconded by Councilor Zink.**

Councilor Starkweather asked where these funds are coming from. Desrochers replied that it is coming from the General Fund page 102 in the budget book, lease revenues from cell towers on the water towers.

Councilor Clarenbach asked if this motion passes, would it mean Agenda Item VI (approval of the FY2021 budget), numbers would change and so would it need to go out to public hearing again. Milner replied would be correct.



Mayor Giunta asked City Manager Milner if this topic waits until Agenda Item VI discussion is open, would this then less complicate this topic and the need for a new public hearing go away. Milner replied that it would.

Councilor Desrochers withdrew is motion as well as Councilor Zink withdrawing her second to the same.

**Agenda Item V.**

Council to consider approval of Ordinance #02-21, amending the Franklin Municipal Code, Chapter 160-1, fees charged for services, Solid Waste Administration and Transfer Station Fees.

**Motion – Councilor Desrochers moved that the Franklin City Council consider approval of Ordinance #02-21, amending the Franklin Municipal Code, Chapter 160-1, fees charged for services, Solid Waste Administration and Transfer Station Fees.**

**Seconded by Councilor Trudel.**

Mayor Giunta asked if there was any discussion.

Councilor Bunker asked who pays these fees and what are they for.

Milner replied that the increase in the Solid Waste Admin Fees are paid for by outside vendors, who pick up trash in the City and use our disposal service at Wheelabrator. This also includes demo materials that are brought to our transfer station paid for by anyone who dumps demo there.

There was no further discussion.

**ORDINANCE #02-21**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

In the Year of our Lord, Two Thousand and Twenty;

Be it ordained by the City Council of the City of Franklin New Hampshire, that the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charges for service by the City of Franklin be changed as follows (change current fee to new fee, remove deleted language):

Fees to Change:		Current	Change To	New
		Fee		Fee
	Increase Solid Waste Admin. Fee	\$15.00		\$20.00
	Transfer Station: Residential and Commercial demo materials and asphalt shingles, per ton.	\$129.00		\$135.00

Roll call:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

**Agenda Item VI.**

Council is to consider approval of Resolution #01-21, approval of the proposed Fiscal Year 2020-2021 Manager's Budget.

**Motion – Councilor Desrochers move that the Franklin City Council consider approval of Resolution #01-21, to approve the proposed Fiscal Year 2021 Manager's Budget.  
Seconded by Councilor Trudel.**

Mayor Giunta asked if there was any discussion.

**Motion – Councilor Desrochers moved that the Franklin City Council move \$51,793 from the cell tower lease at the Cross Street Cell Tower to the Water and Sewer Enterprise Fund.  
Seconded by Councilor Zink.**

**Mayor Giunta stated that this is an amendment to the motion to approve the Manager's Budget.**

Councilor Clarenbach called a point of order. He stated that the money would go into the Water Enterprise Fund not the Water and Sewer Enterprise Fund as they are separate funds.

**Councilor Desrochers amended his motion to state the Water Enterprise fund. Seconded by Councilor Zink.**

Councilor Bunker asked if the vote is to amend the Manager's Budget.

Mayor Giunta stated that this is correct.

Councilor Dzujna asked if the \$51K that is being moved, was earmarked for a particular project. Milner replied that she will need to reduce expenditures from the General Fund and will look at the effect now. She will get back to the Council on this.

Mayor Giunta asked if there was any discussion to the amendment to the motion. There was none.

Roll call to the amendment to the original motion:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

Mayor Giunta referred back to the original motion as amended and asked if there was any discussion.

Councilor Clarenbach stated that there hasn't been a way to balance the payments or equalize the expense to the Highway department for the excavator in the sewer department and this is the last payment, of 7, for the excavator. For the past six years, the sewer department has made that payment. The City can't fix that with one remaining payment however he made the following motion.

**Motion – Councilor Clarenbach moved to make an amendment to the amended motion that the Franklin City Council move \$28,241 from the Sewer Enterprise Fund under expenditures from line 22-0-321-40740-000 in the amount of \$28,241 and move it as an expenditure in the General Fund.**

**Seconded by Councilor Desrochers.**

Mayor Giunta asked if there was any discussion.

Councilor Brown asked what the impact would be on this movement of expenditures.

Milner replied that both of these amendments equates to \$80, 034 in the General Fund as a reduction of expenses. She will need to look at where this can be taken from and get back to the Council with that information.

Director Sullivan stated that the result from the Sewer Fund is that they won't need to make the final payment of the excavator from the Sewer fund so the money will need to found to make that payment from the General Fund.

Mayor Giunta asked if there were any further questions to the amendment of the amended motion.

Councilor Brown asked if this brings the City Manager's Budget into a situation where it will need to go out to another public hearing. Milner is looking at the numbers and is trying to increase the revenue side and also expenditures so the numbers are a wash.

There is time to schedule another public hearing if necessary. City Manager Milner continued to look at the numbers as the Council discussed other scenarios. If another City Council Meeting is scheduled on July 20<sup>th</sup>, Councilor Trudel informed the Council that he is not available.

Councilor Zink stated that we only need to balance the \$80k to avoid another public hearing. Zink recommended looking at the healthcare paid by the City and suggested asking employees to pay 5% of the health care increase portion cost. An increase in health care cost of \$200K is a lot of money for the City to pick up this year.

Councilor Brown stated that the City Manager is looking at number now to try and find a way to balance the revenues and expenditures. She also suggested moving forward and scheduling the public hearing for July 20<sup>th</sup>. The Council should allow the department heads time to look at their budgets and find ways to adjust to come up with the \$80K rather than sit here for hours tonight and have the City Manager take a little here and a little there without their input.

Roll call on the amendment to the amended motion:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

Back to the original motion as amended twice.

City Manager Milner recommended setting a public hearing for July 20<sup>th</sup>, 2020. She will find a way to balance the budget with the new movement.

**Motion – Councilor Desrochers moved to table Resolution #01-21, approval of the Fiscal Year 2020-2021 Manager’s Budget.**

**Seconded by Councilor Dzujna.**

No discussion when a topic is tabled.

Roll call agenda Item VI as amended:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

**Motion – Councilor Desrochers moved that the Franklin City Council schedule a public hearing on Resolution #01-21, approval of the Fiscal Year 2020-2021 Manager’s Budget at 6:00 p.m. on July 20<sup>th</sup> in the year of our Lord 2020; If needed.**

**Seconded by Councilor Brown.**

Mayor Giunta asked if there was any discussion.

Councilor Bunker asked that if the public hearing is not needed, the City Council will still need to meet again to pass the budget. Mayor Giunta replied that she was correct. It would be a simple motion to remove the topic from the table and then voting on it.

There was no further discussion.

Roll call:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

**Agenda Item VII.**

Council is to consider approval of Resolution #02-21, authorizing the City of Franklin to establish a Capital Reserve Fund for the Police Dispatch Unit.

**Motion – Councilor Clarenbach moved that the Franklin City Council adopt Resolution #02-21 establishing a new Capital Reserve Fund for Police Dispatch according to RSA 34:1.**

**Seconded by Councilor Starkweather.**

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

**RESOLUTION #02-21**

A Resolution relating to the authorization for the City of Franklin to establish a capital reserve fund for the Police Dispatch.

In the year of our Lord, Two Thousand Twenty,

WHEREAS, the City Council of the City of Franklin has approved updates to the Police Dispatch and;

WHEREAS, the City will be receiving one-time surplus revenue in the amount of \$229,696 per the State 20/21 budget and the cost to update the Police Dispatch is approximately one million dollars and;

WHEREAS, the City Council has appropriated the annual funding in the FY21 budget, and;

WHEREAS, the City of Franklin recognizes that this type of reserve is subject to New Hampshire RSA chapter 34, Capital Reserve Funds for Cities, Now

THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, July 6, 2020, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 02-21 authorizing the City of Franklin Trustee of Trusts Funds to establish a new capital reserve fund titled Police Dispatch for the purpose of capital maintenance and emergency repair of Police Dispatch.

By a roll call vote.

Roll call:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

**Agenda Item VIII.**

**Other Business**

1. Committee Reports
  - a. There were no committee reports.
2. City Manager's Update
  - a. There was no contingent line activity for the month

- b. The Trust fund for school funding is \$138.52
- c. Milner congratulated Police Chief David Goldstein for his new award – NAMI Law Enforcement Award. This is an award from the National Alliance of Mental Illness. Applause was heard from all.
- d. Best wishes to recently retired Firefighter John Glines who retired on June 30<sup>th</sup>.
- e. The Whitewater park has received the Shorelands Permit from DES, which was the second permit needed to move forward with the in water feature project. We have received the Wetlands permit which is the most difficult one to receive. The Army Core of Engineers will be following up with the next steps for our project. The excitement from people even beyond Franklin is growing.
- f. The City is still under partial Activation of the EOC from COVID-19. The committee has moved to monthly meeting. City Hall has opened with one-way traffic, residents are wearing masks, using hand sanitizer provided, standing on the floor markers, and are being very respectful of one another.
- g. CADCA required training will be in the 2<sup>nd</sup> week from July 13-16, 11 a.m.-5:30 p.m. daily. This is required of the Mayor's Drug Task Force in order to receive grant money.
- h. The City Manager asked if the LEAN meeting could move the July 20<sup>th</sup> which it looks like we'll be meeting on that date now anyway. There will be a couple of additional public hearings on a CDFA application for CDBG funding for the infield project. This application is due on July 27<sup>th</sup>.
- i. Milner gave a shout out to Officer Falco and his partner Sergeant Guerriero for their hard work and narcotics hit in Tilton. They have been nominated for awards with the Boston Police Department. They are considered the most successful and busiest narcotics team. Congratulation to them both.
- j. Milner also gave a shout out to Parks and Rec employee Dana Bean who just signed a professional basketball contract. Congratulations to Dana.
- k. Milner continued with another shout out to Karen Fields for her donations of handmade cloth face masks that we place in the City Hall Lobby. She has continued to donate these masks every week as they are going very quickly. The City is very appreciative of Karen's continued donations.
- l. There have been additional complaints on fireworks and it may be just a few people ruining it for everyone. She will continue with the education campaign and see if it is working. Milner asked if the Legislative Committee would like to meet on this again to discuss this issue.

Councilor Desrochers stated that he is the Chair of the committee and asked the other committee members to call him and let him know if they would like to schedule a meeting. Desrochers will let Milner know if a meeting should be scheduled.

- m. Milner informed the Council that she will be taking some time off during the week of July 20<sup>th</sup>.

Councilor Bunker asked Judie what the acronyms were when she mentioned the Infield project. Milner replied that the first one CDFA is the Community Development Finance Authority and the second is CDBG which is the Community Development Block Grant. There have two grants. One for Housing and one for Community Facilities. The City is applying for the Community Facilities grant to do some lighting, paving, and redesign of the parking lot between Chinberg's building and Central Street.

Mayor Giunta stated that when it come to the White Water Park, please don't underestimate the receipt of the permits from the Wetlands and now the Shoreland. These are historic and have taken a lot of time and energy to obtain. They are the first in the entire Region. He was told time and time again by DES that this would not have happened if it were not for the team that worked together, this would not have happened. The DES team did not even have the experience and expertise like we brought to the table in this area.

Mayor Giunta asked the Council to tell everyone what a great accomplishment this was and the fact that the White Water Park is going to happen. This is all a very historic time for our City and he is very proud of our team that made it happen. This City will change forever for the better because of this.

**Motion to adjourn was made by Councilor Clarenbach. Seconded by Councilor Brown.**

Roll call:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

**All in favor. Motion PASSED.**

The meeting adjourned at 8:54 p.m.

Respectfully submitted

Audrey Lanzillo