



City Council Meeting Minutes
Monday, October 5, 2020 – 6:00 p.m.
Webmeeting via Zoom

City Council attendance:

	Location/others present
Mayor Giunta	Home/ no others present
Councilor Jo Brown	Home/no others present in the room
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/no others present in the room
Councilor Ted Starkweather	Home/no others present in the room
Councilor Olivia Zink	Home/no others present in the room
Councilor Paul Trudel	Absent
Councilor Karen Testerman	Home/no others present in the room

Others attending remotely: City Manager Judie Milner, City Department Heads, and members of the public.

Mayor Giunta called the meeting to order at 6:06 p.m. via Zoom. He then read the Compliant Right to Know Statement.

Salute to the Flag was led by Councilor Desrochers.

Councilor Desrochers gave recognition to the recent passing of veteran Robert Hinds, who was a lifetime resident and High School Graduate of Franklin. Hinds served in the U.S. Army during the Korean War. Hinds also serviced the City of Franklin as a previous City Councilman and School Board member and served on many other boards and associations in Franklin. A moment of silence was provided to honor Mr. Hinds.

PUBLIC HEARINGS

Stevens Mill 79-E Tax Relief Application, a resolution to approve tax relief for Stevens Mill LLC in support of Franklin's Downtown Development and Economic Growth.

The public hearing opened at 6:12 p.m.

Mayor Giunta asked if there was any comments or questions from the public. There was none.

The public hearing closed at 6:13 p.m.

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.

Mayor's Drug Task Force Coordinator updated the Council on the upcoming 5K fundraiser, the new grant is in effect as of October 1st, Drug Take back day will be held on October 24th from 10 a.m. to 2 p.m.

Councilor Desrochers received a letter from a constituent regarding concern over the old Community Action building and that they heard that the old building was supposed to have already been torn down.

City Manager Milner replied that it was supposed to be down already as it was next on the list for the wrecking company. She will follow up with the company and let the Council know the status.

Christine Dzujna, Ward 1 resident, stated on behalf of the Franklin Regional Hospital Auxiliary that the Life with Memory service at the hospital has been cancelled for this year and expects it to resume the tradition next year. Dzujna extended the hearts of the Auxiliary to everyone who has gone and is going through difficulties during this time.

CITY COUNCIL ACKNOWLEDGEMENT

The Mayor will recognize any Councilor who wishes to express their appreciation of behalf of the City.

Councilor Testerman acknowledged Councilor Jo Brown and Officer Tracy for their fundraising efforts for the City's Comfort Dog Miller.

Testerman also commented on the Candidates Forum this past Friday night and wondered why there wasn't any notice on the Community Calendar or information sent out so more people could attend.

Mayor Giunta asked City Manager Milner how the communication on this could be improved. Milner replied that she just learned of this as well and an organizer of the event normally reaches out to the City so we are aware. There is a Community Calendar that groups have access to in order to send the information directly to the City Calendar as well. She was surprised that the information was not out there.

Councilor Brown thanked Councilor Testerman for her acknowledgement and further mentioned that she had little to do with the Comfort Dog fundraiser. Brown stated that several members of the Police Department helped pull the event together. The event was held at the Elks and social distancing was done so those attending could enjoy the event in a safe way.

Brown also stated that the Candidates Forum was advertised through the Democratic Forum and can be viewed on YouTube.

Councilor Bunker acknowledged the Schools, the School Board, and the Superintendent's Office for the wonderful job they all did opening the schools. It has been a month and things are going well. The safety measures are in place for in person learning with options for remote learning. Both options are working out very well.

Councilor Dzujna stated that Mike Mullavey received an award from the Lakes Region Chamber of Commerce for the work he had done with many of our local boards and committees. Dzujna stated that he was very appreciative of the award. Mr. Mullavey's family is very proud of him; he is a great example to follow. Dzujna thanked him for all he has done and continues to do.

Mayor's Update

Mayor Giunta was very proud to mention Mrs. Christine Dzujna who received the Elk of the Year award. She has done above and beyond for the community of Franklin and the Elksdom. He congratulated Mrs. Dzujna and everyone gave her a virtual applause.

Agenda Item I.

Council to consider the minutes of the September 14, 2020 City Council Meeting.

**Motion – Councilor Dzujna moved that the Franklin City Council approve the minutes of the September 14, 2020 City Council Meeting.
Seconded by Councilor Desrochers.**

Councilor Starkweather requested several corrections as follows:

Page 1: Councilor Desrochers honored a Franklin High School Graduate of 1963. Starkweather requested that a name be included there. Desrochers replied to add Kenneth Bonenfant.

Page 3: Councilor Desrochers stated a quick solution for the speeding on Stove Ave. This should reference Stone Ave not Stove.

Page 3: Either "end" of the road should be added.

Page 4: The next to last paragraph states the City will maintenance and should say the City should maintain the road.

Page 6: In the paragraph where it states that Brown recognized Karen Darling's Youth Group should just state that the graffiti was painted over instead of repaired.

Page 21: Councilor Clarenbach in refence to properties were approved to sell last year and it should say the beginning of this year not begging.

Councilor Clarenbach asked if 22 pages of minutes is prudent or of great value. Mayor Giunta agreed as did Councilor Starkweather who also warned to avoid minutes that are too vague.

Mayor Giunta asked if it would be easier to summarize or if that would be more time consuming.

City Manager replied that she requested this type of more detailed minutes due to a situation that had happened when the chance to have a revolving fund of \$100K for businesses in the City was lost due to critical information missing from the minutes that a previous secretary created.

Milner and her secretary have discussed creating summarized minutes but not quite as informal or vague. It needs to have the right amount of detail. After written minutes are created, the audio is deleted as allowed by RSA 91-A so it would be good to have some level of detail in the minutes.

There were no further edits requested to the September 14th meeting minutes.

Roll call to approve the minutes:

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	Absent

All in favor. Motion PASSED.

Agenda Item II.

Superintendent Dan LeGallo provided an update to the City Council.

LeGallo stated that the schools were doing well going into the second month of being open with no current COVID cases.

The schools will be receiving an additional \$261K in adequacy aid and an additional \$116K in

Fund Balance dollars. The school system also received a \$35K Grant from the New Hampshire Charitable Foundation which will fund a social worker.

LeGallo will speak with the School Board over the next couple of weeks and discuss keeping these funds in reserve due to all the unknowns that will come for next year.

LeGallo updated the Council on how the Manufacturing Program plans are going. The High School and Middle school students can meet virtually with the manufactures throughout the month of October, which is manufacturing month. A manufacturing math class will be offered during the winter, a blueprint class offered in the fall of 2021, and Solidworks; an engineering aided design course will be offered in the winter of 2022. LRCC and the High School will teach the classes jointly at the beginning then the High School will take over. Both College and High School credits will be earned.

October's enrollment is lower than expected at 922 students due COVID and most of the parents of the home-schooled students have chosen not to participate in any classes, sports, or extracurricular activities but can if they want to.

Councilor Desrochers congratulated the school system for finally rolling out the Industrial Arts program.

Mayor Giunta spoke about a commercial he heard today where the owner of a small business asked people to come to work for him in the advertisement. The National unemployment rate during the height of COVID was 15-17% and is 7.6% right now. This is encouraging especially during the kick-off of the manufacturing program. Manufacturing companies are hiring even through this pandemic.

Agenda Item III.

Council to consider approval of the Stevens Mill 79-E Application.

Motion – Councilor Bunker moved that the Franklin City Council approves the Stevens Mill LLC's application of tax relief under the provisions of RSA 79-E which were adopted by the City Council on February 4, 2013 based on the following criteria of public benefit:

- 1. Enhance the economic vitality of the downtown by creation new and improved residential and commercial space within an old mill that has been underutilized for many years.**
- 2. Renovate and improve a centrally located structure that is culturally and historically important.**
- 3. The project will substantially increase the availability, and the quality, of the residential capacity of the core historic downtown area.**
- 4. Satisfy the Smart Growth goals of RSA 9-B through: positive efforts to preserve the historic center, and contributing to, and facilitating, the development of a vibrant municipal center.**

And with the following conditions:

- 1. No later than 90 days after the issuance of the Building Permit, the applicant shall present to the City Manager and the Planning Director, a draft Covenant, prepared in conformance with the provisions of Section 79-E:8. This Covenant shall be coextensive with the tax relief period of Seven years.**
- 2. The City will have this Covenant reviewed by the City Attorney. Any costs incurred by the City in the preparation or review of the draft Covenant shall be borne by the applicant. Once the Covenant is approved by the City Attorney, the applicant shall record the document with the Merrimack County Registry of Deeds.**
- 3. Prior to recording the covenant with the Merrimack County Registry of Deeds, a developer's agreement guaranteeing the debt service payment on the approved \$1.4m bond relating to Amendment 1 of the Franklin Falls Mixed Used Tax Increment Financing (TIF) District over the life of the bond (20 years) must be executed by both the City & Stevens Mill LLC.**
- 4. All of the applicable provisions of RSA 79-E shall apply to this approval. Said provisions include, but are not limited to: the extent of the tax relief; termination of the Covenant; reduction of tax relief; and, any penalties.**

Seconded by Councilor Desrochers.

Mayor Giunta asked if there was any discussion.

Councilor Zink asked for clarification on provision #3. Milner replied that a developer's agreement makes up for the difference in increment in the TIFF District. There are other projects occurring in the TIFF District that provide increment as well. The developer's agreement is a guarantee the difference between the City's bond payment with the increment is coming in. At the end of seven years, the developer's increment will more than cover the bond payment. The life of the bond is twenty years.

Councilor Clarenbach is concerned that future Councils could divert money away from the TIFF potentially leaving a gap to make up the difference to make the bond payment. He suggested adding language to protect Stevens Mill LLC from having to make up that difference by themselves if that were to happen. Milner replied that the language is in the covenant to protect both sides on this. If there is increment, it must be used to pay the bond.

There were no further questions or comments.

Roll call to approve the Stevens Mill 79-E application:

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

All in favor. Motion PASSED.

Mayor Giunta recognized Eric Chinberg who sincerely thanked the Council for helping to move this extraordinary project forward. This was a key component to make this all come together.

Agenda Item IV.

Council is to consider the adoption of the 2020 Continuity of Operations Plan (COOP).

**Motion-Councilor Desrochers moved that the Franklin City Council formally adopt the proposed Continuity of Operations Plan as prepared by Hubbard Consulting LLC.”
Seconded by Councilor Brown.**

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

Roll call vote:

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

All in favor. Motion PASSED.

Agenda Item V.

Council is to consider approval of the Cross Street Water Tank Cell Tower Lease Amendment #3.

Motion - Councilor Brown moved that the Franklin City Council authorize the City Manager to enter into amendment three to the original lease agreement between the City of Franklin, New Hampshire and U.S. Cellular for equipment modernization to the Cross Street Water Tank.

Seconded by Councilor Starkweather.

Mayor Giunta asked if there was any discussion.

Councilor Zink asked when the last increase was. City Manager Milner explained that this lease has a 2% yearly escalation and since this agreement is expiring in January, the City will be working on a new rate.

There was no further discussion.

Roll call vote:

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

All in favor. Motion PASSED.

Agenda Item VI.

Council to consider setting a public hearing regarding Resolution #07-21 to accept and appropriate \$45,000 from the State of New Hampshire Land and Water Conservation Fund for Daniell Park Improvements.

**Motion – Councilor Testerman moved that the Franklin City Council schedule a public hearing on Resolution 07-21 at 6:00 pm on November 2, 2020 to accept and appropriate \$45K from the State of New Hampshire Land and Water Conservation Fund for the renovation of the Daniell Park Bath House. To be read in title only.
Seconded by Councilor Desrochers.**

Mayor Giunta asked if there was any further discussion.

Councilor Zink inquired on the design and if it would have security measures in place to address the vandalism that occurs there.

Director of Parks and Recreation Krystal Alpers replied that there will be cameras and the cost is already included in the grant from NH Land and Water.

There was no further discussion.

Roll call vote:

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

All in favor. Motion PASSED.

Mayor Giunta read Resolution 07-21 in title only:

RESOLUTION #07-21

A Resolution Relating to a supplemental appropriation for Fiscal Year 2021.

Agenda Item VII.

Council to consider setting a public hearing regarding Resolution #08-21 to accept and appropriate Governor's Office for Emergency Relief and Recovery (GOFERR) monies thought the CARES Act for COVID-19 expenses.

Motion – Councilor Testerman moved that the Franklin City Council set a public hearing on Monday, November 2, 2020 at 6:00 p.m. regarding Resolution 08-21, appropriating up to the amount received of Federal Grant money under the CARES Act allocated to Franklin through the Governor’s Office of Emergency Relief and Recovery. To be read in title only.
Seconded by Desrochers.

Mayor Giunta asked if there was any discussion.

Councilor Zink referenced the Whereas clause that states \$206,402 was received and wondered if this was received.

Milner replied that she based the wording from a similar previous resolution for election money. The allotment for the City is up to \$206,402 and Milner stated that she is confident that the City will expend up to the allotted amount on PPE and other City related expenses that were not covered under last month’s resolution for election expenses.

There was no further discussion.

Roll call:

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

Mayor Giunta read Resolution 08-21 in title only:

RESOLUTION #08-21

A Resolution Relating to a supplemental appropriation for Fiscal Year 2021.

Councilor Desrochers requested a discussion on a non-agenda item regarding last month’s topic on spending \$250K on paving two parking lots. He does not support spending this amount of money on two parking lots at the present time and requested to allocate some money on street and sidewalk repairs. The Church Street lot can wait. He requested at least half be moved over to the MSD Department so they know they have it.

Motion – Councilor Desrochers moved that the Franklin City Council direct the City Manager to move \$125K from the Keegan and Church Street parking lot account to the Municipal Services Department for the purpose of repairing street and sidewalk paving, none of which to be done in the downtown area but in the outlining district.
Seconded by Councilor Testerman.

Councilor Brown reminded the Council that the Keegan parking lot was to be completed for the higher end apartments and suggested this be a discussion for the upcoming MSD Committee meeting. Franklin Savings Bank went out on a limb to help secure those buildings and the City agreed to help them with parking. Brown is not in support of this motion.

Milner agreed that this was previously discussed in a non-public meeting to support the IFA Project which has high end apartments. They need 18 spaces.

Councilor Clarenbach agreed with Desrochers and the Council should reevaluate how to fund roads and sidewalk repairs. The Council agreed to the Keegan parking lot so we are obligated to do it but not sure about the necessity of the Church Street parking lot. As chair of the MSD Committee, he will make this a topic at the November 4th meeting. Clarenbach stated that he is in support of this motion.

Councilor Dzujna is not in support of this motion at this current time and would like it to be discussed at the upcoming November 4th meeting as well.

Councilor Bunker asked what the affect would be if part of the \$250K wasn't used on the other repairs intended. Milner replied that the estimates for the parking lots came in under the allocated amount and therefore the savings would normally be used in other areas where money is needed. Bunker agreed with Desrochers that money should be moved to address the roads.

Councilor Testerman asked about the timing and asked when the high-end apartments would be completed. She is in support of waiting until the MSD Committee meets but then make a decision right away so the Citizens know things will be fixed.

Milner replied that the construction is behind schedule and bids are still coming in for paving. Paving on roads or parking lots likely wouldn't happen until the spring.

There was no further discussion.

Roll call:

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

6 in favor. Motion PASSED.

Agenda Item VIII.

Other Business

1. Mayoral Appointment
 - a) Mayor Giunta re-appointed Kathy Zink (Seat TT1) to the Trustees of the Trust Funds, term of service is 3-years to September 2023.
2. City Council Appointment
 - a) **Motion – Councilor Dzujna moved that the Franklin City Council appoint Ernest Fredette (Alternate Member seat #CEAB6) to the Code Enforcement Appeals Board, term of service is 3-years to September 1, 2023.**
Seconded by Councilor Clarenbach.

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

roll call:

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

All in favor. Motion PASSED.

3. Committee Reports

- a) Councilor Testerman provided an update on the Police Committee meeting regarding the Homeless problem. She stated that the Chief is addressing this and will report back to the Council.
- b) Bunker asked for an update on the issue on Stone Ave. Milner replied that she spoke with the Chief and agreed that it is a good agenda for the next Highway Safety Committee.

4. City Manager's Update

- a) Halloween will be held on October 31st from 4-8 p.m. Residents should take precautions and be respectful to those who do not want to participate.
- b) Milner acknowledged Councilor Bunker for reading the motion on the 79-E tonight.
- c) Contingent Grant Line Activity is zero for the month however Tractor Supply is donating two bags of dog food (approx. \$140 per month) for Comfort Dog Miller and additional items K9 Falco may need. A big thank you to the store manager, Ann O'Donnell.
- d) The Trust Fund for school funding is \$138.52
- e) The City Clerk's Office will be closed on October 6th and November 3rd for Elections.
- f) Milner requested the Council meet to Canvass the Votes on October 13th. The Council was in support of this date.
- g) Milner gave a big shout out to Director Alpers and Election Moderator Tam Feener for providing a solution for Head Start at Bessie Rowell during the Elections.
- h) The Peabody Home received approval from the USDA Development Committee which will allow the Peabody to move forward with their \$25M expansion project. Congratulations to the Peabody Home.

Mayor Giunta gave a shout out to Anthony Linardos and Eric Law for advocating this project at the Executive Senior level.

- i) Milner thanked the Police Department for their support in addressing the concerns that were brought forward during last month's City Council meeting with regards to the nefarious activity happening in the downtown area. Rotational patrolling of the downtown will occur which should make an impact.
- j) Milner congratulated Detective Poirier. Due to her role in the Franklin PD, she has been invited to be a Special U.S. Marshall which allows her to work at

the Federal Level in Domestic Violence. This will allow her more authority to address and move issues more efficiently.

- k) Trash Update – The MSD Committee will meet on November 4th to review the Trash Ordinance.
- l) Milner spoke on the Homeless problem. There is another group looking at this other than the Police Committee called the Wrap Around Group, who only address homeless school aged children. They are currently being replaced by another group but still to address homeless school aged children.

Laconia Police Officer Eric Adams contacted other surrounding community groups who experience the same homelessness issues. Adams is helping to create a new group who will look at solutions for addressing homelessness in all other age groups other than school aged children. Two Franklin employees and two Franklin business owners have stepped up to be involved in this new group. An update will be provided to the Council soon.

- m) The City will move forward under RSA 155-B to lien 90 Pleasant Street and take down the property since it has been abandoned by the owner after it burned many months ago.
- n) Milner gave a big thank you to Finance Director Pessy Gaudette and Business Administrator Jefferson Braman for aligning the City to set the tax rate on time this year.
- o) Milner attended the K9 Dinner/Fundraiser on Friday night at the Elks. They raised just under \$4K for K9s Falco and Miller. Kudos to those who organized that event.
- p) Congratulations to Christine Dzujna for receiving the Elk of the Year Award and thank you for all the work you do for the City.
- q) Under the Winni River Basin Program, an advisory board which included 10 communities have been looking at rising water/sewer costs. The City provided some funding for a study to be completed and whether a Utility Authority would be prudent in this situation. The result of the study was that a Utility Authority will be needed which means a transfer of some assets would be required. This could increase the City's ratepayers. Since this is not a good option, the City is looking at creating a commission similar to how the liquor commission operates. Some of the 10 communities that make up the Winni River Basin Program support some of these ideas and some do not so discussions continue on finding better solutions for Franklin's ratepayers. The Council and public may read some things in the paper. Please contact the City Manager if anyone has questions and needs clarification about what they may hear or read.

Mayor Giunta thanked the City Manager and Director Sullivan for staying on top of this multi-faceted issue.

Mayor Giunta thanked Tractor Supply for their continued donations and

asked Chief Goldstein to jointly draft and sign an appreciation letter for them.

- r) Councilor Testerman gave a shout out to Charlie Cody for the outstanding work he does for the City. He does outstanding work reconstructing the sewer drains.

Testerman highlighted the three buildings which are all on Pleasant Street that have burned and asked to look into a possible connection.

- s) Milner replied that the Broken Spoon may have had some funding issues and does not know why there's a delay in opening. Milner will follow-up on this and let the Council know what the cause might be.

Starkweather asked for a New Hampton Road update. Milner replied that the project is wrapping up around the end of October. The paving will be done over the areas that were disturbed and that is planned for the spring.

- 5. Late Items – there were none.

Motion to adjourn was made by Councilor Clarenbach and seconded by Councilor Brown.

Roll call:

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

All in favor. Motion PASSED.

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Audrey Lanzillo