



Approved as amended by City Council on August 5, 2019

City Council Meeting Minutes

July 1, 2019 – 6:00 p.m.

Council Chambers, City Hall

Call to order

Mayor Giunta called the meeting to order in Council Chambers at 6:04PM

City Council in attendance:

Mayor Tony Giunta, Councilor Jo Brown, Councilor Scott Clarenbach, Councilor Bob Desrochers, Councilor George Dzujna, Councilor Kathy Rago, Councilor Vince Ribas, Councilor Starkweather Councilor Karen Testerman, Councilor Paul Trudel.

Others in attendance:

City Manager Judie Milner

Mayor Giunta wished everyone a Happy Fourth of July and mentioned that he almost wore his tie that has the U.S. Flag on it.

Salute to the flag was led by Judie Milner.

The first order of business was to open a public hearing for Ordinance #03-20 at 6:05PM.

Ordinance #03-20 – An Amendment to the Franklin Municipal Code Chapter 160-1 Fees, Water Commodity charged by the City of Franklin Water Department.

Mayor Giunta asked if there was anyone from the public who would like to speak. There was none. The public hearing on Ordinance #03-20 closed at 6:06 p.m.

The second public hearing on Resolution #02-20 opened at 6:06 p.m.

Resolution #02-20 – A Resolution authorizing the City Manager to file an application(s) under the NH Drinking Water State Revolving Fund Program (DWSRF) for a Water Main replacement.

Werner Horn Ward 2 resident voiced his concern regarding Franklin's water mains. Mr. Horn asked how much of Franklin's water pipes are 100 years old and what would this Resolution do to mitigate the old pipes.

Municipal Services Director Brian Sullivan stood at the podium and replied that Franklin has 52 miles of water main pipes and 80% of that is pre 1950. The infrastructure is quite antiquated and pre-WWII, the pipe was made of Iron but due to the war, some was made

with asbestos. Some of that still exists now. It's not affordable to replace all of it so MSD looked at critical areas. Director Sullivan continued to explain that there is a lot of Tuberculation going on in the old pipes. This is an ongoing challenge for Franklin. Our water rates are not the highest in the state. He also emphasized that the number one concern is drinking water, then waste water, and trash. These three things are most important for public health safety.

The interest rate of 2.7% on this state loan will be for 20 years and is very competitive. Better than the USDA loan. There may possibly be some relief from the Drinking Water Trust Fund, outside of NHDES. An application will be sent in later in the fall to the Governor's appointed committee.

Resident Leigh Webb ward 3 asked where the asbestos pipe is, does it pose any health risks and is it a high priority to replace. Director Sullivan replied that there is a very minimal amount at the Vet's Project area (Liberty & Freedom street area). Sullivan reassured that the water is tested just as lead and mercury levels are state mandated and so is asbestos. The drinking water is safe. He concluded stating that it is a priority to replace it.

Resident Roy Gilbreth ward 2 stated every year he has treated the Council like a piñata when the water rates would go up but this year he is in favor of the increase because the infrastructure improvements are needed. He also stated that he researched what other towns are paying and found that Franklin is right in the middle. Mr. Gilbreth stated that it's best to get in front of this and deal with it now to avoid a problem if something breaks. He concluded by stating his appreciation to Director Sullivan and referred to him as the greatest Municipal Services Director he's seen here in Franklin in his life. Applause was provided to Director Sullivan.

Mayor Giunta asked if there were any further comments with regards to Resolution #02-20. There was none. The public hearing for Resolution #02-20 closed at 6:15 p.m.

The public hearing on Resolution #03-20 opened at 6:15 p.m.

Resolution #03-20 – A Resolution accepting and appropriating a USDA Grant for \$50,000 to be used toward the purchase of an ambulance.

Mayor Giunta asked if there were any comments or questions on Resolution #03-20. There were none.

The public hearing on Resolution #03-20 closed at 6:16 p.m.

Comments from the Public

Ed Prive resident on Terrace Road stated that he's lived in Franklin with his wife and son for fourteen years. He stated that during the Winni River Days Event, many kayakers and other people were lost trying to get to the event or they were using GPS to get around the Detour which still directed them down Terrace Road. Terrace Road is a dead-end road that pedestrians and residents use to walk but people were still driving too fast. Mr. Prive called the Police and asked if they could stay and monitor but was told that they could not. Mr. Prive thanked Director Sullivan for putting up new 25mph speed limit signs on Terrace Road. He offered to volunteer direct traffic on his road during the next City Event that closes Central Street.

Mr. Prive asked who paid for the EMTs and Police Traffic Control Patrol during the events over the past couple of weekends. City Manager Milner replied that the entities who held the events pay a fee for the Police Detail and Fire Watch.

Councilor Brown asked Police Chief Goldstein how many police officers we are down to which he replied four police officers. Mr. Prive concluded stating that he would like to see more money put into the Police Department and Schools. He believes that Franklin is going to be great but that means spending more money where it's needed.

Resident Scott Burns who lives on Ridge Road updated everyone on Pemi Youth Center's latest activities. There is a new director and students are out planting flowers. There will be a fundraiser coming and a dinner planned for August 10th at the Elks Club. See Mr. Burns if you would like to purchase a ticket.

Gary Brassard central street resident asked the Council if the Trump sign on the Corner of Sanborn and Central is legal. Mr. Brassard feels that there is selective enforcement going on because a few years back when Glen Morrill ran against Mayor Merrifield, he had a sign of the same size on his property that he allowed to be there and was told by the City that he had to remove it.

Planning and Zoning Director Dick Lewis replied that there was another complaint recently so he spoke with the City Attorney who believes that the City doesn't regulate the size or location of election signs so there isn't much the City can do about it. This isn't the official confirmation so once Director Lewis receives this in writing from the City Attorney, he will forward it to the City Council and Mr. Brassard.

Werner Horn ward 2 resident stated that he attended the Education for the 21st Century Informational meeting on June 25th and he heard a City Council person say that they receive a stone face response from the School Board every time they try to reach out. He continued to add that he's been coming to City Council meetings for the past three years to express his concern over many important issues and he receives stone faces from the City Council. Mr. Horn would like everyone to stop stone facing each other, put egos aside, and begin working together.

Mayor Giunta asked if there were any more comments from the public. There were none. Public Comment closed at 6:30 p.m.

Legislative Comments

Representative Werner Horn 1st and 2nd district Merrimack County, Franklin ward 2 and the community of Hill stated that the state budget was voted on this past week and he after careful scrutiny provided an explanation of the misappropriation of tax dollars in certain areas and why he voted against the budget. He concluded stating that he will keep voting for adequacy reform and there is a continuing resolution that will be good for 90 days. At the end of 90 days, another vote will be taken to have another continuing resolution or to pass an updated budget. There were no questions or comments for Representative Horn.

Councilor Rago asked about the state's \$200M+ surplus and how it will be used. Representative Horn replied that the full amount isn't known at this time but was acquired from a one-time windfall and will be applied to operational expenses.

There were no further Legislative updates for the Council.

City Council Acknowledgements

Councilor Dzujna acknowledged Carol Goldstein for her assistance with the Legislative Code of Conduct. One of the requirements was to wear cravats. Mrs. Dzujna handed each of the Council members a cravat.

Councilor Desrochers requested a moment of silence for the following: Gerard Colby who served with the New Hampshire National Guard and Vietnam 1968 who passed away a couple of weeks ago from Agent Orange. Also, for Walter Holden who served with the U.S. Army during WWII. Councilor Desrochers also acknowledged the 7 marines who were recently killed during the horrific motorcycle accident in Randolph New Hampshire and brought attention to the first responders who were at the scene.

There were no further City Council Acknowledgements.

Mayor's Update

Mayor Giunta shared his excitement with all that is going on downtown. There is something fun going on almost every weekend. The christening of Kayak man was a great way to kick-off Winni River days.

Agenda Item I.

Council to consider the minutes of the May 20th Special City Council LEAN Update Meeting and minutes of the June 3rd City Council Meeting.

Motion - Councilor Dzujna moved that the Franklin City Council approve the minutes of the May 20th Special City Council LEAN Update Meeting and minutes of the June 3rd City Council Meeting.

Seconded by Councilor Desrochers.

Councilor Ribas stated that he provided some edits to Audrey Lanzillo this morning. There were no objections to the edits.

All in favor. Motion PASSED.

Mayor Giunta stated that he would like to move agenda items 5 & 6 up next on the agenda.

Agenda Item V.

Council to consider approval of Ordinance #03-20, amending the Franklin Municipal Code, Chapter 160-1 Fees, Water Commodity Fees, charged by the City of Franklin's Water Department.

Motion – Councilor Dzujna moved that the Franklin City Council approve Ordinance #03-20, amending the Franklin Municipal Code, Chapter 160-1 Fees, Water Commodity Fees, charged by the City of Franklin's Water Department by a roll call vote.

Seconded by Councilor Desrochers.

Councilor Rago asked for clarification on the amounts that the fees are changing to. City Manager Milner confirmed that it is changing from \$6.65 to \$7.32. This will affect households of a family of four, approximately \$61.00 per year.

City Manager Milner stated that this increase is to help pay for the \$3.6M, 20-year loan. Councilor Rago pointed out that the impact statement on the CAR refers to this being a 30-year loan however Milner replied that it is written incorrectly. It is in fact a 20-year loan with forgiveness.

Councilor Desrochers pointed out the increases over the past six years which total \$2.90 and stated that it is too much and he would only support half of that but not this amount. He concluded stating that we need to do better and not just increase rates because something needs to be fixed. There should be a better plan.

City Manager responded stating that we would not be able to make the 1st payment for the loan/grant if we only increased by half. She also stated that the increase will generate the amount for the payments of \$152K per year and comes from the water users only and not all taxpayers.

Councilor Ribas asked Director Sullivan what other large projects are coming in the future. Director Sullivan replied that Bow street needs work, and the Salisbury Road Tank is having problems, not to mention all 52 miles of pipes. With only 2,488 customers, the City just can't financially do all of them without rate increases.

Director Sullivan shared that the State of New Hampshire did a water infrastructure study and found that improvements across the state would cost \$30B. He also mentioned that people have no problem spending a few dollars a day on a bottle of water at the store however, they can turn on their faucet and get clean water. A good water system, is required for economic; it's a draw.

Councilor Dzujna stated that Franklin does not want what happened in Flint Michigan to happen here.

Councilor Trudel requested a presentation from Director Sullivan to show all the needs and priorities for the MSD projects. Director Sullivan replied that the City Manager and he were already speaking about this and they would like to plan for a fall presentation of the projects.

Director Sullivan stated that New England has a shortage of landfill areas and enormous challenges with solid waste. When the co-op contract runs out in 3-4 years, we are looking at more increases.

Councilor Clarenbach stated that the usage of water is going down which causes the current users to have to pay more. Maintaining all the old assets that don't get much use may need to be looked at also.

Councilor Starkweather shared that the City didn't raise the cost of water & sewer for many years and now the City has to play catch up. He asked Director Sullivan what the failure rate is on the Water Main coming in from the Sanbornton wells. Director Sullivan replied that there is a break history of approximately 8 failures with that main. The pipe dates back to the 1940's and is tuberculated.

Mayor Giunta asked Director Sullivan what the average daily demand has been. Sullivan replied that the average yearly usage is 525,000 gallons. Director Sullivan informed the Council that Franklin also has three water pressure zones due to the topography of the City.

Mayor Giunta further stated that due to the overabundance of water draw in our City, Franklin could easily double the usage of our system which is underutilized today. Mayor Giunta also explained that back in 2001, he was approached by Pennichuck Water Works and asked to bottle water from Franklin but unfortunately the City Council at that time did not support that idea. It would have been a great opportunity to get more users of our water which in the long run will reduce costs for the water tax base users. Mayor Giunta would like to see if this is a possibility again

and requested that this idea be presented again. Director Sullivan responded that along with more water usage come wear and tear and additional maintenance. The City would need permitting for larger water withdrawals. Mayor Giunta added that back in 2001, Pennichuck was willing to pay for all the upgrades as well.

Councilor Rago asked if this vote would bind or obligate future Councils. City Manager Milner replied that Debt falls under the Municipal Finance Act and requires a vote by the Council for bonding. It can be approved by future Councils. Rago then asked what happens in twenty years when this loan is repaid. Milner responded that over the past twenty years at least, once the loan is paid, the next priority deferred project will begin. For the Water Department, the 1st note doesn't expire until 2026/2027 however this project is critical and cannot wait to begin until then.

Mayor Giunta asked Director Sullivan that DES will receive the results from this evening's discussion and based on this will determine if the loan will be approved. Sullivan stated that this is a difficult discussion to have with the City Council and understands their reservations. His major concern is running things until they fail.

Councilor Desrochers asked where did the money go that was raised with the increase in June. City Manager Milner stated that it went toward operating expense increases for the FY2020 budget.

Councilor Rago asked if the City should be concerned with regards to what happened in Flint Michigan. Director Sullivan stated that with the state regulations getting stricter, the City is happy to have the new water treatment plant in place so Franklin does not have the same issues that Flint had.

Mayor Giunta stated that if the main breaks, the residents will be packed in City Hall. He then asked Director Sullivan when he thinks the main will break further asking if it will break in July or in the winter when it's below zero.

Councilor Testerman stated that with the money water users have saved over the past by installing water saving toilets and the like, that money saved is now needed to help pay for the loan to do the maintenance that the City critically needs.

Councilor Clarenbach mentioned that the City has to follow the state regulations no matter what they change.

Councilor Ribas supports this project but asked if it could wait until next year and re-apply for the loan next year assuming interest rates and the cost of materials would rise. We have great rates now but we can't predict what emergencies may happen. Director Sullivan agreed that interest rates keep rising and contractors need a year in advance to schedule this type of work. Putting this on hold doesn't guarantee the City will see the same opportunity. Sullivan is still aggressively pursuing the Water Trust Fund money from the state which will help this situation.

Councilor Desrochers requested that Mayor Giunta call the question. Councilor Ribas seconded. All in favor. Motion PASSED.

Mayor Giunta called for the roll call vote.

ORDINANCE 03-20

An Amendment to the Franklin Municipal Code:

In the Year of our Lord, Two Thousand and Nineteen,

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 charged for services provided by the City of Franklin Water Department be changed as follows:

	Current		New
	Fee	Change To	Fee
Water Commodity Charge Per 100 cubic feet	\$ 6.65		\$ 7.32

Fee to be Effective July 1, 2019, by a roll call vote.

Roll Call:

Councilor Brown Yes Councilor Dzujna Yes Councilor Ribas Yes

Councilor Clarenbach Yes Councilor Lauer-Rago Yes Councilor Testerman Yes

Councilor Desrochers Yes Councilor Starkweather Yes Councilor Trudel Yes

All in favor. Motion PASSED.

Agenda Item VI.

Council to consider approval of Resolution #02-20, authorizing the City Manager to file an application(s) under the State of New Hampshire Drinking Water State Revolving loan Fund Program (DWSRF) for a Water Main Replacement and designate the City Manager as the authorized representative to sign all necessary paperwork.

**Motion – Councilor Testerman moved that the Franklin City Council approve Resolution #02-20 by a roll call vote.
Seconded by Councilor Clarenbach.**

Mayor Giunta asked if there was any discussion with regards to the motion. There was none. Mayor Giunta called for the roll call vote.

RESOLUTION 02-20

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

WHEREAS, the City of Franklin, Franklin, New Hampshire after thorough consideration of the nature of its water system needs, hereby determines that the undertaking of certain works, generally described as New Hampton Road Water Main Replacement Project is desirable and in the public interest, and to that end it is necessary to apply for assistance from the State of New Hampshire Drinking Water State Revolving Fund (DWSRF); and

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

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

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

Roll Call:

Councilor Brown Yes Councilor Dzujna Yes Councilor Ribas Yes

Councilor Clarenbach Yes Councilor Lauer-Rago Yes Councilor Testerman Yes

Councilor Desrochers Yes Councilor Starkweather Yes Councilor Trudel Yes

All in favor. Motion PASSED.

Mayor Giunta requested to move Agenda Item III up as well due to Director Sullivan needed to get home as soon as possible this evening.

Agenda Item III.

Swearing in of Deputy Municipal Services Director Justin Hanscom was completed by City Clerk Katie Gargano. All applauded.

Director Sullivan stated that Justin Hanscom is well qualified to step in as the Deputy as he has worked for the City previously, left and then returned.

Returned to normal sequence of the agenda.

Agenda Item II.

The monthly school update was provided by Superintendent Dan LeGallo. He began with the good news first and stated that this year's teacher retention rate is 90-95%. Safety projects are beginning at all three schools but it may not be complete by the start of the next school season. The next LEAN meeting is scheduled for July 22nd at 6 p.m. and the plan is to review the skills matrix for the administrative team. The strategic plan will also be reviewed and will begin merging the two together as much as possible. Some new goals were added to the strategic 5-plan. The bad news is the state money the schools were hoping to receive is not coming.

Councilor Trudel asked if Superintendent LeGallo had any luck locating the minutes that referenced a SWOT analysis being planned. LeGallo mentioned that future discussions with LEAN Expert Richard Ellert will include having a SWOT analysis. Councilor Trudel further mentioned that he remembered that the idea was brought to the school board and a vote against it was made. Superintendent LeGallo stated that he couldn't speak for others but

Councilor Dzujna stated that he was not able to attend the previous school board meeting and wondered if the LEAD Action Team came in to speak with them. LeGallo confirmed that they did and a couple of school board members volunteered to be on their committee. Scott Burns is one of the two volunteers. Dzujna also asked if there were any students that attend Franklin schools whose parents do not live in Franklin. LeGallo stated that he wasn't aware of any however there is one student from Belmont that pays tuition attend school here.

Mayor Giunta asked how much the tuition is for that student and LeGallo stated that Jefferson actually does a calculation on that so he wasn't sure what the amount is because there are a few pieces to calculating it. LeGallo also clarified that the administrative unit from Belmont pays the tuition, not the student themselves. He offered to send Mayor Giunta that number once he receives it from Jefferson.

Superintendent LeGallo thanked Councilor Ribas for stepping up and taking Councilor Heather Moquin's place for the Strategic Planning Meeting. Ribas was very helpful to the School in that process. Ribas added to LeGallo's comment stating that it was a great meeting with a lot of positive discussion.

Agenda Item IV.

The Mayor's Drug Task Force Kandyce Tucker provided an update of her recent activities to the Council.

Kandyce stated that this was the first year that she had students represent her during Youth Government week. The students came up with the name for the first annual 5k race calling it Step-by-Step 5k for Prevention. Between the 50/50 raffle and the race, a little over \$1K was raised for their very first 5k race.

She further provided an update on the Business Lunch and Learn regarding navigating substances in the workplace. LRGHealthcare Corey Gately, Franklin Fire Chief Foss, and Giordano Consulting LLC Stephen Jordan were the three speakers for the Lunch and Learn.

Kandyce is working with the school board and others on a vaping network regarding the policies around vaping. She is also working with the Department of Public Health on "beginning of the year" packets for teachers and for parents. Anti-vaping posters are being made for the school walls.

A video PSA is being created and will be played at Smitty's at the beginning of the movie play time.

Lastly, the FYI Coordinator Amber Roosh is staying on board. The Middle School FYI program will be revamped. One new part will be the creation of a mentorship between middle school students and high school students.

Councilor Testerman asked Kandyce if she has coordinated with Senator Jeanne Shaheen's office yet because they are also making strides against vaping. Kandyce replied that she has not as of yet but she attended a conference in DC recently and although Jeanne Shaheen wasn't able to attend that, Kandyce spoke with a couple of Jeanne's staff members on the subject. Kandyce is working on a face-to-face with Jeanne sometime soon.

Mayor Giunta mentioned that at the recent Mayor's Drug Task Force Step by Step 5k, there were a few issues with the point at which runners needed to turn around so there were a few runners who were upset.

Councilor Dzujna thanked Kandyce for her hard work and participation in other City events. Applause was provided to Kandyce.

Agenda Item VII.

Council to consider approval of Resolution #03-20, accepting and appropriating a USDA Grant in the amount of \$50,000 to be used toward the purchase of an ambulance.

Motion – Councilor Ribas moved that the Franklin City Council adopt Resolution #03-20 to accept and appropriate grant funds in the amount of \$50,000 from the United States Department of Agriculture to be used towards the purchase of the Franklin Fire Department’s replacement Ambulance Two. I further move that the City Council authorize the City Manager to execute all documents associated with the grant.

Seconded by Councilor Starkweather.

Councilor Rago asked what the interest rate is for the 7-year note. Milner replied that it is 2.49% through the Franklin Savings Bank. The annual payment would be approximately \$30,000 and has been incorporated in the FY2020 budget.

Mayor Giunta asked if there were any further questions. There were none.

Mayor Giunta requested the roll call vote.

RESOLUTION #03-20

A Resolution Granting Authority to Accept and Appropriate a USDA Rural Development Grant to be used Towards the Purchase of a New Ambulance.

In the year of our Lord, Two Thousand Nineteen,

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 Council of the City of Franklin recognizes the need for two ambulances to provide Emergency Medical Services to the community members of Franklin, **and**;

WHEREAS, at their regularly scheduled meeting of the Franklin City Council on Monday February 4th, 2019, the Franklin City Council adopted Resolution #11-19 which authorized the City Manager to enter into a 7-year note, not to exceed \$250,000 towards the purchase of the replacement Ambulance Two, **and**;

WHEREAS, the Franklin City Council recognizes that a grant application has been filed with USDA to help offset cost of this purchase and that any grant funds awarded for this purchase will decrease the amount to be borrowed, **Now**;

THEREFORE, BE IT RESOLVED, *that at their regularly scheduled meeting of the City Council on Monday, July 1, 2019, the City Council of Franklin, New Hampshire does hereby adopt resolution #03-20 to accept and appropriate grant funds, in the amount of \$50,000, from the United States Department of*

Agriculture to be used towards the purchase of the Franklin Fire Department's replacement Ambulance Two.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council authorize the City Manager to execute all documents associated with the grant, and further authorizes an increase in Fiscal Year 2020 revenues and expenses:

Revenue: Federal Grant Acct. No. 01-0-000-33110-000, Fifty Thousand Dollars (\$50,000)

Expenses: Fire Admin CO Vehicles Acct. No. 01-2-201-40760-000, Fifty Thousand Dollars (\$50,000)

By a roll call vote.

Roll Call:

Councilor Brown Yes Councilor Dzujna Yes Councilor Ribas Yes

Councilor Clarenbach Yes Councilor Lauer-Rago Yes Councilor Testerman Yes

Councilor Desrochers Yes Councilor Starkweather Yes Councilor Trudel Yes

All in favor. Motion PASSED.

Agenda Item VIII.

Council to consider granting the Municipal Services Director pre-award authorization for four vendors that provide proprietary services to the Franklin Water and Sewer Departments.

Motion – Councilor Testerman moved that the Franklin City Council, pursuant to Article III, Section 4-15, B (3) and Article III, Section 4-15, E (1) of the Franklin City Code, grant pre award authorization to the Municipal Services Director to contract, for fiscal year 20202 with the following service providers:

- **E.J. Prescott Company, Concord NH**
- **Barrie Miller Well and Pump Company, Antrim NH**
- **Northeast Integration, LLC, Portsmouth NH**
- **Robert Filters, Inc., Media PA**

Seconded by Councilor Ribas.

Councilor Rago requested information on the reason for this bid process whether it was done previously or recently. City Manager Milner explained that the purpose falls under Water and these are the only businesses that work on the system. Rago asked if they provided us a fair rate and how do we know that it is a fair rate. Milner replied that part of the Asset Management Planning was to look at the software and the technology Infrastructure and the City feel's confident that the right technology is in place and is getting a good price and these are the only folks who do this kind of work.

City Manager Milner went into further detail about when the City would begin the bidding process. She provided the Asset Management Plan to Council which contains a listing of all the useful life of all City assets including the water components. That list is monitored and addressed accordingly.

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

All in favor. Motion PASSED.

Agenda Item IX.

Council to consider authorizing the Fire Department Administration to sell surplus fire and EMS equipment and use the proceeds generated from this sale toward a replacement stretcher and other EMS equipment.

**Motion – Councilor Trudel moved that the Franklin City Council authorize the Fire Department Administration to sell and/or scrap the accumulated surplus fire and EMS equipment. The proceeds from this sale will be used towards a replacement Stryker Power-Pro XT stretcher and other needed EMS equipment.
Seconded by Councilor Desrochers.**

Councilor Dzujna Thanked God for the LEAN process. Laughter was heard at the comment.

Councilor Ribas asked Fire Chief Foss if there is any market for these items. Chief Foss stated that there is a market for some items such as the stretcher and Highland Mountain Bike Park is interested in purchasing it. Some of the Fire Department Staff, past employees, the National Fire Department, and a few residents have shared their interest in purchasing the Fire Boxes/Street Boxes. They have been sitting in a shed for many years. Chief Foss will pursue valuing the boxes and then proceed to the next steps of selling them at the best price.

Councilor Dzujna asked if these Fire Boxes are still being used throughout the City. Chief Foss responded stating that there are still a few and a few of these boxes will be saved for parts to maintain the system and the rest will go.

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

All in favor. Motion PASSED.

Agenda Item X.

Council to consider approving the City of Franklin's Code of Conduct for Elected Officials and Appointed Board Members.

Motion – Councilor Desrochers moved that the Franklin City Council approve the Code of Conduct for the elected officials and appointed board members policy. Seconded by Councilor Trudel.

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

All in favor. Motion PASSED.

Agenda Item XI.

Council to consider setting a public hearing on August 5, 2019 regarding Ordinance #05-20, banning Kratom Citywide.

Motion – Councilor Testerman moved that the Franklin City Council set a public hearing for 6:00 p.m. at the August 5, 2019 meeting of the City Council for Ordinance #05-20 to amend Chapter 254, Article 1 Sale and Possession of illegal smoking products to include Kratom. Seconded by Councilor Dzujna.

Councilor Ribas moved to amend the motion and read in title only. Mayor Giunta replied that this Ordinance must be read and thanked Councilor Ribas for his consideration. Councilor Ribas withdrew his request to read in title only.

All in favor of setting the public hearing. Motion PASSED.

Mayor Giunta asked Police Chief David Goldstein to read the Ordinance since he is familiar and can read the medical contents of the drug. Chief Goldstein read the following.

ORDINANCE #05-20

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Nineteen;

Be it ordained by the City Council of the City of Franklin to amend the Franklin Municipal Code, Chapter 254 to add the substance Kratom to prohibited activities.

Chapter 254-1 of the Code of the City of Franklin is hereby amended to include the substance Kratom in 254-1 prohibited activities as follows:

254-1 Prohibited Activities:

It shall be unlawful for any person to use, possess, purchase, attempt to purchase, sell, offer to sell, give away, deliver or publicly display for sale any illegal smoking products (which

includes but is not limited to the product known as "K2", "spice" or "Kratom") within the City limits of the City of Franklin, New Hampshire

(14)

(α E,2S,3S,12bS)-3-ethyl-1,2,3,4,6,7,12,12b-octahydro-8-methoxy- α -(methoxymethylene)-indolo[2,3-a]quinolizine-2-acetic acid methyl ester (CAS Registry Number: 4098-40-2). Other names: (E)-16,17-didehydro-9,17-dimethoxy-17,18-seco-20 α -yohimban-16-carboxylic acid methyl ester, 9-methoxycorynantheidine, and SK&F 12711 also known as Mitragynine or Kratom (*Mitragyna speciosa*).

By a roll call vote.

Applause was provided by all to Chief Goldstein for reading the above so eloquently.

Councilor Dzujna asked if any of those compounds change, does it change the whole drug. Chief Goldstein responded that yes it does change the drug however on the state and local level, wording is added that reads, "to include but not limited to" to avoid too many issues of exact compound descriptions.

Agenda Item XII.

Other Business

1. Resignations/Appointments

- a. Mayor Giunta stated that Brian Barry has resigned on the Planning Board due to his retirement. He asked if the resignation was sent to Dave Liberatore President of the Planning Board. Planning and Zoning Director Dick Lewis replied that Dave did receive it and accepted Brian's resignation. Mayor Giunta stated that he will also accept Brian's resignation however not just ready to appoint someone at this time.
- b. Council Appointments/Resignation
 - i. **Motion - Councilor Ribas moved to accept Brian Barry's resignation on The Concord Regional Solid Waste Resource Recovery Cooperative (Alternate Seat), the Winni River Basin Advisory Board, and the Transportation Advisory Board. Seconded by Councilor Testerman. Mayor Giunta asked if there was any discussion. There was none. All in favor. Motion PASSED.**
 - ii. **Motion – Councilor Ribas moved that the Franklin City Council appoint Justin Hanscom to The Concord Regional Solid Waste Resource Recovery Cooperative (Alternate Seat), Term of service is the remainder of the current term to December 2020. Seconded by Councilor Brown. Mayor Giunta asked if there was any discussion. There was none. All in favor. Motion PASSED.**
 - iii. **Motion – Councilor Ribas moved that the Franklin City Council re-appoint Brian Sullivan to the Winni River Basin Advisory Board (Primary Seat), Term of service is from July 1, 2019 through June 30,**

2020. Seconded by Councilor Trudel. Mayor Giunta asked if there was any discussion. There was none. All in favor. Motion PASSED.

- iv. Motion – Councilor Testerman moved that the Franklin City Council appoint Justin Hanscom to the Winni River Basin Advisory Board (Alternate Seat), Term of service is one year from July 1, 2019 through June 30, 2020. Seconded by Councilor Brown. Mayor Giunta asked if there was any discussion. There was none. All in favor. Motion PASSED.**
- v. Motion – Councilor Ribas moved that the Franklin City Council appoint Brian Sullivan to the TAC Committee (Primary Seat), Term of service is one year from July 1, 2019 through June 30, 2020. Seconded by Councilor Trudel. Mayor Giunta asked if there was any discussion. There was none. All in favor. Motion PASSED.**
- vi. Motion – Councilor Ribas moved that the Franklin City Council appoint Justin Hanscom to the TAC Committee (Alternate Seat), Term of service is one year from July 1, 2019 through June 30, 2020. Seconded by Councilor Trudel. Mayor Giunta asked if there was any discussion. There was none. All in favor. Motion PASSED.**

2. Committee Reports

- a. Councilor Brown provided an update on the June 25th meeting for Designing Franklin’s Education for the 21st Century. Brown stated that it was well attended. She informed everyone that the entire presentation along with the notes is available on the Designing Franklin’s Education area of the City Website. Brown shared the 6 areas of focus which were recommended by the public and discussed among the committee to bring forward. First, she congratulated Superintendent LeGallo on the retention of teachers this year as it has been a concern in the past.**
 - i. Consolidation in the City and School Financial Operations and Buildings and Grounds support.**
 - ii. Streamline SAU**
 - iii. Take teachers seriously/Look at nonacademic areas first for cuts**
 - iv. Push transparent budgets on both sides**
 - v. Consider contracted teachers to teach special areas and look at Funding for America for help with funding academics in Cities like ours.**
 - vi. Administration Support to include time for Professional Development.**

Councilor Brown stated that she will track these items throughout the year. If consolidating isn’t possible, at least we can do better at coordinating. A few months back when certain financial information was requested from the school, due to the differences in formatting financial information between the school and the City, it made it difficult to get. Thank you to Chris Kneeland, Carol Hodgdon, and Sandra Burney for all their help with this committee. Also, thank you to Audrey Lanzillo for keeping the website up-to-date.

Mayor Giunta stated that he recently met with Andy Curland, CEO of Vitex and Mr. Curland shared that a 2.2-2.5% unemployment rate is natural. Franklin is at 1.8% so there just aren't many people to fill their positions.

3. City Manager's Update by City Manager Judie Milner
 - a. Contingent Grant Line Activity is \$453.49 from the Hannaford Kiosk to the Fire Department.
 - b. \$583.00 in donations was received from Miller, of which approximately \$400.00 was from Debra Polosky, Gail Miller, and the Gordon Family.
 - c. Trust fund for school funding - \$69.26
 - d. A CDFA Tax Credit Award for \$500,000 was received for Mill City Park. The Press Conference was held on June 18th. Franklin received the highest amount of CDFA tax credits out of many other great projects. The executive director of CDFA pointed out Franklin's project in her speech and again when the award was presented. People are talking about Franklin, what we're doing, and how it changes the region. Milner is very proud to ask the Council to appropriate that money very soon.
 - e. Winni River Days – Congrats Mill City Park Board & Krystal Alpers for doing an amazing job coordinating. Thank you, Citizens of Franklin for your patience! These are the things we need to do to attract new businesses.
 - f. Kayak Man Unveiling – thank you MSD & Audrey for helping set up. Mayor Giunta was in a full suit christening Kayak man. Milner asked everyone to please hashtag pictures of yourselves with Kayak man.
 - g. Thank you Mayor Giunta for allowing us to submit for the USDA funding. We were awarded \$50k for an ambulance.
 - h. The Jmilner email address is ending on 6/30/19. This was the former Finance Director's email address but is no longer active.
 - i. 7/22/19 – Mill City Park is having a Forum at Franklin Lodge of Elks@ 6:00 p.m. – Milner thanked Jack Benson for organizing that.
 - j. LEAN: roadmap update date will change to 7/29/19 6pm at Bessie Rowell Community Center.
 - k. Milner stated that the Education 101 forum & Education for the 21st century forum went very well. Unfortunately, the state budget wasn't passed but it is still important for the community to remind our lawmakers that education funding is very important to the City of Franklin.
 - l. Milner thanked the residents once again for their patience during the FSB 150-year event downtown. Franklin Savings Bank has been an engine for this Economic Revitalization. We couldn't have moved forward without Franklin Savings Bank. They think outside the box and managed to give a quarter of a million dollars to the White Water Park. The City is so very proud to have them as a community partner.
 - m. On June 7th, Mayor Giunta and City Manager Milner attended the New Hampshire Planners Association NHPA's annual award ceremony where Mill City Park was awarded project of the year. Milner stated that when you hear many other planners talking about your project, it feels really good. This was prior to learning that Franklin won the CDFA Award.

- n. On June 12th, the 6th grade AP Social Studies did a project presentation to the City Council and other Directors regarding the piece of property that is next to Shop Express sharing their ideas on what to place there. They had some great ideas. One being an arcade and the other being a drive-up delivery grocery store. Kudos to the Social Studies Teacher for that.
- o. City Manager Milner had a visit from Congresswoman Kuster's office on June 20th. Amy Slattery does an amazing job of pointing what has changed since her last visit. Kuster's office is writing letters to support our Opportunity Zone grants.
- p. Milner gave a special acknowledgement and thanks to the Franklin Police Department. Even though they are 4-5 officers short; they made this month's events work. The Police Officers told residents that it is these types of events that make them want to stay here in Franklin. She hopes the PD knows how much they are appreciated. Applause was heard by all.
- q. WMUR will be in Franklin tomorrow doing a piece on revitalization in communities that are in the middle of their revitalization. They will be speaking to Marty Parichand and Todd Workman.

Mayor Giunta asked if there were any questions for the City Manager.

Motion to adjourn was made by Councilor Clarenbach. Seconded by Councilor Ribas. All in favor. Motion PASSED.

Meeting adjourned at 8:21 p.m.

Respectfully submitted,

Audrey Lanzillo