



City Council Meeting Minutes
Monday, December 7, 2020 - 6:00 p.m.
Webmeeting via Zoom

	Location
Mayor Giunta	Remote
Councilor Jo Brown	Home in the room alone
Councilor Scott Clarenbach	Home in the room alone
Councilor Bob Desrochers	Home in the room alone
Councilor George Dzujna	Home with his wife Christine
Councilor April Bunker	Home in the room alone
Councilor Ted Starkweather	Home in the room alone
Councilor Olivia Zink	Home in the room alone
Councilor Karen Testerman	Home in the room with her dog
Councilor Paul Trudel	Home in the room alone

Others in attendance: City Manager Judie Milner, Police Chief David Goldstein, Fire Chief Michael Foss, Director Krystal Alpers, City Clerk Katie Gargano, Finance Director Pessy Gaudette, Director Brian Sullivan, Deputy Director Justin Hanscom, Director Dick Lewis, Attorney Sarah Rubury, and members of the public.

Mayor Giunta called the meeting to order via Zoom at 6:02 p.m. He then read the Compliant Right-to-Know Law During a State of Emergency.

Salute to the Flag was led by Fire Chief Michael Foss.

Public Hearings

Community Development Technical Assistance Block Grant.

The Public Hearing on the Proposed Hotel Feasibility Study opened at 6:10 p.m.

Mayor Giunta stated the following:

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, up to \$500,000 for public facility, up to \$500,000 for housing projects and up to \$350,000 for emergency activities that directly benefit low and moderate income persons. Up to \$25,000 is available for planning study grants.

This is a proposed application to the Community Development Finance Authority for up to \$25,000 to conduct a hotel feasibility study and identify potential sites. The majority of Franklin residents are of low and moderate income.

This project conforms with Franklin's Housing and Community Development Plan's Goal of: Participate in economic development activities. (Short and Long Term Goal)

Funding request: up to \$25,000

City Manager Milner stated that handouts and information on this topic was made available on the City Website and in the packet, which was also available on the City Website.

Mayor Giunta asked the public if there were any comments or discussion. There were none.

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

The Residential Antidisplacement and Relocation Assistance Plan.

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

Mayor Giunta stated the following:

This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the City were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

This project is just a study, no displacement or relocation will occur.

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

The public hearing closed at 6:14 p.m.

Resolution #09-21, a Resolution to accept and appropriate \$720,613 of adequacy revenue, grant revenue, and prior year fund balance to the Franklin School District.

The public hearing opened at 6:14 p.m.

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

The public hearing closed at 6:15 p.m.

Resolution #10-21, a Resolution to accept and appropriate \$10,132 from the Raymond and Betty Turcotte Expendable Trust Fund for the purchase of a new Pentheon Combination Extrication Tool.

The public hearing opened at 6:15 p.m.

Mayor Giunta asked if there was any discussion.

Ward 2 Resident Tamara Feener, asked what the Trust Fund balance is and when it was created. City Manager Milner replied that the Raymond and Betty Turcotte Expendable Trust Fund has a current balance of \$93,795.89 and this amount is prior to the Council approving the purchase of the extrication tool. Milner further stated that she would inquire on the opening date of the trust fund and respond back to Feener as well as the Council on those details.

There were no further questions or comments. The public hearing closed at 6:18 p.m.

Resolution #11-21, a Resolution to accept and appropriate \$62,904 of grant funds from the NH Department of Safety for improvements to the Franklin's Emergency Operations Center at the Franklin Fire Station. The public hearing opened at 6:18 p.m.

Resident Tamara Feener requested a breakdown of how the funds will be spent on the improvements. Councilor Desrochers called attention to agenda item # 6 in tonight's meeting packet which explained the breakdown. He further responded reading the breakdown list of the improvements planned.

There were no further comments on Resolution #11-21. The public hearing closed at 6:20 p.m.

Ordinance #04-21, an update to the Franklin Municipal Code Chapter 21, Article 1, Fire Hydrants, Sections 21-1 and 21-2. The public hearing opened at 6:20 p.m.

Resident Leigh Webb, Ward 3 asked the Council how much the fee is for inspecting the privately owned hydrants and how many are there. City Manager Milner stated the fee is \$250.00 and there are currently 30 hydrants.

There were no further comments from the public. The public hearing closed at 6:22 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.

Councilor Desrochers requested a moment of silence for all veterans on this historic anniversary of Pearl Harbor and the many veterans who commit suicide every day. He mentioned both his father and the Mayor's father who are both veterans.

Mayor Giunta spoke of his father who served in WWII during the Battle of the Bulge and suffered a great deal where he almost froze to death. That experience could never be forgotten so when his father came home from the War, the thermostat was always at 80 degrees. He never wanted to be cold ever again.

Councilor Brown wished to pay tribute to the 21 veterans recently lost in local veteran's homes where they are having a very difficult time with staffing in recent weeks. Her daughter works there and has recently been quarantined due to the pandemic. She requested that everyone keep them all their prayers.

Councilor Testerman stated that she also has family who served in WWII and appreciated their recognition as well.

A moment of silence commenced at 6:26 p.m. in honor of each of our incredibly brave veterans. A special request was made by Mayor Giunta that each of us silently say a prayer during this moment of silence.

Resident Tammy Feener thanked Councilor Dzujna for his many amazing years of service on City Council. He will be greatly missed.

Feener also requested that agenda item XII, regarding the Ward 2 Election Location, be moved up. She then provided a list of advantages of continuing to utilize the Bessie Rowell Community Center as the Ward 2 Polling location and stated the disadvantages of returning to City Hall as a polling location.

Resident Leigh Webb asked if Police Chief David Goldstein had signed off on the new Police Contract under Agenda Item IX. Goldstein replied that he had.

Webb also asked if the City was aware of the status of the purchase arrangement between the Elks Club and Cumberland Farms. City Manager Milner explained that the Elks Club will move forward if the lease agreement is approved by the Council this evening.

There was further discussion between Webb and Milner on the purchase of the Ciao Pasta and Birke's properties due to contamination on or in close proximity of the properties which is in the process of being eradicated through Brownfields Grant Funds. Milner also explained that the City will not get stuck with the Birke's property if Cumberland Farms changes their mind on leasing this new location. Cumberland will have the option to buy the property during the term of the lease. Both agreed that there are many details to continue to work out and ensure that appropriate actions are taken to protect the City. It will be a great asset to the City Franklin.

Mayor Giunta thanked Mr. Webb for his questions.

The Mayor's Drug Task Force Coordinator Kandyce Tucker provided an update of upcoming events and outreach activities. They are helping to sponsor 12 families through the holidays. And also hoping to receive some extra programming money through the Partnership for Public Health in Laconia. A Strategic Leadership program will occur in January as well as an adult survey on substance abuse will be going out.

CITY COUNCIL ACKNOWLEDGEMENT

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

Councilor Starkweather gave a shout out to all the City and School Staff who have been working hard throughout this pandemic. They have been doing a fantastic job.

Councilor Dzujna recognized Julie Greenwood who is a product of the Franklin School System. She started in elementary all the way through High School. Miss Greenwood involved herself in Youth Government week for three years, volunteered in many community activities, and is currently studying nursing in North Carolina. She was recently inducted into the National Honor Society of Nursing and is a member of the Sigma Theta International Society. Dzujna stated that he is proud of her and the youth coming from the Franklin School System.

Councilor Zink acknowledged the Fire Department and those who helped to make Franklin's Downtown look beautiful. She stated that it raises the holiday spirit of people who are passing through our downtown.

MAYOR'S UPDATE

Mayor Giunta stated that he wanted to move through the agenda as quickly as possible and preferred to skip over his update this evening.

Councilor Desrochers requested to move Agenda Item XII. up however due to Attorney Sarah Rubury attending this evening to provide legal advice on Agenda Items X and XI., Mayor Giunta preferred to just go through the agenda as is and as quickly as possible so that she wouldn't have to wait longer as well.

Agenda Item I.

Council to consider the minutes of the November 2, 2020 City Council Meeting.

Motion – Councilor Trudel moved that the Franklin City Council approve the minutes of the November 2, 2020 City Council Meeting. Seconded by Councilor Dzujna.

Councilor Desrochers requested that a correction be made on page 2 where reference to “Election Official” was made. It should be corrected to “Elected Official”.

There were no further comments or corrections.

Roll call to accept 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	Yes

All in favor. Motion PASSED.

Agenda Item II.

School Board Update was provided by Superintendent LeGallo. He gave a shout out to the City Manager’s secretary Audrey Lanzillo for her assistance in uploading the school’s new mobile app up on the City Website and sending it out to all the subscribers.

LeGallo provided an update on the Manufacturing Initiative and hopes to share the enrollment numbers with the Council after the holidays.

LeGallo then stated that the school received a \$50K grant to support Staff Wellness however there are some concerns on next year’s revenue so they are watching their expenditures very closely. School Administrator Jefferson Braman explained the two components that will affect the adequacy aid projection for FY22, which is estimated to be \$1.324M less than anticipated. One of the reasons is due to the free and reduced enrollment numbers which has dropped due to the USDA allowing free meals for every student in the district regardless of the qualifying guidelines. This meant that many families who previously enrolled for free and reduced lunch, did not need to fill out the application during the pandemic. The school has begun reaching out to those families who had enrolled in the past and explained the necessity and other reasons to fill out the application. The deadline to get these applications returned to bring the numbers back up is the end of the school year.

Mayor Giunta stated that he has been on meeting calls with other Mayors and he is hearing the same issue occurring.

Braman stated that 11,000 students statewide have dropped off the Free and Reduced program.

Superintendent LeGallo then added that Commissioner Edelblut agreed that the current adequacy funding is unfair and when the next meeting with all the Superintendents is held, they will be discussing this problem.

Mayor Giunta stated that all the Mayors meet regularly and will also discuss this issue. Mayor Giunta will be drafting a letter to Governor Sununu on this issue and will request that the Governor be an advocate for New Hampshire.

Councilor Bunker stated that she would be happy to write the letter to the Governor on behalf of all the Councilors. Mayor Giunta was very appreciative of Bunker's offer to write the letter and stated that a letter endorsed by all the Councilors holds more weight than a letter only from the Mayor. He thanked Bunker and accepted her offer.

There were no further comments or questions for the Superintendent.

Agenda Item III.

Council to consider authorizing the City Manager to apply for a Community Development Block Technical Assistance Grant, a proposed grant up to \$25K and review of the Residential Antidisplacement and Relocation Assistance Plan.

Motion #1 – Councilor Trudel moved that the Franklin City Council authorize the City Manager to sign and submit a Community Development Block Grant Planning Grant Application in the amount not to exceed \$25,000 to fund a hotel feasibility Study and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract.

Seconded by Councilor Desrochers.

Mayor Giunta asked if there was any discussion.

There were questions from Council members on what CDBG stands for and when can the City apply for another planning grant.

Mayor Giunta replied that the acronym CDBG stands for Community Development Block Grant. Milner added that the City can apply for another planning grant this January.

There were no further comments or questions.

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.

Motion #2 – Councilor Trudel moved that the Franklin City Council adopt the Residential Antidisplacement and Relocation Assistance Plan.

Seconded by Councilor Desrochers.

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

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 IV.

Council to consider approval of Resolution #09-21, a Resolution to accept and appropriate \$720,613 of additional adequacy revenue, grant revenue, and prior year fund balance to the Franklin School District FY21 Budget.

Motion – Councilor Desrochers moved that the Franklin City Council adopts Resolution 09-21 appropriating \$453,018 to the franklin School District fiscal year 2021 budget and appropriating \$267,595 to the Franklin School District for the Department of Justice Office Programs – STOP School Violence federal grant award. Seconded by Councilor Dzujna.

Mayor Giunta asked if there was any discussion.

There were questions from Councilor Testerman regarding the types of violence and how often it occurred over the past twelve months.

Superintendent LeGallo replied that he receives SAFE School Reports from the Middle School and High School that include a range which can mean a student was caught vaping to the other end of the spectrum where a student brought a weapon into school. He did not have the breakdown of each type this evening but will provide the information and in what areas the grant will be used to the Council, Mayor Giunta, and City Manager Milner. LeGallo also stated that Franklin deals with the same types of issues as any other school in the state. He also highlighted that this grant will also be used to address the preventative side of violence like bullying and things of that nature.

Councilor Desrochers stated that he would like to see the school hold onto some of the funds they are receiving for unknowns relating to COVID expense in FY21. LeGallo agreed and further added that the school will try to do that.

Testerman stated that she didn't have any issues approving the grant however there are many other department shortfalls that the City is dealing with and would like to see the school give some money back to the City to help address these shortfalls.

There were no further comments from the Council.

RESOLUTION # 09-21

A Resolution Granting Authority to Accept and Appropriate \$720,613 of Additional Funding for the Franklin School District for Fiscal Year 2021.

In the year of our Lord, Two Thousand Twenty,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive additional adequacy aid of \$261,600 from the final updated calculation of ADM; and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive additional \$75,000 from the NH Charitable Foundation to support the Project Aware program; and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district has identified additional year end fund balance of \$116,418; and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive a federal grant award of \$267,595 entitled STOP School Violence: Threat Assessment/Intervention Teams from the DOJ Office of Justice Programs; and,

WHEREAS, the City Council of the City of Franklin would like to appropriate an additional \$453,018 in order to cover the unanticipated costs related to the ongoing pandemic crisis and preserve potential fund balance from the 2021 year to be carried over to the 2022 fiscal year. The current adequacy aid formula has \$896,847 based on current year numbers that will expire unless renewed in the next state biennium budget. These funds could help offset that loss for the next budget cycle. And City Council of the City of Franklin would like to appropriate \$267,595 of the DOJ Office of Justice Programs – STOP School Violence: Threat Assessment/Intervention Teams; **Now**,

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on December 7, 2020, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #09-21 to formally accept and appropriate \$720,613 of additional revenues for the Franklin School District as follows:*

An Increase in Revenues:

Adequacy Education Aid – Two Hundred Sixty-One Thousand Six Hundred Dollars (\$261,600),

NH Charitable Foundation – Seventy Five Thousand Dollars (\$75,000),

Use of Fund Balance – One Hundred Sixteen Thousand, Four Hundred Eighteen Dollars (\$116,418),

Federal Grant Revenue - STOP School Violence – Two Hundred Sixty-Seven Thousand Five Hundred Ninety-Five Dollars (\$267,595),

An Increase in Expenditures:

School District Expenditures – Four Hundred Fifty Three Thousand Eighteen Dollars (\$453,018)

Federal Grant Expenditure – STOP School Violence - Two Hundred Sixty-Seven Thousand Five Hundred Ninety-Five Dollars (\$267,595)

By a roll call vote:

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

Motion PASSED.

Agenda Item V.

Council to consider approval of Resolution #10-21, a Resolution to accept and appropriate \$10,132 from the Raymond and Betty Turcotte Expendable Trust Fund for the purchase of a new Pentheon Combination Extrication Tool for the Fire Department.

Motion – Councilor Starkweather moved that the Franklin City Council adopt Resolution #10-21, approving an expenditure of \$10,132 from the Raymond and Betty Turcotte Expendable Trust Fund for the purchase of a new Pentheon Combination Extrication Tool. Seconded by Councilor Trudel.

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

RESOLUTION #10-21

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2021.

In the year of our Lord, Two Thousand Twenty,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2021 which began July 1, 2020, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes the Fire Department has had to change the way in which it responds to Motor Vehicle accidents due to overlapping incidents, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes the Raymond & Betty Turcotte expendable trust fund was established for and has traditionally supported these kinds of equipment purchases for the Fire Department, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire understands that the Turcotte trust fund has a current balance of approximately \$93,795.89, and;

WHEREAS, the City Council of the City of Franklin wishes to appropriate from the Turcotte trust fund an amount of \$10,132 for the purpose of purchasing a Pentheon Combination Extrication Tool for the use during Fire Department rescue incident,

THEREFORE BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, December 7, 2020 the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #10-21 allowing the withdrawal of Ten Thousand One Hundred Thirty-Two Dollars (\$10,132) and authorizing an increase in FY21 revenues:

Transfer In – Trust Funds Acct No. 01-0-000-39160-000 – Ten Thousand One Hundred Thirty-Two Dollars (\$10,132),

And an increase in expenditure account,

EMS/Rescue CO - Mach & Equip Acct No. 01-2-207-40740-000 – Ten Thousand One Hundred Thirty-Two Dollars (\$10,132),

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 VI.

Council to consider approval of Resolution #11-21, a Resolution to accept and appropriate \$62,904 of grant funds from the NH Department of Safety, Division of Homeland Security and Emergency Management to improve Franklin's Emergency Operations Center at the Franklin Fire Station.

Motion – Councilor Brown moved that the Franklin City Council adopt Resolution #11-21 to accept grant funds in the amount of \$62,904 from the New Hampshire Department of Safety Division of Homeland security and Emergency Management. The \$62,904 will be utilized to improve and update the City of Franklin's Emergency Operations center located at the Franklin Fire Station. Seconded by Councilor Starkweather.

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

RESOLUTION #11-21

A Resolution Granting Authority to Accept Grant Funds from the NH Department of Safety, Division of Homeland Security and Emergency Management

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 2021 beginning July 1, 2020, **and**;

WHEREAS, the City Council understands that the City's Local Emergency Operation (L.E.O.P) and Continuity of Operations Plans (C.O.O.P) needed to be updated, **and**;

WHEREAS, the City of Franklin's Emergency Operations Center is located at the Franklin Fire Station, **and**,

WHEREAS, after a review with the NH Dept. of Homeland Security and the City's Emergency Management Director, areas were identified that need improvement within the building. With the grant funds being obtained, the following areas within the fire station will be improved upon:

- New exterior door locking mechanism that assist in the security and accountability tracking.
- New, limited interior door locking mechanism that assist in additional station security.
- A "smart board" audio visual system for use by the emergency management team
- Additional furniture to include desks, tables, and chairs.
- A radio system upgrade with multiple radio "heads" located within the building.
- New A/C unit to assist with climate control within the EOC space.
- Security cameras located on the exterior of the Fire Station.

WHEREAS, the City has been awarded a grant of \$62,904 from the NH Department of Safety, Division of Homeland Security and Emergency Management, to help offset the costs of these improvements **and**;

WHEREAS, the matching funds requirement has already been satisfied, **now**;

THEREFORE, BE IT RESOLVED, that at a regularly scheduled meeting of the City Council on Monday, December 7, 2020, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #11-21 to accept \$62,904 in grant funds from the NH Department of Safety, Division of Homeland Security and Emergency Management, to update and improve Emergency Operations Center (EOC). **and**;

THEREFORE, BE IT FURTHER RESOLVED, that the City Council does hereby authorize City Manager, Judie Milner, to sign all relevant documents pertaining to the acceptance and administration of this grant award and hereby authorizes the following non-lapsing appropriations,

An Increase in Revenues:

State Grants Revenue Acct. No. 01-0-000-33591-000 – Sixty-two Thousand Nine Hundred Four Dollars (\$62,904),

An Increase in Expenditures:

Emergency Management Mach & Equipment Expense Acct. No. 01-2-208-40740-000 – Sixty-two Thousand Nine Hundred Four Dollars (\$62,904).

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 VII.

Council to consider approval of Ordinance #04-21, an update to the Franklin Municipal Code Chapter 21, Article I “Fire Hydrants”, sections 21-1 and 21-2.

Motion – Councilor Desrochers moved that the Franklin City Council adopt Ordinance #04-21 which will update the City Municipal Chapter 21, Article I “Fire Hydrants”, section 21-1 and section 21-2. Seconded by Councilor Starkweather.

Mayor Giunta asked if there was any discussion.

Councilor Clarenbach stated that he has a liability concern for the City due to the current code wording against the new suggested code wording changes where it states that the City is committing to annually testing privately owned fire hydrants. Clarenbach explained that If the City doesn’t follow the standards per the national water works association, it could potentially leave the City vulnerable if a privately owned hydrant wasn’t working properly.

Fire Chief Mike Foss explained the reason for this Ordinance change and that this Ordinance would help the City create an updated list of privately owned hydrants that work and could be

utilized in case of a fire. He further stated that MSD follows the standards now when testing hydrants and it shouldn't be an issue.

Mayor Giunta suggested that the Council take time outside of tonight's meeting to review and adjust the wording then come back to this at a future date. Councilor Starkweather would like to see wording added pertaining to only testing private hydrants that are connected to City Water.

Motion – Councilor Clarenbach moved that the Franklin City Council Table Ordinance #04-21. Seconded by Councilor Desrochers.

Roll call to table:

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 to TABLE Ordinance #04-21.

Agenda Item VIII.

Council to consider setting a public hearing on Resolution #12-21, a Resolution to accept and appropriate \$185,200 in federal CARES Act funding titled GOFERR (Governor's Office for Emergency Relief and Recovery) funds, for the purpose of funding costs associated with the COVID 19 pandemic for the Franklin School District.

Motion – Councilor Bunker moved that the Franklin City Council set a public hearing for January 4th, 2021 at 6 p.m. regarding Resolution #12-21, to accept and appropriate \$185,200 in federal CARES Act funding titled GOFERR (Governor's Office for Emergency Relief and Recovery) funds, for the purpose of funding costs associated with the COVID 19 pandemic for the Franklin School District. To be read in title only. Seconded by Councilor Starkweather.

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

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.

Mayor Giunta read Resolution #12-21 in title only. A Resolution granting authority to accept and appropriate \$185,200 of CARES Act funding under the GOFERR (Governor's Office for Emergency Relief and Recovery) Fund for the Franklin School District.

Agenda Item IX.

Council to consider approval of the Police Union Contract 7/1/2020-6/30/2023.

Motion – Councilor Desrochers moved that the Franklin City Council approved a three-year agreement as presented from July 1, 2020 to June 30, 2023 between the City of Franklin and the New England Police Benevolent Association (NEPBA) (Franklin Police Patrolmen’s Association). Seconded by Councilor Starkweather.

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

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.

Mayor Giunta stated that by there being no discussion, showed the City’s recognition of hard work from the Union, Police Chief, and City Manager who all worked on this contract together. He thanked them for all their hard work.

Agenda Item X.

Council to consider approval of the Cumberland Farms Lease.

Motion – Councilor Dzujna moved that the Franklin City Council approve the 10-year lease with Cumberland Farms for 196 and 202 Central Street and authorize the City Manager to execute the lease document on behalf of the City. Seconded by Councilor Trudel.

Councilor Clarenbach had questions relating to the timing of receiving lease payments and requested wording adjustments so the City isn’t left holding the Birke’s property without receiving payments until Cumberland reaches certain milestones that they set for themselves. He referred to the lease agreement section 2.5.4 and read the section that concerned him. He also inquired into the cost of the insurance on the property and wondered if the City will lose money if this cost increases.

City Manager Milner replied that an adjustment to the motion under Agenda Item XI. that has been reviewed with the City Attorney to address this concern. She then recommended that the motion for Agenda Item XI. change to the following: Milner suggested to “strike everything after the word *“conditioned”* and replace with, *“upon reaching a satisfactory conclusion to the permitting period as outlined in the City’s Lease Agreement with Cumberland Farms.”* She will also look into the amount of the insurance.

Mayor Giunta welcomed Attorney Sarah Rubury from Wescott Law who joined the meeting tonight and asked if she could provide input.

Attorney Rubury replied that the lease as written is complex and agreed with Clarenbach that the wording in reference to the timing is a bit tricky. Rubury further explained that Milner's suggested amendment to the motion under the next Agenda Item, of purchasing the Birke's property, allows more time and protection for the City. Before Cumberland accepts possession of the property, the remediation work will need to be completed.

Councilor Zink stated several concerns that City Manager Milner addressed. Milner explained the PFOA's on the property and that it falls under a Watch Me status with NHDES. The City is currently digging and looking for the culprit. The levels found are very low and not in the drinking water nor are there any private wells in the area.

Milner also responded to the concern regarding gambling in the lease and explained that it means that if the City leased an abutting property, that they would not be allowed to sell items that falls in the gambling category. She further added that the effective dates of the lease agreement and the address of City Hall will be corrected.

There was no further discussion.

Roll call to approve the Cumberland Farms lease:

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 XI.

Council to consider approval to purchase 202 Central Street.

Motion – Councilor Desrochers moved that the Franklin City Council approve the purchase and sales agreement for 202 Central Street conditioned upon reaching a satisfactory conclusion to the permitting period as outlined in the City's Lease Agreement with Cumberland Farms. Seconded by Councilor Dzujna.

Mayor Giunta asked if there was any discussion.

Councilor Clarenbach asked for clarification on how the purchase of the Birke's property will be made. City Manager Milner referred to page 4.4 of the lease agreement and confirmed that it would be purchased with City funds and will then be reimbursed within 30 days by Cumberland Farms.

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.

Mayor Giunta thanked Attorney Rubury for sitting in for City Attorney Fitzgerald this evening.

Agenda Item XII.

City Council to discuss the Ward 2 Election Location.

City Manager stated that Ward II had previously always voted at City Hall but due to COVID, it had to be moved to the Bessie Rowell Community Center. She stated that the last three elections went well at Bessie Rowell however this building is utilized for children especially for working parents who depend on the after-school programs being open for them. This has caused some challenges for a place to vote and for the children that need the facility open to them. Milner explained the pros and cons. She stated that if this location would remain to be the place for Ward II voters to go to vote, then the programs for the children will be closed to them. This would be a loss of revenue and would cause displacement to the children of working parents which would likely force them to take the day off work. Many working parents cannot just take a day off work.

Councilors then provided some input and history on how the elections ran this year, what the struggles were, and what they recommend going forward. The City must be mindful not to continue moving the locations to different places or it could appear to be voter suppression. There was consensus of the City Council to create a task force group to look into this issue and provide a recommendation back to City Council.

Motion – Councilor Clarenbach moved that the Franklin City Council approve the creation of an ad hoc committee consisting of the following members: Three Ward II Councilors, the Ward II Moderator, Ward II Supervisor of the Checklist, and City Clerk Gargano (or designee) to survey Ward II for a permanent polling place and report back to the City Council by the February 1st, 2021 City Council Meeting. Seconded by Councilor Starkweather.

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 XIII.

Other Business

Motion – Councilor Desrochers moved that the Franklin City Council request that the City Manager begin to investigate the remediation and possible termination of the lease for the Franklin Solar One and Solar Two Projects on City owned land near the Franklin Waste Water Treatment Plant. Seconded by Councilor Testerman.

Desrochers stated that the City has waited long enough for these projects to start. The company ownership has changed hands with continued excuses of why we need to wait longer to see completion and income. The City hasn't received a dime on this land and it's time to look at these leases and do something about this.

City Manager Milner requested time to review the lease agreements regarding termination as well as obtain City Attorney Fitzgerald's legal opinion.

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.

Councilor Desrochers asked Mayor Giunta to explain why Nita Tomaszewski wasn't asked to continue to serve on the Conservation Commission as her seat had expired a few months ago. Mayor Giunta stated that although he wasn't aware of her seat expiring and since it is his appointment, he jumped at the chance to appoint young residents who expressed interest in getting involved in the community. He then thanked Nita for her many years of service.

1. Mayor Appointments (Mayor Giunta stated the following):

- a. Accepted the resignation of Bob Morin from the Conservation Commission (seat CC5) effective November 19, 2020.
- b. Appointed Christine Sheedy to the Conservation Commission (seat CC3), term of service is 3 years to September 2023.
- c. Appointed James DeBernardo to the Conservation Commission (seat CC5), term is to fulfill current expiration to September 2022.
- d. Appointed Sam McLaughlin to the Conservation Commission (seat CC7), term of service is 3 years to September 2023.
- e. Appointed Christy Liolis to the Highway Safety Commission (seat HS6), term of service is 3 years to September 2023.
- f. Re-appointed Dave Liberatore to the Planning Board (seat PB6), term of service is 3 years to January 2024.

- g. Re-appointed Tim Flaherty to the Planning Board (seat PB7), term of service is 3 years to January 2024.
- h. Re-appointed Dave Testerman to the Planning Board (seat PB9), duration is term of office on the Zoning Board.
- i. Re-appointed Donna Tully to the Planning Board (seat PB11), term of service is 3 years to January 2024.
- j. Re-appointed Christine Sheedy to the Planning Board (seat PB4), term of service is 3 years to January 2024.

2. There were no Committee Reports.

3. City Manager's Report:

- a. Milner thanked the Council for approving the Police Union Contract stating that it will go a long way in helping to keep the current talent and recruit officers who are already fully certified.
- b. City Manager's secretary Audrey Lanzillo will send a poll for availability so the next MSD Committee meeting can be scheduled.
- c. Milner gave a shout out to the group who volunteered for the first Mill City Park clean-up day. The 45 volunteers pruned brush and picked up trash. Many were from other cities.
- d. Due to the changes in local food bank operations during COVID, Tom Matzke will be giving away free hotdogs to anyone who is hungry. Milner thanked Mr. Matzke for filling this need.
- e. Contingent Grant Line Activity was \$0.00 for the month.
- f. Trust fund for school funding is \$141.22.
- g. Property taxes were set and may have gone up a little bit. Milner explained that taxes are calculated as a whole and remained under the tax cap. Based on the property assessments, and in comparison, with other properties, taxes could go up or down for homeowners so that the combined properties would remain under the tax cap. Questions from homeowners can be directed to Lauraine Paquin in Assessing.
- h. The 2021 City Council Agenda, Packet & Meeting Schedule is attached and there are a couple of meetings that fall on a holiday.
- i. FY2021 Budget was provided to the Council and due to COVID related quarantining, there are overtime issues with Police & Fire that are being monitored.
- j. An Opportunity Zone Marketing Campaign will be launching on the City Website soon. This will be educational as well as include a video talking about the positive reasons to invest in Franklin.
- k. Many listeners dialed in to the Trestle Bridge Project Public Listening Session on 11/17. The preliminary structural analysis uncovered a necessary replacement of at least 1/3 of the bridge which has changed the cost of the project. There is a section of the bridge that is not safe and the path below is blocked off with some snow fencing.
- l. City Demolition Update: 26 Pleasant Street is down. Under RSA 55-B, 90 Pleasant Street was supposed to come down, however due to brand new ownership, the City mailed the current

timeline of what needs to happen and by what date to the new owner and the previous one.

81 Elkins is next on the list for teardown.

m. Milner wished everyone Happy Holidays.

4. There were no late Items.

Non-Public Session Needed:

Motion – Councilor Zink moved to go into non-public according to RSA 91-A:3 II (a) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him or her. Seconded by Councilor Desrochers.

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

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.

Entered into non-public session at 8:55 p.m.

Motion – Councilor Desrochers moved to leave non-public session and return to public session. Seconded by Councilor Dzujna.

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

Roll call to return to public session:

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.

Public session reconvened at 9:20 p.m.

Motion to seal the minutes because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board, was made by Councilor Dzujna. 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.

Motion to adjourn was made by Councilor Dzujna. Seconded by Councilor Brown.

The Council wished everyone attending this evening a very Merry Christmas.

Roll call to adjourn:

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.

Meeting adjourned at 9:24 p.m.

Respectfully submitted,

Audrey Lanzillo