



## **City Council Meeting Minutes Monday, August 1, 2022 - 6:00 p.m. Council Chambers, City Hall**

**Council in attendance:** Mayor Jo Brown, Councilor Jay Chandler, Councilor Bob Desrochers, Councilor George Dzujna, Councilor Vincent Ribas, Councilor April Bunker, Councilor Valerie Blake, Councilor Paul Trudel, and Councilor Olivia Zink

**Absent:** Councilor Ted Starkweather

**Others in attendance:** City Manager Judie Milner, City Department Heads, and members of the public.

Mayor Brown called the meeting to order in Council Chambers at 6:05p.m.

Salute to the Flag was led by Councilor Ribas, followed by a moment of silence for veteran George S. Miller, United States Army, who passed away recently, led by Councilor Desrochers.

### **Public Hearing:**

Mayor Brown stated that there were no public hearings.

### **Legislative Update:**

Mayor Brown stated that there were no legislative updates.

### **Comments from the Public:**

Mayor Brown opened up the floor for public comments, reminding everyone that there is a 3-minute maximum for each individual to speak.

Resident Jule Finley, Ward I, let the council know that she will be celebrating the Congregational Christian Church's 200th year and they have a huge celebration on August 27<sup>th</sup> and 28<sup>th</sup>. She wanted to invite everyone to attend and handed out the invites and details to the council.

Leigh Webb, Ward III, let the council know that if you want to know more about the history of the Congregational Church this Thursday night at 7:00 p.m. they will be doing a talk about it at the Historical Society.

Kandyce Tucker, Mayor's Drug Task Force Director, reminded everyone that tomorrow night, August 2<sup>nd</sup>, is National Night Out from 5pm – 8pm at Odell Park. She stated that she needs 3 more high school students to volunteer to help. There will be free food and free activities.

City Manager Milner announced to the public that Kandyce Tucker has been stolen from the City of Franklin. Her last day will be September 2<sup>nd</sup> and she thanked Kandyce for her service and everything she has done for Franklin as she will be missed.

Resident Kathy Rago, Ward III, cited Charter 82-1: *"This article is adopted pursuant to § C-5 of the Franklin City Charter which vests fiscal oversight of the Franklin School District in the Franklin City Council"*. She wanted to address the fact that she was asked about why she brought up the diversity club to the City Council instead of just the school board. She stated that at the school board meeting she was not allowed to ask any questions or make any comments on the matter. Her question for the council is what to do if there is a subject that the Superintendent and Chairman of the board do not want to discuss and the public does. This infringes on the rights of the parents to voice their opinions. She also stated that she has serious concerns about the budget that was approved. She asked what the timeline and process is if it were to be vetoed.

City Manager Milner answered stating that they are currently in the time frame for the charter change for this October. She mentioned that there is a whole list of the process and she will send it to Mrs. Rago to review.

Resident Debbie Auger, Ward III, passed out some paperwork to the council. She wanted to talk again about the rainbow crosswalk and stated that one of the stripes is painted black, which symbolizes asexuality on a gay pride banner or flag. She feels that this crosswalk was purposely painted to represent gay pride and using the elementary kids to paint it is grooming them. She hopes that the crosswalk will be changed back by spring.

Resident Jack Finley, Ward I, wanted to commend everyone that was involved in making the crosswalk project and the building artwork happen. He is hearing from other towns that Franklin has been a good example for the state for including education, art and the children within the city.

P&Z Director Creighton let the council know that he received a letter from Donna Tulley regarding the proposed solid waste ordinance. He read the entire letter to the council and this is attached to the end of these minutes.

Resident David Therrien, Ward II, mentioned that he is also against the solid waste ordinance. He had a few questions about fees that Milner was able to answer.

Resident Kathy Rago, Ward III, wanted to remind the council that they just passed a 7% tax increase in the new budget, they raised water and sewer rates and now they want to add on more with the trash ordinance. Gas is going up along with everything else. Franklin residents are not going to be able to afford to live here.

Resident Michael Lombardo, Ward III, thanked all of them for doing the best that they can. Costs are going up, fuel, the cost of goods, and utility bills. He doesn't want to pay more in taxes and water & sewer, but he knows that costs are increasing on everything and he understands why the council has made these hard decisions.

Mayor Brown closed public comment at 6:36 p.m.

She also added that the public could pickup some literature on the table that shows the process of how the tax cap calculations were made and how it will affect the residents. These are also attached to the end of these minutes.

**City Council Acknowledgement:**

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna mentioned that the National Night Out would not be possible without Hannaford's. They supplied all of the meats and the gift cards.

Councilor Trudel stated that he recently spoke with the owners of the new Waterhorse Irish Pub that will be opening soon. They spoke very highly of the administration, specifically Mayor Brown, City Manager Milner and P&Z Director Creighton. He commended them and anyone else that was involved with helping them out.

Councilor Blake wanted to encourage anyone that hasn't seen the 'Something Rotten' performance, it was absolutely amazing.

Councilor Blake wanted to speak to the crosswalk project. She thinks they are beautiful and she does think that everyone is entitled to their own opinion about them. She thinks they represent all of the residents in Franklin, and not just a minority. She thanked the teachers and schools for involving the children. Rainbows and hearts have been drawn by school children as far back as she can remember.

#### **Mayor's Update:**

Mayor Brown stated that she had a few updates:

- She stated that Councilor Dzujna and her had a meeting with the plant manager at Watts to discuss ways to help with their manufacturing along with many other topics that she will be sharing soon.
- There is a hybrid LNA program that LRCC offers and would involve the seniors. It would be a 7-week program held at the Nursing Home with Kathy Fuller.
- She will be meeting with a student by the name of Lilly Johnson, with Milner and MSD, as she has some great ideas for recycling.
- Brown stated that she saw the 'Something Rotten' performance and it was a 1<sup>st</sup> class play. Councilor Ribas was outstanding in it.

#### **Agenda Item I.**

Approval of Minutes:

Council to consider the minutes of the May 16, 2022 City Council Special Meeting, the May 23, 2022 City Council Special Meeting, the July 11, 2022 City Council Meeting and the non-public minutes from the July 11, 2022 City Council Meeting.

**Motion - Councilor Trudel moved that the Franklin City Council approve the minutes of the May 16, 2022 City Council Special Meeting, the May 23, 2022 City Council Special Meeting, the July 11, 2022 City Council Meeting, and the non-public minutes from the July 11, 2022 City Council Meeting. Seconded by Councilor Chandler.**

***All in favor; motion passes.***

## **Agenda Item II.**

School Board Update:

Superintendent Dan LeGallo gave a school board update:

- WorkCamp NE spent two weeks here and worked on 25 properties in Franklin. There were 110 campers total that were from all over the country. They all had wonderful things to say about Franklin and they were all very polite and courteous while working.
- SB 420 was signed into law – This creates an Extraordinary Needs grant, which the school will be receiving approximately \$350,000 more in FY2023 and about \$265,000 or more for FY2024.
- Hiring update – There have been two hires since last update. They are still looking at more applications and they are faring better with the number of teachers they have compared to other schools at this time.
- All three principles are in place. LeGallo would like to invite them to the September meeting to introduce them to the council.
- LeGallo gave some info on the GSA (Franklin Diverse) club. It was formed in March of 2020 at the Middle School. To date there are 12 members in this club and all of them have written parental permission. Once a week they do have a pride cart, where they sell pencils and other supplies.
- LeGallo will be looking into Student Tracker. The information was provided at the last city council meeting.
- There is only 5 weeks left until the opening of school.

Councilor Desrochers made a suggestion that the schools should only have the one red, white and blue flag hanging. He does not feel that schools should have any pride flags or other political flags.

Councilor Trudel had some questions about how many students are using pronouns, whether their parents know that they are using pronouns, are the parents of grade K-9<sup>th</sup> aware of these issues and the club that is in the school, and why these clubs are not being posted on the website. It was agreed that he would email his questions to LeGallo so that he could answer them at the September meeting.

Councilor Chandler added that any artwork, like the crosswalks, or any other situations that may cause controversy should come before the council for approval first.

## **Agenda Item III.**

Council to consider rescheduling September 2022, October 2022 and November 2022 City Council meetings:

**Motion – Councilor Ribas moved that the Franklin City Council change the dates of the September, October and November City Council meetings due to Labor Day and elections to the**

**recommended dates of September 6, 2022, October 11, 2022 and November, 14, 2022.  
Seconded by Councilor Dzujna.**

Mayor Brown asked if there was any discussion on this motion.

City Manager Milner stated that with elections taking place on Tuesdays of each month, it makes it very hard for the Buildings and Grounds crew to come in early and breakdown the City Council meeting setup and get the space ready for elections. It causes a lot of rushing around for them and the election workers. As of right now, MSD is short on staffing as well.

No other discussion ensued.

***All in favor; motion passes.***

**Agenda Item IV.**

City Council to consider repealing the current Solid Waste Ordinance of the Franklin Municipal Code Chapter 257, entitled, "Solid Waste" and replacing with Ordinance #03-23 entitled Solid Waste Chapter 257:

**Motion – Councilor Dzujna moved that the Franklin City Council set a public hearing on Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the City of Franklin, New Hampshire, Municipal Code for September 6, 2022 at 6:00 P.M. in the City Hall Council Chambers. Seconded by Councilor Trudel.**

Mayor Brown asked if there was any discussion on this motion.

Councilor Zink mentioned that there were many typos and grammatical errors in the document that she feels should be revised before they can put it before the public for comment.

There was a discussion about tabling this Ordinance until it has been revised.

**Motion – Councilor Ribas moved that the Franklin City Council table the Ordinance 03-23 topic. Seconded by Councilor Trudel.**

***7 in favor, 1 opposed; motion passes.***

**Agenda Item V.**

City Council to consider making the City of Franklin a Purple Heart Community:

City Manager Milner explained that there is at least one Purple Heart member living in the city, which is all that is required to be a Purple Heart Community. There would be a Proclamation read at the September meeting and all of the signage to be purchased will be paid for by the VFW/Elks Lodge/Leo Paquin.

Councilor Chandler asked that some wording be changed in the Proclamation, as a Purple Heart also applies to any living veterans as well. Executive Secretary Jones will check with the Purple Heart Community advisor to see if this wording can be changed before finalizing it.

**Motion – Councilor Desrochers moved that the Franklin City Council approve moving forward with a Proclamation and event so that Franklin can become a Purple Heart Community. Seconded by Councilor Chandler.**

Mayor Brown asked if there was any other discussion on this motion.

Councilor Desrochers added that he would like to pay for 100% of the signage using galvanized posts so that they do not rust.

There was discussion about where the donation would be recorded in the budget and whether it needed to be voted on before proceeding. The contingency grant line is the donation fund, so it was agreed that this donation would be applied to that line without a separate vote to keep it simple.

**Motion – Councilor Desrochers moved to amend the previous motion by adding to it that he would be donating 100% towards the signage and galvanized posts that will be placed announcing that Franklin is a Purple Heart Community. Seconded by Councilor Chandler.**

*All in favor; motion passes.*

#### **Agenda Item VI.**

Council to consider approval of parking lease agreement with IFA Realty Holdings – Franklin LLC:

**Motion – Councilor Blake moved that the Franklin City Council approves the parking lease with IFA Realty Holdings – Franklin LLC for 18 municipal parking spaces, 14 located at tax map 117-161-00 and 4 located at tax map 117-148-00, and to authorize City Manager Milner to duly execute the lease on behalf of the city. Seconded by Councilor Ribas.**

Mayor Brown asked if there was any other discussion on this motion.

There was a discussion about the exact location of these parking spaces and how the taxes are levied with city owned property that is being leased.

*7 in favor; 1 opposed; motion passes.*

#### **Agenda Item VII.**

##### **Other Business:**

##### **1. Mayor & Council Appointments**

Mayor Brown accepted the resignation of Secretary, Roy Gilbreth (seat CC6) from the

Conservation Commission, effective immediately.

Mayor Brown re-appointed Vice Chair, Glen Morrill (seat CC4) to the Conservation Commission, term of service to September 2025.

**Motion – Councilor Bunker moved that the Franklin City Council appoint Gregory Thompson to the Zoning Board of Adjustment (seat ZBA1) term of service to January 2024, re-appoint Brian Barry to Code Enforcement Appeals Board (seat CEAB1), term of service to September 2024, re-appoint Doug Morin to Code Enforcement Appeals Board (seat CAEB2), term of service to September 2024, and re-appoint Gary Auger to Code Enforcement Appeals Board, as an alternate (seat CEAB5), term of service to September 2024. Seconded by Councilor Trudel.**

*All in favor; motion passes.*

## **2. Committee Reports**

There were no committee reports.

## **3. City Manager's Update:**

- a. Contingent Grant Line Activity – Received \$206.80 from Hannaford's towards the Fire Department, \$202.43 also from Hannaford's for the Drug Task Force, \$350 towards kayak beatification, \$1,000 from the VFW towards basketball uniforms, \$675 was raised in the 5k fundraiser for the Drug Task Force, \$1,000 came in from Franklin Savings Bank for Chem-Free, \$2,150 came in from the SAU also for Chem-Free, \$126 was donated anonymously for National Night Out, and \$2,185.05 was received for the Sex Offender Compliance grant.
- b. Trust fund for school funding – \$265.61
- c. Congratulations: Officer Harden and Officer Francis for catching the Municipal Services mechanical garage burglars. Also, Sergeant Guerriero and Falco were just recertified by the Boston Police as a canine team.
- d. Committee meetings – August:
  - Legislative – Milner will send out some dates to Councilor Zink to set this up since there are a few topics that have come up.
  - Municipal Services – August 24<sup>th</sup>, 2022 at 10am in the Blue Conference Room downstairs.
  - Finance Committee – This was postponed in July and Milner would like to have this meeting scheduled for September since the Pay and Class study should be complete by then. She will send two dates in September to Councilor Ribas to confirm.
- e. Communications Center Project Update – This is moving along with the exception of the equipment that is due in 30 weeks.
- f. Source Water Project Kick off meeting was July 20<sup>th</sup>, 2022 – NH Water Works Association project; collaboration with Sanborton, who will be preparing a timeline ending in June 2023 to have a document with plenty of public comment and surveys on regulations for both communities to protect our source water.

- g. NHMA Floor Policy – Any input from the Council would need to be approved tonight. No one had any comments to add.
- h. One time Aid from State – Milner discussed the Municipal Bridge Aid of \$600,986 as a one-time additional Highway Block fund from the State of NH; and the 7.5% NHRS for police, fire and teachers.
- i. Media contacts for the month – Concord Monitor, Laconia Daily Sun, Andover Beacon
- j. Milner let the Council know about Invest NH, which is ARPA money through the Department of Business and Economic Affairs. There is \$40,000,000 in municipal grants that revolve around housing in some way. She is just learning about it so the Economic Task Force will be doing more research on this. There is also a \$60,000,000 pot for folks that are building housing.
- k. National Night Out is tomorrow from 5p.m. – 8p.m.
- l. Milner stated that her vacation time will be from August 8<sup>th</sup> – August 19<sup>th</sup>.
- m. There is a late item needed after this update.
- n. There is also a non-public meeting needed per RSA 91-A:3 II (d).

#### 4. Late Items:

Milner Stated that she wanted to follow up on last Monday's workshop meeting and let the council know that she has put together a group to help deal with the code issues at City Hall. She would like to see a couple of City Councilors join this commission and she has seen that some have expressed interest. She would like to confirm those two seats in this meeting.

Mayor Brown mentioned that Councilor Dzujna and Councilor Blake are interested in joining this new group and there will be quite a few meetings to get to any kind of resolve on the code issues at City Hall. She asked if anyone else was interested and there were no other volunteers and there was no further discussion.

Mayor Brown stated that they were in need of a non-public meeting.

**Motion – Councilor Bunker moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3, II (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Seconded by Councilor Ribas.**

#### Roll Call Vote:

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Chandler	<u>yes</u>	Councilor Zink	<u>yes</u>

*All in favor; motion passes.*



Entered into nonpublic at 8:01 p.m.

**Motion – Councilor Ribas moved to leave nonpublic session and return to public session.  
Seconded by Councilor Bunker.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Chandler	<u>yes</u>	Councilor Zink	<u>yes</u>

***All in favor; motion passes.***

Public Session reconvened at 8:42 p.m.

**Motion — Councilor Zink moved to seal the minutes. Seconded by Councilor Chandler.**

**Roll Call Vote:**

Councilor Starkweather	<u>absent</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Blake	<u>yes</u>	Councilor Bunker	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Chandler	<u>yes</u>	Councilor Zink	<u>yes</u>

***All in favor; motion passes.***

**Motion to adjourn was made by Councilor Zink and seconded by Councilor Ribas.**

***All in favor; motion passes.***

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Lisa Jones  
Executive Secretary



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August 1, 2022

City of Franklin NH  
RE: Solid Waste Ordinance

I am the Owner and Principal Broker of Tully Real Estate Solutions which is a property management company that manages a large number of properties in the lakes region area. We work with a handful of Multi-Family property owners with 120 units currently being managed in Franklin. Our managed properties here in Franklin range from a 2 unit duplex upto larger apartment complexes with the majority of the properties being 3-6 units and these properties currently use the city supplied bins and receive weekly trash pick up.

I am writing to voice my opposition to the new solid waste ordinance that is being presented at the city council meeting tonight. It is my understanding that if passed, apartment buildings with 3 or more units will be classified as commercial property and will have to pay from trash pick up with cost of upto \$250 per year PER CONTAINER. So if I am doing the math correctly, a three (3) unit with four (4) bins will pay \$1000 per year for trash pick up on top of the property taxes that are already paid. This would mean that a property owner that has a \$3000 tax bill with four (4) trash bins will now pay an additional 30% for trash removal. That's a large additional expense to anyone.

In my opinion, Franklin has made poor choices in the past on how to handle waste, all taxpayers of the City have seen increases in property taxes to cover costs of solid waste management in the past and now if this new ordinance is passed this will create additional costs to landlords on top of their already paid property taxes and ever so largely increased water and sewer rates.

With past Covid, late or no rental payments, costs to landlords for evictions and now the rise of inflation that is impacting costs for utilities, repairs/maintenance and employees and contractors, all landlords have been and are being greatly affected.

Please take into consideration that if this ordinance is passed, any additional costs to the landlords most likely will be passed onto the tenant with rent increases. Many residents in Franklin will not be able to afford a rent increase, most families are struggling now and live paycheck to paycheck.

I ask that you do not approve any solid waste ordinance that will create extra costs to ANY RESIDENT OR PROPERTY OWNER. There must be another way, please find it and stop increasing fees to the residents of Franklin. Thank you for your time and I appreciate your consideration.

Sincerely,

*Donna M. Tully*

Donna M. Tully  
Owner|Broker|REALTOR, PSA, CSA  
Property Manager

**City of Franklin, New Hampshire**

**Tax Cap Calculation**

**FY2023 Budget**

**Additional Revenues Calculation:**

Total Amount of Property Taxes Assessed in Previous Year's Budget	16,046,667	
National Consumer Price Index - Urban (Dec-Dec Average from Bureau of Labor Statistics)	7.0%	1,123,267
Pick Ups for New Construction (As of April 1st estimated by city assessor)	0	
Prior Year Tax Rate (approved by DRA) per \$1000 of assessed value	23.21	0
<b>Additional Revenues Allowed to be Raised</b>		<b>1,123,267</b>

**Tax Cap Calculation:**

Total Amount of Property Taxes Assessed in Previous Year's Budget (from DRA approved final tax rate)	16,046,667
Additional Revenues Allowed to be Raised	1,123,267
<b>Total Property Tax Allowed to be Raised to Support Current Budget</b>	<b>17,169,934</b>

**Tax Cap Proof:**

School Statewide Property Tax	886,084	5.16%
School Statewide Property Tax one time stipend	338,585	1.97%
School Local School District	4,943,755	28.79%
Merrimack County	1,851,087	10.78%
TIF Districts	83,785	0.49%
Veteran's Credits	136,325	0.79%
Overlay	31,000	0.18%
Municipal Operations	8,899,312	51.83%
<b>Total Property Tax Supporting Current Budget</b>	<b>17,169,934</b>	<b>100.00%</b>

Budget Under (Over) Tax Cap

(0.00)

Paid By Franklin Taxpayer  
\$16,831,349  
Paid by State of NH one  
time stipend \$338,585

**Assume:**

1) \$200,000 home value  
2) no change in assessed value from previous year

\$214 net ANNUAL increase (4.7% or \$214/\$4642)

2021 Total Bill \$4,642

2022 tax bills breakdown:

1st bill = \$2,321

2nd bill = \$2,535

Total 2022 \$4,856