



**City Council Meeting Minutes
Monday, November 14, 2022 - 6:00p.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 Ted Starkweather and Councilor Olivia Zink

Absent: Councilor Paul Trudel

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 6:00 p.m.

Salute to the Flag was led by Councilor Desrochers, followed by a moment of silence in remembrance of the following veterans that recently passed:

Fernand Morency (100 years old), US Army South Pacific WW II, Burma and India.
John Whedon, E-5 US Army, Viet Nam.
Josephine Marchi, US Army, Cadets WW II.

Public Hearing:

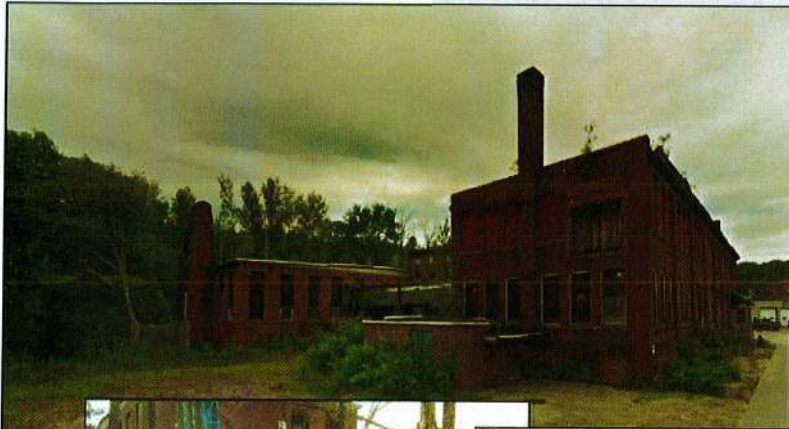
Presentation on the application to the US EPA for grant funds to clean-up the Brownfields contamination at the Ferrari Mill Site at 93-119 Memorial Street.

Mayor Brown stated that there was a public hearing that will start as a presentation.

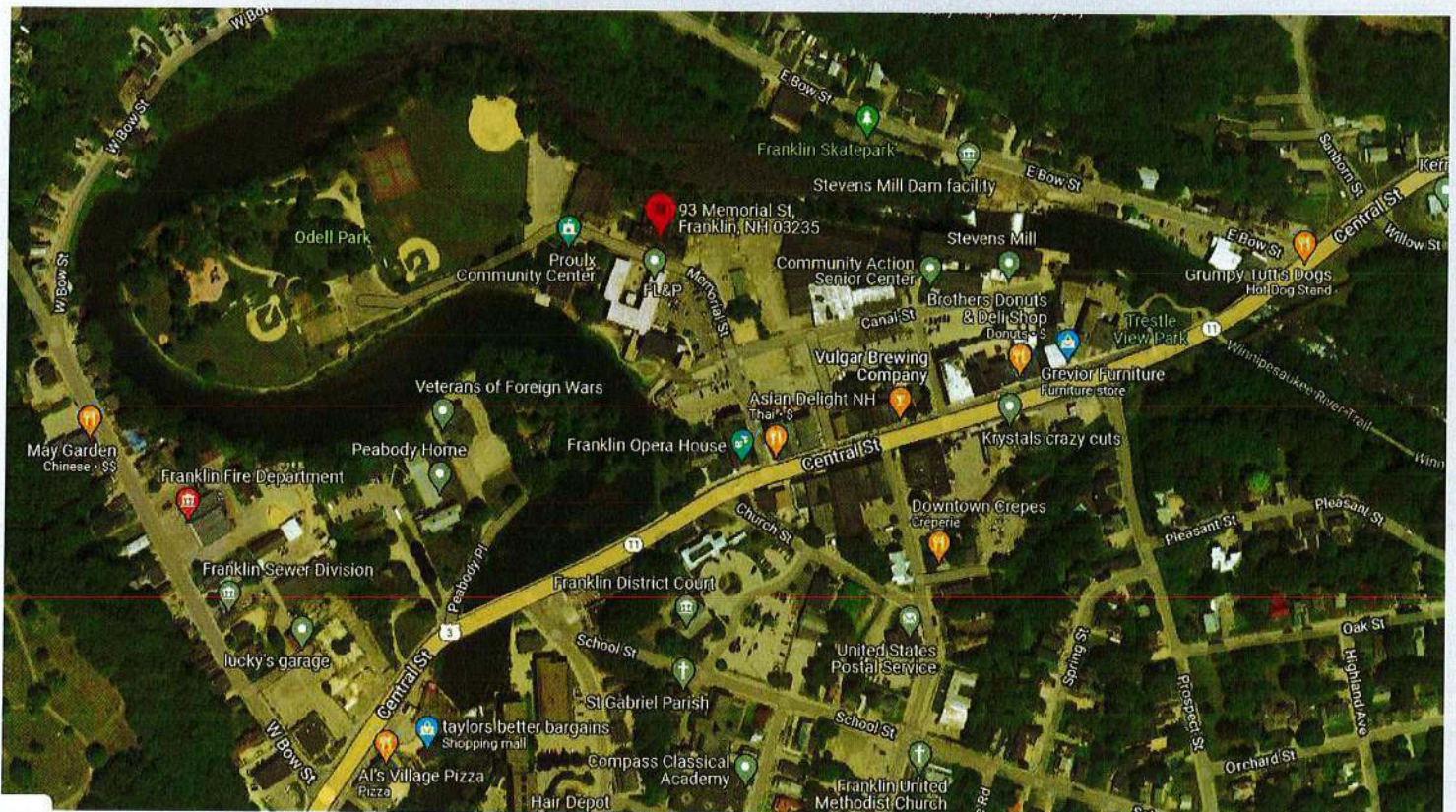
The public hearing opened at 6:04 p.m.

City Manager Milner introduced former Planning & Zoning Director, Dick Lewis, who has been working on an EPA grant application for the City of Franklin on the Brownsfields cleanup for the Ferrari Mill site.

Lewis gave a presentation with the following PowerPoint slides:



Public Meeting for the Submission of an EPA Grant Application for Brownfields Cleanup



What is the Project?

- ❖ The City of Franklin is seeking grant funding from the US EPA to cleanup the hazardous materials found on the property.
- ❖ The City is asking for approximately \$1.75 million in funding.
- ❖ No City Match is required, and the City is receiving funds from NH DES to assist in the demolition and clean up.



Targeted Brownfields Assessment and Remedial Action Plan

Ferrari Mill Site
Franklin, New Hampshire
NHDES Site No. 199606087, Project No. 33501
Targeted Brownfields Site Assessment
EPA Task Order No. 0108-SI-BZ-0100

REMEDIAL ACTION CONTRACT No. EP-S1-06-03

FOR

**US Environmental Protection Agency
Region 1**

BY

Nobis Engineering, Inc.

Nobis Project No. 80108

February 2018

U.S. Environmental Protection Agency

Region 1
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3919



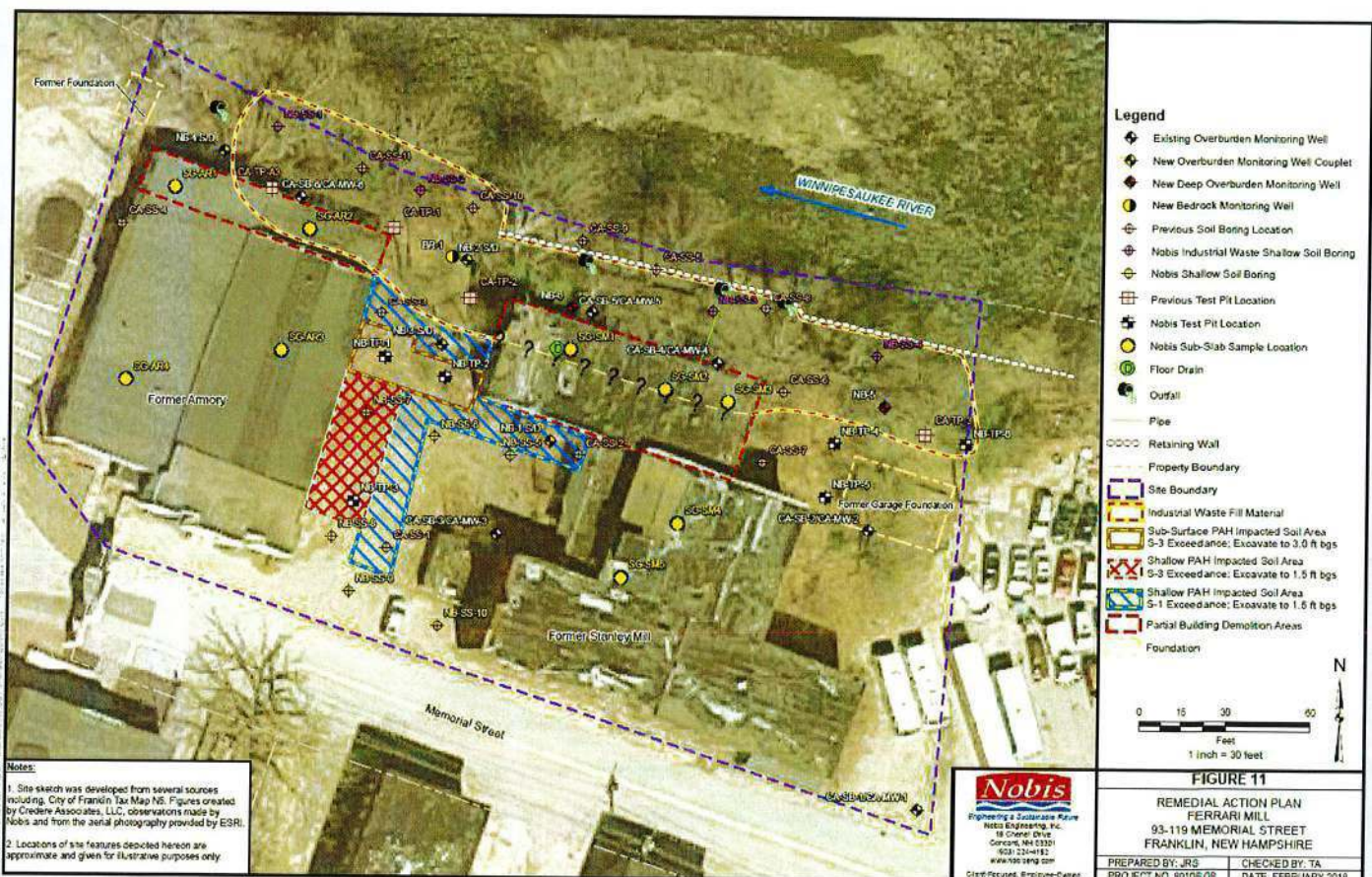
Nobis Engineering, Inc.

Lowell, Massachusetts
Concord, New Hampshire

Phone (800) 394-4182
www.nobisengineering.com

What are the problems to be solved?

- ❖ For 80 years, the mill was used for the manufacturing of manufacturing hacksaw blades. The ground around the mill has buried blades and other industrial waste materials.
- ❖ The soils and groundwater have been impacted by various solvents and heavy metals over years of industrial use.
- ❖ The property abuts the Winnepesaukee River so the potential is that the contaminants and industrial wastes will migrate into the river and impact downstream water supplies. The bank of the river is subject to erosion that can cause significant environmental concerns.
- ❖ The property is in disrepair and cannot be utilized for beneficial purposes. Cleanup of the site will improve the value of the property and others in the vicinity, remove imminent human health hazards, and prepare the property for beneficial reuse.



How will the funding be spent?

	Task 1 Program Management	Task 2 Community Outreach & Engagement	Task 3 Site Specific Cleanup	Task 4 Cleanup Oversight	Totals
Direct Costs					
Personnel	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Travel	\$3,500	\$0.00	\$0.00	\$0.00	\$3,500
Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contractual [QEP; excavators, truckers, disposal, etc.]	\$25,000	\$20,000	\$1,606,000	\$70,000	\$1,721,000
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Direct Costs	\$28,500	\$20,000	\$1,606,000	\$25,000	\$
Indirect Costs	0.00	0.00	0.00	0.00	0.00
Total Budget	\$28,500	\$20,000	\$1,606,000,	\$70,000	\$1,724,500

What will be done with the property?

- ❖ The plan for redevelopment of the property includes the creation of additional parking on the east side of the parcel.
- ❖ The land containing the deteriorated mill building will be converted to public park and greenspace, with a walking path along the river connecting to the path around Odell Park.
- ❖ The former Armory Building will be repurposed into a mixed-use development. The City will seek bids from developers for the future use of the building.

Why is this project important now?

- ❖ The mill is a safety hazard due to the building deterioration. The property is a sore thumb in an area which is undergoing much needed commercial and residential redevelopment.
- ❖ The failure to cleanup the site could result in significant environmental problems if the contamination leaches or erodes into the abutting river. And cleaning up the property will help protect the health and welfare of the residents and visitors to the City.
- ❖ The EPA has not given this level of funding for Brownfields cleanups in the past 40 years. This is the best opportunity for the City to obtain the funds necessary to adequately remediate the contamination.



**Questions?
Comments?**

Lewis added that the targeted Brownsfield assessment and remedial action plan of the Ferrari Mill site would be available on the city website and a hard copy would also be available for review in the City Manager's office at City Hall.

There was some discussion about how long the cleanup would take if the city is awarded the grant and Lewis stated that it will be a 3 to 4-year project in total.

The public hearing on the EPA grant presentation closed at 6:57 p.m.

Resolution #05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation.

The public hearing opened at 6:57 p.m.

There was no discussion on this hearing.

The public hearing on Resolution 05-23 closed at 6:59 p.m.

Legislative Update:

Mayor Brown stated that there were no legislative updates.

Comments from the Public:

Mayor Brown asked if there were any other generic public comments.

Public comments opened at 7:00 p.m.

Resident Desiree McLaughlin approached the Council to express her opinions on the trash ordinance hearing to be set at this meeting. She handed out a copy of her speech regarding trash ordinance 03-23 and included information on a petition that she is also putting together. This handout is included at the end of these minutes.

Partners in Prevention Project Director, Stephanie Wolff, gave a shout out to Parks & Recreation Director Alpers and all of the volunteers for making Franklin's Fall Fest a huge success.

City Clerk Stanyan thanked the mayor and the council for moving the city council meetings for the elections this year, as it made the setup much smoother.

Resident Mike Lombardo, Ward III, thanked Councilor Desrochers for donating the Purple Heart signage that he saw posted and he also thanked all of the election workers.

Resident Leigh Webb, Ward III, personally thanked MSD Director Hanscom for all of the road patching that has been done recently.

Public comments closed at 7:15 p.m.

City Council Acknowledgement:

Mayor Brown asked if there were any City Council acknowledgements.

Councilor Dzujna thanked Parks & Recreation Director Alpers for her work on the Soupfest and everyone else who helped out, including Tim Morrill. He stated that Franklin's Fall Fest went very well.

Mayor's Update:

Mayor Brown stated that she had a few updates:

- Incoming Councilor Webb and herself met with the CEO of Easter Seals and they will be running a project that is going to be a veteran's campus and will be very impressive. Hopefully, there will be a concept ready for the Planning Board by late spring.
- She talked about a visit with the Episcopal Bishop and stated that he blessed the Irish Pub that will be opening.

Agenda Item I.

Approval of Minutes:

Council to consider the minutes of the October 11, 2022 City Council meeting.

Motion - Councilor Blake moved that the Franklin City Council approve the minutes of the October 11, 2022 City Council Meeting with some edits from Councilor Vince Ribas. Seconded by Councilor Dzujna.

Councilor Ribas stated that he sent a few corrections to Executive Secretary Jones for revisions and also made a statement about the section talking about the Opera House project. He was concerned that just stating that there was a discussion was insufficient and was not sure if anyone other councilors felt the same way, as it did not mention that the council was disappointed in the way that the request for funds for the feasibility study was presented.

There were no other comments on the minutes.

7 in favor; 1 abstained; motion passes.

Agenda Item II.

Council to hear from residents on speeding issues on Pleasant Street:

Resident Doug Veysy, Ward III, approached the council to talk about vehicular speeding in his neighborhood on Pleasant Street. It is a main access road to get to Tilton and downtown Franklin. The road is also not very well maintained, as far as potholes and such. Since signing and submitting a petition about the speeding he has noticed some police car presence, as there was none previously. He asked if the council can address the issue and maybe have more cruisers out

in that neighborhood.

Resident Cheryl Fisher, Ward III, added that residents have expressed sincere appreciation for addressing this subject as well.

There was a discussion about that road being on the list of roads that are being patched at the moment.

Councilor Desrochers stated that the speeding issue is more of a police matter and asked the Police Chief to expand on this.

Police Chief Goldstein let the residents know that he and the police department are doing the best that they can to address this subject and to try and cut down on the speeding on Pleasant Street. Speeding issues have become a national problem that all communities are trying to fight on a regular basis.

Agenda Item III.

Council to consider giving permission to the Lakes Region Snowmobile Club for the use of the side of Lake Avenue and Lark Street:

Motion - Councilor Ribas moved that the Franklin City Council approve the Snowmobile Trail Permission form for Lakes Region Snowmobile Club's trail access to City property along the side of Lake Avenue and Lark Street for a term to coincide with the approved City street crossing authorization through January 2024 and authorize the City Manager to sign the permission document on behalf of the City. Seconded by Councilor Starkweather.

Lakes Region Snowmobile Club President, Jason Grevior, answered some questions that the councilors had about the exact location they were requesting permission of. This can also be seen in the meeting packet where the location is highlighted.

All in favor; motion passes.

Agenda Item IV.

School Board Update:

School Board Committee Chair, Tim Dow, gave an update:

- Dow stated that Superintendent LeGallo is at a site visit in Colorado for the Portrait of a Graduate, which is one of the requirements for the foundation. There will be a few other site visits to other schools offering the same program successfully. They send a few students out with their parents and a staff member.
- The Franklin High School robotics team won the highest award at the last two meets in Manchester and Alton. Franklin has become well recognized for their robotics achievements so they are doing very well.
- Franklin's cheerleaders participated in the Division III Spirit competition and placed 3rd.

- Franklin was also the proud recipient of the \$25,000 book grant through the CLIF Foundation. One of the representatives recently came to the schools to read to the students and they loved it. This grant gives a lot of books to students, the school libraries and the Franklin Public Library.

Dow asked if there were any questions.

Councilor Zink did ask about the two lock-down incidents at the Middle School this fall and Dow explained that the threats had been written in the girls rest room wall and the police department did an assessment before resuming classes. The administration is still investigating this as well.

Councilor Zink asked if he could provide any information on the Elementary School principal and whether there is no principal at the moment. Dow stated that he is unable to speak on that at this time. The board is still discussing this as it is an administrative personnel issue.

Agenda Item V.

Council to consider Resolution #05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation:

Motion - Councilor Bunker moved that the Franklin City Council adopts Resolution 05-23 appropriating \$988,339 to the Franklin School District fiscal year 2023 budget and appropriating \$165,000 to the Franklin School District for the Portrait of a Graduate grant from the Barr Foundation. Seconded by Councilor Zink.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

RESOLUTION # 05-23

A Resolution Granting Authority to Accept and Appropriate \$988,339 of Additional Adequacy Aid, SB420 Extraordinary Need Grant and Fund Balance Funding and \$165,000 in Grant Funding for the Franklin School District for Fiscal Year 2023.

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

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive additional adequacy aid of \$196,304.82 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 from SB420 Extraordinary Need Grant of \$360,164.58; 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 \$431,869.58; and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive a grant award of \$165,000 entitled Portrait of a Graduate from the Barr Foundation; and,

WHEREAS, the City Council of the City of Franklin would like to appropriate an additional \$988,339 to fund the replacement and upgrade of cameras and door access controls, create a technology coordinator position and to preserve potential fund balance from the 2023 year to be carried over to the 2024 fiscal year. Due to the challenges and uncertainties regarding the adequacy funding formula these funds could help support the next budget cycle. And City Council of the City of Franklin would like to appropriate \$165,000 of the Portrait of a Graduate grant funding from the Barr Foundation; **Now**,

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on November 7, 2022, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #05-23 to formally accept and appropriate \$1,153,339 of additional revenues for the Franklin School District as follows:*

An Increase in Revenues:

Adequacy Education Aid – One Hundred Ninety-Six, Three Hundred Four Dollars and Eighty-Two Cents (\$196,304.82)

SB420 Extraordinary Need Grant – Three Hundred Sixty, One Hundred Sixty-Four Dollars and Fifty-Eight Cents (\$360,164.58)

Use of Fund Balance – Four Hundred Thirty-One, Eight Hundred Sixty-Nine Dollars and Fifty-Eight Cents (\$431,869.58)

Grant Revenue – Portrait of a Graduate – One Hundred Sixty-Five Thousand Dollars (\$165,000),

An Increase in Expenditures:

School District Expenditures – Nine Hundred Eighty-Eight, Three Hundred Thirty-Nine (\$988,339)

Grant Expenditure – Portrait of a Graduate - Two Hundred Fifty Thousand Dollars (\$165,000)

By a roll call vote.

Roll Call:

Councilor Dzujna yes Councilor Chandler yes Councilor Zink yes

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

All in favor; motion passes.

Agenda Item VI.

Council to consider the 2024-2025 AFSCME AFL-CIO Franklin Custodial Agreement:

Motion - Councilor Ribas moved that the Franklin City Council approve the 2024 to 2025 AFSCME AFL-CIO Franklin Custodial Collective Bargaining Agreement as approved by the Franklin School Board and AFSCME AFL-CIO Franklin Custodians with an anticipated cost of \$26,786 in 2023-2024; an anticipated cost of \$17,863 in 2024-2025 to the general fund. Seconded by Councilor Dzujna.

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

There was a discussion about this going to the general fund instead of the school funds and Milner explained that the city-wide budget includes the municipal and school budget so the general fund is the fund that is supported by the tax payers' dollars.

All in favor; motion passes.

Agenda Item VII.

Council to consider the 2024-2025 AFSCME Council 93/Local 3158 Franklin Support Staff Agreement:

Motion - Councilor Bunker moved that the Franklin City Council approve the 2024 to 2025 AFSCME Council 93/Local 3158 Franklin Support Staff Bargaining Agreement as approved by the Franklin School Board and AFSCME Council 93/Local 3158 Franklin Support Staff with an anticipated cost of \$69,408.89 in 2023-2024; an anticipated cost of \$44,244.08 in 2024-2025 to the general fund. Seconded by Councilor Ribas.

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

There was some discussion about how the school had to re-evaluate the contract amounts due to possibly needing to contract for para-professionals when they were unable to find any for hire. The councilors were also missing the summary of changes sheet so Braman stated that he would get that sent over, as he thought he had included it for the packets.

All in favor; motion passes.

Mayor Brown called for a quick break at 8:00 p.m.
The meeting reconvened at 8:15 p.m.

Agenda Item VIII.

Council to consider setting a public hearing for Ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the Municipal Code:

Mayor Brown wanted to give some quick information about this agenda item beforehand, as there seems to be some confusion over some of the items in the ordinance. She clarified that the yellow top program is not a requirement for businesses, but an option. Other options include having a dumpster or having tenants pay for their own trash bags that they would bring to the transfer station themselves. She wanted to make it clear that the city is not mandating the yellow top program for any residents or business owners, but offering it as a service.

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 Monday, December 5th, 2022 at 6:00 p.m. in the City Hall Council Chambers. Seconded by Councilor Ribas.

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

Councilor Starkweather stated that this motion is just to set a public hearing and that discussions on how it would be implemented would be done at that hearing.

There was discussion about how the council worked on the language of the ordinance for 3-1/2 hours on October 24th and at this point this needs to go to a public hearing so that people can look at it and see what it entails.

6 in favor; 2 opposed; motion passes.

Mayor Brown, City Manager Milner and Councilor Ribas read the entire ordinance 03-23 to the public. This ordinance is attached at the end of these minutes.

Agenda Item XI.

Council to consider setting a public hearing for ordinance 04-23 to revise existing Chapter 233 Adoption of the Property Maintenance Code, and Chapter 233-2 Additions, Insertions and Changes:

Motion - Councilor Bunker moved that the Franklin City Council set a public hearing date for 6:00 p.m., at the December 5th, 2022 meeting of the City Council, for Ordinance 04-23. Adoption of Ordinance 04-23 will result in the update to the City Municipal Code Chapter 233-1 and 233-2. Seconded by Councilor Dzujna.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor; motion passes.

Agenda Item X.

Council to consider setting a public hearing for resolution 06-23 accepting and appropriating funds from the Federal (CCASP) **Child Care Achieving Stabilization Program** for the Before and After School Program:

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing on Resolution 06-23 at 6:00 p.m. on December 5th, 2022 to accept and appropriate \$24,420 from the Federal CCASP (Child Care Achieving Stabilization Program) for the purpose of stabilizing child care and \$25,680 from CCDF (Child Care and Development Fund) Discretionary Funds quality grant for the Parks and Recreation Before and After School and Summer Program. Seconded by Councilor Zink.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor; motion passes.

Agenda Item XI.

Council to consider change in approved positions in Municipal Services Building & Grounds division:

Motion - Councilor Dzujna moved that the Franklin City Council approves the position listing change in municipal services by eliminating two (2) part-time buildings and grounds custodians and adding one (1) full-time buildings and grounds custodian. Seconded by Councilor Starkweather.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor; motion passes.

Agenda Item XII.

Council to consider changing January 2023 City Council Meeting falling on the New Year's Day Holiday:

Motion - Councilor Chandler moved that the Franklin City Council move the January 2nd, 2023 City Council meeting to Monday, January 9th, 2023. Seconded by Councilor Starkweather.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor; motion passes.

Agenda Item XIII.

Other Business:

1. Mayor & Council Appointments

There were no mayoral or council appointments.

2. Committee Reports

There were no committee reports.

3. City Manager's Update:

- a. Contingent Grant Line Activity – \$75 Recreation Scholarship (from Councilor Chandler); \$2,987 Franklin Partners in Prevention Soup Fest Fundraiser; \$612.78 Sex Offender Compliance Grant
- b. Trust fund for school funding – \$271.21
- c. Congratulations: Firefighter Paramedic Tony Roberts was promoted to Captain Paramedic; Firefighter AEMT Danforth was promoted to Captain; Matt Mercier from MSD earned his CDL-A license; and to Chief Goldstein, who is the speaker at commencement ceremony for new correctional officers at the NH Department of Corrections.
- d. Committee meetings – November:
 - Municipal Services – Wednesday, 11/23, 10am at the water treatment facility
 - City Finance – Monday, 11/21, 5:30pm at City Hall “Blue Conference Room”
 - CIP – Thurs, 12/1, 5:30pm at City Hall “Blue Conference Room”
- e. Welcome: Andrew Perkins (Fire), David Sabo (Fire)
- f. Tax Bills – The tax rate was set today and the tax bills will be going out by Monday, the latest. As a reminder, this tax rate includes a one-time payment by the State of NH for the state-wide educational tax of \$338,000, which lowered the tax rate for this year. Next year that \$338,000 will be back.
- g. Shout out – Kathy Rago for explaining the tax bill on her podcast and getting that out to the public.
- h. Thank you to all of those that reached out to 1st responders on October 28th regarding 1st Responder's Day.

- i. Random Acts of Community – She wanted to recognize Willow Hill for their wicked cool Halloween decorations!
- j. Media contacts – Union Leader, NY Times and Laconia Daily Sun
- k. Public Forum – the Economic Development Taskforce is holding a public forum on 11/28 at 6pm on the next steps for the Trestle Bridge project. This will be held at the Lodge of Elks.
- l. Fall Fest/Soup Fest/Get Out & Play Day/October Fest – This was on October 22nd and went very well. There were over 1,000 wristbands given out, which doesn't include people under the age of 21. There were over 300 wristbands given out for Soup Fest, which made over \$2,987. It was a great day for Franklin.
- m. Drug Take Back Day was held on October 29th and they got 6 very full and very heavy boxes totaling 174 lbs. State line collected 16,840 lbs.
- n. UNH President Visit – He came on 11/2 and the Economic Development team was invited by the mayor to show off what Franklin has been up to via a walking tour. The city will be receiving a promotional video featuring Franklin as a result of this visit.
- o. Senators Shaheen & Hassan visited on 11/3. They were invited to take a look at the SAFER grant for two of Franklin's firefighters and to ask them if they could add Franklin or Merrimack County to the Northern Borders Group so that the city can ask for funding from them. Milner stated that she should hear back on that shortly.
- p. Bishop Curry from the Episcopal Church visited on 11/4 to bless the Waterhorse Pub and the White-Water Park. She also gave a shout out to Pastor Kate as well for her work here in Franklin.
- q. Holiday Stroll is scheduled for December 2nd, starting at 4pm, and there will be craft tables, the Festival of Trees at City Hall, Santa coming on the fire truck, the tree lighting, horse drawn wagon rides and also there will be lots for kids to do at the Recreation Center.
- r. Kick off meeting with DRA for revaluation – This happens every five years so the next one is in 2023. The company being used is KRT. Milner handed out the flyer with FAQs on the city revaluation, which is included at the end of these minutes.
- s. 599 South Main St – It was sold and is back on the tax roll. It was sold to Ryan Dillon and will be used as a cabinetry showroom.
- t. Stanley Mill update – As you heard earlier in the meeting, Franklin is putting in an application for \$1.75M to EPA, which is due on 11/22. Franklin already received a grant from DES of \$200,000 and they have a grant from InvestNH, which is the funding

for the project for \$400,000. That one she has not heard back on yet. The city is closing with the Ferraris and will be taking possession of the property this week.

- u. Solar lease litigation update - Milner is happy to report that the Superior Court ruled in favor of the city and the leases are now null and void. There will be more discussions on those properties soon.
- v. Water Source Project – The grant received by NH Water Works Association and DES means that they will be working in conjunction with the Town of Sanbornton to implement a Groundwater Protection Ordinance to protect Franklin’s drinking water. There is a flyer about this attached to the end of these minutes and there will be more discussion on this soon.
- w. With the cost of a CDL license going from \$6,000/person to about \$9,000/person, MSD Director Hanscom has been trying to come up with some unique ways to cut costs for the city. There is a licensing school that is interested in holding a satellite location here in Franklin. This would heavily discount the cost of Franklin employees that attend the school. Milner stated that they are going to conduct a one-time pilot program before bringing it to the city council, just to work out a few bugs and hold one class here in the city of Franklin. After that they will know what the cost will be for employees to get their CDL license through this school.
- x. Milner let the council know that she will be attending the NHMA conference on 11/16 and 11/17, which is free of charge as she sits on that board.
- y. Reminder - City offices will be closed next Thursday and Friday in observance of the Thanksgiving Holiday.

4. Late Items:

Motion - Councilor Zink moved that the Franklin City Council take Ordinance 09-20 off of the table and send it to the Legislative Committee. Seconded by Councilor Ribas.

Councilor Zink stated that this was the ordinance about the recounts that have been tabled since 2019 and it is time to address it.

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

Milner thought this had been taken off of the table and sent to the City Clerk, but Councilor Zink couldn’t find anything stating that it had been.

All in favor; motion passes.

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

All in favor; motion passes.

The meeting adjourned at 10:16 p.m.

Respectfully submitted,

Lisa Jones
Executive Secretary

Attachments:

- Handout from Resident Desiree McLaughlin
- Ordinance 03-23
- Revaluation FAQs flyer
- Protecting Franklin's Drinking Water flyer

My public comment is regarding the city council's intention to Repeal and Replace for ordinance 3-23 in chapter 257 "Solid Waste" of the Municipal Code. It is understood The City of Franklin is experiencing a financial crisis regarding the disposal of our trash. That issue is indisputable. However, The City Council convened a "Special Meeting" on October 24th providing less than 4days notice of this meeting to residents on October 20th via email. The emailed notice did not inform the public that they would not be allowed to comment instead they were informed upon arrival.

The intention of this Special Meeting was a workshop to review the new ordinance and make a motion to set a hearing date. After their discussion resulted in a lack of agreement among councilors as well as a lack of information available from the Municipal Service Department head, the meeting was adjourned without a hearing date set. Today's City Council Agenda includes Item number VIII "Council to consider setting a public hearing for ordinance 3-23. So, when did the meeting occur that resolved the discord present in the Special Meeting on Oct 24th that would justify setting a public hearing tonight?

The negative impact the Repeal and Replace trash ordinance as proposed by the Franklin City Council would be significant and difficult, if not impossible to overcome or reverse. As written, it opens the City to increased liabilities only some of which I will list now.

1. What is the legal consideration to potential lawsuits should residents and property owners who have been unfairly segregated into a commercial category, while allowing single families and two families to operate in the same commercial capacity and reap tax dollar generated municipal benefits unjustly.
2. The economic burden of municipal services will be transferred directly from the City of Franklin's municipal budget, straight to the newly designated commercial property taxpayers with no adjustment to the property owners tax rate.
3. Small businesses located in the heart of the City of Franklin's revitalization efforts will incur additional municipal fees. These fees may translate to the former empty storefronts that blighted the downtown area for decades. Future businesses may be discouraged from considering Franklin as a destination for their business.
4. Rental rates for local businesses and residents will increase thus increasing the number of vacant but viable commercial spaces and residential apartments while the city faces rising numbers of homelessness and over-occupancy of rental apartments. Code violations will increase.
5. Additional burden will be placed upon both the police department as well as the municipal department to accommodate the proven statistical increase in illegal dumping and documentation of illegal dumping incidents
6. Increased burden on Franklin City Code Enforcement to investigate, report and resolve improperly stored trash occurrences which may lead to infestations of rodents and other pests increasing liability to property abutters.

The Franklin residents, taxpayers, and small business owners have drafted a petition to implore the Franklin City Council to recognize and continue curbside trash collection for the current commercial designation of 6 units and below as well as small businesses and for setting a series of at least 3 workshops allowing public suggestion and idea incorporation while exploring additional measures of remediation to alleviate the financial burden of trash disposal.

PETITION TO THE CITY COUNCIL FROM THE TAXPAYERS, RESIDENTS AND SMALL BUSINESS OWNERS.

PLEASE DO NOT: REDEFINE "COMMERCIAL UNIT"

DISCONTINUE SERVICES TO OUR SMALL BUSINESSES.

REMOVE THE PUBLIC FROM THIS PROCESS

The City of Franklin is experiencing a financial crisis regarding the disposal of our trash. The issue is indisputable. The City of Franklin collects taxes on all residential and commercial properties within the city limits. The City of Franklin is proposing to "Repeal and Replace" the current trash ordinance 03-23 that provides curbside collection services to a large majority of taxpayers. They propose to discontinue curbside collection service to all properties over 2 units and all small businesses. Their justification for this action is: Commercial properties can generate income as opposed to single family residences. **This statement is FALSE.** Many single-family and 2 family homes in Franklin are rental properties or short-term rentals. They are either locally owned or owned by out of staters. They are rented on a commercial basis. This invalidates the justification for reclassifying the definition of "commercial". In addition, the 'newly designated "properties proposed to lose curbside collection service in the new ordinance generate more city tax dollars than single-family or two-unit residences.

The City Council convened a "Special Meeting" on October 24, 2022, providing notice of this meeting to residents on October 20, 2022 via email. That is less than 4 days' notice. There was no notice the public would not be allowed to comment. The public was notified upon arrival, they would not be allowed to participate, however Mayor Jo Brown allowed one resident over others to participate until properly censured by a city councilor. The intention of this Special Meeting was a workshop to review the new ordinance and make a motion to set a hearing date. After discussion with resulting discord and a lack of information available from the Municipal Service Department head, the meeting was adjourned without a hearing date set. The November 14, 2022, City Council Agenda includes Item VIII "Council to consider setting a public hearing for ordinance 03-23 repealing and replacing current Chapter 257 "Solid Waste" of the Municipal Code."

The negative impact the Repeal and Replace trash ordinance as proposed by the Franklin City Council would be significant and difficult, if not impossible to overcome or reverse. As written, it opens the City to increased liabilities only some of which are listed below.

1. What is the legal consideration to potential lawsuits should residents and property owners who have been unfairly segregated into a commercial category, while allowing others operating in the same commercial capacity, to reap tax dollar generated municipal benefits unjustly.
2. The economic burden of municipal services will be transferred directly from the City of Franklin's municipal budget, straight to the newly designated commercial property taxpayers with no adjustment to the property owners tax rate.
3. Small businesses located in the heart of the City of Franklin's revitalization efforts will incur additional municipal fees. These fees may translate to the former empty storefronts that blighted the downtown area for decades. Future businesses may be discouraged from considering Franklin as a destination for their business.

4. Rental rates for local businesses and residents will increase the number of vacant but viable commercial spaces and residential apartments while the city faces rising numbers of homelessness and over-occupancy of rental apartments. Code violations will increase.
5. Additional burden will be placed upon both the police department as well as the municipal department to accommodate the proven statistical increase in illegal dumping and documentation of illegal dumping incidents
6. Increased burden on Franklin City Code Enforcement to investigate, report and resolve improperly stored trash occurrences which may lead to infestations of rodents and other pests increasing liability to property abutters.

Franklin residents, taxpayers, and small business owners. Please sign this petition. Please implore the Franklin City Council to recognize

1. The importance of continued curbside trash collection for the current commercial designation of 6 units and below as well as small businesses.
2. Setting a series of at least 3 workshops allowing public suggestion and incorporation while exploring additional measures of remediation to alleviate the financial burden of trash disposal.

This petition will be read to the Franklin City Council at the November 14, 2022, City Council Meeting and presented signed at either the December 5, 2022, City Council Meeting or if /the council sets a different date specifically for the hearing on the Trash Ordinance. Whichever comes first. Please write to your City Councilors and please furnish these communications to be included with the presentation of the final signed petition.

PLEASE FILL OUT AND SIGN THIS PETITION COMPLETELY

PLEASE WRITE TO YOUR CITY COUNCILOR AND FORWARD TO DESIREE @ DMC92775@YAHOO.COM

THESE COMMUNICATIONS CAN BE INCLUDED WITH THE PETITION

SOLID WASTE ORDINANCE 03-23 - Chapter 257

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Twenty-Two

Be it ordained by the City Council of the City of Franklin that the existing Chapter 257, Solid Waste, of Franklin Municipal Code, be repealed in its entirety and replaced with the following:

Chapter 257 Solid Waste Article I

General Provisions

257-01 Purpose:

The purpose of this Chapter is to describe the procedures and requirements for the management, handling, and disposal of solid waste generated within the City of Franklin, New Hampshire. These provisions shall apply but not be limited to all activities at the Franklin Transfer Station; Commercial Collection and Storage; Recycling; the city provided Automated Curbside Collection System means of specialized containerized service using mechanized equipment; and all phases of solid waste enforcement. The proper management of solid waste is necessary to protect the health, safety and welfare of the citizens, property owners, and visitors to the City of Franklin.

257-02 Definitions:

The following words and abbreviations used in this Ordinance shall mean and be defined as outlined below. Any other words not outlined below and used in this Ordinance shall have its commonly used and understood definition.

- a. Accepted Public Way: A street or road that has been formally accepted and approved by the City Council for public use and maintained by the city, as well as any New Hampshire Department of Transportation State Highway within city limits.
- b. Automated Curbside Collection System: The curbside solid waste collection system used by the City of Franklin by means of automated collection trucks and specialized containers lifted into trucks by mechanical arms. There are two terms used in this document, "Automated Residential Curbside Collection System," specifically addressing residential

pickup, and "Automated Commercial Curbside Collection System," specifically addressing commercial pickup, both of which are discussed later in this document.

- c. Base level Service: The automated curbside collection system level being provided to eligible properties as defined in this Ordinance for curbside collection, and the disposal of municipal solid waste at the Transfer Station in compliance with "Transfer Station Guidelines" which will be updated with the City Council approval of a new Solid Waste Ordinance.
- d. Bypass Waste: Waste that is diverted to the end source without passing through the transfer station.
- e. City: The City of Franklin, NH, including city staff or subcontractors.
- f. City Council: The legislative body of the city as defined in the Franklin, NH City Charter.
- g. Commercial Hauler: A private, licensed company, corporation, or individual that operates within the city for the collection and disposal of solid waste hired either by the city or by the residential or commercial property owner.
- h. Commercial Unit/Use: A Commercial property containing a business entity or similar use, or a residential multifamily housing dwellings of three or more units or any combination thereof to include condominiums. The unit(s) may be an individual and/or stand-alone use, or it may be of mixed use with multiple business activities or commercial dwelling units.
- i. Concord Regional Solid Waste & Resource Recovery Cooperative (CRSWRRC): The Cooperative of which the city is a participating member where certain types of solid waste are disposed of for incineration; referred to as CRSWRRC in this Ordinance.
- j. Courtesy Notice: A notice, issued by the Director of Municipal Services or designee(s), under the enforcement provision outlined below, to inform a resident or property owners that they are not in compliance with one or more provisions of this Ordinance. This notice may be used as the first step in the overall enforcement process and is intended to be an educational and informational reminder for the proper preparation, handling, and management of municipal solid waste by the property owner.
- k. Construction & Demolition (C&D): All building and construction material not fit for processing at the incinerator or alternate facilities as specified in their regulations for delivery of materials.

- l. Contractor: A private, licensed company, corporation, or individual that operates within the city to manage and provide municipal solid waste curbside collection services. Also, a contractor licensed to provide various types of solid waste collection services within city limits.
- m. Curbside Trash Receptacle: Trash containers listed under Base Level Service that meet the specifications identified and suitable to be used by the city or their contractor to qualify for pickup by automated collection. These containers are specified by minimum and maximum size, lid color, manufacturer and other means.
- n. Customer: The individual property owner, tenant, lessee, or other party receiving the base level collection service provided by the city, or who uses the Transfer Station.
- o. Director: The Director of the Municipal Services Department or a designee(s) to act on the city's behalf to manage its Municipal Solid Waste Curbside Collection Program.
- p. Formal Notice of Noncompliance: A notice, issued by the Director of Municipal Services or designee(s) under the enforcement provision outlined below, to inform a resident(s) or property owner(s) they are not in compliance with one or more provisions of this Ordinance. This notice may be used as the first or second step in the overall enforcement process. The issuance of multiple formal notices can result in loss of service, penalties, or enforcement actions as outlined in this Ordinance.
- q. Gross Annual Tonnage: The amount of municipal solid waste that the city delivers to the CRSWRRRC and other permitted solid waste disposal facilities on an annual basis. This amount is annually calculated by the city and may change as the generation rates of municipal solid waste increase or decrease due to the various factors including: population growth, increases in the amount of solid waste generated, or general economic and market conditions.
- r. Hazardous Waste: All waste identified by the New Hampshire Department of Environmental Services and the NHDES Solid Waste Management Bureau requiring special handling, transport, and disposal.
- s. Incinerator: The facility being used by the city for the disposal and processing of solid waste.

- t. Municipal Services Committee: The committee established by the City Council to advise the Department on operational and budgetary issues and referenced in this Ordinance.
- u. Municipal Services Department: The department of the city that is responsible for the collection, handling and transport of all solid waste and trash and recyclable materials and referenced in this Ordinance as the MSD.
- v. Neglect: The misuse of a city-issued container that results in breakage or other damage of the container so it cannot be properly used to hold the materials. These conditions include: the lid of the container is removed or the lid or body of the container is significantly cracked so rain can enter; the wheels do not function; it cannot be picked up by the automated trucks; or is otherwise rendered inoperable. Any repairs to the city-owned containers will be performed by city staff. The property owner/customer shall contact the MSD office to report damage and request a repair. Containers damaged beyond repair by damage caused by city vehicles, must be replaced by the city. The city reserves the right to charge for container replacement, due to homeowner neglect, at a cost consistent with Chapter 160 "Fees" of the Franklin City Code. If containers are subject to neglect or other damage by the property owner as determined by the Director, the Director may issue a Notice of Noncompliance letter to the owner and/or customer indicating that the next repair necessary due to neglect or abuse will result in a charge for the repair or replacement of the container at a cost to the property owner or tenant. Similarly, if the containers are improperly removed from the property, the owner may be charged for the next replacement container. Property owners are ultimately responsible for all property owner damages or missing containers, and the owner shall work to educate the household members and/or tenants on the proper use, placement and maintenance of the containers.
- w. Policies: This includes procedures and guidelines prepared by the Director of Municipal Services and city staff for the proper implementation and operation of the provisions of this Ordinance.
- x. Recyclable Materials: For the purposes of this Ordinance this includes all the materials accepted by the City for recycling which will be transported to firms contracted by the city for recycling services. These materials are generated by residential units and commercial properties for disposal at the Transfer Station or a satellite collection center. The Director will issue a list of acceptable items, which may change due to market, regulatory and economic conditions. There are a variety of recyclable materials that include: glass bottles, tires, metals, clothing, batteries, household appliances, waste oil, mercury-containing devices, non-burnable wood-waste and construction materials,

leaves and yard waste, and other items included by the Director on the allowed-items list, which can be found in the written "Transfer Station Guidelines."

- y. Residential Unit: An individual residential dwelling used for habitation. A single-family home is one unit, a two-family structure is a two-unit building, and a multi-unit building or complex is designated by the number of individual units such as apartments, condominium complexes, mobile/manufactured home parks, or a mixed-use or cluster type of building development categorized as commercial use.
- z. Scavenging: The removal of, or the rummaging through, any form of solid waste (any recyclable or nonrecyclable material) from any container that has been placed at the curbside for collection by the city or for disposal at the Transfer Station. All solid waste and recyclable materials placed on the curbside for collection, or brought to the Transfer Station, are considered the property of the City of Franklin, and no scavenging of the materials is permitted. This section notwithstanding, the proper management of the materials placed curbside for collection is the responsibility of the property owner, directly or through any tenant or lessee, as outlined in Section 257-07.
- aa. Separation of Solid Waste: Items exempt from, or not accepted, for regular curbside municipal solid waste collection, which is acceptable at the Transfer Station in accordance with the State of N.H. issued permit to operate. Separated materials must be placed in the appropriate and approved containers for disposal at the Transfer Station.
- bb. Single Stream Recycling: A type of recycling program that allows for the mixing of all types of recyclable materials. The mixing is done by the homeowner or another resident, a business, or a property owner.
- cc. Solid Waste: This is the entire waste stream which includes both recyclable and nonrecyclable materials; also, sometimes referred to as the solid waste stream.
- dd. Special Waste: Types of wastes that are liquid, solid, gaseous or vapor in nature not considered hazardous requiring special handling. This waste is not permitted to be disposed of through Curbside Collection. It may be taken and separated at the Transfer Station for appropriate disposal.
- ee. State or Federal Statute: Any State or Federal statute, law, regulation or policy intended to address any issue related to the collection, storage or disposal of any solid waste material or any unacceptable or prohibited material.

- ff. Transfer Station: The facility operated by the city, located on Punch Brook Road, where eligible residents, businesses, contractors and persons may deposit trash, recyclables, and various yard and construction waste materials. Please refer to Article III of the Ordinance and the "Transfer Station Guideline" for additional information.
- gg. Transfer Station Guidelines: A written information packet summarizing operational guidelines, facility rules and other pertinent information for the Public who use the facility. These guidelines are updated as needed by the Municipal Services Director for public distribution.
- hh. Trash: Typical Municipal Solid Waste (MSW), i.e., trash and garbage that is generated by a residential dwelling unit or a commercial property, not requiring special handling.
- ii. Unacceptable and Unapproved Waste: Waste not designated in the city's permit or not permitted in the solid waste stream by an applicable city Ordinance, State or Federal Statute or Law, or by firms contracted with the city to handle and dispose of the waste.

257-03 Administration of Chapter:

The Director of the Municipal Services Department or designee(s) (hereinafter the "Director" and the "Department" respectively) shall have responsibility for the administration of this Chapter subject to the direction and control of the City Manager and the City Council. As deemed appropriate by the Director, certain responsibilities may be delegated to the Deputy Director or other appropriate city staff. As outlined below in Section 257-10, the Director shall have the full authority to make and enforce certain policies and procedures to carry out the purpose of this Chapter.

257-04 Mandatory Separation of material at Transfer Station:

By and through this Ordinance, it is a requirement in the City of Franklin that all waste delivered to the Municipal Transfer Station be separated by type and disposed of in a designated appropriate container(s). The mixing of special waste with trash is a violation of this Chapter and subject to the appropriate enforcement procedures as outlined in Section 257-11. The reason for mandatory separation at the Transfer Station is to help manage, contain and control the costs associated with the disposal and management of solid waste by diverting as many recyclables and specialized types of solid waste from the stream as possible and in accordance with waste bans required by the State of New Hampshire. The listing of designated recyclable materials shall be prepared by the Director and included in the "Transfer Station Guidelines," which can be found on the city website under Transfer Station, and at the

Municipal Services Department office. The list will also be available to civic and business organizations for use in their events and programs.

257-05 Education:

The City Council and the City Administration recognize that the most efficient, cost-effective way to handle/dispose of solid waste is to design and implement a solid waste program. Secondly, residents should be educated on ways to separate, reduce, reuse, and recycle as much solid waste as possible. The strong potential exists that costs associated with the disposal of trash will continue to increase and one method of reducing the overall costs to the city is to recycle and separate as many materials as possible. While the markets for recyclables are always fluctuating, the costs of disposing of solid waste are generally lower than the costs of disposing of nonrecyclables, if separated. Thus, the city along with interested individuals, schools, and civic organizations, will educate, inform, and encourage residents and business owners regarding city solid waste collection and disposal methods. Educational outreach programs and information will be made available on the City website, through the schools, at community events, cooperative efforts with local businesses and in the local media. The City Council welcomes the cooperation and assistance of all residents in making Franklin a leader in programs that reduce, reuse and re-purpose all types of municipal solid waste.

257-06 Unlawful Disposal; Out of City Refuse; Unacceptable and Prohibited Materials:

It shall be a violation of this Chapter for any individual, business, property owner, or other person or entity to unlawfully dispose of any solid waste, hazardous waste or special waste in a manner not in accordance with the provisions of this Chapter or contrary to any policy, regulation or guidelines established hereunder, or any applicable state statute or regulation. The dumping or disposal of any type of waste generated from any location outside of the boundaries of the city shall also be considered a violation. The previous sentence notwithstanding, the burial/disposal of ash on the CRSWRRRC property, or any future disposal agreement with the CRSWRRRC to use their land within the city, and approved by the City Council, shall be exempt from the restrictions of this Section. The penalties for any violation of this chapter will be as outlined in Section 257-11 below. Certain materials are not accepted and prohibited through the City Curbside Collection Program and at the Transfer Station. These materials may be banned through State or Federal Statutes or regulations, by the owner/operator of the incinerator where city trash is burned, any future final disposal location, or by City Ordinance per regulation. No individual shall dispose of or accumulate any unacceptable materials, as

defined in 257-02, ii Unacceptable and Unapproved Waste, within the City on public or private property. The Department office can be contacted for a listing of such materials or will direct the party to an online list outlining such materials. Violations may be reported to the City of Franklin, Municipal Services Department at 43 West Bow Street or by calling 603-934-4103.

257-07 Obligation of Parties:

The City assumes no obligation under this Chapter to remove trash, recyclables, garbage, rubbish, or other solid waste that is not properly managed and containerized by the property owner in conformance with this Chapter. It shall be the duty of any person owning, or having under his or her control, any property in the City to keep the same free from paper, rubbish, garbage and any other types of accumulated waste that may be a fire hazard, or obnoxious or dangerous to the general health, safety or welfare of the public and surrounding properties. If the City's Property Maintenance code (chapter 233), the Fire Chief, the Health Officer, the Code Enforcement Officers, Municipal Services Director, or the City Manager makes a determination that said material constitutes such a hazard or danger, then the owner or the responsible party shall remove said materials if ordered to do so by the appropriate city official.

257-8 Use of Containers by others:

The use of containers intended for the management of solid waste, whether for residential, commercial or industrial purposes, and in place on the subject property, is limited to the property owner, tenants, or lessees. No unauthorized person shall place or dispose of any solid waste in said containers, and any such placement or disposal shall be considered a violation of this Chapter and subject to the enforcement provisions of Section 257-11. The containers issued by the city for the automated curbside collection program shall not be used by any individual for any other purpose other than the collection of curbside waste generated from within the city.

257-9 [Reserved]:

257-10 Policies and Procedures:

The Director shall have the authority to create, and modify as needed, policies and procedures necessary and appropriate for the effective implementation of the provisions of this Chapter. These policies/ procedures are intended to address specific sections of this Chapter outlined below, or the general management and disposal of the overall solid waste stream, and shall apply to the automated curbside collection system, the operation of the Transfer

Station, and any private commercial collection services. This authority is deemed necessary by the City Council due to the variety of factors including, but not limited to: economic conditions, any changes to applicable State or Federal law or regulation that affects the disposal of solid waste and recyclables, or the availability of markets and/or disposal sites for either solid waste or recyclable materials. The Director is authorized to implement emergency fees after consulting with the City Manager when deemed necessary by changes in state or federal waste disposal statutes or laws, or if the disposal fee of any outside vendor changes. Any such emergency fees shall be submitted to the City Council at their next available meeting for review and approval or modification as deemed appropriate by the Council.

257-11 Enforcement:

The MSD Director and other city staff identified in this Ordinance are authorized to issue Notices of Noncompliance when it is determined that a property is in violation of the provisions of this Ordinance. The violation of any provision of this Chapter shall be considered a violation of the Codes of the City of Franklin and may result in the issues of notices, fines, penalties, or prosecution through the appropriate court of jurisdiction. Each violation shall be considered a separate offense and each day a violation exists shall be a separate violation. The city shall seek compensation from the violator for the costs of any prosecution associated with the enforcement of this Chapter. Per Section 1-16, General Penalties of the City Code, the fines shall not exceed \$1,000 per violation. The Director reserves the right to issue Courtesy Notices intended to inform the property owner that certain materials are not authorized for pick-up or disposal. If two (2) Courtesy Notices are issued to an individual property within the previous three (3) months, then the next violation shall result in the issuance of a Formal Notice of Noncompliance. The forgoing sentence notwithstanding, the Director is authorized to issue formal notices at any point in time if deemed as an appropriate enforcement action. The Courtesy Notices or the Formal Notices of Noncompliance may be issued by the Director, the MSD's solid waste staff, or the City's Code Enforcement Division. The issuance of two (2) Notices of Noncompliance may result in the loss of service for curbside pickup, and/or prohibit the offending individual from using the Transfer Station, until and unless the property owner/customer meets with the Director or designee(s) to discuss the violations and establish a mechanism to bring the property into compliance. The city reserves the right to conduct Trash Audits for the purpose of reviewing compliance with the provisions of this Ordinance. Initial trash audits will be used to determine if courtesy notices need to be issued. If a property is regularly and continually in noncompliance then the information gathered through the trash

audit may be used to issue penalties or an order to stop curbside pickup per § 257-33.

257-12 Complaints:

All complaints brought by a property owner, tenant, lessee, or other affected party shall be made in writing, through the submission of a service request, to the MSD Director. These forms are available at City Hall and on the city website. Complaints regarding missed pick up of trash shall be addressed by calling the company contracted by the city for the purpose of residential curbside collection.

257-13 to 19 [Reserved]

Article II Automated Containerized "Residential Curbside Collection System"

257-20 Purpose:

The purpose of the residential curbside collection program is to provide an efficient, reliable and effective means of solid waste collection for city residential/noncommercial properties as specified per this Ordinance. Per the adoption of this Ordinance, the Franklin City Council is continuing with its current residential automated curbside collection program with the noted changes, which now differentiates between residential and commercial curbside collections. This will include the collection of residential household municipal solid waste, as well as commercial containerized commercial collection by means of an outside contractor(s) approved by the city to operate within city limits and to use CRSWRRRC Facilities for disposal by means of registering annually on July 1 with the City Municipal Services Department. The sections below will address the automated collection service authorized and approved by the City Council and to be implemented by city staff per this Ordinance and the applicable policies, guidelines and regulations issued by the Director.

257-21 Transition from the City's current Automated Curbside Collection System / "Base Level Service," to an Automated "Residential" Curbside Collection System / "Base Level Service."

Until such time as the new automated residential curbside collection system is fully implemented, the current curbside collection practices and procedures will remain in effect. The city owns all containers used for automated pickup of residential curbside trash collection. These containers will be removed from all commercial properties when city services to commercial properties are phased out. During this

transition period the property owner(s) will be duly notified of the options and services available. The city reserves the right to phase in the implementation of revised residential automated curbside collection program in order to more efficiently deal with and address any operational issues and resulting changes. During this transition period, light commercial and multi-family dwellings three and over currently being serviced will be phased out consistent with this Ordinance. Those affected property owners will be notified in advance of changes to their service and provided options consistent with section 257-22 below. Once the transition occurs, this paragraph is null and void.

257-22 Base Level Service:

The implementation of the automated residential curbside collection program is carried out through the creation of a Base Level of Service that is available to properties identified below. Properties not covered under the Base Level of Service will rely on individually contracted commercial services (see Article IV below). This residential Base Level Service will be carried out using the same city owned containers. See Section 257-23 for a description of the types and sizing of the containers to be used.

- a. Single and two-family residences. All such residences must be on accepted, maintained public ways. Accessible private ways, as outlined in para d. below, will continue to be eligible for the base level automated residential curbside collection system services provided by the city.
- b.
 - i. Multifamily residential buildings with three units or greater. These units are considered commercial entities under provisions of this Ordinance, and will not be serviced by the city automated residential curbside collection system.
 - ii. Commercial properties. These properties, not be serviced by the city's automated residential curbside collection system in conformance with the provisions of Sections 252-23 through Section 252-35.
- c. Municipal Buildings, Public Schools (under the fiscal control of the Franklin School District), Charter Schools and Churches. These facilities will be serviced by the city's automated curbside collection system.
- d. Properties on private roadways or unaccepted subdivisions/roadways. These properties are potentially eligible for automated residential curbside collection service provided that the owner(s) or appropriate responsible parties provide the city with a Release of Liability, in a format acceptable to the City Attorney, and the subject property is fully accessible, as determined by the Director, to the city's collection vehicles in all seasons. All requests to provide residential base level service to these properties must be made in writing, and a site visit by the Director shall be conducted on a periodic basis to determine the adequacy of the access

and the ability to properly situate containers for the automated pick-up. The base level curbside collection service for these properties may be discontinued by the city at any time if the owner, developer, or the appropriate responsible party fails to maintain the road or access way so that the city's collection vehicles cannot properly, safely, and adequately access the subject properties for the automated collection. The Director may issue warning letters to these properties, but service may also be immediately discontinued or stopped without notice if adequate access is not provided as determined by the Director.

- e. The following properties are not eligible for Automated Residential Curbside Collection System provided by the city:
 - i. Condominium/apartment buildings or complexes, or multifamily buildings, with three or more individual residential dwellings.
 - ii. Mobile/ manufactured home parks, campgrounds, vacant lots and homes under an enforcement order for a Solid Waste Ordinance violation.
 - iii. Any property listed in Section "d" that does not provide the Release of Liability, and/or the access way is not reasonably accessible, as determined by the Director, to the collection vehicles.

257-23 Automated Residential Curbside Collection Containers for City and established "Base Level Service:" Sizing, Weight, Maximum Weekly Pick-up, Container Maintenance:

- a. The "Base Level Service" for the Automated Residential Curbside Collection will be accomplished using specialized containers designed for automated pickup by the city's contracted service. Generally speaking, the containers supplied by the city will continue to be 48, 64, or 96 gallons in size.
- b. Only approved containers, as obtained through the city, shall be used by the eligible properties for curbside pickup. No non-automated configured containers or stand-alone bags shall be used by the customer for the purpose of curbside pickup. All municipal solid waste must be bagged and placed in the designated container with the lid closed. Over-packed containers should be avoided, as trash will not dump from the container if stuffed.
- c. For residential properties, two units and under, the maximum weekly amount of trash that will be picked at the curb by the city will not exceed 192 gallons per housing unit, regardless of the number of containers. The total weight of trash placed in a container will not exceed 200 pounds. All containers of waste that exceed the "Base Level Service" amount must be disposed of at the Transfer Station or through the use of a residential, property owner purchase of a specified container from the city. Containers that become damaged or unsuitable for continued use will be required to be replaced through the city at the property owner's expense as outlined in para 257-02 v, above "Neglect."

- d. Appropriately sized city specified containers, or containers approved by the Director or designee(s), shall be provided by the city to each property owner eligible for curbside pickup at no charge up to the 192-gallon capacity. The Director or designee(s) will work with the solid waste staff to determine the sized containers for individual properties based on the amount of trash a property generates. Historic solid waste generation rates and/or trash audits may be conducted to determine the properly sized containers to be provided to each eligible residential property. Upon implementation of this ordinance, all excess containers (over base level service) will be removed from the property by the MSD Department.
- e. If a property owner/customer finds that the size of the container is not adequate then the MSD office should be contacted to discuss an exchange and upgrade of the container unit. A "trash audit" discussed in Section 257-35 below, might be used to determine the need for an increase in the size of the container and/or number of containers.
- f. For single-family and two-family units, the Director shall determine how many containers will be provided. More than one unit might be required to share trash containers based on site specific conditions and circumstances.
- g. The containers are the property of the City of Franklin and are not to be removed from the property even in the event of a change in ownership or resident status. All automated containers shall be assigned to a street address.
- h. If a container is stolen from a specific property, then the owner or resident shall contact the MSD office to report the theft.

257-24 Automated Residential Curbside Collection Schedule and Holiday Schedules:

The collection schedule for pickup shall be prepared by the Director or designee(s). The schedule, to include holiday collection, will be available at City Hall, the Transfer Station, the MSD Office, on the city website in the "Transfer Station Guidelines," and in educational materials distributed through the schools and civic organizations. The Holiday Collection Schedule will be posted in January of each year. Delays due to unforeseen circumstance, such as snow storms or mechanical issues, will be posted on the home page of the city's website.

257-25 Preparation of Materials for Residential and Commercial Automated Curbside Collection:

- a. For the automated curbside collection system, both commercial and residential, all trash shall be placed into the appropriate containers so that the lid can be securely shut. No solid waste placed on the ground or on top of a container or in any unapproved containers will be picked up by the city or its contractor. The containers shall not be overfilled or arranged in any manner that will prevent the lid from remaining closed at all times to prevent water from filling the container or to provide access to animals. If containers are improperly placed, overfilled or

contain unacceptable items, the city or contractor reserves the right to refuse container pickup.

- b. Any spillage from any containers placed for curbside pickup such as that resulting from animals, wind-blown litter and other weather conditions etc., shall be the responsibility of the owner/customer to clean up. City staff or contractor will not pick up or clean up such spillage. The city strongly recommends that all residents take care to protect the containers against spillage, wind-blown litter, vandalism and intrusion by animals.
- c. All trash must be bagged before placing it into the trash container.
- d. In the event of inclement weather or mechanical breakdowns resulting in a disruption to the pickup schedule, the container should be left out for pickup the following day and placed in a manner as not to interfere with snow removal operations.

257-26 Placement of Containers:

- a. For the automated residential and commercial curbside containerized collection program, the containers shall be placed at the curb-line and outside of the travel way and off the edge of the paved roadway at the end of the driveway apron, or at another appropriate location so that it is accessible for automated truck pickup. It is essential that containers be placed three feet apart and four feet away from any type of fixed object including but not limited to parked vehicles, mail boxes, trees, utility poles, overhead wires, etc. In selected cases, the Director or designee(s) may designate a specific location for the placement of containers.
- b. The containers shall be in place ready for collection by 6:45 AM on the designated collection day. The containers shall not be placed out for collection before 5 PM on the previous day.
- c. City staff or contractor will not cross over private property to pick up solid waste materials.
- d. The container handle must be facing inward toward the residence to allow for the automated truck to properly pickup and dump the container.

257-27 Removal of Empty Containers:

Empty containers shall be removed from the collection point by the end of the collection day and properly stored on the owners' property. Containers that are not removed from the point of collection within 24 hours after being emptied may be removed by the city or contractor for noncompliance.

257-28 Approved Materials for Curbside Collection:

Waste can be placed in both green and gray lid containers. Recyclable materials shall be mixed in with regular household trash. Recycling of certain household items may be dropped off at the Transfer Station in accordance with the "Transfer Station Guide-

lines." See section 257-29 below for prohibited / acceptable and unacceptable items.

257-29 Prohibited and Unacceptable Materials and/or Hazardous Waste:

Certain materials will not be collected by the city or the contractor at the curbside. These items include but are not limited to: sand, stone, or brick products, construction or demolition/building materials, electronics of any type, household appliances, auto parts, waste oil, paint, furniture, oils of any type, yard waste or tree limbs/roots, hot ashes, asbestos, propane tanks, pressurized containers, mercury containing devices, and scrap metal. If any resident has a question on whether or not an item is accepted or prohibited, they can contact the MSD office for more information. The Director is authorized to make a final determination as to what constitutes prohibited and unacceptable materials. Many of the items listed above are accepted at the Transfer Station for recycling or general disposal, some of which require a fee. (See Article III for more information on the Transfer Station). No hazardous materials or waste are permitted to be placed out for curbside pickup. All hazardous materials shall be disposed of at a city sponsored or sanctioned hazardous waste collection day, or at a regional collection facility authorized to accept hazardous materials.

257-30 City's Right to Refuse Pickup:

For the automated collection program in general, if the Director or designee(s) determine that materials being placed out for curbside pickup are unacceptable, or if the materials are not properly containerized or managed per the provisions of this Ordinance, then the city reserves the right to not pickup said materials. The property owner or resident will then be responsible for removing the materials from the curb or other location and properly disposing of the materials at the Transfer Station or other appropriate disposal facility.

257-31 **[Reserved]**

257-32 **[Reserved]**

257-33 **[Reserved]**

257-34 **[Reserved]**

257-35 **[Reserved]**

Article III Transfer Station

257-41 Purpose:

The Franklin Transfer Station provides an alternative method to city residents and commercial customers for the disposal of solid waste, recyclable and nonrecyclable materials that are generated within the boundaries of the City of Franklin. The disposal of certain waste products (for example, appliances, tires, electronics, construction and demolition debris, glass, yard waste, waste oil, mercury containing devices; batteries, propane tanks, certain light bulbs etc.,) may require a handling fee due to the disposal

charges paid for by the city for these items to redirect them to various markets. Each July the Director of Municipal Services makes available the "Transfer Station Guidelines." The purpose of this document is to update customers on fees, operational changes and any other factual information necessary to keep residents and commercial customers informed. These guidelines are available on the city website, at the Transfer Station and the Municipal Services Department office.

257-42 Days and Hours of Operation:

The Director shall establish days and hours of operation for the Transfer Station. These will be posted at the Transfer Station, on the city's website, at City Hall and the Municipal Services Department office, and outlined in the educational and information packages for solid waste management prepared by the city. Any change to the hours will be posted on the city website and will be listed in the "Transfer Station Guidelines."

257-43 Authority of Staff:

The staff of the Transfer Station reserve the right to not accept any solid waste materials that fails to conform to the policies and disposal procedures as established through this Ordinance or by the "Transfer Station Guidelines." The enforcement provisions of Section 257-11 shall apply.

257-44 Transfer Station, Establishment of a "Base Level Service", Decals and Bags:

Decals. All vehicles and commercial haulers received at the Transfer Station shall have a decal permanently attached to the passenger side of the vehicle. Decals are available at the Transfer Station or the MSD office. Decals are reserved for citizens and property owners of Franklin to deposit trash, special waste, and recyclables on an unlimited basis.

City of Franklin Trash Bags. All residential trash disposed of at the Transfer Station must be placed in a City of Franklin trash bag available for purchase at participating retailers (see the City Website for details). For property owners with Base Level Service that exceeds the maximum weekly amount of 192 gallons of residential trash, as described in Article II, paragraph 257-23, City of Franklin trash bags must be used and taken to the Transfer Station for disposal.

Non bagged trash. Any trash not bagged in City designated bags will be disposed of by scale weight; see Chapter 160, Fees, of the Franklin City Code. All other commercial haulers, packers and roll off containers, etc., are prohibited from using the Transfer Station – their material must be taken directly to a licensed facility. See Article V for further discussions on commercial collection services. The City reserves the right to refuse disposal if alternative means of disposal makes more sense. Diverting solid waste will result in bypassing the Transfer Station thus reducing the amount of handling and truck cost.

- 257-45 **Use of Transfer Station by Nonresidents and Contractors, Permits:**
Nonresidents and contractors needing to dispose of solid waste and/or recyclables generated within the boundaries of the City of Franklin must obtain an authorization permit from the MSD office. Proper documentation of the source (tax bill, letter of authorization, contract between property owner and contractor), type and amount of materials, must be provided when requesting a permit. All applicable disposal policies, regulations and fees will be in effect for the issuance of the permit.
- 257-46 [Reserved]
- 257-47 [Reserved]
- 257-48 **Disposal of recyclables and other materials at the Transfer Station:**
As addressed in 247-41, the Transfer Station provides for the disposal of certain other items that are outside of the normal waste stream and are not eligible to be picked up by the automated curbside collection program(s). Some of these materials may ultimately be recyclable or reusable. A complete list of all accepted materials will be issued and updated in the "Transfer Station Guidelines." A disposal fee is required for certain items as authorized by the Franklin City Council. Chapter 160, Fees, of the City Code contains the approved fees, but the Director is authorized to implement emergency fees after consulting with the City Manager when deemed necessary by changes in State or Federal waste disposal statutes or laws, or if the disposal fee of any outside vendor changes. Any such emergency fees shall be submitted to the City Council at its next available meeting for review and approval or modification as deemed appropriate by the Council.
- 257-49 **Handling and Management of Materials at, and on route to, the Transfer Station:**
All vehicles, including cars, trucks, trailers and commercial haulers, etc., shall properly cover and contain any and all materials being transported to the Transfer Station so as to prevent the spillage of litter and blowing of materials onto the public roadway. Failure to provide such covering, resulting in the spillage and blowing of any materials onto the roadway, shall be considered a violation of this Chapter and the violator may be subject to the enforcement provisions of Section 257-11. The provisions of State RSA 266:72, which contains similar provisions and state requirements for the proper transport and handling of all materials, shall also apply.

257-50- 54 [Reserved]

Article IV Automated Curbside Commercial Collection System for Commercial Containers and Dumpsters

257-55 Purpose:

The City Council, as part of the overall establishment of this Ordinance, has made the determination that all commercial properties as identified in 257-02, will be responsible for the regular collection and disposal of all waste generated from commercial properties. This includes but is not limited to violations of the city's "Property Maintenance Code." Items disposed of at the Transfer Station must conform to the facility operations and the "Transfer Station Guidelines." Under this scenario, properties classified as "commercial" by the City Zoning Ordinance, are required to contract with a licensed and reputable solid waste hauler for the regular collection and disposal of all types of solid waste generated inside or outside of a property. All storage of commercial solid waste will be containerized in either dumpsters or roll out carts/containers. Storage, collection, and disposal will follow the same protocol identified, as applicable, throughout this Solid Waste Ordinance. Frequency of pickup and the number and size of containers must be coordinated between the property owner and trash collection company to ensure containers are not overfilled and the frequency of pickup is regularly scheduled based on a property's weekly or biweekly trash generation rate.

257-56 Duties of the Property Owners; Landlords and Tenants:

It shall be the responsibility of the property owner(s) of record to ensure that adequate storage capacity and trash disposal services are available for its tenants. The city requires pickup of all types of solid waste generated from a commercial property for numerous public health reasons. In order to guarantee compliance, the property owner(s) must provide a sufficient number of containers to meet the amount of trash generated by its tenants on a weekly or biweekly basis. Containers can either be a dumpster that is properly sized to meet the tenants needs, or a rollout curbside collection containers properly sized to meet the needs of each individual living unit. Property owner(s) that opt to use the city contractor for "commercial containerized curbside collection" pickup may contact the Municipal Services Department to obtain the contact information necessary to assist with obtaining commercial service that meets the requirements specified in this Ordinance. Property owners are responsible to pay all fees associated with trash collection. This ensures that regular service goes uninterrupted, and keeps a property in full compliance. Failure of the property owner(s) of record to comply with the provisions of this Ordinance may result in enforcement action by the city.

257-57 Duties of Tenants:

It is the duty and obligation of all Tenants occupying commercial property to maintain the area where trash containers are stored. Containers must be stored on private property, have lids closed at all times, and are not to be filled over capacity. The tenant(s) and property owner(s) are responsible for following established city rules for commercial trash collection services.

257-58 to 64 **[Reserved]**

Article V Commercial Collection and Container Storage

257-65 **Purpose:**

The purpose of this article is to outline the required operational and handling procedures for the collection and disposal of solid waste by private contractors within the city limits. These requirements are necessary in order to protect the health, safety, and welfare of the general public, as well as residents, businesses, and tenants using the properties served by private disposal firms.

257-66 **Registration Requirements:**

All Commercial Haulers, shall register with the Municipal Services Department on a form approved by the Director or designee(s). At the time of registration, the firm or individual shall demonstrate that they have the necessary permits and approvals required by state and local agencies to operate a legitimate disposal service. Registration period is normally the first three weeks of June or as needed throughout the period of July 1 through June 30th annually.

257-67 **Disposal of Waste under City's Annual Tonnage Agreement with disposal facility:**

The commercial haulers that pick up municipal solid waste in the City of Franklin are eligible to dispose of these materials at the disposal facility under the city's Gross Annual Tonnage allotment established annually. This financial benefit may be subject to changes based on the contract and any modifications to said contract, between the city and the firm or agency, for the final disposal of certain components of the solid waste stream. Commercial haulers are billed by the city for the tonnage disposed at the facility. An administrative handling fee is also charged to the hauler per Chapter 160, Fees, of the City Code. All commercial haulers/packers shall be registered with the appropriate firm, agency, or final disposal facility and vehicles shall meet the criteria that permits disposal. The purpose of bypassing the City Transfer Station and hauling directly to an outside facility is to avoid the reprocessing of municipal solid waste.

257-68 **Out of Town Refuse:**

Only trash and solid waste materials generated within the boundaries of the City of Franklin may be disposed of at the disposal facility. There will be no load mixing of solid waste from any sources, customers or municipalities, from outside the city. The city may request a list of customers for verification that they are complying with this requirement.

257-69 Prohibited Wastes:

Any firm that the city, or the appropriate regional agency, has a contract with to dispose of solid waste is authorized to prohibit or ban certain materials from disposal. No prohibited materials are to be placed or disposed of in any can, dumpster, or other receptacle. It is the obligation of all commercial haulers to provide their customers with a list of such prohibited items.

257-70 Permitted Hours for Waste Collection and Transport:

All commercial haulers/packers shall operate between the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday. No collections are to be made outside of these hours except when unusual circumstances may arise. The Director of Municipal Services or designee(s) shall be notified and seek approval if such conditions warrant.

257-71 Termination of Registration; Appeal Process and Reapplication:

The Director reserves the right to terminate the registration of a firm or individual determined to be in noncompliance of this Ordinance. A letter of warning may be issued, but is not required, before any termination and upon the receipt of such a notification letter. If a violation is issued, the firm or individual is encouraged to meet with the Director to review noncompliance issues and create a process and mechanism to resolve the violations. If the Director determines that the proper corrective actions are not being taken or additional violations occur then the registration may be terminated. If a registration is terminated, the property owner and the collection firm shall be required to meet with the Director or designee(s) to review violations and to implement the necessary corrective actions before reinstatement of the registration. All other provisions of Section 257-11, Enforcement shall apply.

257-72 Solid Waste Containers and Site Maintenance:

For the purposes of protecting the health, safety, and welfare of the general public and specifically the residents and businesses of properties using private collection services, all containers and solid waste disposal areas used for private collection shall be operated and maintained in conformance to the following standards:

- a. The solid waste disposal areas shall be kept clean and free of trash, debris, windblown litter, furniture, and any other solid waste. All materials shall be placed within the appropriate containers and shall not be placed on the ground adjacent

to the containers. For items like furniture, mattresses, or other large items that cannot be placed in the containers or dumpster, the property owner or other responsible party is obligated to make arrangements with their collection firm to collect these items or to use the Franklin Transfer Station, and will be subject to appropriate fees. These types of items shall not be left in the open air for longer than 48 hours before a collection is made.

- b. All containers shall have a lid or other protective cover that shall be closed at all times, except when materials are being deposited in and/or removed from said containers. The containers shall not be overfilled so that the lid or cover is not closed or closable, or otherwise not effective in preventing spillage, blowing, or other dispersal of the waste materials.
- c. All containers shall be solid in design, such as metal or heavy plastic cans or the standard dumpster. This provision notwithstanding, if the Director or the Code Enforcement Division of the city determines that bags of waste inside the container are being repeatedly subject to ripping and damage from animals or the waste materials become a health hazard, then the city reserves the right to order that a more proper and appropriate container be used. Service and size of the container should be consistent with the amount of waste generated from a property over no more than a one-to-two-week period. Dumpsters should be equipped with a locking device in order to prevent unauthorized use.

257-73 Service Frequency:

All containers shall be regularly emptied so that the lids or covers for the containers can be closed so containers do not overflow. If inspections by the Director or other city staff result in a determination that the frequency of the collection service is not sufficient for the amount of waste generated from the property with all of these requirements, then the city reserves the right to terminate the registration per Section 257-71.

257-74 Enforcement; Violations and Penalties:

Failure to conform to any such provision of this Article will be a violation of this Ordinance and the enforcement and penalty provisions of Section 257-11 shall apply.

To be effective July 1, 2023, by roll call vote.

By a roll call vote.

Roll Call:



City of Franklin, NH

Revaluation Frequently Asked Questions

Why is a revaluation performed?

A revaluation is done to equalize the values within a municipality to ensure a fair distribution of the tax burden. It is not done to raise taxes. It is required by State Statute to be completed at least once every five years.

Property values change over time, but they do not all change at the same rate. Market value may have increased more for some neighborhoods and property types than for others, while others still may have decreased in value. A revaluation is done to make sure assessed values reflect changes that have occurred in the real estate market.

Will a revaluation increase taxes?

A revaluation may result in an increase or decrease in an individual property's tax burden depending on how the property's value increased or decreased relative to the average change in assessment. A revaluation does not mean all taxes will increase or decrease.

Assessed values are the base by which the tax burden is determined. In contrast, the tax bill is determined by the amount of tax which must be raised by the municipality to cover the municipal, county, and school budgets. For example, if the municipal, county, and school budgets were to remain the same and all assessed property values were to double, the tax rate would merely be cut in half, but the same property tax amount would be due from each property.

A revaluation does not increase the tax dollars that a municipality is able to raise. The amount of taxes to be raised is determined by the budgets that are passed by the municipality, school, and county, and not by property assessments.



Will all property values change?

It is likely that most property values will change, however, they will not all change at the same rate. Market value may have increased more for some neighborhoods and property types than for others. The values of some neighborhoods and property types may have even stayed the same or decreased in the current market. The purpose of the revaluation is to make sure that the assessments reflect those changes in market value.

What is fair market value?

Market value is defined as the amount a typical, well-informed buyer would be willing to pay a willing seller for a property. For a sale to be considered a qualified sale used to determine market value, it must be an arm's length transaction, the buyer and seller must not be related, the buyer must not be under pressure to buy and the seller must not be under pressure to sell, the property must be on the market for a reasonable length of time, the payment must be in cash or equivalent, and the financing must be typical for that type of property.

How will market value determine my assessed value?

The value of your property is based on an analysis of the entire market for a specified period of time before the completion of the revaluation project, in this case from April 1, 2022 to March 31, 2023. The sales are researched and analyzed and factors such as location, size, quality of construction, age of improvements, topography, utilities, etc. are analyzed to establish valuation parameters (construction rates, land rates, market adjustments, etc.). When these valuation parameters are applied to the properties that sold, the calculation will result in a value that is very close to the sale price. The KRT appraisers then test that the valuation parameters consistently produce values that closely

Revaluation Frequently Asked Questions (continued)

approximate the sales prices across all types of properties throughout the City. When this is accomplished, the KRT appraisers then reapply these same valuation parameters to all of the “non-sale” properties in the City. In doing so, they are approximating the market value of each property using the information derived from ALL of the recent, qualified sales. Using this methodology, there is no particular sale or group of sales that are used to determine your property’s value (unlike a bank appraisal for a mortgage).

The inside of my home was not inspected, so how could you reassess it?

The ultimate goal over time is to see the inside of as many homes as possible. While KRT may not be able to accomplish this for many reasons, it is still possible to accurately estimate the data, quality and condition. The Assessor’s Office maintains a complete record of each property. Information is kept current through permit inspections, sales inspections, periodic re-inspection and exterior reviews. These records are available for your review in the Assessor’s Office or online at the City’s

website. The details on your property card are used to determine your new value. We encourage you to review your property card for accuracy.

Why did my assessment change when I haven’t done anything to my property?

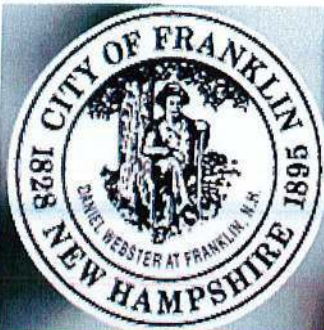
Market value is determined by the activity in the real estate market and the general economy. As property values change in the marketplace, which is reflected in sales, those changes will eventually be reflected on the assessment roll.

When will I know how much my resulting tax bill will be?

A notice stating the proposed assessed value will be mailed to each property owner. The goal is for this phase to be completed in August of 2023. The tax rate (the rate used to calculate property taxes due) is determined after the municipal, county, and school budgets and values are finalized. Once the tax rate is set in the fall, tax bills will go out; it is only at time property owners will know what their resulting tax bill will be.

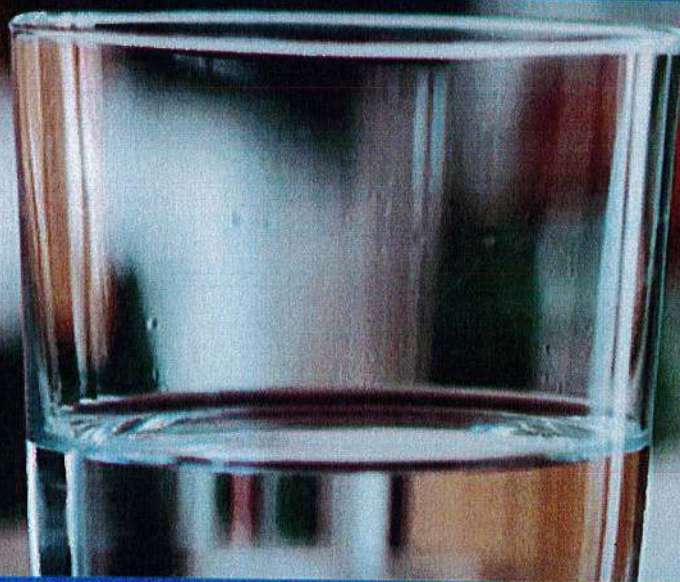
Revaluation Timeline

<u>Task</u>	<u>Start</u>	<u>Finish</u>
Sales Data Collection	November, 2022	May, 2023
Sales Review	December, 2022	May, 2023
Valuation	May, 2023	July, 2023
Assessor’s Valuation Review	July, 2023	August, 2023
Valuation Notices to Property Owners		August, 2023
Informal Meetings	August, 2023	August, 2023
Project Completion		September, 2023



Protecting Franklin's Drinking Water

The City of Franklin is working with the NH Water Works association and NH Department of Environmental Services in conjunction with the Town of Sanbornton, to implement a Groundwater Protection Ordinance to protect Franklin's drinking water through *thoughtful* land-use planning and policy.



Stay tuned for more information and ways to get involved such as attending Planning Board meetings, information sessions and submitting feedback to surveys!