



**City Council Meeting Minutes**  
**Tuesday, September 5, 2023 - 6:00 p.m.**  
**Franklin High School Cafeteria**

**Council in attendance:** Mayor Jo Brown, Councilor Jay Chandler, Councilor Leigh Webb, Councilor George Dzujna, Councilor Ted Starkweather, Councilor Valerie Blake, Councilor Vince Ribas, Councilor Olivia Zink and Councilor Bob Desrochers

**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 Ribas.

Councilor Desrochers stated that he didn't hear of any veterans passing away this month.

**Public Hearings:**

**Resolution 05-24 to accept and appropriate \$418,000 InvestNH grant funds towards Stanley Mill demolition.**

The public hearing opened at 6:01 p.m.

There was no discussion on this hearing.

The public hearing on Resolution 05-24 closed at 6:01 p.m.

**Resolution 06-24 to accept and appropriate \$310,000 InvestNH grant funds towards municipal purposes.**

The public hearing opened at 6:02 p.m.

There was a request for more clarification on the signage part of the resolution for \$100,000.

Milner stated that this would cover studies on parking, traffic, and wayfinding signage in downtown and the rest of the city.

The public hearing on Resolution 06-24 closed at 6:03 p.m.

**Legislative Update:**

There is no update at this time.

**Comments from the Public:**

Mayor Brown reminded everyone that persons wishing to address the council may speak for a

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maximum of three minutes and no more than thirty minutes will be devoted to public commentary.

Public comments opened at 6:11 p.m.

Councilor Desrochers read from a letter he received from resident, Ray Yonaitis, and also read 6 questions from an anonymous constituent. These can be found at the end of the minutes.

Resident Karen Darling gave some updates:

- The Historical Society will be hosting 'Hidden Treasures in the Public Library' by Library Director Rob Sargent. This will be held on Thursday night at 7pm.
- Choose Franklin has meetings quarterly with the next one being on October 19<sup>th</sup>. More information will be coming.
- A map of Franklin was presented showing good things that have been done in the community. She is hoping to continue adding to the map and is looking for a place to share it.

Many residents approached the council with comments and they are outlined below:

- Sarah Stanley, who was pursuing the American flag service, has 20 of the 45 flags so far and they will be going up on the telephone posts in the city soon.
- One resident wanted to let everyone know that she spoke with Madison Lightfoot from Senator Shaheen's office, who stated that the grant for the remainder of the Whitewater Park had passed the congressional committee and will be presented to budget committee.
- An idea for raising money for the city was suggested, which would be charging for parking.
- A resident read a letter from another citizen, Myla Everett, who was unable to attend and that is attached at the end of the minutes.
- Councilor Blake also read an email that she received from resident, Carol Heydt, which is attached at the end of the minutes.
- A resident let the council know that they should hold off on the \$20M bond. Mayor Brown stated that there is no intention to bring any bond to the council at this time.
- Resident Desiree McLaughlin, Ward II, read a letter that she wrote, which is attached to the end of the minutes along with her supporting documents.
- There were a few questions about how a TIF grant works. Milner explained that it is a tool for economic development that is allowable under RSA (she did not know the number off the top of her head) that they can use and it defines a district within the city. There are two TIF districts that are defined within the city. It allows the council the tool, which they have to appropriate through the budget process. For example, if a huge manufacturing plant comes to the TIF district that's in the industrial park, the tax increment from that manufacturing plant can be held aside to do improvements in that park. That is outside of regular general fund operations and then later on, that tax increment, after the improvements are completed, could absolutely come back into the general fund. It is designed to entice people to come in and spend their money in Franklin so that we get future tax dollars from them. Basically, half of the new revenue from a new business in the TIF district would go towards taking care of things in that park and the other half of the new revenue would go into the general fund. This is tax revenue that you would not have seen had this economic tool not been employed.

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- Milner also answered a question about the \$100,000 going to a study for signage. She added that this is for several studies; a parking study, traffic study and wayfinding signage study. This is part of the Invest NH grant, which is part of the ARPA federal funds.

Councilor Chandler reminded the public that whenever the city receives a federal grant, it HAS to be applied to that specific project grant. It cannot fund any other projects. These are also not taxpayer dollars, but federal tax payer funds.

Milner read the updates from Coalition Coordinator, Stephanie Wolff, who was unable to attend the meeting:

- September 16<sup>th</sup>-21<sup>st</sup> - Stephanie will be attending the final week of the CADCA National Coalition Academy. Following this week, she will submit her products for completion and will be on to graduate from the program in early February.
- The Academic year has officially started, and that means that the Franklin Youth Initiative will be starting up soon! There will be lots of fun activities planned for the year, but the first order of business will be celebrating Red Ribbon Week occurring Oct 22<sup>nd</sup>- 31<sup>st</sup>. Wear your red ribbons during this week to show your support for substance-free living.
- Franklin Fall Festival is happening on October 21<sup>st</sup> from 2pm to 5pm. Registration is still open for vendors and soup entrees. Please visit Partners in Prevention Facebook page, the city website or look for the flyers for the registration links.
- Mark your calendars and collect your old medications from your cabinets and dispose of them safely! Drug Take Back Day will be occurring Saturday October 28<sup>th</sup> from 10am-2pm at the Franklin CVS.

Public comments closed at 6:43 p.m.

### **City Council Acknowledgement:**

Councilor Webb thanked all of the candidates for stepping up to run in this year's city election.

Councilor Dzujna stated that this is a unique council as there are 4 veterans that sit on it; Mayor brown, Councilor Starkweather, Councilor Chandler and Councilor Desrochers. He thanked them all for their service.

Councilor Zink thanked the Municipal Services department during this rainy summer. They have been out in every storm.

Councilor Blake echoed Councilor Zink stating that they have been doing a great job.

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

- Mayor Brown spoke about the lawsuit that was filed against the city and several officials by Miriam Kovacs. She read a comment from the city in response that everyone will probably hear on WMUR and local newspapers:

“Thank you, Union Leader, for the opportunity to respond. Be aware that the city did act quickly in response to Ms. Kovacs’ situation with an emergency City Council meeting that was open to the public for all comments. The drafting and passage of a city council proclamation against hate and the establishment of a volunteer anti-hate committee to look at the entire issue, of which Ms. Kovacs was a member. The committee still exists. We are also working with the DOJ to bring in a City Spirit program to help us build better community spirit and engagement. Allegations have been made, but the entire case is still under review by our city attorneys. These allegations are only that. They have not been proven to be true so it is prudent to wait until defendants can meet with the lawyers to determine the best course forward. I believe that neither the city nor any of the individual defendants will be found culpable of any discriminatory behavior or action. So, I would ask that we let the legal system work this through for us.”

- September 20<sup>th</sup> will be the groundbreaking for the Veteran’s Campus.
- The Franklin Business Group fair will be October 18<sup>th</sup>, 6pm – 8pm.

**Agenda Item I.**

Approval of Minutes.

Council to consider the minutes of the July 24<sup>th</sup>, 2023 City Council Workshop meeting, the August 7<sup>th</sup>, 2023 City Council meeting, the nonpublic minutes from the August 7<sup>th</sup>, 2023 City Council meeting and the August 21<sup>st</sup>, 2023 City Council Workshop meeting.

**Motion – Councilor Ribas moved that the Franklin City Council approve the minutes of the July 24<sup>th</sup>, 2023 City Council Workshop meeting, the August 7<sup>th</sup>, 2023 City Council meeting, the nonpublic minutes from the August 7<sup>th</sup>, 2023 City Council meeting and the August 21<sup>st</sup>, 2023 City Council Workshop meeting. Seconded by Councilor Dzujna.**

Mayor Brown asked if there was any discussion.

No discussion ensued.

**All in favor. Motion PASSED.**

**Agenda Item II.**

School Board Update

Superintendent LeGallo’s updates are as follows:

- **Adequacy Aid/Fund Balance Update:** The school district is receiving an additional \$200,000 in adequacy aid from their budget projection and approximately \$150,000 in

additional fund balance that was budgeted in the 23-24 budget. He will have the final fund balance figures when Jefferson reconciles the year. They are anticipating that these funds will be used to help address the projected budget shortfall anticipated for FY25.

- **Teacher Shortage:** As of the opening of school, they are short 13.5 professional positions in the school district. These include 4 special education positions, 4 classroom positions at the middle school, 1 Guidance Counselor at the middle school, 2 math teachers at the high school and 2 science teachers at the high school. They have hired 1 special education teacher today and anticipate hiring a middle school teacher later this week. The impact of these shortages means larger class sizes at the middle school and some upper-level math and science classes being offered through collaboration with Lakes Region Community College and Winnisquam High School.
- **12-Passenger Van Purchase:** They have purchased a 12-passenger van to assist them in transporting students throughout the district, to LRCC/Winnisquam for smaller field trips and potentially some of their athletic events. They anticipate this purchase to save them money with the rising costs of transportation that they are seeing from those providers.
- **HVAC Project:** They are almost completed with the HVAC project at the elementary and middle school from this summer. The system is up and running in both schools and only some minor finishing touches are left to complete the project.
- **Door Access Control and Camera Project:** The door access control and updated camera projects have been completed at all 3 schools. The cameras come with a 10-year warranty. The door access controls have expanded access to their entrances at all 3 schools. Both projects have improved security and safety at the schools.
- **Strategic Planning:** LeGallo invited the City Councilors to participate in their community input session for their strategic planning process. The session will be held on Saturday, September 16<sup>th</sup> from 8:30am – 11:30am at the middle school.

### **Agenda Item III.**

Council to consider Resolution 05-24 to accept and appropriate \$418,000 InvestNH grant funds towards Stanley Mill demolition.

**Motion - Councilor Dzujna moved that the Franklin City Council adopt Resolution #05-24 accepting and appropriating an InvestNH grant in the amount of \$418,000 for the purpose of demolishing the Stanley Mill and authorizing the City Manager to execute all documents relating to the grant. Seconded by Councilor Ribas.**

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

There was a question about whether this included the grant for the Brownfield project.

Milner stated that they have received 3 grants for this one project:

- In FY23 they appropriated \$200,000 from DES.
- This also includes this \$418,000 InvestNH grant.
- In addition, they recently learned that they received the big grant from EPA for \$1.923M

All 3 are added together are expected to take care of the environmental issues at Stanley Mill.

No other discussion ensued.

**RESOLUTION #05-24**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.**

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

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2024 which began July 1, 2023, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the Stanley Mill property is an extensive environmental clean-up project which requires the demolition of the mill, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the City received federal grant funds through the New Hampshire Business and Economic Affairs InvestNH program in the amount of \$418,000 for the purposes of demolishing the Stanley Mill, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire wishes to appropriate the grant for the demolition of the mill, **Now,**

**THEREFORE, BE IT RESOLVED** that at the scheduled meeting of the City Council on Tuesday, September 5<sup>th</sup>, 2023 at 6pm the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #05-24 accepting the InvestNH grant, authorizing the City Manager to execute all grant related documents and authorizing a non-lapsing appropriation through an increase in FY2024 revenues:

Federal Grant Brownfield Acct. No. 01-0-000-33110-413 – Four Hundred Eighteen Thousand dollars (\$418,000)

And an increase in FY2024 expenditure accounts,

Nuisance Abatement Brownfield Acct No. 01-1-302-40491-413 – Four Hundred Eighteen Thousand dollars (\$418,000),

**By a roll call vote.**

**Roll Call:**

|                           |                   |                             |                   |                               |                      |
|---------------------------|-------------------|-----------------------------|-------------------|-------------------------------|----------------------|
| <b>Councilor Blake</b>    | <u><b>yes</b></u> | <b>Councilor Desrochers</b> | <u><b>yes</b></u> | <b>Councilor Starkweather</b> | <u><b>yes</b></u>    |
| <b>Councilor Webb</b>     | <u><b>yes</b></u> | <b>Councilor Dzujna</b>     | <u><b>yes</b></u> | <b>Councilor Trudel</b>       | <u><b>absent</b></u> |
| <b>Councilor Chandler</b> | <u><b>yes</b></u> | <b>Councilor Ribas</b>      | <u><b>yes</b></u> | <b>Councilor Zink</b>         | <u><b>yes</b></u>    |

**All in favor. Motion PASSED**

**Agenda Item IV.**

Council to consider Resolution 06-24 to accept and appropriate \$310,000 InvestNH grant funds towards municipal purposes.

**Motion - Councilor Ribas moved that the Franklin City Council adopt Resolution #06-24 accepting and appropriating an InvestNH grant in the amount of \$310,000 for the purpose of matching DOT Action Plan, funding development studies and the city hall project. Seconded by Councilor Blake.**

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

Councilor Webb stated that he would prefer to see the \$310,000 go towards all of the work that actually has to be done to rectify the life safety issues of the Soldiers Memorial City Hall, rather than \$100,000 of it going towards a study (\$20,000 for a match and the \$80,000 for a study that the City Manager assures us is necessary). The other \$190,000 will cover the architectural services, which means it doesn't go towards the actual work.

Mayor Brown stated that the \$80,000 has to be used for the specific DOT Action Plan or we lose the grant. The project has already been awarded to an architect, ARCoVe, in the amount of \$132,815, which is to provide the city with everything needed for the whole project, not just piece mailing the work. To pull out of that while in the middle of a contract with them would not be right.

**Motion - Councilor Webb moved to accept the \$310,000, with the \$20,000 being used as a grant, but the remaining \$190,000 be put into the building account and be spent on work that needs to be done to get our building back. Seconded by Councilor Ribas.**

The council discussed this option and the majority of the council was not in favor of this amendment.

**Councilor Webb withdrew his motion to accept the resolution with an amendment to move \$190,000 to the building account. Councilor Ribas withdrew his second.**

No other discussion ensued.

**RESOLUTION #06-24**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.**

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

**WHEREAS, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2024 which began July 1, 2023, and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the City received federal grant funds through the New Hampshire Business and Economic Affairs InvestNH program in the amount of \$310,000 for municipal purposes, **and**;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes several economic development purposes in which the InvestNH funding would be instrumental including DOT Action Plan project, traffic, parking and wayfinding signage studies, and the “city hall/opera house” project at Soldiers Memorial Hall, **and**;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire wishes to appropriate the grant for these economic development purposes, **Now**,

**THEREFORE, BE IT RESOLVED** that at the scheduled meeting of the City Council on Tuesday, September 5<sup>th</sup>, 2023 at 6pm the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #06-24 accepting the InvestNH grant, authorizing the City Manager to execute all grant related documents and authorizing a non-lapsing appropriation through an increase in FY2024 revenues:

Federal Grant Acct. No. 01-0-000-33110-000 – Three Hundred Ten Thousand dollars (\$310,000)

And an increase in FY2024 expenditure accounts,

Economic Development Other Professional Services Acct No. 01-6-511-40390-000 – One Hundred Twenty Thousand dollars (\$120,000)

Buildings Acct No. 01-9-012-40720-000 – One Hundred Ninety Thousand dollars (\$190,000),

**By a roll call vote.**

**Roll Call:**

|                           |                   |                             |                   |                               |                      |
|---------------------------|-------------------|-----------------------------|-------------------|-------------------------------|----------------------|
| <b>Councilor Blake</b>    | <b><u>yes</u></b> | <b>Councilor Desrochers</b> | <b><u>yes</u></b> | <b>Councilor Starkweather</b> | <b><u>yes</u></b>    |
| <b>Councilor Webb</b>     | <b><u>no</u></b>  | <b>Councilor Dzujna</b>     | <b><u>yes</u></b> | <b>Councilor Trudel</b>       | <b><u>absent</u></b> |
| <b>Councilor Chandler</b> | <b><u>yes</u></b> | <b>Councilor Ribas</b>      | <b><u>yes</u></b> | <b>Councilor Zink</b>         | <b><u>no</u></b>     |

**6 in favor; 2 opposed. Motion PASSED**

**Agenda Item V.**

Council to consider setting a public hearing on Resolution 07-24 accepting and appropriating a federal Department of Transportation grant for a Central Street Action Plan.

**Motion - Councilor Zink moved that the Franklin City Council set a public hearing date for 6:00 p.m. on Tuesday, October 10, 2023, regarding Resolution #07-24 accepting and appropriating a federal grant from Dept of Transportation Safe Streets for All program in the amount of**

**\$80,000 for the purpose of creating an Action Plan for Central Street and authorizing the City Manager to execute all documents relating to the grant. Seconded by Councilor Dzujna.**

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

A small discussion ensued and Milner stated that a grant cheat sheet can be provided for better understanding in the future.

**All in favor. Motion PASSED**

Mayor Brown read the resolution to the public:

**RESOLUTION #07-24**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.**

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

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2024 which began July 1, 2023, **and**;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the City received federal grant funds through the Department of Transportation Safe Streets for All program in the amount of \$80,000 for the development of an action plan for Central Street, **and**;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the need to improve safety of the Central Street corridor for all users, **and**;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire wishes to accept and appropriate the Safe Street for All grant for the action plan, **Now**,

**THEREFORE, BE IT RESOLVED** that at the scheduled meeting of the City Council on Tuesday, October 10, 2023 at 6pm the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #07-24 accepting the Safe Streets for All grant through the federal Department of Transportation in the amount of \$80,000, authorizing the City Manager to execute all grant related documents and authorizing a non-lapsing appropriation through an increase in FY2024 revenues:

Federal Grant Acct. No. 01-0-000-33110-000 – Eighty Thousand dollars (\$80,000)

And an increase in FY2024 expenditure accounts,

Economic Development Other Professional Services Acct No. 01-6-511-40390-000 – Eighty Thousand dollars (\$80,000)

**Agenda Item VI.**

Council to consider setting a public hearing on Resolution 08-24 accepting and appropriating a federal Department of Safety grant for Franklin PD Highway Safety.

**Motion - Councilor Blake moved that the Franklin City Council set a public hearing for Tuesday, October 10, 2023 at 6:00 pm, regarding Resolution #08-24, to accept and appropriate grant funds in the amount of \$6,600 from the Office of Highway Safety for the Franklin Police Department. Seconded by Councilor Webb.**

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

Milner explained the programs (NH Click and You Drive, You Text, You Pay) to the council.

**All in favor. Motion PASSED**

Milner read the resolution to the public:

**RESOLUTION #08-24**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.**

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

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2024 which began July 1, 2023, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands the City received federal grant funds through the New Hampshire Department of Safety, Office of Highway Safety in the amount of \$6,600 for highway safety directed patrols, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire wishes to conduct these directed patrols which included speed, DUI, seatbelt and distracted driving enforcement for the safety of Franklin residents, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the required match of \$1,650 is appropriated in the FY2024 police department budget, **and;**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire wishes to accept and appropriate the Highway Safety grant for directed patrols, **Now,**

**THEREFORE, BE IT RESOLVED** that at the scheduled meeting of the City Council on Tuesday, October 10, 2023 at 6pm the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #08-24 accepting the Office of Highway Safety grant through the New Hampshire Department of Safety in the amount of \$6,600, authorizing the City Manager to execute all grant related documents and authorizing a non-lapsing appropriation through an increase in FY2024 revenues:

Federal Grant - Police Acct. No. 01-2-103-33111-000 – Six Thousand Six Hundred dollars (\$6,600)

And an increase in FY2024 expenditure account,

Patrol Overtime Acct No. 01-2-103-40140-000 – Six Thousand Six Hundred dollars (\$6,600)

**Agenda Item VII.**

Council to consider 2023 Fall disposition list of city property.

**Motion - Councilor Dzujna moved that the Franklin City Council authorize the Municipal Services Director to sell, for the best possible price, vehicles and equipment as itemized on the proposed "Fall 2023, Municipal Services Department, Surplus Equipment Disposition List. Seconded by Councilor Ribas.**

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

There was a discussion on deciding what to do with the revenues if they don't come out to what is estimated, which can happen. The council can appropriate the funds as they come in, if they would like.

**All in favor. Motion PASSED**

**Agenda Item VIII.**

Council to consider supporting the City Spirit Program with Department of Justice.

Mayor Brown went over the details of the City Spirit program.

She stated that they did have a meeting with Darryck Dean from DOJ, who came from the Boston office. This is something that she would really like to pursue. It will take a commitment of a small core group of individuals from all of the sectors of society. This is not a group that will be run by the city council, mayor or the city manager, but the community that will help run this program.

The DOJ will lead the initiative to a point where the Spirit Council will then be self-sustaining. Mr. Dean will help with training throughout this program.

She stated that they need council support of this initiative to begin the process.

**Motion - Councilor Ribas moved that the Franklin City Council move forward with this program. Seconded by Councilor Chandler.**

**All in favor. Motion PASSED**

**Agenda Item IX.**

Council to consider setting a public hearing for Trestle Bridge decision.

**Motion - Councilor Ribas moved that the Franklin City Council set a public hearing date for 6:00 p.m. on Tuesday, October 10<sup>th</sup>, 2023, regarding the Trestle Bridge options. Seconded by Councilor Blake.**

Mayor Brown stated that the numbers for the different options have been updated and were available for the public. The handout of this is attached to the end of the minutes.

Milner stated that based on the last request her and P&Z Director Creighton had a meeting with DOT and the higher up told them that regardless of the option, DOT will pay the 80% of the project. DOT just needs the city to say that they can commit to the 20% match. This is GREAT news.

DOT needs the city to choose an option and commit to reasonably spend 20% of the chosen project. Once that is decided on, they will fund the 80% difference and put that in writing.

City funding would then need to be discussed afterwards.

**All in favor. Motion PASSED**

### **Agenda Item X.**

#### **Other Business:**

##### **1. Committee Reports**

Councilor Webb stated that he is still in the process of putting together a Legislative Committee meeting for this month.

##### **2. City Manager's Update**

- The City Clerk's office will be closed Tuesday, October 3<sup>rd</sup>, for elections.
- Contingent Grant Line Activity – \$731.20 for the sex offender compliance grant
- Trust fund for school funding – \$272.55
  
- Congratulations: Sergeant Guerrero, Sergeant Francis, and Detective Sergeant Matthews for completing advanced SWAT training. Also, in fire, Sean Breen has completed his AEMT training and Nathan Ecker is attending the fire academy.
  
- Committee Meetings – September:
  - Joint Finance – 9/19 @ 6:15pm at the BRCC
  - Parks & Rec – 9/28 @ 9am at the BRCC
  - Police – 9/21 @ 12pm at the Police Dept
  - Legislative – TBD
  - Municipal Finance - TBD

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- Shout out – Alan Larter and Jim Aberg from FBIDC for the Industrial Relic Art Walk. You will start to see these relics in a few key places.
- Ward 2 October 2023 Election will be held at City Hall. It is no longer a place of assembly, however, in following the business rules they can use the first floor for the elections. There will be a fire watch to make sure that everyone is safe and to make sure there is no more than 99 people in the building at one time. The city council will be considering an alternative location for the presidential primary, which tends to be more attended.
- CDL Driving Course Update – A trial run had been done here in Franklin. There are a few bugs to work out from that trial so they are going to run a second trial run before this is brought to the council as an MOU for the program to continue in Franklin.
- Media contacts – All media contacts
- City letter to Representatives and Senator – State mandated voting machines – The town of Gilford has taken lead in writing their letter and the Lakes Region group has urged all cities and towns to write a similar letter. The letter would state that the city feels very strongly that the purchase of new voting machines come from state or federal funds or come up with alternative funding for these, instead of raising taxes to be able to pay for these mandated voting machines.

Milner wanted to ask the council if this was something that they would like to entertain mailing out as well. Councilor Zink suggested it gets written to the Secretary of State instead since she currently has \$12.9M of Help America Vote funds available. These machines run for \$6,000 per polling location.

The decision was to write a letter to the Secretary of State's office and copy the State Representatives, Senator and the federal delegation.

- Stanley Mill update – The EPA grant agreement has still not been received. Milner believes they usually come in November sometime and they are waiting for the \$1.923M grant.
- City Hall Update – Still working through the contract language. Looks to be in a good place to send to Attorney Fitzgerald to approve. Work has been started with funding that had already been appropriated. A 3D laser has been done of the entire building.
- Economic Development Workshop – This has been cancelled at this point for the talked about 9/20 date, in lieu of the Candidate's Forum on 9/25. However, she wanted to let the council know of something that just passed and the Governor did just put into effect. It is a change to the Right to Know policy, specifically the unsealing of nonpublic

documents. A few years ago we started adding the review of sealed nonpublic minutes from the last year in January's meeting, before the inaugural. There was a question of what to do with sealed documents from the past and the legislation that passed this year said that anything that is 10 years back from 60 days of the passing and that 60-day mark is October 3<sup>rd</sup>. So, anything 10 years and back would automatically be opened, unless there is a policy in place. This should be a council discussion on what they'd like to put in policy so she asked then council if they'd like to set aside the 9/20 date to do a workshop on a Right to know policy instead.

The council had no objection to this workshop scheduled for September 20<sup>th</sup> at 6pm at the Elks Lodge.

- 2 Grants Submitted – For Land and Water Conservation Fund (LWCF). Both grants are for Mill City Park, one for the land portion (includes mountain bike/pump track) and the other for the water portion/second feature. These grants are up to \$500,000.
- We are in year 13 of a grant funded program through Franklin Partners in Prevention, which started off as the Mayor's Drug Taskforce. The Project Coordinator, Stephanie Wolff, has been moving the program to a different fiscal agent, who may have other programs that are similar and not so diverse as the city. Wolff has met with Archways Partners for public health, which is our regional network for health and Healthfirst. The good part about this is we would have all of the great stuff for Franklin Partners in Prevention, but wouldn't have to do the grant administration. She wouldn't have to do a budget and would be able to concentrate on actual prevention in our youth.
- Merrimack County – Holding a 200<sup>th</sup> year celebration on Saturday, 9/30, from 11am – 3pm. This is a free family fun event with food, music and raffles. It is at the campus in Boscawen.
- Broadband Study Update - \$7,500 of ARPA funds had been put towards this study. This has shown that, while most of the community is being served, the quality of broadband is not there. The committee is going to be sending out a speed test, done by UNHT program. This link will be sent out on News & Announcements so hopefully residents who have Breezeline will be completing this speed test and sending us the results.
- Change in council follow up procedure – Instead of following up monthly, Milner has started to do a Friday update, following up on information from previous meetings or that have been asked during the week. She just wanted to check in with the council to see if that's working better for them. All agreed that this has been more helpful.
- The next City Council meeting is on Tuesday, October 10<sup>th</sup> at 6pm at the Franklin High School Cafeteria. This will include the canvass of the votes as an agenda item.

- Dog forfeitures – We started with 1,700 dogs at the beginning of this process and we’re down to 163 on the list now. Milner gave a huge shoutout to the Clerk’s office for their efforts to clean up this list.
- Small change in Youth Government this year – Milner has been working with Kevin DeLange from the school district, who was looking to make it a little more robust. There is a hands-on block every other day at the high school and one of the blocks is going to be youth government or civics. So, they will have a whole quarter of youth government. Milner would be involved as well as some councilors who can volunteer to come in and talk occasionally. To be able to get their credits for the class they will be required to attend the mock city council at the end of the quarter. For this first class, please hold aside November 2<sup>nd</sup> for a mock city council meeting.
- Non-Public Needed:

Milner stated that they were ready to enter into a nonpublic session.

**Motion – Councilor Ribas moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community and RSA 91-A:3, II (I) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present. Seconded by Councilor Chandler.**

By a roll call vote.

Roll Call:

|                    |            |                      |            |                        |               |
|--------------------|------------|----------------------|------------|------------------------|---------------|
| Councilor Blake    | <u>yes</u> | Councilor Desrochers | <u>yes</u> | Councilor Starkweather | <u>yes</u>    |
| Councilor Webb     | <u>yes</u> | Councilor Dzujna     | <u>yes</u> | Councilor Trudel       | <u>absent</u> |
| Councilor Chandler | <u>yes</u> | Councilor Ribas      | <u>yes</u> | Councilor Zink         | <u>yes</u>    |

All in favor. Motion PASSED

Entered into nonpublic at 8:32 p.m.

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

All in favor. Motion PASSED

Public Session reconvened at 9:18 p.m.

**Motion — Councilor Ribas moved to seal the minutes. Seconded by Councilor Blake.**

**By a roll call vote.**

**Roll Call:**

|                    |            |                      |            |                        |               |
|--------------------|------------|----------------------|------------|------------------------|---------------|
| Councilor Blake    | <u>yes</u> | Councilor Desrochers | <u>yes</u> | Councilor Starkweather | <u>yes</u>    |
| Councilor Webb     | <u>yes</u> | Councilor Dzujna     | <u>yes</u> | Councilor Trudel       | <u>absent</u> |
| Councilor Chandler | <u>yes</u> | Councilor Ribas      | <u>yes</u> | Councilor Zink         | <u>yes</u>    |

**All in favor. Motion PASSED**

**ADJOURNMENT:**

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

**All in favor. Motion PASSED.**

The meeting adjourned at 9:19 p.m.

Respectfully submitted,

Lisa A. Jones  
Executive Secretary

**From:** Ray Yonaitis <the59ray@yahoo.com>

**Sent:** Saturday, September 2, 2023 9:49:20 PM

**To:** Ted Starkweather <TStarkweather@franklinnh.org>; George Dzujna <Gdzujna@franklinnh.org>; Jay Chandler <JChandler@franklinnh.org>; Olivia Zink <OZink@franklinnh.org>; Vince Ribas <VRibas@franklinnh.org>; Robert Desrochers <RDesrochers@franklinnh.org>; Leigh Webb <LWebb@franklinnh.org>; Valerie Blake <VBlake@franklinnh.org>; Paul Trudel <pctcc3@gmail.com>; Paul Trudel <PTrudel@franklinnh.org>; Mayor <Mayor@franklinnh.org>; City Manager <citymgr@franklinnh.org>

**Subject:** Bonds Tax Cap Other Concerns

Hello Mayor, City Councilors, and City Manager of Franklin,

I am writing to express my concerns about the proposed Tax Cap Breaking Bonds totaling \$20,000,000.00 currently under consideration for approval by the council. I have several major concerns regarding these bonds, including;

1. My first concern relates to the allocation of Bond Items being moved from specific funds under the tax cap to general funds outside the tax cap, which would circumvent the tax cap and potentially lead to a breach of the cap. This action could allow the money to be spent on any purpose without the citizens of Franklin's knowledge or approval.
2. Prior to voting on or approving any of these bonds, I urge the city to send out Requests for Proposals (RFPs) for sealed bids to be taken on any project. It is essential to inform the citizens of Franklin about these projects. Councilors should refrain from voting on any project unless they have access to all grant applications, denials, bids, contracts, and any other pertinent information to ensure taxpayers' interests are fully represented.
3. There appears to be conflicting reasons given for grant denials. While some claim that the City Manager has never advised them of grant denials for a year, others have suggested that grants were denied because "Franklin is no longer economically disadvantaged." I formally request that the City Manager provide the public with proof of grant denials, especially those referenced by Mr. Andrew Fournier, a Mill City Park Board member. If grants were verbally denied, please provide contact information for the relevant agency to confirm these statements. Councilors should also seek to verify this information.
4. I have concerns about the involvement of Councilor Valerie Blake, who is also a Board member of Mill City Park (MCP), a non-profit organization. It is important to understand when Councilor Blake became aware of MCP's financial situation, particularly in relation to the bond proposal. Additionally, clarification is needed regarding what steps she and the Board of Directors took to address MCP's financial challenges and whether this information was shared with the Mayor, Council, and the public. If this information was intentionally withheld, it raises questions about the City Manager's role.
5. There are concerns about fairness during public participation at council meetings. It has been observed that members of the whitewater park supporters are allowed to exceed their 3-minute allotted time, while opposing views are strictly held to the 3-minute limit. This discrepancy could be perceived as discrimination and favoritism.
6. The practice of allocating taxpayer dollars to non-profit organizations for business development is questioned. While tax breaks for new businesses moving to the city are understood, providing taxpayer funding for building businesses without a return on investment in tax dollars raises concerns. Business startups can seek loans from banks or engage in fundraising campaigns.
7. There is a discrepancy regarding Councilor Valerie Blake's attendance at an invite-only meeting on April 11<sup>th</sup>, which was initially stated to have no Councilors in attendance. However, Councilors Blake and Dzujna were confirmed to have attended. Councilors should provide an explanation for their presence and why this information was not disclosed to the public.
8. Additionally, audio recordings of certain council members making derogatory statements about citizens have surfaced, including references to a business owner as a "thug." It has raised concerns and resulted in a lawsuit against the city. Councilors should be held accountable for their statements and should consider issuing apologies.
9. There have been questions regarding Mayor Brown's contact with the Department of Justice Community Relations regarding the City Spirit Program. It is important for transparency that Mayor Brown confirms whether she provided the Department with audio recordings showing negative discussions about residents during public meetings and examples of her interactions with residents, both verbally and in writing.
10. Concerns have been raised about the safety of the Trestle Bridge. If the city considers it unsafe, activities such as kayaking, rafting, swimming, or hiking should not be permitted under it. Allowing such activities could potentially expose the city to legal liabilities and lawsuits.

Given my severe illnesses, it is challenging for me to attend City Council meetings. Therefore, I kindly request that one of my councilors from Ward Two reads my email during the public participation time so that all councilors and attendees and citizens of Franklin can hear my concerns.

In conclusion, I urge you to maintain an open mind and consider all viewpoints before making decisions regarding the Bonds, breaking the tax cap, and the conduct of our city officials. Additionally, I hope that any councilor with ties to any bond issue being voted on will recuse themselves from the vote.

Thank you for your attention to this matter.

Regards,

Raymond Yonaitis

Registered Voter, Ward 2, City of Franklin, NH

## QUESTIONS ASKED BY A CONSTITUANT

Mayor and or City Manager please respond verbally or in writing on the record

1-What is the status of the Cumberland Farms project?

2-Staus of the new police dispatch center?

3-Stanley Mill project?

4-Mojolaki law suite?

5-Painting of the crosswalks?

6-Alternatives to the privatization of trash pickup?

Good evening. Madame Mayor and City Council. My name is Myla Everett as most of you know.

I am a true native of Franklin. I was born in Franklin Hospital over 80 years ago into a family of Franklinites and graduated from Franklin High School a few years ago.

I stand here tonight to strongly urge you to support the Department of Justice's program, City Spirit. My community needs its spirit lifted!

After listening to Mr. Dean's presentation of the City Spirit program, I believe there is hope for my broken spirited community and its residents. I am active in and try to support the positive efforts of the community to address the needs of its residents. From what I have seen and experienced, City Spirit is exactly what we need if we can put aside our defensive attitudes and personal judgements to dedicate ourselves to making City Spirit successful.

I was disappointed to see that many of the decision makers were absent as well as few residents present. As I arrived at the Rotary Club meeting the next morning, I was greeted with a request to share the program I had heard about the night before. The members present were encouraged and expressed their interest in City Spirit.

City Spirit's focus is on finding the issues and solutions as seen by the residents. I want to believe as representatives of the residents, you, the city officials, would embrace this program as a tool to show your concern and welcome its information towards healing and strengthening the City of Franklin.



Valerie Blake &lt;councilorblake3@gmail.com&gt;

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**Re: Welcome to Franklin sign and more.**

2 messages

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**Carol Heydt** <caheydt@yahoo.com>

Sat, Sep 2, 2023 at 5:45 PM

To: Valerie Blake &lt;councilorblake3@gmail.com&gt;

Valerie, please continue to support the bonds necessary for the upkeep of the opera house and railroad trestle, the demolition of unsightly buildings, and support for the schools and road maintenance. I am retired and not wealthy, but if Franklin is to continue to fill it's empty buildings, and become a place that welcomes the future, we must dig deep and pay the price. Do not listen to the nay sayers please. A community that consists only of low economic loud voices cannot survive. Thank you for hearing my input and Thank you for your service to the community.

Sent from my iPhone

Desiree McLaughlin

Ward 2

9/5/2023 City Council Meeting

Good Evening Councilors, Mayor and City Manager,

Mayor

Jo Brown, On Oct 3<sup>rd</sup> 2021 you posted on your Facebook page "On Tuesday Franklin will elect its 2<sup>nd</sup> female mayor, me, Jo Brown or Olivia Zink." You went on to describe your like methods of revitalization in Franklin but it was a key phrase at the end that caught my eye. "Throwing money at a problem without a plan does not solve problems – goals set through teamwork do. I have that experience."

Mayor Brown, the strongest asset this city holds is its community. It is far more valuable than a river or a feature. Not only do they have realized value in the present but the unrealized gain from future generations is immeasurable. And you have left us on the bench for an economic development team with such poor transparency that I have to 91-A emails because the same team that has the gumption to recommend a 20 million dollar bond, doesn't have the accountability to publish minutes.

I have a question for you. It is your discretion to answer or not. But your silence may speak louder than your answer.

Has taxpayer money been spent on the waterpark?

I have a document received from Judie Milner in response to a 91-A I requested in May that indicates payments made for the Whitewater Park as well as Trestle View Park in an amount over a million dollars. Those are dated from 2021 and 2022. I understand there was a debt instrument issued for approximately 1.4 million and it may or may not have been guaranteed by the developer Eric Chinburg. But as far as I know, those are still tax dollars spent from the budget and the majority of the people are not in favor of their tax dollars going to this. So, have times changed? It appears you have already been spending tax dollars.

It is my understanding, Judie Milner received a denial letter in November from CDFR saying that \$400,000 in tax credits were being rescinded as a result of not qualifying for the 1.3 million dollar EDA grant but you couldn't do anything about that because you and the majority of the council were right in the middle of sticking it to the taxpayers with the trash ordinance repeal and replace. So we get through the January 2023 inauguration and then this allocation for 20 million dollars shows up in my email and back here I have to go. So I am here saying that you lied from day 1 when you campaigned for Mayor saying you respected the tax cap. Manipulating the budget and moving debt service payments outside the tax cap is NOT respect or teamwork with the community that elected you.



**City of Franklin**  
**Inception To Date Actual Ledger for Period Ending 7/31/2023**

| Account            | Date       | Source                       | JE Reference  | Description   | Debit      | Credit     | Balance      |
|--------------------|------------|------------------------------|---------------|---|------------|------------|--------------|
| 04-9-014-40798-122 |            | Franklin Falls Mixed Use TIF |               | exp Beginning Balance   |            |            | 0.00         |
|                    | 10/31/2018 | A/P                          | 103118        | T INVESTMENT PROPERTIES, INC<br>PURCHASE NEW BUILDING   | 276,347.53 |            | 276,347.53   |
|                    | 10/31/2018 | A/P                          | 103118        | SESSLER LAW OFFICE<br>PURCHASE NEW BUILDING CANAL<br>ST   | 276,347.53 |            | 552,695.06   |
|                    | 10/31/2018 | A/P                          | 103118        | T INVESTMENT PROPERTIES, INC<br>Cancel: PURCHASE NEW BUILDING   |            | 276,347.53 | 276,347.53   |
|                    | 11/14/2018 | A/P                          | 111418        | SESSLER LAW OFFICE<br>PURCHASE 33 MEMORIAL ST   | 197,392.76 |            | 473,740.29   |
|                    | 12/10/2018 | A/P                          | 121018        | ALL-WAYS WRECKING<br>42-46 CANAL ST ASBESTOS  | 1,130.00   |            | 474,870.29   |
|                    | 12/31/2018 | A/P                          | 33            | ALL-WAYS WRECKING<br>MEMORIAL 33 MEMORIAL ST DEMOLISHED<br>ST   | 27,800.00  |            | 502,670.29   |
|                    | 6/30/2019  | A/P                          | 072219        | ALL-WAYS WRECKING<br>42-46 CANAL ST DEMOLITION  | 21,000.00  |            | 523,670.29   |
|                    | 7/01/2019  | G/L                          | 7272 FY20-385 | Record Prior Period Adj from FY19 for<br>parking improvement project to fixed<br>asset and note payable and to record<br>MCP fixed asset FY20 |            | 40,000.00  | 483,670.29   |
|                    | 6/30/2020  | G/L                          | 7088 FY20-358 | Reclass MCP project coordination<br>invoices to TIF amendment #1 project  | 40,000.00  |            | 523,670.29   |
|                    | 7/01/2020  | G/L                          | 7515 FY21-386 | Record Prior period adjustment for<br>Mixed use TIF fixed asset   | 40,000.00  |            | 563,670.29   |
|                    | 12/31/2020 | A/P                          | 36827         | UNION LEADER CORPORATION<br>GRANT ADMINISTRATOR PARKING<br>LOT PROJECT & WHITEWATER PARK<br>CONSTRUCTION                                      | 342.10     |            | 564,012.39   |
|                    | 1/31/2021  | A/P                          | 4569          | CREDERE ASSOCIATES, LLC<br>33 MEMORIAL ST PHASE 1 ESA<br>UPDATE   | 1,500.00   |            | 565,512.39   |
|                    | 2/23/2021  | A/P                          | KF-21845      | SRW ENVIRONMENTAL<br>CONSULTING, LLC<br>MEMORIAL ST PARKING LOT<br>ENVIRONMENTAL ASSESSMENT   | 2,300.00   |            | 567,812.39   |
|                    | 6/30/2021  | G/L                          | 7513 FY21-383 | Reclass Union Leader invoice to correct<br>account #.   | 497.60     |            | 568,309.99   |
|                    | 6/30/2021  | G/L                          | 7835 FY21-424 | To correct entries associated with<br>Franklin Falls Mixed Use TIF & CDBG<br>grant for parking lot improveents                                |            | 839.70     | 567,470.29   |
|                    | 7/30/2021  | A/P                          | 52338         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK<br>CONSTRUCTION  | 116,410.62 |            | 683,880.91   |
|                    | 8/31/2021  | A/P                          | 52842         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK  | 4,750.00   |            | 688,630.91   |
|                    | 9/30/2021  | A/P                          | 3             | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK THRU 9/30/21   | 235,787.62 |            | 924,418.53   |
|                    | 10/29/2021 | A/P                          | 4             | ALVIN J. COLEMAN & SON, INC<br>WHITE WATER PARK THRU 10/31/21   | 326,011.50 |            | 1,250,430.03 |
|                    | 12/02/2021 | A/P                          | 55086         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK PAYMENT  | 13,205.00  |            | 1,263,635.03 |
|                    | 1/05/2022  | A/P                          | 55350         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK PAYMENT THRU<br>12/31/21   | 65,858.75  |            | 1,329,493.78 |
|                    | 2/16/2022  | G/L                          | 7530 FY22-147 | RECLASS KV PARTNERS INVOICES<br>FOR PARKING LOTS TO TIF<br>PROJECT  | 7,200.00   |            | 1,336,693.78 |
|                    | 3/03/2022  | A/P                          | 57413         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK PAYMENT THRU<br>02/28/22   | 193,011.50 |            | 1,529,705.28 |
|                    | 5/01/2022  | A/P                          | 59740         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK - PAYMENT<br>THRU 05/31/22   | 89,260.10  |            | 1,618,965.38 |
|                    | 5/05/2022  | A/P                          | 244592        | MILLICAN NURSERIES, INC.<br>TREES FOR TRESTLE PARK  | 1,995.00   |            | 1,620,960.38 |

**City of Franklin**  
**Inception To Date Actual Ledger for Period Ending 7/31/2023**

| Account   | Date      | Source | JE Reference  | Description   | Debit               | Credit            | Balance             |
|---|-----------|--------|---------------|---|---------------------|-------------------|---------------------|
|   | 5/25/2022 | A/P    | 1158          | M.A. SMITH ELECTRIC, LLC<br>WHITEWATER PARK   | 2,475.00            |                   | 1,623,435.38        |
|   | 5/25/2022 | A/P    | 1159          | CONSTRUCTION CONTINGENCY<br>M.A. SMITH ELECTRIC, LLC<br>WHITEWATER PARK   | 665.00              |                   | 1,624,100.38        |
|   | 6/20/2022 | A/P    | 3503          | CONSTRUCTION CONTINGENCY<br>KV PARTNERS, LLC<br>MEMORIAL & CANAL STREET<br>PARKING LOT- CONSTRUCTION<br>DOCUMENTS   | 1,800.00            |                   | 1,625,900.38        |
|   | 6/30/2022 | G/L    | 7964 FY22-389 | Recognize TIF proceeds deferred in<br>FY21, reclass phase 1 of Whitewater<br>park construction from TIF to<br>appropriate grants, accrue grant<br>revenue, correct TIF proceeds entry<br>based on exp reclass |                     | 458,961.67        | 1,166,938.71        |
|   | 8/03/2022 | A/P    | 60057         | ALVIN J. COLEMAN & SON, INC<br>WHITEWATER PARK - PAYMENT<br>THRU 07/31/22   | 93,889.91           |                   | 1,260,828.62        |
|   | 8/03/2022 | G/L    | 8031 FY23-194 | Reclass Alvin J. Coleman invoice to<br>reflect adj made for FY22 invoice paid<br>twice  | 11,833.00           |                   | 1,272,661.62        |
|   | 8/12/2022 | A/P    | 1190          | M.A. SMITH ELECTRIC, LLC<br>WHITEWATER PARK<br>CONSTRUCTION CONTINGENCY -<br>LIGHT ON THE WAVE  | 558.22              |                   | 1,273,219.84        |
|   | 2/08/2023 | G/L    | 8095 FY23-247 | Reclass Recreation Engineering &<br>Planning invoice  | 15,145.29           |                   | 1,288,365.13        |
|   | 5/15/2023 | A/P    | 051523        | HEART & STONE LANDSCAPING, LLC<br>INSTALLATION OF TRESTLEVIEW<br>PARK AMPHITHEATER SIGN   | 600.00              |                   | 1,288,965.13        |
|   | 5/20/2023 | A/P    | 3670          | KV PARTNERS, LLC<br>PARKING LOT CONSTRUCTION:<br>CONSTRUCTION OBSERVATION   | 2,650.00            |                   | 1,291,615.13        |
|   | 5/31/2023 | A/P    | 060523        | DBU CONSTRUCTION, INC.<br>MUNICIPAL PARKING LOT<br>PROJECT/33 MEMORIAL ST   | 59,075.00           |                   | 1,350,690.13        |
|   | 6/30/2023 | A/P    | 063023        | DBU CONSTRUCTION, INC.<br>MUNICIPAL PARKING LOT PROJECT -<br>33 MEMORIAL ST/2ND PAYMENT   | 4,425.00            |                   | 1,355,115.13        |
| 04-9-014-40798-122 Franklin Falls Mixed Use TIF |           |        |               | exp Ending Balance  | 2,131,264.03        | 776,148.90        | 1,355,115.13        |
| <b>Report Total</b>                             |           |        |               |   | <b>2,131,264.03</b> | <b>776,148.90</b> | <b>1,355,115.13</b> |



Mayor

Re: City Manager's Comments

From Mayor@franklinnh.org

To Stacey Marsland & 2 more

Aug 9 at 8:47 PM ✓

Stacey-I knew nothing about this situation, and I doubt any of the councilors did either. This is the first time I have ever seen this letter or knew of its existence.

What has this letter got to do with our meeting? What are you afraid of about talking face to face?

Jo Brown, Mayor  
City of Franklin



UNITED STATES DEPARTMENT OF COMMERCE  
Economic Development Administration  
Robert N.C. Nix Sr. Federal Building and U.S.  
Courthouse, Room 602  
900 Market Street  
Philadelphia, PA 19107

In reply refer to:  
EDA Control No. 119182

August 3, 2022

Ms. Judie Milner, City Manager  
City of Franklin  
316 Central Street  
Franklin, NH 03235-1774

Dear Ms. Milner:

The U.S. Economic Development Administration's (EDA) Philadelphia Regional Office is in receipt of your application for the Supporting Economic Prosperity through Increased Tourism and Outdoor Recreation for the Winnepesaukee River Park for a total project cost of \$1,678,051 with an EDA grant of \$1,342,441.

We regret to inform you that your application is non-responsive to the FY 2021 American Rescue Plan Act Travel, Tourism, and Outdoor Recreation Notice of Funding Opportunity (NOFO) (ARPA Tourism NOFO) as well as the Non-Binding Commitment Letter which was not responded to in full. In response to EDA, the application is incomplete. The primary reasons are:

- The consulting firms providing A/E services for this application's construction phase were not procured in accordance with Federal regulations for this application. While it is acknowledged that these firms were procured for the prior design and permitting phases, the construction phase was not considered during that competitive procurement. The prior Request for Qualifications source documentation used to secure these firms did not discuss, nor did it request pricing for, the consultant(s) to perform any future construction activities after their design and permitting contractual obligations were complete. Rather than perform a new solicitation for construction services, those two firms' contracts were extended to include construction related tasks. This non-competitive procurement renders these contracts ineligible for Federal participation.
- The application and responses to the Non-Binding Commitment Letter, demonstrate that the executed contract is not able to meet 2 CFR 200.320 that specifically notes that sealed bid method with lowest price procurement is the preferred method. Given the stage of completion of the construction project it is not feasible to rebid the project to meet EDA procurement standards and execute a construction change order incorporating all federal required documentation into the existing contracts. This would include items such as retroactive Davis-Bacon wage rates, CD-512, EEO requirements and having an EDA Construction sign posted on site.

- EDA was not provided the opportunity to review construction plans and specifications prior to advertisement for construction. This resulted in EDA not being able to provide guidance, input, and comments on the acceptability of the construction package. The construction project would need to be re-bid, which is an improbable event due to the schedule, sequencing, and process for the overall project.
- A security interest cannot be provided on this project as noted in Section D.2 of the ED-900C. For all projects involving the acquisition, construction, or improvement of a building, infrastructure or other real property a Recipient must execute and furnish to EDA a lien, covenant or other statement securing EDA's interest in the property. Since it was indicated that title is not fully held, cannot be held and thus a security interest cannot be provided, EDA's requirement for secured interest cannot be met.

Unfortunately, for the above reasons, EDA has determined that the project in its current state is too far along in the process for EDA to participate.

If you have any further questions, please contact David Cohen, Management/Program Analyst, at (267) 314-3564 or [dcohen@eda.gov](mailto:dcohen@eda.gov).

Thank you for your interest in EDA. For more information about our programs and other upcoming funding opportunities, please consult our website at [www.eda.gov](http://www.eda.gov).

Sincerely,  
**LINDA CRUZ  
CARNALL**  
Linda Cruz-Carnall  
Regional Director

Digitally signed by LINDA CRUZ  
CARNALL  
Date: 2022.08.03 16:40:21 -04'00'



**CDFA**  
COMMUNITY DEVELOPMENT FINANCE AUTHORITY

November 19, 2022

Judith Milner  
City Manager  
City of Franklin  
Franklin City Hall  
316 Central Street  
Franklin, NH 03235

Dear Ms. Milner

On June 14, 2022 The Community Development Finance Authority Board of Directors (BOD) approved a gross tax credit allocation of \$400,000 to the City of Franklin to construct Whitewater Features 1 and 2 constituting the final phase of development for Mill City Park at Franklin with the following contingency.

Tax Credit award is contingent upon a commitment of funds from the US Economic Development Administration (EDA) as detailed in the tax credit application.

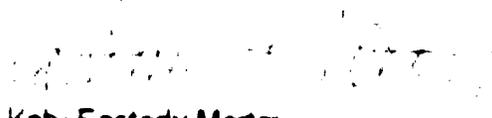
It is our understanding that the City of Franklin did not receive a commitment of funds from EDA and that there is currently no source of funds to replace them.

Without a commitment of \$1,544,000 from EDA as outlined in the application sources and uses table or another source of funding it is not feasible for this phase of the Franklin Whitewater project to move forward. Therefore, we must regrettably inform you that CDFA will withdraw its allocation of \$400,000 in tax credits for this project

Please note that if the City of Franklin can procure alternative sources of funding which, in combination with CDFA tax credits may complete the final phase of development we would welcome a new application to compete for tax credits in the 2023 round

CDFA has been and continues to support the completion of the Franklin Whitewater Project along with the positive tourism and economic development opportunities it brings to Downtown Franklin. If you have any questions or we can be of additional assistance please contact George Hunton, Director of the Tax Credit Program

Sincerely

  
Katy Easterly Marney,  
Executive Director

# FRANKLIN 42531

PEDESTRIAN BRIDGE PROJECT  
August 30, 2023

| ALTERNATIVE COST ESTIMATES                 |  |                         |   |                              |                           |  |
|--|--|-------------------------|---|------------------------------|---------------------------|--|
|  | HISTORIC RESTORATION ALTERNATIVES FOR PEDESTRIAN LOADING |                         | NEW PEDESTRIAN BRIDGE & STABILIZE TRESTLE | NO-BUILD & STABILIZE TRESTLE | NO-BUILD & REMOVE TRESTLE |  |
|  | REHABILITATE TRESTLE                                     | REPLACE TRESTLE IN-KIND |   |                              |                           |  |
| TIMBER TRESTLE WORK                        | \$ 2,400,000   | \$ 2,120,000            | \$ 1,100,000                              | \$ 1,100,000                 | \$ 550,000                |  |
| NEW CONCRETE RIVER PIERS (TBD)             | \$ 600,000   | \$ 600,000              | \$ -                                      | \$ -                         | \$ -                      |  |
| PEDESTRIAN DESIGN & HISTORIC STYLE RAILING | \$ 690,000   | \$ 690,000              | \$ -                                      | \$ -                         | \$ -                      |  |
| CONTINGENCY                                | \$ 385,000   | \$ 330,000              | \$ 250,000                                | \$ 250,000                   | \$ 110,000                |  |
| MOBILIZATION                               | \$ 385,000   | \$ 330,000              | \$ 250,000                                | \$ 250,000                   | \$ 110,000                |  |
| NEW PEDESTRIAN BRIDGE & FOUNDATIONS        | \$ -   | \$ -                    | \$ 1,650,000                              | \$ -                         | \$ -                      |  |
| APPROACH WORK                              | \$ 85,000  | \$ 85,000               | \$ 70,000                                 | \$ -                         | \$ -                      |  |
| <b>TOTAL CONSTRUCTION COST ESTIMATE</b>    | <b>\$ 4,545,000</b>                                      | <b>\$ 4,155,000</b>     | <b>\$ 3,320,000</b>                       | <b>\$ 1,600,000</b>          | <b>\$ 770,000</b>         |  |
| ENGINEERING, GEOTECHNICAL & PERMITTING     | \$ 415,000   | \$ 385,000              | \$ 265,000                                | \$ 165,000                   | \$ 55,000                 |  |
| CONSTRUCTION ENGINEERING (7% CONSTRUCTION) | \$ 320,000   | \$ 290,000              | \$ 235,000                                | \$ 110,000                   | \$ -                      |  |
| <b>TOTAL PROJECT ESTIMATE</b>              | <b>\$ 5,280,000</b>                                      | <b>\$ 4,830,000</b>     | <b>\$ 3,820,000</b>                       | <b>\$ 1,875,000</b>          | <b>\$ 825,000</b>         |  |
| MINIMUM CITY SHARE                         | 20%  | 20%                     | 20%                                       | 100%                         | 100%                      |  |
| <b>MINIMUM CITY COST</b>                   | <b>\$ 1,056,000</b>                                      | <b>\$ 966,000</b>       | <b>\$ 764,000</b>                         | <b>\$ 1,875,000</b>          | <b>\$ 825,000</b>         |  |