



Approved as amended by the City Council on April 2, 2018

City Council Meeting March 5, 2018

Call to Order

Mayor Giunta called the meeting to order in the Council Chambers, Franklin City Hall at 6:06 p.m.

In Attendance

Councilor Clarenbach, Councilor Barton, Councilor Ribas, Councilor Brown, Councilor Moquin, Councilor Trudel, Councilor Dzujna, Acting City Manager/Finance Director Milner and Mayor Giunta.

Absent

Councilor Desrochers and Councilor Zink (was listening on cell phone)

Salute to the Flag was led by Police Chief Goldstein.

Public Hearings

Resolution # 17-18 – no comments.

Resolution # 18-18 –no comments.

Tax Increment Finance District (TIF) – Annette Andreozzi asked for clarification on the “Prior to expenditure...” sentence, is that part of the amendment and what is the definition of approval? Should that sentence have something about City Council rather than approval? Acting City Manager/Finance Director Milner stated it was added by the TIF Advisory Board. The TIF Advisory Board can have approval over projects but the City Council has final approval. The City Council can add language that they have final approval if they approve this amendment. Annette Andreozzi re-clarified her understanding as the TIF advisory board would approve the expenditure of funds and that would be it or are they forwarding to City Council for approval. Acting City Manager/Finance Director Milner stated once the City Council approves the funding mechanism the council may ask for those items to come back to them but as part of the amendment it does not need too. Annette Andreozzi stated she feels all funds expended should go to City Council and announced so the public can make comment on them as the City Council is more available to the public.

Annette Andreozzi stated that the TIF is in the Historic District on the National Register and the City of Franklin’s Historic District. This amendment allows demolition approval and there is no one on the TIF Advisory Board who is extremely knowledgeable about Franklin’s history, knowledgeable about economic historic preservation or National Register Historic Districts. Having a board that is making decisions without the City Council being aware and is keeping people from having input is a mistake. Once a historic resource is removed it cannot come back.

Leigh Webb asked where did the \$1M figure come from on the amendment, what is its source? Acting City Manager/Finance Director Milner stated that came from the City's Downtown Coordinator Cannon as he believes that \$1M will cover the costs. Leigh Webb asked if this information is public knowledge. Acting City Manager/Finance Director Milner stated that it involves the acquisition of property and some other items. Leigh Webb asked if the sole source of the \$1M is the difference in valuation. Acting City Manager/Finance Director Milner stated the \$1M will take \$93K of the increment and is expected to be over \$500K at the end of the project. Leigh Webb asked if there was a time line for when the \$1M will be available. Acting City Manager/Finance Director stated if the \$1M amendment is approved by the City they will be going ahead with a BAN (Bond Anticipation Note) and authorization to borrow at the next council meeting.

Comments from the Public

Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary.

Tim Dow stated he hopes the council will approve and support the teacher contract as it is a fair contract. The teachers are still a few steps behind but they have made a little headway with this one.

Deb Brown stated the Joint Finance Committee met this past week to discuss the proposal for the energy upgrades and roof. She encouraged the council to take this item off the table so a public hearing can be set so the school can move forward. She echoed Tim Dow's statement for the teacher contract. She stated she has read other cities and towns are giving their teachers a 3.3 to 3.4% and this contract is giving Franklin's teachers a 3% raise.

Riley, from the Franklin Jr. Youth Group, stated there is a project that the library has with ebook services called NH Overdrive and they are trying to raise awareness. The goal is to increase user awareness and is looking to the council for guidance. Councilor Brown stated she has some flyers in her shop and in her windows. Councilor Dzujna stated that they can contact Choose Franklin and provide them with flyers to pass out. He also suggested Community Day and setting up a table with this information. Acting City Manager/Finance Director Milner stated it will go on the city website.

Deb Gleason spoke about a dog park they are looking to put in. In the past the high schoolers have approached the City Council about this. She has been approved for Non Profit Status called Franklin NH Dog Park Association. On April 14 there will be a pet expo at Compass Classical Academy. In September they are looking to do a 5K. They are looking for space so she can apply for grants. The space needs to be handicapped accessible, preferably 1 acre, parking for 12-15 cars. She has been speaking with MSD Director Sullivan to find a space appropriate. She has over 200 people interested in helping maintaining the park. They are trying to fundraise so the city doesn't have to maintain the park the association will be doing it.

Jen Weaver spoke about the teachers' contract and stated it was as fair as they could make it for the teachers and community.

Rep. Horn stated that the Hope for NH Recovery's funding is based on legislature's decision on Wednesday. He urged all to contact Andru Volinsky to let him know that the center sees hundreds of people and is an asset to Franklin.

Leigh Webb asked what the reason is why there is a funding problem. Rep. Horn stated all his information came from the Carolee Longley the center's manager. She stated there was an investigation into the Hope for Recovery organization and the allegations were without merit by the State Attorney General's office. Since there was an allegation the funding by the state was halted.

Choose Franklin – N/A

Legislative Comments – Rep. Horn showed the house calendar for the week and is happy to talk about any of it. These are the last bills the house is going to act on until crossover which are all the senate bills that made it through. He stated he sits on the committee for the county delegation which means he sees the budget. The revenue numbers are up but they are living beyond their means. The initial proposal is a .6% increase and the majority of increases in many of the departments is 3-10% in payroll. It is no secret that if you don't pay your employees they leave and Merrimack County has many good people working for it. The Dept. of Corrections exceeded revenue projections by \$500K but the proposed budget is under what was sent last year. Rep. Horn stated he is getting in touch with DRA to get a better understanding of the taxes. Tax increases shouldn't be passed on if spending is beyond what is being brought in. A large majority of the excess revenue came from federal pretrial inmates. The county housed them in their facility and the federal government pays for transportation, room and board.

Councilor Dzujna asked if the three (3) bills on right to know are coming up and when they would be. Rep. Horn stated he is being told yes and are in the calendar. Acting City Manager/Finance Director Milner stated it is scheduled for Thursday.

City Council Acknowledgements – Councilor Dzujna wanted to thank MSD for doing a great job this winter even though they are down four (4) people.

Mayor's Update – Mayor Giunta mentioned that Allegiant Air flies out of Portsmouth and is a fabulous airline.

Agenda Item I.

City Council to consider the minutes of the January 25th City Council Special Meeting, February 8th City Council Special Meeting and the February 5th City Council meeting.

Motion: Councilor Barton moved that the Franklin City Council accept the minutes of the January 25, 2018 City Council Special Meeting, February 8, 2018 City Council Special Meeting and the February 5, 2018 City Council meeting. Motion seconded by Councilor Dzujna.

Councilor Ribas stated he emailed Lauraine a few small changes.

All in favor as amended; motion passes.

City Council to consider amending the minutes of July 3, 2017 to add Agenda Item XIII.

Motion: Councilor Barton moved that the Franklin City Council amend the minutes of July 3, 2017 to add Agenda Item XIII. Motion seconded by Councilor Clarenbach.

All in favor; motion passes.

Agenda Item II.

School Board Report

Superintendent LeGallo stated passed out a front page article from the Concord Monitor about the Robotics Team. He stated he felt the Joint Finance Committee did a great job and Paul did a great job as chair. He stated that they spent five (5) months working on the teacher's contract and hopes the council will support it. The Joint Finance Committee will be meeting again on the 26th. There will be a School & City liaison meeting on the 12th. There will be a drill at the high school on the 16th with staff only to hear what gun fire sounds like in the building. It will be blank fire with the Franklin Police Chief Goldstein and Officer Hart. If all goes well they will do the elementary and middle school in May. He stated he is looking for a Councilor for the third Friday of the month from 9-11 am for the Community Management Team which is part of the Project Aware grant and Office of School Wellness.

Mayor Giunta asked if there were any councilors interested. Council Dzujna asked if Superintendent LeGallo could send him some information and Councilor Dzujna will send him some information.

Councilor Dzujna thanked Superintendent LeGallo for the hard work that was done on the negotiations. Councilor Dzujna asked if the raise is in the budget. Superintendent LeGallo stated they intend to put it in the budget once the council approves the contract.

Agenda Item III.

City Council to consider adopting Resolution #17-18, appropriating \$69,800 insurance proceeds to the nuisance abatement expenditure line.

Motion: Councilor Clarenbach moved that the Franklin City Council adopt Resolution #17-18 appropriating \$69,800 of insurance proceeds to the nuisance abatement expenditure line. Motion seconded by Councilor Dzujna.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Desrochers	<u>abs</u>	Councilor Ribas	<u>yes</u>
Councilor Brown	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>abs</u>

All in favor; motion passes.

Agenda Item IV.

City Council to consider adopting Resolution #18-18, appropriating \$19,000 for contracted services and supplies for the Before and After School Program through the 21st Century Community Learning Grant.

Motion: *Councilor Clarenbach moved that the Franklin City Council adopt the supplemental appropriation in the amount of \$19,000 for contracted services and supplies for the Before and After School Program and adopt Resolution #18-18 by roll call vote. Motion seconded by Councilor Ribas.*

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Desrochers	<u>abs</u>	Councilor Ribas	<u>yes</u>
Councilor Brown	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>abs</u>

All in favor; motion passes.

Agenda Item V.

City Council to consider the School CBA for the Teacher contracts.

Motion: *Councilor Ribas moved that the Franklin City Council approve the agreement between Franklin School Board and Franklin Education Association for a one year contract for 2018-2019. Motion seconded by Councilor Trudel.*

Councilor Barton stated that under the Duration of Agreement there is a sentence that states from year to year thereafter, unless it is voted by...so this is a never ending contract. Superintendent LeGallo stated it is a one year contract and that is the intent. Councilor Clarenbach stated it is 16-1 and read the sentence. He stated his interpretation would be 3% with no other multiplier. Deb Brown stated it becomes status quo once the term has ended in 2019. Superintendent LeGallo stated the salaries would stay locked in place until a new agreement approved by the City Council. Superintendent LeGallo stated he would answer Councilor Dzujna's question from earlier. There is kindergarten money of \$65K that they will receive annually. The \$100K should be released from the

audits as they will be all caught up. After one year they will be losing a bond and getting back that principal and interest. The school board will be having their 1st budget session tomorrow night.

Mayor Giunta stated that Councilor Desrochers, who was not in attendance, had a question is that money in the budget and you have just answered that question. Mayor Giunta asked Acting City Manager/Finance Director Milner if she had any idea how pickups were going. Acting City Manager/Finance Director Milner stated with the CPIU at 2.1% the school will pick up an additional \$102K plus revenues moving forward of \$62K. They are starting off \$164K in the positive. She stated she will not know the pickup number until about April 15 as the assessors are going through a revaluation year.

Councilor Clarenbach asked about the letter from Eversource and what that could mean. Acting City Manager/Finance Director Milner stated that involves the \$182K we received this year and that could go away but she didn't think so.

Mayor Giunta stated that the city was informed by Eversource that they are looking for an abatement because they were over assessed. This is similar to what happened in Bow where they had to give back money. Mayor Giunta stated he feels that the city was just included with the 91 other towns/cities and feels they should be ok. Councilor Dzujna asked on the \$182K pickup did Eversource give any idea on when this will be finalized. Acting City Manager/Finance Director Milner stated it is with the assessors and the City Attorney Fitzgerald to assess the validity. They feel it is not valid since the city used the number Eversource provided them. Acting City Manager/Finance Director Milner stated she feels the city got the letter as they were undervaluing Eversource for so long and then changed the value to the number Eversource provided which flagged the accounting software they used to send out the letters to 92 communities. Councilor Clarenbach stated that the Eastman Falls Dam was sold for much less than what Eversource valued it for. It wouldn't be uncommon for them to reduce that value to what they sold it for.

Mayor Giunta asked if the school was going to be \$1M behind again this year all the while they are adding another \$100K to the budget. Superintendent LeGallo stated you can't balance the budget on the backs of the teachers. We will be in for another tough budget session.

Mayor Giunta asked if they should table this and wait until the school board meets to see where the number is at. Superintendent LeGallo stated he wouldn't be in favor of that. Councilor Clarenbach stated that this is a difficult decision and the challenge is the cuts will still be there and with possibly another \$150K to get through.

Mayor Giunta asked if the numbers are intermingled with the debt they could incur with the energy upgrades.

All in favor; motion passes.

Agenda Item VI.

City Council to schedule a public hearing for Resolution #19-18, accepting and appropriating funding for the development of “Asset Management Plans” for the City Water Department Infrastructure.

Motion: Councilor Clarenbach moved that the Franklin City Council schedule a public hearing at 6:00pm on Monday, April 2, 2018 in the City Council Chambers to consider passage of Resolution #19-18. Motion seconded by Councilor Trudel.

All in favor; motion passes.

Motion: Councilor Clarenbach moved to have the Resolution to be read in title only. Councilor Brown seconded.

All in favor; motion passes.

Mayor Giunta read Resolution #19-18 in title only.

Agenda Item VII.

City Council to consider disposition of properties.

Motion: Councilor Dzujna moved that the Franklin City Council authorize the Acting City Manager to dispose of the following properties through a bid process with a minimum bid amount as shown and to further execute all closing documents required for the conclusion of the referenced sale. Motion seconded by Councilor Trudel.

Councilor Clarenbach stated his concern was with the Hill properties with the minimum bids and should the properties be combined to lower the minimum bid price. He stated he doesn't feel they will get their money back at these minimum bids. Acting City Manager/Finance Director Milner stated that she put in the minimum bid for taxes owed but the City has owned these properties for quite a while. Councilor Clarenbach asked if the abutters are on the outside of the lines or the inside of the lines. Acting City Manager/Finance Director Milner stated one abutter is 90-5 and the other abutter is towards the binder clip. He asked if all land is put together and they ask for \$20K for the entire allotment which is a bigger size. He feels if they don't combine there could be have many owners of properties you can't do much with rather than one owner of them all.

Mayor Giunta asked Planning and Zoning Director Lewis what his thoughts were about these properties. Planning and Zoning Director Lewis thought it was a good idea to sell these properties all as one property so it can be developed. Mayor Giunta asked would the city incur the cost to move the lot lines. Planning and Zoning Director Lewis stated the only cost would be the lot merger document.

Mayor Giunta asked if they should table this until that merger is done. Councilor Clarenbach stated he would rather propose an amendment. What should the minimum bid be? Councilor Trudel stated he likes the idea to combine the properties. Acting City Manager/Finance Director Milner stated the minimum bids are generally set to recover the taxes owed. Mayor Giunta asked should they start relatively high and then reduce. Councilor Trudel stated we shouldn't price anyone out of the properties.

Amendment: Councilor Ribas moved that the Franklin City Council combine all Hill Road properties and set a minimum bid of \$20K. Motion seconded by Councilor Brown.

Councilor Clarenbach stated that these properties were bought at tax sale in the past. He stated that Planning & Zoning Director Lewis mentioned having the applicant do the merging and that would put the liability on the winning bidder. He feels \$20K is too high. Councilor Moquin stated that \$20K is too high as well.

Councilor Ribas stated he recalls his amendment. It was seconded by Councilor Brown who also recalled her second.

Amendment: Councilor Clarenbach moved that the Franklin City Council set a minimum bid of \$10K for all lots on Hill Rd and the winning bidder is responsible for merging into one (1) lot. Motion seconded by Councilor Trudel.

All in favor; amendment passes.

All in favor; motion as amended passes.

Agenda Item VIII.

City Council to consider the mutual rescission and release agreement and consider setting a public hearing for the PILOT for Industrial Park Drive for Solar LLC.

Motion: Councilor Clarenbach moved that the Franklin City Council approve the mutual rescission and release agreement with Industrial Park Solar, LLC and authorize the Acting City Manager to sign the agreement on behalf of the City. Motion seconded by Councilor Trudel.

All in favor; motion passes.

Motion: Councilor Trudel moved that the Franklin City Council set a public hearing for April 2, 2018 at 6:00 pm to consider a PILOT agreement for Industrial Park Drive Solar, LLC. Councilor Clarenbach seconded.

All in favor; motion passes.

Agenda Item IX.

Other Business

1. **Committee Reports** – Councilor Trudel asked to move this to after late items and council was in agreement.
2. **Acting City Manager's Update** – Acting City Manager/Finance Director Milner asked if the council would go back to the page after the agenda. There is a recommended motion so they can adopt TIF Amendment #1.

Motion: Councilor Dzujna moved that the Franklin City Council set a public hearing for March 21, 2018 at 6:00 pm to consider the adoption of the TIF Amendment #1. Councilor Trudel seconded.

All in favor; motion passes.

Acting City Manager/Finance Director Milner stated the Contingent Grant Line received \$1,494.50 from Choose Franklin for the BRCC playground.

Franklin Police Department participated in the multi-jurisdictional drug sweep which is funded by Operation Grant Shield. This drug sweep netted multiple arrests and drug related seizures across NH. Congratulations to Chief Goldstein and the Franklin Police Department.

The Town of Salisbury is asking neighboring communities to join them in their 200th birthday parade on August 11th by displaying something that represents our community. All councilors are invited to walk in the parade.

Andrew Keller was here last month and spoke about the solar projects and is asking for the PILOT agreements to be re-signed. There is no longer a power purchase agreement so the City would receive straight revenue.

The City Clerk's office will be closed on April 4 and May 9 so the staff can attend the annual tax collector conference and training.

Deb Ryba, Assessing Technician, will be retiring after 33 years of service to the City of Franklin.

Reminder there will be a special meeting of the council on March 21 to consider the Franklin Falls TIF district Amendment #1.

Acting City Manager/Finance Director Milner stated she attended the Bucky Lewis Comedy show for the Mayor's Drug Task Force and had a great time. She stated she also attended the Boat Bash this past weekend. She watched the races and they were coming down the mountain pretty fast and she was told they were slow this year.

3. Late Items – none

- 4. Committee Reports** - Councilor Dzujna stated there is a liaison meeting on the 12th at 6:00 pm downstairs.

Councilor Brown stated there is a Fire Committee meeting on the 14th at 5:00 pm at the Fire House.

Councilor Moquin stated that Tilton, Northfield and Sanbornton approved the MOU so they will be moving forward with the four (4) communities.

Councilor Trudel stated they had a Joint Finance Committee meeting and on the table for discussion were the energy projects and the school roof. He understands this was tabled in December and he would like to bring this forward for discussion. He is being told that one of the heating systems in the Paul Smith school was red tagged. EEI has offered to oversee the roof construction at no cost to the city.

Motion: Councilor Ribas moved that the Franklin City Council set a public hearing for April 2, 2018 at 6:00 pm regarding Resolution #13-18 allowing the Franklin School District to borrow \$2M for the purposes of funding the middle school roof repairs and district wide energy upgrade projects.

Mayor Giunta stated they don't have to take it off the table since there was a motion.

Councilor Trudel seconded.

Mayor Giunta asked that a presentation be made to the council for the April meeting. Councilor Trudel stated he would feel better if EEI did the presentation. Mayor Giunta stated if the councilors had specific questions to send them to Superintendent LeGallo so he can send them off to EEI. Councilor Trudel asked Superintendent LeGallo to see if the council can get copies of the presentation that was presented that night by EEI.

All in favor; motion passes.

State Rep. Horn asked if the presentation can be done before the public hearing.

Motion: Councilor Clarenbach moved that there is a need for a non-public session per RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Motion seconded by Councilor Trudel.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Desrochers	<u>abs</u>	Councilor Ribas	<u>yes</u>
Councilor Brown	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>abs</u>

All in favor; motion passes.

Entered nonpublic session at 7:32 p.m.

Motion: *Councilor Barton moved that the Franklin City Council leave nonpublic session and return to public session. Motion seconded by Councilor Clarenbach.*

All in favor; motion passes.

Public session reconvened at 7:55 p.m.

Motion: *Councilor Ribas moved that the Franklin City Council seal the minutes. Motion seconded by Councilor Clarenbach.*

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Desrochers	<u>abs</u>	Councilor Ribas	<u>yes</u>
Councilor Brown	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>abs</u>

All in favor; motion passes.

Councilor Dzujna withdrew his motion for Agenda Item #VII and Councilor Trudel removed his second.

Motion: *Councilor Ribas moved that the Franklin City Council amend agenda item #VII to add Map/Lot/Block for each. Motion seconded by Councilor Brown.*

090-006-00	Hill Rd	090-010-00	Hill Rd	090-012-00	Hill Rd
090-007-00	Hill Rd	090-011-00	Hill Rd.	090-013-00	Hill Rd
090-008-00	Hill Rd	090-406-00	Hill Rd	135-099-00	72 Pine Street
090-009-00	Hill Rd	110-001-00	Hill Rd		

All in favor; motion passes.

Motion to adjourn made by Councilor Clarenbach and seconded by Councilor Ribas. All in favor; meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Lauraine G. Paquin