

Approved by City Council on July 25, 2016



City Council Meeting June 6, 2016

Call to Order

Mayor Merrifield called the meeting to order in the Council Chambers, Franklin City Hall at 6:00 p.m.

In Attendance

Councilor Clarenbach, Councilor Boyd, Councilor Starkweather, Councilor Barton, Councilor Giunta, Councilor Desrochers, Councilor Wells, Councilor Zink, Councilor Dzujna, City Manager Dragon and Mayor Merrifield.

Salute to the Flag was led by Councilor Clarenbach.

Mayor Merrifield recognized Lexi Colpak for being an honor student and star athlete of Franklin High School, attending Thomas College and Northern Athletic Conference Rookie of the Year selection. The Mayor proclaims Monday, June 6, 2016 as Lexi Colpak Day.

Public Hearings

Resolution #11-16: A Resolution regarding the appropriation of \$6,000.00 to purchase two (2) video laryngoscopes.

No comments from the public.

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.

Several people spoke to the Council about funding the school budget to include: Lori Ingham, Gavin Riley, Jennifer Weaver, Julie, Amanda Maguire, Charlie Chapple, Jennifer Goulet, Jonathan Saucier, Jeff Savary, Keith Lohmann, Jennifer Enright, Emina Selimoric, Aimee Gargano, Jen Shangalle, Jo Brown, Caren Daniel, Lilly Makis, Crystal Slocum, Clarissa Martin, Adrienne Dion, Robert Holt, Christy Martin, Brian Colburn, Larry Hennessey, Jason Grevior, Regina Ford, Stacia Glover, Jaclyn Clark, Riley Roper, Councilor Boyd, Kyle von Adams, Mariah Pickering, Steven Bunker, John Lemoje, School Board Member Deb Brown. The Council took a 10 min recess. The Mayor resumed public comment and the following people spoke about funding the school budget: Shannon Hill, Werner Horn, Justin Fogg, Tim Moquin, Jason Grinavic, Anita Hernandez.

Choose Franklin – Jo Brown stated that they meet last Thursday and there will be no meeting in July but in August they will be bringing back non-profits. Sept 1 they will be having a non-partisan election and on Sept 26 they will be holding a candidates forum.

Legislative Comments – Senator Hosmer wanted to update the Council about the Legislative session on the opioid issue, worked on education funding, taking steps to criminalize fentanyl, recovery courts rather than a conviction, sought funding in peer to peer funding (Hope for Recovery), Granite Hammer will be voted on again on June 16, NH Health Protection Act renewed for 2 years covers mental health and abuse treatment, Winnepesaukee River Basin facility which is run by DES - changes were to give more local control.

Councilor Desrochers asked Senator Hosmer that the Federal Government is currently funding Medicaid about \$60M. Senator Hosmer stated he thinks it is more than that. Councilor Desrochers then asked what is the Legislature's plan when that money dries up. Senator Hosmer stated that the first portion of the program is 100% of funds and then it will ratchet down to 90% over 6-8 years but not turn Federal Funds away but don't know what the liability to the State is so a coalition was created with the hospitals and health care providers to create a special fund. They have been willing to assist with the difference what the Federal Government pays the State and then what the State is liable for going forward. Councilor Desrochers then asked that cities and towns are not going to be stuck with those bills and Senator Hosmer stated no. Councilor Desrochers went on to say that as you can see from tonight we don't have enough money for education we can't afford to pay for Medicaid expansion as well as State cost shifting. Cities and towns are definitely going broke and a lot of it is on part of the State. Senator Hosmer stated that he thinks Councilor Desrochers is right. He stated you can go back to 2009 when the State stopped offering aid to cities and towns. The State has been able to balance the budget by \$300M by cost shifting to cities and towns and he thinks that is wrong. If he is reelected he would like that fixed and returned to cities and towns and stop abusing our schools and roads and bridges. He stated they have to look at school building aide and look at bringing that back as well. It is about the funds and how they are allocated and we need to stop down shifting it. Councilor Desrochers then asked what is your plan to stop the down shifting as the money has to come from somewhere. Senator Hosmer stated we have to be really wise if we want to grow the economy in this state and one of the best ways is to make sure we have educated students to take the jobs in the 21st century, take a good hard look at energy in this state and he is a huge supporter of the Northern Pass.

Councilor Dzujna asked if recovery courts are planned in all cities and towns. Senator Hosmer stated no they will be primarily county based as there is really only one Judge doing it and that is Judge Carroll in Laconia doing it on a volunteer basis. He believes they will be rolling them out county by county.

Rep. Horn spoke about the finance committees at the State Legislature. Many legislatures didn't like that they came up with cutting the stabilization fund by 10%. They told them to go back and rework it so it is only 4%. Rep. Horn voted against it and so everyone understands this is money above and beyond what each city and town gets, per RSA, and it is about \$3600 per student. The stabilization

fund was created to stop the sticker shock when the State changed the adequacy. When it was changed some cities and towns would lose millions of dollars and Franklin would be hit pretty hard. It was created as additional set of funds and it will also go away at some point. Mayor Merrifield asked if Rep. Horn believes the State is meeting it's obligation under the constitution to provide an adequate education to every child in New Hampshire. Rep. Horn stated no and that he would also cut funding to UNH as today they have granite inlays in the dorms and they are spending \$17K on tables. Why fund a university when our kids aren't adequately funded.

Rep. Horn stated the State pensions has an unfunded 4 billion dollar liability as there are less state employees paying into the system. Revenue sharing was suspended in 2012 and that is still suspended. Rooms and meals is a major source of revenue for New Hampshire and collects over \$200M and they are funding municipalities 68% rather than giving them their 100% share. The general fund profits from the 32% that the State is keeping for highways, state troopers and other services. Highway Block grants is no longer giving \$30K as this was money coming from car registrations that is no longer being collected. The flood control money Franklin was shorted in 2012 and 2013. In 2016 Franklin got \$66K and there is another \$25K coming in FY17. State Aid grant Franklin should be getting \$500K over the course of the loan. The State says they weren't invoiced properly so Franklin wasn't put on the list to be paid. There is a bill that Franklin is on to be paid when funds become available. The adequacy funds is the Dept. of Education who decides what is adequate.

Councilor Desrochers asked that why is it when the Legislature talks about raising taxes it talks about a broad base tax (income tax) and why doesn't NH have a sales tax. Rep. Horn stated that he is happy that if there is a tax to raise it would be mostly tourists paying it and we don't put a tax burden of a sales tax on our NH residents of having their pockets picket whenever the legislature doesn't manage their money properly.

City Council Acknowledgements – Councilor Dzujna wanted to thank the young adults from the high school for putting up the plants. Councilor Dzujna also wanted to thank Ken LaBraney, Dan Case, Councilor Starkweather and Tim Morrill.

Mayor's Update - None

Agenda Item I.

City Council to consider the minutes of the May 2th, 2016 City Council Meeting.

Motion: Councilor Zink moved that the Franklin City Council consider the minutes of the May 2, 2016 City Council Meeting. Motion seconded by Councilor Desrochers.

All in favor; motion passes.

Agenda Item II.

School Board Report – School Board Member Scott Burns wanted to update that they started a strategic planning committee and the dropout rate is one thing they will focus on. There will be a meeting with the liaison committee and the Council this month on June 27. One thing the school board needs is a vision and community engagement. School Board Member Susan Hallett Cook stated that there needs to be accountability and vision and finding the positives in Franklin to be able to point out rather than the negatives.

Agenda Item III.

City Council to consider the approval of Resolution #11-16, a Resolution regarding the appropriation of \$6,000.00 to purchase two (2) video laryngoscopes.

Motion: Councilor Starkweather moved that the City of Franklin approve Resolution #11-16. A Resolution regarding the appropriation of \$6,000.00 to purchase two (2) video laryngoscopes. Motion seconded by Councilor Dzujna.

Roll Call:

Councilor Clarenbach	<u> X </u>	Councilor Dzujna	<u> X </u>	Councilor Barton	<u> X </u>
Councilor Starkweather	<u> X </u>	Councilor Wells	<u> X </u>	Councilor Boyd	<u> X </u>
Councilor Desrochers	<u> X </u>	Councilor Giunta	<u> X </u>	Councilor Zink	<u> X </u>

All in favor; motion passes.

Agenda Item IV.

City Council to consider approval of one year Amateur Radio Repeater Site Lease with the Central New Hampshire Amateur Radio Club.

Motion: Councilor Clarenbach moved that the City of Franklin approve the one-year non-exclusive lease with the Central New Hampshire Amateur Radio Club effective July 1, 2016 and ending July 31, 2017. Motion seconded by Councilor Desrochers.

All in favor; motion passes.

Agenda Item V.

City Council to consider adoption of tax deeds.

Motion: Councilor Clarenbach moved that the City of Franklin accept the tax deeds on the following parcels: Map/Lot: 097/041/000, Map/Lot: 078/006/015, Map/Lot: 116/029/000, Map/Lot: 116/029/000, Map/Lot: 097/012/000, Map/Lot: 058/005/000, Map/Lot: 099/024/000, Map/Lot: 096/412/012, Map/Lot: 095/008/000, Map/Lot: 076/089/000, Map/Lot: 117/408/000, Map/Lot: 128/006/000, Map/Lot: 100/012/000. Motion seconded by Councilor Barton.

Councilor Desrochers stated he wasn't familiar with these properties and wanted to know what the city plans to do with the properties – sell them or demolish them and resell the land. He stated he is not interested in taking property that are worthless to resell for taxes just so we can spend money on fire and police to go to those properties. We need to improve Franklin by getting rid of properties that shouldn't be there to begin with. City Manager Dragon explained that the majority of the properties that are taken at tax deed time are in less than desirable condition. Code Enforcement Officer goes out to each property and inspects and then makes a recommendation if the property should be demolished. Each year we put funds in the budget for these properties. Our practice over the past few years is to demolish them, clean them up, make them green space with restricted covenants and sell them to the abutting properties. That is generally for parcels on small lots, in old neighborhoods and in not so great condition and that has worked really well but it is a case by case basis. There is a period of time that the property owner has the ability to buy the property back if they pay the back taxes plus interest and penalty. That time has to pass before anything can be done. At that time it is determined what the next approach is. This process is extremely difficult for the City Clerk/Tax Collector's office as well as the City Manager's office. If nothing is done than that shifts the burden to the taxpayers who are paying their taxes so as heartbreaking as it is, it is something that needs to be done to keep the check and balances in place. Councilor Barton noticed that some of the properties are being rented, what happens to the renters? City Manager stated that any property that is taken and people are living there then the city would have to go through the eviction process. Councilor Giunta wanted to thank the City Manager as one of these property owners who contacted him wanted to speak with someone who would listen. He stated then you didn't call the City Manager as they will always listen and now he is one of the properties crossed off.

Councilor Clarenbach stated his concern was with the 15% penalty. City Manager stated there is a State law that says you can assess a 15% penalty on the assessed value of the property after it goes to tax deed and that is why they try hard to keep it from going to tax deed. In the past, normally within 30 days the council has waived that penalty. He suggests a Council make a policy so that the City Manager is not left to advise them. It should be up to the Council to decide what window of time the homeowner has to come back to get the property. City Manager Dragon then stated the State changed the law this year to 10% and has exemptions if it is your primary home. The penalty is one way that motivates people to come up with the money to get the property back to avoid the fee. She states she doesn't tell people you have 30 days to come up with the money instead she states most

likely the Council will waive the fee if you pay within 30 days. She uses it as a way to urge them and then the Council votes on it each time.

Councilor Boyd asked about the status of Ciao Pasta. City Manager Dragon stated the city owns the building and she has been working with FBIDC. One of the problems is parking, the building behind it that burnt they put up a fence causing a parking problem. The property behind is contaminated; it is considered a brown field site. There are meetings being held on how to work around that to make the site more profitable location for someone to do business. Councilor Zink stated that it shows that 8 of the properties are occupied and one in a manufactured park so would we owe the park fees for that. What is the total dollar figure of all taxes owed for these? City Manager stated she didn't have the total dollar value as it is a daily interest rate that is applied. If it is a property in a mobile home park we contact them and look to see if we can make an arrangement as most likely they are not getting paid either. Councilor Zink then asked if there are people in the 8 properties. City Manager Dragon stated that most likely we would start an eviction process.

Councilor Dzujna asked that when the Code Enforcement Officer goes out is he allowed at any time to go inside the property. City Manager stated sometimes and it depends. They do not have the right to go inside to inspect for back taxes.

All in favor; motion passes.

Motion: Councilor Clarenbach moved that the City of Franklin accept the tax deeds on the following parcels: Map/Lot: 096/407/000. Motion seconded by Councilor Dzujna. Councilor Clarenbach move to table. Motion seconded by Councilor Desrochers.

All in favor; motion passes.

Agenda Item VI.

Other Business

1. **Committee Report** – Councilor Dzujna stated as you heard from School Board member Burns there will be a Liaison meeting on June 27 at 6:00 pm at City Hall downstairs.
2. **City Manager's Update** – City Manager Dragon advised that the City received the following contingent grant line amount: \$300 from Eversource for Dollars for Doers Grant, \$130 from Wild Lions Group donation to K9 Max and \$40 from FMS Children for the Love of Dog Dance donation to K9 Max.

Bench donations from Choose Franklin's "Great Franklin Bench Project" as five benches were created. Two benches are going on private property (FSB and Greviors) and three benches are going on City property (Marceau Park, Police Dept and Franklin Studio) with two of the benches being donated to the City.

FY17 Budget is scheduled to hold work sessions on June 13 for outside agencies presentations, June 14 for school budget presentation and again on June 20 for budget work session if needed.

Choose Franklin Candidate Forum – Choose Franklin would like to use Council Chambers on Sept 26 for their annual candidate forum.

Leadership Lakes Region – Congratulations to Chief Kevin LaChapelle for his recent graduation from the Class of 2016 Leadership Lakes Region Program.

Adjournment

Motion to adjourn made by Councilor Boyd and seconded by Councilor Barton. All in favor; meeting adjourned at 9:27 p.m.

Respectfully Submitted,

Lauraine G. Paquin