



City Council Meeting July 3, 2017

Call to Order

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

In Attendance

Councilor Ribas, Councilor Moquin, Councilor Barton, Councilor Giunta, Councilor Desrochers, Councilor Wells, Councilor Zink, Councilor Dzujna, City Manager Dragon and Interim Mayor/Councilor Clarenbach.

Salute to the Flag was led by Police Chief Goldstein.

A moment of silence was held for the passing of long time Councilor Pauline Colby.

Public Hearings

Resolution #13-17 – No public comment.

Resolution #01-18 – School Board Member Brown asked about the school appropriation and general operating of \$16,208,339 and what is the amount of the grants in that number. Finance Director Milner stated it was \$1,884,500. School Board Member Brown questioned the police contract and how does the city budget for the potential raises in the 2nd and 3rd year. City Manager Dragon stated that is a year by year decision until the tax cap formula is set and there is no percentage to the raises. The contract is written to give the greatest amount of flexibility. School Board Member Brown asked in the current contract that ended June 30, what was the percentage of the increase for that dept. in the budget. City Manager Dragon stated that they got the same as non-union employees. If they were eligible for a step they got 2.5%, as the salary table has twelve (12) 2.5% steps, and then cola if that was in the budget but it was not. If anyone was at the top step, which is 1/3 of the employees, they would have not gotten a raise. School Board Member Brown asked about the longevity piece for the people at the top step. City Manager Dragon stated they get moved to a new scale which is \$500 to their annual pay every ten (10) years. School Board Member Brown stated the contract talked about a possible merit. City Manager Dragon stated the merit is the 2.5% between steps and they need to score a certain number on their review to be eligible for a merit. There are no merits in the FY18 budget.

Lori Hanson asked if the amount for the school includes bringing back the three (3) positions. Interim Mayor/Councilor Clarenbach stated that the budget does not currently include those two (2) positions. He explained that the city assigns a dollar value and the school decides where that money goes.

Resolution #02-18 – No public comment.

Resolution #03-18 – Annette Andreozzi stated she feels that this money should be marked for what you have identified. Interim Mayor/Councilor Clarenbach stated that this money is actually going into their budget and they are going to get a loan for this money is the bridge to the school to help fund the roof. Annette Andreozzi stated then you should state that this money is to bridge the gap.

Ordinance #01-18 – No public comment.

Ordinance #02-18 – No public comment.

Ordinance #03-18 – School Board Member Brown asked if it they could explain what these ordinances were about. Interim Mayor/Councilor Clarenbach read each one and what they were.

Ordinance #04-18 – No public comment.

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.

Daisy Blasdel from the Twin Rivers Pantry stated they have signed a lease for 2 Central St. and will be opening there on August 1. Their last day at their current location is the last Thursday in July.

Myla Everett stated she is the VP and fundraiser chair for the Interfaith Food Pantry. She thanked Police Chief Goldstein for stuff the cruiser fundraiser. They collected 1,557 pounds of food and \$850 in cash. She also stated that she figured it costs \$600 to feed K-9 Max for a year. They collected \$599.96 plus the \$.04 she put in to total \$600 cash to pay for food for K-9 Max and that is in addition to the \$850 cash they collected for the pantry.

School Board Member Brown asked what the water fees will be. City Manager Dragon stated the water rate is increasing \$.39, the sewer rate is increasing \$.64 and the sewer availability charge is going up \$10 to match the water availability charge. School Board Member Brown asked about Ordinance #02-18 and what are those fees. City Manager Dragon stated that all this information is online but those are fees for the city and a variety of other fees. She read the fees.

Leigh Webb asked for clarification on the increase of transfer fees do they go into the city's general fund and City Manager Dragon stated yes. He then asked if water and sewer fees go into water and sewer fund and City Manager Dragon stated yes.

Mike Mullavey spoke about closing the nonprofit set up by the council years ago called OPCP to look into improvements in Odell Park and then the mission was changed to look at all parks. He spoke about communication between Director Alpers and Sara Stanley and taking the money in the OPCP account and giving it to Choose Franklin to then give it to Mill City Park, as the OPCP board hasn't met to authorize this closure or movement of money and Director Alpers also asked for bank statements. Mike stated he had the bank statements with two (2) transactions 8/6/14 \$10,990 which paid for the basketball courts in Daniell Park and on 12/12/14 \$1,136 was paid for wood chips. Mike stated the

money given to the Choose Franklin account was directed by him due to Sara's effort to beautify small parks around the city. The money that is still in the account was given for beautification in Odell Park. They had put in two (2) flower beds one as you go in the park and one by the gazebo. Mike feels that MSD doesn't want beautification in the park so they haven't been touched and the money that is still in the account he wants to give to his daughter Sara Stanley to improve other parks. He stated he discussed this with Dick Johnson, Chuck Farmer and Sara Stanley but not at a meeting and not all at the same time as they haven't met in over three (3) years.

Mike continued to read the email from Director Alpers that stated the money was going to be used for the renovation of Odell Cottage as she has submitted grants to fund the remaining amount minus the money in the OPCP account. Mike stated he would have used the money at the Veterans Memorial Recreation area and not Odell Cottage. He feels that the cottage has no use and the money would be better spent at Veterans Memorial Park. Mike read more from the email where Director Alpers stated being VP of OPCP she thought she would have been contacted about this. Mike stated he contacted who he thought were easily accessible and didn't think to call everyone on OPCP as that would have been useless as they have been inactive for so long. It costs \$225 to keep the nonprofit open and he closed it due to inactivity and there is no one to take it over.

Councilor Desrochers asked what the balance is in the account and Mike stated there is \$2,913.72. Councilor Desrochers stated that the cottage does get used by a few groups but maybe not as much as it used too.

City Manager Dragon stated that they will have to have a follow up conversation as those funds were run through FBIDC and one person cannot make that type of decision. In fact all of those decisions need to be made by bringing the committee members back in and voting on it or by following the guidelines set up for that as it has to be done legally. Mike stated they can do what they want with the money but he knows what the money was for.

Annette Andreozzi asked about the tax deeded properties and the Code Enforcement Officer's no determination if anyone lives in the building. She cautions that taking of any properties especially if we don't know if anyone is living in them would mean the city would have to pay to move them or become landlords of them. She also asked about the Renaissance Faire and wanted to know about camping. Interim Mayor/Councilor Clarenbach stated that they will be camping on Elk's Field and not on city property.

Legislative Comments – None.

City Council Acknowledgements – None.

Mayor's Update

Interim Mayor/Councilor Clarenbach stated his only update is an agenda change moving item 14 to 2A.

Agenda Item I.

City Council to consider the minutes of the May 22, 2017 City Council Workshop Meeting, May 30 and June 12, 2017 City Council Budget Workshop Meetings and the June 5, 2017 City Council Meeting.

Motion: Councilor Ribas moved that the Franklin City Council to consider the minutes of the May 22, 2017 City Council Workshop Meeting, May 30 and June 12, 2017 City Council Budget Workshop Meetings and the June 5, 2017 City Council Meeting. Motion seconded by Councilor Giunta.

Councilor Ribas stated that he has about 11 typos and he would get together with Lauraine after the meeting to go over them.

All in favor with corrections noted; motion passes.

Agenda Item II.

School Board Report

Superintendent LeGallo thanked Interim Mayor/City Councilor Clarenbach for attending both graduations. They received another dropout prevention grant for \$125K due to the work of State Rep. Werner Horn. They are working with DOE to get the specifics about the grant but understand it has to do with the work around the dropout program and the drama program. They have hired a new Special Education Director Rebecca Butt, she was a speech and language pathologist in the district several years ago. There will be no school board meeting in July so the next board meeting will be August 20.

Agenda Item IIA. – This was originally Agenda Item XIV.

City Council to consider waiver of vending fees and camping restrictions for Renaissance Faire September 8-10, 2017.

Motion: Councilor Barton moved that the Franklin City Council waive the vendor fees for the Renaissance Festival being organized by the Lions Club and allowing onsite camping of vendors to be monitored by the Franklin Police Department through an outside detail arrangement approved by the Police Chief. Motion seconded by Councilor Giunta.

Councilor Barton asked how many people might be attending the camp out. Myla Everett answered there are 70 vendors but not all will be camping so she is not sure of the exact number.

All in favor; motion passes.

Agenda Item III.

City Council to consider adopting Resolution #13-17, re-naming a portion of Park View Drive to be known as Kenwood Avenue.

Motion: Councilor Ribas moved that the Franklin City Council re-name the proposed portion of Park View Drive to Kenwood Avenue. Motion seconded by Councilor Dzujna.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item IV.

City Council to consider the approval of Resolution #01-18 regarding the FY18 Budget for the City of Franklin.

Motion: Councilor Desrochers moved that the Franklin City Council adopt Resolution #01-18 relating to the appropriation of the Fiscal Year 2018 City budget. Motion seconded by Councilor Ribas.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item V.

City Council to consider the approval of Resolution #02-18 relating to the authorization to borrow for the fiber connectivity.

Motion: Councilor Dzujna moved that the Franklin City Council adopt Resolution #02-18 relating to the authorization to borrow \$160,000 for the fiber connectivity project

over a 5 year term at the interest rate of 2.25% through Northway Bank. Motion seconded by Councilor Giunta.

Councilor Desrochers understands this will connect the city side but how will that affect the school if in the future they have to connect on. City Manager Dragon stated the school already has fiber connection to their buildings. Councilor Desrochers asked if it will be a compatible system and City Manager Dragon stated yes.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item VI.

City Council to consider the approval of Resolution #03-18 relating to the change in purpose of the municipal buildings capital reserve fund.

Motion: Councilor Zink moved that the Franklin City Council adopt Resolution #03-18 relating to the change in purpose of \$473,000 in the municipal buildings capital reserve fund to the school district capital reserve fund. Motion seconded by Councilor Ribas.

Councilor Ribas pointed out that it states that they need seven (7) in the affirmative for the motion to pass.

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item VII.

City Council to consider the approval of Ordinance #01-18, regarding Chapter 160 Fees, 160-1 Fees with regard to an increase in the Water Commodity Charge per 100 cubic feet, an increase in the Sewer Disposal Charge per 100 cubic feet and an increase in the Sewer Quarterly Base Rate.

Motion: *Councilor Dzujna moved that the Franklin City Council adopt Ordinance #01-18 increasing the water commodity rate to \$6.45 per 100 cubic feet, increasing the sewer discharge rate to \$6.91 per 100 cubic feet and increasing the sewer availability charge to \$30 per quarter effective July 1, 2017. Motion seconded by Councilor Ribas.*

Councilor Desrochers stated he understands that we have a vault to replace for \$300K and asked why does it have to be in the ground and not above as a heated building. MSD Director Sullivan stated that is what they are going to do and the cost includes engineering. MSD Director Sullivan stated they have also applied for a grant with the state drinking water revolving fund and will spread that out over a ten (10) year period if granted. The vault is antiquated and the state regulation is delivery of no more than 90lbs per home and that vault has ongoing failures. Councilor Desrochers stated that this will be the third (3) rate increase in the past four (4) years. He mentioned we have to find another way rather than raising the rates. MSD Director Sullivan clarified that the council had a workshop and have spent over \$11M already. There is very little federal funding and the system is antiquated. If the city is not proactive then we are on the path to failure. There is one (1) well that has been offline for one (1) year and if another well goes off line they will not be able to treat and filter water. He hates to do rate increases but has to be realistic. They do all they can with what facilities they have and all communities in the State of NH have the same issue. Franklin went fourteen (14) years without rates increases and prior to last year didn't do any for seven (7) years as the budget survived off retained earnings.

Councilor Giunta stated there are those that are worse off than Franklin especially if you are on the seacoast. Northern Pass is not necessarily the answer either as the water and sewer systems have to fund themselves and it is growth that will solve the problem.

Councilor Dzujna stated he hears complaints from people all the time but if we run the system to failure we could be like Flint, MI.

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>no</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

Eight (8) in favor, one (1) not in favor; motion passes.

Agenda Item VIII.

City Council to consider the approval of Ordinance #02-18 for an amendment relating to Chapter 160 Fees, 160-1 Fees, of the Municipal Code.

Motion: *Councilor Desrochers moved that the Franklin City Council adopt Ordinance #02-18 relating to the changes in Chapter 160-1 Fees of the Franklin Municipal Code. Motion seconded by Councilor Ribas.*

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item IX.

City Council to consider the approval of Ordinance #03-18 for an amendment relating to Chapter 289 Water, Section 289-21, of the Municipal Code.

Motion: Councilor Barton moved that the Franklin City Council adopt Ordinance #03-18 relating to the changes in Chapter 289 water specifically section 289-21 charges Motion seconded by Councilor Desrochers.

Councilor Barton asked how the 30 day notice is sent. City Manager Dragon stated it is sent 1st class mail. Councilor Ribas asked about the effective date on the water bill. City Manager Dragon stated there are no changes as it is to clarify the language and we are not changing anything in the way that the city does business.

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item X.

City Council to consider the approval of Ordinance #04-18 for amendment relating to Chapter 245 Sewers, Section 245-1 definitions and word usage and 245-16 Sewer Charges, of the Municipal Code.

Motion: Councilor Desrochers moved that the Franklin City Council adopt Ordinance #04-18 relating to the changes in Chapter 245 Sewer specifically Section 245-1 definitions and word usage and Section 245-16 Sewer Charges. Motion seconded by Councilor Ribas.

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Agenda Item XI.

City Council to consider adoption of tax deeds.

Interim Mayor/Councilor Clarenbach stated he had some updates relating to No. 1 of the tax deed property and that is to be tabled to give the electronic payment time to clear. No. 2 was paid in full.

Motion: Councilor Desrochers moved that the Franklin City Council accept the tax deeds on the following parcels: Map/Lot 117/358/000 land only, Map/Lot 117/363/000 land only, Map/Lot 117/268/000 land & building, Map/Lot 135/099/000 land & building, Map/Lot 117/065/000 land & building, Map/Lot 117/068/000 land & building, Map/Lot 115/104/000 land only, Map/Lot 128/058/000 land only, Map/Lot 128/059/000 land only and Map/Lot 128/060/000 land only. Motion seconded by Councilor Ribas.

Councilor Zink asked if there was a plan to discuss the Gile Pond Rd combination or a plan to create redevelopment. City Manager Dragon stated that the plan for the land on Gile Pond Rd was to speak with P&Z Director Lewis to see if they can be merged as there are many small parcels on that road. For buildings, if the inspector recommends demolition then it is added to the demolition list and once demoed and cleaned up it will come before the council to go out for bid but if it is not a buildable lot it will be offered to the abutters to be merged with their property. It is done parcel by parcel based on funds available if demolition is needed.

Councilor Dzujna questioned lot #8 and the lot behind it since lot #8 is in the historic district is the lot behind it in the historic district. City Manager Dragon stated she wasn't sure at this time but that the lot behind lot #8 is land locked so she would look to merge them together. Councilor Dzujna asked if it is an issue if one is in the historic district and one isn't. City Manager Dragon didn't think so as the buildings would be torn down.

All in favor; motion passes.

Motion: Councilor Desrochers moved that the Franklin City Council accept the tax deed on the following parcels: Map/Lot 096/062/058 building only. Motion seconded by Councilor Ribas.

Motion: Councilor Giunta moved that the Franklin City Council table the previous motion. Motion seconded by Councilor Ribas.

All in favor; motion passes – Councilor Moquin excused herself

Agenda Item XII.

City Council to consider granting the Municipal Services Director pre award authorization to contract two year terms with four (4) service providers that provide proprietary services to the water and sewer departments.

Motion: Councilor Desrochers moved that the Franklin City Council pursuant to Article III, Section 4-15, B(3) and Article III, Section 4-15, E (1) of the Franklin City Code, grant pre award authorization to the Municipal Services Director to contract, for a two year term, with the following service providers: E.J. Prescott Company, Concord, NH; Barrie Miller Well and Pump Company, Antrim, NH; Northeast Integration, LLC, Portsmouth, NH; Robert Filters Inc., Media PA. Motion seconded by Councilor Dzujna.

All in favor; motion passes.

Agenda Item XIV. - See Agenda Item IIA

Agenda Item XV.

Other Business

- 1. Committee Reports** – None
- 2. City Manager's Update** – City Manager Dragon stated that the city received \$150 from the Franklin Elks Lodge for the National Basketball Grant and \$100 from Modern Woodmen for the book club. She stated she is looking for another meeting in July to cover two items, the proposed façade improvements on Buell Block building facing Marceau Park and the proposed support of CDBG funds for a Community Action Building (CAP). She put out dates of July 17, 19 & 24 and July 24 was decided upon.

City Manager Dragon gave the council legal correspondence for a code enforcement case that is with the attorney.

Late Item

City Council to consider a Memorandum of Understanding between Franklin School District and the Parks and Recreation Department regarding the shared use of the Ropes Course.

Motion: Councilor Ribas moved that the Franklin City Council authorizes City Manager to sign the Memorandum of Understanding between Franklin School District and the Parks and Recreation Department reading the shared use of the Ropes Course once language is approved and if necessary amended by the city attorney. Motion seconded by Councilor Desrochers.

All in favor; motion passes.

Motion: *Councilor Giunta 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. Motion seconded by Councilor Desrochers.*

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Entered nonpublic session at 7:23 p.m.

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

All in favor; motion passes.

Public session reconvened at 7:34 p.m.

Motion: *Councilor Giunta moved that the Franklin City Council seal the minutes because it is determined that divulgence of this information likely would render a proposed action ineffective. Motion seconded by Councilor Desrochers.*

Roll Call:

Councilor Barton	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Ribas	<u>yes</u>
Councilor Clarenbach	<u>yes</u>	Councilor Giunta	<u>yes</u>	Councilor Wells	<u>yes</u>
Councilor Desrochers	<u>yes</u>	Councilor Moquin	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor; motion passes.

Motion to adjourn made by Councilor Giunta and seconded by Councilor Moquin. All in favor; meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Lauraine G. Paquin