



**City Council Special Meeting Minutes
Municipal Budget Session III
Monday, May 24, 2021 - 6:00 p.m.
Council Chambers, City Hall**

Council in attendance: Interim Mayor Olivia Zink, Councilor Jo Brown, Councilor Bob Desrochers, Councilor Jay Chandler, Councilor Ted Starkweather, Councilor Karen Testerman, Councilor, Councilor Paul Trudel, Councilor April Bunker. Late arrival: Scott Clarenbach (6:35 p.m.)

Others in attendance: City Manager Judie Milner, Police Chief David Goldstein, Fire Chief Michael Foss, Planning and Zoning Director Dick Lewis, Municipal Services Director Brian Sullivan, Municipal Services Deputy Director Justin Hanscom, City Clerk Katie Gargano, Finance Director Pessy Gaudette, Library Director Rob Sargent, and members of the public.

Mayor Zink called the meeting to order in Council Chambers at 6:03 p.m.

Salute to the Flag was led by Councilor Desrochers.

Public Comment

Ward 3 resident Leigh Webb stated that one of the country's greatest strengths is that everyone is entitled to express their opinion however the letter of support that is being considered by the City Council is incendiary and not the type of letter the Council should support. Instead of taking sides, the Council should find common ground to come together to solve our mutual problems. Nonpartisanship is hallmark in this City and the City should continue in this way of operation. By supporting this letter, the Council would be aligning with a segment of a certain party and it would be inappropriate to do.

Agenda Item I.

Council to consider writing a letter of support for the enclosed letter regarding the Survival of Liberties.

Motion – Councilor Testerman moved to write a letter of support to the Generals who are standing for the Constitution of the United States as well as the Constitution of New Hampshire and the founding of our Country. Seconded by Councilor Desrochers.

Open Letter from Retired Generals and Admirals

Our Nation is in deep peril. We are in a fight for our survival as a Constitutional Republic like no other time since our founding in 1776. The conflict is between supporters of Socialism and Marxism vs. supporters of Constitutional freedom and liberty.

During the 2020 election an "Open Letter from Senior Military Leaders" was signed by 317 retired Generals and Admirals and, it said the 2020 election could be the most important election since our country was founded. "With the Democrat Party welcoming Socialists and Marxists, our historic way of life is at stake." Unfortunately, that statement's truth was quickly revealed, beginning with the election process itself.

Without fair and honest elections that accurately reflect the "will of the people" our Constitutional Republic is lost. Election integrity demands insuring there is one legal vote cast and counted per citizen. Legal votes are identified by State Legislature's approved controls using government IDs, verified signatures, etc. Today, many are calling such commonsense controls "racist" in an attempt to avoid having fair and honest elections. Using racial terms to suppress proof of eligibility is itself a tyrannical intimidation tactic. Additionally, the "Rule of Law" must be enforced in our election processes to ensure integrity. The FBI and Supreme Court must act swiftly when election irregularities are surfaced and not ignore them as was done in 2020. Finally, H.R.1 & S.1, (if passed), would destroy election fairness and allow Democrats to forever remain in power violating our Constitution and ending our Representative Republic.

Aside from the election, the Current Administration has launched a full-blown assault on our Constitutional rights in a dictatorial manner, bypassing the Congress, with more than 50 Executive Orders quickly signed, many reversing the previous Administration's effective policies and regulations. Moreover, population control actions such as excessive lockdowns, school and business closures, and most alarming, censorship of written and verbal expression are all direct assaults on our fundamental Rights. We must support and hold accountable politicians who will act to counter Socialism, Marxism and Progressivism, support our Constitutional Republic, and insist on fiscally responsible governing while focusing on all Americans, especially the middle class, not special interest or extremist groups which are used to divide us into warring factions.

Additional National Security Issues and Actions:

- Open borders jeopardize national security by increasing human trafficking, drug cartels, terrorists entry, health/CV19 dangers, and humanitarian crises. Illegals are flooding our Country bringing high economic costs, crime, lowering wages, and illegal voting in some states. We must reestablish border controls and continue building the wall while supporting our dedicated border control personnel. Sovereign nations must have controlled borders.
- China is the greatest external threat to America. Establishing cooperative relations with the Chinese Communist Party emboldens them to continue progress toward world domination, militarily, economically, politically and technologically. We must impose more sanctions and restrictions to impede their world domination goal and protect America's interests.
- The free flow of information is critical to the security of our Republic, as illustrated by freedom of speech and the press being in the 1st Amendment of our Constitution. Censoring speech and expression, distorting speech, spreading disinformation by government officials, private entities, and the media is a method to suppress the free flow of information, a tyrannical technique used in closed societies. We must counter this on all fronts beginning with removing Section 230 protection from big tech.
- Re-engaging in the flawed Iran Nuclear Deal would result in Iran acquiring nuclear weapons along with the means to deliver them, thereby upsetting Mideast peace initiatives and aiding a terrorist nation whose slogans and goals include "death to America" and "death to Israel" . We must resist the new China/Iran agreement and not support the Iran Nuclear Deal. In addition, continue with the Mideast peace initiatives, the "Abraham Accords," and support for Israel.

- Stopping the Keystone Pipeline eliminates our recently established energy independence and causes us to be energy dependent on nations not friendly to us, while eliminating valuable US jobs. We must open the Keystone Pipeline and regain our energy independence for national security and economic reasons.
- Using the U.S. military as political pawns with thousands of troops deployed around the U.S. Capitol Building, patrolling fences guarding against a non-existent threat, along with forcing Politically Correct policies like the divisive critical race theory into the military at the expense of the War Fighting Mission, seriously degrades readiness to fight and win our Nation's wars, creating a major national security issue. We must support our Military and Vets; focus on war fighting, eliminate the corrosive infusion of Political Correctness into our military which damages morale and war fighting cohesion.
- The "Rule of Law" is fundamental to our Republic and security. Anarchy as seen in certain cities cannot be tolerated. We must support our law enforcement personnel and insist that DAs, our courts, and the DOJ enforce the law equally, fairly, and consistently toward all.
- The mental and physical condition of the Commander in Chief cannot be ignored. He must be able to quickly make accurate national security decisions involving life and limb anywhere, day or night. Recent Democrat leadership's inquiries about nuclear code procedures sends a dangerous national security signal to nuclear armed adversaries, raising the question about who is in charge. We must always have an unquestionable chain of command.

Under a Democrat Congress and the Current Administration, our Country has taken a hard left turn toward Socialism and a Marxist form of tyrannical government which must be countered now by electing congressional and presidential candidates who will always act to defend our Constitutional Republic. The survival of our Nation and its cherished freedoms, liberty, and historic values are at stake.

We urge all citizens to get involved now at the local, state and/or national level to elect political representatives who will act to Save America, our Constitutional Republic, and hold those currently in office accountable. The "will of the people" must be heard and followed.

Signed by:

RADM Ernest B. Acklin, USCG, ret.
MG Joseph T. Anderson, USMC, ret.
RADM Philip Anselmo, USN, ret.
MG Joseph Arbuckle, USA, ret.
BG John Arick, USMC, ret.
RADM Jon W. Bayless, Jr. USN, ret.
RDML James Best, USN, ret.
BG Charles Bishop, USAF, ret.
BG William A. Bloomer, USMC, ret.
BG Donald Boldue, USA, ret.
LTG William G. Boykin, USA, ret.
MG Edward R. Bracken, USAF, ret.
MG Patrick H. Brady, MOH, USA, ret.
VADM Edward S. Briggs, USN, ret.
LTG Richard "Tex" Brown III USAF, ret.
BG Frank Bruno, USAF, ret.
VADM Toney M. Bucchii, USN, ret.
RADM John T. Byrd, USN, ret.
BG Jimmy Cash, USAF, ret.
LTG Dennis D. Cavin, USA, ret.
LTG James E. Chambers, USAF, ret.
MG Carroll D. Childers, USA, ret.
BG Clifton C. "Tip" Clark, USAF, ret.
VADM Ed Clexton, USN, ret.
MG Jay Clossner, USAF, ret.
MG Tommy F. Crawford, USAF, ret.
MG Robert E. Dempsey, USAF, ret.
BG Phillip Drew, USAF, ret.
MG Neil L. Eddins, USAF, ret.
RADM Ernest Elliot, USN, ret.
BG Jerome V. Foust, USA, ret.
BG Jimmy E. Fowler, USA, ret.
RADM J. Cameron Fraser, USN, ret.
MG John T. Furlow, USA, ret.
MG Timothy F. Ghormley, USMC, ret.
MG Francis C. Gideon, USAF, ret.
MG Lee V. Greer, USAF, ret.
RDML Michael R. Grothausen, Sr., USN, ret.
BG John Gruesser, USAF, ret.
MG Ken Hagemann, USAF, ret.
BG Norman Ham, USAF, ret.

VADM William Hancock, USN, ret.
LTG Henry J. Hatch, USA, ret.
BG James M. Hesson, USA, ret.
MG Bill Hobgood, USA, ret.
BG Stanislaus J. Hoey, USA, ret.
MG Bob Hollingsworth, USMC, ret.
MG Jerry D. Holmes, USAF, ret.
MG Clinton V. Horn, USAF, ret.
LTG Joseph E. Hurd, USAF, ret.
VADM Paul Ilg, USN, ret.
MG T. Irby, USA, ret.
LTG Ronald Iverson, USAF, ret.
RADM (L) Grady L. Jackson
MG William K. James, USAF, ret.
LTG James H. Johnson, Jr. USA, ret.
ADM, Jerome L. Johnson, USN, ret.
BG Charles Jones, USAF, ret.
BG Robert R. Jordan, USA, ret.
BG Jack H. Kotter, USA, ret.
MG Anthony R. Kropp, USA, ret.
RADM Chuck Kubie, USN, ret.
BG Jerry L. Laws, USA, ret.
BG Douglas E. Lee, USA, ret.
MG Vernon B. Lewis, USA, ret.
MG Thomas G. Lightner, USA, ret.
MG James E. Livingston, USMC, ret. MOH
MG John D. Logeman, USAF, ret.
MG Jarvis Lynch, USMC, ret.
LTG Fred McCorkle, USMC, ret.
MG Don McGregor, USAF, ret.
LTG Thomas McInerney, USAF, ret.
RADM John H. McKinley, USN, ret.
BG Michael P. McRaney, USAF, ret.
BG Ronald S. Mangum, USA, ret.
BG James M. Mead, USMC, ret.
BG Joe Mensching, USAF, ret.
RADM W. F. Merlin, USCG, ret.
RADM (L) Mark Milliken, USN, ret.
MG John F. Miller, USAF, ret.
RADM Ralph M. Mitchell, Jr. USN, ret.
MG Paul Mock, USA, ret.
BG Daniel I. Montgomery, USA, ret.,
RADM John A. Moriarty, USN, ret.,
RADM David R. Morris, USN, ret.
RADM Bill Newman, USN, ret.
BG Joe Oder, USA, ret.
MG O'Mara, USAF, ret.
MG Joe S. Owens, USA, ret.
VADM Jimmy Pappas, USN, ret.

LTG Garry L. Parks, USMC, ret.
RADM Russ Penniman, RADM, USN, ret.
RADM Leonard F. Picotte, ret.
VADM John Poindexter, USN, ret.
RADM Ronald Polant, USCG, ret.
MG Greg Power, USAF, ret.
RDM Brian Prindle, USN, ret.
RADM J.J. Quinn, USN, ret.
LTG Clifford H. Rees, Jr. USAF, ret.
RADM Norman T. Saunders, USCG, ret.
MG Richard V. Second, USAF, ret.
RADM William R. Schmidt, USN, ret.
LTG Hubert Smith, USA, ret.
MG James N. Stewart, USAF, ret.
RADM Thomas Stone, USN, ret.
BG Joseph S. Stringham, USA, ret.
MG Michael Sullivan, USMC, ret.
RADM (U) Jeremy Taylor, USN, ret.
LTG David Teal, USAF, ret.
VADM Howard B. Thorsen, USCG, ret.
RADM Robert P. Tiernan, USN, ret.
LTG Garry Trexler, USAF, ret.
BG James T. Turlington, M.D., USAF, ret.
BG Richard J. Valente, USA, ret.
MG Paul Vallely, USA, ret.
MG Russell L. Violet, USAF, ret.
BG George H. Walker, Jr. USAF Corp of Engineers, ret.
MG Kenneth Weir, USMCR, ret.
BG William O. Welch, USAF, ret.
MG John M. White, USAF, ret.
MG Geoffrey P. Wiedeman, JR. USAF, ret.
MG Richard O. Wightman, Jr., USA, ret.
RADM Denny Wisely, USN, ret.
LTG John Woodward, ret.

Several Council members stated that they were not in support of this letter for the reasons of which resident Leigh Webb had stated. Councilor Brown initiated the discussion stating that she considers this letter to be partisan in nature. Brown read a line in the letter that was blatantly partisan. It was written that the current administration has launched a full blown assault on our constitutional right in a dictatorial manner by passing to congress with more than 50 executive orders quickly signed many reversing the previous administration's policies and regulations. Brown further stated that the citizens of Franklin elected the Council members to govern the City in a nonpartisan way. She continued to state that if the Council supported this letter, it would not help pave the streets, fund Municipal Services, expand the tax base, or help our students perform better. This is what the Council should be focusing on. There was applause in the room.

Councilor Chandler agreed with Councilor Brown and stated that he was disappointed that in his short time on the Council, requests to support partisan letters such as this have come forward before and this is no place for requests like these.

Councilor Trudel stated that this letter serves a purpose of opening eyes to what is going on at a national level. However, he would not be in support of endorsing a letter that involves national level politics.

Councilor Bunker stated that she is not in support of the letter for the same reasons as the other Councilors and will vote no instead of abstaining in fear of it possibly passing tonight.

Councilor Testerman stated that she appreciated being allowed to bring the letter forward and does not see any partisanship within this letter. She further stated that the Council should be very careful with what they bring before the Council that could show where any member of the Council stands politically.

5 voted NO. 3 abstained. Motion FAILED.

Agenda Item II.

Council to consider the approval of the Intermunicipal & Special Counsel Conflict of Interest Agreements for the Cable Consortium.

Motion – Councilor Bunker moved that the Franklin City Council approve the Intermunicipal Agreement & Special Counsel Conflict of Interest Waiver & Representation Agreement for the Cable Consortium and authorize the City Manager to execute both documents. Seconded by Councilor Trudel.

Interim Mayor Zink had questions on the attorney fee. City Manager Milner replied that the attorney fee is shared between all nine communities. It saves the City approximately half the cost than if the City had to pay the fee individually.

Milner further explained that in the agreement, the City cannot negotiate internet or cost. The issues with customer service will be addressed. Milner stated that at least half of the other communities have a second cable provider option so having that competition would be great. The internet bandwidth

coming into the City is outdated and will look into using the ARPA (American Plan Rescue Act) funding to help update some of those issues.

7 in favor. 1 opposed. Motion PASSED.

Motion – Councilor Bunker moved to appoint the City Manager as the official representative for the City of Franklin to the Joint Board of Directors of the Lakes Region Cable Consortium. Seconded by Councilor Trudel.

All in favor. Motion PASSED.

Agenda Item III.

Council to consider setting a public hearing for Resolution #20-21, a resolution accepting and appropriating additional COVID relief grant funds for the Parks and Recreation Department.

Motion – Councilor Brown moved that the Franklin City Council schedule a public hearing for Resolution #20-21 at 6:00 p.m. on June 7th, 2021, to accept and appropriate \$60,655 from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) for the purpose of funding costs associated with COVID 19 pandemic for the Parks and Recreation Before and After School Program. Seconded by Councilor Starkweather.

Testerman asked if these funds will help hire employees at higher pay rate. City Manager Milner replied that it is a temporary wage adjustment and will be used to increase wages until the funds run out.

Councilor Desrochers stated that the Before and After School program was supposed to be self-funded and asked how much of this money will be used for those who can't afford to pay or who don't pay for the program. City Manager Milner replied that this particular CARES Act fund can only be used for the wage adjustment.

All in favor. Motion PASSED.

Interim Mayor Zink read Resolution #20-21.

Agenda Item IV.

Council to consider setting a public hearing for Resolution #21-21, a resolution appropriating additional 21 Century Grant Funds received for the Parks and Recreation Department.

Motion – Councilor Testerman moved that the Franklin City Council schedule a public hearing on Resolution #21-21 at 6:00 p.m. on June 7th, 2021 to appropriate \$21,041 for the Before and After School Program through the 21st Century Community Learning Grant. To be read in title only. Seconded by Councilor Trudel.

There was no discussion.

All in favor. Motion PASSED.

Agenda Item V.

Municipal FY22 Budget Presentation part III.

City Manager Milner began the discussion with a recap of last week's meeting and an overview of what will be reviewed tonight.



Municipal Services Director Brian Sullivan began with a review of the cost center on Solid Waste; page 134 of the budget packet. He stated that there is a 12.6% increase possibly due to more people at home cleaning during COVID. The increase in tonnage to Wheelabrator is also a challenge because the City is growing. Mechanical equipment at the Transfer Station is needing more repair.

There was discussion on the aging equipment at the Transfer Station and how much it costs to repair. Sullivan recommended replacing the buildings at the Transfer Station and reconfiguring the traffic flow

to capture more revenue right at the gate. The fee structure is in line with other communities but there are other options to look at. A third party vendor could take over the operations of the Transfer Station and the property that the COOP returned to the City could be utilized as well.

Sullivan stated that the facility is 50 years old and exactly the same as it was at that time and this is another example of it begin run to failure. The team at the Transfer Station does a fantastic job but there are many improvements needed.

There was discussion on recycling and making it mandatory to bring glass to the Transfer Station. If it became mandatory, people would collect it at their home instead of making a trip for a few items. People just end up throwing it away. It causes the tonnage to increase significantly by throwing it the regular trash.

Sullivan stated that landfill is becoming a local problem as well as a national one. NHDES has information on composting to help save in tonnage costs.

There is an Ordinance coming that will adjust the fee schedule for multiple residential units to become part of a yellow-top program. This will bring in additional fees for the City.

Councilor Chandler asked if some posters could be made to inform the residents on the cost to the City on solid waste disposal and how composting can help.

Sullivan reviewed what is recyclable and what can be taken to the Transfer Station. Aluminum, glass, and cardboard generate income for the City. Residents would need to separate it and bring it to the Transfer Station. Testerman asked if this information could be shared with the residents so they are aware. Sullivan stated that trash dumped on the side of the road into ravines is a problem everywhere.

City Manager Milner reviewed the Expenditures for Outside Agencies and under Economic Development..

FY2022 Manager's Proposed Budget – Expenditures

Outside Agencies (page 141)

Economic Development (page 141)

Milner stated that the funding brought to the City due to the Economic Development Task Force over the past 5 years has been \$3.6M. Another \$800K is expected from the recent Land and Water Grant that was just submitted. Milner further reviewed additional funding that has come to the City due to the Economic Development overall. It is important to continue with these relationships for the benefit of Franklin's future.

Milner reviewed page 142 and City debt that will be coming due.

FY2022 Manager's Proposed Budget –
Expenditures

Benefits of Economic Task Force
\$3.6m Funding (with \$800k expected)
\$32m Mill renovation project plus others
\$149k TIF taxes due to inc increment
\$1.4m TIF bond
7 buildings controlled for highest & best
use

FY2022 Manager's Proposed Budget –
Expenditures

Debt Service (page 142)

Capital

Milner stated that Capital has been zeroed out across multiple departments in anticipation of the Council appropriating unanticipated revenues for the current year and to get under the tax cap. The City is due for another cycle of Capital improvements. The CIP Plan gets updated every 5 years.

FY2022 Manager's Proposed Budget – Cost
of Capital

\$1m bond = \$60,422.25 annual
payment (20 years)

C-32B = 19 cents on tax rate
(using current rate)

Milner discussed the options starting with the cost of a bond and reviewed items that is critical for the City to purchase. Putting debt service outside the tax cap would cost 19 cents on the rate (based on current tax rate) (\$19 per year for each \$100,000 in value). The dispatch upgrade \$975k-229k=746k to be financed where payments would not be due until the next fiscal year. The interest rate on bonds is so low right now that this would be the perfect time to borrow if the City chooses to do so.

Councilor Chandler asked if the other communities that utilize our dispatch pay something to the City for using our service. Milner replied that they do pay a percentage based on the number of calls they make.

Councilor Desrochers asked that the City review the rates that the other communities are paying to make sure they are paying their share.

Councilor Brown stated that the City Department Heads worked very hard to come up the budgets they presented and she doesn't feel it is appropriate to say that they were not thinking of what is most important. She also stated that the school's windfall of funds should be their decision to spend as they see best fit.

Councilor Bunker stated that the Council should be careful not to characterize the extra funds the school received as windfall money. It should be respectfully accepted that they had to handle many new issues due to COVID and these extra funds have made them whole.

Councilor Clarenbach stated that the City is not in a good repair or replacement cycle for our roads. Making payments for 20 years on a bond to repair roads when the roads won't last 20 years will only fix part of the problem for now but capital funding to address these issues ongoing should be part of the City's ongoing plan.

City Manager Milner reviewed Operating Transfers out.

FY2022 Manager's Proposed Budget –
Expenditures

Operating Transfers out (page
145)

Milner explained the accounts that are under the Special Revenue Fund such as the Conservation Commission, Heritage Commission, and the Library. She further explained the areas that contribute to the Capital Reserve Fund.

The following are funded by outside resources:
The General Fund does not feed any of these.

FY2022 Manager's Proposed Budget –
Special Revenue Funds

- Grants (page 148)
- Parks and Recreation Revolving (page 149)
- Police Outside Detail (Page 150)

Police Chief David Goldstein reviewed the areas for the Police Department that were cut or reduced.

Fire Chief Michal Foss discussed the areas that were cut or reduced and recapped what the expected results will be from making those reductions.

Interim Mayor Zink called a break at 8:13 p.m. The Council resumed at 8:23 p.m.

City Manager Milner explained how the Enterprise Funds work and how it is designed that the ratepayer pays the costs to run the service. Some of the staff that work in these departments may have been allocated to work in other areas it can be confusing to show the charge back of their time allocations therefore there will be changes made to alleviate this and make it more transparent.

Milner stated that these funds will be increasing a little each year to bring the rates up to fall in line with what other communities charge.

Social Media Buster – Milner hears all the time that Franklin water is very expensive. One gallon of water at Market Basket is 75 cents versus one gallon of Franklin water which is 1 cent (748 gallons/current rate).

MSD Director Brian Sullivan reviewed the Water and Sewer Budget and Expenses. He began explaining the rate increases.

FY2022 Manager's Proposed Budget – Expenses

Water

(expenses page 152, revenue page 97)

FY2022 Manager's Proposed Budget – Expenses

Sewer

(expenses page 156, revenue page 98)

Sullivan explained some of the main areas where water main replacement is important. He further stated that maintenance last year on the back hoe cost approximately \$35K. There are two of them, the water department has one and MSD has one.

Sullivan explained the reasons for increasing the water and sewer fees and the increase in water treatment supplies. Sullivan stated the water treatment chemical cost rose and the use of new caustic soda which is more effective. MSD Deputy Justin Hanscom also stated that there has been a spike in chlorine costs as well.

Sullivan explained that the sewer usage is down 2.4% from last year. He stated one reason is due to the Winnepesaukee River Basin where some capital bonds have retired.

The last payment for the excavator moved into debt service and will come off of the debt schedule this year. It still belongs to the sewer department.

Councilor Desrochers asked how the tracking of time was being done for the water department vehicles being used for Municipal Services and tracking the time the water department personnel spent salting, sanding, and plowing the roads. MSD Deputy Director Justin Hanscom replied that he has the time slips at the office and will get that information documented.

A new and separate Water and Sewer Commission is being discussed to help manage the way these department run. They will stand on their own separately.

Director Sullivan stated that the sewer department is in phase II of the Inflow & Infiltration Reduction Program and found that 65%-68% of the water that goes to the water treatment plant is fresh water. The flow metering will be reduced by 5%.

He concluded by stating that the problematic areas are being found through a \$75K grant received from NHDES and will be applying for additional grants through the Clean Water Revolving Fund this year.

Councilor Trudel asked if Parks and Rec is self-sustaining. City Manager Milner replied that they are mostly self-sustaining through their revenues and will send the Council the percentage.

Motion to adjourn was made by Councilor Trudel and seconded by Councilor Bunker.

All in favor. Motion PASSED.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Audrey Lanzillo