

CITY OF FRANKLIN  
CITY COUNCIL MEETING  
July 12, 2021  
6:00 P.M.







**CITY COUNCIL MEETING**

**Monday, July 12, 2021 - 6:00 p.m.**

**Council Chambers, Franklin City Hall**

or view only via Zoom: <https://us02web.zoom.us/j/86106554390>

or by phone: 1-312-626-6799, Meeting ID# 861 0655 4390

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**SALUTE TO THE FLAG**

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**MOMENT OF SILENCE FOR OUR VETERANS**

**PUBLIC HEARINGS**

**Ordinance #01-22**, an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin Water & Sewer Dept.

**Ordinance #02-21**, an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin; Transfer Station, Fire Alarm, and Police Detail Fees.

**Resolution #01-22**, a Resolution to accept and appropriate the Fiscal Year 2022 Proposed City and School District Budget.

**LEGISLATIVE UPDATE**

**COMMENTS FROM THE PUBLIC**

**CITY COUNCIL ACKNOWLEDGEMENT**

**MAYOR'S UPDATE**

**Agenda Item I.**

Council to approve Ordinance #01-22, an ordinance to amend the Franklin Municipal Code, Chapter 160, Fees, 160-1, Water & Sewer Fees.

**Agenda Item II.**

Council to approve Ordinance #02-22, an ordinance to amend the Franklin Municipal Code, Chapter 160, Fees, 160-1, Transfer Station, Fire Alarm, and Police Detail Fees.

**Item III.**

Council to approve Resolution #01-22, a Resolution to accept and appropriate the FY2022 City and School District Proposed Budget.

**Agenda Item IV.**

Council to consider the minutes of the June 7, 2021 City Council Meeting and the minutes of the June 7, 2021 City Council Nonpublic Meeting.

**Agenda Item V.**

Council to consider approval of discontinuing a portion of Punch Brook Rd.

**Agenda Item VI.**

Council to discuss Veteran's Credits.

**Agenda Item VII.**

**Other Business**

1. Committee Reports
2. City Manager's Update
3. Late Items.

**Adjournment**

*The City Council of the City of Franklin reserves the right to enter into non-public session when necessary according to the provisions of RSA 91-A.*

*This location is accessible to the disabled. Those wishing to attend who are hearing or vision impaired may make their needs known by calling 934-3900 (voice), or through "Relay New Hampshire" 1-800-735-2964 (T.D./TRY)*

**CITY COUNCIL MEETING**

**AGENDA ITEM I**



CITY OF FRANKLIN  
COUNCIL AGENDA REPORT

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July 12, 2021

**Subject:       FY2022 Budget – Water & Sewer Rates**

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**Suggested Motion:**

Councilor moves, "I move that the Franklin City Council adopts ordinance 01-22 relating to FY2022 budget water commodity and sewer disposal rates."

Mayor calls for a second, discussion and roll call vote.



CITY OF FRANKLIN, NEW HAMPSHIRE  
*"The Three Rivers City"*

316 Central Street  
Franklin, NH 02353

Phone: (603) 934-3900  
Fax: (603) 934-7413

**ORDINANCE #01-22**

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand and Twenty One;

Be it ordained by the City Council of the City of Franklin New Hampshire, that the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charges for service by the City of Franklin Water/Sewer Departments be changed as follows:

	<u>Current Fee</u>	<u>Change To</u>	<u>New Fee</u>
Water Commodity Charge Per 100 cubic feet	\$ 7.32		\$ 7.55
Sewer Disposal Charge Per 100 cubic feet	\$ 7.00		\$ 7.03

Fee to be effective July 1, 2021, by roll call vote.

**Roll Call:**

Councilor Brown	_____	Councilor Zink	_____
Councilor Clarenbach	_____	Councilor Starkweather	_____
Councilor Desrochers	_____	Councilor Testerman	_____
Councilor Chandler	_____	Councilor Trudel	_____
Councilor Bunker	_____		

Approved: \_\_\_\_\_  
Mayor

Passed: \_\_\_\_\_

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date

A true copy, attested: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

**CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING & MEETING**

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, July 12, 2021 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Ordinance #01-22, an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin Water and Sewer Department.**

**Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.**

**City of Franklin  
316 Central Street  
Franklin, NH 03235  
(603) 934-3900**



**CITY COUNCIL MEETING**

**AGENDA ITEM II**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

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July 12, 2021

**Subject:       FY2022 Budget – Fee Changes**

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**Suggested Motion:**

Councilor moves, “I move that the Franklin City Council adopt ordinance 02-22 relating to FY2022 budget Chapter 160 fee changes.”.

Mayor calls for a second, discussion and roll call vote.



CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 02353

Phone: (603) 934-3900
Fax: (603) 934-7413

ORDINANCE #02-22

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand and Twenty one;

Be it ordained by the City Council of the City of Franklin New Hampshire, that the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charges for service by the City of Franklin be changed as follows (change current fee to new fee, remove deleted language):

Table with 3 columns: Fees to Change, Current Fee, Change To, New Fee. Rows include Transfer Station Fee Changes, Fire Fees, and Police Fees.

Roll Call:

Councilor Brown \_\_\_\_\_ Councilor Zink \_\_\_\_\_
Councilor Clarenbach \_\_\_\_\_ Councilor Starkweather \_\_\_\_\_
Councilor Desrochers \_\_\_\_\_ Councilor Testerman \_\_\_\_\_
Councilor Chandler \_\_\_\_\_ Councilor Trudel \_\_\_\_\_
Councilor Bunker \_\_\_\_\_

Approved: \_\_\_\_\_
Mayor

Passed: \_\_\_\_\_

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie Gargano is the City

A true copy, attested: \_\_\_\_\_
City Clerk

Date: \_\_\_\_\_

**CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING & MEETING**

**In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, July 12, 2021 at 6:00 p.m. in Council Chambers at Franklin City Hall regarding Ordinance #02-22, an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin; Transfer Station, Fire Alarm, and Police Detail Fees.**

**Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.**

**City of Franklin  
316 Central Street  
Franklin, NH 03235  
(603) 934-3900**

**CITY COUNCIL MEETING**

**AGENDA ITEM III**



CITY OF FRANKLIN  
COUNCIL AGENDA REPORT

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July 12, 2021

**Subject:** FY2022 City Budget

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**Suggested Motion:**

Councilor moves, "I move that the Franklin City Council Adopt resolution 01-22 appropriating the City's FY2022 budget which begins on July 1, 2021."

Mayor calls for a second, discussion and roll call vote.

CITY OF FRANKLIN  
 NOTICE OF PUBLIC HEARING & MEETING  
 July 12, 2021

For the purpose of technical compliance with the notice requirements of RSA 44:10, notice is hereby given that the City Council will hold a Public Hearing and Meeting, Monday, July 12, 2021 at 6:00 PM regarding the proposed Fiscal Year 2021-2022 Budget. The meeting will be held in the Council Chambers, Franklin City Hall. A summary of the proposed budget is as follows:

**MUNICIPAL DEPARTMENTS**

**APPROPRIATIONS:**

<b>General Operations (MS-232):</b>	
General Government	\$1,693,464
Public Safety	6,207,663
Highways & Streets	1,503,694
Sanitation	1,099,405
Health	361,379
Welfare	106,402
Culture & Recreation	1,124,479
Conservation & Development	100,000
Debt Service	361,228
Capital Outlay	0
Interfund Operating Transfers Out	300,716
Transfer to School District	0
<b>Total General Operations Appropriations</b>	<b>\$12,858,429</b>

**Other Funds:**

Parks & Recreation Appropriations	\$15,500
Outside Police Detail Appropriations	17,250
Water Appropriations	2,212,958
Sewer Appropriations	1,621,409
Capital Projects Appropriations	0
Pass Through Grant Appropriations	20,000
<b>Total Municipal Appropriations</b>	<b>\$16,745,546</b>

**ESTIMATED REVENUES:**

<b>General Operations (MS-434):</b>	
City Revenues General Fund	\$4,573,164
Use of Fund Balance	\$0
Interfund Operating Transfers In	24,292
Local Taxation	8,260,973
<b>Total General Operations Estimated Revenues</b>	<b>\$12,858,429</b>

**Other Funds:**

Parks & Recreation Estimated Revenues	\$15,500
Outside Police Detail Estimated Revenues	17,250
Water Estimated Revenues	2,212,958
Sewer Estimated Revenues	1,621,409
Capital Projects Estimated Revenues	0
CDBG Grant Estimated Revenues	20,000
<b>Total Municipal Estimated Revenues</b>	<b>\$16,745,546</b>

**SCHOOL DEPARTMENT**

**APPROPRIATIONS:**

General Operations	\$18,558,965
Food Service	0
<b>Total School Department Appropriation</b>	<b>\$18,558,965</b>

**ESTIMATED REVENUES:**

General Operations	\$11,772,990
Transfer From Municipal	0
Use of Fund Balance	1,000,000
Transfer From Capital Reserve Fund	0
Food Service	0
Local & State Taxation	5,785,975
<b>Total School Estimated Revenues</b>	<b>\$18,558,965</b>

**MERRIMACK COUNTY**

Estimated Tax to be Raised	\$1,765,387
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**INDUSTRIAL PARK TAX INCREMENT FINANCING DISTRICT**

Estimated Tax to be Raised	\$21,243
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**FRANKLIN FALLS MIXED USE TAX INCREMENT FINANCING DISTRICT**

Estimated Tax to be Raised	\$46,260
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**VETERAN'S CREDITS**

Estimated Tax to be Raised	\$138,275
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**OVERLAY**

Estimated Tax to be Raised	\$31,000
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**CITY COUNCIL MEETING**

**AGENDA ITEM IV**





**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*City Council Meeting of July 12, 2021*

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**Subject: Approval of Minutes**

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**Motion:** "I move that the Franklin City Council approve minutes of the June 7, 2021 City Council Meeting and the minutes of the June 7, 2021 nonpublic City Council Meeting ."

Mayor calls for a second, discussion and the vote.



## City Council Meeting Minutes Monday, June 7, 2021 - 6:00 p.m. Council Chambers, City Hall

**Council in attendance:** Interim Mayor Olivia Zink, Councilor Jo Brown, Councilor Scott Clarenbach, Councilor Bob Desrochers, Councilor Jay Chandler, Councilor Ted Starkweather, Councilor Paul Trudel, Councilor Karen Testerman. **Absent:** Councilor April Bunker.

**Others in attendance:** City Manager Judie Milner, School Superintendent Dan LeGallo, School Board Chair Tim Dow, City Department Heads, Representative Dave Testerman, and members of the public.

Mayor Zink called the meeting to order in Council Chambers at 6:00 p.m.

Salute to the Flag was led by Councilor Chandler.

Councilor Desrochers requested a moment of silence to honor all the Veterans who died and were wounded on June 6, 1944 during WW2 known as D-Day. Franklin also lost local veterans; Marland Coates who served in the U.S. Navy, Robert Wallace who served with the U.S Army National Reserves, and Robert Brian Pope who served with the U.S. Navy. A moment of silence was recognized in their honor.

### Public Hearings

The public hearing on Resolution #18-21 opened at 6:03 p.m. Interim Mayor Zink asked if there was any discussion. There was none. The public hearing closed at 6:03 p.m.

The public hearing on Resolution #19-21 opened at 6:04 p.m.

Ward 1 resident George Dzujna stated that he was in favor of Resolution #19-21 because it will help the City eliminate some debt but also because the City Manager, Finance Director, and City Department heads collaborated to create this list of items that will benefit the City. There were no further comments. The public hearing closed at 6:06 p.m.

The public hearing on Resolution #20-21 opened at 6:06 p.m. Interim Mayor Zink asked if there were any comments. There were none. The public hearing closed at 6:06 p.m.

The public hearing on Resolution #21-21 opened at 6:07 p.m. Interim Mayor Zink asked if there were any comments. There were none. The public hearing closed at 6:07 p.m.

### Legislative Update

Representative Dave Testerman stated that there was some legislation that changed for elections and there was more discussion pertaining to the 2<sup>nd</sup> Amendment. He further stated that the State Budget is still under review. Testerman suggested that the City ask for public comment in some other additional way because not many people understand what the changes are. He further stated that it doesn't make

sense to ask for public comment on the same night when Resolutions or Ordinances are voted on by the Council. Testerman also stated that he is not in support of the School receiving one-time money and using it for long term expenditures such as hiring staff.

Councilor Desrochers requested that Representative Testerman send a message back to Concord, to all the other Representatives and Senators, and ask them why they are not pushing back on the state to pay the full amount for retirement, or the full share of rooms and meals tax, or the full percentage of the gas tax to Franklin and other communities. Testerman replied that he believes there have been some changes to the rooms and meals tax and will share Desrocher's message with the State House.

### **Public Comment**

Ward 3 Resident Ron Nagle addressed the Council to update the Council on the multiple crime issues he experienced next door to his home. He explained what had been occurring over the past several months causing much anguish and frustration for his family and his neighbors which caused him to consider selling his home and moving somewhere else with his family. Nagle expressed his support of the Police Department and thanked Chief Goldstein and Lieutenant Poirier. He also thanked the Fire Department for the hard work they do. Nagle stated the reasons why he originally moved to Franklin and does not want to leave as his family is invested in Franklin. He further explained that his neighbor inadvertently rented half his home to a bad tenant who moves around the City and abuses the system. The bad tenant then allowed homeless addicted people to live with her thus creating an atmosphere of disruptive behavior in the home and in the neighborhood. These people steal to buy drugs for themselves and distribute to others who come to the house all hours of the day and night. They look into the windows of the neighbor's homes, deal drugs in their driveways, and walk through their yards anytime they feel like it. Crime is increasing because it is too easy for these types of people to continue to do what they want.

Nagle continued to explain the difficult months that led up to today but how frustratingly long it took to see some action being taken. The eviction process takes a long time and he wonders whose neighborhood are they going to move to once they are evicted. Nagle now patrols his neighborhood and has seen people trying to break into cars, sleeping under porches, or in hiding out in the back of boats parked on a property.

Nagle stated that he knows the Police are overloaded and offered his help to work with the City to create a neighborhood watch group or something similar. The residents need to be able to help somehow instead of just calling the PD to take care of it.

There was further discussion of sharing ideas and stories about what it takes to work together to make it uncomfortable for drug dealers to live here.

Ward 2 resident Steve Rayno expressed his frustration over where the asphalt plant is located. He stated that it is in an agricultural zone and the trucks leave the plant all hours of the day and night and speed up and down New Hampton Road from West Bow Street. Rayno also spoke about the Garage that the City allowed to be rebuilt at the top of Cheney Hill. The original garage was the location of a tragic

fire where a mother and two of her daughters lost their lives. The City has been considering realigning Cheney Hill due to it being very narrow and shouldn't have allowed that garage to be rebuilt.

Rayno also thanked Chief Goldstein for handling the drug dealing in the cemetery and surrounding area. He continued to further express his frustration of GMI using Victory Drive. Rayno stated additional items that are frustrating him. The rock wall at the bottom of Cheney Hill, the large industrial trucks that are using the newly paved New Hampton Road, the speeding of cars and trucks, the bridge that needs repair, fatal accidents on Cheney Hill, the dead tree at the top of the rock wall on Cheney Hill, and would like American Flags on Central Street.

Ward 2 resident Cori Bassett stated that the trucks on Cheney St. speed by his house all hours of the night. He also expressed his frustration on the crime due to drug use in his neighborhood and all around the City.

Ward 1 resident Rob DiGregorio also expressed his frustration of trespassers, shooting at night, and the drug problem. He also stated that he went to the Police Department approximately six months ago to show what his home cameras recorded. There was a woman walking around with a backpack on his property. This woman was in the newspaper for grand larceny. He further believes that there are people walking up and down 3A with backpacks on trafficking drugs back and forth. DiGregorio also stated that our City and other surrounding Cities visit Profile Falls, the Overlook, and the Franklin Dam. He was very sad to say the condition of Overlook is horrible. Speeding is a problem from Outlook on and there are needles among other disgusting items on the ground. He invited the police to sit in his driveway anytime. He concluded that he and his wife get involved in uncovering the truth to Government Corruption issues.

The Mayor's Drug Task Force Coordinator Kandyce Tucker updated the Council on upcoming fundraising activities. The Step-by- Step 5K will be on June 19<sup>th</sup> and National Night Out will be on August 3<sup>rd</sup>. There is also a job posting for the Drug Task Force and SAU18 for an epidemiologist.

Ward 2 resident Bruce Woodward also stated that there are trucks up and down this road all night. He also suggested helping each other and pull together a Citizen Watch.

Planning and Zoning Director Dick Lewis updated the Council with regards to the Solar Ordinance item on tonight's agenda. He stated that there are some residential and commercial properties within the Conservation district that use or may use in the future small scale solar panels to some degree and that they are low visual impact. He further explained the larger commercial allowable use of solar and that it is a good renewable energy source.

Councilor Testerman asked if the new solar contract addresses the clean-up of solar structures after they are no longer using them. Director Lewis replied that that is addressed in the new contract. There was no further discussion.

Ward 1 resident Christine Dzujna on behalf of the Library Board of Trustees acknowledged the Library staff on pushing through this last difficult year. She also congratulated all the high school students for getting their scholarship applications submitted.

Ward 3 resident Annette Andreozzi commented on the wording in the solar ordinance with relation to them being non reflective. She wasn't sure if this was a requirement or not in residential areas. If it isn't a requirement in the new ordinance, she asked that it be made as one.

Parks and Recreation Director Krystal Alpers updated the Council on upcoming events and activities. The Farmers Market will begin on June 24<sup>th</sup> and continue every Thursday instead of Tuesday. And also Winni River days will kick off on June 19<sup>th</sup>.

Ward 1 resident George Dzujna thanked Rocky Marsh and his team for their hard work on the cottage porch and fixing up the Gazebo at Odell Park. They did a great job.

Ward ? resident Albert Morang stated that he drove trucks for many years up Cheney Hill and does not agree with what has been stated by others tonight on the speeds that trucks are going up and down that road. He stated that he has lived in Franklin for fifty years and if you look hard enough, you'll find something wrong anywhere you go. Morang stated that Mr. Rayno is blowing this up to be an issue that isn't really an issue.

Ward 2 resident Rick Ceresa stated that the Cheney Hill is not suitable for two-way traffic and suggested opening up the street behind the Cemetery to use as one way up or down and then Cheney Hill one-way as well. Ceresa stated that the City should be able to widen it or at least repair it. He stated that Amazon and other delivery trucks pull to the side of the road block one side where traffic on the other side can't see around the truck causing a very dangerous situation.

Ward 2 resident Mrs. Ceresa stated that the truck speed and dangerous width of the road is an issue. She also stated that crime has significantly increased. Ceresa stated that the Police have always been helpful but they can only do so much.

Ward 3 resident Leigh Webb stated that the City has specific committees to discuss these issues mentioned tonight and hopes these meetings can be scheduled to discuss and report back in the near future. Webb also stated that legislation isn't working the way we want it to is because some of those in Concord only represent those who voted for them. Webb concluded thanking Planning and Zoning Director Dick Lewis for his service to the City of Franklin. Everyone applauded.

Councilor Desrochers requested that the City Manager and the Municipal Services Director get together and discuss the possibility of having some truck restrictions on Victory Drive/Rt.127. He requested that they report back to the Council next month.

#### **Council Acknowledgements**

None.

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

None.

#### **Agenda Item I.**

Council to approve Resolution #18-21, a Resolution to accept and appropriate \$2,662,250 from an ESSER II Grant to fund COVID-19 costs for the Franklin School District.

**Motion – Councilor Clarenbach moved that the Franklin City Council vote to adopt Resolution #18-21 to accept and appropriate \$2,662,250 in Federal CRRSA Act funding titled ESSER II (Elementary and Secondary School Emergency Relief) Grant for the purpose of funding costs associated with COVID-19 pandemic for the Franklin School District. Seconded by Councilor Starkweather.**

Councilor Testerman stated that the funds should be used on one-time expenditures so not to burden the City in the future. She also asked if the funds go into the City's General Fund. Milner replied that the funds will go into the General Fund. Superintendent LeGallo stated that the expenditures were presented during the recent School Board Budget Meeting. There are specific requirements with spending these funds.

Testerman asked that the School consider repaying some of the funds given to them over the recent years to the City to work on capital projects that will help the City.

### **RESOLUTION # 18-21**

**A Resolution Granting Authority to Accept and Appropriate \$2,662,250 of CRRSA Act funding under the ESSER II (Elementary and Secondary School Emergency Relief) Fund for the Franklin School District.**

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

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$2,662,250 in CARES Act funding through the New Hampshire Department of Education titled the ESSER II Fund;

**WHEREAS**, the City Council of the City of Franklin would like to appropriate \$2,662,250 of the above mentioned funds in order to expend for costs associated with the COVID-19 pandemic for such things as technology costs for remote learning (chromebooks, computers, software), compensatory special education services, personal protection equipment, food service distributions costs, sanitizing equipment, continued contract costs, personnel costs, other instructional tools, HVAC Repairs/Renovations etc., **Now**,

**THEREFORE, BE IT RESOLVED**, that at a regularly scheduled meeting of the City Council on June 7th, 2021, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #18-21 to formally accept and appropriate \$2,662,250 of federal funding from the passage of the CRRSA Act by the federal government in response to the COVID-19 pandemic through the New Hampshire Department of Education under the ESSER II Fund for the Franklin School District.

#### **An Increase in Revenues:**

ESSER II Fund (CRRSA Act) – Two Million Six Hundred Sixty-two Thousand, Two Hundred Fifty Dollars (\$2,662,250)

#### **An Increase in Expenditures:**

School District expenditures in the total amount of Two Million Six Hundred Sixty-two Thousand, Two Hundred Fifty Dollars (\$2,662,250)

This resolution is non lapsing.

By a roll call vote.

Roll Call:

Councilor Brown Yes Councilor Clarenbach Yes Councilor Testerman Yes

Councilor Bunker Absent Councilor Desrochers Yes Councilor Trudel Yes

Councilor Chandler Yes Councilor Starkweather Yes Councilor Zink Yes

All in favor. Motion PASSED.

**Agenda Item II.**

Council to approve Resolution #19-21, a Resolution to appropriate \$224,410 of unanticipated FY21 Revenue for Capital Expenditures.

**Motion – Councilor Brown moved that the Franklin City Council adopts resolution #19-21 appropriating \$224,410 unanticipated FY2021 revenue for Capital Items needed. Seconded by Councilor Trudel.**

Councilor Desrochers asked what amount qualifies as a capital expense. City Manager Milner replied that the threshold of a capital item is \$5,000. Desrochers stated that the City has much larger items that need attention such as putting it toward the Police Dispatch Center. He does not believe many of the smaller items belong on the Capital Improvement list but should be in the respective department’s budget.

Councilor Brown stated that the items in the Capital Projects List are there because the City’s Department heads had to pull them out of their budgets to get under the tax cap. Brown stated that she has full confidence in the department heads and City Manager did the best they could with the amount of money they have to work with.

Councilors Testerman agreed with Councilor Brown. Councilor Chandler also expressed his support of this resolution.

Councilor Desrochers and Councilor Clarenbach were not in support and would like to see the money being used for other larger projects such as road repair or use it for the Police Radio project.

There was no further discussion.

**RESOLUTION #19-21**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2021.**

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

**WHEREAS**, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2021 which began July 1, 2020, and;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the receipt of unanticipated revenues in FY2021, and;

**WHEREAS**, the City Council of the City of Franklin wishes to appropriate those one-time unanticipated revenues for much needed capital items, **Now**

**THEREFORE BE IT RESOLVED**, that at the scheduled meeting of the City Council on Monday, June 7, 2021, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 19-21 appropriating unanticipated revenues received in FY2021 and authorize the following:

**An increase in revenues:**

Miscellaneous Revenue Acct. No. 01-0-000-35090-000 – One Hundred Eighty Thousand Seven Hundred One Dollars (\$180,701),

21<sup>st</sup> Century Grant Revenues Acct. No. 01-5-211-33110-439 – Forty Three Thousand Seven Hundred Nine Dollars (\$43,709),

**And an increase in expenditures:**

Capital Exp Bldgs Acct No. 01-9-012-40720-000 – Seventy Six Thousand Nine Hundred Twenty Two (\$76,922),

Capital Exp Machinery & Equip Acct. No. 01-9-013-40740-000 – One hundred Seventeen Thousand Four Hundred Eighty Eight Dollars (\$117,488),

Capital Exp Other Acct. No. 01-9-014-40798-000 – Thirty Thousand Dollars (\$30,000)

**by a roll call vote.**

**Roll Call:**

<b>Councilor Brown</b>	<b>Yes</b>	<b>Councilor Clarenbach</b>	<b>No</b>	<b>Councilor Testerman</b>	<b>Yes</b>
<b>Councilor Bunker</b>	<b>Absent</b>	<b>Councilor Desrochers</b>	<b>No</b>	<b>Councilor Trudel</b>	<b>No</b>
<b>Councilor Chandler</b>	<b>Yes</b>	<b>Councilor Starkweather</b>	<b>Yes</b>	<b>Councilor Zink</b>	<b>No</b>

**The motion Failed.**

**Motion – Councilor Clarenbach moved that the Franklin City Council move \$224,410 into the Capital Reserve Fund. Seconded by Councilor Desrochers.**

City Manager Milner explained that these funds would move into one of the City Capital Reserve funds. When the money is ready to be expended, the Council could move it into the General Fund and appropriate the funds.

Milner further explained that since the resolution did not pass, the Emergency Operations Center wall completion at the Fire Station cannot be done therefore a \$60K Grant would need to be returned.



Roll call:

Councilor Brown	No	Councilor Chandler	No	Councilor Testerman	No
Councilor Clarenbach	Yes	Councilor Desrochers	Yes	Councilor Trudel	Yes
Councilor Bunker	Absent	Councilor Starkweather	Yes	Councilor Zink	Yes

**Motion PASSED.**

**Agenda Item III.**

Council to approve Resolution #20-21, a Resolution to accept and appropriate \$60,655 from the CRRSA for the Parks and Recreation Department Before and After School Program.

Motion – Councilor Desrochers moved that the Franklin City Council vote to adopt Resolution #20-21 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 Trudel.

Interim Mayor Zink asked if there was any discussion. There was none.

**RESOLUTION #20-21**

**A Resolution Relating to a supplemental appropriation for Fiscal Year 2021.**

**In the year of our Lord, Two Thousand Twenty One,**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2021 beginning July 1, 2020, **and**;

**WHEREAS**, the City Council realizes the State of Emergency due to Covid-19 pandemic and,

**WHEREAS**, the City of Franklin Recreation department has been awarded at total of \$60,655 due to the passing of the Federal CARES (Coronavirus Aid, Relief, and Economic Security) Act. These monies are being disbursed through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) and,

**WHEREAS**, the City Council appreciates and acknowledges the Recreation workers’ continuing efforts to provide an essential service to the working parents of this community during this time now,

**THEREFORE, BE IT RESOLVED**, that at their regularly scheduled meeting of the City Council on Monday, June 7<sup>th</sup>, 2021, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #20-21 to authorize the City Manager to accept and appropriate the funds of \$60,655 (sixty thousand six hundred fifty five dollars)

**An Increase in Revenue:**

Federal Grants Operating- CCRSP Acct. No. 01-5-211-33111-126

**An Increase in Expenditures:**

Recreation Admin Summer Rec COVID - Rec Emergency Child Care - Acct. No. 01-5-211-40121-126 – fifty five thousand dollars (\$55,000)

Recreation Admin Supplies - Spec Program COVID - Rec Emergency Child Care - Acct. No. 01-5-211-40685-126 – five thousand six hundred fifty five (\$5,655)

**By a roll call vote.**

**Roll Call:**

<b>Councilor Brown</b>	<u>Yes</u>	<b>Councilor Chandler</b>	<u>Yes</u>	<b>Councilor Zink</b>	<u>Yes</u>
<b>Councilor Clarenbach</b>	<u>Yes</u>	<b>Councilor Testerman</b>	<u>Yes</u>	<b>Councilor Bunker</b>	<u>Absent</u>
<b>Councilor Desrochers</b>	<u>Yes</u>	<b>Councilor Starkweather</b>	<u>Yes</u>	<b>Councilor Trudel</b>	<u>Yes</u>

**All in favor. Motion PASSED.**

**Agenda Item IV.**

Council to approve Resolution #21-21, a Resolution to appropriate an additional \$21,041 from the 21st Century Community Learning Grant for the Parks and Recreation Department Before and After School Program.

**Motion – Councilor Brown moved that the Franklin City Council adopts a supplemental appropriation in the amount of \$21,041 for the Before and After School Program and adopt Resolution #21-21 by a roll call vote. Seconded by Councilor Clarenbach.**

Interim Mayor Zink asked if there was any discussion. There was none.

**RESOLUTION #21-21**

**A Resolution Relating to a supplemental appropriation for Fiscal Year 2021.**

**In the year of our Lord, Two Thousand Twenty One,**

**WHEREAS**, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2021 beginning July 1, 2020, **and**;

**WHEREAS**, the City Council realizes partial funding for the Before and After School Program comes from the Nita M. Lowey 21<sup>st</sup> Century Community Learning Centers Program and,

**WHEREAS**, the City of Franklin Recreation department needs to adjust the appropriated revenue and expenditures to accurately reflect the grant award to the City of Franklin,

**THEREFORE, BE IT RESOLVED**, that at their regularly scheduled meeting of the City Council on Monday, June 7th, 2021, the City Council of Franklin, New Hampshire does hereby vote to adopt resolution #21-21 to authorize the City Manager to accept and appropriate the funds of 21,041.00 (twenty one thousand, forty one dollars)

**An Increase in Revenue:**

Federal Grants Operating- Acct. No. 01-5-211-33111-439 – twenty one thousand forty one dollars (\$21,041)

**An Increase in Expenditures:**

Recreation Adm Summer Rec 21 Century - Acct. No. 01-5-211-40121-439 – twenty one thousand forty one dollars (\$21,041)

**By a roll call vote.**

**Roll Call:**

**Councilor Brown**      Yes    **Councilor Chandler**    Yes      **Councilor Starkweather**    Yes

**Councilor Clarenbach**    Yes    **Councilor Bunker**    Absent    **Councilor Testerman**    Yes

**Councilor Desrochers**    Yes    **Councilor Trudel**    Yes      **Councilor Zink**      Yes

**All in favor. Motion PASSED.**

**Agenda Item V.**

Council to consider the minutes of the May 3, 2021 City Council Meeting, the minutes of the May 3, 2021 City Council Nonpublic Meeting, the minutes of the May 5, 2021 City Council Special Meeting, the minutes of the May 10, 2021 City Council Special Meeting, the minutes of the May 17, 2021 City Council Special Meeting, and the minutes of the May 24, 2021 City Council Special Meeting.

**Motion – Councilor Trudel moved that the Franklin City Council approve the minutes of the May 3, 2021 City Council Meeting, the minutes of the May 3, 2021 City Council Nonpublic Meeting, the minutes of the May 5, 2021 City Council Special Meeting, the minutes of the May 10, 2021 City Council Special Meeting, the minutes of the May 17, 2021 City Council Special Meeting, and the minutes of the May 24, 2021 City Council Special Meeting. Seconded by Councilor Starkweather.**

Interim Mayor Zink asked if there was any discussion. There was none.

**All in favor. Motion PASSED.**

**Agenda Item VI.**

Superintendent LeGallo opened his update with a story about Frank Weglarz who was only in his second

week as a senior at Franklin High School when he was called by the President into the War. When he returned to Franklin after the War, he started his own business and dedicated the rest of his life to the City of Franklin. When he passed away in 1990, his family started a yearly scholarship fund in his name awarding \$25K to five Franklin graduates. This has continued for the last 30 years and totals over \$750K. He would have been 100 years old this month but had never received his High School Diploma. Today, his 90 year old sister was presented an Honorary High School Diploma for her brother. Applause was heard by all.

LeGallo stated that a 4<sup>th</sup> class was added to the manufacturing program. He thanked Councilor Brown for her dedication to this. He updated the Council on other funding initiatives and was happy to have chaperoned for this year's High School Prom. LeGallo provided information on the upcoming school events and extended an invitation to the Council. High School Graduation will be held on June 18<sup>th</sup> at 6 p.m. at the High School. LeGallo was also excited to mention that there were 18 students who will be graduating as NH Scholars this year. The 8<sup>th</sup> Grade Graduation will be held on June 21<sup>st</sup> at 6 p.m. outside at the Middle School. Kindergarten graduation will be held on June 16<sup>th</sup> at 5:30 p.m.

In closing, LeGallo recognized Councilor Chandler for inviting him to Winni River Days where the School will have a few tables to participate at the event.

Interim Mayor Zink called a five minute recess at 7:56 p.m.

The meeting reconvened at 8:02 p.m.

#### **Agenda Item VII.**

Council to consider approval of Resolution #22-21, a Resolution relating to payment of necessary Accounts Payable and Payroll in Fiscal Year 2022.

Motion – Councilor Clarenbach moved that the Franklin City Council adopts Resolution #22-21 to all the City to expend like appropriations until the FY22 budget is adopted. Seconded by Councilor Brown.

Clarenbach read Resolution #22-21.

#### **RESOLUTION #22-21**

**A Resolution Relating to payment of necessary accounts payable and payroll in Fiscal Year 2022.**

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

**WHEREAS**, the City Council of the City of Franklin has not adopted a Budget for Fiscal Year 2022, which will begin on July 1, 2021, **and**;

**WHEREAS**, The City Council of the City of Franklin wishes that all necessary accounts payable and payrolls be paid during the month of July 2021, **now**;

**THEREFORE, BE IT RESOLVED THAT,** The City Council of the City of Franklin does hereby authorize payment of like FY2022 expenditures for both accounts payable and payroll and further authorizes the City Treasurer to draw necessary drafts as approved by the City Manager/Superintendent up to the time that the 2022 Fiscal Budget is adopted.

**By a roll call vote.**

**Roll Call:**

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Testerman	Yes
Councilor Clarenbach	Yes	Councilor Desrochers	Yes	Councilor Trudel	Yes
Councilor Bunker	Absent	Councilor Starkweather	Yes	Councilor Zink	Yes

**All in favor. Motion PASSED.**

**Agenda Item VIII.**

Council to consider approval of Ordinance #06-21, an Ordinance which adds a new section to the Zoning Ordinance addressing Solar Energy Collection Systems.

**Motion – Councilor Trudel moved that the Franklin City Council vote to adopt an amendment to Ordinance #06-21, which adds a new section to the Zoning Ordinance addressing Solar Energy Collection Systems. Seconded by Councilor Desrochers.**

Councilor Desrochers requested an additional amendment to the Ordinance on page 6, item 8, #3. Desrochers requested the language be changed from “recommended” to “as required.”

Desrochers expressed concern of allowing the Special Use Exceptions in Conservation Zones and loss of conservation habitat in this City. Planning and Zoning Director Dick Lewis replied that removing the Commercial Utility Solar language would make the Ordinance too restrictive therefore causing the Ordinance to go back to the Planning Board for a new public hearing. If the Council wishes to remove Commercial Solar in Conservation zones, Lewis recommends approving this Ordinance tonight and bringing it back again for further review and possible updates. Desrochers disagreed and stated that there is time before the moratorium expires to make the language changes and hold a public hearing.

Testerman recommends removing the language and bring it back to public hearing. Trudel would like to have something on the books rather than nothing at all. Brown agreed with Councilor Trudel. Chandler asked if the non-glare language was part of the Ordinance. Lewis replied there is language that states non glare panels under commercial use.

Reference Ordinance #06-21, passed on June 7, 2021 by the City Council.

**Roll call:**

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Testerman	Yes
Councilor Clarenbach	Yes	Councilor Desrochers	Yes	Councilor Trudel	Yes
Councilor Bunker	Absent	Councilor Starkweather	Yes	Councilor Zink	Yes

**All in favor. Motion PASSED.**

**Agenda Item IX.**

Council to consider the Charter change language.

**Motion – Councilor Desrochers moved that the Franklin City Council approve the following Charter change under Chapter C, C-11, Vacancies to be read as follows: The Interim Mayor shall retain his/her vote as a Councilor and shall exercise all general duties as Mayor but shall not have the ability to cast an additional deciding vote in the event of an equal division of the Council nor shall he/she have the authority to veto any action of the Council. The Interim Mayor shall so serve until the next scheduled City election at which time a Mayor shall be elected for a two-year term and inaugurated as soon as possible. Seconded by Councilor Starkweather.**

Interim Mayor asked if there was any discussion. There was none.

**Seven in favor. One opposed. Motion PASSED.**

**Agenda Item X.**

Council to consider waiving vendor fees for the Farmer’s Market at Marceau Park and for Winni River Day in Trestle View Park and Mill City Park.

**Motion – Councilor Trudel moved that the Franklin City Council waive the vendor fees for the Farmers Market at Marceau Park. Seconded by Councilor Clarenbach.**

Interim Mayor asked if there was any discussion. There was none.

**All in favor. Motion PASSED.**

**Motion – Councilor Trudel moved that the Franklin City Council waive the vendor fees for the Winni River Day in Trestle View Park and Mill City Park. Seconded by Councilor Desrochers.**

Interim Mayor asked if there was any discussion. There was none.

**All in favor. Motion PASSED.**

**Agenda Item XI.**

- 1. Committee Reports – none**
- 2. City Manager’s Update provided by City Manager Milner**
  - a. Contingent Grant Line Activity for this month was in receipt of \$4,300 from the state of NH for Fire Radio Reprogramming. An additional \$400 was received for the beautiful kayak flowers. Milner thanked all of the volunteers who helped put them together.
  - b. The Trust Funds for School funding is at \$146.04

- c. Milner congratulated the Fire Department and Municipal Services Water Department for the ISO Public Protection Classification in Franklin which has increased. This means lower insurance premiums for the residents.
  - d. Webster Lake will be treating milfoil in Chance Pond on June 17<sup>th</sup>. There will be NO SWIMMING signs posted in those areas for six hours following treatment.
  - e. Welcome Fire Department Secretary Nicole Havey and Planning and Zoning Director Seth Creighton who is joining our staff on June 28<sup>th</sup>.
  - f. Youth Government went well despite COVID. Milner gave a shout out to the Elks for hosting lunch and dinner on the final day of activities which included a mock Council Meeting.
  - g. Milner reviewed the Media connections that occurred for the month regarding our City.
  - h. Milner also gave a shout out to our Police Department for their handling of the shooting incident a few weeks ago. All three suspects were arrested but already released. Bail reform is critical in keeping criminals off the streets.
  - i. Another shout out for Sergeant Guerriero for his quick action saving a man's life while off duty driving on Highway.93.
  - j. The Atlantic Broadband Franchise Agreement Renewal formed the Consortium of nine surrounding communities and will be holding their first meeting on June 16<sup>th</sup> in Gilford. The Ascertainment Period is currently open and will continue until the end of August. Any comments regarding the renegotiation of this contract can be sent to the City Manager's office until then.
  - k. Mill City Park phase one land construction is 99% complete. Water construction is scheduled to begin on July 12<sup>th</sup>.
  - l. Milner provided the details of Winni River Days.
  - m. The 79E Covenant for Stevens Mill is under review.
  - n. A couple of title issues were identified by Cumberland Farms on the new location which are being resolved as this project continues to move forward.
  - o. The Hotel Feasibility Technical Assistance Grant update – The RFP is expected to be awarded this week. The work is scheduled to begin on June 14<sup>th</sup>. This project is funded by CDBG and public comments will be taken after the study has been completed.
  - p. Milner requested another FY22 Budget meeting to wrap up the City Manager's Presentation. A final "clean-up" meeting will also be needed. A doodle poll will be sent.
  - q. Milner provided an update on certain Legislative bills affecting Franklin. The Rooms and Meals Tax Revenue that Cities are supposed to get will increase to bring everyone closer to the 40% that the state should have been providing.
  - r. There is a NHMA policy change regarding legalizing marijuana and Milner explained the "Opt-in" scenario vs "Opt-out."
- 3. Late Items – Change of Council Meeting dates.**
- a. Councilor Desrochers moved to reschedule the July 5<sup>th</sup> City Council Meeting to July 12<sup>th</sup>. Seconded by Councilor Trudel. **There was no further discussion. All in favor. Motion PASSED.**
- 4. Non-public needed:**
- a. **Motion – Councilor Clarenbach moved that the Franklin City Council enter into nonpublic session according to 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.**

Roll call:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Testerman	Yes
Councilor Clarenbach	Yes	Councilor Desrochers	Yes	Councilor Trudel	Yes
Councilor Bunker	Absent	Councilor Starkweather	Yes	Councilor Zink	Yes

**All in favor. Motion PASSED.**

**Entered into nonpublic at 8:42 p.m.**

**Motion to return to public session made by Councilor Desrochers and seconded by Councilor Brown,**

Interim Mayor Zink asked if there was any discussion. There was none.

**All in favor. Motion PASSED.**

**Public Session reconvened at 9:34 p.m.**

**Motion to seal the minutes was made by Councilor Brown because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Seconded by Councilor Chandler.**

Interim Mayor Zink asked if there was any discussion. There was none.

Roll Call to seal the minutes:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Testerman	Yes
Councilor Clarenbach	Yes	Councilor Desrochers	Yes	Councilor Trudel	Yes
Councilor Bunker	Absent	Councilor Starkweather	Yes	Councilor Zink	Yes

**All in favor. Motion PASSED.**

**Motion to adjourn was made by Councilor Trudel and seconded by Councilor Clarenbach.**

There was no discussion.

**All in favor. Motion PASSED.**

**Meeting adjourned at 9:39 p.m.**

**Respectfully submitted,**

**Audrey Lanzillo**



**CITY COUNCIL MEETING**

**AGENDA ITEM V**



CITY OF FRANKLIN  
COUNCIL AGENDA REPORT  
*City Council Meeting of July 12, 2021*

**From:** Richard Lewis, Director of Planning and Zoning [Retired]  
**Subject:** Discontinuance of a Portion of Punch Brook Road [Class 6 Highway]

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**Motion for the July 12, 2021 Meeting:**

***I move that the Franklin City Council vote to Discontinue a portion of Punch Brook Road, a Class 6 highway, from the westerly side of A Street to the western edge of the Emerson parcel 083-401-00.***

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**Discussion:** The City received a formal request [copy attached] from the Emerson Family Trust, asking that some sections of Punch Brook Road [map attached] be discontinued.

This request represents a petition per RSA 231:43, [copy attached]. This section of the road has been abandoned / closed since 1933, subject to gates and bars. No City maintenance has been performed for at least that period of time. The bridge that crosses over Punch Brook has been out and never replaced. As the Emerson's mention in their letter of 1/16/21, they wish to see their abutting land preserved as "conservation" land under some protective agreement with an appropriate organization.

In conformance with the RSA, a certified letter [attached] has been sent to all of the abutters to this section of the road, informing them of the request and the date of this City Council meeting when the request will be considered. A plan showing the area and the abutting properties is also attached. Based on emails from two of the abutters, it seemed clear that there were enough questions and concerns about **discontinuing the entire section of Punch Brook Road** that it made more sense to focus on the portion of the road which borders the Emerson parcels. This section is described in the motion above.

Copies of the request and the letter to the abutters has been forwarded to the Municipal Services, the Franklin Fire Department, and the Police Department to see if they had any concerns with the proposed discontinuance. No concerns have been reported.

If this request is approved, then the Emerson's would be granted ownership of their share of the road, which will run the distance of their frontage on Punch Brook and one-half of the width of the road, which has a Right-of-Way of 66 feet. The next cycle of Tax Map updates in the spring of 2022 would memorialize the adjustments resulting from the discontinuance.

**Fiscal Impact:**

The changes to the taxable area of any abutting lots will be minimal. There are no fiscal impacts to the City from this request.

**Alternatives:**

If the City Council vote to not grant the discontinuance, then the status quo of the road will remain in place.

January 16, 2021

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

Dear Ms. Milner:

Thank you in advance for your assistance with our request.

We would like to request the City of Franklin discontinue Punch Brook Road from A Street to Route 127, Salisbury Road. If that request is not possible, we would ask that you consider discontinuing the road from A Street to the other end of our property running along the road, and sign it as "Road Closed", Private Drive on the easterly side. I am enclosing a map showing the area. Justin Hanscom, Deputy Director of Municipal Services, has visited the area and reviewed our request.

Punch Brook Road was closed on March 6, 1933 (City Council Minutes, Book E, Page 170, described as "from Irving House near D.W. Highway to Shaw's Corner") and subject to gates and bars. The section we are talking about is in very poor condition and the bridge is out and has never been replaced. The westerly side of the bridge has never been repaired. The only work to repair any portion of the road has been by loggers.

It has been more than eighty (80+) years since it was closed, and the City has not maintained or made any improvements. According to Justin, and after reviewing the City tax map, it was confirmed there are no other landowners, outside of family, that would not have access to their properties from other roads.

When we purchased our land, the goal was to preserve it for wildlife since it is zoned for conservation. Our plans have always been to find an organization to carry this on, such as the Society for the Protection of New Hampshire Forests or even New Hampshire Fish and Game. As we prepare for our future, we would like to join our parcels of land together from the north side of the road to the south side of the road.

We look forward to hearing from you.

Sincerely,

  
Raymond and Lillian Emerson

Franklin, NH

1 inch = 600 Feet



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# TITLE XX

## TRANSPORTATION

### CHAPTER 231

#### CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

#### Discontinuance of Class IV, V and VI Highways

##### Section 231:43

###### **231:43 Power to Discontinue. –**

- I. Any class IV, V or VI highway, or any portion thereof, in a town may be discontinued by vote of a town; provided, however, that:
- (a) Any highway to public waters, or portion of such highway, laid out by a commission appointed by the governor and council, shall not be discontinued except with the consent of the governor and council.
  - (b) Any class V highway established to provide a property owner or property owners with highway access to their property because of a taking under RSA 230:14 shall not be discontinued except by written consent by such property owner or property owners.
- II. The selectmen shall give written notice by verified mail, as defined in RSA 21:53, to all owners of property abutting such highway, at least 14 days prior to the vote of the town. In the case of a petitioned warrant article calling for discontinuance of a class VI highway, the petitioners shall bear the cost of notice.
- III. No owner of land shall, without the owner's written consent, be deprived of access over such highway, at such owner's own risk.

**Source.** RS 54:1. CS 58:1. GS 65:1. GL 71:1. PS 72:1. 1903, 14:1. 1925, 19:1. PL 79:1. 1931, 12:1; 121:1. RL 95:1. 1943, 68:1. 1945, 188:1, part 9:1. 1949, 13:1. RSA 238:1. 1981, 87:1. 1991, 36:1. 1995, 77:3, eff. June 8, 1995. 2014, 41:1, eff. July 26, 2014. 2019, 242:3, eff. Oct. 10, 2019.



## CITY OF FRANKLIN, NEW HAMPSHIRE

*"Three River's City"*

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Office of the City Manager  
316 Central Street  
Franklin, NH 03235

Tel: (603) 934-3900  
Fax: (603) 934-7413  
citymgr@franklinnh.org

June 25, 2021

Re: Proposed Discontinuance of Punch Brook Road

Dear Punch Brook Road Property Owner,

The City has received a requested from the Emerson Family Trust to discontinue the portion of Punch Brook Road from the westerly side of the Right-of-Way for A Street to the intersection with Route 127, Salisbury Road. A copy of their petition request is attached. The Family Trust owns five parcels that front on this section of the road. There are six other properties along the remainder of the road.

In accordance with RSA 231:43, Power to Discontinue [copy attached], the Franklin City Council will discuss this petition request at their meeting of Monday, July 12, 2021. The public hearing on this matter will be held in the City Council Chambers, Franklin City Hall. The meeting will start at 6 PM.

If you have any questions, you can call or email me at the contact information above. We will attempt to gather up all questions and get responses to all questions to each of the abutters to the road. It would be very helpful, and appreciated, if you provide us with your email address so we can get information to you quickly and easily.

Sincerely,

Judie Milner  
Franklin City Manager

**CITY COUNCIL MEETING**

**AGENDA ITEM VI**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

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July 12, 2021

**Subject: Council to discuss Veterans Credits**

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**Fiscal Impact:**

Based on FY2022 veteran applications (302), the cost per \$50 increase is \$15,312.50.



**CITY COUNCIL MEETING**

**AGENDA ITEM VII**



**CITY OF FRANKLIN**  
**COUNCIL AGENDA REPORT**  
City Council Meeting July 12, 2021

**Date:** July 7, 2021  
**From:** Judie Milner, City Manager  
**Subject:** City Manager's Update

- Contingent Grant Line Activity –
- Trust fund for school funding – \$146.04
- Welcome – Amanda Chance, City Clerk's Office; congrats Amy Davis, Deputy City Clerk Tax Collector
- Dick Lewis' retirement party
- Next Workshop Meeting – ARPA, Redistricting, non-public Cable Consortium
- Media Connections – press release Congresswoman Kuster's office, InDepthNH.org Thomas Caldwell, press release MCP groundbreaking
- Mill City Park Update – Ground Breaking, Land Construction, Water Construction, Winni River Days
- Stevens Mill Update – 79E covenant, Developers Agreement, P&S
- Cumberland farms update
- Hotel feasibility technical assistance grant update
- Update on Route 127 petition
- Legislative Update