

**CITY COUNCIL MEETING
MAY 2, 2011**

Call to Order

Mayor Merrifield called the meeting to order at 7:00 p.m. in the Council Chambers, Franklin City Hall. Salute to the Flag was said, led by City Manager Dragon.

In Attendance

Councilor Andreozzi, Councilor Sharon, Councilor Bowers, Councilor Audet, Councilor Feener, Councilor Trudel, Councilor Starkweather, Councilor Clarenbach, Manager Dragon and Mayor Merrifield.

Absent

Councilor Boyd

Public Hearing – Proposed application for Community Development Block Grant funds up to \$500,000 on behalf of the Tiny Twisters Child Care Center.

Mayor Merrifield advised there will be three consecutive hearings on this CBDG application and opened the public hearing for Ms. Donna Lane, Grant Coordinator to proceed with the three hearings.

Community Development Block Grant Application

Ms. Lane read the following: Community Development Block Grant funds are available to municipalities through the New Hampshire Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, up to \$500,000 for public facility and housing projects and up to \$350,000 for emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

This is a proposed application to the Community Development Finance Authority up to \$500,000 in Community Development Block Grant funds, up to \$350,000 if submitted as an Emergency application. The application will be submitted for funding through Economic Development DCBG funds, Public Facility CDBG funds, and/or Emergency CDBG funds. The CDBG funds will be used towards the construction of the proposed Tiny Twisters Child Care Center in Franklin, New Hampshire. The majority of the daycare slots are filled, and the majority of additional slots will be filled with children from low and moderate income households. The majority of the employment opportunities at the daycare are available for low and moderate income persons.

This project conforms with Franklin's Housing and Community Development Plan's Goal of: Address public facility and social service improvement and coordination that will benefit the residents of Franklin. Encourage affordable daycare options for residents. (Long Term and Short Term Goal)

Funding request: up to \$500,000.

Mayor Merrifield opened the public hearing to the public for comments on the application for the CDBG Grant. Mrs. Betty Toby, Resident stating she supports the idea of a childcare facility. She asked which came first the possible closing of the Rowell School or the Tiny Twisters application for the grant. She questioned if anyone has thought that if the school district lacks the funds to keep Bessie Rowell School open then would there be consideration to Tiny Twisters using the facility.

No one else came forth to speak, the public hearing was closed.

Housing and Community Development Plan – Mayor Merrifield opened the public hearing. Ms Lane stated the City has had a housing and community development plan in the past and she advised the plan was taken that was already in place but there were a couple of things that needed to be adjusted. She advised there were lots of goals listed on the plan but none were identified as

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long term or short term and she advised she put long term/short term for all of the goals. She advised the City's plan states encourage affordable housing, encourage safe, sanitary water and wastewater system, and maintain historic properties, if possible. In the City's plan it states address public facility and social service improvement and coordination that will benefit the residents of Franklin and to that the line "Encourage affordable daycare options for residents. (Long Term and Short Term Goals)"

Ms. Lane stated that there are three policy statements that you always must have to apply for CDBG funds. (1) As a matter of policy the City of Franklin will minimize the involuntary displacement of households from the neighborhood (Ms. Lane stated the City already had this policy stated). She stated the new two policy statements that are required are (2) These goals are consistent with Franklin's Master Plan ordinances and (3) Any Federal CDBG Grant funds awarded to address any of these goals shall be expended consistent with national objectives and show, at a minimum, provide approved housing in accordance with Section VIII standards be it for public facility projects, employment opportunities or feasibility studies. All CDBG funded projects will primarily benefit low and moderate persons or households and shall not benefit moderate income persons to the exclusion of low income persons.

Ms. Lane stated these are the changes/additions she has made to the City's Housing and Community Development Plan to make sure that it is fitting the project and that it meets the new guidelines.

Councilor Clarenbach inquires if the City's Master Plan reflects what Ms. Lane has stated. Ms. Lane advised that this is from the old Housing and Community Development Plan and the following statement was in it: "The City of Franklin's Housing and Community Developments primary objectives are consistent with the City of Franklin's Master Plan, Merrimack County Housing Community Development Plan State and Federal objectives. Councilor Clarenbach commented he has never seen the housing plan so he is not sure if it references the City's current Master Plan. Mayor Merrifield commented that being

consistent with the goals of the community doesn't necessarily mean that it is stated explicitly in the Master Plan. Councilor Clarenbach commented that we are talking about a document that was created in 1973 and when has it been revised other than the revisions being presented tonight. Mayor Merrifield offered that the Housing and Community Development Plan was revised when the City received the last CDBG grant in 2007. Councilor Andreozzi stated she was on the Master Plan Committee and that one thing it does not mention is daycare, however, it does not eliminate daycare and talks about those types of things.

Councilor Audet inquired if the plan has changed since first presented wherein land was going to be purchased and a building constructed on the land. Ms. Stacey Richardson advised the plan has not changed. Councilor Audet stated so the Council has to approve this in order for you to get your money. Ms. Richardson stated in order to be able to apply for the grant; the support/approval of the City is needed. Councilor Audet commented that he has a problem with the project as a commercial piece of land would be used by a non-profit group and therefore there would be no collection of taxes. He also asked what happens if Tiny Twisters runs out of money, who owns the building and who is responsible, will this become a burden for the City of this were to happen. Ms. Lane explained that if Tiny Twisters were to go out of business, CDBG would place a lien on the property and the property becomes government owned. Councilor Audet commented that a lien on the property could last a long time and it doesn't mean the City would not be losing money and Councilor Audet commented if the Council approves this, he would like to see it be bonded with a performance bond. Ms. Lane stated the contractor for the construction would be bonded. Councilor Audet stated he is referring to once the building is completed and at some point in time there is no more funds to operate in the building. Ms. Lane offered that this is grant funds and does not have to be paid back. Councilor Audet commented there is nothing that would pay for the building being empty. Ms. Lane stated the building that is currently on the property has been vacant for a very long time and Tiny Twisters would be upgrading and improving the building.

Resident Mrs. Toby inquired if the building being referred to is the old building that was once a deli on South Main Street across from the storage building company. Mrs. Toby asked if there has been a lot of public input concerning this project and is there an opportunity to hold onto this idea until the school situation is settled at Bessie Rowell. Mayor Merrifield commented that this Council could not make any kind of any decision/judgment/plan concerning a school building. Councilor Bowers commented isn't the City just going to manage the grant.

No one else came forward to speak; Mayor Merrifield closed the public hearing on the Housing and Community Development Plan.

Residential Anti-Displacement and Relocation Assistance Plan

Ms. Lane explained this plan has to be adopted each time you make application for a CDBG Grant whether it is relevant to the plan or not. In the case of this project, the building is vacant and is not relevant. In this plan the agreement is if you take CDBG funds you will follow the Uniform Relocation Act if any household or business is displaced. The Uniform Relocation Act states that comparable housing in a comparable neighborhood for a comparable price. By readopting this for this particular project, the City agrees with that.

No one from the public came forth to speak; Mayor Merrifield closed the public hearing on this Plan.

Councilor Clarenbach commented that his concern is the City is being asked to modify a City document that no one has a copy of.

Motion made by Councilor Feener that the Franklin City Council adopt the Housing and Community Development Plan as presented. Motion seconded by Councilor Bowers.

Councilor Clarenbach commented that he believes the only thing that has changed is they have added us "Encourage affordable daycare options for residents (long-term and short-term). Ms. Lane explained there were a couple other changes made.

Councilor Andreozi commented she does like voting on something when she has not seen the complete document. She stated she is familiar with the plan from previously voting on it but she expressed some confusion as to what is being added and what is not being added.

Councilor Starkweather asked if the Council is voting on the application tonight as he does not see it on the agenda. Mayor Merrifield responded to Councilor Starkweather that he is correct, this is not an agenda item; the public hearing only has been an agenda item for two months. Councilor Starkweather asked where we go from here. Mayor Merrifield commented that there has been a motion offered to adopt the first of three items. Councilor Clarenbach commented that what is bothering him is we are amending a document that was adopted in 2007 and then adopting the amended document and we don't even have the document before us. He stated he is not opposed to the project but is opposed to the process.

The motion fails: 3 yes votes, 4 no votes and 1 abstention.

Mayor Merrifield suggested that this project be revisited at the June Council Meeting, that the public hearings have been held and is not necessary to hold public hearings again. Councilor Bowers asked if time is a concern. Ms. Lane responded that time is a concern. Councilor Bowers wondered if the Council could get together to discuss this one issue as he would hate to see them lose out on this opportunity.

Mayor Merrifield suggested that the Council take this issue up again this evening under Other Business rather than risk losing \$350,000 in grant funds. A Councilor

who voted against the previous motion would need to make a motion to reconsider.

Motion made by Councilor Starkweather that the Franklin City Council reconsider this issue on the CDBG Grant Application under Other Business tonight, motion seconded by Councilor Bowers. Motion passes 7 yes votes and 1 no vote.

Planning and Zoning Administrator Lewis was requested to go over the document and make note of the changes for the Council to offer better information as to what changes have been made to the previously adopted document.

Comments from the Public

Resident Mr. Leigh Webb reminded everyone that Community Day is almost here (May 14). If you are going to participate in the parade let Marcia Rollins know. Mr. Webb offered information on all the different activities and their time slots. Mrs. Denise Sharlow advised she is speaking on behalf of FBIDC and that a new tenant has moved into the Industrial Park, Big Cat Coffee. Mrs. Sharon advised FBIDC will continue with the beautification project downtown with the flower project, grant funds have been secured in the amount of \$5,000 from the NH Charitable Foundation and that was for equipment to continue watering the plants. Ms. Stacey Richardson on behalf of the Tiny Twisters requested support for another grant they will be applying for which is the USDA World Development Grant. One requirement for the grant is to have evidence of Community support and the document needs to be signed by a person representing the City of Franklin.

Motion made by Councilor Boyd and seconded by Councilor Sharon that the Franklin City Council support the USDA World Development Grant Application in behalf of the Tiny Twisters and authorize the City Manager to executive a document stating that support. All in favor, motion passes.

City Council Acknowledgements

Councilor Andreozzi thanked Police Chief Goldstein, the Franklin Police Department and law enforcement in New Hampshire for their efforts in helping rid Franklin of those people who wish to sell drugs. She also thanked Dick Lewis and the Planning and Zoning Department for their quick response in helping people access the Planning/Zoning Department as well as the Assessing Department

Mayor's Update

Mayor Merrifield advised that Mrs. Nancy Marceau of the Trip Center advised him that May 14, 2011, the same day as Community Day, there will be a March for Meals in Concord. Donations are being accepted.

Mayor Merrifield asked for a moment of silence in honor and remembrance of Mrs. June Doloff who was a long-term teacher at the Franklin High School and has passed away.

Approval of Minutes

Motion made by Councilor Sharon that the Franklin City Council approves the minutes of the April 4, 2011 City Council Meeting, motion seconded by Councilor Feener. All in favor; minutes approved.

Chair of the SAU and School Board

Mr. Ray Yonaitis presented the Council with the Contract between the School District and Franklin Custodians AFSCME AFL-CIO for July 1, 2011 through June 30, 2013. This is a two-year contract, pay increase agreed to is a 1% increase during the first and second year depending on what the teachers and their contract agreement is. Costs to the District are an increase of \$9,102 the first year and the second year \$10,657. He further advised concerning the Medical Insurance,

Single people will pay a higher percentage of 15% from 10%. The two-person plan, it will drop from 30% down to 25% and the family plan it will drop from 40% to 30%. The second year the single plan remains the same, the two-person plan will drop to 20% and the family plan will drop to 25%.

Mayor Merrifield advised that he and Mr. Yonaitis talked over the weekend and that he is requesting approval of this contract. Mr. Yonaitis stated he is asking for approval of this document. Councilor Bowers commented if this is voted on now, he will vote no as he just received this contract tonight and has had no time to review it. Councilor Clarenbach stated he interprets that the School District is decreasing what is paid on a single person plan and increasing what the District will pay on the two person and family plans.

Councilor Feener commented that over the next two years the health plan will go up about \$10,000. Councilor Starkweather inquired as to how many custodians does this plan cover. Mr. Yonaitis advised there are 16 under the contract.

Motion made by Councilor Clarenbach that the Franklin City Council approve the Agreement between the Franklin School District and the Franklin Custodians July 1, 2011 to June 30, 2013 with the applied cost estimates that have been provided. Motion seconded by Councilor Audet.

Councilor Feener offered an amendment to the motion that after Franklin Custodians AFSCME AFL-CIO should be included, amendment seconded by Councilor Clarenbach. Amendment passes, 7 yes votes, 1 no vote.

The motion as amended fails. The vote was 2 yes, 5 no and 1 abstention.

Mr. Yonaitis stated the next item he brought to discuss is a letter from the school's attorney in response to the City Council's resolution. He advised this letter was read at the school's last board meeting. He explained the reason this response was brought forward is the attorneys were sending letters back and forth and the email by Mr. Yonaitis requesting guidance from the Council to make

a motion so the school board could legally rescind their motion and return the money to the City without the school being legally held for the improper use of the money because \$84,000 was designated to be used for education by the school and returning it to the City where it would not be used for education, the board was worried about being held liable. He stated that was the basis of his email and ended up getting a resolution stating the school acted illegally and he stated in his opinion the resolution was uncalled for and the school was not using the money illegally. He stated he is asking for the Council to rescind the resolution and to show good faith, the school board has already rescinded their motion to encumber those funds and turn them back to the City.

Councilor Bowers commented that he appreciates the fact that the motion has been rescinded as his issue was there was a motion out there to spend money and the district is faced with closing a school. Councilor Bowers questioned how funds could have been encumbered after the closing of the fiscal year and why didn't the auditors pick up on that. He was advised that it would not show up until this year's fiscal audit which has not been completed. Councilor Bowers stated he has no problem rescinding the resolution. He stated he appreciates the board showing good faith and he expressed that the Council could show good faith and everyone could move on.

Motion made by Councilor Bowers that the Franklin City Council rescind Resolution #04-11, seconded by Councilor Audet.

Councilor Bowers commented that since the board has rescinded their motion, the resolution has no bearing because there is no motion to spend the monies. Councilor Andreozi requested clarification concerning the letter (copy attached) is signed sincerely, Franklin School Board and below that is Matthew H. Upton, Esq. who she stated she assumes is the Attorney but it does not state that. She inquired was this letter in this form sent to the School Board, signed by this attorney or was something else sent and then a letter drafted based on the attorney's information. Mr. Yonaitis responded that this letter was created to be presented to the City Council by the School Board. Councilor Andreozi asked to

whom was this letter sent by Attorney Upton. Mr. Yonaitis responded it was sent to the City Council and Councilor Andreozzi asked why didn't the City Council receive it and why was it read in public by you. Mr. Yonaitis responded that he read it before he hand delivered it so the board would know what was in the letter. Councilor Andreozzi responded you read it at a public meeting before the Council ever saw it. She stated that is her question if this letter was sent by the Attorney to the City Council, why was it read at a public meeting instead of it being delivered to the Council. Attorney Upton stated for clarification that he did not send a letter to the Council, that he assisted the Board in writing a letter to the Council responding to the issues that they had with the resolution but it was never sent to the Council, it was crafted for the School Board for the school board to deliver to the Council. Mr. Yonaitis apologized for misstating it.

Councilor Feener advised that he will vote against rescinding the resolution because it took the Council that far to go to get the school district to realize that the motion needed to be rescinded which took 4 or 5 months to do. Councilor Feener stated there seems to have been an awful lot of miscommunication and the resolution should be kept on the books as a reminder for the future. Councilor Andreozzi stated she did not vote for the resolution as she felt it was inappropriate and will vote to rescind it. Councilor Andreozzi further stated she wants to make it perfectly clear in her opinion that at the School Board meeting that Ray Yonaitis sent an email to the Council asking for a statement, the Council decided the only way they could make a statement was in a resolution. Never at the school board in a public meeting was it presented that Mr. Yonaitis requested that in the name of the School Board to have a statement, he did not request a resolution but that is what the Council decided was most appropriate.

Councilor Bowers commented that he understands what Councilor Feener is saying and that he agrees with him to a certain extent, however, when it was stated in the resolution that it was illegal, perhaps that could have been worded differently. Rescinding the resolution is a show of good faith. Councilor Clarenbach commented that he did not vote on the resolution and he stated he will vote to rescind it but he stated he truly believes there is a communication

issue between the School Board and the City Council. He stated he does agree with Councilor Feener who stated the way this should have been resolved is by having both boards sit down and hammer some issues out. Negotiations with attorneys were used, etc and this has been going back and forth which was a waste of everyone's time. He commented there are some very challenging times coming up with budgets and the tempo is wrong. He stated he has been attending the school board meetings of late and they have as many challenges if not more than the City side does. He stated we all need to get along and put this resolution to bed.

Councilor Audet moved the question, seconded by Councilor Andreozzi. All in favor, motion passes.

Motion passes to rescind Resolution #04-11. Vote: 7 yes votes and 1 No vote.

Councilor Bowers commented that the only way the School District could keep this money is if the Council were to do a supplemental appropriation and at this point it would have to come out of the general fund and at this point the City is dangerously low in the general fund and the Council could probably not do a supplemental if they wanted to and stay within the minimum that is required in the general fund. Councilor Bowers stated he would not propose a supplemental appropriation. Councilor Clarenbach suggested that if the School Board is interested in a resolution that they should bring forth all the information at the next meeting.

Mr. Yonaitis responded to a couple of email questions. First the question concerning the superintendent's contract and the motion to extend said contract. He advised that usually when a contract is renegotiated it is done 9 months in advance but began two months late in this case. Mr. Yonaitis explained that once the Evaluation Committee was established they began the process and stated they must let the superintendent know by November 30th is the contract is being renewed. He stated what will happen over the next two months is the evaluation by the Committee and then present it to the full SAU Board for their approval.

Then the board goes into negotiations handled by the Committee and then another meeting will bring it back before the SAU. Councilor Bowers asked if the exact wording on the motion the Board approved is available and Mr. Yonaitis advised he does not have that. Councilor Andreozzi stated she has the motion and will read it from the draft minutes, as they have not been approved and she stated she took this off the website: A motion was made, "Karen Grzelak moved to extend the present two year contract of their superintendent by 3 more years with term to be negotiated separately. Kathryn Russo seconded; motion passed, 9 in favor, 2 opposed". Councilor Bowers commented that is a motion to extend the contract by 3 years, that is what that motion says, you have already approved a 3-year extension. Mr. Yonaitis disagreed. Councilor Andreozzi advised she asked a couple of school board members when she heard this and before she had read the motion on the computer and they also told her that the contract had been extended. If indeed this was meant to be a recommendation to negotiate in that direction, she suggested before the minutes are approved the wording be changed or clarified. Mr. Yonaitis stated during the discussion it was stated that it would have to go through the evaluation process and Councilor Andreozzi stated that is not in the motion. Councilor Feener inquired what the intentions of Board Member Grzelak and Board Member Russo were as they made and seconded the motion and are in the audience. Mayor Merrifield commented this is a matter for the School Board to resolve. Councilor Bowers suggested it be brought up at the next board meeting and clarified.

Councilor Sharon thanked Mr. Yonaitis for his efforts and he suggested that everyone sit down as a team and solve the problems as the best that is possible and move forward in a positive direction. Mr. Yonaitis agreed with Councilor Sharon and stated he has said at board meetings, it isn't us and they it is we, it is our community, we are not separate and we need to work together. He stated the upcoming joint meeting will be a good thing and a start for all of us. We want to give our children the best education possible with the little that we may have.

Mayor Merrifield stated in mentioning the joint meeting May 16, 2011 and he commented he must have misunderstood and went ahead the next day and

requested the Council Chambers for the meeting as he had thought the meeting was going to be held in place of the school board meeting. Mayor Merrifield stated since then he has read in the press that it is preferred that this joint meeting will be the first 45 minutes of the school board meeting. Mr. Yonaitis advised that if more time is needed it will be taken. Mayor Merrifield advised the Council that this joint meeting that the City had posted showing it would be held in the Council Chambers is to be held at Paul Smith School Gymnasium and will be part of the School Board Meeting. The Mayor requested the City's posting be corrected to show that. Mr. Yonaitis informed the Council that this meeting will be just a Franklin meeting; only the Franklin School Board members will be attending.

Mr. Yonaitis stated this request is from him, not the board, that if you have questions, please inquire of the board. When emails are sent out and has only partial information, it causes more disruption than help. As an example, he cited that people think at the SAU meeting the SAU Budget was cut by \$27,000 but actually the budget was cut \$72,000 because we moved an employee that was being paid by Franklin where it belonged into the SAU so the cost of that employee was \$45,000 so technically the budget was cut \$72,000 which is 9 ½%. He advised as the Chair of both the School and the SAU Boards, if you have questions please call him or email me. Councilor Bowers asked if questions are to go directly to Mr. Yonaitis and not through the City Manager. He responded either way. Councilor Bowers commented the previous way was through the City Manager. Councilor Bowers stated he prefers the questions to go through the City Manager.

Monthly Report Franklin School Board

School Board Member Keith Lohmann and informed everyone that Rob Rollo has been nominated 1 of 28 teachers in the State for Teacher of the Year. The baseball and softball teams are off to a good start, both at 4 – 3 start and track is competitive this year. Mayor Merrifield asked questions that the Councilors had submitted. Councilor Andreozzi had submitted a couple of questions that the

Mayor advised he had given to Mr. Yonaitis and the first question was what is the date of the minutes where the discussion and decision relating to answer to the City Council's resolution of April 4th can be read? The letter was read at the April 18th. Councilor Andreozzi asked if it is correct that the School Board heard the letter for the first time at the April 18th meeting when it was read in public and Mr. Yonaitis responded correct. Councilor Andreozzi stated then there was not a vote in the minutes.

The other question was why was the Superintendent's contract extended to cover 5 years without an evaluation being done? Mayor Merrifield commented this was covered earlier.

Ordinance #04-11 – this ordinance concerns the City's Code concerning fund balance.

Motion made by Councilor Bowers that the Franklin City Council sets a public hearing for Monday, June 6, 2011 at 7:06 p.m. in the Council Chambers, Franklin City Hall on Ordinance #04-11 pertaining to Chapter 27, Article I of the City of Franklin Code, Fund Balance. Motion seconded by Councilor Feener.

Councilor Andreozzi inquired if the City Attorney has reviewed this ordinance and if not could it be reviewed by the next meeting.

All in favor, public hearing will be scheduled.

Motion made by Councilor Feener to read Ordinance #04-11 in title only, seconded by Councilor Bowers. All in favor.

Mayor Merrifield read "Ordinance #04-11".

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Deposit Policy

Motion made by Councilor Feener that the Franklin, New Hampshire City Council approves the Deposit Policy for the City of Franklin as recommended by the City Treasurer. Motion seconded by Councilor Bowers.

Councilor Clarenbach commented that when the City Treasurer is out, this policy requires either the Finance Director or the Finance Office Bookkeeper to make the deposit for the Clerk's Office and the Clerk's office would make it for the Finance Office. Councilor Clarenbach questioned what would happen if the Clerk's Office is closed for training and both the Finance Director and Bookkeeper are also out, then who makes the deposit. Manager Dragon commented the point is well taken, however, they feel the coverage is adequate.

All in favor, Deposit Policy is approved.

Agricultural Real Estate Lease

Motion made by Councilor Feener that the Franklin City Council approves Agricultural Real Estate Lease with Mr. Daniel L. Fife for the 34 acres of City owned property located off River Street, identified as Tax Map 123, Lot 403, and authorize City Manager Dragon to duly execute the lease on behalf of the City. Motion seconded by Councilor Starkweather. All in favor, lease is approved.

Renewal of Non-Exclusive Lease between the City and Central New Hampshire Amateur Radio Club

Motion made by Councilor Bowers that the Franklin City Council approves the Non-Exclusive Lease for a one-year period beginning July 1, 2011 and ending June 30, 2012 with Central New Hampshire Amateur Radio Club and authorize the City Manager to execute said lease. Motion seconded by Councilor Sharon. All in favor, motion passes.

Disposal of Property and Miscellaneous Items

Motion made by Councilor Feener that the Franklin City Council authorizes the City Manager to dispose of property and miscellaneous items located within the recently acquired tax deeded property (599-601 South Main Street) as well as other miscellaneous City surplus equipment. Motion seconded by Councilor Bowers.

Councilor Clarenbach commented that normally a list City equipment is provided. Manager Dragon commented right now she has nothing on the list but a message has been given to all department heads for anything they have and she stated she will share with the Council whatever information she gets from the department heads.

All in favor, motion passes.

Disposition of City Owned Lots located off a right-of-way on Smiling Hill Road

Motion made by Councilor Bowers that the Franklin City Council dispose of Tax Map 74, Lots 27, 37 and 38 on Smiling Hill Road through a sealed bid and set a minimum bid amount of \$4,000 to abutting property owners for all three lots, including the following conditions and requirements: All three lots are to be maintained in their current condition with no options for improvement or development and they must be merged with the purchasing abutters parcel. All bids to be received at City Hall no later than June 17, 2011 at 4:00 p.m. Motion seconded by Councilor Feener.

Councilor Clarenbach commented that if the road is a Class 6 road, improvements could be made to the road. Manager Dragon advised that currently it is a right-of-way owned by the City.

All in favor, motion passes.

Resolution #05-11 - this resolution concerns Contingent Grant Line

Motion made by Councilor Feener that the Franklin City Council sets a public hearing for Resolution #05-11 on Monday, June 6, 2011 at 7:07 p.m. in the Council Chambers, Franklin City Hall. Motion seconded by Councilor Bowers. All in favor, motion passes.

Resolution #06-11 – a resolution concerning matching funds provided by Professional Fire Fighters of New Hampshire Grant for Carbon Monoxide Hemoglobin Reader.

Motion made by Councilor Feener that the Franklin City Council sets a public hearing on Monday, June 6, 2011 at 7:10 p.m. on Resolution #06-11 in the Council Chambers, Franklin City Hall regarding a supplemental appropriation from funds held in trust for the Fire Department, in the amount of \$1,620.00, to match the funds offered to the City through Professional Fire Fighters of New Hampshire, for the purchase of a RAD 57 Carbon Monoxide Hemoglobin Reader. Motion seconded by Councilor Bowers. All in favor, public hearing to be scheduled.

Motion made by Councilor Feener that Resolution #06-11 is read in title only, seconded by Councilor Starkweather. All in favor.

Mayor Merrifield read: "Resolution #06-11."

Other Business

CDBG Grant on Behalf of Tiny Twisters Childcare

Motion was made by Councilor Starkweather and seconded by Councilor Bowers to revisit the CDBG Grant. All in favor, motion passes.

Motion made by Councilor Feener and seconded by Councilor Sharon that the Franklin City Council adopts the Housing and Community Development Plan.

Planner Lewis had been requested earlier in the Meeting to review the Housing and Community Development Plan and he advised that mostly the confusion was due to formatting. He also identified the changes for the Council which was minimal.

All in favor, motion to adopt the Housing and Community Development Plan passes.

Motion made by Councilor Feener and seconded by Councilor Bowers that the Franklin City Council adopts the Anti-Displacement and Relocation Assistance Plan. All in favor, motion passes.

Motion made by Councilor Feener that the Franklin City Council approves the submittal of the application and authorize the City Manager to sign and submit the application, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract. Motion seconded by Councilor Sharon.

Councilor Andreozzi inquired about funding since this is a matching grant and was informed they are applying for other grants and will be required to show they have the matching funds prior to receiving the CDBG funds. Councilor Andreozzi asked would Tiny Twisters consider the Bessie Rowell School for housing if the school should become available and use the funds to modify a section of the building to serve your purposes. This would be a board decision and has not been brought up but could be brought before the board. Councilor Sharon commented he feels this is a very positive project for the City and that personally he would rather see Tiny Twisters build and own their own building than lease.

All in favor, motion passes.

Committee Reports

Councilor Bowers reported that the MSD Committee met and discussed some items concerning the FY 12 budget and also noted that at the end of the FY11 budget, the Municipal Services Department will have perhaps less than \$5.00 to carry over. A tentative date of May 19th was discussed for a ground breaking ceremony for the Water Treatment Facility.

Councilor Feener advised the Legislative Committee met to discuss the possibility of realignment of the Wards and it was decided at this time realignment was not necessary and would also be costly. Mayor Merrifield thanked the Committee for looking into this as this is only possible once every 10 years.

Councilor Starkweather advised that the Fire Committee met and reviewed the proposed FY 12 budget and there were no big increases except to patch the holes in the roof again.

City Manager's Update

Manager Dragon's update is attached to these minutes. In addition to the written report attached, Manager Dragon advised that Fish and Game lease concerning the Webster Lake Boat Ramp is being reviewed by the Attorney General.

Manager Dragon advised that she has met with Mr. Lawrence Boyette with the Granite State Animal Shelter looking for ways to help the shelter as it would be a real burden if the City did not have the Shelter. Electricity costs were discussed and Manager Dragon suggested the cost for the electricity could be transferred to the Transfer Station as had been discussed during the budget discussions last year. Setting up a toll road on Punch Brook road in May or June, 2011 was also another idea for raising funds for the shelter. She also advised that the City can provide them with used oil for their oil heater. Volunteers will be needed as well as materials for their addition once that gets underway.

Motion was made by Councilor Bowers that the Franklin City Council approve the plans/assistance for the Animal Shelter as outlined/described by the City Manager. Motion seconded by Councilor Sharon. Motion passes. Vote 7 yes, 1 no vote.

School Board Appointment

Motion made by Councilor Clarenbach that the Franklin City Council appoints Mrs. Donna Gilbreth to the Franklin School Board, Ward II. Term of Service to January, 2012. Motion seconded by Councilor Andreozzi. Motion passes. Vote: 7 yes votes, 1 no vote.

Councilor Audet inquired about the recent Dispatch Contract with the Town of Bristol and why that was not brought before the Council. Manager Dragon advised that she followed the procedures that had been done in the past and in accordance with direction from the Police Committee. She also commented that Bristol filled a spot that had been vacated and if not filled the City would have lost \$30,000 - \$40,000.

Motion to adjourn made by Councilor Clarenbach, seconded by Councilor Bowers. All in favor, meeting adjourned at 10:10 p.m.

Respectfully submitted,

Sue E. May

DRAFT