

**CITY COUNCIL MEETING  
FEBRUARY 6, 2012**

Prior to the official City Council Meeting the Franklin Division III Fall Spirit State Cheerleading Champions were honored with a Proclamation read by Mayor Merrifield proclaiming Monday, February 6, 2012 as their special day. A recording was also played showing the cheerleaders in competition. These cheerleaders have won a State Championship five times.

**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 Councilor Clarenbach.

**In Attendance**

Councilor Clarenbach, Councilor Boyd, Councilor Starkweather, Councilor Trudel, Councilor Feener, Councilor Desrochers, Councilor Cournoyer, Councilor Sharon, Councilor Dzujna, Manager Dragon and Mayor Merrifield.

**Comments from the Public**

Chief Goldstein stated that recently he had the opportunity to experience something quite unique. Franklin was well represented by members of the Franklin Initiative at the Legislature. He stated he has been going to Legislative meetings for 2 years as a member of the Chiefs Committee on Legislative Matters and concerning the legalization of marijuana our young people took a stand and made some serious points with the legislators to the degree that an in the hall debate with two very rabid pro legalization representatives and not for one minute did those kids give an inch. He stated they should be commended and Chief Goldstein commented they will be future leaders.

**Legislative Comments**

Written update provided by Representative Rago.

### **City Council Acknowledgement**

Councilor Desrochers acknowledged Max Maynard and Sam Barry, both Boy Scouts from Troup 61 in Franklin and working to become Eagle Scouts. Councilor Desrochers stated that both boys are within 5 or 6 badges of making Eagle Scout and to become an Eagle Scout you must earn 21 merit badges and perform a community service project before becoming an Eagle Scout.

### **Mayor's Update**

Mayor Merrifield commented that it has been learned by the Council that Fire Chief Brad Smith is retiring from service. Mayor Merrifield congratulated Chief Smith on an excellent career and excellent service to the City of Franklin.

### **Approval of Minutes**

***Motion made by Councilor Feener that the Franklin City Council approves the minutes of the December 19, 2011 City Council Meeting; the January 3, 2012 Inaugural and City Council Meeting, and the January 23, 2012 City Council Meeting. Motion seconded by Councilor Sharon.***

Councilor Starkweather advised on Page 3 of the December 19 minutes, second paragraph should read currently upstairs in City Hall. Councilor Dzujna advised on Page 6 of the December 19 minutes, the third paragraph should read Councilor Bowers stated he hopes the name. Mayor Merrifield advised on Page 1 of the December 19 minutes, the word audit is misspelled and Councilor Desrochers noted also on Page 1 Bessie Rowell School Building (building was misspelled).

***Minutes approved as corrected.***

### **School Board Report**

School Board member Mr. Lohmann gave the school board report stating the Necap scores are in and are showing improvements, not only for this year but over time. This year the gain overall was 11%, 11.5% in Math and 6.85% in Reading. 56% of district students were pro-efficient or above in Math and 70% were pro-efficient or above in Reading. Third grade math improved 22%, 6<sup>th</sup> City grade math 16%, 8<sup>th</sup> grade math 24%. Third grade reading improved 17%, 8<sup>th</sup> grade 12% and 11<sup>th</sup> grade 24%.

Councilor Desrochers inquired how much of the \$75,000 that was approved from the Special Education budget has been used. Mr. Lohmann responded that thus far none has been used. Councilor Desrochers commented that he does not want to see the school come up short and asked if the funds are used will they be replaced and Mr. Lohmann stated if funds are available to do that yes they would be replaced.

**Presentation by Michael Bergeron with DRED**

Mr. Jim Aberg, FBIDC introduced Mr. Bergeron with the Department of Resources and Economic Development. His presentation offered some helpful information on preparing a website to give a positive impression to industry/business that would be looking for a location. The presentation also gave information for the Planning and Zoning Boards and their handling of applications.

Mr. Aberg stated Webster Value will be announcing an 11 million dollar expansion at their facility which is a new lead-free foundry which will be the first in the East.

**Resolution #09-12** – this resolution would increase the contingent grant line for expenditures and revenue from \$50,000 to \$86,000.

***Motion made by Councilor Feener that the Franklin City Council schedules a public hearing on Resolution #09-12 for Monday, March 5, 2012 at 7:05 p.m. in the Council Chambers, Franklin City Hall. Motion seconded by Councilor Trudel. All in favor, public hearing will be scheduled.***

Mayor Merrifield read Resolution #09-12 into the record:

**RESOLUTION #09-12**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2012.**

**In the year of our Lord, Two Thousand Twelve,**

**WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2012 which began July 1, 2011, and;**

**WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes the need to increase appropriations in the City's contingent grant revenue and expenditure lines to accommodate the donations received for the Franklin Mayor's Drug & Alcohol Abuse Task Force for Fiscal Year 2012, and;**

**WHEREAS, the City Council of the City of Franklin, New Hampshire understands these donations are necessary to achieve the required in kind match for the federal Drug Free Communities grant which funds the Franklin Mayor's Drug & Alcohol Abuse Task Force, and;**

**WHEREAS, the City Council of the City of Franklin recognizes that the above appropriation will have no affect on taxes or fund balance as the expenditures are 100% funded by donated sources as received, Now**

**THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, March 5, 2012, the City Council of the City of Franklin, New Hampshire does hereby authorize an increase in revenues:**

**Contingent Grants Acct#01-0-000-33540-000 - Thirty Six Thousand Dollars (\$36,000).**

**And an increase in expenditure account "Contingent Grants" Account No. 01-1-302-40599-000 in the total amount of Thirty Six Thousand Dollars and No Cents (\$36,000) by a roll call vote.**

**State Conservation Grant for Webster Lake Water Quality Project**

***Motion made by Councilor Feener that the Franklin City Council authorize the acceptance of the 2012 Conservation License Plate Grant for certain work associated with Webster Lake Water Quality Improvement Projects and authorize the City Manager to sign all appropriate contracts or agreements and take any and all actions necessary to assist in the completion of this project, including the expenditure of grant funds or other funds appropriated for this project. Motion seconded by Councilor Clarenbach. All in favor, motion passes.***

**Resolution #10-12** – this resolution concerns a supplemental appropriation in the amount of \$40,955 which is remaining funds from the Water Main Replacement Project on Memorial Street as the project came in under budget.

***Motion made by Councilor Clarenbach that the Franklin schedules a public hearing on Resolution #10-12 for Monday, March 5, 2012 at 7:06 p.m. in the Council Chambers, Franklin City Hall. All in favor, public hearing will be scheduled.***

Mayor Merrifield read Resolution #10-12 into the record:

#### **RESOLUTION #10-12**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2012.**

**In the year of our Lord, Two Thousand Twelve,**

**WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2012 which began July 1, 2011, and;**

**WHEREAS, the City Council has approved the Water Main Replacement Project on Memorial Street in Resolution 03-11 as a non-lapsing appropriation, and;**

**WHEREAS, the City Council recognizes that the Water Main Replacement Project on Memorial Street came in under budget by \$40,955, and;**

**WHEREAS, the City Council wishes to utilize the remaining \$40,955 appropriation from the Water Main Replacement Project on Memorial Street to offset unanticipated expenses for emergency water main replacements for Pemigewasset and Gerrish Street, Now**

**THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, March 5, 2012, the City Council of the City of Franklin, New**

**Hampshire does hereby approve the use of remaining Water Main Replacement Project on Memorial Street non lapsing appropriations to offset unanticipated expenses for emergency water main replacements for Pemigewasset and Gerrish Street.**

**Resolution #13-12** – a resolution concerning a supplemental appropriation concerning the authorization of additional non-lapsing appropriations for the completion of the Water Fund's "Capital Efficiency Plan in the amount of \$45,000.

***Motion made by Councilor Clarenbach that the Franklin City Council schedules a public hearing on Resolution #13-12 for Monday, March 5, 2012 at 7:09 p.m. in the Council Chambers, Franklin City Hall. Motion seconded by Councilor Starkweather. Motion passes to schedule the public hearing.***

Mayor Merrifield read Resolution #13-12 into the record:

#### **RESOLUTION #13-12**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2012.**

**In the year of our Lord, Two Thousand Twelve,**

**WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2012 which began July 1, 2011, and;**

**WHEREAS, the City Council has approved the Capital Efficiency Plan as part of the fiscal year 2012 water budget, and;**

**WHEREAS, the City Council wishes to use additional capital reserve monies set aside in the Water Fund for accelerated completion of the Water Fund's "Capital Efficiency Plan" currently underway, Now**

**THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, March 5, 2012, the City Council of the City of Franklin, New**

**Hampshire does hereby authorize the following additional non lapsing appropriations for the accelerated completion of the Water Fund's "Capital Efficiency Plan":**

**An increase in revenues, Transfer In – Capital Reserves Acct#21-0-000-39150-000 – Forty Five Thousand Dollars (\$45,000),**

**And an increase in expenditures, Engineering Acct#21-0-331-40335-000 – Forty Five Thousand Dollars (\$45,000) by a roll call vote.**

**Resolution #11-12 – this resolution concerns the return of funds reimbursed by FEMA and other insurance funds to the Fire Department budget.**

***Motion made by Councilor Feener that the Franklin City Council schedules a public hearing on Resolution #11-12 regarding the return of funds reimbursed by FEMA and other recuperated insurance funds, to the Fire Department budget on Monday, March 5, 2012 at 7:10 p.m. in the Council Chambers, Franklin City Hall. Motion seconded by Councilor Trudel. All in favor, public hearing will be scheduled.***

Mayor Merrifield read the resolution into the record:

**RESOLUTION #11-12**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2012.**

**In the year of our Lord, Two Thousand Twelve,**

**WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2012 which began July 1, 2011, and;**

**WHEREAS, the City Council recognizes that Hurricane Irene has been declared a disaster by the Governor of the State of New Hampshire, and;**

**WHEREAS, the City Council recognizes that the City Fire Department has been approved for Federal Emergency Management Agency (FEMA) funding through the New Hampshire Department of Safety Division of Homeland Security for losses, both equipment and personnel, incurred from a river rescue performed by the Fire Department during Hurricane Irene, and;**

**WHEREAS, the City Council recognizes that the City Fire Department has received partial reimbursement from a private insurance carrier for the river rescue, and;**

**WHEREAS, the City Council wishes to appropriate the FEMA funding and private insurance carrier reimbursement to cover these unanticipated losses in the Fire Department, Now**

**THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, March 5, 2012, the City Council of the City of Franklin, New Hampshire does hereby accept the Federal Emergency Management Agency funding and authorizes the following appropriations,**

**An increase in revenues:**

**Federal Grant Revenue – Rescue Acct# 01-2-207-33110-000 – Two Thousand Two Hundred Twenty Six Dollars and 14 Cents (\$2,226.14),**

**Other Fire Revenues – Acct#01-2-000-34079-000 – One Thousand Two Hundred Forty Four and Sixteen Cents (1,244.16),**

**And an increase in expenditures:**

**Protective Clothing Acct#01-2-207-40643-000 – Ninety Dollars (\$90),**

**Machinery and Equipment Acct#01-2-207-40740-000 – One Thousand Two Hundred Forty Four and Sixteen Cents (\$1,244.16),**

**Radio Acct#01-2-202-40630-000 – Seven Hundred Twelve Dollars and Forty Six Cents (\$712.46),**

**Overtime Acct#01-2-202-40140-000 – One Thousand Thirty Seven Dollars and Forty Five Cents (\$1,037.45),**

**Medicare Acct # 01-2-202-40225-000 – Fifteen Dollars and Five Cents (\$15.05),**

**New Hampshire Retirement Acct#01-2-202-40230-000 – Two Hundred Thirty Seven Dollars and Forty Seven Cents (\$237.47),**

**Admin Wages Acct#01-2-201-40110-000 – One Hundred Seven Dollars and Fifty Three Cents (\$107.53),**

**Admin Medicare Acct#01-2-201-40225-000 – One Dollar and Fifty Six Cents (\$1.56),**

**Admin New Hampshire Retirement System Acct#01-2-201-40230-000 – Twenty Four Dollars and Sixty Two Cents (\$24.62),**

**By a roll call vote.**

**Revised Inter-Municipal Agreement for the Cable Franchise Consortium**

***Motion made by Councilor Feener that the Franklin City Council approves the amended Inter-Municipal Agreement for the Cable Franchise Consortium and authorize the Franklin City Manager to execute this agreement. Motion seconded by Councilor Boyd. All in favor, motion passes.***

Manager Dragon requested a vote of approval to add the Towns of Pittsfield and Northwood to the Cable Consortium.

***Motion made by Councilor Boyd to approve the adding of Pittsfield and Northwood to the Cable Consortium. Motion seconded by Councilor Clarenbach. All in favor, motion passes.***

### **Other Business**

### **Committee Reports**

Councilor Clarenbach advised the MSD Committee met last week and discussed the option of the two tanks versus the one 750,000 gallon tank. After receiving additional information which was mostly information already received, the Committee endorsed the two 500,000 gallon tanks and the cost not to exceed the

\$3,030,000. The actual estimates are less than that and the Committee wanted to make sure the documents would include if the items did come in under budget, some water main work could be done on the West side as well.

Councilor Dzujna stated earlier today a Parks and Rec Committee Meeting was held and he advised he had gone around the community and made a list of things that might be needed for the Parks/Rec Department. He stated they will take a look at it and determine what is Parks/Rec and what isn't.

### **City Manager's Update**

Manager Dragon stated \$3.00 was received from the Santa Project for the contingent grant line. The Lakes Region Chamber of Commerce awarded the City of Franklin the Golden Hammer award for the Downtown project. Manager Dragon also advised East Coast Signals has reviewed the issues with the traffic lights and will be making some changes. The Rural Development Mediation meeting has been rescheduled for February 16, 2012 at 1:30 p.m.

Manager Dragon stated everyone is very sad to have Fire Chief Smith retire from the City of Franklin but we wish him well in his future endeavors. She stated he

has been a wonderful leader in his department and has done some great things. She also commented on the letter received from Concord Hospital Cardiac Care complimenting the Franklin Fire Department crew for their care, service, dedication and expertise concerning a patient brought to the Emergency Room with a door-to-balloon time of 37 minutes and the guidelines state 90 minutes or less for a patient.

The Webster Lake Boat Ramp Project has been delayed due to weather and Manager Dragon has been advised that the weather continues to be an issue and work will probably not begin until spring.

Manager Dragon provided a FY2013 proposed Budget Schedule and noted that the Manager's budget completion date has been moved from June to May 7<sup>th</sup> City

Council Meeting date to provide more time for the Council to hold budget work sessions. She stated there will be more information coming in during the months of May and June; however, she stated she will keep the Council updated. Manager Dragon inquired of the Council if they would like to hold a budget planning session without numbers but would be a general discussion sometime in March and she suggested March 26 which is the last Monday of the month and is reserved for the City Council. It was agreed a planning session meeting concerning the budget would be scheduled for Monday, March 26, 2012 at 7:00 pm.

The most Board of Directors FBIDC meeting Manager Dragon attended a discussion was held on the Holiday Shop Hop Contest and it was well received. Manager Dragon advised FBIDC has been working hard on the Downtown Window Project and offered a special thank you to Councilor George Dzujna for all his efforts on this project. FBIDC has also been working on creating a fiscal agent policy as they are fiscal agent for many non-profit groups who are looking to get a grant and often run the grant through FBIDC and they are hoping to tighten up their policies. She advised lately there has been interest in the Polyclad building and the price has dropped so it is hoped to get the building up

and running soon. She also advised that Big Cat Coffee was recently featured in the Citizen for future expansion plans.

Concerning the City's website, FBIDC is working with the City on this project as well as in support of the Bessie Rowell Project.

February 13<sup>th</sup> at 5:00 p.m. a City of Franklin Business Owners Meeting who have been a victim of a crime are invited to meet with Mayor Merrifield, Manager Dragon and Police Chief Goldstein. The purpose of the meeting is to have everyone learn more about what the Franklin Police Department is doing. This meeting is open to the public.

Manager Dragon advised that earlier today she attended the Winnepesaukee River Basin Meeting Advisory Board and Representative Frank Tilton from Laconia

had put forward House Bill 1130 concerning weighted voting on the Advisory Board which would have given Laconia quite an advantage on the Board. Manager Dragon had spoken in opposition to the bill and Mr. Tilton requested to meet with the Advisory Board and after everyone spoke with him it appears that he has been convinced to recommend interim study on the bill and give the group more time to complete their work.

Manager Dragon commented on House Bill 1669 and Senate Bill 294 and that both require deposited funds be eliminated and rolled back in, which could potentially impact the Winnepesaukee River Basin Sinking Fund which is all of the rate payers money, it is not a State fund.

Manager Dragon recognized Finance Director Judie Milner as she recently saved the City \$4,442.06 and Director Milner accomplished this by being persistent with the Workmen's Comp Audit and did not feel it was correct and the numbers were incorrect so she had them come back and redo the audit and Director Milner was correct and the City received a credit of \$4,442.06.

Manager Dragon advised she recently had a meeting with representatives from the school district at the Bessie Rowell School. She met with Supt. Ward, Finance Director O'Neill and School Board Chair Yonaitis and the remaining funds for the Bessie Rowell School closure and the issue of the storage of the tables and chairs. They arrived at a resolution that the school can use the chairs that are under the stage for graduation, there is no reasons for them to have to buy chairs or the City either, and they need a couple of tables that are broken and they will take a couple of tables and that will resolve the issue. If this is acceptable to the Council, then the School is willing to release the remaining funds that were in the motion concerning the \$6,000. Manager Dragon commented it was a good and productive meeting. There was no objection from the Council concerning the agreement. Councilor Dzujna commented the better we can get along the better off we all will be. Councilor Desrochers stated we should go along with this resolution and put this to bed and move on and work together as a community.

#### **Council Appointment**

***Motion made by Councilor Clarenbach and seconded by Councilor Boyd to appoint Tamara Feener to the School Board, Ward II. Term of service to January, 2013. All in favor, motion passes.***

#### **Late Items**

#### **Contract between the City and Jane Sanders Searches**

***Motion made by Councilor Clarenbach that the Franklin City Council approves the contract between the City of Franklin and Jane Sanders Searches. Motion seconded by Councilor Starkweather. All in favor, motion passes.***

**Resolution #12-12** – this resolution concerns the acceptance of a conservation license plate grant from the State of New Hampshire Conservation Committee in the amount of \$4,999.

***Motion made by Councilor Feener that the Franklin City Council schedules a public hearing on Resolution #12-12 for Monday, March 5, 2012 at 7:11 p.m. concerning the proposed appropriations and expenditures of funds associated with the 2012 Conservation License Plate Grant for certain work associated with the Webster Lake Water Quality Improvement Project. Motion seconded by Councilor Starkweather. All in favor, motion passes to schedule the public hearing.***

Mayor Merrifield read Resolution #12-12 into the record:

**RESOLUTION #12-12**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2012.**

**In the year of our Lord, Two Thousand Twelve,**

**WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2012 which began July 1, 2011, and;**

**WHEREAS, the City Council has accepted a conservation license plate grant from the State of New Hampshire Conservation Committee in the amount of \$4,999, and;**

**WHEREAS, the City Council recognizes that the conservation license plate grant is for the ongoing project for Webster Lake Water Quality Enhancements, and;**

**WHEREAS, the City Council recognizes that the conservation license plate grant does not require matching funds from the City of Franklin, and;**

**WHEREAS, the City Council wishes to appropriate the conservation license plate grant, Now**

**THEREFORE BE IT RESOLVED**, that at the scheduled meeting of the City Council on Monday, March 5, 2012, the City Council of the City of Franklin, New Hampshire does hereby authorize the following appropriations,

**An increase in revenues:**

**Other State Grant Revenue Acct# 01-0-000-33591-000 – Four Thousand Nine Hundred Ninety Nine Dollars (\$4,999.00),**

**And an increase in expenditures:**

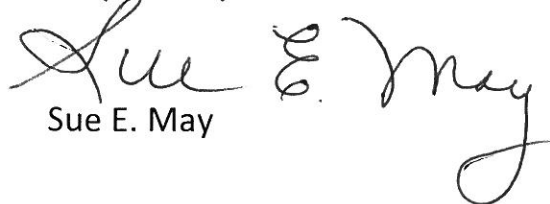
**Drainage & Vegetation Engineering Acct#01-3-125-40335-000 – Four Thousand Nine Hundred Ninety Nine Dollars (\$4,999.00),**

**By a roll call vote.**

Manager Dragon recognized the Police Chief and the Franklin Police Department as there was a burglary, pickup truck had been stolen, snowmobile, a bike, etc. and the police were on his trail and one of the Neighborhood Watch Groups that the City has been working with noticed someone in their neighborhood and they communicated it to the Police Chief and it tied in with the same crime that was being investigated and a search warrant was issued and the Police Chief and Police Department did catch the man who committed the crimes. Manager Dragon stated this is a success story on how it all worked well together.

***Motion to adjourn made by Councilor Feener, seconded by Councilor Clarenbach. All in favor, meeting adjourned at 8:25 p.m.***

Respectfully submitted,

  
Sue E. May