

**CITY COUNCIL MEETING
APRIL 1, 2013**

Call to Order

Mayor Merrifield called the meeting to order at 6:00 in the Council Chambers, Franklin City Hall. Salute to the Flag was said led by Councilor Feener.

In Attendance

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

Absent

Councilor Boyd

Proclamation to Mrs. Carol Laro

Mayor Merrifield recognized Mrs. Laro's 22 years of outstanding and dedicated service in handling the fees of the Trustees of the Trust Funds for the City of Franklin. As the volunteer Administrative Assistant for the Trustees of the Trust Fund for all these many years, Mayor Merrifield proclaimed Monday, April 1, 2013 as Carol Laro Day in the City of Franklin.

Comments from the Public

Mrs. Annette Andreozzi, resident stated she feels that the committee budget meetings should be scheduled during evening hours and not business hours and she understands that some of the meetings have been scheduled during the day (working hours) and people that work would not be able to attend. She suggested that consideration be given to changing the times of the meetings.

No one else came forth to speak; Mayor Merrifield closed comments from the public.

Legislative Comments

Representative Webb advised HB575 extends the hours for the selling of liquor and he referred to the bill as a sort of enabling legislation in that the local authority can opt out. The State budget will be considered this week and the good news is State Aid Grants are funded. He stated he received an email from CDFA that the Trip Center was funded to move to the Community Center. The not so good news is the flood land compensation as it currently stands in the budget is only at 30% that New Hampshire is responsible for. Northern Pass bills have been retained by the House. Mayor Merrifield advised Senate Bill #99 was amended by the Committee to remove high voltage transmission projects so that is good for Northern Pass. There was an effort when it came to the full Senate to add high voltage transmission back into the bill and that effort was defeated 20 to 4.

City Council Acknowledgements

None

Mayor's Update

Mayor Merrifield stated the main thing he wanted to comment on was the good news that the high voltage transmission projects were removed from Senate Bill #99.

Approval of Minutes

Motion made by Councilor Dzujna that the Franklin City Council approves the minutes of the March 4, 2013 City Council Meeting, motion seconded by Councilor Feener. All in favor; minutes approved.

School Board Report

School Board member Mr. Al Warner advised the school will hold budget meetings April 2nd and April 16th at 6:30 p.m. at the Professional Development Center in the SAU Office.

Proposed Project for Griffin Beach

Mr. Mark Lorenze, President of the Webster Lake Association addressed the Mayor and Council concerning the possibility of constructing a Pavilion at Griffin Beach. He stated the idea of a Pavilion came out of the happenings at the Fishing Derby this winter when on the second day with 50 mile per hour winds the tent that was used from Choose Franklin nearly blew down and there was some cooking going on under the tent so it was taken down for fear of a possible fire. In thinking about such a project Mr. Lorenze looked around at other communities and found many had pavilions and he stated if Franklin were to have one there would be many organizations and residents that probably would use it. He advised he has spoke to Director Sullivan, Director Lewis and Director Alpers about this possible project. Mr. Jeff Hinds went to a lumber company and got a quote of approximately \$10,000 for lumber for a gable end pavilion with a couple additional gables and the size would be 20 x 30. Mr. Lorenze stated they feel they should think in the range of \$10,000 for materials. He stated he could probably get help from volunteers to assist in putting up the pavilion and maybe some assistance from the City. Mr. Lorenze advised that when he talked with Director Sullivan he was informed that they would need to get an engineer and engineers Provan and Lorber have been contacted and they did the stormwater mediation engineering for the parking lot at Griffin Beach. He asked for the Council's input and guidance as to feasibility of this project. He stated they need help, Director Alpers stated she would help. He stated they raised \$3,000 at the Fishing Derby this year and could contribute that amount to this project. The Webster Lake Association would also contribute \$2,000 as well as the Elks which brings the total to approximately \$7,000 and he asked if the Council might know of other civic organizations that might help fund this project or a grant. It was also suggested maybe finding someone that might want naming rights. Mayor Merrifield stated he feels it is a great idea; however, the General Fund of the City is an unlikely

candidate for funding knowing what the City is facing in increased costs in retirement costs for both the City and the School. Councilor Dzujna stated he thinks it is a great idea and would enhance the beach. He suggested that maybe a table could be set up for the project on Community Day. The Lyons and the Rotary Clubs as well as VFW, Masonic Lodge and Knights of Columbus were suggested as possible supporters for the project. Councilor Sharon stated every year the Rotary Club puts a certain amount of funds away to be used for community project and would be glad to help. Councilor Cournoyer commented that he is in favor of the project. Manager Dragon suggested that once the engineer is involved and you come up with a layout then have a discussion with Director Sullivan and Director Lewis which will help to finalize the plans. Councilor Clarenbach commented he is also in favor of the project but questioned if the City would have the ability to take care of the pavilion after it would be donated to the City. Councilor Trudel pretty much agrees with what is being proposed but he also stated he agrees with Councilor Clarenbach concerning the care and maintenance of the pavilion. Councilor Trudel stated it would be good to get everything together including the setback from the State and then come back. Mr. Lorenze stated yes it is in the preliminary stage at the moment. Councilor Feener commented the concept is great and he is in favor of the project and as this goes forward be sure to work with Municipal Services as they are the ones what would have to maintain it. Councilor Starkweather stated he would be in favor of the project and suggested they get with their engineer as they would probably have a lot of deciding factors such as placement and size.

Resolution #07-13

Motion made by Councilor Feener that the Franklin City Council schedules a public hearing for Monday, May 6, 2013 at 6:05 p.m. to consider the approval of Resolution #07-13 to authorize the acceptance and expenditure of funds associated with the stormwater and wetland replication project on Lake Shore Drive. Motion seconded by Councilor Trudel.

Mayor Merrifield read Resolution #07-13 into the record:

RESOLUTION #07-13

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2013.

In the year of our Lord, Two Thousand Thirteen,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2013 which began July 1, 2012, and;

WHEREAS, the City Council has accepted grants from the NH DES ARM Project and the Moose Plate Program for water quality improvements adjacent to Webster Lake, and;

WHEREAS, the City Council recognizes that additional funding from the NH DES ARM Project [\$18,000] and the US Department of Agriculture's NRCS Program [\$13,000] has come forward to assist with these water quality improvement, and;

WHEREAS, the City Council recognizes that this additional funding does not require matching funds from the City of Franklin, Now

THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, May 6, 2013, 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# 01-3-238-33112-000 – Thirty-One Thousand (\$31,000.00),

And an increase in expenditures:

Drainage & Vegetation Engineering Acct#01-3-125-40335-000 – Thirty-One Thousand (\$31,000.00)

By a Roll Call Vote

All in favor, motion passes to schedule a public hearing.

Resolution #08-13

Motion made by Councilor Feener that the Franklin City Council set a public hearing on Resolution #08-13 for Monday, May 6, 2013 at 6:06 p.m. Motion seconded by Councilor Starkweather.

Mayor Merrifield read Resolution #08-13 into the record:

RESOLUTION #08-13

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2013.

In the year of our Lord, Two Thousand Thirteen,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2013 which began July 1, 2012, 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 increased number and magnitude of grant awards and donations received by City departments for Fiscal Year 2013, and;

WHEREAS, the City Council of the City of Franklin recognizes that the appropriation will have no effect on taxes or fund balance as the expenditures are 100% funded by various grant or donated sources as awarded/received, Now,

THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, May 6, 2013, the City Council of the City of Franklin, New Hampshire does hereby adopt Resolution 08-13 authorizing the following appropriations:

An increase in revenues:

Contingent Grants Account# 01-0-000-33540-000 – Ninety Thousand Dollars and No Cents (\$90,000),

And an increase in expenditures:

Contingent Grants Account# 01-1-302-40599-000 – Ninety Thousand Dollars and No Cents (\$90,000),

By a roll call vote.

All in favor; motion passes to set a public hearing.

Ordinance #09-13

Motion made by Councilor Desrochers that the Franklin City Council set a public hearing for Monday, May 6, 2013 at 6:07 p.m. regarding the approval of Ordinance #09-13 regarding a personnel policy change to the Franklin Municipal Code Chapter 347 Section 50 to comply with the Patient Protection and Affordability Care Act (PPACA). Motion seconded by Councilor Trudel.

Mayor Merrifield read into the record the language that is being added:

Dependent coverage is available to part time regular employees regularly scheduled over 30 hours per week for a cost to the employee of the difference between the selected plan and the single/employee-only coverage.

All in favor; motion passes to set public hearing.

Emergency Management Performance Grant (EMPG) Agreement

Motion made by Councilor Trudel that the Franklin City Council allows the City Manager to sign all documents that relate to the acceptance of grants that will allow for review of the City's Local Emergency Operations Plan. Motion seconded by Councilor Starkweather. All in favor; agreement is approved and the City Manager is authorized to sign. (Attached to these minutes is the agreement).

Other Business

Committee Reports

Councilor Trudel advised the minutes of the last School Liaison Committee meeting were distributed to everyone and he stated it did come up in the meeting about when a date would be set for the meeting between the School Board and the City Council. He advised he has received input from people in the community that are disappointed that this goes back to last November and we are still no closer to holding the meeting. The School Board has made some progress in having Don Jutton act as the moderator. Manager Dragon commented just as a follow-up now that we have approval from the school board, a time line has been set with a target completion date of April 30, 2013. What Mr. Jutton hopes to do is have the survey finished and to the Superintendent and me by next Tuesday, April 9th and then have it to the Council and School Board members by April 12th and back to him by April 17th. He will tabulate it, analyze it and have a suggested agenda to us by April 22nd.

City Manager's Update and Legislative Review

Manager Dragon advised the Contingency Grant Line this month received \$75 from the Boy Scouts for Odell Cottage repair and \$10,611.61 from the State of New Hampshire for continued Fire Training.

April 4th Choose Franklin will host another business stroll this time to the Franklin Industrial Park. She also advised the pay study has begun; the last time this was done in a comprehensive way was in 2006. She stated she has met with Thornton & Associates who was chosen from a response of four proposals. This project is anticipated to be completed by the end of June. A list of the communities being used in the study was given by Manager Dragon and she inquired if anyone had any changes or additions they would like to make. Mayor Merrifield commented that in 2006 when this was last done it was stressed that median salaries should be taken, not an average. Councilor Clarenbach commented that he is not concerned with the list of the communities but he is concerned that when the data is received at the end of June the budget will have already been reviewed and we will be using year old data by the time a change could be made, plus or minus.

The City has been awarded the CDBG Grant (up to \$450,000) for the TRIP Center to relocate to the Bessie Rowell Community Center and is contingent upon funds coming through from HUD.

Manager Dragon commented that concerning her legislative update, if you haven't had an opportunity to read the report yet, be sure to take a look at the analysis of the State's

down shifts which has been significant over the years. It will help you get some perspective as to what has been happening in the City as some of these revenues are suspended and never come back. She advised she is hopeful that the City will see some change to that but until the budget is all done we won't know. In the Governor's budget she had proposed adding back some money to the meals and rooms in the second year and so far we are getting support for the State Aid Grant Funds for the Wastewater Treatment. She stated she would like to see revenue sharing return. Councilor Clarenbach commented the State took the entire percentage for retirement that they were paying away but the City is still paying for miles of State Highway. The City is probably paying for approximately 8 miles of State Highway that the City maintains because of an agreement made in the 1930s that we have an urban compact. Why should the City be doing an urban compact and paying for bridges, roads, etc. of State Highway, not our local roads if they are renegeing on their obligations. Mayor Merrifield commented that what is most disturbing to him about the retirement costs is the City is obligated to be a part of the program and now there is no longer any subsidy from the State.

Manager Dragon stated in revenue sharing which was \$138,346 annually that the City received from the State of New Hampshire that has been suspended in the 2010 State budget and funeral expenses was suspended at the State level so now those are the responsibility of the town/city and for Franklin we have approximately seven per year at a cost of \$750. In 2010-2011 the State suspended the growth formula for the meals and rooms and we have heard that hopefully that is suppose to come back to the City. The goal is to reach the 60%-40% split that is in the statute but if the City had been receiving the 40% we would have received an additional \$203,359 in fiscal 2012 and 2013. She stated it makes a huge difference when these things are cut and the City has to offset it. What happened with the retirement was it went from a 35% share that the State was paying to 30%, to 25% and then to nothing and this increased the cost to the City by \$18,597 in fiscal 2010, \$56,695 in fiscal 2011, \$135,000 in fiscal 2012, \$98,519 in fiscal 2013 and in the upcoming budget the cost will increase to \$158,000 for the City and \$178,000 for the School. That alone is the upcoming budget is going to take the allocation from the CPIU to the City's portion of the budget and then some so right from the beginning we have to cut to offset just the increase in retirement costs which are mandatory.

Manager Dragon advised that several public hearings were set tonight but there will probably be one more for the State Water Revolving Fund which we hope to increase by \$340,000. The City had been given 40% forgiveness for a number of years and that has gone down to 10% forgiveness, the DES is allowing the City to add these additional funds and put it in with the 40% pool to do the rest of the water main work that was not in the current budget for Kimball Street. There was no objection to the City Manager going ahead and setting the public hearing for the May 6 Council Meeting.

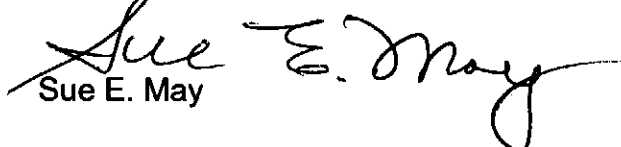
Manager Dragon advised that the cable negotiations which have been going on for a little more than a year appear to be getting close to the end. The last meeting with Metrocast we agreed on most things. Joining together with all these other communities has given more power to the negotiations. She stated she has been looking for ways to increase public awareness concerning the Council and the actions that are taken and with the elimination of our Lakes Region Public Access, we improved our website process and then looking into the future and possibly doing some video on demand live streaming and streaming on the web connected to the website and she stated she is still working on by hopefully getting a grant through this cable franchise renewal but that is still in negotiations. She advised what is happening now is Lakes Region Public Access is going to become the public access point and communities are going to be taking back their government and education channels so in this agreement what we are asking for is for them to wire us to bring in the origination point to two locations, one for government access and one for educational access so it would set the City up to be able to do live broadcasting of meetings and to be able to run our own bulletin boards through character generators. This will cost them thousands of dollars, in some places it could be \$10,000 or more to bring in the origination point. With Lakes Region Public Access struggling and their ability to continue, it has become very clear that we need to do something different. The other thing that has been negotiated is once we would get the origination points it would be broadcast only in Franklin so in that way the City would not be fighting for prime time slots and would be able to set our own schedule. This will require some equipment and some moving around and she stated she is attempting to get some assistance through the franchise agreement, through the technology grant but most of it is not as expensive as you might think. A character generator would cost between \$3,000 and \$5,000 and you can run your meeting or posting continuously. She advised there will probably be one or two more meetings with Metrocast and she will then bring back a document for the Council to review. She stated she would assume the origination points would be here at City Hall for government and then she stated she would ask the School where they would want their origination point. She advised you don't have to take your origination point in the first year, the agreement will probably be a ten-year agreement, so if you are not ready to do broadcasting; you can tell them you are not ready and phase it in during the second or third year. Mayor Merrifield inquired about equipment for automated control of the equipment because not every community has a television producer. Manager Dragon stated there are some challenges here in City Hall such as the lighting and the audio. The way Gilford is set up is they have cameras mounted and the person at the end of the table changes the camera by pushing a button so they don't require someone to be there to run the cameras. She also advised she has been working on free internet access for all municipal buildings and school buildings. They have agreed to 5 houses per half mile versus 10 houses.

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Councilor Starkweather stated back some time ago there was talk of turning Lake Shore Drive back to the State for winter maintenance and has there been any progress on that. Director Sullivan advised they went twice to DOT and the Commissioner was Mr. Campbell and we have three different options which goes back to when this first started. Councilor Starkweather asked why can't we send them a letter and tell them we are no longer going to plow Lake Shore Drive, it is there road and they should do it.

Motion to adjourn made by Councilor Clarenbach, seconded by Councilor Starkweather. All in favor, meeting adjourned at 7:20 p.m.

Respectfully submitted,


Sue E. May