

**CITY COUNCIL MEETING  
FEBRUARY 23, 2015**

**Call to Order**

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

**In Attendance**

Councilor Dzujna, Councilor Giunta, Councilor Wells, Councilor Desrochers, Councilor Feener, Councilor Barton, Councilor Starkweather, Councilor Boyd, Councilor Clarenbach, City Manager Dragon and Mayor Merrifield.

**Public Hearings**

**Resolution #07-15** – This resolution concerns a lease/purchase agreement through Municipal Leasing Consultant for a higher interest rate than originally approved on the Energy Project and a supplemental appropriation of lease proceeds and additional funding from the Capital Reserve Fund in order to fund the Energy Performance Contract.

Mayor Merrifield requested that Manager Dragon offer some additional information on this resolution. Manager Dragon stated this project has been under consideration for over a year. A presentation on the project was given in January, 2014 and a public hearing was held on February 3, 2014 and the project was also approved at the February, 2014 council meeting. After the approval, in order for the City to borrow the funds financial statements needed to be provided and unfortunately the City was not able to get all of the numbers from the school, and as a result the City was not able to get the approved interest rate of 3.19% which was listed in the approved resolution. Therefore, it has become necessary to have another public hearing and a new resolution changing the interest rate to 3.97%. The group the City is working with on this project EEI Energy Efficient Investment Incorporated and they looked at all the municipal buildings for ways to make them more energy efficient and how to finance these projects through cost savings in energy. At City Hall there would be some lighting upgrades and boiler replacement and boiler controls; the Proulx Center for lighting

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improvements and steam traps for the boiler and some insulation improvements; Rowell Community Center boiler replacement; Municipal Garage lighting improvements and lighting improvements at the Police Department. Manager Dragon advised the project has to be completed by April 1, 2015 in order to receive an energy rebate of approximately \$80,000.

Mayor Merrifield opened the public hearing. Resident Ward III Leigh Webb inquired as to what the different in the interest payment with the now higher interest is. Manager Dragon advised over the 12-year lease, it is \$15,239.00.

Resident Wanda Jackson questioned the loss of the interest rate because it was stated in the resolution that was passed. Manager Dragon responded the interest rate was locked in for 90 days and the City was not able to provide the necessary financial information in that time frame. She further explained the City's audit relies on the school's numbers since it is a dependent school district and we were not able to get those numbers to complete the audit and move forward with the lease. Ms. Jackson questioned the amount of money to be spent and Manager Dragon advised the major part of the project is 3 boilers, (City Hall, Bessie Rowell Community Center and the Proulx Center) and one of those boilers is 30+ years old. Mayor Merrifield commented that these projects will be funded by the savings in cost of energy usage. It was also asked what would happen if the April 1<sup>st</sup> deadline is not met and Energy Performance stated an extension would be nice but they will complete the project by April 1<sup>st</sup>.

Mayor Merrifield closed the public hearing as no one else came forth to speak.

**Ordinance #09-15** – This ordinance concerns the increasing of the water availability charge by \$10.00 per quarter.

Mayor Merrifield requested Municipal Services Director Sullivan offer additional information concerning this increase. Director Sullivan commented that at the January, 2015 City Council Meeting Resolutions #05-15 and #06-15 were presented and approved to go forth supporting a 4.2 million dollar "U.S. Route 3,

NHDOT Highway Reconstruction Project" which encompasses about two thirds of a mile North and South of Industrial Park Drive. The City's water main is in conflict with the infrastructure the state project is replacing and upgrading thus, the necessity for the City to pay for the cost to relocate approximately 2,500 linear feet of city owned water main at an estimated cost of \$250,000. The NHDOT will be replacing and funding about 300 feet of City water main and other improvements to Industrial Park Drive as part of the NHDOT project cost estimated to be \$65,000.

The second project associated with the two resolutions involves the "Cross Street Water Tank Rehabilitation Project" This 500,000 gallon steel water tank was built in 1964 has been identified for maintenance in the Water Department's Capital Improvements Plan and has been leaking for the past two years. Director Sullivan recently had two separate tank inspections completed. Both reports confirm the necessity of immediate tank interior and exterior sandblasting, repair, priming and painting this summer or the tank will get to the point it is beyond repair. The last time any work was performed on the tank was performed on its interior in 1992. Director Sullivan had received an engineer's opinion of probable cost for tank rehabilitation at an estimated cost of \$515,000. It was pointed out that the other option is let the tank run to failure and anticipate a replacement cost of a new tank to be approximately 1.4 million dollars. Director Sullivan stated that if something is not done, the tank will fail. Rehabilitation of the current tank should give the City another 20 to 25 years of service.

The financing of these two combined projects (Water Tank Rehabilitation and the U.S. Route 3 Water Main Relocation Project) would be \$765,000. Brian explained he had secured funding through the State of New Hampshire, Drinking Water State Revolving Fund (DWSRF). For a 20-year loan the interest would be \$245,000; for a 15-year loan \$164,000 and for a 10-year loan \$68,000. Director Sullivan recommended the City go with the 10-year loan noting the amount of interest we would save the ratepayer from paying over the 20 year alternative.

Mayor Merrifield opened the public hearing. Resident Mr. David Therrien stated he is not in favor of the \$10.00 rate increase and wondered if the funds received from cell tower antennas on the water tank could be used to help fund the project for repairs of the tank. Director Sullivan stated that the problem with that option is the current lease agreements generate about \$30,000 per year revenue for the general fund and more importantly, either party has a clause in the lease agreements to terminate the agreements by giving a sixty day notice.

Resident Wanda Jackson spoke against the quarterly \$10.00 increase as well as the late fee charge. Resident Leigh Webb spoke in favor of the increase stating when you look at the overall picture the rate increase is supported and necessary.

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

### **Comments from the Public**

Resident Tam Feener inquired about an update on Code Enforcement and Manager Dragon advised that is included in her manager's update.

Resident Janet Desrochers voiced her concerns over the lack of snow removal and sidewalk plowing on Franklin and Elkins Street. She stated there is no place to put any more snow and the sidewalks have not been done.

Councilor Desrochers, Ward II stated we spend a lot of money removing the snow downtown but yet other areas in the City have not been done at all. He stated he has received many complaints including three on Franklin Street that talked to him about a month ago wondering why the sidewalks had not been plowed. He stated Franklin and Elkins Streets need to be done as well as many other areas and that both sides of the street should be done. He also stated that last year the snow on Franklin Street was not picked up until April. He stated people continue to block sidewalks and roadways with snow with no enforcement.

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Director Sullivan asked to be recognized. He first noted that he and Councilor Desrochers spent two hours patrolling various Franklin neighborhoods during a recent snowstorm when Snow and Ice Control were in full operation. Director Sullivan stated that they patrolled neighborhoods that were in no different condition than Elkins and Franklin Streets.

Director Sullivan particularly noted the situations existing on the "Tree Streets"; Pemigewasset and Gerrish Streets; Chance Pond Road; East and West Bow Streets; Cheney Street; sections of North and South Main Streets; Spring Street; Sanborn Street; Webster Avenue and many others that also are in the same situation. He explained the M.S.D. snow removal strategy on some of the more heavily travelled and problematic terrain, advising the Council that Central Street and other sections of the business areas referred to by the Councilor Desrochers are high in traffic volumes and with narrowing of on street parking, if snow is not periodically removed it eventually involves public safety due to the narrowing of these roads that rely on the on street parking coupled with the eventual lack of space to put snow.

Director Sullivan specifically noted the balancing act the department faces every storm, weighing public safety with a limited snow budget; challenging citywide geographic terrain with its hills and the need to do all the snow removal with none hired equipment. Director Sullivan reiterated that we have a minimal workforce consisting of five Highway, five Water, two Buildings and Grounds and two Transfer Station employees totaling an average of a 14 person staff to plow and treat over 124 lane miles of City Highways, 9 City Parking lots, 5 water pumping stations, 5 water tank sites and 30 miles of sidewalks. Also mentioned were the two shop mechanics constantly working on breakdowns during and in between storms whose function is to keep an aging fleet of equipment on the road during storms.

Director Sullivan ended the discussion stating he will perform as much snow removal as directed by the City Council. While pointing out that there are other factors that come into consideration trying to balance all the demands placed on

all City staff and departments. Director Sullivan ended by referring to the City "Snow and Ice Policy" adopted unanimously in 2005 by the Franklin City Council and how it correlates directly to the issues just discussed and how the Municipal Services Department operates.

Mayor Merrifield called a 5-minute recess.

Councilor Feener commented that people that are blocking the streets or sidewalks prohibiting plowing should be fined and cars towed. He further commented that the Municipal Services Department does a darn good job and if you visit some of the other communities you will see they aren't as good as Franklin.

Councilor Boyd suggested that Director Sullivan talk to the people that are the offenders and advise them that next time their car will be towed. He also commented that MSD does a very good job.

Councilor Dune stated that he hears from many in Franklin what a good job the City is doing with the snow storms.

Councilor Starkweather commented you have a high amount of traffic coming through the downtown area every day and consequently more plowing and snow removal is required.

Resident Leigh Webb commented we prioritize in accordance with the budget and stated rather than complain, offer solutions. Councilor Desrochers suggested a letter be sent to every property owner advised the rules/regulations during the snow season and what the fine is for violations.

Councilor Clarenbach commented the Council needs to decide what level of service the City can provide with the level of resources available and the ability to clear every sidewalk is probably not feasible.

Resident Tam Feener inquired as to what is happening with PSNH with regard to power outages. Mayor Merrifield advised they will be attending the March 2<sup>nd</sup> Council Meeting to address that issue and others.

### **Mayor's Update**

Mayor Merrifield advised that he, Manager Dragon, Councilor Dzujna, Chief Goldstein and others went to Concord and spoke against House Bills 431 and 626 concerning Northern Pass which would cut Franklin out of the project. Mayor Merrifield also advised that he has received a letter from Mayor Paul R. Grimier, the Mayor of Berlin in support of Franklin and the Northern Pass Project.

### **Approval of Minutes**

***Motion made by Councilor Feener and seconded by Councilor Desrochers that the Franklin City Council approves the minutes of the January 5, 2015 City Council and Inaugural Meeting and the January 20, 2015 City Council Workshop Meeting. All in favor; minutes approved.***

### **School Board Report**

School Board Chair Tam Feener gave the school board report which is attached to these minutes. Chair Feener advised that March 31<sup>st</sup> will be the tour of all three schools and MSD.

### **Lakes Region Public Access Television**

Chair of the Lakes Region Public Access Television Dale Eddy addressed the Mayor and Council advised LRPA was formed in 1999 and was comprised of 12 towns.

They are now in the process of reorganization and are looking for a program director and have become work on their 2016 budget and are looking for sponsorships and are requesting the City of Franklin rejoin the LRPA. In the past

memberships were based on the number of subscribers but they have changed that to sponsorships but do not have amounts yet. They hope the City will rejoin LRPA.

**Resolution #07-15** – this resolution concerns the City’s energy project and would approve a new interest rate puff 3.97% (from 3.19%) for the lease purchase through Municipal Leasing Consultants for the Energy Project.

***Motion made by Councilor Feener that the Franklin City Council approves Resolution #07-15 authorizing the Energy Project Lease Purchase at 3.97% and re-appropriating the Energy Project in FY15 by a roll call vote. Motion seconded by Councilor Desrochers.***

***Roll Call Vote:***

***Councilor Boyd – Yes  
Councilor Clarenbach – No  
Councilor Wells – Yes  
Councilor Desrochers – Yes  
Councilor Giunta – Yes***

***Councilor Feener – Yes  
Councilor Dzujna – Yes  
Councilor Starkweather – Yes  
Councilor Barton – Yes***

***Resolution #07-15 passes.***

**Ordinance #09-15** – this ordinance increases the quarterly availability charge by \$10.00.

***Motion made by Councilor Feener that the Franklin City Council approves Ordinance #09-15 by a roll call vote. Motion seconded by Councilor Dzujna.***

***Amendment made by Councilor Wells that any additional funds collected each year (money raised in excess of the debt) goes to the Water Fund.***

Director Sullivan advised that extra funds go to retained earnings.



***There was no second to the amendment.***

***Amendment made by Councilor Giunta and seconded by Councilor Barton that the increase in the quarterly availability charge be reduced from \$10.00 to \$5.00 and the financing is for 20 years instead of 10 years. Amendment failed: 6 No Votes, 3 Yes Votes.***

***Amendment made by Councilor Wells to Sunset the fiscal year following the last payment wherein the \$10.00 increase would be removed, motion seconded by Councilor Giunta.***

Comment was made that you cannot state or require a Council in 10 years to abide by something, that once the loan has been satisfied in 10 years it would be up to the Council in office to determine whether to drop the \$10.00 increase.

***Councilor Feener calls the question on the amendment, seconded by Councilor Starkweather.***

***Amendment Fails: Votes – 4 Yes and 5 No***

***Roll Call Vote:***

***Councilor Boyd – Yes  
Councilor Clarenbach – Yes  
Councilor Wells – Yes  
Councilor Desrochers – No  
Councilor Dzujna – Yes***

***Councilor Feener – Yes  
Councilor Giunta – Yes  
Councilor Starkweather – Yes  
Councilor Barton – Yes***

***Ordinance #09-15 passes.***

**Other Business**

**Committee Reports**

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Councilor Dzujna advised at the Liaison Committee Meeting the Junior Achievement discussions were put on hold and March 31 at 6:00 p.m. is the Walk Around. He also advised there will be a Parks and Recreation Committee Meeting Monday, March 23<sup>rd</sup> at the Bessie Rowell Community Center, time will be 4:30 p.m.

Councilor Feener announced a Legislative Committee Meeting will be held Monday, March 23<sup>rd</sup> at 6:00 p.m. in the meeting room on the lower level of City Hall.

### **Manager's Update**

Manager Dragon advised for the Contingency Grant Line the City received \$262.46 from Operations Safe Commute; \$1,660 from IPAD Raffle; \$500 from HealthTrust Health & Safety Grant (Fire) and \$392.59 from the State of NH for Police Standards Training.

Manager Dragon stated the preliminary budget is due in her office March 6, 2015 and a Council Workshop will be scheduled in April to focus on Capital. May 4<sup>th</sup> the budget is due for Council review.

### **Zoning Board Appointment**

***Motion made by Councilor Dzujna that Alternate Zoning Board member be appointed as a regular voting member, term of service to January, 2018.  
Motion seconded by Councilor Clarenbach. Motion passes.***

### **Late Item**

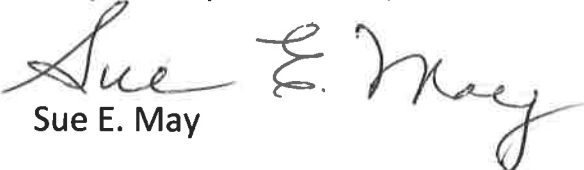
City Council to consider the naming of the City Right of Way that leads to the Franklin Water Treatment Facility.

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***Motion made by Councilor Feener that the Franklin City Council names the City Right of Way that leads to the Franklin Water Treatment Facility "Water Street". Motion seconded by Councilor Desrochers. All in favor; motion passes.***

***Motion to adjourn made by Councilor Feener, seconded by Councilor Desrochers. All in favor, meeting adjourned at 9:00 p.m.***

Respectfully Submitted,

  
Sue E. May

Attachment: School Board Report