

Approved by City Council on June 6, 2016



## City Council Meeting May 2, 2016

### Call to Order

Mayor Merrifield called the meeting to order in the Council Chambers, Franklin City Hall at 6:00 p.m.

### In Attendance

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

### Absent

Councilor Boyd.

Salute to the Flag was led by Councilor Desrochers.

Mayor Merrifield recognized Brianna Styles for being an outstanding 3 sport senior athlete of Franklin High School, top 10 scholars in her senior class, one of only 3 Franklin High School students to receive a NH scholar athlete award in March 2016. The Mayor proclaims Tuesday, May 3, 2016 as Brianna Styles Day.

Mayor Merrifield recognized Rachel Capri for being an outstanding 3 sport senior athlete of Franklin High School, top 10 scholars in her senior class, one of only 3 Franklin High School students to receive a NH scholar athlete award in March 2016 and named Concord Monitor's female athlete for the fall season for Franklin. The Mayor proclaims Wednesday, May 4, 2016 as Rachel Capri Day.

Mayor Merrifield recognized Dana Bean for being an outstanding senior athlete at Franklin High School, top 20 scholars in his senior class, only the 10<sup>th</sup> player in Franklin basketball history to score 1000 points on January 19, 2016 against Newfound, ending his high school career with 1204 points, named Concord Monitor's male athlete for the winter season for Franklin and named to this summer's Twin State Basketball team. The Mayor proclaims Thursday, May 5, 2016 as Dana Bean Day.

Mayor Merrifield recognized Kenny Torres for being an outstanding 2 sport senior athlete of Franklin High School, top 10 scholars in his senior class, only the 11<sup>th</sup> player in Franklin basketball history to score 1000 points on February 2, 2016 against Gilford, ending his high school career with 1161 points. The Mayor proclaims Friday, May 6, 2016 as Kenny Torres Day.

Mayor Merrifield recognized Patrick "Patch" Kaplan for being an outstanding 3 sport senior athlete of Franklin High School, one of only 3 Franklin High School students to receive a NH scholar athlete

award in March 2016, named Concord Monitor's male athlete for the fall season for Franklin, only the 2<sup>nd</sup> player in Franklin football history to win the Joe Yukika Scholar Athlete Award and named to this summer's Shrine Team to represent NH, the 3<sup>rd</sup> wrestler in Franklin history to have won 100 career wrestling matches ending his high school career with 114 wins, crowned D3 state wrestling champion in his weight class two years in a row and also among top 10 scholars in his senior class. The Mayor proclaims Monday, May 2, 2016 as "Patch" Kaplan Day.

Mayor presented a Mayoral proclamation in honor of Edward and Lillian Kurowski who have lived their entire lives in Franklin, graduating from Franklin High School, as did their son Martin. Edward coached all levels of youth baseball in the city and instrumental in forming the Senior Babe Ruth League, key and active member of Mojalaki golf club and the Franklin Lodge of Elks. Lil has been a member of the Red Hats Society, Franklin Junior Women's club, election worker, member in cyo basketball, veterans memorial recreation area, worked with our youth at Franklin High School for years. The Mayor proclaims Saturday, May 7, 2016 as Ed and Lillian Kurowski Day.

### **Public Hearings**

**Resolution #10-16:** A Resolution regarding supplemental appropriation in the amount of \$8,748 for a speed trailer.

Rep. Horn spoke in favor of this for the city to put this out in use. Leigh Webb also spoke in favor of this and has spoken with Chief Goldstein about this as another tool for enforcement.

**City Council to accept approximately \$867 in donations for the purpose of starting a scholarship called "Margaret Evans Edgecomb" placing the monies in an expendable scholarship fund with the City's Trustees of Trust Funds".**

Scott Burns spoke as he is in favor of this scholarship as he had Margaret as a teacher and with the rising costs of education they wanted to make more opportunities for the students.

### **Comments from the Public**

**Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary.**

Rep. Horn wanted to know if the Council was apprised of the progress of the State's litigation against Driven by Circumstance, which is a Sober Living House in West Franklin, and wanted to know what is the current state of that? Rep. Horn spoke to the Director on May 2 and there is still legal action from the City to close them down. The Mayor stated he hasn't heard anything in months. City Manager Dragon stated an attorney that has agreed to represent them and she has been coordinating with the City's attorney. The issue is a zoning issue and is not an attempt to shut them down but an attempt to bring them into compliance with building code and zoning and they have been working back and forth with them and have granted them additional time. Rep. Horn stated it

has been represented in the media and on social media that Franklin is attempting to identify them as a rooming house, which they are not zoned to be but they are really a family home. He thanked for the clarification.

**Legislative Comments** – Representative Horn addressed the Council. He stated the legislative season is winding down. Mayor Merrifield stated that last month Rep. Horn came to Council to address a question from Councilor Starkweather and stated that he was gratified to report that Franklin hasn't seen a drop in funding but rather level funding or increases in funding for the last 3 years. Based on the information he was given that is correct. The chart that Rep. Horn handed out includes both municipal and school. If clarification needs to be given the comments should be reserved for the municipal part of the conversation. Mayor stated as he believes that Councilor Starkweather was referring to the Mayor's comments on January 5, 2015 where he pointed out, given the historical level of expected state revenues the completed fiscal FY14 budget in Franklin was shorted \$138K in revenue sharing, \$203K in rooms and meals revenues, \$205K in loss support for mandated retirement costs, \$30K from Highway Block grant and \$262K in school aid, which totals \$838K loss in state revenue in one year. Rep. Horn states he needs to go back to find out why. Rep. Horn asked if they are interested in the adequacy fund that they mentioned and the Mayor stated yes. Rep. Horn said starting from the decision to fund communities from average student population in a year rather than the accurate student population every year. When the State starting paying out money to the communities they figured out that they have over paid 140 communities and now there has been a change in how they are funding communities. They are going to start paying out per pupil every year under the new formula. The communities that have been over compensated the legislature put forth that they would do a stabilization fund to help the communities from suffering to great a financial change but now the stabilization fund is going away. There was a cap of 4% that the communities were going to see. 4% is the maximum that any community can expect to see their funding decrease as the State changes from the past system to this current system until everyone is paid per student again.

Councilor Dzujna asked how did the State make this error and think they were not overpaying. Rep. Horn has a speculation that they did a census based on an average rather than doing a yearly count. When they went back and did a count they found that they overpaid 140 communities. Some saw a drop but were still being overpaid and other communities saw no money or an increase. Councilor Dzujna asked who watches this and Rep. Horn stated he believes DOE has responsibility over this. Councilor Dzujna asked with Hill pulling out does the State know about this. Rep. Horn believes so. Councilor Giunta wants to know why the numbers are great in the decrease. Rep. Horn will go to chase down the answer about the numbers he got from LBA. Mayor states that the State used to pay us \$1M and now they don't and that hurts us and how do we overcome that. Rep. Horn is going to have to figure out how the legislatures chose to do this and he will come back with an answer. Mayor Merrifield states you need to go back to the recession of 2010. Rep. Horn stated that the legislature has taken State employee retirement funds to make up for losses in revenue if you haven't already retired. He is not in favor of this practice but he is a voice of 1 in 400.

**City Council Acknowledgements** – Councilor Starkweather stated that in this month’s Firehouse issue on Professional Development it has Chief LaChapelle in it. Councilor Wells wanted to thank Brian Sullivan and crew for cleaning up Green Street. Councilor Dzujna wanted to thank the student council for doing litter clean up on Earth Day. He also wanted to recognize Jeff Perkins for cleaning every street in Franklin so if you see him stop and thank him. If anyone is ever on Franklin Talking state that litter is not glitter so stop doing it. Rep. Horn wanted to recognize Chief Goldstein for opening his office to a family of a cold case who were not comfortable with police. He was patient, caring and made them feel comfortable.

**Mayor’s Update** - None

**Agenda Item I.**

**City Council to consider the minutes of the April 4<sup>th</sup>, 2016 City Council Meeting.**

***Motion: Councilor Dzujna moved that the Franklin City Council consider the minutes of the April 4, 2016 City Council Meeting. Motion seconded by Councilor Clarenbach.***

***All in favor; motion passes.***

**Agenda Item II.**

**School Board Report** – None

**Agenda Item III.**

**City Council to consider the approval of Resolution #10-16, a Resolution regarding a supplemental appropriation in the amount of \$8,748.**

***Motion: Councilor Desrochers moved that the City of Franklin approve Resolution #10-16. A Resolution regarding supplemental appropriation in the amount of \$8,748. Motion seconded by Councilor Starkweather.***

Councilor Barton asked that this is not going to cost taxpayers any money. City Manager Dragon stated that it is already in the budget. It is a little more than what we already budgeted so the remaining funds will come from the budget. City Manager stated the grant is \$8,748 and we have to match that. Last year we budgeted \$7,300 in hopes we would get the grant this year.

**Roll Call:**

<b>Councilor Clarenbach</b>	<b><u>  X  </u></b>	<b>Councilor Dzujna</b>	<b><u>  X  </u></b>	<b>Councilor Barton</b>	<b><u>  X  </u></b>
<b>Councilor Starkweather</b>	<b><u>  X  </u></b>	<b>Councilor Wells</b>	<b><u>  X  </u></b>	<b>Councilor Boyd</b>	<b><u> abs </u></b>
<b>Councilor Desrochers</b>	<b><u>  X  </u></b>	<b>Councilor Giunta</b>	<b><u>  X  </u></b>	<b>Councilor Zink</b>	<b><u>  X  </u></b>

*All in favor; motion passes.*

**Agenda Item IV.**

City Council to accept approximately \$867 in donations for the purpose of starting a scholarship called "Margaret Evans Edgecomb" placing the monies in an expendable scholarship fund with the City's Trustees of Trust Funds".

***Motion: Councilor Dzujna moved that the City of Franklin authorize accept approximately \$867 in donations for the purpose of starting a scholarship called "Margaret Evans Edgecomb" placing the monies in an expendable scholarship fund with the City's Trustees of Trust Funds". Motion seconded by Councilor Desrochers.***

*All in favor; motion passes.*

**Agenda Item V.**

City Council to consider the disposition of surplus city equipment at the May 14, 2016 State of NH White Farm Auction.

***Motion: Councilor Desrochers moved that the City of Franklin authorize the Municipal Services Director to sell, for the best possible price, a 1998 Chevrolet Astro Van; a 1996 GMC Model 3500 SI One Ton Dump Truck mounted with a 1996 nine foot Fisher Minutemount Snow Plow and 1998 Warren Sander, and a Model 5305W C.H.+E Mud Sucker Trash Pump, all deemed as Surplus Equipment, utilizing the State of New Hampshire, Department of Administrative Services, White Farm Auction to be held May 14, 2016. Motion seconded by Councilor Clarenbach.***

*All in favor; motion passes.*

**Agenda Item VI.**

City Council to consider setting a public hearing for June 6, 2016 on Resolution #11-16, regarding the purchase of two (2) video laryngoscopes.

***Motion: Councilor Desrochers moved that the Franklin City Council schedule public hearing #11-16 on June 6, 2016 to discuss the purchase of two (2) video laryngoscopes. Motion seconded by Councilor Wells.***

*All in favor; motion passes.*

**RESOLUTION #11-16**

**A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2016.**

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

**WHEREAS**, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2016 which began July 1, 2015, and;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the Fire Department received a donation in the amount of \$3,000 from Concord Eagles Club for the purchase of one video laryngoscope to carry on one ambulance, and;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire recognizes the Fire Department wishes to purchase a second video laryngoscope to carry on the second ambulance, and;

**WHEREAS**, the City Council of the City of Franklin, New Hampshire understands that the Fire Department wishes to fund the purchase with the Fire Department Memorial Account trust fund, current balance of approximately \$4,462 , held with the Trustees of Trust Funds, and;

**WHEREAS**, the City Council of the City of Franklin wishes to appropriate from the Fire Department Memorial Account trust fund an amount not to exceed \$3,000 for the purpose of purchasing a second video laryngoscope for the second ambulance, Now,

**THEREFORE BE IT RESOLVED** that at the scheduled meeting of the City Council on Monday, June 6, 2016, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 11-16 accepting the \$3,000 donation from the Concord Eagles Club and allowing the withdrawal of Three Thousand Dollars (\$3,000) from the Fire Department Memorial Account trust fund and authorizing an increase in FY16 revenues:

**Transfer In – Trust Funds Acct. No. 01-0-000-39160-000 – Three Thousand Dollars (\$3,000)**  
**Donations Acct. No. 01-0-000-35085-000 – Three Thousand Dollars (\$3,000),**

**And an increase in expenditure account,**

**EMS/Rescue, Machinery and Equipment Acct. No. 01-207-40740-000 – Six Thousand Dollars (\$6,000),**

**By a roll call vote.**

**Agenda Item VII.**

**Other Business**

1. **Committee Report** – Councilor Starkweather stated they had a Fire Committee meeting last week, Chief LaChapelle brought concerns mainly about the condition of the apparatus fleet and the life expectancy was beyond in some cases and some of the newer equipment won't make life expectancy. Another issue that we had no idea was that when going through the budget last year that providing Narcan is coming out of our budget. That is a big expense to the EMS equipment budget. This year when going through the budget, we need to find out if there is any way to get this, as you can get this free elsewhere. With the new Code Enforcement Officer coming on board, it would be a good idea for the legislative committee to get together and look at the codes that make it difficult to enforce.

2. **City Manager's Update**

City Manager Dragon advised that the City received the following contingent grant line amount: \$100 from Knights of Columbus for book club and \$1400 from Fraternal Order of Eagles for K-9 training suit.

The Youth Government week will be held Tuesday May 24<sup>th</sup> through Thursday May 26<sup>th</sup> with kick off at City Hall from 12:15-2:30 p.m. giving an overview of city and state government.

VFW Loyalty Day Celebration was this past Sunday. Carolyn Morrill from the fire department was recognized, Sgt. Ralph Hale from the police department was recognized and Michelle Davis from the school was recognized.

Downtown Coordinator has been working on the application for the \$400,000 grant that is due this Friday and City Manager Dragon has written a letter in support of that.

There will be a Franklin for a lifetime event on June 23. This is a follow-up to the event from last year to highlight all the things that have happened. The plan is to have a walking tour followed by a presentation at City Hall from 6:30-8:00 pm.

There is a golf tournament fundraiser for Franklin's crime line and the money is for the awards for tips. It is September 15 at Beaver Meadows.

The first budget meeting is MSD next Monday at 6:00 pm. There is a neat chart in the packet on pg 24 comparing FY16 to FY17. The purple piece was in FY16 4% and now it is 7% for Capital in FY17, CPIU is small again this year, CPIU totals \$91,480 and over a \$11M budget and \$15M School budget that is not a lot. We saw additional assessed value of 4M that brought in \$100,120. There was \$230,971 that was divided up in the tax formula between the school and city. The county didn't increase and had a small decrease than the year before. Large part of the budget is payroll and benefits because we are a service organization and that is how we provide the various services throughout the city.

Director Milner did a request for proposals for all of our insurances again this year. After we had gotten an unexpected 11.7% increase in Health Insurance, we were happy to get the RFPs

back and we are switching from HealthTrust to Intergovernmental Trust and we've been able to reduce that projected increase by just over \$110,000. We also had to switch our dental insurance and saved \$16,000. Unemployment had a small decrease from \$45 to \$32 per position.

Several position requests were made and they are almost all not funded in City Manager's budget. There are several unfunded positions that we have left as we think some day they will come back. Of those positions the part-time police secretary is brought back at 25 hours a week, which is not where it was when it was funded. Due to the volume of activity in the city, police department, fire department and EMS it is an administrative burden for the one secretary. Police Chief did ask for a regrade of the Prosecutor's secretary but the City Manager did not support it not because it wasn't warranted but because it is a union position and City Manager Dragon is not comfortable making that type of change outside the union. The Fire Chief has requested a new firefighter position as it is handled now through OT. The numbers weren't there and it is something that will need to be addressed next year.

Capital items – trash trucks lease ending. Last year the \$65K bond and the interest for the bond that retired is for Prospect St. so that is staying in the budget. City Manager Dragon is using a portion of the trash truck retiring lease to purchase a new fire engine. There is a replacement of engine 1 \$650K on a 10 year note @2.75% and 1<sup>st</sup> payment is \$82,875. Almost all of the remainder \$152K is moved over to a capital reserve account. It is in there but doesn't come out as expenditure until the following year. No new cruisers are in the budget as there are 6 currently under lease and they are in a cycle and one will be added in next year. In the Fire Department we are in the 5<sup>th</sup> year of a 7<sup>th</sup> year lease for the ambulance.

Capital Contributions to the Bessie Rowell Community Center which is funded by the organizations that are in the building and the city contributes \$5K from the capital.

The sewer fund rate is not changing and the water rate is changing by .25 and that has been talked about several times since FY15 as we have been using retained earnings to offset rate increases.

Councilor Giunta asked about the Webster Substation growing and does that go through our planning and zoning. Director Lewis stated that they did come in about 22-24 months ago and some of what they are doing is outside local review if they are required by the government. Councilor Clarenbach stated that if it is an upgrade required by new regulation then they can't be taxed if it is an upgrade but can for new. City Manager Dragon stated she will look into that.

### **3. Late Items**

Councilor Giunta excused himself from the table.



**Motion:** *Councilor Desrochers moved that the Franklin City Council approve the proposed lease for a portion of the property at 73 Punch Brook Road subdivided from the ashfill identified as Tax/Map lot #82-409 (solar project site plan approval #P15-006) and authorize the City Manager to execute documents necessary to complete the transaction. The City Manager will not execute the lease until the lessor has provided a more accurate description of the portion of the parcel to be used for solar project which meets with the approval of the Planning Director. Motion seconded by Councilor Dzujna.*

Councilor Clarenbach asked if all the previous leases were done on their stationary as normally it would be on our letterhead as we are the landowners. City Manager and Mayor stated that yes it was on their letterhead previous and the city attorney has reviewed it.

***All in favor, Councilor Giunta recused himself; motion passes.***

Councilor Desrochers wanted to make a comment about the artwork on Marceau Park as just this evening there was a couple there taking pictures of themselves with the art work.

**Adjournment**

***Motion to adjourn made by Councilor Desrochers and seconded by Councilor Giunta. All in favor; meeting adjourned at 8:17 p.m.***

Respectfully Submitted,

Lauraine G. Paquin