

**CITY COUNCIL MEETING  
OCTOBER 1, 2012**

**Call to Order**

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

**In Attendance**

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

**Comments from the Public**

Mrs. Traci Fowler, Co-Coordinator for the Mayor's Drug Task Force advised that October is Parents Involvement Month and she thanked the Mayor, the Superintendent, Principal Mike Hoyt, Choose Franklin and many local businesses, Parent Advisory Board, Franklin Regional Hospital for their involvement in this endeavor. She further stated this is very important as some may not believe it, but parents have the most influence with their children. She stated for those parents that are talking to their kids about the risks of drugs and alcohol and developing relationships with their kids are 50% less likely to go down a wrong path. With the efforts of the SAU office parenting classes are being offered.

Police Chief Goldstein recognized Detective/Sgt. Ralph Hale who later this month will be recognized by the New York State Police for his assistance in a homicide investigation which involved some people from Franklin, Hill and Danbury.

Mr. Andrew Hosmer candidate for the District 7, U.S. Senate which includes the City of Franklin addressed the Mayor and Council stating he lives in Laconia where he and his wife are raising their four children and is involved in his business Auto Serve for the past 17 years and prior to that he was an Assistant District Attorney and Prosecutor in Massachusetts. He stated he wanted to introduce himself and hopes that he will be the next Senator for District 7 and have an opportunity to work with everyone on the economy and general family concerns.

Mr. Leigh Webb, resident reminded everyone of events that are coming up at the end of October. One is Odell Park After Dark to celebrate Halloween, Saturday October 27<sup>th</sup> and then on October 26<sup>th</sup> there is a fund raiser at the Opera House for Footlight Theatre, Tales from Tales Part II.

### **City Council Acknowledgements**

None

### **Mayor's Update**

Mayor Merrifield commented that he still has not received all the Manager's evaluations and he stated he would like to have all the evaluations prior to going over the review with the Manager. The Mayor announced on October 27<sup>th</sup> at 1:00 p.m. Roger Martin Field will be rededicated located behind Franklin High School. October 13<sup>th</sup> is the day for the dedication of the Water Treatment Facility; it will be an open house from 9:00 a.m. to noon, however the dedication ceremony will take place at 11:00 a.m.

### **Approval of Minutes**

***Motion made by Councilor Feener that the Franklin City Council approves the minutes of the September 10, 2012 City Council Meeting, motion seconded by Councilor Trudel. All in favor; minutes approved.***

### **Proclamation declaring October as "Parent Involvement in Education Month"**

Mayor Merrifield read the Proclamation and a copy of the proclamation is attached to these minutes.

### **School Board Report**

School Board Member Keith Lohmann stated they still do not have the SIG dollars and the Afterschool Program will be ready to go on September 17<sup>th</sup> and he stated the Rec. Center was suppose to notify the schools by September 14<sup>th</sup> with the number of students. He stated the school has partnered up with Plymouth State University to hold courses here in the school system for the teachers and have also acquired a cost per credit which is about 1/3 of the normal tuition cost. Special Ed Department has been very busy, there have been 6 students move into the district and one was placed by the courts and another one requiring an out of district placement, and four that require support of paraprofessionals which looks like the school will have to hire two additional paraprofessionals to cover the special education costs. The Middle School held a book fair September 18<sup>th</sup> – 27<sup>th</sup> and Open House was September 19<sup>th</sup> and Parent Night will be October 10<sup>th</sup>. All grades at the High School started August 27<sup>th</sup>. The block scheduling is going well with the longer class periods. Alternative Education Program, a program at the High School has been developed to address those students that tend not to thrive in a traditional program. NECAP prep is taking place throughout the district. Paul Smith NECAP prep is ongoing for the 3<sup>rd</sup> and 4<sup>th</sup> grades and that testing is October 4<sup>th</sup> through the 15<sup>th</sup>. Mr. Lohmann advised that enrollment is down this year: Paul Smith is down 3 students from last year; Middle School is down 12 and the High School is down 37 for a total of down 52 from last year.

Councilor Feener advised a Joint Finance Committee meeting will be scheduled either October 9<sup>th</sup> or the 15<sup>th</sup> and items on the agenda will have to do with the audit and as of today the outstanding items for the audit are those that come from the school district. Concerning the FY11 audit, the district has not provided information to the auditor to begin the audit but it is understood that the books are complete and that information will be provided this week. FY12 audit still open, the City cannot head forward until the FY11 audit is closed, the municipal departments have all submitted their information but we are still waiting for the school district FY12 information so the FY12 audit can begin. The OPEB data collection for the actuary, the City is done, the school is not done. The DRA filing for the 2012 tax rate, the school district has not submitted their information yet but hopefully that will be done next week. The purpose of the Joint Finance

Committee meeting is to follow up on these issues and the information is needed from the school and hopefully the information needed will be received very soon.

**Update concerning proposed renovations to the Odell Park Cottage**

Resident Leigh Webb commented in your packet is a copy of George LaBonte's report and a response to his report which Mr. Webb drafted which states that the \$500 that has been appropriated as a line item in the current operating budget plus the \$250 subject to vote by the members of the Historical Society could be used to buy materials and the labor would all be donated by volunteers. He stated he would be happy to spear-head this effort; he advised he was up on the roof of the front porch to see what material was up there and what could actually be replaced. He advised there is not much of a pitch to the roof so depending on availability and cost of materials it could be done fairly cheaply with just EPDM rubber which would create a waterproof membrane and would last for several years. Councilor Desrochers asked if a price for the rubber roof was known and Mr. Webb responded that he has some pieces of EPDM rubber leftover from work at his house that he would donate, removal of the old material would be at no cost, the debris and old material since it is a City building could be removed at no cost at the Transfer Station, the shingles are asphalt. There is only one section of the roof that is actively leaking and because now we are into the end of an effective time to deal with construction issues if this work by volunteers were to be accepted by the Council, Mr. Webb stated he would be willing to go up and scrape materials off where the roof is leaking and put a temporary patch to get us through this season until next spring when the whole problem can be attacked. Councilor Desrochers stated he strongly recommends a rubber roof. Mr. Webb stated he agrees because there is very little pitch to the roof. Mr. Webb stated his proposal is not to cost the City any more money than has been proposed which is the \$500 for routine maintenance. He stated he has priced at Lowes and Home Depot some of the raw materials and the lumber that would be needed and he stated he also has some scraps from his house that he would donate. He stated it is something that is doable and if more material is needed he is willing along with help from Councilor Dzujna to approach Lowes and/or Home Depot or

both to possibly get some of the materials donated. There are many who are willing to be a part of this project, it is just a material of acquiring the materials. Mayor Merrifield asked the money that Mr. Webb has identified in the budget, is that not used for electricity. Director Milner advised in the budget there are several lines for Odell, one is for heat, one is for electricity and the \$500 is for miscellaneous maintenance. The total Odell budget is \$2,900.

Manager Dragon stated unfortunately Director Sullivan is not in attendance this evening as he is on vacation and she stated typically with a topic like this there is a recommendation from staff with a suggested motion; there is no recommendation at this time or a suggested motion because staff has not reviewed the report and has not made a recommendation. Therefore, Manager Dragon recommended that we hold off until the staff has reviewed Mr. Webb's report. Mr. Webb stated he has probably not read the proposal but he did walk the building with him and is keenly aware of the issues. Manager Dragon stated she is hoping to schedule a workshop with the City Council for sometime this month and perhaps it could be discussed at the workshop and this would give Director Sullivan time to review the proposal and bring forth a recommended motion to the City Council. Councilor Dzujna inquired if the railings need to be taken care of right away. Mr. Webb asked if Councilor Dzujna is referring to the railings on the stairs and he responded yes. Mr. Webb replied those railings could be taken care of very quickly and is not a big deal. Mr. Webb stated if given permission he could do the railings now as it is just a matter of purchasing some 2 x 4s. The Council was in agreement to take this issue up at the workshop meeting.

#### **LRGHealthcare Amendment to Lease Agreement**

***Motion made by Councilor Feener that the Franklin City Council authorize the City Manager to execute the proposed amendment to the lease agreement with LRGHealthcare for a sign lease originally entered into on December 31, 1984.  
Motion seconded by Councilor Desrochers.***

Councilor Clarenbach abstained because he is on the Board of Trustees.

Manager Dragon advised this is a sign that is already in existence, it is an agreement that was created back in 1984 and because of some regulatory requirements with mortgaging or financing they need to make an amendment to the lease and this amendment has been reviewed by the City Attorney and he had no issues with the amendment.

*All in favor, motion passes.*

**Agreement with LRGHealthcare for Maintenance and Programming of the Fire Department's Sigma IV Pumps**

***Motion made by Councilor Trudel that the Franklin City Council authorize the City's Fire Chief to sign the said agreement with LRGHealthcare for the maintenance and programming of the Sigma IV Pumps, motion seconded by Councilor Starkweather.***

Councilor Clarenbach abstained.

Chief LaChapelle advised that this is somewhat a housekeeping item and part of the relationship building with LRGHealthcare. In the fall of 2011 they agreed to bulk purchasing of the Sigma IV pumps, which is a \$6,200 purchase for two pumps, one per ambulance. It is much cheaper to buy them through the hospital. It was learned recently after struggling with the programming of the pumps, the generalized library had been used; the drug library that was provided by Sigma and an urgent letter was sent stating that library cannot be used. Working with the hospital an agreement was developed for the hospital to purchase the software and to build the library for the medications that would be administered through the pump. They also agreed in this memorandum of understanding that they will maintain the pumps at no charge. Chief LaChapelle advised the agreement was prepared by LRGH Legal Department and has been reviewed by the City Attorney.

*All in favor, motion passes.*

**City Council Presence required at Elections**

City Clerk Burbank advised that the Attorney General's office has come and inspected the City's elections and they will be doing that more often for State or any general elections/federal elections. Ward I was cited at the January Presidential primary for non-compliance of Item 10 (Election Officials Present) on the NH Attorney General's Office Polling Place Checklist and it states this must be corrected prior to the next election. It is considered an Open Meeting and two selectmen are required to be in attendance. If you come to the election Councilors would become election officials and can assist in any way the Moderator would deem necessary. Mayor Merrifield inquired if the City Attorney agrees with this interpretation of the Constitution and City Clerk Burbank responded that she has not spoken with the City Attorney on this issue. She advised that she has spoken with the Assistant Attorney General and they have advised that they agree the Councilors should be at the elections. City Clerk Burbank stated that unless there is something in the City Code you fall back on the State Law. Mayor Merrifield asked what would happen if you don't abide and City Clerk Burbank stated she does not know although you could be placed on probation but after that she stated she does know what would happen. Councilor Boyd commented that some Councilors could be working and not able to get off from work and he also requested that Attorney Fitzgerald review this stated requirement. Councilor Starkweather asked if it is correct that a Councilor running for office cannot be inside the polling place and City Clerk Burbank responded that is not correct, they cannot handle a marked ballot. Councilor Starkweather stated then the Attorney General's Office is saying they want two Councilors at each polling place during the voting hours and City Clerk Burbank responded that is correct and the Councilors can be outside or inside the rail or outside the rail in the building but you cannot handle marked ballots. Councilor Cournoyer commented for people that work it imposes a hardship. Mayor Merrifield inquired if he could substitute for one of the councilors. City Clerk Burbank responded she does not know. Councilor Dzujna asked if a Councilor

from one ward could sit in at another ward and City Clerk Burbank responded she does not think so. City Clerk Burbank stated she would contact the City Attorney tomorrow concerning this issue and Councilor Feener commented it would be good to have a response for the workshop meeting.

### **Scheduling of a Workshop Meeting**

City Manager Dragon advised the City currently has a Tax Increment Financing Plan for the Industrial Park; however, value has not been accumulated in this TIF District. The City is about to see some increased value with the addition to the Webster Value Plant and in response to that Director Lewis has prepared some revision to the TIF documents and since we are having some changes to the Industrial Drive in order to work together with what is happening to the infrastructure in that area. It seems now is the time to make some revisions to the TIF Plan for the Industrial Park before those values become taxable. We need to have discussions with the City Council about these revisions. In addition, there has been discussion about creating additional incentives for the Downtown area to encourage them to invest in their businesses. One of the options that has been discussed is the adoption of RSA 79-E and at the workshop discussion would be held on the pros and cons of adopting the provisions of RSA 79-E. Both of these tools would require a public hearing so if this is something the Council is in favor of doing, a public hearing could be scheduled, get public comment and go through the process. The goal would be to schedule a public hearing for October so the timeline for the TIF revisions before the new values take place.

A workshop meeting was agreed upon for Monday, October 15, 2012 at 6:30 p.m.

### **Other Business**

### **Committee Reports**



Councilor Trudel advised the School Liaison Committee meet on September 13<sup>th</sup> and on the second page of the minutes there is something that needs to be clarified so corrected copies of the minutes will be distributed.

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

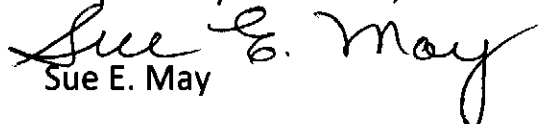
Manager Dragon stated there were no additional funds in the contingency grant line this month. Deputy Goodearl has been holding safety review meetings with all the departments and it has been very informative training and a meeting location was established in case of evacuation of the building is necessary and everyone is to meet in front of the library. The Celebrity Waiter Dinner was a great success which is the biggest fund raiser of the year for the Opera House. The Firemen's Memorial will be held at the Fire Department on October 7, 2012 at 8:00 a.m. and the Fire Department Open House is October 10<sup>th</sup> beginning at 6:30 p.m. Manager Dragon reminded everyone Canvas of the Votes will be this Friday October 5, 2012 at 5:30 p.m. She informed the Council she had just attended an FBIDC meeting and they are working on a grant similar to the one they did for the Regal sign where they apply for tax credits, this grant would be to do new Welcome to Franklin signs. She passed out copies to the Council as to what the signs might look like. Manager Dragon thanked Chief Goldstein in participating in another successful drug take back. Councilor Desrochers stated for those that may not know, the Welcome to Franklin signs were an Eagle Scout Project ten years ago.

### **Appointment to the Zoning Board**

***Motion made by Councilor Clarenbach that the Franklin City Council appoint Sandra Hodgdon as an Alternate to the Zoning Board of Adjustment. Term of Service to January, 2015. Motion seconded by Councilor Cournoyer. All in favor, motion passes.***

***Motion to adjourn made by Councilor Clarenbach, seconded by Councilor Boyd. All in favor, meeting adjourned at 7:10 p.m.***

Respectfully submitted,

  
Sue E. May

# PROCLAMATION

By the  
City of Franklin

Be it hereby known that I,  
Ken Merrifield,  
Mayor of the City of Franklin, New Hampshire, declare October as  
**Parent Involvement in Education Month**

**Whereas**, Parents are children's first and most influential teachers and have high hopes and dreams for their children's future; and

**Whereas**, The most accurate predictor of student achievement in school is the extent to which their families are able to create a home environment that encourages learning and become involved in their children's education in both school and the community; and

**Whereas**, The importance of parent involvement in education requires not only recognition, but a firm commitment in our policies and frameworks;

**Now, therefore, I Ken Merrifield, Mayor of the City of Franklin, do hereby proclaim OCTOBER 2011 as PARENT INVOLVEMENT IN EDUCATION MONTH, and encourage all citizens to recognize parents for their involvement and commitment to educating children.**



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Ken Merrifield  
Mayor