

**CITY COUNCIL MEETING  
MARCH 4, 2013**

**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 said led by Councilor Desrochers.

**Comments from the Public**

Mayor Merrifield opened comments from the public. Mrs. Annette Andreozzi addressed the Council concerning Item IV on the Agenda a Memorandum of Understanding for the sharing of building inspection resources. She requested that she be recognized to speak with some questions when the Council takes up this item. Mayor Merrifield advised she could go ahead and speak and when the Council takes up the item later in the meeting her questions can be addressed. Mrs. Andreozzi stated she has a couple of concerns that she wants the City of Franklin to have good advantage of the MOU and we should be aware that Chuck Bodien is presently working for Salisbury so he could end up working for them on the City of Franklin's time. She stated she does not see that it is a problem with Boscawen because it is two different people. She further stated she is concerned that this is an un-ended timeframe although she acknowledged this agreement can be ended with a 30 day notice but she stated within one year there should be a review on all parties so it can be determined if the agreement is doing what had been anticipated it would do or if it should be adjusted.

Mr. Bob Morin representing the Conservation Commission advised concerning the Great Gain Forest that back in 2011 the City Council approved a timber cut and the original plan was to do the timber cut in the winter 2012; however, in 2012 the ground was not sufficiently frozen so the harvest was delayed until this winter and it has now been completed. The harvest went very well and a payment will be made to the City shortly. Mr. Morin stated no more timber harvests are anticipated for at least 15 years. The Conservation Commission continues to work with the Snowmobile Club for improvement of their trails and the Commission is also working with the New England Mountain Bike Association who is interested in putting some trails in.

Resident Bob Lucas commented during one of the last big snow storms a snowplow accidently damaged his mailbox and he wanted to recognize and thank the various City employees who were involved in making that situation right.

Chief Goldstein advised last month at the request of the School Superintendent the Franklin Police Department conducted a drug sweep of both the High School and the Middle School. The sweep was lockers only with 5 teams of dogs and he results were negative, which he stated he interprets as a very positive thing relative to the kids and the way the drug issue is being handled in the City.

### **Legislative Comments**

Representative Leigh Webb stated he believes most everyone has been notified of the House Finance Committee Regional Meetings, the one that affects the City of Franklin is in Concord which is being held Thursday, March 7<sup>th</sup> from 4 pm to 7 pm in Representatives Hall. The Merrimack County Delegation is meeting to approve the Merrimack budget on March 11<sup>th</sup> at 6:00 pm in Concord. Representative Webb advised that the letter that was sent out earlier stating the Merrimack budget would not increase more than ½ of a percent has remained true. He stated he has been having meetings with Superintendent Ward and Finance Director O'Neill at the school and those meeting have been very helpful. HB671 (Road Toll/Gas Tax Bill) will be considered this Wednesday and he stated he would like to know how the Council feels about this bill and that if the bill passes it would bring about a 50% increase in block grants for road maintenance. Councilor Starkweather inquired isn't this the same thing they took away half from us a year or two ago. Representative Webb stated he was not aware of that but this bill would be an effort to bring back some grant funds. Mayor Merrifield commented what is most important is the complete elimination of subsidy for retirement funds. Manager Dragon commented that what Councilor Starkweather was referring to was the elimination of the surcharge at registration which impacted the highway block grant negatively.

The retirement issue, currently there is no bill, they are implementing something they did a few years ago; last year was the first year where the State did not contribute and many municipalities grouped together to try to challenge that as in a downshift but failed. Now what is taking place is the formulas are adjusting and many communities including Franklin are really getting impacted. Manager Dragon commented she is curious about the gas tax/road toll and she advised that when this was brought before the Council a couple of years ago they voted against it. Representative Webb asked if the reasons for being against it are known and Mayor Merrifield stated for one the price of gasoline is so high and impacting the residents the people we serve. Mayor Merrifield stated he understands we would like more support from the State for our road program but so many times the money gets diverted from the purpose. Mayor Merrifield asked what percentage of the gas tax/toll road will be directed back to cities and towns. Representative Webb stated the amount the cities and towns would see would be reflected in the block grants and that can increase up to 50%. Manager Dragon advised there was a presentation made to the Managers' Group about this topic and the question the Mayor just asked came up from several managers in the room and the answer was that this was going to be anything above and beyond was going into a new fund so the increase in the gas tax is going to a new fund which would be used for roads and bridges. Councilor Desrochers stated he has received lots of comments from his constituents and they do not want a gas tax and many simply cannot afford it. Councilor Boyd stated he is not in favor of a gas tax. Councilor Cournoyer also stated he is against the gas tax.

### **Choose Franklin**

Co-Chair Annette Andreozzi of Choose Franklin advised this Thursday, March 7 Choose Franklin will be doing a tour of the businesses on upper Central Street and will be meeting at City Hall at 8 am and then begin the tour. The first week in April a tour of the Industrial Park will take place and she invited all to attend the tour this week as well as the tour in April. She advised Community Day is May 11<sup>th</sup>.

**City Council Acknowledgements**

Councilor Starkweather stated this past week in the Concord Monitor there was a very nice article about the efforts of the school department concerning the raising the grades, activity of students and parents involvement. Councilor Desrochers stated he received a note from Superintendent Ward concerning assistance given in acquiring the drug dogs to assist with the drug sweep at the High School and Middle School. He stated he brings this up to show the public that we can work together very effectively; instead of talking to the press, talk to each other and a lot more will be accomplished. Councilor Desrochers also thanked Chief Goldstein as he was most instrumental in acquiring the dogs.

Councilor Feener recognized the Franklin Fire Department for their efforts concerning the fire that took place at Lucky Lenny's and to thank the Elks Club for opening up their facility to those fighting the fire. Councilor Dzujna expressed his thanks to the Chief and Fire Department for their efforts in fighting and containing the fire. Councilor Boyd stated he agrees with everything being said and would also like to thank Director Sullivan and his crews for the snow removal.

**Mayor Recognitions**

Mayor Merrifield recognized the following and stated he has been fortunate in attending some school board meetings where a teacher from each school is recognized quarterly and wanted to recognize these outstanding teachers:

Carrie Charette, Franklin High School	Danny Sylvester, Middle School
Deanna Crucitti, Paul Smith	Bonnie Gilbert, Paul Smith
Kristen Lombard, Franklin High School	Janet Theroux, Middle School

Mayor Merrifield reappointed Councilor Sharon to the Upper Merrimack River Local Advisory Committee.

### **Approval of Minutes**

***Motion made by Councilor Feener that the Franklin City Council approves the minutes of the February 4, 2013 City Council Meeting, motion seconded by Councilor Dzujna.***

Councilor Starkweather pointed out on Page 9 under School Board Report the last sentence beginning with A Washington DC the word trip should be added after Washington DC.

***All in favor; minutes approved as corrected. Councilor Desrochers abstained as he did not attend the February 4, 2013 meeting.***

### **School Board Report**

School Board Member Al Warner commented that concerning the quarterly Teacher Award the thing he found striking is the level of innovation that we are starting to see and the way the teachers are engaging the students. Mr. Warner advised that tomorrow night is the Middle School's Parent Night from 6 pm to 7:30 pm; March 27<sup>th</sup> at the Tilton Diner will be a spaghetti dinner that will benefit the Chem Free after Prom Program and the price is \$8.99 for all you can eat from 5pm to 8 pm. A program called Effective Parenting and Disciplining of Children from 2 to 12 is being offered at no charge on March 6, 13, 20 and 27, April 3 and 10 from 5:30 pm to 7:30 pm. If interested, you can contact the Title 1 coordinator Ms. Davis at 934-4144. Councilor Feener inquired that at the last School Board meeting in the public session there was a comment made by Supt. Ward that the school is one million dollars in the hole and there was no clarification concerning that. Councilor Feener requested that the Council be provided some clarification on that from Supt. Ward. Councilor Feener also asked if it would be possible for the Council to receive copies of the most recent revenues/expenditures report (year to date).

**Waiving of Vendor Permits for Community Day**

***Motion made by Councilor Desrochers that the Franklin City Council approves the waiving of fees for vendor permits for the May 11, 2013 Choose Franklin Community Day. Motion seconded by Councilor Cournoyer. Councilor Dzujna abstained from voting stating he is a member of Choose Franklin and feels he should not vote on this issue.***

***All in favor, motion passes to waive the vendor permit fees for Community Day.***

**Memorandum of Understanding concerning Building Inspection Resources**

***Motion made by Councilor Feener that the Franklin City Council authorizes the Fire Chief to sign the said agreement with the Towns of Boscawen and Salisbury for the purposes of sharing building inspection resources. Motion seconded by Councilor Desrochers.***

Chief Lachapelle stated as the mission at the Fire Station has always been to foster good strong relationships with Franklin and other surrounding communities such is done with Mutual Aid System. In building these relationships, Captain Bodien, Code Enforcement Officer has suggested this sharing of times when he is on vacation and an inspection is needed before he returns but that if someone is going to stand in under those kind of circumstances and in case of illness, it should be someone that is well educated and competent in the field. Captain Bodien feels that Inspector Hardy with the Town of Boscawen performs at the same level as he does and is quite qualified to stand in if needed. Inspector Bodien is also the inspector in Salisbury and several meetings were held concerning this and discussing how this would work. Attorney Fitzgerald was consulted and he drafted the MOU you have before you. The way the MOU is being looked at is this is a Memorandum of Understanding where it's in the time of need. What is not wanted is for Salisbury to call at 1 pm and state they need a foundation inspection which not the intent of the MOU. The intent is for the three communities to operate the way it is done now. The Town of Salisbury

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operates during evenings and weekends and they have no intentions of changing that format. The Town of Boscawen is a small community but they can offer Franklin the same service. The Town of Boscawen has already seen the MOU and is waiting to see if the City Council will approve the agreement; the Town of Salisbury has also reviewed the MOU and they as well as Attorney Fitzgerald are confident that this is a comprehensive MOU that will work well.

Councilor Clarenbach stated in the motion it states the Fire Chief is to sign the MOU and at the end of the document it shows the Mayor is to sign. He also stated he is not sure why Salisbury is part of the MOU. He stated Franklin needs someone to cover for Inspector Bodien which Boscawen will provide. However, he stated he does not see how Salisbury and Franklin have any interaction because the same inspector is shared. He stated the benefit he sees is between Salisbury and Boscawen if they want to have an agreement and if Inspector Bodien when on Salisbury time is out then Boscawen could cover for Inspector Bodien. Salisbury has no one to trade other than the Franklin City employee, Inspector Bodien. Chief LaChapelle stated he had the same concern and sat down with Inspector Bodien and asked him what is the benefit to Franklin and Inspector Bodien and his feeling is very strong that this is laying the foundation for a strong working relationship as he does not have any intentions of keeping the job in Salisbury long-term or if for some reason he was to leave Franklin the groundwork is laid. Councilor Clarenbach stated he will support the agreement; however, the problem would be if someone is hired full-time in Salisbury and would not have the same qualifications and skills as Inspector Bodien. It was then noted in the MOU it states the agreement can be cancelled within 30 days.

***Amendment made by Councilor Clarenbach to change the Memorandum of Understanding signing authorization from the Fire Chief to the Mayor, amendment seconded by Councilor Starkweather. All in favor of the amendment; all in favor of the motion as amended.***

**Approval of Assessing Contract**

***Motion made by Councilor Desrochers that the Franklin City Council authorizes the City Manager to execute the 18 month assessing services agreement between the City of Franklin and Corcoran Consulting Associates, Inc. not to exceed the \$85,000. Motion seconded by Councilor Feener.***

Manager Dragon advised that this contract brings the City through the update and there have been some concerns since the departure of Jan and waiting for her replacement that would be equal to Jan's qualifications. However, Corcoran has been doing the City's cyclical updates each year and when you are doing a revaluation that is spread over 5 years, Corcoran has done the first 4 years. So this contract would bring the City through the final year with Corcoran and the updates of the tables. The other issue to consider is timing. An RFP has been prepared and that will be done for the next round. The way this has been structured is this contract brings the City through the rest of this fiscal year for general assessing, cyclical work that is done and the rest of the updates for the next six months. Effective July 1<sup>st</sup> the City will need a general assessing contract. She also commented that the City has CLT software and there are not many companies familiar with CLT and changing midstream in the update is not a wise thing to do. Things have been worked out and this \$85,000 is better than originally budgeted because it takes the \$85,000 that was in this fiscal year and spreads it out over the next six months to finish the reval work and the reason for that is because the first half of this year were actual numbers and the actual numbers that the City was invoiced was \$14,000 instead of \$40,000 so there was a savings the first six months. DRA may tweak the contract as we have not received their final responses to the contract.

Mayor Merrifield commented the City is writing a contract that is retro-active and he expressed concern as to what would happen if the Council were to say no. Manager Dragon stated they are paid up to date. The City has been operating without a contract with Corcoran for a period of time and also every year it has been a problem getting a contract with Corcoran on time.



***All in favor, assessing contract with Corcoran Consultants is approved.***

**Other Business**

**Committee Reports** - None

**City Manager's Update**

Manager Dragon advised that the concerning the Contingency Grant Line, the City this month received \$200 from Mango for the concert series and a \$4,670.71 grant from the State of New Hampshire for fire training. Manager Dragon commented on the two fires which the Fire Department dealt with, one being Lucky Lenny's on February 9<sup>th</sup> and then a fire in a kitchen in an apartment located on Aiken Avenue. Weather conditions were not great and the Fire Department did a great job. She also thanked the Police Department and Municipal Services for their assistance during both fires. Municipal Services also had to deal with a couple of snow storms and did a great job.

Manager Dragon stated Director Alpers has informed her that she has an old pool table in rough shape, a small pool table in fair condition, an air hockey table that does not work and one stripped foosball table and Director Alpers would like to sell these items. The Council had no objection to these items being sold.

Manager Dragon commented on the joint meeting with the school and then had to be postponed and she advised that some tentative dates are being considered but no date has been agreed upon. The tentative dates are Tuesday April 2<sup>nd</sup>, and Thursday April 4<sup>th</sup>. Mayor Merrifield commented since surveys are going to be done, perhaps trying to set a meeting date now is a bit premature. The plan is Mr. Don Jutton will survey each council member and each school board member and speak with them for about 10 minutes on the phone before finalizing an agenda for the meeting. Councilor Clarenbach commented there could be a conflict of interest using MRI as Mr. O'Neill the Finance Director for the school works also for MRI. Manager Dragon commented she is not concerned about the

relationship with Mike O'Neill and MRI and one of the reasons is she spoke with other people trying to get them to mediate the meeting and trying to set a date and Don Jutton's approach to the meeting is a lot more comprehensive, his approach is the reaching out to the Council/School Board, the sending out of the surveys and getting a sense of what we have in common, what is not in common, what we can work on and come together on. School Board Member Kathy Russo commented that it is correct that the school has agreed to have Don Jutton go forth with the survey but she was not aware that a decision had been made to hire Mr. Jutton as the mediator for the joint meeting. Councilor Feener commented we are going to have Don Jutton do a survey and interview us and then we don't know if he is going to be used as the mediator. Manager Dragon stated she needs clarification as that is not what was told to her by the Superintendent. Manager Dragon stated the Superintendent told her they had picked Don Jutton to move forward with the mediation meeting and a date would be set once the surveys were finished.

***Motion made by Councilor Feener that if Don Jutton is available after the survey is completed that he be the mediator for the meeting. Motion seconded by Councilor Desrochers.***

Councilor Clarenbach inquired as to who will be paying the fee for Don Jutton. Manager Dragon stated the fee is \$200 and the City is paying for it.

***All in favor, motion passes.***

Councilor Desrochers proposed the joint meeting with the school be held as early as possible in May. Councilor Feener suggested the last Monday in April that the Council reserves could be considered (April 25<sup>th</sup>).

Manager Dragon commented on the Enhanced Code Enforcement efforts; another meeting has been held with the working group and established a plan. A great presentation was given by Captain/Code Enforcement Office Chuck Bodien and Planner Dick Lewis which was a power point presentation on the downtown

area and of the outside issues of the downtown that currently do not meet our code. The group agreed that attempting to do something about the outside appearance made the most sense so that people can see a difference. They are now working on setting a date for a group meeting with the business owners to talk about the new initiative. Some of things that will be looked at are painting, windows that are broken out, plywood in poor shape, trash etc.

***Motion made by Councilor Feener that the Franklin City Council go into non-public session under RSA 91-A:3 II a, the dismissal, promotion or compensation of any public employee. Motion seconded by Councilor Desrochers.***

**Roll Call:**

**Councilor Clarenbach – Yes**

**Councilor Starkweather – Yes**

**Councilor Trudel – Yes**

**Councilor Sharon – Yes**

**Councilor Cournoyer – Yes**

**Councilor Boyd - Yes**

**Councilor Feener – Yes**

**Councilor Dzujna – Yes**

**Councilor Desrochers – Yes**

**All in favor, motion to go into non-public passes. A 5-minute break was taken and then the Council entered into non-public at 7:35.**

***Motion made by Councilor Feener that the Franklin City Council seals the minutes of the non-public session by a roll call vote because releasing them would make the action taken ineffectual. Motion seconded by Councilor Clarenbach.***

**Roll Call:**

**Councilor Clarenbach – Yes**

**Councilor Starkweather – Yes**

**Councilor Trudel – Yes**

**Councilor Sharon – Yes**

**Councilor Cournoyer – Yes**

**Councilor Boyd - Yes**

**Councilor Feener – Yes**

**Councilor Dzujna – Yes**

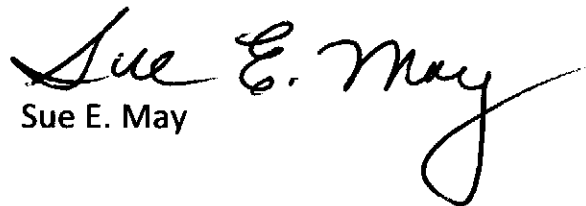
**Councilor Desrochers – Yes**

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***Motion made by Councilor Feener that the Franklin City Council approves the City Manager's request to change the pay grade of the Planning & Zoning Administrator position from Grade 1020 to Grade 1022, and revise the job description to include special project coordinator duties. Motion seconded by Councilor Desrochers. All in favor, motion passes.***

***Motion made by Councilor Clarenbach to adjourn, seconded by Councilor Desrochers. All in favor, meeting adjourned at 7:50 p.m.***

Respectfully submitted,

  
Sue E. May