

**CITY COUNCIL MEETING**

**AGENDA ITEM I**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*June 3, 2013 City Council Meeting*

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**Subject:** Approval of Minutes

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**Motion:** *"I move that the Franklin City Council approves the minutes of the May 6, 2013 City Council Meeting."*

Mayor calls for a second, discussion and the vote.

**CITY COUNCIL MEETING  
MAY 6, 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 Clarenbach.

**In Attendance**

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

**Absent**

Councilor Boyd

Mayor Merrifield announced that since the last Council Meeting there has been a loss of a great citizen and long-time teacher in the Franklin School District and he requested everyone join him in a moment of silence in memory of Linda Davidson.

**Public Hearings**

**Resolution #07-13** – a resolution authorizing the acceptance and expenditure of funds associated with the Stormwater and Wetland Replication Project on Lake Shore Drive. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

**Resolution #08-13** – this resolution would increase FY13 appropriations for contingent grant revenue and expenditures from \$30,000 to \$120,000. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

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**Ordinance #09-13** – this ordinance concerns a change in the City’s Personnel Code for regular part-time employees in order to comply with the Patient Protection and Affordability Care Act. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

**Resolution #09-13** – this resolution would allow the City of Franklin to borrow additional funds under the State of New Hampshire Department of Environmental Services Drinking Water State Revolving Fund Loan Program at 40% loan forgiveness. These funds would be used for additional water main replacement work. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

### **Comments from the Public**

Mrs. Tam Feener requested that consideration be given to painting STOP on the pavement and moving the stop sign down located at the bottom of Prospect. Mr. Bob Lucas reminded everyone that this Saturday, May 11, 2013 is Community Day sponsored by Choose Franklin and the theme this year is Volunteerism which is very evident in Franklin.

### **Legislative Comments**

Representative Leigh Webb stated there was a public hearing held at City Hall about lowering of water to repair a dam and there was a question as to why the City was required to hold the public hearing and for the payment of the notice in the paper. SP64 concerning this matter has already passed the Senate and is now in the House and he advised he does not see any opposition and once passed it will then become the responsibility of the dam owner to public notice of the public hearing. HB617 will be heard in the Senate tomorrow which is the road toll or gas tax increase. If HB617 passes over the next three years Franklin would be eligible for an additional \$125,000 in road repair block grants. Councilor Cournoyer asked if Representative Webb thinks the gas tax will pass and Representative Webb responded he does not know how the vote will go.

### **City Council Acknowledgement**

Councilor Dzujna expressed thanks to Lauren Russo, President of the Student Council and Mr. Coles for the tons of garbage they picked up on Earth Day.

### **Mayor's Update**

Mayor Merrifield advised that he has an email from Mr. Don Jutton who is attempting to facilitate a joint meeting between the School Board and the City Council. The Mayor read a portion of the email: "purpose of the meeting is to explore common ground and identify ways to improve and enhance the working relationship between the School Board and the City Council in the interests of positioning the City of Franklin to become increasingly more efficient, effective, competitive and sustainable while delivering the best quality educational and municipal services available in New Hampshire to the residents and tax payers of Franklin in the next 25 years and beyond. The format would be informal round table set up with a flip chart and/or erasable board and would like to find a neutral venue perhaps Franklin Savings Bank, Library, Franklin Regional Hospital or School Cafeteria multi-purpose room. Ground rules would be that everyone would do their best to come to the meeting with an open mind, open ears and eyes focused squarely on the future. Mutual respect and civility would be observed at all times. Mr. Jutton is the referee, the moderator and as such his judgment about topics or decorum would not be debatable. Staff would be allowed to attend as resources, input would be limited to addressing operational or technical questions and further participation would be allowed at his discretion. The public and the media would be allowed to attend, however, input or questions from nonparticipants during the work session would be at Mr. Jutton discretion. If we all can agree on those ground rules then we can move ahead with picking a date." Mayor Merrifield explained that this proposal as a result of a couple phone calls between Mr. Jutton, Ray Yonaitis and himself and Mayor Merrifield commented one of the ground rules should be that nothing from the past is discussed. We are focused on future activities and nothing from the past.

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Mayor Merrifield stated he supports the proposal and would like to get some reactions as to whether we go ahead and schedule a meeting.

Councilor Dzujna commented he agrees whole heartily about not bringing up anything in the past. He also inquired as to how many have taken the survey and does Mr. Jutton need everyone to complete the survey in order to schedule a meeting. Mayor Merrifield advised nine surveys were completed and evidently he does not need everyone to complete the survey. Councilor Feener stated he is in favor of moving forward. Councilor Trudel inquired if this has been presented to the School Board yet. Mayor Merrifield stated he does not believe the School Board has met yet but it has been shared via email. Councilor Trudel stated he is in favor of it. Councilor Desrochers proposed that the ground rules be put to a vote for approval so the meeting can get underway.

***Motion made by Councilor Desrochers that the Franklin City Council adopts the ground rules for the meeting between the City Council and the School Board pending acceptance by the School Board. Motion seconded by Councilor Dzujna. All in favor, motion passes.***

#### **Approval of Minutes**

***Motion made by Councilor Trudel that the Franklin City Council approves the minutes of the April 1, 2013 City Council Meeting. Motion seconded by Councilor Feener. All in favor; minutes approved.***

#### **School Board Report**

Mrs. Tam Feener, School Board member gave a report and that report is attached to these minutes. She also provided a packet for each councilor. School Board members Al Warner, Mr. Ed Cogan and Mrs. Kathleen Russo also spoke and copies of their information concerning the school's budget are also attached to these minutes.

Councilor Dzujna thanked Mrs. Feener for the packet.

**Ordinance #10-13**

***Motion made by Councilor Desrochers that the Franklin City Council schedules a public hearing on Ordinance #10-13 for Monday, June 3, 2013 at 6:05 p.m. in the Council Chambers, Franklin City Hall. Motion seconded by Councilor Feener.***

Mayor Merrifield read Ordinance #10-13 into the record:

**ORDINANCE #10-13**

**AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:**

**In the Year of our Lord, Two Thousand Thirteen;**

**Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code, Chapter 284, Vehicles and Traffic, Article III, Traffic Signs and Controls, 284-29 Electronic Traffic Signal Locations; Article VI Speed Limits, 284-37 Speed limits designated locations as follows:**

**Article III**

**284-29 Electronic Traffic Signal locations – Add the following:**

**Name of Street**

**Central Street**

**At Intersection of**

**Within 300 feet east and west of the Franklin High School Entrance and Exists**

**Article VI**

**284-37 Speed limits designated-add the following**

<u>Name of Street</u>	<u>Speed Limit (mph)</u>
Central Street (within 300 feet either side of the entrance and exit to Franklin High School)	School Zone speed limit 20mph
<del>Central Street, from Sanborn Bridge to Daniel Bridge</del>	<del>20</del>
Central Street, from Sanborn Bridge to Daniel Webster/Ward one Bridge	20

*All in favor, public hearing on Ordinance #10-13 will be scheduled.*

**Agricultural Real Estate Lease Agreement**

*Motion made by Councilor Feener that the Franklin City Council approves Agricultural Real Estate Lease with Mr. Daniel L. Fife for the 34 acres City owned property located off River Street, identified as Tax Map 123, Lot 403, and authorize City Manager Dragon to duly execute the lease on behalf of the City. Motion seconded by Councilor Starkweather. All in favor, motion passes.*

**Resolution #07-13**

*Motion made by Councilor Clarenbach that the Franklin City Council vote to approve Resolution #07-13 which outlines the acceptance and appropriation of NRCS and DES funds associated with the Lake Shore Drive Stomrwater and Wetland Replication Improvements Project for Webster Lake. Motion seconded by Councilor Trudel.*

Roll Call Vote:



**Councilor Clarenbach – Yes**  
**Councilor Sharon – Yes**  
**Councilor Feener – Yes**  
**Councilor Trudel – Yes**

**Councilor Dzujna – Yes**  
**Councilor Cournoyer – Yes**  
**Councilor Desrochers – Yes**  
**Councilor Starkweather – Yes**

***All in favor, Resolution #07-13 passes.***

**Resolution #08-13**

***Motion made by Councilor Feener that the Franklin City Council adopts Resolution #08-13 regarding increasing FY13 appropriations for contingent grant revenue and expenditures by \$90,000. Motion seconded by Councilor Cournoyer.***

Councilor Clarenbach commented that originally this plan started out with smaller size grants and then the City got the large Fire Department grant and a couple of larger ones. He stated he understands why it needs to be done for the FY13 budget but going forward he thinks the Council should weigh in if there is a large grant such as the one the Fire Department received, it should be brought forth to the Council and the appropriation can be made. He stated his concern is if the number is increased, anything could come into this grant line. Mayor Merrifield commented he believes it is the timing issue is a primary concern.

***Roll Call Vote:***

***Councilor Clarenbach – Yes***  
***Councilor Sharon – Yes***  
***Councilor Feener – Yes***  
***Councilor Trudel – Yes***

***Councilor Dzujna – Yes***  
***Councilor Cournoyer – Yes***  
***Councilor Desrochers – Yes***  
***Councilor Starkweather – Yes***

***Resolution #08-13 is approved.***

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**Ordinance #09-13**

***Motion made by Councilor Desrochers that the Franklin City Council adopts 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 Feener.***

***Roll Call Vote:***

***Councilor Clarenbach – Yes***

***Councilor Sharon – Yes***

***Councilor Feener – Yes***

***Councilor Trudel – Yes***

***Councilor Dzujna – Yes***

***Councilor Cournoyer – Yes***

***Councilor Desrochers – Yes***

***Councilor Starkweather – Yes***

***Ordinance #09-13 is approved.***

**Resolution #09-13**

***Motion made by Councilor Feener that the Franklin City Council adopts Resolution #09-13 by a roll call vote. Motion seconded by Councilor Trudel.***

Mayor Merrifield commented he recalls from the background information that this borrowing of additional funds from the Drinking Water State Revolving Fund does not imply a rate increase and Director Sullivan stated that is correct.

***Roll Call Vote:***

***Councilor Clarenbach – Yes***

***Councilor Sharon – Yes***

***Councilor Feener – Yes***

***Councilor Trudel – Yes***

***Councilor Dzujna – Yes***

***Councilor Cournoyer – Yes***

***Councilor Desrochers – Yes***

***Councilor Starkweather – Yes***

***Resolution #09-13 is approved.***

**Renewal of Lease Agreement with the Franklin Targeteers**

***Motion made by Councilor Desrochers that the Franklin City Council approves the renewal of the Lease Agreement between the Franklin Targeteers and the City of Franklin for five years (5 years) beginning April 1, 2013 and ending March 31, 2018 and authorize the City Manager to sign said agreement on behalf of the City. Motion seconded by Councilor Cournoyer. All in favor, motion passes.***

**Note: Councilor Desrochers did not vote on the motion as he is an officer with the Targeteers.**

**Resolution #10-13**

***Motion made by Councilor Feener that the Franklin City Council schedules a public hearing for June 3, 2013 at 6:06 pm regarding the adoption of Resolution #10-13 revising FY13 appropriations and matching revenues for the TRIP CDBG Grant. Motion seconded by Councilor Trudel.***

Mayor Merrifield read Resolution #10-13 into the record:

**RESOLUTION #10-13**

**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 has approved the Bessie Rowell Community Center design which includes the TRIP Center, and;**

**WHEREAS, the City Council of the City of Franklin acknowledges receipt of a Community Development Block Grant in the amount of \$413,938 from the Community Development Finance Authority for renovations, equipment and furnishings to relocate the TRIP Center to the Bessie Rowell Community Center, Now**

**THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, June 3, 2013, the City Council of the City of Franklin, New Hampshire does hereby approve the receipt of a community block development grant in the amount of \$413,938 from the Community Development Finance Authority and authorize an increase in revenues:**

**Federal Grants – CDBG TRIP Center Acct No. 14-9-012-33110-421 – Four Hundred Thirteen Thousand Nine Hundred Thirty Eight Dollars (\$413,938),**

**And an increase in expenditure account Federal Grant Building – CDBG TRIP Center Account No. 14-9-012-40720-421 in the total amount of Four Hundred Thirteen Thousand Nine Hundred Thirty Eight Dollars (\$413,938).**

***Motion passes, public hearing will be scheduled.***

**Reappointment of City Manager to the Lakes Region Planning Commission Transportation Advisory Committee (TAC).**

***Motion made by Councilor Trudel that the Franklin City Council reappoints City Manager Dragon as a member of the Transportation Advisory Committee (TAC). Term of Service to August, 2014. Motion seconded by Councilor Feener. All in favor, motion passes.***

**Renewal of the Central New Hampshire Amateur Radio Club Lease**

***Motion made by Councilor Desrochers that the Franklin City Council approves the Non-Exclusive Lease for a one-year period beginning July 1, 2013 and ending June 30, 2014 with Central New Hampshire amateur Radio Club and authorize the City Manager to execute said lease. Motion seconded by Councilor Cournoyer. All in favor, motion passes.***

**Memorandum of Understanding between New Hampshire Metropolitan Medical Response System, Lakes Region General Hospital and the City of Franklin**

Mayor Merrifield commented that he is an employee of the Department of Health and Human Services so if the Council should be evenly divided on this matter he would not be able to vote. Councilor Clarenbach recused himself as he is the President of LRGHealthcare.

***Motion made by Councilor Feener that the Franklin City Council authorizes the City Manager to sign the Memorandum of Understanding (MOU) and Grant related documents between the New Hampshire Metropolitan Medical Response System (NHMMRS), Lakes Region General Hospital and the City of Franklin. Motion seconded by Councilor Trudel. All in favor, MOU is approved.***

**Other Business**

**Committee Reports**

Councilor Dzujna advised a Parks and Rec Committee Meeting were held a few weeks ago and it was a very good meeting. The Committee expressed concerns about the financing of some of the projects and discussion was held that possibly on down the road to increase the cost of the summer program in order to get it so the City is not subsidizing it as much. He stated Director Alpers is really passionate about her job.

**City Manager's Update**

Manager Dragon advised in the contingency grant line a total of \$600 was received from A. W. Frost, Rowell Septic Service and R&D Paving for the concert series. \$5,000 was received from NH Children's Auction for the Bessie Rowell Community Center Playground.

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Nixel and Reverse 911 are two new ways to communicate with the public. Reverse 911 is now available for emergency messages of an urgent nature and Nixel is a Community Information Service dedicated to helping residents stay connected to the information that is most important to them. Nixel will also be set up through the Police Department and the basic service for public safety is free or there is an upgraded service for an annual fee. Soon we will receive information from the Police Department as to how you can sign up to receive messages. There are four types of messages: Alerts and upgraded services would include advisories and community services and traffic information. The City Manager advised she has set up a Twitter Account which will be used as a supplemental communication outlet. Manager Dragon provided up-to-date information concerning Northern Pass and that is attached to these minutes. VFW Loyalty Day was held Sunday, April 28<sup>th</sup> hosted by VFW again this year and the Honorees included Christopher Ahern-Police Prosecutor, Any Nadeau-Retired from the Franklin Fire Department and Carrie Charette-Teacher.

Manager Dragon advised on May 3<sup>rd</sup> Performance Chemicals closed on the Isola Building. She commented that Jim Aberg deserves a lot of credit on acquiring Performance Chemicals to come to Franklin. Choose Franklin is looking to hold Candidates Night in the Council Chambers on September 23<sup>rd</sup> and she inquired if there were any objections to that date and there were none. Youth Government begins tomorrow May 7<sup>th</sup> at 12:15 p.m. and a mock City Council Meeting will be held at the Elks along with a dinner May 9<sup>th</sup> at 6:00 p.m.

Manager Dragon distributed copies of the proposed FY14 Budget. She advised the budget is under the tax cap. The School Budget has not been submitted yet but a breakdown of how the tax cap works and how new revenue they receive, how much money they are receiving from adequacy grants and how much they receive from the Statewide property tax. The pay study that is being done should be complete the end of June, 2013 so there is no way to estimate the impact of possible implementation of recommendations. She stated she is recommending that a portion of the Manager's contingency line to possibly implement priority pieces of the study depending upon what we hear back. The Capital Committee

still needs to meet to review the updated sheets from the departments. In the budget contribution holiday from LGC for health, dental and property liability has been calculated in. The tax cap calculation for 2014 was based on CPIU of 1.7% overall which provided \$212,248 to be split between the City, County and School according to the tax cap formula. In addition a new construction number, the assessed value was just over 3 million with the addition of the Webster Valve Foundry which a portion is allocated to the Tax Increment Financing District which left a net value of \$58,097 total dollars to be split according to the tax cap. She provided a highlight of the benefit changes and similar to what the school is talking about the department heads budget based on their bare bone needs for the upcoming fiscal year and that is similar to the needs base budget that the school is talking about and then from that it was cut to bring it in underneath the tax cap. One of the challenges faced this year was the New Hampshire Retirement System mandatory increased \$150,000 which used up almost all of the additional new revenues to be allocated in the budget.

Manager Dragon stated in order to bring the budget under the tax cap from the budget that was submitted to her, she had to cut pay raises, the steps were cut; the COLA was cut just to offset the retirement piece. Additionally, changes had to be made to positions. She stated there are not a lot of positions in the City so when a cut is made it is difficult and painful. A position was cut from the City Hall, a position was cut in the Highway Department, a position was frozen in the Police Department and some requests for changes in positions were not approved. Some of the changes have already been implemented, a layoff has been implemented that began here at City Hall a couple weeks ago and the position in the Police Department has been frozen when that administrative position became vacant, and the highway position will become vacant because of the retirement which is the one that will be unfunded.

Manager Dragon reminded the Council of an Assessing Update that will take place this year, this update is in progress and is required as it is the City's certification year with the Department of Revenue and a statistical update is required to bring the property values to market which will likely go down but there will be some

properties that will come up. When the property values go down, the tax rate goes up. The outside agencies that the City typically contributes to are mostly leveled funded in the budget with the exception of the Cemetery Association which has not been funded in the past but they have requested funds this year for \$5,000 and they have been included.

The CAP Agency also has been cut for the last few years, however, the relationship between CAP and the City Welfare Department has greatly improved and Manager Dragon complimented Welfare Director Sara Tracy for that. CAP had requested \$30,000 but the usual consideration for the City owned building that CAP is located in and does not pay rent was not part of that calculation and Manager Dragon came up with a calculation and deducted from the \$30,000 for rent and also their listing of the TRIP Center as the City already assists the TRIP Center and she came up with \$5,000 to include in the budget for CAP. She also stated that annually fund \$13,394 to the TRIP Center but when you look at the program it serves area communities as well as Franklin such as meals on wheels 165 seniors were served which only 70 were Franklin residents, community dining served 464 seniors of which only 221 were from Franklin and she stated she feels it would be fair for them to request funds from other towns that have seniors participating in the program and she noted she saw no revenue in their budget from other participating communities.

FBIDC is level funded but a \$6,000 offset in revenue is included for the return of rent now that they have been moved into a City building. She stated the relationship with FBIDC continues to grow as the economic arm of the City and now that they will be located in the same building with Planning and Zoning and Assessing the relationship will only get stronger. She stated we need sustainable revenues to go into the future and that means the economic base needs to be strengthened so there needs to be a continued focus on economic development to grow the tax base in a way that makes sense.

Concerning Parks and Recreation, there have been discussions on the summer program, it is very widely used, it is a great program but the City is subsidizing the



program a great deal. A couple of years ago the Council raised the fees for the out of town residents so they were breaking even in terms of the cost so the City was only subsidizing for Franklin kids. Now we are trying to bring that down concerning Franklin kids and bring it closer to even but it is difficult because a lot of the families would probably have difficulty paying for a higher fee. She is recommending that consideration be given to shortening the summer program by one week instead of 8 weeks, it would be 7 weeks. This could not take place until the following budget because we are already into the summer program so it would be in budget FY15 and if that decision is made now, we will be able to notice it and let people know in advance. Just cutting the program by one week would save \$3,800. The other thing that is being looked at is some of the trips in the summer program are costing quite a bit of money, so we looking at either eliminating some of the costly trips or making them an add on and you would not be required to participate. The fees are also being looked at.

The City-wide Cleaning Service is another area that was cut by \$7,500 and employees will clean their own offices; the employees will clean their own offices and the cleaning services would only be for public bathrooms and areas used by the public.

Manager Dragon stated she is recommending a reduction in the Library budget of \$16,650 which is equal to their cleaning contract. The Library has a substantial trust fund that they use for supplemental things and they have a very healthy balance and she is asking they take on their cleaning services.

The amount the City cut from capital is approximately 1.2 million. We are doing creative ways of financing things or grants. In the Police Department budget there are two lease-purchase cruisers and the lease program has worked very well. Three cruisers were requested and that was cut to two. The cruisers have over 125,000 miles on them, some 150,000 miles. The Fire Department needed some defibrillators and they are saving people's lives all the time and instead of outright purchasing them, the department has a purchase program that will be used for that. The hospital donated two automated CPR machines at a cost of

\$16,000 each. The City's trash trucks are in the 5<sup>th</sup> year of a 7 year lease. The City has been awarded its third Community Development Block Grant for the Bessie Rowell Community Center in the amount of \$413,938 which will be used for the last phase of the project renovating the space for the TRIP Center. Manager Dragon advised we also have a reserve account set up for the building so that the agencies located in the building are contributing \$5,000 annually to a capital reserve for there would be future funds for repairs or replacements. Manager Dragon stated through the efforts of Director Sullivan monies have been received from the New Hampshire Department of Environmental Services or Rural Development for the infrastructure that we have been replacing with the Water Treatment Plant Project that was 7.2 million dollars through a Rural Development Loan Project with a 49% grant and a 51% loan. There are no changes to credits and exemptions. Last year we did raise the Veterans credit from \$200 to \$250 and that change cost the City an additional \$18,750 last year and each year thereafter.

Manager Dragon offered the following dates for budget workshop meetings: Tuesday, May 14, Tuesday, May 21, Monday, June 10, Tuesday, June 18, Monday, June 24 and Tuesday, June 25, all workshops to begin at 6:00 pm. Additionally Manager Dragon request that the July City Council meeting be held a week later July 8 rather than the first Monday, July 1. This will allow more time to finish the work sessions and allow the proper amount of time for posting of the budget. Councilor Feener commented on the June Council agenda we should have the rescheduling of the July meeting to July 8.

### **Late Items**

Mayor Merrifield advised there is a late item from the School Department concerning a proposed School Board scholarship.

***Motion was made by Councilor Dzujna that the Franklin City Council approves a new scholarship named "Franklin School Board Scholarship" which will be awarded from donations \$250 per year beginning in 2013 to a student with a***

***GPA of 2.0 or greater and volunteers in some way for school district, i.e., teacher's aide, office aide, or shows willingness to help out other students or administration. The scholarship will be for books or supplies for college or trade school and will be distributed in the second semester of the recipient's freshman year.***

**Point of Order:** Councilor Clarenbach inquired if the Council could just accept the scholarship and they can determine all the other details. Councilor Dzujna commented that he read the entire motion is because some Councilors wanted to have the entire criteria of the scholarship.

***Motion seconded by Councilor Desrochers.***

Councilor Clarenbach stated he has no problem with the scholarship but for the Council to dictate what it is actually for there may be changes and they would have to come back for approval. Councilor Feener stated he concurs with Councilor Clarenbach on that, however, the School Board has not discussed this scholarship this year, the last time there was any discussion was back in March, 2013 and the minutes reflect that all that was done was they set up a Committee to look into the feasibility of doing the scholarship. We don't even know if the School Board wants to approve this scholarship and if the Council approves it here we are saying go ahead and approve it.

***Councilor Feener made a motion that the Franklin City Council postpones any action on this scholarship until the School Board meets to make the determination if they want to approve or decline the scholarship. Motion seconded by Councilor Sharon. 4 Yes Votes, 4 No Votes***

Mayor Merrifield inquired of School Board members in attendance if they could confirm that the School Board has agreed to this. School Board member Cogan advised that he had spoken to School Board Chair Yonaitis earlier in the day and stated this is part of the feasibility whether we can have it in the trust of the City, he has funds solicited. The reason for the urgency is the Senior Banquet is

May 23<sup>rd</sup> and if we are to give out anything on May 23<sup>rd</sup> we would need to have it in the trust or do the scholarship separately. The Board has not approved it but it is on the agenda for the next Board meeting.

***Mayor Merrifield voted not to postpone so discussion could continue.***

Councilor Desrochers asked Mr. Cogan in your opinion as Deputy School Board Chair is the School Board going to approve this scholarship. Mr. Cogan stated they had support to start a feasibility committee, and if everyone votes the same way it would pass but can't say if everyone will vote the same way. Councilor Feener stated they can still approve this at their meeting and bring it back to the Council and still give out the scholarship before the end of the year. He further stated the Council should not be voting on this until the School Board has made their decision. Mayor Merrifield offered that the City Council will be holding a budget workshop next Tuesday, May 21<sup>st</sup> which is the day after the School Board Meeting of May 20<sup>th</sup> and before the Senior Banquet.

***Motion made by Councilor Feener that the Franklin City Council postpones making a decision on the School Board Scholarship until Tuesday, May 21<sup>st</sup>. Motion seconded by Councilor Trudel. 6 Yes votes and 2 No votes. Motion passes to postpone.***

Councilor Feener stated if the School Board approves the scholarship, it should be addressed first on the agenda for May 21<sup>st</sup>.

Councilor Desrochers stated he has the letter in front of him from the Attorney General, Department of Justice dated March 15, 2013 and he stated he won't read it into the record as most everybody knows what is in the letter but requested that it be part of the minutes of the meeting so should this issue come up again there will be record of it in the minutes. (Copy is attached to these minutes)

Councilor Desrochers commented that last year the Veterans Exemption was raised by \$50.00 which cost the City approximately \$17,500 and he stated he would like the Council to consider raising the Veterans Exemption again this year from \$50.00 to \$100.00. He stated he realizes the budget is tight but budgets have always been tight, these veterans served their time, served their country and did their duty while other were out making money and they came back home and asked for nothing.

Mayor Merrifield advised he has been approached by residents concerning the siren that alerts people of our curfew. These residents live under it and are not very fond of it and in early conversations that he had with the Police Chief because of the lack of our ability to seek CHIN petitions for some of the young people in question we are not really able to enforce the curfew that we are announcing with the siren. Councilor Starkweather questioned did he understand this right that the City has a 9:00 p.m. curfew that we cannot enforce.

***Motion made by Councilor Clarenbach that the City of Franklin cease the blowing of the curfew horn in the City of Franklin, motion seconded by Councilor Starkweather.***

Councilor Clarenbach commented legislative the other part of the ordinance which talks about the curfew should be removed. Mayor Merrifield advised he will request that the Legislative Committee look at the ordinance.

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

***Motion made by Councilor Trudel that the Franklin City Council enters 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 Vote:**

**Councilor Clarenbach – Yes**  
**Councilor Sharon – Yes**  
**Councilor Feener – Yes**  
**Councilor Trudel – Yes**

**Councilor Dzujna – Yes**  
**Councilor Cournoyer – Yes**  
**Councilor Desrochers – Yes**  
**Councilor Starkweather – Yes**

**Council entered into non-public session at 7:55 p.m.**

**Motion made by Councilor Feener to seal the minutes of the non-public session because releasing them would make the action taken ineffectual. Motion seconded by Councilor Clarenbach.**

**Roll Call Vote:**

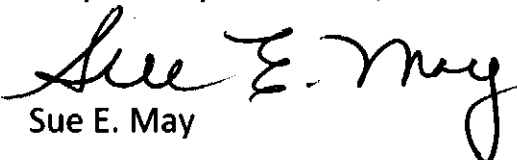
**Councilor Clarenbach – Yes**  
**Councilor Sharon – Yes**  
**Councilor Feener – Yes**  
**Councilor Trudel – Yes**

**Councilor Dzujna – Yes**  
**Councilor Cournoyer – Yes**  
**Councilor Desrochers – Yes**  
**Councilor Starkweather – Yes**

**Motion passes to seal the minutes.**

**Motion to adjourn made by Councilor Feener, seconded by Councilor Clarenbach; all in favor. Meeting adjourned at 8:15 p.m.**

Respectfully submitted,

  
Sue E. May

**FRANKLIN SCHOOL BOARD REPORT**  
**Presented by Tamara Feener**  
**COUNCIL MEETING**  
**MAY 6<sup>TH</sup> @ 6:00 PM**  
**Information Provided In Packet**

**Recognitions:**

- **Carrie Charette's Franklin High School English Teacher is one of 8 finalist for NH Teacher of the Year. Selection Committee will be Visiting and Interviewing sometime in May.**
- **Leann Fifield for her help with the 3 stage plan and work party for gardens at Paul Smith School.**
- **Also, Home Depot sent 5 employees out to the work party at Paul Smith School to help with the construction of the garden.**
- **Cris Blackstone has been selected as a presenter in Dallas, Texas for the National Moving it Forward Conference.**
- **RD Edmunds Construction for responding promptly to repair a sewer issue.**

**SPRING SPORTS IS IN FULL SWING.**

**Class Day Parade Scheduled for June 10 @ 1:00pm.**

**DRAFT copy of Franklin School Board Meeting April 15th...and would appreciate your review.**

**Youth Government week May 7<sup>th</sup> – 9<sup>th</sup> / Banquet and Mock City Council Meeting on May 9<sup>th</sup> - Elks Lodge @ 6pm.**

**On April 30<sup>th</sup>, the NH School Board Association held an Orientation and Chair Workshop and was well attended by the Franklin School Board Members.**

**Franklin School Board Retreat information...Please Review.**

**National School Nurse Day May 8<sup>th</sup>.**

**THANKS, TAM FEENER**

**Please feel free to call me if you have any questions**

## School Budget May 2013

Mr. Mayor, Councilors and Manager Dragon, thank you for the opportunity to present this evening. Tonight each member of the Finance Committee will have a brief presentation on specific aspects of the budget and what we are facing as we prepare to vote on the budget at our normally scheduled School Board Meeting on the 20<sup>th</sup> of this month.

In the past two years, the Franklin School District has achieved successes worthy of acknowledgement and celebration, not the least of which are some of the greatest gains on the NECAP indicators over a two year period seen by the NH Dept. of Education. I hope you find our progress encouraging in light of the challenges we face together during the budget season. I also believe you now understand that we are committed to continued improvement, wisely utilizing tax dollars with a team of dedicated educational professionals and motivated students.

In recent years the school budget has not always been well received. We as a board have not done well in effectively communicating to the City Council on budget issues before submission. We have struggled with effective communication for a number of reasons, some that are within our control and some that are not. While the budget has been reviewed and adjusted in public meetings, those meetings were not well attended, so we're bringing the message to you. This is an effort to mitigate the type of problems experienced in the past when our budget was presented to the public and City Council without any previous communication on the various issues embodied in a particular budget. It's just a good idea to get out in front of an issue and present some facts before the budget is submitted. No one likes surprises.

This year the Board asked the administration to prepare a "needs-based" budget for the April 2 workshop. At the workshop on April 2, the board asked the administration to cut slightly more than \$1.5 million from that budget to reach anticipated revenues. This budget was the basis for our April 16<sup>th</sup> workshop. The following cuts are some of the highlights:

- Over \$460,000 from salaries, wages and related costs.
- \$783,000 from building improvements and repairs
- Over \$35,000 for books

My friends from the Finance Committee will highlight some of the specific impacts of these cuts.

We understand that the various City departments face many of the same increases in the cost of everything from utilities to health care and retirement. We also share a common experience as the State and Federal Governments downshift costs and mandate expenditures without fully funding them. The schools are especially subject to underfunded mandates in the areas of Special Education, 504 accommodation, Title 1, student transportation and Vocational Education. Tonight we present the facts behind some of the difficult decisions we have made in preparation of the budget to be voted on at our May 20th meeting.

Every year the budget promises to present greater challenges. I applaud any effort to innovate creative solutions to cut costs, increase efficiency and better serve the citizens of Franklin. At this point, as a city we need to coordinate our strategic goals in order to move forward. Doing so will lay the groundwork for some of the innovative ideas now being discussed and increase the likelihood of success. In particular, a unified strategic plan should be in place before attempting to consolidate operational units. If the two bodies aren't committed to the same strategic direction, then any effort to consolidate is much less likely to succeed. There should be an agreement on high level priorities for the city as a whole. Once that is done, discussions on consolidation of services make sense. At that point the door is open to work together on other unified initiatives such as an adequately funded CIP for the entire city, including schools.

I look forward to working with you all in the future. Thank you for your time and attention.

Al Warner



## BUILDING IMPROVEMENTS

The 2013-2014 School budget for Building Improvements includes the following line items:

1. **Entrance doors** - for all three of the Franklin School District schools the entrance doors would be changed replacing the glass for safety/security reasons –per FEMA

PSS	\$35,104	FMS	\$32,600	FHS	\$72,066	<b>("need" total</b>
	<b>\$139,770)</b>					

All of these amounts were removed for the "reduced" budget. **("reduced" total -0-)**

2. **Roofs** - PSS \$85,000 - this would complete the roof renovations started in 2012-2013. In the "reduced" budget \$35,000 was removed from the budget leaving \$50,000 to take care of the area of the roof currently leaking.

FMS \$300,000 - this was to renovate the 24 year old roof which had a 20 year warranty. This entire amount was removed in the "reduced" budget.

**("need" total \$385,000)**

**("reduced" total \$50,000)**

3. **Parking expansion**- FMS \$130,000 and FHS \$175,000 (this also includes a fence to enclose the football field to prevent further damage from motorized vehicles). This entire amount was removed in the "reduced" budget.

**("need" total \$305,000)**

**("reduced" total -0-)**

**The Building Improvement "need" budget totals \$833,270 and the "reduced" budget totals \$50,000.**

## Staffing

As you all may or may not know, there are many items within our budget that the board has little to no control over. Staffing is one of the area's that we can control. Staffing is not an area that anyone likes to cut. Your not just cutting an "item", you are cutting a person. Someone with a family. Someone that, odds are, you know very well and deal with on a daily basis. After we received our initial, needs based proposed budget, we found ourselves almost \$1.6 million dollars over budget. With all of this in mind, we have to be fiscally responsible to our constituents and have had the unpleasant job of making several cuts in staffing to this years proposed budget.

From our initial budget we cut almost \$306,000 from just our wages and salary line. What this means for our schools is anything less than desirable.

At Paul Smith School we have cut the full time Technology Teacher and combined it with the ESL Teacher. The downside to doing this is that we are losing the ability to spend the full amount of time to work with all of the grades. There is a potential for even more loss of time should the district receive an increased ESL population.

At the Franklin Middle School we have cut the Foreign Language position. The ramifications of this are a loss of multicultural awareness, loss of cross curricular connections and the loss of a strong foundation to move on to Foreign Language at the High School level. The Family and Consumer Science Teacher has been changed to a ½ time position from full time. This will give us loss of exposure at all grade levels and the loss of ability to meet the RSA Standards. Finally at the Middle School the Positive Action Classroom Assistant has been cut. This impacts the school with the loss fo ability for the PAC teacher to observe students behavior on their class wings, loss of multiple small group instructional stations, and the loss if ability for the PAC teacher to attend IEP and 504 meetings.

Franklin High School will see reduction of 1 Guidance Counselor to less than full time. This will mean a higher student per staff case load for remaining staff, larger 504 case loads, and added administrative responsibilities for remaining staff. Foreign Language will lose a full time Spanish Teacher. This makes it difficult for students to earn language credits for college admission, loss of cross curricular and cultural experiences for our students. Special Ed at the High School will lose a full time teacher. The Alternative Program will be managed by the SSR staff and add case load responsibilities for remaining staff. The Extended Learning Opportunities Coordinator will be reduced to ½ time. This will make access to the ELO's extremely limited and will make engaging community partners very difficult.

All of the cut's that have been proposed in this budget so far will make educating our students more difficult than they need to be. Each school is seeing the reduction of part of the Special Education program. With this in mind, we have to justify to the Department of Education why our budgeted amount for 13-14 is less than 12-13. This justification must be approved in order for the district to qualify for all of our IDEA grant funds.

With all of this being said, we are still \$105,000 over our expected revenue. Staffing may see additional cuts before we are done.

Ed Cogan  
Vice-Chair, Franklin School Board

May 6, 2013 City Council Presentation-School Board Finance Committee

With the current budget, Paul Smith School will only be able to purchase half (1/2) of the third and fourth grade Science and Social Sciences books needed. The consequence of this would be for teachers will have to share throughout the year and not be ready for testing as they would not have had chance to teach the standard. This will interfere with the good work and great progress the students are gaining.

As Mr. Warner has so graciously stated, this year the School Board asked the administration to prepare a needs-based budget for the April 2 workshop. This budget came in at \$16,506,957. To match anticipated revenues we found we needed to cut \$1.5million from this budget. As you have heard this evening the impact on laying off educators (\$460K in salary cuts), building improvements cut by \$783K, to include FEMA recommended security measures to protect our students and educators, also cutting the materials that educators need to teach. The Department of Education, recognized Franklin as having the highest improved index scores on the NECAP from 2010-2011 in the State. Let's not go backwards.

The budget is currently sitting at \$14,968,165 - down 94K from last year. The Budget is still 105K over the anticipated revenues.

The remaining cuts that are the last resort:

Cutting Kindergarten to 1/2day means laying off two more educators. The impact on the community and the education of these students would severely delay our economic and educational growth.

Athletics will also have to be cut, either some teams or pay to play. Possibly offering clubs instead of athletic teams. This would not build the "esprit de corps for our community. (Esprit de corps- the common spirit existing in the members of a group and inspiring enthusiasm, devotion and strong regard for the honor of the group)

As I have stated previous from this podium, Education for Franklin is the economic engine. I would ask that you keep this in mind, as a strategic plan in moving forward for Franklin

Commercial business and Industry will not come to Franklin if the Education is not seen as important and viable.

From a 2009 article in the Fosters Daily Democrat, by Jason Claffey;  
~In Franklin's private sector employment declined 25 per cent from 1999-2007

~Growth in the commercial and industrial property tax base increased 47 per cent worse than many comparable communities including Somersworth 133 percent and Dover -115 percent

~Per capital spending on education, streets, roads, libraries, parks and recreation, and capital improvement projects was lower than the median of communities with a population of 8000 and above.  
~The growth of 4.1percent from 1990-2007 was the fourth lowest of the state's 40 largest communities.

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
ATTORNEY GENERAL

ANN M. RICE  
DEPUTY ATTORNEY GENERAL



March 15, 2013

Kathleen Russo, Chair  
Chair SAU 18 School Board  
119 Central Street  
Franklin, NH 03235

Re: Tamara Feener – Ward 2 Moderator/School Board Member

Dear Ms. Russo:

This correspondence is in response to your claim filed on October 18, 2012, alleging that Tamara Feener, having been elected to the offices of city moderator and school board member violates RSA 671:18. It is this office's determination that the above-cited statute is not applicable to the current circumstances.

Under the current circumstances, Ms. Feener was elected as the Franklin City Ward 2 moderator and to hold one of the two Ward 2 School Board seats. RSA 671:18 is not applicable under these circumstances because Ms. Feener was elected as moderator in the context of RSA 44:12 (ward officers) and not RSA 671:6 (other officers). Likewise, Ms. Feener was not elected to the school board in the context of RSA 671:2, but in the context of the Franklin City Charter § C-13.

The City Charter sets out the qualifications for school board in section C-13. Chapter 61 of the Franklin city ordinances provides an adequate remedy at law for an aggrieved citizen questioning the qualifications of a school board member. Therefore, the City Council is the proper forum to determine whether Ms. Feener may simultaneously hold the office of ward moderator and school board member. *See Brennan v. Herman*, 109 N.H. 541, 543 (1969).

Any concern you may have regarding a conflict of interest arising out of any of the council members presiding over this matter is not warranted. When a city council is asked to determine whether an individual is entitled to hold office, such a proceeding is judicial in character and any member having a conflict of interest would have to recuse his or herself. *See Rollins v. Conner*, 74 N.H. 456, 457-58 (1908).

Kathleen Russo  
Re: Tamara Feener – Ward 2 Moderator/School Board Member  
March 15, 2013  
Page 2

The file on this matter is now closed without any further action and I thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen G. LaBonte". The signature is fluid and cursive, with a large initial "S" and "L".

Stephen G. LaBonte  
Assistant Attorney General  
Civil Bureau

Cc: Ms. Tamara Feener  
Mr. Ken Merrifield, Mayor  
Mr. David Scanlan, Deputy Secretary of State

SGL/sd  
861837

**CITY OF FRANKLIN**  
**NORTHERN PASS TRANSMISSION LEGISLATION**  
**APRIL 29, 2013      STATUS REPORT**

<b>Bill</b>	<b>Title</b>	<b>Sponsor</b>	<b>Status</b>
<u>HB 166</u>	Requiring the Public Utilities Commission to make specific findings as to the public need for proposed transmission lines. Also requires transmission lines that are deemed "not for the public good" to be placed underground	Townsend, Charles	Retained in committee
<u>HB 286</u>	Relative to broadband infrastructure (changes requirements for the issuance of broadband infrastructure bonds by municipalities)	Townsend, Charles	Retained in committee.
<u>HB 449</u>	Relative to the application process for a certificate for an energy facility	Ladd, Rick	Retained in committee.
<u>HB 484</u>	Relative to public approval prior to issuance of certain site evaluation certificates	Kurk, Neal	Retained in committee
<u>HB 568</u>	Requiring new electric transmission lines in NH to be buried	Rappaport, Laurence	Retained in committee
<u>HB 569</u>	Relative to the placement of all new electric transmission lines in NH	Rappaport, Laurence	Retained in committee
<u>HB 580</u>	Establishing moratoriums on wind turbine plants and electric transmission line projects	Reilly, Harold	Retained in committee
<u>HB 586</u>	Establishing a one year moratorium on applications for certificates for electric transmission facilities	Smith, Suzanne	Retained in committee
<u>HB 676</u>	Extending and expanding the Coos County job creation tax credit	Butynski, William	Passed the Senate 4/18/13
<u>SB 99</u>	Relative to the process for applying for a certificate for an energy facility	Forrester, Jeanie	Passed the Senate with the Bradley floor amendment requiring a study of site evaluation criteria for wind and electric generation facilities, and transmission facilities. House ST&E Committee hearing 5/7/13, 10:30, 302-304 LOB
<u>SB 124</u>	Establishing an integrated land development permit	Odell, Bob	Passed the Senate 3/14/13 with Odell floor amendment. House Resources Committee hearing 4/16/13, 11:15, 305 LOB. Work session 4/30/13, 1:30, 305 LOB. Exec. Session 4/30/13, 1:30, 305 LOB

**CITY OF FRANKLIN**  
**NORTHERN PASS TRANSMISSION LEGISLATION**  
**APRIL 29, 2013      STATUS REPORT**

<b>Bill</b>	<b>Title</b>	<b>Sponsor</b>	<b>Status</b>
<u>SB 191</u>	NEW TITLE: establishing a state energy strategy	Odell, Bob	Passed the Senate 3/28/13. House ST&E hearing 5/7/13, 1:00, 304 LOB.
<u>SB 195</u>	Relative to wind powered renewable energy facilities	Sanborn, Andy	Tabled in the Senate 3/28/13
<u>SCR 1</u>	Relative to special use permits in the White Mountain National Forest	Woodburn, Jeff	Passed the Senate 3/28/13. House Resources Committee hearing 4/16/13, 10:30, 305 LOB. Exec. Session 4/30/13, 1:30, 305 LOB..