

CITY COUNCIL MEETING

AGENDA ITEM VII



CITY OF FRANKLIN
COUNCIL AGENDA REPORT

March 3, 2014 City Council Meeting

Subject: Other Business

A. Committee Updates

B. City Manager's Update



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting March 2014

Date: February 24, 2014
From: Elizabeth Dragon, City Manager
Subject: **Manager's Update**

Contingency Grant Line Activity: The City received the following in the contingent grant line this month:

\$500 from Health trust for Wellness Grant (this is a second grant)
\$200 from FSB for tournament t-shirts
\$200 K9 donation from Plymouth Dentist

Big Thanks to the Franklin Elks!- Sat February 22nd the Franklin hosted the Mayor, City Council and Municipal employees for a "City of Franklin appreciation night". A delicious Prime Rib dinner was served by the Elks to approximately 70 guests. Plaques were presented to departments in appreciation for all they do throughout the year. Thank you to all the members of the Elks who made the event possible!

Reminder- Please try to make time to attend the Franklin Mayor's Drug task force "annual year in review" originally scheduled for Feb 13th 5-7pm postponed to **March 13th 5-7pm** here at Franklin City Hall.

Lakes Region Transportation Summit- To be held Friday March 7th from 2-4pm at the Lakes Region Community College. (flyer attached)

Northern Pass: On February 19, 2014, several of us (Sara Tracey, Chief Goldstein, Jim Aberg, Leigh Webb and I) traveled to Concord to oppose SB 200 <http://www.gencourt.state.nh.us/legislation/2014/SB0200.html> this bill: Requires the department of transportation to designate corridors on state-owned rights-of-way for the burial of transmission facilities. Requires the site evaluation committee to develop a process for evaluating infrastructure proposals for the use of designated corridors. Requires the department of transportation to negotiate lease agreements for the use of designated corridors. Obviously, one of the reasons for opposing this piece of legislation is the possibility that a mandated state corridor (following state roads) potentially could bypass the City of Franklin-just like I93. Another major concern is in regards to a blanket mandate for the burial of all the electric transmission lines. Such a mandate could potentially kill a project like the Northern pass project-both due to costs of such a broad mandate but also simply due to logistical issues with a project of this magnitude. SB200 also makes you wonder why the state's property is better suited for these transmission lines vs. property already owned by utility companies (and therefore already paid for by the rate payers). This not only adds additional cost to the project but it seems a bit self serving.

K2/Synthetic Marijuana- On February 20, 2014, Tilton passed a K2 ordinance (copy attached). This is great news for the City of Franklin. The City Council passed a similar ordinance which was the first in the State of NH. This ordinance, which was proposed in 2010 and adopted in January 2011, banned the substance from within the city borders. Chief Goldstein attended Tilton's public hearing to lend support to their efforts. Once synthetic marijuana was removed from the stores here in Franklin students were traveling across the town line to Tilton to continue purchase the substance. This ordinance will go along ways towards restricting access to these products for Franklin students.



**LAKES
REGION
TRANSPORTATION
SUMMIT**

PANEL:

Karmen Gifford:
*Lakes Region
Chamber of
Commerce*

Chris Clement:
*Commissioner of
New Hampshire
Department of
Transportation*

Richard Lee:
*New
Hampshire
Road Agents
Association*

Chris Mulleavey:
*Hoyle Tanner &
New Hampshire
Good Roads*

Rusty McLearn:
*Owner of Mill
Falls at the
Lake*

Greg Goddard:
*Lakes Region
Tourism
Association &
Gunstock
Mountain
Resort*

Daniel Mills:
*President of
GI Plastek*

Jerry Gappens:
*CEO New
Hampshire Motor
Speedway*

**FRIDAY, MARCH 7TH
LAKES REGION COMMUNITY
COLLEGE
2:00-4:00 P.M.**

SAVE THE DATE!

JOIN SENATOR ANDREW HOSMER

As he hosts a panel of state and regional experts for an informational forum on current issues surrounding transportation in New Hampshire. Panelists will begin the program with short presentations, which will be followed by a question and answer portion. Discussion will be centered on the correlation between highway infrastructure and the economy of the area, funding for New Hampshire's highway investment, drivers of construction inflation, what factors damage New Hampshire roads, and the potential long-term effects of the failure to address those damages.

Complementary Light Refreshments

Please RSVP To Lucas@HosmerNH.com or call (603) 568-2511

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Board of Selectmen
Patricia Consantino
Katherine Dawson
Joseph Jesseman
Albert LaPlante
Sandra Plessner

TOWN OF TILTON ORDINANCE

PROHIBITION OF THE POSSESSION OR SALE OF SYNTHETIC CANNABINOIDS

Purpose and intent

It has been determined that certain businesses and/or individuals within the Town of Tilton are possessing and selling certain substances which when ingested produce intoxicating effects similar to Tetrahydrocannabinol (THC) or Marijuana. These substances, which are described herein, are often used as an alternative synthetic to Marijuana and are potentially dangerous to users, society, and the long term effects are not yet known. The effects of these substances are a health concern to the citizens of the Town of Tilton. Not all of the substances are categorized as illegal controlled substances under State or Federal law. By selling these "legal" substances for smoking and ingestion under the guise of incense, the manufacturers avoid the United States Food and Drug Administration process for study and approval of such prior to distribution for consumption. In addition, by marketing such "incense" products directed at the controlled drug subculture the manufacturers and sellers avoid the Schedule I implications of the Controlled Substances Act. The Town of Tilton Board of Selectpersons recognizes there is no legitimate purpose of such synthetic chemicals contained therein.

Prohibited Activities

It shall be unlawful for any person to sell, barter, give, publicly display for sale or attempt to sell, or to possess or transport, any material, compound, mixture or preparation which contains any quantity of synthetic cannabinoids or their optical, positional and geometric isomers, salts and salts of isomers whenever the existence of such isomers, salts and salts of isomers is possible within the specific chemical designation as defined below within the corporate limits of the Town of Tilton, New Hampshire.

Definitions

For the purpose of this section, the following shall be defined as follows:

Person: An individual, corporation, limited liability company, partnership, wholesaler, retailer, and any license or unlicensed business, including clerk, manager, or owner of business.

Synthetic cannabinoid: Any substance within the following structural classes that displays binding activity at the CB1 and/or CB2 cannabinoid receptor sites. Binding activity may be documented in the following ways, including but not limited to:

- i. A patent or patent application or copy thereof that attests to the binding activity of the substance in question; and/or
 - ii. An article or document or copy thereof from a peer-reviewed scientific journal or equivalent publication that attests to the binding activity of the substance in question.
1. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with a substituent at the 5-position of the phenolic ring; whether or not substituted on the cyclohexyl ring to any extent.
 2. Any compound containing a 1-(1-naphthylmethyl)indene ring system with a substituent at the 3-position or the indene ring system; whether or not further substituted on the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.
 3. Any compound containing an indole ring system with a substituent of the nitrogen atom and bearing an additional substituent at the 3-position of the indole ring system, with a linkage connecting the ring system to the substituent:
 - i. where the linkage connecting the indole ring system to the substituent at its 3 position is any of the following:
 - alkyl
 - carbonyl
 - ester
 - thione
 - thioester
 - amino
 - alkylamino
 - amido
 - alkylamido
 - ii. where the substituent at the 3 position of the indole ring system is, disregarding the linkage, any of the following groups:
 - naphthyl
 - quinolinyl
 - adamantyl
 - phenyl
 - cycloalkyl (limited to cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl)
 - biphenyl
 - alkylamido (limited to ethylamido, propylamido, butylamido, or pentylamido)
 - iii. whether or not the substituent at the 3-position of the indole ring system, disregarding the linkage, is further substituted to any extent

- iv. whether or not further substituted on the indole ring to any extent.
4. Any compound containing a indazole ring system with a substituent at the 1-position nitrogen atom and bearing an additional substituent at the 3-position of the indazole ring system, with a linkage connecting the ring system to the substituent:
- i. where the linkage connecting the indazole ring to the substituent at its 3 position is any of the following:
- alkyl
 - carbonyl
 - ester
 - thione
 - thioester
 - amino
 - alkylamino
 - amido
 - alkylamido
- ii. where the substituent at the 3 position of the indazole ring is, disregarding the linkage, any of the following groups:
- naphthyl
 - quinolinyl
 - adamantyl
 - phenyl
 - cycloalkyl (limited to cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl)
 - biphenyl
 - alkylamido (limited to ethylamido, propylamido, butylamido, or pentylamido)
- iii. whether or not the substituent at the 3 position of the indazole ring system, disregarding the linkage, is further substituted to any extent.
- iv. whether or not further substituted on the indazole ring to any extent.
5. Any compound containing a pyrrole ring with a substituent on the nitrogen atom and bearing an additional substituent at the 3-position of the pyrrole ring, with a linkage connecting the ring to the substituent:
- i. where the linkage connecting the pyrrole ring to the substituent at its 3 position is any of the following:
- alkyl
 - carbonyl
 - ester
 - thione

- thioester
 - amino
 - alkylamino
 - amido
 - alkylamido
- ii. where the substituent at the 3 position of the pyrrole ring is, disregarding the linkage, any of the following groups:
- naphthyl
 - quinolinyl
 - adamantly
 - phenyl
 - cycloalkyl (limited to cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl)
 - biphenyl
 - alkylamido (limited to ethylamido, propylamido, butanamido, or pentanamido)
- iii. whether or not the substituent at the 3 position of the pyrrole ring, disregarding the linkage, is further substituted to any extent.
- iv. Whether or not further substituted on the pyrrole ring to any extent.
6. Any compound containing a pyrazole ring with a substituent at the 1-position nitrogen atom and bearing an additional substituent at the 3-position of the pyrazole ring with a linkage connecting the ring to the substituent:
- i. where the linkage connecting the pyrazole ring to the substituent at its 3 position is any of the following:
- alkyl
 - carbonyl
 - ester
 - thione
 - thioester
 - amino
 - alkylamino
 - amido
 - alkylamido
- ii. where the substituent at the 3 position of the pyrazole ring is, disregarding the linkage, any of the following groups:
- naphthyl
 - quinolinyl
 - adamantly
 - phenyl
 - cycloalkyl (limited to cyclopropyl, cyclobutyl, cyclopentyl, or cyclohexyl)
 - biphenyl

- alkylamido (limited to ethylamido, propylamido, butanamido, or pentanamido)
 - iii. whether or not the substituent at the 3 position of the pyrazole ring, disregarding the linkage, is further substituted to any extent.
 - iv. whether or not further substituted on the pyrazole ring to any extent.
7. Includes, but is not limited to the following:
- QUCHIC/BB-22
 - QUPIC/PB-22
 - 5-fluoro PB-22
 - STS-135
 - APICA/SDB-001
 - ADBICA
 - APINACA/AKB48
 - AB-FUBINACA
 - AB-PINACA
 - ADB-FUBINACA
 - AM-1248
 - AM-2233
 - AB-001
 - SDB-006
 - 5-chloro UR-144

8. This definition shall not include:

- i. Endocannabinoids that are naturally found in the human body; or
- ii. delta-9 Tetrahydrocannabinol (THC) or other Marijuana-derived cannabinoids, in the form of Marinol, Dronabinol, or another generic pharmaceutical equivalent; so long as the medication has been issued as the result of a valid prescription; or
- iii. any other drugs that have cannabinoid receptor activity that are currently FDA-approved for medical use; or
- iv. Marijuana and extracts of Marijuana, as these are already controlled per NH RSA 318:B

Exceptions.

A. It is not an offense under this Chapter if the person was acting at the direction of the Tilton Police Department and its officers, or federal or state law enforcement, to enforce or ensure compliance with this law prohibiting the sale of the aforementioned substances.

B. If the State of New Hampshire enacts criminal penalties for the possession, sale, transportation, or delivery of any chemical substance listed in this ordinance, then upon the effective date of this control, this ordinance shall no longer be deemed effective for that

substance. However, a violation of this ordinance occurring prior to the effective date of such State statute may be prosecuted after the effective date of State control.


Violations and Penalties.

- A. Any person found to be in violation of this ordinance will be assessed a fine of \$500.00. Each day a violation occurs will constitute a separate offense.
- B. In addition to any penalty provided in the above section A, if any of the aforementioned substances listed above are found in the possession of any person, the substances will be forfeited by seizure by the Tilton Police Department or its officers and may be destroyed by such law enforcement officials in a method consistent with law.

Validity and Application.

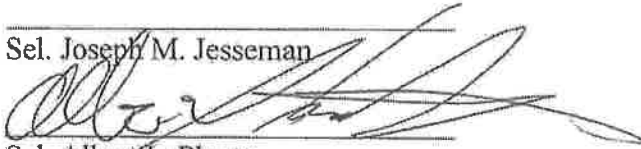
- A. If any provision of this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this ordinance, which shall remain in full force and effect.
- B. All ordinances, resolutions, orders and parts thereof or in conflict with this ordinance are hereby voided.
- C. This ordinance shall be in full force and effect immediately upon its passage.


Sel. Patricia Consentino, Chairman


Sel. Sandra Plessner, Vice Chairman

Sel. Katherine D. Dawson

Sel. Joseph M. Jesseman


Sel. Albert LaPlante

Dated this 20 day of Feb 2014

Recorded with Town Clerk


Cynthia D. Reinartz, Tilton Town Clerk

Date: 2/20/2014