

CITY COUNCIL MEETING
AGENDA ITEM I



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of March 7th, 2016

Subject: Approval of Minutes

Motion: "I move that the Franklin City Council approve the minutes of the February 1st, 2016 City Council Meeting and the February 16th, 2016 Road Workshop Meeting."

Mayor calls for a second, discussion and the vote.

City Council Meeting February 1, 2016

Call to Order

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

In Attendance

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

Salute to the Flag was led by Councilor Desrochers.

Public Hearings

Council to accept approximately \$9,130 from the Albert Garneau Scholarship Fund for the purpose of placing the expendable scholarship fund with the City's Trustees of Trust Funds.

There was no public comment.

Comments from the Public

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

Glen Feener spoke about Agenda Item IV as he speaks in favor of this. "Our City Manager will do a great job representing us at these meetings particularly with the help of the City Solicitor given her direction and I strongly suggest that vote be a 100% in favor this evening and if any councilors vote against this, then I would suggest they tender their resignation because obviously they have some other agenda in mind and they are not for the best interest for the future of Franklin."

Glen Feener then asked what next Tuesday is and if the councilors know what their responsibilities are. He just wanted to make the councilors aware that the Moderator received in the mail from the Attorney General's office, 2016 Polling Place checklist for the Presidential Primary Election. On the front page it is asking how many Selectmen, in Franklin's case City Councilors, are present at the polls? He hopes to see everyone at the polls and would like to hear that everyone showed up and we all get a passing grade on that.

Ms. Cilley wanted to know the status of streets to be resurfaced. She lives on Terrace Rd and it is like a minefield trying to get through there, if we can get this resurfaced. This will be discussed later in the agenda.

Choose Franklin

Councilor Dzujna, who is co-chair of Choose Franklin, will give update so far. Had a terrific First Day, had the most kayaks ever and about 300-400 people. The police did a terrific job at keeping the people from blocking the way. This Thursday we are having the new CEO Seth Warren from the hospital speaking at our meeting, in the Library, speaking about his plans for Lakes Region. In March, we are having Superintendent of Schools taking about his first year on the job. In April, we are having the Mayor's Drug Task Force speaking about the Opioid crisis. Our meetings are at 8:00 am and hope to see everyone there.

Legislative Comments - None

City Council Acknowledgements

Councilor Dzujna wanted to say that Inspire music (Zach DeFoses), which started here on River St., had his first acoustic session last Saturday he and the entertainer (Zach Benton from Keene) donated all the proceeds to the Elkins St. fire victims. Councilor Dzujna wanted to thank them both.

Councilor Desrochers wanted to say he has a couple of comments that he wanted to direct to Director Sullivan about snow pick up on Franklin St and the maintenance of the sidewalks from residents as they were happy to see them doing it again.

Mayor's Update

Mayor Merrifield wanted to mention some discussion about HB626, which is a bill to establish electricity corridors through the State of NH and if mandated by the legislature it would effectively cut Franklin out of the Northern Pass project. This bill was already heard in committee and voted ITL in committee, recommended to be killed by the committee and was resurrected by the floor when it came to a full vote in the house. The hearing is Wednesday at 10:30 am in the LOB Rm 212. Mayor Merrifield and City Manager Dragon will be there and he invites anyone from the Council who can be there and testify and invites anyone from the public who would like to come and fight for their City because this would effectively eliminate the City's chance at \$7.5 million a year in new revenue. Councilor Dzujna asked if this is the bill that would take Northern Pass down 93 that was stopped last year. Mayor Merrifield states the bill is vague but doesn't appear to mandate electricity corridors but they designate specific state highways none of which run through Franklin.

Agenda Item I.

City Council to consider the minutes of the January 4th, 2016 City Council and Inaugural Meeting.

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

Councilor Barton abstained, All others in favor; motion passes.

Agenda Item II.

School Board Report

School Board report given by Debbie Brown. School Board held their first meeting as a new board of 9 and it was the first time in a long time all 9 members were present. The board has worked on a number of things to bring the board into all the subcommittee's and the board will be voting on those choices and Deb was here as a courtesy to update the group. The juniors are currently registering for SATs. Next school board meeting is Feb 15 at 6:00 pm at Bessie Rowell Library at the Middle School.

Agenda Item III.

City Council to consider accepting approximately \$9,130 from the Albert Garneau Scholarship Fund for the purpose of placing the expendable scholarship fund with the City's Trustees of Trust Funds.

Motion: Councilor Dzujna moved that the Franklin City Council accept approximately \$9,130 from the Albert Garneau Scholarship Fund for the purpose of placing the expendable scholarship fund with the City's Trustees of Trust Funds. Motion seconded by Councilor Desrochers.

All in favor; motion passes.

Agenda Item IV.

City Council to consider proposed legal fees above and beyond the monthly retainer for FY16.

City Manager Dragon gave an explanation of this document to the Council. Mayor Merrifield wanted to add that he did some research, and wanted to give credit to Councilor Zink with questions she asked, and that the City of Berlin has already requested to be identified as an intervener and has retained outside legal counsel. The SEC will attempt to combine interveners

who have like interests so that there won't be a bunch of lawyers asking the same questions. We may be able to combine our efforts with the City of Berlin.

Motion: *Councilor Desrochers moved that the Franklin City Council approve additional legal fees through October 2016 estimated to average \$1500-\$2000 a month (not to exceed \$20,000 in total) to participate in the site evaluation process for the Northern Pass project. Motion seconded by Councilor Starkweather.*

Councilor Dzujna states that he feels we have to get involved and intervene. One question is will we still be able to utilize City Manager Dragon if we pool attorneys? City Manager Dragon stated that she feels that they can't tell us where we will get our guidance from, so we will still be using Attorney Fitzgerald, but rather they are looking to combine the arguments of attorneys to save time and not repeating the same information.

Councilor Zink states that when we talk about number 14 in this draft proposal we should add a line that says "We respectfully request that the SEC Grant its permission to intervene and permit the City of Franklin to participate with full standing in all phases of activity of the preceding's". Councilor Zink thinks it would be better to add that as other interveners have that language in their applications. Mayor Merrifield doesn't disagree and it is a good thing to add but he states that the SEC is going to decide our scope of what our intervention is. Mayor Merrifield would like City Manager Dragon to ask Atty Fitzgerald if we should edit the petition as long as there are no objections from Council.

Councilor Clarenbach asked that during the process of intervention that for each decision making process we are recognized where they will be taking all the public comments from the 4 or 5 hearings and put all that into record. Intervenors are going to be there throughout the process and constantly remind them of our concerns. Mayor Merrifield's understanding is it is a higher level of participation than if you were just the public. Councilor Clarenbach wanted to understand the difference between the individual vs an entity, what is the complexity and he didn't understand the difference as the City has the power to give City Manager Dragon but what is the benefit? City Manager Dragon then explained that Atty Fitzgerald felt that if one were to intervene individually that City Manager Dragon would still be able to convey the City's position and interest without necessarily drawing the same attention as the City would filing as an organization or a government entity. They are different parts of discovery and Atty Fitzgerald feels that this would limit us in some respects.

Councilor Boyd states that every member signed something recently and residents weren't aware that the Northern Pass was looking to build in Franklin and bring \$6.5 million in revenue and they are in favor of the Northern Pass because they think it is one of the greatest things the State has ever done. We need to do everything we can to make sure that the 2.1 million that they paid for the 1000 acres is where it should go. Mayor Merrifield agreed.

Councilor Giunta asked City Manager Dragon that she would be designated to go there to save us money rather than have Atty Fitzgerald, as the city representative, to sit there time and time again and City Manager Dragon could gather information and bring it back to Atty Fitzgerald if she needed to involve him so we would not need to pay for Atty Fitzgerald all the time. Councilor Desrochers wanted to make one note that there is a bigger picture that some people of Franklin and the people of the State of New Hampshire are missing out on and that is Public Service is selling their power dams, they have a coal fired plant in Bow that is no longer being serviced, they have an oil fired plant in Portsmouth and I don't know if they are even running anymore, Vermont Yankee is closed, Pilgrim Power Plant in Ma is closed, the Northeast needs energy. If we want industry to come here we have to have a cheaper source of power than what we have. Now you can dislike Northern Pass or like it that fact remains, the Northeast needs an electric source of power or we are not going to have any jobs here. I remember brownouts in NYC due to lack of power and that will happen here in New England if we don't do something. The time has long come to stop saying not in my back yard, if not in your backyard than in whose?

Councilor Zink asked if we needed to add a line to the SEC filing that said "by and through our attorneys and the office of City Manager" as right now it all states City of Franklin. Mayor Merryfield stated we will run that by Atty Fitzgerald.

All in favor; motion passes.

Agenda Item V.

City Council to discuss Wild and Scenic Application.

City Manager Dragon gave an explanation of this document to the Council and there is a meeting with Representative Kuster on Feb 16 regarding this. Mayor Merrifield states that Wild and Scenic is an act of Congress that makes this designation and that is why it goes through Representative Kuster's office. City Manager Dragon also states that some questions have come up whether this designation will cause some problems for the Northern Pass Project. Some research has been done but it is not clear cut whether it would impact the Northern Pass Project. It may be a good idea to put a pause on this application and not a bad thing to readdress it for the future rather than create another hurdle for the City and the Northern Pass Project at this time.

Mayor Merrifield states all they have to go on is the last vote from the Council which was all in favor to pursue this designation and no one had any indication that this would stop or hinder Northern Pass at that time.

Motion: *Councilor Desrochers moved that the City of Franklin and City Manager Dragon suspend any further talks on the Wild and Scenic River designation until the Northern Pass dust is settled unless we can get assurances from the Federal*

Government that this will not affect the Northern Pass in any way shape or form. Motion seconded by Councilor Barton.

Councilor Dzujna stated it was great that this came up as we do not want to do anything that will hinder what we are trying so hard to accomplish. If he remembers correctly, that a comment was made back then why the Advisory group was waiting so long to put forth an application and no one seemed to know. There really is not a dire need at this time. Mayor Merrifield believes that this application has been since previous City Manager Pitts and that is going back 10-15 years ago. He also stated that neighboring communities who touch the river steadfastly oppose this designation.

Councilor Clarenbach asked that once the federal government starts are they going to continue on without our direction or do we need to remove this completely? City Manager Dragon stated that they need the City's support to move it forward and that is why they need the Mayor and City Manager Dragon at the meeting with Representative Kuster because they need for it to be known that the City is behind this application and not just the Upper Merrimack Local River Advisory Committee. City Manager Dragon will communicate with them that City wants to suspend this until the Northern Pass is complete then they really don't have anything to go forward with at that point. City Manager Dragon would also notify the Upper Merrimack Local River Advisory Committee of this as well.

Councilor Zink wanted to know where the lines cross on the Merrimack. Mayor Merrifield stated it is right at the Boscawen town line where the power lines are currently is where the Northern Pass will pass and that would be south of the DC converter station.

All in favor; motion passes.

Councilor Giunta would like to make another motion as the Wild and Scenic has been around for 15 years so why have towns not jumped on this. This designation could be the end of Northern Pass and why he thinks there is huge push to move this forward by the congressional channels to get this passed.

Motion: Councilor Giunta would like to direct the City Manager to draft a letter and send it to our Congressional delegation (all of them), our Governor, Speaker of the House, President of the Senate, this covers the State side as well as the Congressional side and that letter is to say the City of Franklin strongly does not support the designation of the Upper Merrimack River Wild and Scenic Designation. Motion seconded by Councilor Desrochers.

Councilor Barton asked if this would give us any leverage. Councilor Giunta states that this sends a clear message that we know what is going on, we know where this is headed and we are not going to stand for it. Councilor Clarenbach stated the issue here is we are looking for a goal of Northern Pass crossing and once that crossing is made if we are interested in Wild and

Scenic we would have told them all that we are not interested in that. He is not sure in calling them out what the purpose would do? Councilor Zink asked if we could draft the letter and then bring it to the next meeting and read the letter before we vote on the letter. Councilor Giunta is worried that there are forces out there that want to move this very quickly and right now we have an outstanding vote out there that supports Wild and Scenic. He is worried that someone would go to Senator Sheehan or Senator Ayotte and say look Franklin has endorsed this and they move forward with this. He feels a quick letter, and a statement to the media, makes a huge difference and makes a clear difference. Councilor Giunta also makes note to the last highlight in the handout about a bridge that was discussed in this Wild and Scenic that was unable to happen and what about the bridge that we wanted to do.

Councilor Desrochers removed his second and Councilor Giunta removed his motion.

During conversation it was agreed maybe the best route would be to rescind the original motion from August instead of suspending.

Motion Councilor Clarenbach moves that the Franklin City Council rescind its authorization for the Wild and Scenic designation for the Upper Merrimack River from August 3, 2015 and notify Congressional delegation in the State of NH of such. Motion seconded by Councilor Boyd.

All in favor; motion passes.

Agenda Item VI.

Other Business

Councilor Starkweather got some calls and was talking with people about 5 buildings that are burnt out and the one condemned due to sewer issues what is the city going to do about these buildings? Normally the holdup is the insurance company but Councilor Starkweather has information that 2 of these buildings the insurance company has settled and paid the owners. His fear is that the owners are going to pocket the money and the city will end up with these buildings. Per the code, if they are boarded up more than 30 days they need to be painted the same color as house. City Manager Dragon stated that it is an issue that they have seen properties where claims have been paid and then remained boarded up. Unfortunately, the ordinance only states to board up the property so maybe a sit down with Director Lewis, Inspector Bodien, Chief LaChapelle and City Manager Dragon to look at the ordinance again to see if there is anything else that can be done. Mayor Merrifield stated that we have experience here in Franklin where owners have walked away.

Councilor Starkweather next stated that a few months ago the lights at Central St and Franklin St were just flashing yellow and flashing red and traffic moved better than it ever has. This was discussed at the MSD committee to possibly put them in flashing mode from 6:00 pm to 6:00

am. This is something for people to think and take some action rather than just talking about it. Councilor Clarenbach stated that the MSD committee is in support of this. Councilor Desrochers added that the MSD committee also talked about doing this on the Saturdays and Sundays to keep the flow moving. When they were flashing for a few days traffic moved 100% better and definitely something to look at. It was suggested that this topic be sent to Highway Safety Committee for review.

Councilor Starkweather wanted to know about the heating system at City Hall, as a lot of money was spent and wanted to know the status. City Manager Dragon stated that City Hall and Proulx Center have had some issues that is very discouraging. One of the issues is the controls in place as they wanted to put that through our main server and we were not comfortable with them accessing our main server so we had our IT Company put them on a different computer. That computer is now ready so the company can log in remotely to make changes to system as needed. That is problem number 1 that should improve. This is a steam system and we have a meeting with a contractor who is more familiar with a steam system next week. We also held back \$50K from the original installer, and won't receive this money until fixed, so any work occurring isn't costing the city any money and they want to get this resolved just as quickly as we do.

1. **Committee Report** – MSD committee met about the road program. The estimated list is that Prospect St is the worst street. The Committee's recommendation would be to have a workshop and have a discussion with the whole council in reference to what legally would be in the best interest of the city. Bonding has a tight window each year the outcome from the MSD was thinking not to Bond and get a note instead for portions of Prospect St. Would encourage a workshop this month to discuss the MSD committee's thoughts and where we should go. Tuesday, February 16 was selected as the Road Repair Workshop date.

Director Sullivan addressed Terrace Rd and stated Terrace Rd is not on the list as there is not enough money to fund all roads in one year. Terrace Rd also needs new water and sewer main so that means there has to be money from the water and sewer funds to install those mains on that road. We can discuss doing something for Terrace Rd at the workshop as there are sections of Terrace Rd in horrible shape especially the beginning of it. There may be other roads that come up as he just gave a preliminary list.

Councilor Dzujna talked about the Crime Line that he has been attending, as the Chief asked him to attend. This month they will be meeting this month at the Franklin Police Dept. on Feb 24 at 8:30 for anyone who wants to stop by and see what the Crime Line is all about.

2. City Manager's Update

City Manager Dragon advised that the City received the following contingent grant line amount: \$200 from Lions for the Book Club; \$500 from HealthTrust for wellness; \$500 from HealthTrust for Safety Coordinator (Fire).

City Manager Dragon wanted to mention that Fire Departments call statistics and the call volume continuing to rise. Attached is a report of their calls to analyze their trends and it seems to be pretty even across the board. One thing that she did want to mention that there seems to be more fires. The Chief wrote City Manager Dragon today as they responded to 5 multiple alarm fires this past week, 2 in Franklin, 1 in Tilton/Northfield, 1 in Belmont and 1 in Andover with over \$4500 in labor and one small injury. City Manager Dragon just wanted to bring this up as we go into budget season with the activity that goes on in the Fire Department as well as the Police Department. Hopefully Chief LaChapelle and his department have been able to get some sleep over the past few days since we haven't had any fires. They have done a great job responding to all those needs, Great Job!

Haynes Brook Culvert update, down by Hannaford, we are now moving forward. Director Sullivan, Director Lewis, myself met with the engineer and took a look at the project to get the documents ready to go out to bid. We are hoping to get construction underway from July to October 2016. It is a busy intersection so we will be looking at traffic concerns, trying to keep everything on track and keeping one lane open at all times. There is no detour around that area so that is why it is so important to do this project. If there was ever a breach in this area it would be very difficult to access the City. We will keep you posted with updates.

We are representing the City and opposition on HB 626 on Wednesday. We also have two House bills on Wednesday morning regarding the Winnepesaukee River Basin program. City Manager Dragon is just going to go in and sign in support of those two bills and then head over to the Northern Pass session. One bill we requested Senator Hosmer to put forth an LSR on our behalf to look at making sure the advisory committee has written recommendation on capital expenditures something that was in the MOU that we signed with the State back in 2012. The other bill looks at expending funds, if you remember for the last couple of years we were working on a management and operations study for the basin program. We were at that last part (task 2) and we were seeking as an advisory board, additional information to put dollars with options so that governing bodies and select boards could make informed decisions. We were looking at options for the future of governance of the Winnepesaukee River Basin program. We surprisingly found out that this is not an allowed expense. We are going into this hoping to change that language in the Statute.

City Manager Dragon wanted to also remind the council of the withdrawal process that is happening at the school right now. The committee is moving forward with the withdrawal plan and tomorrow at 6:00 pm at the middle school will be another presentation on the financial consolidation. All school board members have been invited to attend but did not know if they are planning on attending or not. City Manager Dragon and Finance Director Milner attend these meetings. There is also a draft of the withdrawal plan that is being reviewed.

There are also several press releases in this packet as well.

3. City Council Appointments

Councilor Desrochers appoints Councilor Giunta as the Finance Committee Member to the SAU Withdrawal Committee. Seconded by Councilor Dzujna.

All in favor, motion passes.

Councilor Clarenbach appoints Steven Foley to be Moderator, Ward I (Seat M1). Term of Service to October 31, 2016. Seconded by Councilor Desrochers.

All in favor, motion passes.

Adjournment

Motion to adjourn made by Councilor Desrochers and seconded by Councilor Boyd. All in favor; meeting adjourned at 7:16 p.m.

Respectfully Submitted,

Lauraine G. Paquin

**CITY COUNCIL ROAD BOND WORKSHOP MEETING
TUESDAY, FEBRUARY 16, 2016**

Call to Order

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

In Attendance

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

Absent

Councilor Boyd.

Salute to the Flag was led by Councilor Zink.

A moment of silent reflection was taken to honor long time Franklin Fire Department employee Richard Davis, Sr. who passed away today.

Roadwork Discussion

City Manager Dragon stated we have been talking about roads since she arrived in 2008. We have done a lot of maintenance over the years but not a lot, much or any reconstruction. Last year, at the end of the budget year, we had some funds and we were able to do some work in various parts of the city. This year the MSD Committee met to discuss doing road work and at that time we were looking at doing a bond for road projects, specifically Prospect St., and after the MSD Committee meeting the group was leaning towards a short term note and looking at Prospect St or the worst parts of Prospect St. In anticipation of the workshop meeting the committee asked Director Sullivan to put together a list of other roads in the City and estimates of how much it would cost to fix those roads as well.

There is an FY17 road paving worksheet for \$503,890 for just Prospect St from the Northfield town line northerly for 1.55 miles. Tonight we wanted to speak with the Council about Prospect St. and some of these other roads and get a feeling about what direction you would like to go. The reason tonight is important is if the Council decides to go for a larger scope project than what we have included we still have time for the Bond Bank time schedule. If you want to do the note then we are not as stringent on the time line.

Director Sullivan stated that there was a report, inventory and road services for Franklin, done by the city in July of 2000. In that study they went through every street in the city and classified

the types of pavement and took into consideration widths, drainage, rutting, pavement conditions and longevity were based on that survey. According to this study in 2000 38% of Franklin's roads needed rehabilitation. It goes on to list all the segments of roads and the recommendations and priorities.

Director Sullivan explained in the CAR it discusses the amortization schedule of \$550,000 with the availability of \$65,000 a year of retired bridge bond money from the Ward 1 Bridge. The biggest complaint is Prospect St. from Kidders, where the sewer ends which is a little past the golf course, to the Northfield line. We have received numerous complaints over the years and it has been that way for probably the past 30 years. The technology is there now to do something probably not a full depth box out with gravel but we have done some test holes and there is some good bite to them and material there so if we mixed in with stone that would be my proposal for that. That would be the number one priority as the committee felt is taking the most time to maintain. The number of man hours it is taking to maintain Prospect St. is unbelievable and that is taking away from every other project that we could be doing. If it is done right, if we do it under force account, we have the machinery and the people now who can do that type of work and the paving and reclamation portion would be done out of house. We don't need engineering and the companies who would be bidding on this would have laser equipment and would be able to establish a 2 inch crown which would be able to keep the water off the road and reestablish some ditches up there. That is the idea to reestablish these roads and get them back into shape. Director Sullivan does have concerns for the remainder of Prospect St. as it is tough all the way down to Central St. He gave a proposal in the initial round to the committee and that was another \$382,000 to take care of that. If you go up there now it is severely cracked and rutted. The idea was to take some of the balance of the \$550,000 and use it on some of those other sections of Prospect St. Director Sullivan stated that the best price you will get is if you don't take a paver and move it all around the City. He was figuring on \$82/ton for asphalt that was when we were all over the place. If you can keep it on one road you should be able to get a better per ton price. Something else that was talked about was appropriating some funds from the remaining balance at the end of the year, based on what the dept. heads do, from the budget and there may be money we could use from that. Another option was the Municipal Transportation Improvement Fund (MTIF) which we felt we could do at any time during the fiscal year by Resolution. We do have money committed for the Haynes Brook Culvert project out of that fund and also had appropriated funds for design of Industrial Park Dr. of \$30,000. We went out and did the worst section of Industrial Park so Director Sullivan believes the remaining \$17,000 can go back into the MTIF. We do have a set of plans we just don't have bid documents and he believes we don't think that it is necessary as we can do the rest in house. Director Sullivan's recommendation is to keep paving in one area.

Terrace Road and Davis Street have estimates and Director Sullivan has made recommendations, via FY17 Road Paving Worksheet, it starts with Prospect St. at \$503,890, this is the \$50,000 extra that we were taking about which would be a light shim that would hold it for a while that would make it rideable which is not a long term solution but a short term solution to get the water off the road. Davis Street and Terrace Road (Davis St. to Pleasant St.)

while in that same area feels we can get a better price than \$82/ton and then if there is money available we can move down the list from there. He has identified several other roads and broken it down into sections. My goal for the second set for \$159,162 is to use MTIF money, if we had it available. The third section is more extensive and wanted to give you an idea of numbers.

Director Sullivan's recommendation's to the Council is Prospect St. based on the best use of labor it would free up time to take care of some of these other roads and start getting on some type of program.

City Manager Dragon asked Director Sullivan if the \$503,890 included a contingency amount and Director Sullivan stated that it did. City Manager Dragon then asked Director Sullivan if we can reduce the note amount to be closer to the \$503,000 amount so it is closer to the retiring bond amount and that will still leave the balance of the \$159,162 to come from the MTIF. Director Sullivan then stated if there is money at the end of the year that can go towards the next section of roads and that would be his approach.

Mayor Merrifield then asked about the MTIF balance and Councilor Clarenbach then explained that it is not committed to other projects at this time. Councilor Clarenbach, as committee chair, stated the committee felt it wasn't prudent to bond for something that was going to have a shorter life. Prospect St is fine as you are going to see an improvement that hopefully should last for 20 years. The problem was if you were going to go closer to \$1M and not do the lower part of Prospect St and have maintenance to make it more rideable and not get into full depth and those repairs would last 7-9 years of a 20 year bond were not really practical. That is where the whole idea came from in trying to look for a note that would be 10 years and meet the need for the \$65,000 from the bridge bond retainer. You have to put this in context though, 20% of the Ward 1 bridge which was Franklin's portion, is going to pave half a section of Prospect St. in a 10 yr note. When you start to look at this whole transportation and ride ability, if it is bridges or roads, we are going to do a half of a street, granted it is a long street, for half of the duration of what our portion of what the Ward 1 Bridge was. You begin to add up all these numbers it is going to take a very calculated plan that is going to get us where all roads are not going to be perfect. It is going to get us a right balance so that we don't get so far behind that the catch up is painful is the best way to look at it. Mayor Merrifield thanked the committee for bringing forth a good proposal.

Councilor Wells stated he traveled all these roads today and asked if Pine Colony Road was wide enough to get two fire trucks down. Director Sullivan stated that Pine Colony Road is as wide as it can be made and to get two fire trucks down is difficult and there are other roads that are the same way. Councilor Clarenbach stated there are two sections to Pine Colony Road and once you get to the Inn it is a Private Way after that. Director Sullivan states that each year he does put in a request in the CIP, in order to stay on a 20 year rotation, based on the number of miles of road we have our figure should be \$800,000 a year. We have roughly 60 miles of roads at 3 miles a year at \$200,000 a mile plus drainage work, structure repairs to put it into

perspective. Councilor Clarenbach wanted to just point out that we have an Urban Compact which means Franklin is responsible for State roads from Tilton Town line down Central Street (Route 3) to Ward 1 Bridge. Take a left on South Main Street to the National Guard Armory at Ward 1 Bridge if you take a right and go to up North Main Street to the Auto Parts store. Route 127 (West Bow St) all the way out to Gough Pond and Gough Pond Rd. We are not going to get any additional funds for the Central Street. A section of Central St. was done 7 or 8 years ago and we have additional funds that we have to expend again but if we can get the Fed's to come in at 80% to help us but they don't do anything for paving. The Urban Compact is really a failed system for the communities that own them. Mayor Merrifield stated it works great for the State of New Hampshire and Councilor Clarenbach agreed. Tilton only maintains roughly 12 miles of roads, and no State roads, since they don't have an Urban Compact and far more capacity to raise the funds so just a little more history.

Councilor Barton asked that for the 1.55 miles how long would that last? Director Sullivan stated it would depend on what is underneath these roads but estimates roughly 15 years. It looks like they just put the asphalt over the mud. Then there is talk about turning road back into dirt like flaghole road, Calef Hill Road and Chance Pond Rd. When you have over 300 cars a day and houses close together you will have severe dust problems in the summer. You then have to apply liquid calcium and send a grader out there frequently. Our grader is a 1984 and it is an antique. Then you get into mud season and you have to be careful, as Gilmanton did 3 or 4 years ago had to close 14 miles of roads during mud season because it was so bad. I don't think Prospect St. is a candidate to turning it back into a dirt road. The overlay is a good idea, the State does a 1 inch overlay which I think is too thin but if you did a 1 ½ inch with a ½ inch stone instead of 3/8 it would give it some strength I think would make it more rideable and it would last 15 years.

MOTION: Motion made by Councilor Desrochers that the Franklin City Council schedule a public hearing on Resolution #08-16 for 6:05 pm on March 7, 2016. A Resolution involving the authorization to borrow for "Roadway Repairs". Motion seconded by Councilor Giunta. All in favor; motion passes.

Mayor Merrifield read Resolution #08-16:

RESOLUTION 08-16

A Resolution Requesting Guidance from the Franklin City Council Relative to the Appropriation of Funds Necessary to Perform Roadway Rehabilitation to Prospect Street in Franklin, New Hampshire.

WHEREAS, the City Manager, Finance Director and the Municipal Services Director request direction from the Franklin City Council relative to appropriating and expending City Highway Funds towards the improvement of Prospect Street in the City of Franklin, Hampshire; and

WHEREAS, the Municipal Services Director and City Council for **over** 14 years continue to receive continuous complaints and requests to provide safer passage for City, Residential and Commercial Vehicles due to the deteriorating conditions of this roadway, prompting the necessity for Municipal Services Department Staff to spend an inordinate amount of time, money and effort attempting to maintain safe passage year round for motorists; and

WHEREAS, the Roadway Rehabilitation of 1.55 miles of Prospect Street is a significant undertaking which will require alternative funding in an amount estimated at \$503,899, estimated to be performed over a two year period, with a construction start date of September 2016: and

WHEREAS, the Municipal Services Committee desires to set a public hearing for _____ at 6:05 P.M. in order to gain consensus on undertaking and financing this project through the "New Hampshire Municipal Bond Bank" (NHMBB) or other potential sources of borrowing, Now

THEREFORE, BE IT RESOLVED at the scheduled meeting of the City Council on _____, the Franklin City Council, Franklin, New Hampshire does hereby support the roadway rehabilitation project to Prospect Street, supports the use of the retired bridge bond monies for annual funding payments and authorizes the City Manager and/or Mayor to move forward with the application process through the New Hampshire Municipal Bond Bank for a bond not to exceed \$550,000 principal and 10 year payback period and sign all necessary paperwork.

City Manager Dragon talked about the second part of the discussion is the other roads on the list and that money being taken from the Transportation Fund. City Manager Dragon and Director Milner felt it be best this money be handled during the budget process as an appropriation as the work wasn't being done until after that. Does that meet the timeline? We can do another public hearing as a resolution to appropriate the funds as well. There was a lot of talk about not using borrowed money if we have the money. A Resolution will be prepared for the March 7 Council meeting.

City Manager Dragon wanted to have a discussion about the School Board based on a meeting they went to last evening. On the School Board agenda was the issue of consolidation/financial consolidation of the City and School finances was voted on by the School Board. City Manager Dragon, Director Milner, Councilor Dzujna, Councilor Desrochers, Leigh Webb and Annette were there in anticipation of presenting or at least answer questions for them. There was a withdrawal committee meeting a week prior where this was discussed and if the school was going to be interested in moving forward in consolidation with the City. Obviously we have gone over this presentation many times before as not only funds to be saved in duplication in effort, duplication of operating systems now with recording and we had concerns at the time about timely reporting which we have been addressing as you heard from Director Milner.

There was also in the presentation enhancements to things we currently do not have like a Human Resources Officer at the School and at the City. Unfortunately when the item came up on the agenda late in the agenda, there was a motion and a second to not approve the consolidation with the City. There was no discussion, questions or presentation requested from the City. They voted without any further conversation and we got up and left. Tomorrow there is a Withdrawal Committee meeting and I am sure this conversation will be taking place at that meeting as well. City Manager Dragon did ask the Superintendent to send her the language of the motion that was taken at the meeting last night as part of the motion talks about not discussing it in the near future. Councilor Dzujna had asked do we talk about it at a Liaison Committee meeting and she was not sure as there is no real authority at that meeting level or will it only make the School Board angry at us if we continue to discuss it. Do we just ask to talk to the School Board as a whole again and ask why the decision was made to vote that way? Do we drop it and do nothing more with this conversation and tomorrow night bring forth other financial options to be included in the withdrawal plan that is being discussed? Mayor Merrifield was contacted by the Chair and asked that we schedule a meeting for both boards to discuss consolidation and withdrawal.

Councilor Dzujna stated that he was surprised by that both as a Councilor and as a resident of Franklin as that was not the impression he got from the chair. He would love to find out what their big problem is by the consolidation and what they are so afraid of. If it takes a meeting then so be it. If you have a company and you want to make it better by doing consolidation work to make it stronger for the kids I just don't understand. Councilor Desrochers stated that at this point he just can't see having another meeting. We have had 2 in the past 3 years with the Franklin School Board, the Hill School Board and the City Council twice. Hill School Board was no way we are not going to do it and we got the same response from some of the Franklin School Board Members and I can't see wasting any more of the Councils time in trying to deal with the School Board in consolidation and that was pretty evident last night. I felt like I was at a Barnum and Bailey Circus last night, we listened to teachers present on technical projects at the school, we listened to the principal present, we listened to the middle school present, we listened to the elementary school present, we listened to the student advocate present, 2 hours later they talked about consolidation and didn't talk about a thing. They made a motion and a second and that was it. They wasted 2 hours of my time, Councilor Dzujna's time, City Manager Dragon's time, Director Milner's time, no more time we decide if we are going to withdraw or not withdraw and be done with this its be going on for 2 years now. No matter what you present to the School Board they don't want to hear it. Not sure why they don't want \$40,000 that is \$40,000 more in their budget for the students and they are not going to lose any jobs we have stated that over and over again but the Superintendent's office is so darn scared they are going to lose jobs. They are going to get an HR Director that they so desperately need. Right now the people who work for the school have no central person to go to for HR advice or problem, insurance, health issue, management issue, etc. Currently they go to the Principal who doesn't really know and has to get back to them. No more wasted time; he has been going to school board meetings since he has been on the Council. Let's move on to what the City has

to do and let's take care of the City. Council Barton stated he would like to know why and is willing to listen.

Councilor Clarenbach stated there are 2 different issues here. For the withdrawal he doesn't feel it is appropriate for the Council to hear as the Council is the ultimate vote so they need to do what they need to do and make a recommendation to the Council and the Council will make the decision. As far as the consolidation, we need to keep an open mind to consolidation and he does agree with Councilor Desrochers that there appears to be a sense of stonewalling, or whatever you want to call it, but we also have to be mindful that there has also been a lot of turnover not only in the governing body but also in administration at the school and they may not have heard all the presentations that have been made to understand the complexities of it or a number of different things. Councilor Clarenbach agrees with Councilor Dzujna to start with a Liaison Committee and start with baby steps if we need too and understand what the issues are as Councilor Clarenbach is not opposed to it.

City Manager Dragon stated if you are going to understand the full issues you will need to meet with the full board and she doesn't believe you are going to get that at a Liaison Committee meeting and she states that based on her experience so far. This presentation was done the week prior at the Withdrawal Committee and was posted so all School Board members could attend and redid it for the new people and two of them did not come that night, which is their choice, but we have made that attempt over and over again and repeated the same presentation. The Liaison Committee is not going to have the ability to make any decision you really need to have to get everyone in the same room otherwise it gets filtered as to what is taken away by that conversation. Councilor Dzujna agrees whole hardly that it will keep pushing this back month after month until everyone gets together. He understands Councilor Desrochers aggravation and he really does as he has been aggravated the last two times they have met. Last night after 3 years of trying to work with the School Board, a wall went up and the Council needs to try and take that wall down. There has got to be better communication with them if they are new or not new or whatever. Nobody is trying to take anything away from them and that is what they need to understand.

Councilor Giunta stated he was completely confused. He has only been to two withdrawal meetings and if they had listened to the presentation by City Manager Dragon and Finance Director Milner it said the only way to preserve positions is to consolidate and by not consolidating it jeopardizes positions. So to make a decision like that is completely contrary to what they are trying to achieve and to not allow you to explain that has him confused. He would like to see from their side a reconsideration of what they did last night and remove that to allow us to talk about it; they made a decision as they passed a motion. Mayor Merrifield stated that is not what the motion said as it was a prepared motion. City Manager Dragon stated it was a prepared motion and there was a 6:00 pm non-public meeting with their school attorney about consolidation prior to the School Board meeting. City Manager Dragon met with the Superintendent last week in advance of this meeting to make sure she had answered all of his questions and to let him know that she and Finance Director Milner would be going to

the non-public to answer any questions the attorney may have. I arrived at the 6:00 pm but was not allowed in the meeting and it was pretty clear that they made the motion out of that meeting. Mayor Merrifield read the motion "Franklin School Board not support consolidation of the Financial Services with the City of Franklin at this time or in the near future until positive educational benefits are clearly identified and are clearly delineated." Mayor Merrifield went on to state he is not sure how the City is going to identify and delineate the educational benefit other than to say what the savings is for the school budget as the Council can't tell the School Board where to spend that money.

Councilor Barton asked what happens if we do nothing? Mayor Merrifield replied that nothing happens and sadly the School Budget is \$40,000 heavier. Councilor Clarenbach states that it seems they have drawn a line in the sand and we need to respond back to them that this isn't a good use of taxpayer's money and we are willing to talk going forward. If we authorize the Mayor or City Manager to write a letter to School Board that the Council is disappointed that you have taken consolidation off the table in saving taxpayers money and providing expanded services for fewer resources but the Council is willing to talk when the School Board is willing too. He thinks the Council owes them that and to do nothing isn't prudent for the Council. To demand a meeting if the School Board has already voted he is not sure where that will go since they have already made a motion so they are not supposed to talk about it.

City Manager Dragon wrote an email to the Superintendent this morning and started out that we are disappointed that they didn't ask any questions or for a presentation. After a couple of emails back and forth he stated that she could go to their next meeting under public comment and ask them why and several Councilors and the Mayor stated No. Councilor Desrochers stated we should just move on and enough is enough.

Councilor Dzujna stated that last evening was definitely a slap in the face and he doesn't recommend City Manager Dragon and Finance Manager Milner to go to their meeting for public comment. Councilor Barton asked if it would have to be during open comment. Mayor Merrifield stated that yes it would have to be done during that comment. Councilor Dzujna asked if we don't close SAU 18 and go ahead with consolidation are we over stepping our bounds in telling the School Board how to run their finance office? Mayor Merrifield stated they are the governing body of the school department and they would have to be the decider for consolidation. The Council can't force to consolidate. Councilor Dzujna asked whether SAU is closed or not closed? Mayor Merrifield responded with however the withdrawal turns out. Councilor Dzujna replied so with that we have to find out what is on their minds but first they have to rescind the motion.

Councilor Giunta stated that the Council doesn't have to force them to consolidate but the Council doesn't have to pay for the excesses of noncompliance and the Mayor stated the Council does control the bottom line of the School Budget. Councilor Dzujna stated then here we go again we will be right back to where we were and the people will accuse the Council of not giving the School enough money. Councilor Clarenbach stated we have the overall

authority of what money the school gets and everyone on the Council that the school district is part of our community and the school is a major part. We need to find a way to make improvements together.

MOTION: *Councilor Clarenbach made a motion that the Mayor write a letter to the Chairman of the School Board that the City Council is discouraged by their recent action of their meeting and we are more than willing to talk about the consolidation at any time they are willing to take it off the table. Seconded by Councilor Desrochers.*

Councilor Starkweather stated that the letter should go to all School Board members so it gets delivered to everyone. Councilor Clarenbach and the Mayor agreed.

All in favor; motion passes.

City Manager Dragon talked about an email for an upcoming Public Hearing for the Northern Pass project at the Grappone Center on March 10. There is plea for people to come but March 10 is the Drug Task Force meeting where City Manager Dragon and the Mayor have a big role. Just wanted to let you all know so you could come and support. Councilor Clarenbach asked about intervenors and City Manager Dragon stated on the Northern Pass website there is a list of intervenors and she will email the website out.

Councilor Wells pointed out that on March 1 there will be a meeting about the Emerald Ash Borer as there was one found here in Franklin and urges everyone to attend.

MOTION: *Councilor Giunta moved that the Franklin City Council enter into a non-public session under RSA 91-A:3 II (d), consideration of purchase, sale or lease of real property or personal property, which discussed in public would likely benefit party/parties who interest are adverse to the those of the general community and also under RSA 91-A:3 II (a) the dismissal promotion or compensation of any public employee. Motion seconded by Councilor Desrochers. All in favor; motion passes.*

Roll Call:

<i>Councilor Clarenbach</i>	<i>– Yes</i>	<i>Councilor Dzunja</i>	<i>– Yes</i>
<i>Councilor Giunta</i>	<i>– Yes</i>	<i>Councilor Wells</i>	<i>– Yes</i>
<i>Councilor Boyd</i>	<i>– Abs</i>	<i>Councilor Zink</i>	<i>– Yes</i>
<i>Councilor Desrochers</i>	<i>– Yes</i>	<i>Councilor Barton</i>	<i>– Yes</i>
<i>Councilor Starkweather</i>	<i>– Yes</i>		

All in favor; motion passed.

MOTION: *Councilor Giunta moved to come out of the non-public session and Councilor Desrochers seconded. All in favor; motion passes.*

MOTION: *Councilor Desrochers moved and Councilor Clarenbach seconded to seal the minutes of the non-public session because releasing them would make the action taken ineffectual, All in favor; motion passes.*

Motion to adjourn made by Councilor Desrochers, seconded by Councilor Giunta. All in favor; meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lauraine G. Paquin