

Somersworth, NH
August 15, 2011

The meeting was called to order by His Honor, the Mayor, and upon roll call the following members were present: Pepin, Watman, Spainhower, McCallion, Messier, Tapscott, Witham and Jarvis. Councilor Sprague was absent.

MINUTES OF THE PREVIOUS MEETINGS.

MINUTES OF THE MARCH 28, 2011 BUDGET PRESENTATION

Motion- Witham/Tapscott 2nd. The minutes passed. Councilor McCallion abstaining.

MINUTES OF THE APRIL 9, 2011 CITY COUNCIL BUDGET WORKSHOP

Motion- Witham/Tapscott 2nd. The minutes passed. Councilor Jarvis abstaining.

MINUTES OF THE MAY 2, 2011 CITY COUNCIL WORKSHOP-STRATFORD CAPITAL GROUP LLC PRESENTATION

Motion- Witham/Tapscott 2nd. The minutes passed. Councilor McCallion abstaining.

MINUTES OF THE JUNE 6, 2011 PUBLIC HEARING ON ORDINANCE NO. 28-11 BALL FIELD AT MILLENNIUM PARK- ST LAURENT BALL FIELD

Motion- Witham/Tapscott 2nd. The minutes passed.

MINUTES OF THE JUNE 6, 2001 CITY COUNCIL MEETING

Motion- Tapscott/Watman 2nd. The minutes passed.

MINUTES OF THE JUNE 20, 2011 CITY COUNCIL MEETING

Motion- Witham/Tapscott 2nd. The minutes passed.

MINUTES OF THE JULY 11, 2011 CITY COUNCIL MEETING

Motion- Witham/Tapscott 2nd. The minutes passed. Councilor Jarvis abstaining.

COMMENTS BY VISITORS.

Stephanie Riotto, School Board and JBC member and Jeni Mosca, SAU Superintendent wanted everyone to join them this Saturday, August 20th, at the new Idlehurst Elementary School for the ribbon cutting ceremony at 10:00 am. She said that they would be giving tours until 2:00 pm.

Real Roseberry, Ward 1, talked about the petition with 200 signatures for the Recreation Department person that was supposed to be hired for it. He asked if it was swept under the table or what. He hasn't heard. He is starting to worry and when he worries, "you people" are in trouble, he said.

He asked why all the nice people are leaving. He is not happy about that. ...The Fire Chief, etc. He is suspicious and not happy.

He is seriously thinking of a new petition and "you people" are not going to be happy about it.

Mr. Roseberry is very unhappy about what has been going on in this City. He thinks the last was the wrong petition.

Jodi DuClos has been a dedicated Somersworth teacher for 7 years. She hopes that the Council will vote in agreement with their contract. Money is tight for everyone but she wants them to understand that she and other teachers will be bringing home less money with this contract than last year or the year before.

COMMUNICATIONS.

PRESENTATION BY PETER MICHAUD, ARCHITECTURAL HISTORIAN

Peter Michaud works for the New Hampshire Division of Historical Resources, DHR, which is the state historic preservation office. He was there to talk about options: Hilltop School could go in several different directions without, as he said, treading new ground.

He said that there are other examples of municipal resources such as the Wentworth-Dennett School in Kittery, Maine which is now a thriving arts community. Dover has the old high school, the McConnell Center, and in Exeter, there is the Tuck Learning Campus. He mentioned the Rollinsford Mills and said that those spaces are now filled for the first time since the 1970's. He said that there are also several schools in New Hampshire that have been converted to housing; he mentioned Bedford and Berlin.

There are a variety of options, he said.

He referred to the handout which lists preservation tax incentives. In certain situations, grant money could be available through the DHR and the NH State Council for the Arts for work done. He said CLG money could be used through the grant process. It would not pay the full bill but bits and pieces help. The National Trust for Historical Preservation has several grants, mostly for studies, and the NH State Council for the Arts has a grant, as well as others.

With Hilltop, he said he thinks they could look at municipal ownership; they can look at divesting completely to a non-profit or to a for-profit venture. Portsmouth is using a model where they have gone into long term leases with non-profits that have long term

benefits to the community. Portsmouth has a cultural plan to encourage art/performance space at a low cost. He gave the Players Ring as an example; they are in a lease with the City and they take on the costs to operate and maintain the building, so that the taxpayers are not burdened but the City has this theater that is filling a plank in their cultural plan and provides a tangible benefit (to the community.)

There were no questions from the Council.

Mr. Michaud urged the Council to contact them if they could be of help.

MAYOR'S REPORT.

The Mayor indicated that he intended to present his report at closing comments this evening.

REPORTS OF STANDING COMMITTEES.

FINANCE COMMITTEE

Councilor Jarvis reported on approving past minutes. The Committee reviewed the Accrued Benefit Liability Trust Fund, which they support unanimously. The Wastewater Treatment Plant sludge disposal bid awards were considered and they support Waste Management, the current vendor. The Fenton Dryer dismantling bids were reviewed and they will move forward with that. The sidewalk plow damaged in a fire recently was declared a total loss by LGC and the 2012 budget has an appropriation for a down payment on one new one; they evaluated the potential benefits of getting two and will go out to bid to consider. They looked at the LeTarte land proposal which they unanimously did not accept. There was a second proposal to trade lots which also failed, 2-1. They adjourned at 3:08 pm.

Councilor Witham asked about the disposal of the Fenton Dryer. CM Belmore said they would get prices from salvage places.

ECONOMIC DEVELOPMENT COMMITTEE

Councilor McCallion said that they met last Monday. The Committee publicly wanted to thank Craig Wheeler for the service to the City saying he wore a lot of hats when he worked here. He was on a lot of committees. Dave Sharples will take on added duties with Craig leaving until they find a replacement. There is some development in the City, new stores. The Veterinary Clinic is moving from High Street to Route 108. They had some good updates and they just want to thank Craig.

PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Councilor Spainhower said they met on August 3, 2011 and all members were there. They discussed the same items discussed by the Finance Committee meeting. Minutes

which passed, the sludge disposal bid, the Fenton Dryer dismantling not to exceed \$18,475, and they concurred to go forward with getting more information regarding the sidewalk plow. The next item discussed was the Engineering Services support RFP. They had a Public Works update on Indigo Hill Road and the crack sealing. On his way in today he noticed that the roads are smoother and the cracks are gone.

PUBLIC SAFETY COMMITTEE

Councilor Watman met on July 18, 2011. They discussed the fireworks permitting process which is not doing its job as the number of displays vastly exceeds the number of permits secured. This is a public safety issue and in the interest of public safety to review the permit ordinance and to make enforcement go smoother and initiate an educational program at the appropriate time so that people know that they do require permits. He looks forward to the administration forwarding suggestions to the Committee.

He said there was a communication from Captain Kretschmar of the Police Department in the packets and he is happy to see those steps for community policing being taken.

The issue of durability of police cruisers is being addressed by looking at more than one model. Each cruiser is now equipped with automated external defibrillators and training will take place when the City Hall and Library get theirs.

He said that every single issue at the Fire Department is contingent on funding and, sadly, funding has been lacking to date to even attempt to begin to address any of those. He is pleased with meetings and cooperation between public safety agencies and also initiating inter-agency training.

GOVERNMENT OPERATIONS COMMITTEE

Councilor Tapscott said that the Committee met on August 9, 2011 to review the returned evaluation forms for the City Manager which will be presented to the Council in a non-public meeting tonight.

RECREATION COMMITTEE

Councilor Pepin said they met on July 18, 2011 and the main topic was the playground equipment at Hilltop. Fortunately, Councilor Witham works for an insurance company and they had some inside information as far as if they left the equipment there. Improvements would have needed to be done which they have no funding for. They had the company which installed the Idlehurst equipment look it over: some is still usable. They will dismantle and hopefully get funding in upcoming budgets to relocate it to another park or facility.

They had an update on the Trends program which is going well. There is concern about the fencing at Noble Pines that is deteriorating, as well as the trails around Willand Pond.

It was flooded out so they wanted to see what could be fixed; staff will get back to them on that.

The renaming of St Laurent Park and removing signage was considered. EPA testing was reported upon.

There is a LWCF grant for \$39,047, a matching fund ... for a misting station, a skateboard park and a pavilion. It has not been finally approved but is a major step.

The Mayor asked if a portion of the match can be in in-kind service. Councilor Pepin said yes, as can what the Highway Department does; it will all have to be considered, calculated and documented. They will also have to vote to show that the City Council supports this with a resolution.

Councilor Witham also noted that Nick Champion, the new Park and Recreation Supervisor was present and well prepared to talk about these issues. Thank you, Nick, he said.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER.

JOINT BUILDING COMMITTEE

Councilor Tapscott said again that the ribbon cutting ceremony for the new Idlehurst Elementary School is this Saturday from 10:00 am to 2:00 pm. Everyone is welcome and there will be tours.

SUSTAINABILITY COMMITTEE

Councilor Jarvis said that they met on July 21, 2011 and they are reviewing a sustainability guide for decision makers. The first draft should be available at the next meeting on Thursday, August 18, 2011. They are putting together a master list of projects and prioritizing them in regards to how it works into the Master Plan; that will be reviewed, as well.

COAST

Councilor Watman reported that that COAST Bus has met twice since our last meeting. July 20, 2011- The LGC will probably not be willing to underwrite property and liability coverage for COAST program after the next fiscal year, so COAST is soliciting bids from private vendors for that coverage. At the September annual meeting, COAST is proposing a budget that will request the same community municipal assessments as it has for the last two years, making this three years without an increase. He does believe that after that that it will probably be necessary to cut back service or increase the requests. For Somersworth, the budget proposes that Saturday service on Route 1, Berwick/Somersworth/Dover, be in operation all year long every Saturday but that Route

1 from Rochester down Route 108 be eliminated to balance off the cost of Saturday service.

The rider-ship has gone through the roof and will probably be in line for when the Wildcat and COAST service combined into one, around 440,000 rides, with the largest increase for those with physical or mental disabilities which is extremely costly; the demand has gone up as other agencies have shed their transportation offerings due to lack of funding. Where will the money come from? I don't know, he said.

SCHOOL BOARD

Councilor Pepin attended the meeting on August 9, 2011. One concern discussed was the retirement contribution rates. They also discussed the pattern at Idlehurst Elementary for the busses. It was designed for the busses to go to the back of the building. It is for the School Board to make the decision. Some neighbors were concerned about cars on Stackpole Road picking kids up out front. They decided to go as it was designed with the busses in and back-drop off in the front for security reasons and also since there is adequate parking on the side of the school. They will reevaluate in the future if needed.

The food service contracts were tabled until the next meeting.



CITY OF SOMERSWORTH

Office of the City Manager

TO: Mayor Lincoln Soldati and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, August 12, 2011

**SUBJECT: City Manager's Report for Monday, August 15th, 2011
City Council Agenda**

***5:30 PM – Non-Meeting with School/SAU & City Manager
Regarding Union Negotiations***

6:45 PM – Public Hearing

- Ord. No. 1-12 Amend Chap. 13, Police Offenses, Section 3.1.F.2 Time Limited Parking, Two hour

- Ord. No. 2-12 Amend Chap. 19, Zoning Ord., Section 19.3.D.1 District Boundaries, Historic Mill District
 - Ord. No. 3-12 Amend Chap. 19, Zoning Ord.
 - Ord. No. 4-12 Amend Chap. 19, Zoning, Ord., Section 19.3.B.13 Establishment of Zoning Districts
 - Ord. No. 5-12 Amend Chap. 19, Zoning Ord., Table of Uses
-

Unfinished Business (under Section 12 of the Agenda):

Ordinances:

- A. Ordinance No. 1-12 Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking Two Hour.**
- B. Ordinance No. 2-12 Amend Chapter 19, Zoning Ordinance, Section 19.3.D.1 District Boundaries, Historic Mill District.** City Planner Dave Sharples will be present to answer any questions on these Planning Board recommendations.
- C. Ordinance No. 3-12 Amend Chapter 19, Zoning Ordinance.**
- D. Ordinance No. 4-12 Amend Chapter 19, Zoning Ordinance, Section 19.3.B.13 Establishment of Zoning Districts.**
- E. Ordinance No. 5-12 Amend Chapter 19, Zoning Ordinance, Table of Uses.**

Resolutions:

- A. Resolution No. 1-12 Authorizing the City Manager to Sign a Lease Agreement with Pall Corporation of Port Washington, NY to Lease Building Space at the Somersworth Water Treatment Facility.** As previously mentioned, Staff negotiated the terms of this proposed lease with Pall Corporation. An actual lease agreement containing these specific items will be drafted and signed once City Attorney has reviewed and approved it.
- B. Resolution No. 3-12 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Manufactured Housing Units Subject to an Unredeemed Tax Lien.** Again, please note that the tax liens will remain in effect on all these properties so that the City retains the option of accepting these deeds at a future date.
- C. Resolution No. 4-12 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Property (Formerly Known as Breton's Cleaners) Subject to an Unredeemed Tax Lien.** This is the former Breton Cleaners contaminated site that is under a NH DES clean up mandate. Attached is a Memorandum updating recent contact with NH DES to re-open our discussions on Brownfield program opportunities.

Note: The Council can go back and accept the deed at a future time if this resolution is passed this evening.

D. Resolution No. 5-12 To Authorize the Use of \$22,000 (Twenty Two Thousand Dollars) from the Citywide Revaluation Capital Reserve Fund for Cycled Inspections. You previously received a Memorandum from Finance Director Smith is attached that further explains the proposed strategy previously discussed with Council concerning these funds.

New Business (under Section 13 of the Agenda):

A. Resolution No. 6-12 Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire Division of Historical Resources for a Certified Local Government (CLG) Grant to Perform an Update to the Historical Survey Forms. Attached is an explanation from City Planner Dave Sharples regarding this HDC project. As noted in the Resolution, this vote would also authorize future grant applications to complete this entire multi-phase project.

B. Resolution No. 7-12 Change the Purpose of the Citywide Revaluation Capital Reserve Fund in Accordance with RSA 34:11 to a Capital Reserve Fund for the Purpose of Downtown and Transportation Enhancement Improvements. I recommend Council schedule a Public Hearing before the next regular meeting at 6:45 p.m. on Tuesday, September 6th.

C. Resolution No. 8-12 Authorizing the City Council to Create a Non-Capital Reserve Fund to be known as the Accrued Employee Leave and Benefits Liability Fund. This Resolution is sponsored by the Finance Committee. The City Council appropriated \$10,000 in this fiscal year to place into this newly established fund (should Council vote to do so.) Again, suggest a Public Hearing before the next regular meeting. Starting at 6:45 on Tuesday, September 6th. (Workshop was planned with Friends of Hilltop starting at 5:30 p.m. (?).)

D. Resolution No. 9-12 Authorize the City Manager to Enter into a Multi-Year Contract with Waste Management of Rochester, NH for Wastewater Treatment Facility Sludge Disposal. As noted in the Resolution, Council Standing Committees recommend this action. The multi-year contract would run to June 30, 2015. Although this bid process underwent a second revision, the net result was a lower per ton disposal cost from today's \$90 per ton, to \$80 (1st bid) to the \$70 proposed bid price with WMI. Attached is a Memorandum on this issue from Public Works Director Willis.

E. Resolution No. 10-12 Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire for a Land and Water Conservation Fund (LWCF) Grant to Complete the Noble Pines Park Improvement Project. Attached is a Memorandum from Recreation Supervisor Nick Champion. In addition, I am pleased to report that Staff did receive a verbal

grant approval from Home Depot to provide building materials and possibly some volunteers to assist in building the Pavilion.

City Manager's Items (under Section 9 of the Agenda):

A. Informational Items:

1. **Property Tax Deeds.** Attached is a Memorandum regarding the execution of tax deeds for certain properties due to the outstanding City taxes.
2. **Municipal Engineering Support.** A panel (Public Works Director Tom Willis, Finance Director Scott Smith, City Planner Dave Sharples and City Manager) interviewed four engineering firms. A recommended selection will be provided to the Public Works and Environment Committee and then to the City Council for a contract authorization vote to engage a firm to provide City Engineering on-going support. At this point in the process, three firms were short-listed. Administration is currently checking references. The three engineering firms are Appledore Engineers, CMA Engineers, and K.V. Partners, LLC.
3. **Interim City Department Management Plans.** I have retained Municipal Resources Inc. (MRI) of Meredith, NH for a not-to-exceed six month interim period for an average of 24 hours per week of Fire Department management and oversight services with the intention of ensuring that Fire Department operational and administrative functions are effectively provided during an interim period. I have appointed City Planner David Sharples as Interim Director of Development Services. Dave will also continue to serve as City Planner. Again, this interim period should not exceed six months. *I intend to start an open recruitment process for both positions in the near future*

Note: City Manager Belmore thanked Councilor McCallion for bringing up their thanks to Craig Wheeler. He was with the City for 6 years. He had an opportunity that he couldn't refuse and he moved forward. We will miss him and he did a great job for us.

Note: Don Bliss, a senior public safety consultant of MRI, will serve as interim Fire Chief and Emergency Management.

B. Attachments:

1. City Attorney Certifications (9).
2. Monthly Department Head Reports.
3. Email dated August 11th from City Planner regarding Conservation Commission Mast Point Dam Site Walk on Saturday, August 20th.
4. City Manager letter of support for Sustainable Communities Regional Planning Grant dated August 8th.
5. Copy of Comcast Cable Franchise Extension.

6. City Manager Memo on Sale of Property: an update to Resolution No. 12-11.
7. Council Standing Committee Agenda Attachments.
8. City Employee BBQ lunch to support our students with donations of school supplies.
- 9.

Councilor Witham asked about state retirement and “increased contributions by employers.” He asked if we have more information about that. The City Manager said they would be coming before the Council for a supplemental appropriation. He said they plan to team up with the school and bring one package. They have new numbers within the last couple of weeks. They will figure out the total number for the City and school and come to Council.

Councilor Witham asked the total sum of outstanding property taxes on the properties to be considered for tax deed action tonight.

The Finance Director spoke after a motion to suspend the rules passed, (Witham/Watman 2nd.) Finance Director Scott Smith said it was close to \$22,000 for the manufactured housing and Breton’s Cleaners is about \$58,000 going back to 2001.

LAY ON TABLE.

TWO (2) YEAR AGREEMENT BETWEEN SOMERSWORTH SCHOOL BOARD AND SOMERSWORTH EDUCATIONAL SUPPORT PERSONNEL ASSOCIATION (EXPIRES JUNE 30, 2013.)

Councilor Witham, seconded by Councilor Messier, made a motion to remove this from the table; the motion passed. Councilor Witham said the Council has been briefed on all the issues and he believes it is just time to take a vote on it.

The motion to approve this agreement passed 6-2. (Watman and Witham opposed.)

ONE (1) YEAR AGREEMENT BETWEEN THE SOMERSWORTH SCHOOL BOARD AND THE SOMERSWORTH ASSOCIATION OF EDUCATORS (EXPIRES JUNE 30, 2012.)

Councilor Watman said he would recuse himself from this vote.

Councilor Witham, seconded by Councilor Messier, made a motion to remove this from the table; the motion passed. Councilor Witham said he is in full support of this particular agreement, thinking there has been substantial movement by the educators on contract concessions. He also thinks it streamlines some of the pieces of the contracts and is a good balance between the City, the School Board and the educators themselves.

The motion to approve this agreement passed 7-0. (Watman, recused)

UNFINISHED BUSINESS.

NOMINATIONS:

ZONING BOARD OF ADJUSTMENT-FRANK MENEZ, TERM TO EXPIRE 04/2014.

This nomination was approved.

TRUSTEE OF TRUST FUNDS-JOHN JACKMAN, TERM TO EXPIRE 04/2014.

This nomination was approved.

ORDINANCES:

ORDINANCE NO. 1-12 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.1.F.2. TIME LIMITED PARKING TWO HOURS.

Councilor Tapscott said that this was introduced and defeated in the month of June. He reintroduced it because he thought there was some misunderstanding about just what this was doing. On Elm Street behind the old City Hall there are about ten parking spots that are currently restricted to official municipal use only. The developer of the old hotel came to the Traffic Safety Committee meeting to request some two hour parking for customers. The Traffic Safety Committee recommended unanimously to change the parking designation on that side of the street.

The motion failed 3-5. (Witham, Pepin, Watman, Spainhower and McCallion opposed.)

ORDINANCE NO. 2-12 AMEND CHAPTER 19, ZONING ORDINANCE, SECTION 19.3.D.1 DISTRICT BOUNDARIES, HISTORIC MILL DISTRICT.

Councilor Witham said that he is speaking globally because this ordinance and the next three ordinances relate to each other. This is to take the current mill district and expand southerly along the Salmon Falls River to River Street so that it broadens the district, but more important, the subsequent ordinances look to broaden the use of that district to allow for more mixed use and development capacity in what uses the Planning Board believes would complement one another. It allows for more diversified use of that district as well as making it larger in size and changing the name from the Historic Mill District to simply the MillYard District. Only a portion of this district would be in the historic overlay district.

This ordinance passed 8-0.

ORDINANCE NO. 3-12 AMEND CHAPTER 19, ZONING ORDINANCE.

This ordinance passed 8-0.

ORDINANCE NO. 4-12 AMEND CHAPTER 19, ZONING ORDINANCE, SECTION 19.3.B.13 ESTABLISHMENT OF ZONING DISTRICTS.

This ordinance passed 8-0.

ORDINANCE NO. 5-12 AMEND CHAPTER 19, ZONING ORDINANCE, TABLE OF USES.

Councilor Witham added that this is really the crux of the issue. This table of uses allows for greater flexibility of uses in the district.

This ordinance passed 8-0.

RESOLUTIONS:

RESOLUTION NO. 1-12 AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE PALL CORPORATION OF PORT WASHINGTON, NY TO LEASE BUILDING SPACE AT THE SOMERSWORTH WATER TREATMENT FACILITY.

Councilor Spainhower said that both the Public Works and the Environment Committee and the Finance Committee support this and he will be supporting this tonight.

Councilor Jarvis said that they have leased space for the last ten years and they seem to be happy and it is a good resource for us as well. She thinks it is a good partnership.

This resolution passed 8-0.

RESOLUTION NO. 3-12 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN MANUFACTURED HOUSING UNITS SUBJECT TO AN UNREDEEMED TAX LIEN.

Councilor Witham said with lot fees, etc, it makes no financial sense for the City to take ownership of these properties.

The resolution passed 7-1. (Spainhower opposed.)

RESOLUTION NO. 4-12 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTY LOCATED AT 1 WINTER ST (FORMERLY KNOWN AS BRETON'S CLEANERS) SUBJECT TO AN UNREDEEMED TAX LIEN.

Councilor Witham clarified that if they chose to pass this resolution, and further research suggest contrary action later, then they could take that up and there is no need to table this.

Councilor Messier said that he is supporting this for that reason. We should do something, he said.

Councilor Witham agrees that they need to move in some meaningful way on this property.

This ordinance passed 8-0.

RESOLUTION NO. 5-12 TO AUTHORIZE THE USE OF \$22,000 (TWENTY TWO THOUSAND DOLLARS) FROM THE CITYWIDE REVALUATION CAPITAL RESERVE FUND FOR CYCLED INSPECTIONS.

Councilor Jarvis said that there is approximately \$117,500 in this fund which was created by Resolution No. 3-08. They are requesting the Trustees of Trust Funds to release the \$22,000.

The resolution passed 8-0.

NEW BUSINESS.

RESOLUTIONS:

RESOLUTION NO. 6-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES FOR A CERTIFIED LOCAL GOVERNMENT (CLG) GRANT TO PERFORM AN UPDATE TO THE HISTORICAL SURVEY FORMS.

Somersworth, NH
August 15, 2011

WHEREAS, the City of Somersworth has applied for a CLG Grant to the State of New Hampshire by and through the Department of Cultural Resources; and

WHEREAS, the City of Somersworth has received notification of a \$10,000.00 Grant Award; and

WHEREAS, the City of Somersworth is matching this Award with in-kind professional services and funds for printing and postage; and

Explanation of Total Project Grant Breakdown

City Match = \$1,800 In-Kind Professional Services
\$500 Site Fees-room, AV

		\$400 Printing & Postage for
Marketing		
State of NH Grant	=	\$10,000
Total Project Cost	=	\$12,700

WHEREAS, the Grant will allow the City of Somersworth to update the historical survey forms on properties located within the Historic District. This is Phase IV of a multi-phase project that will require additional grant funds in the coming years to complete the update for the entire Historic District; and

WHEREAS, it is expected that the City will pursue similar future CLG grants to complete the survey,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents, agreements and take any and all such actions on behalf of the City, for this and any future New Hampshire Division of Historical Resources Certified Local Government Grant to complete the historic survey of all properties in the district, which may be deemed necessary for the execution of this grant as well as future awards.

Introduced by

Council Member
David Witham

Approved:

City Attorney

RESOLUTION NO. 7-12 CHANGE THE PURPOSE OF THE CITYWIDE REVALUATION CAPITAL RESERVE FUND IN ACCORDANCE WITH RSA 34:11 TO A CAPITAL RESERVE FUND FOR THE PURPOSE OF DOWNTOWN AND TRANSPORTATION ENHANCEMENT IMPROVEMENTS.

Somersworth, NH
August 15, 2011

WHEREAS, the City-wide Revaluation Capital Reserve Fund was established by Resolution 3-08, and

WHEREAS, RSA 34:11 permits the purpose for which a capital reserve fund is established be changed by a favorable vote of 3/4 of all members of the City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City-wide Revaluation Capital Reserve Fund shall be changed to the purpose of creating a Downtown and Transportation Enhancement Improvements Fund, and

BE IT FURTHER RESOLVED THAT contributions to that fund shall come from the operating budget, grant funds, or any other funding source, and further that the City Council is hereby designated as agents to expend these funds.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague

Approved:

City Attorney

RESOLUTION NO. 8-12 AUTHORIZING THE CITY COUNCIL TO CREATE A NON-CAPITAL RESERVE FUND TO BE KNOWN AS THE ACCRUED EMPLOYEE LEAVE AND BENEFITS LIABILITY FUND.

Somersworth, NH
August 15, 2011

WHEREAS, the City of Somersworth accrues a liability through union agreements and the non-union personnel rules and regulations to employees for payment of leave and other benefits payable at termination; and

WHEREAS, the Fiscal Year 2012 adopted budget contains an appropriation to create a fund to address the liability created for payment of unused leave and other benefits at termination,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Somersworth City Council hereby establishes a non-capital reserve fund under the provisions of RSA 34:1-a to be known as the Accrued Employee Leave and Benefits Liability Fund; and

BE IT FURTHER RESOLVED THAT the Somersworth City Council are named as agents to expend this fund and contributions to this fund will come from the operating budget or other available funds.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague
David Witham

Approved:

City Attorney

(Councilor Witham asked to have his name added as a sponsor to this resolution.)

RESOLUTION NO. 9-12 AUTHORIZE THE CITY MANAGER TO ENTER INTO A MULTI-YEAR CONTRACT WITH WASTE MANAGEMENT OF ROCHESTER, NH FOR WASTEWATER TREATMENT FACILITY SLUDGE DISPOSAL.

Somersworth, NH
August 15, 2011

WHEREAS, City staff solicited bids from qualified companies to dispose of sludge created at the Somersworth Wastewater Treatment Facility and recommends contracting with Waste Management of Rochester, NH; and

WHEREAS, the City Council's Finance Committee has reviewed the recommendation received from City staff and supports this recommendation; and

WHEREAS, the City Council's Public Works and Environment Committee has reviewed the recommendation received from city staff and supports this recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a multi-year contract with Waste Management of Rochester, NH for Wastewater Treatment Facility sludge disposal.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague
Dale Spainhower
Denis Messier

Approved:

City Attorney

Councilor Messier made a motion to suspend the rules to act upon this resolution this evening because he believes that they could start to save immediately if they take action. The motion to suspend the rules was seconded by Councilor Tapscott and passed.

After reading the resolution a second time, by title only, this resolution passed 8-0.

RESOLUTION NO. 10-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE FOR A LAND

AND WATER CONSERVATION FUND (LWCF) GRANT TO COMPLETE THE NOBLE PINES PARK IMPROVEMENTS PROJECT.

Somersworth, NH
August 15, 2011

WHEREAS, the City Council passed Resolution No. 15-11 authorizing the City Manager to seek funding for the Noble Pines Comprehensive Improvement Project as proposed in the fiscal year 2012-2017 Capital Improvement Plan; and

WHEREAS, the City of Somersworth has applied for a LWCF Grant to the State of New Hampshire by and through the Department of Resources and Economic Development; and

WHEREAS, the City of Somersworth has received notification of a \$39,047 Grant Award; and

WHEREAS, the total cost of the project is estimated to be \$78,094; and

WHEREAS, the City intends to provide in-kind services and community donations for the required 50% match for the project; and

WHEREAS, this Grant will assist the completion of the Project and allow the City to complete improvements to the Noble Pines Park that will enhance the overall aesthetics and functionality of this park by constructing a skateboard park, pavilion picnic area, and installation of a water spray cooling area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents, agreements and take any and all such actions on behalf of the City, which may be deemed necessary for this grant's execution.

Introduced by Councilors

Martin Pepin
Brian Tapscott
David Witham

Approved:

City Attorney

Councilor Witham, seconded by Councilor Tapscott, made a motion to suspend rules to act upon this resolution tonight. The motion passed.

Councilor Pepin said that this started several years ago when they closed the Noble Pines swimming pond area. They have looked to put another facility up there. The skateboard park has been revisited. This resolution has to go forward before *they* can go forward. This is a matching grant and they are asking the Council to support this.

Councilor Witham said that this has been on the radar for quite some time. His rationale for suspending rules tonight is to show that they have received some grant dollars and that might be an incentive for others to contribute and to show that this has legs and direction. They can get the ball rolling and get some meaningful work done next year. He is in full support of this.

After reading the resolution a second time by title only, the resolution passed 8-0.

COMMENTS BY VISITORS.

Edward Olson, the President of the Somersworth Association of Educators, thanked each and everyone on the Board for supporting education in their beautiful City of Somersworth.

Jeni Mosca, as the Superintendent of Schools, also thanked the Council for supporting both the teachers and the custodial contract. Thank you very much, she said.

Diane Griffith, 52 Grove St, told the Council that she appreciates their hard work both this evening and subsequent work, including committee work. She would urge them to look at the packet that they received from Peter Michaud. They heard him speak before and she said it is just overwhelming to hear all the information. It will take a while to absorb it as it is heavy with numbers and grants.

She questioned, in response to Mr. Watman's report for COAST Bus, if that affects the area near the new hotel as it is designed for urban dwellers and bus riders. Just a question, she said.

She is happy to see that things will be moving along with improvements to Noble Pines, but why does there have to be a skateboard park in the area because of noise, late nights, etc. Just questions, she is saying she is concerned.

She is also interested in Ordinance 5-12 and the MillYard District and are there boundaries on the table of uses as to what can go in there, she asked.

Pat Breton, Rowland St, thanked the Council for there support of the teacher contracts. Thank you for all your hard work.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Jarvis reminded everyone that there is a Sustainability Committee meeting on Thursday at 7pm in Council Chambers. They are working on a grant application for recycling bins in all of the public buildings.

Councilor Witham said that in regard to the table of uses, it is restrictive in that it allows for certain items to take place in that zoning district and not others. Whether it is too restrictive or not restrictive enough is open to some judgment. He would be happy to review it with (Ms. Griffith.)

He thinks the skateboard park was driven mostly by citizen requests. They have had numerous citizens over the years asking for a skateboard park. The Recreation Committee chose the site because there is an existing hard surface, one of the old tennis courts, and that makes it affordable and doable at this time. Good observation that it can be noisy at night. He believes the parks have restrictions on hours, but obviously that would need policing if that got out of hand.

There was a question about the petition that the Council received a couple of meetings ago; the petition was received, Council just chose to take no additional action other than to note it for the record.

With regards to High Street repairs over the summer, he is not particularly satisfied with that project. It fell short of his expectations. He thinks it is a good dialog to have next goal setting workshop as to what their expectations for road projects. Ride-ability has improved significantly but little has been done for City image. They are shy of the curb by two feet, they didn't do sidewalks, and he would have been interested in the price to do those sorts of things up to an including replacing curbing. It is a dialog that he thinks they need to have as a Council and not have that rest with a committee to make those decisions. He is somewhat dissatisfied with that particular project.

Last winter they heard complaints about how long it takes for the City sidewalks to get plowed and that is with two plows, one in reasonable shape which is now burned and an older one that limps to get along. We need to pony up and buy two sidewalk tractors, he said. He doesn't know where the debate lies here, that just needs to be done. Just stating his feelings on that, he said.

Lastly, but perhaps most importantly, there have been a number of residents who have asked about the departure of City staff. They have contended that we have lost some very good people. To that point, they are absolutely correct. We have lost some very, very good people, but most of those very, very good people have left the City's employ as a result of actions directed or taken by this City Council. The Council directed the City Manager to come up with a proposed list of cuts for the budget. This Council took action on several of them. They eliminated two positions, a very good individual at the Library and they eliminated the City Engineer position. They were very good employees and they eliminated them as a City Council. They reduced the hours of two staff members from full to part time which cut their benefits. At least one of those left because she needed benefits for her family and left the City as a result of that. The Director of

Development Services left the City's employ because this Council, for several meetings in a row, wrangled with whether or not to fund that position. To imply anything other than that this Council took some hard action at the direction of its citizens to keep taxes in check would be unfair to ...the City Manager. Mr. Witham said he has full faith and confidence in the Manager's ability to manage personnel and supports him in all of those actions.

Councilor McCallion has had people come up to him and ask the same questions and he has told them the same answers, especially with Craig Wheeler leaving, that it was a directive from the Council to make cuts. He doesn't know if they have a bright spot, but he said they have a new beginning on Saturday. They have to look ahead.

Mr. McCallion said that the PTA for the new school is looking for sponsors for tee shirts with a Wednesday deadline to get them printed for Saturday. If anybody contacts him, he can put them in touch with the Committee. This will be their first fundraiser.

Councilor Spainhower commented on High Street from South Street to West High Street. He said that the project got shortened because of the asphalt under-layment. After utilities were cut in they found out that the under-layment pavement, if they got into that then they would be getting into a bigger mess than this City could afford at this time. That is why it looks like it looks. They saved money on the project because of it and added some other stuff, some sidewalk repairs. Because of the quality of the pavement, if they got into that it would have been a big mess, he said. The biggest complaints he got were about how bumpy it was, and now it is much smoother and over the West High Street threshold, it is terrible. It doesn't look the greatest, but the suspension on his truck is a lot better.

Councilor Watman explained that COAST Route 2 starts in Rochester and comes down Route 108 to Dover and skirts the industrial/commercial side of Somersworth. Route 1 covers all the rest of Somersworth and is the one that would have Saturday service all year if the budget is approved by the Board of Directors.

Speaking to the idea of petitions to the Council without being specific, if the Council receives a petition which asks it to do something that it cannot do by Charter, which is by law, then there is really nothing to do about it which is something that is subject to being taken to district court with a \$500 fine. If they are asked to do something which is specifically prohibited by Charter like interfere with the responsibilities of, for instance the City Manager, they cannot take any action. They receive it and that is that.

Lastly, he said, Councilor Witham had brought up redrawing Ward lines a few meetings ago. He looked up the information from the last election. If the Ward lines were drawn so that each Ward had equal representation there would be about 1680 voters in each ward. Ward 1 currently has 2051 voters which is 22% over the average and Ward % has 1329 voters which is 21% under the average. So some people are getting short shrift in representation. He notices that Dover and Concord are involved with drawing their Ward

lines. He hopes we get going on that. That imbalance has existed for a long time and it is probably time to correct it.

Councilor Pepin commented for the Friends of Somersworth will give a presentation before the next Council meeting on September 6, 2011. He has attended several of their meeting and they have gone into a lot of detail. They are in a stalemate unless they can have a dialog with us. He hopes that they can spend the time so please give them some extra time.

MAYOR'S REPORT

Mayor Soldati commented on the ward boundary issue saying that there was a change in the City Charter which requires them to have people hopefully sign up in the upcoming election to run for this Committee to examine ward boundaries and make recommendations to the Council. He urges them to look at the Charter and those who might be interested in serving to put their name on the ballot so that they can serve in that capacity.

The Mayor read the following letter which he had prepared for the City Clerk:

City of Somersworth
One Government Way
Somersworth, NH 03878

August 15, 2011

Diane DuBois, City Clerk
City of Somersworth
One Government Way
Somersworth, NH 03878

Dear Diane,

For nearly 30 years my wife Kathleen and I have lived in Somersworth. We raised our four children in this community and over the years participated in countless endeavors and activities throughout this City. It was here that we developed a deep appreciation for the meaning of neighborhood and community, an appreciation which we have passed on to our children. Our experience, as a family living in this City, has shaped the lives of our children and we have come to love this City; the City that my father, grandparents and now my children refer to as their home town. And so it was that when I was first elected Mayor I experienced feelings of great pride and humility.

To paraphrase the poet Robert Burns: "The best laid plans of mice and men do oft' go astray." When I was elected Mayor of the City of Somersworth, it had been my expectation that I would continue to run for many terms and if the voters were willing, to serve as Mayor of Somersworth for the foreseeable future. Life however often has

different plans for us and the only constant in life is change. As you know our family home was destroyed by fire on June 29, 2010 and we have been in the process of trying to rebuild our lives ever since. In the process of doing so it became clear after the fire that the prospect of rebuilding our home to its historic design was not economically feasible. After recovering from the shock and grief, Kathleen and I began to look towards our future and what choices were most meaningful for us, our family, and our future. We now have a saying in our family: "the fire changed everything."

With our children now essentially grown and gone, Kathleen and I decided to take advantage of this opportunity to downsize our living quarters and alter our lifestyle. Accordingly within the next month or two- I will be returning to my home town, Portsmouth, as Kathleen and I move to our new home. This decision was not easy because it meant giving up one of the great joys of my life, being Mayor of this great City.

I want to especially thank you, Diane, and your wonderful staff for all the support, encouragement and assistance you have given me over the course of these many months. I have come to appreciate even more the dedication of our City workers, many of whom make daily sacrifices to serve our City's residents. I will never forget the support and affection they have shown to me and it will be forever reciprocated. During my short tenure as Mayor I have tried to make a difference in the lives of our residents and in the conduct of our public discourse of issues important to our City. I have also attempted to conduct myself at all times in a manner in which our community could be proud. I know I have received much more than I have given: and for this I am forever grateful.

I would also like to extend my sincere appreciation to the City Council and the City Manager. They have made my task so much easier and though we may have not always agreed on the specifics of certain issues, I am grateful for the courtesies and respect which I have received from the Council members, and the support of the City Manager. I have learned so much as a result of my association with them. I have been greatly encouraged by the knowledge that the Council and the City Manager have in their hearts the best interests of this City. I wish them all the very best in their efforts to move our City forward and regret that I will not be able to be there with them as they continue to improve our City. I do however have great hope that this City will indeed have a "Bright Future."

The City has begun to take seriously the idea of sustainability, has dedicated itself to being a local economy community, capitalizing on the gains to be realized by supporting locally owned businesses, and within the next year the City will embark on a project to improve the appearance of our downtown area. Community groups are forming and actively engaging in discussions of ways to improve our City, whether it is the Vision 2020 Committee, or the Friends of Somersworth, or the donors for the Noble Pines improvement project. Such citizen participation surely bodes well for a brighter future for the entire City, and exemplifies the inscription above Hilltop School; "Dedicated to Citizenship."

So I will continue to have great pride in this City and take with me the memories and indelible impressions of a community that was so supportive and welcoming to me and my family for these many years. This City has become a part of the fabric of my being, as I have lived longer in this City than I have in any other place in my life. It is therefore with deep sadness that I write to inform you of my resignation as Mayor of the City of Somersworth, effective as of September 1, 2011.

Thank you again for everything. And thanks too, to all the citizens of Somersworth for being such a large part of my life and the life of my family.

Lincoln T. Soldati, Mayor
City of Somersworth

NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL).

The Council voted unanimously by roll call vote to go into non-public session at 8:45 pm.

Discussion.

After another vote, the Council came out of non-public session.

Mayor Soldati issued the following report:

August 15, 2011

Following a non-public session the Council voted to provide the City Manager with a one (1%) increase in salary.

Respectfully Submitted,
Lincoln T. Soldati
Mayor
City of Somersworth

Councilor Messier recorded the roll call vote approving the City Manager's salary increase which passed by a vote of 5-3, (Spainhower, McCallion and Witham opposed.)

The meeting adjourned.