

MINUTES OF CITY COUNCIL MEETING FEBRUARY 22, 2011

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

MINUTES OF THE PREVIOUS MEETING.

Councilor Tapscott moved to accept the minutes of the City Council Workshop to discuss an annual cycled inspection program for City real estate properties held on 2/7/11 as recorded. The motion was seconded by Councilor Witham and passed unanimously.

Councilor Witham moved to approve the minutes of the City Council Meeting held on 2/7/11 as recorded. The motion was seconded by Councilor Tapscott and passed unanimously.

COMMENTS BY VISITORS.

Liz Wilson, 28 Lincoln Street, said she is a member of the Conservation Commission and a member of the Citizens for a Sustainable Somersworth group. Tonight she wants to speak in support of the formation of a sustainability committee. The Citizens for a Sustainable Somersworth (CSS) group was formed last April. It consists of a group of residents who are concerned about energy, water, food security, and general sustainability issues. They had a couple of experiences which led them to suggest that a resolution be introduced.

Ms. Wilson said they participated in the Children's Festival last June to solicit ideas for sustainability projects from the public. They heard a lot of great ideas from the community about the types of projects they would like to see. They have shown sustainability films during their monthly meetings, and they have had some presentations about sustainability issues. Last week John Jackman presented some information on infrastructure, which was really informative. They also had a presentation by the Strafford Regional Planning Commission regarding Somersworth's participation in the energy technical assistance program and the potential formation of a local energy committee.

Ms. Wilson said it came to light to the group that they need to be seen as a legitimate group in order to effectively implement projects. If they wanted to go after any funding sources, they needed to be seen as a legitimate group. Also, a partnership with the City is critical in moving any projects forward. There would need to be common framework in order for a project to be effective.

Ms. Wilson said a citizen based group could do a lot to reach out to the community and help the City to be a leader on sustainability issues. That is not only good for the environment but there is also a lot of potential for cost savings.

COMMUNICATIONS.

LETTER FROM KATHY BATES.

Somersworth City Council
Somersworth, NH 03878

To the members of the Somersworth City Council:

I would like to take this opportunity to express my feelings about the proposal for multi-unit housing inspections.

I am a woman who has a disability and rely on personal assistance at various times of the day, therefore I already have very little time to myself. Between my services and my consulting work, I constantly have meetings in my home, so I don't need another interruption to inspect my already clean apartment. My landlord knows that I can't take care of even the most minor repairs, so he's very attentive to my needs.

Just because a person cannot afford to own their own home and needs to rent, does not mean that they wouldn't care enough to keep a clean and presentable place. This proposal just seems unfair and judgmental to me.

Sincerely,

Kathy Bates 603-841-5700

LETTER FROM MAURICE VALLEE.

February 7, 2011

To Elected Members of the City Council:

Trustee Maurice Vallee, Pamela Schulte and Deborah Millsbaugh are vehemently against any intrusion to our property.

Let it be understood that there should be no invasion of our great tenants' apartments and our tenants have confidence that they will continue to have absolute privacy in their homes.

Trustee – Maurice Vallee

LETTER FROM JEANETTE FLANAGAN.

January 31, 2011

Somersworth City Council
Somersworth, NH 03878

Dear Members of the Council:

I am a retired woman who has a rental apartment. I pride myself in keeping a nice clean apartment and have never had to ask my landlord twice to fix anything that needs repair.

I'm very busy taking care of an elderly sister and babysitting my granddaughter all summer and during school vacations. When I'm home, I like to relax and do not like the idea of someone poking through my rooms. I feel like it's an invasion of my privacy.

So, I am definitely against this inspection law that you hope to propose.

Sincerely,
Jeanette Flanagan

LETTER FROM RESIDENTS OF PLAZA TERRACE.

February 1, 2011

Dear Members of the Council:

We are tenants at Plaza Terrace in Somersworth.

We are writing to protest against the multi-unit inspection that the City wants to put into effect. How can you justify inspecting certain rental units in town, but not looking at duplexes or even single houses that are rented? We feel that this is a form of discrimination. We get penalized just because we can't afford to rent a single house? Is this fair?

Our apartments are our private quarters. How would you like strangers going through your rooms? We allow our landlord to inspect and some of us have other inspections too. Shouldn't this be enough? Our apartments are reasonably clean and not in disrepair. If anything gets ruined or needs repairing, our landlord takes care of it. We do not need anyone else interrupting our privacy.

We hope you'll put yourselves in our places and reconsider this proposal.

Thank you.

Residents of Plaza Terrace

MAYOR'S REPORT.

Mayor Soldati thanked the City Manager and also the members of the City Council for what he thought was a very productive, and certainly interesting, goal setting session they had on Saturday. Everyone was fully engaged and participated. He appreciated the ideas and comments by everyone who was present, including various City department heads.

REPORTS OF STANDING COMMITTEES.

RECREATION COMMITTEE.

Councilor Pepin reported this Committee met on 2/11/11. The following items were discussed:

- Park utilization report (requested by Councilor Witham) was passed out for review. An overview was given by staff, followed by discussion. Two parks were referenced as having very little usage, the Malley Farms Recreational Trails Walking Area and Mast Point Dam Park Area. Councilor Witham requested this report be placed on the next meeting's agenda so members have adequate time to look it over.
- Councilor Tapscott requested that staff report on any upcoming future plans that will have a cost for the parks at the next meeting.
- Noble Pines Project discussion – staff presented a proposed letter to be distributed to possible donors to fund the “Noble Pines Park Improvements”. The committee members voted that City staff proceed with the distribution of the proposed letter for the Recreation Project fundraising.
- Councilor Witham requested that the record show that after his observations of the 2010 mowing by the current companies, Jeff Gregoire and JLG Landscaping should be commended for doing a fabulous job. He feels they were a great value. There were no complaints received, and many rave reviews. He firmly supports rehiring them next year.

GOVERNMENT OPERATIONS COMMITTEE.

Councilor Tapscott reported this Committee met on 2/15/11. The topic of discussion was the Ward 1 School Board seat vacancy. One interested individual applied, Leroy Nash, who has served on the School Board in the past. The Committee members voted unanimously to recommend Mr. Nash to the City Council.

REPORTS OF SPECIAL COMMITTEES.

SCHOOL BOARD.

Council Pepin reported he attended the public hearing and the School Board Meeting on 2/15/11. The public hearing was about the school budget. There was only one person at the public hearing, a high school student who is going on to college. The student spoke

about her hope that the school will not make any cuts on the academic side, because it is very hard to compete with other students that have a lot more academic programs than we do here.

At the School Board Meeting, the following items were discussed:

- They received a grant for the administrative budget of more than \$202,000.
- They did cut out of the budget 2.5 maintenance people for the new school, which they elected to replace with 3 part-time people.
- They cut the sports program to where it is at the present time.

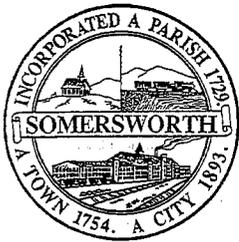
Councilor Pepin indicated they cut a total of about \$500,000 from their budget, which leaves approximately \$1M more than they requested last year. The feeling he got from the School Board was what is left to be cut will be taken from administration salaries and benefits.

Councilor Pepin said some proposals were made regarding the closing of Hilltop School. When the modulars are removed and the water and sewer lines are unhooked and everything else done that is budgeted, they would like us to look at whether some of that work could be done in-house to save some money.

JOINT BUILDING COMMITTEE.

Councilor Tapscott reported this Committee will be meeting on 3/3/11 at 5:00 p.m. at the Vocational Center.

CITY MANAGER'S REPORT.



CITY OF SOMERSWORTH Office of the City Manager

TO: Mayor Lincoln Soldati and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: February 18th, 2011

SUBJECT: City Manager's Report for Tuesday, February 22nd, 2011
City Council Agenda

Lay on Table (under Section 11 of the Agenda):

- A. Ordinance No. 5-11 Amend Chapter 24 by the Addition of Chapter 24A Entitled Somersworth Housing Code for Rental Multi-Unit Properties.

Old Business (under Section 12 of the Agenda):

Resolutions:

- A. Resolution No. 16-11 City of Somersworth Sustainability Initiative.
- B. Resolution No. 17-11 City of Somersworth Sustainability Committee.

New Business (under Section 13 of the Agenda):

Other:

- A. Hilltop Reuse Next Steps.
- B. City Council Appointment to Fill Vacant Ward 1 School Board Seat, Term to Expire January, 2012.

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

A. Informational Items:

1. **State of City Address.** FYI – City Council and School Board will meet at 5:30 p.m. on March 7th, 2011 prior to Council's regular business meeting.
2. **Community Clean-up.** Attached is Maureen Jackman's letter regarding the Youth Connection Community Clean-up Saturday, April 30th at the Middle School. Clean up starts at 8:00 a.m. through noon. From noon to 1:30 p.m. is lunch and an earth-friendly presentation at Somersworth Middle School. I have authorized the highway department to work the event in a fashion similar to years past. A rain date is scheduled for May 1st.
3. **Lake Street Petition.** I recommend a Public Hearing be scheduled prior to Council's meeting on Monday, April 18th at 6:45 p.m.
4. **Budget Process.** The following workshops will be held:
 - Monday, March 28th at 6:00 p.m. City Manager's presentation on proposed budget, CIP presentation, and School.
 - Saturday, April 9th, at 8:30 a.m. The remainder of the budget will be discussed and presented with Department Heads and the City Manager and School officials.

I propose Monday, April 11th at 7:00 p.m. for the public hearing on the budget. The first reading of the budget ordinance could be introduced either April 18th or May 2nd and there would still be several meetings in May and June to act on the proposed budget ordinance prior to the deadline of July 1st.

Attachments:

5. City Attorney Certifications (2).
6. City Department Monthly Reports.
7. City Park Utilization Draft Report.
8. City Manager memo on meeting with US Congressman Guinta's liaison.

9. City Manager memo on NHMA Municipal Advocacy Committee appointment.
10. EPA's acceptance letter for City's Multi-Hazard Mitigation Plan.
11. City Manager memo on recent meeting with Berwick officials.
12. County Regionalization Memo and document.

It was the consensus of the City Council members that the public hearing on the budget be held on Monday, April 11th.

NOMINATIONS, APPOINTMENTS & ELECTIONS.

SOMERSWORTH HOUSING AUTHORITY BOARD OF COMMISSIONERS.

Mayor Soldati indicated one of the member's terms is expiring on 2/28/11. He is appointing Meghan Durkee to the Somersworth Housing Authority Board effective 3/1/11, term to expire 3/1/16.

SCHOOL BOARD.

Mayor Soldati said the Government Operations Committee has recommended the nomination of Leroy Nash to fill the Ward 1 School Board seat. He suggested this be acted on tonight to get this vacancy filled.

Councilor Messier moved to suspend the rules in order to act on this nomination tonight. The motion passed by a vote of 7 yeas, 1 nay, Councilor Witham voting in the negative.

Councilor Messier moved to accept Leroy Nash of 78 Winter Street as the Ward 1 School Board member. The motion was seconded by Councilor Pepin.

Councilor Witham said his reason for not voting to suspend the rules is that he does not know who Leroy Nash is. He was hoping he would be here tonight to introduce himself.

Councilor Watman mentioned that he has previously served with Leroy Nash on the School Board. Although they disagreed on many issues, he found Mr. Nash to be passionate without being opinionated or obstinate. He found him to be a good team member and worked well with the group.

Mr. Watman said it is his pleasure to vote for him.

The nomination of Leroy Nash as the Ward 1 School Board member passed by roll call vote of 7 yeas, 1 nay, Councilor Witham voting in the negative.

UNFINISHED BUSINESS.

RESOLUTION NO. 16-11 CITY OF SOMERSWORTH SUSTAINABILITY INITIATIVE.

Councilor Witham said he is in support of this. He received a brochure from the American Public Works Association regarding sustainability. He found it interesting that the title of their conference is "If Not Now, When". A couple of the points in their schedule talk about net energy consumption, and also better design in water/wastewater and stormwater systems. We know the costs those facilities have had to our community. These are very real issues in our time and it is appropriate that the City endorse efforts to become a more sustainable community. It is better for our quality of life, better for the environment and for the overall direction of our community.

Councilor Watman said he was very reassured when Ms. Wilson mentioned financial sustainability also. It is important to keep that in mind. He congratulates all the people who are participating in this initiative, including Mayor Soldati. He feels this will be nothing but beneficial to the community.

Resolution No. 16-11 passed by roll call vote of 8 yeas, 0 nays.

RESOLUTION NO. 17-11 CITY OF SOMERSWORTH SUSTAINABILITY COMMITTEE.

Councilor Witham said he is fully in support of this, his only caution being that some of our volunteer boards often struggle to find members to serve in these extra assignments, and this might be another burden in that sense.

Councilor Witham said a lot of what he is reading about sustainability revolves around Public Works and he feels the Public Works Director should be on this Committee, or that the Public Works Director could be the City Manager's designee.

Councilor Messier asked if this committee will be a sign-off for any development purposes.

Mayor Soldati said there is no authority for this at this time. It is more of a resource.

Resolution No. 17-11 passed by roll call vote of 8 yeas, 0 nays.

NEW BUSINESS.

HILLTOP REUSE NEXT STEPS.

Councilor Watman said every idea he has heard has some merit or benefit to the City of Somersworth, and some that might actually detract to the quality of life in Somersworth. Every idea has costs, some more than others, and almost every item has some cost to sustain it. He has heard wonderful ideas come from the Ad Hoc Committee and also from citizens here in Council Chambers. The trouble is there are too many ideas and there is not a general direction. In his mind, we have to decide if we are going to keep the building and do something in it or around it, or if we are going to level it.

Councilor Watman said if the building were leveled and a low maintenance, grassy common with a few period lampposts, he could live with that because the cost to sustain it would be minimal. He feels this would improve the value of the neighborhood and the value of the City. It would initially cost a considerable amount of money. He could also live with a private development, which has all kinds of benefits. This wouldn't cost anything to get started, and has potential revenue. He could also go with something in between, all though all the proposals seem to be somewhat financially shaky and putting the City at risk of having to maintain a portion of the operating costs of the building. He feels very strongly that the first thing they need to do is decide whether or not to keep the building.

Councilor Messier said he hopes we have a timeline. The building will be vacant at the end of June and he feels we have to make a decision what we are going to do before winter. We have enough information to make an informative decision and he feels we should make a decision by August.

Councilor Witham said all of the proposals have merit. We have to make a decision that makes the most sense for the citizens of Somersworth. The financial aspect will be what will gravitate his decision.

Councilor Witham said we have heard from a group of people who are in favor of the proposals from the Ad Hoc Committee, which might include an art center, galleries and studios and things of that nature, but they have a price tag associated with them. Other people are in favor of the RFP we received because it doesn't have much of a cost burden to it. He wonders what the average citizens here think about this. At the end of the day, we need to think about a decision that is best for our overall community, not necessarily just for the neighborhood, although they are part of the equation.

Councilor Witham said one of the things that will gravitate his decision is the financial aspect. He does not see a stream of money coming from the state or federal governments, and he hasn't seen any entrepreneurs or benefactors stepping up to the plate to help with this project. That narrows his choices to two, the recent RFP which he feels would benefit the most residents although it might not be the most popular for the folks that live in the neighborhood; or the demolition of the structure and having a green, grassy sustainable area there because he feels it would be amenable to the people in the vicinity, and it has the overall lowest cost to accomplish.

Councilor McCallion said it was the Economic Development Committee that put that RFP out, and they didn't know what they were going to find. There are so many different proposals that have been put forth. He would like to know the cost to maintain heat, etc. in the building for one year. He feels that perhaps we could bring in some of the groups that are interested in using the building to talk to us sometimes in May. That could probably help with our decision.

Councilor Tapscott said there are a lot of other options out there. As an example, he indicated that Wentworth-Douglass Hospital has offices all over the area and feels perhaps we could have a professional building there.

Councilor Jarvis said we spent a lot of time listening to proposals for the building. She feels the people who put forth the last two proposals that were put before us should come in front of us to talk about them. This should really be done as soon as possible after the budget workshops are done.

Councilor Pepin said he has not received any input from the public at all. He is curious to know whether the people who live in the neighborhood are in favor of the RFP we received.

Councilor Pepin said that being on the Recreation Committee for the last three years, he knows we have all we can do to maintain the parks we have now. As much as he feels the neighbors might like to have another park up there, it would be hard to maintain. If that is what they feel they want, he will vote for it. Personally, he is against the destruction of the building. It is too nice a building and is part of the history of Somersworth. He has seen too much of our City destroyed through HUD.

Councilor Pepin said the company that submitted the RFP is willing to put a lot of money into it.

City Manager Belmore respectfully reminded the Council that on Saturday they agreed to have a goal of June 30th to make some sort of definitive decision regarding this building. In regards to the proposal we received, he offered to meet with the developer and talk to him if Council is comfortable with that. They might be willing to incorporate some of the other elements in their plan. He is looking for some direction to get a response to these folks and engage them in some conversation.

Councilor Spainhower said he feels there are too many proposals out there and we need to narrow it down to two or three. We need to get the options out to our citizens as well as the costs for each option.

Councilor Messier said he is in favor of the City Manager talking to the developer. He feels it is important to let the developer know some of the concerns the community has and some of the ideas people have come up with and see if their proposal can be tweaked.

Councilor Tapscott said he fully agrees with Councilor Messier.

Councilor Witham said although he is favor of further discussing and exploring the development option and would agree to allow the City Manager some latitude to have dialogue with the firm that made the proposal, it occurs to him that the proposal in its' current form will require a few thresholds to be jumped over such as a zoning variance so they would have to go before the Zoning Board, they would also have to go before the Historic District Commission, and they would have to go before the Site Review Tech

Committee. After all is said and done, they would have to go before the Planning Board for their approval.

Councilor Witham said with regards to the grassy green space, if done correctly with sustainability in mind, it could be done at minimal cost moving forward.

Councilor Witham said his biggest fear is that they do not come to a decision and end up having to heat the building. Vacant buildings worry him for fear of a theft and vandalism perspective. After a period of time vacant buildings end up having to be boarded up and that is an eyesore and does nothing for the image of our City. He likes the idea of making a decision by June 30th.

CHAPTER 91A RIGHT TO KNOW LAW.

Mayor Soldati said Councilor McCallion asked that this be put on the agenda, specifically the section that states "a public body has the authority to allow one or more members of the body to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body".

Councilor McCallion said he sometimes has to travel for his job. He believes he will probably be out of state for a couple of the meeting dates. He doesn't want to miss the budget vote. He would like to be able to go this route if he is out of state at the time the budget is voted on.

Mayor Soldati said in order to do this, while the RSA is an enabling piece of legislation, we would be required to amend our Council Rules & Regulations. To amend the Council Rules a two-thirds vote of Council members present is required. A proposed amendment must be submitted in writing at the preceding regular meeting and shall be forwarded to the appropriate Council standing committee for review. The committee shall report back its review of the proposed amendment in a timely manner and the proposed amendment shall be placed on the agenda under the order of new business. Those requirements can be waived, but only by a unanimous vote of all Council members present.

Mayor Soldati said he would be willing to submit a proposal to the Government Operations Committee to consider and they can decide how they want to proceed and present it to the Council.

COMMENTS BY VISITORS.

Real Roseberry, Route 108, said he thinks the City should buy some 6-person golf carts and give people tours of Somersworth. You need to sell the City of Somersworth. He suggested the Greek Church on Green Street, St. Jean's Hall, the old Catholic school, the old Commercial school, the old Holy Trinity School, would be places of interest for people to tour. There are beautiful stores on High Street. You should publicize the City.

Mr. Roseberry said the Hilltop School building should not be destroyed. You should leave that building alone. You can put whatever you want inside. We do not need another park, we already have thirteen of them.

Mr. Roseberry said if we can get over \$300,000 for the building we should go for it.

Theresa Cherouvis, 50 Grove Street, said she has a feeling of déjà vu. She has been at the podium for so many years, she feels like it is her living room. She asked the Council to please keep in mind we have to decide what we are doing with the building. That is part of the cost for the whole community.

Ms. Cherouvis said, realistically, nobody cares about what happens to the building except the people who live there. We need to look at the whole picture, not just what we need right now. This community is starving for community space. It seems atrocious that we have the Pumpkin Festival in a parking lot and the Children's Festival on a side street and parking lots in a very un-scenic area. We are trying to draw people to this community, but we don't even have proper accommodations for people in the community.

Ms. Cherouvis said we keep thinking about what the easiest way is to solve problems. Throwing something into the Hilltop School building to solve the problem is not right. She feels it would be a crime to throw that building away for \$325,000 including the land. A decent home in this community would go for that rate.

Ms. Cherouvis said her concern with the idea of housing is she attended every charette, every meeting, joined the Ad Hoc Committee, and time after time the constant theme from people was they do not want to see housing there. If housing is being considered, we should take the time to find out if there is a need for housing in Somersworth. That is a historic neighborhood, and she has a grave concern for what goes in there. There has been nothing done for the infrastructure of the neighborhood for probably 150 years. She has water and sewer pipes that have been there for a long time. Since they put the modulars in, everyone in the neighborhood has had water in their basements. We never had that problem before. Her concern is if you are going to put housing in there and add more to the back, you will have a lot of people drinking water, washing with water, flushing with water, and she is very concerned about the infrastructure. She is also concerned about the roads, the power, the water works underground. It could cost this community big time if the infrastructure is not updated to go along with housing. She feels we already have more housing in this community than we know what to do with.

Ms. Cherouvis said she would like to see this community really think about keeping the use for the community, not for a certain group in the community or a developer. She feels that a developer would not have her best interests at heart.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Messier said he would like to congratulate the Wastewater Treatment Facility for passing an audit review from the DES. They did very well.

Councilor Messier thanked Tri City Christian Academy for sharing their basketball facilities with the Middle School children.

Councilor Witham said he was pleased to see a communication from George Maglaras, Chairman of the Strafford County Commissioners, with regards to the conversation that was started last July regarding regionalization. He feels there is some benefit to regionalization of services in a number of different areas. One area he thinks it would work very well would be regarding hazardous waste collection.

Councilor Witham said he found the goal setting session to be very valuable also. They had a great dialogue and he appreciates the respect they showed toward one another's viewpoints.

Councilor Witham said this year was the first time the services of JLG Landscaping were used for mowing the ball fields in Somersworth, and as someone who spends a lot of time at the ball fields, this is the best he has ever seen. Their work was exceptional.

Councilor Witham said he is looking for input from people about the Hilltop School.

Councilor McCallion said he agreed the goal setting session was really good. He congratulated the Recreation Department for putting on the Father/Daughter Valentine's Dance. He attended and was amazed to see all the people there. The staff did a great job.

Councilor McCallion also congratulated the basketball and hockey teams. He feels concerned because we did not fund them and they did so well. He wishes we could do a fund raiser to defray some of their costs.

Councilor McCallion feels we need to give as much press as possible to the Spirit of Somersworth Day coming up. It's a great day for getting involved in cleaning up Somersworth and talking to people in different areas. He encourages everyone to get involved with this.

Councilor Jarvis asked if the proposal regarding Hilltop School is available for people to look at if they are interested. The City Manager indicated that it is.

ADJOURNMENT.

Councilor Witham moved to adjourn. The motion was seconded by Councilor Tapscott and passed unanimously.

Respectfully submitted,


Diane M. DuBois, City Clerk

