

CITY OF SOMERSWORTH

CITY COUNCIL MEETING

AGENDA

JUNE 20, 2011 – 7:00 P.M.

1. Roll Call of Members
2. Pledge of Allegiance
3. Minutes of the Previous Meeting
4. Comments by Visitors
5. Communications
 - A. Recognition by the Vision 2020 Committee of the SHS Marketing students' contribution to the new logo design.
6. Presentation of Petitions and Disposal Thereof by Reference or Otherwise
7. Mayor's Report
8. Reports of Standing Committees
9. Reports of Special Committees, City Officers and City Manager
10. Nominations, Appointments and Elections
11. Lay on Table

Ordinances:

- A. Ordinance No. 10-11 FY 2011-2012 Budget (as amended).

Resolutions:

- A. Resolution No. 21-11 To Authorize the City Manager to Draft a Purchase and Sales Agreement for the Transfer and Development of the Hilltop Elementary School Building and Property.
- B. Resolution No. 22-11 Resolution Concerning Hilltop School Property.

12. Unfinished Business

Nominations:

- A. Zoning Board of Adjustment – Stacy Hall, Term to Expire 04/2014.
- B. Library Board of Trustees – Thomas Tetreault, Term to Expire 02/2016.
- C. Board of Assessors – James Cowan, Term to Expire 04/2014.
- D. Supervisor of the Checklist, Ward 1 – Pam Sawyer, Term to Expire 05/2016.
- E. Supervisor of the Checklist, Ward 2 – Jennifer Soldati, Term to Expire 02/2016.
- F. Trustee of Trust Funds – Donald Routhier, Term to Expire 04/2014.

Ordinances:

- A. Ordinance No. 17-11 Amend Chapter 13, Police Offenses, Section 3.4, Motor Vehicle Operation, Right Turn Prohibited.
- B. Ordinance No. 18-11 Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking, Two Hour.
- C. Ordinance No. 19-11 Transfer Ordinance.

Resolutions:

- A. Resolution No. 28-11 Naming the Ball Field at Millennium Park St. Laurent Ball Field.
(Referred to Recreation Committee.)

13. New Business

Ordinances:

- A. Ordinance No. 20-11 Amend Chapter 13, Police Offenses, Section 3.D, No Parking Anytime.

Other:

- A. Discussion and Possible Vote to Release Recent Legal Opinions Received by Council Concerning Hilltop School Re-use Resolutions.
- B. Vote to Authorize the City Manager to Dispose of Surplus Property in the Best Interests of the City.
- C. Vote to Authorize the City Manager to Sign a Six Month Extension of the Cable Television Franchise Agreement Between the City of Somersworth, NH and Comcast of Maine/New Hampshire, Inc.
- D. Vote to Ratify a Wage and Working Agreement Between the City of Somersworth and the Public Works/Highway Department AFSCME Council 93, Local 86 (Expires June 30, 2012).
- E. Vote to Ratify a Wage and Working Agreement Between the City of Somersworth and the Somersworth Police Employees New England Benevolent Association Local #19 (Expires June 30, 2012).
- F. Vote to Authorize the City Manager to Contact the Rollinsford Board of Selectmen Regarding the

Broadcasting of Somersworth's Government Access Cable Channel 22 to Rollinsford COMCAST Subscribers and Furthermore the City Manager is Authorized to Take other Necessary Action with COMCAST in this Regard in the Best Interest of the City.

G. Vote to Ratify a Wage and Working Agreement Between the City of Somersworth and the Somersworth Public Administrators Association (Expires June 30, 2012.)

14. Comments by Visitors
15. Closing Comments by Council Members
16. Future Agenda Items
17. Nonpublic Session (as necessary, pending roll call vote by Council)
18. Adjournment

LAY ON
THE
TABLE

RESOLUTION NO. 21-11 TO AUTHORIZE THE CITY MANAGER TO DRAFT A PURCHASE AND SALES AGREEMENT FOR THE TRANSFER AND DEVELOPMENT OF THE HILLTOP ELEMENTARY SCHOOL BUILDING AND PROPERTY.

Somersworth, NH
April 18, 2011

WHEREAS the Somersworth School Board intends in the near future to no longer utilize the Hilltop Elementary School building and associated property as an educational facility; and

WHEREAS the Somersworth School Board will transfer care and control of this property, designated as lot 11 49 0, to the City of Somersworth under the terms of RSA 199:4, paragraph II; and

WHEREAS the City of Somersworth desires that said property be utilized in the best interests of the citizens of Somersworth without creating an undue burden upon its taxpayers; and

WHEREAS the City of Somersworth further desires that the property not become either a hazardous or a blighted location by prolonged abandonment; and

WHEREAS the Stratford Capital Group, LLC, has submitted a proposal for the purchase and adaptive re-use and development of this property; and

WHEREAS said proposal would provide affordable housing for active adults, ages 55 and over, one of the fastest growing segments of our population; and

WHEREAS, according to this proposal, the Hilltop Elementary School building, a contributing structure to the Somersworth Historic District, would be rehabilitated according to the U. S. Department of the Interior Historic Preservation Standards; and

WHEREAS the Stratford Capital Group, LLC, proposal would further the sustainability efforts of the City of Somersworth by the adaptive re-use of a building and by incorporating sound construction and development principles including those for recycling, salvaging, using certified wood based and low emitting materials, as well as by utilizing Energy Star Certified appliances and energy saving lighting; and

WHEREAS this development proposal would place this property on the property tax rolls for the first time,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to draft a purchase and sales agreement, at the expense of the Stratford Capital Group, LLC, and subject to the City's Ordinances to include planning and zoning regulations, detailing the conditions under which the Hilltop Elementary School building and property will be transferred to and developed by the Stratford Capital Group, LLC.

Introduced by Councilors

Michael X. Watman
David A. Witham
Denis Messier
Dale Spainhower
Brian Tapscott
Jonathan McCallion

Approved:

City Attorney

RESOLUTION NO. 22-11 - RESOLUTION CONCERNING HILLTOP SCHOOL PROPERTY.

Somersworth, NH
April 18, 2011

WHEREAS, the property on which Hilltop Elementary School is situated has been the property of the City of Somersworth for more than 100 years; and

WHEREAS, such property has served a public purpose for the citizens of Somersworth during the past one hundred years; and

WHEREAS, there remain many public purposes to which such property could continue to serve in the future and for which no other public property exists in the City of Somersworth; and

WHEREAS, there is strong public support and interest in having the Hilltop Property remain the property of the City of Somersworth,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City of Somersworth shall maintain ownership of the "Hilltop Property," and furthermore that such property shall be dedicated to serve the public's interest for educational, artistic, charitable, or other community needs as may from time to time be identified as appropriate. Such uses may include but are not limited to:

- Artist cooperative /studio space; community radio and public access television; food pantry; adult education; library; farmers market; community gardens; community center.
- Nothing in this Resolution is intended to prevent the City from entering into public/private partnerships to accomplish the goals set forth herein.

Introduced by

Mayor Lincoln Soldati
Councilor Martin Pepin
Councilor Dale Sprague

Approved:

City Attorney

UNFINISHED BUSINESS

ORDINANCE NO. 17-11 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.4. MOTOR VEHICLE OPERATION, RIGHT TURN PROHIBITED.

Somersworth, NH
June 6, 2011

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 13 Police Offenses, Section 3.4 Motor Vehicle Operation, by adding a new section as follows:

F. Right Turn Prohibited

When signs are erected giving notice thereof, it shall be unlawful for anyone operating a truck (see RSA 259:59 and 259:41 truck definition) to turn right into the General Electric entrance from the northbound lane of Main Street.

RSA 259:59 Motor Truck – “Motor truck” shall mean any truck of greater than 26,000 pounds manufacturer’s gross vehicle weight rating, or any motor vehicle equipped with other than pneumatic tires. The Commissioner of Safety may adopt rules under RSA 541-A to alter this weight limit to conform with federal statutes or regulations, provided that the limit does not exceed 26,000 pounds.

RSA 259:41 Heavy Truck – “Heavy truck” shall mean any motor truck having more than two axles.

Further amend Chapter 13 Police Offenses, Section 3.4 Motor Vehicle Operation, by re-lettering Sections F. and G. to Sections G. and H.

This ordinance shall take effect upon its passage.

Introduced by Councilor

Brian Tapscott

Approved:

City Attorney

ORDINANCE NO. 18-11 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.1.F.2. TIME LIMITED PARKING, TWO HOUR.

Somersworth, NH
June 6, 2011

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking, Two Hour, by adding the following:

- Elm Street on the easterly side from Fair Court to Fayette Street, ten parking stalls.

This Ordinance shall take effect upon its passage.

Introduced by Councilor

Brian Tapscott

Approved:

City Attorney

ORDINANCE NO. 19-11 TRANSFER BETWEEN DEPARTMENTS.

Somersworth, N.H.
June 6, 2011

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 6.7 (D) of the City Charter the following General Fund unencumbered balance transfer be made:

<u>DEPARTMENTS</u>	<u>FROM</u>	<u>TO</u>
ELECTED LEADERSHIP		
CITY MANAGEMENT		
FINANCE AND ADMINISTRATION		
DEVELOPMENT SERVICES		8,000
POLICE		
FIRE		15,000
PUBLIC WORKS		18,000
CAPITAL EXPENSES		
OTHER EXPENSES (<i>CONTINGENCY</i>)	41,000	
INTERGOVT ASSESSMENTS-COUNTY TAX		
SCHOOL DEPARTMENT		
	_____	_____
TOTAL GENERAL FUND	41,000	41,000

This ordinance shall take effect upon its passage.

Introduced by Councilors

Robin Jarvis
Dale Sprague
Michael Watman

Approved:

City Attorney

RESOLUTION NO. 28-11 NAMING THE BALL FIELD AT MILLENNIUM PARK
ST. LAURENT BALL FIELD.

Somersworth, NH
June 6, 2011

WHEREAS, Romeo St. Laurent was born in Somersworth and was a life-long resident of the City; and

WHEREAS, Romeo St. Laurent served the citizens of the City of Somersworth and the State of New Hampshire in the following capacities:

- City Councilor from 1934-1935
- Board of Supervisors of the Checklist (chairman for 10 years)
- Representative to State Legislature from 1937 through 1943
- Mayor of Somersworth from January, 1946 through June, 1953
- City Clerk of Somersworth from 1962-1965
- Executive Director of Strafford County Community Action from 1965-1972
- Chairman of the Board of Park Commissioners and Board of Water Commissioners for 7 years
- Chairman of Somersworth Democratic Committee in 1955
- Member of the Executive Committee of the NH State Democratic Party
- State Chairman of the Democratic Party in 1952-53
- Member of Association of New Hampshire Mayors

WHEREAS, Romeo St. Laurent served many civic and fraternal organizations in various capacities; and

WHEREAS, the family of Romeo St. Laurent wishes to continue to recognize his commitment to the community of Somersworth and his life-long achievements, and they support and acknowledge the renaming of the ball field at Millennium Park to St. Laurent Ball Field,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the ball field at Millennium Park be named St. Laurent Ball Field in honor of Romeo St. Laurent's dedication to family, the City of Somersworth, the State of New Hampshire, and the United States of America throughout his life.

Introduced by Councilors

Martin Pepin
Brian Tapscott
David Witham

Approved:

City Attorney

**NEW
BUSINESS**

ORDINANCE NO. 20-11 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.D
NO PARKING ANYTIME.

Somersworth, NH
June 20, 2011

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 13, Police Offenses, Section 3.D No Parking Anytime, by adding the following:

Stackpole Road both sides, from High Street (east) to 100 feet past Deer Creek Run.

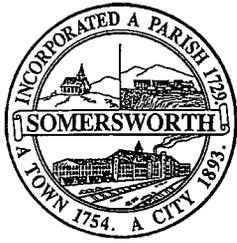
This Ordinance shall take effect upon its passage.

Introduced by Councilor

Brian Tapscott

Approved:

City Attorney



CITY OF SOMERSWORTH

Office of the City Manager

TO: Mayor Lincoln Soldati and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, June 17, 2011

SUBJECT: City Manager's Report for Monday, June 20, 2011
City Council Agenda

**6:35 p.m. Non-Meeting
to discuss collective bargaining**

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

Ordinances:

- A. **Ordinance No. 10-11 FY 2011-2012 Budget (as amended).** Attached is a copy of the Ordinance as amended and tabled at the June 6th Council meeting as well as a new projected tax rate of \$28.05, which is a .73¢ increase.

Resolutions:

- A. **Resolution No. 21-11 To Authorize the City Manager to Draft a Purchase and Sales Agreement for the Transfer and Development of the Hilltop Elementary School Building and Property.**
- B. **Resolution No. 22-11 Resolution Concerning Hilltop School Property.**

Unfinished Business (under Section 12 of the Agenda):

Ordinances:

- A. **Ordinance No. 17-11 Amend Chapter 13, Police Offenses, Section 3.4, Motor Vehicle Operation, Right Turn Prohibited.**
- B. **Ordinance No. 18-11 Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking, Two Hour.**
- C. **Ordinance No. 19-11 Transfer Ordinance.** This is a housekeeping budget action item.
- D. **Ordinance No. 20-11 Amend Chapter 13, Police Offenses, Section 3.D No Parking Anytime.**

Resolutions:

- A. **Resolution No. 28-11 Naming the Ball Field at Millennium Park “St. Laurent Ball Field” (Referred to Recreation Committee).** Recreation Committee is expected to meet at 6:30 p.m. prior to the meeting.

New Business (under Section 13 of the Agenda):

Other:

- A. **Discussion and Possible Vote to Release Recent Legal Opinions Recently Received by Council Concerning Hilltop School Re-use Resolutions.**
- B. **Vote to Authorize the City Manager to Dispose of Surplus Property in the Best Interests of the City.** I have attached the draft Surplus Property Bid Sheet.
- C. **Vote to Authorize the City Manager to Sign a Six Month Extension of the Cable Television Franchise Agreement Between the City of Somersworth, NH and Comcast of Maine/New Hampshire, Inc.** Attached is the draft extension agreement that Special Legal Council recommends be considered.
- D. **Vote to Ratify a Wage and Working Agreement Between the City of Somersworth and the Public Works/Highway Department AFSCME Council 93, Local 86 (Expires June 30, 2012)**
- E. **Vote to Ratify a Wage and Working Agreement Between the City of Somersworth and the Somersworth Police Employees New England Benevolent Association Local #19 (Expires June 30, 2012).**
- F. **Vote to Authorize the City Manager to Contact the Rollinsford Board of Selectmen Regarding the Broadcasting of Somersworth’s Government Access Cable Channel 22 to Rollinsford COMCAST Subscribers and Furthermore the City Manager is Authorized to Take other Necessary Action with COMCAST in this Regard in the Best Interest of the City.** I have been assured by Comcast’s representative Jay Somers that this is do-able at no cost to either Community.
- G. **Vote to Ratify a Wage and Working Agreement Between the City of Somersworth and the Somersworth Public Administrators Association (Expires June 30, 2012).**

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

A. Informational Items:

1. **City Website.** Attached are the results of the month long City Website Survey. Overall, I think you will find we scored very good. We will be working on some more improvements in the coming months.
2. **School Department/SAU-City Departments.** With the assistance of Bob Lister, I have instituted another step to improve our working relationship. Dr. Lister and new Superintendent Jeni Mosca have recently attended two City Manager-Department Head meetings. The Superintendent will continue attending on a monthly basis, more or less as needed.
3. **Automated External Defibrillator Donation.** I am please to report that Wentworth Douglass Hospital has donated \$1,700 towards the purchase of two automated external defibrillators to be

placed at City Hall and the library. Thank you to Wentworth Douglass Hospital and to American Medical Response (Paul Robidas) for taking the lead in this project.

4. **JAG Grant.** Attached is a memo from the Police Department outlining the receipt of a \$12,013 grant that we will move forward to execute unless Council directs otherwise. This is a regionalized grant being administered by the County.