

MINUTES OF CITY COUNCIL MEETING

MARCH 5, 2012

The meeting was called to order by His Honor, Mayor Spencer, and upon roll call, the following members were found present: Pepin, Soldati, Hebert, McCallion, Durkee, Tapscott, Witham, Jarvis and Sprague.

MINUTES OF 2/25/2012 CITY COUNCIL GOAL SETTING SESSION.

Councilor Tapscott moved to accept the minutes as presented. The motion was seconded by Councilor Durkee and passed unanimously.

COMMENTS BY VISITORS.

William Connor, 41 Pinewood Drive, said that after attending the Council meeting of 2/21/2012 and then hearing the final comments made by several Council members regarding the school's CIP history and its unending funding dilemma, he would now like to satisfy the Council's request to the public for any assistance concerning this subject matter. This request originated from several Council members, to wit asking citizens to submit any suggestions or ideas as to the method the Council should undertake in solving the school CIP funding quandary.

He feels that it is paramount that the Council become unified with the School Board in an unfettered approach, then decisively move forward to solve the school's CIP quandary. Both the Council and School Board members have advised us year in and year out as to what would be required to return the systems to a standard model and get us out of the monotonous crisis repair business.

Mr. Connor said that historically the School Board has been barely maintaining their facilities under unmanageable fiscal restraints, with the full Council's knowledge, and now the time has arrived for us to pay the piper. Our City Manager and his financial director have recently explored the City's current bonding limitations in both City and school capabilities. They have concluded and informed us that the City would be able, under State guidelines, to legally take on additional bond debt for the repair of our school's infrastructure.

Mr. Connor said this is the only levelheaded and acceptable solution to the current condition that seems to plague a large segment of our City's infrastructure. Now, without hesitation, some individuals may well wring their hands and scratch their heads because, as in the past, they were not, in his opinion, confident enough to make the complex political decision.

Mr. Connor said the expensive outcome for this failure to take action is that the taxpayer will now be paying millions of dollars extra to fix the school's infrastructure. This business practice also indicates a curious management method of our tax revenue

anticipation notes. However, in contrast to this misgiving, this is the moment in time when we need confident individuals to bring forward a resolution to bond the school's CIP. With this new resolution act, in addition to its motion to vote up or down, the citizens will then become more perceptive of whom is an advocate for bonding, or for those who oppose action and do not endorse the rehabilitation of the schools. Then perhaps we might get the issue moving forward and off the table of uncertainty.

Mr. Connor indicated that Councilors Durkee and Witham have both publicly affirmed their straightforward opinions and have offered their partnered solution to solving this quandary, and so without hesitation it should be the compulsive reaction for the rest of the Council members to do the same. Please move this funding issue forward.

COMMUNICATIONS.

February 24, 2012

Mayor Matthew Spencer
One Government Way
Somersworth, NH 03878

Dear Mayor Spencer,

Please accept this letter outlining my resignation as a Commissioner for Somersworth Housing Authority effective immediately. I recently accepted a new job with hours that will not allow me to regularly attend meetings. It has been a privilege to serve as a Commissioner for the past year and I wish SHA the best in years to come.

Sincerely,

Meghan Durkee

Cc: Elizabeth Salinger, Executive Director
Rich Whitten, Chair

MAYOR'S REPORT.

Mayor Spencer reported the following:

- On Wednesday, 2/22/12, attended SAU 56 tour of the schools. This was very productive. Our schools are doing great as well as our students.
- On Thursday, 2/23/12, attended a Cable Committee meeting.
- On Saturday, 2/25/12, attended the City Council Goal Setting Session.
- On Wednesday, 2/29/12, attended a Muscular Dystrophy Association function at the OAKS. There were a lot of people there and it was a great function.
- On Saturday, 3/04/12, met with former Mayor Lincoln Soldati with regards to a few questions he had.

- He and the City Manager attended a Skyhaven Airport Advisory Committee meeting.
- There is ongoing discussion with the Attorney General's Office, the Somersworth Housing Authority, and himself.

REPORTS OF STANDING COMMITTEES.

SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this Committee will be meeting on Thursday, 3/15/12 at 6:00 p.m.

REPORTS OF SPECIAL COMMITTEES.

COAST BOARD OF DIRECTORS.

Councilor Pepin reported this Committee met on 2/22/12. The following items were discussed:

- They were approached to take over the Seacoast Commuter Options, dealing with alternate transportation. They would be coordinating different types of transportation looking to improve travel to different businesses and other areas in communities. They would be looking to better serve communities. One of the major problems with taking this over is funding. This is a five-year program and there is funding right now for three years. They will be hiring a coordinator and it will probably mean there will be additional board members. The board did vote in favor of taking this over. They can opt out of the last two years if the funding is not there.
- COAST did lose \$.5M in funding from the federal government and they were scratching their heads trying to figure out why this happened. Evidently, the numbers are based on mileage per person that boards the bus. It penalizes COAST in a way, because they have taken on new services and when you do that it takes a while to get riders. Also, if other bus companies have declining services it also affects the funding for COAST. They are looking at ways to make up that difference.
- They are looking at putting in fare boxes on the buses. This would be a convenience to customers as it would work something like EZ Pass. It saves on collecting and counting money. It is all computerized. It also would help with record keeping.
- They discussed increasing fare structures to make up some of the money.
- They asked to put in extra security cameras in their facility. They have been having problems with people going through the facility during off-peak hours.
- They asked the Board for permission to apply for three grants.

CITY MANAGER'S REPORT.



**CITY OF SOMERSWORTH
Office of the City Manager**

TO: Mayor Matthew Spencer and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, March 2nd, 2012

**SUBJECT: City Manager's Report for Monday, March 5th, 2012
City Council Agenda**

5:30 p.m. State of the City Address

Unfinished Business (under Section 12 of the Agenda):

Resolutions:

- A. Resolution No. 20-12 To Authorize the City Manager to Order One Police Cruiser which will be Funded in the Fiscal Year 2012-2013 Budget.** As previously stated, the Public Safety Committee met on February 8th and voted to recommend Council act favorably on this purchase. This action would allow the City to purchase a new police cruiser in a more timely manner through the State of NH bid process. Most communities order their new cruisers right after March Town Meeting, which places us behind the "8-ball" in securing an available cruiser after the budget is passed in late June.
- B. Resolution No. 21-12 Authorizing the City Manager to Utilize the Funds Available in the Fiscal Year 2012 Road Resurfacing Appropriation as a Portion of the City's Share of the Somersworth-Berwick Bridge Reconstruction Project.** As previously stated, both the Finance Committee and Public Works & Environment Committee discussed this funding scenario with Finance Director Smith and I. Both Committees recommend passage. Remember, the early estimate for the City's required match is approximately \$150,000. This allocation of \$87,120 plus \$15,000 available in our Capital Reserve Fund as well as my plan to propose \$50,000 in next fiscal year's budget will bring us to the amount presently estimated. Please note that this estimate may change based on the final project design.

New Business (under Section 13 of the Agenda):

Other:

- A. Proposed Charter Amendments.** These are recommendations from the Government Operations Committee.
- B. 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 a cover letter from the City's Special Legal Counsel in this matter and a copy of a similar extension that was approved by City Council some 6-months ago. Please vote to grant the extension, authorizing the City Manager to execute it.

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

A. Informational Items:

- 1. Culture Forum.** Attached is a notice in regards to a program being offered tomorrow at City Hall that explores Indonesian culture awareness for first responders and others. This is the third program being held here by the Southern New Hampshire Area Health Education Center in partnership with the Health and Safety Council of Strafford County – to which we belong.
- 2. Development Services Department.** I am pleased to announce the appointment of Dave Sharples to the position of Director of Planning & Community Development. I have also attached a copy of the recruitment ad for the position of Economic Development Manager.
- 3. School Department Paraprofessional Bargaining Unit – Tentative Agreement.** Superintendent Jeni Mosca has requested a non-meeting prior to the March 19th meeting to present a tentative agreement with the School Department Paraprofessional Bargaining Unit. Please consider a 6:00 p.m. or 6:30 p.m. time.

B. Attachments:

1. City Attorney Certifications (2).
2. 2012 Waste Management Recycling Flyer.
3. Seacoast Shipyard Association Economic Impact CY 2011 Newsletter.
4. Land Use Boards Information Memo requested by the Government Operations Committee.
5. Fire Chief Don Bliss Memo regarding In-Service Inspections Directive.
6. NH LGC Elected Officials 2012 Guidebook.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

SOMERSWORTH HOUSING AUTHORITY BOARD OF COMMISSIONERS.

Mayor Spencer appointed Robert Crichton to the Somersworth Housing Authority Board of Commissioners, term to expire 02/28/2016.

UNFINISHED BUSINESS.

NOMINATIONS:

PLANNING BOARD – Ernest Gallant, term to expire 04/2015.

Councilor Witham moved to approve this nomination. The motion was seconded by Councilor Durkee and passed unanimously.

Councilor Witham said he knows Mr. Gallant because he has helped out Somersworth Youth Baseball as an umpire the last few years. He has dedicated his time and is a very conscientious and thoughtful individual.

RESOLUTIONS:

RESOLUTION NO. 20-12 TO AUTHORIZE THE CITY MANAGER TO ORDER ONE POLICE CRUISER WHICH WILL BE FUNDED IN THE FISCAL YEAR 2012-2013 BUDGET.

Councilor Witham said this was unanimously endorsed by the Public Safety Committee members. The issue is that when we pass our budget, which doesn't happen until sometimes in June, the Police Department can then order a cruiser. What has happened by then is that all the towns in the State, which far exceed the cities, have already ordered their new cruisers since their budgets are passed in March. Thus there is little left to choose from. Because of this, we have frequently had to order from the factory which delays us significantly. By passing this resolution, it gives the City Manager the authorization to move forward with acquiring a cruiser knowing full well we have obligated ourselves to purchasing that cruiser in the upcoming fiscal year budget.

Resolution No. 20-12 passed by roll call vote of 9 yeas, 0 nays.

RESOLUTION NO. 21-12 AUTHORIZING THE CITY MANAGER TO UTILIZE THE FUNDS AVAILABLE IN THE FISCAL YEAR 2012 ROAD RESURFACING APPROPRIATION AS A PORTION OF THE CITY'S SHARE OF THE SOMERSWORTH-BERWICK BRIDGE RECONSTRUCTION PROJECT.

Councilor Jarvis indicated the Finance Committee members support this resolution. The allocation of the \$87,120 as well as \$15,000 is already available in the Capital Reserve Fund and the Finance Officer has an additional \$50,000 in the next fiscal year's budget.

Councilor Sprague agreed with this, stating the Public Works Committee members also support this resolution. We have to come up with our portion of the payment for the bridge. This is something we have to do.

Councilor McCallion indicated we talked about this four years ago and at the time we could only put \$5,000 into the fund. We set up the Capital Reserve Fund at that point knowing we were going to have to fix the bridge down the road.

Councilors Tapscott and Hebert said they wholeheartedly support this.

Resolution No. 21-12 passed by roll call vote of 9 yeas, 0 nays.

NEW BUSINESS.

OTHER:

PROPOSED CITY CHARTER AMENDMENTS.

- Delete in Article I, §1.3, in first line of last paragraph.:

The two words “vote or”.

- Insert in Article III, §3.2 (B), as last sentence:

The appointed Councilor shall fulfill the duties of Councilor until two (2) weeks after the date of said election. At this election, the voters shall elect a qualified person to serve as Councilor, who shall immediately assume the duties as Councilor.

Councilor Tapscott said this was brought up at the last Government Operations Committee Meeting because of the recent election we had in November, 2011.

The charter currently prohibits anyone moving into a ward from voting for six months, which is totally illegal. The proposed amendment would correct that.

The second proposed amendment is to avoid what happened at the November election when a newly elected City Councilor was prohibited from taking his seat until the first of the year.

Councilor Tapscott indicated the Council has to approve the proposed amendments before they are sent to our City Attorney for perusal and approval.

Councilor Durkee thanked the Government Operations Committee for taking a look at this. This is a great start in looking at our charter. He feels that at the end of the day

voters just want to know they can go to the polls and elect the person who is going to represent them on the Council. He appreciates the effort everyone has put into this.

The proposed amendments passed by roll call vote of 9 yeas, 0 nays.

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.

Councilor Witham moved to pass signing a six month extension of the cable television franchise agreement between the City of Somersworth and Comcast of Maine/NH, Inc. The motion was seconded by Councilor Pepin and passed unanimously.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Witham thanked the Mayor, City Manager, Superintendent of Schools and Chair of the School Board for their State of the City presentation. Back when this was put into the charter as a requirement by March 15th every year, he was the one who introduced it as a Charter Commission member. It is a lot closer to what he envisioned tonight than what it has been in the past. It is a good delivery of information.

Councilor Witham congratulated Dave Sharples on being named the Director of Planning & Community Development. He thinks Dave is a stellar employee, and he wished to acknowledge that.

Councilor Witham said he feels that Public Works Director Tom Willis and the Public Works crew did a fabulous job with the storm events over the weekend. It is not an easy job and can become problematic if a storm is drawn out over a long period of time. It was great to see the two sidewalk tractors working.

Councilor Witham said the Councilors were provided in their packets information that stemmed from the last Government Operations Committee meeting on attendance of board members at meetings. When the committee meets again, perhaps they can discuss this again.

Councilor Witham said Robert Crichton was appointed to the Somersworth Housing Authority Board of Commissioners tonight, and he feels he is a very capable individual. His only concern with this is that Mr. Crichton does not live in the State of New Hampshire and he believes it would be valuable for the Housing Authority to have a board member who lives in this City.

Councilor Tapscott commended Mayor Spencer for another well thought-out appointment to the Housing Authority Board of Commissioners. He bought his first house from Mr. Crichton.

Councilor Jarvis reminded everyone about the game coming up on Wednesday evening at 7:00 p.m. at Somersworth High School, the Harlem Wizards playing against some of the elected officials as well as some of the employees of Somersworth and Rollinsford. It is for a great benefit and will be a great community event and she hopes a lot of people will attend.

Councilor Soldati thanked the students from the Somersworth High government class, particularly Lyric and Erica, for coming in to see government in action.

Councilor Durkee thanked Superintendent Jeni Mosca, School Board members, administrations within the various schools in the City. They had an opportunity to have a tour of all the various schools in the City. He found the tours to be extremely informative.

Councilor Durkee said there has been a lot of talk tonight about the Somersworth Housing Authority. He has a couple of requests:

- A list of members of the Housing Authority Board of Commissioners be listed on the City web site. He feels this is important.
- Post the times that they meet.

Councilor Durkee said another topic that came up tonight was the need for procuring funds or authorizing the City Manager to purchase a police cruiser. He supported this, feeling it is more than fair. It shows the limitations of the timing of our budget. He feels it would be appropriate for us to start to craft some of these ideas sooner rather than later. We are coming to a time when we might have to give the school at least some assuredness that funds will be available and they can work towards addressing some of the CIP issues. If we are going to look at a bond issue, he would like to see it done sooner than later.

Councilor Durkee indicated he will not be able to attend the next Council meeting and apologized for that. He will look forward to attending the meetings in April.

FUTURE AGENDA ITEMS.

Mayor Spencer asked the Council what time they would like to meet with the School Board prior to the next meeting on 3/19/12.

Councilor Tapscott said he would like to meet at 6:00 p.m. All Council members agreed with this.

Councilor Witham asked that under new business at the next meeting he would appreciate an item for filling the vacancy for the Ward 5 Ward Boundary Review Committee member.

NON PUBLIC SESSION.

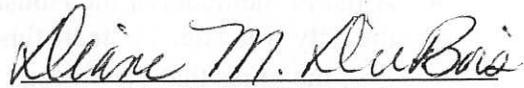
Councilor Witham moved that Council go into non public session in accordance with Chapter 91A of the State RSA's to discuss a personnel issue. The motion was seconded by Councilor McCallion and passed by roll call vote of 9 yeas, 0 nays.

Motion by Councilor Witham, seconded by Councilor Tapscott, to go out of non public session. Motion passed unanimously.

ADJOURNMENT.

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

Respectfully submitted,


Diane M. DuBois, City Clerk