

## MINUTES OF CITY COUNCIL MEETING MAY 16, 2011

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

### MINUTES OF THE PREVIOUS MEETING.

Councilor Tapscott moved to accept the minutes of the 4/18/11 City Council Meeting. The motion was seconded by Councilor Pepin and passed unanimously.

### COMMENTS BY VISITORS.

Nora Molloy, Prospect Street, said she and Diane Griffith are representing the Friends of Somersworth. She indicated the Council members should have received a copy of a letter that was sent to them and she thanked those that responded.

Ms. Molloy said the Friends of Somersworth is a citizen's group that is looking to come up with a viable, productive, public reuse of the Hilltop Elementary School Building. They understand there are financial constraints and that is a big concern with this property. She said "productive" because they do feel there is an opportunity for this building and this property to fill a need for the community; she said "public" because they want to accomplish something that serves the entire City. They feel these three goals are feasible.

Ms. Molloy said they have talked about a cultural arts center, and that is certainly something that would be their ultimate goal, however they are looking at other options as well.

Ms. Molloy said they are structured into three committees. They have a physical plant committee that is evaluating what they know about the building and what will be required for the building. They have a communications committee that will be reaching out to citizens and to other organizations to continue the discussion and broaden what might be possible. They also have an organization committee that is looking at how they might need to be structured in order to move forward with any plans.

Ms. Molloy said their group has the ability to create something. They have the skills, the knowledge and the drive. They are here to ask the Council to give them the opportunity to do something. What they need is a little bit of time to go forward and produce something. They would like to pick up where the Ad Hoc Reuse Committee left off. They will be approaching their discussion trying to determine what is feasible for the building. They want to find the places where the money, the desire and the practicality all come together.

Ms. Molloy said they are respectfully here to ask that the Council vote down Resolution No. 21-11, which deals with drafting a purchase and sales agreement with the Stratford Group. They feel this would be premature. It would be a legally binding document and it puts a finite point on the possibilities for this property. They feel there could be another opportunity, and they are just asking for some time.

Diane Griffith, 52 Grove Street, said they are looking at some federal grants. They have been in contact with a professional grant writer to work with them. There may be some very viable grants that, if they were partnering with a non-profit, or even as individuals, they can petition for. This shows their dedication. They are trying to do the leg work, and that is why they are asking the City Council to give them some time.

Ms. Griffith said she was looking at the Master Plan, which made mention to the facts that Somersworth residents are devoted to their community and have much pride in the City; there is a small town atmosphere; there is community spirit and neighborliness; it has a colorful and diversified heritage.

Jennifer Soldati, 35 Pleasant Street, said she is here to speak against Resolution No. 24-11 which would authorize the City to elect not to assess and collect a residence tax. You would be giving up approximately \$60,000 to \$70,000 in revenue. In the context of public/private partnership with another non-profit group that may want to do something with Hilltop, that could be the City's annual donation as part of the funding process for whatever reuse is determined.

Ms. Soldati said she is asking that the Council at least table this issue. If we can afford a reuse for Hilltop School for the public that is affordable, this would seem like a nice way for residents to be paying for it.

Denise Ambrose, 46 Otis Road, commented they should keep the building and provide a park. This grand school house arrived on Prospect Hill in 1849 and was the first building constructed in New Hampshire to be used for the express purpose of a public high school. The current building was built in 1928 replacing the original school that burned down.

Ms. Ambrose suggested bringing the Summersworth Historical Museum, currently located on Main Street across from GE, to Hilltop, and include an open gallery on the first floor, maintaining the building as historically used for education. If this were done, the building that is located across from GE could be renovated for apartments.

Ms. Ambrose said if the Hilltop School building were converted to apartments, that would be going against what the area is zoned for and would be going against the historical integrity of the building, which is located in the historic district. Would this also allow others to build 50 units in this ward?

Sherie Dinger, 23 Prospect Street, said that in the City Manager's comments tonight there was an issue about asking for a legal opinion on the resolution before you tonight regarding the Hilltop School. She is hoping the Council will share what the content is.

Sean Houle, President of the Somersworth Professional Firefighters Local 2320, wished to address the Council. He asked that since they have not finalized the budget that they reconsider the Fire Department overtime line item that was cut at the last meeting. He asked that they consider this line item as safe staffing, and not as overtime, since that is the essential of what their overtime is. Four people need to be on duty as set forth in NFPA 1710, Staffing Requirement. Furthermore, NFPA 1500 says to operate safely interiorly initially in the fireground, you need a minimum of four personnel. He asked that the Council consider this as safe staffing and not as overtime, because that is what it is. Mr. Houle indicated that two weeks ago a proclamation was given to two Fire Department personnel, very deservedly. The rescue they were awarded for was not done when they were short-staffed. He is fully confident in the fact that had that apartment not been on the first floor we would not have been awarding them a hero award, but probably would have been talking about a death in this City.

Mr. Houle said that five years ago the Council members saw the light and added a person to the Fire Department. Through a federal grant, they were able to add three more people and get to that four-person staffing. This is essential for the safety of the personnel working, and for the safety of the citizens of this community.

Mr. Houle said he understands that times are tough. He would ask that at the very least the overtime be put back in at last year's level. Where it needs to be is at \$150,000 which would be an additional \$.15 on the tax rate. This would cost a taxpayer with a median house approximately \$30 per year for property preservation and a chance for their safety.

Mr. Houle said he has made cuts at home because times are tough, but he has not gotten rid of his homeowner's insurance. He feels that the Firefighters are property and life insurance.

## COMMUNICATIONS.

### LETTER FROM FRIENDS OF SOMERSWORTH.

May 13, 2011

Esteemed Members of the Council,

Responding to the charge from the council the Friends of Somersworth, a citizen driven group, has organized to find a feasible, productive, and vibrant public reuse for the Hilltop School building and property. It is our belief that our success will mean the creation of a resource for our city that will continue to promote and enrich our community for many years to come.

The Friends of Somersworth has members from every neighborhood and ward. Our variety of backgrounds, skills, and experience has been pooled and we share your desire

to restore vitality to the city, to increase cultural resources and to make Somersworth and her citizens proud.

We have established a website <http://www.friendsofsomersworth.com/> where we have created forums for interactive public input and discussion. We invite the council to visit the site and utilize this public forum to pose questions to the community and get feedback from the growing audience of Somersworth constituents.

It is our intent to take up where the ad hoc reuse committee left off. Knowing what the public would like to have on the Hilltop property, we recognize the struggle between ideas and resources. We are working from a perspective of both optimism and reality. We have committees simultaneously exploring the physical structure information, the pertinent ordinances and regulation, and the availability of resources and partnerships. We believe we will find a compromise for public reuse that is both practical and beneficial to the immediate neighborhood and to the city as a whole.

Where there is a spirit of camaraderie and synergy, there will develop an increase in city spirit and pride. For the good of our shared community, we look forward to a positive partnership with our elected city leaders and our fellow citizens. We respectfully request that the council vote against the resolution to draft a purchase and sales agreement for the transfer of the Hilltop property to the Stratford Group, and allow the Friends of Somersworth additional time to generate a feasible option that includes the retention of the property for public use.

Sincerely,

The Friends of Somersworth Executive Committee  
Nora Molloy  
Diane Griffith  
Ray Atwood  
Linda Chaston  
Jennifer Soldati

PRESENTATION BY ROBERT VACHON AND TAMMY WEBB FROM VACHON, CLUKAY AND COMPANY, FOR FISCAL YEAR ENDING 6/30/2010.

Tammy Webb from Vachon, Clukay and Co. gave a brief overview of the audited financial statements for the year ended 6/30/10, and concluded with the following:

Report on Internal Controls Based on Audit of Basic Financial Statements.

- A Report on Internal Controls is issued in conjunction with our audit of the financial statements and is not considered a special study of internal controls.
- We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses.

Governance Communication.

- We conducted our audit in accordance with generally accepted auditing standards.
- The City expended more than \$3.9M in federal awards, and a federal compliance audit was also performed. The majority of the federal awards during FY 10 pertained to the school department.
- We were able to satisfy ourselves about all accounting estimates.
- All significant audit adjustments that were proposed have been recorded.
- There are no disagreements with management.
- To our knowledge, management did not consult with other CPAs.
- No unusual issues were discussed prior to our retention as auditors.

Thank You.

- On behalf of myself and the members of our firm, we thank you for allowing us to serve as your independent auditors.
- We also want to express our appreciation to the management team, especially the Finance Office within the City and the School Department, for their assistance during the audit.

MAYOR'S REPORT.

Mayor Soldati indicated that this is National Public Works Week, and there will be an open house at the Public Works Department on Tuesday, May 17<sup>th</sup>, from 3:00 p.m. to 7:00 p.m. People are encouraged to stop by the Public Works Department, the Water Department, and the Wastewater Treatment Plant. Tours will be conducted, and staff will talk about day to day operations. If you have never toured these facilities, they are quite interesting. He encourages people to take advantage of this opportunity.

The Mayor reminded people that this Friday, May 20<sup>th</sup>, is the Greater Somersworth Chamber of Commerce annual dinner and awards ceremony. The theme is "Life is a Cabaret" and will be held at the VFW Hall. There will be a raffle, a silent auction, and live music from Ben Baldwin and the Big Notes.

Mayor Soldati indicated there will be a celebration of Hilltop School. People are asked to join the celebration and share their memories of Hilltop School. This will be held on Saturday, June 11<sup>th</sup> from 1:00 p.m. to 4:00 p.m. They also hope to be giving tours of the Hilltop School at that time.

The Mayor said he will be asking for a public hearing prior to the next City Council Meeting on June 6<sup>th</sup>, 2011 at 6:45 p.m. relating to renaming the ball field at Millenium Park.

REPORTS OF STANDING COMMITTEES.

FINANCE COMMITTEE.

Councilor Jarvis reported this Committee met on 5/5/11 and discussed the following items:

- Street line striping (reflectorized street painting) bids – Public Works Director Willis updated the committee on the bids. Going with the lowest; the company comes highly recommended. Motion was made to authorize up to an additional \$5,000 if necessary without having to come back to the Finance Committee. Motion passed 2-0.
- Road resurfacing/paving bids for High Street and Willand Drive – Public Works Director Willis gave an update on the status of this project and it being done in June. He is hoping they can both be done at the same time in order to save on mobilization costs, which could mean a potential savings of approximately \$45,000. Motion was made to pass this request and passed 2-0.

### PUBLIC SAFETY COMMITTEE.

Councilor Watman reported this Committee met on 5/3/11 and the following items were discussed:

- Fire Chief Butts discussed his recommendations for an addendum to the Assistance to Firefighters Grant (provided a fire alarm system, sprinkler system and electrical generator to the Fire Station). Due to cost savings for those items, application can be made for a maximum of \$5,000 of additional items. Chief Butts proposed the purchase of 6-foot vinyl fencing, gates and two bollards for the protection of the generator as well as the protruding Fire Department connection on the north side of the building, and the purchase of two replacement pieces of physical training equipment. A motion to recommend forwarding this proposal to FEMA was approved 2-0.
- Follow-up discussion with representatives of American Medical Response (AMR) yielded several conclusions, most of which apply to all public safety agencies in Somersworth:
  1. AMR is to be commended for its dedication to providing high-quality services and for its considerable investment in the community.
  2. They strongly support the City Manager's plan to initiate joint meetings of all public safety agencies on a regular basis. They further support the concept of beginning such meetings with an AMR/Fire Department session that includes the development of recommendations for improving communication protocols, equipment and procedures. They urged that these meetings begin on an expedited basis.
  3. Committee members noted a need for re-invigoration of interagency training and strongly support any efforts that the City Manager and his public safety department heads can make to accomplish this cooperation with AMR.

### RECREATION COMMITTEE.

Councilor Pepin reported this Committee met on 5/13/11. They discussed the following items:

- Discussion of closing St. Laurent Park near the Fire Station. Discussion of Mr. St. Laurent's contributions to the City of Somersworth in discussing renaming another recreation facility after him.
- Putting some type of business signage on top of the Pines for the baseball field to help generate some revenue because of cuts in the programs. It would be good to see if we could get a little extra funding for the ball teams at no extra cost to the City.
- Discussion of Noble Pines fund raising for a skateboard park. They had put out advertisements to the public for funding. They have gotten some replies and they are following up on those who have not replied. They have collected about \$6,000. They still need quite a bit more to complete the project.

Councilor Witham indicated the discussion was to rename the ball field at Millenium Park in recognition of Mr. St. Laurent.

#### GOVERNMENT OPERATIONS COMMITTEE.

Councilor Tapscott said this Committee will be meeting shortly to start the City Manager evaluation process.

#### REPORTS OF SPECIAL COMMITTEES.

##### JOINT BUILDING COMMITTEE.

Councilor Tapscott reported this Committee met on 5/12/11 and he reported they have started laying down the granite curbing in the interior of the yard and the side of the road. Over the next couple of weeks they will be finalizing the painting and the tile flooring in the kitchen, and beginning the stage floor. The sidewalks are starting to take shape. Everything is on budget and on time.

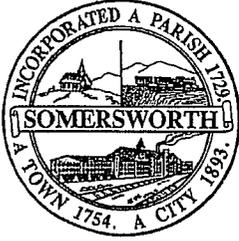
##### SUSTAINABILITY COMMITTEE.

Councilor Jarvis reported this Committee met on 4/21/11. They reviewed how to best communicate to get information out, e.g. newsletter, channel 22, web site content and working on moving that along to residents as quickly as possible.

Councilor Jarvis said they want everybody to know that the Committee meetings are open to residents. They are in the process of putting together sub-committees and developing different ideas.

Councilor Jarvis said the next meeting will be 5/19/11 at 7:00 p.m. and anyone who is interested is welcome to come. They are looking at starting a community garden.

#### 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:** Friday, May 13<sup>th</sup>, 2011

**SUBJECT:** City Manager's Report for Monday, May 16<sup>th</sup>, 2011  
City Council Agenda

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### ***Communications (under Section 5 of the Agenda):***

- A. Presentation by Mr. Robert Vachon, Auditor and Ms. Tammy Webb, of Vachon Clukay and Company, for Fiscal Year ending 6/30/2010.

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

#### **Ordinances:**

- A. **Ordinance No. 10-11 FY 2011-2012 Budget.** Attached is a copy of this Ordinance as amended by vote of the City Council. An updated tax rate projection is also provided. It is an approximate \$.67 increase from last year's tax rate.

Thank you to the Finance Director for preparing a detailed outline of all the action taken by the City Council at the May 2<sup>nd</sup> meeting.

#### **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.** Included in your meeting packet is a copy of a legal opinion given by the City Attorney in response to a request by Councilor Witham.

- B. **Resolution No. 22-11 Resolution Concerning Hilltop School Property.**

### ***Unfinished Business (under Section 12 of the Agenda):***

#### **Ordinances:**

- A. **Ordinance No. 11-11 Amend Chapter 13, Police Offenses, Section 3.4.B. Motor Vehicle Operation, Speeds.** This is recommended by the City's Traffic Safety Committee.

- B. Ordinance No. 12-11 Amend Chapter 6, City Officials, Section 6.5, Filing Fees.** This is a recommendation of the Government Operations Committee.
- C. Ordinance No. 13-11 Chapter 13, Police Offenses, Add Temporary Sections Relative to One-Way Traffic Pattern, Parking, Stop, Yield and Restricted Travel.** The Traffic Safety Committee has this item on their Wednesday, May 18 meeting agenda for review and comment.

**Resolutions:**

- A. Resolution No. 24-11 City Council to Adopt the Provisions of RSA 72:1-c Authorizing the City of Somersworth to Elect not to Assess, Levy and Collect a Resident Tax.** Again, this action item was identified at the Council's 2011 goal session as a needed step to allow for residents to register their vehicles by E-Reg. Eliminating this revenue will add approximately .08 cents to the tax rate estimate. FYI – There are presently only 5 communities assessing this tax in New Hampshire.
- B. Resolution No. 25-11 City Council to Amend the Somersworth Water Works Tariff.** City Staff recommends a 5% increase as stated in the Resolution.
- C. Resolution No. 26-11 To Authorize the City Manager to Draft and Disseminate Requests for Quotations for the Demolition of the Hilltop Elementary School Building.**
- D. Resolution No. 27-11 Authorizing the City Manager to Contract with GMI Asphalt, LLC of Belmont, NH to Resurface a Portion of High Street, Willand Drive, and Make Necessary Drainage and Utility Improvements as Required.** Finance Committee voted to support passage of this Resolution at their May 5 meeting.

***New Business (under Section 13 of the Agenda):***

**Ordinances:**

- A. Ordinance No. 14-11 Amend Chapter 30, Conduct in Public Parks, Section 2.2 Definitions.** The Recreation Committee voted to bring this action item forward for full Council consideration. The Public Works and Environment Committee also supports this action. The City's engineering firm Geosyntec Consultants has tentatively set the week of May 30<sup>th</sup> to complete test pits at this recreational area/former landfill site. We are awaiting EPA's approval of the proposed work plan. Attached is a Memorandum of the EPA's recent comments regarding their oversight of this area. The Recreation Committee will be discussing the possibility of sponsoring a Resolution to name another City recreational site after Mr. St. Laurent at their Friday, May 13<sup>th</sup> meeting should this park be decommissioned, i.e. closed as a public park, by City Council.

**B. Ordinance No. 15-11 Amending Chapter 4, Personnel Rules and Regulations.**

The Finance Committee and Government Operations Committee voted to support these recommendations of the City Manager as well as those of the City Manager's Health/Dental Insurance Committee.

**C. Ordinance No. 16-11 Amending Chapter 4, Personnel Rules and Regulations, by Amending Section 11.3 Titled "Health Insurance".**

The Personnel Rules and Regulations Ordinance states the City Council shall determine annually the amount of premium paid by the City based upon the City Manager's recommendation. The Finance Committee and Government Operations Committee have endorsed my recommendation as proposed in this Ordinance change.

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

**A. Informational Items:**

1. **Public Works Open House.** Reminder – this Tuesday, May 17<sup>th</sup>, from 3 p.m. to 7 p.m., the Public is welcome at Highway, Water Plant and Wastewater Plant.

**B. Attachments:**

1. City Attorney Certifications (7).
2. Monthly Department Head Reports.

LAY ON TABLE.

Motion by Councilor Witham to take Ordinance No. 10-11 FY2011-2012 Budget off the table. The motion was seconded by Councilor Watman and passed by a vote of 7 yeas, 1 nay, Councilor Spainhower voting in the negative.

Councilor Witham spoke to the matter of the Fire Department overtime. We have a memo from the City Manager this evening that speaks to this. It gives two numbers, one which addresses having three firefighters at all times, and the other number is \$155,000 which is to provide four firefighters all of the time. He asked if someone could explain why there is such a disparity between the two numbers.

Councilor Tapscott moved to open the meeting to allow department heads to speak. The motion was seconded by Councilor Pepin and passed unanimously.

Finance Director Smith said as they worked on this they tried to determine the total number of shifts that needed to be covered due to vacations, sick time, etc. to maintain four staff on duty 365 days a year. They used an average cost and that came out to \$155,000. The Fire Chief then took that listing of shifts and made a determination of how often there might be two employees missing on any given shift for whatever reason so that at least one person would have to be covered, and he believes the number he came up with was 120 shifts. It is the timing of how often you have one staff person off versus

two staff members off. There is no specific ratio, it is just the structure of how often you have multiple employees off at a given time.

Chief Butts said it is his understanding in the past that they tried to stay at four employees per shift, then when the money got tight they would go to three.

Councilor Witham said if we could predict when the fires would be this would be a pretty easy problem to solve. We could have all our firefighters on duty on that day, at that time. Unfortunately, we cannot do that. He asked if anyone has done any type of analysis to determine fire risk, particularly in regards to life safety risk as to day of the week, time of day, and month of the year.

Chief Butts replied that Chief Messier had done so in the past and he has looked at the charts and they remain pretty much on target with what our current incident rate is. We are more likely to have a working fire at nighttime, typically because more activity is around during the day and it would be spotted quicker. Also, people are at a greater risk when they are asleep than when they are awake, due to non-functioning or absent smoke detectors.

Councilor Witham said it would be his desire to disagree with the decision to cut the Fire Department staffing budget to the level that this budget would do. Although it may be difficult to get to \$155,000 to staff four employees around the clock, he sees this as taking many steps backward. He wondered if it would be calculable to figure out what it would cost to staff four at night and three during the day.

Councilor Spainhower referred to the \$41,000 number, asking when the last time was that this Fire Department line was down to \$50,000.

Finance Director Smith guessed it was probably in FY 2005 or 2006 that it was at that level.

Councilor Spainhower said he is not buying it that \$41,000 is going to cover this.

Mayor Soldati asked Fire Chief Butts if this line item were \$155,000 if that would allow us to man each shift with four employees.

Chief Butts replied in the affirmative.

Councilor Witham made a motion to fund the Fire Department Overtime at \$155,000. Councilor Spainhower seconded the motion.

Councilor Pepin said there were times when he was on the Fire Department when they were down to two employees on a shift. It is very difficult to pull up to a fire scene to attack a fire with two people. He knows the difference between two people working and four people working, and there is no comparison.

The motion failed by a vote of 3 yeas, 5 nays, Councilors Watman, Messier, Tapscott, Jarvis and Sprague voting in the negative.

Councilor Witham referred to page C-45 of the Budget, Public Safety, Police Patrol, line 7600, Vehicle Maintenance. In the current Fiscal Year budget we have authorized the purchase of a police cruiser and also pre-authorized the purchase of a cruiser in advance of the FY 2012 budget. He heard the Police Chief state at an earlier meeting that the \$21,000 may not be necessary with two new cars coming on line. He asked to have that statement clarified.

Chief Crombie said he does not know yet if they will need this money. If they do not need the money, he will be sure to give it back.

Councilor Witham moved to reduce line 7600 by \$7,000 to the current Fiscal Year amount of \$14,000. The motion was seconded by Councilor Pepin. The motion carried by roll call vote of 6 yeas, 2 nays, Councilors Spainhower and Jarvis voting in the negative.

Councilor Sprague referred to page C-8 of the Budget, line 5489 CASA (Court Appointed Special Advocates), making a motion to add \$500 back in. The motion was seconded by Councilor Spainhower.

Councilor Sprague said this organization is very important. It consists of volunteers who are trained to mediate between family members for children affected by child abuse.

Councilor Witham asked Councilor Sprague if funding for CASA was impacted by the County budget.

Councilor Sprague replied they have never come to the County for funding.

Councilor Tapscott asked how many children from this community received services from this organization.

The motion to add \$500 back in for CASA carried by roll call vote of 5 yeas, 3 nays, Councilors Pepin, Watman and Tapscott voting in the negative.

Councilor Witham requested that a number be provided for Fire Department overtime that might be palatable to the Council, that would staff the department at three firefighters during the day and four firefighters at night. He would like to have a number by the next Council meeting.

Councilor Pepin moved to vote on Ordinance No. 10-11. There was no second to the motion.

Councilor Sprague moved to table Ordinance No. 10-11. The motion was seconded by Councilor Witham and passed by roll call vote of 5 yeas, 3 nays, Councilors Pepin, Watman and Messier voting in the negative.

UNFINISHED BUSINESS.

ORDINANCE NO. 11-11 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.4.B. MOTOR VEHICLE OPERATION, SPEEDS.

Councilor Tapscott indicated this is relative to blinking signs for speed reduction on Stackpole Road in the school zone before school starts and when school lets out in the afternoon.

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

ORDINANCE NO. 12-11 AMEND CHAPTER 6, CITY OFFICIALS, SECTION 6.5, FILING FEES.

Councilor Witham made a motion to amend this ordinance that At Large Council position be \$10.00 and At Large School Board position be \$10.00. The motion was seconded by Councilor Spainhower.

Councilor Witham explained his rationale that a Ward Councilor represents only one ward, whereas an At Large Councilor represents the whole community.

Councilor Tapscott said that during the last Government Operations Committee meeting this is one of the items they took up due to the fact that School Board members, whether they are at large or a ward representative, now get a stipend, just as the City Council does.

Councilor Watman said that although Ward Councilors usually do act as the first contact person for constituent concerns, all Council members take the same oath, which is to serve the residents of the City. He thinks it is reasonable that they all have the same filing fees.

Councilor Pepin said a lot of them do work on various Council Committees and he doesn't see any difference in that respect between Ward Councilors and At Large Councilors. His opinion is the filing fees should be the same.

Councilor Witham said these explanations are so reasonable, he is removing his motion to amend the ordinance.

Ordinance No. 12-11 passed by roll call vote of 8 yeas, 0 nays.

RESOLUTION NO. 24-11 CITY COUNCIL TO ADOPT THE PROVISIONS OF RSA 72:1-C AUTHORIZING THE CITY OF SOMERSWORTH TO ELECT NOT TO ASSESS, LEVY AND COLLECT A RESIDENT TAX.

Councilor Jarvis indicated after the Finance Committee reviewed this, it was determined that eliminating the resident tax would increase the tax rate by only \$.08 cents. As the City Manager stated earlier, one of our goals is to step up and do what is necessary to allow the residents to register their vehicles by e-reg. This cannot be done with the resident tax in place. There are only four other towns in New Hampshire that still have the resident tax at this time. The Finance Committee wanted to bring this to full Council for discussion.

Councilor Tapscott said that due to the fact that we are in a tight squeeze and cutting budgets dramatically, if anyone thinks it is a good idea to reduce this revenue this year they are sadly mistaken. This is a bad time to do this and he is not in favor of it.

Councilor Witham said one of the things they have heard as a benefit besides allowing on-line registration of vehicles with regards to the resident tax is the money that is collected through the resident tax now paid for by the taxpayers and will be disbursed over the entire property tax base which would also include businesses and not just the residents.

Councilor Tapscott said the confusing thing about the resident tax is that right now everybody who comes in to City Hall to register their vehicles pays the tax. Now it will be thrown on the backs of the property owners and not renters if this resolution is passed.

Councilor Jarvis asked if eliminating the resident tax and having people be able to register vehicles through e-reg would possibly lower the amount of work for some of the staff.

Finance Director Smith replied they haven't made any kind of projections. We haven't had it before, so we have no way of knowing how many people would use it. The intent here is that this would be more convenient for the residents and it would cut down on the foot traffic at City Hall.

Councilor Watman said he feels the great majority of people who are obliged to pay the resident tax probably do not pay it if they do not register a vehicle. There is no effective way to track people down for the \$10. There are advantages and disadvantages all the way down the line. People are moving into an electronic bill-paying mode in fairly large numbers because it is convenient and saves them money because of transportation. That is the kind of service we should be offering to our residents. In that sense, it is well worth doing it.

Resolution No. 24-11 passed by roll call vote of 7 yeas, 2 nays, Councilors Pepin and Tapscott voting in the negative.

RESOLUTION NO. 25-11 CITY COUNCIL TO AMEND THE SOMERSWORTH WATER WORKS TARIFF.

Councilor Jarvis said the rates we are at right now are lower than the surrounding cities. After discussion, they decided raising the rates by 5% would be feasible given the condition of the fund.

Resolution No. 25-11 passed by roll call vote of 8 yeas, 0 nays.

RESOLUTION NO. 27-11 AUTHORIZING THE CITY MANAGER TO CONTRACT WITH GMI ASPHALT, LLC OF BELMONT, NH TO RESURFACE A PORTION OF HIGH STREET, WILLAND DRIVE, AND MAKE NECESSARY DRAINAGE AND UTILITY IMPROVEMENTS AS REQUIRED.

Councilor Spainhower urged everyone to support this resolution. There is a potential of saving \$45,000 by passing this.

Resolution No. 27-11 passed by roll call vote of 8 yeas, 0 nays.

NEW BUSINESS.

ORDINANCE NO. 14-11 AMEND CHAPTER 30, CONDUCT IN PUBLIC PARKS, SECTION 2.2, DEFINITIONS.

Somersworth, NH  
May 16, 2011

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

AMEND Chapter 30, Conduct in Public Parks, Section 2.2 Definitions, by deleting St. Laurent Park.

This Ordinance shall take effect upon its passage.

Introduced by Councilors

Martin Pepin  
Brian Tapscott  
David Witham

Approved:

City Attorney

Background Information:

- The St. Laurent Park sees minimal use as identified through a 2010 City Park Utilization Report dated April 21, 2011, and many of the park features are in a state of disrepair and are unusable due to a variety of factors.
- In addition, ongoing and future actions/directives set forth by the U. S. Environmental Protection Agency (EPA) may require costly site improvements.

Attached is a summary update on recent EPA proposed monitoring work to this closed landfill site.

Following the first reading of Ordinance No. 14-11, it was referred to the next meeting.

Councilor Witham made a motion that Ordinance No. 15-11 be read by title only. The motion was seconded by Councilor Tapscott and passed unanimously.

**ORDINANCE NO. 15-11 AMENDING CHAPTER 4, PERSONNEL RULES AND REGULATIONS.**

Somersworth, NH  
May 16, 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 4 by deleting the Compensation Schedule in its entirety and replacing it with the following:

**Personnel Rules and Regulations**  
FY2011-2012 Compensation Schedule  
(1% Increase effective July 1,2011)

GRADE		HIRE	1	2	3	4	5
6	A	19,759.40	20,602.65	21,377.53	22,243.57	23,132.40	24,021.24
	H	9.4997	9.9051	10.2777	10.6940	11.1213	11.5487
7	A	20,716.61	21,491.49	22,448.69	23,337.52	24,180.77	24,477.05
	H	9.9599	10.3324	10.7926	11.2200	11.6254	11.7678
8	A	21,764.97	22,608.22	23,497.05	24,477.05	25,479.83	26,505.41
	H	10.4639	10.8693	11.2967	11.7678	12.2499	12.7430
9	A	22,858.92	23,770.54	24,727.74	25,730.53	26,733.31	27,850.05
	H	10.9899	11.4281	11.8883	12.3704	12.8526	13.3894
10	A	23,975.66	24,932.86	25,890.06	26,984.01	28,009.58	29,217.48
	H	11.5268	11.9870	12.4471	12.9731	13.4661	14.0469

11	A	25,206.34	26,231.92	27,211.91	28,305.86	29,468.18	30,653.29
	H	12.1184	12.6115	13.0827	13.6086	14.1674	14.7372
12	A	26,482.62	27,530.98	28,579.35	29,741.66	30,858.40	32,089.09
	H	12.7320	13.2360	13.7401	14.2989	14.8358	15.4274
13	A	27,804.47	28,898.41	30,083.52	31,314.21	32,522.11	33,889.54
	H	13.3675	13.8935	14.4632	15.0549	15.6356	16.2930
14	A	29,126.32	30,288.64	31,496.54	32,818.39	34,117.45	35,462.09
	H	14.0030	14.5618	15.1426	15.7781	16.4026	17.0491
15	A	30,653.29	31,906.77	33,160.25	34,459.31	35,758.37	37,171.38
	H	14.7372	15.3398	15.9424	16.5670	17.1915	17.8709
16	A	32,111.88	33,388.15	34,732.79	36,259.76	37,604.40	39,176.95
	H	15.4384	16.0520	16.6985	17.4326	18.0790	18.8351
<b>GRADE</b>		<b>HIRE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
17	A	33,775.59	35,143.02	37,513.24	37,991.84	39,496.02	41,068.56
	H	16.2383	16.8957	18.0352	18.2653	18.9885	19.7445
18	A	35,462.09	36,875.10	38,288.12	39,883.46	41,478.79	43,210.88
	H	17.0491	17.7284	18.4077	19.1747	19.9417	20.7745
19	A	37,171.38	38,698.35	40,293.69	41,957.40	43,575.53	45,353.19
	H	17.8709	18.6050	19.3720	20.1718	20.9498	21.8044
20	A	39,154.16	40,749.50	42,276.46	43,985.75	45,740.63	47,518.29
	H	18.8241	19.5911	20.3252	21.1470	21.9907	22.8453
21	A	41,068.56	42,686.69	44,464.36	46,196.44	48,042.47	49,911.30
	H	19.7445	20.5224	21.3771	22.2098	23.0973	23.9958
22	A	43,188.09	44,851.80	46,652.25	48,429.91	50,481.06	52,486.63
	H	20.7635	21.5634	22.4290	23.2836	24.2697	25.2340
23	A	45,307.61	47,130.85	48,908.51	50,936.87	52,965.23	55,107.54
	H	21.7825	22.6591	23.5137	24.4889	25.4641	26.4940
24	A	47,518.29	49,432.70	51,392.68	53,489.41	55,563.35	57,819.62
	H	22.8453	23.7657	24.7080	25.7161	26.7132	27.7979
25	A	49,911.30	51,985.24	53,990.80	56,224.28	58,526.12	60,827.97
	H	23.9958	24.9929	25.9571	27.0309	28.1376	29.2442
26	A	52,463.84	54,925.22	56,611.72	58,913.56	61,374.94	63,676.79
	H	25.2230	26.4064	27.2172	28.3238	29.5072	30.6138
27	A	54,970.80	57,295.43	59,528.91	61,990.29	64,474.46	66,958.63

	H	26.4283	27.5459	28.6197	29.8030	30.9973	32.1916
28	A	57,751.25	60,098.67	62,377.73	64,907.48	67,573.97	70,240.46
	H	27.7650	28.8936	29.9893	31.2055	32.4875	33.7695
29	A	60,622.85	63,084.23	65,545.61	68,143.73	71,015.34	73,795.79
	H	29.1456	30.3290	31.5123	32.7614	34.1420	35.4787

(1% increase of minimum and maximum effective July 1, 2011)

Grade		MINIMUM	MAXIMUM
30	A	64,872.83	79,094.13
	H	31.1889	38.0260
31	A	70,869.48	86,226.60
	H	34.0719	41.4551
32	A	71,533.15	87,152.87
	H	34.3909	41.9004
Grade 33		MINIMUM	MAXIMUM
	A	75,159.57	91,395.56
34	H	36.1344	43.9402
	A	78,951.92	96,041.18
35	H	37.9577	46.1736
	A	82,910.19	100,805.33
36	H	39.8607	48.4641
	A	87,081.77	105,853.88
37	H	41.8662	50.8913
	A	91,348.16	111,068.36
	H	43.9174	53.3982

This Ordinance will take effect upon its passage.

Introduced by:

Approved:  
City Attorney

Mayor  
Lincoln Soldati  
By Request

Following the first reading of Ordinance No. 15-11 by title, it was referred to the next meeting.

ORDINANCE NO. 16-11 AMENDING CHAPTER 4, PERSONNEL RULES AND REGULATIONS BY AMENDING SECTION 11.3 TITLED "HEALTH INSURANCE".

Somersworth, NH  
May 16, 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 4, Section 11.3.1 titled "Health Insurance", by deleting it in its entirety and replacing it with the following:

11.3.1 Health/Dental Insurance

The City will offer one or more health insurance plans to eligible full-time employees and their families. The City will pay such portion of the premium as the City Council shall determine annually based upon the City Manager's recommendations. Employees shall be notified of the premium share to be paid by the City in advance of the new plan year.

Effective July 1, 2011, the City shall pay a percentage of an HMO-type plan as follows:

- |            |                    |
|------------|--------------------|
| 1 – Person | 90% of the premium |
| 2 – Person | 90% of the premium |
| Family     | 90% of the premium |

The City, after providing twenty (20) calendar days advance written notice to the employees, may modify the plan, offer additional plans, change carriers, or convert to self-insurance. The insurance provided under this provision shall be comparable in benefits to the insurance presently provided under this section.

Eligible City employees who provide proof of health insurance coverage from another source may opt out of City provided health coverage. Employees who exercise this opt out provision of health insurance coverage shall receive \$1,750 annually.

Eligible full-time employees may participate in the Delta Dental Option 1E or other equivalent plan currently provided for employees and their families. The City will pay 100% of the premium for the individual employee. For 2-person and family coverage the employee will pay 20% of the monthly premium cost.

This ordinance will take effect upon its passage.

Introduced by Councilors

Brian Tapscott  
Denis Messier  
Martin Pepin  
Robin Jarvis  
Dale Sprague

Michael Watman

Approved:

City Attorney

Background: By passage of this Resolution the City Council is increasing the employee's contribution to the health insurance premiums by 2%, and is including new language for an opt out provision to health insurance coverage and providing employees a benefit of \$1,750 annually in lieu of health insurance coverage.

The section referencing dental insurance codifies the benefit currently in place, however it does change the dental option currently available to City employees.

Following the first reading of Ordinance No. 16-11, it was referred to the next meeting.

#### COMMENTS BY VISITORS.

Sean Houle of the Somersworth Professional Association Local 2320 thanked the members of the City Council who voted in the interest of safety to the citizens of this community. They are still currently without a contract and will be meeting soon with the City. Maybe it would allow safe staffing to enter their discussion which would essentially take the line item out of the Council's hands.

Diane Griffith, 52 Grove Street, thanked Councilor Spainhower for his attempt to put some money back into the Fire Department overtime budget. The cuts are unreasonable. She appreciates Councilor Witham's comments about this being a safety issue. She feels that Councilor Spainhower put it into perspective when he referred to \$100,000 being spent on an Assistant Principal and not putting money into a safety-related item. That was a point well made.

William Hurley, 325 Rollins Road, Rollinsford, NH, said he attends Somersworth High School. He is in band and chorus and there is a concert next Thursday, May 26<sup>th</sup>, and he invited everybody to attend, saying it will be a lot of fun.

Real Roseberry, Route 108, said he listens now. If the Firefighters want money, there is a way you can give it to them in a safe way. Most of you have a savings account and you have a checking account. You should give them a savings account on the side and let them spend their budget. When their budget is gone, make them prove they need to use the other account.

Mr. Roseberry said there are three Councilors who should not be voting because they have an attachment to the Fire Department. He'll let that go by. The Fire Department should be given an account, just like the School Department. They should have three men on days, and four on second shift because that is a dangerous time.

Dave Kretschmar, 26 Otis Road, said he wished to comment on St. Laurent Park. When he was made aware they were thinking of decommissioning it, he went to the City Manager's Office to talk to him. Over Easter, his family sat together and came up with a plan they presented to the Recreation Committee and to City Manager Belmore to name the ball field at Millennium Park St. Laurent Field. This is very near and dear to his family's heart and they will be here for the public hearing. They are looking forward to the support of the City Council.

Sean Houle of the Professional Firefighters Association Local 2320 said their Association has taken the Local Government Center (LGC) to court on many occasions, their argument being the LGC by law is required to pay monies back to the community that they are owed. He would dare say they are probably pretty close to looking at getting \$100,000 back. Maybe we can ask them for our money and use that to fund the overtime budget.

Kyle Stucker of Foster's indicated he will be leaving Foster's for other opportunities and wished to thank the City Council, City Manager, City staff and City residents for all their help along the way.

#### CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Pepin thanked all the people who came out for clean-up day. Over three tons of garbage was collected throughout the community.

Councilor Pepin referred to the comment made by a gentleman that he has no right to vote on Fire Department issues, stating he has left the fire service. He is no longer a member and neither is Councilor Witham, and Councilor Spainhower belongs to the Dover Fire Department. He knows a little bit about safety issues that both firefighters and the public go through and what they are confronted with. If someone feels he doesn't have the right to express his opinion, then maybe they should vote him out next time. He feels that it is his obligation to share his opinion as well as everyone else on the Council no matter what their occupation is. They can share their experiences to make the community better.

Councilor Witham thanked Kyle Stucker for his coverage of the City and said he will be missed.

Councilor Witham said when he ran for his seat on the Council he gave hefty consideration over what to do with his involvement as a call firefighter, which he served on for 24 years. He believes that experience brings value to his position as a Councilor. He has an understanding of it. He feels the things they all do in their lives outside of Council chambers are value-added when it comes here. He stepped down from his position as a call firefighter because he thought there should be that separation while he sat as a City Councilor. He can't forget what he knows. He also went to school here in Somersworth, but he votes on the School Department budget. We are a small town and you are always going to have some level of involvement.

Councilor Witham said if he ever felt there was a conflict of interest he would clearly step aside. He does not believe that has been the case.

Councilor Messier referred to the Hilltop School and said he wishes the Friends of Somersworth well in their endeavor. If somebody could come up with a time line it would be helpful, because at some time the Council needs to take action. They will need to make plans for the winter months if necessary.

Councilor Tapscott said as he recalls they had gotten copies of minutes from a School Board meeting that indicated something was wrong with the heating system at the Hilltop School. Evidently in order to make the heat work the system needs to be reset manually every day. It is a \$3,000 item to be corrected. Whatever they do, they will have to have that corrected.

Councilor Watman echoed the comments of the two previous Councilors. Shortly this body will have to make decisions about how to care for the building and what the cost will be to the taxpayers.

Councilor Watman said this City has lots to be proud of, both in the past and in the present, mostly through its people. From the days of farmers, wage slaves, etc. there is a history of hardworking, dedicated people. He is not a big person on bricks and mortar and has no great attachment for things like that. He feels a myth has grown up around the Hilltop location. It has a very significant local history, but as far as he can determine from reputable sources, it was not the first high school in the State of New Hampshire. We should be proud that we were one of the early high schools but to make the claim that we were the first is unnecessary. We should be proud of what it was. He wonders why nobody has filled out an application to place it on the Register of Historic Places.

Councilor Watman said our Historic District is the largest in the State and he wonders why nobody has applied to put that on the National Register of Historic Districts. That offers some protection to things as well as some great responsibilities.

Councilor Watman said the bottom line is we should be proud of what is real. People's memories of their experiences in a school building never go away, but when a school becomes empty it becomes bricks and mortar and wooden beams and wooden floors. You cannot duplicate the life experiences you had when it was a school.

Councilor Watman said Memorial Day is coming up before our next meeting and he hopes some people in our community will take some time to view the parade. This is a way to honor the people from our community who have given their lives and service to the community. It is a nice way to pay respects to those people.

Councilor Spainhower thanked the people who spoke about the Friends of Somersworth. It seems they are very organized. He went to tour the mill building in Rollinsford

recently and he can see the potential of it. His only issue is where the money will come from. He hopes they will let him know if he can help in any way.

Councilor Spainhower said he was a member of the Somersworth Fire Department years ago. He also has a lot of knowledge about what the Fire Department does. He knows the safety of having four employees on a shift is a lot better than two.

Councilor Spainhower said he believes this week is Police Officer Memorial Week. If you see a Police Officer, shake his/her hand and thank them for their service and remember those that have fallen.

Councilor Sprague congratulated the Friends of Somersworth. Their web site is great and it is very organized. If they were to do something like what there is at the Rollinsford Mill, he believes the money would come from leaseholders. He found out that it costs about \$12,000/year to heat the building. If we have to mothball the building, it can be maintained at 55 degrees through the winter for \$7,000.

Councilor Sprague said he is glad they tabled the budget tonight. This will give us more time to find out what will be happening at the State level and also the amount the School Board might be giving back.

Councilor Witham indicated there was a request earlier about the legal opinion received regarding the Hilltop School Building. If it comes up, he would be in favor of releasing that to the public.

#### FUTURE AGENDA ITEMS.

Mayor Soldati reminded people that there will be a public hearing prior to the June 6, 2011 Council Meeting at 6:45 p.m. relative to the naming of the ball field at Millennium Park.

#### ADJOURNMENT.

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

Respectfully submitted,



Diane M. DuBois, City Clerk

