MINUTES OF CITY COUNCIL MEETING

MAY 7, 2012

Mayor Spencer called the meeting to order, and upon roll call, the following members were found present: Pepin, Soldati, Hebert, McCallion, Durkee, Tapscott, Jarvis and Sprague. Councilor Witham arrived at 7:35 p.m.

MINUTES OF PREVIOUS MEETINGS.

- City Council Workshop held on 3/26/12. Councilor Pepin moved to accept the minutes as recorded. The motion was seconded by Councilor Hebert and passed unanimously.
- City Council Budget Workshop held on 4/14/12. Councilor Pepin moved to accept the minutes as recorded. The motion was seconded by Councilor Tapscott and passed unanimously.
- City Council Meeting held on 4/16/12. Councilor Tapscott moved to accept the minutes as recorded. The motion was seconded by Councilor Durkee and passed unanimously.
- Budget Public Hearing held on 4/23/12. Councilor Tapscott moved to accept the minutes as recorded. The motion was seconded by Councilor Hebert and passed by a vote of 7 yeas, 1 abstention, Councilor Pepin abstaining.

COMMUNICATIONS.

LETTER FROM THE HOMEMAKERS HEALTH SERVICES.

April 16, 2012

Mayor Matt Spencer
Somersworth City Hall
One Government Way
Somersworth, NH 03878

Dear Mayor Spencer and City Council Members,

On behalf of our Board of Directors, staff and the people we serve, thank you for providing me the opportunity to speak with you about The Homemakers Health Services.

Per your request in regard to the number of people from Somersworth that are currently on our wait list to receive our Day Out Adult Day Care services, we currently have 11 people on our wait list, two of which are Somersworth residents.

Currently, we are licensed by the State to provide Adult Day Care services to 37 persons a day. As the number of days people attend the Adult Day Care varies, i.e., some people

attend five days a week, while others may attend only two days a week, we are able to serve a total population of about 90 persons through this program.

When we have a wait list, we certainly inform persons in need of these services that there are other adult day care programs available to them in this area. However, for various reasons, these people have chosen to remain on our wait list until an opening occurs. Their choice to remain on our wait list may be for a variety of reasons: they have friends in our program, they need the door-to-door transportation service we provide, or the location of our program is closer to their or their caregiver's home or on their route to work.

Should you need any further information or have any other questions, please don't hesitate to contact me.

If you or any members of the City Council are in the area, please feel free to stop by and see the program for yourself.

Sincerely,

Rene J. Philpott
Community Relations Director

Cc: City Manager

LETTER FROM CONGRESSMAN FRANK GUINTA.

April 18, 2012

The Honorable Matthew Spencer
Mayor
City of Somersworth
1 Government Way
Somersworth, NH 03878-3192

Dear Matt,

Thank you for taking the time to meet with me on March 16th in my Manchester office, and especially for taking the time out of your day to join me in delivering meals to Somersworth residents on April 5th.

It was good to meet with local residents and hear about the issues they are facing and the difference the Meals on Wheels Program makes in their everyday lives. I look forward to many more opportunities like this in the future as I travel throughout the district and appreciate you taking the time to join me in Somersworth.

If my staff or I can be of assistance to you in the future, please do not hesitate to get back in touch with me.

Sincerely,

Frank Guinta
Member of Congress

Reply to:
Congressman Frank Guinta
33 Lowell Street
Manchester, NH 03101

Councilor Sprague said he hopes, with this being an election year, that this is not going to be a venue for elected officials to write letters to be read to our constituents at home. He appreciates the time that Congressman Guinta has taken, but we have to watch the line.

Mayor Spencer replied he just wanted people to be aware that Congressman Guinta was here, and he would do that for anyone who takes the time to come here.

Councilor Soldati said the issue for her is that she believes the Congressman voted for the budget that cut Meals on Wheels to the states. She would hope that perhaps him going out with the Mayor and delivering a few meals might give him pause the next time that issue comes up.

SUPERINTENDENT OF SCHOOLS MOSCA AND SCHOOL BOARD CHAIR AUSTIN – BUDGET INFORMATION.

Chairman Austin indicated they are here tonight to help the City Council understand a little further some of the potential impact of reductions to the School District budget as they continue to consider the budget for the 2012-2013 Fiscal Year.

Chairman Austin indicated the total requested increase of $1.5M is the level of funding needed to maintain most current services in the following categories:

- Students/Programs
- Staffing
- Repairs/Maintenance
- Capital Improvements

A budget reduction of $540,000 will eliminate Capital Improvements. While nobody wants to eliminate Capital Improvements, the School Board feels confident that that's where we would go for cuts. Chairman Austin talked about further cuts, and what the impact would be:

- A $100,000 cut would begin to impact supplies, such as testing materials, text books, etc.

- A $200,000 cut would impact the following: supplies, $105,000; contracted services, $83,000; district wide maintenance, $12,000.
- A $300,000 cut would impact each building contingency by $63,000; ceiling/tile replacement by $18,000; Middle School asbestos removal (remainder) $19,000 (as well as the $200,000 above).
- A $400,000 cut would impact 1 day/week Somersworth Youth Connection $13,000; 3 days Middle School Media Center $45,700; retirement pay-out (11-12 budget) $48,000 (as well as the $300,000 above).
- A $500,000 cut would impact 2 Unified Arts Positions $104,000 (as well as the $400,000 above).
- A $600,000 cut would impact 2 more Unified Arts Positions $121,000 (as well as the $500,000 above).

Superintendent Mosca offered the following:

- The requested budget of $25.7M is a no frills, bare-bones budget that is expected to continue to meet the needs of the students, maintain current staffing levels, and creatively satisfy the requirements for ongoing and renewed state approvals and accreditation for our High School.
- Any significant reduction to the requested budget will directly impact students, staffing, and facilities.
- Planning for the future almost CERTAINLY requires us to maintain existing levels of service even as costs continue to increase.
- The impact of budget reductions is clear. We will continue our efforts to work with you to find the best, most creative ways to provide a quality education for all students at the best possible value for taxpayers.

Councilor McCallion said the Council and School Board have had joint meetings and have talked about floating a bond. He asked if there have been any spreadsheets done about what could be pulled out of this budget if we were going to bond certain projects.

Mr. Austin replied the $540,000 that is in the budget for capital improvements would be where they would start. Everything else in the budget is more routine maintenance items that are not bondable.

Councilor McCallion asked if the Council could get a warp chart of the staff in the School Department. When they tell people they are eliminating positions but when those positions come up in a different way in a different school people get confused and feel they were not eliminated.

Superintendent Mosca replied that in the past two years they have eliminated 6.5 teaching positions. Last year they eliminated 7 paraprofessional positions. Part of the confusion might be because even though the positions have been eliminated, a person who held the position in question might still end up with a job. People and positions might not necessarily correlate. They are still down the same number of positions stated above.

Councilor Soldati said when they discussed staffing cuts they cited only Unified Arts staff. She wondered if there is a reason they chose that one discipline and not others.

Superintendent Mosca replied they have three areas of staffing – teachers, paraprofessionals, and unified arts (music, art, etc.). Last year they cut 7 paraprofessional positions, and in the past 2 years they have eliminated 6.5 classroom positions. This was the next area because they have hit the bare minimum left there. There is no other place to go. These 4 positions will also have an impact for grades K-12 because it will mean having to readjust the rest of the folks that are left behind.

Councilor Sprague referred to maintenance, specifically the HVAC systems. He found the prices they listed to be kind of high. He asked if they could provide their bid process.

Chairman Austin indicated the costs that were outlined in the capital improvement document were not from a bid process because they were not prepared to actually act on them. They are their best estimates based on conversations with various contractors that they have worked with.

Councilor Durkee asked how the school is evaluated for accreditation. Also, with testing being such a priority, he is concerned that testing materials would be one of those items that would be first to go. He wondered if that shouldn't be more of a priority in terms of the cuts that would be made.

Superintendent Mosca replied to the second questions first, stating all the cuts are a priority. What they are trying to do, because they have so few places left to scrape two nickels together, they are basically trying to hold on to staffing. Whatever other places they can find is what they are looking at. They do not want to cut testing materials.

Regarding school accreditation, Superintendent Mosca stated it is a self-study two year process, longer in-depth amount of work that happens. They will go through a High School accreditation process in the fall of 2015. As they start to prepare for that, they have to prepare a self-study of their strengths, their deficits, and how they are going to address them when the visiting team comes to visit them. The minimal state standard of approval they do each year on line. Administrators go through a checklist of about 82 indicators for things such as if we have physical education, if we have guidance, etc. Based on that, they get a two, three, or four year approval. All of the schools except the High School are in a current approval status. As soon as the 4 positions are eliminated, they will immediately become "conditionally" approved because they will not be offering at least the minimum of what they are required to offer. Because they don't have Family Consumer Science offered at the High School, it is "conditionally" approved. Each year they have to create a plan as to how they are going to address the missing piece/s.

Councilor Jarvis asked how long the conditional approval of the High School has been in effect at this point.

Superintendent Mosca said at least the two years she has been here. She doesn't know about prior years.

Councilor McCallion said there are a lot of great things going on in our schools. He wants people to know he is not against the School Department, he is probably the only person on the Council that has kids in the school system. He looks at everything as a business, it is not personal.

Councilor McCallion said if you go on the State education website and compare apples to apples regarding the cost per year to educate a student, why is there no movement? Why are we not getting ahead in any category? It just seems to get more costly as a district.

Councilor McCallion said he feels it is the consensus of this Council that we would like to address the capital improvement issues, but the taxpayers cannot absorb anything else above this.

Superintendent Mosca indicated 62% of their budget is salaries and benefits, which is low. In most budgets it is between 72% and 80%. The tax dollars and the amount of money it costs to educate a student in Somersworth is $1,000 below the state average. When you start to look at your dollars and what is happening we are just falling further and further behind with what it is we can do. This budget is to maintain what we have. Teachers went without raises for two years. Paraprofessionals went most of this year without an increase. The custodial increase took two years to settle. These are all things that add up little by little. In any business, your utilities go up all the time and are increases that are beyond their control.

Mayor Spencer asked how they decide which program gets cut.

Chairman Austin replied the Superintendent meets with all the administrative teams in each building and they have lengthy discussions over what gets cut and what the impacts will be. Once they have those discussions, the Superintendent brings her recommendations to the School Board and they have the decision of whether the cuts make sense or if there is some other area they would like to take a look at. They are in the middle of that whole process right now.

Councilor Pepin mentioned the school took a cut of about $200,000 from "e-jobs".

Superintendent Mosca explained a year ago they got some money in the form of educational jobs, which was supposed to help stimulate the economy. The money could be used to hire and pay people's benefits. Last year they did not use that money to hire people, but to offset their current status. That money isn't there this year, so they were automatically down $202,000 before they even started. That was out of their control.

Councilor Witham apologized for being late this evening.

Councilor Witham said he feels there is a better way of dealing with the CIP items than the $540,000 that is in the school budget. They have talked about some form of bonding instrument. The notion of a Bond Anticipation Note (BAN) appeals to him in a number of ways because it allows us the flexibility of doing some of the planning to be looking forward, at least in the Council's perspective. There would be control over where the bonding dollars are going. That's where his mind is at this point in time.

Mayor Spencer said he was astounded by some of the statistics he found. In 2005, there were 6 Somersworth students who were homeless. At this time, there are currently 60 students who are homeless in our City. That concerns him as well as the statistic that 48% of the students in the Middle School receive free or reduced lunch, and 54% at the Idlehurst School. The per capita income in the City of Somersworth is just over $24,000 and the State overall is $31,000. His concern is that any tax increase will be hurting the people we are trying to help. We are in a balance situation.

Mayor Spencer said he sees that Somersworth is in the Quintale 5 in the 2008 issue of Kids Count. He asked if the School Board can work on a plan that would get us up to Quintale 1 and what that would entail. He was amazed to see Manchester in with us. He wondered if it is possible to visit the school districts that are in higher groups to see what they are doing that we are not.

Chairman Austin said they want to do whatever they can to make the educational experience better for all our students and give them everything they need to be successful when they get out of high school. Some of those things come at a significant cost. They can put a plan together to show what it would take to get there. It would not be easy to get there, especially in light of the socio-economic data that was just quoted. Somersworth has a large population of very needy students.

Councilor Durkee said his question is if we are getting a value for the dollars that are being spent. Some people feel we shouldn't be spending money for education. The questions he has pertain to that, and not the merits of budget. If we found the pot of gold and were able to spend $15,000 to $20,000 per student, does money have a considerable effect on the actual education that someone receives or does the money max out at a certain point?

Superintendent Mosca replied that research shows the number one thing that makes a difference in student achievement is relationships with their teacher. That is the number one driving statistic that will increase achievement. When we have 25 students in a classroom, you lose relationship. As you walked through the schools when we took a tour, you will have noticed the schools were clean, students were respectful, happy, engaged and polite. We have really great teachers here in this City that do a ton for students. It is amazing what our staff does each and every day for our students. It may not always show up in test scores, but for her the relationship they provide is far more valuable for our students on a day to day basis. It is priceless. Money helps them keep the good people they have.

Councilor Durkee said he thinks she is absolutely correct. We want to keep the people we have motivated and excited to be here. His point would be that while he appreciates that as a value in an educator, sometimes those don't coincide with each other. We could have the best relationships in the world, but if we don't have an accredited school there is a problem. We need to keep in mind that if accreditation is the goal then maybe we need to focus in on those things as well.

Superintendent Mosca said the accreditation piece is one that allows our students to apply to colleges. Test scores are one piece of that, but programs that you offer need people. Those programs tie directly to our accreditation. She added that they achieve in many wonderful ways that have nothing to do with testing. A prime example is the clean up day that was held on Saturday. Two people commented to her that there were more high risk students that showed up to participate in cleaning up the City, and they were the last to leave.

Chairman Austin added there is some point where additional dollars don't have the impact that they would where we are right now, but we haven't reached that point. Additional dollars do translate directly to our ability to be successful here.

Councilor Witham said this is a difficult process to find the solutions to. The Mayor used the term "striking a balance" and he has always believed that of the budget process.

MAYOR'S REPORT.

- April 17 - Attended Local Government Center training in Newington.
- April 18 – Committee appointment interview.
- April 18 – Met with the Cemetery Board of Trustees in regards to conditions at the cemetery.
- April 19 – Toured Hilltop Fireworks on Route 108.
- April 19 – Attended a Tri-City Local Government Center training. This was really great. Thank you to Councilor Soldati for recommending it.
- April 20 – Attended the State of the State breakfast at Frisbie Memorial Hospital and sat with Mayor Jean of Rochester and with Governor Lynch. Asked the Governor about managed care and its impact on the developmentally disabled.
- April 23 – Reappointment interview, Budget workshop on Bonding of CIP items and budget public hearing.
- April 25 – Attended Chamber of Commerce award nomination committee meeting.
- April 26 – Keynote speaker at the University of Phoenix grand opening ceremony in Westborough, MA.
- April 29 – Attended the Spring Craft Fair at the high school. If you haven't been to one of the craft fairs, I strongly urge you to attend. This helps the Festival Association.
- May 1 – Attended Congressman Guinta's Second Summit on Manufacturing and Education in Laconia. These are important summits, and there will be another one on June 13, 2012 either in Bedford or Manchester.
- May 2 – Photo shoot with the University of Phoenix at City Hall, former Hilltop School and former City Hall. The two photographers were really astounded by the Hilltop

School. They thought it was a great building and could be used as a great community center. I forwarded a copy of the Friends of Somersworth business plan to them. Their budget season does not start until September. They seem very receptive and encouraging.

- May 3 – Reappointment interview.
- May 5 – Spirit-up Day, household hazardous waste day and the Whistle Stop tour of 9 local businesses. Thank you to Maureen Jackman for putting the Spirit-Up Day together. I also want to thank the High and Middle School students and all the volunteers who were there. It was an awesome day. I encourage people to stop in the businesses in town on High Street and also on Route 108. Get out there and support our local businesses.

Mayor Spencer asked people to please contact him if they are interested in serving on any City boards or commissions. There are still a number of vacant positions.

REPORTS OF STANDING COMMITTEES.

Councilor Jarvis indicated the Finance Committee has not met since the last meeting. There is one scheduled for Thursday, May 17th at 9 AM. They will be reviewing specific details in regards to potential savings and benefits of doing some bonding on the CIP items.

Councilor Sprague said the Public Works Committee has not met since the last meeting, but they will be meeting on May 8th.

Councilor Witham reported the Public Safety Committee will be meeting on May 16th at 8:30 a.m. The main item of business will be a discussion with Interim Fire Chief Bliss regarding an update to the City's Fire Prevention Ordinance, Chapter 21.

ECONOMIC DEVELOPMENT COMMITTEE.

Councilor McCallion reported this committee met on May 3rd. They got feedback from staff on the downtown WiFi. Scott Smith and Back Bay Networks had a presentation for the committee. The proposal came back for $22,000 to put in what they had asked for. There was discussion on whether or not the revenue would outweigh that. They still feel that it was worth looking at and asked them to come back with a price for a smaller area, such as City Hall. If there were a power outage this building would have a generator, or upgrading what we now have at the Library.

They also talked about the City Ordinance for Code Compliance Property Maintenance. Both Chief Bliss and Dave Sharples have been working on looking at updating our ordinances to make sure we have additional training for our code and maintenance people. They were looking at possibly moving the Code Enforcement Office into the Fire Department since all the compliances are basically done through the Fire Marshal's Office. Right now is not a good time since there would be some shared staffing issues. They are still working on it.

REPORTS OF SPECIAL COMMITTEES.

COAST BOARD OF DIRECTORS.

Councilor Pepin reported this committee met on April 18th and talked about the following items:

- Electronic Fare Boxes – they did put in a bid for these to hopefully supply the COAST bus system. They were outbid so they did not get the boxes but there is still the possibility that they may get enough of them to supply the COAST bus service through the people that bought them. They did not need all of them. This is still in negotiations.
- COAST is still working with the Portsmouth Naval Shipyard on the Clipper Connection. There has been a very good turnout from Somersworth and they are looking to expand in the Bay area and the Rochester area. They are in negotiations for that.
- They are discussing adjusting some of the routes. That would have to go to public hearing.
- They had a workshop regarding the fare structure. They ran into a hitch relative to state and federal law regarding peak and non-peak fares. That item was tabled until we have more information.

SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this committee met on April 19th to finalize plans, and also met on April 21st at the Malley Farm and began its work on establishing community garden plots. They had volunteers there. All the plots are mapped out. They also have a raised bed for community herbs. If you have a plot there you can go and pick some of the herbs. They also have a compost bin that was constructed. There is still some work to be done because they discovered the presence of large rocks in the soil. They will probably now have raised beds. People can contact Public Works if they are interested in having a plot. It will be great. There is a water supply there also.

VISION 2020.

Councilor McCallion reported this committee met on May 3rd. They discussed the logo for Vision 2020, to incorporate that into some of the downtown signage through the TE Grant. They will be working with Dave Sharples and other people on that. They had an update from the staff through the charette process they went through which gave a number to each item that was discussed. Some of the items were already checked off which was pleasant. They are still missing a public member on the board.

Their next meeting will be on June 5, 2012.

JOINT BUILDING COMMITTEE.

Councilor Tapscott reported this committee met on May 2nd, consisting of both city and school side personnel, voting to end the existence of the committee. The use and care of the new school transferred over to the care and control of the School Board.

Councilor Tapscott announced on behalf of the staff, students and PTA of Idlehurst Elementary School, they are pleased to invite you to join them to celebrate their first year in the school. The Idlehurst Community Picnic Day will be held on Saturday, June 9th, 2012 from 11:00 a.m. to

2:00 p.m. It will be a rain or shine event. There will be a time capsule ceremony, recognition of their fifth grade students moving on to the middle school, and a bike rodeo put on by the Somersworth Youth Connection and the Police Department. Vendors and activities will be on site.

Also, at the JBC meeting, they were awarded a plaque from the Public Service Company of NH in recognition of their participation in PSNH's 2011 energy efficiency program.

There have been two $5,000 funds set aside for the Idlehurst School for projects remaining to be completed. They will have in excess of $300,000 to return to the City. They won't have the exact amount until an audit has taken place. In another month or so, they should have all the facts and figures.

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, May 4th, 2012**

SUBJECT: **City Manager's Report for Monday, May 7th, 2012 City Council Agenda**

6:00 p.m. Public Hearing
Ordinance No. 10-12 New Chapter 21A Display of Permissible Fireworks

6:45 p.m. Public Hearing
Proposed Amendments to City Charter

Unfinished Business (under Section 12 of the Agenda):

Ordinances:

A. **Ordinance No. 10-12 Add New Chapter 21A Display of Permissible Fireworks.** As a reminder, this is an entirely new Chapter drafted by Interim Fire

Chief Bliss and Police Chief Crombie with the assistance of Council's Public Safety Committee.

Resolutions:

A. **Resolution No. 24-12 Authorizing the City Manager to Sell Surplus City Property.** The Finance Committee is sponsoring this Resolution. This is a single family residence located at the corner of Wells Street and Rocky Hill Road.

Other:

A. **Vote to Send Proposed Charter Amendments to Ballot.**

New Business (under Section 13 of the Agenda):

Ordinances:

A. **Ordinance No. 11-12 FY 2012-2013 Budget.** The Council could waive its rules to begin Budget deliberations this evening. A final vote could occur at a future regularly scheduled meeting on
May 21st, June 4th or June 18th. As a thumb-nail reference point, an $85,000 budget cut will result in an approximate .10¢ decrease in the projected tax rate.

Attached is a memorandum from Finance Director Smith providing the following information: the balances in our established Capital Reserve Funds, Library budget decreases over the last couple years, and County Budget estimate. I will be providing you with additional requested budget-related information prior to the next regular Council meeting.

Other:

A. **Bond Issuance Discussion.** Attached is information that outlines the timing of expiring debt for the City and School Department. It also provides the total debt service payments through fiscal year 2019.

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

A. **Informational Items:**

1. **Building and Code Inspections**. Attached is a report submitted to the Economic Development Committee at their May 1st meeting. The possibility of placing the building office under the fire department organizational structure was also a point of discussion at the February 25th, 2012 Council Goal Session.

   At this time, I believe we should be able to achieve benefits of an integrated building inspection-fire inspection system if we modify our approach without organizational structure change. The implementation of regularly scheduled meetings between the inspection offices should begin

to provide a better collaborative and successful process. We can continue to evaluate to ensure this internal collaboration improves problem solving and meets our expectations.

B. Attachments:

1. City Attorney Certifications (2).
2. City Council Goals – City Manager Progress Notes May 1, 2012.
3. Strafford Regional Planning Commission (SRPC) Correspondence on Economic Development Strategy April 18, 2012.
4. Somersworth-Berwick Bridge Rehabilitation Project Utility issues meeting minutes of April 18, 2012.
5. School Department Budget information-submitted by Superintendent Mosca.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

A. Sustainability Committee
- Kira Sawyer-Hartigan, Citizen At Large

B. Board of Library Trustees
- Judith Goodnow, Term to Expire 03/17
- Scott Champney, Term to Expire 04/17

C. Planning Board Alternate
- Chris Cortez, Term to Expire 04/15

D. Strafford Regional Planning Commission (SRPC)
- Brian Tapscott, Term to Expire 04/15
- William Connor, Term to Expire 04/15

Councilor Witham moved to suspend the rules in order to act on the SRPC nominations tonight. The motion was seconded by Councilor Durkee and passed unanimously.

Councilor Witham said we know both of these nominees. We received a resume from Mr. Connor. SRPC is important from a number of perspectives. We have struggled to have folks filling our seats. It is important that we have a voice on this commission so we don't miss grant opportunities as well as other benefits.

The appointment of Brian Tapscott and William Connor to the SRPC passed unanimously.

Mayor Spencer indicated all the remaining nominations will be voted on at the next regular meeting.

UNFINISHED BUSINESS.

Nominations, Appointments and Elections:

A. Board of Assessors
- Philip Munck, Term to Expire 04/15

B. Conservation Commission
- Scott Gessis, Term to Expire 04/15

C. Historic District Commission
- George Poulin, Term to Expire 04/15
- Daniel Bisson, Term to Expire 04/15
- Albert Marotta, Term to Expire 04/15

D. Planning Board
- William Sweeney, Term to Expire 04/15
- Anthony Delyani, Term to Expire 04/15
- Paul Robidas, Term to Expire 04/15

E. Zoning Board of Adjustment
- Harry Irwin, Term to Expire 04/15
- Roland Dumont, Term to Expire 04/15

Councilor Witham moved to accept the complete slate of nominations as presented. He knows all of these members, and they are all very active. He fully supports all of them.

The motion was seconded by Councilor Tapscott and passed unanimously.

Ordinances:

ORDINANCE NO. 10-12 ADD NEW CHAPTER 21A DISPLAY OF PERMISSIBLE FIREWORKS.

Councilor Witham said this ordinance has worked its way through the Public Safety Committee. This is thanks to the hard work of both Interim Chief Bliss and Chief Crombie. This was generated from a number of different sources. What the ordinance tries to do is to make the permit process easier. By making it easier, people might actually go in to get a permit to discharge fireworks. That helps the City hold the person discharging the fireworks responsible for their actions. They reduced the fee and shortened the waiting period and allowed for the waiting period to be waived if the Fire and Police Chiefs are available to do that. It also beefs up the penalty clause for failure to obtain a permit. It also puts some parameters on where you can discharge fireworks so hopefully we will have better control. Those are the major items. He fully supports the ordinance.

Councilor Pepin said he would like to add one thing, that when people pick up their permit they receive a safety outline to make things safer. That is the most important

thing, that no one gets hurt or property is lost through fire. The ordinance also has a time constraint which should be helpful.

Councilor Hebert said it was indicated at an earlier meeting by Councilor Witham that this ordinance could be reviewed in a year.

Councilor Witham replied that any ordinance can be reviewed at any time. His thought at the time was that we could review the effectiveness of the ordinance in a year's time.

Councilor Hebert said it is his understanding that a person would have to get a $5 permit each time they want to discharge fireworks and that the permit can be obtained at either the Fire or Police Department.

Councilor Witham replied in the affirmative.

Councilor Witham added that some people believe an outright ban would be a better approach. That was discussed by the committee. They did hear from the Police Chief that the enforcement of an outright ban would be very difficult and it would really drive up the calls for service taking the Police Department away from what could be more important things in the community. He feels the permit process is a reasonable approach.

Councilor Durkee said he would have been on the side of outright banning. However, this shows the proper channels for this is through the committee process. He will be supporting this measure tonight because we are such a densely populated community. Sometimes he hears fireworks going off at 2 in the morning and he thinks that is less celebratory and more fueled by other substances. He gets concerned when people mix fireworks and drinking. He applauds this effort and encourages people within the City to not look at this as a restrictive measure but simply as a way to legally obtain a permit to safely discharge fireworks. He feels everyone in the community will be much better for this.

Councilor Jarvis asked about the section about "site inspection". She assumes this means the Fire or Police Chief can inspect the site if they are in doubt about the safety of the site, not that they are required to inspect the site.

Councilor Witham replied that is correct. The ordinance gives them the ability to inspect the site if they have any doubts about safety issues.

Ordinance No. 10-12 passed by roll call vote of 9 yeas, 0 nays.

Resolutions:

RESOLUTION NO. 24-12 AUTHORIZING THE CITY MANAGER TO SELL SURPLUS CITY PROPERTY.

Councilor Jarvis said property is deeded three years after a lien is put on it. This property is valued at $149,400. The outstanding taxes and utilities are $23,000.

The City Manager asked if the Council has any preference about whether we go to sealed bid or hire a local realtor. We have had a little bit better success with a local realtor marketing property. That would be his intent unless the Council gives him clearer direction.

Councilor Sprague said he feels the proper way to do this would be that anything received above and beyond what is owed to the City would go to the property owner. He doesn't feel it would be proper to have somebody come in by sealed bid for taxes owed and the person who owned the house, possibly for many years, gets nothing. The sealed bid process would not be a good avenue to take.

Councilor Witham said based upon prior experience with these types of properties it does seem that the realtor approach works better. Councilor Sprague articulates there would be some other benefits also. He would support hiring a realtor versus a sealed bid.

Resolution No. 24-12 passed by roll call vote of 9 yeas, 0 nays.

Other:

VOTE TO SEND PROPOSED CHARTER AMENDMENTS TO BALLOT.

Councilor Witham moved to send the proposed charter amendments to ballot. The motion was seconded by Councilor Tapscott.

Councilor Durkee said he has spent quite a bit of time reading the City Charter in preparation for serving on this Council. He wondered whether or not any thought process was put into eliminating the six month clause in the ability to run for elected seats within the City. We have had a hard time having contested elections in this City based upon the criteria that is in existence right now. He feels that someone who buys a house and moves to this City is part of that community right away. Voters, based upon the criteria of that candidate, can vote on whether or not they are preferred for that office. Six months seems like an arbitrary number to him. He would much rather see contested elections versus uncontested.

Councilor Tapscott said they touched base on that issue but didn't want to add too many amendments because the proposed changes have to be sent to the Attorney General's Office for approval. They will look at other issues in the future.

Councilor Soldati said she spent much of her life recruiting candidates for various offices in the State. She thinks it is a very minor requirement to ask that someone live in the neighborhood they are going to be representing for six months. She has seen people move here from out of state, meet the minimum requirement, and run for Governor. A lot of people resented that because it had a huge impact on our state and our current

elections today. She wants to feel that someone who is representing her has lived in the neighborhood at least six months if not longer. She would strongly object to eliminating that requirement.

Councilor Sprague agreed with Councilor Soldati. This is a requirement he definitely feels should be met.

Councilor Durkee said he feels that elections determine who should serve, and not an arbitrary time line. He does appreciate that the Government Operations Committee looked at this.

The motion to send the proposed charter amendments to ballot passed unanimously.

NEW BUSINESS.

ORDINANCE NO. 11-12 FY2012-2013 BUDGET.

Somersworth, NH
May 7, 2012

The City of Somersworth ordains that Budgets for the City of Somersworth for the 2012-2013 Fiscal Year shall be:

DEPARTMENT	**BUDGET**
GENERAL FUND	
Elected Leadership	$112,184
City Management	292,608
Finance and Administration	1,099,466
Development Services	827,519
Police	3,146,909
Fire	1,920,937
Public Works	1,979,272
Other Expenses	1,330,801
Capital Outlay	287,250
Intergovernmental Assessments - County	2,261,271
School Department	25,722,238
TOTAL GENERAL FUND	**38,980,455**
ENTERPRISE FUNDS	
Wastewater Department	2,059,068
Water Department	1,977,806

Solid Waste	369,600
TOTAL ENTERPRISE FUNDS	**4,406,474**
TOTAL FY 2012 - 2013 APPROPRIATIONS	**$43,386,929**

This ordinance shall take effect upon its passage.

Introduced by
Mayor Matthew Spencer
by request

Approved:

City Attorney

Councilor Witham moved to suspend the rules in order to discuss this ordinance this evening. The motion was seconded by Councilor Durkee and passed unanimously.

School Department Bottom Line - Councilor Witham moved to cut $540,000 from the School Department bottom line. The motion was seconded by Councilor Tapscott and passed unanimously.

Public Safety, Police Patrol, Account 7600 Vehicle Maintenance – Councilor Witham moved to cut $5,000 from this account. The motion was seconded by Councilor Tapscott and passed unanimously.

Elected Leadership Account 5419 Holiday Parade - Mayor Spencer recommended funding this account with $800. A motion was made by Councilor Sprague, seconded by Councilor Jarvis, to put this amount in.

Councilor Durkee asked if this amount just comes from matching the Memorial Day Parade, or has anyone ascertained what the costs of the parade would be. The Mayor replied it is just matching the amount we have for the Memorial Day Parade.

Councilor Pepin asked if we have any people that would organize the parade, to which the Mayor replied he is working on that. There are people who have already stepped up, but he is looking for a few more people.

Councilor Sprague said he will support this for now, but before the budget is finalized he would like to see some real numbers.

Councilor Witham said he probably will not support this. It makes no sense to put this in simply because some constituents want it. If we did everything the constituents want, we would run out of money very quickly, like paving every road in town. This seems to be a loose idea right now.

Councilor Durkee said he also would like to see more concrete plans before we move forward with even a temporary appropriation for this.

Councilor Jarvis said she understands these feelings, and she could certainly understand it if it was $80,000. The requested amount is less than 1/8th of a cent on the tax rate. This is one of the things we could give back to the community in a positive way without significantly increasing our budget. She has heard from a large number of residents that this would be a very positive thing.

The motion to increase Elected Leadership Account 5419, Holiday Parade by $800 passed.

Public Works Account 9104 Road Resurfacing - Councilor Sprague moved to increase by $225,000 bringing the total to $375,000. The motion was seconded by Councilor Witham.

Councilor Witham said in theory he supports doing more with our roads and as we get closer to the end of the budget process it is an idea he will look at. We have made little headway in reducing a rather large tax increase. We need to do that in some other ways before we can meaningfully look at that.

Councilor Sprague said this is not just a number he picked out of thin air, it is actually the number we need to stay on schedule of our six year plan so we don't have these huge bonding issues that come up. This is something people can actually see, feel and touch. It would help the image of the downtown and the City overall. Instead of kicking the can we have been standing on it and crushing it. His point tonight was to bring this to everyone's attention.

Councilor Hebert said he doesn't know where Councilor Sprague is getting his figures, but it seems like some of these items have been pre-planned.

Councilor Sprague said what is pre-planned is we are supposed to be looking at our budget now until whenever it is passed.

Councilor Durkee said he probably won't support this figure at this time, but he is open to increasing that dollar amount. In his ward, Main Street is awful. We need to address some of these things. One of his concerns is the infrastructure below the roads. His second concern is that we look into who we are contracting for these services, because there are a few areas in the City that were resurfaced recently and are now stripped of some of the asphalt.

Councilor Sprague agreed with this. We should change the detail on this line item and add the infrastructure. We need to seriously be thinking about the pipes in the ground also.

Councilor Pepin said he could not go with this increase right now simply because of the tax rate. He also has a concern with the area on High Street that is delaminated. He

doesn't see a line item in the budget that addresses this type of problem. We need to look at this in the very near future.

The motion to add $225,000 to Account 9104 Road Resurfacing failed 8-1.

Capital Outlay Account 9045 Master Plan Update - Councilor Witham stated it wasn't too many years ago when we updated our Master Plan in full. This seems to be a component of that, updating it with a transportation chapter. He asked the City Manager to articulate what this $25,000 buys for us.

The City Manager replied it would pay for an outside consultant who would walk us through the process. It would be similar to what we did for the last update, holding community charettes, talking to the Planning Board, presenting their findings, etc.

Councilor Witham moved to eliminate the amount of $25,000 from Account 9045 Master Plan Update. The motion was seconded by Councilor Soldati.

Councilor McCallion said we need to keep this in order because the State looks at where you are at chapter-wise for accreditation to qualify for grants that may be available. If we have assessed the transportation downtown and everywhere else, it would give us a better score to qualify for grant dollars that might be available. You have to have Master Plan updates every so many years to keep the data current.

After further discussion, the City Manager indicated it would be nice to have it, but we can address transportation issues in other ways. We don't absolutely need it and it is not a mandate from the State. This is something that could be deferred.

The motion to eliminate the amount of $25,000 from Account 9045 Master Plan Update passed by voice vote.

Capital Outlay Account 9019 Thermal Imaging Camera - Councilor Witham moved to suspend the rules to ask questions of Fire Chief Bliss. The motion was seconded by Councilor Pepin and passed unanimously.

Chief Bliss said in terms of looking for things to cut, this is another one of those things that would be nice to have, but not imperative. This would be the fourth thermal imaging camera. Chief Bliss suggested an alternative would be that if the purchase of the new fire pumper goes through, depending how bids come through, this would be a piece of equipment that could be purchased at that time. Also, there are some smaller units that are considerably cheaper.

Councilor Witham moved that Account 9019 Thermal Imaging Camera be reduced from $13,650 to 0. The motion was seconded by Councilor Durkee. The motion carried unanimously.

Finance and Administration Account 4101 Office Supplies - Councilor Pepin moved to reduce this account by $3,000 which would eliminate purchasing some new voting booths. The motion was seconded by Councilor Witham and passed unanimously.

Elected Leadership – Community Support Account 5472 COAST Bus Service – Councilor Sprague said he believes we level funded this account this year. He moved to increase it from $51,159 to $57,986 which would be an increase of $6,827 to make whole what they said they needed in their proposal. The motion was seconded by Councilor Pepin.

Councilor Tapscott said that increase is in excess of 13%. He doesn't see any other agencies asking for this kind of increase. This is a tough time for them to ask for this kind of an increase. He cannot go along with this.

Councilor Pepin said the reason for this request is because of the increase in the cost of fuel and also a lot of federal grants have been drying up. We have a lot of Section 8 housing and low income people. We have a lot of people who are using the bus service to get to work because of the cost of fuel. Their request for an increase is justified. They are a non-profit agency and they are not making any money off of this. The COAST bus gives a lot of people the transportation to get to the doctor's or to get groceries. It is a very much needed service for our community.

Councilor Durkee said this is one part of the budget he can support an increase for. Not all spending is detrimental to the tax base in the sense that we have a community that is increasingly looking towards these services to get to jobs. It also reduces the wear on our roads not to mention it is a more green way of living and helps feed into sustainability. He would like to see this pass.

The motion to increase the amount for COAST Bus Service by $6,827 passed by roll call vote of 5 yeas, 4 nays, Councilors McCallion, Tapscott, Witham and Jarvis voting in the negative.

Councilor McCallion moved to reduce Account 5478 Rochester Visiting Nurses by $2,000 and increase Account 5484 Homemakers by $2,000. The reason for this is we have asked these organizations to submit something telling us the benefits for residents of Somersworth. We had a letter read tonight from the Homemakers outlining this. He feels it is hard to differentiate what the two agencies do so they should both get the same amounts. The motion was seconded by Councilor Jarvis.

Councilor Sprague said he is against this. The Rochester Visiting Nurse agency is strictly a visiting nurse organization. The Homemakers does similar things, but they also do other things such as housekeeping to help people. He has dealt with the Rochester VNA and their form of means testing is a little bit higher than every agency we fund.

Councilor McCallion indicated the Rochester VNA made a profit in our community when all the other agencies are trying to raise funding. Due to the fact that we saw a letter

tonight from the Homemakers stating there is a wait list of Somersworth people who want to use their adult day care and he feels the Homemakers could do more with the money in Somersworth, he is in favor of this motion.

The motion to decrease Account 5478 Rochester Visiting Nurses by $2,000 and increase Account 5484 Homemakers by $2,000 passed by roll call vote of 5 yeas, 4 nays, Councilors Durkee, Tapscott, Witham and Sprague voting in the negative.

Councilor Witham moved to suspend the rules to have School Board Chair Austin and Superintendent Mosca answer some questions. The motion was seconded by Councilor Durkee. Motion carried unanimously.

Councilor Witham referred to the handout received from the School Department. As he goes though the handout, his impression is that a $200,000 cut does not affect personnel.

Superintendent Mosca replied that is correct.

Councilor Witham said his impression is that a $300,000 cut does not affect any staff positions.

Superintendent Mosca again replied that is correct.

Councilor Witham said when you get to the $400,000 cut level it appears that it would now start to affect staff positions. He sees "one day SYC", which sounds like a staff position. He asked them to articulate what that is.

Superintendent Mosca replied that is the Somersworth Youth Connection employee. They are trying, as they move forward with the grant, to start looking at some sustainability. Because the Middle School faced some cuts last year, they thought in this current year if they could add one day per week for that position it would help them with some enrichment opportunities.

Councilor Witham indicated it is the inability to add a day, not taking a day away.

Superintendent Mosca replied in the affirmative.

Councilor Witham asked about the "3 days MS Media Center", stating that sounds like a staff position.

Superintendent Mosca said that is the Middle School Media Center Librarian.

Councilor Witham referred to a $500,000 cut, stating that would be all the previous cuts described plus two unified arts positions.

Superintendent Mosca said these positions could be either music or art teachers, physical education, library, computer technology, etc.

Councilor Witham asked at this point if they know which schools those cuts would be in or if they are shared positions.

The Superintendent said some are shared, so if they cut two unified arts positions it would affect all schools. It would mean a shift in schedules for the remaining staff members.

Councilor Witham made a motion that the School Department bottom line be cut by an additional $400,000. The motion was seconded by Councilor Sprague.

Councilor Pepin said he would have a hard time supporting this. He would rather go for $200,000.

Councilor McCallion said nobody wants cuts. We have to look at how much our tax rate can tolerate. We need to repair some roads. If we make this cut, it will give them a chance to try to make some changes. Also, that is not to say that we can't figure out or plan where we have to go with a bonding instrument. Right now we have to take a hard look at where we can go. He will support this.

Councilor Jarvis said as of tonight she would not vote for this. Everybody seems to be clear regarding the $540,000 but it's way premature to look at those levels of cuts without getting more specific knowledge of the bonding potential and where that should sit and what is right for the budget. We will be discussing that next week at the Finance Committee meeting. There is so much unknown right now.

Councilor Pepin said when they close out on the Idlehurst School there will probably be about $300,000 coming back. It will be up to the Council where that money would go. He feels that when that money gets released we need to try to use it to bring the tax rate down this year. If he knew that money would go back into the School Department, he could support this cut. Right now $400,000 is too much of a cut.

Councilor Witham said this is not an easy motion to make and it rests solely on the taxpayers ability to pay and nothing to do with the School Department's needs. We need to make meaningful cuts to this budget. It is very clear to him what they would be cutting. The only position that would be eliminated is a 3-day Media Center position in the Middle School. There would be impacts to supplies and some maintenance items, but maybe we can capture some of those with a bonding instrument. His objective is to try to keep teachers in the classroom.

Councilor Pepin said the School Department has been cutting staff year after year. To say we haven't cut staff is not correct. We are doing nothing to bring them back. Also, the programs are being cut year after year. Eventually we will reach the bottom. There is also a line that judges whether these kids are going to make it to college or not. The special programs are dwindling down to nothing. We are not just educating the kids in our community, we are educating Rollinsford students also. We have an obligation to

them also. We could come to a point where our education is so low they go looking somewhere else. They are already exploring. We need to keep that in mind.

Councilor Jarvis said she doesn't feel that items like supplies and maintenance should be bonded. It is unheard of.

Councilor Durkee said this is very tough. We all recognize we cannot sustain this kind of hit to our tax base. We have senior citizens on fixed incomes. With a $400,000 decrease and a bonding instrument we are still seeing a substantial increase in the school budget. At this point he is inclined to support this particular motion. He wouldn't do it gladly, but he is very concerned about our ability to pay for things in this City and people being able to pay their tax bills.

Councilor Witham said it is the Council's responsibility to provide the School Department with where we are with the budget sooner rather than later. A $2 increase on the tax rate is not a sustainable number.

The motion to cut $400,000 from the School Department bottom line passed by roll call vote of 6 yeas, 3 nays, Councilors Pepin, Hebert and Jarvis voting in the negative.

Councilor Witham moved to table Ordinance No. 11-12. The motion was seconded by Councilor McCallion and passed unanimously.

BOND ISSUANCE DISCUSSION.

Councilor McCallion indicated that Finance Director Smith is not here tonight. He feels we should wait to discuss this until he can be here.

Councilor Tapscott moved to table this item. The motion was seconded by Councilor Jarvis and passed unanimously.

COMMENTS BY VISITORS.

Donald Austin, 52 Cinnamon Ridge, said that speaking as a parent, he hopes we do not get to a point where we are living in a world where we are satisfied to live with minimum requirements. We are making it impossible to convince people in other communities to come here. The Middle School needs a lot of work in terms of technology, in terms of text books, in terms of curriculum. He is having a hard time figuring out why the Council does not want a Library for them, and that is what you've just done. It will now be impossible for us to provide a Library for them. He hopes the City Council will keep these things in mind.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Witham said tonight was one of the more difficult motions and votes he has ever made as a Council member. We have reached a juncture with a tax rate increase

which is very difficult. A lot of people have indicated to him that this tax rate increase would be very arduous for them. He was trying to get to a meaningful level of cuts without having a dramatic impact on services. If he has erred in that, he apologizes and will re-examine that.

Councilor Tapscott said he has questions for the Fire Chief on capital items, the 1995 Fire Pumper and 1999 Chief's car. He would like details such as the mileage, if they are rusting, etc. by the next meeting.

Councilor Pepin said he is very frustrated at budget time. He tries to keep the taxpayer in mind as well as all the things we need to accomplish in our community to make it better. He hears people saying we are paying our City employees too much. For three years, we have been giving them a 1% raise, and raising what they pay for medical insurance by 2%. That applies to teachers, firefighters, police officers, and City workers. He wants the people to know these employees are just holding their own. Some City employees are taking cuts in pay simply by the benefits we are taking away from them.

Councilor Soldati said this was one of the most difficult votes she has ever made and she is sad about it. She is a taxpayer also, and she is finding it increasingly difficult to live here.

Councilor Soldati wished to acknowledge one of our City Employees, Director of Planning and Community Development Dave Sharples. He recently received an award from the State Department of Environmental Services. He received this award for source water protection. He has been an outstanding City employee and has brought recognition to the City on a number of levels, both on the national level for his work with the Salmon Falls Watershed Collaborative and on the local level. The EPA cited the City of Somersworth. The award he received from DES in New Hampshire was specifically because he was "instrumental in the City's recent adoption of low impact development land use regulations as well as strategic land conservation efforts including a 15 acre parcel that protects over 2100 feet of frontage along the Salmon Falls River, the City's primary source of drinking water. He is recognized as a consistent advocate for protecting local drinking water resources". We should be very proud that he lives in our City and that he is on our staff. She commended the City Manager as well for all of his work on these items also.

Councilor McCallion said a couple of years ago on Earth Day they went down and cleaned up. People couldn't believe the amount of trash and cigarette butts that needed to be picked up. Parts of the City were really disgusting. This year the cleanup day was called "Spirit Up" and he went to some of the same places as two years ago, which is the Market Street area, and he was impressed in the way people kept their areas up. There was not a lot of cleanup to be done there. Everybody was working together that day. One of the comments that was made by Public Works Director Willis that impacted him was that if people worked on their own little areas the Public Works Department could work on some of the bigger projects. There were lots of people and businesses from the

community volunteering their time that day. Hats off to Maureen Jackman and everyone that volunteered, especially the culinary students.

Councilor Durkee thanked Public Works Director Willis and the City Manager. He had inquiries from a constituent about a parking issue and some sidewalks. Both were very responsive and hopefully we can get some results for the constituents.

Councilor Durkee thanked Mayor Spencer and the City Councilors that recommended the LGC event to him. It was very enlightening.

Councilor Durkee said he is very concerned about our ability to pay for services when we entered into contracts with Concord and they are reneging and we are left holding the bill. We have a responsibility to taxpayers and children in this City, so he is hoping we can make level-headed decisions. Not everyone is going to be happy but he is willing to listen. People should feel free to contact him and he will listen to their concerns.

Mayor Spencer said this was an enlightening budget discussion

ADJOURNMENT.

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

Respectfully submitted,

Diane M. DuBois

Diane M. DuBois
City Clerk