

MINUTES OF CITY COUNCIL MEETING
OCTOBER 17, 2011

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

APPOINTMENT OF ARMAND "BO" BEAUDET TO SERVE AS WARD 5 CITY COUNCILOR UNTIL THE PERSON ELECTED ON 11/08/11 TAKES OFFICE.

Councilor Watman moved that since all the provisions of the City Charter have been met that Council appoint Armand "Bo" Beaudet to serve as Ward 5 City Councilor until the person elected on 11/08/11 takes office. The motion was seconded by Councilor Pepin.

Councilor Witham said all Councilors received a legal opinion on some of the parameters surrounding this appointment. Councilor Witham moved that the legal opinion be made available to the public and that it be read aloud at this time by the City Clerk. The motion was seconded by Councilor Pepin and passed unanimously.

LEGAL OPINION FROM CITY ATTORNEY WALTER MITCHELL.

To the question that since Charter section 3.2A dictates that a Council vacancy is filled by taking the person who received the next largest number of votes at the immediately prior municipal election, and since the immediately prior municipal election did not have voting for the ward where the vacancy exists, do you look at the next municipal election where such voting did exist, the answer is yes. You should look back to the next previous election.

To the question of how long this person serves once appointed, the answer is that he/she will fill the vacancy immediately upon being sworn in and will serve until the swearing in of a newly elected person.

To the question of whether or not this newly appointed Council person can continue to serve on the Zoning Board of Adjustment (ZBA), the answer is yes. There is no prohibition against serving on the ZBA and the City Council.

The appointment of Armand Beaudet to serve as Ward 5 City Councilor until the person elected on 11/08/2011 takes office passed by roll call vote of 7 yeas, 0 nays.

The City Clerk administered the Oath of Office to Mr. Beaudet at which time he assumed his seat as Ward 5 Councilor.

MINUTES OF THE PREVIOUS MEETING.

Councilor Witham moved to approve the minutes of the 9/26/11 City Council Meeting. The motion was seconded by Councilor Pepin and passed by a vote of 6 yeas, 2 abstentions, Councilors Spainhower and Sprague abstaining.

COMMENTS BY VISITORS.

Police Chief Dean Crombie said there is an event that has occurred every year as far back as he can remember, which is a picnic for the senior citizens. The picnic was put on by the Housing Authority for a number of years, however they didn't have the money to do it this year. He hated to see this go by the wayside so he gathered up some support from his Department, and the Police Department is going to put the picnic on at no cost to the City. They received a lot of donations from local merchants. The picnic will take place next Monday, 10/24/11 at noon time at the Fire Station.

Chief Crombie invited Council members to attend. They try to introduce City officials to the senior citizens. He would be honored if they would like to come.

Emmett Soldati, 7 Prospect Street, thanked the City Manager and other City workers for recent efforts in helping out with the Friends of Somersworth. Coming back to Somersworth, he didn't really think the Hilltop School building was going to be a major ballot issue. He is very impressed with the work done by the Friends of Somersworth so far. It is probably the most progress he has seen since he last worked on the Save Hilltop campaign three years ago.

Mr. Soldati said he has a couple of questions for Councilor Watman regarding one of the agenda items.

- Two weeks ago, when a resolution was read that would authorize the City Manager to determine the cost of demolishing the Hilltop School Building, he wondered why it was necessary to put this in resolution form rather than just having the City get quotes for this. What is the impetus here?
- Regarding your comments at the end of the last Council Meeting, you suggested this was a way we could make this cost benefit analysis of various public and private reuse alternatives. Why is this the only resolution put forward if the City is interested in several of these alternatives? Are we going to be seeing other resolutions put forward?
- Considering the work that was done by the Ad Hoc Reuse Committee, why do we not use the WarrenStreet demolition quote as a useful quote? Why must we waste the City's time again to get another quote?

Mr. Soldati said he is asking the City Council for consistency whether you think private citizens should come forward and be doing the work like the Friends of Somersworth have, or if it is the City's duty to be getting all these quotes and taking bids. This is the only request for quotes we have seen. Will we be seeing other alternatives and why is demolition first?

Mr. Soldati said it is important that the City Council is sending a clear message. Also, he does not feel we want to impede the work of the Friends of Somersworth.

Paul Goodwin, 7 Prospect Street, said he also wished to express his concern regarding the Hilltop School Building. He worked on the Save Hilltop Campaign. Progress has been made in working with the community and its desires. He is also concerned that the resolution for demolition quotes was the only one put forward. We should make sure we have all the options before us. There is a symbolic nature to having just one option. He does not think that is the message the Council should be sending the citizens in the community who have worked very hard to get to where they are. You should be considerate of everyone's efforts, yours and the community's. One resolution with such a narrow focus is not the right thing at this time.

MAYOR'S REPORT.

Acting Mayor Tapscott announced that on Thursday, November 3rd at 6:30 p.m. at the Career Technical Room at the High School there will be a joint meeting between the School Board and the City Council in regards to CIP items on the School Board side. It will be open to the public and everyone is welcome to come.

Acting Mayor Tapscott announced that on October 27th at 7:00 p.m. at the Rochester Community Center, 150 Wakefield Street, there will be a Governor's Advisory Council Meeting on Transportation. They are holding public hearings to draft the new ten-year plan on funding transportation projects in New Hampshire. It is open to the public.

REPORTS OF STANDING COMMITTEES.

RECREATION COMMITTEE.

Councilor Pepin reported this Committee met on 10/11/11. The following items were discussed:

- Basketball Program for 6th, 7th and 8th graders.
- Discussion of removing some of the fencing at St. Laurent Park since it has been de-commissioned as a Park. Staff brought up some concerns that uprooting stuff could create a hazard. They are going to contact the EPA to find out the proper way of removing the structures.

- Discussion of removing the monument for Romeo St. Laurent and bringing it up to Millennium Park. That will be worked out with the family.
- Noble Pines Skateboard Park – they are coming to a close with the donations portion and staff is working on closing the donations down by the end of the month. They are looking to draw up a master plan to present to the residents and to the Council to show what they are looking for and what it would cost to do this. Hopefully they will come up with a resolution in the near future.
- Councilor Witham suggested that we take a look at the parks that we have and put items that are needed for repair in the budget.

ECONOMIC DEVELOPMENT COMMITTEE.

Councilor McCallion reported this Committee met on 10/5/11. They invited the Friends of Somersworth, Vision 2020 Committee members, and Somersworth Housing Authority. The meeting was well attended by many members of the public. Many citizens aired their concerns, especially the Friends of Somersworth.

Councilor McCallion said after a long discussion about how we could potentially make sure the Hilltop School Building doesn't have mold, how it could possibly get heated over the winter and other concerns were discussed before a full presentation will be made to the Council.

Councilor McCallion said they committed to having another meeting because there needs to be some groundwork from all sides. The next meeting is Wednesday, October 26th at 5:00 p.m.

PUBLIC SAFETY COMMITTEE.

Councilor Watman indicated this Committee will be meeting on October 24th at 8:30 a.m. with a variety of agenda items to consider.

REPORTS OF SPECIAL COMMITTEES.

SCHOOL BOARD.

Councilor Pepin reported he attended a School Board meeting on October 11th. The following items were discussed:

- They will be having a joint workshop with the City Council on November 3rd to discuss CIP items.
- The Somersworth School District FY 2011 financial results were handed out. He gave all Council Members a copy of this.

CITY MANAGER'S REPORT.



CITY OF SOMERSWORTH
Office of the City Manager

TO: Acting Mayor Brian Tapscott and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, October 14, 2011

SUBJECT: City Manager's Report for Monday, October 17th, 2011
City Council Agenda

6:45 p.m. Public Hearing on
Ordinance No. 7-12 Supplemental Appropriation to Address
Increase in New Hampshire State Retirement Rates

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

Ordinances:

- A. Ordinance No. 7-12 Supplemental Appropriation to Address Increase in New Hampshire State Retirement Rates.** This Ordinance appropriates Unassigned Fund Balance for the purpose of addressing the increases in employer rates for Group II Police and Firefighters and Group I Teachers in the New Hampshire State Retirement System. Since this Ordinance appropriates from a Revenue Source-Fund Balance, there is no additional effect on the projected tax rate.

Unfinished Business (under Section 12 of the Agenda):

Resolutions:

- A. Resolution No 14-12 To Authorize the City Manager to Determine the Approximate Cost of Demolishing the Hilltop Elementary School Building.**

New Business (under Section 13 of the Agenda):

Resolutions:

- A. Resolution No. 15-12 Authorizing the City Manager to Sign a Lease/Purchase Agreement for the Purchase of Two Sidewalk Plows and Associated Equipment.** Attached is a memo from Finance Director Scott Smith which outlines the quotes received. The proposed plan would be to use the \$59,000 in insurance reimbursement received and the \$13,500 in this fiscal year's approved budget as a total down payment of \$72,500 for the two sidewalk plows. The estimated annual payments for a five (5) year lease purchase is anticipated to be in the area of \$31,000 for the two purchases.

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

A. Informational Items:

1. **Joint School Board-City Council Meeting.** It has been scheduled for Thursday, November 3rd at 6:30 p.m. at the Career Technical Center.

B. Attachments:

1. City Attorney Certification (1).
2. Department Head Monthly Reports.
3. City Manager's Memo on NH Local Government Center Workers Compensation Funding.
4. City October E-Newsletter.
5. Willand Pond Friends event email.
6. Comcast email.
7. Memo from SAU 56 regarding Somersworth School District FY 2011 Financial Results.

LAY ON TABLE.

ORDINANCE NO. 7-12 SUPPLEMENTAL APPROPRIATION TO ADDRESS INCREASE IN NEW HAMPSHIRE STATE RETIREMENT RATES.

Councilor Witham moved to take this Ordinance off the table. The motion was seconded by Councilor Watman.

Councilor Spainhower indicated the House just passed a bill that is going to return \$4.1M back to cities and towns. He wondered whether our portion will go back into the fund balance when we receive it.

The City Manager replied that it will.

Ordinance No. 7-12 passed by a roll call vote of 8 yeas, 0 nays.

UNFINISHED BUSINESS.

RESOLUTION NO. 14-12 TO AUTHORIZE THE CITY MANAGER TO DETERMINE THE APPROXIMATE COST OF DEMOLISHING THE HILLTOP ELEMENTARY SCHOOL BUILDING.

Councilor Watman said that in 2006 a joint committee of City Council and School Board members looked at school space needs in the City. An attempt was made to take a look at possible future uses for the Hilltop School building if it were not used as a school. Emotions were high, and people didn't want to consider that it possibly wouldn't be used as a school any more. During that time, as a private citizen, he had asked a contractor what the cost of demolishing the building would be, since that was one of the suggestions that had been made at the time. The quote at that time was about four times the quote that we got from WarrenStreet. When that report was issued, more than one member of the public noted that they believed the cost quoted was far lower than it actually would be. Part of his reason for making a determination with some current bids was to get a real figure for what it would cost to demolish the building. That is one of the options on the table.

Councilor Watman said that no matter what is ultimately decided one of the things that should be considered would be the impact of the decision on taxpayers. That impact comes in various ways such as the cost of renovation, the cost of demolition, upkeep, changes in property values, traffic, road conditions, etc. It would be of value to him and to the silent minority who would consider demolition as a possible option.

Councilor Watman said the reason he put this in the form of a resolution is because he wants to be open about it. People shouldn't shy away from the fact that it is an option. He hopes other Councilors will bring forth resolutions with other choices. He brought forth two resolutions last year and one this year. He asks Council to approve it for the sake of obtaining information for this Council, future Council members, and the people.

Councilor Witham said at the last meeting he indicated he would be supporting this resolution. It would establish a baseline in terms of at least one cost that the City might potentially have to bear if the result of the work of the Friends of Somersworth or any other development possibility didn't come to fruition. One of his biggest concerns is the building falling into a state of disrepair. That could turn into urban blight which would have a detrimental effect on that neighborhood and on the community as a whole.

Councilor Witham said he believes if there is a public/private partnership, there will be some level of financial commitment that the City will have to bear whether it is insuring the building, heating the building, etc. The level of maintenance might be less than the cost of demolition of the building.

Councilor Witham said he feels that he needs to go with his intuition and support this resolution.

Councilor Pepin said he would also like to have a figure on what it would cost to demolish the building. He has received so many e-mail communications from the people in his ward who are against this resolution that he will be voting no on passing it.

Councilor Watman said he does not have a stake in this issue beyond being a citizen. He will not be on the Council as of January, 2012.

Councilor Sprague said he believes the number they were quoted from WarrenStreet for the demolition was \$280,000. He finds that to be extremely low. The purpose of this resolution is strictly to get information. He thinks it would cost about \$1M.

Councilor Spainhower said he will not be here long enough to act on this. The information would be very useful for the next City Council. He said he will be voting for this. The more information the City Council gets the better off they will be.

Resolution No. 14-12 passed by roll call vote of 6 yeas, 1 nay, Councilor Pepin voting in the negative.

NEW BUSINESS.

RESOLUTION NO. 15-12 AUTHORIZING THE CITY MANAGER TO SIGN A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF TWO SIDEWALK PLOWS AND ASSOCIATED EQUIPMENT.

Somersworth, NH
October 17, 2011

WHEREAS, the City Council of the City of Somersworth adopted Resolution 13-12 authorizing the City Manager to contract for the purchase of two sidewalk plows and associated equipment, and

WHEREAS, it is the intent of the City to acquire this equipment utilizing a lease/purchase agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to sign a lease/purchase agreement for the purchase of two sidewalk plows and associated equipment.

Introduced by

Acting Mayor Brian Tapscott
By Request

Approved:
City Attorney

Following the first reading of Resolution No. 15-12, it was referred to the next meeting.

COMMENTS BY VISITORS.

Real Roseberry, Route 108, said he has heard the Council complain before about the Hilltop School. He has told them that we need the Hilltop School. The resolution they passed tonight better not say it is for the demolition of the building. He can see that they want to know what kind of money it would cost to demolish it, then they would know how much they can put into the inside of the building.

Mr. Roseberry said his first choice for this building would be art studios. Also, the Library is bulging out and needs more space. He feels the top area would be a good place for the Library. Any way you go the taxpayers are going to pay. The building looks brand new from the outside. All the repairs are needed on the inside. He wants something done with that building.

Mr. Roseberry said money was appropriated for two new police cruisers, but he has yet to see the second one. The police officers are running in junk. We need to get some safe cruisers. He wants to see where his dollars are spent.

Mr. Roseberry said the Police Department is not up to par. We do not keep our police officers because we do not pay them well. They stay for a year then move on. We should get a five year contract from them because we pay for their training.

Madeleine DeSantis, 43 Mt. Vernon Street, said her issue with the demolition resolution isn't that she's opposed to getting all our options. She certainly is for that. Her only fear is that in doing so we are only recognizing a monetary value that Hilltop is worth. She thinks there is a civic value to it that is not reflected in a monetary price. She hopes the Councilors will keep that in mind when they are reviewing all their options for the fate of Hilltop.

Paul Goodwin, 7 Prospect Street, said one of the recurring themes about getting quotes for the demolition of the Hilltop building is wanting to get a baseline cost. People are also concerned about blight and having the building fall into disrepair, which would affect property values in the neighborhood.

Mr. Goodwin said there are many things that affect property value. One of the things that affected property values the most, in his opinion, was the school leaving the neighborhood. He feels this is a great opportunity for the City to set an example. There are many blighted, abandoned buildings in the City that people own for investments that do not have the money or the know-how that people in the City have. They are sitting on them and they are rotting and causing blight and everything else we associate with the decline of urban areas. This is a property that you and we are in control of. We have a chance to invest in our City, to set an example and do it correctly. It seems like an easy way out to think of demolition as a viable option. We have an asset and he feels it should

be promoted and we should use our resources in a positive way rather than looking to demolish them.

Emmett Soldati, 7 Prospect Street, said he is a bit disappointed. Councilor Watman did answer his questions and he appreciates that. He is disappointed in the Councilors. He did not hear any reasons as to why we do not trust the WarrenStreet figures except for the fact that they seem too low. There are eight alternatives that the WarrenStreet report outlined. Resolutions were put forth to go along with some of the alternatives. Why have we not seen any of the other seven alternatives put forth at this time? It is easy to defer to the idea that information is important but none of you are on a fact-finding mission except for looking for the demolition quote.

Mr. Soldati said we have the community support behind this building and have had it for many years. He doesn't think it is fair to make an analogy that we don't want to see blight and disrepair. He feels we have to recognize the support and recognize what it says when we are only getting one quote. It is important to get information, however when you work on projects the demolition quote is the last quote you receive because it is a mutually exclusive quote to all other alternatives.

John Joyal, 1 Molly Lane, said he is pleased to see the youth in this community step up.

Mr. Joyal said they bought their home in 1990 and were paying \$1,200 per year in taxes. They are now paying over \$5,000 per year.

Mr. Joyal said all across this nation property values are plummeting. We deserve to take better care of the infrastructure in our community. If the Hilltop School had been getting proper care over the years we would not be having this conversation. He feels that if the same person that was taking care of the Hilltop School is taking care of the new school they should be fired.

Mr. Joyal thanked Councilor Watman for explaining the reasoning behind his proposed resolution. What struck him is Councilor Watman is the only one who actually signed it, when everyone on the Council but one voted for it. He feels this is all political. It is a sad state of affairs when you cannot conduct the people's business the way they deserve it conducted and take care of the property of the people the way they want it to be taken care of.

Mr. Joyal said if we lead by example we can really accomplish a lot. We have an opportunity to show how the public and elected officials can work together to save a community. We are all in this together. He thanked the Council for being open about this. We have a very big opportunity to turn the tide a little bit and do something positive with that building. He would be willing to bet that if this City seizes the moment with this private/public venture it could very well change a lot of things in this City in a positive way.

Mr. Joyal thanked the City Manager for meeting with the Friends of Somersworth and starting the process. It's important that the process continues to move forward with support from the City. He hopes it will continue.

Mr. Joyal said looking forward is an important thing. You have people here who are willing to step up to help their community which in turn will turn this entire City around.

Mr. Joyal said his dad visited him recently and remarked on how terrible the roads are. We need to take care of our infrastructure.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Sprague said that every road we have put in the budget for repair this year has been done. People think we have this magic pot of gold. He hears taxes are too high, then he hears the roads stink. You cannot do both, have low taxes and great roads. We do as much as we can every year. We did a lot of cracksealing this year to try to get some longevity out of the roads. We cannot do everything at once.

Councilor Sprague said he and Mayor Soldati and Councilor Pepin submitted a resolution last year regarding a private/public partnership. He has not brought anything up this year because he has said numerous times he is ready to put a resolution forth for the Friends of Somersworth when they have a plan. He doesn't know what else he can say. He doesn't have any problem getting a quote for the demolition.

Councilor Sprague said next Tuesday at 7:00 p.m., at the Strafford County Superior Court, Room #1, the State will be having a public hearing regarding redistricting. We presently have five seats. We might be subject to only four seats. He would like to see us make one ward big enough to combine with Rollinsford for one seat, and four at large seats. Anybody is welcome to attend.

Councilor Witham said he applauds the Police Department for picking up the ball and continuing to run with the senior picnic which has been held for a number of years at the Fire Station. This is a very nice event for the seniors and it is a very small thing we can do for them. Kudos to the Chief and his Department.

Councilor Witham commented on the notion that we need to take care of what we have, stating that he recognizes this. The School Department has \$5M+ worth of capital improvements, which are items that would take care of the buildings. It is all of the stuff that is critical to maintaining our buildings. We haven't moved on most of the projects in question, and we need to move on some of them. We need to start making incremental improvements. Opening up the dialogue between this Council and the School Board to put the capital improvements program into action is critically important. He would like to see this momentum shift in a more positive direction so that we take care of what we have.

Councilor Witham referred to Councilor Pepin's report on recreation, stating he has asked the City Manager to include in the budget some number of dollars for incremental maintenance of our parks. We need to take care of these things little by little and not just let them fall into the ground. We need to begin shifting the way we look at things.

Councilor Witham spoke regarding the budget, stating there is not one thing this Council has appropriated during the two years he has been on the Council, that hasn't been moved forward. That is verified by an outside independent audit which anyone can look at in the Finance Office. There is no money being hidden or shifted into the general fund. Does it take a year to get a police cruiser? Unfortunately it does if you live in a city as opposed to living in a town. Towns have town meetings in March. When they pass their budgets, they go out and order their cruisers. By the time we order a cruiser sometime in July because we pass the budget at the end of June, the cruisers that were available for sale to the State of New Hampshire are gone, so we have to order them. The new cruiser we presently have took almost a year to the day to get. Police cruisers are built differently because they have different demands. They are driven 24/7 for 365 days a year, special lights, radios, cages in the back, etc. We still do not have the second cruiser, but it is on order and expected sometime soon. When it comes to the budget, we have to strike a balance with what we can afford and what is achievable. This is a difficult process.

Regarding High Street, Councilor Witham said it has not been ignored. This Council endorsed getting High Street done stem to stern in the last goal setting session. This year we had a piece of it done with what we could afford. The vision of the Council is to tie the rest of High Street in with the Transportation Enhancement Grant, where sidewalks, curbs, bike lanes, etc. are going to get done in the immediate downtown area. The Council recognizes the issues and in time we will get there. It will take time.

Councilor Pepin said a gentleman in the audience indicated that the reason he voted a certain way tonight was to get votes. It bothers him when someone says something like that because when we are working on the budget again he will be complaining how high the taxes are. He has worked very hard trying to be open with the public. He has worked with the Friends of Somersworth and tried to support them as best he can, as well as everyone else in his ward. He tries to represent the people in his ward the best he can, and nothing he does is for the purpose of getting votes.

Councilor Pepin said he voted against keeping the Hilltop School open because they had three architectural reports that said that as a school it would have cost more than it was worth to fix the problem, and we would still have had to build a new school because of overcrowding. He also has to take the taxpayers into consideration. We are laying off City employees and teachers. There is also \$5M in CIP projects for the school that we have to address. Does he want to keep the Hilltop building? Yes he does. He does not want to burden the taxpayers. He is for long-range planning and not wasting money, and trying to make things more affordable for the people living here.

Councilor Watman said there will soon be a new person sitting in the Mayor's seat and at least three new people sitting on this side of Council Chambers. He hopes that people

will read and hear what candidates have to say before they make their decision. A shift of a third of the Council could cause a shift in direction. This will be an important election and he hopes people will take the time to vote.

Councilor McCallion thanked the parents and volunteers that helped with planning of homecoming events and any of the sports.

Councilor McCallion said he too was ready for a resolution to help support anything that came from the Friends of Somersworth. The reason the Council has not brought up other resolutions is because there has been no clear consensus as to what the Council would vote for. Also, it might have been overshadowed because of the fact that what we were looking at what we could do to minimize the burden on the taxpayer.

Councilor McCallion feels the Council wants to provide the balance of service, road repairs, etc. without making it too much of a burden on the taxpayers.

Councilor McCallion said there has been ample support for the Friends of Somersworth. There is another meeting coming up and he encourages anyone who wants to get involved to contact the Friends of Somersworth. They are looking at doing some sort of business plan. He thinks it is a great momentum.

Councilor Beaudet wished to take a moment to share a few personal thoughts. He thanked the Mayor and his Council colleagues for their support. During his short tenure it will be his goal to stay focused and engaged on all matters that are relevant to our community. Immediate problems tend to get resolved quickly, however long-term issues require constant debate and a vision. It is extremely important to remember that during our decision-making process we must always consider unintended consequences for the future. They tend to impose many hardships and divide communities.

Councilor Beaudet said he is extremely proud to be part of this great community. He has witnessed many wonderful improvements throughout the City during his 26 years of residency. Our community has earned the accolade that it supports and promotes, our proud past and bright future.

ADJOURNMENT.

Councilor Witham moved to adjourn, seconded by Councilor Pepin. The motion carried by a vote of 8 yeas, 0 nays.

Respectfully submitted,



Diane M. DuBois, City Clerk

