

Somersworth, NH

October 03, 2011

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

MINUTES OF THE PREVIOUS MEETING.

MINUTES OF 09/06/11 CITY COUNCIL WORKSHOP.

Councilor Witham/Pepin^{2nd} made a motion to approve the minutes. The motion passed with Councilors McCallion and Sprague abstaining.

MINUTES OF 09/06/11 PUBLIC HEARING.

Councilor Witham/Watman^{2nd} made a motion to approve the minutes. The motion passed with Councilors McCallion and Sprague abstaining.

MINUTES OF 09/06/11 CITY COUNCIL MEETING.

Councilor Witham/Pepin^{2nd} made a motion to approve the minutes. The motion passed with Councilors McCallion and Sprague abstaining.

COMMENTS BY VISITORS.

John Joyal, 1 Molly Lane, said that he is here for the resolution to authorize the City Manager to determine the approximate cost to demolish the old Hilltop Elementary School building. He said that there are proactive efforts in motion by citizens of the City to restore that building. He hopes that the friendlier of the City Councilors would look at this with a positive vision and understand that this is a monumental effort for the City to make that beacon shine again for the community... Personally, he said, he is offended that this resolution would even be put forth, but it does not surprise him who would put it forth. He totally is not in favor of Resolution No. 14-12. He thinks it is long overdue for the City to represent the City. There is positive vision for the Hill and people do not want to demolish that building. Not in favor; totally against it, he said.

Rochester has put forth a plan to redo their police station for pretty much the same purpose. He urged Councilors to get in touch with the neighboring City Council and see how their minds may have been changed; to see what engaged them in the process. He invites the friendly City Councilors to understand the potential, not only for the neighborhood, but the City as well. The people on the Hill should be commended for their efforts. Restoring that...should be a challenge for each one of you, he said. He thinks it is wrong...to move forward with counter measures to cripple or demolish that building. Let's back off a little bit and think of what this resolution is doing. He would hope that one of the friendly City Councilors would put some proactive measures forward

this evening to engage the City Manager to have staff sit down with people in Rochester ...to see what we can do other than demolish the crown jewel on the Hill. This is really striking a nerve with him. Do homework, invest a little bit of money, try to find grant money, he suggested to the Councilors... He would hope that they would tread gentle and do the right thing and ...do their homework before approving Resolution No. 14-12.

MAYOR'S REPORT.

Acting Mayor Tapscott reminded everyone that on Saturday, October 8, 2011, they will hold the 9th annual Pumpkin Festival at the Plaza from 10 am to 4 pm, rain or shine.

REPORTS OF STANDING COMMITTEES.

PUBLIC WORKS AND THE ENVIRONMENT

Councilor Spainhower reported that the Public Works and the Environment Committee met on September 8, 2011 and approved the last minutes. The Committee supported the Lagoon Cleaning resolution 2-0. Regarding Resolution No. 13-12, sidewalk plow purchase, they had a lengthy discussion but nothing came out of the Committee for a recommendation. As for the water service to Rollinsford requested by Janco- nothing happened with that. The next was discussion for the acceptance of Gator Rock Rd-no action was taken.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER.

BUILDING TRADES AND TRUST

Councilor Pepin said that they met on September 27, 2011. They have a house built for Haiti and no way to get it through customs. As it stands now the building will be up for sale to try to recoup some of the money invested into the building. They are trying to advertise that if any one is interested in a fairly large shed or fishing cabin or whatever, you have an opportunity to put a bid in.

The next project is for the food pantry, pending approval at the next Planning Board meeting.

They are also looking to see if there is a property or house to renovate for their upcoming projects.

SCHOOL BOARD

Councilor Pepin said that the School Board met on September 27, 2011 and brought up the RSA law- the School Board turning the Hilltop School back over to the City Council. They voted and officially fulfilled that agreement with the State law.

Councilor Pepin said he handed out a paper about Capital Improvement updates. They should each have a copy with updated figures. There was debate on the side of the School Board about how to present it to the Council; they feel that there has never been any action on the CIP. Maybe that is something that should be discussed in a workshop with them to get some clarification because there were a lot of ideas that could possibly be cleared up.

COAST

Councilor Watman reported that the COAST Bus Board of Directors met on September 28, 2011 and at that meeting, the Directors approved the operating budget for the fiscal year 2012, which includes full year Saturday service on Route 1. It also includes a level funding request of cities and towns and use of reserve funds to make the budget work, because times are tough there as well as everywhere else. Ridership will probably exceed last years 440,000 by about 20,000 passenger rides to a record of about 460,000.



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, September 30, 2011

SUBJECT: City Manager's Report for Monday, October 3rd, 2011
City Council Agenda

Non-Meeting – Legal Matters & Union Negotiations
6:00 p.m. start with
City Attorney Walter Mitchell

Unfinished Business (under Section 12 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. A Public Hearing is scheduled prior to the next Council meeting at 6:45 p.m. on October 17th.

Resolutions:

- A. Resolution No. 12-12 Authorize the City Manager to Enter into a Contract with Resource Management Inc. of Holderness, NH for Water Treatment Plant Lagoon Cleaning.** Resource Management is the lowest responsible bidder and the company has successfully completed similar work for the City. This bid award was reviewed and supported by both the Finance and Public Works & Environment Committee.
- B. Resolution No. 13-12 Authorizing the City Manager to Contract with Northland Holder of Turner, Maine for the Purchase of two Sidewalk Plows with Associated Equipment.** Public Works Director Tom Willis will be available to answer any questions. 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. Attached is a copy of additional information from Public Works Director Willis that compares the two company's proposals under consideration.

New Business (under Section 13 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.**

Other:

- A. Discuss Membership of City Council's Standing Committees – Councilor McCallion.**
- B. Vote to Ratify the Wage and Working Agreement between the City of Somersworth and the Somersworth Firefighters Local #2320, IAFF (Expires June 30, 2012).** Attached is a Memorandum regarding highlights of the Tentative Agreement (TA) with the Fire Union. The Local IAFF is scheduled to have a special meeting to ratify the TA this weekend. I will have news of their vote for you on Monday. A copy of the entire Agreement is also attached.

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

- A. Attachments:**

1. City Attorney Certifications (3).
UNFINISHED BUSINESS.

ORDINANCES

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

There will be a public hearing on Ordinance No. 7-12 at 6:45 before the next regular Council meeting on October 17, 2011.

RESOLUTIONS

RESOLUTION NO. 12-12 AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RESOURCE MANAGEMENT INC OF HOLDERNESS, NH FOR WATER TREATMENT FACILITY LAGOON CLEANING.

Resolution No 12-12 passed 8-0.

RESOLUTION NO 13-12 AUTHORIZING THE CITY MANGER TO CONTRACT WITH NORTHLAND HOLDER OF TURNER, MAINE FOR THE PURCHASE OF TWO SIDEWALK PLOWS WITH ASSOCIATED EQUIPMENT.

Councilor Sprague made a motion to amend the resolution to change from purchasing from Northland Holder of Turner, Maine to H.P. Fairfield, LLC of Pembroke, New Hampshire. The motion was seconded by Councilor Spainhower.

Councilor Witham assumed that if that was the only change, then the price remains the same.

Councilor Sprague said that it would actually go up \$10,000 for both tractors. He asked to waive the rules and have Tom Willis, the Public Works Director speak. The Councilor believes that economically, looking at the purchase price, they would save \$10,000 in the short term, but looking at the specs, he thinks it will hurt us in the long run. He suggests we go with a machine with more horsepower. He said that Dover purchased two of the Holder machines last year and they spend a majority of time in their garage. He equated it to purchasing a GM vehicle versus a Saab, where you can get parts locally which he thinks would be important during winter and storms. The Holder is from Germany; his opinion is that they would not have the availability of parts. He sees (problems) down the line.

Councilor Witham asked again about the cost on the resolution. Councilor Sprague said that number would be going up by \$10,000 (to \$222,758.)

Councilor Witham said he believes they need an accurate number before they vote on an amendment.

Councilor McCallion seconded the motion to have the Public Works Director come up. That motion passed.

Councilor Witham asked again if \$222, 758 was a correct number. Mr. Willis said that based on the bids received, it would be \$223,380.88.

Councilor McCallion asked, since it had already been through the Committee and Finance, why the change now?

City Manager Belmore said that the Finance Committee just introduced this by request; they haven't had a chance to fully discuss it with the Public Works Director, Tom Willis. The Public Works and the Environment Committee did discuss this at length and Mr. Willis can speak to his recommendation. The Committee did not concur with the recommendation. There were pros and cons for each machine and they went sealed bid and that was the lowest qualified bidder. The preferred method is to throw out the bids and rebid it, but the other bid did meet their specifications at the time. In their bid specs they do allow the City reject any and all bids and they could do that with sound basis.

Councilor Witham said he is confused that the PW and Environment Committee did not support this.

CM Belmore said, "Strike that. There was no formal vote taken." Northland Holder of Turner Maine was Tom's recommendation. He consulted with his staff.

Councilor Pepin said he is totally confused. He thought they were going with the other company because they have attachments that could be used with what they were going to purchase. Tom Willis agrees but said that the old attachments could (also) be retrofitted or adapted to operate on "the trackless" vehicle.

Councilor Spainhower said there was a lengthy discussion in the PW and the Environment Committee. The recommendation from City staff, after the sealed bid process, was for the Holder, but a lot of the questions now are just because that is what we had in the past, is that in the best interest of the City? There were a lot of questions. He is not for this resolution. He is for ...the amendment to the resolution, but he is fear that maybe the best option is to reject them and go back out to bid just so they are not in any legal battles down the road. Just because they have been buying something for the last few years, he doesn't think it is the right thing for this City.

Councilor Witham thinks it is dangerous ground when Council gets "in the weeds;" that level of detail is not where they belong. He supposes that they could each get copies of brochures and read through them, but ...there is a lot of subjectivity in (Councilor Sprague's remarks.) We are stretching pennies in Somersworth, Holder met the bid specification and the tractors are cheaper, City staff test drove and the opinion of the folks who operate the equipment is that they prefer the Holder over the trackless. To go changing this at the last hour... he cannot support the amendment.

Councilor Watman said his head spins that Finance passed this along on the basis that here is the cheapest one that meets the specs. Public Works is jumbled about it and he tends to agree that he doesn't see something so compellingly deficient about the bid by Northland Holder to be the basis for rejecting the bid that is some \$10,000 lower. He would have to vote against the amendment. He thinks he would vote for the original (resolution) because that was staff's recommendation; we hire them for that. That is their area of expertise and responsibility, not ours, he said.

Councilor Jarvis said that she would not be for the amendment. She thinks if they were to go any other route they would have to rebid. It has been through a couple of committees and with the time she would go for the resolution as is.

Councilor Sprague asked Tom Willis how long these tractors would last.

The PW Director said that the intent is to have them last about 15 years.

Councilor Sprague asked if he had talked to other communities to ask how they were holding up.

Mr. Willis said that they have one that is 17 years old. He thinks that is on the long end of the longevity scale. Typically they are lasting between 10 and 15 years.

Councilor Sprague asked if he took the price away would Mr. Willis still chose that tractor?

Mr. Willis said that he would; based on what he has seen he is comfortable with the recommendation, there are advantages and disadvantages to both machines. He said that this is a densely developed community with narrow sidewalks; it is a smaller, more nimble machine. They have had these machines in the past and they have performed well.

Councilor Sprague said he is not going to sit there and put (the Director of Public Works) on the stand as to how he chooses one over the other but he absolutely disagrees with the other Councilor, that *is* their job and *why* they have Committees. Other than that, don't put it in Committee, just go ahead and buy it, he guesses. Their job as Councilors is to go over things with a fine tooth comb. For anyone to say it is not their job to micromanage some things, he disagrees, respectfully.

Mr. Willis answered Councilor Sprague that there is a larger (Holder) machine.

Councilor Witham clarified that this did go to the PW and the Environment Committee and came out of there with no opinion.

Councilor Watman apologized to his colleague if he took offense but said that that was exactly his point, that the Committee had no recommendation ,which meant that there

was disagreement. He said that he would take the staff's recommendation; that is all he was trying to say.

The amendment to Resolution No. 13-12 failed on a roll call vote of 3-5. (Jarvis, Pepin, Watman, Tapscott and Witham opposed.)

Resolution No. 13-12 passed on a roll call vote of 5-3. (Sprague, Spainhower and McCallion opposed.)

NEW BUSINESS.

RESOLUTIONS.

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

Somersworth, NH

October 3, 2011

WHEREAS the City of Somersworth has assumed care and control of the former Hilltop Elementary School building and associated property, designated as lot 11 49 0, and

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

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

WHEREAS the City of Somersworth wishes to gather information to assist in a cost-benefit analysis of various private or public reuse alternatives for the Hilltop Elementary School building and property,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager shall obtain informal and approximate cost estimates for the demolition of the Hilltop Elementary School building, removal of the resulting debris, and restoration of the site to a safe condition, suitable for further modification and landscaping.

Introduced by
Councilor
Michael X. Watman

Approved:

City Attorney

OTHER.

DISCUSS MEMBERSHIP OF CITY COUNCIL'S STANDING COMMITTEES-
COUNCILOR MCCALLION.

Councilor McCallion had asked that this be put on the agenda. When he ran for Council, he said that people told him that they would like to get active and take part. Now that we have changed to a two year term, his feeling is that they need to develop bench players, people who are on the scene and understand the budget. It is a lot for new Councilors, himself included, and he has been doing budgets for twenty years.

His purpose is to ask Councilors to speak on this issue if they would and he wants to know how to write a resolution so that some committees could expand by two public personnel for the reason that the Mayor appoints the Chairman and who sits on the committee. There is a little politics in that. Then, not every committee would be expanded. He said that over the years we have had mistakes on those committees and he mentioned tonight. He said it would be nice to have different people in our community that could help out.

Councilor Watman said it is an interesting idea that could be approached in two different ways: the new Charter specifically states that the Mayor appoints council members to council committees. There would need to be a Charter amendment could be drafted to change that and put it on the ballot for people to decide. He doesn't believe that this Council could take the sole step to accomplish that. He thinks the proper procedure would be to bring forth a Charter amendment. The other alternative is that the Mayor could appoint advisory committees ...as a way to get the advice of the people.

Councilor Witham concurred saying that his one hesitation is that they struggle to find people to fill the existing citizen volunteer committees and boards, i.e. Planning and Zoning. Seldom do they have a full slate, he said. Prior to getting on Council he said that he attended many Council and Committee meetings and felt there was a way to get engaged, albeit informally.

VOTE TO RATIFY THE WAGE AND WORKING AGREEMENT BETWEEN THE
CITY OF SOMERSWORTH AND THE SOMERSWORTH FIREFIGHTERS LOCAL
#2320, IAFF (EXPIRES JUNE 30, 2012.)

Councilor Witham, seconded by Councilor McCallion, made a motion to ratify the agreement between the City of Somersworth and the Somersworth Firefighters Local #2320.

The motion passed 8-0.

COMMENTS BY VISITORS.

John Joyal, 1 Molly Lane, said that the LGC is still in the news. He asked what our legal people are doing to get any money that LGC owes this City and the taxpayers. "If they owe money to the City, that is my money," he said. He hopes that is on the radar screen to pursue any money that they are owed. That money could ...take care of tractors or heating Hilltop, etc. Knowing could make some of these decisions easier.

Diane Griffith, 52 Grove Street, thanked the Council for their hard work. She spoke about the intensity, saying it is great to see discussion. She didn't find it amusing, and she addressed this to Councilor Watman, to see him shaking his head... She said it diminishes the speakers.

Shawn Wolf of the Somersworth Firefighters thanked the Council for their vote.

Theresa Cherouvis, Ward 1, said that when you buy at home and buy local, it changes the dynamics of the whole country. In this community we can do something to play a part, she thinks.

They all know how she feels about demolishing Hilltop School and she hopes the Councilors will take a stand and support the community in this.

She also said that the feeling of City Council is now more warm and fuzzy; she did not feel that several years ago. The Council has made that happen. Whether people feel they have been heard is up to them to decide. She thinks the atmosphere has certainly changed. She hopes we can go forward with that and not back to what they had in the past because citizen involvement is hugely important.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Jarvis reminded everyone that there is a meeting on October 5, 2011 with the Friends of Somersworth and the Economic Development Committee to see how they can work together to move along.

Councilor Watman said he must be a clueless idiot. A group of people came to Council with a proposal for a City/ private partnership on a certain project on the Hilltop. To him that means taxpayer money someplace along the line, either for rehab, grant matching, or whatever it might be. These are very difficult times, financially, to convince people to spend more money. He thought it would make sense to tell those people, and there are more than one who think the building should be demolished and leveled, to find the cost to that and say, as an alternative to that, why don't we invest (half?) instead to that project. Every figure under the sun from \$280,000 to \$4M has been thrown around to tear the building down. He thought it made sense to find the figure. He removed every bit of language that mentioned bids, etc. so that the intent could be clear that it was to get

information, to do homework, to find out what that might cost. No solution to this situation is free, so he guesses he was stupid to do that and unless someone tells him differently, he'll withdraw it at the next meeting because he certainly wouldn't want to help anyone along, financing it. Always take it as, it says "demolish", he must want to demolish it. Maybe he wants to find out how much it would cost and give a little bit less to help fix it up. But, no! Always question the motives; always say Mr. Watman looks funny at people because they don't read the thing and get the implication. Fine, he said, be that as it may. He won't be around to vote on that anyway.

He pointed out that there is a vacancy on Council and there is a procedure to fill it and that should take place shortly, he hopes.

Councilor Witham said that Councilor Pepin mentioned, as part of the report of the School Board meeting last Tuesday, the protracted conversation about the Capital Improvements Program. The School Department has a lengthy list of projects, to the tune of \$5M+, including everything from windows to HVAC units, to doors, to paving, you name it. Many of those projects have not been funded. As he listened to discussion, he found himself confused and wondered about funding some of those projects. Part of the reason may be a lack of understanding and confusion about the capital improvement planning process. He thinks there should be a conversation sooner rather than later; perhaps in a joint workshop between Council and the School Board. They are in the midst of preparing the Capital Improvements Program for the next six years; the timing is good to have a discussion. They need to begin to tackle these (projects) in some meaningful way.

Regarding the resolution to determine an approximate cost to demolish the Hilltop School Building, Councilor Witham hopes that whatever work the Friends of Somersworth is doing can materialize... and maybe the City has to come up with some dollars.

Demolition is often one of the lowest cost solutions, other than leaving it abandoned. By having an understanding of what that lowest cost is, it might help him to know what the City is in for if another plan materializes. Maybe it is a number that they can work around to help the Friends. He asked for emails and calls, he said he may not be warm and fuzzy but he thinks he will listen.

Councilor McCallion mentioned that on Wednesday at 5:00 pm, the Economic Development Committee will be in this room. He also encourages Vision 2020 members to be present because he thinks there is a lot that the two committees can work on together with the Friends of Somersworth, as well as the Housing Authority and the Recreation Committee. The more people on the same page, the better.

He saw the resolution earlier tonight. He said they have to play their hand in poker before they can really understand what they want. It is frustrating in government. He is not in favor of demolishing the building but thinks they need a real number and they have to come up with money somewhere.

NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL).

Councilor Witham made a motion, seconded by Councilor McCallion, to go into non public session to discuss personnel. The motion passed and Council went into non public session at 8:05 pm.

Acting Mayor Tapscott reported that Councilor Pepin, seconded by Councilor Witham, made a motion to come out of non public session at around 8:30 pm.

There was a motion by Councilor Witham, seconded by Councilor McCallion, to vote to extend the City Manager's contract for an extra year until June 30, 2014 with the City Manager agreeing to a 2% increase in health coverage rates.

The motion passed 6-2. (Watman and Jarvis opposed.)

ADJOURNMENT.

There was a motion to adjourn made by Councilor Witham and seconded by Councilor Pepin. The motion passed unanimously and the meeting was adjourned at around 8:35 pm.

Respectfully submitted,



Elise B. Brelis, Deputy City Clerk