

## MINUTES OF CITY COUNCIL MEETING DECEMBER 8, 2014 – 7:00 P.M.

Mayor Hilliard called the meeting to order, and upon roll call, the following members were found present: Pepin, Soldati, Hebert, McCallion, Messier, Tapscott, Witham, Collins and Sprague.

### MINUTES OF PREVIOUS MEETINGS.

- City Council/School Board Workshop Held on 11/10/14 – Councilor Soldati moved to accept the minutes as recorded. The motion was seconded by Councilor Pepin and passed by a vote of 8 yeas, 1 abstention, Councilor Hebert abstaining.
- Workshop on Update from HTA Engineers and Presentation by VHB Engineers Held on 11/10/14 – Councilor Tapscott moved to accept the minutes as recorded. The motion was seconded by Councilor Collins and passed by a vote of 8 yeas, 1 abstention, Councilor Hebert abstaining.
- Public Hearing on Ordinance No. 8-15 Held on 11/10/14 - Councilor Tapscott moved to accept the minutes as recorded. The motion was seconded by Councilor Collins and passed by a vote of 8 yeas, 1 abstention, Councilor Hebert abstaining.
- Minutes of City Council Meeting Held on 11/10/14 - Councilor Tapscott moved to accept the minutes as recorded. The motion was seconded by Councilor Collins and passed by a vote of 8 yeas, 1 abstention, Councilor Hebert abstaining.
- Minutes of Goal Follow-up Workshop held on 11/15/14.

Councilor Sprague questioned whether Councilor Collins should have voted on the minutes of the previous meeting since he had been elected, but had not yet been sworn in.

Councilor Witham moved to table the minutes until further review is done. The motion was seconded by Councilor McCallion and passed unanimously.

### COMMENTS BY VISITORS.

George Poulin, 12 Grove Street, Ward 1, said he thought the Christmas Parade was fantastic. Hats off to his wife Beth, who is the Chair of the Parade Committee. He is very proud of her.

Mr. Poulin said there is a lot of discussion going on about the heroin epidemic. He feels that it is a landlord problem here. A lot of people are moving up here from Massachusetts and some landlords do not care who they rent to. That is the case at the property next door to his house. He doesn't think it is fair for him to pay the taxes he does when he has to look out at the property next to him.

Mr. Poulin said he is the Chair of the Historic District Commission (HDC), and there has been talk about this Commission lately. The Commission takes applicants on a case by case basis. Frequently people get caught doing something because they did not know the rules, or did not know they needed a building permit. They work with people through the process.

Mr. Poulin said he is President of the Somersworth Historical Society and Museum. Next Sunday, 12/14/14, is their annual open house from 12:30 p.m. to 3:30 p.m. This is their 13<sup>th</sup> year. They would love to have everybody come out to the Museum.

Ray Doyon, 41 Davis Street, Ward 4, said he has lived in Somersworth for 62 years. He is the Commander of the American Legion Post 69 in Somersworth. He is asking the City Council tonight to reconsider Constitutional Way going back to the way it was, two-way. He has witnessed several near-accidents since it has been one-way. Business at the Legion has been hurt by this, and the business owners in the Plaza across the street agree with this. The American Legion contributes a lot to the community, but in order to do that they need to have people coming in. He hopes the City Council will think this over and turn it around.

Ross Forester, 30 Prospect Street, Ward 1, said he is a proud member of the VFW and the American Legion. In that capacity, he had the occasion this past week to talk to 5 of the 6 businesses that are affected by the traffic restriction on Constitutional Way, and reiterated what Mr. Doyon said. Every business manager and employee wants Constitutional Way to be restored to a two-way street again. The Council should take into consideration the consequences their decisions have.

Beth Poulin, 12 Grove Street, Ward 1, thanked everyone who attended the Christmas Parade and Gala on Saturday. The rain stopped at 1:00 p.m. The fireworks were awesome. It was nice to have the community together. The Committee members picked a family to ride in the parade, which was Brandon Patterson, his wife and 3 children. The Committee is meeting as we speak to start planning next year's parade.

#### MAYOR'S REPORT.

- On 11/18/14, at the NH Institute of Politics at St. Anselm's College, I had the honor of representing our community, alongside 6 other Mayors throughout the State, speaking of the effects of narcotic abuse and mental health issues. Somersworth is not alone in what has truly developed into a crisis, straining local resources and having an effect upon the community's greatest assets, its citizens. Despite the multiple layers this issue encompasses, it was reassuring to be able to share with the panel that our community is one of the first in the area to acknowledge the problem and have the willingness to search for solutions. Since the formation of the Drug Use Task Force the positive response has been overwhelming. I have been humbled by the amount of recovering addicts who have come forward, all willing to share their stories and help our community move towards finding sustainable solutions. I have full faith not only in the abilities of the Task Force, but what can truly occur when we as a community work together to render solutions.
- The Spirit of the Holidays and Somersworth was truly demonstrated on Saturday during the Christmas Parade and Gala event. I am so proud of all the efforts and hard work the Christmas Parade Committee has accomplished over the past several months. The parade, gala events and fireworks were a true representation of the spirit of the holidays and our community. "We Believe in Somersworth" was echoed throughout the day. Together as a team we are moving our community forward.

- It is hard to believe that 73 years have passed since the early morning of December 7<sup>th</sup>, 1941. On that day the strength and determination of our nation was tested. To the brave men and women who lost their lives during the attack on Pearl Harbor, you are not forgotten. Let us pause today to honor them and all Americans who have passed defending freedom, liberty and our great nation.
- The next Mayor Community Forum is scheduled for this Saturday, 12/13/14, from 9:00 a.m. to 10:30 a.m. The purpose of the forums is to allow community input and dialogue in a non-formal setting. Hosting the 12/13/14 Forum with me will be At Large Councilors Witham and Tapscott, in addition to At Large School Board members Austin and Brennan.
- This will be the last meeting of this body for the year 2014. I am honored to have been able to preside over this Council for the last year and am proud of the accomplishments we have reached. Since taking the center chair and office of the Mayor, my approach has been to foster and build a strong team, a team that works together, respects each other, honors differences and never loses sight of the vision of moving our great community forward. Having served on the Council for two terms prior to being elected Mayor, from my perspective, that mission has been achieved. The workload ahead of us for 2015 is large and whether all issues and agenda items will be resolved by the conclusion of the year and the next municipal election remains to be seen. I am forever grateful to have the opportunity to work with such a dedicated and caring Council.
- The holidays are magical times – they inspire us, allowing us to embrace our inner child and celebrate all that is right in life – Family, Hope and Love. They remind us of how incredibly diverse the world is and how this diversity enriches our society. As we gather together to celebrate our families’ holidays – Solstice, Christmas, Kwanza or Hanukkah, let us continue to reflect on how each of us plays an important role in adding to the progression of our society and move forward into Light. As we approach 2015, let us rededicate ourselves to each other and our community. Let us celebrate all that is right about Somersworth and its citizens. Let us continue to be proud of our great past and awaken each day recommitted to its “Bright Future.” We are a community, we are on the move, and we are achieving progress and greatness. We are Somersworth!!!! Happy Holidays to all.

## REPORTS OF STANDING COMMITTEES.

### FINANCE COMMITTEE.

Councilor Witham reported this Committee met on 11/24/14 at 8:00 a.m. and discussed the following items:

- Update from City staff and HTA engineers on the downtown project. City Manager Belmore reviewed overages relative to the project, one relative to ledge quantity and one relative to asbestos removal. They also discussed traffic pre-emption for the High /West High St. signalized intersection. Finance Director Smith said the budget is very close. If we need to look for additional money we should look at contingency or fund balance. The committee voted 4-0 to authorize the City Manager to move forward with pre-emption at the signalized intersection.

- Deborah Evans, Executive Director of the Somersworth Housing Authority (SHA), outlined the CDBG the SHA is applying for. The predominant amount of work is to improve efficiency at A. J. Nadeau Homes on Bartlett Ave. This would entail replacement of the heating system, sealing, and insulation. The total cost of the project would be between \$400,000 and \$600,000.
- Reviewed bids for Police Department recording equipment. Lt. McLin went over the bids received. Their recommendation is to award the bid to Acorn Recording Systems. Committee voted to approve, 4-0.
- Discussion of bids for emergency generator at the Wastewater Treatment Plant (WWTP). Manager Belmore said they received 4 bids. The recommendation was to go with Martini Northern, LLC. The Committee voted 4-0 to send resolution to the full Council.
- Director Sharples gave an update on the Mast Point Dam Revitalization Project. The Committee voted 4-0 to have an engineering contract executed in an amount not to exceed \$10,000. An archeological study would be included, and also \$5,000 for brush clearing.
- Manager Belmore and Director Sharples brought forward an RSA 79-E Application for 67-73 High Street. The applicant is requesting 7 years of tax relief. The current building is valued at \$65,000. An investment of \$217,000 of revitalization and rehabilitation work would be made to the building. The Committee unanimously recommended this go to the full Council for a vote.
- Landfill Solar Project – Manager Belmore said all companies who submitted proposals were interviewed. Attorney Mark Beliveau was engaged, to help deal with DEA and DES. They will continue to examine this project with more details to come.
- Director Smith gave a budget update, stating we are in the beginning stages of winter where we have the most volatility because of salt and sand, overtime, etc.
- Director Smith reviewed financial software bids, stating they received 3 proposals ranging in price from \$72,000 to \$278,000. They will continue to review the information.
- Manager Belmore and Director Smith gave some preliminary tax cap information as we enter into budget season. It is still early, but we are looking at \$224,000 for the City and \$336,000 for the School Department. In discussing areas that could put us up against the wall, Director Smith mentioned fluctuating revenue streams and employee benefits.
- Regarding tax deeded property, we had agreed to delay eviction on a couple of properties. Director Smith noted that seems to be progressing in a positive direction. We all agreed that we need to remain consistent in our approach with these properties.

#### PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE.

Councilor Sprague reported this Committee met on 11/13/14 at 8:00 a.m. and discussed the following items:

- There was a question about the curb cut at Rouleau's Garage. Bill Davidson of HTA talked about the status of where we are with this. Mr. Rouleau is willing to pay \$3,400 to have the granite curbing removed so it would not hamper his business.
- Residents of Gerrish Commons were present. They are looking for the City to take over the pump station located in their development. Committee members had many questions

and determined it could be an asset to the City to take over this pump station as long as the existing system is reliable and it is the right type of pump. City staff will be getting back to them with some answers. There are only 3 subdivisions in the City that have pump stations: Gator Rock Road, Lenox Park Subdivision, and Gerrish Commons.

- The Committee talked about the pre-emption light at the traffic signal at the High/West High St. intersection. This was taken up by the Finance Committee.

## REPORTS OF SPECIAL COMMITTEES.

### COAST BOARD OF DIRECTORS.

Councilor Pepin reported he received an email from the Director of COAST stating they just got 2 coach buses released to them from Concord Coach Lines. Between them they have over 1M miles on them. They are good for COAST to use for the Clipper Connection because there is more seating available. The Somersworth run will be able to go down to one bus. They had to go through DOT to get this cleared. This was accomplished and hopefully they will be on-line in January, 2015.

### SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this Committee met on 11/21/14 and discussed the following items:

- Current ongoing energy conservation measures that are going on in the City. Director Sharples let them know that the schools used a building automated system that monitors the thermostats. Energy audits have taken place and they would like to see what the results are. The committee members plan to talk with Andy Lussier who is the Facilities Director at the School Department.
- Discussed the concept of a green purchasing policy for the City – would have to be consistent with current procurement policy. The committee is currently reviewing the City of Keene green purchasing policy as well as recommendations from the EPA.

### DRUG ABUSE TASK FORCE.

Councilor Witham reported the Task Force met on 12/2/14 for the first time. The meeting was organizational in nature. They laid out plans for 2015, and a meeting schedule. They had discussion about what their mission will be, which he feels will develop over time. The committee's objective is to listen and learn. This is one of the more powerful meetings he has attended. The levity and importance of the problem played out in front of him and it is much more than he would ever have imagined.

Councilor Witham said he learned statistics that New Hampshire is the sixth in the nation per capita in terms of heroin use. Juxtaposed to that, New Hampshire is second to last in terms of available treatment options. We are at the top and the bottom of the wrong lists. We are not alone with this problem. This is really a public health crisis, and will be a trying situation. The goal of the Task Force is to prepare a report and deliver it to the City Council in September, 2015. He will keep the Council posted.

RAIL SERVICE ADVISORY COMMITTEE.

Councilor Sprague reported this Committee met on 11/18/14 at 3:00 p.m. and will meet again on 12/16/14 at 3:00 p.m. They continue to brainstorm and will meet the third Tuesday of every month until they have some action.

CITY MANAGER'S REPORT.



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

**TO:** Mayor Dana Hilliard and City Council Members

**FROM:** Robert M. Belmore, City Manager

**DATE:** Friday, December 5, 2014

**SUBJECT:** City Manager's Report for Monday, December 8, 2014  
City Council Agenda

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*Lay on the Table (under Section 12 of Agenda)*

**Ordinances:**

- A. Ordinance No. 6-15 Amend Chapter 13, Police Offenses, Section 3.3 One Way Streets, Relative to Constitutional Way. (Referred to Public Works & Environment Committee)

**Other:**

- A. Authorize City Manager to Sign Until Agreement to Extend Natural Gas Service to Former Police Department Building.

*New Business (under Section 14 of Agenda)*

**Ordinances:**

- A. Ordinance No. 9-15 Amend Chapter 13, Police Offenses, Section 3.F.4 Time Parking, 20 Minutes, by Adding New Section Relative to Green Street. This

Ordinance is recommended by the Traffic Safety Committee. It relates to a request by the owner of Jimmy Jones Restaurant.

- B. Ordinance No. 10-15 City Council Meeting Schedule for 2015.** The proposed schedule has been reviewed and approved by Mayor Dana Hilliard. Note: The City Council should consider waiving Council Rules and act on the schedule this evening.

**Resolutions:**

- A. Resolution No. 21-15 Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Heating System and Improve the Energy Efficiency of the Albert J. Nadeau Homes on Bartlett Avenue and to Sign the Adopted 2014 City Housing and Community Development Plan and the 2014 Residential Antidisplacement and Relocation Assistance Plan.** Somersworth Housing Authority Executive Director Debbie Evans discussed this Project with the Council's Finance Committee at their November 24<sup>th</sup> meeting. Her memorandum explaining the project is attached. The City Council will need to schedule a Public Hearing prior to acting on this Resolution, I suggest 6:45 p.m. prior to the January 5<sup>th</sup> meeting.
- B. Resolution No. 22-15 Authorize the City Manager to Contract with Martini Northern, LLC of Portsmouth, NH to Install an Emergency Backup Generator at the Somersworth Wastewater Treatment Facility.** The Finance Committee reviewed this Project at their November 24<sup>th</sup> meeting and the recommendation by staff, regarding their bid analysis – a copy is attached. This is a Budgeted Project, the bid plus contingency falls under the \$275,000 appropriated in this Fiscal Year's Wastewater Utility Budget.

**Other:**

- A. Community Revitalization Tax Relief Incentive Application from David H. M. Baker for Round Robin Building Property Located at 67-73 High Street.** Attached is a copy of the application. Director Sharples has examined the application and he has deemed it complete. This was discussed at the Finance Committee meeting on November 24<sup>th</sup>. A Public Hearing should be scheduled prior to acting on this application, I suggest 6:40 p.m. prior to the January 5<sup>th</sup> meeting.

***City Manager's Items (under section 10 of Agenda)***

**A. Information Items:**

- 1. CIP FY 2016-2021.** In accordance with the City Charter, I hereby submit a proposed Capital Improvement Program for City Council consideration. I look forward to Council direction for future review and discussion opportunities.

2. **FY 15-16 Budget Preparation.** Please see enclosed memorandum outlining the FY 15-16 Budget Preparation Process. I have also included Finance Director Smith's preliminary analysis in regards to the limitations on any Budget increase – Tax Cap provisions of the City Charter.
3. **Department Monthly Reports.** I wanted to point out a few items you will be provided as part of my Management Team reporting process.
  - Fire Department: The Chief as will other Department Heads, provide special reports from time to time such as his snowstorm report this month.
  - Development Services: Under Economic Development there is a listing of newly opened businesses. By the way Olympia Sports has moved from Dover to Tri-City Plaza.
4. **Emergency Notifications.** I facilitated a meeting on December 2<sup>nd</sup> with Staff to discuss how we might improve our Community Outreach during significant storm events or other emergencies requiring the dissemination of important information such as the opening of shelters, updates on electric outages and road closures. Attached is a memorandum from our Fire Chief/EMD Hoyle that outlines steps we will be implementing to further enhance our present protocol.
5. **Upcoming Proposed Workshops – Approved by Mayor Hilliard.**
  - January 5, 2015 Code Enforcement with City Attorney, 6:00 p.m.
  - January 20, 2015 (Tuesday) Road Plan with City Engineer and CIP, 5:30 p.m.
  - February 2, 2015 Landfill Solar Project, 6:00 p.m.
  - April 4, 2015 (Saturday) City Council 2015 Budget Workshop, 8:30 a.m.

**B. Attachments:**

1. City Attorney Certifications Two (2).
2. Department Head November Monthly Reports.
3. Code Enforcement Information for the January 5<sup>th</sup> Workshop.
4. Recreation Department Newsletter.

**NonPublic Session:**

Reminder – At the November 15<sup>th</sup> Follow-up Goal Session the City Council expressed an interest in meeting in the near future.

There being no objection from Council members, Mayor Hilliard set the dates for the four workshops proposed by the City Manager as listed in the City Manager's Report.

LAY ON TABLE.

ORDINANCE NO. 6-15 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.3 ONE WAY STREETS, RELATIVE TO CONSTITUTIONAL WAY.

**Motion:** Councilor Soldati moved to remove Ordinance 6-15 off the table. The motion was seconded by Councilor Witham.

**Motion:** Councilor Witham moved for a roll call vote on the question of taking Ordinance No. 6-15 off the table. The motion was seconded by Councilor Soldati and passed unanimously. The motion to take Ordinance No. 6-15 off the table passed by roll call vote of 8 yeas, 1 nay, Councilor Sprague voting in the negative.

**Motion:** Councilor Soldati moved that Ordinance No. 6-15 be adopted. The motion was seconded by Councilor Witham.

**Discussion:**

Councilor Sprague indicated that Ordinance No. 6-15 has been referred to a Committee. He asked if it is customary for an item to be acted on before the Committee comes back with a recommendation.

Mayor Hilliard noted it has been sitting on the table. Any member of the Council can remove an item from the table according to our Council Rules and make a motion.

Councilor Soldati said when this Ordinance was tabled she urged the Council to hold off making this decision because we were still in construction mode. The purpose of making it one-way was to create more parking spaces during construction. It has been a month now since the construction has been done and she has not seen anyone parking there. More importantly, she discovered they may not have had to take that step because there are 18 parking spaces available in the American Legion parking lot, and they are willing to post signage that those parking spaces are available for public use for two hour parking. These spaces were made available by covenant in 1985 and few people are aware of it. She has not talked to anyone that thought it was a good idea for this street to be one-way. She doesn't think it serves a purpose.

Councilor Soldati moved to suspend the rules to allow City staff to speak. The motion was seconded by Councilor Collins and passed by a vote of 8 yeas, 1 nay, Councilor Witham voting in the negative.

Chief Crombie commented the Police Department said they would conduct a survey to monitor on every shift how many parking spaces on Constitutional Way were being used. They were not being used. The most he saw was 4 spaces used when there was a public event. Captain Timmons, Chair of the Traffic Safety Committee, is an advocate of putting it back to two-way traffic.

Councilor Collins said he would like to know the numbers. If the Legion in fact has 18 parking spaces, where would we stand?

Chief Crombie replied that with the 18 spaces in questions, we would have far more parking in the area than we have ever had before.

Councilor McCallion said we have a lot of hills at the High Street end, and people trying to cross traffic. Everyone said when they made Constitutional Way one-way that there would be an issue with trucks. If it does go back to being two-way, perhaps it should be right turn only at the intersection.

Councilor Sprague asked when the last time was that a parking ticket was issued. If we have 18 two-hour parking spots at the Legion will that be enforced?

Chief Crombie replied they did not issue parking tickets during construction, but will be issuing them again soon. He indicated the two-hour parking at the Legion lot will be enforced.

Councilor Witham said he is surprised this has resurfaced. There is no new information that has surfaced here tonight that we have not been aware of. The sole purpose of this Council's action was to increase parking because we were losing parking in the downtown corridor. This made sense at the time. He thought the true test would be during the construction, not after. He would think that now we would have a decline in the need for those additional parking spaces. The need we all foresaw did not happen. He sits on the Traffic Safety Committee and they reviewed it in detail. From a safety perspective, they recommend putting it back to two-way traffic. If we were to take this action now, can pavement line striping be done now? Otherwise he can see a safety problem.

Manager Belmore said he does not think we could at this time with the rain and the snow, but would have to talk to a company that does this. It could be problematic right now.

Councilor Witham asked if there are any temporary measures that could be done to deal with the traffic flow and pattern.

Councilor Sprague commented that between Sinclair Avenue and Chili's there is a lot of striping we have put off until spring. We would not only have to stripe, but also erase the old lines.

Councilor Sprague said he did not see this coming tonight either. He has more questions about parking spots. It sounds like the Downtown Parking Committee really needs to do some work on this matter. By the end of March we should be able to get a grip on this. We are thinking about selling the parking lot behind the former Nards' Store. If that happens, we might need all the parking spaces on Constitutional Way. He thinks this is premature at this time and will be until March.

Councilor McCallion agrees that our reason for doing this was for parking reasons. He wanted to try this before we did the downtown construction and that would have answered all our questions. We knew by the recommendations from engineers that Main Street was going to go one-way.

Councilor Sprague said another option we can look at would be one-way from Citizens Bank up to High Street, and the rest would be two-way. This might be what would make everyone happy.

Councilor Messier said he has supported going back to two-way traffic all along as do many other people in the community. We tried the one-way pattern and it is a colossal, horrendous traffic pattern that does not work. We could put temporary reflectors on the road. We're talking about a street that is 300' long. It is the right thing to do and he will vote for it.

Councilor Soldati said it was explained to her that making this street one-way was to accommodate customers to make up for lost parking spaces on High Street. Nobody parked in those spaces. Citizens Bank has said they have seen an incredible decrease in customers. This street is not a main thoroughfare and she doesn't see the harm in making it two-way again. An agreement was signed in 1985 regarding 18 parking spaces being available in the American Legion parking lot for two-hour parking and that will be marked at this time.

Councilor Pepin said the reason we wanted one-way traffic on Constitutional Way was to give people a place to park during construction. The game plan did not work. It is not utilized. He had heard many complaints about this issue. He was against tabling this when it was tabled. It is very inconvenient for people who are coming from Maine to get to Main Street.

Councilor Witham said he will vote to put this street back to two-way and charge City staff to do something with pavement lines. He is willing to take that gamble. It is a classic case of risk vs. reward. He would be willing to consider making it right-turn only at a later date. We did have a one-way pattern through the summer and it was a failure of epic proportions.

Councilor Tapscott said he agrees with Councilor Messier about the temporary reflectors. He is in favor of this. He has heard nothing but complaints about the one-way pattern on this street.

**Vote:** Ordinance No. 6-15 passed by roll call vote of 7 yeas, 2 nays, Councilors McCallion and Sprague voting in the negative.

## NEW BUSINESS.

### Ordinances:

#### ORDINANCE NO. 9-15 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.F.4 TIME LIMITED PARKING, 20 MINUTES, BY ADDING NEW SECTION RELATIVE TO GREEN STREET.

Somersworth, NH  
December 8, 2014

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 13, Police Offenses, Section 3.F.4 Time Limited Parking, 20 Minutes by adding a new Section B as follows:

#### **4B. 20 Minute**

When signs are erected giving notice thereof, it shall be unlawful for any person having custody or control of any vehicle to park or cause the same to be parked for more than 20 minutes, between the hours of 11:00 a.m. and 8:00 p.m., on Sunday, Tuesday through Saturday, in the listed areas:

Green Street, on the easterly side, two (2) parallel spaces adjacent to 102 Green Street.  
This Ordinance shall take effect upon its passage.

Introduced by Councilor  
Jennifer G. Soldati

Approved:  
City Attorney

Following the first reading of Ordinance No. 9-15, it was referred to the next meeting.

ORDINANCE NO. 10-15 CITY COUNCIL MEETING SCHEDULE FOR 2015.

Somersworth, NH  
December 8, 2014

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT, in accordance with Chapter 3.7 of the City Charter which provides that the City Council's "regular meetings shall be held on the first and third Monday of the month at 7:00 p.m. unless otherwise designated by ordinance..." and Chapter 6, City Officials, Section 6.8.2 of the City Ordinances which also provides that the "City Council shall meet in regular session on the first and third Mondays of each month at 7:00 p.m., unless otherwise agreed on by a majority of the members of the Council" that the City Council Meeting schedule for 2015 shall be as follows:

- January - 01/05/2015 and 01/20/2015 (Tuesday)
- February - 02/02/2015 and 02/17/2015 (Tuesday)
- March - 03/02/2015 and 03/16/2015
- April - 04/06/2015 and 04/20/2015
- May - 05/04/2015 and 05/18/2015
- June - 06/01/2015 and 06/15/2015
- July - 07/20/2015
- August - 08/17/2015
- September - 09/08/2015 (Tuesday) and 09/21/2015
- October - 10/05/2015 and 10/19/2015
- November - 11/09/2015
- December - 12/07/2015

This ordinance shall take effect upon its passage.

Introduced by  
Mayor Dana S. Hilliard

Approved:

City Attorney

**Motion:** Councilor Witham moved to suspend the rules to act on Ordinance No. 10-15 tonight. The motion was seconded by Councilor Tapscott and passed by a vote of 9-0.

**Motion:** Councilor Witham moved to adopt Ordinance No. 10-15. The motion was seconded by Councilor Tapscott and passed by roll call vote of 9 yeas, 0 nays.

Resolutions:

RESOLUTION NO. 21-15 TO AUTHORIZE THE CITY MANAGER TO SIGN AN APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO UPGRADE THE HEATING SYSTEM AND IMPROVE THE ENERGY EFFICIENCY OF THE ALBERT J. NADEAU HOMES ON BARTLETT AVENUE AND TO SIGN THE ADOPTED 2014 CITY HOUSING AND COMMUNITY DEVELOPMENT PLAN AND 2014 RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN.

Somersworth, NH  
December 8, 2014

WHEREAS, a public hearing will be held on January 5, 2015,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council authorizes the City Manager to sign an application for a CDBG grant to upgrade the heating system and make improvements to the energy efficiency of the Albert J. Nadeau Homes on Bartlett Avenue. The estimated cost of the improvements is up to \$500,000 (Five Hundred Thousand dollars) and the City Council authorizes the following:

1. Authorizes the Somersworth Housing Authority to continue as the Authorized Agent of the City of Somersworth in all matters relating to Community Development for this project until it is completed.
2. Authorizes the City Manager to enter into a contract with the Somersworth Housing Authority for the administration and supervision of this project until it is completed.
3. Authorizes the City Manager to execute any and all other documents with the State of New Hampshire, Office of Community Development Finance Authority (CDFA), which will be necessary to effectuate the purposes of this Resolution, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council hereby adopts the 2014 Housing and Community Development Plan and the 2014 Residential Antidisplacement and Relocation Assistance Plan.

Introduced by Councilors

David Witham  
Dale Sprague  
Jennifer Soldati  
Martin Pepin

Approved:  
City Attorney

## **CITY OF SOMERSWORTH, NEW HAMPSHIRE HOUSING AND COMMUNITY DEVELOPMENT PLAN 2014**

The City of Somersworth commits to the following goals to meet its Housing and Community Development needs:

**Goal:** Encourage a varied stock of safe, sanitary, energy efficient, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

**Goal:** Encourage economic development activities to increase quality industrial and commercial development. Encourage the expansion and retention of employment opportunities for residents. (Short-term and Long-term goal).

**Goal:** Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

**Goal:** Preserve and promote the City's historically and culturally significant structures. (Short-term and Long-term goal).

**Goal:** Promote activities that protect the health and safety of residents and visitors. (Short-term and Long-term goal).

As a matter of policy, Somersworth will minimize the involuntary displacement of households from their neighborhoods.

These goals are consistent with the City of Somersworth's Master Plan and local Ordinances.

Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects shall primarily benefit low and moderate income persons or households, and shall not benefit moderate income persons to the exclusion of low income persons.

Adopted by the Somersworth City Council on \_\_\_\_\_(date)

Signed: \_\_\_\_\_

**DISPLACEMENT AND RELOCATION CERTIFICATION  
CITY OF SOMERSWORTH  
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION  
ASSISTANCE PLAN**

Every effort will be made to minimize temporary or permanent displacement of persons due to a CDBG project undertaken by the municipality. However, in the event of displacement as a result of a federally funded award, the City of Somersworth will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntarily and permanently displaced.

If any temporary displacement or relocation of persons shall be required during this project, a unit on the premises will be made available until the original unit can be moved back into. The project will follow the antidisplacement plan if any displacement occurs.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide that before obligating and spending funds that will directly result in such demolition or conversion the municipality will make public and submit to CDFA the following information:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion date of the demolition or conversion;
- e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;

- g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits for all low or moderate income persons shall be provided, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
  - 1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or:
  - 2. If elected by a family, a lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above to permit the household to secure participation in a housing cooperative or mutual housing association, or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. Persons displaced shall be relocated into comparable replacement housing that is decent, safe, and sanitary, adequate in size to accommodate the occupants, functionally equivalent, and in an area not subject to unreasonably adverse environmental conditions;
- j. Provide that persons displaced have the right to elect, as an alternative to the benefits in subparagraph 2. above, to receive benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so; and
- k. The right of appeal to the executive director of CDFA where a claim for assistance under subparagraph 2. above is denied by the grantee. The Executive Director's decision shall be final unless a court determines the decision was arbitrary and capricious.
- l. Paragraphs a. through k. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

**CERTIFICATION OF COMPLIANCE**

The City of Somersworth anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the town certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

Printed Municipal Official Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: X

Date of Adoption: \_\_\_\_\_

Following the first reading of Resolution No. 21-15, it was referred to the next meeting.

RESOLUTION NO. 22-15 AUTHORIZE THE CITY MANAGER TO CONTRACT WITH MARTINI NORTHERN, LLC OF PORTSMOUTH, NH TO INSTALL AN EMERGENCY BACKUP GENERATOR AT THE SOMERSWORTH WASTEWATER TREATMENT FACILITY.

Somersworth, NH  
December 8, 2014

WHEREAS, funding from the fiscal year 2013-2014 Wastewater Utility budget has been encumbered to replace the emergency backup generator at the Somersworth Wastewater Treatment Facility; and

WHEREAS, the City requested sealed bids from qualified contractors for this project; and

WHEREAS, City staff reviewed the results of the bids received and recommends contracting with Martini Northern, LLC of Portsmouth, NH at a cost of \$200,000 (Two Hundred Thousand dollars) which includes an amount of \$15,000 (Fifteen Thousand dollars) for contingency; and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation by staff to award the contract to Martini Northern, LLC, and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Martini Northern, LLC of Portsmouth, NH to install an emergency backup generator at the Somersworth Wastewater Treatment Facility at a cost not to exceed \$200,000 (Two Hundred Thousand dollars) and take any and all other such actions relative to this project determined to be in the best interest of the City.

Introduced by Councilors

David Witham  
Dale R. Sprague  
Jennifer G. Soldati  
Martin Pepin

Approved  
City Attorney

**Motion:** Councilor Witham moved to suspend the rules in order to act on Resolution No. 22-15 tonight. The motion was seconded by Councilor Tapscott and passed by a vote of 9-0.

**Motion:** Following the second reading of Resolution No. 22-15 by title, Councilor Witham moved to adopt the Resolution. The motion was seconded by Councilor Tapscott and passed by roll call vote of 9 yeas, 0 nays.

Other:

COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE APPLICATION FROM DAVID H. M. BAKER FOR ROUND ROBIN BUILDING LOCATED AT 67-73 HIGH STREET.

City Manager Belmore indicated the application is determined to be complete by Director Sharples. A Public Hearing will be held on January 5, 2015 at 6:40 p.m. He noted that the City Council has 60 days to act on the application.

**Motion:** Councilor Witham made a motion to move this Community Revitalization Tax Relief Incentive Application to Public Hearing on January 5, 2015 at 6:40 p.m. There being no objection from the Council, the motion carried.

COMMENTS BY VISITORS.

Ray Doyon, 41 Davis Street, Ward 4, thanked the City Council for reconsidering the traffic pattern on Constitutional Way. He thanked Councilor Soldati for bringing it up. He thinks everybody will be happier now.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Pepin said that Thanksgiving was quite a day. He thanked all the Public Service people for getting our power back up. He also thanked our public safety personnel from the Police Department, Fire Department, Public Works, and American Ambulance.

Councilor Hebert noted that Chief Crombie has served 40 years on the Police Department and congratulated him on that and said we are very grateful. He wished everyone a good holiday season.

Councilor McCallion said he respects everybody on the Council. There was a proposal made years ago for a one-way traffic pattern in town. He has seen how the community works better having a two-way traffic pattern. He is no longer for the one-way pattern. He does worry about the corner for people turning left onto High Street. He wished everyone a Merry Christmas. He thanked the Parade Committee, especially Beth Poulin, stating the parade was double what it has been the last two years. He was humbled by how many people were out there working.

Councilor Messier thanked Public Service for the great job they did during the Thanksgiving snowstorm and gave a shout out to our Canadian brothers and sisters for their help. He also

thanked American Ambulance, the Police Department, and the Fire Department. He was without power for two days. He also thanked the Parade Committee stating they did a wonderful job.

Councilor Tapscott congratulated Chief Crombie for his 40+ years on the Police Department. He wished everyone a Merry Christmas and to all a good night.

Councilor Witham said the Christmas Parade was a nice event and the route worked out well. It stopped raining at 1:00 p.m. Hats off to the Parade Committee. He was impressed with the ice sculptures. While on a holiday theme, he mentioned that this Friday night the Fire Department is holding their annual Toys for Tots wrapping party beginning at 5:00 p.m. at the Fire Station. It is what the holiday season is all about. Apparently they are still in need of gifts for boys and girls aged 12 to 14.

Regarding the snow storm, Councilor Witham said he was perplexed, initially, by the lack of information coming out of the City. He then reminded himself that City Hall does not have a backup generator, so they cannot communicate through any media if power is lost. He appreciates them looking for other ways to get the word out. There is a critical need to get a backup generator.

Councilor Witham said he is happy to see the sidewalks have been temporarily paved. As a citizen and City Council member, he is still looking for that great project. What we have now is a good project, but when it is completed it will be a great project. The Walmart area is great. There is still pending work to be done in the spring. He would like our City Engineer, Joe Ducharme, render an opinion on two areas of the project: the entry at Walmart, and the transition coming out of Stackpole Road. There is a dip in these areas. He is not sure that transition is what we want.

Councilor Witham concluded by stating that as we enter the new year and as we enter into the budget season, someone will say that the cost implications that are making our budget go up is fixed costs. They often talk about benefits, such as health insurance, workers compensation, insurance in general. He hopes he doesn't hear that this year. They're not fixed costs, they're fixed needs. If we effectively and aggressively manage risk, we can control those costs. He feels the City does a good job, but does not do a great job in regards to managing risk. He challenges the City Manager and Department Heads to do a great job managing risk in 2015 as we deal with tax cap budgets that get ever more tight. We need to be aggressive in our approach.

Councilor Collins said the Christmas Parade was fantastic, the best ever. He and his five sons walked in the parade. His only suggestion would be to have the Idlehurst Chorus go last.

Councilor Sprague said he loves the Canadians for their assistance with our power issues. He missed the parade because he was under the weather but applauds everyone's efforts.

Regarding the storm, Councilor Sprague said he wants to make sure that we understand, as a City Council, from discussion at the goal setting session, that businesses have gone through a lot during the construction project. He finds it unacceptable that the sidewalks are blocked when

there is a storm. We need to make a commitment to the businesses. Snow banks need to be taken care of.

Councilor Sprague wished everyone happy holidays.

ADJOURNMENT.

**Motion:** Councilor Pepin moved to adjourn. The motion was seconded by Councilor Messier and passed unanimously. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

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Diane M. DuBois, City Clerk