

MINUTES OF CITY COUNCIL MEETING

JULY 15, 2013

The meeting was called to order by His Honor the Mayor, and upon roll call vote, the following members were found present: Pepin, Soldati, Hebert, McCallion, Donohue, Tapscott, Witham, Jarvis and Sprague.

MINUTES OF THE PREVIOUS MEETING.

Councilor Witham moved to accept the minutes of the June 17, 2013 City Council minutes as recorded. The motion was seconded by Councilor Hebert and passed unanimously.

COMMENTS BY VISITORS.

Emmett Soldati, Ward 1, said he supports Ordinance No. 18-13, the supplemental appropriation for the purchase of the former police station. He knows the gentleman that purchased the building from the City several years ago and, as sometimes happens, the best plans fall astray. He feels when the building was sold enough was not done to provide a covenant for that property to make sure it would become the center of a revitalized downtown. He feels this is our opportunity to do that. This building is specifically laid out in the Master Plan as the space that can be the hub for economic vitality in downtown. He feels this will be a great cornerstone for the 79-E plan to give incentive to a developer to provide some storefront space to make it the center of downtown. He supports the city acquiring it and trying to put it in good hands.

Mr. Soldati said he is also here on behalf of the Friends of Somersworth organization. They are hosting a very large festival this weekend on Saturday, July 20th. It is called Jakarta Fair and is an Indonesian food street festival. They are expecting a very large crowd. The Indonesian consulate from New York City is coming up as well as several from the Indonesian communities in New York and Boston. This is the first event of its kind in New England. Indonesian groups are very excited that a city is partnering with this community and this cultural group to do this. There will be many vendors and many local organizations there. There will be music, dance, martial art performances and plenty of really good food. He invited everybody to come out. It will be this Saturday from noontime until 6:00 p.m. on Constitutional Way.

Ray Doyon, 41 Davis Street, said he is the Commander of the American Legion Post 69. He is here to bring attention to the Council that the Jakarta Fair, which is a wonderful thing, unfortunately might do some damage to their business if they are going to block off Constitutional Way. They need access to the American Legion Post 69. They have a business, and so does Citizen's Bank. He would appreciate it in the future if he would be notified of such events. The only way he was notified was by the article he read on the front page of the newspaper. He represents the American Legion. He feels the Council should have notified them about an event of this magnitude being held on Constitutional Way. That is their customers only access to the American Legion. He would appreciate it if there could be a way they can be allowed to get into their parking lot.

Mr. Doyon said when the Children's Festival is held, everybody parks in their parking lot and they don't say anything. They help out in a lot of ways and make a lot of donations to people in the City of Somersworth. In the past five years they have contributed at least \$15,000 to the band to keep them going so we can have parades here on Memorial Day. They have given out scholarships to Somersworth High students and they sponsor youth activities in the City.

Mr. Doyon concluded by saying he hopes in the future they will be notified about things like this and that it is not too late to do something for this Saturday.

Real Roseberry, 405 Route 108, said during all the month of June the televised meeting was put on hold. All month the June 3rd meeting was showing. He watched the June 17th meeting on Saturday. He was not happy because he felt when they were voting that one Councilor looked at another Councilor and was dictating with his head how he should vote. He doesn't buy this kind of thing. If they do things like this, he will catch them and bring it out in the open.

Mr. Roseberry said he feels the Council did not like his statement at the beginning of the June 17th meeting about the tax cap. Also he didn't like the way they went about voting for the nominations for the Ethics Commission. He feels that some of the Councilors act as a "team" and he doesn't want to catch them playing games. He doesn't want this to happen anymore. His bond is his word and he feels they are stalling his tax cap. He is watching them.

ANNOUNCEMENTS BY CITY COUNCILORS.

Councilor Hebert said he wished to apologize to the Mayor regarding words that he said regarding the Somersworth Housing Authority. He believes that not only in Somersworth, but in this country, women are looked down upon. After questioning enough, he realized that those on the Somersworth Housing Authority Committee did their best. He does feel that the Mayor should have looked further. He is sorry for what he said, but he was not informed as he should have been. He is now better informed, and unfortunately it is what it is.

Councilor Witham said there was great news in the paper yesterday about the Little League Program in Somersworth. The Little League nine and ten year old All Stars have won the district, which is half of the state. They will be competing for the state title this upcoming weekend. We have a spunky little team and this is just another way we have put Somersworth on the map in a positive way.

COMMUNICATIONS.

LETTER FROM SCOTT CHAMPNEY.

6/13/13

Mayor Matthew Spencer
1 Government Way
Somersworth, NH 03878

Dear Sir,

Due to time constraints, I must resign from the Somersworth Library Board of Trustees. This decision has been made after long consideration. My years on the board have been productive and memorable. There is a very caring and capable group of people steering the library into the 21st century.

Regrettably my resignation is effective immediately.

Scott Champney
322 Tri City Road
Somersworth, NH 03878

LETTER FROM TOWN OF BERWICK, ME BOARD OF SELECTMEN.

Town of Berwick
Berwick Town Hall
11 Sullivan Street
Berwick, ME 03901

July 2, 2013

Honorable Somersworth City Council
Somersworth City Hall
One Government Way
Somersworth, NH 03878

RE: Bridge Utilities

Dear Mr. Mayor and Councilors,

The Berwick Board of Selectmen wishes to thank you all for entertaining the Town's various requests related to interconnection of a variety of utility infrastructure components on the bridge spanning between our two municipalities, which is scheduled for reconstruction in the near future.

We would also like to thank you for authorizing a universal utility sleeve in your right of way through the existing bridge. This consideration and ultimate authorization may go a long way in ensuring Berwick is able to progressively plan for maximum future sustainability of its downtown and beyond, and is very much appreciated. We look forward to working together in years to come.

Very sincerely,

Berwick Board of Selectmen

Bryan O'Connor, Chair
Ed Ganiere
Eleanor Murphy
Bart Haley
Robert Crichton

MAYOR'S REPORT.

- June 18th – Invited to and attended the New Hampshire Charitable Foundation Annual Meeting.
- June 19th – Attended the Traffic Safety Committee meeting.
- June 19th – Invited to and attended the Greater Somersworth Area Chamber of Commerce after hours event at Kennebunk Savings Bank in Berwick, ME.
- June 20th – Participated on the selection panel for the new Somersworth Housing Authority Executive Director position.
- June 21st – Attended the NHMA Board of Directors Meeting in Concord.
- June 22nd – Interviewed by Jeff Chidester for the NH Perspective radio show which is hosted on 96.7 The Wave and WGIR AM 610.
- June 25th – Attended NHMA Executive Committee meeting.
- June 25th – Attended NHMA Communications and Outreach Committee meeting.
- June 27th – Attended the NH Emergency Preparedness Conference in Manchester with the Fire Chief.
- July 11th – Invited to and attended the grand opening ceremony of the new Great Bay Community College campus in Rochester.

REPORTS OF STANDING COMMITTEES.

FINANCE COMMITTEE.

Councilor Jarvis reported this Committee met on 7/10/13 and discussed the following items:

- Approved minutes of previous meeting.
- Reviewed the Somersworth Housing Authority Subordination Agreement regarding the Queensbury Mill Property. A mortgage note dated 9/11/96 was issued as part of a Community Development Block Grant (CDBG) Program. They are looking at a new loan from TD Bank in the amount of \$450,000 to make capital improvements to Queensbury Mill. They require that the loan is secured by a first mortgage. The committee members voted to go ahead with the Subordination Agreement 3-0.
- Reviewed Section 218 Agreement (Election workers and IRS rules). Finance Director Smith reviewed the proposed resolution to exclude up to \$1,600 of election officials and election workers wages from Social Security and Medicare tax. He noted that a recent IRS audit revealed that the City had adopted a resolution to exempt less than \$50/quarter,

but the City had been excluding the maximum. This resolution will authorize the current practice and will be effective 1/01/14. The committee members approved this 3-0.

- Reviewed proposed sale of Surplus Property (i.e., tax deeded real estate property). Three properties were reviewed. After reviewing the three properties a motion was made and approved to sponsor a resolution to sell two of the properties. One of the properties is 425 Main Street, the other is 213 West High Street. The third property, 28 Green Street, is on the agenda this evening for further discussion before any decisions are made.
- Discussed Tax Deeding Process. They looked at listing properties that are subject to a tax deed that they had refused to accept. This includes several manufactured housing units, as well as Breton's Cleaners. The Breton's Cleaners property will be coming up later tonight. A motion was made and approved 3-0 to sponsor a resolution to refuse the tax deed for Breton's Cleaners.
- Reviewed an initial draft of an RFP for architectural services for improvements to Hilltop School.
- Discussed the downtown parking plan and recommendations. They asked for further information on this.
- Councilor Sprague discussed the City investigating the possibility of transferring ownership of a portion of Horne Street to an abutting business. That is a discussion item on the agenda tonight.

PUBLIC WORKS AND THE ENVIRONMENT.

Councilor Sprague reported this Committee met on 7/10/13 and discussed the following items:

- Approved minutes of previous meeting.
- Discussed City of Rochester request for water at Amazon Campground. The Campground is petitioning us to receive water from the interconnection line we have in the Route 16B area. They have some DES Revolving Loan funds they can use to accomplish this. Committee members are in favor of this, but put it on hold for now until we address our water ordinance. We will need to come up with a separate impact fee that would be different than that for users within our City limits.
- Discussed drainage repair projects. The Committee members approved moving forward with two of them, one a culvert on Buffumsville Road which discharges underwater and the pipe is deteriorating, and also a culvert on Maple Street in the vicinity of Brian Street. The headwalls are caving in on this culvert. We may be able to get some FEMA money for this repair. The City has a drainage easement on Down Street which is supposed to be maintained by the resident. In past years they decided to fill in the easement to make the yard look good, now there is water backing up onto Down Street. He is against using City funds to fix a person's problem that they created. He feels the property owner is responsible for this. He wants to have the resident come in and discuss it.
- Reviewed various projects. High Street has been striped. There were a couple of problems when the castings were put in. Some of the bricks were sub-standard and fell in

the manholes and there was a backup up some of the sewer. Brox will be doing repairs. Interstate Drive is done, it has been paved and striped. Everything came in within budget.

- Discussed a foreclosed residence at 46 Pinewood Drive that has a driveway that goes over City property underneath the PSNH power easement. None of the banks will fund the property without an easement from the City. The Committee members were in favor of going forward with this. This has to get done and would not cost us anything.
- Councilor Soldati gave them a presentation about weeds and the use of Roundup for weed control.

GOVERNMENT OPERATIONS COMMITTEE.

Councilor Tapscott reported this Committee met on 7/11/13 and discussed the following items:

- Approved minutes of previous meeting.
- Reviewed City Manager Evaluation Form. It was the consensus of Committee members to utilize the existing evaluation form. All Councilors received City Manager Evaluation Form and he asked that the forms be returned to him in a sealed envelope no later than Friday, 7/26/13. At the end of the 8/12/13 City Council meeting a non public session will be called for discussion of the City Manager's evaluation.
- Discussed City Charter amendments. Discussion with City Clerk who also presented a timeline for the November 5, 2013 election. It was the consensus of Committee members to have Council vote on approving amendments at the 7/15/13 meeting.

Mayor Spencer asked that the Government Operations Committee look into how we fill vacancies on the Board of Library Trustees by the next Council meeting.

REPORTS OF SPECIAL COMMITTEES.

SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this Committee will be meeting this Thursday, 7/18/13, at 6:00 p.m. in Council Chambers. They are especially interested in having anybody from the public come and help them. They are going to be looking at the City's use of pesticides and generally all chemicals and how they are being used on fields, ball fields, parks and sidewalks. They will also be looking at communities that are committed to being sustainable and see what they are doing as an alternative to using chemicals that may be harmful to our children.

SCHOOL BOARD.

Councilor Pepin reported he attended a School Board Meeting on 6/18/13. Mr. Marquis gave a presentation on their curriculum which was very interesting.

COAST BOARD OF DIRECTORS.

Councilor Pepin reported he attended a COAST Board of Directors meeting on 6/26/13, and the following items were discussed:

- The FastTrans Run in Dover is not getting fully funded. There was a press release issued this week that the fares will be going up and there will be a reduction in some routes. He found out this will possibly affect Somersworth residents.
- Also discussed was signage in bus stop stations. They do sell advertisement spaces. Rochester passed an amendment that allows it at their bus stops which offsets the costs that the City pays for bus transportation. He knows it was brought up at a Planning Board meeting here for discussion, but he doesn't know what the outcome was. He asked if Councilor Witham could follow up on this so he can get back to COAST. In a roundabout way, doing this benefits all the surrounding communities, but it doesn't lower the fare for the people riding the bus. Some communities are in favor of it, but many do not favor it.
- He brought up the topic we have talked about here, rail service, at one of the COAST meetings. Some of the grant money given from the New Hampshire DOT is the same grant money that COAST bus goes after. He doesn't think that pot is going to get any bigger.

Councilor Witham spoke about the bus shelter advertisement which was addressed by the Planning Board, stating he is one member of the Planning Board that feels that whatever money they would spend on advertising should stay right here in Somersworth. Provided the money would stay here and would offset our costs, he would be in favor of exploring it further.

Councilor Sprague stated the money for the rail comes from dedicated money from Washington, and it cannot be used for anything else.

CITY MANAGER'S REPORT.

As a preface, the City Manager explained that for every City Council meeting the Councilors receive a packet of information that includes a City Manager's written report, various comments about action items on the agenda, as well as informational items. They also receive a variety of memorandum from various department heads and city staff concerning items that the Council may take under consideration or take action on at the meeting. In addition, it might be fair to say that anything appearing on the agenda has been scrubbed at a Council committee meeting. They go through a lot of research and discussion at City Council standing committee meetings. There is a lot of work done by Councilors in terms of initiatives and moving forward with projects, also moving forward with the City's budget, prior to even appearing on the agenda. The Manager's reports and department monthly reports are available online at Somersworth.com.



TO: Mayor Matthew Spencer and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, July 12, 2013

SUBJECT: City Manager's Report for Monday July 15, 2013
City Council Agenda

6:15 p.m. Public Hearing

Ordinance No. 16-13 Amend Chapter 19, Zoning Ordinance, Section 25 – Definitions
Ordinance No. 17-13 Amend Chapter 19, Zoning Ordinance – Table of Uses, Table 4.A.5
Director Sharples will give an explanation on the proposed changes.

6:30 p.m. Public Hearing

Ordinance No. 18-13 Supplemental Appropriation for the Purchase of the Former Somersworth Police Station.

Unfinished Business (under Section 13 of Agenda)

Ordinances:

- A. Ordinance No. 16-13 Amend Chapter 19, Zoning Ordinance, Section 25 – Definitions.** These changes are recommendations from the Planning Board. The proposed amendments are also aimed at addressing certain goals of the City Council and are consistent with the City Master Plan.
- B. Ordinance No. 17-13 Amend Chapter 19, Zoning Ordinance – Table of Uses, Table 4.A.5.**
See comments noted under Ordinance No. 16-13.
- C. Ordinance No. 18-13 Supplemental Appropriation for the Purchase of the Former Somersworth Police Station.** A two-thirds vote of City Council will be required to pass this appropriation. Should City Council approve the appropriation, further authorization should be provided to move forward with the purchase of this property. This authorization can be approved at the August 15th Council meeting.

New Business (under Section 14 of Agenda)

Resolutions:

- A. Resolution No. 1-14 Authorizing the City Manager to Sell City Tax Deeded Property at 425 Main Street, and 213 West High Street.** The Finance Committee met on July 10th and recommends full Council support. Attached is a copy of the outstanding property taxes due on each property.
- B. Resolution No. 2-14 Election to Exclude Remuneration Paid to Election Officials and Election Workers from the Social Security and Medicare Tax to the Maximum Amount Allowable by Law.** Attached is a memo from Finance Director Smith that explains the rationale for this action, which has the support of the Finance Committee.
- C. Resolution No. 3-14 To Notify the City Tax Collector that the City Council Shall not Accept a Tax Deed on Certain Property Subject to an Unredeemed Tax Lien, said Property Formerly Known as Breton's Cleaners Located at 1 Winter Street.** This is the former Breton's Cleaners contaminated site that is under a NH DES clean up mandate. The City would retain the option to accept this deed at any time.

Other:

- A. Vote to Send Charter Amendments to the November 5, 2013 Ballot.** These recommended Amendments are supported by the Government Operations Committee. They have been reviewed by the City Attorney. State agencies have approved most of the Amendments; we are waiting on their approval regarding the filling of vacancies for City Council and School Board seats.
- B. Vote to Authorize the City Manager to Request Permission from NH Division of Historical Resources to Disturb a Burial Plot at the Forest Glade Cemetery per NH RSA 635.6. and upon Approval to Take the Necessary Steps to Correct a Burial Mistake.** Staff has worked out arrangements with the family to correct this unfortunate mistake. The Cemetery Trustees are in support, however, state law requires the Governing Body to authorize any such disturbance. I have attached a copy of the State RSA.
- C. Vote to Authorize the Mortgage Subordination Agreements Between the City and Queensbury Mill Limited Partnership, and to Subordinate the Mortgage to TD Bank, N.A. and to Authorize the City Manager to Sign the Necessary Documents to Complete this Action.** The Finance Committee met with Somersworth Housing Authority (SHA) officials and their attorney. The Finance Committee supports approval. I have attached a copy of the memorandum from the SHA attorney, Ken Viscarello, Esq.
- D. Discussion Regarding Future Use or Sale of City Acquired Tax Deeded Property at 28 Green Street (Map 10, Block 178), Request of Finance Committee.** Attached is a copy of the property taxes owed.
- E. Discussion Regarding City Use of Chemicals to Include Roundup for Weed Control (City Sustainability Practices), Request of Public Works & Environment**

Committee. Attached is a copy of an article on round-up that was distributed to the Finance Committee at their 7/10/2013 meeting by Councilor Jennifer Soldati.

- F. Discussion Regarding Horne Street, The Possible Public Benefit of Transferring Ownership of a Portion of the Public Way to an Abutting Business, Request of Finance Committee.**

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

A. Informational Items:

- 1. Request for Proposals-Architect/Engineering Services for Former Hilltop School Building.** Attached is a draft Request for Proposal that the Economic Development Committee will review at their July 17th meeting. Pending any further direction, the draft Request for Proposal will be listed on the August 15th agenda for a Council vote so we can move forward with the Request for Proposal solicitation.
- 2. Budgeted Public Works Department Drainage Projects.** Attached is a memorandum from City Engineer Joe Ducharme with the suggested timelines for implementation along with my Memorandum that indicates I will be moving forward with staff on the Maple St. and Buffumsville Rd. projects. This will include specific engineering task agreements with CMA Engineers to complete work such as surveying and wetlands permitting. Actual construction would take place pending FY 2015 budgeting approval for these projects.
- 3. Downtown Infrastructure Bond Project.** Attached is a summary from HTA Engineers of interested bidders to date, as well as the project's bid award timeline. Project construction should start in late summer. I will be asking City Council to waive rules to award contracts at the August meeting: one for a contractor/construction and one for HTA Engineers continued project oversight.
- 4. Human Resource Manager Position.** I have attached a job description that was completed with the assistance of the Government Operations Committee and a Draft employment advertisement. I will be moving forward to fill this position with a projected starting date to be determined sometime around early October, 2013. As you will recall this new position was funded for approximately eight (8) months for this fiscal year; as we move forward it will be funded for the full twelve (12) months of each fiscal year.
- 5. Police Department Grant.** Attached is a copy of a Regional County Grant that was awarded our Police Department in the amount of \$10,153.80. I have approved acceptance of this award for equipment to be purchased under this Law Enforcement Equipment and Technology Improvement Program (JAG Award). I extend our thanks and appreciation to County Sheriff Dave Dubois and his staff as well as to Chief Crombie and his staff for securing these available grant funds.

B. Attachments:

1. City Attorney Certifications (3).
2. Department Head Reports.
3. Employee Newsletter.

Councilor Soldati referred to the informational item regarding the Human Resource Manager Position, stating they had requested that the City Manager research other communities and how they utilize that position. He did do that, but she doesn't believe a review of his composite was ever done by the Government Operations Committee. She asked if they could do that, stating she felt there were a couple of things that were missing that she felt were really positive for other communities.

UNFINISHED BUSINESS.

ORDINANCE NO. 16-13 AMEND CHAPTER 19, ZONING ORDINANCE, SECTION 25 – DEFINITIONS.

Councilor Witham indicated that this Ordinance and Ordinance No. 17-13 are companion documents that allow us to better direct the type of businesses we would like in the downtown urban center either through allowance or exclusions. It is straightforward and in line with what was discussed by Councilors at their goal setting workshop and also in line with the Master Plan. This was vetted through the Planning Board and both ordinance changes did receive the support of the Planning Board.

Ordinance No. 16-13 passed unanimously by roll call vote.

ORDINANCE NO. 17-13 AMEND CHAPTER 19, ZONING ORDINANCE – TABLE OF USEDS, TABLE 4.A.5.

Councilor Witham stated he feels it would be appropriate to pass this tonight and if we want to revisit any areas we can do that at a later date.

Councilor Sprague said he feels we really will need to look at the “motor vehicle service” part of this ordinance. We may need that in the future.

Ordinance No. 17-13 passed unanimously by roll call vote.

ORDINANCE NO. 18-13 SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF THE FORMER SOMERSWORTH POLICE STATION.

Councilor Witham stated he is on the fence regarding this ordinance. It is not about reacquiring this property, he feels that makes all the sense in the world. It is about paying \$60,000 for it.

Councilor Sprague said he would like to get this building back in our hands. He doesn't like the \$60,000 price tag since we sold it for \$1. There were some taxes paid by them and they did do some work, mostly demolition inside. He indicated that a clause should have been put in the agreement about the property reverting back to the City if something wasn't done within a certain time frame. This is the center of our downtown. They could sell this building to someone else, and it is zoned for a lot of different uses that may not be palatable. He feels it is very important for us to get this property back.

Councilor Pepin said he was on the Council when this passed and he agrees that there should have been such a clause in the agreement. At the time, they did have a great presentation from the people that did buy the building. They bought the building in good faith. They were talking about possibly having 50 employees. The Council was hoping to stimulate downtown business. The people who bought the building could not do as they had planned because the bottom fell out through no fault of theirs.

Councilor Pepin said he doesn't like the \$60,000 price either, but he is nervous about what could possibly end up in that building. We're spending \$4M on the downtown to make sure it looks decent and to make improvements to draw businesses back into our community. If we buy this building we have a little bit more control over it. Hopefully we will not make the same mistakes twice. He feels it could cost us more than \$60,000 if we do not buy it.

Councilor Tapscott said he has the same concerns as Councilor Pepin, but he cannot vote to pay \$60,000 for a building that we sold for \$1, especially taking \$60,000 from the Fund Balance.

Councilor Soldati said the \$60,000 price tag really bothered her and she argued for a lesser amount. She is really tired of this Council having to bite the bullet for mistakes of previous Councils. It is unfortunate, but it's reality. She feels that past Councils did not want to make the hard decisions. Once again, this Council finds itself having to make a hard decision, but it is a smart decision. We need to have control over that corner.

Councilor McCallion moved to suspend the rules so Finance Director Smith can answer some questions. The motion was seconded by Councilor Witham and passed unanimously.

Councilor McCallion asked how much in property taxes the entity that purchased this building has paid since they took possession.

Finance Director Smith replied they have paid \$17,762 in property taxes. If the City purchases the building, they may be liable for a small amount of property taxes depending when the closing took place.

Councilor McCallion said he was on the Council when the building was sold. He heard some entrepreneurs come in and talk about the vision they had. He doesn't feel that anybody got duped. They were people that wanted to do something right in the downtown. They already had a business in town, and they came in wanting to invest upwards of \$200,000. We recouped some tax money. There should have been a clause in the agreement reverting the property back to the City if the work was not done by a certain time. He wants to make sure this doesn't happen again. The price is the price, but he feels we need to do this.

Councilor Soldati said she didn't feel that the previous Council was duped, she just doesn't understand selling the building for \$1.00. If they were going to develop the property, then it had value. Selling the property for \$1.00 doesn't make sense to her.

Councilor Jarvis said what's before us is not about what happened previously, what is before us is whether we want to purchase it back for \$60,000 or not. She feels we have to be very careful in being aware of what the cost of the consequences could be if we do not purchase it. They don't have to sell it to us. This is a reasonable level to come in on. Our decision is on whether it is more important for us to eat the \$60,000 now and move forward in a positive manner and continue with the downtown in the way we are going as well as having some control, or take the consequences and make another mistake.

Councilor Donohue said he thinks it is important that we take control of every inch of the downtown that we can because we are investing so much into it. It is a nice building and could be a great spot for a lot of different businesses.

Councilor Witham said there is no question that he would much rather control our own destiny regarding this building. He thinks the building has a lot of potential. None of us likes the \$60,000 price tag. If this project were to come forward to us in a 79-E application he is not sure he would be palatable for the full number of years of tax relief.

Councilor Witham asked the City Manager if we would have some operational expenses to secure the building and possibly heat the building if we decide to purchase it. He asked if staff has looked into what the annual cost would be to maintain the building.

The City Manager said he does not have a number. He has been inside the building, and it is gutted. His opinion is the only expense would be insuring it.

Councilor Pepin said we have sold buildings in the past for \$1.00 previous to his being on the Council. Both Great Falls and Chandler Schools sold for \$1.00. The thought from the Council is if there is an empty building we are not getting tax payments from it, but if someone comes in and revitalizes the building we would then be receiving tax payments. He did vote for selling the building in question for \$1.00 because he thought the outcome would be so much better than it was.

Councilor Sprague mentioned that a 2/3 vote of the Council would be needed for this to pass.

Ordinance No. 18-13 passed by roll call vote of 8 yeas, 1 nay, Councilor Tapscott voting in the negative.

NEW BUSINESS.

RESOLUTION NO. 1 – 14 AUTHORIZING THE CITY MANAGER TO SELL CITY TAX DEEDED PROPERTY AT 425 MAIN STREET AND 213 WEST HIGH STREET.

Somersworth, NH
July 15, 2013

WHEREAS, the City of Somersworth has acquired the following parcels of property through tax deed,

- 425 Main Street, Map 5 Block 1
- 213 West High Street, Map 49 Block 3

and

WHEREAS, after a review of the aforementioned there has been no determined municipal need for the property and it may be considered surplus,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to sell these surplus city properties by any means determined to be in the best interest of the City.

Introduced by Councilors

Robin S. Jarvis
Dale R. Sprague
Jennifer Soldati

Approved:
City Attorney

Following the first reading of Resolution No. 1-14, it was referred to the next meeting.

RESOLUTION NO. 2 – 14 ELECTION TO EXCLUDE REMUNERATION PAID TO ELECTION OFFICIALS AND ELECTION WORKERS FROM THE SOCIAL SECURITY AND MEDICARE TAX TO THE MAXIMUM AMOUNT ALLOWABLE BY LAW.

Somersworth, NH
July 15, 2013

WHEREAS, the City Council of the City of Somersworth adopted a Resolution in March 1978 to exclude from Social Security and Medicare Tax remuneration paid to election officials and election workers less than \$50 per calendar quarter; and

WHEREAS, the threshold for such exclusion is currently \$1,600 per calendar year and is adjusted annually; and

WHEREAS, the City Council would like to exclude remuneration paid to election officials and election workers from the Social Security and Medicare Tax the maximum amount allowable by law,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City of Somersworth elects to exclude remuneration paid to election officials and election workers from the Social Security and Medicare Tax to the maximum amount allowable by law.

Introduced by Councilors

Robin S. Jarvis
Dale R. Sprague
Jennifer Soldati

Approved:
City Attorney

Following the first reading of Resolution No. 2-14, it was referred to the next meeting.

RESOLUTION NO. 3 – 14 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTY SUBJECT TO AN UNREDEEMED TAX LIEN, SAID PROPERTY FORMERLY KNOWN AS BRETON’S CLEANERS LOCATED AT 1 WINTER STREET.

Somersworth, NH
July 15, 2013

WHEREAS, RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed; and

WHEREAS, the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deed on property formerly known as Breton’s Cleaners located at 1 Winter Street, Tax Map/Lot number 11-181A.

Introduced by Councilors

Robin S. Jarvis
Dale R. Sprague
Jennifer Soldati

Approved by:
City Attorney

Following the first reading of Resolution No. 3-14, it was referred to the next meeting.

VOTE TO SEND CHARTER AMENDMENTS TO THE NOVEMBER 5, 2013 BALLOT.

Councilor Tapscott said he hopes everybody votes to approve these proposed charter amendments.

Councilor Witham said in addition to moving these forward to get them in our charter what has also transpired is that state law was revisited, or state law was changed, so this will help to bring

a lot of the charter language into conformance with state law as well. One example of that is that the Charter Commission voted to change the way the names appear on the ballot. It was supposed to be sort of an arbitrary process directed by the City Clerk, however state law doesn't agree with that and is very specific about how names are supposed to appear on the ballot.

Councilor Sprague indicated that 13 questions seems like a lot. He wondered if we could cut them down.

The City Manager indicated the City Clerk sent a memo dated July 13th, 2013 with 13 charter amendments to be voted on as well as a timeline in order for these questions to go to the November ballot. If Council moves forward with these changes, there will be a public hearing. Also, you received a copy of an e-mail that was received this evening at 5:35 p.m. from the City Attorney indicating the section in the proposed charter amendments regarding filling vacancies was not quite clear enough and the State has recommended a change that Attorney Whitelaw concurs with. The e-mail about filling vacancies addresses City Council vacancies, but he feels that filling School Board vacancies needs to be addressed in the same way. Questions 9 and 12 on the City Clerk's memo would revert to the recommendation from the State concurred by Attorney Whitelaw. There is also a recommendation for the City Manager and City Clerk to take the necessary steps to calculate when a second public hearing could be held if the State comes back with other changes.

Councilor Soldati indicated the Government Operations Committee did discuss whether all the questions should be decided with one vote, but they decided that would not be fair to the voters. They should see every change and be able to vote on each one. If the whole thing were voted down, we would be back to square one.

Councilor Tapscott indicated it was also the wish of the Government Operations Committee to have an explanation under each question so the voting public understands the reasons for the changes.

The City Manager added of the 13 questions, 10 are recommended by the state. There are 3 initiatives from this Council, the Ward Boundaries Committee change and compensation for City Council and School Board.

Councilor Tapscott made a motion to approve the proposed charter amendments, including the recent ones received this evening from the City Attorney regarding filling vacancies, and to move it forward to a public hearing. The motion was seconded by Councilor Witham and passed unanimously.

Councilor Witham made a motion that the City Manager and the City Clerk work appropriately to develop a time line for an additional public hearing, if necessary. The motion was seconded by Councilor Tapscott and passed unanimously.

VOTE TO AUTHORIZE THE CITY MANAGER TO REQUEST PERMISSION FROM NH DIVISION OF HISTORICAL RESOURCES TO DISTURB A BURIAL PLOT AT THE FOREST GLADE CEMETERY PER RSA 635:6 AND UPON APPROVAL TO TAKE THE NECESSARY STEPS TO CORRECT A BURIAL MISTAKE.

The City Council voted unanimously to authorize the City Manager to request permission from NH Division of Historical Resources to disturb a burial plot at the Forest Glade Cemetery per RSA 635:6 and upon approval to take the necessary steps to correct a burial mistake.

VOTE TO AUTHORIZE THE MORTGAGE SUBORDINATION AGREEMENTS BETWEEN THE CITY AND QUEENSBURY MILL LIMITED PARTNERSHIP, AND TO SUBORDINATE THE MORTGAGE TO TD BANK, N.A. AND TO AUTHORIZE THE CITY MANAGER TO SIGN THE NECESSARY DOCUMENTS TO COMPLETE THIS ACTION.

Councilor Jarvis explained that there are two undischarged mortgages that the city has, one in the amount of \$307,000 and the second for \$87,000. The notes are non-interest bearing, first payment not due until 2026. The Housing Authority is going forward to try to secure a loan of \$450,000 for capital improvements and other uses for the benefit of the Queensbury Mill Project and the lender is requiring that the loan be secured by a first mortgage. What that means is that they are asking the City of Somersworth to subordinate its two existing mortgages to the new TD Bank loan. It doesn't affect anything in regards to our loans, just that TD Bank would be first in line and we would be second.

Councilor Jarvis moved to suspend the rules to allow the Finance Director to speak. The motion was seconded by Councilor Tapscott and passed unanimously.

Finance Director Smith explained that these are not notes that the City has to pay off, but that the Housing Authority will have to pay to the City of Somersworth beginning in 2026. There is nothing that the City does for the next 13 years, then the Housing Authority begins making payments in 2026 for a period of 30 years. That is his understanding of the situation.

Councilor Witham asked if they will be expanding the footprint or the number of units, or are they just general facility enhancements?

Debbie Evans of the Housing Authority replied they will be doing general improvements.

The City Manager said there would be no additional units and no additional footprint.

Councilor Witham moved to authorize the Mortgage Subordination Agreements between the City and Queensbury Mills Limited Partnership, and to subordinate the mortgage to TD Bank, N.A. and to authorize the City Manager to sign the necessary documents to complete this action. The motion was seconded by Councilor Soldati and passed unanimously.

DISCUSSION REGARDING FUTURE USE OR SALE OF CITY ACQUIRED TAX DEEDED PROPERTY AT 28 GREEN STREET (MAP 10, BLOCK 178). (REQUEST OF FINANCE COMMITTEE.)

Councilor Soldati said she was informed the building at 28 Green Street used to be a dairy. She invites the public to weigh in on any ideas regarding what we might want to do with this property.

Councilor Sprague said three properties came to the Finance Committee that we are taking on tax deed. One of the properties is on Main Street, another is on West High Street. The property at 28 Green Street is in our business district, and also in the historic district. We are making a large investment to our center core downtown. This building is close enough to our downtown that it might be a good spot for a community building. He would like to see if any city departments have any ideas about using this space. If the public has any ideas, the Council would like to hear them also.

Councilor Witham said he saw this on the agenda and drove by yesterday and walked around the property. He is not a building inspector, but there are a lot of needs there. Most of the building is boarded up. There is a cupola on the top, and a retaining wall around the property which somebody painted white a couple of weeks ago. The eaves around the roofline are either rotted or missing and you can see into the rafters in some places. It looks like the building would require lots of work to be able to bring it just to an inhabitable state. In his opinion, the building is blighted. He has a concern of the city taking ownership of properties seemingly left and right. He worries about us having too many properties under our custody that we have to take care of. The former police station seems to be a building that is in a solid state. He doesn't feel sure that we should hang on to the property at 28 Green Street.

Councilor Soldati said her personal view is that it is blighted and it is an eyesore. She doesn't know if we should try to sell it as is and hope somebody can rehabilitate it or if we should level it. The city hasn't collected taxes on this property in years. She feels it would make a very nice park, a center where people can go and enjoy greenery.

Councilor Sprague said the building is not in good shape, but it is a pretty large footprint. A person could probably put 32 apartments in there. He would like to see some ideas. It is close enough to our downtown that he cares about it.

DISCUSSION REGARDING CITY USE OF CHEMICALS TO INCLUDE ROUNDUP FOR WEED CONTROL (CITY SUSTAINABILITY PRACTICES). (REQUEST OF PUBLIC WORKS & ENVIRONMENT COMMITTEE.)

Councilor Soldati said the use of Roundup as an herbicide is widespread in the United States. There has been a lot of research on it and it is highly controversial. The FDA is cautious about it but has not banned it. The city has had the practice for a number of years of spraying it on sidewalks to kill weeds, as do many other communities. We are spraying this to kill weeds on sidewalks when we have many sidewalks we can't even walk on because they are crumbling.

Councilor Soldati asked the citizens of Somersworth if it is worth the risk to them when the jury isn't in on whether the chemicals used in Roundup are safe or not. She doesn't feel the FDA has the interest of the public at heart, but feel that what is good for business is good for America.

Councilor Soldati said the continued rise in the cancer rate in this country is alarming. When children walk on the sidewalk, if something falls out of their mouth they reach down, pick it up, and put it back in their mouth.

Councilor Soldati said she would like this City, as part of our Master Plan and our philosophy of sustainability to do a review of all the chemicals we use in all the places where the public is playing or gathering. We should also take a look at what other communities are doing as an alternative. She would like to see us in the forefront in the state as a sustainable community that takes these things seriously. She has grave concerns for our children. She is very proud of Somersworth taking care of the water problem we had a few years ago. We now have some of the best and safest water in the state. She would also like to see us ahead of other communities in taking a stand against spraying with chemicals that may be harmful.

Councilor Soldati said she would like to urge the Council to minimally ask for a moratorium on the City's use of Roundup on our public sidewalks. She feels this is a really important issue and she hopes the public responds to it.

Councilor Pepin said he has mixed feelings on this. He was brought up on a dairy farm. One thing he did not do is spray chemicals on the crops. The owner of the farm sprayed the crops stating that if anyone was going to get sick it would be him. That person is no longer with us because he died at an early age. He believes it is possible that the chemicals took his life. He doesn't use any chemicals whatsoever on his lawn.

Councilor Pepin said there is also another side to this. Having been a firefighter and involved in hazardous material training, they did discuss pesticides, so he is familiar with a lot of the chemicals that are harmful. Human life is very important to him, but if we do not do something to our sidewalks, the weeds would be overwhelming. Next thing you know the sidewalks would be heaving up. He strongly supports trying to make sure that whatever we are putting down for chemicals is safe for the public. We have to have some type of program to treat our sidewalks. If not, part of the \$4M we are spending on sidewalks would be wasted because the weeds would take over.

Councilor Witham said Councilor Pepin hit the nail on the head. If we do not use a product like this, what is the approach to the weeds? They will cause damage to the sidewalks if left untreated. Aesthetically it is also an issue. If we are not going to use Roundup we need to come up with an alternative. Some communities have tried to burn them using a propane torch, not always with good effect. There are other approaches, but they are problematic as well.

Councilor Witham said he spent time online last night researching Roundup and also read the article Councilor Soldati provided. He worries about us taking a position contrary to others that say it is a safe product. He is not sure we should be the policing agent. He worries about going down that road of banning things that are allegedly safe. He doesn't think we spray the entire sidewalks, just spot treatment of the weeds growing up in the cracks. It is a product that has been deemed safe by the federal government and we use it in a targeted way. He also worries about false public alarm.

Councilor Soldati said in terms of an alternative you could take the \$1,500-\$2,000 that we spend on this per year and set up a green scholarship. You could give that money to a graduating high school senior for the summer and their job would be getting rid of the weeds. She asked the question again, is it worth the risk? She doesn't have a problem questioning our government in terms of their regulatory adeptness. She doesn't believe our government protects us nearly as much as it should, but is driven by the almighty dollar as much as anything else.

The City Manager wanted the Councilors to be aware that he asked Public Works Director Willis and Director of Planning & Economic Development Sharples to do some research. There are some other communities out there that are fortunate enough to have more staff such as environmental engineers and are a little more ahead of the curve as far as looking at these types of issues. We can look at other options and maybe in the meantime if there are any problem areas we can just have them pull the weeds up for now.

Councilor Witham said problem areas that come to mind are Maple Street and High Street, both sides, roughly from Blackwater Road to the Dover line.

DISCUSSION REGARDING HORNE STREET, THE POSSIBLE PUBLIC BENEFIT OF TRANSFERRING OWNERSHIP OF A PORTION OF THE PUBLIC WAY TO AN ABUTTING BUSINESS. (REQUEST OF FINANCE COMMITTEE.)

Councilor Sprague said he is on the Finance Committee and the Public Works Committee and has been hearing for the last couple of years how bad Horne Street is. He has been kicking around the idea of doing away with Horne Street. We would not have to worry about taking care of it and paving it if we sell it. We have one potential buyer that would benefit from it, Cumberland Farms. They are struggling with the size of their parking lot and it is hard getting out of it a lot of times. They are going through a phase where they are looking to expand some of their stores but Somersworth is not one of them because it doesn't meet the size and parking lot needs. When Cumberland Farms gets a fuel delivery, it is just about impossible to navigate through that parking lot. It is a nightmare.

Councilor Sprague said he thought about asking Cumberland Farms if they would be interested in purchasing it for the cost of dead-ending up from Myrtle Street, making whatever provisions that our staff determines would need to be done for the residents of Horne Street. They could then extend their parking lot out over Horne Street. Also, we have some environmental issues out there that were created by them.

Councilor Sprague said during the Council goal setting session the Mayor asked them to look outside the box, so that is what he is doing. Horne Street is in disrepair, but he doesn't see us putting any money into it any time soon. This is another option.

Councilor Witham said he also went to check out Horne Street last night. He thinks this is a very interesting thought. As he drives around the state he sees many Cumberland Farms stores being rehabilitated. Our Cumberland Farms store on High Street is one of the saddest examples in the state and really needs some enhancement. The homes on Horne Street are all on the lower end of

the street so Cumberland Farms could expand their parking lot with minimal impact to the homes. If you are a resident there, it might make the neighborhood more appealing. He feels we should explore this idea further. There could be a lot of benefits.

Councilor Hebert said he lives on Myrtle Street. He doesn't use Horne Street because it is in such bad condition. He uses Pearl Street. He understands about Cumberland Farms having a space issue, but he can't imagine closing off that area. It would be very expensive for us to fix Horne Street. He was always under the impression that Cumberland Farms was slowly going out of business. He doesn't think they would pay to take over that area, however he would agree to the Council looking into this.

Councilor Pepin said he would like to have some input from the people that live on Horne Street.

Councilor Hebert agreed with this.

The City Manager asked if there is anything the Council wants him to do about any of the discussion items that were discussed tonight.

Councilor Sprague said he has some contact information he could hand over regarding Cumberland Farms. He agrees with talking with the residents. He wouldn't agree to anything without doing that first. He feels staff should be directed to talk to residents of Horne Street and to Cumberland Farms.

Mayor Spencer referred this issue to the Public Works Committee.

Councilor Soldati asked that for this year alone we hold the spraying of weeds in abeyance. This will give city staff a chance to look into what other communities do. There are also many resources in the state that could be consulted, such as UNH.

Councilor Witham said he could live with the one year abeyance of the spraying, but we should take that money and allocate it to some other method of weed control to take care of the problematic areas.

Mayor Spencer referred this issue to the Public Works Committee.

COMMENTS BY VISITORS.

Marty Dumont, 73 Crest Drive, said there was great discussion tonight. The beautification of a neighborhood is an important piece. After three years of bringing to the attention of the Planning Department a couple of addresses that he is going to share with Council tonight, he would ask each and every one of you to take a drive by the problem areas such as Mr. Witham does. On 59 Crest Drive, the appearance of the property has been less than stellar, which depreciates the value of the neighborhood. Instead of buying the City garbage bags, they have a large Waste Management bag in the front yard and place their weekly garbage in there until it is filled up. In addition, there is a vehicle that is on jacks and has been for over a year. They are in violation of

the city ordinance. The property at 9 Crest Drive is also in bad shape. We ask you to take a look at these properties and help us improve our neighborhood.

Mr. Dumont added that if you go onto Indigo Hill Road just down the street from CVS, there is a property where the people made a great effort of cleaning up and getting rid of the vehicles, however if you look at it today there are more vehicles than were there before. Based on your conversations tonight, if the Council sees what we see, maybe the Planning Department will get some support from you to enforce some of these violations. Lastly, apparently some of the service stations that work on cars have decided to start accumulating tires again. Water accumulates in these tires which breeds mosquitos. If you are worried about weeds, what do you think the EEE Virus would do? He would suggest making a tour of all those facilities.

Mr. Dumont said 28 Green Street has a lot of history, and a lot of us worked there as kids. He agrees with Councilor Witham's assessment of the property. At one time, they had a strong discussion about this property. He agrees with Councilor Soldati that there is tremendous potential there. He can remember when he was growing up that after school they would go to the back part of the 28 Green Street property and use cardboard boxes to slide down the hill. They didn't have Facebook and texting and cell phones, they had to find things to do.

Ralph St. Hilaire said he is a Trustee at the American Legion. They only found out about the Jakarta Fair two weeks ago when they read the article in the newspaper. They also heard the street might be shut down on Friday night. The Legion has karaoke on Friday nights which is very popular. Also, on Saturday, there might be 3 or 4 cars left in the parking lot, because responsible people are going to leave their cars overnight. They will need access to get out of the parking lot. He feels maybe they should have had this on Elm Street or in the park near the old City Hall. The Legion should have been informed of this and that is not proper. He is here to see if anything can be done about this.

Emmett Soldati, Ward 1, said he stood here in front of the Council on May 6th regarding the times of the Jakarta Festival. He wanted to speak to the businesses on Constitutional Way before deciding the exact times. He approached Citizen's Bank and worked out a schedule of noontime to 6:00 p.m. so they could have access to the bank until noon. They are actually now a sponsor of our event and they support us in full. His co-event organizer spoke with a couple of members of the American Legion who both indicated that the Legion understood the event and knew what was going on. We learned in following weeks that they may have over-represented their authority or had not communicated what was going to happen. Over the last two weeks both he and the co-organizer have gone over to the Legion to speak to several members of the Legion who are Trustees, as well as several businesses around. Last week he met the Chair of the Trustees, William Guilmette, and they had a conversation trying to clear the air. He told Mr. Guilmette they would not be shutting the street down on Friday night. There might be some obstruction, but no blockage. They have also let Mr. Guilmette know they will be beginning their setup at 10:00 a.m. and the final road closure will not be until 11:30 a.m. He said he would inform everyone about this. They hope this doesn't disrupt business.

On a lighter note, Mr. Soldati said the Councilors have all decided they want to invest in the downtown and our historic downtown economy. He feels the thread that runs through the

arguments of why we are willing to spend so much is that we want to turn Somersworth into a place that people want to come to and thrive in and a big key in that is improving our sidewalks, adding bike lanes, the idea of taking back the streets and that downtown is our city. Street festivals are supposed to be disruptive and they are supposed to expose something new to the community. He runs a business on a street that the Children's Festival closes down. When that happens it is by means not their best Saturday, however what the Festival Association does to expose Main Street and bring people to that part of town and see his business, does a service to the community and the general business economy.

Mr. Soldati said when he was talking to the Economic Development Manager Christine Davis, she said when the downtown is done she would love to have a big bike race that encompasses the whole loop of the triangle. He thinks that is a great idea. We would have to shut down a lot of roads. People from all over the region would come and celebrate our downtown. A lot of businesses might have to close for the day, however the long-term benefits would be well worth it. That is the kind of Somersworth we are trying to create. He doesn't mean to discredit any of the businesses that might be affected by the Jakarta Fair, but he thinks they will gain a lot of exposure and will be seen by a lot of people.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Soldati spoke regarding the Jakarta Fair, stating we have the largest Indonesian population in the state. That is why the Indonesian embassy in Washington, DC is aware of our festival. This is a wonderful thing and she is proud of the volunteers that put this together. She indicated that timely communication is critical. She hopes the American Legion will cut them some slack. They love the Legion and the fact they are supportive of the Children's Festival and hope they will embrace this one as well.

On another note, Councilor Soldati wished to convey to the citizens of Somersworth that this is a family oriented city and it is a safe city. There have been newspaper articles and editorials that have tied the horrific death of a child and used that terrible occurrence to create a sensational headline about how unsafe the City of Somersworth is. We are not unsafe. The child abuser who perpetrated that crime had only been here for a few weeks. When there is a murder in a city it does not then mean that city is unsafe or that the city is now in decline. This city spends a lot of money on recreation, on parks, on bringing in wonderful programs for families. They are very proud of that and wish we would get a little more coverage on those events. We wish we would get more coverage on the tremendous work that has been done at Noble Pines. We are almost totally overwhelmed by the number of children and families that come to the Noble Pines to play in the splash park. It is a wonderful thing we have done. We are spending millions of dollars to upgrade the roads and she thinks people are going to be very proud and very happy with the development coming in the next couple of years. She walks the streets alone and she has never felt threatened. One reason she likes this city is because people care about one another.

Councilor Witham wished to dovetail on these comments, stating he was equally taken aback by the tone of the articles in Foster's regarding this incident. One of the editorials read "Toddlers death a tragic indicator of erosion in the community." The editorial further states that "Somersworth used to be a family friendly community where people worked hard." He feels a

great number of people who live in Somersworth work hard, and he puts himself in that category. He was deeply offended by the article. He feels the author of these pieces should do some retraction. Somersworth is a great place to live and work. Every community has things they need to work on. We are dealing with a boatload of issues because we want to improve our community.

Councilor Witham said regarding the closing of the road for the Jakarta Fair, it has only been recently that the Council has been involved with the closure of roads. It has been handled in the past by the City's Licensing Board which consists of the Mayor, City Clerk and Police Chief.

Councilor Witham said he experienced the Noble Pines firsthand over the 4th of July weekend. He is president of Babe Ruth and they hosted the district tournament at the Pines. There were teams there from most towns in the greater Seacoast area. He heard from many people about what a fabulous area it is and a fabulous place to watch a game. They were also impressed with the splash pad and felt they should have one in their communities. We put our best foot forward with some of the improvements there, it just takes getting people here to see what we have.

Councilor Witham said when he ran for Council one of his biggest goals was to change the image of Somersworth.

Councilor Sprague said he has not been down Crest Drive recently, but he is very aware of the Indigo Hill Road property. That should definitely be looked into.

Councilor Sprague said it is too bad about the communication issue with the American Legion. Their business can still be open, the access will be different. Hopefully there will be better communication in the future.

Councilor Sprague said he did not read the articles in Foster's about Somersworth, but he heard about them. He chooses to get his news elsewhere, because he wants accurate news. The citizens of Somersworth should be offended by this. Why they would continue to read this newspaper is beyond him.

ADJOURNMENT.

Councilor Pepin moved to adjourn. The motion was seconded by Councilor Tapscott and passed unanimously. The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Diane M. DuBois, City Clerk

