

# MINUTES OF CITY COUNCIL MEETING

JUNE 3, 2013

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

## MINUTES OF THE PREVIOUS MEETING.

### MINUTES OF 5/20/13 CITY COUNCIL MEETING.

Mayor Spencer indicated there is a typo on page 11, 4<sup>th</sup> paragraph, the spelling of “Mane” should be corrected to “Maine”.

Mayor Spencer indicated that on page 30, under the Nonpublic Session, the first paragraph should read “There was a motion by Councilor Witham, which was seconded by Councilor Tapscott, to go into non-public session *in accordance with RSA 91-A:3, II(d) regarding consideration of the acquisition of personal property*”. Also, the second paragraph should read “*The Council discussed the possible purchase of the Grant Building (old police station).*”

Councilor Pepin moved to accept the minutes as amended. The motion was seconded by Councilor Witham and passed by a vote of 7 yeas, 1 abstention, Councilor McCallion abstaining.

## COMMENTS BY VISITORS.

Marty Dumont, 73 Crest Drive, said he is here tonight as a Somersworth Housing Authority (SHA) Commissioner. He was made aware of some concerns when Mayor Spencer made his last appointment to the Commission. He can understand the sentiment of some people because the person appointed lives in Berwick, ME. Having some history on the Commission, whether what happened in the past is right or wrong isn't up for discussion. His opinion is that the Mayor has taken a position that rather than picking someone who has a great personality and gets along with everybody, he is actually looking at resumes and qualifications. He knows of at least two other people the Mayor interviewed who ultimately decided they were not able to commit to the time required to serve on the Commission. The young lady the Mayor appointed grew up in Somersworth and graduated from Somersworth schools. More importantly, the qualifications that she brings to the Commission are such that he believes that if she had been on the Commission prior to the worst event in their history it probably could have been prevented. She has been trained in “forensics accounting”. Having the opportunity of serving with her in one meeting, she has demonstrated a degree of knowledge in accounting/auditing. In his opinion the Mayor made a very smart decision in evaluating the qualifications this young lady brings to the Commission. He respects the Mayor's position that he is looking for people who can help the SHA avoid the pain and

embarrassment they suffered over the last couple of years. He supports the Mayor in his appointment, and he looks forward to working with the young lady in question.

## COMMUNICATIONS.

### LETTER FROM DAVID G. EASTMAN.

May 09, 2013

His Honor Mayor Matthew Spencer,

This letter is to affirm my resignation from the Board of Trustees of the Forest Glade Cemetery. The date of my resignation is to be June 01, 2013.

I have been a member of the Board since 1992, a total of 21 years, also Chairman for the past 12 years. I am 92-1/2 years old.

My work with the Trustees over the years has been most pleasant, and this includes the executives and executive assistants of the Somersworth Public Works.

Copies of this letter will go to Somersworth Public Works and also to the members of the Board of Trustees.

Most sincerely,

David G. Eastman

### MAYOR'S REPORT.

- May 22<sup>nd</sup> – I was invited to sit in with the SHA Board of Commissioners, Board of Directors for Early Learning Center and the Somersworth Youth Safe Haven collaborative meeting. The SHA Commissioners are requesting a meeting with the City Council in late September of this year.
- May 24<sup>th</sup> – I was invited to attend a Memorial Day ceremony at the Somersworth Middle School with fellow veterans and first responders. It was great seeing a number of the School Board members there. It shows how committed they are to the students of Somersworth schools.
- May 24<sup>th</sup> – I was invited to observe the Change of Command at the Portsmouth Naval Shipyard (PNS). I want to take this time to thank not only the active duty Coast Guard, Navy and Marine Corps members, but also the civilian shipyard workers, many of whom live in Somersworth, on a job well done. The PNS is not only the gold standard in the United States for shipyards, but is the international standard. Thanks to the civilian shipyard workers who not only deliver a submarine under budget, but most of the time days before the scheduled date of completion. My grandparents worked at the shipyard during WWII, so the shipyard is very important to me. All the shipyard workers from Somersworth

and the surrounding communities – I salute you for the great work you are doing at the shipyard. Bravo Zulu!

- May 27<sup>th</sup> – I attended the Memorial Day ceremonies at five cemeteries within Somersworth with City Councilors Tapscott and Witham. Also, I walked in the Memorial Day parade with Councilors Witham and Sprague.
- May 28<sup>th</sup> – I attended NHMA Communication/Outreach Committee in Concord.
- May 30<sup>th</sup> – Attended the Strafford Regional Planning Commission (SRPC) Annual luncheon meeting. We had a great representation from the city in attendance: Councilor Tapscott, SRPC Commissioners Bill Connor and Paul Robidas, City Manager Bob Belmore, Director of Planning and Community Development Dave Sharples and the Economic Development (ED) Manager Christine Davis. The City was chosen to receive the 2013 Award for Excellence in Planning.
- June 3<sup>rd</sup> – Attended the Skyhaven Airport Advisory Committee meeting with ED Manager Christine Davis. There will be an event held at the Airport on Saturday June 8<sup>th</sup>, with a rain date of Sunday June 9<sup>th</sup>, called “Wings and Wheels”. The event opens at 10:00 a.m. and ends at 2:00 p.m. Registration and admission is a donation to Gerry’s Food Pantry. Also, monetary donations or grocery store gift cards will gladly be accepted.
- Thank you to all the residents who expressed to me the recent SHA Commissioner appointment was the right person for the position.

Mayor Spencer read the following 2013 Award for Excellence in Planning that was presented to the City at the SRCP Annual luncheon meeting:

#### 2013 Award for Excellence in Planning

The 2013 Excellence in Planning Award is given to the City of Somersworth. It is easy to smile when thinking about the City of Somersworth – a city awash with civic pride and enthusiasm for their community. It is a great pleasure to present this award to Somersworth.

Every year we look at the multiple aspects engendered in successful municipal planning, knowing that it is a journey, a commitment of political will, a vision encompassing several generations, and the financial wherewithal to make it happen. When other municipalities over the last five years have found reasons to delay planning and building for the future, the Somersworth City Council, Planning Board, and other Boards and Commissions, continued to move forward with their plans to build a 21<sup>st</sup> century downtown, schools, bridges, and government services that will continue to meet the evolving needs of the citizens and businesses of Somersworth.

- During the course of two decades, and several sets of national and regional financial ups and downs, the City Council and City Administration have stayed focused on downtown revitalization – believing that it could happen and that it would happen. Putting the pieces in place to make it a reality takes courage and fortitude.

- Looking back to 2001, the City embraced SMART Growth principles with its decision to relocate City Hall in the downtown through the opening and rehabilitation of the Bank Building. This building was originally designed in the International style, and is now structured to meet the needs of an open government in the digital age.
- In 2002 the City was designated a Main Street Community to continue the focus on the revitalization of the downtown through support of local businesses and community events.
- From 2005 through the present, City staff has received yearly Certified Local Government grants to develop a comprehensive survey of all the properties in the Somersworth Historic District – the largest in NH with over 300 properties.
- In 2009 the City received a competitive NHDOT Transportation Enhancement Grant for downtown streetscape improvements.
- And in a funding tradition that is coming to a conclusion, the City received an appropriations request – an earmark from the NH Congressional Delegation for \$500,000 – to rehabilitate the Route 9 Bridge on the Salmon Falls River.
- Moving forward with the other financial instruments, the City Council voted to issue up to a \$4.5M bond for the downtown to upgrade utilities, reconstruct roads, and widen sidewalks, with the goal of making the downtown a vibrant focal point and economic engine of the City – a livable, walkable community.
- Somersworth also has improved their public recreation facilities – such as Noble Pines Spray Park and Pavilion, and is gradually updating the landscaping of City properties.
- The City received State Department of Resources & Economic Development approval for the creation of two Economic Revitalization Zones.
- And in February, 2013 the City Council adopted RSA 79-E, the Community Revitalization Tax Relief Program, and has approved its first ongoing project.
- In other aspects of preparing for downtown revitalization, the City Council created a Vision 2020 Committee with the goals of improving the community image, working towards excellence in education and municipal services, and creating a greater sense of quality of place.
- In 2010, the Planning Board and Vision 2020 Committee updated the City’s Master Plan creating the following vision: *Somersworth will be a vibrant and highly sought after community in which to live, work and play that celebrates its history, culture, diversity and industrial roots.*
- Somersworth was one of the first municipalities to implement Low Impact Development regulations in New Hampshire.
- Dave Sharples, Director of Planning and Development Services, received the 2012 Source Water Protection Award from NH Department of Environmental Services for his professional efforts in water resource policy at the local and regional level.
- Additionally, Somersworth was recognized as a key partner in the Salmon Falls Watershed Collaborative that received the U.S. Water Prize in 2012 from the U.S. Water Alliance.

- The Division of Economic Development and Planning was reorganized to create an Economic Development Manager to be a liaison between the business community and local government with Christine Davis ably filling this position.
- The entire development process was reviewed and streamlined to avoid unnecessary delays in permits while insuring protection of the public safety and welfare.
- Finally, Somersworth has been an active member of the Technical Advisory Committee, Executive Committee, and Policy Committee. Always appreciated!

Congratulations City of Somersworth on your successes, and our best wishes for the next phases of your planning journey toward your vision – *a vibrant and highly sought after community in which to live, work and play!*

#### REPORTS OF STANDING COMMITTEES.

##### FINANCE COMMITTEE.

Councilor Jarvis reported this Committee met on 5/30/13. Following the approval of the minutes of the last meeting, the following items were discussed:

- Reviewed the budget transfer ordinance which is on the agenda tonight. They made a motion to support the ordinance.
- They reviewed the revised building permit fees. They had discussion regarding the fees, and Director Sharples will be going over some recommendations from the Finance Committee. They looked at where the fees are today and where we want to go with them and how they compare to other towns. They definitely need to be updated.

##### PUBLIC SAFETY COMMITTEE.

Councilor Witham reported this committee met on 5/23/13. In addition to committee members, in attendance were City Manager Belmore, Fire Chief Hoyle and Police Captain Kretschmar, as well as Paul Robidas from American Ambulance who will regularly attend these meetings to maintain continuity with that service.

Following the approval of the minutes of the 4/30/13 meeting, the following items were discussed:

- Discussion on the approval to purchase a Brush Fire Truck for the Fire Department. The Fire Department achieved about \$12,000 in savings in the acquisition and outfitting of a new command car, which is still a work in progress. That was due in large part to some grant funding through the State of NH. The Committee had previously allowed the Fire Chief to use that \$12,000 savings to buy a used pickup truck for a forestry vehicle because the current forestry vehicle is too big and the Department would be better served in using that as just a utility vehicle. After several months and looking at many vehicles under \$12,000 the Fire Chief and staff determined there was no such vehicle, however they stumbled upon a used 1988 Humvee that had been rebuilt in 1998 as a forestry unit and has

been in service since by the Harrisville, NH Fire Department. Both the City Mechanic from Public Works and a Department staff member went to check out the truck and to test drive it and found it to be in very good shape. The Town was asking \$10,000 for the unit, however the Chief knows they will take less as it does require some minor engine work. After some discussion, the Committee voted 3-0 to authorize the Fire Chief to pursue purchase of the used brush truck from Harrisville, NH. A new forestry vehicle is in the CIP in several years, so this will buy us some time until we can get to that point.

- Ambulance Radio Frequencies – Mr. Robidas noted this is one of only a few lingering issues to firm up prior to the switch to American Ambulance for service in late June. While some Committee members had some strong feelings that the ambulance frequency should be the current fire frequency, the Committee left the decision to City staff.
- Miscellaneous – Ambulance Service Transition – Both Manager Belmore and Mr. Robidas updated the Committee on various matters related to the transition in ambulance providers.
  - Transition from AMR to American Ambulance will be at noon on 6/27/13.
  - Mr. Robidas is working with AMR to have City grant-funded radios returned from AMR to be used by American Ambulance. This includes both portable and mobile units.
  - Mr. Robidas noted that he coordinated a meeting with fire, police and hospital staff to discuss protocols for handling untimely deaths. The consensus was that the meeting was very helpful.
  - Mr. Robidas noted that American Ambulance will be holding an open house at their Route 108 facility on 6/01/13 from 12 Noon to 4:00 p.m.

#### REPORTS OF SPECIAL COMMITTEES.

##### BUILDING TRADES TRUST.

Councilor Pepin reported he attended a Building Trades Trust meeting on 5/21/13. Dr. Chamberlain is retiring this year, and they met the new person that will be taking her place. Mr. Flanagan is leaving also, so they met the person that will be taking his place also.

##### SCHOOL BOARD.

Councilor Pepin reported he attended a School Board Meeting on 5/21/13 at 7:00 p.m. They did approve accepting Barrington students starting in July, 2015.

##### COAST BOARD OF DIRECTORS.

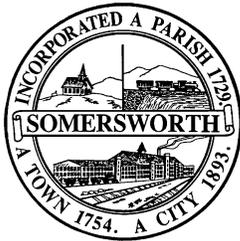
Councilor Pepin reported he attended a meeting of this Committee on 5/22/13. They discussed Dover Route 33. They are still in negotiations with Dover to see if they can get funding for that.

Councilor Witham asked Councilor Pepin if he conveyed to them the fact that Somersworth funded COAST at last year's amount, and if that will affect our service.

Councilor Pepin said as it stands right now it will not affect our service. Our route is very popular. Route 108 has a lot of medical offices that people need to get to. He doesn't feel there will a change in the route.

Councilor Pepin indicated other routes would probably be affected.

CITY MANAGER'S REPORT.



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

**TO: Mayor Matthew Spencer and City Council Members**

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

**DATE: Friday, May 31, 2013**

**SUBJECT: City Manager's Report for Monday, June 3, 2013**  
**City Council Agenda**

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**6:00 pm Workshop on former Hilltop School building with the Friends of Somersworth**

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***Unfinished Business (under Section 13 of Agenda)***

**Ordinances:**

- A. Ordinance No. 13-13 Amending Chapter 4, Personnel Rules and Regulations.** As previously reported, the Finance Committee reviewed my recommendation and supports this action. Non-Union employees have been paying 12% of their Health Insurance premiums over the last year as have the Water and Wastewater Union employees. At some point Council should consider increasing the Health Insurance buyout to match the recent increases to Union Labor Agreements.

**Resolutions:**

- A. Resolution No. 32-13 Authorize City Manager to Amend the Lease Agreement with New Cingular Wireless PCS, LLC of Norcross, GA.** As previously reported, the City presently has a lease that allows for 6 antennas; this amendment allows the placement of 3 additional antennas. Attorney Mark Beliveau, Special Counsel to the City, reviewed and approved the lease language at Cingular's expense. Cingular offered to pay the City \$250 more per month which I negotiated up to \$425 per month (\$5,100 yr.). The Finance Committee has reviewed this proposal and recommends passage.

***New Business (under Section 14 of Agenda)***

**Ordinances:**

- A. Ordinance No. 14-13 Amend Chapter 13, Police Offenses, Section 3.3 One Way Streets, Section 3.4 E. Right on Red (Prohibited), and Section 3.D No parking anytime.** These are recommendations being proposed from the Traffic Safety Committee. Please review the attached reports from the Police Department.
- B. Ordinance No. 15-13 Transfer Between Departments.** Please see the attached memorandum from Finance Director Smith. The Finance Committee has reviewed this recommendation and supports its passage. This is an annual housekeeping action item: that is, the City Charter allows the City Manager to transfer funds within a Department, however it takes Council action to transfer funds between Departments. This transfers \$15,000 from the Contingency Fund and places \$5,000 into the Public Works Department appropriation and \$10,000 into the Fire Department appropriation.

**Other:**

- A. Adopted FY 2014 Budget: Discuss Increasing The Use of Fund Balance Revenue (Councilor Tapscott).** Please see the attached Memorandum regarding the present Fund Balance available as it relates to the City's Fund Balance Policy and the projected impact on the tax rate should Council decide to use more Fund Balance. If this is Council's preference, I suggest a motion to authorize the City Manager to use a specific amount of Fund Balance as additional Revenue in the Fiscal Year 2014 Budget. This would allow this allocation to occur when the City is required to update its Revenue projections with the State Department of Revenue Administration on September 1<sup>st</sup> as part of the paperwork submittals for the State DRA Tax Rate setting process.

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

- A. Informational Items:**

1. **Recreation Grant.** I have authorized staff to submit a Land and Water Conservation Fund Grant application for the revitalization of the Mast Point Dam recreation area, (see attached letter).
2. **Noble Pines Celebration.** The Mayor and City Council are invited to the Thank-you barbeque celebration at the Noble Pines Park on Wednesday, June 12<sup>th</sup> at noon.
3. **Non Public Session.** I would ask that you consider a non public session this evening to discuss what we discussed at the last meeting, the acquisition of private property. I have more information and feedback to give to Council.

**B. Attachments:**

1. City Attorney Certifications (2)

Councilor Sprague moved to add a couple of items to tonight's agenda, under new business, other, as follows:

- B. Discuss downtown TIF District in relationship to downtown improvements.
- C. No Parking from Monday to Wednesday, 6/3 through 6/5 out on High Street.

The motion passed unanimously.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

ETHICS COMMISSION.

- Arvid "Jim" Wiggin
- Brian Gauthier
- William Guilmette
- Philip Munck
- Kirsten Larsen Schultz

The Mayor indicated the first two names were recommendations made by Councilors Pepin and Tapscott, and the other three names are people who said they would be interested in serving.

The Mayor added that per City Charter the City Council appoints members of the Ethics Commission. The names listed are merely suggestions and the Council can make recommendations or changes.

These nominations will lay on the table until the next regular meeting.

UNFINISHED BUSINESS.

ORDINANCE NO. 13-13 AMENDING CHAPTER 4, PERSONNEL RULES & REGULATIONS.

Councilor Jarvis noted that this Ordinance reflects a 2% wage increase for the non-union wage schedule in the personnel plan and it also affects the water and wastewater union. Right now there are 19 non-union employees, 12 of which are in the water/wastewater area. After a review of the ordinance the Finance Committee recommended approving it.

Ordinance No. 13-13 passed by roll call vote of 8 yeas, 0 nays.

RESOLUTION NO. 32-13 AUTHORIZE THE CITY MANAGER TO AMEND THE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC OF NORCROSS, GA.

Councilor Jarvis reiterated what the City Manager spoke of, that Cingular Wireless wanted to add three new antennas to their lease, taking them from six to nine, and they will be paying more monthly rent. The Finance Committee felt there was no reason not to accept this.

Resolution No. 32-13 passed by a vote of 7 yeas, 1 nay, Councilor Witham voting in the negative.

NEW BUSINESS.

ORDINANCE NO. 14-13 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.3 ONE WAY STREETS, SECTION 3.4.E RIGHT ON RED (PROHIBITED), AND SECTION 3.D NO PARKING ANYTIME.

Somersworth, NH  
June 3, 2013

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 3.4.E Right on Red (prohibited), by deleting the following:

- Southbound traffic on High Street at the intersection of Blackwater Road.
- Northbound traffic on High Street at the intersection of Indigo Hill Road.

Amend Chapter 13, Police Offenses, Section 3.3 One Way Streets, by adding the following:

- Main Street for northerly traffic only between Station Street and Market Street.
- Constitutional Way for southerly traffic only between High Street and Washington Street.

Amend Chapter 13, Police Offenses, Section 3.D No Parking Anytime, by adding the following:

- Otis Road on the westerly side, an area 230 feet in length, beginning 500 feet north of West High Street.

This Ordinance shall take effect upon its passage.

Introduced by Councilor

Brian Tapscott

Approved

City Attorney

Councilor Sprague moved to waive Council rules in order to have a second reading of this Ordinance tonight. The motion was seconded by Councilor Witham and passed unanimously.

The City Clerk read Ordinance No. 14-13 a second time, by title only.

Councilor Sprague said it is his opinion that we need to amend part of this Ordinance. According to the traffic survey report done by Sgt. Duval, he ascertained moving back the “turn left” area coming down High Street and going on to Blackwater Road. If that is going to be done, we will need to go out and identify where those loops are since they will be paving that road next week and let the people that will be doing the work know about it.

Councilor Sprague also said he feels the part of the Ordinance changing Main Street for northerly traffic between Station Street and Market Street to one-way is premature. During the construction, people coming from Maine are going to want to go down that road to avoid the construction. It would make sense to not add this in right now, but to do it at the end of the project.

Councilor Witham said he agrees on both points made by Councilor Sprague. He applauded Sgt. Duval for the thorough report he did on that intersection. The recommendation to move back the stop bar for northbound traffic on High Street makes a lot of sense to allow for more room for tractor trailer trucks to make the turn to go southbound on High Street.

Councilor Witham referred to Councilor Sprague’s comments that they would be putting down detection loops before they pave in the area that has been scarified.

Councilor Witham said he agrees with making Constitutional Way one way sooner rather than later. There seems to be no reason to delay that. He agrees with Councilor Sprague that there is no benefit to making Main Street between Station Street and Market Street one way at this time.

Councilor Witham noted the issue of Otis Road and the proposed “no parking” area stems from our concern at the last meeting. Areas of Otis Road have become concerning to him. There are often rubber tracks in the road, the edge of the roadway is wearing away, they have had issues with some homeowners taking down enormous amounts of trees. If there is an area for targeted police enforcement, maybe this is it. He is not sure how he feels about this no parking area. One of his concerns is all of a sudden we will have a bunch of no parking signs on what is otherwise a scenic road.

Councilor Witham said he feels that lumping all these ordinance changes into one is “muddy”. They all are their own individual issue, and he would suggest that in the future matters such as this be handled separately.

Councilor Witham made a motion that the bullet point concerning Main Street for northerly traffic between Station Street and Market Street become one way be omitted. The motion was seconded by Councilor Sprague.

Councilor Witham also moved that the reference to no parking anytime on an area of Otis Road be struck in its entirety. The motion was seconded by Councilor Sprague.

Councilor Soldati said she agrees with Councilors Sprague and Witham. She feels when you are making changes to different parts of the City each one should have its own ordinance.

Councilor McCallion agreed we should have a public hearing. He knows that time is of the essence with the construction, but there may be some changes if we have a public hearing. Right now, this feels like we are rushing something, and these items should all be separate.

The amendments to Ordinance No. 14-13 passed by a vote of 8 yeas, 0 nays.

Ordinance No. 14-13, as amended, passed by roll call vote of 7 yeas, 1 nay, Councilor McCallion voting in the negative.

ORDINANCE NO. 15-13 TRANSFER BETWEEN DEPARTMENTS.

Somersworth, N.H.  
June 3, 2013

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 6.7 (D) of the City Charter, the following General Fund unencumbered balance transfer be made:

<u>DEPARTMENTS</u>	<u>FROM</u>	<u>TO</u>
ELECTED LEADERSHIP		
CITY MANAGEMENT		

FINANCE AND ADMINISTRATION		
DEVELOPMENT SERVICES		
POLICE		
FIRE		10,000
PUBLIC WORKS		5,000
CAPITAL EXPENSES		
OTHER EXPENSES ( <i>CONTINGENCY</i> )	15,000	
INTERGOVT ASSESSMENTS-COUNTY TAX		
SCHOOL DEPARTMENT		
	_____	_____
TOTAL GENERAL FUND	15,000	15,000

This ordinance shall take effect upon its passage.

Introduced by Councilors

Robin S. Jarvis  
Dale R. Sprague  
Jennifer Soldati

Approved:

City Attorney

Councilor Jarvis moved to suspend the rules to have a second reading of Ordinance No. 15-13. The motion was seconded by Councilor Hebert and passed unanimously.

Following the second reading of Ordinance No. 15-13 by title, Councilor Jarvis indicated this is a housekeeping item. The Finance Director explained he has been as conservative as possible in estimating final expenditures, but these two areas were very close and we would be more comfortable with these amounts.

Councilor Witham asked the City Manager if these transfers are related to overtime.

City Manager Belmore replied there are no real issues in Public Works, but recall is driving it in the Fire Department.

Ordinance No. 15-13 passed by roll call vote of 7 yeas, 1 nay, Councilor McCallion voting in the negative.

ADOPTED FY 2014 BUDGET: DISCUSS INCREASING THE USE OF FUND BALANCE REVENUE (COUNCILOR TAPSCOTT).

Councilor Soldati said she voted against passing the budget at the last meeting because it brings our tax rate to over \$30 per thousand. She wondered if we can go back to the fund balance and try to offset that. She would like to see the tax rate under \$30 per thousand.

Councilor Soldati talked to City Manager Belmore about this. He responded that we can keep taking money from the fund balance and offsetting our tax increase, but we have to look at that the next year.

Councilor Soldati said she would like to put off this discussion and hear what Councilor Tapscott had in mind.

Councilor Pepin talked to Councilor Tapscott, and basically he is looking at taking \$250,000 from the fund balance and putting it towards the budget. He would be in favor of doing that. What he was mainly concerned about was he doesn't want to put the City in a bad position again. That is his concern. He would not approve anything above \$250,000.

Councilor Sprague said he is all for putting off the discussion until the next meeting also, but if you start to run your operating budget with these funds, you're creating a hole that you are not going to be able to fill in later, especially with a tax cap looming.

Councilor Sprague said he would have liked to have put some money from the fund balance into the contingency fund to get that to a higher benchmark, then if we do not use it it reverts back into the general fund. That would have been his tactic, but it was shot down.

Councilor Jarvis said she would also like to put off the discussion until the next meeting. We need to get a better understanding of how this would affect us. Also, going forward in regards to the tax cap, what moving this money would do for us next year, pro or con. It might come back to bite us.

Councilor Witham echoed those comments. If this somehow creates a perceived lower tax rate because we arbitrarily offset the revenue side of the ledger, he wonders what that would do in terms of our threshold in terms of the tax cap. Therein lies a very big question.

Councilor Witham added that we are already using a fair amount of our fund balance on the revenue side of the ledger. If we weren't using any already, he might be more open to this idea. We are already using a significant chunk of fund balance.

Councilor Witham said he is fine with putting this off until the next meeting, although he doesn't think his position will change. He doesn't feel that it would be fiscally responsible.

Councilor McCallion said it was disheartening to not be here to vote on the budget, but he was out of state for work. We have worked very hard to build that savings account. If you look at where we were eight years ago and where we are now, we have cleared up a lot of our Enterprise Fund issues that we had. He would not be happy using this money to bring the tax rate down, however he will not be happy with a tax rate of over \$30 per thousand.

Councilor Soldati commented that if one of the Councilors who voted for the budget would ask for reconsideration, the Council could perhaps do some more cutting. She would be happy to do some more cutting on our appropriations. She is hoping that someone who voted in favor of the budget will ask for reconsideration at the next meeting so we can get this tax rate below \$30 per thousand.

Mayor Spencer noted that according to Robert's Rules of Order it states that only during the same meeting at which a vote was taken or the next legislative session can a request for reconsideration occur.

#### DOWNTOWN TIF DISTRICT.

Councilor Sprague stated he has a question about the TIF District, wondering how we define our TIF District. In Durham, the assessed values in the TIF District are frozen at that point in time and he wonders if that is how it works in Somersworth. In the process of improving our downtown, a lot of property assessments will probably be higher because of the improvements. He wondered if the difference will be put towards the bond we will be incurring for the construction.

City Manager Belmore replied that we do not have a TIF District yet. There was money proposed in our budget one year to hire a consultant to develop a plan, and the money was cut. There is a separate board that oversees a TIF District.

Councilor McCallion commented that what we adopted recently was 79E, which is the Community Revitalization Tax Relief Program. The TIF Program is the big picture.

Councilor Sprague said he understands the difference between 79E and the TIF District. He was under the assumption that we had a TIF District. Councilor Sprague had several questions about TIF Districts.

Councilor McCallion indicated TIF Districts will be on the agenda at the next Economic Development Committee meeting.

Councilor Sprague said he was under the impression that we waived the rules at our last meeting so the gas company could work on the streets at night, however that didn't happen. He is wondering what happened. This was done to benefit the businesses.

Councilor Soldati said that was correct, there was supposed to be night work. Her understanding was that they started to do night work, then they hit ledge. Last week the businesses were told there would be no parking on High Street this week but that people could park on Constitutional Way. Two of the businesses chose to close today, however it was raining this morning and the gas company didn't work. One of the businesses is going to close every Monday in June. The businesses are trying to adapt to the parking situation because of the construction, but they are losing business.

Councilor Soldati said she doesn't know what happened to the night work.

City Manager Belmore indicated that all construction is "weather permitting".

Councilor Witham moved to suspend rules to have the Public Works Director address Council. The motion was seconded by Councilor Sprague and passed unanimously.

Director Willis indicated that Unitil was going to work today. When they arrived at 7:00 a.m. this morning it was raining. They hung around for about 2 hours, then checked the forecast, and decided not to work today. He expects they will be here tomorrow morning at 7:00 a.m. to resume work in front of 69 High Street moving southward, and to continue that work throughout the rest of the week. There will be some traffic pattern changes that will be instituted tomorrow.

Councilor Sprague said this is the kind of work he does, and he puts on rain gear and works in the rain. He doesn't know what the problem is. If you say you are going to be there on certain days and you are putting businesses out then you should be there. It is bad business on our part to allow them to do that.

Director Willis said the first night they were scheduled they worked in the rain, however the second night they encountered ledge.

Councilor Sprague asked Director Willis to relay a message to them – that the City waived their trench compaction test but we can go and do tests whenever we want. He would like to see that work done immediately or all bets are off. You cannot have both ends of the cake.

City Manager Belmore said that he and Director Willis and the General Foreman will get together in the morning and talk to Unitil and convey that pressure point as well as get clarification on why they cannot work in the rain.

#### CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Witham said that back on 5/17/13 he had the opportunity to attend the Law Enforcement Officers Memorial in Concord. It is on the grounds of the legislative office building directly behind the capital. It was his first time attending and it was very well done. Somersworth Police Department was present with a couple of officers who marked a wreath in memory of Officer Donald Kowalski who was killed here in Somersworth around 1979 on High Street. He encouraged people to visit the Memorial if they are in Concord, and also the memorial for Firefighters is at the State Fire Academy. The ceremony at the Fire Academy takes place in the fall around fire prevention week.

Councilor Witham said that some Councilors got a copy of a citizen complaint about the intersection of High Street, Indigo Hill Rd. and Blackwater Rd. It was more a concern about the new lane that went in when the CVS pharmacy went in. He read the letter then went to the report that was done by Sgt. Duval which indicates the intersection is no less

safe now than it was before. Certainly we do not want to wait for statistics before we take action, but it hasn't been nearly as problematic as we would have guessed going into that. That being said, the notion of improving those signals is something we might look at. As we know from the High Street project, signalization is very expensive to change or modify. It's an area that we will continue to monitor, but at least for now the data doesn't suggest that it is any worse, in fact it might be better.

Councilor Witham said he was intrigued by Mr. Dumont's comments with regard to the Housing Authority. His reaction was similar to some that wondered why we can't find someone in the Hilltop City to serve on this Commission. He understands the value that the person from Berwick, ME might bring to the Housing Authority, but it becomes a perception issue as much as anything else from his view. Maybe Commissioner Dumont's comments tonight will begin to chip away at that perception. Perception is the crux of where some displeasure comes from.

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

Councilor Witham moved to go into nonpublic session (in accordance with RSA 91-A:3, II (d) the consideration of the acquisition of personal property). The motion was seconded by Councilor Hebert and passed unanimously by roll call vote.

The Council discussed the possible purchase of the Grant building (old police station).

Motion by Councilor Witham, seconded by Councilor Sprague, to go out of nonpublic session.

ADJOURNMENT.

Motion by Councilor Witham to adjourn. The motion was seconded by Councilor Pepin and passed unanimously.

Respectfully submitted,

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Diane M. DuBois, City Clerk

