

# MINUTES OF CITY COUNCIL MEETING

MARCH 4, 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, Tapscott, Witham, Jarvis and Sprague.

## MINUTES OF PREVIOUS MEETINGS.

- Minutes of 2/19/13 City Council Workshop on the High Street Infrastructure Bond Project.

Councilor Pepin moved to approve the minutes as recorded. The motion was seconded by Councilor McCallion and passed unanimously.

- Minutes of 2/19/13 Public Hearing on Ordinance No. 9-13.

Councilor Tapscott moved to approve the minutes as recorded. The motion was seconded by Councilor Donohue and passed by a vote of 8 yeas, 1 abstention, Councilor Jarvis abstaining.

- Minutes of 2/19/13 City Council Meeting.

Councilor Pepin moved to approve the minutes as recorded. The motion was seconded by Councilor McCallion and passed by a vote of 8 yeas, 1 abstention, Councilor Jarvis abstaining.

## COMMENTS BY VISITORS.

Diane Griffith, 52 Grove Street, said the Friends of Somersworth invite everyone to attend an evening of music and dance to celebrate the Franco-American heritage of Somersworth. The event will be held on Saturday, March 30, 2013 beginning at 5:00 p.m. at the Chinburg Mill Building, 36 Canal Street, Suite 202. A donation of \$5.00 is suggested. She indicated there is an elevator in the building.

Ms. Griffith added they are asking people to bring a copy of their favorite Franco-American recipe. If anyone is interested in making their favorite french dish for sampling, they should contact her at 692-2042. She thanked the Somersworth Festival Association for their help.

Sean Houle said he is the President of the Professional Firefighters Union, IAFF Local 2320. It is his understanding that their fact finder's report is before the Council tonight to be voted on. They started negotiating over a year ago, and their goal was that no member of their group would go "negative". They went through negotiations, and then mediation and on to fact finding. New Hampshire is a non-binding arbitration state. They are nine

months out of contract. The fact finder was an independent third party mutually agreed upon by both the City and the firefighters. Both sides were allowed to present arguments in writing. What the fact finder presented is what was thought to be a fair, impartial middle-ground. They are hoping this will pass tonight.

#### ANNOUNCEMENTS BY CITY COUNCILORS.

Councilor Soldati announced the Chamber of Commerce has just kicked off their annual “Grand Sports Raffle”. If you are a sports fan, this is your chance to win 18 tickets which includes Red Sox, Celtics, Bruins, UNH Football and UNH Hockey. One winner takes all tickets. You can buy tickets at the Chamber of Commerce office.

Councilor Witham said the City of Somersworth has a very strong community regarding sports. He has been involved for a number of years and was recently elected as President of the Babe Ruth Baseball League. Little League and Babe Ruth Baseball have registrations coming up over the next two weeks on the following dates: Thursday, 3/07/13 from 6 p.m. to 8 p.m. at the Middle School, Saturday, 3/09/13 from 9 a.m. to 11 a.m., and Saturday, 3/16/13 from 9 a.m. to 11 a.m.

#### MAYOR’S REPORT.

- February 20<sup>th</sup> – Attended the Christmas Parade Committee meeting. Cheryl Gagnon was appointed to be the Chair of the committee.
- February 22<sup>nd</sup> – Attended and spoke at the Cub Scout Pack 195 Blue and Gold Banquet held at the Idlehurst Elementary School.
- February 25<sup>th</sup> – Attended the Tri-City Chamber of Commerce legislative event held at Frisbie Memorial Hospital. Thank you to City Councilors Witham, Hebert, and Soldati for taking the time to attend.
- February 28<sup>th</sup> – Attended the VHB-TE Grant presentation. Thank you to City Councilors Pepin, Sprague, Soldati, and Donohue for attending.
- March 9<sup>th</sup> – Reminder for City Councilors for the goal setting session.
- March 9<sup>th</sup>-13<sup>th</sup> I will be in Washington DC attending the National League of Cities Annual Conference. If anyone has anything they want him to bring to our congressional delegation please get it to him.

#### REPORTS OF STANDING COMMITTEES.

##### FINANCE COMMITTEE.

Councilor Jarvis reported this Committee met on 2/28/13 at 8:30 a.m. They discussed the following items:

- Approved past minutes.
- Reviewed the Bond Compliance Policy. Adopting the policy is elective, will create no additional work and no additional cost to the City. A resolution will be prepared and coming forward for City Council to consider.

- Reviewed Veterans Credits. City Manager Belmore handed out an analysis of the current veteran's tax credits authorized by the City. This showed the City has authorized the highest credit allowable under State law for the regular veteran's credit. The committee felt no action is required at this time.
- Library Automation Project. Finance Director Smith distributed an analysis showing estimated cost and funding of this project. The estimated cost is \$16,300. \$2,500 is authorized in the current budget, \$2,500 will be requested in the FY14 budget, and \$11,300 will come from Library Escrow accounts. The Library Trustees support this project. All committee members are in favor of this project.
- Rocky Hill Road Culvert Bid Results. City Manager Belmore distributed results of the bids. He informed the committee that staff doesn't have a recommendation and no action is needed by the committee, this was for informational purposes. They did not have enough information to come up with a recommendation. No action was taken.
- They discussed addressing Councilor Sprague's question regarding the non-capital reserve fund for the education of persons with disabilities. They are looking at moving forward with a cap and possibly amending the resolution.

Councilor Witham asked if the problem with the Rocky Hill Road Culvert bids was that there was not enough detail.

Councilor Jarvis replied in the affirmative.

#### REPORTS OF SPECIAL COMMITTEES.

##### COAST BOARD OF DIRECTORS.

Councilor Pepin reported this Committee met on 2/20/13. They discussed the following items:

- They appropriated \$7,000 for repairs to the wash bay.
- They received a public notice that the people who drive the COAST buses just went over the 200,000 mile mark without any incidents. That is a very high accomplishment. They do a very good job.

##### SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this Committee met on 2/21/13. They had a great presentation from Waste Management in terms of how the City is doing with its recycling program. 28% of our trash is recycled, which is pretty good, but the committee members feel we can do better. They are talking with Waste Management about developing a program that increases our recycling. Recycling saves our citizens money because the more they recycle the less blue bags they have to buy. Also, it is great for the environment. The committee is looking into a rewards program through Waste Management and will continue to explore that idea.

Councilor Soldati said the next meeting will be held on 3/21/13 at 6 p.m. in Council Chambers and anyone who is interested is welcome to attend. It is a great committee.

STRAFFORD REGIONAL PLANNING COMMISSION.

Councilor Tapscott, as a representative to the SRPC, said he would take great pride in having Paul Robidas as their third member. They could not pick a better person than Paul.

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, March 1, 2013**

**SUBJECT: City Manager's Report for Monday, March 4, 2013  
City Council Agenda**

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**5:30 p.m. State of City Address  
Joint Meeting of City Council & School Board**

**6:30 p.m. Non-Meeting to discuss Labor Relations  
(please see attachments)**

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***Unfinished Business (under Section 12 of Agenda)***

**Resolutions**

**A. Resolution No. 25-13 City Council of the City of Somersworth Support for Increasing the Road Toll, Increasing the Vehicle Registration Fee, and Establishing the New Hampshire State and Municipal Road and Bridge Account, as Proposed by the New Hampshire Legislature in HB-617.**

*New Business (under Section 13 of the Agenda):*

**Ordinances**

- A. Ordinance No. 10-13 Amend Chapter 19, Zoning Ordinance, by Adding New Section 30 Hilltop School Property Overlay District.** This proposed Ordinance was drafted by the Friends of Somersworth with the assistance of Director Sharples. Attached is a copy of a memorandum from Dave Sharples that provides a summary of this proposal. I recommend a Public Hearing prior to next regular meeting on March 18<sup>th</sup> at 6:30 p.m.

**Other**

- A. Vote on Fact Finder Report dated February 8, 2013, Re: IAFF Local 2320, Firefighters Union and City of Somersworth.** Attached is an executive summary outlining the Fact Finder Report as well as a complete copy of the Report.
- B. Discussion on FY 2014 Regarding an Appropriation to the Non-Capital Reserve Fund Established for the Education of Persons with Disabilities.** This issue was discussed at the Finance Committee meeting on February 28<sup>th</sup>. There was consensus to move it to the full Council for discussion. Attached is a copy of the 2009 Resolution passed by the City Council.

*City Manager's Items (under section 9 of the Agenda)*

**A. Informational Items:**

- 1. Comcast Cable TV Franchise Renewal Agreement.** I want to remind the Community that a Public Hearing is scheduled prior to the next meeting on March 18<sup>th</sup> at 6:45 p.m. A copy of the proposed Draft Agreement is on our website [www.somersworth.com](http://www.somersworth.com) under "News and Announcements" on our home page.
- 2. Proposed Schedule for Fiscal Year 2014 Budget.** Please consider these dates for review and action on the proposed City Budget for FY 14.
  - **City Manager Proposed Budget**, Presentation, Monday April 1<sup>st</sup> at 6:00 p.m.
  - **Council Workshop**, Saturday, April 6<sup>th</sup> at 8:30 a.m.
  - **Public Hearing**, Monday, April 22<sup>nd</sup> at 7:00 p.m.
- 3. New City Website.** I am pleased to announce the recent launching of the new City website. "Reaching out to residents and communication with the public continues to be a top priority for the City Council. To achieve this goal, we

wanted to create a website that was not only easier to navigate but one that would also showcase the many attributes of our City,” stated City Manager Bob Belmore. “We are excited about bringing forward a more appealing and more effective website so that community members can readily access City services and City information.”

**A. Attachments:**

1. Goal Setting Workshop Agenda Packet
2. Library Automation Project Information that Finance Committee approved on Feb. 28, 2013
3. Press Releases (2): Website and RSA 79-E Adoption

**Reminder:** Goal Setting Session on Saturday, March 9<sup>th</sup>  
8:30 a.m. Coffee  
9:00 a.m. Start Workshop

Councilor Witham asked the Mayor if action could be taken on the dates the City Manager proposed for meetings in his report.

Councilor McCallion suggested having the budget workshop date a little bit closer to the date of the public hearing.

Councilor Witham said he likes having the workshop on a Saturday morning and hearing from the various groups that are requesting money all on the same day.

Councilor Witham moved to accept the meeting dates provided by the City Manager. The motion was seconded by Councilor Pepin and passed by roll call vote of 6 yeas, 3 nays, Councilors Soldati, Hebert and McCallion voting in the negative.

Mayor Spencer indicated the meeting dates are as follows:

- Presentation of City Manager Proposed Budget on Monday, 4/01/13 at 6:00 p.m.
- Council Workshop on Saturday, 4/06/13 at 8:30 a.m.
- Public Hearing on Budget, Monday, 4/22/13 at 7:00 p.m.

**NOMINATIONS, APPOINTMENTS AND ELECTIONS.**

- Strafford Regional Planning Commission – Paul Robidas, term to expire 02/2015.

Councilor Tapscott moved to suspend the rules in order to act on this appointment tonight. The motion was seconded by Councilor McCallion and passed unanimously.

The Council voted unanimously to appoint Paul Robidas to the Strafford Regional Planning Commission, term to expire 02/2015.

UNFINISHED BUSINESS.

RESOLUTION NO. 25-13 CITY COUNCIL OF THE CITY OF SOMERSWORTH SUPPORT FOR INCREASING THE ROAD TOLL, INCREASING THE VEHICLE REGISTRATION FEE, AND ESTABLISHING THE NH STATE AND MUNICIPAL ROAD AND BRIDGE ACCOUNT, AS PROPOSED BY THE NH LEGISLATURE IN HB-617.

Councilor Sprague said he brought this forward because over the past three years they have all raised their hands and wondered what is going on in Concord and complained about the downshifting of costs. He thought this resolution would be a great way to send a message to Concord and to our local representatives that we do care about the present funding to municipalities for roads and infrastructure.

Councilor Sprague indicated HB-617 has changed a little bit from the present form. The registration part has been stripped out of it and they have added another .03 cents per gallon to make up for that. He applauds that because the gas tax is paid by everybody. It is a user fee. HB-617 adds the road toll increase. This will give Somersworth, over the next ten years, over \$771,000 as projected right now to put towards our budget. That will be a great shot in the arm for us. The road toll was last raised in 1991. We have the lowest gas tax in the northeast. This will also help fund the widening of interstate 93. We might not use this road, but we are able to take advantage of the tourism that comes through that corridor and adds to the rooms and meals tax that comes back to us in other forms. This also creates over 1,000 private sector construction jobs.

Councilor Sprague indicated they will be voting on this tomorrow and it is expected to pass and go on to the Senate. He wrote this resolution so we could have a voice in Concord and embrace something that is being done in a positive way.

Councilor Witham applauded Councilor Sprague for bringing forward this resolution and he was more than happy to have his name added as a sponsor. He has so often lamented about what Concord is doing to Somersworth with the down shifting of costs that have impacted us that we have to pass on to our residents who have been burdened with ever-increasing property taxes. We all recognize that. He feels that the passage of the tax cap is not a reflection on what the Council has done because we are frugal, but more of a reflection on what the State of New Hampshire has done to us.

Councilor Witham said now we have a chance to benefit greatly from these monies. We have many roads in Somersworth that need improvement. It would be nice to have a lot more cost-sharing from the state to do that work. This might help us get something out of Concord.

Councilor Witham said there is certainly a bit of hesitation, because somewhere down the road the State might vote to re-direct this money to other areas. There is no way to predict the future. When he votes for this resolution tonight, it is to support what is currently in front of the New Hampshire legislature and the New Hampshire Senate.

Councilor Tapscott said he applauds and commends House Bill 617. The intention is great, but he also has to stop and wonder how much of this money is going to be trickling down to the cities and towns. That is his main concern. He feels the State will earmark the items that need to be fixed or replaced.

Councilor Sprague said it is actually spelled out in the resolution that a separate account will be set up in the highway fund called the NH Municipal Road and Bridge Account to be used exclusively for the construction, reconstruction and maintenance of state and municipal roads and bridges. The new account will consist of funds attributable to all road revenue collected in excess of the current .18 cents per gallon. In each fiscal year, the Department of Transportation Commissioner shall allocate an amount not less than 12% of the estimated road toll revenue and motor vehicle fees collected to a local highway aid fund. That is the formula that was set up years ago which is based on population and road miles in your city. That is how we get the money that we do get now, from this formula.

Councilor Soldati said when Councilor Sprague first brought this to our attention she was not for it. She was a State Representative at one time and sat on the Ways and Means Committee and she does understand the State's needs in terms of maintaining roads and she understands the bind the State is in in terms of revenues. We depend on tourism and maintaining our roads is extremely important. The rooms and meals tax is critical to us. We have seen a tremendous chopping away of that fund.

Councilor Soldati said she also understands Councilor Tapscott's concern, but she thinks Councilor Sprague is correct. Where they are setting up a special fund, it is clear to her that they are trying to build up safeguards. As an elected official, she feels that if we hesitate now because we are afraid about what a future legislature will do, then we won't do anything. She is going to support this and rely on Councilor Sprague to stay on top of our representatives on this issue.

Councilor Witham agrees with this, we are dealing with the here and now. The NHMA website had a calculation on what the cost-sharing would be over the next ten years, and that is almost \$800,000 we could benefit from. He feels there is a lot of good reason to support this. It would be a statement to Concord if we unanimously support this.

Councilor McCallion said that he too supports this. He moved to make a friendly amendment to the resolution by deleting "increasing the vehicle registration fee" in the title and the body of the resolution. The motion was seconded by Councilor Soldati and passed unanimously.

Councilor Witham moved to change \$.12 to \$.15 in the second paragraph. The motion was seconded by Councilor Sprague and passed unanimously.

Resolution No. 25-13, as amended, passed by roll call vote of 9 yeas, 0 nays.

NEW BUSINESS.

Councilor Witham moved to have Ordinance No. 10-13 read by title only due to its length. The motion was seconded by Councilor Tapscott and passed unanimously.

ORDINANCE NO. 10-13 AMEND CHAPTER 19, ZONING ORDINANCE, BY ADDING NEW SECTION 30 HILLTOP SCHOOL PROPERTY OVERLAY DISTRICT.

Somersworth, NH  
March 4, 2013

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 19, Zoning Ordinance, by adding new Section 30, Hilltop School Property Overlay District, as follows:

**Section 30 Hilltop School Property Overlay District**

19.30.A Title and Authority

Title: This Ordinance shall be known as the “Hilltop School Property (HSP) Zoning Overlay Ordinance” of the City of Somersworth, New Hampshire.

Authority: Pursuant to the authority granted by RSA 483-B:8, Municipal Authority; RSA 674:17 I., Purposes of Zoning Ordinances; RSA 674:21, Innovative Land Use Controls; this ordinance is hereby adopted by the City of Somersworth, New Hampshire to protect the public health, safety, and general welfare.

19.30.B District Boundaries

The boundaries of the Hilltop School Property Overlay District are hereby established to include all the property on Tax Map 11 Lot 49 which is hereby declared to be part of this ordinance.

19.30.C Purpose

The purpose of this ordinance is to provide for productive, desirable reuse of the Hilltop School building and property (Map 11 Lot 49) located within the Residential Single Family/A (R1/A) District as outlined in the City’s Zoning Ordinance 19.3.D.11., further governed by the Historic District (HD) Overlay Zoning District outlined in ordinance 19.3.D.6.

Recognizing the former school property is located within the R1-A Zoning District, within the HD Overlay District, yet does not conform to the norm of structures and uses intended to be regulated by these ordinances, it is

deemed appropriate and necessary to provide for a zoning overlay district to apply specifically and solely to this property without hindering the intent and purposes of the aforementioned ordinances.

Regulations set forth in this ordinance are designed to support the intent of the HD District Ordinance to provide for the recognition, preservation, enhancement and continued use of structures, sites and areas having historic and cultural significance in support of the community’s economic prosperity, cultural enrichment and general welfare, to stabilize and improve property values in the city and to aid in the safeguard of the heritage of Somersworth by providing for the protection of structures and areas that represent significant elements of its history.

19.30.D Applicability

All land and building use activities and development conducted within the Hilltop School Property District shall be regulated by the standards established herein.

The standards established herein shall constitute the rules of an overlay zone and shall be superimposed over other zoning districts or portions thereof. The provisions herein shall apply in addition to all other applicable ordinances and regulations. In such instances where the building and property of the Hilltop School Property align with buildings and properties typical of those of the HD, and R1/A Zoning Districts, the provisions set forth in those ordinances should be adhered to.

This overlay ordinance will make provisions for such instances where the property and building in the overlay district do not physically, and logically align to types reasonably intended to be governed by the R1/A and HD ordinances. The provisions set forth for this overlay district make an effort to align with the goals and intent of the city’s overall zoning codes. In the event of a conflict between any provision herein and any other ordinance or regulation, the more restrictive requirement shall prevail.

19.30.E Additional Permitted Uses

In addition to all uses permitted by the existing ordinances which govern this overlay district, the following uses, as defined in the existing City of Somersworth zoning ordinances, will be permitted:

<b>Principal Use</b>	
Government Facilities & Svcs.	
Private Educational Institution	
Museum	
Clubhouse, community center, non-commercial recreational	

facilities, such as swimming pools and tennis courts, for the citizens of Somersworth	
Communications (i.e., radio/television broadcasting, telephone communications).	
Professional & Business Offices	
Bed and Breakfast/Inn <sup>1</sup>	
Athletic/Fitness Facility	
Amusement and Recreational Services <sup>2</sup>	
Daycare Facilities	
Artisan Studio	
Artisan Production Shop	
All open land or fields used for baseball, football, track and field or other athletic games	
Photography Studio	
<b>Accessory Uses</b>	
Produce, Christmas Tree and Other Seasonal Stands	
Gift Shop <sup>4</sup>	
Café/ Retail <sup>3</sup>	

<sup>1</sup> Owner Occupied and limited to no more than 10 rentable rooms.

<sup>2</sup> Including such things as cinemas; theaters; bands; orchestras and other musical entertainment but excluding pool hall, billiards, video gaming centers operated for profit.

<sup>3</sup> Drive thru services are not permitted. Seating for no more than 12 people permitted.

<sup>4</sup> Goods limited to items that support and promote the current building occupants and/or the City of Somersworth.

This Ordinance shall take effect upon its passage.

Introduced by Councilor

Jennifer Soldati

Approved:  
City Attorney

Following the first reading of Ordinance No. 10-13 by title, it was referred to the next meeting.

OTHER:

VOTE ON FACT FINDER REPORT DATED 2/08/13 RE: IAFF LOCAL 2320, FIREFIGHTERS UNION AND CITY OF SOMERSWORTH.

Councilor Soldati moved to reject the Fact Finder Report. The motion was seconded by Councilor Jarvis.

Councilor McCallion said there are certain guidelines the Council has that pertain to the whole City. They want great personnel, loyal employees, and to do the best for the City and the taxpayers. There is one stipulation in the report that we have never done since he has been on the Council, and that is retroactive pay, therefore he will be voting against it.

Councilor Witham said he appreciates the words from Lt. Houle with regards to how we arrived at this point. He feels we are a lot closer to middle ground than we once were. The sticking point is retroactive pay, understanding full well they are several months without a contract. It is the one area that is very difficult to budget for and could be a very expensive proposition.

Councilor Jarvis addressed that they represent the City as a whole and they have to try to balance everything out. We would all like to vote in favor of this but can't really justify it. The residents are dealing with health care costs and other major issues. She feels there has to be some give and take and everybody has to take a little more responsibility in regards to health care costs. She would like to see some changes.

The motion to reject the fact finder's report passed by unanimous roll call vote.

DISCUSSION ON FY 2014 BUDGET REGARDING AN APPROPRIATION TO THE NON-CAPITAL RESERVE FUND ESTABLISHED FOR THE EDUCATION OF PERSONS WITH DISABILITIES.

Councilor Sprague explained this is regarding a resolution that was put in place three years ago as a safeguard to the School Board for special education costs. They do not know at the beginning of the school year what they will have to fund. They had decided they would put in up to \$50,000 of the previous year's fund balance that wasn't used or 50% of their year-end undesignated fund balance, whichever is less, to be placed in this fund. The first year the Council funded it with \$50,000. The second year they didn't put anything in, then the third year they put in \$50,000 even though the \$50,000 from the first year was still intact. Granted this doesn't cost us anything on the tax rate, but it takes that money out of the City's control.

Councilor Sprague said he brought this up in Finance Committee because when we put this resolution into action he was unclear about whether we have to act on this every year, and if so, he would like to put a cap on it of \$100,000.

City Manager Belmore said he gave everyone a copy of the resolution that was passed back in 2009. Presently, there is a very small turnback from the School Department, so he would not be advocating placing any funding to this account in this proposed budget. Moving forward, Council can either let the language stand as is and just address it during the budget process, or go back and modify this resolution if you want to place a cap on it.

You could also rescind the resolution and create a new one placing a cap on it. That is his opinion without seeking a legal opinion.

Councilor McCallion said he remembers the dialogue being that because of the escalation in costs of special education and not knowing what those costs would be from year to year if there was a better way for the School Department to plan their budget. It seems to have stabilized over the last couple of years and they have not needed to tap into the fund.

Councilor McCallion said he doesn't think the Council has to do anything.

Councilor McCallion moved to have Finance Director Smith speak to this. The motion was seconded by Councilor Jarvis and passed unanimously.

Finance Director Smith indicated there is \$100,000 in that account. The School Board members are the agents to expend and they can only use it for the purpose as defined within the resolution. In the event that they need it, it would be their decision to utilize it.

Mr. Smith said there is no requirement for any capital reserve fund that the Council has to put money into the account every year.

Councilor Pepin referred to a joint workshop of the Council and School Board a few years ago, stating that is where this resolution came from. It is possible to spend \$200,000 a school year for one student with special needs. If we are talking about putting a cap on this account, he feels we should let the School Department have some input into that.

Councilor Witham said he knows that several years ago the School Department faced some astronomical costs for students with special needs. There was a year when our special education transportation costs exceeded our regular school bussing costs. The numbers fluctuate radically and to set a cap is a bit arbitrary. He is not a big fan of capping things because it locks our hands from doing the things we really need to do. If we were to set a cap, he wholeheartedly agrees with Councilor Pepin that the decision should be guided by the School Department staff who might know better than us what the future holds. In terms of the School Department acting as the agents for this, no one on the School Board or in the School Department has given him any reason to distrust their spending habits. Unless that happens, he is fine with them having the spending authority. He does not feel there needs to be any changes made at this time.

Councilor Sprague said his issue is with whether an aggregate total should be capped. If we put money into this account every year and it isn't being tapped, that's taking away money we could be using for other things. There is no ill will about whether they would appropriate the money correctly, he has faith that they would.

Councilor Sprague said he would rather go down the road of a supplemental appropriation if the School Board should need it. He would like to see something added in the resolution that states the aggregate total cannot exceed a total amount of \$100,000.

Councilor Jarvis said there is a valid argument on both sides. We could go several years putting \$50,000 into this account with no cap and have needs in the city that this money could be used for. On the other side, you cannot tell from year to year when something major might occur that the money is needed for.

Councilor Jarvis moved to table this and to request that the school bring us figures on the average costs per pupil for special education over the last four years.

Mayor Spencer suggested he could just refer it back to the Finance Committee so they can continue to work on it.

Councilor Jarvis was in agreement with this, and the Mayor deferred it back to the Finance Committee.

#### COMMENTS BY VISITORS.

Real Roseberry, 405 Route 108, said his opinion is to not trust Concord. When Megabucks first started all the money was supposed to go to the schools. Some of it went to the schools, but what happened to the rest of it?

Mr. Roseberry said he would rather pay the \$5 fee than have a .04 cent increase in gas. It is good to send something to the State to let them know you are in favor of the bill, but they are going to laugh. They are out for the money and they don't care about us.

#### CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Pepin said his computer has crashed so if someone wants to get in touch with him they will have to call until it's straightened out.

Councilor Witham commented on the State of the City Address, saying he took particular note when the Finance Director went through the numbers. It is refreshing to see that as a community we remain steadfast in not only controlling costs, but also in bolstering a healthy fund balance, which can help us in a number of ways. He noted the fund balance is there to use for emergency situations or unexpected situations. Hopefully at the next meeting something will appear on the agenda about High Street, particularly the 3,000+ linear feet from Bartlett Ave. to Sinclair Ave. which needs desperate repair. His notion is to use some of that fund balance, coupled with some money that we have in the current fiscal year budget to tackle that problem sooner than later. The Finance Director talks about using the fund balance to avoid bumps in the tax rate, he would like to use some of it to avoid bumps in the roadway.

Councilor Witham said we also heard from the School Board Chair and the School Superintendent and he is very pleased to see them on track and doing well and trying to provide high quality education oftentimes in very creative ways given the relatively confined budgets that have been imposed upon them in some regards.

Councilor Witham said we are going into the budget season once again. He has been watching the School Board meetings as they have prepared and ultimately presented a budget that has now been forwarded to the City Manager. As he said before, his initial inclination unless steered otherwise is to support the school budget in its current format. We should be up front and transparent with what we are thinking.

Councilor Sprague thanked the Public Works Department for the great job they did during the month of February keeping the roads clear. He also thanked the Council for passing Resolution No. 25-13. It's good for a community to rally together for something we believe in. We do have road issues and he will be proud to go up and state the case for our community and make sure we keep an eye on what is going on.

ADJOURNMENT.

Councilor Tapscott moved to adjourn. The motion was seconded by Councilor Hebert and passed unanimously. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

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Diane M. DuBois, City Clerk