

CITY OF SOMERSWORTH  
MINUTES OF THE CITY COUNCIL MEETING

Somersworth, NH  
May 19, 2014

The meeting was called to order by His Honor, the Mayor, and upon roll call the following Council members were present: Pepin, Soldati, Hebert, Messier, Tapscott, Witham and Sprague. (Councilors McCallion and Collins absences wer excused by the Mayor.)

MINUTES OF THE PREVIOUS MEETING.

MINUTES OF CITY COUNCIL WORKSHP HELD ON 04/21/2014.

Councilor Witham, seconded by Councilor Hebert, moved to approve the minutes. The motion passed.

MINUTES OF CITY COUNCIL MEETING HELD ON 04/21/2014.

Councilor Tapscott, seconded by Councilor Hebert, moved to approve the minutes. The motion passed.

MINUTES OF PUBLIC HEARINGS ON ORDINANCE NO. 15-14 THROUGH 19-14 HELD ON 05/05/2014.

Councilor Witham, seconded by Councilor Hebert, moved to approve the minutes. The motion passed.

MINUTES OF CITY COUNCIL MEETING HELD ON 05/05/2014.

Councilor Tapscott, seconded by Councilor Messier, moved to approve the minutes. The motion passed.

COMMENTS BY VISITORS.

There were no comments by visitors.

ANNOUNCEMENTS BY CITY COUNCILORS

Councilor Soldati congratulated the Somersworth Business of the Year, Tri City Dodge, Chrysler, Jeep, Ram, Subaru; Citizen of the Year, Rev. Thomas F. Clark and Teacher of the Year, Noreen LaVorgna.

COMMUNICATIONS.

DEBORAH EVANS, EXECUTIVE DIRECTOR OF THE SOMERSWORTH HOUSING AUTHORITY-PRESENTATION OF PILOT CHECK.

Deborah Evans presented the City with “payment in lieu of taxes” for the properties of the Somersworth Housing Authority: Washington Street, Bartlett Avenue and the Charpentier Apartments. A check for \$27,853 was given to the Mayor who then gave it to the City Manager. Ms. Evans explained how the amount was calculated.

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE.

There were no petitions.

MAYOR’S REPORT.

- On May 6th, Mayor Hilliard attended the End 68 hours of hunger annual volunteer recognition night. He proclaimed the week in honor of the organization and proclaimed May 6<sup>th</sup>, 2014 to be Anna O’Donnell Day.
  - On May 10th, the Mayor hosted the first of the Mayor’s community forums with Ward 1 Councilor Martin Pepin. He was pleased with the attendance and the open discussion and looks forward to future forums.
  - Mayor Hilliard will announce the members of the Fire Station Advisory Committee at the 06/02/2014 City Council meeting.
  - On May 12<sup>th</sup>, Mayors of Somersworth, Dover Rochester and Portsmouth all participated in the signing of The Seacoast Aerospace Initiative to strengthen the Seacoast’s position as a leader in aerospace and defense.
  - On May 13<sup>th</sup>, Mayor Hilliard attended a Mayoral summit for afterschool & expanded learning. He looks forward to visiting other communities to see how other approaches and programs could fit the needs of our community.
  - Mayor Hilliard proclaimed May 18-24 to be American Ambulance, EMS week in Somersworth, NH in order to recognize the important role EMS practitioners play as first responders.
  - Congratulations to the Somersworth Chamber of Commerce and the recipients of Somersworth Business of the Year, Tri City Dodge, Chrysler, Jeep, Ram and Subaru; Citizen of the Year, Tom Clark and Teacher of the Year, Noreen LaVorgna.
  - The following nominations shall remain open until the 06/02/2014 City Council meeting:
    - Margaret Roberge-Cemetery Board of Trustees, Term to expire 04/2017.
    - Paul Maskwa-Alternate to the Planning Board, term t expire 04/2017.
    - Jeremy Rhodes-Conservation Commission, term to expire 04/2016.
  - The following are before the Council for confirmation:
    - Dale Smith-Kenyon-Conservation Commission, term to expire 04/2017.
    - Patty Roberge LeHoullier- Board of Assessors, term to expire 04/2017.
- Amy Michaels-Somersworth Housing Authority Board of Commissioners, term to expire 04/2019, does not require confirmation by the Council.

REPORTS OF STANDING COMMITTEES.

FINANCE COMMITTEE

Councilor Witham reported that the Finance Committee met on May 16<sup>th</sup> and discussed Police Department equipment purchases of recording system and mobile data terminals. The committee approved these purchases.

The Fire Department is going out to bid for the remaining loose equipment needed for Engine 4 with the Mass State bid program. The committee approved this purchase.

The committee discussed updating the City's financial software. Finance Director Smith will research for a future RFP.

### PUBLIC SAFETY

Councilor Pepin said that the Public Safety Committee met on May 8<sup>th</sup>, endorsing the equipment purchases for the police department. He said that the fire equipment is out to bid. The Fire Department hopes to have 8-10 new call firefighters. Three firefighters are enrolled in the EMS program. Councilor Pepin reported on the reality program that was recently conducted and that it is a good benefit for safety. The response time for American Ambulance continues to be around 4 minutes.

### RECREATION

Councilor Pepin reported that the Recreation Committee met on May 14<sup>th</sup> and discussed the following:

- Hunting at Willand Pond.
- No hunting in any parks-will be enforced.
- Security cameras and signage at Noble Pines.
- Ordinance No. 21-14, Dog waste in parks.
- Construction costs for Pine Street Park-approval for financing.
- Name change Pine Street Park to Ash Street Park.
- Miscellaneous: Skateboard park repaved and thank you to Liberty Mutual for help at Noble Pines and Willand Pond.

### REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER.

#### VISION 2020

Councilor Witham stated that the Vision 2020 meeting will be held on May 28<sup>th</sup> at the SAU Offices at 51 West High Street.

#### SCHOOL BOARD

Councilor Pepin said that there was not too much to report for the Council about the May 13<sup>th</sup> School Board meeting, but that Maureen Jackman did a great presentation about the Somersworth Youth Connection.

#### CAREER TECHNICAL CENTER RENOVATION COMMITTEE

Councilor Pepin said that the committee has been getting ideas from other towns to see how they have dealt with their improvements, etc.

SUSTAINABILITY COMMITTEE

Councilor Soldati said that they had a master gardener do a presentation about organic gardening. The next meeting will be held on May 19<sup>th</sup> at 6:30 pm.

RAIL SERVICE ADVISORY COMMITTEE

Councilor Sprague reported on the presentation by Tony Donovan which was held on May 13<sup>th</sup> at 4 pm. He said there were some snafus with the projection, but it apparently was recorded and was shown online without problems. He would like to see the “townhallstreams” site linked to the Somersworth home page. He would also like a folder in the Councilor’s drop boxes for the Rail Service Advisory Committee. He feels a study needs to be done and talked about possible funding options.

Mayor Hilliard said they will include a drop box for all the special committees.



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

**TO:** Mayor Dana Hilliard and City Council Members  
**FROM:** Robert M. Belmore, City Manager  
**DATE:** Friday, May 16, 2014  
**SUBJECT:** City Manager’s Report for Monday, May 19, 2014  
City Council Agenda

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*6:45 p.m. – Public Hearing*

*Re: Ordinance No. 20-14 Amend Chapter 13, Police Offenses, Section 3.1.D  
No parking Anytime, Pleasant Street.*

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

**Ordinances:**

- A. Ordinance No. 20-14 Amend Chapter 13, Police Offenses, Section 3.1.D  
No parking Anytime, Pleasant Street.** This Ordinance amendment is a recommendation from the Traffic Safety Committee.

**Resolutions:**

- A. Resolution No. 43-14 To Grant Permission to Twelve Month LLC to Install a Sewer Line on City Owned Property.** City Attorney Walter Mitchell has assisted in preparing this resolution for Council action. This pertains to the residential subdivision of the former Sunningdale property recently approved by the Planning Board.

*New Business (under Section 14 of Agenda)*

**Ordinances:**

- A. Ordinance No. 21-14 Amend Chapter 30, Conduct in Public Parks, Section 13, Dog Waste in Parks.** This was drafted by Councilor Witham. The Recreation Committee did vote to add their names as sponsors at their May 14<sup>th</sup> meeting.
- B. Ordinance No. 22-14 Amend Chapter 30, Conduct in Public Parks, Section 2.2 Definitions.** This is being sponsored by the Council's Recreation Committee.

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

**A. Information Items:**

- 1. Annual Licensing of Hilltop Fireworks.** The State Fire Marshal's Office was contacted by Chief Hoyle on May 9 relative to the issue of whether or not the City Council needed to approve Hilltop Firework's license annually. According to them, RSA 160 C:3.1 only requires annual legislative body approval if there is no local Licensing Board. As we have a Licensing Board, the City Council need not approve the license annually.

The local Police and Fire Chiefs and the Building Inspector must advise the Licensing Board annually of whether or not they approve of the facility and its operation before the Local Licensing Board makes a decision on the license. Our City's Licensing Board is comprised of the Mayor, Chief of Police and City Clerk from City Ordinance, Chapter 14.

**B. Attachments:**

1. City Attorney Certifications One (1).
2. Department Head Reports.

City Manager Belmore said that in the future they will no longer provide hard copies (of the packet material now that the Councilors have the ipads.)

Mayor Hilliard said it is his intention for the Council to go paperless by July 1, 2014.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

BOARD OF CEMETERY TRUSTEES- MARGARET ROBERGE, TERM TO EXPIRE 04/2017.

This nomination shall remain open until the next Council meeting on 06/02/2014.

PLANNING BOARD-REAPPOINTMENT OF PAUL MASKWA AS AN ALTERNATE, TERM TO EXPIRE 04/2017.

This nomination shall remain open until the next Council meeting on 06/02/2014.

CONSERVATION COMMISSION-JEREMY RHODES, TERM TO EXPIRE 04/2016.

This nomination shall remain open until the next Council meeting on 06/02/2014.

LAY ON TABLE.

There was nothing on the table.

UNFINISHED BUSINESS.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

SOMERSWORTH HOUSING AUTHORITY BOARD OF COMMISSSIONERS-AMY MICHAELS, TERM TO EXPIRE 04/2019. (CITY COUNCIL CONFIRMATION VOTE NOT REQUIRED.)

This position is now filled by Amy Michaels.

CONSERVATION COMMISSION REAPPOINTMENT-DALE SMITH-KENYON, TERM TO EXPIRE 04/2017.

Councilor Pepin, seconded by Councilor Witham, moved to approve this reappointment. The motion passed.

BOARD OF ASSESSORS REAPPOINTMENT-PATTY ROBERGE LEHOULLIER, TERM TO EXPIRE 04/2017.

Councilor Witham, seconded by Councilor Tapscott, moved to approve this reappointment. The motion passed.

ORDINANCES

ORDINANCE NO. 20-14 AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.1.D, NO PARKING ANYTIME, PLEASANT STREET.

Councilor Witham, seconded by Councilor Soldati, made a motion to adopt Ordinance No. 20-14.

Councilor Sprague asked why we are doing this.

Councilor Witham said that this came out of the Traffic Safety Committee after being brought up last winter when it was nearly impossible for two vehicles (to pass on the street.) They are asking for no parking on a limited section of Pleasant Street on the northerly side.

Councilor Sprague asked about telephone poles.

Councilor Soldati said there are five on each side.

Councilor Messier wondered if the neighborhood was notified and was concerned about where people would park. He said, "We live in an old city with narrow streets."

Councilor Soldati believed that the street had been measured.

Councilor Sprague asked if maybe this was instead a Public Works issue, having snow pushed further back, for instance. He will not support.

The motion failed 2-5. (Councilors Witham, Sprague, Pepin, Messier and Tapscott opposed.)

## RESOLUTIONS

### RESOLUTION NO 43-14 TO GRANT PERMISSION TO TWELVE MONTH LLC TO INSTALL A SEWER LINE ON CITY OWNED PROPERTY.

Councilor Witham, seconded by Councilor Messier, made a motion to adopt.

Councilor Witham outlined the history and benefits of this and said it is a win/win for the City with long term benefits.

Councilor Messier supports this and thinks getting rid of the old leach field is wonderful.

Councilor Tapscott agreed, saying that it has been failing and needs to go.

Councilor Sprague said that Severino will also fix the grade into the park. These improvements will be helpful for our future, he said.

The motion passed 7-0.

## NEW BUSINESS.

### ORDINANCE NO. 21-14 AMEND CHAPTER 30, CONDUCT IN PUBLIC PARKS, SECTION 13, DOG WASTE IN PARKS.

Somersworth, NH  
May 19, 2014

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

Amend Chapter 30, Conduct in Public Parks, Section 13, Dog Waste in Parks, by retitling this Section as follows:

**Section 13. Dogs in Parks.**

Further amend Chapter 30, Conduct in Public Parks, Section 13, Dog Waste in Parks, by adding the following paragraph:

**(c.) Where signs are posted, dogs shall be prohibited from the designated playing fields listed here:**

- **Noble Pines Park Baseball Field**
- **Millennium Park Softball Field**
- **Jules Bisson Softball/Baseball Field**

This Ordinance shall take effect upon its passage.

Introduced by Councilors  
David Witham  
Martin Pepin  
Brian Tapscott  
Marcel N. Hebert

Approved:

City Attorney

Note: This does not ban dogs in public parks but does prohibit them from designated playing fields within public parks.

Public Hearings will begin at 6:45 pm and this will be considered at the next Council meeting on 06/02/2014.

ORDINANCE NO. 22-14 AMEND CHAPTER 30, CONDUCT IN PUBLIC PARKS, SECTION 2.2 DEFINITIONS.

Somersworth, NH  
May 19, 2014

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

Amend Chapter 30, Conduct in Public Parks, Section 2.2 Definitions, by changing Pine Street Park to Ash Street Park.

This Ordinance shall take effect upon its passage.

Introduced by Councilors  
Martin Pepin  
Brian Tapscott  
Marcel Hebert

Approved:

City Attorney

Public Hearings will begin at 6:45 pm and this will be considered at the next Council meeting on 06/02/2014.

COMMENTS BY VISITORS.

There were no comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Witham offered congratulations to American Ambulance. He said it has been almost a year and he is pleased with their professionalism. The decision has proved to benefit the community. Thank you for what you do, he said.

He thanked Liberty Mutual for their help during the Day of Caring when they repaired dugouts, etc. It is a very noticeable (improvement) and very positive for (Somersworth's) image.

He reported that he had the honor of attending the memorial ceremony in Concord honoring law enforcement. It was particularly meaningful after the (very recent) loss of Officer Arkell in Brentwood. He thanked Police Chief Crombie and his staff for the work they do.

Councilor Sprague thanked American Ambulance, mentioning also their outreach efforts and the project that they coordinated for the high school. They set up a fake crash scene for high school students out behind St Martin's Church. He said it really hit home and that it was "eerie." If it saves one life, it is well worth the effort. They even had arranged for a helicopter from Dartmouth: it was a well staged event.

Councilor Sprague still wants paper copies of Council information.

FUTURE AGENDA ITEMS.

There were no future agenda items.

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

There was no nonpublic session.

ADJOURNMENT.

Councilor Witham, seconded by Councilor Sprague, made a motion to adjourn. The meeting adjourned at 7:55 pm.

Respectfully submitted,

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Elise B. Breilis, Deputy City Clerk