

MINUTES OF CITY COUNCIL MEETING

MAY 6, 2013

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

MINUTES OF PREVIOUS MEETINGS.

- Public Hearing held on 4/01/13 on Ordinance No. 11-13 Supplemental Appropriation for Road Repairs to a Portion of High Street. Councilor Pepin moved to accept these minutes as recorded. The motion was seconded by Councilor Donohue and passed by a vote of 8 yeas, 1 abstention, Councilor McCallion abstaining.
- City Council Meeting held on 4/01/13. Councilor Tapscott moved to accept these minutes as recorded. The motion was seconded by Councilor Pepin and passed by a vote of 8 yeas, 1 abstention, Councilor McCallion abstaining.
- Public Hearing held on 4/15/13 on Community Revitalization Tax Relief Incentive Application from Brian Caple, Manager, Gunwale Properties, LLC for Property Located at 44 Market Street. Councilor Tapscott moved to accept the minutes as recorded. The motion was seconded by Councilor Hebert and passed unanimously.
- City Council Meeting held on 4/15/13. Councilor Sprague moved to amend the minutes in the following manner: 1) On page 1, first paragraph under “Comments by Visitors”, change the vote on the motion to hold public comment to three minutes per person to read “7 yeas, 2 nays, Councilors Witham and Sprague voting in the negative”. Councilor Witham indicated he concurred with this. 2) On page 18, last paragraph, change the vote on the motion that the City Manager be directed to draft a 3-year agreement/contract with American Ambulance of New England (AANE) in line with the RFP submittals for City Council consideration and/or approval to read “passed by roll call vote of 7 yeas, 1 nay and 1 abstention, Councilor Soldati voting in the negative and Councilor Sprague abstaining”. Councilor Sprague moved to approve the minutes with these amendments. The motion was seconded by Councilor Witham and passed unanimously.
- Public Hearing held on 4/22/13 on FY 2013-2014 Budget. Councilor Witham moved to approve the minutes as presented. The motion was seconded by Councilor Tapscott and passed by a vote of 6 yeas, 3 abstentions, Councilors Jarvis, Pepin and McCallion abstaining.

COMMENTS BY VISITORS.

Adam Means, 28 Otis Road, said he is here tonight to talk about a property issue that has come to light in the past month or two. He has some very disruptive neighbors who are using what he

believed was his land. They are about 10 to 12 feet off the road at any given time. It is causing a safety issue. To stop this, he placed some large rocks near the road and now he is being told there is an 8' easement or right-of-way owned by the City and he has to move the rocks. He is here tonight to ask for some documentation of this and to get a copy of it. He has received no information from public works, from zoning, or from anybody. He has his deed with him, and there is no stipulation in the deed indicating there is a setback. It is his understanding at this point that one of the City Council members has been directly involved in this. He asked that whichever Councilor it is to be upstanding and come forward and identify who they are, and if not willing to do that, at least give him the information he is asking for.

Mayor Spencer indicated this part of the meeting is not for two-way conversation, it is for the public to make comments. The time to talk to someone would be after the meeting and hopefully someone can provide you with the information you are looking for.

Mr. Means said he would be happy to wait around if he had some agreement that this would happen.

Mr. Means said at this point, when they pull out of their driveway, the rocks are less dangerous than having cars parked there. They almost get clipped pulling out of their driveway. At any given point there are at least a dozen cars in this driveway. They are all "souped up" and they are revving their engines at all hours of the night. It is disturbing their peace and at this point he has already made a decision to leave Somersworth over this issue because there has been nothing done about it.

Mr. Means said his question is very simple. He wants to know where this right-of-way is on record. There is nothing on his official deed that indicates the City owns the property in question. He hopes that whoever is directly involved with this reaches out to him. His number is 207-831-2770 and he would like to talk to someone as soon as possible.

Mr. Means said he was mandated to move these rocks and he has not done so. He will not move them until he is provided with at least a certified letter and all of the information on paper. Verbal communication is not acceptable in this matter. He has talked to at least six different people, and every time he talks to somebody they give him the name of a different person to talk to. He hopes he will hear from whoever is directly involved in this matter.

Dellann Ivy, Ward 2, said she is here this evening to comment on the Council's decision to enter into a three-year contract with a new EMT provider, American Ambulance. She thanked the EMT's and paramedics who have dedicated themselves to saving lives in this City for over thirty years. We owe them enormous gratitude for the work they do. On a daily basis, they see horrors and deal with crises that many of us could not handle. Their roles as first responders in a medical emergency can often mean the difference between life and death. A lot of people that we know and love would not be here if it were not for their skills and experience. With the change of EMS providers, we could lose a valuable resource. We cannot sit back and let seasoned paramedics and EMTs who care for our families lose their jobs. We have trusted them for three decades and we don't want to see them go. They work with the firefighters and they have a good partnership with hospitals in the area. These hard working EMTs and paramedics

provide good care. Over the last couple of months hundreds of residents have come out in support of them and the great work that they do. They are experienced professionals who know the city better than anyone. You have an opportunity not only to save jobs for local people, but to provide continued quality care for the City. She came here tonight to ask that the Council require the new provider to hire the EMS professionals who are caring for our city and its residents right now and maintain the high standards they have set and fought for.

Miss Ivy said today she is presenting them with 100 signatures from Somersworth residents that show support for the current EMS workers, the workers we have come to count on and have faith in. Let's make sure we move EMS forward in Somersworth with quality EMT's that we know and trust.

Emmett Soldati, Ward 1, said he is here on behalf of the Friends of Somersworth (FOS). He thanked City and staff and City Councilors for the talks and processes we have been going through the last couple of months. He will have more updates at the next meeting. Things are looking very good for the Hilltop project.

Mr. Soldati said he saw on the agenda that they will be discussing approval of the closure of Constitutional Way for July 20th for the FOS Jakarta Fair and he offered some clarification. They will be hosting an Indonesian Food Festival on July 20th to celebrate the rich Indonesian heritage here in Somersworth. They intend the event to last for six hours. Originally it was going to be from 10:00 a.m. to 4:00 p.m. As they are planning the event, they have not yet had the opportunity to talk to all the businesses on Constitutional Way. They want to make sure to reach out to Citizen's Bank first because they are open until noon. They may decide to shift the event from noon until 6:00 p.m. They want to leave the time open until they can determine which would be best for everyone.

Mr. Soldati announced the next event for the FOS will be on May 18th. This will be a community-wide yard sale. Several residents who live on the hill will host outdoor yard sales on their land. They will have vendors, food and entertainment up on Hilltop grounds to try to bring people back to Hilltop School. If you are interested in hosting a yard sale and you live on the hill, or if you want to just have a yard sale up on the hill, you will have an opportunity to set your stuff up on the school grounds. You can contact us at friendsofsomersworth@comcast.net. The event will be on May 18th beginning at 8:00 a.m. and will last through the afternoon.

ANNOUNCEMENTS BY CITY COUNCILORS.

Councilor Soldati announced that on Friday, May 17th, the Chamber of Commerce is going to be having its annual dinner and awards ceremony. This year the business of the year is Deb & Duke Monogrammers, the citizen of the year is Jeanette Gagne, and teacher of the year is Eric Mommsen. The public is invited, and certainly City Councilors, to help us honor these wonderful people and all the good work they do. The event will be held at The Red Barn at Outlook in South Berwick, ME. It will be a wonderful celebration and she hopes to see a lot of people there.

Councilor Soldati wished to explain to the general public an understanding of the Chamber. Their official name is the Greater Somersworth Chamber of Commerce. Back at its inception, she believes the founders of the Chamber decided that this economic region includes the Berwicks and Rollinsford and Somersworth. They are all inter-dependent on each other for a healthy economy, consequently they named it The Greater Somersworth Chamber of Commerce. In their guidebook, profiles of the other communities are included and they have links to the other communities on the Chamber web site.

Councilor Sprague mentioned there will be a meeting on May 8th at 6:00 p.m. at the Berwick Town Hall in reference to the bridge. Maine DOT will be coming down and will be giving an update on the project.

Councilor Sprague indicated he gave all Council members a copy of an e-mail he received from Anthony Donovan who is President of the Main Rail Transit Coalition. He was very successful in getting Freeport and Brunswick on line with the Downeaster. He would like to get passenger rail back in Somersworth. This is very important to our community and the Berwicks, for the greater development of this region.

Councilor Sprague said he would like to have Mr. Donovan come to the next meeting and talk to our community about mobility plans and to see how feasible it is to have us included in the new rail. Also, the City Manager forwarded an email from Cynthia Copeland, the Executive Director for the Strafford Regional Planning Commission indicating the NH DOT is included in NH Northcoast on their list of three TIGER Grants to submit on June 3rd. They are excited about this because it is one of the top priorities they have. This would upgrade the rail system through Rollinsford, Somersworth, Rochester, Milton, Wakefield and north.

Councilor Sprague said he talked to Senator Waters about the rail system. He assured him he would like to sit down and address the City getting rail service. He indicated there has also been some talk of an Exit 10 once again because of the Saffron plant in Rochester.

Councilor Sprague said we are investing a lot in our downtown. If we can bring rail to our community, he thinks developers will come here and we will flourish. It cannot happen overnight but will take some time. We all need to be "on board".

COMMUNICATIONS.

LETTER FROM SCOTT KOHN, AFSCME/UNITED EMS WORKERS, LOCAL 4911.

Councilor Sprague indicated he objects to having this letter read because there is no address, phone number, or indication of whether or not this person is a resident of Somersworth. In the past, the Council has disallowed communications for not having sufficient information on them. If he got something in his agenda packet on a Friday night and he had some questions, he would like to be able to get in touch with the person.

Councilor Sprague indicated that with the e-mails we have received over the past two weeks, if we are going to allow things like this that come in from non-residents, we could have hundreds of communications. This communication should wait until we have further information.

Councilor Witham moved to table this communication until we get an address. The motion was seconded by Councilor Sprague and passed unanimously.

MAYOR'S REPORT.

- April 16th – Attended a joint workshop of the City Council and the School Board.
- April 17th – Attended the Traffic Safety Committee Meeting.
- April 17th – Attended a planning meeting of Safe Haven's community garden at the Bartlett Avenue housing development.
- April 18th – Attended the Sustainability Committee Meeting.
- April 19th – Attended the Tri-City Chamber State of the State Breakfast with Governor Hassan.
- April 19th – Attended the NHMA Board of Director's Meeting.
- April 20th – Attended the Somersworth Festival Association Spring Craft Fair.
- April 22nd – Attended the budget public hearing for Ordinance 12-13, the FY 2013-2014 City of Somersworth budget.
- April 26th – Attended the Greater Somersworth Chamber of Commerce Annual Awards selection meeting.
- April 29th – Attended a presentation and tour of Favorite Foods with Senator Shaheen, Economic Development Manager Christine Davis and several other people.
- May 1st – Conducted an interview for the vacancy on the Somersworth Housing Authority Board of Commissioners.
- May 3rd & 4th – Attended NHMA Local Official Workshops in Dover and Concord.

REPORTS OF STANDING COMMITTEES.

PUBLIC SAFETY COMMITTEE.

Councilor Witham reported this Committee met on 4/30/13 at 8:30 a.m. All Committee members, Councilor Pepin, Hebert and himself were present, as well as the City Manager, Fire Chief, Police Chief, Police Captain, and the Finance Director. Councilor Sprague was also in attendance for a short amount of time, as were several members of the public, including staff from American Ambulance. After approval of the minutes of the prior meeting, they reviewed line by line the draft contract between what was drafted between City staff and representatives of American Ambulance. They went through it line by line looking at everything from terms of the contract to the services they would provide, radio communications, billing, equipment, training for our fire personnel and insurance. They discussed everything in some detail. That led to the development of the draft contract which is before us this evening.

Councilor Witham said the Committee also discussed Targeted Police Enforcement, which they have kept as a standing agenda item. Chief Crombie informed them that Crime Watch signs will

be going up in most of the City's Laundromats. They got permission from all but one owner. That was a recommendation from Councilor Soldati.

GOVERNMENT OPERATIONS COMMITTEE.

Councilor Tapscott reported this Committee met on 5/03/13 at 8:30 a.m. In attendance were the Committee members, Councilors Soldati, Witham and himself, the City Manager, and Christine Davis. The following items were discussed:

- H. R. Coordinator, proposed position – The Human Resources positions from Rochester, Dover and Portsmouth were reviewed. The proposed position will be for 8 months and will be called H. R. Manager. The position will entail handling orientation programs, exit interviews, handling grievances as well as coordinating other things. The position will require minimum experience of 5 years. The City Manager will put together a job description and get back to the Committee. The position was unanimously endorsed by all three Committee members.
- Council Rules and Regulations – time limit for “Comments by Visitors” – current time limit is 5 minutes per person, and 30 minutes total. They discussed reducing the time to 3 minutes per person. It was the consensus of the Committee to leave the time at 5 minutes.
- Council Compensation Penalty per Charter – discussion ensued in regards to “Why penalize a member when we all have other meetings also, and don't get paid?” The Committee would like to have discussion on this subject at the next regular meeting. Also includes School Board compensation.
- Channel 22 Policy – City Newsletter, hard copies versus e-mail. The Committee discussed a “Hybrid”, E-newsletter and hard copies. Christine Davis will get back to the Committee with more facts. Channel 22 is inviting new businesses and a revision of Channel 22 policies for businesses. They will continue to discuss this at future meetings.

PUBLIC WORKS & THE ENVIRONMENT COMMITTEE.

Councilor Sprague reported this Committee met on 4/22/13 at 8 a.m. Present were Councilors Tapscott and Hebert, himself, City Manager Belmore, Finance Director Smith, Public Works Director Willis and Foreman Shawn McLean, Frank Underwood from the Town of Berwick, ME and Patrick Venne, Town Manager of Berwick, ME.

Councilor Sprague reported they approved the minutes from the previous meeting. This meeting came about because he and Councilor Witham went over to Berwick to hear them talk about the water line. They heard a lot about the water line, and he promised them this Committee would have a meeting to talk about the water line. This is a water line that we do not need, and which Berwick has not used in 30 years. They are willing to pay \$100,000 to have this water line. What the Committee has expressed is that if the line does need to come over to Somersworth we will not be paying anything, and the hook-up will not happen on our road after we pave it. He doesn't think they will end up wanting the water line.

Councilor Sprague said they then heard about the gas line from the Berwick people. They are talking to a group of people at the gas company.

Councilor Sprague said when they talked to the gas company, they indicated they have no plans of doing anything, and if a line is put out there, it has to be connected within 7 years or it has to be disconnected by statute. Their point to Berwick was that if there is a gas line put in underneath the road to be connected at a later time it was suggested that the hook up be on Winter Street, not in the middle of our new downtown.

Councilor Sprague said he brought up the light again to the Berwick officials, telling them we do not want it. They are on board with this. With Prime Tanning coming into their possession, they will be taking those buildings down and will have a blank slate to work with. They are thinking about putting in a roundabout which would alleviate the need for the light.

Councilor Sprague said they also had an update on City projects – the High Street Delamination Repair has begun, as people can see. They found out through using the camera that there was about 120’ of fractured sewer line, and also a 670’ running sewer that no manhole in the middle. You need to have this. They are addressing putting a manhole there. What we are saving by not going up to Bartlett Ave. will probably compensate for the fractured lines. They are still having problems connecting with the lines out there. He feels they will be on page with the original bond, but time will tell. This needs to be done correctly.

Councilor Sprague said they also talked about Constitutional Way. He thought we might want to think about striping that street now so it can be used for alternative parking so that during the construction we will have another area for the patrons of the downtown businesses to park. That would mean we would have to upgrade some of the sidewalks also.

Councilor Sprague said City Manager Belmore also talked about a feasibility study for developing the solar energy generation at the superfund site. That is being funded by the EPA. Manager Belmore also relayed that a request for an additional water hookup from a Rollinsford resident was received. They decided to table this and working on having some language put in for out-of-town parcels wanting to hook into our water lines. We could look at charging a hookup fee, or maybe a trade-off of using their recycling center. This comes down to a legal matter since this is not Somersworth property and if someone doesn’t pay their water bill there needs to be legal recourse since we cannot place a lien on out-of-town property.

Councilor Sprague said they also talked about the need to change the water tariff to a water ordinance. The water tariff was last updated in 2001.

REPORTS OF SPECIAL COMMITTEES.

Councilor Pepin reported there was a School Board meeting on 4/16/13. The Building & Grounds Committee gave a report stating the windows are ready to be put in on 6/18/13. The asbestos removal will also be started on 6/18/13. The HVAC project has already started. There is one unit up and running.

Councilor Pepin said they also talked about transition of Rollinsford students.

Councilor Pepin said following their workshop, the School Board increased their CIP request from \$50,000 to \$250,000.

COAST BOARD OF DIRECTORS.

Councilor Pepin reported this Committee met on 4/17/13 at 8:30 a.m. They discussed the following items:

- Approved DOT Fiscal Year Grant #53-10.
- Discussed employees' reference checklist point. Because they deal with handicapped people, it was found their checklist didn't meet all the requirements and had to be updated.
- Seacoast Commuter Options Subcommittee was established.
- There was discussion about the budget. There were concerns about Dover. Dover has two different types of transportation supplied by COAST. One is the core group, and one is called the FastTrans. Dover funded one of the groups, but not the FastTrans (\$140,000). There was concern about that since it affects Routes 33, 34 and 35, which is the County Farm Road area. It would also affect the FTA 5307 Program Grant. If that is not funded, there will be a big transportation problem.

SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this Committee met on 4/18/13 at 6:00 p.m. They discussed the following items:

- Household Hazardous Waste (HHW) Collection that occurred on 5/04/13. She doesn't know what level the participation was. For those who did not participate, they can bring their HHW to Rochester and they will take care of it. They want to look into finding out if there is a way to increase participation perhaps by actually having a place in Somersworth where people can leave their hazardous waste, then the City could transport it. They have to look into it, because there are all kinds of certifications needed to do this. They want to check the cost and see if something closer to home can be established. They are trying to find services for the residents.
- They discussed the community gardens, which are full. They doubled their capacity this year and all the plots are taken. If anyone wants to have a garden, they have a solution. Last year they had a critter problem. She commended Dave Sharples, Director of Planning and Community Services, for suggesting they use the fencing from the former St. Laurent Park and put it around their community gardens. Doing this, they will have even more space for more gardens and hopefully some protection from the critters.
- The President of Municipal Pest Management Company, which is a company the City contracts with, was invited by the Committee to explain the means and methods employed by the City to control unwanted vegetation in the downtown area. What they learned was that the City has been spraying "Round-up" throughout the downtown area and other areas, to get rid of the weeds in the cracks in the sidewalks. Mr. Morrison reassured them that this is perfectly fine, but she did some research and discovered that Monsanto, the company that produces "Round-up", has been prohibited by the federal government to put the word "safe" on the label. That was a red flag to her. They will keep looking into it. Her personal hope is that we get rid of it.

- They discussed Spirit Up Somersworth. The Sustainability Committee had a booth at that event. It was well attended. Every year this event keeps growing and she is proud of the Middle School, the SYC Program who sponsors this directed by Maureen Jackman. It was very heartening to see young people out with their gloves and their trash bags cleaning up the City.
- Their next meeting will be on 5/16/13 at 6:00 p.m. Any member of the public is welcome to come.

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 3, 2013

**SUBJECT: City Manager’s Report for Monday, May 6, 2013
City Council Agenda**

Please NOTE - City Council is scheduled to convene for a private meeting at 6:15pm regarding Labor Union negotiations strategy.

New Business (under Section 14 of Agenda)

Ordinances:

A. Ordinance No. 12-13 FY 2013-2014 Budget. City Council will need to suspend Council Rules should you decide to start working on Budget Amendments. *Please bring your Proposed Budget Books in case this happens.* Also, please note the late submittal for an addition to the Community Support appropriations – Somersworth SHARE Fund, their fiscal agent is CAP. Council will need to adopt a final Budget Ordinance at one of the scheduled meetings of May 20, June 3 or June 17. Reminder: approximate estimate – for every \$84,400 = an additional .10 cents on projected tax rate which presently stands at \$30.41.

Resolutions:

- A. Resolution No. 31-13. To Authorize the City Manager to Amend the Contract with Hoyle Tanner and Associates, Inc. of Portsmouth, NH for Professional Engineering Services Associated with the Downtown Improvement Project.** Attached is a copy of the Draft Amendment to the HTA Professional Engineering Services Contract. The Finance Committee has discussed this amendment and supports its passage. This changes the original contract amount from \$238,200 to \$317,470 (\$79,270 more) due to increase scope of project and survey work.

Other:

- A. Vote to Ratify a Four-Year Wage & Working Agreement between the City and the Somersworth Police Employees NEPBA Local # 19.** The Mayor has approved a City Council private session (non-meeting) starting at 6:15 p.m. to discuss the City and School tentative Labor Union agreements.
- B. Vote to Ratify a One-Year Agreement between the Somersworth Association of Clerical and Aides and the Somersworth School Board.** SAU negotiating team members will be present.
- C. School Board Amended CIP Request.** This School Board submittal is attached. The \$250,000 amended CIP request is a product of the recent City Council-School Board joint workshop.
- D. Vote to Authorize the City Manager to Sign a Three-year Agreement between the City and American Ambulance of New England with the Option for an Additional Three-year Extension.** Attached is a copy of the Draft Agreement. It was reviewed by the Council's Public Safety Committee with City staff and American Ambulance representatives. City Attorney has also reviewed and approved the language with some minor language changes. In item #2 in the contract it talks about the dedicated ambulance we will get 24/7, 365 days a year, having some sort of graphics on it. In the agreement it states "Dedicated to the Somersworth Community". That may be what we run with unless any Councilors have anything else in particular in mind. In item #8 under Radio Communications, there will be some "tweaking" in that particular section. It will be in agreement with our Police Dispatch Center and our Fire Department. Please note that in the interest of Community public safety and a smooth transition, both Companies have suggested American Ambulance's contract starting earlier than July 1, 2013.
- E. Special Events: Pending Approval by the Licensing Board.** Attached is a memorandum from Police Chief Crombie regarding two special event permits recently submitted to the City Licensing Board. The Chief requests the Council take up the matter of road closures.

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

A. Informational Items:

1. **Somersworth SHARE Fund.** Attached is a Community Support Funding request received on April 30, 2013. The SHARE Fund is requesting an amount of \$1,000 from the City. Please note – CAP is the fiscal agent for the SHARE Fund.
2. **Former Police Station Building.** I ask that the appropriate Council Standing Committee schedule a meeting to discuss the possible re-acquisition of the building. Another option is for the full Council to meet in a non-public session to discuss this issue.
3. **City Department Updates.** Development Services Department: Attached is a memo from Director Sharples regarding the City's tax maps now available on-line via the City's website. This is another step to make our City information conveniently available to the public. Police Department: Attached is a copy of a State Highway Safety Agency grant award for four (4) In-Cruiser video and cameras. I wanted to inform you and also recognize the efforts of Chief Crombie and his staff.
4. **City Council Workshop.** I recommend the Council schedule a workshop to receive a presentation from Wright-Pierce Engineers regarding a summary of their evaluation of the City's Water Distribution System. The next regular Council meeting date of May 20th would work for them with the workshop starting at 6:00 pm.

B. Attachments:

1. Draft Amendment to HTA Engineering Contract
2. Draft Agreement Between the City and American Ambulance
3. Community Support Relief Request – SHARE Fund

City Manager Belmore indicated this is the first he has heard about the 28 Otis Road situation. He will see if this can be resolved as soon as possible.

Mayor Spencer asked if Council members are amenable to holding a workshop to receive a presentation from Wright-Pierce Engineers on May 20, 2013 at 6:00 p.m. prior to the regular Council meeting.

Councilor Sprague said he would also like to have Tony Donovan from the Maine Rail Transit Coalition come down that same night to speak. We would need to address this in the near future and time is of the essence. The deadline for TIGER funding is early in June.

Councilor Soldati said she believes the deadline is June 3rd and suggested the Council have a workshop on another night just for this purpose as soon as possible.

Following further discussion by Council members, it was agreed that Mr. Donovan from the Maine Rail Transit Coalition would be scheduled for a presentation on May 20th at 6:00 p.m. prior to the Council meeting, and Wright-Pierce will be scheduled prior to one of the June Council meetings.

UNFINISHED BUSINESS.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

- Conservation Commission – Emilee Kenyon, term to expire 4/2016.

Councilor Tapscott moved to approve this nomination. The motion was seconded by Councilor Pepin and passed unanimously.

- Historic District Commission – Beth Poulin, term to expire 4/2016; Arthur Hendrickson, term to expire 4/2016; Julie Rowe, Alternate, term to expire 4/2016.

Councilor Witham moved to approve the slate of nominees. The motion was seconded by Councilor Tapscott and passed unanimously.

- Trustees of Trust Funds – Tammy Sneddon, term to expire 4/2016.

Councilor Tapscott moved to approve this nomination. The motion was seconded by Councilor Hebert and passed unanimously.

NEW BUSINESS.

Ordinances:

Councilor Witham moved that Ordinance No. 12-13 be read by title only due to its length. The motion was seconded by Councilor Tapscott and passed unanimously.

Councilor Witham moved to suspend the rules for a second reading by title for discussion purposes. The motion was seconded by Councilor Pepin and passed unanimously.

ORDINANCE NO. 12-13 FY 2013-2014 BUDGET.

Somersworth, NH
May 6, 2013

The City Council of the City of Somersworth ordains that budgets for the City of Somersworth for the 2013-2014 Fiscal Year shall be:

DEPARTMENT

PROPOSED BUDGET

GENERAL FUND

Elected Leadership	\$ 119,811
City Management	407,324
Finance and Administration	1,115,818
Development Services	870,176

Police	3,373,708
Fire	2,027,493
Public Works	2,043,302
Other Expenses	1,366,817
Capital Outlay	267,263
Intergovt. Assessments – County	2,285,590
School Department	<u>25,482,232</u>

TOTAL GENERAL FUND 39,359,534

ENTERPRISE FUNDS

Wastewater Department	2,312,743
Water Department	2,049,647
Solid Waste	<u>378,100</u>

TOTAL ENTERPRISE FUNDS 4,740,490

TOTAL FY 2013-2014 APPROPRIATION \$44,100,024

This ordinance shall take effect upon its passage.

Introduced by

Mayor Matthew Spencer

By request

Approved:
City Attorney

Councilor Witham said it is important to begin discussing a few items in the budget. He had a few ideas that have been discussed in workshops. By and large he is very comfortable with the proposed budget. There are some items under Public Works and Capital Outlay he could have some discussion about. It maintains the services we desire and more importantly puts into place some very needed positions. One of these positions is a Human Resources (HR) Manager. The City staff of 90+ full-time employees and many part-time employees needs an HR Manager position. Right now, that burden rests with the City Manager and is also farmed out to a few staff members. This is an important position that he thinks we need to fund.

Councilor Witham said the City Manager took a hit in his department where his full time Administrative Assistant was cut to a part-time position. With the demands of that office we need to get that position back to full-time.

Councilor Witham indicated on the School Department side, he has watched all their meetings where they dealt with the budget. They are not asking for anything extravagant. Their proposed budget maintains the level of services and he applauds the work they did. The question is if we want to talk about adding more to the School Department budget in terms of the CIP line. He

would like to hear the pulse of the Council. He could gravitate towards funding the completing of asbestos removal at the Middle School.

Councilor Soldati spoke about the Human Resources Manager position, stating one of the goals is to professionalize the City a little more in that regard. The Government Operations Committee did give the City Manager some direction, stating they want a certified Human Resources Manager, someone who can be a resource to the Department Heads in making hiring and other decisions. This is a very valuable position for the City and she strongly urged the Councilors to approve that addition.

Councilor Sprague echoed Councilor Witham's comments. He agrees we need to increase the School Department CIP amount. \$50,000 will not cut it. He is for the increase that is proposed tonight. When he looks at our road resurfacing budget of \$150,000 it just doesn't hit it. It used to be at \$300,000. The price of everything has gone up. In order to maintain our roads we would probably need to triple the amount in the budget and it still wouldn't be enough. Just by not fixing something doesn't make it go away, it just compounds it to a higher price later on.

Councilor Sprague said he also wanted to look at making the Assessing Clerk position full-time again. We cut that back a few years ago to try to save some money. Right now there is an uptick in the economy and we will need more manpower in that office. He is all for getting our benchmark up. We need to do the right things this year. He would like to look at the contingency fund and try to beef that up.

Councilor Pepin said he would like to see an increase in the COAST bus funding. The City Manager asked for an increase of \$16,857 over last year's amount. This is a vital need for some people in our community. The bus service on Route 108 is used very heavily and is one of the biggest routes. He hopes the City Council increases that line item.

Councilor McCallion said for the last ten years we have pushed the budget back. In order to get us where we need to go in the future, we need to spend money in certain areas. He is not a proponent for spending foolishly. All the departments have been frugal over the years.

Councilor McCallion spoke regarding the COAST bus increase request, stating we do have the added transportation fee to registrations and we can allocate some of those funds to COAST.

Mayor Spencer commented that would leave us with less to address the roads.

Councilor Witham moved to increase the School Department line item 2100, Capital Outlay/CIP, by \$75,000 which would bring the total to \$125,000. The motion was seconded by Councilor Soldati.

Councilor Witham said this goes in line with his opening statements. This would allow them to do more work in the CIP line and could allow them to complete the asbestos removal. We have made a lot of progress over the last couple of years and this would further that effort. It is a tolerable amount.

Councilor Sprague said we will have a \$5M bond retiring in a couple of years. He does not want bonding to be the mechanism we use to play catch-up. We need to get a number in the Capital Outlay/CIP Line that we can stick with year after year. Next year the budget will have a tax cap in it. This is the benchmark year. He supports Councilor Witham's motion.

The motion to increase the School Department Capital Outlay/CIP budget by \$75,000 passed unanimously.

Councilor Pepin moved to increase Elected Leadership, Community Support, line item 5472, COAST Bus Service to \$74,838. There was no second to the motion.

Councilor Witham moved to table Ordinance No. 12-13. The motion was seconded by Councilor Tapscott and passed unanimously.

Resolutions:

RESOLUTION NO. 31-13 TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH HOYLE TANNER AND ASSOCIATES INC. OF PORTSMOUTH, NH FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE DOWNTOWN IMPROVEMENT PROJECT.

Somersworth, NH
May 6, 2013

WHEREAS, the Somersworth City Council adopted Resolution 13-13 to authorize the City Manager to contract with Hoyle, Tanner and Associates to provide professional engineering services associated with the downtown improvement project for an amount not to exceed \$238,200 (Two Hundred Thirty Eight Thousand Two Hundred dollars); and

WHEREAS, the City Council has reviewed the project and made decisions increasing the overall scope of the project including street scape, underground conduit for street lighting, and additional survey work; and

WHEREAS, Hoyle, Tanner and Associates Inc. has requested an increase in the contract in the amount of \$79,270 (Seventy Nine Thousand Two Hundred Seventy dollars) to address the increase in the overall scope of the project, thereby amending the total contract to an amount not to exceed \$317,470 (Three Hundred Seventeen Thousand Four Hundred Seventy dollars),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with Hoyle, Tanner and Associates, Inc. of Portsmouth, NH to provide professional engineering services associated with the downtown improvement project to an amount not to exceed \$317,470 (Three Hundred Seventeen Thousand Four Hundred Seventy dollars).

Introduced by Councilors

Dale Sprague

Robin Jarvis
Brian Tapscott
Jennifer Soldati
Marcel Hebert

Approved
City Attorney

Councilor Tapscott moved to suspend the rules to give Resolution No. 31-13 a second reading by title in order to act on it tonight. The motion was seconded by Councilor Pepin and passed unanimously.

Following the second reading of Resolution No. 31-13 by title, the Resolution passed unanimously by roll call vote.

Other:

VOTE TO RATIFY A FOUR-YEAR WAGE & WORKING AGREEMENT BETWEEN THE CITY AND THE SOMERSWORTH POLICE EMPLOYEES NEPBA LOCAL #19.

Councilor Witham made a motion that the City Council ratify the Agreement negotiated with the Police Employees NEPBA Local #19. The motion was seconded by Councilor Sprague.

Councilor Witham said that obviously any contract has cost implications associated with it. Those cost implications are shared between the City and those employees.

Councilor Witham added that this Council has directed the City Manager to work with his staff to look at increased contributions to health insurance, which has been demanded of us by the public at large. At the same time, they recognize the important work that the Police Department does in the community, and perhaps some residents take their services for granted. The Somersworth Police Department is an extremely busy agency and there is a lot of demand placed on a relatively small work force. This is an agreement that strikes that balance between what the Council is asking of employees and what we need to be paying those police officers.

Councilor Witham indicated this is a long-term agreement and he is in full support of this.

The motion to ratify a four-year Wage & Working Agreement between the City and the Somersworth Police Employees NEPBA Local #19 passed unanimously.

VOTE TO RATIFY A ONE-YEAR AGREEMENT BETWEEN THE SOMERSWORTH ASSOCIATION OF CLERICAL AND AIDES AND THE SOMERSWORTH SCHOOL BOARD.

Councilor Pepin recused himself stating his wife works for the School Department under this contract.

Councilor Sprague moved to ratify the one-year Agreement between the Somersworth Association of Clerical and Aides and the Somersworth School Board. The motion was seconded by Councilor McCallion.

Councilor McCallion said he only has one child in the school system now, where he used to have three. He used to scrutinize every penny they spent because they are the biggest piece of the pie in our tax rate. This School Board has done a great job with the aides, with the coaches, with everybody. He commends them for getting together and helping the City save money while keeping the right amount of people doing the job. He applauds the School Board.

Councilor Witham said he agrees with this. The School Department is the big part of our budget and we do look at it very closely. What underscores this is the hard work that took place behind the scenes to get to this agreement. The only thing he doesn't like about it is that it is only a one-year Agreement. If we can move beyond that in the future, that would be terrific.

The motion to ratify a one-year Agreement between the Somersworth Association of Clerical and Aides and the Somersworth School Board passed by a vote of 7 yeas, 2 abstentions, Councilors Jarvis and Pepin abstaining.

VOTE TO AUTHORIZE THE CITY MANAGER TO SIGN A THREE-YEAR AGREEMENT BETWEEN THE CITY AND AMERICAN AMBULANCE OF NEW ENGLAND WITH THE OPTION FOR AN ADDITIONAL THREE-YEAR EXTENSION.

Councilor Witham moved that the City adopt the Agreement as drafted and presented this evening between the City and American Ambulance of New England. The motion was seconded by Councilor McCallion.

Councilor Witham said we have been over this time and time again. The Public Safety Committee went through it line by line, and you have all reviewed it. If there are questions, there are representatives from American Ambulance in the room, and the City Manager is here.

Councilor Witham said this contract, if voted for this evening, will certainly position the City much better than it currently is now. For the first time that he can ever recall, Somersworth will have a dedicated ambulance, and another ambulance for 56 hours on top of that. Also, the agreement provides training for our firefighters and it provides some high-end equipment. It is a contract that is head and shoulders above anything we have had in recent memory. It is his opinion that it deserves our passage.

City Manager Belmore reiterated that he has a few minor changes, but for all intents and purposes what was presented is the agreement.

Councilor McCallion said his input on the logo is that it would be blue, and maybe a logo from the high school or Vision 2020 that signifies Somersworth.

Councilor Sprague said he couldn't be happier with the entire agreement and the hard work the Public Safety Committee and the sub-committee put in. At the end of the day, he wonders why

we didn't do this before. We have a far better product than we had going into this. He has the utmost confidence in American Ambulance as far as working with our Fire Department. It has to be a partnership. We are talking about public safety and we need to be working together.

The motion to authorize the City Manager to sign a three-year agreement between the City and American Ambulance of New England with the option for an additional three-year extension passed unanimously by roll call vote.

SPECIAL EVENTS PENDING APPROVAL BY THE LICENSING BOARD.

- 1) Approve closing Washington Street (High to Constitutional Way) for Somersworth Housing Authority Barbecue for seniors on Wednesday, June 19, 2013 from 1:00 p.m. to 7:00 p.m.

Councilor Witham moved to approve the closure.

Councilor Sprague suggested it could be closed off at the end of the Washington Street Plaza rather than at Constitutional Way then the businesses would still have both entrances open.

Councilor Tapscott said this is a good point.

Councilor Pepin said he is not sure if that would be the safest thing to do. Councilor Pepin moved to suspend the rules in order to hear from Captain Kretschmar about this. The motion was seconded by Councilor Soldati and passed unanimously.

Captain Kretschmar said his guess would be that people coming off Green Street onto Washington Street would realize too late that the road was closed. This event has taken place in the past and the road has been blocked off at Constitutional Way.

The motion to close Washington Street (High to Constitutional Way) on 6/19/13 from 1:00 p.m. to 7:00 p.m. passed unanimously.

- 2) Approve closing Constitutional Way for Friends of Somersworth (FOS) Jakarta Fair – Indonesian Food Festival on Saturday, July 20, 2013 from 10:00 a.m. to 6:00 p.m.

Mayor Spencer indicated the times could be from 10:00 a.m. to 4:00 p.m. or 12:00 noon to 6:00 p.m. depending on the businesses there, as stated by Emmett Soldati earlier in the meeting.

Councilor Witham said his only concern is for Citizen's Bank. As long as FOS works with them and they are flexible, he is fine with it.

Councilor Sprague said his concern is that later in the day people may not realize the road is closed and a pedestrian could be hit. He wondered if they would be putting barricades up.

Councilor Witham asked what is done when we block off streets for the Children's Festival, when we block off several streets.

Captain Kretschmar said normally the street is blocked off at the intersection. They would put up barricades. They could also put a Police Department vehicle there that is not in use.

Councilor Witham asked if we get proof of liability insurance when organizations use the streets.

The City Manager replied the Licensing Board, consisting of the Mayor, City Clerk, and Chief of Police, can put special conditions on events and make sure they have insurance.

The City Council unanimously approved closing Constitutional Way for the FOS Jakarta Fair on Saturday, July 20, 2013 either from 10:00 a.m. to 4:00 p.m. or 12:00 noon to 6:00 p.m.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Witham said this past weekend they opened up the Babe Ruth Baseball season at the Noble Pines. There were a few issues that were taken care of on Friday. The City's Recreation Supervisor, Nick Campion, does a ton of work. It is really amazing the things he does. Earlier in the season he saw him up there repairing the fence, he's been up there daily monitoring the area around the splash pad to make sure it is watered properly. He has been right on top of things at the Pines and throughout the City. He does a very good job.

Councilor Witham referred to Mr. Means that spoke about issues on Otis Road. He has seen the rocks out there, didn't know who put them there, and didn't have an issue with them. The City does typically have a right of way that goes beyond the pavement edge. Most people's mailboxes are on the City's right of way. He doesn't know what the issues are or what the answer is, but he is glad the City Manager is going to look into that.

Councilor McCallion thanked everybody that took part in the cleanup day on May 4th. He was out of state for work or he would have been there. He has done it before and had a really good time. It seems to get better every year. Great job to those people who participated.

Councilor McCallion said that before tonight's meeting they had a discussion about the railway. He was in New Jersey recently and he has seen two cities transformed by getting public railway back. It is amazing. For us to be at a point where we can actually put in for a regional grant to accomplish this is great because it would really bring back the downtown. The Economic Development Committee is always talking about ways to revitalize the downtown area. The cities in New Jersey have revitalized their downtown areas and it is amazing. On Friday and Saturday nights it looks like Portsmouth. It is a community feeling. This would really help us. We are making an investment in the downtown, and good things are coming.

Councilor Sprague said Tony Donovan will put on a great presentation. His energy is contagious.

Councilor Sprague said he wants to see the contract we signed with the company that bought the former police station before buying the building back is discussed. He wants to see what we are up against. We should have had a caveat in the contract that if they didn't do something within

two years it would revert back to the City. He is told we didn't have that. That is his direction at this time.

The City Manager said he would have copies for the Council by the next meeting. He suggested they discuss it in non-public session. A contract is a public document, but when you are negotiating for value it is best to negotiate in private.

ADJOURNMENT.

Councilor Witham moved to adjourn. The motion was seconded by Councilor Pepin and passed unanimously. The meeting adjourned at 8:53 p.m.

Respectfully submitted,

Diane M. DuBois, City Clerk