

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
July 25, 2016
7:00 P.M.

The meeting was called to order by His Honor, the Mayor, Dana Hilliard, and upon roll call the following Council members were present: Pepin, Soldati, Dumont, McCallion, Messier, Witham, Sprague, Cameron, and Paradis.

MINUTES OF THE PREVIOUS MEETING.

MINUTES FOR WORKSHOP - NH DOT ROUTE 108 IMPROVEMENTS HELD ON JUNE 20, 2016

Councilor Soldati, seconded by Councilor Pepin, made a motion to accept the minutes. The motion passed unanimously.

MINUTES FOR PUBLIC HEARING – ORDINANCE 20-16 HELD ON JUNE 20, 2016

Councilor Pepin, seconded by Councilor Soldati, made a motion to accept the minutes. The motion passed unanimously.

MINUTES FOR CITY COUNCIL MEETING HELD ON JUNE 20, 2016

Councilor Pepin, seconded by Councilor Dumont, made a motion to accept the minutes. The motion passed unanimously.

ANNOUNCEMENTS BY COUNCILORS

Councilor Witham said he runs the Babe Ruth Little League Program in the City. The team won the district and won the state title, and then went on to the regionals. He said he believes this is the first time in the history of the program. It was an incredible journey! He showed the award plaque and said it will be displayed in City Hall.

MAYOR'S REPORT

A special thanks to all of the members of the Hilltop Commission. Since their appointment in January, the Hilltop Commission led by Chairman Councilor Marty Dumont, Began the process of not only fulfilling their mission statement, but crafting a finalized solution which would bring closure to one of the most contentious issues within our community's history.

The former Hilltop School has been a pillar representing not only the value of Somersworth places in public education, but how we cherish our "Proud Past and Bright Future." The Commission examined all options and took into account what would be the best re-use of the historical property while honoring its place within the distant history and community at large.

The commission was 100% successful in not only presenting a recommendation to the body, but completing it 3 months before the deadline.

With the Commission work completed, the time for decision making and action is now placed within this body. It is my intention to draft the final recommendation brought forward by the Hilltop Commission into a former resolution for a first reading at the August 15th Meeting. It will then be the responsibility of this Council to debate its suggested recommendation for final approval. It is my hopes that his respective body can reach consensus, and pass the suggested plan for re-use of the historic property and begin a new chapter in the Hilltop's History.

As we conclude the summer months, the next Mayor's Community Forum will take place on Saturday, September 10th, from 9:00 – 10:30am at City Hall. Included in this formu will be At Large Council Member David Witham and Nancie Cameron, and School Board members Kelly Brennan and Matt Hanlon. The purpose of the forums are to foster dialog and ideas, in a non-formal setting to continue to move our community forward. All members of the community are welcome to attend any forums.

Under Nominations, Appointments and Elections; In accordance with Council Rule 17 Appointments, the following are being brought forward this evening for nomination.

Shanna B. Saunders, member of the Stafford Regional Planning Commission – Technical Advisory Committee with a term to expire June 2018.

Michael Bobinsky, Alternate member of the Stafford Regional Planning Commission – Technical Advisory Committee with a term to expire June 2018.

Bob Belmore, 2nd Alternate member of the Stafford Regional Planning Commission – Technical Advisory Committee with a term to expire June 2018.

Pamela Sawyer, Re-appointment as supervisor of the checklist, Ward 1, with a term to expire July 2021.

Megan Dubois, as Election Moderator of Ward 4, with a term to expire January 2018.

Mary Shaw, re-appointment as a member of the Board of Cemetery Trustees, with a term to expire July 2019

In accordance with Council Rule 17 Appointments, the nomination shall remain open until the August 15th scheduled Council Meeting.

Under Nominations, Appointments and Elections; In accordance with Council Rule 15, I am naming the following Mayoral Appointments:

Diane Crawford, member of the Cultural Commission with a term to expire January 2018.

Sharon Hodgdon, member of the Cultural Commission with a term to expire January 2018.

Rachael Wattimena, member of the Cultural Commission with a term to expire January 2018.

Jerry Coor, member of the Cultural Commission with a term to expire January 2018.

In accordance with Council Rule 15, this nomination does not require Council Approval.

This respectfully concludes my July 25th, 2016 Mayor's Report.

REPORTS OF STANDING COMMITTEES

Economic Development Councilor McCallion said they met on June 30 for a workshop on the ERZ Zone. Director of Planning, Shanna Saunders, explained what the ERZ is and how businesses can benefit from it. There were 10 to 12 small businesses in attendance. Senator Waters also spoke regarding the ERZ. The workshop was well attended.

Finance Committee – Councilor Witham said they have had 2 meetings since the last council meeting. The first meeting was June 30, Councilor Sprague recused himself due to a conflict of interest, and the Mayor appointed Councilor Dumont in his stead. The committee discussed a request for sewer abatement from Bonfire Recovery. Their focus was to understand the merits of the abatement and decide if the abatement would be granted and for what amount. There were a number of factors that were taken into account. They granted abatement and the amount due for sewer fees will be \$12,000.

They also discussed an abatement of transitional housing on Grand Street. The committee granted full abatement.

They also discussed Police Department purchases, the JAG grant and Drug Forfeiture funds. Upgrade of police cruiser computers, vests, service weapons. Committee agreed with all requests. There is a resolution that will be presented to council tonight.

There was also discussion about the removal of sludge from the water treatment facility lagoons. There was a project overrun, because of the underestimation of the weight due to moisture content. The amount was within the spending authority, and the Committee approved.

There was discussion about the replacement of the HVAC at City Hall. A contractor will be providing a scope of work that is needed.

The committee discussed the request for broadcast equipment for the Career Technical Center. Paid for out of the Cable Franchise Fund. There is a resolution this evening before full council.

The Plaza façade needed to be cleaned with a pressure washer. Blue sky was awarded the bid.

There was discussion about the lease/purchase of city fleet vehicles. The finance committee endorsed this purchase.

The committee also briefly discussed a CAP agreement with Primax.

The second Finance Committee meeting was held on July 21st. Councilor Witham said they discussed the road resurfacing bids. Representatives from Severino are here tonight. Funding was discussed in detail. Funding sources include fy16-17, Municipal Transportation Fund, Sidewalk Capital Reserve, and water utility. The Finance Committee endorsed unanimously with moving forward with the project and financing. The committee went on to discuss the CIP purchase items; portable radios, SCBA gear. The Resolutions are on the agenda for tonight. Both are budgeted items in the FY16-17 budget.

Councilor Witham thanked Wright Pierce for their work on the wastewater treatment plant. He said it makes sense for Wright Pierce to have the oversight on that project.

They discussed the vehicle purchases. Agreed, 4-0, to move forward with those.

And under miscellaneous, they talked briefly about reissuing FRP for the solar Landfill.

Public Safety Councilor Pepin said the committee met on June 28th. They discussed the JAG Grant. Chief Kretschmar requested that it be used for Taser training and caps, communication systems for the cruisers, bullet proof vests. They want to upgrade the whole department, 28 vests total, and the purchase of 3 hand guns. There are three new officers starting field training. There are currently 16 full time firefighters. All vacancies are filled.

The committee reviewed the CIP items. Hopes it passes full council.

They discussed the Fire inspection program; trouble with contact with building owners. Portsmouth is having the same problem.

American Ambulance is in need of a new ambulance, just ordered 2 new ones. They are now doing transportation for Frisby hospital. This will be a backup ambulance for the City of Somersworth as well. There were 18 calls for transportation and 6 vehicles on the road at one time.

Public Works & Environment Councilor Sprague said the committee also discussed the Road resurfacing bids. It is a very aggressive time schedule, there is pipe laying and drainage. It's not just paving. Severino did our downtown, and is a well known company in our City. They talked about the roads that need to be done; Memorial Drive, sewer and drainage, parking lots. Indigo Hill Road, including Wiggins Court and Alecia Court. There are easement issues, and the city needs to be sure that what they are paving is legally theirs. He'd like to see council waive council rules to award this tonight.

There are a lot of sections of sidewalk that need to be repaired.

They are looking at Rt 108 complete streets, looking to put that in motion.

They voted on the water sewer truck that came out of the enterprise fund.

Frank Underwood of Berwick, is entering talks with Unitil about getting natural gas over there by going through Somersworth. There are 2 PUCs involved with this project; Maine and New Hampshire. They are trying to improve their downtown

Recreation Councilor Pepin said the committee met on June 29. They talked about the signage at the noble pines. The signs have been ordered and will be placed in the near future

There was discussion about the Camera System

The Mast Point dam boat launch will be ready by fall.

There was talk about which parks the appreciation plaques for Timberland and Liberty mutual should be placed at.

There was an update on Kids Camp, and parents getting weekly emails of the activities.

They committee discussed the Somersworth Athletics Association. The parents are moving forward.

There was lengthy discussion about the restrooms at Noble Pines, and whether they should be open for more than just Kids Camp. They discussed different ways to make them available. Not able to do it and secure the supplies. Porta Potties might be an option.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

JBC Councilor Messier said the project is on budget and on time, open house in September. They voted to postpone the theatre sound and lighting, but approved the electrical. Project should be complete and ready for the start of school.

Planning Board approved a project on rt 108, a 3 story facility at the existing facility. Applicant worked hard with the planning board.

Sustainability Committee Councilor Soldati reported that the Committee met on July 21. They received report from Doug Watson about the Somersworth farm to school program. This program is to help bring healthy food into the school systems.

She is happy that the community gardens are full. There was discussion about expanding the gardens at Malley Farm; perhaps establishing gardens in the City.

There was discussion about establishing a policy of replacing Trees. With the rehab of the trees in the High Street, we need to replace the trees we took down. They are looking into other cities to see what their policies are. Director Saunders is looking into a designation of the Tree City.

There was discussion of the disposal of items that aren't covered by hazardous waste or bulky waste items. Need to do something about that. They are looking at ways to get rid of garbage on the streets.

They'd like the city to promote the use of rain barrels. We are in a drought.

The committee is researching the use of Rodeo as an herbicide and they are comparing it to an organic herbicide.

Councilor Soldati also said that she got a report from a resident who frequents the parks. She said there are many older citizens who like to go to these parks. They would like porta potties in the parks. If we want people to frequent our parks and use them, then we need to make the accommodating.

Hilltop Committee Councilor Dumont said the committee gave their final presentation tonight, and are finished as charged. You get to see the heart and soul of a community as you serve on these boards. He mentioned several members and how hard they have worked. There is a reason why they were able to accomplish the task in such a short period of time.

Parade Committee Councilor Dumont said they met on the June 27th, merged with Berwick. The route will be published soon. They are looking for a drone with a camera to take a top shot of the committee on the bridge. He received a text message as he was speaking, from a person offering to take the photo. "Isn't technology amazing!"

Historic District Committee Councilor Dumont said they have appointed a new chair person, Al Murado. They had a great workshop.

Fire Station Advisory Councilor Pepin said they have met and are discussing what needs to be presented. There will be a presentation at the next council meeting.

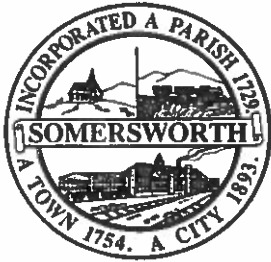
Tri City Coalition Councilor Sprague said they met on July 21st. DPW Director Bobinsky, PCD Director Saunders, and City Manager Belmore attended. There was Presentation from Strafford County Regional Planning about the Route 108 improvement plan, to start in 2024. Somersworth has the most at stake. All of Route 108 in Somersworth will be affected. The State builds it and then leaves. We need to consider maintenance. We will need another sidewalk tractor. When you have the 3 biggest cities in Strafford county, to address the county about what we want... This is a great tool to have. There was a unanimous vote to move forward with this project. Strafford county commissioners came in to speak about a Pilot program which will identify issues, health issues, help people sooner rather than later. He said he is at awe that we are being selected for this.

Vision 2020 Councilor Paradis said the committee met on July 11th. They reported on their table at the Children's Festival. They displayed an easel board with the goals of Vision 2020. They engaged the kids by asking what their vision is of the future of Somersworth. The kids did drawings inside of printed crystal balls. They handed out promotional flyers for the parents. Vision 2020 will be present at the other events as well; National Night Out and Jacarda Fair. Technical things, like the website, need updating. They will be getting light post flags with the flags from the different countries with "Welcome to Somersworth" in the different languages.

Cultural Commission. Councilor Dumont said the commission is progressing. Mayor will be going to Thedford Mines soon to present the Resolution that was recently passed

that made Thedford Mines a Sister City to Somersworth. French and Greek was well represented, but the Irish was not. They have added more members, to represent the Irish. A run is planned from Thedford mines to the City of Somerworth. Their arrival will be during the festival day.

City Manager's Report



CITY OF SOMERSWORTH
Office of the City Manager

TO: Mayor Dana Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, July 22, 2016

**SUBJECT: City Manager's Report for Monday, July 25, 2016
City Council Agenda**

*6:00 p.m. Workshop
Hilltop Commission Presentation
Fire Station Advisory Committee Presentation*

New Business (under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 1-17 Supplemental Appropriation for Water Main Improvements Associated with the Fiscal Year 2016-2017 Road Improvement Projects.** I recommend a Public Hearing prior to the next Council meeting on Monday, August 15th at 6:45pm.

The Public Hearing on Ordinance 1-17 was scheduled for Monday August 15th, at 6:45pm without objection.

Resolutions

- A. Resolution No. 1-17 To Authorize the School Department to Utilize a Portion of the Cable Franchise Fee to Purchase Equipment Necessary for the Purpose of Instruction and Broadcasting at the Career Technical Center.**

The Finance Committee met on June 30th and voted to support this proposal. Attached is a memorandum from Superintendent Jeni Mosca that itemizes the School Career Technical Center broadcast equipment purchases.

- B. Resolution No. 2-17 Authorizing the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles.** The Finance Committee met on July 21st and voted to support this item. Respectfully I suggest Council waive rules.
- C. Resolution No. 3-17 Authorize the City Manager to Contract with 2 Way Communications Inc., of Newington, NH for the Purchase of Portable Radios for the Fire Department.** The Finance Committee met on July 21st and voted to support this item.
- D. Resolution No. 4-17 Authorize the City Manager to Contract with Industrial Protection Services LLC. of Wilmington Massachusetts for the Purchase of Self-Contained Breathing Apparatus for the Fire Department.** Public Safety Committee met on June 28th and Finance Committee met on July 21st and voted to support these purchases. Respectfully I suggest Council waive rules.
- E. Resolution No. 5-17 Authorize the City Manager to Execute the 2016 Justice Assistance Grant Program.** The Finance Committee met on July 21st and voted to support this item. Respectfully I suggest Council waive rules.
- F. Resolution No. 6-17 Authorize the City Manager to Contract with Severino Trucking Co., Inc. of Candia, NH for Road and Utility Improvements on Memorial Drive, Alicia Street, Wiggin Court, Down Street, a Portion of Indigo Hill Road from Green Street to Main Street, and a Portion of Indigo Hill Road from Williams Street to Green Street.** The Finance Committee and Public Work & Environment Committee met on Thursday, July 21st to review the one (1) bid received. Attached is a breakdown on the cost components of the bid and proposed funding sources reviewed with the Council Committees. Respectfully I suggest Council waive rules.
- G. Resolution No. 7-17 To Authorize the City Manager to Contract with Dubois and King Engineers of Bedford, New Hampshire for Professional Engineering Services Associated with the Fiscal Year 2016-2017 Road Improvement Projects.**
- H. Resolution No. 8 – 17 Authorize the City to Use Funding from the Municipal and Transportation Fund for the Fiscal Year 2016-2017 Road Improvement Projects.**
- I. Resolution No. 9 – 17 Authorize the City to Use Funding from the Sidewalk Capital Reserve Fund for Sidewalk Improvements Associated with the Fiscal Year 2016-2017 Road Improvement Projects.**

Other

- A. Vote to Authorize the City Manager to Negotiate and Approve, with the Assistance of City Attorney, when in the best Interest of the City, Agreements with Former Owners of Tax Deeded Property Facing Possible Eviction Including but not limited to Terms of Repayment and Conditions to Remain at the Subject Premises. Said Authorization to be Indefinite until Rescinded by Further Action of the Council.** Attached is proposed Agreement to delay eviction regarding a present Somersworth resident. City Attorney has hammered out this proposal with the resident's attorney. I reviewed this matter with the Council's Finance Committee who supports this action. This vote would allow the City Manager to enter into a similar Agreement with the best interests of the City in mind.
- B. Set polling times for September 13, State Primary Election.**
Suggested time: 7:00 a.m. to 7:00 p.m.
- C. Set polling times for November 8, General Election.**
Suggested time: 7:00 a.m. to 7:00 p.m.

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

A. Informational Items

- 1. Letter of Intent - Transportation Alternative Program (TAP) Grant.** Attached is a Grant letter of intent that I authorized. Staff worked on the proposed project details and early estimated costs. If approved it is an 80/20 Grant, 80% State/Federal funds and 20% local match.
- 2. Multi-Hazard Mitigation Plan Update.** Attached is a letter of approval received from FEMA which allows the City to maintain eligibility for Mitigation Grant Funding.
- 3. The City of Somersworth 3rd Annual National Night Out.** The Somersworth Prevention Coalition in partnership with the City will hold a National Night Out event on Tuesday, August 2nd from 5:30 p.m.-7:30 p.m. at Jules Bisson Park.

B. Attachments

- 1. City Attorney Certifications - Six (6).**
- 2. Department Head Monthly Reports.**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Nominations – Requires Council confirmation vote.

1. Strafford Regional Planning Commission – Technical Advisory Committee
 - a. Shanna Saunders, Member, with term to expire June 2018
 - b. Michael Bobinsky, Alternate Member, with term to expire June 2018
 - c. Bob Belmore, 2nd Alternative Member, with term to expire June 2018
2. Pamela Sawyer, re-appointment as Supervisor of the Checklist, Ward 1, with term to expire July 2021
3. Megan Dubois, as Election Moderator of Ward 4, with a term to expire January 2018
4. Mary Shaw, re-appointment as Member of the Board of Cemetery Trustees, with a term to expire July 2019
5. Todd Marsh, as a member of the Ethics Commission, with a term to expire July 2019
6. Sarah McGraw, as a Member of the Conservation Commission, with a term to expire July 2019.

These nominations will remain until the August 15th meeting,

Mayoral Appointments

1. Cultural Commission
 - a. Diane Crawford, Member, with a term to expire January 2018
 - b. Sharon Hodgdon, Member, with a term to expire January 2018
 - c. Rachael Wattimena, Member, with a term to expire January 2018
 - d. Jerry Coor, Member, with a term to expire January 2018

These appointments do not require Council approval and are, therefore, appointed.

NEW BUSINESS

ORDINANCE NO. 1-17 SUPPLEMENTAL APPROPRIATION FOR WATER MAIN IMPROVEMENTS ASSOCIATED WITH THE FISCAL YEAR 2016-2017 ROAD IMPROVEMENT PROJECTS.

Somersworth, NH
July 25, 2016

THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 7.7(A) of the City Charter:

The annual budget for the City of Somersworth for Fiscal Year 16-17 is amended as follows:

Appropriate \$801,666 from Water Utility Fund budget as follows:

Original Budget
\$ 2,032,719

Amendment
\$ 801,666

Revised Budget
\$ 2,834,385

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Trish Harris
City Clerk

Background:

This ordinance appropriates the use of the Water Utility Funds for the purpose of providing funding for water main improvements associated with the Fiscal Year 2016-2017 road improvement projects..

This Ordinance requires a public hearing and requires a 2/3 majority vote of the City Council after the public hearing subject to Section 7.4.1 and .Section 7.7 (A) of the City Charter.

Sponsored by Councilors:

David Witham
Dale Sprague
Martin Pepin
Jennifer Soldati
Denis Messier

Approved:

City Attorney

Ordinance No. 1-17 will remain in first read until the August 15, 2016 meeting. A public hearing is scheduled for 6:45pm on August 15, 2016.

Resolutions:

RESOLUTION NO. 1-17 TO AUTHORIZE THE SCHOOL DEPARTMENT TO UTILIZE A PORTION OF THE CABLE FRANCHISE FEE TO PURCHASE EQUIPMENT NECESSARY FOR THE PURPOSE OF INSTRUCTION AND BROADCASTING AT THE CAREER TECHNICAL CENTER.

Somersworth, NH
July 25, 2016

WHEREAS, the City of Somersworth authorized a cable franchise agreement with Comcast, and

WHEREAS, the franchise agreement with Comcast provides a franchise fee for the maintenance and improvement of the City and School local access channels, and

WHEREAS, the Fiscal Year 2016-2017 adopted budget contains an appropriation from the Cable Fund in the amount of \$34,599 (Thirty Four Thousand Five Hundred Ninety Nine dollars) for the purpose of providing equipment for instruction and broadcasting at the career technical center, and

WHEREAS, the Finance Committee of the City of Somersworth has reviewed this equipment request provided by staff and recommends purchasing this equipment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the School Department is authorized to utilize a portion of the cable franchise fee to purchase equipment necessary for the purpose of instruction and broadcasting at the Career Technical Center at an amount of \$34,599 (Thirty Four Thousand Five Hundred Ninety Nine dollars).

Sponsored by Councilors:

David A. Witham
Martin Pepin
Jennifer G. Soldati
Martin P. Dumont, Sr.

Approved:

City Attorney

Councilor Messier, seconded by Councilor Pepin, made a motion to waive Council rules to allow for second read of Resolution 1-17. The motion passed unanimously, by voice vote.

Councilor Messier, seconded by Councilor Dumont, made a motion to adopt Resolution 1-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 2-17 TO AUTHORIZE THE CITY MANAGER TO SIGN A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF CITY VEHICLES.

Somersworth, NH

July 25, 2016

WHEREAS, the fiscal year 2016-2017 adopted budget contains an appropriation for a down payment toward the purchase of the following City vehicles:

- Two SUV style Police Cruisers
- Code Office – New Vehicle
- Recreation – Pick-up Truck Replacement
- Parking Enforcement/Animal Control - Pick-up Truck Replacement
- DPW Plow Truck – 304 Replacement
- DPW 1-Ton Truck – 202 Replacement
- DPW – SUV: New vehicle for Director, and

WHEREAS, city staff solicited quotes for financing this purchase through a lease/purchase arrangement, and

WHEREAS, the Finance Committee for the City of Somersworth reviewed these quotes with city staff and recommends the lease/purchase arrangement,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a three-year lease/purchase agreement with Baystone Government Finance for the acquisition of City vehicles.

Sponsored by Councilors:

David A. Witham
Martin Pepin
Jennifer G. Soldati
Martin P. Dumont, Sr.

Approved:

City Attorney

Councilor Witham, seconded by Councilor Pepin, made a motion to waive Council rules to allow for second read of Resolution 2-17. The motion passed unanimously, by voice vote.

Councilor McCallion asked why these were all bundled together. Are we saving anything?

Councilor Witham said there is no surprise at the end.

City Manager Belmore said they are also looking at the image for the community. It is a lot of money to keep the older vehicles on the road. This will be cost effective in regards to maintenance.

Councilor Messier this was vetted this through the budget process. We will save money by doing a lease purchase.

Councilor Sprague said the language is a little deceiving; this is more like a loan. There is no buyout after.

Councilor Witham, seconded by Councilor Pepin, made a motion to adopt Resolution 2-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 3-17 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH 2-WAY COMMUNICATIONS INC., OF NEWINGTON, NH FOR THE PURCHASE OF PORTABLE RADIOS FOR THE FIRE DEPARTMENT.

Somersworth, NH
July 25, 2016

WHEREAS, the Somersworth Capital Improvement Program for Fiscal Years 2017 through 2022 contains a recommendation to replace the portable radios used by the Fire Department over a cycle of four fiscal years, and

WHEREAS, the fiscal year 2016-2017 adopted budget contains an appropriation for the second year of this four year replacement cycle for the purchase of portable radios, and

WHEREAS, city staff recommends purchasing the portable radios by utilizing the State of New Hampshire bid list, and

WHEREAS, the Public Safety Committee for the City of Somersworth has reviewed the recommendation to utilize the State of New Hampshire bid list and supports the recommendation, and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation to utilize the State of New Hampshire bid list and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with 2 Way Communications Inc., of Newington, NH for the purchase of portable radios for the fire department at an amount not to exceed \$32,172 (Thirty Two Thousand One Hundred Seventy Two dollars) and to take any actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors:

Martin Pepin
David A. Witham
Dale R. Sprague
Jennifer G. Soldati
Denis Messier
Jessica Paradis

Approved:

City Attorney

Councilor Pepin, seconded by Councilor Paradis, made a motion to waive Council rules to allow for second read of Resolution 3-17. The motion passed unanimously, by voice vote.

Councilor Pepin, seconded by Councilor Paradis, made a motion to adopt Resolution 3-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 4-17 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH INDUSTRIAL PROTECTION SERVICES LLC. OF WILMINGTON MASSACHUSETTS FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS FOR THE FIRE DEPARTMENT.

Somersworth, NH
July 25, 2016

WHEREAS, the Somersworth Capital Improvement Program for Fiscal Years 2017 through 2022 contains a recommendation to replace all self-contained breathing apparatus used by the Fire Department over 4 years, and

WHEREAS, the fiscal year 2016-2017 adopted budget contains an appropriation for the purchase of self-contained breathing apparatus representing the fourth and final year of this program, and

WHEREAS, Industrial Protection Services LLC. is a certified vendor for self-contained breathing apparatus on the Massachusetts State Bid List, and

WHEREAS, city staff recommends purchase of self-contained breathing apparatus from Industrial Protection Services LLC utilizing the Massachusetts State Bid list at a cost not to exceed \$41,612 (Forty One Thousand Six Hundred Twelve dollars), and

WHEREAS, the Public Safety Committee for the City of Somersworth has reviewed this and supports this recommended purchase, and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed this and supports this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Industrial Protection Services LLC. of Wilmington, Massachusetts for the purchase of 6 self-contained breathing apparatus and associated equipment for the fire department at an amount not to exceed \$41,612 (Forty One Thousand Six Hundred Twelve dollars) and take any and all other such actions relative to this purchase determined to be in the best interest of the City .

Sponsored by Councilors:

Martin Pepin
David A. Witham
Dale R. Sprague
Jennifer G. Soldati
Denis Messier
Jessica Paradis

Approved:

City Attorney

Councilor Pepin, seconded by Councilor Cameron, made a motion to waive Council rules to allow for second read of Resolution 4-17. The motion passed unanimously, by voice vote.

Councilor Pepin, seconded by Councilor Paradis, made a motion to adopt Resolution 4-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 5-17 TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM.

Somersworth, NH
July 25, 2016

WHEREAS, the City of Somersworth has been notified of the availability of the 2016 Justice Assistance Grant (JAG) program, and

WHEREAS, the City of Somersworth is eligible to receive \$14,390 (Fourteen Thousand Three Hundred Ninety Nine dollars) requiring no local matching funds; and

WHEREAS, the Grant will allow the City of Somersworth to update the Police cruiser fleet IT project and to purchase taser training caps; and

EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN:

Justice Assistance Grant	=	\$14,390
<u>City Match</u>	=	<u>\$ 0</u>
Total Project Award	=	\$14,390

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents and agreements necessary for the grant's execution, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

Sponsored by Councilors:

David A. Witham
Martin Pepin
Jennifer G. Soldati
Martin P. Dumont, Sr.

Approved:

City Attorney

Councilor Witham, seconded by Councilor Pepin, made a motion to waive Council rules to allow for second read of Resolution 5-17. The motion passed unanimously, by voice vote.

Councilor Witham, seconded by Councilor Cameron, made a motion to adopt Resolution 5-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 6-17 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH SEVERINO TRUCKING CO., INC. OF CANDIA, NH FOR ROAD AND UTILITY IMPROVEMENTS ON MEMORIAL DRIVE, ALICIA STREET, WIGGIN COURT, DOWN STREET, A PORTION OF INDIGO HILL ROAD FROM GREEN STREET TO MAIN STREET, AND A PORTION OF INDIGO HILL ROAD FROM WILLIAMS STREET TO GREEN STREET.

Somersworth, NH
July 25, 2016

WHEREAS, the City prepared and requested sealed bids from qualified contractors for road and utility improvements to Memorial Drive, Alicia Street, Wiggin Court, Down Street, a portion of Indigo Hill Road from Green Street to Main Street, and a portion of Indigo Hill Road from Williams Street to Green Street, and

WHEREAS, City staff reviewed the results of the bids received and recommends contracting with Severino Trucking Co., Inc. of Candia, NH to make these improvements at a cost not to exceed \$2,224,926 (Two Million Two Hundred Twenty Four Thousand Nine Hundred Twenty Six dollars), and

WHEREAS, the Public Works and Environment Committee for the City of Somersworth has reviewed the recommendation by staff to award the contract to Severino Trucking Co., Inc., and supports the recommendation, and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation by staff to award the contract to Severino Trucking Co., Inc., and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Severino Trucking Co., Inc. of Candia, NH for road and utility improvements to Memorial Drive, Alicia Street, Wiggin Court, Down Street, a portion of Indigo Hill Road from Green Street to Main Street, and a portion of Indigo Hill Road from Williams Street to Green Street at a cost not to exceed \$2,224,926 (Two Million Two Hundred Twenty Four Thousand Nine Hundred Twenty Six dollars) and to take any other actions on behalf of this project determined to be in the best interest of the City.

Sponsored by Councilors:

Dale R. Sprague
David A. Witham
Martin Pepin
Jennifer G. Soldati
Denis Messier

Approved:

City Attorney

Councilor Sprague, seconded by Councilor Witham, made a motion to waive Council rules to allow for second read of Resolution 6-17. The motion passed unanimously, by voice vote.

Councilor McCallion said he has questions on Indigo Hill Road. The sidewalks will be done, but the base of the hot top will only be done at this time on Indigo Hill Rd.

Councilor Witham discussed the fact that there was only one bid.

Councilor Dumont said it appears that we are in a cycle of going out to bid and not receiving a lot of bids. He would like staff to start exploring what other communities are doing. Councilor Witham said staff communicated with about 20 contractors. Also used a couple clearing houses where contractors view the bids.

Councilor Soldati said he would like to add that the city has had experience with other contractors and it didn't go so well. The communication with Severino has been five star.

Councilor McCallion said the proof is in the pudding. There are a lot of checks and balances to go through with any project. Severino have done a great job downtown.

Councilor Sprague said they were very aggressive with this schedule. School will be starting in September and there is a lot of pipework, paving, and drainage. Larger scaled companies will not come here for such a small job, or for such a short timeline.

Councilor Dumont said he just wants to clarify that the company has done great work. They are not looking for more bids, but want to satisfy our charge for bids.

Councilor Sprague, seconded by Councilor Pepin, made a motion to adopt Resolution 6-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 7-17 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH DUBOIS AND KING ENGINEERS OF BEDFORD, NEW HAMPSHIRE FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE FISCAL YEAR 2016-2017 ROAD IMPROVEMENT PROJECTS.

Somersworth, NH
July 25, 2016

WHEREAS, the City prepared and requested sealed bids from qualified contractors for road and utility improvements to Memorial Drive, Alicia Street, Wiggin Court, Down Street, a portion of Indigo Hill Road from Green Street to Main Street, and a portion of Indigo Hill Road from Williams Street to Green Street, and

WHEREAS the City requires professional engineering services associated with these road and utility improvements which include contract administration and project inspections, and

WHEREAS Dubois & King has provided a cost of \$44,000 (Forty Four Thousand dollars) to provide these professional engineering services,

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 Dubois & King, of Bedford, NH to provide professional engineering services associated with the fiscal year 2016-2017 road improvement projects for an amount not to exceed \$44,000 (Forty Four Thousand dollars).

Sponsored by Councilors:

Dale R. Sprague
David A. Witham
Jennifer G. Soldati
Denis Messier
Martin Pepin

Approved:

City Attorney

Councilor Witham, seconded by Councilor Messier, made a motion to waive Council rules to allow for second read of Resolution 7-17. The motion passed unanimously, by voice vote.

Councilor Soldati, seconded by Councilor Messier, made a motion to adopt Resolution 7-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 8-17 TO AUTHORIZE THE CITY TO USE FUNDING FROM THE MUNICIPAL AND TRANSPORTATION FUND FOR THE FISCAL YEAR 2016-2017 ROAD IMPROVEMENT PROJECTS.

Somersworth, NH
July 25, 2016

WHEREAS, the City Council adopted Resolution 17-13 to create the Municipal and Transportation Fund for the purpose of improvements in the local or regional transportation system including roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities, and public transportation, and

WHEREAS, the City Council has appropriated funding for certain road improvement projects that will be accomplished during the 2016-2017 fiscal year, and

WHEREAS, the City Council intends to increase the funding available for these projects by utilizing \$348,356 (Three Hundred Forty Eight Thousand Three Hundred Fifty Six dollars) from the Municipal and Transportation Fund, and

WHEREAS, the City Council is designated as agents to expend these funds,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize \$348,356 (Three Hundred Forty Eight Thousand Three Hundred Fifty Six dollars) from the Municipal and Transportation fund to be used for the fiscal year 2016-2017 road improvement projects.

Sponsored by Councilors:

David A. Witham
Dale R. Sprague
Martin Pepin
Jennifer G. Soldati
Denis Messier

Approved:

City Attorney

Councilor Witham, seconded by Councilor Cameron, made a motion to waive Council rules to allow for second read of Resolution 8-17. The motion passed unanimously, by voice vote.

Councilor Sprague asked if we needed a public hearing for this resolution. It was confirmed, that this resolution does not need a public hearing.

Councilor Witham, seconded by Councilor Cameron, made a motion to adopt Resolution 8-17. The motion passed 9-0, by roll call vote.

RESOLUTION NO. 9-17 TO AUTHORIZE THE CITY TO USE FUNDING FROM THE SIDEWALK CAPITAL RESERVE FUND FOR SIDEWALK IMPROVEMENTS ASSOCIATED WITH THE FISCAL YEAR 2016-2017 ROAD IMPROVEMENT PROJECTS.

Somersworth, NH
July 25, 2016

WHEREAS, the City Council adopted Resolution 18-11 to create the Sidewalk Capital Reserve fund for the purpose of construction, reconstruction, or rehabilitation of sidewalks, and

WHEREAS, the City Council intends to make certain road and utility improvement that will be accomplished during the 2016-2017 fiscal year and included with these projects are various sidewalk improvements that include construction, reconstruction, and rehabilitation, and

WHEREAS, the estimated cost of these sidewalk projects is \$257,904 (Two Hundred Fifty Seven Thousand Nine Hundred Four dollars), and

WHEREAS, it is recommended that the City utilize the Sidewalk Capital Reserve Fund to accomplish these sidewalk improvements, and

WHEREAS, the City Council is designated as agents to expend these funds,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize \$257,904 (Two Hundred Fifty Seven Thousand Nine Hundred Four dollars) from the Sidewalk Capital Reserve fund to be used for sidewalk improvements associated with the fiscal year 2016-2017 road improvement projects..

Sponsored by Councilors:

David A. Witham
Dale R. Sprague
Martin Pepin
Jennifer G. Soldati
Denis Messier

Approved:

City Attorney

Councilor Witham, seconded by Councilor Soldati, made a motion to waive Council rules to allow for second read of Resolution 9-17. The motion passed, 8-1, by voice vote.

Councilor Sprague, seconded by Councilor McCallion, made a motion to adopt Resolution 9-17. The motion passed 9-0, by roll call vote.

Other:

- A. Vote to authorize the City Manager to negotiate and approve, with the assistance of City Attorney, when in the best interest of the City, agreements with former owners of tax deeded property facing possible eviction including but not limited

to terms of repayment and conditions to remain at the subject premises. Said authorization to be indefinite until rescinded by further action of the Council.

Councilor Witham said, so he's clear, the city executed the deed for taxes. The attorney said the property owner of a property would like to make a deal. Is this going to be a monthly basis, a good faith effort?

City Manager Belmore said yes, that it extends 12 months, with the addition of attorney's fees.

Councilor Witham, seconded by Councilor McCallion, made a motion to suspend rules to allow Finance Director Scott Smith to answer questions. All in favor.

Director Smith said there is a large payment that is required upfront at the signing of the agreement. The city retains the ability to deed the property if the owners do not follow through with the agreement.

Councilor Sprague said this is the first he has heard of this. This is a mobile home that we aren't trying to pay rent on. It is about 5 years behind in taxes. This will require them to pay the rent and current taxes. He said he is concerned.

Councilor McCallion asked Finance Director Smith what the benefit is to have the city manager to have the authority to make these decisions. It is a case by case basis. If we go through the eviction, we will not be able to collect the amount of money to cover the cost, with having to pay the lot rent.

City Manager Belmore said this was a suggestion of the City Attorney. It seemed reasonable to bring it forward.

Councilor Sprague asked if anything had been paid in the five year span. It was confirmed that nothing had been paid.

Councilor Witham said he is interested in people making an effort. If the plan falls apart, we can get back to where we are. He is all for offering flexibility with city staff.

Councilor Soldati said she has faith in the people we have hired to make judgement calls. Her question is, if the city rejects and does not accept an agreement, does the resident have a repeal recourse.

City Manager Belmore said staff cannot act alone. They have to use the city attorney. Things are not decided alone. If the resident does not agree, it will go in front of a judge.

Councilor Dumont said he fully supports this. Maybe he has too much exposure of this type of thing. Play the game of the time element of paying taxes. Staff handles it very well. Other states have tax auctions. He thinks it is a great resolve, and it is backed up by the courts.

Councilor Sprague said he does not support this. He thinks it is a bad policy. When you don't pay your taxes for 5 years, there are other options. To not pay your taxes, is not fair to everyone else in the city. What's fair is fair. It wouldn't stand up to well in court, if we start cherry picking.

Councilor McCallion read this several times. We have already taken this to go to court. So what this is basically saying, bottom line, we want to get our taxes back. We don't want to put anyone out of their home.

Councilor Soldati said some people are becoming delinquent on their property said she doesn't have a problem with this. We have high taxes and can see why people fall behind on taxes.

Councilor Sprague said we have never hesitated at taking a home. If this was a stick built home, this wouldn't ever be a question.

Councilor Witham, seconded by councilor Pepin, made a motion to end debate.

Vote to authorize the City Manager to negotiate and approve, with the assistance of City Attorney, when in the best interest of the City, agreements with former owners of tax deeded property facing possible eviction including but not limited to terms of repayment and conditions to remain at the subject premises. Said authorization to be indefinite until rescinded by further action of the Council. Passed 8-1, by Roll Call Vote.

- B. Set polling times for September 13, State Primary Election
Suggested time: 7:00am to 7:00pm

Councilor Witham, Seconded by Councilor Dumont, to amend the poling hours for the State Primary to 8:00am to 7:00pm.

Councilor Paradis said teachers and high school students cannot vote if the hours are set to this time.

Councilor Dumont said that is not true. There is a spike in voting on election day when school gets out. There is just not enough people coming in at this time for the primary.

Councilor Soldati, said she agrees that it will be a handful, people get confused when they change times. Need to be consistent, 7am to 7pm.

Councilor McCallion said shorter shifts for workers, would be a better day.

Councilor Witham said there is a light turnout typically for the State Primary.

Councilor Cameron said we had also talked about the long days, but we talked about bringing them lunch. Keep it consistent.

Councilor Paradis said consistency is very important. We increased pay rates.

Councilor Dumont said we did this 2 elections ago, will succumb to the 7am time, but we need to look at what the other communities do.

Councilor Witham and Councilor Dumont removes the amendment.

All in Favor.

C. Set polling times for November 8, General Election

Suggested time: 7:00am to 7:00pm

All in Favor.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Soldati urged all that this presidential election is a mess, but we have such a privilege in this country to be able to vote. It is our responsibility as a citizen.

Councilor Dumont said it was hot enough on the sidewalk to cook eggs, but he witnessed large trucks on the sidewalks, and are hitting the flags.

Porta potties in the parks are a good idea. And plant more trees.

He said he had a resident question about development in the town, when is Dairy Queen coming in.

The only way to make improvement on properties, is to enforce code. There is plenty of opportunity. People need to understand that the maintenance of their property is their responsibility. And we should not tolerate it any more. Need to make sure that this downtown cannot deteriorate like the old Somersworth Hotel.

He said he'd also like to hear about the Veterans Park. Haven't heard anything in several months.

Councilor McCallion attended Loudon Raceway cleanup, the numbers have dwindled the last couple of years. There is something coming up in September, big fund raiser. Join, volunteer.

He also attended the NH farm to school program, when he heard about our community being picked. There is funding enough to keep awareness in the schools, the discussions was very interesting. Meeting in Chicago recently and they talked about the local food system, and it is possible that we run out of food in 50 years. Get involved.

Thanked all for those who have supported him and his family during this difficult time.

Councilor Messier thanked the highway department for repairing the storm drain on High Street.

He mentioned syringes being found on that grating. They got called as to what to do with a syringe. Need to look at that policy.

There may be a squatter living the in the office of the old car wash on South Street.

The façade on the Main Street Plaza looks great. We need to maintain our properties if we are expecting others to maintain theirs.

The sign in ward 5 is smaller than the others.

He said he is happy to hear that we are looking at the air in this building. The air return is very loud.

Councilor Witham said he will vote, even though it is difficult.

George Guillemette has retired; he was a long time fire fighter. His services will be missed.

Communication from a resident about code enforcement efforts, and Joe Divine is doing a great job and making progress.

He questioned the bathroom facilities at our city parks, and requests that the Recreation Committee looks into that again.

Councilor Sprague said the report on Hilltop School that we received was not a surprise, but the money that has to be spent will be hard. He'd like to see some of the façade saved, and would like to see something like an amphitheater, or a winter skate park, an assisted living facility, another idea for a childcare component; a perfect world where kids can learn from the older generation.

He'd like to look into some barricades, police cruiser, or something to prevent an event like what happened in Nice, France. This could be used for Jacarda Fair or the Children's Festivals.

Councilor Cameron thanked the Hilltop Commission for the work that went into the proposal. She is looking forward to the end result.

She went to support the kids at the Babe Ruth Tournament. Congratulations to them all.

Councilor Paradis thanked the Hilltop Commission for their work.

She is in favor of adequate bathrooms around the city.

She agrees with Councilor Sprague's idea about the barricades.

Thanked the DPW for painting the fire hydrants. They look much better

She reminded all about the National Night out, Bluegrass festival, Jacarda Fair.

NONPUBLIC SESSION

Councilor Witham, seconded by Councilor Paradis, made a motion to go into nonpublic session. The motion passed by Roll Call Vote, 8-1, with Councilor Sprague opposed.

(Pending the minutes of Nonpublic Session.)

ADJOURNMENT

Trish Harris, City Clerk

Dana Hilliard, Mayor