



Minutes of City Council Meeting Monday, June 7, 2021

ROLL CALL OF MEMBERS

The meeting was called to order at 7:00 p.m. by His Honor, the Mayor, Dana S. Hilliard and, upon roll call, the following Council members were present: Pepin, Dumont, Austin, Michaud, Witham, Gerding, Cameron and Paradis.

Councilor Vincent was excused.

PLEDGE OF ALLEGIANCE

Councilor Gerding led the Pledge of Allegiance.

PUBLIC HEARING

There were no Public Hearings scheduled.

COMMENTS BY VISITORS

There were no opening comments by visitors.

CONSENT CALENDAR

Approve minutes of the City Council Meeting on May 17, 2021

Councilor Austin made a motion to approve all items in the Consent Calendar. The motion was seconded by Councilor Gerding and passed 8-0.

COMMENTS BY CITY COUNCILORS

Councilor Paradis inquired about a point of order regarding a communication. The Mayor stated that this communication was received after the agenda was closed and will be read under communications at the next Council meeting. She also mentioned interest in grant funds to support the arts and beautification of downtown Somersworth. Paradis mentioned she is working on language for a piece of legislation regulating outdoor seating and other beautification efforts.

COMMUNICATIONS

There were none.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were none.

MAYOR'S REPORT

Mayors Report for City Council Meeting June 7th, 2021

In 1973 Richard Nixon was President of the United States, General Electric located on Main Street was the work place for almost 3,000 people, and Pearls Bakery was in such high demand that if you arrived there after 8am on a Saturday the likelihood of you leaving with a Maple Round was poor Vegas odds.

In 1973 the national gay rights movement was four years young. While generations before had protested and worked towards acceptance and equality, it would not be until the Stonewall uprising on June 28th, 1969 that our movement was officially born. Living as a member of the LBGTQ community during the 70's came with a societal guarantee that you would be a target, with little hope of protection from the adults you entrusted. This same broken promise would follow members of the LBGTQ community into the 80's 90's and even post Supreme Court decision guaranteeing our community marriage equality.

This June we celebrate how though determination and commitment to the vision of American, we have advanced to become a nation where equality for all will be the law of the land. This June we celebrate all members of the LBGTQ community, and how they are reflected in the boldness of the colors of their symbol. We celebrate this June, with all who have come before who have led the LBGTQ to this moment, and all who are committed to continue journey towards universal equality. This June, in the Hilltop City at Citizens Place a testament to inclusion and diversity, for the 8th year in a row the rainbow flag has been raised, as we celebrate not only the beginning of Pride Month, but the Hilltopper spirit of "Neighbor helping Neighbor".

Happy Pride Somersworth

Happy Pride New England

Happy Pride America

May the colors of our symbol, our flag, continue to inch us towards our American Dream.

We are a nation of hope, a nation of dreams, and nation on a journey to fashion a society where all will be valued, honored, and protected. We are a nation that understands the price we must pay for freedom and have marked our commitment to the dignity that each of us deserves by the graves of those who now lead and guide us in spirit.

Each year, we move;

Move closer to the creed which defines our republic.

Move closer to building a nation forged upon equality.

Move closer to the universal promise of life, liberty and the pursuit of happiness for all.

Each year we gather;

Gather to remember all those who willingly sacrificed.

Gather to remember all those who defended.

Gather to reflect upon all those who have moved us an inch closer to our destiny.

From Bunker Hill, to Gettysburg, from Belleau Woods to Iwo Jima, each act of valor, each life, each soul, inching us closer.

Today, we honor 245 years of men and women who answered the final call by recommitting ourselves to build that nation, that republic that understand the pillars of equality must be for all.

Today, we remind ourselves of why we gather from the Poem of Hilltopper Miss Sadie G. Ham, read during Decoration Day in 1871 at the gates of Forest Glade Cemetery.

A Tribute To the Brave
By Miss Saide G. Ham 1871
Green Waye the trees, above the graves
of heroes, now at rest –
Their forms are hidden from our sight.
Their Spirits with the blest.
Just as the brightest dreams of life,
were opening on the eye,
The Father called them up from earth
To dwell with him on high.

The fragrant flower – love’s special gift –
We gladly scatter here;
And while we “halt” we listen to
The solemn voice of prayer.
No more the battel cry is heard,
Our heart no longer fear;
But a tender sadness fills our souls
And bids us gather here.

We weep, and yet ‘tis all in vain
Our tears in sorrow flow.
We hope that in the better land
Their spirits resteth now -
For while with us, a glorious hope
To many souls was given-
Reaching beyond the clouds of earth
To the pearly gates of heaven.

We love their memory, ‘tis a boon
To our sad spirits given –
A precious record, speaking less,
Far less of earth than heaven.
We’ll treasure it in loving hearts
“Till our last hours shall come;
And hope that with a faith like theirs
we may approach the tomb.

The love of county bade them go
Into the southern land,
And on the blood – stained battlefield
Our noble brothers fell.
A power that hushed the voice of love
That bade them longer stay,
Transported them from things of earth
To realms of endless day.

Patriots, farewell we weep and yet,
We bless the chastening rod,
We'll seek with faith beyond the vale
The path which thou hast trod.
In heaven, around our Father's throne
Our songs with thine shall blend - -
We'll gather, an unbroken band
When time with us shall end.

May the guiding hand of God forever bless this great nation.

May we continue to honor those who gave their all, by building a nation and republic based upon equality.

And May God forever bless these 50 United States of America.

With the seacoast real estate booming, some members of the Council have inquired to ensuring one of the goals of our community will be to continue to keep the Somersworth rental and housing market affordable. Like our surrounding neighbors, there a serval variable that will continue to drive the rental and real estate market in the Hilltop City. While many citizens might be ecstatic with how quickly their homes have increased in price, Somersworth along with the greater Tri-City area must continue to active insuring future generations will not be pushed out of our community because it is no longer affordable.

Both the Planning and Zoning Boards have recently tacked these issues with examining formed based codes and creation of overly districts. As a Council and City, we have continued to encourage and approved the development of workforce housing like the project currently under construction across the street. A recently professional panel city staff was part of received accolades for what Somersworth has recently accomplished and continues to do, in the area of affordable housing.

Both the Mayors and City Mangers office pride themselves on being open to dialog and suggestions, in that spirt, I have met with the City Manager and request that his office along with the cities professional staff and Executive Director of the Somersworth Housing authority conduct a review and deep dive on the current state and needs of affordable housing within our community. Throughout the summer and fall, the professionals will exam all facets and prepare a report and presentation for Council by December, so that we may begin to process next steps necessary and add them into the 2022 goal setting session and quickly act upon recommendations.

Item 12 Nominations, Appointments and Elections:

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the following are being brought forward this evening and placed in nomination;

Jeremy Rhodes for Reappointment as member to the Planning Board, with a term to expire May 2024

In accordance with Council Rule 17, the nomination will remain open until the next regular scheduled meeting;

This respectfully concludes my June 7th, 2021 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham stated that the Finance Committee last met on May 27th. The Committee discussed and supported moving forward with a proposal for upgrades to accessibility and other improvements to the library from Placework, Inc. The Committee also discussed a necessary permit for groundwater quality monitoring at the former Breton’s cleaner site and supported having Credere Associates apply for the permit from NH DES. Witham stated that the Committee also unanimously supported Ordinance No. 17-21 to increase non-union wages by 2.5%. The Committee discussed recommendations from the City Assessor and unanimously supported the recommendation to increase the amount of each level of elderly tax exemption by \$15,000. Witham stated the Committee also unanimously voted to support increasing the regular Veteran tax credit to \$750 annually and increasing the service-connected total disability credit to \$2,500. Witham stated the Police Department will be going over budget on this fiscal year’s budget which requires a transfer Ordinance, staff is recommending to transfer funds from Public Works to the PD. He explained the overage was mainly due to the necessary overtime due to absences of officers due to Covid. The Committee voted unanimously to support the Transfer Ordinance. At the meeting Belmore explained permitted uses for ARPA funds and informed the Committee that the City should be receiving \$600k soon and the best fit for use of funds for the City is to use them for water/sewer projects. Belmore recommended the Council consider pushing up the Constitutional Way project and using the anticipated funds for the water/sewer lines on this project.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Fire Station Building Committee – Councilor Pepin stated that the Committee last met on June 2. He said Manager Belmore updated the Committee that construction management has estimated the price to be \$7.2 million for construction and a total of \$8.4 million including soft costs. Pepin stated we will know more after the bidding due date of June 9 and the Guaranteed Maximum Price is established. He stated groundbreaking is set to occur in July or August. Pepin also mentioned a necessary lot line change being handled by the Planning Board as well as a pipe related to the landfill site in the parking lot that the City is attempting to abandon with permission from EPA.

COAST – Councilor Dumont said COAST bus met last on May 26 and discussed potential plans for the development of their facility whether at the current location or another. He said COAST is favoring keeping their current location and he also mentioned they are currently hiring drivers.

School Board – Councilor Austin said he attended a School Board meeting on May 27. He stated the meeting was their last in the black box theater and they will be return to holding meetings in the Council Chambers. Austin said he thanked retiring staff members for their service on behalf of the Council. He said the Superintendent also noted an agreement between the school and Dartmouth Hitchcock to utilize part of a practice field to use for emergency helipad use in case of emergency in the area. Austin said the new Middle School Principal, James Lampron, was also introduced.

Planning Board – Councilor Witham described a project before the Planning Board for a Sports Dome to be constructed where the current driving range is on the “Fun Spot” property. Witham said he hopes this spurs on further development.

Sustainability Committee – Councilor Paradis stated the Committee last met on May 27. They discussed a resident request to become a “Bee City USA”, a pesticide Ordinance, and the scope of work and cost for the City to use fully organic pesticides. Paradis said the Committee is also preparing articles to be published in the newsletter.

City Manager's Report

Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager
DATE: Friday, June 4, 2021
SUBJECT: City Manager's Report for Monday, June 7, 2021

*6:30 p.m. Non-meeting
Tentative Agreement with Public Works/Highway Department Union
AFSCME Council 93, Local 863*

New Business (under Section 15 of Agenda)

Ordinances

A. Ordinance No. 17-21: To Amend Chapter 4, Personnel Rules and Regulations- Compensation Schedule. The Government Operations Committee met on April 28th and the Finance Committee met on May 27th, both Committees voted to recommend this Ordinance amendment to the full Council. Please note that the Water/Wastewater Union would receive the same increase as their Collective Bargaining Agreement has a "me too" clause so that any changes to COLA wage adjustments given to Non-union employees would carry over to these Union employees. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, June 21st.

B. Ordinance No. 18-21: Transfer Between Departments. The Finance Committee met on May 27th to review staff's recommendation and voted to support this Transfer Ordinance. Our best General Fund projections indicate a need to transfer funds to the Police Department to cover over expenditures, much of which was COVID related staffing needs.

This is an annual housekeeping action item as needed. The City Charter allows the City Manager to transfer funds within a department, however, it takes Council action to transfer funds between Departments. Attached is a copy of the end of Fiscal Year 2021 Budget projections provided to the Finance Committee. By next meeting we will be able to provide a more accurate transfer number, which may require the amount to be amended. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, June 21st.

C. Ordinance No. 19-21: To Amend Chapter 34, Exemptions and Credits, Section 34.2 Veteran's Property Tax Credit and Section 34.4 Surviving Spouse. The Government Operations Committee met on April 28th and the Finance Committee met on May 27th, both Committees voted to recommend this Ordinance amendment to the full Council. Attached are copies of the City Assessor's Memorandums that the Committees reviewed. Attached is a *red-line* copy of this Ordinance change. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, June 21st.

- D. Ordinance No. 20-21: To Amend Chapter 34, Exemptions and Credits, Section 34.1 Elderly Property Exemption.** The Government Operations Committee met on April 28th and the Finance Committee met on May 27th, both Committees voted to recommend this Ordinance to the full Council. Attached are copies of the City Assessor's Memorandums that the Committees reviewed. Attached is a *red-line* copy of this Ordinance change. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, June 21st.

Resolutions

- A. Resolution No. 38-21: City Council Vote to Adopt the Land Trust Alliance Standards and Practices for Maintaining the Furber Memorial Chapel at The Forest Glade Cemetery in Compliance with LCHIP Historic Preservation Funding.** Attached is a Memorandum from Director Mike Bobinsky that provides a brief summary of what Staff & the Cemetery Trustees have completed per Grant requirements.
- B. Resolution No. 39-21: Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire Division of Historical Resources for a Certified Local Government (CLG) to Grant to Perform an Update to the City's Historical Survey Forms.** Attached is a Memorandum from Director Michelle Mears. This Grant continues Staff's efforts to utilize Grant funds to further the mission of the Historic District Commission.
- C. Resolution No. 40-21: To Authorize the City Manager to Enter into a Cable Television Franchise Agreement Between the City of Somersworth and Atlantic Broadband, Inc.** Attached is a "*confidential*" Memorandum from Special Counsel, Attorney Kate Miller and a "*Draft*" Franchise Agreement. As stated in the Resolution, Council will need to schedule a Public Hearing for the next regular Council meeting on June 21st. Please note that Attorney Miller will be attending the June 21st meeting.

Other

- A. Vote to Ratify a 2-Year Tentative Agreement between the City of Somersworth and the Public Works/Highway Department with AFSCME Council 93, Local 863.** I have attached a "*confidential*" Memorandum that outlines the changes as well as the projected cost for this Tentative Agreement.
- B. Vote to Authorize the City Manager to Sign the Public Utilities Commission Approved Settlement Agreement with Consolidated Communications regarding the Removal of "Double Poles" withing the City of Somersworth.** Attached is a copy of the Settlement Agreement that Director Mike Bobinsky has worked with his counterparts from various Seacoast Communities to complete. I have also attached his Memorandum that provides a summary of this Agreement.

City Manager's Items (under section 11 of Agenda)

Informational Items

- A. Willand Drive.** The Planning Board approved the site plan for the construction of a Sports Dome behind Funspot on Willand Drive. Conditions of approval included:

- The City seeking NH DOT approval to construct a righthand turning lane from Willand Drive onto Route 108 at the Developer's cost - estimated at \$61,000.
- The Developer to contribute \$21,000 towards the resurfacing of Willand Drive.

Attached is the NH DOT driveway permit application that I have submitted on behalf of the City. Please note that the City Council should vote to accept the Willand Drive turning lane as an extension of Willand Drive once it is constructed to City standards.

- B. New Urbanism Study.** Attached is a Memorandum from Director of Planning & Community Development, Michelle Mears, that provides a summary of our participation in this New Urbanism Study. At the Study's conclusion, the City will receive some suggested recommendations for consideration. I will point out that this panel of professionals seemed impressed with several of our recent Zoning changes and our overall Planning Board approval process.

Attachments

1. City Attorney Certifications Seven (7).

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Nominations being introduced for Council Confirmation Vote:

- A. Michelle Mears, Director of Planning & Community Development as the Representative to the Strafford MPO Technical Advisory Committee – term to expire June, 2023

The nomination will remain open until next meeting.

Nominations requiring a Council Confirmation Vote:

- A. Jeremy Rhodes for Reappointment as member to the Planning Board, with a term to expire May 2024

Councilor Witham made a motion to reappoint Jeremy Rhodes as a member of the Planning Board with a term to expire May, 2024. The motion was seconded by Councilor Cameron and passed 8-0.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ORDINANCES

- B. Ordinance No. 17-21** - To Amend Chapter 4, Personnel Rules and Regulations – Compensation Schedule

Councilor Witham made a motion to waive Council rules to allow for a first reading of Ordinance No. 17-21 by title only. The motion was seconded by Councilor Dumont and passed 8-0.

Ordinance No. 17-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

C. **Ordinance No. 18-21** - Transfer Between Departments

Ordinance No. 18-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

D. **Ordinance No. 19-21** - To Amend Chapter 34, Exemptions and Credits, Section 34.2 Veteran's Property Tax Credit and Section 34.3 Service-Connected Total Disability

Ordinance No. 19-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

E. **Ordinance No. 20-21** - To Amend Chapter 34, Exemptions and Credits, Section 34.1 Elderly Property Tax Exemption

Ordinance No. 20-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

RESOLUTIONS

A. **Resolution No. 38-21** – City Council Vote to Adopt the Land Trust Alliance Standards and Practices for Maintaining the Furber Memorial Chapel at The Forest Glade Cemetery in Compliance with LCHIP Historic Preservation Funding

Resolution No. 38-21 will remain in first read until the call of the Chair.

B. **Resolution No. 39-21** - Authorizing the City Manager to Enter into a Grant Agreement with The State of New Hampshire Division of Historical Resources for a Certified Local Government (CLG) Grant to Perform an Update to the City's Historical Survey Forms

Resolution No. 39-21 will remain in first read until the call of the Chair.

C. **Resolution No. 40-21** - To Authorize the City Manager to Enter into a Cable Television Franchise Agreement Between the City of Somersworth and Atlantic Broadband, Inc

Resolution No. 40-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

OTHER

A. Vote to Ratify a 2-Year Tentative Agreement between the City of Somersworth and the Public Works/Highway Department with AFSCME Council 93, Local 863

The vote to ratify a 2-Year Tentative Agreement between the City of Somersworth and the Public Works/Highway Department with AFSCME Council 93, Local 863 passed 8-0.

Councilor Dumont thanked all involved in the negotiations for their success in maintaining a good relationship.

- B. Vote to Authorize the City Manager to Sign the Public Utilities Commission Approved Settlement Agreement with Consolidated Communications regarding the Removal of “Double Poles” within the City of Somersworth

The vote to authorize the City Manager to Sign the Public Utilities Commission Approved Settlement Agreement with Consolidated Communications regarding the Removal of “Double Poles” within the City of Somersworth passed 8-0.

Councilor Witham stated he was excited to see this come to fruition and that it was a giant step forward toward the beautification and safety of Somersworth.

COMMENTS BY VISITORS

Maggie Roberge, Chair of the Board of Cemetery Trustees, thanked the Public Works department for their work on installing a raised garden bed in the Veteran section at the Forest Glade Cemetery. She mentioned the Cemetery is having 9 stones repaired soon and hopes to have 9 additional stones repaired by the end of the Summer. Ms. Roberge congratulated the HDC on receiving their grant and said the Cemetery is applying for another \$10k moose plate grant. She mentioned they are not holding any concerts this summer, but hopes to in the fall. Ms. Roberge mentioned she hopes to resurrect the “Adopt-A-Spot” program.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin thanked the Cemetery Trustees for their efforts, and mentioned a small Cemetery he passes daily and noticed new neighbors had cleaned it up a bit. He said he hopes more efforts are continued to revitalize these types of small cemeteries. Pepin also stated it was encouraging to see the Resolution for Atlantic Broadband and hopes it encourages more competition.

Councilor Dumont said thank you to Maggie Roberge. He said he is impressed with the proposed Sports Dome and stated he believes that intersection is worth of a traffic signal. He stated the cultural banners look great and complimented Councilor Gerding for a great job. Dumont said his recent trips to the food store have been great and is glad to see his neighbors and their faces without masks. He stated Fosters recently that Catholic Charities has recently opened a new facility in Greenland. Dumont stated that Somersworth shined during their Memorial Day celebrations. He gave credit to Mayor Hilliard and all involved.

Councilor Austin congratulated Craig Riotto and all those involved in negotiating the deal for the new Sports Dome. He also mentioned he was proud of Somersworth for falling below the reportable statistics for positive Covid cases. Austin said he is glad we have appeared to turn a corner and congratulated all those who got us to this point.

Councilor Michaud said hello to Maggie Roberge and thanked her for her work at the Forest Glade Cemetery.

Councilor Witham stated that the State has established that the intersection near the soon to be constructed Sports Dome does not need a traffic signal and said he hopes that changes in the future. He thanked Maggie Roberge for her comments on the Forest Glade Cemetery and noted how it has substantially improved over the past few years. Witham mentioned that the Hilltoppers Baseball team is playing in a semi-final game on Wednesday at 4pm at the Noble Pines Field and encouraged all to come and show their support. Go Toppers!

Councilor Gerding thanked Ms. Roberge for her comments and said he would bring up the “Adopt-a-spot” program at the next Historic District meeting. Gerding wished everyone in Somersworth a happy Pride month. He said, to him, pride is about reflection and the history of progress, but also the excitement of moving forward. He said there are still many hurdles and urged people to donate to causes for the LGBTQ+ community. Gerding wished the students, teachers, and parents a happy end of school year and congratulations to the class of 2021 and retiring staff.

Councilor Cameron said she is glad to see the Sports Dome come to fruition and provide a space for all kinds of sports year-round. She congratulated the class of 2021 and thanked Ms. Roberge for her comments.

Councilor Paradis thanked Ms. Roberge for her comments and also thanked Councilor Gerding for his comments on Pride Month. She also thanked the Police Department for doing something meaningful and wearing patches in order to support the Trevor Project. Paradis reminded people that June-teenth (June 19th) is coming up soon. She urged people to visit the Black History Trail in remembrance of June-teenth, the day the emancipation proclamation was received by all states.

ADJOURNMENT

Councilor Dumont made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Michaud and passed 8-0. The meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk