

## MINUTES OF CITY COUNCIL MEETING

Somersworth, NH  
September 6, 2016  
7:00 P.M.

The meeting was called to order by His Honor, the Mayor, 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 OF WORKSHOP ON FIRE STATION ADVISORY COMMITTEE HELD ON 08/15/2016. *Councilor Pepin made a motion, seconded by Councilor Cameron, to accept the minutes as recorded. The motion passed with two abstentions: Soldati and Witham.*

MINUTES OF WORKSHOP ON ORDINANCE NO. 1-17 HELD ON 08/15/2016. *Councilor Pepin made a motion, seconded by Councilor Cameron, to accept the minutes as recorded. The motion passed.*

MINUTES OF CITY COUNCIL MEETING HELD ON 08/15/2016. *Councilor Soldati made a motion, seconded by Councilor Pepin, to accept the minutes as recorded. The motion passed.*

### COMMENTS BY VISITORS.

Michael Carpinelli, past president of the Fraternal Order of Eagles, said that this (organization) has been a fixture of this community for over 100 years raising money for many charities, etc. This monument has been here since 1958; instead of tearing it down, he hopes to work together to make the community harmonize. Let's be a guide for other cities, he said.

Richard Gagnon, Ward 4, said he agrees with 95% of what Mr. Carpinelli said. The Eagles do a lot for this community. The monument should go backup somewhere. He hopes the city will consider that while the monument is historical, the intent is religious and that there is need, now more than ever, that the city present that everyone is welcome. This is a very diverse city and we need to reflect that. He believes that relocating the monument would not diminish what it means to the city. He suggested Holy Trinity or the VFW as possible locations. Give the Eagles the credit they deserve and display it the right way.

Real Roseberry, Ward 1, 405 Route 108, said he was going to surprise them and went on to say, "Well done for moving the right way." He wondered if the monument was

intentionally pushed over. Many historical things have been destroyed or removed. He wants to see (the monument) stay there.

Richard Brooks, 18 Linden Street, Ward 1, feels that this is a lost cause with both sides being right in some ways. Time would be better spent on real problems. There is no separation of church and state while Christmas is a government holiday; that is government hypocrisy.

#### ANNOUNCEMENTS BY CITY COUNCILORS

Councilor Soldati reminded everyone to attend the Bluegrass Festival on Saturday, September 17<sup>th</sup>.

Councilor Cameron reminded everyone about the Indonesian Fair on September 24<sup>th</sup>.

Councilor Paradis said that there will be a family engagement activity at the High School this weekend.

#### COMMUNICATIONS.

#### POLICE CHIEF DAVID B. KRETSCHMAR – ANNOUNCEMENT OF COMMUNITY ACCESS TO RECOVERY INITIATIVE.

Police Chief David Kretschmar announced that the City of Somersworth will adopt a new Seacoast wide drug (intervention) program, Community Access to Recovery, CAR Initiative, to begin next Monday, 8 am to 4 pm, which will allow people go to the Police Department, identify themselves to as an addict and ask for help, and then be taken to the hospital for treatment, where they will work with a recovery coach. Depending on the response, they will adjust hours, etc, accordingly.

#### LETTER FROM PASTORAL STAFF OF TRI CITY COVENANT CHURCH REGARDING THE COMMANDMENT MONUMENT.

August 24, 2016

Dear Honorable Mayor Hilliard and Distinguished City Council Members:

Although the recent vandalism involving the Ten Commandments monument in the center of our city was distressing, it is encouraging to learn of some of the possible efforts to restore the monument to its original location. Our church congregation would like to express our strong support for any such efforts, and we would be honored to assist either the City of Somersworth or the Fraternal Order of Eagles organization with any expenses that may be involved.

We regard the kind and generous contribution for the Ten Commandments monument to our city by the Eagles as a most meaningful and significant action to help establish our

city's cultural foundation. At our Christian school, we use, as a defining symbol in our annual yearbook, a photograph of a small child standing in front of that famous Somersworth landmark and gazing at those eternal words.

Our members look earnestly to you for leadership in preserving our city's heritage and overcoming any logistical or legal obstacles that may arise in the restoration of the foundational symbol to our city community. The Pastoral staff of Tri-City Covenant Church thanks you for your good and faithful work.

Sincerely, Rev. Harold W. Guptill  
Rev. John A Correia  
Rev. Josiah J. Clark

AMY MICHAELS – RESIGNATION FROM THE SOMERSWORTH HOUSING  
AUTHORITY BOARD OF COMMISSIONERS.

**From:** Amy Michaels  
**Date:** August 31, 2016  
**To:** Paul Robidas  
**Cc:** Dana Hilliad  
**Subject:** Housing commission

Good morning Paul,

First I would like to start with expressing my gratitude for being part of the housing board of commissioners. The work that has and continues to be done for the most vulnerable of our community is amazing.

At this time I will need to step down from my position as a commissioner of the Somersworth Housing Authority.

Again, thank you for all that you and the rest of the commissioners do every day.

Respectfully,  
Amy Michaels

*The Mayor accepted Amy Michael's resignation.*

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR  
OTHERWISE. None.

MAYOR'S REPORT.

Mayors Report for City Council Meeting September 6<sup>th</sup>, 2016

- Its official! Last month Christian Dubois, Liaison to the Mayor's Office and I traveled to Thetford Mines on an Official visit to secure our sister

city relationship. The visit hosted by their Mayor, took place on Friday and Saturday and included attending the region's largest music festival and tours of the city's parks, schools and business. I was thoroughly impressed by the enormous level of spirit and pride the citizens of Thetford Mines have within their community; it was obvious why our relationship began over 20 years ago.

The highlight of the trip was an official ceremony which took place Saturday morning at the Thetford Mines city hall with members of the City Council, City Officials and residents in attendance. During the ceremony I spoke about the future partnerships our communities can continue to build and how both cities can continue to support, grow and learn from each other. I also presented the Mayor with the resolution passed by this body seeking to formalize our ties. The Mayor of Thetford Mines echo their level of commitment and excitement of moving forward and fostering our ties and relationship and presented me with a resolution passed by their City Council formalizing and reaffirming our ties as sister cities.

Upon the conclusion of the ceremony the Mayor and I immediately began planning for future endeavors between our two great cities. These endeavors will include; student and sport teams exchanges, links between our two chambers of commerce, tourism opportunities and discussions on business support and growth. The links and history between our two communities is strong, I look forward to strengthening of our relationship and together celebrating both of our "Proud Past" and shared "Bright Futures".

- Before the Council tonight is a discussion and decision on where to place the 10 Commandments Monument. The process was vetted through the Government Operations committee with a 2 to 2 split vote with no recommendation. Since 1958 the 10 Commandments Monument has stood at the base of the downtown area as a testament to our commitment of the progression of Western society, ideals and democratic values. While its roots of Judeo Christian theology and beliefs cannot be disputed, the majority of its guidance has evolved into a foundation that all civilized society can embrace.

The monument itself has played an important role within the Hilltops city's history. Donated by the Eagles during the cold war, it reminds us of the importance of supporting and defending democracy, and how we must not travel astray from the values of openness and freedom as experienced during the McCarthy area. Similar monuments donated throughout our nation have also fallen into question on the merits of meeting

Constitutional scrutiny and whether such display violates the establishment clause of the first amendment.

Pending on the circumstances surrounding the location of the monument, objects which abut it, how it is displayed and the time frame which has elapsed with no challenges, the courts have been split in their decisions. In reviewing and examining the Somersworth monument, our city attorney upon review has advised that our monument is compliant with the frame works of the First Amendment and the meets the constraints of separation of Church and State.

To bring the monument into further compliance over the past 6 months prior to the monument being toppled, the City Manager and I have worked out a plan which would further neutralize the monument this ensuring it would meet all future test of the evolvement of our Constitution. The plan includes the following; the display of a historical sign outlining the history, role and purpose of the monument. Adding two flags poles near the monument, one flag pole would permanently our city flag, currently being produced and one pole would serve as the citizen's flag pole.

The citizens flag pole would not only display the founding ethic groups of Somersworth's colors during their important holidays but would also be open to all community and civic groups to display their flag on dates of importance. This would develop the site into a community area where all rainbow of our community's diversity can be celebrated. The Eagles have already endorsed this concept and have offered a donation for the cost of the flag poles.

I therefore support and recommend to Council this evening to endorse and pass the following under other. Place the monument back to its original site and include adding both flag poles and a historical marker to the site. While as a city, state and nation we must be forever mindful of honoring the foundation of what makes us a free nation, our United States Constitution; we must not also shy away of supporting historical objects which represent us as a Western Society.

The balance between personal sensitivity's and what meets the demands of our Constitution will continue to develop and evolve as we do as a nation. This evening however, the question before you meets those demands. I am respectfully asking that you support the recommendation of restoring the monument with the flag poles and historically sign in it's originally location. Honor our "Proud Past" by helping it evolve to meet the current make up of our community and its "Bright Future".

- The next **Mayors Community** forum will take place this **Saturday September 10th from 9:00 – 10:30** at City Hall. Including in this forum will be **At Large**

**Council members David Witham and Nancie Cameron and School Board members Kelly Brennan and Matt Hanlon.** *The* purpose of the forums is 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.

- Episode 3 of the Echo is now airing on Ch.22 and can be viewed on our website. This month's Episode explores the history of Willand Pond recreation area and highlights the new low elements ropes course. Next month's episode will explore community policing in Somersworth.
- On Sunday our great nation will once again pause and remember those brave souls who lost their lives 15<sup>th</sup> years ago on September 11<sup>th</sup>. From that tragic day arose the reinforcement of the ideas of a people and nation. That despite the pain, suffering, and loss of love ones, we will never be defeated. That as Americans we will continue to stand united, stand proud and willing to charge into the face of danger to support democracy and each other.

To honor those that lost their lives and the nation they love, we must continue to grow into the true human spirit that each of the victims represented. While acts of patriotism bind us, true acts of patriotism not only honor those who were loss and remind us of the cost of freedom, but move us forward as a nation and humans.

Honor our nation and those who passed but honoring each other. Honor their lives but honoring yours and everyone who makes up our greater community. Help each other, respect each other, listen to each other and continue to sacrifice in the name of democracy, human dignity and progress.

On this 15<sup>th</sup> anniversary, let us continue to build upon the lessons of that day. We are aware, that freedom is not free. But the world is aware that "We the People" are willing to pay the price. That as a nation, our colors will continue to wave, serving as a guiding beacon for all that desire the warmth of liberties breath. This September 11<sup>th</sup>, take time to pause and remember. Remember our past; remember those that lost their lives. Remember that democracy requires the commitment of every American, and never forget we are the hope of all who yearn to be free.

### **Nominations, Appointments and Elections:**

Under nominations, appointments and Elections; in accordance with **Council rule 15** I am naming the following Mayoral appointments:

- **Brian Tapscott**, as a Member of the Somersworth Housing Authority Board of Commissioners, with a term to expire April 2019

**In accordance with Council rule 15 this nomination does not require Council approval.**

**This respectfully concludes my September 6, 2016 Mayors Report**

**REPORTS OF STANDING COMMITTEES.**

**GOVERNMENT OPERATIONS**

Councilor Soldati reported that the committee met on 8/29/2016 to discuss the monument and that the committee was deadlocked, 2-2. They came up with a motion which failed, 2-2. No decisions were made by the committee. Members of the public attended. The committee went into non-public session to discuss a personnel matter.

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

**SCHOOL BOARD**

Councilor Pepin reported that they passed CIP items to the City Manager. They will get the final report of the audit. They appreciate the work being done on Memorial Drive.

**COAST BUS**

Councilor Pepin said that this was in intense meeting, with nominations and elections to the Board. They considered how to change the board and its goals and planning, etc.

**JOINT BUILDING COMMITTEE**

Councilor Messier said that the JBC met twice: on 0829/2016 they finalized purchases and on 09/26/2016 they met from 6-7pm for an open house.

**CHRISTMAS PARADE COMMITTEE**

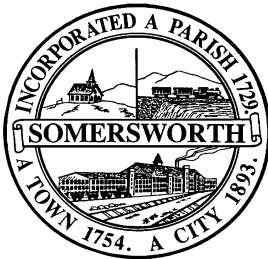
Councilor Dumont reported that the committee also met twice. On 08/17/2016 they came up with a one mile route for the parade from Berwick to Somersworth. They also met on 09/06/2016.

**CULTURAL COMMITTEE**

Councilor Dumont said that the committee is discussing getting a minimum of four cultural meals. The high school culinary program is being renovated to provide meals. It is still in the planning stage.

## HISTORIC DISTRICT COMMISSION

Councilor Dumont said that the commission met on 08/24/2016 to discuss the two cases that they received. Both need to go back for reconsideration; no permits have been pulled yet for this work.



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

**TO: Mayor Dana Hilliard and City Council Members**

**FROM: Robert M. Belmore, City Manager**

**DATE: Thursday, September 1, 2016**

**SUBJECT: City Manager's Report for Tuesday, September 6, 2016  
City Council Agenda**

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***6:45 p.m. Public Hearing***  
***Re: Ordinance No. 2-17 Chapter 19 Zoning Ordinance- Hilltop Overlay District***

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### ***Communications (under Section 6 of Agenda)***

- A. Police Chief David B. Kretschmar-Announcement of Community Access to Recovery Initiative.** Please see attached memorandum from Chief Kretschmar outlining the Program.

### ***Unfinished Business (under Section 13 of Agenda)***

### **Ordinances**

- A. Ordinance No. 2-17 Amend Chapter 19, Zoning Ordinance, Section 30.E, Hilltop School Property Overlay District.** As reported, this is a recommendation forwarded from the Hilltop Commission. There are other Committee recommendations that will be included in the Request for Proposal (RFP) and made part of the deed pending Council approval.

### **Resolutions**



- A. Resolution No. 11-17 To Authorize the City Manager to Request Proposals for the Re-use of Hilltop School in Accordance with the Recommendations of the Hilltop Commission.** There was a “*Draft*” Request for Proposal (RFP) document for your review in the last meeting packet.
- B. Resolution No. 13-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Water Department Utilizing the New Hampshire State Bid List.** Again, the Public Works Committee and Finance Committee met on July 21<sup>st</sup> and support this action item.
- C. Resolution No. 14-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Wastewater Department Utilizing the New Hampshire State Bid List.** Again, the Public Works Committee and Finance Committee met on July 21<sup>st</sup> and support this action item.

*New Business (under Section 14 of Agenda)*

**Other**

- A. Ten Commandments Monument.**

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

**A. Informational Items**

- 1. Capital Improvement Program Fiscal Year 2018-2023.** Attached is a copy of the City Manager’s memorandum to Department Heads regarding the development of the next City CIP. As always, I welcome any City Council suggestions as to projects to include, or any review/ adoption process.
- 2. Solar Array RFP.** Although we had several companies attend a pre-submittal meeting, only one (1) company submitted a proposal from the interested parties. NH Solar Garden in partnership with Nobis Engineering was the one Photovoltaic System (Solar Array) proposal received. Staff will now examine the proposal before presenting to Council Committees/City Council.
- 3. Community Partnerships.** As our practice has been, I have authorized the use of City resources to support the following upcoming Community events:
  - Greater Somersworth Chamber of Commerce 3<sup>rd</sup> Annual Bluegrass Festival on Saturday, September 17<sup>th</sup> from 10:00 a.m. – 6:00 p.m. on Memorial Drive.

- Somersworth Festival Association's 14<sup>th</sup> Annual Pumpkin Festival on Saturday, October 8<sup>th</sup> from 10:00 a.m. – 4:00 p.m. at the Somersworth Plaza.

*Have a Safe & Fun Labor Day Weekend!*

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

MAYORAL APPOINTMENT – BRIAN TAPSCOTT – SOMERSWORTH HOUSING AUTHORITY BOARD OF COMMISSIONERS – TERM TO EXPIRE 04/2019. *This is a Mayoral action that does not require Council approval.*

LAY ON TABLE. *None.*

UNFINISHED BUSINESS.

ORDINANCE

ORDINANCE NO. 2-17 AMEND ZONING ORDINANCE, SECTION 30.E, HILLTOP SCHOOL PROPERTY OVERLAY DISTRICT. *Councilor Witham, seconded by Councilor Cameron, made a motion to adopt Ordinance No. 2-17. The motion passed 9-0.*

RESOLUTION

RESOLUTION NO. 11-17 TO AUTHORIZE THE CITY MANAGER TO REQUEST PROPOSALS FOR THE RE-USE OF HILLTOP SCHOOL IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE HILLTOP COMMISSION. *Resolution No. 11-17 is still in Committee, (Economic Development).*

RESOLUTION NO. 12-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WATER DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST. *Councilor Pepin, seconded by Councilor Cameron, made a motion to adopt Resolution No. 13-17. The motion passed, 9-0.*

RESOLUTION NO. 13-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WASTEWATER DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST. *Councilor Pepin, seconded by Councilor Soldati, made a motion to adopt Resolution No. 14-17. The motion passed, 9-0.*

NEW BUSINESS.

## OTHER

### TEN COMMANDMENTS MONUMENT

***Councilor Paradis, seconded by Councilor Soldati, made a motion to honor the request to come up with three recommendations. They were told that the motion is not in order.***

The Mayor suggested that they could make a motion to do with location or to re-refer it to committee. ***Councilor Paradis made a motion with no second.***

***Councilor Dumont, seconded by Councilor Pepin, made a motion to adopt the recommendation to put the monument back in its original location with 2 flagpoles and a historical marker.***

Councilor Witham would support but wants a better secured monument with bollards to protect it from vehicles.

Councilor Cameron is of the opinion that if the monument were brought forward now, the city would not accept, but in 1958, the Council accepted it as a gift but did not endorse, etc. She is in favor of honoring it as a piece of history.

Councilor Soldati says it represents Christianity and it is on City property. The notion that putting a marker next to it to neutralize it is not held up in courts. The majority wants it to stay, but this is not about majority rules; it is about the rights of minorities being protected from the majority. She understands the sentimentality but believes we are in violation of the separation of church and state.

Councilor McCallion emphasized that it was vandalized; put it back up and then figure it out.

***The motion to adopt the recommendation to put the monument back in its original location with 2 flagpoles and a historical marker made by Councilor Dumont, seconded by Councilor Pepin passed 7-2. (Paradis and Soldati opposed.)***

### COMMENTS BY VISITORS.

Richard Gagnon commended everyone for doing something (about the monument). He is glad to see that the city moved on this; it is a beginning.

### CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Pepin complimented Chief Kretschmar and said that people don't realize how much the PD gives back. Giving to people instead of arresting them is remarkable. Thank you.

Councilor Soldati also thanked the Chief. They are dealing with a public health issue. She is so proud that we are dealing with it this way.

Councilor Dumont commended the Chief. He went on to say his heart goes out to families dealing with this. Under the Mayor's guidance they established the Drug Use Task Force; he mentioned the organizations that are now in the City, Seeds of Faith, Emerald House, Sober Sisters, Bonfire, etc. Somersworth, with a population of 11,000-12,000 has stepped up to the plate. Mr. Dumont complimented the Mayor for nominating Brian Tapscott to the Somersworth Housing Authority. He talked about the necessity of taking care of property in Somersworth and that it is hard to believe that people don't know that they (often) need a permit to do so. If everyone just took care of their property at once, taxes would go down. He said we can't cut taxes when services need to be delivered.

Councilor McCallion said, "Great job, Chief!" "Great, Brian Tapscott." Kudos to Shanna Saunders for the grant. Somersworth is going in a good direction.

Councilor Messier echoed the previous Councilor's (support of) the PD initiative, Sober Sisters, Emerald House, etc. "Great job, Severino, on Memorial Drive," he said. Next they are going to Indigo Hill Rd. Thank you.

Councilor Witham said that Police Chief Kretschmar championed (drug) programs like this when he was on the Drug Use Task Force. He concluded that this was the model and now he is anxious to see this unfold. He said thank you for this effort. Mr. Witham said that Mr. Dumont poked the hornet's nest with respect to property maintenance. Mr. Witham drove around Somersworth yesterday and thinks it is atrocious what he is seeing. He wants to dial up on property maintenance; they need to be more aggressive.

Councilor Sprague thanked Chief Kretschmar and his staff and officers. He said this will be eye-opening for the community. He agreed with Councilor Messier about the road work and said that Memorial Drive came out really nice. He spoke about the work that they do in committees to get this work done and was taken aback when he saw the sign near Memorial Drive that said "Thank you Vision 2020." He said that work came from goal setting sessions, not Vision 2020, and he took offense.

Councilor Cameron thanked Chief Kretschmar and Director Saunders for going forward. She asked for volunteers for the Somersworth Indonesian Fair

Councilor Paradis said that Memorial Drive looks beautiful; she agreed that it was not Vision 2020. She thanked Shanna Saunders and Chief Kretschmar. She also thanked Richard Gagnon.

FUTURE AGENDA ITEMS. *None.*

NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL). *None.*

ADJOURNMENT.

*Councilor Sprague, seconded by Councilor Messier, made a motion to adjourn which passed. The meeting adjourned at 8:21pm.*

Respectfully submitted,

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Elise B. Brelis, Deputy City Clerk