

Minutes of City Council Meeting Monday, November 15, 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, Austin, Michaud, Witham, Gerding, Cameron and Paradis.

Excused: Councilor Vincent, Councilor Dumont

PLEDGE OF ALLEGIANCE

Councilor Cameron led the Pledge of Allegiance.

PUBLIC HEARING

There were no Public Hearings.

COMMENTS BY VISITORS

There were no opening comments by visitors.

CONSENT CALENDAR

A. Approve Minutes of the City Council workshop held on October 25, 2021

B. Approve the Minutes of the City Council meeting held on October 25

Councilor Austin made a motion to approve all items in the Consent Calendar. The motion was seconded by Councilor Pepin and passed 7-0.

COMMENTS BY CITY COUNCILORS

Councilor Gerding requested Council Rules be waived to allow Resolution No. 15-22 to be read a second time.

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 November 15th, 2021

For forty years **Captain Russel Timmons** has served and protected the greater Hilltopper community, each day rising and walking the thin blue line. Without hesitate he is willing to sacrifice his own personal dreams and life, to ensure the community he loves Somersworth, remains safe for all. This week, we pause to honor the four decades of serve to the Hilltop community and give a humble thank you, to our local hero and officer that everyone looks up to, Captain Russel Timmons.

Last Thursday I once again had the honor to deliver the official city remarks at the American Legion on Veterans Day.

The uniform of our Veterans bares no markings as Democrat or Republican. The uniform of our Veterans is not sorted by conservative, moderate, centrist, or liberal. Those that served with valor, honor, courage, and pride are not placed into units based on their religion, ethnicity, or sexual orientation. For those that carry the title United States Veteran, share a common bond, a common commitment to our creed. They are Americans, each with a different story, each with a different background, united on the same journey to protect the torch of freedom's light, two hundred and forty-five years ago.

Our nation, our liberties, our freedoms were forged upon the determination of merchants, farmers, business, and trades people, all who willingly halted their individual dreams and advancements for the birth of a nation and future generations they will never know. We are reminded each day of their sacrifices with our ability of free thought and action. Because of them, we execute our right to vote. Because of them, we can pray freely or choose freely not to pray. Because of them our self- destiny is determined by our studies, action, dedication, and work, not by an oppressor who bonds us into the chapters of human injustice.

For each year our republic moves forwards, so too does the soul of liberty throughout the world. Its journey is guarded by the men and women who have dedicated their lives for the advancement of our nation. Their oath, to defend the growth of the child know as democracy for all current and future generations. For our guardians are aware that while the light from liberty guides all those who yearn for its eternal warmth, the darkness of those who wish to crush it linger in the corner of oppression.

Today we take time to pause, to reflect, to remember and to celebrate. To honor all of those in the world of the living and in the spirit form who have defended a nation built upon the promise; the goal of universal freedom and liberty for all.

Today we reaffirm our commitment as Americans to safeguard the pillars of which this nation was cast upon. To honor all differences and to seek common ground to advance the creed which identifies us. Each year as Mayor, I have had the honor to not only address you, but to invite the next generation of liberties safe guarders to inspire us in their words and bring testament to the continuation of our great republic.

This evening I welcome 9th grader Mia Westphal who is a contestant in this years, VFW Voice of Democracy program, and 8th grader Chaplin Coussoule who is a contest in the VFW's Patriots Pen.

May God forever offer his grace and guidance for all of us to hold true to the principles of our great nation. May he continue to shield in his protection those who willingly defend our nation, and those who have sacrificed their lives in the name of Democracy. And may God forever bless these fifty United States.

Essay by Mia Westphal: America: Where Do We Go from Here?

Thomas Jefferson once said, “I hold it that a little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical” (Jefferson). Just like Jefferson, we are living in a time of rebellion and discontent, and some people are asking, “Where is America supposed to go from here?” In order to go forward from here, we need to make more effort towards fixing racial injustice, making proper health information more accessible, focusing on unity as a country, and working on the environment. As rebellion continues, more and more people want a fix.

Going forward, America should be making more effort towards fixing racial issues. In April of 2020, after the death of George Floyd, the Black Lives Matter movement exploded. Unfair treatment by police officers is a widespread problem no matter your race, but it’s even more of a problem in low-income and African American communities. After the Floyd event, more people started to take notice that people of color are treated unfairly by the law. We can’t afford to let these ideas fade from the public consciousness. We all need to continue advocating for equality on a daily basis. This way, we can continuously strive towards a better future.

Going forward, America should be making proper healthcare more accessible. America is currently coming out of a pandemic, which makes it very important to keep everyone as healthy as possible. Yet, right now, finances and overcrowded hospitals are keeping people from getting the treatment that they need. In a first-world country, this should not be a problem. In order to fix this, we need to properly educate people on how to effectively keep themselves healthy, such as wearing masks and washing hands, to keep from losing life. We should also use our voices and our votes to elect officials who want to enact real change in the pharmaceutical industry.

Going forward, America should be focusing more on unity as a country. Politics divide us, to the point where someone may not interact with a person who is of another political party. If we want to continue moving forward as a united country, then we need to focus more on being a country altogether, rather than split political parties. We need to remind each other that we’re Americans first. This way, people will see themselves as a member of the country and a community, rather than a member of a political party.

Going forward, America should be working more on the environment. Global warming has recently become a large and pressing issue, along with climate change. Many people aren’t aware of this because there are many myths out there about climate change and many people who don’t have the time or energy to do research. People should be properly educated and informed about the state of the environment, and how to help. We need to make this information more accessible and easier to comprehend. This way, we can leave a good place for future generations.

Though it may seem difficult, and sometimes impossible, it's important that we keep improving. We need to work together as a country to keep moving forward and finding solutions, whether it be through rebellion or protest. In closing, I would like to challenge each person who hears this to take up the call and become a voice for democracy. Go out there, ask yourself, “where do we go from here,” and pave the way forward.

Essay by Chaplin Coussoule: “How can I be a good American?”

This is a question everyone should ponder. Now, there is a difference between being an American and being a good American. Being a good American represents what America is all about, which is the ability to live, and let others live, freely. It is the ability to live how you want rather than being told how to live. This is different from other countries. This is a privilege that was earned by people who fought for the rights we believe in. As a good American you not only know this, but you execute it as well.

A problem America faces every day now is people abusing their freedom and rights, doing genuinely bad things and saying it is a “free country.” They use our freedom as an excuse to do harm and that is not what it was intended for. Some people stereotype others, causing people to attack or make fun of them because of those stereotypes. But, a good American doesn’t stereotype others; they will allow people to be themselves and give everyone the same treatment. As a good American I use my freedom for good by showing respect and responsibility through my words and actions.

A good American lets people be who they want to be. A good American doesn’t care if you’re black, white, gay, or straight, they will give you the same amount of respect as they would anyone else. As a good American I do this by treating everyone with respect, regardless of what they look like or how they identify. Respect is a core factor in America, just like our freedom. Without respect, America would only be a shell of what it once was.

A good American will keep the meaning, and the message of what being an America is all about. That is showing pride in being an American by doing good for other people, and by not abusing the freedom and rights that were given to us. That is how I can be a good American, and that is how we can all be good Americans. That is how we can continue to grow our community and make it better. If we are working toward being good Americans, I know we can work towards this future, and become better people, a better community, and a better nation.

Mayor’s Report Cont’d

Thank you all who carry the honor and title of a United States Veteran.

Congratulations to Coach Lambert, his coaching staff, and all players on the Somersworth High School football team for bring home the title to our great community. I look forward to having you all here soon to officially recognize you.

Save the date Saturday December 4th at 1:30 for the annual Somersworth/Berwick Christmas parade. Santa himself has already been in contact with officials on both sides of the bridge and has confirmed that he will be in attendance.

Finally, I would like to extend my sincere gratitude to members of the electorate for once again placing their faith and consent in me to serve as your mayor for another two years. This election cycle once again for the roots of partisan politics trying to again take hold of a non-partisan structure.

It also was witness to tactics which had been absent from our local politic structure since the mud and lies were casted about the late Mayor Jim McLin during one of his campaigns. Rather than going into a lengthy history lesson and going down the path of a lecture, I will instead stay positive. The shining light busted through the darkness once again, by you the voters holding to what the values of this community are and refusing to let those who are still learning what it means to be a Hilltopper try to erode what makes this community a home for all of us.

On Friday I had the pleasure of sitting down with Ken Hilton and exploring our common ground and commitment to keeping Somersworth “On the Move!” I am excited about bring his name forward and equal excited about the partnership and friendship I see evolving.

As the new Council takes their seats, I look forward tasking the government operations committee on how we can maintain the integrity of our non-partisan system and preserve and protect the structure from the hidden agendas of those who wish to erode its integrity. Once

again to the voters thank you, thank you for reinforcing honesty, integrity, and the spirit of partnership. I look forward to maintaining and protecting our team approach to governing and keeping our great city “On the Move!”

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the follow are being brought forward this evening for a confirmation vote;

Nominations requiring a Council Confirmation Vote:

Adam Young for Appointment as a Member of the Historic District Commission with a term to expire October, 2024

Timothy Monahan for Appointment as an Alternate Member of the Historic District Commission with a term to expire October, 2024

This respectfully concludes my November 15th, 2021 Mayors Report

REPORT OF STANDING COMMITTEES

Public Works and Environment – Councilor Witham said the Committee last met on November 5th and Mayor Hilliard temporarily appointed Councilor Michaud to the Committee in the absence of Councilor Vincent. The Committee unanimously voted to support waiving the construction moratorium for work related to the new Fire Station including the installation of a utility pole and moving a water line. Witham stated that work on the Wastewater Treatment Plant is nearing completion and that final paving is done. At the meeting, Manager Belmore informed the Committee that an engineer from Wright Pierce has applied for an incentive grant from Eversource that has been approved. Manager Belmore is vetting the grant to ensure it does not affect the City’s ability to receive similar funds relating to future projects such as a potential solar field on the brownfield site.

Witham also explained a \$45k change order for the Cemetery Road Complete Streets project due to a previous miscalculation of elevations by contractor, Wright Pierce. The Committee has tasked Manager Belmore with negotiating with Wright Pierce for cost sharing the change order. Witham said the Committee looked into Councilor Paradis’ request to repair 1st Street and Shady Lane. The Committee reviewed three options and discussed potentially renting a grader. Witham stated the Committee unanimously supported an additional \$12,969 for consultant hours due to increased design efforts for ROW activities relating to the TAP grant.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

COAST – Councilor Pepin attended a COAST bus meeting on October 27. There were discussions on maintaining service, reducing service levels, and the need for more qualified CDL applicants.

Fire Station Building Committee – Councilor Pepin stated the Committee unanimously approved waiving the construction moratorium for work being done at the new Fire Station. Pepin reported that trace amounts of PFAS materials were found. Though nothing to be concerned about, it is still being addressed. Pepin also noted that quotes for items such as doors, windows, etc. are being accepted.

Building Trade & Trust – Councilor Pepin attended a recent meeting which began with a review of the treasurer’s report. He reported that there are plans to dismantle the trust and utilize the funds elsewhere.

School Board – Councilor Austin attended a meeting of the School Board on November 9th. The Superintendent announced a Covid vaccine clinic at Idlehurst Elementary for students aged 5-11 on Sunday, November 21st from 10:00 a.m. to 1:00 p.m. Austin said the School Board is also beginning to hear presentations from Boards on how things are going. Austin said he was impressed with how well things were going given all the tricky circumstances.

Christmas Parade – Councilor Cameron said there is a tree lighting scheduled at 1 p.m. prior to the parade on December 4.

Sustainability Committee – Councilor Paradis stated the Committee last discussed the future of the City’s energy efficiency programs and goal/action setting.

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, November 12, 2021

SUBJECT: City Manager’s Report for City Council Meeting on Monday, November 15, 2021

6:30 p.m. - Non-Meeting

Re: School Board Proposed Tentative Agreement with SESP Union

Unfinished Business (under Section 14 of Agenda)

Resolutions

- A. Resolution No. 11-22: To Authorize the City Manager to Prepare Bid Specifications for Road Resurfacing and Associated Repairs of Selected Streets.** Again, the Public Works & Environment Committee met on October 18th and voted to recommend these selected City Streets. Attached is staff’s estimate of what the costs would be to include Shady Lane and First Street on this paving / repair list. The Public Works and Environment Committee has asked that staff and I return to them with a complete list of all remaining City gravel roads to discuss potential repair plans and to prioritize improvements to these roads.

New Business (under Section 15 of Agenda)

Ordinances

- A. Ordinance No. 4-22: City Council Meeting Schedule for 2022.** Mayor Dana S. Hilliard has proposed the following 2022 City Council regular meeting calendar dates. Attached is a copy of the City Council meeting calendar. Although Juneteenth is not presently listed as a City Holiday, it will be addressed early in the new year to consider formal recognition.

Resolutions

- A. **Resolution No. 15-22: A Vote to Oppose the Majority-Proposed Congressional District Maps Drawn by the Special Committee on Redistricting of the New Hampshire House of Representatives.** This Resolution was Drafted by Councilor Matt Gerding. Attached is a current map and a map of the proposed redistricting area.
- B. **Resolution No. 16-22: To Authorize the City Manager to Amend the Contract with CMA Engineers of Portsmouth, NH for Engineering Services Associated with the Transportation Alternatives Program (Tap) Grant.** The Public Works & Environment Committee met on November 5th and voted to support the updated contract amendments in order to keep the project moving forward. Attached are copies of the notification from NH DOT Project Manager Thomas Jameson regarding the City fronting funding until federal funding becomes available. *Manager Belmore explained there is a risk, albeit a small one, in regard to the 80/20 match for the grant.*
- C. **Resolution No. 17-22: To Authorize the City Manager to Accept an Energy Efficiency Incentive Offer from Eversource.** The Public Works & Environment Committee met on November 5th and voted to support this Resolution to accept the Energy Efficient Incentive Funds from Eversource. Attached is a copy of the Energy Efficiency Incentive Offer of \$122,986. Council should consider waiving rules to pass this evening as the deadline to accept is December 5th.

Other

- A. **Vote to Certify Return of Votes for the November 2, 2021 Municipal Election.**
- B. **Vote to Waive the Construction Moratorium for the Fire Station Project to Include Excavation for the Actual Construction of Building and Utility Installation (Chapter 12, Section 1 & Chapter 32, Section 4i).** The Public Works & Environment Committee met on November 5th and voted to support the request from Harvey Construction to work beyond the moratorium date of November 15th. Attached are sections of the respective City Ordinances in play here.
- C. **Vote to Authorize the City Manager to Enter into an Amended Agreement with the City of Dover, City of Rochester, and Community Action Partnership of Strafford County to Operate an Emergency Cold Weather Warming Center at 30 Willand Drive in Somersworth from November 29, 2021 through April 1, 2022.** As communicated via email to you, the Dover City Council voted to accept the proposed amended Agreement and to authorize their City Manager to sign it. Attached is a copy of the Draft amended Agreement.
- D. **Vote to Ratify the Tentative Agreement between the Somersworth School Board and the Somersworth Educational Support Personnel Association Union (SESPA).** Attached is a copy of a *Confidential* Memorandum from Superintendent Lori Lane regarding the recommended Tentative Agreement.

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

Informational Items

1. **The Somersworth-Berwick Christmas Parade.** It is back, mark your calendars for Saturday December 4, starting at 1:30pm.
2. **Assistance to Firefighters Grant (AFG).** I have authorized Chief Kramlinger to apply for grant funding to purchase battery powered hydraulic rescue tools, which is earmarked in our CIP at a cost of \$35,000.

Attachments

1. **City Attorney Certification Four (4)**
2. **Department Head Reports**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Nominations requiring a Council Confirmation Vote:

- A. Adam Young for Appointment as a Member of the Historic District Commission with a term to expire October, 2024

Councilor Witham made a motion to Appoint Adam Young as a member of the Historic District Commission. The motion was seconded by Councilor Gerding and passed 7-0.

- B. Timothy Monahan for Appointment as an Alternate Member of the Historic District Commission with a term to expire October, 2024

Councilor Witham made a motion to Appoint Timothy Monahan as an alternate member of the Historic District Commission. The motion was seconded by Councilor Gerding and passed 7-0.

LAY ON THE TABLE

There were no items on the table.

UNFINISHED BUSINESS

RESOLUTIONS

- A. **Resolution No. 11-22** – To Authorize the City Manager to Prepare Bid Specifications for Road Resurfacing and Associated Repairs of Selected Streets

Councilor Witham made a motion to adopt Resolution No. 11-22 as submitted. The motion was seconded by Councilor Paradis and passed 7-0 by roll call vote.

NEW BUSINESS

ORDINANCES

- A. **Ordinance No. 4-22** – City Council Meeting Schedule for 2022

Councilor Witham made a motion to waive Council Rules to allow a first reading of Ordinance No. 4-22 by title only. The motion was seconded by Councilor Austin and passed 7-0. Clerk Slaven performed a first reading of Ordinance No. 4-22 by title only. The Ordinance will remain in first read until call of the Chair.

RESOLUTIONS

- A. **Resolution No. 15-22** – A Vote to Oppose the Majority-Proposed Congressional District Maps Drawn by the Special Committee on Redistricting of the New Hampshire House of Representatives

Councilor Gerding made a motion to waive Council Rules to allow for a second reading of Resolution No. 15-22. The motion was seconded by Councilor Paradis and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 15-22 by title only.

Councilor Gerding made a motion to adopt Resolution No. 15-22 as submitted. The motion was seconded by Councilor Cameron.

Councilor Gerding stated the reason for this Resolution stems from a Resolution Council passed in February to support fair and non-partisan district maps created for New Hampshire. The maps had been in the possession of the Committee since February, had no Public Hearings until recently, and will be voting on the maps tomorrow and Wednesday. Gerding noted almost unanimous disapproval for the proposed maps at the Public Hearing he attended. He added that the gerrymandered maps would make a less competitive Congressional District.

Councilor Paradis echoed Gerding's comments and stated that members of the Special Redistricting Committee have made comments that clearly underline their goal to make the districts less competitive. Paradis said this affects Somersworth by disincentivizing candidates to competitively campaign, adding that she will be in support of the Resolution.

The motion to adopt Resolution No. 15-22 as submitted passed 7-0 by roll call vote.

- B. **Resolution No. 16-22** – To Authorize the City Manager to Amend the Contract with CMA Engineers of Portsmouth, NH for Engineering Services Associated with the Transportation Alternatives Program (TAP) Grant

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution No. 16-22. The motion was seconded by Councilor Austin and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 16-22.

Councilor Witham made a motion to adopt Resolution No. 16-22 as submitted. The motion was seconded by Councilor Gerding and passed 7-0 by roll call vote.

- C. **Resolution No. 17-22** – To Authorize the City Manager to Accept an Energy Efficiency Incentive Offer from Eversource

Councilor Austin made a motion to waive Council Rules to allow for a second reading of Resolution No. 17-22. The motion was seconded by Councilor Paradis and passed 7-0.

Councilor Pepin made a motion to adopt Resolution No. 17-22 as submitted. The motion was seconded by Councilor Paradis.

Councilor Witham asked Manager Belmore about the potential for these funds of boxing the City out of utilizing superfund site funds for a future solar field. Manager Belmore stated we are good to go.

Councilor Paradis stated she is in support of this and noted that this program is on the chopping block on the State level and encouraged people to reach out to the Governor and Public Utilities Commission. Paradis also asked about the implications of the funds being received on the budget. Manager Belmore replied that the funds would go towards the Wastewater Treatment Plant project.

The motion to adopt Resolution No. 17-22 passed 7-0 by roll call vote.

OTHER

- A. Vote to Certify the Return of Votes for the November 2, 2021 Municipal Election

The Vote to Certify the Return of Votes for the November 2., 2021 Municipal Election passed 7-0.

- B. Vote to Waive the Construction Moratorium for the Fire Station Project to Include Excavation for the Actual Construction of Building and Utility Installation (Chapter 12, Section 1 & Chapter 32, Section 4i)

The Vote to Waive the Construction Moratorium pass 7-0.

- C. Vote to Authorize the City Manager to Enter into an Amended Agreement with the City of Dover, City of Rochester, and Community Action Partnership of Strafford County to Operate an Emergency Cold Weather Warming Center at 30 Willand Drive in Somersworth from November 29, 2021 through April 1, 2022

Message from Mayor Hilliard:

This evening before Council is vote to Authorize the City Manager to Enter into an Amended Agreement with the City of Dover, City of Rochester, and Community Action Partnership of Strafford County to Operate an Emergency Cold Weather Warming Center at 30 Willand Drive in Somersworth from November 29, 2021 through April 1, 2022.

The latest agreement comes after continual discussions among the Tri-City network of how to move forward with addressing the issue of homelessness within our respective communities, while continuing to honor the spirit of the agreement which this Council willingly adopted.

While I am a bit disheartened, I should find it no surprise that despite this extreme warming center moving into only its second year of operations, that there appears to be a case of rampant amnesia running among some local and non-profit leaders. The warming center, and I repeat warming center came to fruition after the city of Dover quickly seized a grant opportunity to aid the network in supporting citizens who are experiencing homelessness.

Prior to the grant and pre-covid, the network was relying heavily open the faith-based communities and other non-profits to help organize the opening of warming centers during extreme weather.

While Dover had the opportunity to apply quickly for the grant no viable location existed within the Tri-City area. The currently location was reviewed and despite in laying within one of Somersworth's business and economic zones, the Mayor's office agreed to bring the request forward to Council for the approval to operate for 1 year with the Tri-City network in agreement that the following year April of 2021 the building would be placed upon the market and a plan developed of how the sales from the building could continue to support homeless among the network.

With Covid numbers still high as we moved forward into the summer, the network agree to open the building once again as a region warming center, holding too the spirit of the agreement of what this Council had agreed to with once again moving forward with placing the building back onto the market in April.

At no time throughout this process did this Council or the Tri-City Mayors or Mangers intend for the current building to be the permit location of a regional warming center or for it to expand its purpose. This evening I am seeking Councils full approval to move forward once again with the opening of the center with some expanded responsibilities. While this amended version does travel down a road that this Council did not originally agree too, the amended MOU will offer much needed services to all citizens who are currently experiencing homelessness. It will also hold to the original agreement that the building will be placed upon the market in April with the hopes of utilizing the revenues to either purchase or construct a new permanent facility. The three Mayors and Managers are in full support of the current agreement and will not support any future effort to make this location the permit site of a homeless center or permit warming center.

With some recent press and some temptations by local leaders to turn a complex situation which has jointly been being worked on for months with open conversation with the Tri-City administration and social services, our Hilltop community and Hilltopper spirit of "neighbor helping neighbor" along with our compassion and empathy will continue to be the guidelines at seeking a resolution long term sustainable solutions on the issues of homeless. For anyone to grab this issue to promote themselves and their own political agenda is not only dishearten and distasteful, but also attempts to de-rail the partnerships which continue to formulate the approaches which have strengthen the Tri-City area. Issues of homelessness cannot be simplified; they are complete and are entangled with several layers. However, complex, and difficult we will continue on our journey of seeking long-term standing solutions and not hinder at making difficult decision when necessary. In the last eight years we have developed and adopted a master plan, opened the current temporary warming center and continue to have dialog and action based upon the partnership of trust and respect.

All of us should be proud of the progress we have made while acknowledging there is more work which as a united area we will continue to do.

This evening I ask for your full support knowing that the partnership is continuing conversations including how to we move forward, what type of expansion within the partnership is needed and how will the mayor's fidelity commission be re-structed among the network to ensure progress continues to be made.

While the current proposal might not reflect the original intent, I have no doubt that this Council will continue to stand by the Hilltopper values which identify this community “neighbor helping neighbor” acknowledging that we are once again aiding in a year with still few answers and a hazy forecast, knowing that while the warmth of the spring occurs the network will move forward with its work of seeking a new permanent location.

Councilor Paradis asked Manager Belmore if there is anything in the contract which states the intent to sell the building prior to the contract’s termination on April 22, 2021. Manager Belmore referred to a line in the contract that addresses the sale of the building after contract termination. Councilor Paradis inquired if the MOU is able to be further amended in the future. Manager Belmore replied, that it can. Councilor Paradis stated her support to amend the agreement, but also her desire to open the facility full-time. She expressed hopes this amended agreement is not too little or too late and encouraged the City Managers to have flexibility with CAP in relation to the hours of operation.

Councilor Witham spoke to the difficulty he has encountered with this topic and vote. He stated he is going into his tenth year of being a City Councilor and this has been the toughest vote he has had to make. Witham added that lately there has been a fair amount of political pressure to make decisions and he worries that such pressure doesn’t typically guide the best decisions. The issues at hand are much farther reaching than Somersworth and he questions what our City’s role should be. He said he will be supporting the amendment this evening because the experts say there is a need.

Witham gave a history of the facility and how it came to be a temporary warming center owned by the City of Dover. During the formulation of a plan, the intent was clear for a short-term facility, sell after the contract termination, and utilize the funds from the sale towards a more permanent solution. Witham brought up a question of why Rochester is a stakeholder. They do not own the building and it is not in their City, however, none of the other 10 communities in Strafford County are involved. As for the scope of services, Witham said that Somersworth provides in-kind services for EMS, Fire, and Police in addition to lost revenue from not having a taxable property.

Councilor Witham said that issues such as the facility abutting a mobile home park need to be vetted. He stated we need to be consistent with our processes and said the change to full-time should also go before the Planning Board for a courtesy review.

Councilor Gerding stated he will support the amendment. Although temporary, the updated agreement still highlights and addresses the need for the facility to be open on a more full-time basis. Gerding stated he agreed with Councilor Witham’s comments on political pressure driving decisions and added that the Tri-City Mayors and City Managers need to cooperate. Gerding mentioned that it is difficult for small cities such as Somersworth to address the issue of homelessness and he would love to see the people who showed up to support this amendment also address the issue with their government officials at the County and State level where it is more appropriately addressed. Though they are not statutorily obliged to do so, they are the ones best equipped to implement long-term solutions. Gerding stated the Towns and Cities already have difficulty relying on property tax to support our schools appropriately. He said we are lucky that the Tri-Cities communicate well whereas some towns do not work together on issues with their neighbors as well. More responsibility should be put on the State to address homelessness and all of the complexities it involves.

Councilor Austin stated his intent to support the vote this evening. He said it is important to not lose sight of the concerns brought up. It is appropriate this agreement takes us through April 1, 2022 and will lead to further discussion on what happens in the future. Austin said this is not a Tri-City issue, rather one that needs to at least be addressed at the County level. He stated a concern questioning if this location is the best location for a shelter, though in the short-term, this is the right thing to do.

Councilor Witham made a motion to further amend the Vote to authorize the City Manager to enter into an amended agreement, stipulating the vote to authorize is approved pending a courtesy review from the Somersworth Planning Board. The motion was seconded by Councilor Pepin.

Councilor Witham stated the courtesy review is a procedural item that is necessary as it has been for changes to other City facilities.

Councilor Paradis stated she sees how the courtesy review makes sense, although this facility is different from a fire station or water treatment facility. She stated the rules may not apply since the facility is owned by another municipality and would oppose the further amendment on that ground as well as her desire to not delay the opening of the facility.

Councilor Pepin stated he is in favor of the Planning Board review. He stated concerns of the facility being utilized by those outside of Somersworth and does not want to turn Somersworth residents away. Pepin gave praise to the Fire, PD, and City Managers for their efforts on this issue, but noted the issue needs to be expanded well-beyond the Tri-City area to address the issue and get a bigger ball rolling.

Councilor Michaud stated his support of the amendment and further amendment for Planning Board. Michaud asked if the Planning Board review could delay the opening of the warming center in any way. Manager Belmore responded that the Planning Board has no standing to reverse a decision of Council. A courtesy review is an inspection of the site and building and seeing if there are any items that could be recommended for the safe use of the site. Any items found to be addressed would only be a recommendation and the City of Dover would have to decide whether to address or not. Michaud thanked Manager Belmore and stated he doesn't want to see anything delay the opening of the facility.

Councilor Witham thanked Manager Belmore for the explanation. He said it is not too dissimilar from a developer going before the Planning Board. We could not tell a business they cannot operate if it is zoned appropriately. The City of Dover can heed the Planning Board's advice how they want, though Dover has been amenable to suggestions in the past.

The Vote to Further Amend the Vote to Authorize the City Manager to Enter Into an Amended Agreement Passed 6-1. Councilor Paradis Voted "No".

Councilor Witham Requested a Roll Call Vote on The Vote to Authorize the City Manager to Enter Into an Amended Agreement as Further Amended.

Councilor Paradis noted that the capacity of the facility is 80. She wanted to clarify questions she has heard multiple times throughout this topic's discussion.

The Vote to Authorize the City Manager to enter into an amended Agreement as Further Amended Passed 7-0 by roll call vote.

D. Vote to Ratify the Tentative Agreement Between the Somersworth School Board and the Somersworth Educational Support Personnel Association Union (SESPA)

Councilor Witham said he was happy to support this. The school facilities are very well kept and he is happy to support their efforts. Councilor Gerding noted how teachers are often regarded as the hardest working staff members at the schools, but stated he may argue that the custodial staff may be even harder working.

The Vote to Ratify the Tentative Agreement Between the Somersworth School Board and the Somersworth Educational Support Personnel Association Union (SESPA) passed 7-0.

COMMENTS BY VISITORS

There were no closing comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Witham thanked Captain Russell Timmons forty years of service to the Somersworth Police Department. Witham said the students, Mia and Chaplin did great jobs with their essays and hopes they one day have seats in the Council Chambers. He also congratulated the Somersworth Football team for winning their championship. Witham also mentioned that soon obtaining a CDL is going to get even more difficult with a new entry level driver training program which make it incumbent upon the employer to provide this training before an applicant is even eligible to apply for the CDL. Witham also mentioned the building trades trust and how there is a lack of people going into the trades.

Councilor Gerding thanked Russell Timmons for his service and said Somersworth has been very lucky to have a nice guy serve the City on the PD. He also thanked Mia and Chaplin for their essays saying it was an honor to see students come before Council. Gerding also congratulated the SHS football team for their championship win.

Councilor Cameron congratulated Captain Timmons for his forty years of service and said she appreciates him staying on the Parade Committee. She also congratulated the SHS football team for winning the title. Cameron gave kudos to the students who came up and read their essays saying they were very well done.

Councilor Paradis encouraged residents to participate in small business Saturday and also attend the little Indonesia holiday bazaar. She thanked all the voters for coming out on November 2 and said it was exciting to see double the turnout of the last municipal election. She mentioned an issue reported to her at the intersection on Blackwater Rd. and Indigo Hill Rd. She noted sight distance issues with turning left onto High Street. She offered the solution could be a simple light timing fix. Paradis said she was glad to see Juneteenth added to the list of City holidays and hopes to include indigenous peoples' day. She congratulated Councilor Elect Denis Messier and the new School Board. She thanked Mia and Chaplin for their speeches.

Councilor Pepin thanked all the voters who came out this year and said the local election is the most important one to vote in. He also thanked all the poll workers who helped the process along all day. Pepin thanked the students who presented their essays and said while it can be a bit depressing to see the news and the direction our Country is going; the students are a bright spot and hopes they one day enter public service. Pepin thanked Russell and said it was

a pleasure working with him and said he always had a great attitude. He also urged residents again to install a blue light bulb to show support of police.

Councilor Austin gave congratulations to Captain Timmons and said that forty years is a long time for any job, especially being a police officer. He also said the message and delivery the students presented was amazing and hopes they are sitting on Council one day. He congratulated the football team for their win. He expressed dismay about the struggles with the building trades trust and hopes to find some way to channel the funds back into the building trades program. There has been a lack of interest in the trades and we need to encourage that. Austin also echoed the comments about the voters who came out on November 2. Austin also encouraged those who did not vote for him and express their particular concerns and wants to hear why and have a conversation about how he can best represent their interests.

Councilor Michaud congratulated Russell Timmons on his upcoming retirement. He also gave kudos to the Somersworth Football team who dominated the season and won the championship. Michaud also said the students Mia and Chaplin did great and said if they are the future of Somersworth, we are in good hands. He also mentioned a need for a temporary crosswalk at the ward 5 building due to dangerous traffic conditions. Michaud also wished everyone a happy Thanksgiving.

ADJOURNMENT

Councilor Gerding made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Cameron and passed 7-0. The meeting adjourned at 9:16 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk



City of Somersworth – Resolution

Resolution No: **11-22**

TO AUTHORIZE THE CITY MANAGER TO PREPARE BID SPECIFICATIONS FOR ROAD RESURFACING AND ASSOCIATED REPAIRS OF SELECTED STREETS

October 25, 2021

WHEREAS the City of Somersworth's Capital Improvement Plan recommends road resurfacing and other general maintenance of streets in the City, and

WHEREAS the City has prioritized street repair using the pavement condition index assessment tool, and

WHEREAS the Public Works and Environment Committee reviewed the following staff recommended list of streets to be included in a shim and pave work plan for this construction season and supports the following recommendation:

Rocky Hill Road (Otis Rd. to RR Tracks)
Interstate Drive (Rte. 108 to the End)
Ellswick Street (High St. to Sinclair Ave.)
Wolcott Street (High St. to Sinclair Ave.)
Sinclair Avenue (High St. to Ellswick St.)
Mt. Vernon Street (Grand St. to Prospect St.); and

WHEREAS the Public Works and Environment Committee reviewed the following staff recommended list of streets to be included in a crack-sealing work plan for this construction season and supports the following recommendation:

Davis Street	
Chadwick Lane	
Lenox Drive	Aspen Drive
William Street	Guy Street
Cote Street	Commercial Drive
Long Leaf Lane	Victoria Drive
Winslow Drive	Willand Drive
Greenfield Drive	High Street (Sinclair to
Hickory Lane	Stackpole);
Morrison Street	
Deer Creek Run	

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to prepare bid specifications and solicit bids from qualified contractors for road resurfacing and associated repairs of the aforementioned streets and take any other actions relative to this project determined to be in the best interest of the City

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Richard Michaud Matthew Gerding	<i>Approved:</i> City Attorney
City of Somersworth – Resolution 11-22	

History			
First Read Date:	10/25/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	11/15/2021		

Discussion

10/25/2021

Resolution No. 11-22 will remain in first read until call of the Chair.

11/15/2021

Councilor Witham made a motion to adopt Resolution No. 11-22 as submitted. The motion was seconded by Councilor Paradis and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	Excused	
Ward 3 Councilor	Dumont	Excused	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		7	0
On 11/15/2021	Resolution 11-22	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **4-22**

CITY COUNCIL MEETING SCHEDULE FOR 2022

November 15, 2021

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT, in accordance with Chapter 3.7 of the City Charter which provides that the City Council's "regular meetings shall be held on the first and third Monday of the month at 7:00 p.m. unless otherwise designated by Ordinance..." and Chapter 6, City Officials, Section 6.8.2 of the City Ordinances which also provides that the "City Council shall meet in regular session on the first and third Mondays of each month at 7:00 p.m., unless otherwise agreed on by a majority of the members of the Council" that the City Council Meeting schedule for 2022 shall be as follows:

- Monday, January 10th and Monday, January 24th
- Monday, February 7th and Tuesday, February 22nd
- Monday, March 7th and Monday March 21st
- Monday, April 4th and Monday, April 18th
- Monday, May 2nd and Monday, May 16th
- Monday, June 6th and Tuesday, June 21st
- Tuesday, July 5th
- Monday, August 1st
- Tuesday, September 6th and Monday September 26th
- Monday, October 3rd and Monday, October 17th
- Monday, November 14th
- Monday, December 12th

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 4-22

History

First Read Date:	11/15/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

11/15/2021

Councilor Witham made a motion to waive Council Rules to allow a first reading of Ordinance No. 4-22 by title only. The motion was seconded by Councilor Austin and passed 7-0. Clerk Slaven performed a first reading of Ordinance No. 4-22 by title only. The Ordinance will remain in first read until call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On	Ordinance 4-22	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **15-22**

**A VOTE TO OPPOSE THE MAJORITY-PROPOSED
CONGRESSIONAL DISTRICT MAPS DRAWN BY THE SPECIAL
COMMITTEE ON REDISTRICTING OF THE NEW HAMPSHIRE
HOUSE OF REPRESENTATIVES**

November 15, 2021

WHEREAS, on February 1st, 2021 the Somersworth City Council voted unanimously to support Resolution 26-21, “A Vote to Support the Creation of Fair and Nonpartisan State and Federal District Maps by the New Hampshire General Court”, and

WHEREAS, the Special Committee on Redistricting of the New Hampshire House of Representatives released proposed Federal Congressional District Maps on November 4th, 2021, and

WHEREAS, the proposed maps created by the members of the majority on the Special Committee on Redistricting cause dramatic shifts to New Hampshire’s Congressional Districts that appear to be done in a way that highly advantages one political party over the other, and

WHEREAS, under the majority-proposed maps, Somersworth would no longer be in Congressional District 1 – the Congressional District that the City has been in since the creation of New Hampshire Congressional District Maps in the 1880s, and make the residents of the City of Somersworth amongst the 186,382 New Hampshire residents moved from Congressional District 1 to Congressional District 2, and

WHEREAS, under the majority-proposed maps, Strafford County is split between two different Congressional Districts for the first time in its history, and

WHEREAS, under the majority-proposed maps, Somersworth - residing in the south-east, Seacoast Region of New Hampshire - would be represented by the same Congressperson as the City of Keene in the far western corner of the State of New Hampshire, as well as the most northern town of Pittsburgh, NH, which are communities that share far-fewer shared interests than those in neighboring communities that have been placed in a different Congressional District than Somersworth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH, that the City of Somersworth expresses its strong disapproval of the majority member proposed Congressional District maps by the Special Committee on Redistricting of the New Hampshire House of Representatives, because these maps will provide a strong partisan advantage to one political party, remove Somersworth from a Congressional District that represents similar and related communities, and places Somersworth in a Congressional District with less similar communities only for the purpose of creating a partisan advantage, not for the benefit of the citizens of Somersworth; and furthermore the City of Somersworth calls on members of the Special Committee on Redistricting of the New Hampshire House of Representatives to either re-draw maps that are fair and no-longer gerrymandered, or vote against the majority-proposed Congressional District Maps.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilors:</i> Matthew Gerding Donald Austin Nancie Cameron Crystal Paradis Richard R. Michaud	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 15-22

History			
First Read Date:	11/15/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	11/15/2021		

Discussion

11/15/2021

Councilor Gerding made a motion to waive Council Rules to allow for a second reading of Resolution No. 15-22. The motion was seconded by Councilor Paradis and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 15-22 by title only.

Councilor Gerding made a motion to adopt Resolution No. 15-22 as submitted. The motion was seconded by Councilor Cameron.

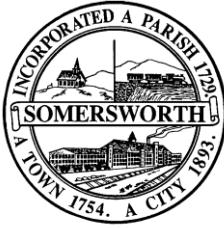
Councilor Gerding stated the reason for this Resolution stems from a Resolution Council passed in February to support fair and non-partisan district maps created for New Hampshire. The maps had been in the possession of the Committee since February, had no Public Hearings until recently, and will be voting on the maps tomorrow and Wednesday. Gerding noted almost unanimous disapproval for the proposed maps at the Public Hearing he attended. He added that the gerrymandered maps would make a less competitive Congressional District.

Councilor Paradis echoed Gerding's comments and stated that members of the Special Redistricting Committee have made comments that clearly underline their goal to make the districts less competitive. Paradis said this affects Somersworth by disincentivizing candidates to competitively campaign, adding that she will be in support of the Resolution.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		Excused
Ward 3 Councilor	Dumont		Excused
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		7	0

On 11/15/2021

Resolution 15-22

PASSED**FAILED**

City of Somersworth – Resolution

Resolution No: **16-22**

TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH CMA ENGINEERS OF PORTSMOUTH, NH FOR ENGINEERING SERVICES ASSOCIATED WITH THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT

November 15, 2021

WHEREAS, the Somersworth City Council adopted Resolution No. 30-18 to authorize the City Manager to contract with CMA Engineers of Portsmouth, NH for engineering services associated with the Transportation Alternatives Program (TAP) Grant for an amount not to exceed \$122,402 (One Hundred Twenty-Two Thousand Four Hundred Two dollars), and

WHEREAS, the Somersworth City Council adopted Resolution 9-21 to amend this contract with CMA Engineers to provide services to complete Right-of-Way (ROW) acquisitions and other coordination with design service due to the extension of the contract to an amount not to exceed \$132,230 (One Hundred Thirty-Two Thousand Two Hundred Thirty dollars), and

WHEREAS, the project requires CMA to provide additional consultant hours due to increased design efforts for stream crossing, lighting, and ROW activities that are needed to complete the design and advertise the project, and

WHEREAS, the additional cost of these services is \$12,969 (Twelve Thousand Nine Hundred Sixty-Nine dollars), and will be funded through an agreement with the State of NH that the City will advance the funds in order to keep the project moving forward on the current schedule and will not request reimbursement for the additional expenses until Federal Legislation is passed to secure the matching funds through the TAP grant,

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 CMA Engineers of Portsmouth, NH to provide additional consultant hours and increase the contract to \$145,199 (One Hundred Forty-Five Thousand One Hundred Ninety-Nine dollars), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City agrees to this advance construct process for this additional funding and the City will not request reimbursement for the additional expenses until Federal Legislation is passed to secure the matching funds through the TAP grant.

Authorization*Sponsored by Councilors:**Approved:*

David A. Witham
 Matt Gerding
 Martin P. Dumont, Sr.
 Richard R. Michaud

City Attorney

City of Somersworth – Resolution 16-22

History

First Read Date:	11/15/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	11/15/2021		

Discussion

11/15/2021

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution No. 16-22. The motion was seconded by Councilor Austin and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 16-22.

Councilor Witham made a motion to adopt Resolution No. 16-22 as submitted. The motion was seconded by Councilor Gerding and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		Excused
Ward 3 Councilor	Dumont		Excused
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		7	0



City of Somersworth – Resolution

Resolution No: **17-22**

TO AUTHORIZE THE CITY MANAGER TO ACCEPT AN ENERGY EFFICIENCY INCENTIVE OFFER FROM EVERSOURCE

November 15, 2021

WHEREAS, the Somersworth City Council adopted Resolution No. 36-20 to authorize the City Manager to contract with Apex Construction of Somersworth, NH for the construction of Wastewater Treatment Facility (WWTF) upgrades, and

WHEREAS, as part of the WWTF upgrades there were certain energy efficient improvements made to the facility, and

WHEREAS, the energy efficient improvements have made the City eligible to receive an energy efficiency incentive offer from Eversource in the form of a rebate payment in the amount of \$122,986 (One Hundred Twenty-Two Thousand Nine Hundred Eighty-Six dollars), and

WHEREAS, the City must meet the terms and conditions of the energy efficiency incentive program for three years from the date the City receives the rebate payment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to accept the energy efficiency incentive offer from Eversource and agree to meet the terms and conditions of the energy efficiency incentive program.

Authorization

Sponsored by Councilors:

Approved:

David A. Witham
Matt Gerding
Martin P. Dumont, Sr.
Richard R. Michaud

City Attorney

City of Somersworth – Resolution 17-22

History

First Read Date:	11/15/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	11/15/2021		

Discussion

11/15/2021

Councilor Austin made a motion to waive Council Rules to allow for a second reading of Resolution No. 17-22. The motion was seconded by Councilor Paradis and passed 7-0.

Councilor Pepin made a motion to adopt Resolution No. 17-22 as submitted. The motion was seconded by Councilor Paradis.

Councilor Witham asked Manager Belmore about the potential for these funds of boxing the City out of utilizing superfund site funds for a future solar field. Manager Belmore stated we are good to go.

Councilor Paradis stated she is in support of this and noted that this program is on the chopping block on the State level and encouraged people to reach out to the Governor and Public Utilities Commission. Paradis also asked about the implications of the funds being received on the budget. Manager Belmore replied that the funds would go towards the Wastewater Treatment Plant project.

The motion to adopt Resolution No. 17-22 passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		Excused
Ward 3 Councilor	Dumont		Excused
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		7	0

On 11/15/2021

Resolution 17-22

PASSED

FAILED