



Minutes of City Council Meeting Monday, April 4, 2022

ROLL CALL OF MEMBERS

The meeting was called to order at 7:10 p.m. Mayor, Dana S. Hilliard and, upon roll call, the following Council members were present: Pepin, Vincent, Austin, Michaud, Witham, Gerding, Cameron, and Messier.

Councilor Dumont was excused.

PLEDGE OF ALLEGIANCE

Councilor Cameron led the Pledge of Allegiance.

PUBLIC HEARING

A. Ordinance No. 9-22 -Fiscal Year 2022-2023 Budget

There were no public comments.

COMMENTS BY VISITORS

There were no opening comments by visitors.

CONSENT CALENDAR

A. Approve Minutes of the City Council Meeting held on March 21, 2022

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

COMMENTS BY CITY COUNCILORS

There were no opening comments by City Councilors.

COMMUNICATIONS

A. Letter from Oksana Markarova, Ambassador of Ukraine to the United States of America

Dear Mr. Hilliard,

I am writing to you to express my sincere gratitude to you and all members of the Somersworth City Council for the support to Ukraine, which was expressed in the Resolution 25-22 of the Council. However, I would like to request you to help the Ukrainian people more in their resistance to Russia's unprovoked and unjustified military aggression against Ukraine that is becoming more deadly, ruthless, and devastating with every day and hour. The war waged by Russia has already taken thousands of innocent lives of Ukrainian people, including more than a hundred children, has caused a humanitarian disaster and a global refugee crisis. Russian invasion forces have used illegal

weapons against the people of Ukraine, including cluster and vacuum bombs, reducing entire cities to ruins. More than 3 million Ukrainians have fled abroad, making it the single largest humanitarian tragedy since World War II.

Putin is targeting civilians, residential buildings, kindergartens, and orphanages using banned weapons. We have horrific examples of Russian troops' actions in Ukraine, such as the bombing of a maternity hospital in the city of Mariupol or the cynical executions of civilians, which have nothing in common with civilized human behavior.

I ask you to consider the possibility of urgent humanitarian assistance to Ukrainian people, who are suffering from Russian brutality and barbarism.

On March 2, 2022, the United Nations General Assembly overwhelmingly adopted a resolution demanding the Russian Federation immediately end its invasion of Ukraine and unconditionally withdraw all its military forces from the territory of our country. The International Court of Justice ordered Russia on March 16, 2022, to stop the military actions it started in Ukraine on February 24. Nevertheless, Putin continues its horrific war against the people of Ukraine.

American Federal Government imposed severe sanctions on Russia; restrictive measures against the Russian economy are introduced on the States level; many international and American companies have made decisions to leave the Russian market and not to import Russian goods and services.

I would like to ask you to urge the business community of the Somersworth to stop doing business with Russia, divest Russian assets and refuse to finance Putin's regime. Both governments and business must take a stand. History will reflect our choices.

On behalf of the courageous freedom loving Ukrainian people, I thank you for your understanding.

Sincerely,

Oksana Markarova
Ambassador of Ukraine to the United States

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were none.

MAYOR'S REPORT

Mayor Hilliard chose to forgo his Mayor's report to allow for more time on discussion of the Proposed Budget Ordinance for FY 2022/2023.

REPORT OF STANDING COMMITTEES

Public Safety – Councilor Pepin stated the Committee last met on March 23 and heard updates from Police, Fire, and EMS. The police department reported 5 open positions, two of which have individuals ready to attend the academy. The Police Academy will be transitioning to more of a day-time program where cadets will no longer sleep over. John Sunderland was recently promoted to Captain and Chief McLin has been meeting individually with his staff to ensure continuity with new management. Pepin stated that Manager Belmore recently approved emergency funds for the repair of the PD's communication tower. The Fire Department has been continuing to train for various types of rescues. Councilor Pepin stated EMS reported a significant increase in calls, especially to the

warming center on Willand Drive. Calls to the warming center were estimated to cost the City approximately \$5k in costs not considering in the wear and tear on vehicles as well as gas, but an accurate number is difficult to come up with since staff responding to the warming center are already on duty and getting paid. Pepin stated the larger issue stemming from calls to the warming center is that it takes staff away from being able to patrol. Pepin also stated that a lot of the calls to the Willand warming center require medical services which take a lot of the staff's time.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Fire Station Building Committee – Councilor Pepin stated the Committee met last on March 23 and was informed of multiple change orders to the project. A window was added to the workout room for safety and an apparatus exhaust system was also added. Pepin stated the old exhaust system will be placed on a municipal bidding site. The Committee was informed that the vehicle bay doors come white and were asked if white or red was preferred. The Committee decided to have the front doors painted red and the rear doors to remain white. The Committee was also informed that a verbal confirmation was received that grant funds will become available for the building of a training tower on site, but the City will be waiting for written confirmation to begin plans, though design specifications have already commenced.

School Board – Councilor Austin attended the last School Board meeting where it was reported that student athletic participation is down with hopes of rejuvenation next year. There was a presentation regarding the CTC programs of which there are 43 available. It was reported that 51% of high school graduates had completed at least one program.

Hilltop Mental Health and Wellness – Councilor Austin reported on progress towards planning a mental health summit to be held in late May or early June. The Commission also discussed educational opportunities ancillary to the summit.

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, April 1, 2022

SUBJECT: City Manager's Report for Monday, April 4, 2022 City Council Meeting

6:00 p.m. City Manager & School Superintendent Present FY 2023 Proposed Budget

***6:30 p.m. Council Workshop with Senator David Watters
Re: State Legislation***

Lay on the Table (under Section 13 of Agenda)

Ordinance

A. Ordinance No. 9-22: Fiscal Year 2022-2023 Budget.

Unfinished Business (under Section 14 of Agenda)

Resolution

- A. **Resolution No. 29-22: To Amend Council Rules and Regulations Section 7, Order of Business.** Mayor Hilliard has referred this Resolution to the Government Operations Committee. The Committee has scheduled a meeting for this coming Wednesday, April 6th.
- B. **Resolution No. 30-22: To Reaffirm the City of Somersworth Nonpartisan Election.** Again, the Government Operations Committee met on March 3rd and recommended to forward this Resolution to the full Council for consideration.

New Business (under Section 15 of Agenda)

Resolution

- A. **Resolution No. 31-22: To Authorize the City Manager to Execute a Contract Amendment Requested by Waste Management Of New Hampshire, Inc. for Collection and Disposal of Municipal Solid Waste, Municipal Recycling, and Wastewater Treatment Sludge.** The Finance Committee met on March 21st and voted to recommend this action. Attached is a Memorandum from Finance Director Scott Smith with the cost breakdown of this Contract Amendment, and a copy of the proposed Amendments.
- B. **Resolution No. 32-22: To Authorize the City Manager to Accept and Execute a Modified Grant Agreement Increasing Grant Funds with the New Hampshire Department of Environmental Services for the Cleanup Grant Award for the Former Somersworth Police Station Located at 5 Main Street.** Attached is a letter from NH Department of Environmental Services (NHDES), Michael McCluskey, stating that the NHDES intends to amend the Grant by increasing the amount from \$97,450 to \$149,895. The Grant funding covers both the consultant's contract (Credere Associates) and the contracted work to complete the clean-up work.
- C. **Resolution No. 33-22: To Authorize the City Manager to Contract with Wickson Construction NH, LLC of Rye, NH for the Replacement of a Culvert on Rocky Hill Road.** The City received two (2) bids for this Culvert Replacement. The Finance Committee met on March 21st and voted to support Staff's recommendation to move forward with Wickson Construction, the lowest bid received. Attached is a Memorandum from Public Works Director Mike Bobinsky explaining Staff's recommendation.
- D. **Resolution No. 34-22: To Authorize the City Manager to Contract with EnviroVantage of Epping, NH for the Abatement and Removal of Asbestos, PCBS, and a Fuel Oil Tank at the Former Somersworth Police Station Located at 5 Main Street.** Attached is a copy of their bid. The Grant funds will allow us to complete the base bids and all the optional bids. Eleven (11) companies were invited to bid. The City received two (2) bids, EnviroVantage being the low bid.

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

Informational Items

1. **Summersworth Historical Society.** Friday, April 8th the Historical Society will open its doors from 9am – 3pm for Somersworth employees to visit the museum. I extended this offer to Superintendent Lane and her staff.

Manager Belmore also announced the seasonal opening of Millennium Park and the adjacent dog park as well as the Willand Pond & Mast Point Dam recreation areas and Forest Glade Cemetery.

Reminder

Special Meetings

- **Saturday, April 9 at 8:30 a.m.** – Goal Setting Session
- **Monday, April 11 at 6:00 p.m.** – Special City Council Budget Meeting

Workshops Prior to Regular Council Meetings

- **Monday, May 2 at 6:30 p.m.** - Superfund Legal Counsel Mark Beliveau, Esquire and Gareth Orsmond, Esquire
- **Monday, May 16 at 6:00 p.m.** – National Guard Reuse Commission Report: SRPC Staff and Consultants via Zoom

Attachments

1. **City Attorney Certifications Four (4)**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

LAY ON THE TABLE

ORDINANCES

A. Ordinance No. 9-22 -Fiscal Year 2022-2023 Budget

Councilor Witham made a motion to remove Ordinance No. 9-22 from the table. The motion was seconded by Councilor Gerding and passed by voice vote.

Councilor Witham made a motion to amend Ordinance No. 9-22 by adding \$2,500 to the Lion's Club on page C-8 of the Proposed 2022/2023 Budget. The motion was seconded by Councilor Austin and Councilor Vincent recused himself.

Councilor Witham stated the Lion's club does a lot of great things for the Community including the fishing derby and ice-skating lessons.

The motion passed by voice vote. Councilor Vincent recused himself, stating he was a member of the Club.

Councilor Witham Made a motion to amend Ordinance No. 9-22 by adding \$2,500 to the Sober Sisters on page C-8 of the Proposed 2022/2023 Budget. The motion was seconded by Councilor Messier.

Councilor Witham stated the Sober Sisters do a lot to keep their building looking great. Councilor Austin stated he will not support this motion and would rather provide them their full request.

Councilor Vincent inquired if the Sober Sisters pay for the lease on the house at Malley Farm. Manager Belmore confirmed they do not.

The motion passed by voice vote. Councilors Vincent and Austin voted no.

Councilor Witham made a motion to amend Ordinance No. 9-22 by adding \$500 to the Farm to School program in section C.8 of the Proposed 2022/2023 Budget. The motion was seconded by Councilor Cameron.

Councilor Vincent stated \$500 is a small amount but requested that Council be weary of the increases made to the budget.

The motion passed by voice vote.

Councilor Gerding made a motion to amend Ordinance No. 9-22 by increasing the Use of Fund Balance on page C-2 of the Proposed 2022/2023 Budget from \$1,050,000 to \$1,300,000. The motion was seconded by Councilor Cameron.

Councilor Gerding stated that in talking to the City Manager, there is the potential for approximately \$300,000 to come back to the City and felt it would be nice to consider using that to offset the tax rate. Councilor Witham stated that in general the use of fund balance to offset the tax rate is something to do with caution rather than utilizing as this might not be a sustainable practice. He added that we have been in good shape in the past few years allowing the growth of the fund balance so it seems this is a good opportunity to utilize it.

Councilor Cameron asked by increasing the fund balance by \$250,000, what does the percentage change to. Director Smith stated it would be a wash since we would be putting that money back in.

Councilor Vincent stated he is not a big proponent of taking money from the fund balance. He added that the State waiting to set their budget until the local municipalities have theirs set is ridiculous and makes it extremely difficult to set our budget without knowing what will be coming in from the State.

Councilor Austin stated it is important to keep in mind the taxpayer when consider this issue which is why he will vote to support this amendment. At this particular time, it makes sense to utilize the fund balance.

The motion passed by voice vote.

Councilor Witham made a motion to amend Ordinance No. 9-22 by increasing the amount in Account 44202, Parks Repair, on page C-80 from \$10,000 to \$22,250. The motion was seconded by Councilor Messier.

Councilor Witham stated there are a number of parks and ballfields that are in need of improvements and repairs. Councilor Vincent asked what the additional money would be used for not knowing the specific issues needing to be addressed. He also asked if there was anything public works would be able to handle. Councilor Witham stated that the pitcher's mound and infield at Jules Bisson Park needs to be releveled and perhaps public works can do some of the labor.

Councilor Gerding stated he will be supporting the amendment as he is a big proponent of maintaining existing facilities.

Councilor Austin stated his kids used to play baseball on that field and it was rough then. He said it is about time we get that field in good condition.

Councilor Cameron stated she is in agreement in this amendment as the little league still uses this field and the City already has money invested in the park's playground.

The motion passed by voice vote.

Councilor Vincent asked for an update to the proposed budget after the previous amendments were made.

Director Smith stated that the proposed budget now sits at \$53,722,628 with a tax rate estimate of \$28.75; which is an increase of \$1.22 over prior years and stands \$1,139,530 under the tax cap.

Councilor Pepin made a motion to amend Ordinance No. 9-22 by increasing the amount in Account 45472, Coast Bus Service, on page C-8 of the Proposed 2022/2023 Budget from \$80,280 to \$96,995. The motion was seconded by Councilor Witham.

Councilor Pepin stated he has been on the board of Coast for a long time and knows there are no extras included in their budget. He said they have struggled with staffing and increasing fuel costs and our Community is supposed to be a walking Community which is greatly assisted by Coast. He stated that when they raise their prices, their ridership goes down and ultimately their revenue.

Councilor Witham inquired how much this amendment would raise the tax rate by. Director Smith stated it would increase it by about 2 cents with rounding. Councilor Witham stated that Councilor Pepin makes a good argument and there are many residents who rely on this service so he is inclined to support this amendment.

Councilor Gerding stated he was hesitant to support this amendment, but going through the proposal, Somersworth is about 12% of Coast Bus's ridership which does not quite match the 8.7% of funding.

Councilor Vincent stated this service is very crucial to our City. If our highway department gets \$16k cut, they continue, but if Coast Bus keeps getting less, they may have to cut their service to our City altogether.

The motion passed by voice vote.

Councilor Witham made a motion to adopt Ordinance No. 9-22 as amended. The motion was seconded by Councilor Austin.

Councilor Vincent stated he understands our City is proud to get their budget set, but asked what the need for rushing this process is.

Councilor Witham stated he understands Councilor Vincent's perspective, however, his standpoint is that we have gone through normal Ordinance protocol. He added that Council has had the budget since March 15th and have since been looking at it in great detail. Witham stated he does not feel rushed and is unsure what waiting will do for us.

Councilor Pepin also stated he does not feel as if Council is rushing this proposed budget, adding that it is a pretty straightforward budget and Council has already gone through it line by line.

Councilor Vincent stated that we are talking about tens of millions of dollars and we just amended it. He said he is not talking about the Council being ready to approve it, rather it is giving due respect to our constituency and the opportunity to comment on the changes. He said we have plenty of time and wants to extend the benefit to the people who live here.

Councilor Austin stated he understands both sides, but that it historically took longer to pass because we were waiting on information from the State so he is unsure what waiting would change.

Councilor Michaud asked if the budget is passed if it could be further amended. Mayor Hilliard stated that a motion for reconsideration would have to be filed prior to the next meeting and would have to come from the prevailing side.

Councilor Gerding stated he is ready to pass the budget after feeling like the process was taken with much consideration. As a result of communications at the Committee level, discussions with full Council, and the lack of Community input, he is ready to pass the Budget Ordinance.

The motion passed 7-1 by roll call vote. Councilor Vincent voted No.

Mayor Hilliard stated the Special Budget Meeting scheduled for Monday, April 11, 2022 is now cancelled.

UNFINISHED BUSINESS

RESOLUTIONS

- A. **Resolution No. 29-22** -To Amend Council Rules and Regulations Section 7, Order of Business (Referred to the Government Operations Committee on 3/21/2022)

Resolution No. 29-22 is still with the Government Operations Committee.

- B. **Resolution No. 30-22** -To Reaffirm the City of Somersworth's Nonpartisan Elections

Councilor Austin made a motion to adopt Resolution No. 30-22 as submitted. The motion was seconded by Councilor Gerding and passed 8-0 by roll call vote after discussion.

Councilor Witham stated he understands the intent of the Resolution, however, he is on the fence as he does not perceive the issue addressed to be pervasive in Somersworth.

Councilor Pepin stated this Resolution is to ensure Councilors sitting in the Chambers do not go overboard with their party views.

Councilor Austin stated he believes the purpose of this Resolution goes beyond the Council Chambers, but designed to reinforce the notion that Somersworth is a nonpartisan Community when it comes to running for and electing City officials.

Councilor Vincent stated he agrees with the Resolution, but at the end of the day people are going to back the party they want to.

Councilor Michaud stated the Resolution is only stating that Somersworth is a non-partisan Community and we wish to stay that way.

Councilor Witham stated he will support the Resolution and said it reaffirms a general practice rather than enforcing particular rules.

Councilor Gerding stated he will be supporting this Resolution as it is a reiteration that Councilors are not spouting direct party line rhetoric and committing to thinking about the Community as a whole when discussing and voting.

NEW BUSINESS

RESOLUTIONS

- A. **Resolution No. 31-22** - To Authorize the City Manager to Execute a Contract Amendment Submitted by Waste Management of New Hampshire, Inc. for Collection and Disposal of Municipal Solid Waste, Municipal Recycling, and Wastewater Treatment Sludge

Resolution No. 31-22 will remain in first reading until call of the Chair.

- B. **Resolution No. 32-22** – To Authorize the City Manager to Accept and Execute a Modified Grant Agreement Increasing Grant Funds with the New Hampshire Department of Environmental Services for the Cleanup Grant Award for the Former Somersworth Police Station Located at 5 Main Street

Councilor Witham made a motion to suspend Council Rules to allow for a second reading of Resolution No. 32-22. The motion was seconded by Councilor Messier and passed by voice vote. Clerk Slaven performed a second reading of Resolution No. 32-22.

Councilor Witham made a motion to adopt Resolution No. 32-22 as submitted. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.

- C. **Resolution No. 33-22** – To Authorize the City Manager to Contract with Wickson Construction NH, LLC of Rye, NH for the Replacement of a Culvert on Rocky Hill Road

Resolution No. 33-22 will remain in first reading until call of the Chair.

- D. **Resolution No. 34-22** – To Authorize the City Manager to Contract with EnviroVantage of Epping, NH for the Abatement and Removal of Asbestos, PCBs, and a Fuel Oil Tank at the Former Somersworth Police Station Located at 5 Main Street

Resolution No. 34-22 will remain in first reading until call of the Chair.

COMMENTS BY VISITORS

Lori Lane, SAU56 Superintendent, thanked Council for all their support. She stated she knows the budget is not an easy process, but is always happy to have conversations with Councilors. She stated she hopes the press covers this budget passing and notes the relationships between the School Department and City Council. Ms. Lane thanked City Manager Belmore and Finance Director Smith for all of their assistance with the budget process.

Todd Marsh, Ward 4 School Board member, thanked Council for their deliberations and mindfulness with the passing of the proposed budget. He looks forward to continued relationships with the City.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin had no closing comments.

Councilor Vincent had no closing comments.

Councilor Austin wanted to reinforce the Superintendent's comments on how well the City and School Department have worked together for at least the past ten years. He said we have acted in the best interest of the City and made adjustments as necessary, while other municipalities bicker much more especially surrounding the budget. Austin stated he is happy to hear the dog park is opening next Monday and reiterated the importance of the Hilltop Mental Health summit.

Councilor Michaud said the Summersworth Historical Museum will be featured in the NH Chronical on Channel 9 and encouraged people to become a member of the Museum. Michaud said the Community Garden is getting 28 new plots and Home Depot is coming in on April 20th and 21st to fix up a few items. New members will get a garden plot and bucket of supplies from Home Depot.

Councilor Witham gave a shoutout to the Fire Department for their response to a brushfire off of Cemetery Road. He also spoke regarding student athletics stating the participation rates have been declining for the past decade or so. Part of the issue is not what is going on at Middle or High School level, rather the feeder programs at the elementary level.

Councilor Gerding thanked everyone who worked on the budget including the City Manager, Finance Director, Superintendent, and Councilors. He mentioned that seed packets are again available for the monarch butterfly plants and stated he hopes the seeds can be included in the Home Depot buckets for the Community Garden.

Councilor Cameron stated she feels very confident in passing the budget tonight and gave kudos to all who worked on it. She is looking forward to looking at Ash Street Park on Saturday for design ideas for the pollinator garden.

Councilor Messier had no closing comments.

ADJOURNMENT

Councilor Cameron made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Michaud and passed 8-0. The meeting adjourned at 8:51 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk



City of Somersworth – Ordinance

Ordinance No: **9-22**

FISCAL YEAR 2022-2023 BUDGET

March 21, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT BUDGETS FOR THE CITY OF SOMERSWORTH FOR THE 2022-2023 FISCAL YEAR SHALL BE:

DEPARTMENT

ADOPTED BUDGET

GENERAL FUND

Elected Leadership	\$196,505
City Management	532,787
Finance and Administration	1,628,474
Development Services	942,564
Police	4,644,286
Fire	2,385,058
Public Works	3,362,989
Other Expenses	1,459,029
Capital Outlay	167,459
Intergovt Assessments - County	2,947,120
School Department	28,596,753

TOTAL GENERAL FUND

46,863,024

ENTERPRISE FUNDS

Wastewater Department	3,417,865
Water Department	2,754,483
Solid Waste	597,857

TOTAL ENTERPRISE FUNDS

6,770,205

SPECIAL REVENUE FUND

Cable Fund	71,649
------------	--------

TOTAL FY 2022-2023 APPROPRIATION

\$53,704,878

April 4, 2022

This Ordinance will take effect upon passage.

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

City of Somersworth – Ordinance 9-22

History			
First Read Date:	03/21/2022	Tabled:	03/21/2022
Public Hearing:		Removed from Table:	
Second Read:	03/21/2022		

Discussion

3/21/2022

Councilor Witham made a motion to suspend Council rules to allow a first reading of Ordinance No. 9-22 by title only. The motion was seconded by Councilor Michaud and passed by voice vote. Deputy City Clerk Ramsey performed a first reading of Ordinance No. 9-22 by title only.

Councilor Witham made a motion to suspend Council rules to allow for a second reading of Ordinance No. 9-22. The motion was seconded by Councilor Vincent and passed by voice vote. Deputy City Clerk Ramsey performed a second reading of Ordinance No. 9-22.

Councilor Witham made a motion to lay Ordinance No. 9-22 upon the table. Mayor Dana S. Hilliard stated that the motion is non-debatable and the motion passed by voice vote.

04/04/2022

Councilor Witham made a motion to remove Ordinance No. 9-22 from the table. The motion was seconded by Councilor Gerding and passed by voice vote.

Councilor Witham made a motion to amend Ordinance No. 9-22 by adding \$2,500 to the Lion's Club on page C-8 of the Proposed 2022/2023 Budget. The motion was seconded by Councilor Austin and Councilor Vincent recused himself.

Councilor Witham stated the Lion's club does a lot of great things for the Community including the fishing derby and ice-skating lessons.

The motion passed by voice vote. Councilor Vincent recused himself, stating he was a member of the Club.

Councilor Witham Made a motion to amend Ordinance No. 9-22 by adding \$2,500 to the Sober Sisters on page C-8 of the Proposed 2022/2023 Budget. The motion was seconded by Councilor Messier.

Councilor Witham stated the Sober Sisters do a lot to keep their building looking great. Councilor Austin stated he will not support this motion and would rather provide them their full request. Councilor Vincent inquired if the Sober Sisters pay for the lease on the house at Malley Farm. Manager Belmore confirmed they do not.

The motion passed by voice vote. Councilors Vincent and Austin voted no.

Councilor Witham made a motion to amend Ordinance No. 9-22 by adding \$500 to the Farm to School program in section C.8 of the Proposed 2022/2023 Budget. The motion was seconded by Councilor Cameron.

Councilor Vincent stated \$500 is a small amount but requested that Council be weary of the increases made to the budget.

The motion passed by voice vote.

Councilor Gerding made a motion to amend Ordinance No. 9-22 by increasing the Use of Fund Balance on page C-2 of the Proposed 2022/2023 Budget from \$1,050,000 to \$1,300,000. The motion was seconded by Councilor Cameron.

Councilor Gerding stated that in talking to the City Manager, there is the potential for approximately \$300,000 to come back to the City and felt it would be nice to consider using that to offset the tax rate. Councilor Witham stated that in general the use of fund balance to offset the tax rate is something to do with caution rather than utilizing as this might not be a sustainable practice. He added that we have been in good shape in the past few years allowing the growth of the fund balance so it seems this is a good opportunity to utilize it.

Councilor Cameron asked by increasing the fund balance by \$250,000, what does the percentage change to. Director Smith stated it would be a wash since we would be putting that money back in.

Councilor Vincent stated he is not a big proponent of taking money from the fund balance. He added that the State waiting to set their budget until the local municipalities have theirs set is ridiculous and makes it extremely difficult to set our budget without knowing what will be coming in from the State.

Councilor Austin stated it is important to keep in mind the taxpayer when consider this issue which is why he will vote to support this amendment. At this particular time, it makes sense to utilize the fund balance.

The motion passed by voice vote.

Councilor Witham made a motion to amend Ordinance No. 9-22 by increasing the amount in Account 44202, Parks Repair, on page C-80 from \$10,000 to \$22,250. The motion was seconded by Councilor Messier.

Councilor Witham stated there are a number of parks and ballfields that are in need of improvements and repairs. Councilor Vincent asked what the additional money would be used for not knowing the specific issues needing to be addressed. He also asked if there was anything public works would be able to handle. Councilor Witham stated that the pitcher's mound and infield at Jules Bisson Park needs to be releveled and perhaps public works can do some of the labor.

Councilor Gerding stated he will be supporting the amendment as he is a big proponent of maintaining existing facilities.

Councilor Austin stated his kids used to play baseball on that field and it was rough then. He said it is about time we get that field in good condition.

Councilor Cameron stated she is in agreement in this amendment as the little league still uses this field and the City already has money invested in the park's playground.

The motion passed by voice vote.

Councilor Vincent asked for an update to the proposed budget after the previous amendments were made.

Director Smith stated that the proposed budget now sits at \$53,722,628 with a tax rate estimate of \$28.75; which is an increase of \$1.22 over prior years and stands \$1,139,530 under the tax cap.

Councilor Pepin made a motion to amend Ordinance No. 9-22 by increasing the amount in Account 45472, Coast Bus Service, on page C-8 of the Proposed 2022/2023 Budget from \$80,280 to \$96,995. The motion was seconded by Councilor Witham.

Councilor Pepin stated he has been on the board of Coast for a long time and knows there are no extras included in their budget. He said they have struggled with staffing and increasing fuel costs and our Community is supposed to be a walking Community which is greatly assisted by Coast. He stated that when they raise their prices, their ridership goes down and ultimately their revenue.

Councilor Witham inquired how much this amendment would raise the tax rate by. Director Smith stated it would increase it by about 2 cents with rounding. Councilor Witham stated that Councilor Pepin makes a good argument and there are many residents who rely on this service so he is inclined to support this amendment.

Councilor Gerding stated he was hesitant to support this amendment, but going through the proposal, Somersworth is about 12% of Coast Bus's ridership which does not quite match the 8.7% of funding.

Councilor Vincent stated this service is very crucial to our City. If our highway department gets \$16k cut, they continue, but if Coast Bus keeps getting less, they may have to cut their service to our City altogether.

The motion passed by voice vote.

Councilor Witham made a motion to adopt Ordinance No. 9-22 as amended. The motion was seconded by Councilor Austin.

Councilor Vincent stated he understands our City is proud to get their budget set, but asked what the need for rushing this process is.

Councilor Witham stated he understands Councilor Vincent's perspective, however, his standpoint is that we have gone through normal Ordinance protocol. He added that Council has had the budget since March 15th and have since been looking at it in great detail. Witham stated he does not feel rushed and is unsure what waiting will do for us.

Councilor Pepin also stated he does not feel as if Council is rushing this proposed budget, adding that it is a pretty straightforward budget and Council has already gone through it line by line.

Councilor Vincent stated that we are talking about tens of millions of dollars and we just amended it. He said he is not talking about the Council being ready to approve it, rather it is giving due respect to our constituency and the opportunity to comment on the changes. He said we have plenty of time and wants to extend the benefit to the people who live here.

Councilor Austin stated he understands both sides, but that it historically took longer to pass because we were waiting on information from the State so he is unsure what waiting would change.

Councilor Michaud asked if the budget is passed if it could be further amended. Mayor Hilliard stated that a motion for reconsideration would have to be filed prior to the next meeting and would have to come from the prevailing side.

Councilor Gerding stated he is ready to pass the budget after feeling like the process was taken with much consideration. As a result of communications at the Committee level, discussions with full Council, and the lack of Community input, he is ready to pass the Budget Ordinance.

The motion passed 7-1 by roll call vote. Councilor Vincent voted No.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		X
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	Messier	X	
TOTAL VOTES:		7	1
On	04/04/2022	Ordinance 9-22	PASSED
			FAILED



City of Somersworth – Resolution

Resolution No: **30-22**

TO REAFFIRM THE CITY OF SOMERSWORTH'S NONPARTISAN ELECTIONS

March 21, 2022

WHEREAS the Mayor, City Council, School Board and all elected municipal officers of the City of Somersworth hold nonpartisan seats; and

WHEREAS, the City Council acknowledges the diverse political views of all persons and believes everyone, no matter what their political affiliation, should be treated with respect regardless of race, color, national origin, immigration or refugee status, ethnicity, primary language, religion, gender, gender identity and expression, sexual orientation, marital status, mental, emotional, and/or physical ability, age, or economic status; and

WHEREAS, the City's elected officials continue to work constructively and collaboratively to avoid stagnation and polarization in order to solve problems that lead to improved outcomes, better assessment and understanding of decisions and issues, thereby creating more effective decision-making, regardless of any political party affiliation; and

WHEREAS, good ideas and decisions are derived from diverse political perspectives; and to reject good ideas because of party affiliation is counterproductive to establishing a common good;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council of the City of Somersworth reaffirms the City's status to continue to be a body politic and municipal corporation that embraces and supports its local municipal elections as nonpartisan, each candidate for office being eligible based on her or his own merits rather than as a member of a political party.

April 4, 2022

Authorization

Sponsored by:
 Mayor Dana S. Hilliard
Councilors:
 Richard R. Michaud
 Donald Austin
 Nancie Cameron

Approved:

 City Attorney

City of Somersworth – Resolution 30-22**History**

First Read Date:	03/21/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	04/04/2022		

Discussion

3/21/2022


Resolution No. 30-22 will remain in first reading until call of the Chair.

04/04/2022

Councilor Austin made a motion to adopt Resolution No. 30-22 as submitted. The motion was seconded by Councilor Gerding and passed 8-0 by roll call vote after discussion.

Councilor Witham stated he understands the intent of the Resolution, however, he is on the fence as he does not perceive the issue addressed to be pervasive in Somersworth. Councilor Pepin stated this Resolution is to ensure Councilors sitting in the Chambers do not go overboard with their party views. Councilor Austin stated he believes the purpose of this Resolution goes beyond the Council Chambers, but designed to reinforce the notion that Somersworth is a nonpartisan Community when it comes to running for and electing City officials. Councilor Vincent stated he agrees with the Resolution, but at the end of the day people are going to back the party they want to. Councilor Michaud stated the Resolution is only stating that Somersworth is a non-partisan Community and we wish to stay that way. Councilor Witham stated he will support the Resolution and said it reaffirms a general practice rather than enforcing particular rules. Councilor Gerding stated he will be supporting this Resolution as it is a reiteration that Councilors are not spouting direct party line rhetoric and committing to thinking about the Community as a whole when discussing and voting.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	

City of Somersworth – Resolution			
	Resolution No: 31-22 TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT REQUESTED BY WASTE MANAGEMENT OF NEW HAMPSHIRE, INC. FOR COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE, MUNICIPAL RECYCLING, AND WASTEWATER TREATMENT SLUDGE		
	At Large Councilor	Witham	X
	At Large Councilor	Gerding	X
	At Large Councilor	Cameron	X
	At Large Councilor	Messier	X
TOTAL VOTES:		8	0
On 04/04/2022	Resolution 30-22	PASSED	FAILED

April 4, 2022

WHEREAS, the City Council adopted Resolution 35-20 which authorized the City Manager to enter into a five-year contract extension (7/1/2020-6/30/2025) with Waste Management of New Hampshire, Inc. for the collection and disposal of municipal solid waste, municipal recycling, and wastewater treatment sludge; and

WHEREAS, the City has been contacted by a representative of Waste Management of New Hampshire, Inc. requesting an increase of 7% for municipal solid waste and recycling and an increase of 5% for wastewater sludge due to increased costs as a result of recent economic conditions, these increases will be in addition to the scheduled annual escalators in the current agreements; and

WHEREAS, the City, in an effort to continue our positive and longstanding working relationship with Waste Management of New Hampshire, Inc., is agreeable to the additional increase requested, however, will phase the increase in over a two-year period for municipal solid waste and recycling with a 3.5% increase to take effect on 7/1/2022 and an additional 3.5% increase to take effect on 7/1/2023, these increases are in addition to the scheduled annual escalators existing in the current agreement; and

WHEREAS, The City is agreeable to a one time increase for wastewater sludge of 3.5% to take effect on 7/1/2022, this increase is in addition to the scheduled annual escalators existing in the current agreement;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a contract amendment with Waste Management of New Hampshire, Inc. for collection and disposal of municipal solid waste,

recycling, and wastewater treatment sludge, and to take any other actions relative to this agreement determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Richard R. Michaud Donald Austin Matt Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 31-22


History			
First Read Date:	04/04/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

4/4/2022

Resolution No. 31-22 will remain in first reading 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		

City of Somersworth – Resolution			
	Resolution No: 32-22 TO AUTHORIZE THE CITY MANAGER TO ACCEPT AND EXECUTE A MODIFIED GRANT AGREEMENT INCREASING GRANT FUNDS WITH THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE CLEANUP GRANT AWARD FOR THE FORMER SOMERSWORTH POLICE STATION LOCATED AT 5 MAIN STREET		
	At Large Councilor	Witham	
	At Large Councilor	Gerding	
	At Large Councilor	Cameron	
	At Large Councilor	Messier	
		TOTAL VOTES:	
On		Resolution 31-22	PASSED
			FAILED

April 4, 2022

WHEREAS, the City Council adopted Resolution No. 22-21 which authorized the City Manager to enter into a grant agreement with the New Hampshire Department of Environmental Services to accept a cleanup grant award for the former Somersworth Police Station located at 5 Main Street; and

WHEREAS, the City of Somersworth received notification of a cleanup grant award of \$97,450 (Ninety-Seven Thousand Four Hundred Fifty dollars) from New Hampshire's Brownfields Revolving Loan Fund (RLF) for the purpose of funding the remediation of the former Somersworth Police Station located at 5 Main Street; and

WHEREAS, the City's consultant solicited proposals on behalf of the City from qualified contractors to provide cleanup services and the proposals received are higher than the project budget; and

WHEREAS, the New Hampshire Department of Environmental Services informed the City of Somersworth of their intent to modify the grant agreement by increasing the amount to \$149,895 (One Hundred Forty-Nine Thousand Eight Hundred Ninety-Five dollars) for an excess of \$52,445 (Fifty-Two Thousand Four Hundred Forty-Five dollars) in order to cover the funding gap resulting from contractor bids coming in higher than the original project budget;

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

Authorization

Sponsored by:
 Mayor Dana S. Hilliard
Councilors:
 David A. Witham
 Richard R. Michaud
 Donald Austin
 Matt Gerding
 Nancie Cameron
 Martin Dumont
 Martin Pepin

Approved:

 City Attorney

City of Somersworth – Resolution 32-22**History**

First Read Date:	04/04/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	04/04/2022		


Discussion

04/04/2022

Councilor Witham made a motion to suspend Council Rules to allow for a second reading of Resolution No. 32-22. The motion was seconded by Councilor Messier and passed by voice vote. Clerk Slaven performed a second reading of Resolution No. 32-22.

Councilor Witham made a motion to adopt Resolution No. 32-22 as submitted. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
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	

	City of Somersworth – Resolution		
	Resolution No: 33-22 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WICKSON CONSTRUCTION NH, LLC OF RYE, NH FOR THE REPLACEMENT OF A CULVERT ON ROCKY HILL ROAD		
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	
On 04/04/2022	Resolution 32-22	PASSED	FAILED

April 4, 2022

WHEREAS, the Somersworth Capital Improvement Program for fiscal years 2021 through 2026 contains a recommendation to replace the culvert on Rocky Hill Road; and

WHEREAS, the fiscal year 2020-2021 adopted budget contains an appropriation to replace the culvert on Rocky Hill Road; and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Wickson Construction NH, LLC of Rye, NH for a cost not to exceed \$396,995 (Three Hundred Ninety-Six Thousand Nine Hundred Ninety-Five dollars); and

WHEREAS, the Finance Committee has reviewed the recommendation with City staff and supports the recommendation; and

WHEREAS, the Public Works and Environment Committee has reviewed the recommendation with City staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Wickson Construction NH, LLC of Rye, NH to replace the culvert for an amount not to exceed \$396,995 (Three Hundred Ninety-Six Thousand Nine Hundred Ninety-Five dollars) and to take any actions relative to this project determined to be in the best interest of the City.

Authorization*Sponsored by Councilors:*

David A. Witham
 Donald Austin
 Richard R. Michaud
 Martin Pepin
 Matt Gerding
 Kenneth S. Vincent


Approved:
 City Attorney

City of Somersworth – Resolution 33-22**History**

First Read Date:	04/04/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion*04/04/2022**Resolution No. 33-22 will remain in first reading 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		

	City of Somersworth – Resolution		
	Resolution No: 34-22 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH ENVIROVANTAGE OF EPPING, NH FOR THE ABATEMENT AND REMOVAL OF ASBESTOS, PCBS, AND A FUEL OIL TANK AT THE FORMER SOMERSWORTH POLICE STATION LOCATED AT 5 MAIN STREET		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 33-22	PASSED	FAILED

April 4, 2022

WHEREAS, the Somersworth City Council adopted Resolution 22-21 authorizing the City Manager to enter into a grant agreement with the New Hampshire Department of Environmental Services to accept a cleanup grant award for the former Somersworth Police Station located at 5 Main Street; and

WHEREAS, the City’s consultant engineer for the project solicited proposals from qualified contractors for the abatement and removal of asbestos, PCBs, and a fuel oil tank; and

WHEREAS, the City’s consultant engineer for the project reviewed the proposals received and recommends awarding the contract to EnviroVantage of Epping, NH for an amount of \$123,895 (One Hundred Twenty-Three Thousand Eight Hundred Ninety-Five Dollars);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with EnviroVantage of Epping, NH for an amount of \$123,895 (One Hundred Twenty-Three Thousand Eight Hundred Ninety-Five Dollars) for the abatement and removal of asbestos, PCBs, and a fuel oil tank at the former Somersworth Police Station located at 5 Main Street and to take any other action relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by:

Mayor Dana S. Hilliard

Councilors:

Martin Pepin

Donald Austin

Richard R. Michaud

David A. Witham

Matt Gerding

Nancie Cameron

Denis Messier

Martin P. Dumont, Sr.

Approved:

City Attorney

City of Somersworth – Resolution 34-22

History

First Read Date:	04/04/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

4/4/2022

Resolution No. 34-22 will remain in first reading 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	Messier		
TOTAL VOTES:			
On	Resolution 34-22	PASSED	FAILED