

## Minutes of City Council Meeting Monday, September 26, 2022

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### **ROLL CALL OF MEMBERS**

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

### **PLEDGE OF ALLEGIANCE**

Councilor Vincent led the Pledge of Allegiance.

### **PUBLIC HEARING**

A. **Ordinance 1-23** – To Amend Chapter 7, Solid Waste and Recycling, Section 7.4 – Fees

There were no public comments.

B. **Ordinance 2-23** – To Amend Chapter 4, Personnel Rules & Regulations, Compensation Schedule

There were no public comments.

C. **Ordinance 3-23** – To Amend Chapter 4, Personnel Rules and Regulations Section 7.4.1 Sick Leave, and Section 7.4.2 Sick Leave for Exempt Employees

There were no public comments

### **COMMENTS BY VISITORS**

Resident, Sheridan Lloyd, addressed the Council and expressed her belief that Somersworth is a hidden gem which has amazing architecture that exemplifies New England charm. She urged Council to hold fast to regulations, codes, and Historic District requirements in order to keep it that way. Ms. Lloyd voiced concerns about the design of the proposed development on Elm Street and hopes the City reconsiders the design to ensure it incorporates the historic nature of surrounding buildings.

### **CONSENT CALENDAR**

D. Approve Minutes of the City Council Meeting held on September 6, 2022

*Councilor Austin made a motion to approve all items in the Consent Calendar. The motion was seconded by Councilor Pepin and passed by voice vote.*

### **COMMENTS BY CITY COUNCILORS**

There were no opening comments by City Councilors.

### **COMMUNICATIONS**

Fire Chief/Emergency Management Director Kramlinger gave a presentation City Pandemic Response and Operations Readiness. Chief spoke of a C3R system his department relied on to

achieve the success they had. C3R stands for Composure, Communication, Collaboration, and Relationships. The relationship with Strafford County Public Health, School Department, and Housing Authority all helped foster how smooth the dissemination of information to the public as well as the walk-in and drive through vaccination clinics.

Councilor Gerding asked if there were any notable areas of difficulty in dealing with the pandemic. Chief Kramlinger said if there were any challenges present, they were identified and handled quickly. Councilor Witham stated some departments during the pandemic struggled with staffing and asked if the Fire Department encountered any staffing issues with firefighters being out etc. Chief Kramlinger stated that the Fire Department and Police Department never missed a position on shift and he saw once instance where the wastewater plant was extremely low with personnel, but persevered through remote capabilities. Manager Belmore noted that Wright Pierce Engineers was also ready in this situation to assist with WWTP operations.

### **PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE**

There were none.

### **MAYOR'S REPORT**

It has been a busy schedule in the mayor's office since offering my last report with a large variety of activities taking place throughout our 10 square mile community, we call home. A large turnout and successful 9<sup>th</sup> annual Indonesian festival welcomed visitors to the Hilltop City from throughout the country. The festival not only highlight the culture of our Indonesian brothers and sisters, but exemplified Somersworth's commitment and reputation as the New Hampshire's "Welcoming City".

Our "Proud Past" and "Bright Future" continues to come alive from every corner of our Community. Hilltoppers are aware that our differences strengthen us, and re-enforce the foundation of our success, reflecting our American creed that all are created equal. Somersworth as I attended each activity since this Council last met, it is truly a breath of fresh air, that while our nation continues to painfully inch its way towards maturity of living by the values we were founded upon, the evolution and advancement of our Community has never stop. From the English, French Canadians, Greeks and Irish, to the Indonesians to LGBTQ community. The faces of Somersworth are a micro image of what we strive for this nation to become, and nation where all are created, valued and treated equally.

- In the Government Operations committee currently is **To Amend Council Rules and Regulations, Section 2, Presiding Officer and Section 7.**

The Resolution would add a land acknowledgment to be read after the pledge at each Council meeting. The purpose of the Resolution is to bring to life our history and motto "Proud Past" bring reflecting and acknowledgement to the first nations who called our city home before the European settlers. During the Government Operations committee meetings valuable inquiries were made, and in an effort to allow Native American advocacy groups to help answer the committees' questions, I requested the Chair hold off on reporting out the resolution until the next meeting. Both Councilor Gerding and I are in contact with serval individuals and are hopeful a presence will be at the next committee meeting to answer the inquires of the committee.

I thank the committee members for their commitment to get this right, and truly reflect Somersworth "Proud Past"

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

Under nominations, appointments and Elections; **In accordance with the City Charter Sections 3.4 and 10.4**, the following are being brought forward this evening for a confirmation vote to be seated and serve on both the Somersworth City Council and School Board until the upcoming State General election in which a special election ballot will be printed for the voters to fill both vacancies;

- A. Marcia Brown as Ward 1 School Board Member with a term to expire at the conclusion of the next Special Municipal Election
- B. Robert Gibson as Ward 3 City Councilor with a term to expire at the conclusion of the next Special Municipal Election

**This respectfully concludes my September 26, 2022, Mayors Report**

## **REPORT OF STANDING COMMITTEES**

There were no reports of Standing Committees.

## **REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER**

*School Board* – Councilor Austin attended the latest School Board meeting where the Superintendent reported an increase in Covid numbers from both students and staff. The School Board also approved their Capital Improvement Plan to be sent to Full Council.

*Hilltop Mental Health and Wellness* – Councilor Austin stated the Commission had a discussion surrounding recovery friendly workplaces and announced a presentation will take place on the subject on October 18. The Commission is also discussing the opportunity for a mural and created a subcommittee to review artists, location, etc.

*Planning Board* – Councilor Witham attended the latest Planning Board meeting where they discussed a plan from Eversource to replace about 100 utility poles in the corridor from Rochester to Dover going through Somersworth. The poles are about 40 years old and will be replaced with rusted poles so as not to stand out. As a condition of approval, Eversource is to remove and dispose of the old utility poles. The Planning Board also approved a warehouse facility on Gator Rock Road for Great Bay homes which will house materials for home goods and also include a small retail space. Councilor Witham also stated that Chrysler Dodge brought a plan to the board for building a new facility across the street from their current one. There are still concerns of design standards and abutter concerns to be sorted out.

*National Guard Building Reuse Commission* – Councilor Witham sated the Committee last met on September 14 and discussed some requests from a few organizations to utilize space at the former National Guard facility. The Committee needed a few questions answered regarding hazardous material exposure, insurance of a vacant vs occupied building and the length of time the groups would want to utilize space.

## **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, September 23, 2022

**SUBJECT:** City Manager's Report for Monday, September 26, 2022 City Council Meeting

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*Unfinished Business (under Section 14 of Agenda)*

**Ordinances**

**A. Ordinance No. 1-23: To Amend Chapter 7, Solid Waste and Recycling, Section 7.4 – Fees.**

Again, the Public Works & Environment Committee voted to support a twenty-five cent (.25) increase of the City's municipal solid waste bags for FY 23-24 and again in FY 24-25.

**B. Ordinance No. 2-23: To Amend Chapter 4, Personnel Rules and Regulations Compensation Schedule.** Again, the Government Operations voted to support this Ordinance change which will give non-exempt pay-scale a standard 4% increase between each step, and will allow two additional steps, 6 and 7.

**C. Ordinance No. 3-23: To Amend Chapter 4, Personnel Rules and Regulations Section 7.4.1 Sick Leave, and Section 7.4.2 Sick Leave for Exempt Employees.** Again, the Government Operations voted to support this Ordinance change.

**Resolutions**

**A. Resolution No. 8-23: To Authorize the City Manager to Contract with Wright Pierce Engineers of Portsmouth, NH to Develop an Asset Management Program.** Again, the Public Works & Environment Committee support Staff's recommendation to award the contracts to Wright Pierce for both the Wastewater Management Program and the Sewer Collection System Assessment Project.

**B. Resolution No. 9-23: To Authorize the City Manager to Contract with Wright Pierce Engineers of Portsmouth, NH to Conduct an Evaluation and Condition Assessment of the City's Sewer Collection System.**

**C. Resolution No 10-23: To Authorize the City Manager to Prepare Bid Specifications for Sidewalk Repair and Reconstruction Projects.** Again, the Public Works & Environment Committee met on August 10<sup>th</sup> to discuss the Sidewalk Repair and Reconstruction Projects and voted to recommend the projects listed in this Resolution to go out to bid.

**D. Resolution No. 12-23: To Amend Council Rules and Regulations, Section 2, Presiding Officer and Section 7, Order of Business.** Attached is a copy of the Council Rules & Regulations. The Government Operations Committee met on September 22 and discussed three (3) options on reading this statement: **a)** read at every Council meeting; **b)** read one time each month; **c)** read at both October meetings each year. The Committee voted to move the proposed changes to the full Council. Councilor Gerding will be inviting guests to the meeting to offer comment on the language proposed.

## *New Business (under Section 15 of Agenda)*

### Resolutions

- A. Resolution No. 13-23: To Authorize Hideout, Inc. to Conduct a Timber Cut for Maintenance Purposes at the Oaks Golf Course in Somersworth, New Hampshire.** The Public Works & Environment Committee met on August 31<sup>st</sup> and voted to support this Resolution. Peter Harrity, of the Oaks explained the need to thin the trees in order to increase the sunlight and airflow in order to maintain healthy fairways and greens as well as allowing for the reduction of pesticides and fertilizer. Attached is a copy of the handout provided by Mr. Harrity. He also presented the proposed cut to the Conservation Commission on September 14<sup>th</sup>. The Conservation Commission will be scheduling a site visit to the Oaks which I will share with the Mayor and Councilors once it is confirmed.

### Other

- A. Vote to Authorize the City Manager to Take all Necessary Action for the City to Participate in the New Hampshire Department of Justice State Settlement Agreement regarding Opioid Litigation against Janssen Pharmaceuticals and Johnson & Johnson Pharmaceutical Distributors.** I received a telephone call from Deputy Attorney General James Boffetti asking the City to consider taking this action. If approved the City is agreeing NOT to seek separate legal action against this company. As a participant, the City will be able to seek certain reimbursements from the Fund for expenses incurred related to opioid responses. Attached are documents I received from Attorney Boffetti. This vote is similar to the vote taken by Council on December 13, 2021 regarding different pharmaceutical companies.
- B. Certify the Return of Votes for the Primary and Special Municipal Elections held on September 13, 2022.** Attached is a copy of the Return of Votes.
- C. Vote to Set Polling Hours for the November 8, 2022 State General Election & Special Municipal Election.**

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

### Informational Items

- A. Wastewater Treatment Plant Tour.** Attached is a copy of the handout provided by Wright Pierce Engineers at the Tour on September 14<sup>th</sup>. There was not a quorum of Council present, therefore no minutes were taken.
- B. Planting Roots in our Communities.** Breezeline volunteers will be planting two (2) trees at Millennium Park this Saturday. Attached is a copy of their planned event.

### Attachments

1. Department Head Reports
2. City Attorney Certification - One (1)

## NOMINATIONS, APPOINTMENTS AND ELECTION

Nominations being introduced for a Council Confirmation Vote:

- A. Marcia Brown as Ward 1 School Board Member with a term to expire at the conclusion of the next Special Municipal Election

*Councilor Pepin made a motion to appoint Marcia Brown to the School Board. The motion was seconded by Councilor Austin and passed 8-0 by roll call vote.*

- B. Robert Gibson as Ward 3 City Councilor with a term to expire at the conclusion of the next Special Municipal Election

Councilor Vincent asked why there was a rush to appoint someone to the City Council. Mayor Hilliard clarified that the City is obligated by the Charter that states the City “Shall” fill the position. Councilor Witham stated he does know Mr. Gibson and knows him to care greatly about the Community

*Councilor Witham made a motion to appoint Robert Gibson to the City Council. The motion was seconded by Councilor Cameron and passed 7-1 by roll call vote. Councilor Vincent voted, No.*

## **UNFINISHED BUSINESS**

### **ORDINANCES**

- A. **Ordinance 1-23** – To Amend Chapter 7, Solid Waste and Recycling, Section 7.4 – Fees

Councilor Witham said he is sure the increase in waste bag prices is bound to get people talking, but explained disposal fees and tipping fees have increased and even with the increase in bag fee, Somersworth still has a fairly low price for bags. Councilor Vincent said the price to dispose of waste is getting extremely high and is in favor of the increase in bag price to make the City more whole. He asked how much of the revenue from the bags stays in the City. Manager Belmore stated a portion is placed in a special account used to augment City any unanticipated costs for disposal or for recycling. Councilor Gerding stated he is in support of the increase. He added that it will potentially make people think more about their waste and have an incentive to think more sustainably.

*Councilor Witham made a motion to adopt Ordinance 1-23 as submitted. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.*

- B. **Ordinance 2-23** – To Amend Chapter 4, Personnel Rules & Regulations, Compensation Schedule

*Councilor Austin made a motion to adopt Ordinance 2-23 at submitted. The motion was seconded by Councilor Cameron and passed 8-0 by roll call vote.*

- C. **Ordinance 3-23** – To Amend Chapter 4, Personnel Rules and Regulations Section 7.4.1 Sick Leave, and Section 7.4.2 Sick Leave for Exempt Employees

Councilor Witham explained that employees used to be able to have sick leave paid out and any added benefit is worth considering. Councilor Messier stated he sees the legislation as a benefit to employees leaving.

*Councilor Witham made a motion to further amend Ordinance 3-23 to increase the time an employee needs to work in order to receive their sick time paid out from 5 years to 10 years of*

*employment. The motion was seconded by Councilor Pepin and passed by voice vote. Councilor Messier voted no.*

Councilor Messier stated all this amendment does is benefit a long-term employee who wants to leave. Councilor Austin stated he doesn't see the legislation as a benefit, rather a tool for retention.

*Councilor Cameron made a motion to adopt Ordinance 3-23 as further amended. The motion was seconded by Councilor Pepin and passed 7-1 by roll call vote. Councilor Messier voted No.*

#### RESOLUTIONS

- A. **Resolution 8-23** – To Authorize the City Manager to Contract with Wright Pierce Engineers of Portsmouth, NH to Conduct an Asset Management and Condition Analysis of the Sewer Collection System

*Councilor Witham made a motion to adopt Resolution 8-23 as submitted. The motion was seconded by Councilor Pepin and passed 8-0 by roll call vote.*

- B. **Resolution 9-23** – To Authorize the City Manager to Contract with Wright Pierce Engineers of Portsmouth, NH to Conduct an Evaluation and Condition Assessment of the City's Sewer Collection System

*Councilor Pepin made a motion to adopt Resolution 9-23 as submitted. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.*

- C. **Resolution 10-23** – To Authorize the City Manager to Prepare Bid Specifications for Sidewalk Repair and Reconstruction Projects

Councilor Witham stated he is very excited about the sidewalk project getting underway and this Resolution is a meaningful first step in the process. Councilor Gerding stated we have a good list of sidewalks to start with.

*Councilor Witham made a motion to adopt Resolution 10-23 as submitted. The motion was seconded by Councilor Gerding and passed 8-0 by roll call vote.*

- D. **Resolution 12-23** – To Amend Council Rules and Regulations, Section 2, Presiding Officer and Section 7, Order of Business (Referred to the Government Operations Committee)

*Resolution 12-23 remains in Committee.*

#### NEW BUSINESS

#### RESOLUTIONS

- A. **Resolution 13-23** – To Authorize Hideout Golf, LLC to Conduct a Timber Cut for Maintenance Purposes at the Oaks Golf Course in Somersworth, New Hampshire

*Resolution 13-23 will remain in first reading until the call of the Chair.*

## OTHER

- A. Vote to Authorize the City Manager to Take all Necessary Action for the City to Participate in the New Hampshire Department of Justice State Settlement Agreement regarding Opioid Litigation Against Janssen Pharmaceuticals

Councilor Gerding stated that while he understands the need to approve this tonight, the amount of money being awarded to the State to combat the effects of the opioid crisis is insulting and come nowhere near the amount spent by safety groups, schools, businesses etc. Councilor Gerding expressed that there needs to be better ways for Communities to see the real money they deserve.

Councilor Messier agreed with Councilor Gerding's comments and asked if the check received by the City will go directly into the General Fund. Manager Belmore stated he will have to get back with any specifics, however the City is able to reimburse particular line items in the budget with the funds depending on when received.

*The vote to Authorize the City Manger passed by voice vote.*

- B. Certify the Return of Votes for the State Primary and Special Municipal Elections held on September 13, 2022.

*The vote to Certify the Return of Votes passed by voice vote.*

- C. Vote to Set Polling Hours for November 8, 2022 State General Election & Special Municipal Election

Councilor Witham stated he heard concerns about the polls being open an hour later than they usually are and recommends the polls be open from 7:00 a.m. to 7:00 p.m. Councilor Gerding agrees with the additional hour in the morning and suggested having them open an hour later also. Councilor Cameron stated she has also worked the polls in the past and does not typically see many voters in the later hours.

*The vote to set the polling hours from 7:00 a.m. to 7:00 p.m. passed by voice vote.*

- D. Rocky Hill Road Project Update

Councilor Vincent requested this item be added to the agenda under 'Other D'. Mayor Hilliard added the item without objection. Public Works Director Bobinsky stated the progress regarding the Rocky Hill Road project is nearing completing. The final paving date is scheduled for October 17 which is a little later than first anticipated. He added that the culvert and sewer/water lines have also been installed.

## COMMENTS BY VISITORS

There were no closing comments by visitors.

## CLOSING COMMENTS BY COUNCIL MEMBERS

*Councilor Pepin* said he attended the tour of the Wastewater Treatment Facility and noted how immaculate it is being maintained.

*Councilor Vincent* stated the City should look into how depressions are filled on roads highlighting the fix on Indigo Hill Road as being done very well because a larger area was cut out and replaced. He also gave a shoutout to Westwind Gardens for recent beautification efforts.

*Councilor Austin* gave a shoutout to Planning and Community Development Director Michelle Mears for her efforts addressing issues at the Sunningdale development. He also thanked Public Works Director Mike Bobinsky for addressing incidents regarding the wetlands at Cinnamon Ridge. Councilor Austin also thanked the Police Department for addressing complaints of vehicles driving slowly in the neighborhood.

*Councilor Michaud* also commended Westwind Gardens for their paint job and said A&G Tires is doing a great job cleaning up and maintaining their shop.

*Councilor Cameron* stated the Pumpkin Festival will be one week from Saturday and thanked Fire Chief Kramlinger for his presentation. She also warned of a skunk lingering about at the dog park.

### **ADJOURNMENT**


*Councilor Cameron made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Austin and passed by voice vote. The meeting adjourned at 9:05 p.m.*

Respectfully Submitted,

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Jonathan Slaven, City Clerk



	<p style="text-align: center;"><b>City of Somersworth – Ordinance</b></p> <p>Ordinance No:       <b>1-23</b></p> <p><b>TO AMEND CHAPTER 7, SOLID WASTE AND RECYCLING, SECTION 7.4 - FEES</b></p>
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September 6, 2022

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth as amended, be further amended as follows:

Amend Chapter 7, Solid Waste and Recycling, Section 7.4 – Fees, by deleting it in its entirety and replacing it with the following:

Section 7.4 – Fees: Effective July 1, 2023, the retail cost of the bags shall be \$2.40 for a 30-gallon bag and \$1.85 for a 15-gallon bag. Effective July 1, 2024, the retail cost of the bags shall be \$2.65 for a 30-gallon bag and \$2.10 for a 15-gallon bag. Ten cents (.10) from the sale of each bag shall be utilized to subsidize the cost to the City for recycling or for any other cost related to solid waste and recycling collection and disposal. The cost to vendors shall be \$.02 cents less to provide financial incentive for selling the bags.

This Ordinance shall take effect upon its passage.

Authorization	
<p><i>Sponsored by:</i></p> <p>David A. Witham Donald Austin Martin Pepin Martin Dumont, Sr.</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

## City of Somersworth – Ordinance 1-23

### History

First Read Date:	9-6-2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion

9/6/2022

*Ordinance 1-23 will remain in first reading until call of the Chair. Public Hearing Scheduled for next City Council meeting.*

9/26/2022

Councilor Witham said he is sure the increase in waste bag prices is bound to get people talking, but explained disposal fees and tipping fees have increased and even with the increase in bag fee, Somersworth still has a fairly low price for bags. Councilor Vincent said the price to dispose of waste is getting extremely high and is in favor of the increase in bag price to make the City more whole. He asked how much of the revenue from the bags stays in the City. Manager Belmore stated a portion is placed in a special account used to augment City fees. Councilor Gerding stated he is in support of the increase. He added that it will potentially make people think more about their waste and have an incentive to think more sustainably.

*Councilor Witham made a motion to adopt Ordinance 1-23 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	VACANT		
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	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 9/26/2022	Ordinance 1-23	<b>PASSED</b>	<b>FAILED</b>



## City of Somersworth – Ordinance

Ordinance No: **2-23**

### **TO AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS, COMPENSATION SCHEDULE**

September 6, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT, the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 4 by deleting the Non-Exempt Compensation Schedule for Grades 6-29 in its entirety, and replacing it with the following Non-Exempt Compensation Schedule which adjusts the scale to a standard 4% increase between each step for consistency, and adds steps 6 and 7, also with a 4% increase between steps to provide a broader pay scale:

#### **FY2022-2023 Compensation Schedule (Effective October 1, 2022)**

GRADE	Hire	1	2	3	4	5	6	7
6	12.22	12.71	13.22	13.75	14.30	14.87	15.46	16.08
7	12.81	13.32	13.86	14.41	14.99	15.59	16.21	16.86
8	13.46	14.00	14.56	15.14	15.75	16.38	17.03	17.71
9	14.14	14.71	15.29	15.91	16.54	17.20	17.89	18.61
10	14.83	15.42	16.04	16.68	17.35	18.04	18.76	19.52
11	15.59	16.21	16.86	17.54	18.24	18.97	19.73	20.52
12	16.38	17.04	17.72	18.43	19.16	19.93	20.73	21.55
13	17.20	17.89	18.60	19.35	20.12	20.93	21.76	22.63
14	18.02	18.74	19.49	20.27	21.08	21.92	22.80	23.71
15	18.96	19.72	20.51	21.33	22.18	23.07	23.99	24.95
16	19.86	20.65	21.48	22.34	23.23	24.16	25.13	26.13
17	20.89	21.73	22.59	23.50	24.44	25.42	26.43	27.49
18	21.93	22.81	23.72	24.67	25.65	26.68	27.75	28.86
19	22.99	23.91	24.87	25.86	26.90	27.97	29.09	30.25
20	24.22	25.19	26.20	27.24	28.33	29.47	30.65	31.87
21	25.40	26.42	27.47	28.57	29.71	30.90	32.14	33.42
22	26.71	27.78	28.89	30.05	31.25	32.50	33.80	35.15

<b>23</b>	28.02	29.14	30.31	31.52	32.78	34.09	35.45	36.87
<b>24</b>	29.39	30.57	31.79	33.06	34.38	35.76	37.19	38.68

**FY2022-2023 Compensation Schedule  
(Effective October 1, 2022)**

<b>GRADE</b>	Hire	1	2	3	4	5	6	7
<b>25</b>	30.87	32.10	33.39	34.72	36.11	37.56	39.06	40.62
<b>26</b>	32.45	33.75	35.10	36.50	37.96	39.48	41.06	42.70
<b>27</b>	34.00	35.36	36.77	38.25	39.78	41.37	43.02	44.74
<b>28</b>	35.72	37.15	38.63	40.18	41.79	43.46	45.20	47.01
<b>29</b>	37.50	39.00	40.56	42.18	43.87	45.62	47.45	49.35

Authorization	
<i>Sponsored by Councilors:</i> Richard Michaud Matt Gerding Donald Austin Nancie Cameron	<i>Approved:</i> City Attorney

## City of Somersworth – Ordinance 2-23

### History

First Read Date:	9/6/2022	Tabled:	
Public Hearing:	9/26/2022	Removed From Table:	
Second Read:	9/26/2022		

### Discussion


9/6/2022

*Councilor Austin made a motion to suspend Council Rules to allow for a first reading of Ordinance 2-23 by title only. The motion was seconded by Councilor Messier and passed 6-0. Ordinance 2-23 will remain in first reading until call of the Chair. Public Hearing Scheduled for next City Council meeting.*

9/26/2022

*Councilor Austin made a motion to adopt Ordinance 2-23 as submitted. The motion was seconded by Councilor Cameron 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	VACANT		
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	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 9/26/2022	Ordinance 2-23	<b>PASSED</b>	<b>FAILED</b>

	City of Somersworth – Ordinance
	<p>Ordinance No:       <b>3-23</b></p> <p><b>TO AMEND CHAPTER 4, PERSONNEL RULES AND REGULATIONS SECTION 7.4.1 SICK LEAVE, AND SECTION 7.4.2 SICK LEAVE FOR EXEMPT EMPLOYEES</b></p>

September 6, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT, the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 4 by deleting sections 7.4.1 Sick Leave and 7.4.2 Sick Leave for Exempt Employees and replacing it with the following:

*7.4.1 Sick Leave*

Sick leave is granted by the City to provide employees with the ability to take time off to recover from illness without suffering loss of pay. Sick leave is granted at the rate of one (1) day per calendar month worked, credited at the end of the month. Sick leave may be accumulated for a period of up to, but not exceeding, ninety (90) days.

Sick leave may be taken as whole days or in hourly increments. It may be used for bonafide doctor's appointments or to care for a spouse or child who is ill.

Upon termination of employment all employees entitled to sick leave will receive payment equal to one half the number of accumulated sick days not to exceed forty-five (45) days at their current rate of pay. Exempt employees will be paid out at termination after 10 consecutive years of service.

If an employee dies, the sick leave accrued will be paid to the beneficiary designated on the employee's group life insurance policy.

To receive compensation while absent on sick leave, the employee shall notify his/her department head, no later than one (1) hour after the time set for the beginning of his/her daily duties. At the discretion of the Department Head or City Manager, a doctor's certificate may be required for absence due to illness in excess of three (3) days. If the Department Head has a reasonable basis to believe or suspect an employee has abused sick leave privileges, he/she may require a doctor's certificate for an illness of less than three (3) days.

All employees who have accumulated eighteen (18) days of sick leave shall receive a personal day for each six-month period worked thereafter without using a sick day. The maximum balance will be 8 hours, requiring employees to use time before more time can be earned. These days are not paid out at termination.

Authorization	
<i>Sponsored by Councilors:</i>	<i>Approved:</i>

Richard Michaud Matt Gerding Nancie Cameron Donald Austin	City Attorney
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## City of Somersworth – Ordinance 3-23

History			
First Read Date:	9/6/2022	Tabled:	
Public Hearing:	9/26/2022	Removed From Table:	
Second Read:	9/26/2022		

### Discussion

9/6/2022

*Ordinance 3-23 will remain in first reading until call of the Chair. Public Hearing Scheduled for next City Council meeting.*

9/26/2022

Councilor Witham explained that employees used to be able to have sick leave paid out any added benefit is worth considering. Councilor Messier stated he sees the legislation as a benefit to employees leaving.

*Councilor Witham made a motion to further amend Ordinance 3-23 to increase the time an employee needs to work in order to receive their sick time paid out from 5 years to 10 years of employment. The motion was seconded by Councilor Pepin and passed by voice vote. Councilor Messier voted no.*

Councilor Messier stated all this amendment does is benefit a long-term employee who wants to leave. Councilor Austin stated he doesn't see the legislation as a benefit, rather a tool for retention.

*Councilor Cameron made a motion to adopt Ordinance 3-23 as further amended. The motion was seconded by Councilor Pepin and passed 7-1 by roll call vote. Councilor Messier voted No.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	VACANT		
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
<b>TOTAL VOTES:</b>		<b>7</b>	<b>1</b>
On 9/26/2022		Ordinance 3-23	<b>PASSED</b>
			<b>FAILED</b>



## City of Somersworth – Resolution

Resolution No: **8-23**

**TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH  
WRIGHT PIERCE ENGINEERS OF PORTSMOUTH, NH TO  
DEVELOP AN ASSET MANAGEMENT PROGRAM**

September 6, 2022

WHEREAS, THE City of Somersworth has received notification that the New Hampshire Department of Environmental Services has awarded the City a 100% grant in the amount of \$60,000 (Sixty Thousand dollars) to develop and implement an asset management program.; and

WHEREAS, this project can be used in conjunction with the City's sewer system collection assessment and will support the City in the planning and development of an updated sewer collection asset inventory assessment and replacement program; and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Wright Pierce Engineers of Portsmouth, NH for an amount not to exceed \$60,000 (Sixty Thousand dollars); 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 Wright Pierce Engineers of Portsmouth, NH for an amount not to exceed \$60,000 (Sixty Thousand dollars) to develop an asset management program of the City's sewer collection system and to take any actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David Witham Denis Messier Martin Pepin Kenneth Vincent	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 8-23

### History

First Read Date:	9/6/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	9/26/2022		

### Discussion


9/6/2022

*Resolution 8-23 will remain in first reading until call of the Chair.*

9/26/2022

*Councilor Witham made a motion to adopt Resolution 8-23 as submitted. The motion was seconded by Councilor Pepin 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	VACANT		
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	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 9/26/2022	Resolution 8-23	<b>PASSED</b>	<b>FAILED</b>

	<b>City of Somersworth – Resolution</b>
	Resolution No: <b>9-23</b> <b>TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT PIERCE ENGINEERS OF PORTSMOUTH, NH TO CONDUCT AN EVALUATION AND CONDITION ASSESSMENT OF THE CITY’S SEWER COLLECTION SYSTEM</b>

September 6, 2022

WHEREAS, the fiscal year 2021-2022 adopted budget contains an appropriation to conduct an evaluation and condition assessment of the City’s sewer collection system; and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Wright Pierce Engineers of Portsmouth, NH for an amount not to exceed \$95,000 (Ninety-Five Thousand dollars); 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 Wright Pierce Engineers of Portsmouth, NH for an amount not to exceed \$95,000 (Ninety-Five Thousand dollars) to conduct an evaluation and condition assessment of the City’s sewer collection system and to take any actions relative to this project determined to be in the best interest of the City.

<b>Authorization</b>	
<i>Sponsored by Councilors:</i> David Witham Denis Messier Martin Pepin Kenneth Vincent	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 9-23

### History

First Read Date:	9/6/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	9/26/2022		

### Discussion


9/6/2022

*Resolution 9-23 will remain in first reading until call of the Chair.*

9/26/2022

*Councilor Pepin made a motion to adopt Resolution 9-23 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	VACANT		
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	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 9/26/2022	Resolution 9-23	<b>PASSED</b>	<b>FAILED</b>

	<b>City of Somersworth – Resolution</b>
	Resolution No: <b>10 -23</b>  <b>TO AUTHORIZE THE CITY MANAGER TO PREPARE BID SPECIFICATIONS FOR SIDEWALK REPAIR AND RECONSTRUCTION PROJECTS</b>

September 6, 2022

WHEREAS, the City of Somersworth’s Capital Improvement Plan recommends sidewalk improvements throughout the City; and

WHEREAS, the Fiscal Year 2023 adopted budget contains an appropriation to make sidewalk improvements; and

WHEREAS, the City has prioritized sidewalk repair using the sidewalk condition index assessment tool; and

WHEREAS, the Public Works and Environment Committee reviewed the following staff recommended list of sidewalks to be included in a repair and reconstruction plan during Fiscal Year 2023;

- a) West High Street from Maple Street to Cemetery Road
- b) Green Street from Franklin Street to Indigo Hill Road
- c) Bartlett Avenue from Guy Street to High Street

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 sidewalk repair and reconstruction of the aforementioned sidewalks and take any other actions relative to this project determined to be in the best interest of the City.

<b>Authorization</b>	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Martin Pepin	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 10-23

**History**

First Read Date:	9/6/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	9/26/2022		

**Discussion**

9/6/2022


*Resolution 10-23 will remain in first reading until call of the Chair.*

9/26/2022

Councilor Witham stated he is very excited about the sidewalk project getting underway and this Resolution is a meaningful first step in the process. Councilor Gerding stated we have a good list of sidewalks to start with.

*Councilor Witham made a motion to adopt Resolution 10-23 as submitted. The motion was seconded by Councilor Gerding 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	VACANT		
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	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 9/26/2022	Resolution 10-23	<b>PASSED</b>	<b>FAILED</b>

	<p style="text-align: center;"><b>City of Somersworth – Resolution</b></p> <p>Resolution No:       <b>12 -23</b></p> <p><b>TO AMEND COUNCIL RULES AND REGULATIONS, SECTION 2, PRESIDING OFFICER AND SECTION 7, ORDER OF BUSINESS</b></p>
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September 6, 2022

WHEREAS, the City Council Rules and Regulations as amended, be further amended, by adding a new Section 2.E to Presiding Officers as follows:

- E. The Mayor, or the Mayor’s designee, shall read the following statement immediately after the Pledge of Allegiance;

“This meeting takes place on N’Dakinna (n-DA-ki-na), which is the unceded traditional ancestral homeland of the Abenaki (a-BEN-a-ki), Pennacook and Wabanaki Peoples past and present. We acknowledge and honor with gratitude the land, waterways, living beings and the Aln8bak (Al-nuh-bak), the people who have stewarded N’dakinna throughout the generations” and,

Amend Section 7 Order of Business by adding a new Section 3 as follows, and renumber the following Sections accordingly:

3. Recognition of Indigenous People – Our Native Ancestral Americans

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective upon passage of this Resolution.

<b>Authorization</b>	
<p><i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilor:</i> Matt Gerding</p>	<p><i>Approved:</i> City Attorney</p>

## City of Somersworth – Resolution 12-23

### History


First Read Date:	9/6/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion

9/6/2022

*Resolution 12-23 will remain in first reading until call of the Chair. Referred to the Government Operations Committee.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	VACANT		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
<b>TOTAL VOTES:</b>			
On	Resolution 12-23	PASSED	FAILED

	<b>City of Somersworth – Resolution</b>
	Resolution No: <b>13-23</b>  <b>TO AUTHORIZE HIDEOUT GOLF, LLC TO CONDUCT A TIMBER CUT FOR MAINTENANCE PURPOSES AT THE OAKS GOLF COURSE IN SOMERSWORTH, NEW HAMPSHIRE</b>

September 26, 2022

WHEREAS, the City of Somersworth and Hideout Golf, LLC entered into a lease agreement on September 26, 2002 for the purpose of constructing and operating a golf course on City owned property; and

WHEREAS, Hideout Golf, LLC would like to conduct a timber cut to preserve the turf health of the golf course by increasing sunlight and air flow; and

WHEREAS, additional benefits of a timber cut would include the reduction of pesticide and fertilizer applications; and

WHEREAS, Hideout Golf, LLC is responsible to obtain any permits, easements, and landowner's permission as required, as well as follow any State of New Hampshire and local laws to complete the timber cut, and;

WHEREAS, Hideout Golf, LLC is responsible for the cost of the timber cut, however, if there is any credit associated with the timber cut, Hideout Golf, LLC shall be allowed to retain the credit;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT Hideout Golf, LLC is authorized to conduct a timber cut for maintenance purposes at the Oaks Golf Course in Somersworth, New Hampshire.

<b>Authorization</b>	
<i>Sponsored by Councilors:</i>  Denis Messier Martin Pepin David A. Witham	<i>Approved:</i>  City Attorney

September 26, 2022

## City of Somersworth – Resolution 13-23

### History

First Read Date:	9/26/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion

**09/26/2022**

***Resolution 13-23 will remain in first reading until the call of the Chair.***

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	VACANT	Vacant	
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
<b>TOTAL VOTES:</b>			
Resolution 13-23		<b>PASSED</b>	<b>FAILED</b>