



Minutes of City Council Meeting Monday, October 3, 2022

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, Gibson, Austin, Michaud, Witham, Gerding, Cameron, and Messier.

Councilor Vincent was excused.

PLEDGE OF ALLEGIANCE

Councilor Gibson led the Pledge of Allegiance.

PUBLIC HEARING

There were no public hearings scheduled.

COMMENTS BY VISITORS

There were no comments by visitors.

CONSENT CALENDAR

A. Approve Minutes of the City Council Meeting held on September 26, 2022

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

COMMENTS BY CITY COUNCILORS

There were no opening comments by City Councilors.

COMMUNICATIONS

There were no communications.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were none.

MAYOR'S REPORT

Mayors Report for City Council Meeting October 3, 2022

Congratulations to the newest member of our team Robert Gibson. Bob comes to this Council with a distinguish record of service on the Somersworth School Board and various boards and commissions. Bob, we look forward to your knowledge and experience helping to strengthen our team approach to governing and aiding Somersworth to remain "On the Move!"

The strength of our Hilltopper community continues to shine with our commitment to cultural diversity. Congratulations to our two new members of the Somersworth Police Department from the Laotian and Indonesian community. The changing face of our Police Department continues to reflect our city motto of “Proud Past” and “Bright Future” as Somersworth lives by its reputation as NH Welcoming City.

This respectfully concludes my October 3, 2022, Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham stated the Committee last met on September 28th and reviewed and supported the School District’s request for a supplemental appropriation from the extraordinary needs grant in the amount of \$262k to be used for security and ADA enhancements. The Committee also voted to support the City’s investment policy without any changes. The Committee reviewed the work of the Government Operations Committee regarding recruitment and retention and decided to forgo a decision. Councilor Witham stated that presently the Oaks Golf Course receives a discounted rate of 2% off City water rates as the water they obtain from a well on Rocky Hill Road is not potable and the Committee was asked by the Oaks management to review and consider adjusting the discount. After discussion, the Committee voted to sponsor a Resolution to amend the Agreement with the Oaks Golf Course to provide a 35% discount on the non-potable water they obtain from the well on Rocky Hill Road. He also stated that a budget forecast shows the potential for the Fire Department budget to be overspent by around \$100,000 at the end of the fiscal year. Councilor Witham also reported that the Police Department received a grant for \$8,200 towards 20 new bullet-proof vests which the Committee approved moving forward to accept. The Committee also unanimously approved sponsoring a Resolution to accept a Community Outreach and Betterment grant for \$20,000 with a \$5,000 soft match for presentations to spread awareness of scams to the elderly of Somersworth. Councilor Witham stated that previously the Committee approved the repair of a boiler at the Police Station, however, the new boiler does not communicate with the old therefore a second boiler replacement is necessary. The Committee voted to approve the repair for an amount not to exceed \$40,000.

Government Operations – Councilor Michaud stated the Committee met on September 22 and reviewed and supported a Resolution cleaning up the Welfare guidelines for the City. The changes were mostly housekeeping and the only financial change was increasing burial assistance. The Committee also reviewed the Indigenous Peoples’ statement being proposed and deferred until their next meeting until they had more information regarding the accuracy of the statements to be read. Councilor Michaud stated the Committee also had a robust conversation regarding retention bonuses for certified police officers and approved supporting a \$6,000 retention bonus pending review from the Finance Committee. Councilor Gerding stated that the Committee met on September 28 and had the author of the statement present to answer questions regarding the accuracy of the statement. Kathleen Blake, a member of the New Hampshire Indigenous Collaborative Collective confirmed the accuracy of the statements and recommended reading the statement at all City Council meetings. The Committee voted unanimously to support the Resolution dictating the statement be read at every Council meeting.

Public Safety – Councilor Pepin stated the Committee met last on September 28 and sponsored a Resolution to modify Section 4 of the Stewart’s Ambulance Services, Inc. contract with the City of Somersworth to indefinitely waive the CAAS accreditation requirement. The waiver request is due to staffing shortages and the expense that comes along with maintaining accreditation. The Committee heard from Fire Chief Kramlinger who stated the department’s fleet is up to full-service after a Public Works mechanic helped save thousands of dollars on a repair to one of the apparatuses. The

Committee heard updates on staffing and voted to support one Resolution for a highway safety grant and another for community outreach and betterment.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

School Board – Councilor Austin attended the latest School Board meeting where the Superintendent reported Covid numbers have stabilized within the school department and the administrator presented goals and plans for the year.

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 30, 2022

SUBJECT: City Manager's Report for Monday, October 3, 2022 City Council Meeting

Unfinished Business (under Section 14 of Agenda)

Resolutions

- A. Resolution No. 12-23: To Amend Council Rules and Regulations, Section 2, Presiding Officer and Section 7, Order of Business.** The Government Operations Committee met on September 28th and is recommending passage as presented. An Amendment to the actual language may be presented at the meeting.
- B. 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 Conservation Commission has scheduled a site visit for October 18th at 4:30 p.m.

New Business (under Section 15 of Agenda)

Ordinances

- A. Ordinance No. 4-23: To Amend Chapter 10, Welfare Guidelines.** The Government Operations Committee met on September 22nd and voted to support the Guideline changes. Welfare Officer, Kristen LaPanne has been comparing the City's current guidelines against current model guidelines provided by the NH Municipal Association and the NH Local Welfare Association. Most of these changes are housekeeping in nature to keep up with current vernacular found at the State level. The only financial change is increasing the burial assistance amount from \$650 to \$750. Please note: The City's Welfare Guidelines were last amended in 2015. Attached is a *red-line* of these changes. I recommend a Public Hearing at the next regular Council meeting on October 17th.
- B. Ordinance No. 5-23: To Amend Chapter 8A, Sewerage Committee Article XIV.** The Government Operations Committee met on September 22nd and voted to support

amending the Sewerage Committee section of the Ordinance. Attached is a *red-line* of these changes. I recommend a Public Hearing at the next regular Council meeting on October 17th.

- C. Ordinance No. 6-23: Supplemental Appropriation for Capital Improvements Projects for the School Department.** The Finance Committee voted at their September 28th meeting to recommend this Supplemental Appropriation. Attached is a copy of documents from the SAU office. The Memorandum to the Finance Committee provided details on how the funding would be spent. As required by the City Charter, a Public Hearing should be scheduled for the next City Council meeting on October 17th at 7:00 pm.

Other

- A. Vote to Re-adopt the City of Somersworth Investment Policy.** This is an annual housekeeping action item for the City Council. City Staff supports re-adoption without any amendments. The Finance Committee met on September 28th and recommends re-adoption. Attached is a copy of the City Investment Policy.

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

Informational Items

- A. Bulletproof Vest Grant.** We were recently notified that we were awarded \$8,525 for the purchase of 20 Bulletproof vests. The Grant is 50% of the purchase price of \$17,050. Both the Public Safety Committee and the Finance Committee discussed my acceptance of the Grant funds on behalf of the City.

Attachments

1. City Attorney Certification - Three (3)

NOMINATIONS, APPOINTMENTS AND ELECTION

There were no appointments for this meeting.

UNFINISHED BUSINESS

RESOLUTIONS

- A. 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)

Councilor Gerding made a motion to adopt Resolution 12-23 as submitted. The motion was seconded by Councilor Cameron and passed 8-0 by roll call vote.

- B. 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

Councilor Gerding made a motion to amend Resolution 13-23 to add the following under the fourth 'whereas': "Whereas to adhere with any recommendations from the

Conservation Commission relative to a conditional use permit if required". The motion was seconded by Councilor Witham.

Councilor Gerding explained that a site-walk visit from the Conservation Commission is scheduled, but does not want to hold this Resolution up any further. This would allow the Conservation Commission to weigh-in without further delay. Councilor Witham said the Conservation Commission does great work and their guidance is valued.

The motion to amend passed 8-0 by voice vote.

Councilor Witham made a motion to adopt Resolution 13-23 as amended. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.

NEW BUSINESS

ORDINANCES

- A. **Ordinance 4-23** – To Amend Chapter 10, Welfare Guidelines

Ordinance 4-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council meeting.

- B. **Ordinance 5-23** – To Amend Chapter 8a, Sewerage Committee Article XIV

Ordinance 4-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council meeting.

- C. **Ordinance 6-23** – Supplemental Appropriation for Capital Improvements Projects for the School Department

Ordinance 4-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council meeting.

OTHER

- A. Vote to Re-adopt the City of Somersworth Investment Policy

The vote to re-adopt the City of Somersworth Investment Policy passed by voice vote.

COMMENTS BY VISITORS

There were no closing comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin praised the Fire Department for handling an influx of recent calls.

Councilor Gibson thanked Mayor Hilliard for welcoming him and is honored to serve.

Councilor Austin welcomed Councilor Gibson and also gave praise to the Fire Department for their resolve during emergency situations.

Councilor Michaud welcomed Councilor Gibson and mentioned a Community Garden meeting scheduled for Thursday, October 13. He also mentioned that the Pumpkin Festival is this Saturday.

Councilor Witham gave a shout out to the Police Department for their handling of a mental health call recently. He also complimented the Fire Department for containing a fire on Green Street in a congested area. He also mentioned great work in regards to repairs at the basketball court at Noble Pines Park. He also pointed to a potential issue with the crosswalk at Cemetery Road crossing West High Street.

Councilor Gerding thanked the Fire Department and Police Department also. He stated he was proud of how the police handled the mental health call. He also said that a speed limit sign on Drew Road may serve that area well as he has seen many people speeding in the area.

Councilor Cameron also welcomed Councilor Gibson and thanked the Fire Department and Police Department for their hard work.


Mayor Hilliard stated he was proud of the first two members of the Asian American community joining the Somersworth Police Department. He said that with an 8-0 vote, this Council also voted to acknowledge the history of those who settled this area first. This, he stated, shows the City of Somersworth's unwavering commitment to celebrating all and showing that diversity is a strength of our Community.

ADJOURNMENT

Councilor Michaud made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Messier and passed by voice vote. The meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk

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

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

October 3, 2022

Mayor Dana S. Hilliard
Councilor:
Matt Gerding

City Attorney

City of Somersworth – Resolution 12-23

History

First Read Date:	9/6/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	10/3/2022		

Discussion

9/6/2022

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

10/3/2022

Councilor Gerding made a motion to adopt Resolution 12-23 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	Excused	
Ward 3 Councilor	Gibson	X	
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:		8	0
On 10/3/2022	Resolution 12-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **13-23**

TO AUTHORIZE HIDEOUT GOLF, LLC TO CONDUCT A TIMBER CUT FOR MAINTENANCE PURPOSES AT THE OAKS GOLF COURSE IN SOMERSWORTH, NEW HAMPSHIRE

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, to adhere with any recommendations from the Conservation Commission relative to the conditional use permit if required;

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.

Authorization

Sponsored by Councilors:

Denis Messier
Martin Pepin

Approved:

City Attorney

City of Somersworth – Resolution 13-23

History

First Read Date:	9/26/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	10/3/2022		

Discussion*09/26/2022**Resolution 13-23 will remain in first reading until the call of the Chair.**10/3/2022*


Councilor Gerding made a motion to amend Resolution 13-23 to add the following under the fourth 'whereas': "Whereas to adhere with any recommendations from the Conservation Commission relative to a conditional use permit if required". The motion was seconded by Councilor Witham.

Councilor Gerding explained that a site-walk visit from the Conservation Commission is scheduled, but does not want to hold this Resolution up any further. This would allow the Conservation Commission to weigh-in without further delay. Councilor Witham said the Conservation Commission does great work and their guidance is valued.

The motion to amend passed 8-0 by voice vote.

Councilor Witham made a motion to adopt Resolution 13-23 as amended. 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	Excused	
Ward 3 Councilor	Gibson	X	
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:		8	0
On 10/3/2022	Resolution 13-23	PASSED	FAILED

	City of Somersworth – Ordinance
	Ordinance No: 5-23 TO AMEND CHAPTER 8A, SEWERAGE COMMITTEE ARTICLE XIV

October 3, 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:

Delete Chapter 8A, Sewerage Committee Article XIV, in its entirety, and replace it with:

Section 1. The Sewerage Committee shall be the appeals Committee for decisions made by the City Manager, or his/her designee concerning interpretation and execution of the provisions of this Ordinance.

Section 2. The Sewerage Committee shall be a Committee that consists of three members of the City Council. Appointment to the Sewerage Committee shall be by the Mayor in the normal course of assignment of the City Council Standing Committees.

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

October 3, 2022

City of Somersworth – Ordinance 5-23

History


First Read Date:	10/3/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

10/03/2022

Ordinance 5-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council Meeting.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
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:			0
On / /2022	Ordinance 5-23	PASSED	FAILED

	City of Somersworth – Ordinance
	<p>Ordinance No: 6-23</p> <p>SUPPLEMENTAL APPROPRIATION FOR CAPITAL IMPROVEMENTS PROJECTS FOR THE SCHOOL DEPARTMENT</p>

October 3, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 7.7(A) of the City Charter:

The annual budget for the City of Somersworth for Fiscal Year 22-23 is amended as follows:

Appropriate \$262,833 (Two Hundred Sixty-Two Thousand Eight Hundred Thirty-Three dollars) from an unanticipated State of New Hampshire Extraordinary Needs Grant Revenue to the School Department Budget as follows;

Original Budget	Amendment	Revised Budget
\$ 26,759,213	\$ 262,833	\$ 27,022,046

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Jonathan Slaven
City Clerk

Background:

This Ordinance appropriates a portion of an unanticipated revenue from the State of New Hampshire Extraordinary Needs Grant to the School Department. The net amount to be received from the State is \$262,833. The intent is to use this appropriation, for some or all of the following Capital Improvements based on actual cost; Upgrades to the High School Entrance to improve security; Upgrades to the SAU Office Entrance to improve security and ADA compliance; District Wide Security Upgrades to locks and card readers.

This Ordinance requires a public hearing and requires a 2/3 majority vote of the City Council after the public hearing subject to Section 7.4.1 and. Section 7.7 (A) of the City Charter.

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

October 3, 2022

City of Somersworth – Ordinance 6-23

History

First Read Date:	10/3/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

10/3/2022

Ordinance 6-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for the next City Council meeting.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
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:			0
On / /2022	Ordinance 6-23	PASSED	FAILED