

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
October 3, 2016
7:00 P.M.

The meeting was called to order by His Honor, the Mayor, Dana Hilliard, and upon roll call the following Council members were present: Pepin, Dumont, McCallion, Messier, Witham, Sprague, and Paradis. Councilors Soldati and Cameron were excused.

MINUTES OF THE PREVIOUS MEETING.

MINUTES FOR CITY COUNCIL MEETING HELD ON SEPTEMBER 19, 2016

Councilor Pepin, seconded by Councilor Paradis, made a motion to accept the minutes. The motion passed unanimously, 7-0.

MAYOR'S REPORT

Mayors Report for City Council Meeting October 3rd, 2016

- The strength of Somersworth is its incredible diversity, and how as a community we celebrate each other.

It was with pride and honor that I spent the day at the 4th annual Indonesian festival on Saturday September 24th. Our “Proud Past” and “Bright Future” continues to unify us all, I am so proud to have my roots in the Hilltop City and honored each day to be your Mayor.

- Congratulation to the entire Hilltop community on the opening of the renovated 21st Century Technical Center. The center is a reflection of what can be accomplished for our community when barriers are torn down, and all levels of government works together focused on progress.

The center will not only serve in ensuring our Hilltop students have the education and skills necessary to compete in a global market, but will also offer opportunities for all members of our community to continue their lifelong learning. I look forward to seeing the vast amounts programs the center will offer in the months and years to come.

- Special thanks to Tri-City Covenant Church for their donation of \$1,000 towards the restoration of the Ten Commandments community project. Your generous donation represents the true spirit of project and the full community the restored project will represent.
- The next **Mayors Community** forum will take place this **October 15th from 9:00 – 10:30** at City Hall. Including in this forum will be **Ward 1 Council**

members Marty Pepin and Ward 1 School Board member Sean Collins . The purpose of the forums are to foster dialog and ideas, in a non-formal setting to continue to move our community forward. All members of the community are welcome to attend any forums.

Nominations, Appointments and Elections:

- Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the following are being brought for confirmation vote

- **Sarah McGraw**, as a Member of the Sustainability Committee

This respectfully concludes my October 3rd, 2016 Mayors Report

REPORTS OF STANDING COMMITTEES

Finance Committee – Councilor Witham said they met on sept 23rd. They discussed the replacement of a police cruiser that was damaged. Insurance paid \$16,000. Additional money was needed to make up the difference. Recommendation was to take the balance out of the drug forfeiture fund. They also discussed funds for a project to look at the signal timing at Tri City Plaza for the new Dairy Queen that will be going in there. Veterans credits will be placed on a future agenda. The City received one RPF for the Solar project.

Public Works & Environment – Councilor Sprague deferred to Vice Chair, Councilor Witham. The focus was to discuss the additional scope of work on Indigo Hill Road. The section of Indigo Hill Road from William Street to High Street was not part of the original scope and will cost an additional \$122,000, approximately. There was also discussion of miscellaneous maintenance items.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Building Trades Committee – Councilor Pepin said they discussed outstanding projects from the past year. They appropriated \$1500 for building materials for sheds. All the money will be returned when the sheds are sold.

Vision 2020 – Councilor Paradis said the next meeting will be Tuesday, Oct 11 @ 5:30.

Cultural Committee – Councilor Dumont said the committee is busy planning the future activities. They are planning a trip to Thedford Mines during their next music celebrations in 2017. The committee scheduled a meeting with the school department, superintendent and culinary instructor for the meals that are planned this winter. A book was found that was culturally fed by recipies from the Greek population, the French, and the nuns who were in town. The book will be promoted during activities throughout the area.

HDC – Councilor Dumont said two buildings on High Street and one on Green Street are having repairs done. The Committee is happy with what is being presented.

Coast Bus Annual Meeting – Councilor Dumont said they Met with the new commissioner of the Department of Transportation. He was impressed with her grasp of the transportation 10 year plan.

JBC – Councilor Messier said they will meet next Monday, October 10, at 4pm

Planning Board – Councilor Witham said a Cumberland Farms will be going in on Route 108 where the Cozy Nest is currently located. Planning Board wanted more information about the timing of the signal.



CITY OF SOMERSWORTH
Office of the City Manager

TO: Mayor Dana Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, September 30, 2016

SUBJECT: City Manager's Report for Monday, October 3, 2016
City Council Agenda

Unfinished Business (under Section 13 of Agenda)

Resolutions

- A. Resolution No. 15 – 17 To Notify the City Tax Collector that the City Council Shall Accept a Tax Deed on Property Located at 1 Winter Street, Tax Map/Lot Number 11-181a.** The Finance Committee reviewed the attached list of properties attached to this report. As a reminder, the NH Department of Environmental Services hired engineering firm, GZA, will be moving forward with their site work in anticipation of the City applying for a Brownfield's Grant

this fall. I am still hopeful that we can meet the application deadline, but it is critical that the engineering work is completed in time. It is my understanding that the City Council will need to accept the property for the City to forward. The Finance Committee is sponsoring this Resolution for discussion and an eventual vote at one of the upcoming City Council Meetings.

New Business (under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 3-17 Amending Chapter 13 Police Offenses.** This Ordinance change was discussed at the Traffic Safety Committee meeting on September 21st and the Committee recommends no parking on Maple Street on the westerly side between the intersection of Prospect Street and Linden Street. Attached is a picture of Maple Street provided to the Traffic Safety Committee. I recommend a **Public Hearing at the next regular Council meeting on October 17th at 6:50 p.m.**

Public Hearing is scheduled without objection.

Resolutions

- A. Resolution 16–17 To Notify the City Tax Collector that the City Council Shall not Accept a Tax Deed on Properties Located on Wexford Lane Subject to an Unredeemed Tax Lien.** As reported in years past, the City has information that confirmed there is some level of buried trash and/or debris on these properties. There would be significant expense to clean these properties. Both parcels are vacant land without buildings.
- B. Resolution No. 17–17 To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien.** The Finance Committee reviewed these properties and supports passage of these two Resolutions; No. 16-17 and 17-17. These properties are all Manufactured Housing Units. If approved, the City Council can reverse this action at any future meeting on any of these properties. Attached is a listing of all Properties reviewed by the Finance Committee.
- C. Resolution No. 18-17 To Authorize the City Manager to Execute a contract Change Order with Severino Trucking for Extending Improvements to Indigo Hill Road Project.** The Finance Committee reviewed this Resolution at their September 23rd meeting and agreed to support this Change Order. If approved, the City will use \$117,500 from the Municipal and Transportation Fund and \$20,900 from the Water Department Budget. Attached is a memorandum from Public Works Director Mike Bobinsky regarding the estimate on this Change Order.

City Manager's Items (under section 10 of Agenda)

A. Informational Items

1. **Former Hilltop School – Environmental Site Assessment.** Attached is a copy of the Phase I Environmental Site Assessment conducted by the engineering firm of Credere Associates, engaged for this project through the Strafford Regional Planning Commission's (SRPC) Brownfield's Grant Program. Staff's understanding is this site has been selected to receive funding for Phase II work.

Council Meetings – Please note the following Meeting Schedule for.

- October 17th at 6:15 p.m. Cemetery Trustees presentation from Lisa Mausolf, a Private Preservation Consultant working on completing the application for the National Register for the Forest Glade Cemetery.
- October 17th at 6:45 p.m. Public Hearing for Community Development Block Grant (CDBG) fund regarding the progress of energy improvements at the SHA's Albert J. Nadeau Homes.
- Fire Department Open House, October 15th.
- Update on the Indigo Hill Project. Memo from Director Bobinsky. ***Was added to Other, Without Objection.***

B. Attachments:

1. City Attorney Certifications (3).
2. Memorandum Regarding Police Cruiser Replacement Costs Approved by the Finance Committee.

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Nomination – For Council confirmation vote.

Sarah McGraw as a member of the Sustainability Committee

Councilor Dumont, seconded by Councilor Pepin, to approve the nomination of Sarah McGraw as a member of the Sustainability Committee. The Motion passed with a vote of 7-0.

Councilor Dumont said Sarah McGraw was the secretary for the Hilltop Committee. Her attendance was great and good input. It's good to see a young person getting involved. She will do a fine job.

UNFINISHED BUSINESS

Resolutions:

RESOLUTION NO. 15-17 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL ACCEPT A TAX DEED ON PROPERTY LOCATED AT 1 WINTER STREET, TAX MAP/LOT NUMBER 11-181A.

Councilor Pepin, Seconded by Councilor McCallion, made a motion to approve Resolution 15-17.

Councilor Witham said he would like to table it.

Councilor McCallion said he would like to defer to the City Manager. We know there are pros and cons in taking the property. There has to be clean up.

City Manager Belmore said this will not put us behind the 8 ball we meet again on October 17th 2016. We could wait until the next meeting.

Councilor McCallion suggested that we pay Attorney Belliveau to come in and discuss the legal matters of this property. We need to make a decision.

Councilor Witham said a lot has changed since our last visit with Attorney Belliveau. There is risk with doing anything. If we table this, we have it available to act on when we need to.

Councilor Witham, seconded by Councilor McCallion, made a motion to table Resolution 15-17. The motion passed, 6-1, with Councilor Pepin opposed.

NEW BUSINESS

Ordinances:

ORDINANCE NO. 3-17 AMENDING CHAPTER 13 POLICE OFFENSES

October 3, 2016
Somersworth NH

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 13.5, Police Offenses, Section D. No Parking Anytime, by adding:

Maple Street on the westerly side between the intersection of Prospect Street and Linden Street.

This Ordinance shall be effective upon its passage.

Sponsored by:

Councilor David A. Witham
Councilor Jennifer G. Soldati

Approved:

City Attorney

Explanation: Vehicles are parking on both sides of the street, constricting the travel portion. The street width is approximately 25 feet curb to curb. This parking pattern makes it impossible to pass a Fire Apparatus or other emergency vehicles through that area safely.

When determining which side to prohibit parking, winter plowing route were taken into consideration and the location of a fire hydrant on Maple Street. The plowing route would not be affected by this ordinance. There is a fire hydrant located on Maple Street just north of the area where parking will be prohibited.

Ordinance 3-17 will remain in first read until the October 17, 2016 City Council Meeting.

Resolutions:

RESOLUTION NO. 16-17 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTIES LOCATED ON WEXFORD LANE SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH
October 3, 2016

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
5 Wexford Lane	35-12A
7 Wexford Lane	35-12B

Sponsored by Councilors

David A. Witham
Jennifer G. Soldati
Martin Pepin

Approved by:

City Attorney

Note – It is believed that these properties contain contaminated soils and /or buried debris.

Resolution 16-17 will remain in first read until the October 17, 2016 City Council Meeting.

RESOLUTION NO. 17-17 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH
October 3, 2016

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
141 Colonial Village	81-141M
3 Jack & Jill	83-3M
4 Jack & Jill	83-4M

33 Jack & Jill	83-33M
34 Jack & Jill	83-34M
102 Sherwood Glen	87-102M
113 Sherwood Glen	87-113M
223 Sherwood Glen	87-223M
303 Sherwood Glen	87-303M
520 Sherwood Glen	87-502M
629 Sherwood Glen	87-629M

Sponsored by Councilors

David A. Witham
Jennifer G. Soldati
Martin Pepin

Approved by:

City Attorney

Councilor Witham, seconded by Councilor Dumont, made a motion to waive council rules and have Resolution 17-17 read by title only. The motion passed 7-0.

Resolution 17-17 will remain in first read until the October 17, 2016 City Council Meeting.

RESOLUTION NO. 18-17 TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT CHANGE ORDER WITH SEVERINO TRUCKING FOR EXTENDING IMPROVEMENTS TO THE INDIGO HILL ROAD PROJECT

Somersworth, NH
October 3, 2016

WHEREAS the City of Somersworth City Council has entered into an agreement with Severino Trucking for specific road improvements on City streets including Indigo Hill Road, and

WHEREAS the project involves water line replacement, rebuilding and adding new sidewalks, and new pavement, on Indigo Hill Road from Main Street to Williams Street; and

WHEREAS the City would like to extend the scope of work to include new utility services, sidewalk and pavement from Williams Street to Davis Street along Indigo Hill Road; and

WHEREAS, the added work will cost \$138,400 (One Hundred Thirty Eight Thousand Four Hundred dollars) which includes the mill and paving of the roadway, sidewalk extension from Williams Street to Davis Street, and water line improvements, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a contract change order with Severino Trucking to extend the Indigo Hill Road project from Williams Street to Davis Street at a cost not to exceed \$138,400 (One Hundred Thirty Eight Thousand Four Hundred dollars); and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize \$117,500 (One Hundred Seventeen Thousand Five Hundred dollars) from the Municipal and Transportation Fund and \$20,900 (Twenty Thousand Nine Hundred dollars) from the Water Department budget to be used for this contract change order.

Sponsored by Councilors:

David A. Witham
Jennifer G. Soldati
Denis Messier
Martin Pepin

Approved:

City Attorney

Councilor Witham, seconded by Councilor Paradis, made a motion to suspend rules for a second reading of Resolution 18-17. The motion passed, 7-0.

The Clerk read the resolution a second time.

Councilor Witham, seconded by Councilor Dumont, made a motion to adopt Resolution 18-17.

Councilor Sprague, seconded by Councilor Witham, made a motion to suspend council rules to allow the Director of Public Works, Mike Bobinsky to approach and speak. The motion passed 7-0.

Director Bobinsky said this area was also deficient, but they were looking at efficiency of cost and timing. Sidewalk will include granite curbing and asphalt. This will compliment the work that is being acted on tonight.

Councilor McCallion asked about the bumpout that is near CVS. It is not planned to be corrected. It would be a good time to correct it.

City Manager Belmore, it was discussed. The entire intersection is deficient. There was some discussion about improving the entire intersection.

Councilor McCallion said asphalt is ugly. If we look at the city main streets around New England you tend to see pavers or concrete.

Director Bobinsky said in terms of budget and materials, asphalt maintains well, as opposed to brick pavers or concrete. Brick pavers are 3 times the cost of asphalt. Brick and concrete has an esthetic appeal, but we need to stay within the budget scope. We are including granite curbing.

Councilor McCallion commented on the price. A lot of utilities need to be moved.

Director Bobinsky said there will be new service stops on the back side of the sidewalk.

Councilor Sprague looked at the pricing; questioned the cost of the mill and overlay. He thinks it is a bit expensive.

Councilor Witham asked why this section wasn't originally addressed.

Director Bobinsky said it was determined that the main water line from William Street to Davis Street was fine, that is why the focus was taken off that section of the road. The focus was on the worst sections of Indigo Hill Road.

Councilor Witham said they discussed going all the way to High Street but they agreed that the intersection as a whole does not flow well. It is an issue that needs to be discussed long term. The 350 foot section needs to be done. The City would look foolish if we didn't address it.

Councilor Dumont commented that he is very impressed with how they are addressing projects. They are thinking about the future, and not just cosmetic. During the preparation for these types of projects, maybe we try to move too fast. As we move forward, more of a lead time would be an appropriate piece. Severino is a superb company. The thing is, we can always uncover something.

Director Bobinsky said since the council adopted a complete streets, it requires more thought time, placements of crosswalks or sidewalks, drainage. There was extensive discussion about more planning and integration of elements of the project.

Councilor Dumont commented about the sightline coming off Blackwater Road; when cars are coming off Indigo Hill Road, you are blinded by their lights. Certainly, the line of sight was omitted from being a concern. He is concerned about that intersection.

Councilor Witham agrees with Councilor Dumont that our approach to projects is important. Do something as simple as a sight walk, where the committee looks at the location. We would have captured this part of the street earlier.

Director Bobinsky said they are working with a contractor looking at the traffic signal at that intersection.

Councilor Sprague said it's hard to fast pace a project when we aren't sure of the budget. We've done this with line striping. Maybe do the projects in the spring. We fight the elements in New England. It might be a good idea to take a breath and look at some springtime jobs.

The motion to approve Resolution 18-17 passed unanimously.

OTHER:

Update on the Indigo Hill Project. Memo from Director Bobinsky.

Director Bobinsky said the current work is focusing on Main to Green Street, waterline replacement, and curbing. Resurfacing Wiggins and Alicia Street. The City has obtained appropriate legal access to both sections of the streets. All will be done by mid November. The stretch will require a road closure. The contractor approached them and suggested that they finish the section they are working on now, and then complete from Green to Davis Street in the Spring of 2017. Staff will communicate with the Residents that the project isn't finished.

Councilor Sprague, There is a lot of gravel leaking into the intersections. It is dangerous for motorcycles.

Councilor Witham said as time goes on, the approach that is being suggested makes sense.

Councilor McCallion, staff has been overcommunicating. This is the right approach. He encouraged the public to contact staff or councilors if you have questions.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin said the Strafford Regional Conservation Commission met on September 21st, to give information and a tour of the Dams and park. They gave a brief history of the mills and how Somersworth was formed. Professor from UNH, gave a vast amount of information about conservation land. Talked about plants and trees, animals, fish. They would like to see information boards of plants.

Councilor Dumont thanked Tri City Covenant Church for their donation. Comment to the Finance Committee, the new cruiser situation is a good move. He enjoyed the School open house. CTC is a project that makes Somersworth appealing. 2 individuals Mr. David Doyon and Mr. Gosselin were both there and were really proud of Somersworth. He commended the Police Chief for helping prepare with the Active Shooter Training. Offering it to business is a wonderful thing for the safety of Somersworth

Councilor McCallion said the (school) open house was amazing; to see them all excited, there is a 3d printer, the upstairs music arts classes. The morale was up. It's all good stuff.

Councilor Messier said the CTC open house well attended. The older high school and maintenance is something we should be proud of. The maintenance and custodial staff does an amazing job. He said he would like an update on the Mast Point Project; the bats are in hibernation. He thanked the people on Wiggins Court and Alicia Street for signing off on the right of way.

Councilor Witham comment on the development within the community. We issue CO's with not all of the conditions of approval completed. How do we know the conditions of approval are addressed.

Councilor Paradis thanked the Indonesian Festival committee for the wonderful event. It was bigger and better than ever.

ADJOURNMENT

Councilor Messier, seconded by Councilor Dumont, made a motion to adjourn. The meeting adjourned at 8:17 pm.

Trish Harris, City Clerk

Dana Hilliard, Mayor