

Minutes of City Council Meeting
Monday, August 7, 2023

ROLL CALL OF MEMBERS

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

PLEDGE OF ALLEGIANCE

Councilor Witham led the Pledge of Allegiance.

RECOGNITION OF INDIGENOUS PEOPLE – OUR NATIVE ANCESTRAL AMERICANS

Mayor Hilliard read the Recognition of Indigenous People – Our Native Ancestral Americans

PUBLIC HEARING

A. Sale of the Former Police Station Property, 5 Main Street, Map 11, Lot 210

Clerk LaPanne read the following:

This Public Hearing is on the Sale of the Former Police Station Property, 5 Main Street, Map 11, Lot 210

The City Council will now hear Public comment on the sale of this City property, to include:

- 1. The release by the Somersworth Housing Authority of all the Urban Renewal restrictions, covenants, and conditions that may have been encumbering this property.*
- 2. The elimination of an easement for continued public use of the Park (also known as the USS Somersworth Pocket Park) located on this property.*

There were no public comments.

COMMENTS BY VISITORS

Wendy Berkley of Ward 1 commented on Somersworth's commitment to diversity and stated that Resolution 4-23 is an important step as a result of the incident against William and Loren Poole. Ms. Berkley stated that she appreciates the flying of the flags and the Mayor's Corner within the City's Newsletter. She expressed her fear that it may be too late to make the Poole's feel safe but is hopeful that the Community's show of support can make them rethink leaving the City. Ms. Berkley asked that the City and the Council keep this event in their minds and to not let it go stale.

Laura Berry of Ward 4 commented that she stands with the Community and wants to ensure that the incident against William and Loren Poole is acted on. She shared that her biggest concern is that no action will come from the City. Ms. Berry suggested the City Council work with the Community and the Police Department to implement a neighborhood watch to help stop malicious activities from coming into the City, she added that she would happily volunteer as a member of her Ward.

Niel Larson of Ward 1 and the Chair of the Cemetery Trustees commented on the incident involving William and Loren Poole, he stated that it is unfathomable and that he believes the silver lining is the outpouring of Community support for the Poole's. Mr. Larson shared concern of the upcoming and backlog of needs that the Forest Glade Cemetery has and he is concerned that Alyson Vissor's nomination was not included on tonight's agenda as there has been a vacancy for time needing to be filled on the Board. Mr. Larson questioned the need for Ms. Vissor's to go through further vetting before being added to the agenda and shared his concern with the seat not being filled until the second Council meeting in September. Mr. Larson hopes that the Council will consider including Ms. Vissor's nomination on tonight's agenda.

Richard Brooks of Ward 1 commented that as a member of the Historic District Commission and a resident of Somersworth, he wanted the 85 Elm Street development project to pass but the changes presented during the meeting were significant. He had hoped that the developer would work with the Board to discuss the design plans, however, the developer refused which forced a vote to occur by the Commission. Mr. Brooks mentioned that form-based codes can be an issue for developers, he added that some of the Councilors commented that they felt the former National Guard property proposal from Chinburg Property was too big, he wondered what is too big for the 85 Elm Street development. Mr. Brooks stated that he hopes that the decision made by the Historic District Commission does not negatively impact the Board as they have approved a number of historical structures that have maintained historical characteristics. Mr. Brooks stated that he is aware that the City needs more affordable housing and he added that zoning has caused smaller businesses to struggle.

CONSENT CALENDAR

A. Approve Minutes of the City Council Nonpublic Session held on July 10, 2023

Councilor Austin made a motion to adopt the Consent Calendar as presented. The motion was seconded by Councilor Gibson and passed 8-0 by voice vote.

COMMENTS BY CITY COUNCILORS

Councilor Vincent commented that the Italianate Well House Roof at the Forest Glade Cemetery looks incredible, he stated that years ago he worked on the Chapel and would see the Italianate Well House daily and he is very happy with how it came out. Councilor Witham commented on the fact that the Council appoints members to the Boards such as the Historic District Commission and then has criticized their decision on the 85 Elm Street project. He stated that he agrees that the developers significantly changed their design plan and although he may not agree with the decision of the Commission, he has to live with the vote. Councilor Witham commented on the former National Guard Readiness Center, he stated that Chinburg Builders is a quality developer that heard the issues brought forward by the Community and pulled out. He stated that by Chinburg Builders withdrawing their proposal, they care about the Community and what its members stated about the project.

Councilor Gibson acknowledged that the Historic District Commission has guidelines in place which govern how the Board operates and that their members are appointed by the City Council. He added that he believes that if the Council has concerns as to how decisions are made by the Commission, the concerns should be addressed with changes to the guidelines.

Councilor Gerding stated that he stands by the decision of the Historic District Commission, he feels that the members were thoughtful and tried to work with the developers on their design. Councilor Gerding commented that he was proud of the initial design of the 85 Elm Street project and was

shocked with the significant change of design and was disappointed that the developers did not want to work with the Commission to come to an agreeable design. He feels that if the developer does not reconsider their design or working with the Commission, the developer is missing out on a great opportunity within the City. He also thanked the Commission members. Councilor Gerding commented on the incident that took place which affected William and Loren Poole, he stated that it was both impactful and scary for him. Councilor Gerding did state that he feels the incident is being handled appropriately by the Somersworth Police Department and now Federally. He stated that he is thankful for the suggestion of how the Community can continue to support its citizens and agrees that there is still a lot that can be done. He added that people are afraid and the Community needs to show that this is not how the City operates. Councilor Gerding commented that the event is not just a City of Somersworth problem, but it is a State and National problem and he challenges leaders to continue to be the voice for adults and especially for children.

Councilor Witham commented that he has no displeasures with members of the Historic District Commission and that the Commission guidelines were brought up due to a project's financial elements that are not able to be discussed or used to sway the vote of the Commission. He feels that the Commission does excellent work and that his only issue is the guidelines that pertain to financial discussion. Councilor Witham stated that the 85 Elm Street developers brought forward a new design and that he has no idea what the design was as it was not televised, he asked that staff make the proposal and designs available to viewers.

COMMUNICATIONS

There were no communications.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were no presentations of petitions and disposal thereof by reference or otherwise.

MAYOR'S REPORT

Mayors Report for City Council Meeting August 7th, 2023

Tonight, before the Council is Resolution No. 4-24 "Reaffirming the City of Somersworth's Commitment for Inclusiveness and Diversity".

Our Hilltopper spirit last month on two separate occasions was put to the test. While our history and character are embedded with diversity, we are not immune from acts which will test the strength or attempts to weaken or tear the fabric, which holds us all together.

The foundation of the Hilltop City and nation is built upon the vast diversity of citizens from which it draws its strength. We are a community of different ethnicities, religions, and sexual orientations. When one member of our community is attacked, all members of our community are attacked. The Hilltopper spirit of neighbor helping neighbor will continue to shine its light and overpower any darkness, prejudice or act of hate that attempt to erode the character of who we truly are. Somersworth stands with William Poole and his husband Loren and will do everything it can to help our fellow citizens and ensure that justice is brought against the assailants.

The ugly face of hate continues to raise its head in all 50 states and is gaining strength through the open assault on all minorities and members of the LGBTQ+ community, by elected officials and others

in power who are validating actions of discrimination, hate, and assault through the narrative of intolerance they continue to spread.

Together as a united community, we reaffirm our commitment to celebrating all, to standing with our neighbors William and Loren, and to continuing the journey of all who have stood before hate, to create the city and nation we promised to the world we would. A city, state, and nation where all are protected and celebrated. Hate has never and will never have a place in Somersworth or America.

While Resolution No. 4-24 has been introduced by the Mayor's office with every City Councilor reaffirming their commitment as co-sponsors. While it does not resolve the acts of the past, it once again sends a clear message that this city, its leadership, and citizens are committed to continuing the journey of reaching our creed. If ever we are going to reach the goals as a society we aspire too, then we must overcome the prejudice and acts of hatred and intolerance which continue to poison and eroded the foundation of what we were built upon.

Tonight, this Council will reaffirm its strength, reaffirm its commitment, reaffirm its stamina. We know this journey will continue to be long and hard. That it will continue to test us, make us reflect upon who we are as individuals and at times make us feel uncomfortable. However, we do not have a choice but to reach the finish line of equality for all.

As the late Martin Luther King Jr, so eloquently stated;

“We must learn to live together as brothers, or perish together as fools”

Congratulations to the Somersworth Police Department for organizing the recent National Night Out. The event was once again a huge success, celebrating the partnership between the first responders and all members of our community. The strength in community is working together to keep all citizens safe. By continuing to foster these positive relationships we will keep Somersworth “On the Move”, and a place where all can be honored and celebrated.

Promises made, promises kept. Congratulations to all members of this and past Council over the last decade along with members of the Somersworth Fire Department for the official ribbon cutting of our new 21st century Fire Station. Ten years ago, during my 1st mayoral address, I outlined how this city would hold to its commitment to ensure that our First Responders would receive 21st century pay and equipment to carry out their missions to protect us all. How we would follow the lead of the students carrying the banner through the streets of the 2013 Christmas parade which read “We Believe in Somersworth”. Ten years later we have delivered on that promise by supporting competitive salaries, contracts, equipment and today, officially dedicating our new fire station.

Today's dedication was not just about sticking to our promise, it was about reaffirming our commitment to our community, to ourselves. It was once again about stating that “We Believe in Somersworth”.

Congratulations Somersworth, for today we once again have celebrated how your history is proud and that your future will remain bright. Somersworth, you are truly “On the Move!”.

Nominations, Appointments and Elections:

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the follow is being brought forward this evening and placed in nomination;

- A. Michelle Mears, Director of Planning and Community Development for re-appointment as the representative to the Strafford MPO Technical Advisory Committee with a term to expire June 2025
- B. Michael Bobinsky, Director of Public Works and Utilities for re-appointment as the alternate representative to the Strafford MPO Technical Advisory Committee with a term to expire June 2025
- C. Amy LaBelle for re-appointment as the Ward 3 Supervisor of the Checklist with a term to expire June 2028

In accordance with Council Rule 17, the nominations will remain open until the next regular scheduled meeting.

This respectfully concludes my August 7th, 2023 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham reported that the Finance Committee met on July 27th and discussed the lease/purchase agreement of two marked police cruisers, one unmarked police vehicle, one fire command vehicle, and one front-end loader with plow equipment. He noted that the Finance Committee supports moving forward with a 5-year lease for the three police vehicles and a 7-year lease for the fire command vehicle and the front-end loader. Councilor Witham reported that with a \$20,000 down payment, the remaining principal balance is \$500,000 which is to be financed. He stated that the cost of the vehicles and equipment have been budgeted for fiscal year 2024 and respectfully asks that the Council move forward the Resolutions that allow the purchase of said vehicles and equipment.

Councilor Witham stated that the Committee discussed the Noble Pines water tank which is destined to be replaced. The roof replacement had been budgeted by the City, however, that cost came in by more than twice the \$150,000 that was originally budgeted. He stated that the roof replacement is a temporary repair that is expected to lengthen the life of the tank for approximately 5-7 years.

Councilor Witham reported that the Committee does not support the roof repair, but that they do support working with Wright-Pierce to determine a new estimate for a complete replacement of the storage tank which is expected to cost upwards of \$6,250,000. He added that staff is also going to work with Wright-Pierce to determine the possibility of temporary repairs to the tank at a more reasonable level of cost as a stop-gap measure and what those repairs would cost.

Councilor Witham reported on the Route 108 sewer main extension concept discussed by the Committee. He stated that there are large parcels of land along the area of the possible extension that would benefit from it as well as the possibility of bringing in more development. Councilor Witham noted that if the City does not act while the State is working on their Complete Streets project, there will be a moratorium in place that does not allow construction of the road way for a number of years following the completion of the States project. He noted that City staff are working to look into and provide numbers of a possible Betterment District. Councilor Witham reported on the Police Department’s Taser Lease, he noted that the cost of the lease came in \$3,000 more than what was originally budgeted. He also reported that the Committee discussed the bridge along the walking trails of Willand Pond and the potential of replacing the bridge with aluminum material. He added that the City received a quote of \$57,000 but are also seeking other quotes and the possibility of utilizing conservation funds if approved by the Conservation Commission.

Economic Development Committee – Councilor Austin stated that Resolution 54-23 regarding the sale of the former National Guard Readiness Center was rereferred back to the Economic Development Committee during the last City Council meeting, and Chinburg Builders has since withdrawn their proposal to purchase the land for development. Councilor Austin recommends that the City Council vote to deny Resolution 54-23.

Public Safety Committee – Councilor Pepin reported that the Public Safety Committee met on July 27th and discussed the purchase of the police vehicles and the fire command vehicle. He noted that the 2023 SUV style units have suspended production and that there has been a delay in the manufacturing of 2024 models. He explained that the vehicles are currently available at local dealership and is the reason there is a request to waive the rules and proceed with a second reading of each of the Resolutions that pertain to the purchase of said vehicles. Councilor Pepin stated that the Committee also discussed the Police Department Taser Lease and added that the cost also included replacement cartridges and training. He stated that the police body cameras are expected to be in use within the next couple of weeks, he added that the manufacturer of the cameras had to replace the magnets to add more strength. Councilor Pepin reported that the replacement radio consoles have been ordered for the Police Department and are pending delivery, and the new Wellness Uniforms have been received and deployed. The Committee received a staffing update for Chief McLin as well as the update that Sargent Lefebvre has left the Department to work with the Fire Marshal's Office.

Councilor Pepin reported that the Fire Department has identified a Tahoe fire command vehicle from the NH State bid list and will assign the current fire command vehicle for the new Deputy Fire Chief once the position has been filled. The Committee received an update of the new Fire Station which is mostly completed with the exception of some landscaping and handicap parking still needing to be completed, he noted that the delays have been caused by the weather and increase in rain.

Councilor Vincent requested point of order, and asked if Chief McLin could show the Wellness Uniform to the public. Chief McLin stood up to show his lightweight and durable uniform, he stated that the uniform is dual purpose and that he was wearing the administrative uniform.

Public Works & Environment Committee – Councilor Witham reported that the Committee discussed of the purchase of a 2024 John Deere front-end loader for the Public Works Department, he added that the current front-end loader will be used as a trade in to lessen the costs of the new one. He reported on the replacement of the water storage tank and the Committee's endorsement to move forward with looking into the replacement of the tank and some temporary repairs at a lesser cost as a stop-gap measure. He mentioned the Route 108 sewer main extension concept and noted that the Committee also endorsed moving forward with getting the numbers of a possible Betterment District and looking to have the work done in coordination with the State.

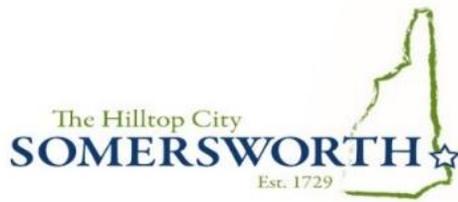
Councilor Witham reported on the Public Works Department memorandum which provided updates on the GMI Asphalt, Inc. nearing its completion, the TAP Grant, the Ash Street Butterfly Park and its partnership with Home Depot and lastly the Unitil gas line expansion to the Police Department building and Public Works facility.

Councilor Gibson asked if the gas line extension is only for the City's facilities. Councilor Witham confirmed that the extension is meant to line all of Blackwater Road and is accessible to all residents along that street.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Traffic Safety Committee – Councilor Vincent requested that a meeting of the Traffic Safety Committee be scheduled as he has a few items to bring forward for discussion including handicap parking at the Noble Pines Park and the COAST Bus stop on High Street at Barlett Ave.. City Manager Belmore confirmed that a meeting will be scheduled in September.

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, August 4, 2023
SUBJECT: City Manager's Report for Monday, August 7, 2023 City Council Meeting

Unfinished Business (under Section 15 of Agenda)

Resolutions

- A. Resolution No. 54-23: To Authorize the City Manager to Enter into a Purchase and Sales Agreement with Chinburg Builders to Sell the Former National Guard Readiness Center Located on Blackwater Road.** I was contacted by Chinburg Builders representative Paul Goodwin a few weeks ago to inform us that Chinburg Builders have decided not to proceed with their proposal for the Former National Guard Readiness Center. Attached is his email to me. Due to the withdrawal, Councilor Austin, EDC Chairman, did not call a meeting.
- A. Resolution No. 2-24: To Authorize the City Manager to Execute the Joint Powers Agreement of the Community Power Coalition of New Hampshire and to Form an Electric Aggregation Committee Known as The Somersworth Community Power Committee.** Again, the Finance Committee voted to support this Resolution to the full Council. A Coalition representative had met with the Finance Committee and we have asked him to attend this meeting, Mr. Henry Herndon, should Council have questions for him.
- B. Resolution No. 3-24: To Authorize the City Manager to Negotiate a Lease Extension with Hideout Golf, Inc. to Operate and Maintain an 18-Hole Public Golf Course Known as The Oaks Golf Course in Somersworth, New Hampshire.** Again, the Finance Committee and the Public Works & Environment Committee voted to support this Resolution to the full Council. Mr. Peter Harrity is planning to attend the meeting should Council have questions pertaining to the OAKS Proposal.

New Business (under Section 16 of Agenda)

Resolutions

- A. Resolution No. 4-24: Proclamation Reaffirming the City of Somersworth's Commitment for Inclusiveness and Diversity.** This Resolution is being introduced by Mayor Dana S. Hilliard with full City Council support/sponsorship.
- B. Resolution No. 5-24: To Authorize the City Manager to Order Two SUV Style Police Cruisers and One Unmarked Police Vehicle which will be Funded by a Lease/Purchase Agreement.** The Public Safety Committee and the Finance Committee met on July 27th and voted to support this Resolution to the full Council. Chief McLin has been in contact with Irwin Ford and they have some available 2023 Ford Explorer SUVs on the lot. Please note that production of 2024 Ford Explorers may be on hold for some time according to the dealership. Should Council approve the purchase this evening, the City should be able to secure (2) front line police cruisers. I respectfully request that Council consider waiving its' rules to provide a second reading and vote this evening.
- C. Resolution No. 6-24: To Authorize the City Manager to Order One Front-End Loader and Accessory Equipment for the Department of Public Works Which Will be Funded by a Lease/Purchase Agreement.** The Public Works & Environment Committee met on July 27th and voted to recommend approval to order this Front-End Loader. Please note: We will be trading in the old loader and receiving credit towards the purchase of the new loader. Please see attached Memorandum from Public Works Director Mike Bobinsky provided to the Committee at this meeting
- D. Resolution No. 7-24: To Authorize the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles and Equipment.** The Finance Committee met on July 27th and voted to recommend purchasing these City Vehicles and Equipment. Please see attached Memorandum from Finance Director Scott Smith with the Lease/Purchase cost breakdown. I respectfully request that Council consider waiving its' rules to provide a second reading and vote this evening should Council move on the Police Vehicle purchases this evening.
- E. Resolution No. 8-24: To Authorize the City Manager to Order One Fire Command Vehicle and Accessory Equipment Which Will be Funded by a Lease/Purchase Agreement.** The Public Safety Committee met on July 27th and voted to recommend the purchase of this Fire Chief Command vehicle. Although Council has supported our shift, a few years back, to standardize our vehicle fleet to Ford Vehicles, I would like your approval to accept the recommendation of Chief George Kramlinger and supported by Equipment Mechanic Roy Remick to pursue the purchase of another Chevy Tahoe. The Tahoe appears better suited for a Fire Chief Command Vehicle in lieu of a Ford Expedition in terms of durability and functionality, in addition it should come in at a lower cost. The plan is for the present Tahoe to be passed on to the new Deputy Chief, once hired.

Other

- A. **Vote to Confirm the City’s Authority to Sell the 5 Main Street Property, as Approved by the City Council on June 20, 2023 in Reference to Resolution 53-23, with the Clarification that by Doing so the City is Confirming the Release of the Property from the “23-Year Restriction” and from the Easement Reservation for the “Pocket Park.”** The purchaser’s Title Insurance Attorney has requested the City Council hold the Public Hearing and to take this vote. Additionally, he requested that the Somersworth Housing Authority weigh in on these former restrictions to ensure that these can be dismissed without challenge. Please see attached letter from Debbie Evans, Executive Director of Somersworth Housing Authority regarding SHA’s support to move forward with the sale without any past restrictions or easements staying in place.

City Manager’s Items (under section 12 of Agenda)

Informational Items

- A. **Fire Station Ribbon Cutting.** There will be a Fire Station Ribbon Cutting prior to Monday’s August 7th Council meeting. A tour of the new facility will be at 4:30 p.m. for those wanting to do so, and the Ribbon Cutting will be at 5:30 p.m. at the Fire Station Facility as well as the push-in Ceremony for Engine 5.
- B. **CIP Fiscal Year 2025-2030.** I will be starting the sixth (6) year Capital Improvement Program process with City Departments this month. This plan takes several months to complete and the CIP is then presented to the Planning Board for review and comment prior to submittal to the City Council by the December 15 City Charter deadline. Attached is a Memorandum sent to Department Heads and the School Superintendent.
- C. **City Attorney.** Attached is an email that I sent to Council on July 31 regarding Walter Mitchell’s retirement at the end of this September. I have also attached a copy of his letter to the City making his announcement. The other team of Attorneys with the Mitchell Municipal Group will continue to represent the City as they all have participated in the past with great success. I will continue to utilize this firm as our recognized City Attorney representative/s unless directed otherwise by Council.

Attachments

1. **Department Head Reports**
2. **City Attorney Certifications: Five (5)**

NOMINATIONS, APPOINTMENTS AND ELECTION

In accordance with Council Rules 17 Appointments, the following are being introduced for a Council confirmation vote:

- A. Michelle Mears, Director of Planning and Community Development for re-appointment as the representative to the Strafford MPO Technical Advisory Committee with a term to expire June 2025
- B. Michael Bobinsky, Director of Public Works and Utilities for re-appointment as the alternate representative to the Strafford MPO Technical Advisory Committee with a term to expire June 2025

Councilor Witham made a motion to waive Council Rules to allow for a Council confirmation vote of re-appointment to the Strafford MPO Technical Advisory Committee for Michelle Mears and Michael Bobinsky with terms to expire in June 2025. The motion was seconded by Councilor Camerson and passed 8-0 by voice vote.

Councilor Witham made a motion to re-appointment Michelle Mears as the representative to the Strafford MPO Technical Advisory Committee and Michael Bobinsky as the alternate representative to the Strafford MPO Technical Advisory Committee both terms that expire in June 2023. The motion was seconded by Councilor Cameron and passed 8-0 by voice vote.

- C. Amy LaBelle for re-appointment as the Ward 3 Supervisor of the Checklist with a term to expire June 2028

According to Council Rules 17, Appointments, the vote to re-appointment Amy LaBelle as the Ward 3 Supervisor of the Checklist with a term to expire June 2028 will remain in first reading until the call of the Chair.

LAY ON THE TABLE

There were no items under Lay on the Table.

OTHER

Mayor Hilliard requested that without objection from Council, he would like to advance the vote for Other A under New Business regarding the sale of the former Police Station as representatives were in attendance. There was no objection from Council.

- A. Vote to confirm the City's authority to sell the 5 Main Street property, as approved by the City Council on June 20, 2023 in reference to Resolution 53-23, with the clarification that by doing so the City is confirming the release of the property from the "23-year restriction" and from the easement reservation for the pocket park.

Councilor Witham commented that he fully supports the sale of the former Police Station and clarified that the City of Somersworth was not approached by a realtor looking to sell the site, but rather the City hired a realtor to sell the property. He added that the City applied for a number of grants in order to remove any contaminants on the site.

The vote to Vote to confirm the City's authority to sell the 5 Main Street property passed 8-0 by voice vote.

UNFINISHED BUSINESS

RESOLUTIONS

- A. **Resolution 54-23** – To Authorize the City Manager to Enter into a Purchase and Sales Agreement with Chinburg Builders to Sell the Former National Guard Readiness Center Located on Blackwater Road

Clerk LaPanne performed a reading of Resolution 54-23 by title only.

Councilor Austin made a motion to oppose Resolution 54-23. The motion was seconded by Councilor Gibson and passed 8-0 by roll call vote.

- B. **Resolution 2-24** – To Authorize the City Manager to Execute the Joint Powers Agreement of The Community Power Coalition of New Hampshire and to Form an Electric Aggregation Committee Known as The Somersworth Community Power Committee

Clerk LaPanne performed a second reading of Resolution 2-24 by title only.

Councilor Gerding made a motion to adopt Resolution 2-24 as submitted. The motion was seconded by Councilor Messier.

Discussion:

Councilor Gerding stated that he is in favor of the Resolution as it will benefit the City’s residents and he is excited that the City is moving towards renewable and green energy options.

The motion passed 8-0 by roll call vote.

- C. **Resolution 3-24** – To Authorize the City Manager to Negotiate a Lease Extension with Hideout Golf Inc. to Operate and Maintain an 18-hole Public Golf Course at The Oaks Golf Course in Somersworth, New Hampshire

Clerk LaPanne performed a second reading of Resolution 3-24 by title only.

Councilor Cameron made a motion to adopt Resolution 3-24 as submitted. The motion was seconded by Councilor Messier.

Discussion:

Councilor Witham asked if the lease would go before Council for a vote once it has been drafted. City Manager Belmore confirmed that the lease will be provided to Council and will require a vote authorizing him to sign on behalf of the City. Councilor Witham and Councilor Austin both stated that they are in favor of the lease extension and appreciates the partnership that the City has with the Oaks Golf Course management team.

The motion passed 7-0-1 by roll call vote. Councilor Gibson abstained from the vote.

NEW BUSINESS

Councilor Witham made a motion to waive Council Rules to allow for Resolutions 4-24, 5-24, 6-24, 7-24, and 8-24 a second reading following their first reading by Clerk LaPanne. The motion passed 8-0 by voice vote.

RESOLUTIONS

- A. **Resolution 4-24** – Proclamation Reaffirming the City of Somersworth’s Commitment for Inclusiveness and Diversity

Clerk LaPanne performed a first reading of Resolution 4-24.

Clerk LaPanne performed a second reading of Resolution 4-24.

Councilor Gerding made a motion to adopt Resolution 4-24 as submitted. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote. Councilor Gibson was excused from the vote, having momentarily left the Chambers.

- B. **Resolution 5-24** – To Authorize the City Manager to Order Two SUV Style Police Cruisers and One Unmarked Police Vehicle which will be Funded by a Lease/Purchase Agreement

Clerk LaPanne performed a first reading of Resolution 5-24.

Clerk LaPanne performed a second reading of Resolution 5-24 by title only.

Councilor Witham made a motion to amend Resolution 5-24 by striking the following:

WHEREAS, the Somersworth City Council would like to improve the fleet of police cruisers by continuing the replacement of traditional sedan style cruisers with a more modern SUV style of police cruisers; and

The motion to amend Resolution 5-24 passed 8-0 by voice vote.

Councilor Witham made a motion to adopt Resolution 5-24 as amended. The motion was seconded by Councilor Pepin and passed 8-0 by roll call vote.

- C. **Resolution 6-24** – To Authorize the City Manager to Order One Front-End Loader and Accessory Equipment for the Department of Public Works which will be Funded by a Lease/Purchase Agreement

Clerk LaPanne performed a first reading of Resolution 6-24.

Clerk LaPanne performed a second reading of Resolution 6-24 by title only.

Councilor Austin made a motion to adopt Resolution 6-24 as submitted. The motion was seconded by Councilor Pepin and passed 8-0 by roll call vote.

- D. **Resolution 7-24** – To Authorize the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles and Equipment

Clerk LaPanne performed a first reading of Resolution 7-24.

Clerk LaPanne performed a second reading of Resolution 7-24 by title only.

Councilor Witham made a motion to adopt Resolution 7-24 as submitted. The motion was seconded by Councilor Pepin and passed 8-0 by roll call vote.

- E. **Resolution 8-24** – To Authorize the City Manager to Order One Fire Command Vehicle and Accessory Equipment which will be Funded by a Lease/Purchase Agreement

Clerk LaPanne performed a first reading of Resolution 8-24.

Clerk LaPanne performed a second reading of Resolution 8-24 by title only.

Councilor Witham made a motion to adopt Resolution 8-24 as submitted. The motion was seconded by Councilor Pepin and passed 8-0 by roll call vote.

OTHER

- B. Vote to confirm the City's authority to sell the 5 Main Street property, as approved by the City Council on June 20, 2023 in reference to Resolution 53-23, with the clarification that by doing so the City is confirming the release of the property from the "23-year restriction" and from the easement reservation for the pocket park.

The vote to confirm the City's authority to sell the 5 Main Street property was advanced earlier in the meeting and followed the agenda item: Lay on the Table.

COMMENTS BY VISITORS

There were no closing comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin commented that he doesn't understand how people talk and react in such way as what took place against William and Loren Poole. He stated that the City and the Council are supportive and accepting of all individuals regardless of their race, religion, sexual orientation, gender, etc. Councilor Pepin stated that the City is lucky to have such a willing Police Department staff that acts on the needs of the Community. He is in favor of a community watch and stated that it is up to City residents to report issues. He added that he feels that the Council works hard to welcome all into the City and hopes that the incident does not prevent people from wanting to stay.

Councilor Vincent commented that he agrees with Councilor Pepin's comments.

Councilor Austin commented that the topic of the incident that occurred is not going away anytime soon. He stated that from policy perspective as a Council member, the Council will continue to welcome all citizens to the City no matter their religion, race, or who they love. He stated that he will work to continue to reinforce a Community that welcome all individuals.

Councilor Witham commented on the Civil Rights Act that passed in 1964 which prohibits discrimination on the basis of race, color, religion, sex and national origin. He added that since then, there have been a number of amendments including sexual orientation. Councilor Witham stated that equality is an issue that has been ongoing throughout the Nation, and the event that took place pertaining to William and Loren Poole, has brought the issue front in center for the City of Somersworth and its surrounding Communities. He commented that he does not understand the level of hate that causes people to act out in violence towards another person and cannot wrap his head around it. Councilor Witham stated that adopting Resolution 4-24 is a start and that it shows support and sends a message that the City will not tolerate hate, but he believes that more can be done.

Councilor Gerding thanked the Mayor Hilliard for bringing forth Resolution 4-24 and he also thanked each Council member for being sponsors and supporting the Resolution as well. Councilor Gerding commented that he is proud of the Somersworth Police Department's emphasis on Community policing and hopes that it will increase the Community's awareness.

Councilor Cameron commented on Mr. Brooks comments regarding the Historic District Commission, she stated that the Commission's members are nominated by the City Council members and the Commission was put in place to protect the best interest of the City's Historic District. She added that the Commission guidelines may need to be reviewed that allow the Commission to continue making invested interests in the City as a whole. Councilor Cameron stated that she is anxiously awaiting the repair or replacement of the bridge along the Willand Pond trails and is in favor of an aluminum bridge for longevity. She commented on the success of the National Night Out in Somersworth and thanked the Police Department for their involvement. Councilor Cameron stated that the new Somersworth Fire Station is state of the art and she was honored to witness Mayor Hilliard relinquish the official ribbon (old fire hose) cutting to Councilor Martin Pepin and she added that Councilors in attendance had the opportunity to push in Fire Engine-5 during the ceremony. Councilor Cameron stated that she stands with William and Loren Poole and hopes that they come back to the City with resolution of the incident.

Councilor Messier stated that he agrees with what many of the comments made by Councilors regarding the incident against William and Loren Poole. He commented on National Night out and gave thanks to the Police Department as well as the many volunteers and vendors that contributed to the event. Councilor Messier noted that election filing is in September and concluded with his request for the upcoming Capital Improvement Plan to include painting of the Forest Glade Cemetery fence and the building behind the new Somersworth Fire Station.

ADJOURNMENT

Councilor Austin made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Gibson and passed 8-0 by voice vote. The meeting adjourned at 8:38 p.m.

Respectfully Submitted,

Kristen LaPanne, City Clerk

	City of Somersworth – Resolution
	Resolution No: 54-23 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALES AGREEMENT WITH CHINBURG BUILDERS TO SELL THE FORMER NATIONAL GUARD READINESS CENTER LOCATED ON BLACKWATER ROAD

June 20, 2023

WHEREAS, the City Council voted on January 30, 2023 to issue a Request for Proposals (RFP) for the acquisition and redevelopment of the former National Guard Readiness Center located on Blackwater Road; and

WHEREAS, the City Council adopted Resolution 30-23 on February 21, 2023 to provide guidance to qualified developers in submitting proposals for reuse of the National Guard Readiness Center on Blackwater Road; and

WHEREAS, City Staff developed and issued an RFP utilizing the guidance provided in Resolution 30-23 requesting proposals to be submitted on May 26, 2023; and

WHEREAS, the City received one proposal from Chinburg Builders to purchase the property for \$200,000 (Two Hundred Thousand dollars), selecting Option B, whereby the existing baseball field and related infrastructure will remain in its current location; and

WHEREAS, the proposal also contains the following conditions that will require City support and/or action:

- To rezone the site to allow for the construction of four-story multifamily buildings with accessory commercial uses
- Tax relief under Chapter 31 – Community Revitalization Tax Relief Incentive
- City support in applying for demolition grant funds made available through InvestNH for housing projects; and

WHEREAS, the Economic Development Committee reviewed the offer received and supports entering into a purchase and sales agreement to sell the property to Chinburg Builders for \$200,000 (Two Hundred Thousand dollars) with the aforementioned conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a purchase and sales agreement with Chinburg Builders to sell the former National Guard Readiness Center on Blackwater Road for \$200,000 (Two Hundred Thousand dollars), and to take any other actions determined to be in the best interest of the City to sell this property.

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

City of Somersworth – Resolution 54-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:	7/10/2023	Removed From Table:	
Second Read:	7/10/2023 & 8/7/2023		

Discussion

6/20/2023

Deputy Clerk Ramsey performed a first reading of Resolution 54-23.

Councilor Gerding made a motion to suspend Council Rules to allow for a second reading of Resolution 54-23. The motion was seconded by Councilor Cameron.

Point of Order called by Councilor Vincent. Councilor Vincent inquired about discussion on suspending Council Rules.

Discussion:

Councilor Vincent feels that it would be good to wait so the public can come in and give their opinion. City Manager Belmore mentioned that he has requested a representative to come to the meeting to answer any questions that may arise.

Councilor Witham feels that this is different from the former Police Station property because of the rezoning and because this building is in a residential area. Councilor Witham stated that waiting will give the residents an opportunity to have input.

Councilor Gerding stated that he was unaware of Chinburg attending the next meeting and withdrew his motion. Councilor Cameron withdrew her second on the motion as well.

Resolution 54-23 will remain in first reading until the call of the Chair.

7/10/2023

Clerk LaPanne performed a second reading of Resolution 54-23.

Councilor Gerding made a motion to adopt Resolution 54-23 as presented. The motion was seconded by Councilor Austin.

Discussion:

Councilor Gerding apologized to the public for requesting a second reading of the Resolution at the previous Council meeting and is glad that it did not go through because he feels that it is important to hear from the residents of the City. Councilor Gerding stated that he has a number of questions for the developer and wished to suspend Council Rules to have them answered.

Councilor Gerding made a motion to suspend Council Rules and to allow the Chinburg Properties representative, Paul Goodwin, to answer Council questions. The motion was seconded by Councilor Gibson and passed 6-3. Councilors Vincent, Gibson and Messier opposed.

Councilor Gerding stated that the largest concern he has heard from the public is regarding an increase of traffic pertaining to the Chinburg Properties proposal. He asked Mr. Goodwin how many parking spaces the City can anticipate will be associated with the proposed development. Mr. Goodwin answered that the proposal is an estimate and feels that the 250-unit proposal is on the higher side, and he stated that he would expect 220 units to be more accurate. He added using the 1.3 parking ratio that has been required for similar projects, he would estimate between 250 and 270 parking spaces on the site. Mr. Goodwin noted that the proposal is in its preliminary stages and they have not yet engaged with a traffic consultant or conducted an impact study of the site. As a lifelong resident, Mr. Goodwin mentioned that he is familiar with the area and has some ideas of how some of the traffic can be mitigated for that area and hears the concerns of the residents.

Councilor Gerding inquired about the developer's willingness to negotiate additional expenses to cover improvements to things such as the traffic lights at Indigo Hill Road which is problematic now, and will only increase problems with this proposed development. Mr. Goodwin responded that with a project proposal of this size, he would anticipate conversation of such to occur but is unable to give specifics this early on. Mr. Goodwin stated that he is aware that the City has applied for a Grant to review and improve the traffic light signals on High Street and assumes the intersection at Indigo Hill Road would be part of that study and addressed then.

Councilor Gerding stated that he feels that there needs to be some sort of compromise to make the project amendable in order for it to move forward including off-site improvement studies.

Councilor Vincent requested point of order regarding Councilor Gerding's questions to Mr. Goodwin. Mayor Hilliard confirmed that Councilor Gerding's questions are within order and are not in breach of protocol.

Councilor Gerding clarified that his reasoning for asking questions is to perhaps offer an amendment to the Resolution that adds further restrictions that will benefit the residents that spoke tonight including off-site improvements and traffic studies.

Councilor Witham asked Mr. Goodwin that if this Resolution were to be approved tonight by Council, if the project approval would be contingent on rezoning of the property. Mr. Goodwin responded that Councilor Witham is correct as the current site zoning is for recreational purposes only. Councilor Witham added that the approval of a zoning change would also be contingent on Council approval and in order for this project to move forward, it would also require a site plan approval from the Planning Board. Mr. Goodwin agreed with Councilor Witham's statement. Councilor Witham went on to state that requirements of the Planning Board would include a site plan analysis, a traffic impact study, and an impact study to City Services. Councilor Witham reiterated that if the Council were to vote to authorize the City Manager to enter into a Purchase and Sale Agreement, the agreement would be contingent on a number activities that could address the concerns brought up about the development by residents.

There were no further questions for Mr. Goodwin.

Councilor Vincent asked if a zoning change recommendation would go through the Zoning Board of Adjustments and then to Council for final approval. City Manager Belmore does not believe a zoning change such as this would go to the Zoning Board unless there was a request for variance from the developer. Councilor Vincent questioned if a variance request would be needed to rezone. Manager

Belmore noted that there is a memorandum from the Planning Board that shared a number of ways that the Council may consider rezoning of the site or creating an overlay of the district.

Councilor Vincent stated that he is aware that the developer would have many preliminary costs for attorneys, studies and more, and he doesn't want to waste the applicant's time or money if the project is not going to be approved. He commented that the neighborhood is against the project as they shared during visitor comments as well as the emails received. He added that a project of this size with several stories and several apartments of added congestion, it isn't just about the traffic increase but also the view of a huge building within a residential area. Councilor Vincent expressed that he has compassion for those that have to walk out their front door and see the buildings every day and asked that the Council slow down on the approval of the Resolution.

Councilor Gibson seconded comments made by Councilor Vincent adding that the structure is massive and he does not support the project within what is predominately a single-family neighborhood. Councilor Gibson stated that he hates large parking lots and noted the potential requirement for a 1.3 parking spaces ratio, as well as the possibility of commercial space that would also require additional parking spaces. He agreed with many of the visitors' comments and expressed concern with the increase in traffic, and he stated that he doesn't like the way that the project is being presented.

Councilor Witham stated that he is unsure how he is going to vote and wants to hear from other members of the Council. He stated that he asked questions to Mr. Goodwin about the process because he heard a few comments made by visitors about due process and he wanted to reassure them that there would be due process pertaining to this project. Councilor Witham shared the history of how the former National Guard Readiness Center came to be the City's property. He stated that the State of New Hampshire determined that they no longer had a need for the National Guard and according to State law, whenever a Nation Guard Readiness Center discontinues its service, the property becomes that of the Community of which it is in. He shared that from the beginning, he had a number of concerns with the site including contaminates, the building itself and the disposition of the property. Councilor Witham stated that he approached the Mayor about establishing a committee that would aid in the process and research of potential the reuses of the property, hence the establishment of the National Guard Building Reuse Commission that Councilor Witham became Chair of. With the help of City staff obtaining grant funds, the Commission engaged the Strafford Regional Planning Commission (SRPC), who then hired a consultant to identify potential reuses of the former National Guard site. He noted that SRPC and the Consultant identified three uses for the site that included residential single-family homes with the possibility of a few townhomes, commercial space such as a brewery or restaurant, or a Community Center where the City would retain ownership. Councilor Witham reported that SRPC provided a rough cost estimate for each recommendation with the residential option being the most financially feasible for the City, and the Community Center being the least financially feasible. He explained some of the reasoning for the Community Center being the least financially feasible which included an estimate of \$1-3 million to rehabilitate the facility, and additional annual operating and staff expenses that would be required of the City. The National Guard Building Reuse Commission also reviewed the options from a zoning perspective, he noted that currently the National Guard site is zoned recreational and therefore, a Community Center would not require rezoning. Councilor Witham went on to state that if the site were to be rezoned, they thought perhaps the easiest rezoning would be to rezone the site as residential since that is what abuts the area. Councilor Witham felt that the three reuse ideas recommended were "put on a shelf" and the Council decided to proceed with a Request for Qualifications (RFQ) to see what other opportunities were out there. Chinburg Properties was the only developer that responded to the City's RFQ.

Councilor Witham shared his personal history with the Little League Baseball Field over the past 33 years and stated that he had concerns with putting out the RFQ over fear of losing the ballfield. Because of his fear, he requested to have language added to the RFQ that required the developer to either leave the ballfield as is and the City would retain ownership of it, or the developer would pay to have the ballfield moved to another part of the City. He is happy to report that the Chinburg Properties proposal leaves the ballfield in its current location.

Councilor Witham believes that traffic studies work and would need to be conducted in order to see what could be done to control any influxes. He noted the CMAQ Grant that the City received for upgrades from Blackwater Road to High Street and up to the Dover City line. He commented that all of the lights are in poor condition with sensors not working and left on timers that frustrate drivers. He added that the project is expensive and that he supported the project because he hopes it will help better the flow of traffic.

Councilor Witham stated that a four-story structure will have impacts. He commented that he was in support of the single-family residential option for the former National Guard site because he believes it fits best within that neighborhood. He commented that he loves the idea of a Community Center but he has concerns of how the City can afford it and worries that there may not be enough utilization for the investment and cautions the unknown.

Councilor Vincent thanked Councilor Witham for sharing how the City and the Council got to where they are today regarding the former National Guard site. He commented that with a Community Center, there is an opportunity to bring in revenue from activities offered to the public to offset operating. Councilor Vincent also stated that if the vote was to approve a Community Center, the project does not need to be completed within one year and shared the Dover Ice Arena as an example which was completed in phases over time. Councilor Vincent spoke to the amount of time and money that Chinburg could spend on the project during the design and proposal stage and would hate to see that wasted if the project were to be killed in the future.

Mayor Hilliard noted that the City has an ice-skating rink that is owned by the Lion's Club which is successful and heavily used.

Councilor Gerding stated that he does his best to make decisions based on what is best for both the residents and the Community which he commented that he cares very much about. He stated that he doesn't appreciate words being put in his mouth and wanted to share some of his reasoning of his decision and to give some light into his thoughts after listening to the debate of the Council and hearing from the public regarding the former National Guard site. Councilor Gerding commented that he feels that he is still in favor of the project and feels that the City and the State are still in need of housing. He stated that the Downtown area businesses continue to look for more people to shop their stores or dine at their restaurants, and he feels that the project could benefit the Community as a whole and increase the City's economic vitality. Councilor Gerding stated that the project is larger than he would like for it to be, and that while he was on the National Guard Building Reuse Commission, he favored the single-family residential option. He feels that if the Resolution were to be approved by the Council, the number of processes, studies and Boards that the project would need to go through, could lead to a proposal that is the best fit for the Community. Councilor Gerding listed processes that require going through the Planning Board and Zoning Board of Adjustments and added that he trusts those Boards to make the right decision that is in the best interest of the Community. He stated that he hopes that if the project were to be approved, the residents that spoke during public comments would continue to advocate for themselves and go to the Planning Board because it is important that they hear their valid concerns as well.

Councilor Gerding stated that with the various projects identified by the SRPC, a Community Center was estimated to cost around \$3,000,000 about 1-2 years ago and assumes costs may be higher due to inflation. He noted that the cost of construction, operating costs and staffing expenses will highly impact the City's tax rate by his estimate of between \$0.50 to a \$1.00 per year and has a hard time justifying that increase when they are unable to determine the utilization of the facility. He assured the public, that as a teacher, he wants a Community Center especially for his students but as a Councilor, his obligation is to be mindful of the tax rate and how that affects the residents. Councilor Gerding commented that the current proposal will generate tax revenue for the City once any tax relief expired and could then decrease the tax rate. Councilor Gerding heard from the public that traffic is a huge concern, he commented that he would be willing to add language to the Resolution that ensures that the developer incur any costs associated with traffic and feasibility studies and not have a cost impact to the City.

Councilor Pepin thanked the visitors for sharing their comments about the proposed project. He stated that initially he was in favor of the proposal, but his mind was changed after hearing the public's concerns. Councilor Pepin did comment that, as a Councilor, he has become frustrated with projects that seem to keep getting defeated by groups or Committees and he is starting to feel that there is no growth for Somersworth economically. He added that he is hurt by comments that allege that the Council doesn't take an active interest in things that will benefit the City, and that as Councilor Witham explained, a lot of time and effort went into how the Council got to where they are today with the former National Guard site. Councilor Pepin stated that he is not in favor of the Resolution as he feels that the project is too big for the site and would like to see single-family residential but he also doesn't want to see the property sit for years with no development. Councilor Pepin expressed concern about any developer that takes the property because of the fact that contaminated soil is so costly to properly remove and dispose of. He stated he was in favor of the project initially because he is tired of projects not coming through to completion, and he has concerns that developers will shy away from development within the City of Somersworth after all of the defeated projects that could benefit the Community.

Councilor Gibson commented "build it and they will come" is what he feels is being inferred by some of his fellow Councilors. He stated that we are not able to guarantee that residents who move into the City will indeed shop Downtown, and he added that the Downtown area is restricted in its size and is limited in its ability to try and draw new business in. Councilor Gibson agrees that the project is too big and mentioned the recent Library expansion presentation that was presented to the Council and that he expects will happen sooner than later. He added that the solar array could be easily screened with nature as opposed to the development of a 4-story apartment building.

Councilor Cameron commented that she is, like Councilor Witham, passionate about the Little League Baseball Field after having spent a number of days working on the field and is glad that the ballfield would remain as is. She shared that she is interested in the Chinburg Properties proposal because she knows what the developer is capable of but also understands the concerns brought forward by the public. She mentioned the concern of traffic and she feels that the project is too big, she wonders if downsizing the project would be a feasible option. Councilor Cameron is not as concerned with the impact to the school system. She acknowledged that if the Resolution were to be approved, there are many more steps that the project must go through and perhaps Chinburg could come back with a smaller version of the proposed development.

Councilor Austin commented that the project will go through a vetting process that determines if the proposed project would move forward or not. He does have concern that the project is too big and that there is no real idea of how the project will look or any of the details, but suspects that the project will not be as big as it initially sounds. Councilor Austin shared further concern that if the

Resolution is not passed, the former National Guard site will sit vacant for many years and that he has a problem with. He added that he does feel as through the Council has an obligation to investigate all potential opportunities that could benefit the City and would be in favor of supporting the Resolution in order to see what comes forward, and to allow it to go through the process to determine the potential benefits to the City.

Councilor Michaud thanked the Community members for coming to speak and stated that he initially favored the Chinburg Properties proposal because he feels that the City needs more housing and people. He commented that he understands all of the concerns mentioned by the Community members and he referenced former Councilor, Martin Dumont, and shared that he had visited Mr. Dumont's home which was within the neighborhood of the former National Guard site. Councilor Michaud noted that he felt that the neighborhood was very nice and can understand the possibility of a large apartment development coming in and impacting the traffic and safety along their neighborhood. He stated that he is on the fence with his vote, but that he is willing to see the process go through the City's Boards because he doesn't want to see the property sitting vacant.

Councilor Witham commented that the former Police Department on Main Street became more appealing to developers and sold after the City received a number of grants that assisted with the cleanup of contaminates to the site. He stated that the former National Guard property has some contaminate concerns but perhaps is a little cleaner than was originally thought to be. Councilor Witham spoke about the proposal to build the Idlehurst School and noted that there was a number of members from the Community that lined the Council Chambers to express their concern about traffic impacts, and while he believes there has been an increase to the traffic due to the project, he doesn't feel that the impact was as strong as was being articulated by public concerns. He also spoke about the Sunningdale development which had concerns about the potential impact to the school system that have not yet been realized. Councilor Witham commented on the fact that any project that comes before the City is bound to have neighboring communities coming into the Chambers to express their concerns of traffic or other impacts, and he stated that he is understanding of that and would do the same if it were his neighborhood dealing with the impact. Councilor Witham commented that he would like more projects to come to the City that bring children in, he noted that the school's enrollment numbers are low and that the Class of 2023 had approximately 80 graduates, whereas years ago, that number was well over 100. He added that school programs and other opportunities are suffering due to the low student enrollment numbers. Councilor Witham stated that the project does seem too big and still favors residential in that area and feels that the issue requires more discussion with the developer and recommends referring back to the Economic Development Committee for further review and discussion.

Councilor Witham made a motion to refer Resolution 54-23 back to the Economic Development Committee. The motion was seconded by Councilor Gibson.

Discussion:

Councilor Vincent stated that he is in favor of referring the Resolution back to the Economic Development Committee

Councilor Witham stated that he feels by referring the Resolution back to the Committee, it will allow for the discussion of whether or not the project is feasible for the developer to scale back on the proposed development and if there is a way be more amendable to the Community.

The motion passed 8-1 by roll call vote. Councilor Messier opposed.

8/7/2023

Clerk LaPanne performed a reading of Resolution 54-23 by title only.

Councilor Austin made a motion to oppose Resolution 54-23. The motion was seconded by Councilor Gibson 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	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
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 8/7/2023		Resolution 54-23	
		PASSED	FAILED

	City of Somersworth – Resolution
	<p>Resolution No: 2-24</p> <p>TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE JOINT POWERS AGREEMENT OF THE COMMUNITY POWER COALITION OF NEW HAMPSHIRE AND TO FORM AN ELECTRIC AGGREGATION COMMITTEE KNOWN AS THE SOMERSWORTH COMMUNITY POWER COMMITTEE</p>

July 10, 2023

WHEREAS, the Community Power Coalition of New Hampshire (CPCNH) was created as a separate entity in accordance with New Hampshire RSA 53-A in order to jointly support the implementation and operation of Community Power Aggregations and related energy programs and to offer membership on the same mutually-advantageous terms to all municipalities and counties throughout the State of New Hampshire; and

WHEREAS, the CPCNH has currently grown to approximately 33 member Cities and Towns throughout the State of New Hampshire; and

WHEREAS, the City of Somersworth would like to join the CPCNH in order to provide the residents and businesses of the City the opportunity to access a competitive electric power supplier utilizing the benefits of community power aggregation; and

WHEREAS, an electric aggregation committee, named the Somersworth Community Power Committee, is required to be created in order to implement a community power aggregation plan for the City of Somersworth; and

WHEREAS, the City shall establish the Somersworth Community Power Committee consisting of Five (5) members, said membership established as follows:

- Two (2) City Councilors appointed by the Mayor
- One (1) Planning Board member appointed by the Planning Board Chair
- One (1) Somersworth Business Owner appointed by the Mayor
- One (1) Somersworth Resident appointed by the Mayor,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute the Joint Powers Agreement of the Community Power Coalition of New Hampshire and to take any other actions necessary to become party to the Community Power Coalition of New Hampshire, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an electric aggregation committee, named the Somersworth Community Power Committee, shall be established.

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

City of Somersworth – Resolution 2-24

History			
First Read Date:	7/10/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

7/10/2023

Councilor Gerding requested to be added as a sponsor to Resolution 2-24.

Councilor Gibson made a motion to suspend Council Rules to allow for a second reading of Resolution 2-24. The motion was seconded by Councilor Messier and failed 4-5 by roll call vote. Councilors Pepin, Austin, Michaud, Witham, and Cameron opposed.

Resolution 2-24 will remain in first reading until the call of the Chair.

8/7/2023

Clerk LaPanne performed a second reading of Resolution 2-24 by title only.

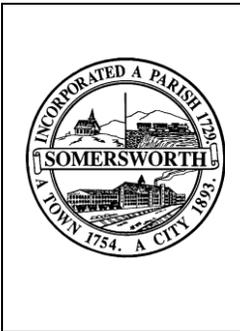
Councilor Gerding made a motion to adopt Resolution 2-24 as submitted. The motion was seconded by Councilor Messier.

Discussion:

Councilor Gerding stated that he is in favor of the Resolution as it will benefit the City’s residents and he is excited that the City is moving towards renewable and green energy options.

The motion passed 8-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
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 8/7/2023		Resolution 2-24	PASSED
			FAILED



City of Somersworth – Resolution

Resolution No: **3-24**

TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A LEASE EXTENSION WITH HIDEOUT GOLF, INC. TO OPERATE AND MAINTAIN AN 18-HOLE PUBLIC GOLF COURSE KNOWN AS THE OAKS GOLF COURSE IN SOMERSWORTH, NEW HAMPSHIRE

July 10, 2023

WHEREAS, the City of Somersworth and Hideout Golf, Inc. entered into a 38-year lease agreement on September 26, 2002, for Hideout Golf, Inc. to construct, operate, and maintain an 18-hole public golf course, known as The Oaks, on City owned property; and

WHEREAS, Hideout Golf, Inc. has approached the City with a proposal to make a number of capital improvements to the property to include new irrigation construction, bunker and cart path construction, and redesign of several holes; and

WHEREAS, to realize the full value and benefits of these capital improvements Hideout Golf, Inc. is proposing to extend the lease term and make any other lease amendments, that may be in order, to benefit both parties; and

WHEREAS, the proposal was presented to the Public Works and Environment Committee and they support the consideration of extending the lease agreement; and

WHEREAS, the proposal was presented to the Finance Committee and they support the consideration of extending the lease agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate a lease extension with Hideout Golf, Inc. for the operation and maintenance of an 18-hole golf course on City owned property, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the negotiated lease extension shall be presented to the Somersworth City Council for review and final approval.

Authorization

<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Donald Austin Martin Pepin Richard Michaud Robert Gibson Kenneth S. Vincent	<i>Approved:</i> City Attorney
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City of Somersworth – Resolution 3-24

History			
First Read Date:	7/10/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

7/10/2023

Councilor Witham made a motion to suspend Council Rules and allow Resolution 3-24 be read by title only. The motion was seconded by Councilor Vincent and passed 8-1 by voice vote. Councilor Gerding opposed.

Clerk LaPanne performed a first reading of Resolution 3-24 by title only. Resolution 3-24 will remain in first reading until the call of the Chair.

8/7/2023

Clerk LaPanne performed a second reading of Resolution 3-24 by title only.

Councilor Cameron made a motion to adopt Resolution 3-24 as submitted. The motion was seconded by Councilor Messier.

Discussion:

Councilor Witham asked if the lease would go before Council for a vote once it has been drafted. City Manager Belmore confirmed that the lease will be provided to Council and will require a vote authorizing him to sign on behalf of the City. Councilor Witham and Councilor Austin both stated that they are in favor of the lease extension and appreciates the partnership that the City has with the Oaks Golf Course management team.

The motion passed 7-0-1 by roll call vote. Councilor Gibson abstained from the vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	

Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	Abstained	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		7	0
On 8/7/2023	Resolution 3-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **4-24**

PROCLAMATION REAFFIRMING THE CITY OF SOMERSWORTH’S COMMITMENT FOR INCLUSIVENESS AND DIVERSITY

August 7, 2023

WHEREAS, the City of Somersworth is proud of its commitment to Community diversity; and human compassion for all to live in conditions of human dignity, respect and peace; and

WHEREAS, the Hilltop City is built upon the vast diversity of citizens from which it draws its strength and sense of Community; and

WHEREAS, the Hilltopper Spirit is vested in its essence of neighbor helping neighbor; and

WHEREAS, We, as a Community, reaffirm our commitment to celebrating all with our values of liberty and equality, while condemning all actions of hate, discrimination, and violence; and

WHEREAS, the City of Somersworth calls upon all Hilltoppers to commit themselves to join the fight for the elimination of all forms of discrimination and to ensure that everyone has the right to live in conditions of dignity, respect and peace;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council call upon all Hilltoppers to silence all hate and to embrace each other with respect and love, while celebrating the colors of our Community.

Authorization	
<p><i>Sponsored by:</i> Mayor Dana S. Hilliard</p> <p><i>Councilors:</i> Martin Pepin Kenneth S. Vincent Robert Gibson Don Austin Richard Michaud David A. Witham Matt Gerding Nancie Cameron Denis Messier</p>	<p><i>Approved:</i> City Attorney</p>

City of Somersworth – Resolution 4-24

History

First Read Date:	8/7/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

8/7/2023

Clerk LaPanne performed a first reading of Resolution 4-24.

Clerk LaPanne performed a second reading of Resolution 4-24.

Councilor Gerding made a motion to adopt Resolution 4-24 as submitted. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote. Councilor Gibson was excused from the vote, having momentarily left the Chambers.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	Excused	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	0

<p>On 8/7/2023</p> 	<p>City of Somersworth – Resolution</p> <p>Resolution No: 5-24</p> <p>TO AUTHORIZE THE CITY MANAGER TO ORDER TWO SUV STYLE POLICE CRUISERS AND ONE UNMARKED POLICE VEHICLE WHICH WILL BE FUNDED BY A LEASE/PURCHASE AGREEMENT</p>
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August 7, 2023

WHEREAS, the City of Somersworth’s Capital Improvement Plan proposes a replacement schedule for police cruisers and unmarked vehicles to maintain fleet integrity and reduce maintenance costs; and

WHEREAS, the City of Somersworth’s adopted fiscal year 2024 Budget provides funding for two SUV style police cruisers and one unmarked police vehicle through a lease/purchase agreement; and

WHEREAS, the Somersworth City Council would like to improve the fleet of police cruisers by continuing the replacement of traditional sedan style cruisers with a more modern SUV style of police cruiser; and

WHEREAS, the Somersworth City Council would like to improve the fleet of police undercover vehicles and replace them with a newer more reliable fleet of vehicles; and

WHEREAS, City staff has evaluated the advantage of the use of a standard vehicle manufacturer acquisition policy and recommends the use of the NH State bid list for vehicles as the most efficient method of procuring these new vehicles;

WHEREAS, the Public Safety Committee supports the ordering of this equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order two new SUV style police cruisers and one new unmarked police vehicle which will be funded through a lease/purchase agreement.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>Martin Pepin Robert Gibson Don Austin Richard Michaud David A. Witham Denis Messier</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Resolution 5-24

History

First Read Date:	8/7/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

8/7/2023

Clerk LaPanne performed a first reading of Resolution 5-24.

Clerk LaPanne performed a second reading of Resolution 5-24 by title only.

Councilor Witham made a motion to amend Resolution 5-24 by striking the following:

WHEREAS, the Somersworth City Council would like to improve the fleet of police cruisers by continuing the replacement of traditional sedan style cruisers with a more modern SUV style of police cruisers; and

The motion to amend Resolution 5-24 passed 8-0 by voice vote.

Councilor Witham made a motion to adopt Resolution 5-24 as amended. 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	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
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 8/7/2023	Resolution 5-24	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 6-24 TO AUTHORIZE THE CITY MANAGER TO ORDER ONE FRONT-END LOADER AND ACCESSORY EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS WHICH WILL BE FUNDED BY A LEASE/PURCHASE AGREEMENT

August 7, 2023

WHEREAS the City of Somersworth’s Capital Improvement Plan proposes a replacement schedule for public works equipment to maintain fleet integrity, standardize equipment and reduce maintenance costs; and

WHEREAS, the City of Somersworth’s adopted fiscal year 2024 Budget provides funding for a new loader with accessory equipment through a lease/purchase agreement; and

WHEREAS, City staff evaluated equipment from qualified vendors and recommends contracting with United Construction & Forestry of Pembroke, New Hampshire for the purchase of a John Deere 544 P loader with accessory equipment; and

WHEREAS, the Public Works and Environment Committee supports the ordering of this equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order one front-end loader with accessory equipment which is funded in the approved fiscal year 2024 City budget through a lease/purchase arrangement.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Martin Pepin Kenneth S. Vincent Robert Gibson Don Austin	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 6-24

History

First Read Date:	8/7/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

8/7/2023

Clerk LaPanne performed a first reading of Resolution 6-24.

Clerk LaPanne performed a second reading of Resolution 6-24 by title only.

Councilor Austin made a motion to adopt Resolution 6-24 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	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	
On 8/7/2023		Resolution 6-24	PASSED
			FAILED

	City of Somersworth – Resolution
	Resolution No: 7-24 TO AUTHORIZE THE CITY MANAGER TO SIGN A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF CITY VEHICLES AND EQUIPMENT

August 7, 2023

WHEREAS, the fiscal year 2024 adopted budget contains an appropriation for a down payment toward the purchase of the following City vehicles and equipment:

- Two (2) SUV style Police Cruisers
- One (1) Unmarked Police Vehicle
- One (1) Fire Command Vehicle
- One (1) Department of Public Works Front-end Loader; and

WHEREAS, City staff solicited quotes for financing this purchase through a lease/purchase agreement and recommends entering into an agreement with Tax Exempt Leasing Corp.; and

WHEREAS, the Finance Committee reviewed these quotes with City staff and supports the recommendation including the following lease terms;

- Utilize a 5 (five) year lease for the Police Cruisers and the Unmarked Police Vehicle
- Utilize a 7 (seven) year lease for the Fire Command Vehicle and the Department of Public Works Front-end Loader;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a lease/purchase agreement with Tax Exempt Leasing Corp., utilizing the lease terms recommended by the Finance Committee, for the acquisition of City vehicles and equipment.

Authorization	
<i>Sponsored by Councilors:</i> Martin Pepin Robert Gibson Don Austin David A. Witham	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 7-24

History

First Read Date:	8/7/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

8/7/2023

Clerk LaPanne performed a first reading of Resolution 7-24.

Clerk LaPanne performed a second reading of Resolution 7-24 by title only.

Councilor Witham made a motion to adopt Resolution 7-24 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	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	

	City of Somersworth – Resolution
	Resolution No: 8-24 TO AUTHORIZE THE CITY MANAGER TO ORDER ONE FIRE COMMAND VEHICLE AND ACCESSORY EQUIPMENT WHICH WILL BE FUNDED BY A LEASE/PURCHASE AGREEMENT

August 7, 2023

WHEREAS, the City of Somersworth’s Capital Improvement Plan proposes a replacement schedule for fire vehicles and equipment to maintain fleet integrity and reduce maintenance costs; and

WHEREAS, the City of Somersworth’s adopted fiscal year 2024 Budget provides funding for one fire command vehicle with accessory equipment through a lease/purchase agreement; and

WHEREAS, City staff has evaluated the advantage of the use of a standard vehicle manufacturer acquisition policy and recommends the use of the NH State bid list for vehicles as the most efficient method of procuring these new vehicles; and

WHEREAS, the Public Safety Committee supports the ordering of this vehicle and equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order one fire command vehicle and accessory equipment which will be funded through a lease/purchase agreement.

Authorization	
<i>Sponsored by Councilors:</i> Martin Pepin Denis Messier Richard Michaud Kenneth S. Vincent Robert Gibson Don Austin David A. Witham	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 8-24

History

First Read Date:	8/7/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	8/7/2023		

Discussion

8/7/2023

Clerk LaPanne performed a first reading of Resolution 8-24.

Clerk LaPanne performed a second reading of Resolution 8-24 by title only.

Councilor Witham made a motion to adopt Resolution 8-24 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	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	Excused	
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 8/7/2023		Resolution 8-24	PASSED
		FAILED	

