

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH  
January 17, 2017  
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, Soldati, Dumont, McCallion, Messier, Witham, Sprague, Cameron, and Paradis.

**MINUTES OF THE PREVIOUS MEETING.**

MINUTES of the Public Hearing on Ord. No 6-17, held on January 3, 2017  
*Councilor Pepin, seconded by Councilor Cameron, made a motion to accept the minutes. The motion passed; Councilor Soldati abstained.*

MINUTES of the Public Hearing on Ord. No 7-17, held on January 3, 2017  
*Councilor Pepin, seconded by Councilor Messier, made a motion to accept the minutes. The motion passed; Councilor Soldati abstained.*

MINUTES of the Public Hearing on Ord. No 8-17, held on January 3, 2017  
*Councilor Pepin, seconded by Councilor McCallion, made a motion to accept the minutes. The motion passed; Councilor Soldati abstained.*

MINUTES of the City Council Meeting, held on January 3, 2017  
*Councilor Pepin, seconded by Councilor Paradis, made a motion to accept the minutes. The motion passed; Councilor Soldati abstained.*

**COMMENTS BY VISITORS**

None.

**ANNOUNCEMENTS BY COUNCILORS**

None.

**COMMUNICATIONS**

**LETTER OF RESIGNATION FROM THE SUSTAINABILITY COMMITTEE FROM ANGELA FICCO**

*From: Angela Ficco-Orzechowcki  
Sent: Monday, December 12, 2016  
To: Dana S. Hilliard  
Subject: Sustainability Committee*

*Dear Mayor Hilliard,*

*I hope all is well. I would like to regretfully resign from my position on the Sustainability Committee effective today, 12/12/2016. I have joined the Farm-to-School Committee as the Maple Wood rep. With my professional responsibilities and committees, and other civic committees, it would be too much to remain on the Sustainability Committee. This was a difficult decision as I am very excited about and invested in the current and future goals and achievements of the Sustainability Committee.*

*Thank you for the opportunity to serve on this committee and I hope you have a fantastic day!*

*Regards,*

*Angela Ficco*

***Mayor Hilliard accepted Angela Ficco's resignation with regret.***

**LETTER OF RESIGNATION AS WARD 1 SCHOOL BOARD MEMBER FROM ROBERT G. GIBSON**

*Dana-*

*Please accept my resignation as Ward 4 Board Rep as of 01/13/2017.*

*Robert G. Gibson*

***Mayor Hilliard accepted Robert Gibson's resignation with regret. He reminded us that there are now School Board vacancies in both Ward 1 and Ward 4 and encouraged anyone interested to apply.***

**PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE**

**NATURAL RESOURCE ASSESSMENT PRESENTATION, PRESENTED BY CONSERVATION COMMISSION CHAIR, SCOTT ORZECOWSKI**

Conservation Commission Chair, Scott Orzechowski reported on the first Natural Resource Assessment undertaken by the City's Conservation Commission. He identified parts of the Somersworth Master Plans that fall in line with objectives. He outlined project objectives:

- Increase identification and understanding of the City's natural resources
- Develop information that can inform decisions about smart growth
- Identify resources that are potentially at risk
- Develop an educational resource for the City and the public
- Identify natural resources that interact as systems
- Synthesize categories of data to help model outcomes of policy decisions

- Provide a visual resource that can be used as a reference for collaboration among departments and committees
- Capture a snapshot of the city's natural resources for use as a baseline in tracking land use trends
- Work towards improving and protecting water quality in the Piscataqua Region watershed

He said that this “document is a powerful tool available to anyone in the city.” He spent some time explaining several maps and how, at a glance, various characteristics can be discerned, such as flood plains and watersheds, contiguous blocks of land, regional wildlife corridors, general habitat types, and that data can be overlaid to “reveal land with more than one kind of natural resource.” Mr. Orzechowski hopes this will be used to better form development plans.

Councilor Sprague asked about wetland setbacks. He believes that the setbacks are too strict and prohibit development.

## **MAYOR'S REPORT**

### **Mayors Report for City Council Meeting January 17<sup>th</sup>, 2017**

- We are once again about to begin our journey into the crafting and debate for the 2017-2018 budget. Like the budgets of the past, our community will continue to fall victim to the failures of the Federal and State government to meet their obligations and discontinue the practice of shifting burdens and responsibilities to local municipalities.

My yearly diatribe of how the unequal tax burden within this state continues to set Somersworth up for failure has had little impact on legislatures of the past. Nor am I under any misconception that my words this evening will lead Concord into an epiphany of creating a system of revenue sharing and progressive taxation. However, until our state restructures the system in which revenue is raised and applied, our Hilltop community will continue to suffer through each budgetary process. The finger must equally be pointed towards the direction of Washington. Where our elected national leaders, those entrusted with the welfare of this nation, take their oath in such a serious manner that for decades they continue to underfund the obligations they committed too. Those same leaders are then dumbfounded why in 2017 the faith in Washington is similar to the same faith we placed in the crown in 1776.

Again, I am under no illusion that my words from the Hilltop city will have an effect upon those making a professional salary, with lifetime benefits, to deliver on the Federal governments promises, thus relieving some of the burdens that Somersworth must continue to incur.

Now that the annual soul-cleansing has occurred, what can we as Council and School Board continue to do to improve upon our services, to keep Somersworth “On the Move”, while lessening the burden placed upon our tax payers. Any educated person, upon hearing such challenges, would take the noble route and flee! However, both bodies continue to hold membership of citizens who care, who love and want only the best for the home we call Somersworth. Taking a quote from the movie the Hunger Games “May the odds be ever in your favor”, how can we continue as a community, as a Council, and as citizens to create budgets and move our community forward when the odds are adverse? By continuing to fight like hell both with the state and federal government to meet their obligations and keeping at least our odds in our favor.

As the School Board, and soon this Council, begins the budget process, we must continue the practices of redefining and restructuring our school and municipal government. The days of simply saying “We can give no more” must be eradicated from the vocabulary, along with the not attempting to think or create new ways of delivering our services. The key to Somersworth success will continue to be installing and applying 21<sup>st</sup> government and educational practices. Meaning how we educate and govern today, will not be the same means that we should be doing both tomorrow. As a Council and School Board we must not only continue to seek ways of achieving this goal, but must call upon and encourage our professional staff to do the same. Our City Manager and Superintendent have continued with their progressive thoughts of examining ways in which co-operative services can continue to be shared between the city and school. As a community, we have benefited from their collaborative leadership and progressive thoughts. As a Council and School Board we must not fear restructuring and innovation, but welcome it as a means of how our community will not only survive, but ensure that our “Bright Future” will come to fruition.

This will be the 4<sup>th</sup> budget that I have guided over as Mayor. I will again call upon this body to conclude the process and deliver a budget which meets our obligations, continues to keep Somersworth “On the Move” and is affordable by the Memorial Day break. As in the past, I know we will demonstrate how we truly work together as a team, to seek and find solutions to the constrictions which have been placed upon us, while maintaining decorum and civility. We have among us 9 members (each) of the Council and School Board, all whose talent, insight, and compassion are the basis of our success. Combining our efforts, our numbers increase to 18 individuals: when boundaries are erased and communication is clear, Somersworth will succeed.

Somersworth continues to redefine itself, and in this Mayor’s opinion, model how municipal government is able service its citizen and create progressive communities, despite the neglect of the state and federal government. I have no doubt that as we begin this process, the Council and School Board will once again prove how Somersworth is becoming closer to reaching its Vision 20/20 goals of becoming one of the most desirable communities on the seacoast, while

honoring its “Proud Past” and “Bright Future.” I look forward to beginning the work of how as a team we will continue to keep Somersworth “On the Move!”

- The next Mayors Community forum will take place this Saturday January 21st from 9:00 – 10:30 at City Hall. Including in this forum will be Ward 4 Jon McCallion along with special guest Representative Paul Henle who will speak about this legislation creating a NH tax shift plan. The purpose of the forums is 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.

### Appointments

- Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the following is currently on the table and awaits a confirmation vote; **Chris Horton**, as a regular member of the Planning Board with a term to expire in January 2020 **I respectfully request that Council remove the nominee from the table and confirm the nomination.**

Also Under nominations, appointments and Elections; in accordance with **Council Rule 15** I am naming the following Mayoral appointments:

- **Jenne Holmes**, as a member of the Cultural Commission.  
**In accordance with Council rule 15 this nomination does not require Council approval.**

**This respectfully concludes my January 17<sup>th</sup>, 2017 Mayors Report**

### **REPORTS OF STANDING COMMITTEES**

#### PUBLIC WORKS & ENVIRONMENT

Councilor Sprague reported that the committee met on 01/05/2017 at 8:30 am. Representatives of both Eversource and FairPoint were present. Discussion items included:

- Dramatic tree cutting on the Armory property. Eversource agreed to replant trees on that site.
- Councilor Witham found many cases of double poles around the city where the old one was not removed when a new one was placed. Councilor Witham believes the FairPoint rep will look into this.
- Roadwork and the need for engineering were discussed at length.

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

#### Special Committees

School Board – Councilor Pepin said that this was a light agenda. It was School Board Robert Gibson’s last meeting. He expressed gratitude at how the School Board and the City Council worked together.

E911 – The Committee met on 01-13-2017 at the Somersworth PD. They discussed Reagan Estates, Colonial Village and Broad Street.

Vision 2020 – Councilor Paradis reported that the committee will meet on 01/19/2017 in the downstairs conference room at 5:30 pm.

Joint City Council and School Board – Councilor Dumont reported on the first meeting. They discussed the committee’s purpose which is to function like the Tri-City Coalition. The (working) relationship between boards is good. He announced that the next meeting will be on 02/21/2017 at 5:30 pm in the Executive Conference Room.

Sustainability – Councilor Soldati said that the committee will meet in February. They have a tree replacement policy in the works.

City Manager’s Report



**CITY OF SOMERSWORTH**  
*Office of the City Manager*

**TO:** Mayor Dana Hilliard and City Council Members

**FROM:** Robert M. Belmore, City Manager

**DATE:** Friday, January 13, 2017

**SUBJECT:** City Manager’s Report for Tuesday January 17, 2017  
City Council Agenda

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*Unfinished Business (under Section 13 of Agenda)*

**Resolution**

- A. **Resolution No. 25-17 Authorize the City Manager to Enter Into a Purchase and Sales Agreement with Chinburg Properties of Newmarket, NH for the**

**Sale and Re-Use of the Former Hilltop Elementary School Property at 17 Grand Street.** Again, the Economic Development Committee met on December 1<sup>st</sup> and voted to move forward with a recommendation to accept the proposal received from Chinburg for the Purchase & Development of the former Hilltop School property.

Staff and I reviewed the “*draft*” Purchase & Sales Agreement received from Mr. Eric Chinburg. I have sent it to City Attorney for further review along with our comments. I have included a copy of the “*draft*” document; however, I would note that it will most likely have several changes incorporated into it based on the initial review.

Here are several of the key components of the Purchase & Development Proposal & Conceptual Plan:

- Sale of the Property for \$1.00
- Up to 30 market-rate apartments
- Civic space within the School
- Public park space
- Preservation of the building’s historic features
- An RSA79-E agreement being approved
- A City initiated zoning change that would increase the present zoning overlay allowance of 20 apartments to 30 apartments

I also want to point out Mr. Chinburg has agreed to provide the City with an easement to continue to operate and maintain the public safety telecommunication’s equipment located on the rooftop of the building.

*New Business (under Section 14 of Agenda)*

**Resolution**

- A. Resolution No. 26-17 To Officially Name the Traffic Island at the Intersection of High Street and Government Way “Citizen’s Park”.**

*City Manager’s Items (under section 10 of Agenda)*

**A. Informational Items**

- 1. Transportation Alternatives Program (TAP) Grant.** I am pleased to report the City received notification from the NH Department of Transportation that our application to construct sidewalks on High Street, upgrade Pedestrian Crosswalks across High Street, construct Sidewalks on Memorial Drive and Cemetery Road and construct Multi-use Paths between the Elementary and Middle School has been approved by the Commissioner to use Transportation Alternatives Program (TAP) funds in the amount of \$789,200.00. The total cost of this project is \$986,500.00. The City of Somersworth will be responsible for a match in the amount of \$197,300.00.

I have attached a copy of the letter received from the NH DOT. Congratulations on another great team coordinated effort led by our Director of Planning & Community Development, and thank you to all, including the School Superintendent, Police Chief and the Public Works Director.

2. **Upcoming City Council Meetings & Workshops.** Mayor Hilliard has approved the following City Council meeting schedule.

*Special Meetings*

Monday, March 6

5:30pm: State of the City Address  
7:00pm: City Council Meeting

Monday, April 3

5:30pm: City Manager Presents his Proposed 2017/2018 Budget  
6:00pm: Public Hearing on 2017/2018 Budget  
7:00pm: City Council Meeting

*Council Workshops*

Saturday, March 11

8:30am: Goal Setting Session

Saturday, April 1

8:30am: Budget Workshop

**B. Attachments**

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

**NOMINATIONS, APPOINTMENTS AND ELECTIONS**

**LAY ON TABLE**

**CHRIS HORTON AS A MEMBER OF THE PLANNING BOARD, TERM TO EXPIRE JANUARY 2020. (TABLED ON 01/03/2017.)**

*Councilor Witham, seconded by Councilor Messier, made a motion to remove this nomination from the table. The motion passed on a voice vote. Councilor Witham, seconded by Councilor Cameron, made a motion to confirm the nomination, which passed.*

Councilor Soldati expressed frustration at not consistently receiving copies of nominees' application paperwork.

***Mayor Hilliard named Jenne Holmes to the Cultural Commission. The appointment did not require Council confirmation.***

### **UNFINISHED BUSINESS**

#### **Resolutions:**

**RESOLUTION NO. 25-17 AUTHORIZE THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALES AGREEMENT WITH CHINBERG PROPERTIES OF NEWMARKET, NH FOR THE SALE AND RE-USE OF THE FORMER HILLTOP ELEMENTARY SCHOOL PROPERTY AT 17 GRAND STREET.**

***Councilor Witham, seconded by Councilor McCallion, made a motion to adopt, saying, however, that there are still many details to work out.***

***Councilor McCallion made a motion to table which he almost immediately withdrew.***

Councilor Sprague agreed that they are not ready to vote on this; he wants to see a surety or performance bond and a time stipulation. He also wants the buyer to be prohibited from transferring the project to another builder. He thinks there should be something, some kind of community space, a stage, a skating rink, etc, on land below the school, at the developer's expense. Councilor Messier would agree to a reasonable time stipulation, but said that this project will take a while. Councilor Soldati thinks the builder should be able to sell the property after a reasonable length of time. Since this proposal, she has found out about a non-profit that works on buildings after being declared historical. Councilor Pepin feels that these discussions should already have taken place and should have been presented before (now). He is upset and feels that they need to get their act together. Councilor Dumont said that the study was intense and he appreciates Councilor Sprague's persistence. ...They are moving forward and he said that this part of the community will be better. He wholeheartedly supports. Councilor Sprague spoke about needing to reclassify in order to (take advantage of) 79E. Councilor Witham clarified that he has no problem with selling; he does not want development rights going to someone they don't know. Councilor Witham thinks the overall proposal is a solid one... Let's get this done, he said. Council members continued to discuss various types of community space: parks, ice rinks, dog parks, etc.

***Councilor McCallion, seconded by Councilor Witham, made a motion to table Resolution No. 25-17. The motion passed, 8-1. Sprague opposed.***

### **NEW BUSINESS**

#### **Resolutions**

RESOLUTION NO. 26-17 TO OFFICIALLY NAME THE TRAFFIC ISLAND AT THE INTERSECTION OF HIGH STREET AND GOVERNMENT WAY “CITIZEN’S PARK”

Somersworth, NH  
January 17<sup>th</sup>, 2017

WHEREAS, the traffic island at the intersection of High Street and Government Way contains a historical monument and the citizens flag pole and;

WHEREAS, the traffic island has become a focal point which celebrates and embraces Somersworth’s rich history and commitment to cultural diversity and;

WHEREAS, the City of Somersworth, through the work of the Cultural Commission, continues to highlight how the strength of our community is its diversity and;

WHEREAS, the traffic island at the intersection of High Street and Government Way bears no official name;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH NEW HAMPSHIRE THAT, the traffic island at the intersection of High Street and Government Way officially be named “Citizen’s Park” and that the area continue to celebrate and embrace all committed to cultural diversity and Somersworth’s “Proud Past” and “Bright Future”.

Sponsored by

Mayor Dana S. Hilliard  
Councilor Marty P. Dumont, Sr.  
Councilor Martin Pepin  
Councilor David A. Witham  
Councilor Denis Messier  
Councilor Nancie Cameron

Approved:  
City Attorney

*Mayor Hilliard referred Resolution No. 26-17 to the Recreation Committee.*

COMMENTS BY VISITORS

Bill Griffith, Grove Street, lives across from Hilltop School; he would rather see grass than a parking lot. He expressed concern that the proposed number of apartments, (30,) will overwhelm the neighborhood.

Renee Jerram, 288 Old Rochester Road, suggested a community garden space.

Richard Brooks, 18 Linden Street, said that they are stuck. There are no easy answers. 30 apartments, 45-60 parking spaces would be 9000 sq/ft just for that. Is there even room for green space? He is skeptical of 30 apartments.

### **CLOSING COMMENTS BY COUNCIL MEMBERS**

Councilor Pepin thanked Robert Gibson for years of service. He said that he reads everything he gets. Regarding the Hilltop project, he reiterated that it is important to be straight about what we want. How is the City Manager or Chinberg supposed to know what they want?

Councilor Soldati had a message for Congress: before repealing Obamacare, repeal the rights to your own before you take from poor people.

Councilor Dumont offered mega-kudos to the staff for the TAP Grant. Pennies from heaven,” he said. He said he likes the idea of a dog park, thinking they are healthy for people and communities. He wishes the Patriots well. He thanked Bob Gibson and has enjoyed working with him. He believes the state pension plan is archaic, punitive to the cities and is strangling all cities in the state. He appeals to the Tri-City Coalition to begin making noise: “Stop passing down obligations!”

Councilor McCallion thanked Mr. Gibson.

Councilor Messier said, “TAP Grant, thank you!” He would like to see a draft of the tree replacement. “Personal tree replacement, good luck with that,” he said. As far as the skating rink, volunteers get pretty drained and if the City did it would be very expensive.

Councilor Witham thanked Mr. Gibson, saying that they didn’t always agree but he was a gentleman. As far as the FairPoint poles, he found 27 without even trying. There has been no action for several years. H told staff (again) that we should tax those additional poles. He appreciates the staff’s work on the TAP Grant. Kudos!! He said it is time to tackle the road projects with poor PCI, he specifically mentioned Cemetery Road. He said no one is listening to us anyway with respect to the downshifting of costs. He said he has helped with an Eagle Scout dog park project and was proud to be part of it.

Councilor Sprague thanked Bob Gibson saying he worked tirelessly. He thinks maybe there should be an ordinance with respect to power-line trimming. As far as poles go, you need a license to get poles. Get a surety or performance bond. Ridiculous! He is sick and tired of it. He envisioned a Prescott Park-like area before the apartments, when he foresaw art studios. So much parking will reduce property values. He thinks we need to give something back to that area. He agrees with Bill Griffith.

Councilor Cameron echoed others about the TAP Grant. She thanked Chief Kretschmar about an issue with Broad Street. She appreciates that. She thanked Mr. Gibson for all his time. As a dog lover she thinks a dog park would be great.

Councilor Paradis said, “Ditto.” She asked staff to let her know what the square footage might be of civic/green space at Hilltop. She is in favor of a dog park and thinks it could help draw people into the community.

**FUTURE AGENDA ITEMS**

None.

**NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL)**

None.

**ADJOURNMENT**

*Councilor Paradis, seconded by Councilor Witham, made a motion to adjourn. The meeting adjourned at 8:51 pm.*

Respectfully submitted,

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Elise B. Brelis, Deputy City Clerk