

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
March 7, 2016
7:00 P.M.

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

MINUTES OF THE PREVIOUS MEETING.

MINUTES OF THE CITY COUNCIL WORKSHOP HELD ON FEBRUARY 16, 2016. *Councilor Soldati, seconded by Councilor Cameron, made a motion to accept. The motion passed.*

MINUTES OF THE PUBLIC HEARING ON ORDINANCE NO.12-16 HELD ON FEBRUARY 16, 2016. *Councilor Pepin, seconded by Councilor Cameron, made a motion to accept. The motion passed.*

MINUTES OF THE PUBLIC HEARING ON RESOLUTION NO.20-16 HELD ON FEBRUARY 16, 2016. *Councilor Soldati, seconded by Councilor Messier, made a motion to accept. The motion passed.*

MINUTES OF THE CITY COUNCIL MEETING HELD ON FEBRUARY 16, 2016. *Councilor Dumont, seconded by Councilor Pepin, made a motion to accept. The motion passed.*

COMMENTS BY VISITORS

Cathy Alberto, 279 High Street, wanted to thank Tim Metivier for his help during the remodel of her salon.

Without objection, Mayor Hilliard added a presentation by the Chair of the Sustainability Committee, Scott Orzechowski, under #7 of tonight's agenda.

ANNOUNCEMENTS BY COUNCILORS

Councilor Soldati reminded everyone that now is the time to call Public Works for a plot in the Community Garden or Adopt-a-Spot.

Councilor Witham added a reminder that we “spring ahead” this weekend and this is the time to check batteries of smoke and carbon monoxide detectors. He said it is the single most important thing we can do to protect our families.

COMMUNICATIONS

STEPHEN J. ARNOLD, SR., NH STATE DIRECTOR OF THE NEW ENGLAND POLICE BENEVOLENT ASSOCIATION.

A letter from Stephen J. Arnold, Sr. was read expressing opposition to the proposed Ordinance change allowing the City Manager sole authority to suspend employees, (*see Ordinance No. 13-16, Unfinished Business.*)

Without objection, the communication was placed in the permanent file.

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

Scott Orzechowski, Chair of the Sustainability Committee, reported that the Sustainability Committee resumed meetings in November and are meeting the third Thursday of the month at 6 pm. The meetings are open to the public. He listed current members and stated that there are several vacant seats. He believes the committee is in a position to produce solutions which are measurable, economically viable, achievable and of significant benefit to residents. He outlined work done so far, and said that they are currently gathering baseline data on City electricity, fuel, water, solid waste, etc., usage and costs to see how much room there is for improvement. They are considering changes to the membership requirements to allow more flexibility and they are proposing verbiage on climate change in hopes of averting (future) financial and human costs.

MAYOR'S REPORT

Mayors Report for City Council Meeting March 7th, 2016

- Since our founding in 1729 the Irish, one of Somersworth's four founding ethnic groups, have played a vital role in building our community. Somersworth, originally referred to as Sligo after Sligo in Ireland, was home to thousands of Irish immigrants, seeking to capture the American dream throughout the Industrial Revolution.

Hilltoppers throughout Somersworth proudly embrace their Irish roots and continue to celebrate their customs and traditions. In honor of the contributions of the Irish in helping to build our great Hilltop city, the flag of the Irish republic will share our city hall flag pole through St. Patrick's Day.

- I was excited about the progress made at a recent meeting I attended with members of the Somersworth and Berwick Christmas parade committees. Both committees overcame their concerns and differences and were able to focus on the spirit of re-joining our two neighboring communities to celebrate the holidays. An exciting official announcement about the

reemergence of the Somersworth/Berwick Christmas parade will be coming soon.

- Due to conflicts with the City Council goal-setting workshop and I-pad training, both scheduled for this coming Saturday, the next **Mayors Community forum has been rescheduled**. 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.

Note: The next Mayor's Forum is scheduled for April 19, 2016.

- As noted during today's annual State of the City Address, Somersworth Proud Past and Bright Future continues to illuminate throughout the seacoast. We continue "On the Move", a community united, celebrating our rich cultural diversity and focused towards reaching our Vision 2020 goals of becoming one of the most desired communities on the seacoast by the year 2020. It is the commitment to ourselves, our neighbors and the city we call home, that continues to be the foundation of the Hilltopper spirit and our success.

For the last three years the momentum of us reconnecting with that spirit and belief in our future successes, has led to increased civic engagement, business development and positive imagery. As we continue "On the Move", together as Hilltopper's we must honor the "Promise" for future generations like our founders did when they laid the seeds to grow our community in 1729. The "Promise" to continue to build, to invest, to celebrate and believe. That "Promise" has been entrusted upon each member of this Council, School Board, City Official and citizen. It is the fulfillment of that "Promise" by each generation of Hilltopper's which continue to honor our "Proud Past" and ensure our "Bright Future."

- As a follow-up, on last Novembers trip to the State of Israel, I will be attending the, American Israel Public Affairs Committee national conference in Washington DC, Saturday March 19th – Tuesday March 22nd. Please note that Councilor Soldati will be in the Chair for the March 21st meeting.

Nominations, Appointments and Elections:

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

Richard Brooks as an Alternate member to the Historic District Commission with a term to expire in February 2019.

Miechelle Poulin as a member of the Conservation Commission with a term to expire in February 2019.

I would respectfully request that Council confirm all nominees

Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the following are being brought forward this evening for nomination.

Laurene Anderson - Ashe as an Alternate member to the Board of Library Trustees with a term to expire in March 2019.

In accordance with Council Rule 17 Appointments, the nomination shall remain open until the March 21st scheduled Council meeting.

Also under nominations and appointments, in accordance with **The City Charter** I am naming the following Mayoral appointment:

Robert Crichton re-appointment as a member to the Somersworth Housing Authority Board of Commissioners **with a term to expire in March 2021.**

In accordance with the City Charter Article 3.5 “C” this appointment does not require Council approval.

This respectfully concludes my March 7th, 2016 Mayors Report

Councilor Sprague wants the Sustainability Committee to look into Somersworth's two hydro dams and how that might fit into providing energy for, or being an incentive to, businesses coming to the City.

REPORTS OF STANDING COMMITTEES

GOVERNMENT OPERATIONS COMMITTEE

Councilor Soldati said that the Committee met on February 29, 2016. Their unanimous recommendation from four Councilors for Ordinance No. 13-16 was referred back with an objection to "suspension". In response to Mr. Arnold's letter, while expressing sympathy for his concerns, she said that collective bargaining is not affected by that Code. They looked at what other cities are doing. They received a note from Carol Kilmister at NH Primex who is very much in favor of the language, feeling that there is increased risk as more people implementing the policy. She read an excerpt of Ms.Kilmister's note which encouraged consistency as a mechanism for controlling the process.

Regarding election workers for the polls, Councilor Soldati was a poll worker for many years. The Committee compared what other cities were paying their workers;

finding that we are the lowest. She outlined proposed increases, stressing that wages are not being doubled as was reported. She read the proposed increases. She did say that during big presidential years, because NH allows voters are allowed to register the same day, it can be a busy, rather overwhelming job. They are proposing creating a position of Assistant Supervisor of the Checklist, not necessarily to have an assistant to be there at *every* election, but at the big elections, saying again that it is quite an overwhelming job. They are advising that they employ an assistant with a pay rate of \$10.00 per hour. These increases all passed the Committee unanimously.

The committee considered a proposed smoking ban on any city-owned property. They decided not to after considering, for instance the Bluegrass Festival or at ball fields. They decided to let the City Manager handle it administratively rather than codify it.

ECONOMIC DEVELOPMENT COMMITTEE

Councilor McCallion reported that they met on February 29, 2016. They approved previous minutes, reviewed the agreement of the development and sale of the former police station. There were questions by the applicant, who is going to enter into a lease agreement with the city until the property is purchased. The applicant will now go through the City Manager rather than through various departments.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

JOINT BUILDING COMMITTEE

Councilor Messier said the JBC met on February 29, 2016. They interviewed two people for the position of Clerk of the Works, but, given the (limited scope of the job), voted *not* to fill the position and to use the money elsewhere. They have found that the roof on the Career Technical Center, which was not in the initial contract, should be replaced. Councilor Messier would like Council to explore options to fund approximately \$330,000 and requests that the Finance Committee consider this.

Without objections, the Mayor asked the Finance Committee to consider this.

Councilor Sprague asked if the roof can be part of the funding from the State.

Councilor Messier answered that it was not a budget line item.

Councilor Witham asked if the JBC Chair could be there at the Finance Committee meeting, Councilor Messier will get the information for them.

COAST BUS

Councilor Pepin reported that they met on February 24, 2016. They talked about the Clipper Connection to the Portsmouth Naval Shipyard. There has been a large increase in personnel and usage has increased. COAST has eliminated a route from Rochester to the Pease Trade Port. On the COAST website, businesses can sign up

to have routes mapped so customers know which busses to take to get to them. So far, 14 businesses have signed up. Businesses within walking distance of the routes can also sign up. On February 29, 2016, the COAST employees gave the day's fares to the NH Food Bank. The goal was \$2000; they fell short but collected \$1,635. The employees themselves collected an additional \$175 to donate, as well. There has been a 17% drop in ridership on Route 1. COAST is establishing a committee to reconsider the municipality's formula. They will contact the Mayor to ask if there are representatives from Somersworth, especially with pertinent knowledge or perspective, who would like to join.

Councilor Witham would like to know if COAST has had any revenue from advertising on bus shelters. He would like to see those numbers.

PARADE COMMITTEE

Councilor Dumont stated that the Parade Committee met on both February 15th and 24th. There was agreement to merge the Somersworth and Berwick Christmas Parades. It is nice to see the neighborly co-operation.

HILLTOP COMMISSION

Councilor Dumont said that the Hilltop Commission met last Thursday to begin the process of developing a matrix of feasibility. He thanked Peter Michaud who helps with historic buildings who has begun to guide them through the process. He can't say enough good about this particular commission; the composition is people from all different areas of life who bring to the table a sense of decorum and intellect that is rare. He said that both the City Manager and Finance Director have taken a personal interest in this. He really believes they will meet their objectives to bring at least a couple of options to the Council by October. They will meet again on April 6th at 5 pm.

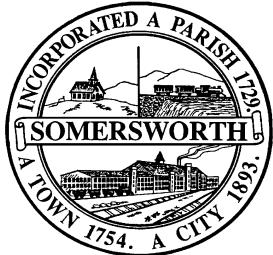
CULTURAL COMMISSION

Councilor Dumont said the commission will meet this Thursday. There is a lot of excitement and interest here. He said you just can't believe how this is coming together on this commission. Of the members, he thinks there are four who have direct family relationships with people in our Canadian sister city of Thetford Mines, Quebec. He spoke of runners who drove to Thetford Mines and began a road race to arrive on the Day of the Festival in Somersworth and ran down Main Street. The Mayor has given the Committee good guidance and their next objective is to plan to re-establish relations with Thetford Mines. They recommend that a High School and Middle school French student be assigned to the committee. It is darned exciting.

VISION 2020

Councilor Paradis reported that the Vision 2020 Committee met on February 28, 2016 and approved minutes. They recognized 15 different responsible parties that were dissected as part of the matrix growth and development plan. They are in the process of sending out highlighted copies to responsible parties. They reviewed the palm cards made by the Economic Development Manager, Christine Soutter, and

discussed airtime on public access channels. They discussed flags and banners which will be up soon.



CITY OF SOMERSWORTH *Office of the City Manager*

TO: Mayor Dana Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager
DATE: Friday, March 4, 2016
SUBJECT: City Manager's Report for Monday, March 7, 2016
City Council Agenda

5:30 p.m. - State of the City Address

Lay on the Table (under Section 12 of Agenda)

- A. **Resolution No. 20-16 Adopting the Provisions of New Hampshire RSA Chapter 162-K Municipal Economic Development and Revitalization Districts.** Again, this is only adopting enabling legislation. Further Council action will be required to create an actual TIF District.

Unfinished Business (under Section 13 of Agenda)

Ordinances

- A. **Ordinance No. 13-16 Amending Chapter 4, Personnel Rules and Regulations by Amending Section 7.6 Titled "Vacation" and Section 8.2 Titled "Suspension".** Attached you will find additional information from our HR Manager, Linda Corriveau. I have also included a copy of the "Purpose" clause of the Personnel Rule & Regulations. As you will read, these rules apply to non-union employees. Where a CBA (Collective Bargaining Agreement) exists, no part of these Rules & Regulations shall apply unless the CBA specifically provide for it in the Agreement (CBA).

B. Ordinance No. 14-16 Amending Chapter 29, Administrative Code by Amending Section 3.5 Titled “Department Head Authority, Duty & Responsibility” and Section 3.6.2 Titled “Common Duties and Responsibilities. The Government Operations Committee is supporting the action items spelled out in “*Ordinance No. 13-16*” and “*Ordinance No. 14-16*”.

Resolutions

- A. Resolution No. 21-16 To Authorize the City Manager to Notify the State of New Hampshire and State of Maine That the City Shall Provide Funding for the Eddy Bridge Project.** The City Council did appropriate \$5,000 in this fiscal year’s budget for preliminary work for this project. I recommended the use of the Transportation Fund to provide the additional funding needed to make the City’s commitment to this project. Please consider the attached recommended Resolution amendment to increase the amount from \$50,000 to \$55,000 for our project match, with \$50,000 coming from this special Fund. Attached is some background information from PWD Mike Bobinsky.
- B. Resolution No. 23-16 Vote to Authorize the Trustees of Trust Fund to Release the First Payment Due the Somersworth School District from the Post-Withdrawal Capital Trust Fund.** This is the first of two payments due for debt service payments from the post-withdrawal agreement made with the Rollinsford School District. The fund was created through Resolution 1-15, naming the City Council as agents to expend. As of December 31, 2015 there was \$165,486 in the fund. The Somersworth School Department is requesting release of \$82,743 this year, with the balance of the fund to be released next fiscal year.

New Business (under Section 14 of Agenda)

Resolutions

- A. Resolution 24-16 Authorizing the City Manager to Enter into a Pilot Agreement with Frisbie Memorial Hospital D/B/A Family Care of Somersworth.** The Finance Committee voted to support this action, moving it to the full City Council for consideration. City Attorney Walter Mitchell has completed a review of the document. Attached is a *red-lined* version of the Agreement that show changes approved by the City Attorney. Frisbie officials have also accepted the document as amended.

Note: This replaces an agreement that has expired.

- B. Resolution No. 25-16 Increase the Pay of Election Officials and to Add the Position of Assistant Supervisor of the Checklist.** The Government Operations Committee met on Monday, February 29th and they recommend

Council approval of this action item. City staff provided a summary of other municipalities' payment stipends, which is attached.

Note: They have also budgeted for food.

Councilor Soldati added that this is from an underutilized line item for supplies and will not influence taxes.

Other

A. Vote to Oppose the Following Proposed State Legislation and to Send Notice of Such to the NH Legislature and Governor. This request is being forwarded by Mayor Hilliard, Councilor Sprague and Council Witham. I have attached some background information received from the City of Dover which was also the basis of some discussion at the last Tri-City Coalition meeting. A copy of the legislation is also attached.

- SB349 Relative to the Disqualification of the City Clerk as the Chief Election Official if not a Resident of the City Served.
- HB1687 Relative to Governmental Liability for Personal Injury on Playground Structures.
- HB1688 Relative to Governmental Liability for Negligence Claims, Both Seek to Dramatically Expand Municipalities' Exposure to Personal Injury Claims.

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

A. Information Items:

- 1. Somersworth Youth Connection (SYC) – Spirit Up Clean-up Day.** The Somersworth Youth Connection and High School Rotary Interact Club are organizing their 9th Annual “Spirit up Somersworth” Community Clean-up day in celebration of Earth Day on Saturday, May 7th, 7:30 a.m. – 1:00 p.m. As has been the practice, I have authorized the Highway Department to assist in this School-City partnership. Attached is a copy of their announcement letter.
- 2. Goal Setting Session, Saturday, March 12.** Attached is the agenda, last year's meeting minutes and a worksheet to complete prior to the session. Please note: Immediately following there will be the iPad training/orientation with Backbay Networks, our contracted IT provider.
- 3. City Council Workshops.** Respectfully, I recommend the Mayor & Council schedule the following workshop sessions before regularly scheduled meetings:

- **Monday, March 21st at 6:00 p.m.**
Wastewater Treatment Facility Capacity Evaluation with Wright Pierce Engineer, Tim Vadney.
- **Monday, April 18th at 6:00 p.m.**
EPA Brownfield's Clean-up Grant Process.

Note: Without Objection, the Mayor scheduled these workshops.

4. **So-called Nard's Parking Lot.** I am pleased to inform you, that, on behalf of the City, I have closed on the sale of this former City parking lot. The deed has been recorded, and \$81,000 received and banked.

B. Attachments:

1. City Attorney Certifications (4).

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Councilors did not have applications to review. Mayor Hilliard called a five minute recess. The meeting was called back to order at 8:09 pm.

HISTORIC DISTRICT COMMISSION ALTERNATE, RICHARD BROOKS, TERM TO EXPIRE FEBRUARY 2019. *Councilor Messier, seconded by Councilor Paradis, made a motion to accept the nomination. The motion passed on a voice vote.*

CONSERVATION COMMISSION, MIECHELLE POULIN, TERM TO EXPIRE FEBRUARY 2019. *Councilor Soldati, seconded by Councilor Paradis, made a motion to accept the nomination. The motion passed on a voice vote.*

BOARD OF LIBRARY TRUSTEES, LAURENE ANDERSON-ASHE, TERM TO EXPIRE MARCH 2019. *Councilor Witham, seconded by Councilor Dumont, motioned to suspend rules to act on this nomination. The motion to suspend the rules passed. Councilor Witham, seconded by Councilor Cameron, made a motion to accept the nomination. The motion passed on a voice vote.*

SOMERSWORTH HOUSING AUTHORITY BOARD OF COMMISSIONERS, ROBERT CRICHTON, TERM TO EXPIRE MARCH 2021. *This is a Mayoral appointment that did not require Council confirmation.*

LAY ON TABLE

RESOLUTION NO. 20-16 ADOPTING THE PROVISIONS OF NEW HAMPSHIRE RSA CHAPTER 162-K MUNICIPAL ECONOMIC DEVELOPMENT AND REVITALIZATION DISTRICTS. *Councilor McCallion*

made a motion to remove this resolution from the table, seconded by Councilor Witham. The motion passed on a voice vote. Councilor McCallion moved for its adoption. The motion was seconded by Councilor Cameron and passed by roll call, 9-0.

UNFINISHED BUSINESS

Ordinances:

ORDINANCE NO. 13-16 AMENDING CHAPTER 4, PERSONNEL RULES AND REGULATIONS BY AMENDING SECTION 7.6 TITLED “VACATION” AND SECTION 8.3 TITLED “SUSPENSION”. *Councilor Soldati, seconded by Councilor Cameron, moved to adopt Ordinance No. 13-16.* Councilor Witham appreciated the work done by the Government Operations Committee on this and asked whether the appeal process outlined in Stephen Arnold’s letter was accurate. The City Manager reiterated that this only affects non-union employees. Councilor Messier had no problem with “vacation” but did have a problem with “suspension.” He was not sure why they are rewriting this. Councilor Soldati asked if, in the Time that the City Manager has worked here, there has been a non-union appeal. He replied that he could not think of one. Councilor Witham stated that this should be a stand alone matter. He wants it brought back. *Councilor Witham, seconded by Councilor Soldati, made a motion to eliminate the reference to Chapter 4, Section 8.2, in this Ordinance. The amendment passed. Ordinance No. 13-16 passed, as amended, on a roll call vote of 9-0.*

ORDINANCE NO.14-16 AMENDING CHAPTER 29, ADMINISTRATIVE CODE BY AMENDING SECTION 3.5 TITLED “DEPARTMENT HEAD AUTHORITY, DUTY & RESPONSIBILITY” AND SECTION 3.6.2 TITLED “COMMON DUTIES AND RESPONSIBILITIES.” *Councilor Soldati, seconded by Councilor Pepin, made a motion to accept. The motion passed, 9-0.*

Resolutions:

RESOLUTION NO. 21-16 TO AUTHORIZE THE CITY MANAGER TO NOTIFY THE STATE OF NEW HAPSHIRE AND STATE OF MAINE THAT THE CITY SHALL PROVIDE FUNDING FOR THE EDDY BRIDGE. *Councilor Witham, seconded by Councilor Pepin, made a motion to accept Resolution No. 21-16, as amended, (increasing amounts by \$5,000 as recommended by the City Manager). The motion to amend passed on a voice vote. The motion to adopt, by Councilor Witham and seconded by Councilor Pepin passed, 9-0.*

RESOLUTION NO. 23-16 VOTE TO AUTHORIZE THE TRUSTEES OF TRUST FUNDS TO RELEASE THE FIRST PAYMENT DUE THE SOMERSORTH SCHOOL DISTRICT FROM THE POST-WITHDRAWAL CAPITAL TRUST FUND. *Councilor Witham, seconded by Councilor Pepin, made a motion to accept Resolution No. 23-16. The motion passed, 9-0.*

NEW BUSINESS

Resolutions:

RESOLUTION 24 – 16 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PILOT AGREEMENT WITH FRISBIE MEMORIAL HOSPITAL D/B/A FAMILY CARE OF SOMERSWORTH.

Somersworth,
NH
March 7, 2016

WHEREAS, the City Council passed Resolution No. 15-05 that authorized the City Manager to enter into a PILOT (Payment in Lieu of Taxes) Agreement with Frisbie for the tax years 2005 through 2015, and

WHEREAS, this Agreement has expired, and

WHEREAS, the City Council's Finance Committee has reviewed Frisbie's request to enter into a new PILOT Agreement as authorized under RSA 72:23-n for the tax year beginning April 1, 2016 and expiring at the conclusion of tax year 2025, and

WHEREAS, the PILOT Agreement states that Frisbie shall make an annual financial contribution consisting of seventy-five percent (75%) of the annual and normal tax assessment assessed against the Family Care facility and in return the City shall award said Frisbie facility a charitable exemption under RSA 72:23 subject to the timely annual filing for exempt status as required by NH State Law, NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a PILOT Agreement as authorized under RSA 72:23-n under these terms and other conditions spelled out in said PILOT Agreement for the tax years 2016 through 2025.

Introduced by
David A.

Witham

Dale R. Sprague
Martin Pepin
Jennifer G.

Soldati

Approved

City Attorney

Resolution No. 24-16 will remain in first reading until the March 21, 2016 meeting.

**RESOLUTION NO. 25 – 16 INCREASE THE PAY OF ELECTION OFFICIALS
AND TO ADD THE POSITION OF ASSISTANT SUPERVISOR OF THE
CHECKLIST.**

Somersworth, NH
March 7, 2016

WHEREAS, the City Council of the City of Somersworth recognizes the commitment of the Election Officials who work to maintain the polls during the elections, and

WHEREAS, the City Council wants to encourage participation of residents working the polls during elections by enhancing the remuneration they receive, and

WHEREAS, the Supervisor of the Checklist is a demanding position, and may require assistance, especially during Presidential Elections, and

WHEREAS, the City Council's Government Operations committee examined this issue and supports these changes,

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the pay for Election Officials be increased as follows:

Pay for the Moderator to increase from \$75 to \$125 per election.

Pay for the Ward Clerks to increase from \$70 to \$120 per election.

Pay for the Selectmen to increase from \$60 to \$100 per election

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the position of Assistant Supervisor of the Checklist be created to assist with elections on an as needed basis, subject to the recommendation of the City Clerk and appointed by the Moderator. The pay for this position shall be \$10 per hour (Ten dollars per hour).

Introduced by

Jennifer Soldati
Martin P. Dumont, Sr.
Nancie Cameron
Jessica Paradis

Approved:

City Attorney

Note: The estimated cost is \$1,250 per election. In Fiscal Year 2017 there are two elections, (cost for FY 17 is \$2,500)

Resolution No. 24-16 will remain in first reading until the March 21, 2016 meeting.

Other:

VOTE TO OPPOSE THE FOLLOWING PROPOSED LEGISLATION AND TO SEND NOTICE OF SUCH TO THE NH LEGISLATURE AND GOVERNOR.

- SB349 RELATIVE TO THE DISQUALIFICATION OF THE CITY CLERK AS THE CHIEF ELECTION OFFICIAL IF NOT A RESIDENT OF THE CITY SERVED.
- HB1687 RELATIVE TO GOVERNMENTAL LIABILITY FRO PERSONAL INJURY ON PLAYGROUND STRUCTURES, AND
- HB1688 RELATIVE TO GOVERNMENTAL LIABILITY FOR NEGLIGENCE CLAIMS, (BOTH SEEK TO DRAMATICALLY EXPAND MUNICIPALITIES' EXPOSURE TO PERSONAL INJURY CLAIMS.

Councilor Witham commented that it is hard enough to attract and retain qualified candidates as it is. He sees residency as less of an issue. He is in favor of sending a note. Councilor Soldati stated that regarding SB349, current employees are grandfathered. She will support this but not the house bills. She is leery of abridging a citizen's redress for harm. She is uncomfortable with this and would want to look at in great detail. Councilor Messier supports SB349, but does not believe that the house bills absolve the community from insurance claims. Councilor Witham believes the Council needs to speak unanimously ...and move forward with SB349. Regarding the City's responsibility, he said, for instance, the City is not responsible for a pothole they don't know exist. But they are responsible for one they do know exists. He believes the City has 72 hours to respond. Councilor Sprague does not believe the house bills have traction and does not believe the Clerk needs to reside in town; in fact, he thinks it is a benefit to have (a non-resident) running an election. Mayor Hilliard wants the message to be unanimous for strength. Councilor Witham made a motion to support BS349 but take no action on the house bills. Mayor Hilliard stated that no motions are needed. *A voice vote on whether to send a letter opposing SB349 was unanimous in the affirmative.*

CLOSING COMMENTS BY VISITORS.

Richard Brooks thanked the Council for his appointment as an Alternate to the Historic District Commission.

Robert Crichton thanked the Mayor for his appointment to the Somersworth Housing Authority Board of Commissioners. He state, for the Council's

information, they have gone through an inspection and they went from a 72 to an 89.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor McCallion reminded constituents that they are having the Council goal setting session this weekend and that he invited them to send him emails. He spoke about lowering rates, gas, electricity, etc, for businesses and what would that be worth to them. There are people out there looking at this in NH. Why can't we do what other best practices are out there? He spoke about the ipad training scheduled for this weekend. He said there was a situation tonight that would have been better if it was organized with a hyperlink, etc. Then information would be readily available. He encourages them, especially staff, to look into that and have some ideas on Saturday.

Councilor Messier said they had homework to come to the goal setting session with 3 goals. He would like earlier bids out for the street sweeping and line painting. He will bring this up at tomorrow's meeting.

Councilor Witham enjoyed the State of the City address. He reminded people that the old police department lease agreement has not yet been voted on; the Economic Development Committee is simply hashing out the details. He was sorry to miss the Tri City Chambers of Commerce legislative reception which was held tonight.

Councilor Soldati said the Tri Chamber Board profusely apologizes, explaining how that scheduling problem happened. She doubts that will ever happen again.

Councilor Witham spoke about a resident who wrote about his experience riding his mountain bike around Willard Pond recreation area. He passed 75-100 people out enjoying the area. Councilor Witham said that residents are taking notice.

Councilor Sprague said that it is freezing in here.

Councilor Cameron enjoyed the State of the City Address.

FUTURE AGENDA ITEMS

None.

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

Councilor Witham, seconded by Councilor Paradis, made a motion to go into non-public session according to NH RSA 91:a concerning personnel. The Council went into non-public session on a unanimous roll call vote.

Pending minutes of non-public session and adjournment.

ADJOURNMENT

Respectfully submitted,

Elise B. Brelis, Deputy City Clerk