



MINUTES OF CITY COUNCIL MEETING
Somersworth, NH
September 3, 2019
7:00 P.M.

ROLL CALL OF MEMBERS

The meeting was called to order at 7:00pm by His Honor, the Mayor, Dana S. Hilliard, and upon roll call the following Council members were present: Vincent, Dumont, Austin, Michaud, Witham, Sprague, Cameron, and Levasseur. Councilor Pepin was excused.

PLEDGE OF ALLEGIENCE

Councilor Cameron led the Pledge of Allegiance.

PUBLIC HEARINGS

Ordinance No. 4-20 - Supplemental Appropriation for Sewer Utility Improvements
Associated with the Fiscal Year 2019-2020 Road Resurfacing Projects
No Comments

Ordinance No. 5-20 - Supplemental Appropriation for Water Utility Improvements
Associated with the Fiscal Year 2019-2020 Road Resurfacing Projects
No Comments

Community Revitalization Tax Relief Incentive (Ch. 31) Application for Stripe Nine
Brewery
No Comments

COMMENTS BY VISITORS

Dan Desantis of 42 Mt. Vernon, Ward 1, stated, a matter of concern to his neighbors, is the condition of Mt. Vernon Street between Grand Street and Prospect Street. He has addressed the council in the years passed about the condition of Mt. Vernon Street. They have curbs and sidewalks that are so deteriorated, that sections have been removed. Grass and trees are growing in the right of way, and it looks like extreme neglect and abandonment. The people on Mt. Vernon take care of their homes, but he can't same the same for the City. They have not known the City to care for the street in many years. It is embarrassing. He stated that he is here to remind the Council that they are still waiting on the City to repair Mt. Vernon Street. They see the same pot holes every year and they get filled and patched every year. Simple paving will not be enough to deal with the street after so many years. Trees growing in the right of way is a sure sign of neglect.

CONSENT CALENDAR

Approve Minutes of the City Council Meeting held on August 5, 2019

Letter from Attorney General's Office regarding Charter amendment Proposal

Letter from Patricia Vachon, Executive Director of the Community Food Pantry

Councilor Witham, seconded by Councilor Cameron, made a motion to approve the items on the Consent Calendar. The motion passed, 8-0.

COMMENTS BY CITY COUNCILORS

None

COMMUNICATIONS

None

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

With the work of the Public Safety concluded in regards to the examination of the needs of our Fire Department in ensuring that we are moving forward with the plan of meeting all of the needs of a 21st century department. It now makes logical sense to conduct the same review of our Police Department. This evening, I am calling upon the Public Safety Committee to conduct a review of the operational needs of the Police Department. The review should focus on, but not be limited to the following: Staffing needs, Equipment Needs, Training Needs, and all other areas to ensure that our Police Department is able to operate under a 21st Century Community policing model. The Committee should complete its review before the conclusion of this Council's work in December, so that the incoming Council, upon being sworn in, may begin making some hard decisions about what can be budgeted for within the 2020-2021 budget.

With the filing for municipal elections about to begin, I will not be holding any Mayor's Community Forums until after the voters have had their opportunity to choose their community leaders for the next two years. If my lease is renewed in the Mayor's office, it will be my intent to schedule the forums each month with a variety of topics and speakers like have been done in the past. I look forward to continuing the practice and engaging dialog if I return to office as your Mayor.

Congratulations to the Somersworth Prevention Coalition, SYC, the Somersworth Police Department, Fire Department and various City Departments, Businesses and Community Organizations for a successful and well attended National Night Out. The annual event highlighted how as a united community we can continue to build a city where all will be valued celebrated and safe. Together as a united community, we will continue to keep Somersworth "on the move!"

As noted in this month's Business New Hampshire Magazine, Somersworth is "Breathing new life into our old industrial City." The success of our community lies in our belief in ourselves and in our commitment to honor and value each other's differences and to build a City where all can be celebrated. Our history is embedded with rich cultural diversity, and that diversity continues today with the largest Indonesian population north of Manhattan. In

a community which has become known throughout New England for its commitment to LGBT Equality. The roots of our success are also in our team approach to governing. No longer do the superficial lines between elected bodies exist. In six short years, we have transformed our municipal government into a model of how a progressive democracy can function to ensure progress for all. It is our openness and progressive practices which have now led to the reemergence of our greatness. A greatness which we will continue as we progress on our journey of keeping Somersworth “on the move.”

As our journey unfolds, so too will our entrepreneurial spirit of business leaders, citizens and civic leaders, all committed to Somersworth’s success. From brand new breweries, to avant-garde tea shops, from 21st century fire departments to newly designed Veterans Parks, to America’s first Little Indonesia. Our change in thought from, it will never happen, to it WILL happen will lead to the flow of success to the place we all call home. To the place we call Somersworth. Thank you to New Hampshire Business Magazine for recognizing Somersworth *Proud Past, and Bright Future*. As we continue as a team to keep our great City “on the move.”

Join me on Saturday, for the annual celebration of our Indonesian Community. This year’s festival will be located in the downtown business district, and the hopeful future site of the Nation’s first Little Indonesia. The festival will highlight cultural food, entertainment, art and travel and tourism opportunities to Indonesia. Join me Saturday in celebrating one of our communities’ greatest assets: our rich cultural diversity at the Annual Indonesian Festival.

REPORTS OF STANDING COMMITTEES

Finance Committee – Councilor Witham reported that the committee met on August 6th and discussed:

- Approve the purchase of Fire Department radios, budgeted item, at \$52,545, to purchase 9 portable and 3 mobile radios. This is within the Finance Committee’s spending authority, was approved.
- Approve the purchase of 1 SUV vehicle for the Police Department. This will be replacing the last Dodge Charger. The Committee endorsed a resolution for Council consideration this evening. Councilor Witham suggested a second reading this evening, to get the process moving.
- Lease purchase agreement for a number of new vehicles for Police, Fire and Public Works. The Finance Committee decided on a 5-year lease agreement, making the annual payment a bit smaller. Committee endorsed a Resolution.
- City Hall roof repairs. They received a number of bids, Hall Brothers out of Berwick Maine, was awarded the contract to repair the roof and replace the insulation on the roof as well.

Public Works & Environment – Councilor Sprague reported that the Committee met on Aug 9th, and discussed:

- Updates on City Projects:
 - Complete streets on Cemetery Rd, flashing crossing beacons.
 - Grass swales or rain garden on Cemetery Road, committee agreed on grass swales.

- Curb stops, and notifications to residents on Cemetery Rd. Land tracks that may be able to sub divide.
- Realigning the entrance to Cemetery Road from West High Street.
- Beginning of road construction end of August, first of September.
- Upgrade of tap grant. Some will need temporary or permanent easements
- CMAQ grant, lights on High Street, contemplated options, committee decided purchasing our own technology and contracting to Sebago Technics for maintenance.
- Wastewater Treatment Plant upgrade, in design phase and going to bid.
- Pavement conditioning assessment, going through data and field assessment. Beta consultants.
- Rt 108 complete streets project, Looking for the City's preferences on a couple items. Committee decided that the bicycle lane should be in the 5ft shoulder of the road. They also discussed concerns about a roundabout on Rt 108 at Todd's Touch. Coast buss stops should have pull offs. Traffic calming crossing areas. Sidewalks will not be all along Rt 108.
- Lily Pond paving, would like to tie in on West High Street.
- State 10-year plan for redesign of Blackwater and High Street is in cue.
- New Liquor Store, tracking of dirt into the road. Contacting the store to correct this.

Councilor Witham stated that about the roundabout, this will require some land taking, which makes us nervous. The 10-year plan for the State, the Committee's plan was to let the CMAQ grant materialize and see if that resolves the issues at this intersection.

In the Committee meeting, Councilor Pepin brought up a good point about the round about, the lights help break the traffic to let drivers out onto Rt 108.

Councilor Vincent asked Councilor Witham about the insulation on the roof on City Hall. Councilor Witham stated, from what he understands, this is a rubber roof with 2 inches of ridged foam insulation. Councilor Vincent stated he is familiar with this type of construction, and if the insulation is fine, they should not remove it to save money. City Manager Belmore stated that the work will be reviewed by the Engineer.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

JBC – Councilor Dumont stated that the Committee met on August 28th. They are at the tail end of the project. They have had a great period of time with Milestone, and the staff at the school has been on top of it.

Strafford County – Councilor Witham stated that he attended a meeting for the Mayor, on August 15th. During this meeting there was discussion about the upcoming winter months and addressing the cold weather shelters for the 3 cities. Strafford County is looking to do the same this year. Mayor's Task Force will continue discussions about other options as well. There are homeless in and around our community, on any given day. There are those folks who can get by day to day, but can't get by when it is really cold. There are about 15 to

20 days a year when the weather is dangerously cold. Strafford County is a low barrier shelter, meaning there is very little screening. It appears as though the region will have this facility available again this year. Mayors' Homeless Task Force will continue conversations.

Recreation – Councilor Cameron reported that the committee met on August 14th, and discussed:

Cottontail Conservation land at Malley Farm. There are no plans for the land at this time, brief discussion about the written agreement. City Manager Belmore will review the documents and make changes as needed.

Supervisor Davenport gave updates on the various Recreation events and upgrades to the parks. Soccer registrations are down throughout the state.

Councilor Sprague asked what the benefit is of having “Peter” cottontail in our community. They can do a lot of damage. State will slow down a project tremendously if they see the endangered rabbit. Malley Farm is designated City land for development. And it is in an area that the City has deemed as Industrial. What are the benefits?

City Manager Belmore explained that he does not know the benefit to the City other than being good stewards and protecting the environment; protecting open space. There is a tough balance between development and conservation. In the Mast Point Dam project, bats slowed down the project. He is not aware of any plans for the Malley Farm area. Companies have not looked at expanding. He is concerned for the community garden, and Sober Sisters might have a garden. One thing that seemed clear was, we can stop the program. There is a balance between conservation and development.

Councilor Sprague stated that there are wetland setbacks now, and he could guarantee that there could be cottontail setbacks, and bat setbacks in the future. This is right next to an industrial park. Wildlife could hamper future expansion.

Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Wednesday, August 28, 2019

**SUBJECT: City Manager's Report for Tuesday, September 3, 2019
City Council Agenda**

Unfinished Business (Under Section 14 of Agenda)

Ordinances

- A. **Ordinance No. 4-20: Supplemental Appropriation for Sewer Utility Improvements Associated with the Fiscal Year 2019-2020 Road Resurfacing Projects.** Again, the Finance Committee voted to support this funding need.
- B. **Ordinance No. 5-20: Supplemental Appropriation for Water Utility Improvements Associated with the Fiscal Year 2019-2020 Road Resurfacing Projects.** Again, the Finance Committee voted to support this funding need.

New Business (Under Section 15 of Agenda)

Ordinances

- A. **Ordinance No. 6-20: To Amend Chapter 22, Subdivision Regulations, By Deleting it in its Entirety.** Attached is a memorandum from Director Shanna Saunders that provides some background information on this recommended change.
- B. **Ordinance No. 7-20: To Amend Chapter 22A, Site Plan Review Regulations, By Deleting it in its Entirety.** The Government Operations Committee voted at their June 19th meeting to recommend rescinding City Ordinance Chapter 22, Subdivision Regulations and Chapter 22A, Site Plan Review Regulations. Recently, questions were raised on why these regulations are both an Ordinance and a Planning Board Regulation. Attached is some information provided by Director Shanna Saunders on some research completed on this issue. I also discussed this process with our City Attorney who confirmed that the Planning Board is charged with passing these Regulations per State Law. Please note that our Planning Board has passed amendments to these regulations in the past after holding a Public Hearing.

A Public Hearing will need to be scheduled prior to the Council's vote. I recommend scheduling it for the Monday, September 16th Council Meeting.

- C. **Ordinance No. 8-20: To Amend Chapter 29, Administrative Code, Section 4.3, Board of Assessors.** The Government Operations met on June 19th and voted to move forward with this recommendation. This Amendment would delegate Assessing functions of the Board of Assessors to the City Manager or their designee. There is no legal requirement to have a Board of Assessors according to our City Attorney. Should this Ordinance amendment be adopted, any Assessing issue would go through a 3-tier review process for resolution: Contracted City Assessor, Finance Director and then City Manager. Formal abatement appeals would still go to Superior Court or the State Board of Land & Tax Appeals, should it not be resolved at the local end. Attached is a *red-lined* copy of the Administrative Code.

I recommend this change become effective September 30th in order to provide the present Board of Assessors the opportunity to have a final meeting. I was able to

talk to two of our present Board of Assessors: Jim Cowan and Phil Munck, both expressed support for this administrative change.

City Manager explained the process now, with the board of assessors. There have been inordinate delays.

A Public Hearing will need to be scheduled prior to the vote. I recommend scheduling it for the Monday, September 16th Council Meeting.

Public hearings on Ordinance 6-20, Ordinance 7-20, and Ordinance 8-20 were scheduled for Monday, September 16, 2019 without objection.

Resolutions

- A. Resolution No. 12-20: To Authorize the City Manager to Contract with Hall Brothers Contracting, Inc. of Berwick, ME for the Replacement of The City Hall Roof.** The Finance Committee met on August 6th and voted to support Staff's recommendation. City Staff reviewed the five (5) proposals received for the replacement of the City Hall roof. Halls Brothers was chosen as the lowest bidder. They have completed work for the City in the past with favorable results. Attached is a memorandum from City Engineer Gary Lemay regarding this project and the bid results. Please note that I have requested some contingency funding.
- B. Resolution No. 13-20: To Authorize the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles.** Attached is a memorandum from Finance Director Scott Smith that spells out the various proposals received. The Finance Committee minutes will indicate a vote to support another financial institution, however when contacted they indicated an error in their original requested proposal. The Finance Committee is sponsoring this Resolution via email notification of the change on the selected vendor.
- C. Resolution No. 14-20: To Authorize the City Manager to Order One SUV Style Police Cruiser Which will be Funded by a Lease Purchase Agreement.** The Finance Committee met on August 6th and voted to recommend this Resolution. This is a purchase approved in the City FY Budget. Attached is a memorandum from Chief David Kretschmar regarding this 2020 Ford SUV Explorer costs.
- D. Resolution No. 15-20: To Authorize the City Manager to Contract with Renaud Industries of Portsmouth, NH for the Removal and Remediation of Contaminated Soils and with Waste Management of Rochester, NH for the Disposal of Contaminated Soils Located at 1 Winter Street, Formerly Known as Bretons Cleaners.** Based on these results I recommend that Renaud Industries be awarded the bid. I also recommend the City pay for disposal of the dirty dirt to Waste Management directly, which would result in a \$10K-\$20K cost savings. Please note that the intent of this action is to provide the City Manager with full

authority to complete this project within the parameters of the Grant requirements as well as any and all funding available.

Other

- A. Vote to Approve Community Revitalization Tax Relief Incentive (Ch. 31) Application from Ratification Enterprise LLC, Patrick Kelly Located at 8 Somersworth Plaza, Stripe Nine Brewery.** The Economic Development Committee met on July 10th and voted to recommend acceptance of this application for Stripe Nine Brewery. Attached is a copy of the application as well as Director Shanna Saunders memorandum determining the application is complete. I have also attached the City Ordinance, Ch. 31 regarding this Tax Incentive Relief Program. The new property assessment has been set by our Assessor at a total value of \$179,900.

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

A. Informational Items

- a. Ward Boundaries City Charter Amendment Proposal.** Attached is the response from two State Agencies regarding the proposed City Charter Amendment that was designed to be on this November's ballot. The Secretary of State and Attorney General's offices object to this action and thereby reject the City's request to forward this proposed change to our voters.
- b. Vachon Clukay & Company PC.** Attached is a copy of the Annual Financial Audit process to be conducted by our contracted City Auditors for Fiscal Year ending June 30, 2019.
- c. NH Lottery – Regarding Sports Betting.** At the request of Councilor Sprague, the Mayor has approved the placement of a Council vote on the Oct 7th Agenda, regarding the following question to be placed on the November Municipal Ballot "*Shall we allow the operation of sports book retail locations within the City of Somersworth?*" A required Public Hearing and the vote will be scheduled for the October 7th Council meeting.
Public hearing was scheduled without objection.
- d. Eversource Enhanced Tree Trimming (ETT) Program.** Attached is recent correspondence received from Eversource in regards to ETT work to commence with the City in early October of this year. I will be meeting with them on Tuesday to discuss their work plan.
- e. Upcoming Events.**

Sat., September 7, 11:00am - 5:00pm: 7th Annual Indonesian Festival – Main St.

Attachments

1. City Attorney Certifications Seven (7)

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Nominees for the Strafford Metropolitan Planning Commission Technical Advisory Committee (SMPO TAC) – For Council Confirmation Vote

- Shanna Saunders, with a term to expire, July 2021
- Michael Bobinsky, Alternate 1, with a term to expire, July 2021
- Bob Belmore, Alternate 2, with term to expire, July 2021

Councilor Witham, seconded by Councilor Cameron, made a motion to approve the nominations. The motion passed, 8-0.

Nominations requiring Council Confirmation Vote

- Keith Perkins, Alternate Member of the Zoning Board of Adjustment, with a term to expire September 2022
- Keith Perkins, Alternate Member of the Planning Board, with a term to expire September 2022

These nominations will remain open until the September 16, 2019 City Council Meeting.

Councilor Witham questioned if someone can serve on both boards.

Mayor Hilliard stated that he has already looked into this and cleared that one member can sit on both boards.

Councilor Witham stated that just because it is right, doesn't mean it is right.

Mayor Hilliard said there is not a line of people looking to serve on the boards.

Councilor Vincent said that he doesn't have a problem with this; his father served on both of these boards for years. He believes he served as the Chair of the ZBA and of the Planning board.

UNFINISHED BUSINESS

ORDINANCES



City of Somersworth – Ordinance

Ordinance No: **4-20**

SUPPLEMENTAL APPROPRIATION FOR SEWER UTILITY IMPROVEMENTS ASSOCIATED WITH THE FISCAL YEAR 2019-2020 ROAD RESURFACING PROJECTS

August 5, 2019

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

The annual budget for the City of Somersworth for FY2019-2020 is amended as follows:

Appropriate \$95,730 from the Sewer Fund budget as follows:

| Original Budget | Amendment | Revised Budget |
|-----------------|-----------|----------------|
| \$ 2,290,705 | \$ 95,730 | \$ 2,386,435 |

Approved as to Funding:

Recorded by:

Scott A. Smith
Director of Finance and Administration

Trish Harris
City Clerk

Background:

This Ordinance appropriates funding for improvements to the City's sewer system that are associated with the FY2019-2020 road resurfacing projects.

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

| Authorization | |
|--|-----------------------------------|
| <i>Sponsored by Councilors:</i> David A. Witham Dale R. Sprague Martin Pepin Martin P. Dumont, Sr. | <i>Approved:</i> City Attorney |

City of Somersworth – Ordinance 4-20

History

| | | | |
|------------------|------------|---------------------|----|
| First Read Date: | 08/05/2019 | Tabled: | NA |
| Public Hearing: | 09/03/2019 | Removed From Table: | NA |
| Second Read: | 09/03/2019 | | |

Discussion

Councilor Austin, seconded by Councilor Cameron, made a motion to approve Ordinance 4-20.

| Voting Record | | YES | NO |
|------------------------------|-----------|---------------|----------|
| Ward 1 Councilor | Pepin | - | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Dumont | X | |
| Ward 4 Councilor | Austin | X | |
| Ward 5 Councilor | Michaud | X | |
| At Large Councilor | Witham * | X | |
| At Large Councilor | Sprague | X | |
| At Large Councilor | Cameron | X | |
| At Large Councilor | LeVasseur | X | |
| TOTAL VOTES: | | 8 | 0 |
| On 09/03/2019 Ordinance 4-20 | | PASSED | |



City of Somersworth – Ordinance

Ordinance No: **5-20**

SUPPLEMENTAL APPROPRIATION FOR WATER UTILITY IMPROVEMENTS ASSOCIATED WITH THE FISCAL YEAR 2019-2020 ROAD RESURFACING PROJECTS

August 5, 2019

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

The annual budget for the City of Somersworth for FY2019-2020 is amended as follows:

Appropriate \$52,380 from the Water Fund budget as follows:

| | | |
|-----------------|-----------|----------------|
| Original Budget | Amendment | Revised Budget |
| \$ 2,286,386 | \$ 52,380 | \$ 2,338,766 |

Approved as to Funding:

Recorded by:

Scott A. Smith
Director of Finance and Administration

Trish Harris
City Clerk

Background:

This Ordinance appropriates funding for improvements to the City's water system that are associated with the FY2019-2020 road resurfacing projects.

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

Authorization

Sponsored by Councilors:

David A. Witham
Dale R. Sprague
Martin Pepin
Martin P. Dumont, Sr.

Approved:

City Attorney

City of Somersworth – Ordinance 5-20

History

| | | | |
|------------------|------------|---------------------|----|
| First Read Date: | 08/05/2019 | Tabled: | NA |
| Public Hearing: | 09/03/2019 | Removed From Table: | |
| Second Read: | 09/03/2019 | | |


Discussion

Councilor Witham, seconded by Councilor Cameron, made a motion to approve Ordinance 5-20.

| Voting Record | | YES | NO |
|-------------------------------------|-----------|----------|----------|
| Ward 1 Councilor | Pepin | - | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Dumont | X | |
| Ward 4 Councilor | Austin | X | |
| Ward 5 Councilor | Michaud | X | |
| At Large Councilor | Witham * | X | |
| At Large Councilor | Sprague | X | |
| At Large Councilor | Cameron | X | |
| At Large Councilor | LeVasseur | X | |
| TOTAL VOTES: | | 8 | 0 |
| On 09/03/2019 Ordinance 5-20 PASSED | | | |

NEW BUSINESS

ORDINANCES

| | |
|---|--|
|  | <div style="text-align: center; background-color: #d3d3d3; padding: 5px;">City of Somersworth – Ordinance</div> <p>Ordinance No: 6-20</p> <p>TO AMEND CHAPTER 22, SUBDIVISION REGULATIONS, BY DELETING IT IN ITS ENTIRETY</p> |
|---|--|

September 3, 2019


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Delete Chapter 22, Subdivision Regulations, in its entirety.

This Ordinance shall take effect upon its passage.

| Authorization | |
|---|--|
| <p><i>Sponsored by Councilors:</i></p> <p>Martin P. Dumont, Sr. David A. Witham Nancie Cameron Edward Levasseur</p> | <p><i>Approved:</i></p> <p>City Attorney</p> |

Ordinance 6-20 will remain in first read until Sept 16th Meeting. Public Hearing scheduled for September 16, 2019.

| | |
|---|---|
|  | City of Somersworth – Ordinance |
| | <p>Ordinance No: 7-20</p> <p>TO AMEND CHAPTER 22A, SITE PLAN REVIEW REGULATIONS, BY DELETING IT IN ITS ENTIRETY</p> |

September 3, 2019


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Delete Chapter 22A, Site Plan Review Regulations, in its entirety.

This Ordinance shall take effect upon its passage.

| Authorization | |
|---|--|
| <p><i>Sponsored by Councilors:</i></p> <p>Martin P. Dumont, Sr. David A. Witham Nancie Cameron Edward Levasseur</p> | <p><i>Approved:</i></p> <p>City Attorney</p> |

Ordinance 7-20 will remain in first read until Sept 16th Meeting. Public Hearing scheduled for September 16, 2019.

| | |
|---|---|
|  | City of Somersworth – Ordinance Ordinance No: 8-20 TO AMEND CHAPTER 29, ADMINISTRATIVE CODE, SECTION 4.3, BOARD OF ASSESSORS |
|---|---|

September 3, 2019

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Delete Chapter 29, Administrative Code, Section 4.3, Board of Assessors in its Entirety.

And, add:

29.4.3 Board of Assessors Duties & Responsibilities

29.4.3.1 The Board of Assessors duties, responsibilities and functions as provided in NH RSA Ch. 48:13 and its successors is hereby delegated to the City Manager or his/her designee.


This Ordinance shall take effect on September 30, 2019.

| Authorization | |
|---|-----------------------------------|
| <i>Sponsored by Councilors:</i> Martin P. Dumont, Sr. David A. Witham Nancie Cameron Edward Levasseur | <i>Approved:</i> City Attorney |

Ordinance 8-20 will remain in first read until Sept 16th Meeting. Public Hearing scheduled for September 16, 2019.

RESOLUTIONS

Councilor Witham, seconded by Councilor Vincent, made a motion to waive Council Rules to allow for a Second Read of all Resolutions. The motion passed, 8-0.

| | |
|---|--|
|  | City of Somersworth – Resolution |
| | <p>Resolution No: 12-20</p> <p>TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH HALL BROTHERS CONTRACTING, INC. OF BERWICK, ME FOR THE REPLACEMENT OF THE CITY HALL ROOF</p> |

September 3, 2019

WHEREAS, the Somersworth Capital Improvement Program for fiscal years 2020 through 2025 contains a recommendation to replace the City Hall roof, and

WHEREAS, the fiscal year 2019-2020 adopted budget contains an appropriation to replace the City Hall roof, and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Hall Brothers Contracting, Inc. of Berwick, Maine for a cost not to exceed \$83,700 (Eighty Three Thousand Seven Hundred dollars), and

WHEREAS, the Finance Committee has reviewed the recommendation with City staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Hall Brothers Contracting, Inc. of Berwick, Maine to replace the City Hall roof at an amount not to exceed \$83,700 (Eighty Three Thousand Seven Hundred dollars) and to take any actions relative to this project determined to be in the best interest of the City.

| Authorization | |
|--|--|
| <p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Martin Pepin Martin P. Dumont, Sr.</p> | <p><i>Approved:</i></p> <p>City Attorney</p> |

City of Somersworth – Resolution 12-20

History

| | | | |
|------------------|------------|---------------------|----|
| First Read Date: | 09/03/2019 | Tabled: | NA |
| Public Hearing: | NA | Removed From Table: | NA |
| Second Read: | 09/03/2019 | | |

Discussion

Councilor Witham said he would like to see any damaged, stained, or missing ceiling tiles in City Hall to be replaced with any excess funds from this project.

Councilor Witham, seconded by Councilor Dumont, made a motion to approve Resolution 12-20.

| Voting Record | | YES | NO |
|--------------------------------|-----------|---------------|----------|
| Ward 1 Councilor | Pepin | - | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Dumont | X | |
| Ward 4 Councilor | Austin | X | |
| Ward 5 Councilor | Michaud | X | |
| At Large Councilor | Witham * | X | |
| At Large Councilor | Sprague | X | |
| At Large Councilor | Cameron | X | |
| At Large Councilor | Levasseur | X | |
| TOTAL VOTES: | | 9 | 0 |
| On 09/03/2019 Resolution 12-20 | | PASSED | |



City of Somersworth – Resolution

Resolution No: **13-20**

TO AUTHORIZE THE CITY MANAGER TO SIGN A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF CITY VEHICLES

September 3, 2019

WHEREAS, the fiscal year 2019-2020 adopted budget contains an appropriation for a down payment toward the purchase of the following City vehicles:

- One SUV style Police Cruiser
- Fire Department Forestry Vehicle Replacement
- Fire Department 1-Ton Truck Replacement
- DPW Plow Truck – 303 Replacement
- DPW 1-Ton Truck – 202 Replacement, and

WHEREAS, City staff solicited quotes for financing this purchase through a lease/purchase agreement and recommends entering into an agreement with TD Equipment Finance, and

WHEREAS, the Finance Committee for the City of Somersworth reviewed these quotes with City staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a five-year lease/purchase agreement with TD Equipment Finance for the acquisition of City vehicles.

Authorization

Sponsored by Councilors:

David A. Witham
Martin Pepin
Martin P. Dumont, Sr.

Approved:

City Attorney

City of Somersworth – Resolution 13-20

History

| | | | |
|------------------|------------|---------------------|----|
| First Read Date: | 09/03/2019 | Tabled: | NA |
| Public Hearing: | NA | Removed From Table: | NA |
| Second Read: | 09/03/2019 | | |

Discussion

Councilor Austin, seconded by Councilor Dumont, made a motion to approve Resolution 13-20.

| Voting Record | | YES | NO |
|---------------------------------------|-----------|----------|----------|
| Ward 1 Councilor | Pepin | - | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Dumont | X | |
| Ward 4 Councilor | Austin | X | |
| Ward 5 Councilor | Michaud | X | |
| At Large Councilor | Witham * | X | |
| At Large Councilor | Sprague | X | |
| At Large Councilor | Cameron | X | |
| At Large Councilor | Levasseur | X | |
| TOTAL VOTES: | | 8 | 0 |
| On 09/03/2019 Resolution 13-20 PASSED | | | |



City of Somersworth – Resolution

Resolution No: **14-20**

**TO AUTHORIZE THE CITY MANAGER TO ORDER ONE
SUV STYLE POLICE CRUISER WHICH WILL BE FUNDED
BY A LEASE PURCHASE AGREEMENT**

September 3, 2019

WHEREAS, the City of Somersworth's Capital Improvement Plan proposes a replacement schedule for police cruisers to maintain fleet integrity and reduce maintenance costs, 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, 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 Ford vehicles as the most efficient method of procuring these new vehicles, and

WHEREAS, the Finance Committee has reviewed this with staff and supports the recommendation,

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

Authorization

Sponsored by Councilors:

David A. Witham

Martin Pepin

Martin P. Dumont, Sr.

Approved:

City Attorney

City of Somersworth – Resolution 14-20

History

| | | | |
|------------------|------------|---------------------|----|
| First Read Date: | 09/03/2019 | Tabled: | NA |
| Public Hearing: | NA | Removed From Table: | NA |
| Second Read: | 09/03/2019 | | |

Discussion

Councilor Witham stated that the cost for the SUV style Cruiser is approximately \$44,000.

Councilor Vincent, seconded by Councilor Levasseur, made a motion to approve Resolution 14-20.

| Voting Record | | YES | NO |
|---------------------------------------|-----------|----------|----------|
| Ward 1 Councilor | Pepin | - | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Dumont | X | |
| Ward 4 Councilor | Austin | X | |
| Ward 5 Councilor | Michaud | X | |
| At Large Councilor | Witham * | X | |
| At Large Councilor | Sprague | X | |
| At Large Councilor | Cameron | X | |
| At Large Councilor | Levasseur | X | |
| TOTAL VOTES: | | 8 | 0 |
| On 09/03/2019 Resolution 14-20 PASSED | | | |



City of Somersworth – Resolution

Resolution No: **15-20**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH RENAUD INDUSTRIES OF PORTSMOUTH, NH FOR THE REMOVAL AND REMEDIATION OF CONTAMINATED SOILS AND WITH WASTE MANAGEMENT OF ROCHESTER, NH FOR THE DISPOSAL OF CONTAMINATED SOILS LOCATED AT 1 WINTER STREET, FORMERLY KNOWN AS BRETONS CLEANERS

September 3, 2019

WHEREAS, the Somersworth City Council adopted Resolution No. 40-18 authorizing the City Manager to enter into a project agreement with the US Environmental Protection Agency to provide grant funding in the amount of \$200,000 (Two Hundred Thousand dollars) with a local match of \$40,000 (Forty Thousand dollars) for the removal and remediation of contaminated soils at the former Breton's Cleaners property located at 1 Winter Street, and

WHEREAS, the City's consultant engineer for the project solicited proposals from qualified contractors for the removal and remediation of the contaminated soils, and

WHEREAS, the City's consultant engineer for the project reviewed the proposals received and recommends awarding the contract to Renaud Industries of Portsmouth, NH, and

WHEREAS, as part of the project, the City will require a contract with Waste Management in Rochester, NH for the disposal of the contaminated soils,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Renaud Industries of Portsmouth, NH and Waste Management of Rochester, NH for the removal, remediation, and disposal of contaminated soils at the former Breton's Cleaners property located at 1 Winter Street, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with Renaud Industries or Waste Management, or contract with other vendors that may be required to complete this project to the extent such contracts are within the scope of work and funding available provided through the project agreement with the US Environmental Protection Agency, and to take other such actions to complete this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilor:

David A. Witham

Approved:

City Attorney

City of Somersworth – Resolution 15-20

History

| | | | |
|------------------|------------|---------------------|----|
| First Read Date: | 09/03/2019 | Tabled: | NA |
| Public Hearing: | NA | Removed From Table: | NA |
| Second Read: | 09/03/2019 | | |

Discussion

Councilor Levasseur thanked Councilor Witham for moving this forward, and he suggested that with the savings, if we can move that into another contaminated site that the City owns.

Councilor Levasseur, seconded by Councilor Cameron, made a motion to approve Resolution 15-20.

| Voting Record | | YES | NO |
|--------------------------------|-----------|---------------|----------|
| Ward 1 Councilor | Pepin | - | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Dumont | X | |
| Ward 4 Councilor | Austin | X | |
| Ward 5 Councilor | Michaud | X | |
| At Large Councilor | Witham * | X | |
| At Large Councilor | Sprague | RECUSED | |
| At Large Councilor | Cameron | X | |
| At Large Councilor | Levasseur | X | |
| TOTAL VOTES: | | 7 | 0 |
| On 09/03/2019 Resolution 15-20 | | PASSED | |

OTHER

Council Vote on Community Revitalization Tax Relief Incentive (Ch. 31) Application for Stripe Nine Brewery

Mayor Hilliard explained that the Vote would be on the acceptance of the application for Stripe Nine Brewery.

Councilor Witham asked the number of years of the tax relief?

City Manager Belmore said it is for 5 years.

Councilor Witham stated that is well within reason. The Plaza has been a focus of this body for many years. He has seen the photos of the progress and what was a blighted property, has now improved tremendously. This checks several of the boxes on the 79e application, and he is in favor.

City Manager Belmore reminded the Council of 4 qualifying credentials for the 79e.

Councilor Austin said no doubt that this has a positive community impact. He looked at the proposal in the committee, and this business will develop that area of the city. He said he is all for this proposal.

Councilor Vincent stated he is in favor, but he doesn't want it to go unseen what the tax discount is.

City Manager Belmore said since we don't know what the tax rate will be it is hard to say. The tax assessed value on that property would be on \$179,900 for the next 5 years.

Councilor Sprague said it is assessed right now at \$179,900. The 79e freezes the assessed rate there for 5 years. The most the tax relief could be is \$15,000.

Councilor Cameron said she agrees. After looking at the pictures, it is definitely a benefit to the community.

Councilor Dumont said he supports this and hopes this will attract new business to the Plaza. The owners of this business are well qualified and will run a great operation there.

Councilor Levasseur said the construction cost is \$150,000. He sees no issue in supporting this. We lost a place to buy liquor, but gained a place to drink liquor. He would like a detailed summary of the applications that we have received and their success.

Councilor Michaud fully supports this, and he is happy that they chose Somersworth to open their business.

The VOTE to accept the application passed, 8-0.

CLOSING COMMENTS BY VISITORS

None

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Vincent stated that this was a big week with the revaluation in this city. He appreciated the email that the CM sent explaining that a third of the properties go up, third go down, and a third stay the same. He has received several phone calls and has had conversation in public regarding the revaluations. It looks like the tax rate could be going down approximately \$7.00.

Regarding Sports gaming, there is some interest. The state is going to open up 12 facilities. One local business, Two Doors down, is interested.

On the Consent Calendar was a letter from Patricia Vachon, Executive Director of Community Pantry. She expressed sincere appreciation of the annual donation. They feed 296 families a month, and spend \$37,000 in food purchases a year.

Last week, a washing machine was purchased by his Company, Hilltop Fireworks, and delivered to the fire department. Their duty uniforms are washed at the station instead of taking them home and polluting their families.

Councilor Dumont stated that he has also received several calls, and he thinks it is a complete lack of understanding. When there is a revaluation, the assessments go up, but there is more to the story. The tax rate will likely go down.

There is some disconnect, between the revaluation of commercial properties and the revaluation of residential properties. It is believed that businesses should carry the bulk of the taxes. He got a revaluation too and also didn't like it. But that is the cost of living in Somersworth, he has to pay the taxes, to live in the community that he likes.

When he was a kid, he used to hunt Peter Cottontail and hares. There was a local tack shop, that would prepare a wonderful meal with the meat. Cottontails are gone because there are a lot of predators. There are other animals that do more damage than the cottontails do. We need to think about what is articulated. We are just under 10 square miles; each area doesn't have to have residential areas. We need to preserve green space. A project on Rt 108, looked into the development of over 100 homes, but the bobolink nested in that area, and it halted the construction.

He stated that he took a ride today; at the corner of Maple and Bartlett Street, there is a cinderblock and pvc pipe fence that is broken and shattered. He is sure it is not an approved fence. Then he went up to the hill area, and on Paige St, over time, we have allowed trees to grow in the curb. The entire granite curb is overcome with weeds. Grand Street and Mt. Vernon all have trees growing out of the sidewalks. We need to maintain our roads.

Sports betting, he is all for it. He stated that he would be a strong advocate for 2 Doors Down. They were number 1 in the state for Keno.

He stated that he recently ran into parking enforcement officer. He was parked in the fire lane at Market Basket. Parking Enforcement Officer said, "You're Councilor Dumont!" He had recognized him from on TV. He handled the situation very well.

Councilor Austin stated that he also wanted to mention the revaluation notices that came out. He has heard the concern of many of the citizens, and wants to say, take a chill pill. You are only seeing part of the equation. The tax rate could decrease by some number. He urged, that if people disagree, they can discuss it with the tax assessors. But, realize that the calculation of the tax bill is a component of 2 parts; the assessed value of the property and the tax rate.

Councilor Michaud stated that we recently passed the parking overlay district. He was looking at the area, and noticed that Church Street is a small narrow road that is in very bad shape. He is wondering if there is a way to discontinue that street as a public road. He also announced that Peter Cottontail has already been spotted at the Malley Farm.

Councilor Witham said he can't recall if he has ever seen a rabbit in real life, he has no idea of what Sports Betting is and he has received no calls on the property revaluations.

As a Council we have embraced improving the image of the City. He turned the attention to some photos that he had distributed to the Council.

He stated that he was at Millennium Park ball field 2 days ago, it is in filled with weeds. It has not been groomed in quite some time. The City invested \$7-8,000 into the ball field and there has been nothing done to maintain this property. Ball fields need to be maintained at least twice a week. Photo B was of a monument, St. Laurent Field. He stated that there had been zero maintenance done to that, ever. Photo C was of the ball field at Jules Bison Park. There has been zero maintenance and there is grass growing in the infield. He asked, do we get rid of the baseball field and turn it into a grassy area? We are striking out! Photo D shows grass growing up around the trash cans, and tall grass around fences and posts. When is the last time we revisited our contracts with our landscaping contractors?

Photo E is of the Noble Pines ball field grass looks good, but as you can see, the Japanese Invasive plant, Knotweed is growing and the fence line is obscured. He stated that he has been cutting it back for years, and he has chosen to not do that anymore. In Photo F, you can see yellow tape in the area because he did some reseeding. The money comes out of his own pocket, and he has been spending \$500-1000 a year on reseeding and other projects to keep the fields in good condition. The amount of crab grass is outrageous. It will die off in the fall, and will come out the next summer. A few short years ago, the city invested \$50,000 into this park. We need to take care of what we invest in. Photo G shows tire tracks from last year. Councilor Witham stated that he reseeded that area. There is vandalism because we are not attentive to security needs. With no additional lighting, there continues to be nuisance vandalism. It doesn't cost a lot of money. Can we put up a couple of lights? This boils down to... the Government Operations Committee needs to review if Recreation should fall under Public Works, and the part time Recreation person should fall under DPW. It is also time to revisit our mowing contract and ask them to do more. It will cost more money. We've made an investment and we need to maintain it.

Councilor Sprague reminded all that Keno is something that we (the Council) voted for to be placed on the ballot, and we will be voting to put Sports Betting on the Ballot. It is then up to the people to vote for it or against it.

If Peter Cottontail is already down there at Malley Farm, the State will probably shut down the leaf section.

He stated that he has a young gentleman who mows their lawn at this home on Paige Street, and he tells him to mow the sidewalk too. Business NH did a great job on the article about Somersworth.

Regarding the tax rate vs. the assessed value, his value went up also. Every year when we do our budget, it doesn't really matter what the tax rate is, the city has needs. We have more properties in Somersworth right now, and the tax rates will go down. Be happy to know that you are gaining equity in your property.

Councilor Cameron thanked Councilor Sprague for the detailed explanation of the tax assessment and tax rate. She also thanked Councilor Witham for all he does for the ball field. She reminded everyone about the Indonesian Festival coming up this Saturday.

Councilor Levasseur stated that he was taught that we have 2 ears and one mouth, so we should listen more than we speak. We've heard a lot of comments this evening and he has nothing to say.

FUTURE AGENDA ITEMS

None

NONPUBLIC SESSION

None

ADJOURNMENT

Councilor Cameron, seconded by Councilor Dumont, made a motion to adjourn. 8-0. The meeting adjourned at 9:22pm.

Trish Harris, City Clerk

Dana Hilliard, Mayor