



MINUTES OF CITY COUNCIL MEETING  
Somersworth, NH  
March 16, 2020  
7:00 P.M.

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**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: Pepin, Vincent, Austin, Michaud, Witham, Gerding, Cameron, and Paradis. Councilor Dumont was excused.

**PLEDGE OF ALLEGIENCE**

Councilor Cameron led the Pledge of Allegiance.

Special Presentation. – Unveiling of the photo of Mayor James McLin, in Council Chambers. (Resolution 27-20)

**PUBLIC HEARINGS**

**Ordinance No. 16-20** - Supplemental Appropriation to Construct a Veterans Memorial and Associated Improvements at Stein Park

No comments.

**COMMENTS BY VISITORS**

None

**CONSENT CALENDAR**

Approve Minutes of the Somersworth Housing Authority Workshop held on March 2, 2020

Approve Minutes of the City Council Meeting held on March 2, 2020

Letter from Donald R. Routhier regarding Zoning Board of Adjustment resignation

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

**COMMENTS BY CITY COUNCILORS**

Councilor Pepin announced that he received an email from Rad Nichols of COAST. They plan to continue to operate as long as they can. The buses are being decontaminated every night and they are requesting that rider space themselves apart if possible, while on the bus.

**COMMUNICATIONS**

None

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

Vision 2020 Presentation on Vision 2019 Accomplishments

Mayor Hilliard announced that the presentation has been delayed to a future meeting.

### **MAYOR'S REPORT**

Honorable Members of the Council I submit to you the Mayor's Report for Monday, March 16, 2020.

There is no doubt on everyone's mind this evening, is how the Hilltopper Community will navigate the Covid19 Pandemic and the steps your municipal government has taken and will continue to take to not only keep every citizen safe and healthy, but to ensure that Somersworth's bright future will continue to shine. Since the outbreak, your municipal team has been in constant discussion and assessment of the situation at hand. As the virus progressed, so to did the discussions and scheduled meetings. It is a safe presumption that the meetings between the City Manager, Mayor and Emergency Management Team were different in nature today than it was last week. While the information and recommendations from the CDC changed, the advisory and actions from your local government will also change. The goal of the united team, the City Manager, Mayor, Emergency Management Team, City Council, School Board, and all City Personnel, will be the safety of our community, first, while ensuring as little disruption to municipal services as possible. With that goal in mind, we will do our best to keep Somersworth on the move. But as the voice and head of this community, I would be misleading and dishonest, if I did not inform every citizen that your life over the next several weeks, days, and yes, even months, will continue to change. Over the next several weeks, days, and months, our daily routines will be disrupted, our way of life is about to become complicated. And the stressors placed upon each and every one of us will continue to increase. It is during this time that our Hilltopper values will be put to a test; a test that not only each and everyone of us can rise to the occasion, but prove that the jargon we speak is true. We are a community that cares about each other, a community that is hear for each other, a community that supports each other, and a community that loves each other. Unite, we will get through this. United, we will help each other during these hours, days and months of need. And yes, when we get through this, we will help each other clean up the broken pieces and rebuild our communities and lives together. The three Tri City Mayors, since taking office have continued the tradition of working closely together and building a relationship and even friendship. Prior to the pandemic, we would meet or speak weekly. Since the outbreak, those conversations happen several times a day. The conversations are not equating to actions, and as our respected citizenry look to leadership, we will not shy away from making difficult and unpopular decisions to protect all of us. Last Saturday, the three Mayors met at the Somersworth Aroma Joe's to discuss a plan to make regional decisions and to emanate a constant message to all three communities in regard to the Covid19 outbreak. This morning the three Mayors met, along with the three City Managers, superintendents, fire and police chiefs, EMT directors, and other personnel, to implement a Tri City informational approach to our three communities. We have also made some decisions which will take effect in the three communities, and some just here in our Hilltop Community. While your government will

City Council Meeting

March 16, 2020

continue to take a lead in ensuring the fidelity and continual operation, you, as citizens, are the first line of defense in stopping the spread of the virus and protecting the values which identify our Hilltopper spirit. Despite the temptation and even threats which will be placed upon us to abandon those values during these times of extremities, I ask that each of us hold the line and not abandon what has made us great. Our values are invaluable and have been the root of our success. It is during these times that others will look towards Somersworth to not only lead in the direction that we must follow but the path that we must continue on. So, let us continue to honor, protect, love, support, and help each citizen who at some time over the next 8 weeks or longer, may require that hilltopper spirit as a personal glimmer of hope for the foundational rock to get them through these uncertain times.

This past Saturday, the Mayor's office hosted an informational session for all citizens, to give them the most updated information and tools to help them combat the virus. The Mayor's office, in partnership with the Tri City health partners will continue to give you updates on Channel 22 as more information and tips become available. This evening, I will also be announcing steps and actions, and advisories that I am call on our government and all citizens to take.

First are the recommendations and actions which have been taken by your city government this week are as follows:

Since Somersworth Officials continue to monitor the evolving Covid-19 Crisis through the information provided by the State and Federal agencies, such as the CDC, New Hampshire Department of Health and Human Services, Homeland Security and Emergency Management, and the Governor's Office, we will continue to provide you with updates and guidance. In an effort to reduce the possible spread of the virus, we have taken the following steps, for each of us to take and encourage fellow citizens to get through this. Currently, City Hall will remain open, however, we encourage residents to utilize the following available services, and we will update you as this progresses and possibly changes.

- Make payments online via the City website
- Utilize the City Hall car Drive-thru
- Utilize the drop off boxes for payments in the downstairs entry
- Mail in services for motor vehicle registration, and water/sewer and tax payments

As we remain open, City Hall staff will continue to clean items that are frequently touched by staff and visitors here at City Hall. The City Library will be closed until further notice. Recreational Programs are in the process of being cancelled for April. More information will be provided as it comes.

SAU 56 Somersworth School are closed from March 16<sup>th</sup> to April 3<sup>rd</sup>, and will rely on online and remote learning. Residents looking for more information and with questions and concerns about the virus can now call the State of New Hampshire Covid-19 Hotline by dialing 211. Please remember these precautions as we encourage all citizens to follow these recommendations and guidelines for hygiene and preventative measures to stop the spread of:

- Stay home from work if you have a fever or are not feeling well
- Avoid close contact with others
- Wash your hands often with soap and water for at least 20 seconds
- Use and alcohol-based hand sanitizer if soap and water is not available
- Cover your nose and mouth with a tissue if you cough or sneeze then throw the tissue in the trash and clean your hands
- Avoid touching your eyes, nose, and mouth

- Clean and disinfect objects and surfaces
- And again, stay at home if you are sick and avoid close contact with others.
- If you feel the need to seek medical treatment for Covid-19, make every attempt to call your primary care physician, first, for guidance before traveling to your PCP office, emergency departments, or acute care facilities. If you do not have a PCP, please call 211. In the event of life-threatening emergencies, call 911.

Governor Sununu, the New Hampshire Department of Health and Human Services, New Hampshire Department of Homeland Security and Emergency Management, have also mobilized 211 New Hampshire to handle all Covid-19 related calls from residents and other people that have concerns.

With the new CDC recommendations and guidelines advisory as one of the key factors in rendering the decisions, the Mayor's Office is call upon instituting the following:

- All Chairs of the Council Standing Committees are advised to cease meetings until further notice from the Mayor's and City Manager's offices.
- All boards and commissions, including but not limited to the Zoning Board and Planning Board are advised to cease meetings until further notice and until contacted by the City Manager or the Mayor's office.
- The Council is advised this evening to suspend rules, give a second reading to all Resolutions and Ordinances, except the budget, and take action.
- I am advising the Council to suspend the rules on the Budget, give a second reading, and then place it upon the table.

The goal this evening is to clear the agenda of all items. Council this evening will adjourn at the call of the chair. This means that, despite the meeting calendar that we are on, upon the call of the Mayor and City Manager, we will assess the situation for possible further meetings. We will adjourn this evening and will continue when we will reconvene.

With that in mind, yesterday, I had a long conversation with Backbay Networks to begin the process of creating a system that will enable this body and the School Board to function remotely, and continue our democratic processes. This system will be ready to launch next week if necessary. Our government will continue to function and democracy and democratic values, along with our united citizenry will continue to execute forward and will prevail over this virus. I will be working with the members of the Economic Development Department, the Economic Development Team, City Personnel along with Councilor Witham and the Chair of the Economic Development Committee Chair to come up with a stimulus policy that we will introduce to this Council at the conclusion of this crisis to ensure that our local businesses can continue to operate and that our local economy will not collapse. The Emergency Management Director will now explain some of his duties and how they are on top of the Virus and will keep everyone safe.

Chief Kramlinger: Thank you Mr. Mayor, Councilors, Public watching at home, those in attendance, I can assure you that the City of Somersworth Emergency Management Team is well on top of the situation to the degree that we can be. We are in close contact with State Authorities and we are paying attention to the ever-changing Federal guidance. We can't over emphasize the importance of self-responsibility during this crisis. It is not unlike that which we experienced after 9-11, in that the average person can do an awful lot to prevent the spread of the disease and protect themselves. I am going to emphasize again, that if you are sick, if you are exhibiting signs or symptoms, you need to stay home and limit contact. If

you do need to seek medical attention, call your PCP first. If you do not have a PCP, please call 211. If at all possible, do not show up at the doctor's office or the emergency department. That will only complicate matters. For those who are asymptomatic, not experiencing symptoms. Please wash your hands, avoid contact with others, clean surfaces, and exhibit good hygiene. For the elderly, we need to check on them and provide the assistance that we can and limit their exposure in public because they are one of our most at risk and vulnerable population groups. As far as the City goes, the Emergency Management Team is in close coordination with the state, there are directives that are coming down, most will be forth-coming, and future public releases. Emergency Management response capability is up and running. It is in full effect with no degradation. We are taking measures to protect the emergency medical technicians, paramedics, firefighters, and police officers. We will continue to answer 911 calls. We ask that someone who is symptomatic, that they express those symptoms when they make their 911 call. If an individual is experiencing life threatening conditions please do not hesitate to call 911 and provide all of the information that is being requested by the call takers that way we can make an accurate assessment of your situation and properly protect ourselves. In short, the Emergency Management Team is up and running, we have good communications with those that we need to have communications with, including the State as well as the surrounding communities, and we are ready to respond. This is a day by day situation, that none of us have ever experienced before. There is no book for this; we are making it up as we go along, but we are making that book up with factual information, training and science, and using the best practices that we have developed for other types of situations, similar to this. We will go forward and keep everybody safe and keep government running.

Mayor Hilliard: Any faith-based organization seeking alternative methods to broadcast their service during this crisis, please reach out to the Mayor's office. From your Tri City Mayors, effective immediately, the Tri City Mayors are calling upon all retail stores to place a limit of items per customer on all of the purchases. This will ensure that all citizens have access to food and other essential items and will allow the retailers to replenish their supplies. I thank the retailers like Walmart and Target who have already instituted some of these practices along with our local Market Basket. With St. Patrick's Day celebrations upon us, I call upon all businesses and citizens to adhere to the White House recommendations today and those changing recommendations of no gatherings larger than 10 people. The three Mayors also encourage all citizens to take advantage of ordering out and ordering multiple items when ordering and freezing them, locally, your pizza places, pizza can be frozen. 45 Market Street has several meals which can be purchased and frozen and all restaurants in the Tri City area also have food which can be ordered, consumed and frozen for future consumption. By doing so, this will help keep our local economy functioning. I, along with all of your city personnel and elected leadership here this evening, and at home, will not shy away or falter to lead during this time of crisis. Together, we will overcome this. Together, we will keep each other safe. Together, we will succeed and continue to celebrate our proud past, and even brighter future. Continue to keep yourself safe. Continue to keep yourself healthy. We will continue to give you the updates and make the difficult decisions, and we will all get through this together. God bless you all and this concludes my Mayor's Report for March 16, 2020.

## **REPORTS OF STANDING COMMITTEES**

Finance Committee – Councilor Witham reported that the Committee met on March 11<sup>th</sup>, 2020. They discussed:

- Conservation Commission land purchase grant to purchase conservation land off of Lily Pond. This along with other conservation land in that area creates a wildlife corridor through the city. The funding for this comes from the Conservation Commission fund. This will have no impact on the tax rate.
- EMPG Grant, State emergency planning grant. This is to install an emergency generator radio repeater on Hilltop School.
- Ord 16-20 – Supplemental Appropriation for the Veterans Park, for updates to the sidewalk in front of the park and for some level of fencing or protection around the park. Staff is working with Wright-Pierce on the design. There is undesignated state aid available from the Governors last budget, and the City has received about \$50,000 in donations. The remaining balance will be taken out of the cable fund to move forward with this project.
- Superfund Financial Assurance – responsible parties are City and GE. EPA requires that the responsible parties to have financial assurance to close the landfill; \$9mil for full closure. This assurance shows that someone has the bonding capability if we get to that point. GE has held the financial assurance, but that responsibility has shifted to the City.
- Jules Bison park patch for the playground at the site. They discussed a few different revenue options. There are a number of different developments and a grant from the state.
- Reporting. Director Smith gave report. There are no alarming trends. They are continuing to watch the solid waste recycling line and snow removal salt/sand is favorable at this time.

Recreation – Councilor Cameron reported that the Committee met on March 11<sup>th</sup>, 2020. They discussed:

- Dog Park – they have received donations and encouraged others to continue to donate. They would like to break ground by the end of April. They discussed the size of the fencing between small and large dog areas and decided to increase the height to 5 ft. They discussed signage. They are still working out details; sponsorship fees could go towards park maintenance.
- Jules Bison Park will have a river themed playground. This will tie in nicely to the river walk. This will be a nice area for the community to enjoy.

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

### **Special Committees**

E-911 – Councilor Pepin reported that the committee met on March 5<sup>th</sup>, 2020. They discussed:

- 15 High Street, which has access on Mt Vernon. They are working with the owner to re-number this property to have a Mt Vernon address.
- A new business on Tri City Rd, that they need to assign a number.
- Stackpole Road property, they changed the address to Cinnamon Ridge, access is on Cinnamon Ridge.
- Hilltop School, discussed numbering, conversation about how to label utility rooms.
- 66 High Street, there are buildings that are being accessed off Constitutional way. They are still looking into this situation; there are 2-3 apartments.
- Pearl Street, re-numbering and changing addresses completely, discussed changes to 27 Hanson Street and 4 Pearl Street.

School Board – Councilor Pepin reported that the Board met on March 10, 2020. There is still a freeze on the budget.

Councilor Vincent asked what the process is regarding the budget. Mayor Hilliard explained that the budget Ordinance is being presented this evening. He recommended that the Council waive rules and allow for a second read then table the ordinance. If the budget is not passed by July 1, the budget stands as presented by the City Manager.

#### City Manager's Report

##### *Office of the City Manager*

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

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

**DATE: Friday, March 13, 2020**

**SUBJECT: City Manager's Report for Monday, March 16, 2020  
City Council Agenda**

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**6:30 p.m.**

***Workshop w/ City Attorney Mark Beliveau re: Landfill Superfund Site – Financial Assurance***

Attached is a memorandum from the City's Superfund Counsel that provides some background on this Financial Assurance issue.

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#### ***Old Business (Under Section 14 of Agenda)***

## **Ordinances**

- A. Ordinance No. 16-20: Supplemental Appropriation to Construct a Veterans Memorial and Associated Improvements at Stein Park.** Again, the Finance Committee voted to support this Supplemental Appropriation. City Staff received 2 bids to construct the Veteran's Memorial and they exceed our initial estimate. Attached are copies of the bid comparison along with the *red-lined* Ordinance changes recommended by the Finance Committee. I have also included a copy of the project costs and the revenue recommendations that we presented to the Finance Committee.

## **Resolutions**

- A. Resolution No. 33-20: To Authorize the City Manager to Contract with Emery and Garrett Groundwater Investigations of Meredith, NH to Provide an Assessment of the Rocky Hill Road Wellfield.** Again, the Public Works Committee and the Finance Committee recommendations are to award the Contract to Emery and Garrett.
- B. Resolution No. 34-20: To Authorize the City Manager to Contract with Wright-Pierce Engineers of Portsmouth, NH to Provide a Water Storage Assessment, Water Tank Condition Assessment of the Hamilton Street Water Tank, and a Distribution System Master Plan Update.** Again, the Public Works Committee and the Finance Committee voted to move forward with City Staff's recommendation to Contract with Wright-Pierce Engineers of Portsmouth, NH.
- C. Resolution No. 35-20: To Authorize the City Manager to Enter into a Five-Year Contract Amendment (7/1/2020 – 6/30/2025) with Waste Management of New Hampshire, Inc. for Collection and Disposal of Municipal Solid Waste, Municipal Recycling, and Wastewater Treatment Sludge Disposal.** Again, the Finance Committee and Public Works & Environment Committee accepted Staff's recommendation to approve these Contract extensions. Waste Management representative Pete Lachapelle plans to attend should Council have any questions.
- D. Resolution No. 36-20: To Authorize the City Manager to Contract with Apex Construction of Somersworth, NH for the Construction of Wastewater Treatment Facility Upgrades.** Again, Wright-Pierce Engineers recommends Apex and City Staff concurs.
- E. Resolution No. 37-20: To Authorize the City Manager to Sign a Contract with Wright-Pierce Engineers of Portsmouth, NH to Provide Resident Inspection and Contract Administration Services Associated with the Construction of the Upgrades at the Wastewater Treatment Facility.**



*New Business (Under Section 15 of Agenda)*

**Ordinances**

- A. Ordinance No. 17-20: FY 2020-2021 Budget.** The City Manager's Proposed FY 2020 / 2021 Budget and School Department Budget has been submitted in accordance with the City Charter. Mayor Hilliard has scheduled the Public Hearing for Monday, April 6<sup>th</sup>. The City Manager's Budget Presentation starts at 6:00 p.m. The Budget Public Hearing starts at 7:00 p.m. Please note: Budget Workshop is on Saturday, April 4<sup>th</sup> starting at 8:30 a.m.; which will be televised.

**Resolutions**

- A. Resolution No. 38-20: To Authorize the City Manager to Enter Into a Grant Agreement with the New Hampshire Department of Safety to Acquire a Generator for Emergency Power for the Public Safety Radio Transmitter Located at 17 Grand Street.** The Finance Committee met on March 11<sup>th</sup> and voted to support this Resolution. I have attached a copy of the Grant requirements. This generator would service the public safety radio communications repeater on the roof of the former Hilltop School. As part of the Planning Board approval process for this property's redevelopment, Eric Chinburg agreed to complete the necessary make-ready work for a generator. The Finance Committee members will be requesting a 2<sup>nd</sup> reading and vote this evening as the Grant deadline for submittal is April 3<sup>rd</sup>.
- B. Resolution No. 39-20: To Authorize the City Manager to Enter into a Grant Agreement with the State of New Hampshire Department of Environmental Services for a New Hampshire Drinking Water and Groundwater Trust Fund Grant for the Conservation Commission to Purchase Land in the Lily Pond Watershed.** The Finance Committee met on March 11<sup>th</sup> and voted to support this Resolution. Attached are copies of a memorandum from Director Shanna Saunders, Grant documents and associated project information. Any funding match from the City would come out of the Conservation Commission's fund. This project has gone through several Council Committee discussions as well as discussion at the full Council level. Therefore, I respectfully ask Council to consider a 2<sup>nd</sup> reading and vote this evening.
- C. Resolution No. 40-20: To Authorize the City Manager to Amend the Contract with Ironwood Design Group of Newmarket, NH to Provide Construction Administration Services for the Construction of a Veterans Memorial at Stein Park.** The Finance Committee met on March 11<sup>th</sup> and voted to support this Resolution. Please consider a 2<sup>nd</sup> reading on this Resolution as well as the Rye Beach contract so that we can be sure to break ground in April.
- D. Resolution No. 41-20: To Authorize the City Manager to Contract with Rye Beach Landscaping of Exeter, NH for the Construction of a Veterans Memorial at Stein Park Including Improvements to the Sidewalk Abutting**

**Stein Park on Main Street.** The Finance Committee met on March 11<sup>th</sup> and voted to support this Resolution.

- E. Resolution No. 42-20: To Authorize the City Manager to Execute and Deliver to the United States Environmental Protection Agency, Pursuant to Paragraph 48.F. of the Rd/Ra Consent Decree for the Somersworth Sanitary Landfill Superfund Site, a Financial Assurance “Letter Of Authorization” in the Amount of \$9 Million Dollars.** The Finance Committee met on March 11<sup>th</sup> and voted to support this Resolution. Superfund Attorney Mark Beliveau will be explaining this required action at the 6:30 p.m. Workshop. Attached is a copy of the letter that I would be authorized to send should Council approve this Resolution.

*City Manager’s Items (under section 11 of Agenda)*

**A. Informational Items.**

- a. Annual Household Hazardous Waste Collection Day.** This year’s Household Hazardous Waste Collection Day has been scheduled for Saturday, May 16<sup>th</sup> at 9 Isinglass Drive in Rochester from 8:30 a.m. – 12:30 p.m.

**Meeting Reminders**

- **Saturday, March 28**
  - 8:30 am: City Council Team Building Session
- **Saturday, April 4**
  - 8:30 am: City Council Budget Workshop – Non-Profits & City Departments
- **Monday, April 6**
  - 6:00 pm: City Manager Presents Budget
  - 7:00 pm: Budget Public Hearing and City Council Meeting

**Attachments**

- 1. City Attorney Certifications.** Copies will be available Monday
- 2. Department Head Reports**
- 3. City Budget FY20 Expenditure Projections (3-11-20)**

**UNFINISHED BUSINESS**

**ORDINANCES**



## City of Somersworth – Ordinance

Ordinance No: **16-20**

### **SUPPLEMENTAL APPROPRIATION TO CONSTRUCT A VETERANS MEMORIAL AND ASSOCIATED IMPROVEMENTS AT STEIN PARK**

March 2, 2020

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 Fiscal Year 19-20 is amended as follows:

Appropriate \$380,000 from unanticipated City revenue and a transfer from the Cable Fund to the Capital Outlay section of the FY19-20 General Fund budget as follows:

Original Budget  
\$ 157,913

Amendment  
\$380,000

Revised Budget  
\$ 537,913

Approved as to Funding:

Scott A. Smith  
Director of Finance and Administration

Recorded by:

Trish Harris  
City Clerk

#### Background:

This Ordinance appropriates funding to construct a new Veterans Memorial and associated improvements to include a new sidewalk at Stein Park. The City will be receiving bids for this project on March 5, 2020. The funding for this project is provided by using unanticipated State Aid in the amount of \$273,216, estimated donations of \$50,000, and a transfer from the Cable Fund to the General Fund in the amount of \$56,784.

***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  
Martin P. Dumont, Sr.  
Donald Austin  
Martin Pepin  
Richard R. Michaud  
Matt Gerding

##### *Approved:*

City Attorney

## City of Somersworth – Ordinance 16-20

### History

First Read Date:	03/02/2020	Tabled:	NA
Public Hearing:	03/16/2020	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

On March 16, 2020, *Councilor Austin, seconded by Councilor Witham, made a motion to amend Ordinance 16-20 in accordance with the recommendation of the Finance Committee.*

Councilor Witham explained that the bids came in over budget; this helps to move us forward, no impact on the tax rate.

City Manager Belmore explained what is being amended is the capital outlay portion. This was discussed in the Finance Committee. This would allow flexibility for the contractor to order the monuments directly.

*The motion to amend, passed, 8-0.*

*Councilor Witham, seconded by Councilor Cameron, made a motion to approve Ordinance 16-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/18/2020 Ordinance 16-20		<b>PASSED</b>	

### RESOLUTIONS



## City of Somersworth – Resolution

Resolution No: **33-20**

**TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH EMERY AND GARRETT GROUNDWATER INVESTIGATIONS OF MEREDITH, NH TO PROVIDE AN ASSESSMENT OF THE ROCKY HILL ROAD WELLFIELD**

March 2, 2020

WHEREAS, the City owns two wells off Rocky Hill Road that are not actively utilized as part of the water distribution system and the City would like to have a qualified consultant conduct a feasibility study on the value of these wells and the cost/benefit to bring these wells on-line as a secondary water source, and

WHEREAS, the Fiscal Year 2019-2020 adopted budget contains an appropriation for this project, and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Emery and Garrett Groundwater Investigations of Meredith, NH for a total contract amount of \$68,500 (Sixty Eight Thousand Five Hundred dollars), and

WHEREAS, the Public Works and Environment Committee has reviewed the recommendation with city staff and supports the recommendation, 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 Emery and Garrett Groundwater Investigations of Meredith, NH for a contract amount of \$68,500 (Sixty Eight Thousand Five Hundred dollars) to provide an assessment of the Rocky Hill Road wellfield, and to take any actions relative to this project determined to be in the best interest of the City.

### Authorization

*Sponsored by Councilors:*

David A. Witham  
Martin P. Dumont, Sr.  
Richard R. Michaud  
Donald Austin  
Martin Pepin

*Approved:*

City Attorney

## City of Somersworth – Resolution 33-20

### History

First Read Date:	03/02/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

*Councilor Witham, seconded by Councilor Austin, made a motion to approve Resolution 33-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 33-20		<b>PASSED</b>	



## City of Somersworth – Resolution

Resolution No: **34-20**

**TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT-PIERCE ENGINEERS OF PORTSMOUTH, NH TO PROVIDE A WATER STORAGE ASSESSMENT, WATER TANK CONDITION ASSESSMENT OF THE HAMILTON STREET WATER TANK, AND A DISTRIBUTION SYSTEM MASTER PLAN UPDATE**

March 2, 2020

WHEREAS, the Somersworth Capital Improvement Program for Fiscal Years 2021 through 2026 contains a recommendation to assess the condition of the Hamilton Street water tank and provide an assessment of the City's overall water storage needs, and

WHEREAS, the City has been notified of a NH Department of Environmental Services Asset Management Grant in the amount of \$20,000 that can be used to update the Water Distribution Master Plan, and

WHEREAS, the Fiscal Year 2019-2020 adopted budget contains an appropriation for this project, and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Wright-Pierce Engineers of Portsmouth, NH for a total contract amount of \$54,700 (Fifty Four Thousand Seven Hundred dollars) , and

WHEREAS, the Public Works and Environment Committee has reviewed the recommendation with City staff and supports the recommendation, 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 Wright-Pierce Engineers of Portsmouth, NH for a contract amount of \$54,700 (Fifty Four Thousand Seven Hundred dollars) to provide a water storage assessment, water tank condition assessment of the Hamilton Street water tank, a distribution system master plan update, and to take any actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin P. Dumont, Sr. Richard R. Michaud Donald Austin Martin Pepin	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 34-20

History			
First Read Date:	03/02/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

## Discussion

*Councilor Witham, seconded by Councilor Cameron, made a motion to approve Resolution 34-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 34-20 <b>PASSED</b>			





## City of Somersworth – Resolution

Resolution No: **35-20**

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A FIVE-YEAR CONTRACT AMENDMENT (7/1/2020 – 6/30/2025) WITH WASTE MANAGEMENT OF NEW HAMPSHIRE, INC. FOR COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE, MUNICIPAL RECYCLING, AND WASTEWATER TREATMENT SLUDGE DISPOSAL**

March 2, 2020

WHEREAS, the present contract with Waste Management of New Hampshire, Inc. for the collection and disposal of municipal solid waste, municipal recycling, and wastewater treatment sludge, expires on June 30, 2020, and

WHEREAS, City staff negotiated proposed five-year contract extensions with Waste Management of New Hampshire, Inc. for these purposes, and

WHEREAS, the City Council's Finance Committee has reviewed the proposed contract extensions with City staff and supports authorizing the City Manager to enter into a contract with Waste Management of New Hampshire, Inc. for these purposes, and

WHEREAS, the City Council's Public Works and Environment Committee has reviewed the proposed contract extensions with City staff and supports authorizing the City Manager to enter into a contract with Waste Management of New Hampshire, Inc. for these purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into five year contract extensions (7/1/2020 – 6/30/2025) with Waste Management of New Hampshire, Inc. for the collection and disposal of municipal solid waste, municipal recycling, and wastewater treatment sludge disposal, and to take any actions relative to this contract determined to be in the best interest of the City.

### Authorization

*Sponsored by Councilors:*

David A. Witham  
Martin P. Dumont, Sr.  
Richard R. Michaud  
Donald Austin  
Martin Pepin

*Approved:*

City Attorney

## City of Somersworth – Resolution 35-20

### History

First Read Date:	03/02/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

*Councilor Witham, seconded by Councilor Austin, made a motion to approve Resolution 35-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/18/2020 Resolution 35-20		<b>PASSED</b>	



## City of Somersworth – Resolution

Resolution No: **36-20**

**TO AUTHORIZE THE CITY MANAGER TO CONTRACT  
WITH APEX CONSTRUCTION OF SOMERSWORTH, NH  
FOR THE CONSTRUCTION OF WASTEWATER  
TREATMENT FACILITY UPGRADES**

March 2, 2020

WHEREAS, the Somersworth City Council adopted Resolution No. 1-19 to appropriate funds from the State Revolving Loan Fund for upgrades to the Wastewater Treatment Facility, and

WHEREAS, the City has solicited bids through their consultant engineer for the construction of these improvements, and

WHEREAS, the City's consultant engineer has reviewed the results and recommends awarding the contract to APEX Construction of Somersworth, NH for an amount of \$10,880,600 (Ten Million Eight Hundred Eighty Thousand Six Hundred dollars),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with APEX Construction of Somersworth, NH for the construction of upgrades to the Wastewater Treatment Facility for an amount of \$10,880,600 (Ten Million Eight Hundred Eighty Thousand Six Hundred dollars), and to take any actions relative to this contract determined to be in the best interest of the City.

### Authorization

*Sponsored by Councilor:*

David A. Witham

*Approved:*

City Attorney

## City of Somersworth – Resolution 36-20


### History

First Read Date:	03/02/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

*Councilor Austin, seconded by Councilor Cameron, made a motion to approve Resolution 36-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 36-20		<b>PASSED</b>	

	<b>City of Somersworth – Resolution</b>
	Resolution No: <b>37-20</b> <b>TO AUTHORIZE THE CITY MANAGER TO SIGN A CONTRACT WITH WRIGHT-PIERCE ENGINEERS OF PORTSMOUTH, NH TO PROVIDE RESIDENT INSPECTION AND CONTRACT ADMINISTRATION SERVICES ASSOCIATED WITH THE CONSTRUCTION OF THE UPGRADES AT THE WASTEWATER TREATMENT FACILITY</b>

March 2, 2020

WHEREAS, the Somersworth City Council adopted Resolution No. 1-19 to appropriate funds from the State Revolving Loan Fund for upgrades to the Wastewater Treatment Facility, and

WHEREAS, Wright-Pierce Engineers have provided the City with pre-construction services such as design and bid specifications for the upgrades to the Wastewater Treatment Facility, and

WHEREAS, the City has received bids from qualified contractors for the construction of the upgrades at the Wastewater Treatment Facility and will require resident inspection and construction administration services associated with the construction of these upgrades, and

WHEREAS, Wright-Pierce Engineers have provided a proposal in the amount of \$1,295,000 (One Million Two Hundred Ninety-Five Thousand dollars) to provide resident inspection and contract administration services,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to sign a contract with Wright-Pierce Engineers of Portsmouth, N.H. to provide resident inspection and construction administration services associated with the construction of the upgrades at the Wastewater Treatment Facility, and to take any other action related to this contract determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilor:</i> David A. Witham Martin Pepin	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 37-20

### History

First Read Date:	03/02/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

On March 2, 2020, *Councilor Pepin asked that his name be added as a sponsor to Resolution 37-20.*

On March 16, 2020, *Councilor Gerding, seconded by Councilor Cameron, made a motion to approve Resolution 37-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 37-20		<b>PASSED</b>	

### NEW BUSINESS

### ORDINANCES



## City of Somersworth – Ordinance

Ordinance No: 17-20

### FISCAL YEAR 2020-2021 BUDGET

March 16, 2020

The City of Somersworth Ordains that Budgets for the City of Somersworth for the 2020-2021 Fiscal Year shall be:

#### DEPARTMENT

#### ADOPTED BUDGET

##### GENERAL FUND

Elected Leadership	\$149,236
City Management	503,830
Finance and Administration	1,478,774
Development Services	893,828
Police	4,080,433
Fire	2,248,812
Public Works	3,264,251
Other Expenses	1,090,127
Capital Outlay	303,269
Intergovt Assessments - County	2,766,770
School Department	29,047,242

##### **TOTAL GENERAL FUND**

**45,826,572**

##### ENTERPRISE FUNDS

Wastewater Department	2,343,470
Water Department	2,178,516
Solid Waste	466,720

##### **TOTAL ENTERPRISE FUNDS**

**4,988,706**

##### SPECIAL REVENUE FUND

Cable Fund	60,839
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##### **TOTAL FY 2020-2021 APPROPRIATION**

**\$50,876,117**

This ordinance shall take effect upon its passage.

#### Authorization

*Sponsored by Request:*

Mayor Dana S. Hilliard

*Approved:*

City Attorney

City Council Meeting

March 16, 2020

## City of Somersworth – Ordinance 17-20

### History

First Read Date:	03/16/2020	Tabled:	03/16/2020
Public Hearing:		Removed From Table:	
Second Read:	03/16/2020		

### Discussion

On March 16, 2020, *Councilor Witham, seconded by Councilor Austin, made a motion to waive Council Rules to allow for Ordinance 17-20 to be read by title only. The motion passed, 8-0.*

*Councilor Witham, seconded by Councilor Austin, made a motion to waive Council rules to allow for a second read of Ordinance 17-20. The motion passed, 8-0.*

Following the second read, *Councilor Witham, seconded by Councilor Vincent, made a motion to table Ordinance 17-20. The motion passed, 8-0.*


Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
<b>TOTAL VOTES:</b>			
On    /    /    .    Ordinance 17-20		PASSED	FAILED



## RESOLUTIONS

*Councilor Witham, seconded by Councilor Paradis, made a motion to waive Council Rules to allow for the following Resolutions to be read by title only. The motion passed, 8-0.*

*Councilor Witham, seconded by Councilor Cameron, made a motion to waive Council Rules to allow for a second read of the Following Resolutions. The motion passed, 8-0.*

	<b>City of Somersworth – Resolution</b>
	<b>Resolution No: 38-20</b> <b>TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE DEPARTMENT OF SAFETY TO ACQUIRE A GENERATOR FOR EMERGENCY POWER FOR THE PUBLIC SAFETY RADIO TRANSMITTER LOCATED AT 17 GRAND STREET</b>

March 16, 2020

WHEREAS, the City of Somersworth has been notified of the availability of the 2020 New Hampshire EMPG Grant through the New Hampshire Department of Safety; and

WHEREAS, the City of Somersworth is eligible to receive \$8,900 (eight thousand nine hundred dollars) toward the purchase of a back-up generator for emergency power for the Public Safety radio transmitter located at 17 Grand Street; and

WHEREAS, the City of Somersworth is required to provide a 50/50 match, but in-kind communications equipment purchased by the City in Fiscal Year 20 is allowed as a match (\$52,545 spent on portable and mobile radios in the Fire Department);

### EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN

EMPG GRANT	=	\$8,900
<u>CITY MATCH</u>	=	<u>\$8,900 (In-kind)</u>
TOTAL PROJECT AWARD	=	\$8,900

WHEREAS, the Grant will allow the City of Somersworth to maintain public safety radio communications when normal electrical power has failed – therefore continuing to provide essential public safety services to citizens;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents, agreements and take any and all such actions necessary for the Grant's execution, and take any all other such actions relative to this Grant determined to be in the best interest of the City.

City Council Meeting

March 16, 2020

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

## City of Somersworth – Resolution 38-20

History			
First Read Date:	03/16/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

*Councilor Witham, seconded by Councilor Cameron, made a motion to approve Resolution 38-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 38-20		<b>PASSED</b>	



## City of Somersworth – Resolution

Resolution No: **39-20**

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR A NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER TRUST FUND GRANT FOR THE CONSERVATION COMMISSION TO PURCHASE LAND IN THE LILY POND WATERSHED**

March 16, 2020

WHEREAS, the City of Somersworth has been notified of the award of a New Hampshire Drinking Water and Groundwater Trust Fund Grant for the Conservation Commission to purchase land in the Lily Pond watershed, and

WHEREAS, the City of Somersworth is eligible to receive up to \$100,000 (one Hundred Thousand dollars) requiring a local match of up to \$120,000 (One Hundred Twenty Thousand dollars), and

WHEREAS, the City's local match for this grant will come from funding available in the Conservation Fund along with Grant proceeds from the Great Bay Resource Protection Partnership Grant authorized by Resolution 37-19, and

WHEREAS, the Grant requirements are the City must obtain an appraisal of the property, conduct an environmental hazards assessment, obtain a survey of the property, provide legal services, recording fees, and any title expenses required in the transfer of said property, and

### EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN

Grant	=	\$100,000
City Cash	=	\$120,000
Total Project Award	=	\$220,000

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents and agreements necessary for the grant's execution, expend the grant proceeds in accordance with the grant documents, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

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

## City of Somersworth – Resolution 39-20

History			
First Read Date:	03/16/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

***Councilor Witham, seconded by Councilor Austin, made a motion to approve Resolution 39-20.***

Councilor Gerding stated that he is happy to see this and with no impact on the taxes.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 39-20		<b>PASSED</b>	



## City of Somersworth – Resolution

Resolution No: **40-20**

**TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH IRONWOOD DESIGN GROUP OF NEWMARKET, NH TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE CONSTRUCTION OF A VETERANS MEMORIAL AT STEIN PARK**

March 16, 2020

WHEREAS, the City Council adopted Resolution 24-19 to authorize the City Manager to contract with Ironwood Design Group to provide a conceptual design for a Veterans Memorial at Stein Park, and

WHEREAS, the City Council adopted Resolution 2-20 to authorize the City Manager to amend the contract with Ironwood Design Group to provide a final design and bid specifications for a Veterans Memorial at Stein Park, and

WHEREAS, the City accepted bids from qualified contractors for this project and is prepared to begin construction, and

WHEREAS, the City will require construction administration services for this project and Ironwood Design Group has prepared a quote of \$9,475 (Nine Thousand Four Hundred Seventy Five dollars) to provide these services,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with Ironwood Design Group of Newmarket, NH to provide construction administration services for the construction of a Veterans Memorial at Stein Park for a cost of \$9,475 (Nine Thousand Four Hundred Seventy Five dollars), and to take any other actions relative to this project determined to be in the best interest of the City.

### Authorization

*Sponsored by Councilors:*

David A. Witham  
Martin Pepin  
Donald Austin

*Approved:*

City Attorney

## City of Somersworth – Resolution 40-20

### History

First Read Date:	03/16/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

### Discussion

Councilor Cameron, seconded by Councilor Austin, made a motion to approve Resolution 40-20.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/18/2020 Resolution 40-20 <b>PASSED</b>			



## City of Somersworth – Resolution

Resolution No: **41-20**

**TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH RYE BEACH LANDSCAPING OF EXETER, NH FOR THE CONSTRUCTION OF A VETERANS MEMORIAL AT STEIN PARK INCLUDING IMPROVEMENTS TO THE SIDEWALK ABUTTING STEIN PARK ON MAIN STREET**

March 16, 2020

WHEREAS, on June 4, 2018, Mayor Dana S. Hilliard announced the formation of the Veterans Park Commission to re-design Stein Park so that it may become a living tribute to all the brave men and women who answered the call of defending this great nation, and

WHEREAS, as a result of the work done by the Veterans Commission, the City Council authorized the City Manager to contract with Ironwood Design Group of Newmarket, NH to provide conceptual design services, final design services, and bid specifications for the construction of a Veterans Memorial at Stein Park, and

WHEREAS, on March 5, 2020 bids were accepted from qualified contractors and they were reviewed by Ironwood Design Group and they recommend awarding the contract to Rye Beach Landscaping of Exeter, NH for a cost of \$370,525 (Three Hundred Seventy Thousand Five Hundred Twenty Five dollars), which includes improvements to the section of sidewalk abutting Stein Park on Main Street and adding trees and boulders to act as fencing along the park, and

WHEREAS, during the review of the bids it has been determined that there may be opportunities to reduce the total cost of this project by allowing the City Manager to amend the contract with Rye Beach Landscaping downward and direct purchase some of the supplies for construction, negotiate and contract directly with contractors for the sidewalk improvements and other improvements associated with this project, and allowing the Department of Public Works to participate in the construction by hauling away fill, and

WHEREAS, these recommendations were presented to the Finance Committee and they support these recommendations,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Rye Beach Landscaping of Exeter, NH for construction of a Veterans Memorial at Stein Park, including improvements to the section of sidewalk abutting Stein Park on Main Street and adding trees and boulders to act as fencing along the park for a cost of \$370,525 (Three Hundred Seventy Thousand Five Hundred Twenty Five dollars), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager may amend the contract downward with Rye Beach Landscaping and contract with other vendors without further City Council action to

directly purchase supplies for construction, and to negotiate and contract directly with contractors for the sidewalk improvements or other improvements associated with this project, and to allow the Department of Public works to participate in construction by hauling away fill, or to take any other action associated with this project determined to be in the best interest of the City.

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

## City of Somersworth – Resolution 41-20


History			
First Read Date:	03/16/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

## Discussion

*Councilor Cameron, seconded by Councilor Gerding, made a motion to approve Resolution 41-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/16/2020 Resolution 41-20		<b>PASSED</b>	



	<b>City of Somersworth – Resolution</b>
	<p>Resolution No: <b>42-20</b></p> <p><b>TO AUTHORIZE THE CITY MANAGER TO EXECUTE AND DELIVER TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, PURSUANT TO PARAGRAPH 48.f. OF THE RD/RA CONSENT DECREE FOR THE SOMERSWORTH SANITARY LANDFILL SUPERFUND SITE, A FINANCIAL ASSURANCE “LETTER OF AUTHORIZATION” IN THE AMOUNT OF \$9 MILLION DOLLARS</b></p>

March 16, 2020

WHEREAS, the City of Somersworth (“City”) is the owner of certain property located on Blackwater Road in Somersworth, which property is the location of the former Somersworth Sanitary Landfill (“Landfill”), and

WHEREAS, on September 8, 1983, the Landfill, pursuant to federal law, was added to the National Priorities List and the City, along with many local businesses and certain federal and state departments and agencies, were required to investigate and cleanup contamination at the Landfill; and

WHEREAS, on September 28, 1995, the City, along with many local businesses and certain federal and state departments and agencies, entered into the RD/RA Consent Decree for the Somersworth Sanitary Landfill Superfund Site (“Consent Decree”) with the U. S. EPA and the State, wherein they agreed to be responsible for the cleanup of the Landfill; and

WHEREAS, pursuant to the Consent Decree, all settling parties, except the City and General Electric Company, paid a sum certain and “cashed-out” under the Consent Decree and the cash-out payments have been applied towards the cost of the cleanup; and

WHEREAS, the City and General Electric Company, as the performing parties under the Consent Decree, have diligently performed their obligations under the Consent Decree for the past 25 years; and

WHEREAS, the City and General Electric Company have overseen and paid the cost of the cleanup of the Landfill including, without limitation, the design, construction, operation and maintenance of the chemical treatment wall, the landfill cover, the bedrock extraction system and the landfill gas venting system; and

WHEREAS, as between the City and General Electric Company, all costs incurred related to the cleanup of the Landfill are split on a 50.5% (City) and 49.5% (General Electric Company) basis; and

WHEREAS, the U.S. EPA has determined that the cleanup remedy for the landfill currently protects human health and the environment and, for the remedy to be protective in the long term, groundwater cleanup levels specified in the Record of Decision must be attained and final closure of the Landfill must be completed by the acceptance of the existing soil cap as the final landfill cap or the selection and construction of a new final landfill cap; and

WHEREAS, Paragraph 48. of the Consent Decree requires the City and General Electric Company to establish and maintain financial security in the amount of \$16 million (the original projected cost of the cleanup of the Landfill), to assure the performance of the cleanup remedy; and

WHEREAS, Paragraph 48 of the Consent Decree allows various ways to provide financial security including a surety bond, irrevocable letter of credit, trust fund, corporate guarantee, financial test or a “letter of authorization” from the Somersworth City Council; and

WHEREAS, Paragraph 49 of the Consent Decree provides that if the City seeks to demonstrate its financial ability to complete all or a portion of the cleanup of the Landfill by means of a municipal authorization pursuant to Paragraph 48. f. then, in such event, the City shall submit to U.S. EPA each year its annual budget, annual financial reports, and a letter stating that the Somersworth City Council authorization remains in force; in addition, the City would be required to submit its current bond rating, if any, and the bond rating package, if any, and any other information used to support bond issuance, for the most recent bond issuance and for each bond issuance during the performance of the cleanup of the Landfill; and

WHEREAS, the City has agreed to provide financial security to meet the estimated future cost of the final cover for the Landfill; and

WHEREAS, U.S. EPA has determined that at this time the appropriate amount of financial security for the final cover for the Landfill is \$9 million; and

WHEREAS, the City Finance Committee has received a presentation from the City Manager and his staff on this matter, including a draft copy of the proposed “letter of authorization”, a copy of which is attached to this Resolution, and recommend adoption thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute the letter of authorization attached to this Resolution and deliver it to the U.S. EPA in satisfaction of the financial security requirements set forth in Paragraphs 48 and 49 of the Consent Decree.

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

<b>City of Somersworth – Resolution 42-20</b>
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History			
First Read Date:	03/16/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	03/16/2020		

<b>Discussion</b>
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*Councilor Austin, seconded by Councilor Gerding, made a motion to approve Resolution 42-20.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	-	-
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 03/18/2020 Resolution 42-20		<b>PASSED</b>	

## **CLOSING COMMENTS BY VISITORS**

None

## **CLOSING COMMENTS BY COUNCIL MEMBERS**

Councilor Pepin said, with the virus, be safe and stay home if you are sick. He was looking to go to Disney, but they closed. Keep an eye on your neighbors, especially the elderly.

Councilor Vincent commented on the photo of Mayor McLin. His father and Jim were really close. He did a lot for the City. Definitely Passionate about Somersworth.

He stated that he felt compelled to talk a little bit about net metering. Three years ago, when he took the position of elected state representative, he knew nothing about energy. He knew when he flipped the switch, he had power. He has learned a lot over the past few years. Net metering is when you can connect solar arrays together, and produce enough megawatts to be able to sell it. The power company charges anywhere from 7.9cents to 10 cents per kilowatt. He serves on Science, Technology and Energy Committee and they have tried to get net metering passed. That is when a city or private people can get a solar array together. The Committee has tried to net meter for several years and it has been vetoed by the Governor of the State of New Hampshire. We should all should be able to net meter. A bill was introduced, but the Democrats voted against it because it did not include everything.

Mayor Hilliard stated that Ward 3 Councilor, Councilor Dumont is at home and is healthy. He said that he is happy that Councilor Dumont stayed home given the current situation. We look forward to seeing you at future meetings, and your tales from Market Basket.

Councilor Austin echoed the comments from various sources. He stated that we have a shared responsibility to get through this. Our leadership has a roll to play but so do all of us. Stay home and be healthy. Get the appropriate care that is needed. This burden is best shared when it is all shared together. Don't buy the store out. Plenty of people need that same item. Keep the businesses afloat as much as possible. It is going to be uncomfortable, but we will return to normal. If we all move forward together, we will get through this.

Councilor Michaud wish the citizens well, and gave a shout out to Councilor Dumont.

Councilor Witham said, in moments like this, it pleases him to see the leadership of the City to stand together, it is reassuring to the citizens. Let common sense prevail.

Today he had a sense that there was activity at the Noble Pines ball field, so he took a ride over there. The Public Works department was there putting down millings behind the fence to cover the knotweed. He thanked Director Bobinsky and the crew. He hopes it will work as well as we think it will.

Councilor Gerding thanked the Mayor and Members of the Emergency Management team. He is feeling more reassured. He encouraged the public to turn towards trusted news sites to get accurate information. In the school, this was the first day of planning for remote learning. The Citizens will be pleased with what comes forward. He thanked families for being home. Stay Safe everyone.

Councilor Cameron said, being the mother, she came prepared with hand sanitizer, wipes and Lysol. On another note, she works retail at Walmart. They have been working long hours, with hard work and a cranky situation. She asked, “please don’t yell at us. Please stop swearing at us. We are doing the best we can. Be patient. We are doing the best we can to take care of you. It is not just the local stores; it is the whole country. Please just be nice.”

Tomorrow is St. Patrick’s Day, so she finished with this quote:

May the Wind always be at your Back

May the Sun shine warm upon your face

And the Rains fall soft upon your fields

And until we meet again, may God hold you in the palm of His hand.

Be safe, Somersworth, until we meet again.

Councilor Paradis said “hi” to councilor Dumont who is watching from home. She thanked the Mayor and City Officials for making the right decisions, and for the City Manager to make sure all of the information is available. She encouraged citizens with questions about Covid-19 to visit [NH.gov\covid19](https://www.nh.gov/covid19), or call the 211 hotline.

Check out the library services that are online. There is a database that has books, magazines and newspapers.

She mentioned supporting our local businesses; order takeout or purchase gift cards. Some of the utility companies have mentioned that they will not disconnect for non-payment, but that doesn’t mean those bills are going away so when these small businesses open up again a lot of them will be facing some hardship.

Seacoast Harvest.com is a resource for local food. It is run by Seacoast Eat Local. They are regularly updating a lot of the local farms and places to get local food. Since farmers markets are being shut down and a lot of the restaurants are not ordering as much food. To help our local farmers, you can find which ones have farm stands open.

Herron Pond farm in South Hampton is offering a 50% discount to families shopping with SNAP.

The journalists are doing a really great job, and trying to get the information out. Subscribe to the local newspaper; there are a lot of facts. Let’s do our best to support the local economy.

School Board has met, and for some of those who go to school, that is their primary source of food. End 68 Hours of Hunger Food is still providing food while schools are closed. Food can be picked up on Tuesdays and Fridays at 1 Market Street between 3:30pm and 5:30pm. Consider supporting with food donations, pack bags and/or deliver.

Mayor Hilliard stated, it is evident this evening to all of the Citizens watching, we will get through this. You should be quite proud that despite the current state within our country, that the elected leaders here this evening, showed up and put themselves at risk so that this government could continue to function and operate. And the decisions that were made here this evening, in record time, were short of amazing. We did great things to keep this City on the move. To everyone who is classified as a City employee, thank you. Thank you, that despite the fact that you are worried about your own families and your own children, that you are showing up every single day for the love of this community and the citizens who live here. For the messages that were echoed by all of the Councilors, united, we will get through

this. We need to take care of each other. This is when we prove that the values that we say we have. Somersworth, let's continue to make them real.

For all of my brothers and sisters out there who share a little bit of Irish, like I do, Erin go Bragh, Happy St. Patrick's Day, Ireland until Judgement Day.

**FUTURE AGENDA ITEMS**

None

**NONPUBLIC SESSION**

None

**ADJOURNMENT**

*Councilor Witham, seconded by Councilor Gerding, made a motion to adjourn. The meeting adjourned at 8:24 pm.*

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Trish Harris, City Clerk

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Dana Hilliard, Mayor