

City of Somersworth
City Council Meeting
Wednesday, September 9, 2020

THIS CITY COUNCIL MEETING WAS HELD AT THE BLACK BOX THEATER AT THE SOMERSWORTH HIGH SCHOOL CAREER TECHNICAL CENTER LOCATED AT 18 CEMETERY ROAD

ROLL CALL OF MEMBERS

The meeting was called to order at 7:00 p.m. by His Honor, Mayor Dana S. Hilliard, and upon roll call the following Council members were present: Pepin, Vincent, Dumont, Austin, Michaud, Witham, Gerding, Cameron, and Paradis. The following City Staff members were present: City Manager, Bob Belmore, City Clerk, Jonathan Slaven, Finance Director, Scott Smith, Chief of Police, David Kretschmar, and Fire Chief, George Kramlinger.

PLEDGE OF ALLEGIANCE

Councilor Witham led the Pledge of Allegiance.

PUBLIC HEARING

A. Ordinance No. 3-21 To Amend Chapter 21A, Display of Permissible Fireworks

No Comments were heard.

COMMENTS BY VISITORS

Emmett Soldati, 7 Prospect Street, thanked leadership for getting the meetings to a public place. He also wanted to publicly thank Somersworth residents for showing up at election day and noted a 22% increase in voter turnout. Mr. Soldati also wanted to address the item on the agenda relating to increasing police funding. He stated he has had meetings with police and is supportive of community policing, but questions whether adding money now is the right thing to do. Not sure if during a pandemic it is the time to add \$165,000 to tax payers. He acknowledged Council knows there are programs to support our community's social justice programs and would like to see more conversations between staff and leaders.

Valerie Moyer, 165 Blackwater Road, commented on the COPS (Community Oriented Policing Services) community policing program. She does not want to belittle the Police Department, but to encourage Councilors to seek alternative means of public safety. She also stated, she wants to see more spent in infrastructure and education which may go further in preventing crime.

CONSENT CALENDAR

A. Approve Minutes of the City Council Meeting held on August 10, 2020

Somersworth City Council Meeting
September 9, 2020

Councilor Witham made a motion to approve all items on the Consent Calendar. The motion was seconded by Councilor Austin and passed 9-0 by voice vote.

COMMENTS BY CITY COUNCILORS

Councilor Vincent stated that programs for drug abuse and other social programs issues are covered heavily by the Strafford County. He can't say enough about Strafford County who set the stride in social programs. They have a good core of people who address the issues. He understands the programs are important, but doesn't want to duplicate. He commented that first responders, many times, aid with literature and aid for people with social issues on calls not relating to those issues. The people who want help should seek help at the County level, since they have it together. He further stated, grants are specific and we can't take the police grant and use it for something else.

Councilor Paradis agrees the County programs are great. She stated they are great at rehabbing after arrests, but would like to see more to addressing issues rather than being reactive. The LEAD (Law Enforcement Assisted Diversion) program in particular doesn't cost us anything.

COMMUNICATIONS

A letter from Maggie Roberge was read in support of the appointment of Mark Richardson to the Cemetery Trustees

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None were presented.

MAYOR'S REPORT

Mayors Report for City Council Meeting September 9, 2020

As a former social studies teacher one of my favorite classes to teach was the elective I brought forward to Somersworth High School entitled "Race and Ethnic" relations. The class was model after course work I successful completed in college while working on my teacher's license, and main objective was to have each student understand the history of global intolerance and to have them start to deprogram some of misconceptions, misunderstandings, or stereotyping they had already learned throughout their childhood. While we continue to navigate a tenuous political and sociological time within our nation, a time when reaching norms of civility has almost vanished from public discourse, academics, sociologist, public servants and politicians can all agree on one concept, hate and intolerance is learned behavior.

We are born pure and unvarnished by the lenses of a society that still believes in the classification and unequal treatment of its fellow brethren and citizens. Yet with each year since our independents we have forged forward through our growing pains to create a "More perfect union" a union where all will be treated equally and given the equal opportunity to succeed and celebrate the life, liberty and pursuit of happiness which defines our American society. To point

out flaws within our system is not unpatriotic is not a treasons act, instead it is reminding us, that if we ever our to reach the goal, the goal of American becoming the American we so proudly announce to the world we are, then we must hold true to working painstakingly towards the values which define us.

The last three weeks since the RNC have certainly been interesting in the Mayor's office, and have once again reminded me of how far we have to go to hold true to our promise. But this teacher, this Principal, this Mayor will not give up on the creed that I studied, taught and believe in. The founding of our nation is an experiment, a concept, and a goal.

All three that I believe will come to fruition and the ideals we outlined we will reach. It will not be without our growing pains, it will not come without a cost of discomfort to some and challenges to others, however as a nation WE MUST succeed, otherwise the darkness of dictatorships, injustice, inequality and global persecution will return. I am continue to govern and live my life and the land of being idealistic, but those beliefs mirror the thoughts that our nation dared to create a system where factory works would have the same vote and voice as the owners, where age, sex, race, national origin, sexual orientation, religion would not be a disclaimer for ones claim of rights.

For 244 years we have been working toward crafting this "More perfect union". The voices, the banners, the signs, the rallies and yes flags you see today are not an attack on American. They are a reminder we are not there yet, and that people still love and believe in our nation and are unwilling to give up on her. The question I ask each person tonight are you willing to do the same. Do you still believe in the hope and promise of American, or are we misleading ourselves into thinking it's a myth? I don't believe so, and I hope you join me in doing the same.

As you are aware, my love of kid's book and the universal messages they teach continue to be utilized within my role as an educator and as a political leader. Yes, one could say its Hilliard's trade mark. Tonight, I share with you a book entitled Antiracist Baby by Ibram Kendi.

Whether we are 5, 55, or 105 learning and understanding never stops. Let us continue our commitment to openness, tolerance and understanding and continue on the path started 244 years ago to construct a "More Perfect Union"

- With the opening of City Hall, the Mayor's office will return to regular scheduled office hours. Open office hours will be held:

Monday 5-6

Wednesday 5-6

Friday 4-5

Anyone attending office hours is requested to wear a mask until further notice. All office hour meetings will be held in the Council Chambers following CDC safety protocols including safe distancing.

- The Mayor's office will also be bringing back our monthly community forums. Stay tune for announcements regarding its new launch soon.
- As this body continues to navigate the new norms and the unforeseen forecast, we will try to bring back some previously scheduled meetings that were placed on hold. Working

with the City Manager I will be exploring a date for our goal setting session as a Council, the Team Building that was planned that was placed on hold do to COVID and our Joint Goal session with the School Board. While these will be occurring later than normally plan, it is all still applicable and will benefit our work and able to still govern as a model for other communities.

- Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the following are being brought forward this evening for a confirmation vote;
 - **Mark Richardson**, for Appointment to **Board of Cemetery Trustees, with a term to expire August 2025**

What are the wishes of the Council?

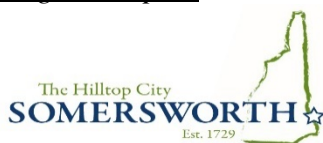
This respectfully concludes my August 10th, 2020 Mayors Report

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

COAST– Councilor Pepin informed Council that the COAST Bus Board of Directors met on August 26th. He stated the meeting was a budget meeting for next year and hopes to adopt it at the next meeting. He said their budget has been reduced due to the decrease in ridership. He stated they have been looking at grants, but have not had much success. He also commented on issues with Route #1 not being on time. They are trying to work out bugs due to timing of the lights.

Joint Building Committee – Councilor Pepin informed Council that the Joint Building Committee met on August 19th and again this afternoon, September 9th. He stated that the project ongoing at the Somersworth Middle School is basically done. The elevator will hopefully be here in September. At Maple Wood Elementary, they are still working on the music room and the library, which has new shelves and seating. He said the Middle School's carpets have all been replaced. He also said the Committee did approve a classroom, the new IT room, and the nurse's station to have an air conditioning unit installed due to ventilation problems.

City Manager's Report



Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

Somersworth City Council Meeting
September 9, 2020

DATE: Friday, September 4, 2020

SUBJECT: City Manager's Report for Wednesday, September 9, 2020

Unfinished Business (Under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 23-20: To Amend Chapter 4, Personnel Rules & Regulations, Section 11.3.1, Health/Dental Insurance, Regarding Spouses Employed by the City.** The Government Operations met on August 4th and continued the matter for further evaluation. This Ordinance change remains in Committee.
- B. Ordinance No. 3-21: To Amend Chapter 21A, Display of Permissible Fireworks.** Again, the Public Safety Committee met and voted to recommend Amendments to this proposed Ordinance change, which were adopted by the City Council at the August 10th Council meeting.
- C. Ordinance No. 5-21: To Amend Chapter 19 – Zoning, Section 25.B, Agricultural Use.** The Public Works & Environment Committee asked the City Manager to provide some research on alternative language for their consideration. This Ordinance change remains in Committee.

Resolutions

- A. Resolution No. 2-21: To Authorize the City Manager to Enter into a Grant Agreement with the United States Department of Justice Cops Hiring Program to add One Additional Police Officer.** Again, the City was awarded a \$125,000 Grant over a three-year period to assist in funding one additional officer. This would leave an estimated cost of \$165,038.00 to the City over the three-year period of the Grant. Additionally, the City would be required to retain the officer for a period of one year upon expiration of the Grant.

Councilor Crystal Paradis has submitted a proposed Amendment for Council consideration. As requested, City Attorney has provided an opinion regarding the proposed Amendment. The Amendment and Legal opinion are attached.

- B. Resolution No. 3- 21: To Authorize the City Manager to Prepare Bid Specifications for Road Resurfacing and Associated Repairs of Selected Streets.** Again, the Public Works & Environment Committee voted to support this Road Resurfacing plan. I want to point out, if adopted, the road resurfacing would be conducted in 2021, the crack sealing would be completed prior to this winter of 2020.

- C. Resolution No. 4 -21: Authorizing the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles.** Again, the Finance Committee voted to support this Resolution.
- D. Resolution No. 5-21: To Authorize the City Manager to Contract with Port One Architects of Portsmouth, NH to Provide Final Design Services to Construct a New Fire Station at The Location of the Current Fire Station on Maple Street.** Again, the Finance Committee and the Fire Station Building Committee voted to recommend approval of a contract for services with Port One Architects.
- E. Resolution No. 7-21: To Authorize the City Manager to Order a Ford Pick-Up Truck for the Department of Public Works Which will be Funded by a Lease Purchase Agreement.** Please note that the present vehicle is earmarked for trade-in.
- F. Resolution No. 9-21: To Authorize the City Manager to Amend the Contract with CMA Engineers of Portsmouth, NH for Engineering Service associated with the Transportation Alternatives Program Grant.** Again, the Finance Committee voted to recommend this amendment to the full City Council. Said Amendment will cover additional work needed to secure permanent and temporary easements within the project area.

New Business (Under Section 15 of Agenda)

Resolution

- A. Resolution No. 11-21: To Authorize the City Manager to Amend the Contract with Apex Construction of Somersworth, NH for the Construction of Wastewater Treatment Facility Upgrades.** Attached are copies of the proposed Change Order and a more detailed explanation of the work proposed regarding the water main from our consultant engineers, Wright-Pierce.
- B. Resolution No. 12-21: To Recognize the Balance of Funding Available for the Wastewater Treatment Facility Upgrades as Contingency and to Authorize the City Manager to Approve Any Further Change Orders for this Project.** This proposed authorization will assist in facilitating the approval of any future needed Change Orders so that construction delays are avoided. Respectfully, work stoppages to seek approvals at the City Council level might lead to further costs and interfere with construction timelines.

Other

- A. Vote to Grant a 1-Year Extension from November 18, 2020 to November 18, 2021 for the previously approved Community Revitalization Tax Relief Incentive Program (79-E) Project at 8 Government Way for David H.M. Baker, Somedowntown LLC.** Attached is a letter from David Baker explaining his reasons for requesting this extension. Mr. Baker plans to attend the meeting should you have any questions.

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

A. Informational Items.

- 1. City Hall & Library Re-opening.** City Hall & the Public Library will be Open to the Public starting Wednesday, September 9th. City Hall Hours will remain at Monday, Tuesday, Thursday and Friday - 8:00 a.m. - 4:30 p.m., Wednesday 8:00 a.m. – 6:00 p.m. The Libraries new hours are Tuesday and Wednesday – 11:00 a.m. – 7:00 p.m., Thursday, Friday and Saturday are 9:00 a.m. – 5:00 p.m. We will continue to encourage that the public utilize our other means for providing services: on-line, USPS mail, drive-thru window and drop off box.
- 2. NH DES Brownfields Program Clean-up Grant Application.** Based on recommendations from the Economic Development Committee members that the City should consider a clean-up effort to better market the former Police Station; I worked with City Staff and the Strafford Regional Planning Commission staff to complete the attached State Brownfield's Revolving Loan Fund Grant Application.
- 3. Primex Prime Re-Certification.** Attached is a copy from the Human Resource Manager Linda Corriveau regarding our continuing efforts to participate in the Primex Prime Program. Successful certification provides us a 2.5% discount on our workers compensation, as well as property and liability insurance.

Attachments

- 1. City Attorney Certifications Two (2)** Certifications will be available next week.

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Nominations requiring a Council Confirmation Vote:

- B. Mark Richardson, for Appointment to Board of Cemetery Trustees, with a term to expire August 2025

Councilor Dumont made a motion to appoint Mark Richardson as a member of the Board of Cemetery Trustees with a term to expire August 2025. The motion was seconded by Councilor Austin and passed 9-0 by voice vote.

LAY ON THE TABLE

- C. **Ordinance 3-21** – To Amend Chapter 21A, Display of Permissible Fireworks

Councilor Witham made a motion to remove Ordinance No. 3-21 from the table. The motion was seconded by Councilor Dumont and passed 8-0 by voice vote. Councilor Vincent recused himself.

Councilor Witham made a motion to adopt Ordinance No. 3-21. The motion was seconded by Councilor Dumont and passed 8-0 by roll call vote. Councilor Vincent recused himself.

UNFINISHED BUSINESS

ORDINANCES

- D. **Ordinance No. 23-20** - To Amend Chapter 4, Personnel Rules & Regulations, Section 11.3.1, Health/Dental Insurance, Regarding Spouses Employed by the City (Referred to Government Operations Committee 7/13/2020)

Ordinance No. 23-20 remains in Committee.

- E. **Ordinance No. 5-21** - To Amend Chapter 19 – Zoning, Definitions, Section 25.B, Agricultural Use (Referred to Public Works & Environment Committee 7/13/2020)

Ordinance No. 5-21 remains in Committee.

RESOLUTIONS

- A. **Resolution No. 2-21** To Authorize the City Manager to Enter Into a Grant Agreement with the United States Department of Justice Cops Hiring Program to Add One Additional Police Officer

Councilor Paradis made a motion to adopt the following amendment to Resolution No. 2-21. The motion was seconded by Councilor Gerding.

“Whereas it is anticipated that the grant position would be assigned to the patrol division of the police department, in addition to patrol duties this officer would be assigned as a community policing officer overseeing new programs such as national night out, pizza with police, coffee with a cop, and a new program known as ACERT (Adverse Childhood Experience Response Team), and would explore the Law Enforcement Assisted Diversion (LEAD) program to discover whether Somersworth Police Department should participate in this program which has been shown nationally to reduce rearrests by 58 % and which allows police officers to exercise discretionary authority at point of contact to divert individuals into a community based harm reduction intervention for law violations driven by unmet behavioral health needs”

Councilor Paradis stated she added language to the Resolution to specify the duties of the proposed new officer.

Councilor Witham spoke about his father, who was a Somersworth Police Officer for 20 years and stood as a model of community policing before the term existed. Back then, community policing didn’t require a Resolution or special training, and hopes that serves as a model as the Police Department hire officers today. Councilor Witham stressed that the agency needs to be able to adapt to the current climate, which may require early intervention strategies or more boots on the ground for responses. Flexibility, he said, is

the key. Years ago, in goal setting sessions, there had been a desire to add officers. We finally have an opportunity with this grant, which has been on our radar for some time if only to respond to call rates, and does not want to miss out on this chance. Councilor Witham stated he is in support of the grant. There is a need for the enhanced social programs in advance of the arrest, but agrees to have services on both ends; policing and social aid. He does not want to derail this opportunity.

Councilor Pepin said the Public Safety Committee discussed the needs of the City and recommended hiring additional officers. He said he does not want to lose this opportunity due to specifying the job duties of the officer and opening ourselves up to potential liability. He stated he will not be voting for the resolution change. He said the City's officers probably do a lot of social work already on non-social work type of calls. He said our officers go to lots of the same places with the same people and know how to deescalate various situations. He said Chief Kretschmar has the pulse of the City and knows where his areas of need are.

Councilor Vincent stated since Chief Kretschmar had taken over the Police Department a few years ago big changes have been made. He noted new vehicles and upgrades to allow reports to be done in the car, letting the officer to stay on patrol. The constituents he has spoken with who have had interactions with officers were happy that the cops revisited after situations had already been resolved. He said the Chief has done a phenomenal job and if the Chief wants an officer, he should get an officer. He said social issues need to be addressed, but it should be addressed at a different level.

Councilor Gerding stated he is in support of the amendment. He agrees with the transparency it provides and hopes to, at least, see that portion added. He said the second part of the amendment provides an opportunity to state we are, in fact, in support in looking deeper into the LEAD (Law Enforcement Assisted Diversion) program. In terms of the amendment, he said there is no harm in providing further clarity to the Public.

Councilor Austin said he agrees with the intent of the amendment since there is always room for discussion on how we use our community resources. He did say, however, he is concerned that we would word a resolution to tell the Chief how to use his personnel. He stated the pandemic has drastically changed things and to have a Resolution about the duties of a specific person elicits concerns about the limitations on said officer.

Councilor Dumont said he has always seen courtesy and respect from the officers in the Police Department. Conversely, he has seen provocations against them which were handled well by the officers. He said this amendment identifies a lot of programs, but our City and surrounding agencies already offer great programs. Parks and Recreation offers a lot of services many people forget about because it doesn't get talked about. In addition, the Grandparents Raising Grandchildren program he is a part of is priceless. He said he does not have a police-based education, but believes the Police Chief has skill in running his staff. All of the programs in the amendment are available in the Tri-City area today. He said we are a small City which needs consideration and is going to support the Chief if he says he needs men. He said he believes Police Department performs at or above

expectations. He stated that for the specifics of the proposed officer, the Public Safety Committee should provide recommendations.

Councilor Paradis said it is great to hear everyone's thoughts and stances on the current Police Department. She wanted to clarify that the first part of the amendment is not us telling the Chief what to do. She said it is telling the Public what the Chief has already said this officer is going to do. The finance piece is the other issue. She stated the City match is \$165,000, however the total the city would pay is \$260,000 due to the specifics of the award's length. She said the rationalization of the amendment is to justify why we are adding a 27th officer. She said not only are we fishing people out of the stream, but we are wanting to find out why they are falling in the first place. She said she is happy to cut the second part about the LEAD program and bring up the specifics of the officer in Committee, but she does believe it is important to approach this as if we are adding a 27th police officer. She said Somersworth has under 12,000 residents while Dover and Rochester each have roughly 30,000 residents. They have 59 and 52 officers respectively which is more officers per capita compared with Somersworth's 27 officers. She stated she wants to find out how to reduce the need for calls.

Councilor Paradis withdrew her motion. Councilor Gerding withdrew his 2nd to the motion.

Councilor Paradis moved to adopt the following amendment to Resolution No. 2-21.

"Whereas it is anticipated that the grant position would be assigned to the patrol division of the police department, in addition to patrol duties this officer would be assigned as a community policing officer overseeing new programs such as national night out, pizza with police, coffee with a cop, and a new program known as ACERT (Adverse Childhood Experience Response Team)"

The motion was seconded by Councilor Gerding.

Councilor Witham stated that the amendment before us now, per the City Attorney, is acceptable.

Councilor Michaud stated he supports the original Resolution. If we have a chance to add one more officer, he doesn't want the chance to get the grant taken away from us. He stated the Chief is handling the Police Department extremely well.

Councilor Paradis stated this part of the amendment on the table, has received the blessing from the attorney. She stated there is no legal issue with the additional language being added since it is language from the grant itself.

Councilor Dumont stated he is still not in favor of supporting the amendment. He said the culture in our City is controlled by the Police Department and they set a great standard in the community. The concern is there is an effort to defund or redirect funds from the police. He said Somersworth isn't a bad place to live and that the City's own Human Services Department is wonderful.

Councilor Cameron stated we have already authorized Chief to apply for the grant which was pretty specific. She stated we are getting into an area we don't belong in. She said Chief facilitates his department well and the department as a whole does a great job.

Councilor Gerding stated he feels as if the conversation has been derailed. What is included in the first piece is directly taken from the grant before us and is in no way telling the Chief to do something as a Council body. He further explained that the amendment in the Resolution is using the language written in the grant to reiterate to tax payers why we are getting the new officer and what he or she will be used for. He said by specifying to the citizens what the officer is to be used for is not a bad idea. He stated it is important to make it known that we are not defunding the Police Department, nor directing the Chief to do something he has not already decided to do.

The motion to amend Resolution No. 2-21 made by Councilor Paradis and seconded by Councilor Gerding failed 3-6 by roll call vote with Councilors Paradis, Gerding, and Witham voting "Aye".

Councilor Witham made a motion to adopt the following amendment to Resolution No. 2-21. The motion was seconded by Councilor Paradis and approved 9-0 by roll call vote.

"total project cost (3 years)" in the 3rd Whereas section that notes the Grant breakdown

Councilor Witham made a motion to adopt Resolution No. 2-21 as amended.

Gerding stated he is excited to see the ACERT (Adverse Childhood Experience Response Team) program and Somersworth ready together in conjunction with the Police Department assisting kids dealing with traumatic experiences. As we move forward in the pandemic, he thinks spending our money towards our children is the most important thing. To alleviate traumatic experiences in kids has been a very rewarding thing to see as a Councilor. To have a specific team in the City to directly intervene in the experiences is great and is proud to see it.

Councilor Paradis made a motion to suspend rules to allow Chief Kretschmar to answer questions. The motion was seconded by Councilor Gerding and passed 9-0 by voice vote.

Chief Kretschmar stated in order to apply for the grant, he had been tracking calls related to the ACERT program. He stated while tracking, Somersworth averaged 38 potential referrals a month for kids needing services. He said community policing in Somersworth is an engrained part of our culture. He said we hire people that fit a culture that we are trying to cultivate here. He said whether community policing in our schools or on our streets, it is part of what we do every day. He said the grant puts someone in a position to oversee and direct some of the programs, but the culture is already here.

Councilor Witham's motion to adopt Resolution No. 2-21 as amended was seconded by Councilor Gerding and passed 9-0 by roll call vote.

- B. Resolution No. 3-21** To Authorize the City Manager to Prepare Bid Specifications for Road Resurfacing and Associated Repairs of Selected Streets

Councilor Paradis said she looked through street list and asked if the next grouping of streets is going to push us past our budget. She also inquired why there were some streets with higher indexes getting repaired.

Councilor Witham stated that the current list is the amount of work we can do.

Manager Belmore stated that the reason we include some of the adjacent side streets that might have a higher index is that we want to minimize mobilization costs of the project. Manager Belmore explained that the list of roads is based on the available funds and created by recommendations from the Public Works and Environment Committee. He stated that once we have bid out the project list the Council might be able to add additional street work.

Councilor Witham made a motion to adopt Resolution No. 3-21. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

- C. Resolution No. 4-21** Authorizing the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles

Councilor Gerding asked if this was previously included in the budget.

Manager Belmore stated that the down payment was approved. This purchase is a lease purchase program which means we will own the vehicle after the lease term expires.

Councilor Witham stated the last time he was in the public works garage he noticed both of the City sidewalk tractors were out of service. He said does not want to derail the purchase of the other vehicles, but requests an update on the current tractors and where we are in terms of acquiring new pieces of equipment for the next Public Works and Environment Committee meeting.

Councilor Witham made a motion to adopt Resolution No. 4-21. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

- D. Resolution No. 5-21** To Authorize the City Manager to Contract with Port One Architects of Portsmouth, NH to Provide Final Design Services to Construct a New Fire Station at the Location of the Current Fire Station on Maple Street

Councilor Austin made a motion to adopt Resolution No. 5-21. The motion was seconded by Councilor Cameron and passed 9-0 by roll call vote.

- E. **Resolution No. 7-21** To Authorize the City Manager to Order a Ford Pick Up Truck for the Department of Public Works which will be Funded by a Lease Purchase Agreement

Councilor Witham made a motion to adopt Resolution No. 7-21. The motion was seconded by Councilor Pepin and passed 9-0 by roll call vote.

- F. **Resolution No. 9-21** To Authorize the City Manager to Amend the Contract with CMA Engineers of Portsmouth, NH for Engineering Services Associated with the Transportation Alternatives Program Grant

Councilor Witham made a motion to adopt Resolution No. 9-21. The motion was seconded by Councilor Paradis and passed 9-0 by roll call vote.

NEW BUSINESS

RESOLUTIONS

- F. **Resolution No. 11-21** To Authorize the City Manager to Amend the Contract with Apex Construction of Somersworth, NH for the Construction of Wastewater Treatment Facility Upgrades

Councilor Witham made a motion to suspend Council rules to allow Resolution No. 11-21 to be read by title only. The motion was seconded by Councilor Dumont and passed 9-0 by voice vote.

Councilor Witham made a motion to suspend Council rules to allow a second reading. The motion was seconded by Councilor Dumont and passed 9-0 by voice vote.

Councilor Witham said the upgrades highlighted in this Resolution are associated with the waterline. He further explained that there were a variety of unknown factors relating to the waterline, but the proposed upgrades are necessary.

Councilor Witham moved to adopt Resolution No. 11-21. The motion was seconded by Councilor Michaud and passed 9-0 by roll call vote.

- G. **Resolution No. 12-21** To Recognize the Balance of Funding Available for the Wastewater Treatment Facility Upgrades as Contingency and to Authorize the City Manager to Approve Any Further Change Orders for this Project

Councilor Witham made a motion to suspend Council rules to allow a second reading. The motion was seconded by Councilor Paradis and passed 9-0 by voice vote.

Councilor Witham made a motion to adopt Resolution No. 12-21. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

OTHER

- A. Vote to Grant a 1-Year Extension from November 18, 2020 to November 18, 2021 for the previously approved Community Revitalization Tax Relief Incentive Program (79-E) Project at 8 Government Way for David H.M. Baker, Somedowntown LLC

Councilor Dumont said Mr. Baker has proved to be a stellar member of the community and that this is a reasonable extension.

Manager Belmore stated he spoke with Councilor Dumont as Chair of the Economic Development Committee, who informed him there was no need for a Committee meeting to discuss the request. He stated that the request is only for one year and he sees this as a reasonable request.

Councilor Witham asked for clarification that this extension moves the tail end of the program as well, to which Manager Belmore replied in the affirmative. This extension pushes the term of tax exemption status to 2028.

Councilor Paradis stated that as a member of the Economic Development Committee, she too thinks it is very reasonable considering the pandemic.

Mayor Hilliard called for a vote to approve a one-year extension of the Community Revitalization Tax Relief Incentive Program Project at 8 Government Way. Council voted to approve 9-0 by voice vote.

COMMENTS BY VISITORS

Emmett Soldati, 7 Prospect St., thanked everyone for having the conversation about public safety. He thinks our first responders do a lot with social work and the conversations we are having reflect the changing needs to the City. He inquired at what point is adding a staffer going to solve the problem or adding the same kind of staffer going to solve the problem. He further explained that in schools when there are special needs students, we do not hire more teachers, we hire special help. He said what we are talking about is not putting the duty on the backs of our law enforcement officers to solve every problem. He explained we want to be selective with our police officers, but there is we need to recognize that if we are looking to solve problems for the future, we cannot build it around one person. He said the LEAD program should not be on a dream list. It is, today, what we need. Mr. Soldati said that while we trust those who help today, we need to adapt to the change that is going to happen in the future. He said we need to include more voices from constituents about how they feel about our officers. He stated that if the mission is community policing, we should have no problem committing to an amendment stating just that.

Dave Baker, owner of 8 Government Way, stated he appreciates how this Council is a very forward-looking City Council. He said he thinks there is a lot of very good things happening to bring young people and businesses into the City. He explained that if you can attract the businesses and provide manageable rent, they can expand. He said Covid has halted, but not stopped, this from happening. He said he receives several calls a week looking to build a business in Somersworth. He explained that the stage is set now coming out of the crisis to have more businesses moving in, and that a lot of the issues we struggle with be alleviated by incoming businesses. He further explained that the key is young people who revitalize the

community and most importantly the small businesses. He said this is a long-term perspective to assist the growing of the community and tax base which bolsters the school system.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Paradis thanked City Clerk, Jonathan Slaven, as well as the rest of the election workers for a smooth election. She said she spoke with a lot of voters who were pleased with the outcome of the election process. She was happy people knew about safety implications and the precautions Somersworth took to ensure everyone felt safe. She also said thank you for good discussions regarding the COPS grant.

Councilor Cameron thanked the City Clerk for his hard work on the election. She also thanked the election workers dealing with a different environment for an election. Councilor Cameron also wished a happy birthday to her son, Derek.

Councilor Gerding stated he worked at Ward 5 during the election and it was a great day. He extended thanks to the City Clerk, Deputy City Clerk, the Department of Public Works, and all of the election workers. He wanted to provide an explanation why \$880,000 is coming back to the City from the School Board. He explained the monies being returned were from not having to spend on infrastructure, transportation, etc. Furthermore, he stated that the money would be sent back to the City because it cannot be spent on the current school year due to State laws preventing it from being used in the following year.

Councilor Witham spoke of a time years ago he met with a Fire Chief of a Berlin, NH, a larger town than Somersworth at the time, who were handling roughly 250 calls a year while Somersworth was handling 550 calls a year. When he asked the Chief why they were handling less calls, the Chief replied people sometimes put out fires themselves. While we talk about law enforcement, the same happens, so it is tough to rely on per capita statistics because it does not tell the whole story. Chances are many responses are mental illness issues, but the call doesn't necessarily get called in as such. He said his point is that police officers get thrust into unknown dynamics. Is it a good model? Probably not, he said. Councilor Witham believes the conversations we are having has been great and now incumbent upon us to take this momentum and get ready to move on it.

Councilor Pepin said we used to ask our teachers just to educate our kids in writing and arithmetic and now the list is much longer and no hours have been added. The Police Department, Fire Department and EMTs, and other responders' fields have grown so much. He wonders how much a teacher can educate since their field has grown so much. He said the Police Department does a whole lot and wonders how much you can ask one person to deal with. He explained things have gotten to the point that when he looks at the Police Department, he doesn't see them receiving their deserved respect. He gave praise to the police officers and supports the Police Chief, Fire Chief, and EMS Chief because they do more than what they ask for. He further explained that if you're asked too much, it is difficult to provide a good service. He also stated he has received many phone calls about the flags. He believes all people are equal and tries to treat everyone as he gets treated.

Councilor Vincent gave approval of the new drop off box at City Hall. He also brought up an issue from a constituent who has been complaining about his street (Mount Vernon St.) and the grass growing through the cracks.

Councilor Dumont mentioned a friend recovering from a medical condition and wishes him well. He said the drop box at City Hall is wonderful. He also gave kudos to the drive-up window and think it is a great idea that helps Somersworth stand out. Councilor Dumont also encouraged the Fire Station Building Committee to take a tour of the Berwick Fire Station. He also praised the Joint Building Committee for the school and can think of no finer group than those on the School Board, especially those going through the renovations in the past three year. He stated he has been fortunate enough to serve on the Committee with Councilor Pepin and it is great to see them reaching their goals. Councilor Dumont also wanted to emphasize culture in Somersworth. He said the attitude between this Council and the School Board is far different than that of communities around us. We work together for the betterment of the kids. In times of crisis we turned problems into opportunity and is so proud of that culture. He stated he wants kids to receive a good education, have good athletics, and we should do whatever we can to support that. The family dynamic is a wonderful scene in Somersworth and that has a lot of meaning to him.

Councilor Austin said he had the opportunity to vote at the Idlehurst Elementary School for the primary election and really enjoyed that. He hopes we can make that the permanent polling place due to the great space, parking, and flow of the location. He stated he is also looking forward to the goal setting sessions Mayor Hilliard discussed. As a result of all that happened since March, there are a whole bunch of issues we would have never thought to discuss. Councilor Austin also said he has been a little dismayed about the state of the way we treat each other these days. We have seen divisiveness and anger and it just stalls progress. He said he is proud that Somersworth truly is a different kind of governing organization. He hopes others look to us as a way approach problems and opportunities. We need to get back to civil discourse. He said what we have is a unique model and wishes we could export that. People are people, and he tries to treat people as people. He said it is really important to recognize that working together is a lot better than how far apart the country is working.

Councilor Michaud thanked the School Board for allowing us to use the facility for the Council meeting. He also thanked the City Clerk and staff for the hard work on the election. Councilor Michaud also thanked Mr. Baker in his continuing effort in developing our downtown. He also recognized a good friend who passed away.

ADJOURNMENT

Councilor Gerding made a motion to adjourn. The motion was seconded by Councilor Witham and passed 9-0 by voice vote. The meeting adjourned at 9:47 p.m.



City of Somersworth – Ordinance

Ordinance No: **3-21**

TO AMEND CHAPTER 21A, DISPLAY OF PERMISSIBLE FIREWORKS

July 13, 2020

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 21A, Section 5 – Permit Fee in its entirety and replace with:

5. Permit Fee

The fee for a permissible firework display permit shall be five dollars (\$5.00) per event. The fee shall be paid at the time of the application and is non-refundable.

Delete Chapter 21A, Section 7, E in its entirety and replace with:

E. No permissible fireworks shall be discharged between the hours of 11:00p.m. and 8:00 a.m. with the following exceptions:

- a. January 1: no discharge between 12:30 a.m. and 8:00 a.m.
- b. July 3, 4 and 5: no discharge between 12:30 a.m. and 8:00 a.m.
- c. December 31: no discharge prior to 8:30 a.m.

Delete Chapter 21A, Section 9 – Penalty, B in its entirety and replace with:

- B. Any person who violates the provisions of this Ordinance shall be guilty of a violation and upon conviction thereon shall be fined in an amount of:
- \$250 for first offense;
 - \$500 for second offense; and

\$1,000 for each and every subsequent offense.

This Ordinance will take effect upon passage.

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

City of Somersworth – Ordinance 3-21

History		
First Read Date:	07/13/2020	Tabled: 08/10/2020
Public Hearing:	08/10/2020	Removed From Table: 09/09/2020
Second Read:	8/10/2020	

Discussion

07/13/2020

Ordinance No. 3-21 will remain in first read until the call of the Chair.

Public Hearing scheduled at the call of the Chair

Mayor Hilliard referred to Public Safety Committee 7/13/2020

08/10/2020

Councilor Witham made a motion to table for a legal opinion regarding the Mayor's ruling that the Committee recommendations did not need a Council vote. The motion was seconded by Councilor Dumont and passed 4-2 by roll call vote with Councilors Pepin and Austin voting "No". Councilor Vincent recused himself.

Mayor Hilliard reversed his opinion, noting that Council Rules indicated a full Council vote would be needed.

Councilor Witham made a motion to remove Ordinance No. 3-21 from the table. The motion was seconded by Councilor Dumont and passed 6-0 by roll call vote. Councilor Vincent recused himself.

Councilor Witham made a motion to adopt the amends to Ordinance No. 3-21. The motion

was seconded by Councilor Dumont and passed 6-0 by roll call vote. Councilor Vincent recused himself.

Councilor Witham made a motion to re-table until a Public Hearing Also, is held. The motion was seconded Dumont and passed 6-0 by roll call vote. Councilor Vincent recused himself.

09/09/2020

Councilor Witham made a motion to remove Ordinance No. 3-21 from the table. The motion was seconded by Councilor Dumont and passed 8-0 by roll call vote. Councilor Vincent recused himself.

Councilor Witham made a motion to adopt Ordinance No. 3-21. The motion was seconded by Councilor Dumont and passed 8-0 by roll call vote. Councilor Vincent recused himself.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	RECUSED	
Ward 3 Councilor	Dumont	X	
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	
TOTAL VOTES:		8	0
On 09/09/2020	Ordinance 3-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **2-21**

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A
GRANT AGREEMENT WITH THE UNITED STATES
DEPARTMENT OF JUSTICE COPS HIRING PROGRAM TO ADD
ONE ADDITIONAL POLICE OFFICER.**

August 10, 2020

WHEREAS, the City Council adopted Resolution 32-20 authorizing the City Manager to apply for a grant with the United States Department of Justice COPS Hiring program to add 2 (two) additional police officers to the Somersworth Police Department, and

WHEREAS, the City of Somersworth has received notification of a Grant Award in the amount of up to the \$125,000 maximum; and

WHEREAS, the Grant will allow the City of Somersworth to add 1 (one) full time police officer by providing 75% of salary and benefit costs up to \$125,000 for a three-year period; and

EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN:

COPS Hiring Grant Limit	=	\$125,000
Estimated City Match	=	\$165,038
Total Project Award	=	\$290,038

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, and take any and all other such actions on relative to this grant determined to be in the best interest of the City.

Somersworth City Council Meeting
September 9, 2020

Note: Acceptance of this grant requires the City to maintain this position for 1 full year after the grant period. Additionally, once filled, this may require a supplemental appropriation for the FY21 budget. It is the intent to bring forward a supplemental appropriation when necessary.

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

City of Somersworth – Resolution 2-21

History			
First Read Date:	08/10/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion

08/10/2020

Resolution No. 2-21 will remain in first read until call of the Chair.

09/09/2020

Councilor Paradis made a motion to adopt the following amendment to Resolution No. 2-21. The motion was seconded by Councilor Gerding.

“Whereas it is anticipated that the grant position would be assigned to the patrol division of the police department, in addition to patrol duties this officer would be assigned as a community policing officer overseeing new programs such as national night out, pizza with police, coffee with a cop, and a new program known as ACERT (Adverse Childhood Experience Response Team), and would explore the Law Enforcement Assisted Diversion (LEAD) program to discover whether Somersworth Police Department should participate in this program which has been shown nationally to reduce rearrests by 58 % and which allows police officers to exercise discretionary authority at point of contact to divert individuals into a community based harm reduction intervention for law violations driven by unmet behavioral health needs”

Councilor Paradis stated she added language to the Resolution to specify the duties of the proposed new officer.

Councilor Witham spoke about his father, who was a Somersworth Police Officer for 20 years and stood as a model of community policing before the term existed. Back then, community policing didn't require a Resolution or special training, and hopes that serves as a model as the Police Department hire officers today. Councilor Witham stressed that the agency needs to be able to adapt to the current climate, which may require early intervention strategies or more boots on the ground for responses. Flexibility, he said, is the key. Years ago, in goal setting sessions, there had been a desire to add officers. We finally have an opportunity with this grant, which has been on our radar for some time if only to respond to call rates, and does not want to miss out on this chance. Councilor Witham stated he is in support of the grant. There is a need for the enhanced social programs in advance of the arrest, but agrees to have services on both ends; policing and social aid. He does not want to derail this opportunity.

Councilor Pepin said the Public Safety Committee discussed the needs of the City and recommended hiring additional officers. He said he does not want to lose this opportunity due to specifying the job duties of the officer and opening ourselves up to potential liability. He stated he will not be voting for the resolution change. He said the City's officers probably do a lot of social work already on non-social work type of calls. He said our officers go to lots of the same places with the same people and know how to deescalate various situations. He said Chief Kretschmar has the pulse of the City and knows where his areas of need are.

Councilor Vincent stated since Chief Kretschmar had taken over the Police Department a few years ago big changes have been made. He noted new vehicles and upgrades to allow reports to be done in the car, letting the officer to stay on patrol. The constituents he has spoken with who have had interactions with officers were happy that the cops revisited after situations had already been resolved. He said the Chief has done a phenomenal job and if the Chief wants an officer, he should get an officer. He said social issues need to be addressed, but it should be addressed at a different level.

Councilor Gerding stated he is in support of the amendment. He agrees with the transparency it provides and hopes to, at least, see that portion added. He said the second part of the amendment provides an opportunity to state we are, in fact, in support in looking deeper into the LEAD (Law Enforcement Assisted Diversion) program. In terms of the amendment, he said there is no harm in providing further clarity to the Public.

Councilor Austin said he agrees with the intent of the amendment since there is always room for discussion on how we use our community resources. He did say, however, he is concerned that we would word a resolution to tell the Chief how to use his personnel. He stated the pandemic has drastically changed things and to have a Resolution about the duties of a specific person elicits concerns about the limitations on said officer.

Councilor Dumont said he has always seen courtesy and respect from the officers in the Police Department. Conversely, he has seen provocations against them which were handled well by the officers. He said this amendment identifies a lot of programs, but our City and surrounding agencies already offer great programs. Parks and Recreation offers a lot of services many people forget about because it doesn't get talked about. In addition, the Grandparents Raising Grandchildren program he is a part of is priceless. He said he does not have a police-based education, but believes the Police Chief has skill in running his staff. All of the programs in the

amendment are available in the Tri-City area today. He said we are a small City which needs consideration and is going to support the Chief if he says he needs men. He said he believes Police Department performs at or above expectations. He stated that for the specifics of the proposed officer, the Public Safety Committee should provide recommendations.

Councilor Paradis said it is great to hear everyone's thoughts and stances on the current Police Department. She wanted to clarify that the first part of the amendment is not us telling the Chief what to do. She said it is telling the Public what the Chief has already said this officer is going to do. The finance piece is the other issue. She stated the City match is \$165,000, however the total the city would pay is \$260,000 due to the specifics of the award's length. She said the rationalization of the amendment is to justify why we are adding a 27th officer. She said not only are we fishing people out of the stream, but we are wanting to find out why they are falling in the first place. She said she is happy to cut the second part about the LEAD program and bring up the specifics of the officer in Committee, but she does believe it is important to approach this as if we are adding a 27th police officer. She said Somersworth has under 12,000 residents while Dover and Rochester each have roughly 30,000 residents. They have 59 and 52 officers respectively which is more officers per capita compared with Somersworth's 27 officers. She stated she wants to find out how to reduce the need for calls.

Councilor Paradis withdrew her motion. Councilor Gerding withdrew his 2nd to the motion.

Councilor Paradis moved to adopt the following amendment to Resolution No. 2-21.

"Whereas it is anticipated that the grant position would be assigned to the patrol division of the police department, in addition to patrol duties this officer would be assigned as a community policing officer overseeing new programs such as national night out, pizza with police, coffee with a cop, and a new program known as ACERT (Adverse Childhood Experience Response Team)"

Councilor Witham stated that the amendment before us now, per the City Attorney, is acceptable.

Councilor Michaud stated he supports the original Resolution. If we have a chance to add one more officer, he doesn't want the chance to get the grant taken away from us. He stated the Chief is handling the Police Department extremely well.

Councilor Paradis stated this part of the amendment on the table, has received the blessing from the attorney. She stated there is no legal issue with the additional language being added since it is language from the grant itself.

Councilor Dumont stated he is still not in favor of supporting the amendment. He said the culture in our City is controlled by the Police Department and they set a great standard in the community. The concern is there is an effort to defund or redirect funds from the police. He said Somersworth isn't a bad place to live and that the City's own Human Services Department is wonderful.

Councilor Cameron stated we have already authorized Chief to apply for the grant which was pretty specific. She stated we are getting into an area we don't belong in. She said Chief facilitates his department well and the department as a whole does a great job.

Councilor Gerding stated he feels as if the conversation has been derailed. What is included in the first piece is directly taken from the grant before us and is in no way telling the Chief to do something as a Council body. He further explained that the amendment in the Resolution is using the language written in the grant to reiterate to tax payers why we are getting the new officer and what he or she will be used for. He said by specifying to the citizens what the officer is to be used for is not a bad idea. He stated it is important to make it known that we are not defunding the Police Department, nor directing the Chief to do something he has not already decided to do.

The motion was seconded by Councilor Gerding and failed 3-6 by roll call vote with Councilors Paradis, Gerding, and Witham voting "aye".

Councilor Witham made a motion to adopt the following amendment to Resolution No. 2-21. The motion was seconded by Councilor Paradis and approved 9-0 by roll call vote.

"total project cost (3 years)" in the 3rd Whereas section that notes the Grant breakdown

Councilor Witham made a motion to adopt Resolution No. 2-21 as amended.


Gerding stated he is excited to see the ACERT (Adverse Childhood Experience Response Team) program and Somersworth ready together in conjunction with the Police Department assisting kids dealing with traumatic experiences. As we move forward in the pandemic, he thinks spending our money towards our children is the most important thing. To alleviate traumatic experiences in kids has been a very rewarding thing to see as a Councilor. To have a specific team in the City to directly intervene in the experiences is great and is proud to see it.

Councilor Paradis made a motion to suspend rules to allow Chief Kretschmar to answer questions. The motion was seconded by Councilor Gerding and passed 9-0 by voice vote.

Chief Kretschmar stated in order to apply for the grant, he had been tracking calls related to the ACERT program. He stated while tracking, Somersworth averaged 38 potential referrals a month for kids needing services. He said community policing in Somersworth is an engrained part of our culture. He said we hire people that fit a culture that we are trying to cultivate here. He said whether community policing in our schools or on our streets, it is part of what we do every day. He said the grant puts someone in a position to oversee and direct some of the programs, but the culture is already here.

Councilor Witham's motion to adopt Resolution No. 2-21 as amended was seconded by Councilor Gerding and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020	Resolution 2-21	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 3-21 TO AUTHORIZE THE CITY MANAGER TO PREPARE BID SPECIFICATIONS FOR ROAD RESURFACING AND ASSOCIATED REPAIRS OF SELECTED STREETS

August 10, 2020

WHEREAS, the City of Somersworth's Capital Improvement Plan recommends road resurfacing and other general maintenance of streets in the City, and

WHEREAS, the City has prioritized street repair using the pavement condition index assessment tool, and

WHEREAS, the Public Works and Environment Committee recommends the following list of streets to be included in a resurfacing work plan for the 2021 construction season:

Drew Road
Edmund Street
Fox Court
Laurier Street
Lemelin Court
Rowland Street
Shady Lane

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Wilson Street
Locke Avenue
Portland Street
South Street
Ben Rich Drive
Lil-Nor Avenue
Pinkham Street
Primrose Lane
Midway Park
Bartlett Avenue
Cass Street; and

WHEREAS, The Public Works and Environment Committee reviewed a work plan for a portion of High Street from the Washington Street/West High Street intersection to Memorial Drive that will include a mill and pave of the road surface, adding granite curbing to the southbound lane, and reconstructing the adjoining sidewalk and recommends including this project as a bid alternative in the bid specifications; and

WHEREAS, the Public Works and Environment Committee recommends the following list of streets to be included in a crack-sealing work plan for the 2020 construction season:

High Street (Tri-City Road to Dover line)
High Street/Market Street/Main Street Downtown Area

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to prepare bid specifications and solicit bids from qualified contractors for road resurfacing and associated repairs of the aforementioned streets and take any other actions relative to these infrastructure projects determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin P. Dumont, Sr. Kenneth Vincent Matthew Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 3-21

History			
First Read Date:	08/10/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion

08/10/2020

Resolution No. 3-21 will remain in first read until call of the Chair.

09/09/2020


Councilor Paradis said she looked through street list and asked if the next grouping of streets is going to push us past our budget. She also inquired why there were some streets with higher indexes getting repaired.

Councilor Witham stated that the current list is the amount of work we can do.

Manager Belmore stated that the reason we include some of the adjacent side streets that might have a higher index is that we want to minimize mobilization costs of the project. Manager Belmore explained that the list of roads is based on the available funds and created by recommendations from the Public Works and Environment Committee. He stated that once we have bid out the project list the Council might be able to add additional street work.

Councilor Witham made a motion to adopt Resolution No. 3-21. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020 Resolution 3-21		PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 4-21 AUTHORIZING THE CITY MANAGER TO SIGN A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF CITY VEHICLES.

August 10, 2020

WHEREAS, the fiscal year 2020-2021 adopted budget contains an appropriation for a down payment toward the purchase of the following City vehicles:

- One SUV style Police Cruiser
- One Police Undercover Vehicle
- DPW 1-Ton Truck – 103 Replacement, and

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

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

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September 9, 2020

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 Tax Exempt Leasing Corp. for the acquisition of City vehicles.

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

City of Somersworth – Resolution 4-21

History			
First Read Date:	08/10/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion

08/10/2020

Resolution No. 4-21 will remain in first read until call of the Chair.

09/09/2020


Councilor Gerding asked if this was previously included in the budget.

Manager Belmore stated that the down payment was approved. This purchase is a lease purchase program which means we will own the vehicle after the lease term expires.

Councilor Witham stated the last time he was in the public works garage he noticed both of the City sidewalk tractors were out of service. He said does not want to derail the purchase of the other vehicles, but requests an update on the current tractors and where we are in terms of acquiring new pieces of equipment for the next Public Works and Environment Committee meeting.

Councilor Witham made a motion to adopt Resolution No. 4-21. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020 Resolution 4-21		PASSED	FAILED

City of Somersworth – Resolution	
	Resolution No: 5-21
	TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH PORT ONE ARCHITECTS OF PORTSMOUTH, NH TO PROVIDE FINAL DESIGN SERVICES TO CONSTRUCT A NEW FIRE STATION AT THE LOCATION OF THE CURRENT FIRE STATION ON MAPLE STREET.

August 10, 2020

WHEREAS, the City Council adopted Resolution 1-20 to authorize the City Manager to contract with Port One Architects of Portsmouth, NH to provide a conceptual design and a preliminary cost estimate for a new fire station, and

WHEREAS, the conceptual design and cost estimate has been completed and presented to the City Council, and

WHEREAS, utilizing the conceptual design and cost estimate the City Council adopted Resolution 50-20 to authorize a bond to construct a new fire station at the location of the current fire station on Maple Street, and

WHEREAS, Port One Architects have provide a cost to provide final design and other related professional services needed to complete the construction of the new fire station in the amount of \$466,400 (Four Hundred Sixty-Six Thousand Four Hundred dollars), and

WHEREAS, the Finance Committee and Fire Station Building Committee reviewed this cost and proposed services with staff and supports contracting with Port One Architects 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 contract with Port One Architects of Portsmouth, NH to provide final design and other related professional services needed to complete the construction of the new fire station in an amount not to exceed \$466,400 (Four Hundred Sixty Six Thousand Four Hundred dollars) and to take other such action relative to this contract determined to be in the best interest of the City.

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

City of Somersworth – Resolution 5-21

History			
First Read Date:	08/10/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion


08/10/2020

Resolution No. 5-21 will remain in first read until call of the Chair.

09/09/2020

Councilor Austin made a motion to adopt Resolution No. 5-21. The motion was seconded by Councilor Cameron and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020 Resolution 5-21		PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 7-21 TO AUTHORIZE THE CITY MANAGER TO ORDER A FORD PICK UP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS WHICH WILL BE FUNDED BY A LEASE PURCHASE AGREEMENT

August 10, 2020

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

WHEREAS, the City of Somersworth's approved FY2020-2021 budget provides funding through a lease purchase agreement for the following vehicle replacements,

- Ford F350 and to contract with Howard P. Fairfield for the winter plow related equipment;

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 the aforementioned vehicle replacement with winter plow equipment which is funded in the approved FY2021 City budget through a lease purchase agreement.

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

City of Somersworth – Resolution 7-21

History			
First Read Date:	08/10/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion


08/10/2020

Resolution No. 7-21 will remain in first read until call of the Chair.

09/09/2020

Councilor Witham made a motion to adopt Resolution No. 7-21. The motion was seconded by Councilor Pepin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020	Resolution 7-21	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 9-21 TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH CMA ENGINEERS OF PORTSMOUTH, NH FOR ENGINEERING SERVICES ASSOCIATED WITH THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT

August 10, 2020

WHEREAS, the Somersworth City Council adopted Resolution 30-18 to authorize the City Manager to contract with CMA Engineers of Portsmouth, NH for engineering services associated with the Transportation Alternatives Program (TAP) grant for an amount not to exceed \$122,402 (One Hundred Twenty-Two Thousand Four Hundred Two dollars), and

WHEREAS, the project requires CMA to provide services to complete Right-of-Way (ROW) acquisitions and other coordination with design service due to the extension of the contract duration at a total cost of \$9,828 (Nine Thousand Eight Hundred Twenty Eight dollars)

Somersworth City Council Meeting
September 9, 2020

increasing the total contract amount to \$132,230 (One Hundred Thirty Two Thousand Two Hundred Thirty dollars), and

WHEREAS, city staff have reviewed this contract amendment with the Finance Committee and they support this amendment,

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 CMA Engineers of Portsmouth, NH to provide engineering and design services associated with the transportation alternatives program grant project to an amount not to exceed \$132,230 (One Hundred Thirty Two Thousand Two Hundred Thirty dollars) and to take any other actions relative to this project determined to be in the best interest of the City.

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

City of Somersworth – Resolution 9-21

History			
First Read Date:	08/10/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion


08/10/2020

Resolution No. 9-21 will remain in first read until call of the Chair.

09/09/2020

Councilor Witham made a motion to adopt Resolution No. 9-21. The motion was seconded by Councilor Paradis and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020	Resolution 9-21	PASSED	FAILED

City of Somersworth – Resolution	
	Resolution No: 11-21
	TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH APEX CONSTRUCUTION OF SOMERSWORTH, NH FOR THE CONSTRUCTION OF WASTEWATER TREATMENT FACILITY UPGRADES

September 9, 2020

WHEREAS the Somersworth City Council adopted Resolution 36-20 to authorize the City Manager to contract with APEX Construction of Somersworth, NH for the construction of upgrades to the Wastewater Treatment Facility, and

WHEREAS the City's consultant engineer is recommending changes to the contract to modify certain water improvements associated with the project along Buffumsville Road to provide safer future access to this infrastructure and other minor changes to the second clarifier piping resulting in an increase to the contract of \$79,274 (Seventy-Nine Thousand Two Hundred Seventy-Four dollars),

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 APEX Construction of Somersworth, NH for the construction of upgrades to the Wastewater Treatment Facility to an amount of \$10,967,874 (Ten Million Nine Hundred Sixty Seven Thousand Eight Hundred Seventy Four dollars) and to take any actions relative to this contract determined to be in the best interest of the City.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard David A. Witham, Councilor	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 11-21
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History			
First Read Date:	09/09/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion

09/09/2020


Councilor Witham made a motion to suspend Council rules to allow Resolution No. 11-21 to be read by title only. The motion was seconded by Councilor Dumont and passed 9-0 by voice vote.

Councilor Witham made a motion to suspend Council rules to allow a second reading. The motion was seconded by Councilor Dumont and passed 9-0 by voice vote.

Councilor Witham said the upgrades highlighted in this Resolution are associated with the waterline. He further explained that there were a variety of unknown factors relating to the waterline, but the proposed upgrades are necessary.

Councilor Witham moved to adopt Resolution No. 11-21. The motion was seconded by Councilor Michaud and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020	Resolution 11-21	PASSED	FAILED

City of Somersworth – Resolution	
	Resolution No: 12-21
	TO RECOGNIZE THE BALANCE OF FUNDING AVAILABLE FOR THE WASTEWATER TREATMENT FACILITY UPGRADES AS CONTINGENCY AND TO AUTHORIZE THE CITY MANAGER TO APPROVE ANY FURTHER CHANGE ORDERS FOR THIS PROJECT.

September 9, 2020

WHEREAS the Somersworth City Council adopted Resolution 36-20 to authorize the City Manager to contract with APEX Construction of Somersworth, NH for the construction of upgrades to the Wastewater Treatment Facility, and

WHEREAS over the course of construction unknown or unanticipated issues may arise requiring additional work that may increase the cost of the project, and

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WHEREAS there is currently \$177,126 (One Hundred Seventy-Seven Thousand One Hundred Twenty-Six dollars) available in approved funding after consideration of Resolution 11-21 that the City considers contingency for this project, and

WHEREAS to keep the project moving in an effective and efficient manner the City Manager should be authorized to approve any future change orders not to exceed the amount of contingency available and that are determined to be in the best interest of the City,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the balance of \$177,126 (One Hundred Seventy-Seven Thousand One Hundred Twenty-Six dollars) available in approved funding for this project shall be considered contingency for this project, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to approve any future change orders not to exceed the amount of contingency available and that are determined to be in the best interest of the City.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard David A. Witham, Councilor	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 12-21

History			
First Read Date:	09/09/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/09/2020		

Discussion

09/09/2020

Councilor Witham made a motion to suspend Council rules to allow a second reading. The motion was seconded by Councilor Paradis and passed 9-0 by voice vote.

Councilor Witham made a motion to adopt Resolution No. 12-21. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
TOTAL VOTES:		9	0
On 09/09/2020	Resolution 12-21	PASSED	FAILED