

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
August 15, 2016
7:00 P.M.

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

MINUTES OF THE PREVIOUS MEETING.

MINUTES FOR WORKSHOP-HILLTOP COMMISSION HELD ON JULY 25, 2016
Councilor Dumont, seconded by Councilor Pepin, made a motion to accept the minutes. The motion passed unanimously.

MINUTES FOR CITY COUNCIL MEETING HELD ON JULY 25, 2016
Councilor Soldati, seconded by Councilor Pepin, made a motion to accept the minutes. The motion passed unanimously.

COMMENTS BY VISITORS

Amanda Sousa, of the Eagles 1887, commented about the Monument that was taken down by some way. She said she has signatures of petition to set it back in its place. It was set there in 1958 by the American Legion as a gift from them to the community. Davis Builders has offered to reinstate it at no cost.

She presented the petition to the Mayor. It will be included on the agenda for the September 6th 2016 City Council Meeting.

COMMUNICATIONS

Letter from Tom Argue
Letter was read by the Clerk and will be kept on file.

Letter of Resignation- Lee Reublinger- Moderator, Ward 3
Letter was read by the Clerk and will be kept on file.

MAYOR'S REPORT

Mayors Report for City Council Meeting July 25th, 2016

- During the 1950's at the height of the cold war, the Fraternal Order of the Eagles, donated 10 Commandment monuments throughout the nation as a testament of reinforcing the ideas of America's commitment to defending democratic

principles against Communist ideology. For decades like the Somersworth monument, similar 10 Commandment monuments throughout the nation stood as historical relics of a reminder of the decade in our nation's history directly after the second World War.

Recent trends have seen monuments identical to Somersworth's brought into question within the judicial system over First Amendment violations of separation of church and state. In most of the rulings the monument was ruled unconstitutional and was ordered to be removed off of government owned property. While our Hilltop city has been spared the media circus surrounding such challenges, the location of the monument has been brought into question several times in the past by concerned citizens. The constitutionality of the location of the monument has also been raised twice throughout my tenure as Mayor during the monthly community forums. During both times, the citizens rested trust within me that a balance between the historical important of the monument would be weighted and brought into compliance with constitutional concerns.

Despite ones religions or non-religious views, monuments like the one in Somersworth are a piece of history reminding us of both triumphs and some of our nation's most darkness monuments. It serves as dedication to the importance of law and order within a society and how society can quickly be absorbed into Salem like witch hunts as witnessed and experienced during the McCarthy area. While the currently location of the monument is and can be questionable, for the past year the City Manager and I, though the aide of our City Attorney, have been working on solutions to bring the monument into constitutional compliance. Working with the Summersworth Historical Society and design for a historical marker to be placed in front of the monument has been in the works. It is only the unfortunate toppling of the monument which as once again brought its location into question.

Regardless of the whether the monuments falling was an accident or act of vandalism, it is now prudent for Council to examine if this piece of Hilltopper history should remain in its current location, or be re-located to some other area within our community. While Council has options, whatever final decision we make as a team, must as always be within the best interest of our community, while honoring our "Proud Past" and "Bright Future". An additional element which must also be met, is to ensure that the monument meets the constitutional scrutiny of the first amendment separation of church and state. As mentioned earlier a plan has been in the works by the City Manager and I to ensure that balance is reached.

Without Councils objection, I will place the issue of the 10 Commandments monument under other this evening and will give each Councilor the opportunity to voice their preference on location. It will then be my intention to assign the location of the monument to the Government Operations Committee. I would suggest that the Government Operations Committee explore no more than three

recommendations for the location of the monument. It is my intention to then have Council, as a team, decide where the permanent location of the monument should be.

I have no doubt that the Government Operations Committee and full Council will respect the sensitivity surrounding the monument, while honoring its history and complying with the living document which makes our nation great, the United States Constitution.

- Thank you Aaron Fournier, lifelong Hilltopper resident and CEO Thinksound for donating headphones to both the members of the Police and Fire Department. Your donation was inspiring and a model of the true Hilltopper spirit.
- It is my intention to travel to Thetford Mines Quebec, this Friday – Saturday where I will be visiting the community during the region’s largest annual music festival. A meeting between Mayor Alexandre Brousseau and I is also being scheduled, where I will officially present him with the Resolution seeking to establish a sister city relationship. I look forward to discussing further strengthen our ties with the Mayor this weekend and will report back to Council on the trip at the next regularly scheduled meeting.
- As the final days of summer approach, The next **Mayors Community** forum will take place on **Saturday September 10th from 9:00 – 10:30** at City Hall. T Including in this forum will be **At Large Council members David Witham and Nancie Cameron and School Board members Kelly Brennan and Matt Hanlon.** *The* purpose of the forums are to foster dialog and ideas, in a non-formal setting to continue to move our community forward. All members of the community are welcome to attend any forums.
- A powerful evening of uniting as a community, during the 3rd annual National Night Out. The National Night Out program brings; law enforcement, first responders, business, community organizations, elected officials and citizens together to take a stand against violence and crime.

Together as a community we will keep Somersworth safe for all!

Nominations, Appointments and Elections:

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

Shanna B. Saunders, member Strafford Regional Planning Commission – Technical Advisory Committee with a term to expire June 2018

Michael Bobinsky, Alternate member Strafford Regional Planning Commission – Technical Advisory Committee with a term to expire June 2018

Bob Belmore, 2nd Alternate member Strafford Regional Planning Commission – Technical Advisory Committee with a term to expire June 2018

Pamela Sawyer, Re-appointment as Supervisor of the Checklist, Ward 1, with a term to expire July 2021

Megan Dubois, as Election Moderator of Ward 4, with a term to expire January 2018

Mary Shaw, re-appointment as member of the Board of Cemetery Trustees, with a term to expire July 2019

Todd Marsh, as a member of the Ethics Commission, with a term to expire July 2019

Sarah McGraw, as a member of the Conservation Commission, with a term to expire July 2019

- I will also be seeking that Council suspend Council rules to allow for the conformation of **Timothy Campbell** as an Election Moderator of Ward 3, with a term to expire in January 2018

I respectfully request that Council confirm all nominees

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

- **Roger Berube,** as a Member of the Skyhaven Advisory Council, with a term to expire in August 2018

In accordance with Council rule 15 this nomination does not require Council approval.

This respectfully concludes my August 15, 2016 Mayors Report

REPORTS OF STANDING COMMITTEES

Economic Development – Councilor McCallion said they got an update on the old police station; preliminary report is that it isn't as bad as we thought. Update from Code Officer, Joe Divine on a complaint from someone who had a letter written that was very harsh in the beginning. This letter has been softened. We have finally adopted state law. We have been successful in a few court cases. Committee also discussed the downtown, and a TIF district. Recap of the ERZ Zone after the workshop. It was well received by a lot of businesses.

Finance Committee – Councilor Witham said the committee met on Aug 4. They discussed the Maple Street culvert project. CMA Engineering is requesting an additional \$5000 for engineering oversight. Also discussed additional work needed on Memorial Drive. It was overlooked to upgrade and replace the sewer line which backs up from time to time. Part of the line runs under the football field. The committee endorsed the replacement of the sewer line and getting it out from under the football field. Price of just under \$60,000, committee passed on a vote of 4-0.

They discussed the property at 44 Market Street which was a 79e property. They are requesting a lot line adjustment.

The committee also discussed a city owned mobile home unit in Westbrook Park which has been removed.

Public Works & Environment – Councilor Sprague said they met on August 4th, and they discussed that the engineering firm is spending a lot of time on the Memorial Drive project. They also discussed the sewer line upgrades and changes. In the beginning, the committees focused on the curbing and hot top. But when the camera was sent into the sewer lines, they saw some issues. Running the line through the parking lot with a few extra man holes only made sense.

Recreation – Councilor Pepin said the committee met on Aug 10th. They discussed the best way to use the donation of \$1000 from Liberty Mutual; they suggest a message board at the Mast Point Dam to show the trails, and possibly another at Willand Pond. Committee supported that. Councilor Witham said the American Legion gave a donation of a flag pole at Noble Pines, right behind home plate. The board unanimously recommended this. There was also discussion about a blind spot in a certain area at Noble Pines. They would like another camera and the committee supported that. Porta potties will be at Noble Pines, Mast Point Dam, and Willand Pond, on a trial basis.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

JBC – Councilor Messier said they getting down to the final items for the renovation of the CTC. Everything is looking great and should be open in time for school. There will be an open house in September.

Coast Bus – Councilor Pepin said they met on July 27th. Director of operations position is open. They discussed nominations for the board. Also discussed the FY17 budget and the shortfalls, how the funding on the advertising is effecting funding, and who takes care of broken glass, trash, and grass in the area of the shelters.

School Board – Councilor Pepin said the School Board met on Aug 6th. They are just about ready for opening, maintenance is up to par. Positions are mostly filled. School Starts on Aug 31st. Kick Off party is scheduled for Sept 9th.

Vision 2020 – Councilor Paradis said they discussed National Night Out. They also talked about setting up booths for other events. September 9th is family night at the high

school. They talked about updating the website and facebook glitches, new things on channel 22 and 95, and light post flags.

Parade Committee – Councilor Dumont said the committee has its own momentum and is moving forward. There will be a group photograph and the board of selectmen from Berwick will all be attending. The parade is scheduled for Dec 3rd. The parade has 3 marching bands.

Historic District Commission – Councilor Dumont said they are still talking about the actual district. They have received a couple applications for renovation. An applicant wanted to do some renovation, how do you restore a building back to the original state when several different types of facades on a building?

Cultural Commission – Councilor Dumont reported that they now have an Irish person on the committee. They are looking at scheduling a cultural meal a month, prepared by the Culinary Students at the Culinary Institute at the new Career Technical Center. Continue to work on the welcome signs.

Sustainability Committee – Councilor Soldati said they will meet Thursday, Aug 18th at 6:30.

City Manager's Report



CITY OF SOMERSWORTH
Office of the City Manager

TO: Mayor Dana Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, August 12, 2016

SUBJECT: City Manager's Report for Monday, August 15, 2016
City Council Agenda

6:00 p.m. Workshop
Fire Station Advisory Committee Presentation

6:45 p.m. Public Hearing
Re: Ordinance No. 1-17 Supplemental Appropriation

Unfinished Business (under Section 13 of Agenda)

Ordinances

- A. Ordinance No. 1-17 Supplemental Appropriation for Water Main Improvements Associated with the Fiscal Year 2016-2017 Road Improvement Projects.** Reminder: Passage requires a two-thirds majority vote of Council.

New Business (under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 2-17 Amend Chapter 19, Zoning Ordinance, Section 30.E, Hilltop School Property Overlay District.** This is a recommendation forwarded from the Hilltop Commission. There are other Committee recommendations that will be included in the Request for Proposal (RFP) and made part of the deed pending Council approval:

1. Any new additions must be subservient and compatible to the historic building.
2. The front lawn on Grand Street must be preserved and respected.
3. Outside and Parking lot lighting design shall be compatible with the historic district purpose and the age of the structure.
4. The exterior of the building must be preserved. Any proposed changes must be compatible with the Historic District purpose and age of the structure.

Attached is a red-lined copy of the entire Ordinance. I recommend a Public Hearing prior to the next City Council meeting on Tues., Sept. 6th at 6:45 p.m.; if referred to Committee my recommendation is to move the hearing to the September 19th meeting.

Public Hearing on Ordinance 2-17 scheduled for Sept 6th at 6:45pm without objection.

Resolutions

- A. Resolution No. 10-17 To Authorize the City Manager to Amend the Contract with Severino Trucking Co., Inc. of Candia, NH for the Required Sewer Line Improvements on Memorial Drive.**

The Public Works Committee and Finance Committee met on August 4th and voted to support this item. Attached is a copy of the email that I sent to the Mayor & Councilors on August 9th. It states in part: I recommend Council consider covering this needed sewer work by amending the Severino Agreement. This needed funding is small enough that the already adopted sewer/wastewater utility budget should be able to cover this expenditure. We will monitor this fund and if it cannot absorb this expenditure, I will notify the Mayor & Council to consider a supplemental appropriation to amend this year's sewer/wastewater utility budget later for this fiscal year. Respectfully, I suggest Council consider a second reading this evening to consider adoption.

- B. Resolution No. 11-17 To Authorize the City Manager to Request Proposals for the Re-use of Hilltop School in Accordance with the Recommendations of the Hilltop Commission.** Attached is a “*Draft*” Request for Proposal (RFP) document for your review.
- C. Resolution No. 12-17 To Authorize the City Manager to Waive Ordinance Chapter 13D (Noise/Nuisance Control) for Severino Trucking Company, Inc. and/or Its Subcontractors to Permit Night Work as Needed as Part of the FY 16/17 Road Improvement Project.** Public Works Committee met on August 4th and supports this action item. Attached is a copy of Chapter 13D. Respectfully, I suggest Council consider a second reading this evening to consider adoption as night work may be needed to complete the project before School opens on August 31st.
- D. Resolution No. 13-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Water Department Utilizing the New Hampshire State Bid List.** Public Works Committee and Finance Committee met on July 21st and support this action item. The Water Fund provides \$42,094 for the replacement 1- ton. This truck is a 2017 Ford F350 with the 6.7 diesel with back racks, 9ft plows and four corner strobe light. Water Department: \$45,597-less trade in value of \$4,000 = \$41,595...Budget is \$42,094. Attached is a memorandum from Director Mike Bobinsky that provides further detail on this purchase.
- E. Resolution No. 14-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Wastewater Department Utilizing the New Hampshire State Bid List.** Public Works Committee and Finance Committee met on July 21st and support this action item. The Sewer Fund provides \$57,284 for the replacement 1- ton. This truck is a 2017 Ford F350 with the 6.7 diesel with back racks, 9ft plows and four corner strobe light. This unit will also be outfitted with a Tommy Gate for lifting purposes onto bed of the truck and has an extended cab. Wastewater Department: \$50,311-less trade in value of \$6,000 = \$44,311...Budget is \$57,284 (Extra cost for bigger cab/tommy gate).
Attached is a memorandum from Director Mike Bobinsky that provides further detail on this purchase.

Other

- A. Vote to Authorize the City Manager to Sign Document/s to Amend the Approved Public Benefit Covenant (per 79-E:8) Pertaining to the 44 Market Street Property.** Attached is a “*Draft*” amended Covenant that City Attorney Walter Mitchell will review at the property owner’s expense. The Amendment is requested due to a boundary line adjustment approved by the Planning Board earlier this year.

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

A. Informational Items

1. Brownfields Grants.

- Former site of Bretons Cleaners – I contacted Mike McClusky at NHDES on August 1st. He stated they hired the engineering firm GZA who would be conducting field work in 3-4 weeks out. GZA will be sampling building materials and the groundwater to finalize costs associated with any clean-up.
- Former Police Station Site- SRPC staff and their engineers, Credere Associates, are waiting on NHDES for their comments.

2. Porto Potties. The Recreation Committee met on Wednesday, August 10th to discuss staff's recommendation to place Porto-Potties at Willand Pond, Mast Point Dam and Noble Pines. The Committee supports moving forward with this Pilot Program at an estimated cost of \$1,480. Staff will be contacting the City of Dover to suggest they consider the same on their side of Willand Pond. I have attached staff's cost sheet for this effort. Without objection, I will be authorizing staff to move forward.

3. Liberty Mutual Donation. As part of this year's "Serve with Liberty" volunteer effort, the City received a \$1,000 donation. Staff recommends we utilize the majority of this donation to purchase a new Kiosk/Message Center at the Mast Point Recreation Area (see attached information). The Recreation Committee met on Wednesday, August 10th and supports this effort. Again, without objection I will authorize staff to move forward.

4. Flag Pole at Noble Pines. Somersworth Babe Ruth Baseball with the support of the American Legion Post 69 has donated a new Flag Pole for placement at the Noble Pines Park. With support of the Recreation Committee and full Council I plan to move forward with this improvement. Attached are copies of correspondence reviewed by the Recreation Committee.

5. Sober Sisters Recovery at Malley Farm. I was asked to pass long an invitation to the Mayor & Councilors to attend their Open House scheduled for Saturday, August 20th from 3:00-6:00 p.m.

B. Attachments

1. Department Head Monthly Reports.

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Nominations – For Council confirmation vote.

Strafford Regional Planning Commission – Technical Advisory Committee

Shanna B. Saunders, Member, with term to expire June, 2018

Michael Bobinsky, Alternate Member, with term to expire June, 2018

Bob Belmore, 2nd Alternate Member, with term to expire June, 2018

Pamela Sawyer, re-appointment as Supervisor of the Checklist, Ward 1, with term to expire July 2021.

Megan Dubois, as Election Moderator of Ward 4, with a term to expire January 2018.

Mary Shaw, re-appointment as Member of the Board of Cemetery Trustees, with a term to expire July 2019.

Todd Marsh, as a Member of the Ethics Commission, with a term to expire July 2019.

Sarah McGraw, as a Member of the Conservation Commission, with a term to expire July 2019.

Councilor Soldati, seconded by Councilor Pepin, made a motion to suspend rules council rule to approve the slate of nominations. The motion passed unanimously.

Councilor Soldati, seconded by Councilor Cameron, made a motion to accept the slate of nomination. The motion passed unanimously.

Timothy Campbell, as Election Moderator of Ward 3, with a term to expire January 2018.)

Councilor Cameron, seconded by Councilor McCallion, made a motion to suspend council rules to approve the nomination.

Councilor McCallion, seconded by Councilor Cameron, made a motion to the nomination. The motion passed

Mayoral Appointment- Does not require confirmation.

Roger Berube, as a Member of the Skyhaven Advisory Council, with a term to expire August 2018

UNFINISHED BUSINESS

Ordinances:

ORDINANCE NO. 1-17 SUPPLEMENTAL APPROPRIATION FOR WATER MAIN IMPROVEMENTS ASSOCIATED WITH THE FISCAL YEAR 2016-2017 ROAD IMPROVEMENT PROJECTS.

Councilor Witham, seconded by Councilor Messier, made a motion to approve Ordinance 1-17. The motion passed unanimously, by roll call vote.

NEW BUSINESS

Ordinances:

Councilor Messier, seconded by Councilor Pepin, made a motion to have Ordinance 2-17 read by title only. The motion passed, 8-1.

ORDINANCE NO. 2-17 AMEND CHAPTER 19, ZONING ORDINANCES, SECTION 30.E, HILLTOP SCHOOL PROPERTY OVERLAY DISTRICT.

Somersworth, NH
August 15, 2016

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

Amend Chapter 19, Zoning Ordinance, Section 30.E , Hilltop School Property Overlay District, Additional Permitted Uses by adding “Multi-dwelling unit” and “Elderly Housing Facility” with a maximum density allowed = 10 units per acre.

This ordinance shall be effective upon its passage.

Sponsored by

Mayor Dana Hilliard
Councilor Martin P Dumont Sr.
Councilor Jessica Paradis

Approved
City Attorney

Section 30 Hilltop School Property Overlay District

19.30.A Title and Authority

Title: This Ordinance shall be known as the “Hilltop School Property (HSP) Zoning Overlay Ordinance” of the City of Somersworth, New Hampshire.

Authority: Pursuant to the authority granted by RSA 483-B:8, Municipal Authority; RSA 674:17 I., Purposes of Zoning Ordinances; RSA 674:21, Innovative Land Use Controls; this ordinance is hereby adopted by the City of Somersworth, New Hampshire to protect the public health, safety, and general welfare.

19.30.B District Boundaries

The boundaries of the Hilltop School Property Overlay District are hereby established to include all the property on Tax Map 11 Lot 49 which is hereby declared to be part of this ordinance.

19.30.C Purpose

The purpose of this ordinance is to provide for productive, desirable reuse of the Hilltop School building and property (Map 11 Lot 49) located within the Residential Single Family/A (R1/A) District as outlined in the City’s Zoning Ordinance 19.3.D.11., further governed by the Historic District (HD) Overlay Zoning District outlined in ordinance 19.3.D.6.

Recognizing the former school property is located within the R1-A Zoning District, within the HD Overlay District, yet does not conform to the norm of structures and uses intended to be regulated by these ordinances, it is deemed appropriate and necessary to provide for a zoning overlay district to apply specifically and solely to this property without hindering the intent and purposes of the aforementioned ordinances.

Regulations set forth in this ordinance are designed to support the intent of the HD District Ordinance to provide for the recognition, preservation, enhancement and continued use of structures, sites and areas having historic and cultural significance in support of the community’s economic prosperity, cultural enrichment and general welfare, to stabilize and improve property values in the city and to aid in the safeguard of the heritage of Somersworth by providing for the protection of structures and areas that represent significant elements of its history.

19.30.D Applicability

All land and building use activities and development conducted within the Hilltop School Property District shall be regulated by the standards established herein.

The standards established herein shall constitute the rules of an overlay zone and shall be superimposed over other zoning districts or portions thereof. The provisions herein shall apply in addition to all other applicable ordinances and regulations. In such instances where the building and property of the Hilltop School Property align with buildings and properties typical of those of the HD, and R1/A Zoning Districts, the provisions set forth in those ordinances should be adhered to.

This overlay ordinance will make provisions for such instances where the property and building in the overlay district do not physically, and logically align to types reasonably intended to be governed by the R1/A and HD ordinances. The provisions set forth for this overlay district make an effort to align with the goals and intent of the city's overall zoning codes. In the event of a conflict between any provision herein and any other ordinance or regulation, the more restrictive requirement shall prevail.

19.30.E Additional Permitted Uses

In addition to all uses permitted by the existing ordinances which govern this overlay district, the following uses, as defined in the existing City of Somersworth zoning ordinances, will be permitted:

Principal Use
Government Facilities & Svcs.
Private Educational Institution
Museum
Clubhouse, community center, non-commercial recreational facilities, such as swimming pools and tennis courts, for the citizens of Somersworth
Communications (i.e., radio/television broadcasting, telephone communications).
Professional & Business Offices
Bed and Breakfast/Inn ¹
Athletic/Fitness Facility
Amusement and Recreational Services ²
Daycare Facilities
Artisan Studio
Artisan Production Shop
All open land or fields used for baseball, football, track and field or other athletic games
Photography Studio
Multi-dwelling unit ⁵
Elderly Housing Facility ⁵

Accessory Uses
Produce, Christmas Tree and Other Seasonal Stands
Gift Shop ⁴
Café/ Retail ³

¹ Owner Occupied and limited to no more than 10 rentable rooms.

² Including such things as cinemas; theaters; bands; orchestras and other musical entertainment but excluding pool hall, billiards, video gaming centers operated for profit.

³ Drive thru services are not permitted. Seating for no more than 12 people permitted.

⁴ Goods limited to items that support and promote the current building occupants and/or the City of Somersworth.

⁵ Max density allowed = 10 units per acre

Passed 03/18/2013.

Amended xx/xx/2016

Ordinance 2-17 will remain in first read until the September 6th, 2016 City Council Meeting.

Resolutions:

RESOLUTION NO. 10-17 AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH SEVERINO TRUCKING CO., INC. OF CANDIA, NH FOR REQUIRED SEWER LINE IMPROVEMENTS ON MEMORIAL DRIVE.

Somersworth, NH
August 15, 2016

WHEREAS, the City Council adopted Resolution 6-17 authorizing the City Manager to contract with Severino Trucking Co., Inc. for certain road and utility improvements, and

WHEREAS, during the initial stages of the improvements, it became apparent that improvements to a section of sewer main in the Memorial Drive section of the contract are necessary and in the best interest of the City, and

WHEREAS, staff met with the contractor and developed a cost for the improvements in an amount not to exceed \$60,000 (Sixty Thousand dollars) and recommends the City proceed with the improvements, and

WHEREAS, the Public Works and Environment Committee for the City of Somersworth has reviewed the recommendation by staff and supports the recommendation, and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation by 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 amend the contract with Severino Trucking Co., Inc. of Candia, NH to include required sewer line improvements on Memorial drive at an amount not to exceed \$60,000 (Sixty Thousand dollars) and to take any other actions on behalf of this project determined to be in the best interest of the City.

Sponsored by Councilors:

David A. Witham
Dale R. Sprague
Martin Pepin
Jennifer G. Soldati

Approved:

City Attorney

Councilor Witham, seconded by Councilor Paradis, made a motion to have Resolution 10-17 read for a second time.

Councilor Messier asked if the funding comes out of the operating budget of the sewer fund. City Manager Belmore confirmed that yes, it is. There has been overage in the budget for the past couple of years. Councilor Messier said he just wanted to make sure they were not short changing the utility budget.

Councilor Witham, seconded by Councilor Pepin, made a motion to adopt Resolution 10-17. The motion passed unanimously by roll call vote.

RESOLUTION NO. 11 – 17 TO AUTHORIZE THE CITY MANAGER TO REQUEST PROPOSALS FOR THE REUSE OF HILLTOP SCHOOL IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE HILLTOP COMMISSION.

Somersworth, NH
August 15, 2016

WHEREAS on January 19, 2016, in accordance with Council Rule 15, Honorable Mayor Dana Hilliard announced the formation of the Hilltop Commission, and

WHEREAS, the Hilltop Commission was empowered to explore, develop and finalize a sustainable proposal for the City Council to implement the re-use of the historic hilltop building; explore the feasibility of financing or investors for the re-use of the historic hilltop building; and to present their findings on proposed legislation to the City Council to vote upon by October 3rd, 2016, and

WHEREAS, the Hilltop Commission completed their work and presented their findings and a recommendation to the City Council on July 25, 2016, and

WHEREAS, the recommendation presented is to seek proposals for the private rehabilitation of the facility with public land ownership and reasonable restrictions,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to request proposals for the re-use of Hilltop School in accordance with the recommendations of the Hilltop Commission and take any other actions with this project determined to be in the best interest of the City.

Sponsored by

Mayor Dana Hilliard
Councilor Martin P Dumont Sr.
Councilor Jessica Paradis

Approved

City Attorney

Resolution 11-17 will remain in first read until the September 6th, 2016 City Council Meeting.

Councilor Witham, seconded by Councilor McCallion, made a motion to suspend rules to have Resolution 12-17 read by title only. All in favor.

RESOLUTION NO. 12-17 TO AUTHORIZE THE CITY MANAGER TO WAIVE ORDINANCE CHAPTER 13D (NOISE/NUISANCE CONTROL) FOR SEVERINO TRUCKING COMPANY, INC. AND/OR ITS SUBCONTRACTORS TO PERMIT NIGHT WORK AS NEEDED AS PART OF THE FY16/17 ROAD IMPROVEMENT PROJECT.

Somersworth, NH
August 15, 2016

WHEREAS, Chapter 13-D prohibits excessive noise as a result of construction activity at specific times during night time hours; and

WHEREAS, the City adopted Resolution to authorize the City Manager to contract with Severino Trucking Company, Inc. of Candia, New Hampshire as part of the FY16/17 road improvement project; and

WHEREAS, it is the desire of the City of Somersworth to complete these improvements to minimize any disruption to the opening of the middle/high school or to the community as a whole during the construction activity; and

WHEREAS, it may be in the best interest of the City to allow Severino Trucking Company, Inc. and/or its subcontractors to perform portions of the FY16/17 road improvement project during night time hours,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to waive the provisions of Chapter 13-D (Noise/Nuisance Control) for Severino Trucking Company, Inc. and/or its subcontractors to permit night work as needed as part of the FY16/17 road improvement project to meet the needs and the best interest of the City.

Sponsored by Councilors

Dale R. Sprague
David A. Witham
Jennifer G. Soldati

Approved:

City Attorney

Councilor Witham, seconded by Councilor McCallion, made a motion to suspend Council rules for second reading. All in favor.

Councilor Witham, seconded by Councilor Paradis, made a motion to adopt Resolution 12-17. The motion passed unanimously by roll call vote.

RESOLUTION NO. 13-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WATER DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST

Somersworth, NH
August 15, 2016

WHEREAS, the City of Somersworth Capital Improvement Program (CIP) for Fiscal Years 2017 through 2022 contains a recommendation to purchase a one-ton replacement truck for the Water Department; and

WHEREAS, the City of Somersworth Fiscal Year 2016-2017 adopted Water Department budget provides funding for the purchase of a one-ton pick-up truck and related accessories for use by the Water Distribution Division; and

WHEREAS, City staff recommends purchasing this truck utilizing the New Hampshire State bid list; and

WHEREAS, the Finance Committee and Public Works & Environment Committee for the City of Somersworth has reviewed this and support's this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a one-ton truck and related accessories for the Water Department utilizing the State of New Hampshire State bid list and to take any and all other such actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors

David Witham
Dale Sprague
Jennifer Soldati
Martin Pepin

Approved:

City Attorney

Resolution 13-17 will remain in first read until the September 6th, 2016 City Council Meeting.

Councilor Witham, seconded by Councilor Messier, made a motion to suspend council rules to have Resolution 14-17 read by title only, since it is similar to Resolution 13-17. The motion passed unanimously.

**RESOLUTION NO. 14-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE
A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WASTEWATER
DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST**

Somersworth, NH
August 15, 2016

WHEREAS, the City of Somersworth Capital Improvement Program (CIP) for Fiscal Years 2017 through 2022 contains a recommendation to purchase a one-ton replacement truck for the Wastewater Department; and

WHEREAS, the City of Somersworth Fiscal Year 2016-2017 adopted Wastewater Department budget provides funding for the purchase of a one-ton pick-up truck and related accessories for use by the Wastewater Division; and

WHEREAS, City staff recommends purchasing this truck utilizing the New Hampshire State bid list; and

WHEREAS, the Finance Committee and Public Works & Environment Committee for the City of Somersworth has reviewed this and support's this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a one-ton truck and related accessories for the Wastewater Department utilizing the State of New Hampshire State bid list and to take any and all other such actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors

David Witham
Dale Sprague
Jennifer Soldati
Martin Pepin

Approved:

City Attorney

Resolution 14-17 will remain in first read until the September 6th, 2016 City Council Meeting.

OTHER:

- A. Vote to authorize the City Manager to sign documents to amend the approved Public Benefit Covenant (per 79-E:8) pertaining to the 44 Market Street property

Councilor Witham said this is a housekeeping item; just need to record the deep.
The vote passed, unanimously, by voice vote.

- B. 10 Commandments Monuments. This has been assigned to the Government Operations Committee, but each member of council will speak on the subject.

Councilor Pepin said he is in full support of keeping the monument where it is, and keep it legal. The Eagles have been in support of our community. Their support is deeply appreciated.

Councilor Soldati said she is a big advocate of separation of church and state. She appreciates what the Eagles have done. She remembers the 50s, and she understands the sensitivity of the times. The committee will give it a fair review; will look into what other communities have done. She said she is not sure why this is considered a piece of history.

Councilor Dumont said we wouldn't be having this discussion if someone hadn't decided to do what they did, to destroy property. We are now going to take a lot of time to decide what was decided years ago. When we did urban renewal that is one monument that remained when many buildings were destroyed. Hate to be reactive to a criminal offence. We enjoy our monuments.

Councilor McCallion said he wasn't around in 1958 when the leadership allowed the monument to be placed. He believes we need to respect the elders of the past. It wasn't anything that is earth shattering that shouldn't be there. It was erected by the leadership. We are wasting time on this. It should remain where it is.

Councilor Messier said this has been going on all weekend. He is interested in what the city attorney says to let it stay where it is. Being brought up as a catholic, its words on a stone. There is separation of church and state. Some wish it could be moved. He doesn't care if it stays or if it gets moved.

Councilor Witham said had it not been knocked over, we would not be having this conversation. It should stay in its current location. He has received lots of calls about this, more so than when passing the budget. The police department is investigating, and the intent could be a hate crime.

Councilor Sprague said he would hate to be rewarding vandalism, and acting upon it. He says put it back up, that is the place it should stay. He can't remember anyone who has a hard time from anyone about it being there. Deed that area to the eagles. Then no worries! It was in the way during the downtown construction and it was never moved.

Councilor Cameron said her humble opinion is to keep it where it is. But being part of the committee, she will look at all of the facts.

Councilor Paradis said she is an advocate of separation of church and state. She thinks it should be moved. All nationalities and different religions think this city is great and this does not represent the makeup of our city.

C. To authorize the CM to include a Brownfields cleanup.

Vote, 9-0

CLOSING COMMENTS BY VISITORS.

Connie Mathews, ward 5, President of Eagles and an officer. She said they will take care of the monument, will put it back and they will take care for the property.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin said we just lost a call firefighter, Paul Desmarais. His thoughts are with the family.

Councilor Soldati thanked the city departments for the National Night Out, Police, Fire, American Ambulance. It was very impressive. They did a great job.

Councilor Dumont had lots of complements to the departments for the National Night Out. The \$5 cards were a hit. Thanked the American Legion, for supporting the community with their works and with finance. He is getting anxious for the grand opening of the Career Tech center. He knows renovations are difficult, and the architects and contractor have done the project and are on time. He hopes people can join them for the grand opening.

Councilor McCallion spoke about National Night Out. To hear everything that is going on in the news and to know that our departments are there getting to know the members of our community is encouraging. It's a challenge to volunteer for community events. Right now is a critical time in our community. We are two weeks away from school starting and sports. Just be there for support for them. There are individuals in our community who do not have a support system, whether a sporting event or whatever. DO something.

Councilor Messier said he was happy to see the National Night Out at the ward 5 park, being there when it first opened. The city departments did a fantastic job. Thank you to ward 5 for having that. American Legion, thank you for the flag pole. The Career Tech Center was fast tracked. The young lady who was the contractor of the project has done a great job. You will be pleasantly surprised. The Mast Point Dam may be done in October. That is when bat hibernation season should be done.

Councilor Witham thanked the American Legion for their donation of the flagpole. They thought that the flagpole that was at the ballfield was inferior, and they approached him. He rode with Paul Desmarais on the fire truck, he had health issues and we will miss his presence.

Councilor Sprague said he had a couple comments. The new cruisers really look good. There are always deaths from overdoses. Homelessness isn't something you hear about regularly, but there is a problem with that in our community. Lydia's House of Hope is a place where they have a year long program. There are a lot of needs to get that property restored.

Councilor Cameron attended the National Night Out. She recommends it to all and thanked all involved.

Councilor Paradis gave her condolences to the Desmarais family. The kids had a blast at National Night Out. It was a great hands on experience. Congratulations to the CTC for getting things done. Good luck to all the students and teachers going back to school.

ADJOURNMENT

Councilor Dumont seconded by Councilor Messier, made a motion to adjourn. The meeting adjourned at 8:38 pm.

Trish Harris, City Clerk

Dana Hilliard, Mayor