

## MINUTES OF CITY COUNCIL MEETING

Somersworth, NH  
December 5, 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, and Cameron.

### MINUTES OF THE PREVIOUS MEETING.

MINUTES of the Joint City Council/School Board Goal Setting Meeting held on Wednesday, October 19, 2016

***Councilor Pepin, seconded by Councilor McCallion, made a motion to accept the minutes. The motion passed 6-2, with 2 abstained***

MINUTES of the City Council Workshop – FERC License Renewal and Information on the sale of the Hydroelectric Plant by the Operators, held on November 7, 2016

***Councilor Pepin, seconded by Councilor McCallion, made a motion to accept the minutes. The motion passed, 7-1, with 1 abstained***

MINUTES of the Public Hearing of Ordinance 4-17 Supplemental Appropriation for Engineering Services for Improvements at the Somersworth Wastewater Treatment Facility, held on November 7, 2016

***Councilor Witham, seconded by Councilor Pepin, made a motion to accept the minutes. The motion passed unanimously.***

MINUTES of the City Council Meeting, held on November 7, 2016

***Councilor Messier, seconded by Councilor Cameron, made a motion to accept the minutes. The motion passed unanimously.***

### COMMENTS BY VISITORS

Gerry Cannon, of 113 Indigo Hill Rd, Ward 5, commented in support of Ordinance 6-17. She stated, in the State of New Hampshire many communities are working to add wording of gender identity to their discrimination statements, to be able to invite new talent to the area. Transgender people are also very intelligent people looking for work situations. She said, this City is a wonderful place and has made her feel very welcome and would be welcoming to others who have the background to help the city, whether it be the highway department or school education. They need to know that they can work in this community and it is safe for them to be here.

### MAYOR'S REPORT

Mayors Report for City Council Meeting December 5, 2016

- Special thanks to Ward 2 City Councilor Jennifer Soldati, for successfully running last month's City Council meeting while I attended one of the first national conferences of educators on teaching 9/11. The conference was held at the 9/11 museum and education center, located at ground zero in NYC. The purpose of the conference was to continue the task of examining and exploring resources to ensure that the generations born after the 9/11 attacks will properly be educated on this crucial day in American History. It is only through education and preserving the memories of that day that we can continue to honor those brave souls who lost their lives on 9/11 and be prepared as Americans against any potential future attack.
- I was honored to deliver our cities official remarks at the annual Veterans Day ceremony held at the American Legion Post 69 on November 11<sup>th</sup>. Let us continue to honor our Veterans. By honoring ourselves and neighbors, by embracing diversity, and by celebrating our differences. Let us continue to honor our Veterans by building the American belief that liberty, freedom, justice and hope, will be assured and protected for all. God Bless our Hilltop City, our great state and nation, and may God forever bless our American Veterans.
- A very success "I am college bound" day look place at Somersworth High School and CTC center last month. As a participating school, students at Somersworth High School and CTC explored college opportunities and were aided by the guidance department towards applying for college. As a sign of Somersworth's commitment towards their personal dreams and goals, I proclaimed the month of November as "I am College Bound" month in our Hilltop City.
- Thank you "Be Free" a Somersworth faith based organization, for taking time out of your day to paint the Post Office wall near the public library. The newly painted wall and mural designed and created by the Somersworth High School art class was enjoyed by during Saturday's Christmas gala and festivities.
- Thank you to all of the local organizations who once again demonstrated through your generosity the meaning of community and the Hilltopper spirit throughout Thanksgiving. During the holiday, our Somersworth schools, churches and business provided Thanksgiving food baskets and opened their business for free meals. Somersworth continues to be the model of Yankeeism, and reflects the true meaning of community.
- Started in 2010 Small Business Saturday celebrates local merchants and encourages consumers to support their local economies. On Saturday November 26<sup>th</sup> I enjoyed the day running up my credit card locally, and supporting Somersworth business owners. This holiday season, I encourage all Hilltoppers too shop and eat locally and continue to grow our great downtown business district. With your support and dollars, we will continue to keep Somersworth "On the Move!"
- Last Saturday community once again celebrated its "Proud Past" as the former Hilltop School officially became part of the National Historic Registry. In 1850 the belfry tower rang for the first time, guiding youth throughout Somersworth to one of the first public schools in the granite state. For well over 150 years, this site has continued to aspire all

who entered the two buildings, which stood at the highest point within our community as beacon of learning.

Through the halls of Hilltop would begin the career paths of Doctors, lawyers, tradesmen and politicians. Not only would the foundational components of educations be taught; Math, Science, English and Social Studies, but the values which reflect the Hilltopper spirit; cooperation, tolerance, volunteerism and dedication.

For over 150 years the Hilltop site has stood as a mirror reflecting our city motto of “Proud Past” and “Bright Future”. While today the hallways of learning are silent, we honor Hilltops “Proud Past” as it officially secures its spot on the National Historical Registry. We also celebrate its “Bright Future” as the next chapter of Hilltop’s history begins to be written.

With the unveiling of the plaques on Saturday, the City of Somersworth’s and US Department of Interior acknowledges the historical role Hilltop has played within our City, State and Nations history and reaffirms its commitment to preserve it as a historical treasure. We thank you Hilltop for the generations of Somersworth citizens whom you guided and inspired and look forward to celebrating your future development and honoring and preserving your place in history. May you forever be “Dedicated to Citizenship.”

- With the listing of Hilltop upon the National History Registry the time for this body to act upon the next chapter of Hilltop’s history is now. By January, the Council will have the opportunity to approve a plan which will unlock the doors of the former school, and ensure its preservation and future use. While some aspects of the plans I would like to see extended, including more land retained by the public for a future public park and ice skating area, I believe the proposal as a whole is beneficial to our community.

For over a decade the building has remained dormant, and through sometimes painful public debate our Community has examined what Hilltop’s history would be. By the work of the Hilltop Commission this Council was able to adopt a clear path which would balance the historic aspects of Hilltop, and needs for our community, with its future development. We proceeded in seeking interest in the historical treasure and were able to secure a proposal from a reputable developer. By further conversation with the developer I believe we can adopt and proceed forward with Hilltops re-use. I am therefore respectfully requesting to Council that we communicate any concerns this body has with the proposal or additions and changes we are seeking to the City Manager so that they may be commutated prior to the January 3<sup>rd</sup> Council meeting. Upon conclusion of those communications I am respectfully requesting that we approve the proposal for Hilltops re-use.

- The holiday spirit was radiating on both sides of the bridge on Saturday during the first annual Somersworth/Berwick Christmas parade. After close to a decade, both communities rejoined the parade celebrating our common bond, community and friendship. Thank you to both parade committees and all of the sponsors and volunteers, for an amazing kick off to the holiday season.

- The Somersworth Fire Department continues to help make the holidays bright for those in need, through their annual toy drive. The toy drive is currently taking place and cash or toy donations may be dropped off at the Fire Station. Spread the magic of the season by making a contribution or donating a toy and let the joy of the season be enjoyed by all.
- With the completion of the instalment of the two new flag poles adjacent to city hall, I find it fitting for the greater community to continue to celebrate our great heritage and diversity. Both poles are currently flying our city flag, the left hand pole will continue to fly Somersworth's colors while the right hand pole will be proclaimed as the "Citizens Flag Pole". The right hand pole will be reserved for the city and the citizens of Somersworth to fly a flag in support of their cultural heritage, civic group, military, observe an anniversary or honor a special accomplishment. Any group wishing to fly will fill out a request form through the Mayor's office, requesting the date for the flag to be flown. The flag must provide by the group. By continuing to celebrate each other's rich diversity we will continue to keep Somersworth "On the Move"
- On Wednesday our nation will paused to honor and remember the 75<sup>th</sup> anniversary of the attack on Pearl Harbor Day. In honor of those who lost their lives that day and lasting peace which has developed between our two nations, the Culture Commission and I will raise the peace flag on Wednesday at 3:30 at the Citizens Flag Pole adjacent to City Hall.
- Another successful Mayor's Community forum took place on Saturday November 19<sup>th</sup>, with forward thinking ideas and conversation.  
The next Mayors Community forum will take place this Saturday December 10th from 9:00 – 10:30 at City Hall. Included in this forum will be Ward 3 Council Member, Martin Dumont and Ward 3 School Board member, Karen Hiller . 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.
- Out of the first joint goal setting session between the City Council and School Board evolved the common theme how by greater community and dialog, by elected bodies can successful continue to work together for the improvement of our community. With that spirit in mind, I am therefore announcing this evening the formation of Joint Commission of the City Council/School Board. The commission will be comprised of two members of the School Board and two members of the City Council. The purpose of the commission will be to continue the communication and collaboration between body bodies and to discussion issues and concerns which and be addressed by both the City Council and School Board. This evening I am appointing Ward 3 City Councilor Marty Dumont and Ward 5 City Councilor Denis Messier to the Commission.
- For millennia, society has evolved in traditions during the month of December celebrating the physical and spiritual will of humans and nature to survive and continue life during the darkness month. In ancient Rome, the celebration of Saturnalia took place during December 17<sup>th</sup> – 25<sup>th</sup>. One of the largest holidays in Rome, during that time, the upper class would willingly give to those who were less privileged in the spirit of the harvest and longer days, light and warmth returning to the Earth. Other ancient pagan

traditions included the celebration on the birth of the sun god, December 25<sup>th</sup> and the Winter Solstice.

- The Winter Solstice, is marked as the shortest day of the year. Darkness overcomes light on that day, as the earth becomes still and winter's coldness and death exhaust the breath of life. Yet in the darkest moments, celebrations and rejoicing took place. Fires were lit throughout the county side and villages, breaking the grasp of winter's blackness and cold bite. Live evergreen trees were brought into homes, as a reminder that in the death of winter, life proceeds and rebirth will occur. The celebrating and jubilee took place on the day of the Solstice, December 21<sup>st</sup> causing the end of Earth's darkest hour. For the following day, December 22<sup>nd</sup>, the days would slowly continue to get longer as light, warmth and life returned.

For thousands of years human society has celebrated during this calendar season, yet despite the differences in civilizations, common themes have held and evolved; light, warmth, life. While in households throughout our Hilltop city, our joy may be marked by different festivities; Solstice, Hanukkah, Kwanzaa, Christmas, let the true meaning of this season hold as strong as it has for millennia; family, friends and life. In winters coldest and darkness days, through the long lines at Wal-Mart and Target let the household lights, parades and parties guide us back to the foundational values and messages. This holiday season see beyond the wrapping of gifts and commit yourself to building community, friendship and family.

May the spirit of the season be with each and every member of a community, and may we continue to learn from nature in its darkest moment the lesson, LIGHT, LOVE and LIFE will always win. Happy Holidays and Merry Christmas to all.

#### **Nominations, Appointments and Elections:**

- Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the following is being brought for nomination.
- **Chris Horton**, as a regular member of the Planning Board with a term to expire in January 2020
- **In accordance with Council Rule 17 Appointments**, the nomination shall remain open until the January 3rd, scheduled Council meeting.

**This respectfully concludes my December 5th, 2016 Mayors Report**

#### **REPORTS OF STANDING COMMITTEES**

**Economic Development** – Councilor McCallion reported that they met on Thursday, December 1<sup>st</sup>. They invited the proposed developer in for the Hilltop School. Councilor

McCallion said to the residents, if there are any issues that you would like to see or not see, get that to the CM. They are moving forward with drafting a purchase and sales agreement.

Finance Committee – Councilor Witham reported that they met on Nov 18<sup>th</sup>. They discussed the Somersworth Early Learning Center PILOT, the Housing Authority is divesting itself of the childcare center. They have owned and operated it for some time. The non profit will obtain the building. The sale is incumbent on the decision of the City Council. The council decided on a PILOT. It needs to be negotiated by law. The new director and board member explained that they need approximately \$2700 PILOT, based on the value of the building as it is today. The \$2700 is proportionate of the value of the building. Passed committee 4-0.

The committee discussed the Solar Energy Tax Exemption. Velcro is interested in building a solar farm to offset their energy cost. There was discussion as to whether they should be taxed. They have not been up to this point. They discovered that there is a State Law that allows for a tax exemption. Passed the committee 4-0

They discussed the bid for the phone system for City Hall. It went out to bid, and a number returned bids. BayRing was the low bidder. It was within the Finance Committee and they voted to authorize the upgrade.

The committee reviewed the recommended changes to the sewer ordinance. They took into account the mechanics of the three recent abatements; there needed to be some sort of methodology. Future abatements would have to be reviewed and approved by the Finance Committee. Passed 4-0 out of finance.

There was discussion about the current water/sewer rates. Somersworth rates are lower than neighboring communities. They are looking at a complete streets approach and replacing the pipes in the ground and replacing the standpipe at the Pines. Once we hit some of the bigger projects, then we will need to look at an increase. We are considering incremental increases, instead of a large increase.

Public Works & Environment – Councilor Sprague said PWE heard some of the same items as the Finance Committee. They support the changes to the sewer ordinance, the last 3 abatements ended up in the Finance Committee.

They are in support of incremental increase to the water/sewer rates; being proactive, and not reactive. Staff said they will give the committee options of increases over the next few years.

they decided to send a letter of authorization for the lower great falls hydroelectric dam, with a letter of intent.

Witham, need to place that under other, without objection.

Recreation – Councilor Pepin reported that the committee discussed cooperation between City and school department. Councilor McCallion has met with coaches and boosters. The purpose is to coordinate everything under one umbrella for fundraising. Portsmouth has been doing this for a while. School Superintendent has looked into this. There is no need to do this at this time. Recreation department has worked well with the school to use the gyms, etc.

The contractor has been contacted regarding the Millennium Park restrooms, and has discussed the structures, and the sewer lines within the park.

Mast point dam, boat launch is in. More improvements will be done at a later date

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

### Special Committees

Planning Board – Councilor Witham gave report about the Cumberland Farms at Rt 108 and Blackwater Rd, the Dance Facility on Commercial Drive, both approved by the Planning Board. Tri City Dodge approved for an additional vehicle.

Sustainability – Councilor Soldati said there was a workshop at 5:30 to discuss Somersworth's desire to continue to be a Tree City USA. They want to adhere to the criteria that is required. They would like to form a Tree Board with a budget which equals \$2 per capita, about \$2400 per year. They'd like the board to consist of 5 people, private citizens, appointed by the mayor, and they are expecting to have the ordinance ready for the next council meeting. Final requirement is an annual proclamation recognizing Arbor Day.

Shelly Smith, of Seacoast Eat Local attended the meeting and discussed the Somersworth Farmers Market at Goodwin Health. There are not enough people attending it. A committee member will be joining the farmer's market committee at Goodwin. There is a need to get the community more actively involved.

Councilor Sprague question about the ordinance for Tree City. Soldati said this is not about private trees, this is for city trees. This has nothing to do with site plans and the Planning Board.

School Board – Councilor Pepin said it was a light agenda. They replaced 5 HVAC systems in the middle and high schools and replaced 8 boilers, 2 in the High School.

COAST – Councilor Pepin said they discussed the municipality funding formula. The bridge repair in Dover will affect the bus route. Coast Bus staff met with Dover Housing Authority and came up with a plan. The residents will need to walk about 3/10<sup>th</sup> of a mile, no delay in the buses. The committee reviewing bylaws.

COAST Bus Formula Review – Councilor Dumont said the committee agreed to meet with the City managers. There is a lot going on with capital expense. He hopes our City Manager has tremendous luck. They reduced our funding in the past to allow advertising. Some of the way that the accounting goes, it is not favorable to Somersworth. It is very complicated at best.

Cultural Commission – Councilor Dumont reported that the ethnic cookbook is in the works and will include French, Greek, Irish, Indonesian, English dishes. April will be the cultural meal at the Tech Center. They are still planning the trip to Thedford Mines. There was continued to talk about flags and poles.

HDC – Councilor Dumont said they reviewed one case for a person to replace an asphalt roof with a metal roof. Metal roof was more to form in the past than shingles were. This was approved and the applicant was very happy.

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, December 2, 2016**

**SUBJECT: City Manager's Report for Monday, December 5, 2016  
City Council Agenda**

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*6:40 p.m.*  
*Non-meeting – Labor Union Negotiations*

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*Unfinished Business (under Section 13 of Agenda)*

**Resolutions**

- A. Resolution No. 20-17 Authorize the Somersworth Housing Authority to Sell Property Located at 35 Bartlett Avenue to the Somersworth Early Learning Center.** The Finance Committee discussed the proposed PILOT being offered by the Somersworth Early Learning Center at their November 18<sup>th</sup> meeting. Attached is a copy of the revised proposed Purchase & Sales Agreement which further defines the PILOT (Payment In Lieu Of Taxes).
- B. Resolution No. 21-17 To Authorize the City Manager to Execute a Letter of Intent with NH Solar Garden of Portsmouth, NH to Develop a Solar Project Pursuant to RSA 362-A on the Somersworth Sanitary Landfill on Blackwater Road.** Again, this Agreement does not bind the City to any final build or contract terms.

**C. Resolution No. 22-17 Naming Sunningdale Drive, Firefly Circle and Assigning Addresses, if Required.** Again, this Resolution ONLY designate Street Names and they DO NOT authorize acceptance as a City maintained road.

**D. Resolution No. 23-17 Naming Bears Way, Wolfs Lane and Dudley Court at Regan Estates, Route 108 and Assigning Addresses, if Required.** Again, this Resolution ONLY designate Street Names and they DO NOT authorize acceptance as a City maintained road.

*New Business (under Section 14 of Agenda)*

**Ordinances**

**A. Ordinance No. 5-17 City Council Meeting Schedule for 2017.** Mayor Dana Hilliard has proposed the following 2017 Council regular meeting calendar. City Council should consider waiving Council Rules to act on the meeting calendar this evening.

**B. Ordinance No. 6-17 Amending Chapter 4, Personnel Rules and Regulations, Section 2.3 Pledge Against Discrimination.**

**C. Ordinance No. 7-17 Amending Chapter 8a Sewer Ordinances.** The Finance Committee discussed this issue at a few of their recent Committee meetings and voted on November 18<sup>th</sup> to support this amendment. The Public Works & Environment Committee will be reviewing this proposed change prior to Monday's Council meeting. City Staff has worked closely with the Council Committees to outline the evaluation process that provides a fair approach on determining an appropriate sewer change of use connection fee. The proposed change incorporates the methodology and thought process recently used in granting abatements. Additionally, the change authorizes the Finance Committee to act on any future abatement request/s. Attached is a red-lined version of the proposed amendment to the Ordinance.

**D. Ordinance No. 8-17 Adopt New Section 6.9.4 Solar Exemption.** The Finance Committee met on November 18<sup>th</sup> and voted to recommend adoption to the full Council.

**Ordinances No. 6-17, 7-17, 8-17.** I recommend three (3) consecutive Public Hearings at the January 3, 2017 Council meeting starting at 6:45 p.m.

*The Public Hearings were scheduled without objection from Council.*

**Resolutions**

**A. Resolution No. 24-17 Proclamation Declaring January Diversity Month in the City of Somersworth.**

**Other**

**A. Vote to ratify the Tentative Agreement between the City of Somersworth and the New England Police Benevolent Associations (NEPBA).** The current Agreement is July 1, 2013 through June 30, 2016. This Agreement, once signed, will be through June 30, 2019. I have attached a confidential memorandum that outlines the significant components of the tentative Agreement.

**Added under other, without objection.**

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

**A. Informational Items**

- 1. CIP FY 2018-2023.** In accordance with the City Charter, I hereby submit a proposed Capital Improvement Program for City Council consideration. I look forward to Council direction for future review and discussion opportunities.
- 2. FY 17-18 Budget Presentation.** Enclosed is a copy of my Memorandum addressed to City Departments outlining the FY 17-18 Budget Presentation process. I have also included Finance Director Smith's preliminary analysis in regards to the limitations on any Budget increase-Tax Cap provisions of the City Charter.
- 3. Brownfield's Clean-up Grant.** City Staff has scheduled a Public Hearing for Wednesday, December 14<sup>th</sup> at 6:00 p.m. to accept public comments regarding the City's application regarding planned Brownfield's Clean-up Grant application for 1 Winter Street (former Breton's Cleaners).
- 4. Police Grants.** I am pleased to report the City has received \$9,408.00 in State of N.H. Highway Traffic Safety Grant Funds to conduct several police enforcement patrols over the next several months focusing on impaired drivers and distracted driving with the goal of reducing the overall number of traffic accidents in our Community.
- 5. Idlehurst School Construction Bond (ISCB).** Attached is a letter from the NH Municipal Bond Bank regarding the ISCB. The Bond Bank refinanced this debt recently resulting in a savings of \$420,000 over the life of the loan. This is approximately \$19,100 – starting in 2018 through 2029.

**B. Attachments:**

1. City Attorney Certifications Five (5).
2. Department Head Monthly Reports.
3. 2017 Council Meeting/Holiday Calendar.

## NOMINATIONS, APPOINTMENTS AND ELECTIONS

### Mayoral Nominations – For Council confirmation vote.

#### Mayoral Nomination

Chris Horton as a Member of the Planning Board, term to expire January 2020.

***Nomination will remain until the January 3, 2017 City Council Meeting.***

## UNFINISHED BUSINESS

### Resolutions

Resolution No. 20-17 Authorize the Somersworth Housing Authority to Sell Property Located at 35 Bartlett Avenue to the Somersworth Early Learning Center.

***Councilor Witham, seconded by Councilor Cameron, made a motion to approve Resolution 20-17. Motion passed unanimously.***

Resolution No. 21-17 To Authorize the City Manager to Execute a Letter Of Intent with NH Solar Garden of Portsmouth, NH to Develop a Solar Project Pursuant to RSA 362-A on the Somersworth Sanitary Landfill on Blackwater Road.

***Councilor Messier, seconded by Councilor Pepin, made a motion to approve Resolution 21-17. Motion passed unanimously.***

Resolution No. 22-17 Naming Sunningdale Drive, Firefly Circle and Assigning Addresses, if Required

***Councilor Pepin, seconded by Councilor Witham, made a motion to approve Resolution 22-17. Motion passed unanimously.***

Resolution No. 23-17 Naming Bears Way, Wolfs Lane and Dudley Court at Regan Estates, Route 108 and Assigning Addresses, if Required

***Councilor Pepin, seconded by Councilor Messier, made a motion to approve Resolution 23-17. Motion passed unanimously.***

## NEW BUSINESS

### Ordinances

### ORDINANCE NO. 5-17 CITY COUNCIL MEETING SCHEDULE FOR 2017.

Somersworth, NH  
December 5, 2016

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT, in accordance with Chapter 3.7 of the City Charter which provides that the City Council’s “regular meetings shall be held on the first and third Monday of the month at 7:00 p.m. unless otherwise designated by ordinance...” and Chapter 6, City Officials, Section 6.8.2 of the City Ordinances which also provides that the “City Council shall meet in regular session on the first and third Mondays of each month at 7:00 p.m., unless otherwise agreed on by a majority of the members of the Council” that the City Council Meeting schedule for 2017 shall be as follows:

- Tuesday, January 3<sup>rd</sup> and Tuesday, January 17<sup>th</sup>
- Monday, February 6<sup>th</sup> and Tuesday, February 21<sup>st</sup>
- Monday, March 6<sup>th</sup> and Monday, March 20<sup>th</sup>
- Monday, April 3<sup>rd</sup> and Monday, April 17<sup>th</sup>
- Monday, May 1<sup>st</sup> and Monday, May 15<sup>th</sup>
- Monday, June 5<sup>th</sup> and Monday, June 19<sup>th</sup>
- Monday, July 24<sup>th</sup>
- Monday, August 14<sup>th</sup>
- Tuesday, September 5<sup>th</sup> and Monday, September 18<sup>th</sup>
- Monday, October 2<sup>nd</sup> and Monday, October 16<sup>th</sup>
- Monday, November 6<sup>th</sup>
- Monday, December 4<sup>th</sup>

This ordinance shall take effect upon its passage.

Sponsored by:

Mayor Dana S. Hilliard

Approved:

City Attorney

***Councilor Witham, seconded by Councilor Pepin, made a motion to waive Council Rules for Ordinance 5-17 to be read by title only. All in favor.***

***Councilor Witham, seconded by Councilor Pepin, made a motion to suspend Council rules for second read of Ordinance 5-17. All in favor.***

***Councilor Witham, seconded by Councilor Dumont, made a motion to adopt Ordinance 5-17.***

Councilor Dumont mentioned that the November meeting is the evening before the election.

Councilor Witham said this could be difficult for Public Works since they have to come in early to set up ward 1. City Manager Belmore explained that their schedule is adjusted so that they can leave early that day. It's not a problem.

*The motion passed unanimously.*

ORDINANCE NO. 6-17 AMENDING CHAPTER 4, PERSONNEL RULES AND REGULATIONS, SECTION 2.3 PLEDGE AGAINST DISCRIMINATION

Somersworth NH  
December 5, 2016

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:

Amend Chapter 4, Personnel Rules and Regulations, Section 2.3 Pledge Against Discrimination, by deleting "or" after physical disability and adding "or gender identity" after sexual orientation.

The Ordinance shall read as follows:

2.3 Pledge Against Discrimination

The City of Somersworth shall apply all rules and regulations and carry out all dealings with its personnel, without discrimination as to age, marital status, race, color, creed, national origin, sex, political affiliation, or mental disability, physical disability, sexual orientation, or gender identity. All employees are expected to act in a like manner in all performance of their duties as City employees.

This Ordinance shall be effective upon its passage.

Sponsored by:

Mayor Dana S. Hilliard  
Councilor David A. Witham  
Councilor Denis Messier  
Councilor Martin P. Dumont, Sr.  
Councilor Jessica Paradis  
Councilor Dale R. Sprague  
Councilor Nancie Cameron  
Councilor Martin Pepin

Approved:

City Attorney

*Ordinance 6-17 will remain in first read until the January 3<sup>rd</sup> City Council Meeting.*

ORDINANCE NO. 7-17 AMENDING CHAPTER 8A SEWER ORDINANCES

Somersworth NH  
December 5, 2016

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:

Amend Chapter 8A, SEWER ORDINANCES, Section D, Access and Connection Fees, subsection, All Other Sewer Connection – Fees, by removing, “All Other Sewer Connection – Fees” and adding, “Sewer Connection Fees”.

And further amend subsection, Change in Use, by adding the following:

To determine bedroom equivalents, the City of Somersworth Refers to the New Hampshire Code of Administrative Rules Table 1008-1 Unit Design Flow Figures to determine the average daily water consumption of a specific property use. The City reserves the right to use an alternative method of evaluation such as prior water consumption or estimated future water use provided by a certified/licensed engineer or architect. In addition, the Finance Committee of the City Council may waive connection fees in part or in whole. Any expansion in business operations that result in increases in design flows as indicated in the New Hampshire Code of Administrative Rules Table 1008-1 Unit Design Flows will be subject to a connection fee charge prior to implementing the expansion. To the extent additional sewer connection fees are to be paid, those fees shall be due and payable prior to the issuance of a certificate of occupancy (CO), issuance of a building permit or at the time of change of use by the appropriate review body.

This Ordinance shall be effective upon its passage.

Sponsored by:

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

Approved:

City Attorney

***Ordinance 7-17 will remain in first read until the January 3<sup>rd</sup> City Council Meeting.***

ORDINANCE NO. 8-17 ADOPT NEW SECTION IN CHAPTER 6 CITY OFFICIALS,  
TITLED - SECTION 6.9.4 SOLAR EXEMPTION

Somersworth NH  
December 5, 2016

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH  
THAT the Ordinances of the City of Somersworth be amended by adopting Section 6.9.4:

Section 6.9.4 Solar Exemption. The City adopts the provisions of RSA 72:61-64, an exemption from the assessed value for property tax purposes, for persons owning real property which is equipped with a solar energy system as defined in RSA 72:61. Such Solar property tax exemption shall be in an amount equal to 100% of the assessed value of qualifying solar energy system equipment as defined in RSA 72:61 and as may be amended. This exemption shall be effective for the tax year that begins April 1, 2017.

Sponsored by:

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

Approved:

City Attorney

***Ordinance 8-17 will remain in first read until the January 3<sup>rd</sup> City Council Meeting.***

Resolutions

RESOLUTION NO. 24-17 PROCLAMATION DECLARING JANUARY DIVERSITY  
MONTH IN THE CITY OF SOMERSWORTH.

Somersworth, NH  
December 5, 2016

WHEREAS, January 15, 2017 will mark the 88<sup>th</sup> birthday of the Rev. Martin Luther King, Jr.; and

WHEREAS, the “dream” of equal treatment, is the foundation of human rights and democratic values; and

WHEREAS, our nation has worked towards the goal of fulfillment of this commitment for over 241 years; and

WHEREAS, the City of Somersworth has become a model of a community which embraces and promotes tolerance and diversity; and

WHEREAS, the City of Somersworth is committed to the values of equality and liberty stated in the Declaration of Independence, United States Constitution, New Hampshire State Constitution and City charter; and

WHEREAS, the Rev. Martin Luther King, Jr. reminded us that freedom, liberty and equality must be protected for all citizens and that “from the prodigious hilltops of New Hampshire, let freedom ring.”

NOW, THEREFORE, BE IT RESOLVED THAT the City of Somersworth encourages all residents, including community groups, schools and institutions to continue to work toward fulfilling Dr. King’s dream of the elimination of all barriers to the fulfillment of equal opportunities and human rights; and

The City of Somersworth calls upon all citizens to reflect during this month on the message of Rev. Martin Luther King, Jr. and commit themselves throughout the year to join the fight for the elimination of all forms of discrimination and disadvantage and to ensure that everyone has the right to live in conditions of dignity, respect and peace; and

The Somersworth Mayor and City Council hereby declare that January, 2017 be Diversity and Tolerance Month in the City of Somersworth and that the City of Somersworth along with all of its citizens hereby recommits itself to the fulfillment of Rev. Martin Luther King, Jr.’s “Dream.”

Sponsored by:  
Mayor Dana S. Hilliard  
Councilor David A. Witham  
Councilor Denis Messier  
Councilor Martin P. Dumont, Sr.  
Councilor Jessica Paradis  
Councilor Dale R. Sprague  
Councilor Nancie Cameron  
Councilor Jonathan McCallion  
Councilor Martin Pepin

Approved:

City Attorney

***Resolution 24-17 will remain in first read until the January 3<sup>rd</sup> City Council Meeting.***

Other

A. Vote to Authorize the CM to make proper notifications that the City Council authorizes the FERC license renewal of the Lower Falls Dam Hydroelectric Plant by the present operators on the City’s behalf.

*Vote passed unanimously.*

B. Vote to ratify the Tentative Agreement between the City of Somersworth and the New England Police Benevolent Associations (NEPBA).

Councilor Witham supports ratification of the agreement. He recognizes the professional work of the Police Department. It is difficult to attract good employees.

#### 16. CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin said he received a letter from a resident on Otis Road, requesting transportation from COAST bus on W High Street. He reviews the budget, and there is no fluff in the COAST budget. He doesn't know where public transportation is going in the future. There are a lot of people who need it. The younger generation wants public transportation. Not sure how we are going to support it in our community. The requests are being handed to COAST. He is trying, but he doesn't see any increase in the service. He thanked Mr. Dumont on his coordination with Berwick for the Christmas Parade.

Councilor Dumont comment about the parade and apologized for not being there. He knows he missed an opportunity. He thanked Kim Taylor in Berwick, and Beth Poulin in Somersworth. When we do the parade together it is wonderful. One individual who is no longer with us, but supported us, Bob Creighton, was the Grand Marshal. The community shined. The comments were that this was the best parade we've ever had. Congratulations to Somersworth Housing Authority for getting first place on their float. Hilltop School shined Saturday as the Historical Registry plaque was placed. It is a wonderful thing. Residents should take pride in the fact that we have maintained that building.

Looks like the Dairy Queen is showing progress; the pavement has been removed.

COAST bus presents challenges to our community. It is difficult that we don't have the dollars that they are asking for. It causes anxiety. We don't want people to go without. They have a business to run and they are suffering from equipment to run and insurance. The big picture is that Portsmouth and Newington were taking business from Somersworth. There is an on demand part of their program, and they take people to the medical facilities. When the referring doctor is in Somersworth, and refer them out to Portsmouth... maybe we should have a direct appeal to the medical community.

A request of staff: there has been a lot of discussion about cemeteries. The ones that get attention are the ones by KFC and Walmart which are the ones that accumulate trash. He talked to Woodard Openo and he would like a list of cemeteries from staff. When a Walmart that gets site plan approval and there is a cemetery on the property, who has to maintain that? It would be nice to start paying attention to this. Genealogy is becoming a big part of peoples' lives. These cemeteries need to be cared for.

Councilor McCallion commented on the parade. He was humbled by the fact that both communities came together. It reminded him of when he was a kid.

Councilor Messier commented on the Parade and festivities. He was quite surprised. These months of Thanksgiving and Christmas can be hard for many people. He thanked the businesses and organizations in the area, like Old Rail and the Fire Department, who

are doing what they can to help. We all make this community what we want it to be, a great community. He thanked the Planning board. It's good to see new businesses coming in to town.

Councilor Witham said the parade was awesome. Well done to all. The first leg of the parade was fast paced, but we got there.

The downtown looks great with the decorations and the tree.

Staff needs to take a look at the programming on channel 22. The candidate's forum needs to be removed. The new paper bag rates, effective Jan 1, 2016 should be removed as well.

Councilor Sprague commented that COAST Bus is bleeding out and it isn't any fault of their own. There needs to be a system between the 3 cities. They wouldn't have to worry about the ADA. He would like to talk about the medical facilities and the free holiday trolley?

The parade was at a rapid pace; he said he thinks he pulled a hamstring... The tree lighting was great. He would like to see some more lighting around the stage area. It was a great night.

This is our last meeting this year and looking at next year, it is time to start tackling Main Street, upgrading the water and sewer lines and the road. Need to look at Constitution Way, and part of Washington Street.

He thanked everyone who came out and voted for him on November 8<sup>th</sup>.

Happy Holidays. Make sure it is a safe one!

Councilor Cameron said she could remember taking her boys to the parade. This is one of the best ones that she has ever seen. She rode in the golf cart and passed candy.

Merry Christmas, have a safe holiday.

#### ADJOURNMENT

***Councilor Messier, seconded by Councilor Dumont, made a motion to adjourn. The meeting adjourned at 8:48 pm.***

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Trish Harris, City Clerk

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Dana Hilliard, Mayor