

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
July 24, 2017
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: Soldati, McCallion, Messier, Witham, Sprague, Cameron, and Paradis. Councilors Pepin and Dumont were excused.

MINUTES OF THE PREVIOUS MEETING.

MINUTES of the PUBLIC HEARING – Ordinance 22-17 Supplemental Appropriation of \$72,180 for Water Main Improvements associated with the Fiscal Year 2016-2017 Road Improvements Projects held on June 19, 2017

Councilor McCallion, seconded by Councilor Messier, made a motion to accept the minutes. The motion passed unanimously, Sprague, Witham abstains

MINUTES of the CITY COUNCIL MEETING held on June 19, 2017

Councilor Paradis, seconded by Councilor McCallion, made a motion to accept the minutes. The motion passed unanimously. Sprague, Witham abstains

COMMENTS BY VISITORS

Real Roseberry, ward 1, read an article from Foster regarding the tax cap. He then stated that this city is almost on the brink of bankruptcy, the tax cap isn't a game. There is good management in Laconia. Dover and Somersworth, no good management. Tax cap is for the people. The Council over rode the people of the city. Making fools of the people of the city. Repairing the roads can wait. Repair the roads that haven't been done for over 30 years. The City spends too much money on High Street. All the money we spend on that street is ridiculous. His ideas are not to spend money but to save money.

Maggie Roberge, Trustee of Forest Glade Cemetery. She stated that the Forest Glade Cemetery is a beautiful place. Since it was added to the Registry of Historical Places, we have built a lot of interest. There are many opportunities to see the cemetery, including a string quartet this Sunday. They have received lots of support from Public Works. There are lots of people who come out to visit. They are also looking to start a friends group.

COMMENTS BY COUNCILORS

Councilor Soldati said she wants to stave off a City wide panic. The City is not on the brink of bankruptcy. We are very stable and solid.

Councilor Witham reiterated what Councilor Soldati said, stating that the City has a healthy fund balance. He attended a training of the Somersworth Police Officers. Councilor Witham's co-workers said we should be very proud of the Police Department that we have in this city. We should sleep well at night knowing we have a fine agency.

He thanked the Public Works and Recreation staff. A Babe Ruth Little League tournament was hosted in Somersworth. There were positive accolades at Noble Pines. Families came and enjoyed the park. It is a fabulous venue.

COMMUNICATIONS

None

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

Mayors Report for City Council Meeting July 24th, 2017

- A heart filled thank you to all of the community members who attended last month's meeting and believe in the vision of creating a grand community park center at the current Stein Park. While I was frustrated with the lack of attendance from national and multi – national corporations and retail chains, the Hilltopper spirit once again was reaffirmed by the lack of support from small business throughout the community.

Our small businesses have again proven by example what it means to be a member of a community, a lesson which the national and multi-national corporations and chains should learn and apply. Each day these business which call Somersworth home, make a successful profit by being located in the Hilltop City. They utilize our resources and infrastructure and in my opinion contribute to a significantly lesser degree than the small business throughout Somersworth.

To those national and multi-national businesses who have and continue to believe and invest in our community, thank you. To those that our silent, STEP UP! Each day you make profit off of Hilltoppers and through the benefits of being part of our community. Being a true member of our community means being part of it in every fashion, not just unlocking your door and making a profit each day.

The vision for the revitalization of Stein Park is one which is rooted in the spirit of a full community effort founded on the dedication to the success of Somersworth continuing "On the Move!" A revitalized City center will continue to allow Somersworth's downtown business growth and expansion to continue while creating area for Hilltopper to gather and continue to celebrate our "Proud Past" and "Bright Future". I am fully aware that the schedule of life gets in the way sometimes and that sometimes all of us need to miss a meeting. That is why I look forward to the national and multi – national business which call Somersworth home engaging in this project by attending a future meeting. Be under no misconception, this Mayor will not rest until you become engaged or justify to the citizens of this community how your disengagement is rationalized. I look forward to hearing from all of you in the future, or seeing you when I come knocking on your business door.

Appointments

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the following are being brought for nomination.

- Paul Maskwa , Re-Appointment as an Alternate member of the Planning Board with a term to expire August 2020
- John Jackman, Re-Appointment as a member of the Trustees of the Trust Fund with a term to expire August 2020
- Tammy Francoeur - Sneddon, Re-Appointment as a member of the Trustees of the Trust Fund with a term to expire August 2020
- In accordance with Council Rule 17 Appointments, the nomination shall remain open until the August 14th, scheduled Council meeting

This respectfully concludes my July 24th, 2017 Mayors Report

REPORTS OF STANDING COMMITTEES

Finance Committee – Councilor Witham reported that the committee met on July 12. They approved minutes and moved into the main item, the cost element for a change order request regarding the curbing and drainage on Indigo Hill Road. The Public Works and Environment Committee endorsed asphalt curbing. When the Finance Committee met, there were more definite costs estimates from Severino. The Finance Committee authorized vertical granite curbing, under the understanding that the project is under budget.

Finance Director gave report that the City is starting into a new fiscal year.

Under miscellaneous, the Committee discussed the need for a Resolution for portable radios for the Fire Department. This is year three of a four year program.

They also discussed, pending bids on road paving projects, the TAP grant, and demolition of the Bretton's Cleaners site.

Next meeting will be on Aug 10th.

Public Works & Environment – Councilor Sprague stated that they met Friday June 30. The Committee discussed the curbing change order for the Indigo Hill Road project. They agreed that some form of curbing needs to be done.

The committee briefly discussed the Tree Ordinance and the inter-municipal water agreement with the City of Dover.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

Planning Board – Councilor Witham said they met last week and approved 2 projects. The State Liquor Store going in on High Street; it will be an improvement to that area and to that building.

The other project approved was an expansion to the Fall Machine Company on Willand Drive.

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, July 21, 2017

**SUBJECT: City Manager's Report for Monday, July 24, 2017
City Council Agenda**

6:45 p.m. Non-meeting

Re: Tentative Agreement between School Board and Somersworth Association of Clerical & Aides.

See attached "*confidential*" memorandum from Interim Superintendent Dr. Connie Brown.

New Business (under section 14 of Agenda)

Ordinances

A. Ordinance No. 01-18 Add New Chapter 33, Tree Ordinance. The Conservation Commission met in mid-June to complete their review of the proposed Tree Ordinance and voted to endorse the Commission acting as the City's Tree Board. Public Works & Environment Committee met on June 30th and voted to move this new Ordinance to full Council for final review and action. Respectfully, I draw your attention to the stated purpose in the Ordinance, that is, to provide best management guideline practices in regards to the care of trees.

A Public Hearing on Ordinance 01-18 was scheduled for August 14, 2017 at 6:45, without objection.

Resolutions

- A. Resolution No. 01-18 To Authorize the City Manager to enter into a Grant Agreement with the New Hampshire Department of Safety to Establish a City Continuity of Operations Plan in the Event of an Emergency.** The Public Safety Committee met on July 17th and voted to recommend to the full Council this Grant Agreement's acceptance. The City had been notified of this pending State of NH Emergency Management Performance (EMPG) Grant, which would allow us to hire a consultant to assist with the development of a Continuity of Operations Plan (COOP) that would identify how City operations would be deployed and managed should a catastrophic disaster occur at a City facility. City's match is "in-kind", which is primarily staff prep and meeting time.
- B. Resolution No. 02-18 To Authorize the City Manager to Contract With 2-Way Communications Inc., Of Newington, NH for the Purchase of Portable Radios for the Fire Department.** The Public Safety and Finance Committees voted to support this purchase. This is an approved FY18 CIP budgeted item. This is year 3 of a 4-year replacement program. This purchase includes 11 portable radios and 4 pagers; and it is off the State bid list.
- C. Resolution No. 03-18 To Authorize the City Manager to Contract with Credere Associates, LLC Of Westbrook, Maine for Engineering Services Associated with the Remediation of Property Located At 1 Winter Street, Formerly Known as Breton's Cleaners.** The City received two (2) proposals from competing engineering consultant firms to move forward with the implementation of this NH DES Brownfield's Grant. A panel comprised of Director Scott Smith, Mike Bobinsky, Shanna Saunders and I interviewed both firms' proposed project teams. Staff recommends contracting with Credere Associates. NH DES has been informed of our recommendation and offers no objection. If approved, I will move forward to negotiate an agreement based on the initial proposal. I have attached the key elements to this Cleanup Project Proposal. Respectfully, I ask the Council to consider waiving Council Rules to allow for a second reading and vote.

Other

- A. Request to Waive Excavation Moratorium Period for Construction Work on Blackwater Road for the Cumberland Farms Project located at 208 & 216 Route 108 (City Ordinance Ch. 12, Streets and Sidewalks).** Attached is the written request from their Attorney, F.X. Bruton, as well as a copy of the plan that depicts this proposed second cut. I would also point out that City staff has requested this cut in order to cap a water line that will no longer be needed.

B. Vote to Ratify the Tentative Agreement between the Somersworth School Board and Somersworth Association of Clerical & Aides.

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

A. Informational Items.

- 1. City Surplus Vehicles.** Attached is some information on City surplus vehicles. Without objection, I will move forward with a sealed bid process to dispose of these vehicles. Since one of the vehicles may be valued over \$1,000., City Council approval is required by Ordinance.
City Council did not object to moving forward with the process.

2. This and That.

- a. State DOT Projects.** NH DOT has targeted the last week of July to overlay Main Street from the Rollinsford line to Nadeau Street (July 26 +/-). DOT has also started some shoulder prep work on Green Street for their pavement overlay project from the Rollinsford line to Indigo Hill Road, which is targeted to start on or about August 11.
- b. Northcoast Railroad Project.** Northcoast Railroad will be completing some repairs/upgrades at the Centre Road RR crossing (July 28-31).
- c. Sunningdale Project.** Developer Joe Falzone indicates the new Stackpole Road sidewalk will be completed by the end of August, 2017. The pavement overlay of Stackpole Road is targeted for the summer of next year, 2018 (see attached Falzone email).
- d. City LED Street Lights.** Affinity LED Lighting has completed approximately 95% of the project, or 714 lights of the 750-targeted total, (see attached Staff memorandum).
- e. NH DOT – City TAP Grant.** City staff and I met with DOT staff on July 17 for a Project scoping meeting in Concord. Attached are some notes from this meeting. Staff will be moving forward with next steps to include starting the QBS engineering selection process.

- 3. City Ordinance Chapter 31-Community Revitalization Tax Relief Incentive Program.** Enclosed are two (2) RSA 79: E applications received for Council consideration.

- a. Application for 25 Grand Street, the former Hilltop School, from Chinburg Properties.**

- b. Application for 67 Elm Street, the former Somersworth Hotel, from Breitling Holdings, LLC.** (A copy of their Planning Board site plan application was also submitted and is available for your review.)

Per the City Ordinance, the Council will need to schedule a Public Hearing prior to rendering a decision on these applications. The Council has sixty (60) days to schedule the Hearing. The next two (2) Council meetings are Monday, August 14th and Tuesday, September 5th. I suggest consecutive Hearings be scheduled prior to one of these upcoming meetings starting at 6:30pm.

Public Hearings were scheduled for Tuesday, September 5th, without objection.

4. Grants.

- a. NH DOT Road Safety Audit Program.** I have authorized Staff to move forward with an application to participate in this State Highway Safety Improvement Program (HSIP). The Police Department will be taking the lead in the effort to improve the safety of the Blackwater Road-Route16B intersection. Attached is a memorandum from Chief Kretschmar on this matter.

Sprague, said he agrees that the intersection is pretty bad. A pine tree blocks some vision. The Radar board is also blocking the view. It needs to be moved.

- b. State of NH Land & Water Conservation Fund (LWCF) Grant Program.** After discussion with Staff, we will be moving forward to apply in the next LWCF round for improvements to the Jules Bisson Park. This is a 50/50 matching Grant opportunity. Without objection, I will authorize the submittal of our Letter of Intent to apply by the August 11th deadline. Director Shanna Saunders' attached memorandum provides some details of what the project might include such as basketball court improvements, playground upgrades, and a small pavilion or shade feature.

B. Attachments.

- 1. City Attorney Certifications Four (4).**
- 2. Department Head Reports.**

Calendar reminders:

- Monday, July 24, 5:30pm – Sober Sisters, Malley Farm Open House for City Officials**
- Tuesday, August 1, 5:30-7:30pm – National Night Out Jules Bisson Park**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Nominations – For Council confirmation vote.

Paul Maskwa – Re-appointment as an alternate member of the Planning Board with a term to expire August 2020

John Jackman – Re-appointment as a member of the Trustees of the Trust Fund, with a term to expire August 2020

Tammy Francoeur-Sneddon – Re-appointment as a member of the Trustees of the Trust Fund with a term to expire August 2020

Nominations will remain open until the August 14 meeting.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

Ordinances

Councilor Witham, seconded by Councilor Soldati, made a motion for Ordinance 01-18 to be read by title only. Motion passed unanimously.

ORDINANCE NO. 01-18 ADD NEW CHAPTER 33, TREE ORDINANCE.

Somersworth, NH
July 24, 2017

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:

ADD new Chapter 33, Tree Ordinance:

Chapter 33

CITY OF SOMERSWORTH
TREE ORDINANCE

Purpose.

The purpose of this ordinance is to enact guidelines to protect and enhance the administrative procedures in regard to the planting, maintenance, and removal of trees and other vegetation in the City of Somersworth, New Hampshire. It is the intent that the

City will make every effort to engage in best management practices in regards to these guidelines.

Section 1. Definitions

Street trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City's public Right of Way.

Park Trees: "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in City owned public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

Public Places: Includes all streets, highways, parks, pocket parks, cemeteries, easements or other grounds owned by the City.

Section 2. Creation and Establishment of a City Tree Board

There is hereby created and established a City Tree Board for the City of Somersworth which shall consist of the members of the Conservation Commission who convene meetings on an as needed basis, and to carry out the duties and responsibilities as described in Section 4 of this Ordinance.

Section 3. Term of Office

Board members terms shall follow their terms as approved in their appointment on the Conservation Commission. In the event that a vacancy shall occur during the term of any member, his/her successor shall be appointed for the unexpired portion of the term.

Section 4. Duties and Responsibilities

It shall be the responsibility of the Board to serve in an advisory capacity and to study, investigate, counsel and develop and/or update a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Any such plan will be presented to the City Council for their review and consideration. The Board, when requested by the City Council, shall consider, investigate, report and recommend upon any special matter of question coming within the scope of its work.

Section 5. Rules and Procedures

The Chair, Vice Chair and Secretary of the Board shall be the officers that have been elected to the same seat on the Conservation Commission. The Conservation Commission shall annually vote on officers. The Board shall comply with all the requirements pertaining to public bodies under the so-called NH Right to Know Law (RSA 91-A).

Section 6. Permitted Native Street Tree and Shrubs

See Exhibit B-Notes on Native Trees and Shrubs; Recommended Native Trees
See Exhibit C-Notes on Native Trees and Shrubs; Plants to be avoided.

Section 7. Spacing

The spacing of Street Trees will be in accordance with the species size listed in Section 7 of this ordinance. Every effort will be made to allow trees to be planted between each other as follows: : Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet; except in special plantings designed or approved by a landscape architect, Urban Forester, or licensed arborist or approved by other authorized City Board, Committee or Official.

Section 8. Distance from Curb and Sidewalk

The distance trees may be planted from curbs or curb lines and sidewalks will be in accordance with the species of the tree as listed in Section 7 of this ordinance, and every effort will be made to have trees planted no closer to any curb or sidewalk than the following: Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees, 4 feet.

Section 9. Distance from Street Corners and Fire Hydrants

To order to ensure vehicle and pedestrian safety, it is recommended that no new Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No Street Tree shall be planted closer than 10 feet of any fire hydrant to ensure public safety access.

Section 10. Utilities

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance should be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

Section 11. Public Tree Care

As allowed by law, the City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the right of way (ROW) of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The Department of Public Works or other City authorized agent, may remove, or cause to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. This Section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 7 through 11 of this Ordinance and provided written permission is granted by the Director of Public Works, City Manager or other authorized City Official.

Special permission may be required from the State of NH Department of Environmental Services, Wetland Bureau if removing any tree in a designated wetlands and /or from the Somersworth Historic District Commission if removing a tree within the City of Somersworth Historic District Boundaries.

The Department of Public Works and Utilities will generally be the City Department to oversee related tree and vegetation issues as authorized by the City Manager or by City Ordinance.

Section 12. Tree Pruning and Care

The Department of Public Works will make every attempt to contact the property owner and seek their assistance with pruning shrubs or tree limbs if causing a sight distance barrier in advance of any removal of vegetation due to the hazard or overhanging any street or right-of-way or cause any other potential hazard to the public.

It is not normal practice for any person, firm, or City department to top any Street Tree, Park Tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this best management practice.

Section 13. Removal of Stumps

Subject to funding and hazard conditions, stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 14. Tree Replacement

Subject to funding, the Department of Public Works or other City authorized agent, shall replant City trees in City streets, Parks, Public Spaces, in accordance with the tree listing as identified in Section 7.

EXHIBIT B-NOTES ON NATIVE TREES AND SHRUBS AND THEIR USE IN LANDSCAPING

RECOMMENDED NATIVE TREES

KEY: SMALL¹ MEDIUM² LARGE³

Common Name	Latin Name	Low Maint	Salt Tolerance	Screen	Interest	Notes
Arborvitae ²	<i>Thuja occidentalis</i>		Intermediate	Yes		
Ash, Black ²	<i>Fraxinus nigra</i>					Wet Areas
Ash, White ³	<i>Fraxinus americana</i>		Intermed./Tolerant		Fall Color	
Basswood, Am. Or Linden ³	<i>Tilia americana</i>		Sensitive			
Beech, American ²	<i>Fagus grandifolia</i>		Sensitive			Large/Long lived
Birch, Paper ²	<i>Betula papyrifera</i>		Intermed./Tolerant		Fall Color/White Bark	
Black Gum ²	<i>Nyssa sylvatica</i>	Yes			Fall Color/Winter Shape	DRED suggests to try more
Cedar, Eastern Red ²	<i>Juniperis virginianus</i>		Intermediate	Yes		Disturbed areas
Cottonwood, Eastern ³	<i>Populus deltoides</i>		Tolerant			Disturbed, wet sites
Dogwood, Pagoda ¹	<i>Cornus alterniflora</i>				Flowers/nice shape/Fruits	Wet areas/Mod. Sun
Fir, Balsam ²	<i>Abies balsmifera</i>		Sensitive	Yes		
Hawthorne, Fleshy ¹	<i>Crataegus succulenta</i>		Intermediate		Fruits/Fall Color	One of the best Hawthornes
Hopthornbeam, American ²	<i>Ostrya virginiana</i>		Sensitive		Winter Interest	Winter Tolerant, DRED suggests to try more
Hornbeam, American ¹	<i>Carpinus caroliniana</i>	Yes	Sensitive		Fall Color	Wet areas, DRED suggests to try more
Juniper, common ¹	<i>Juniperis communis</i>					Ground cover
Larch, American ²	<i>Larix laricina</i>		Tolerant			Good in masses
Maple, Red ²	<i>Acer rubrum</i>	Yes	Sensitive		Fall Color	
Maple, Sugar ³	<i>Acer saccharum</i>		Sensitive			Needs large areas
Oak, Scarlet ²	<i>Quercus coccinea</i>				Fall Color	
Oak, Red ²	<i>Quercus rubra</i>		Tolerant			High Maintenance tree
Oak, Swamp White ³	<i>Quercus bicolor</i>		Sensitive			Wet areas
Pine, Jack ²	<i>Pinus banksiana</i>					Sandy, disturbed areas

Pine, Pitch ²	<i>Pinus resinosa</i>		Sensitive			Harsh, sandy soils
Pine, White ³	<i>Pinus strobus</i>		Sensitive	Yes		Handsome native
Plum, Canadian ²	<i>Prunus nigra</i>				Flowers/Fruit	
Shadbush ¹	<i>Amelanchier arborea</i>		Sensitive		Flowers/Fruit	Wet areas
Shadbush ¹	<i>Amelanchier canadensis</i>		Sensitive		Flowers/Fruit	Natural settings
Spruce, White ³	<i>Picea glauca</i>		Intermed./Tolerant	Yes		Winter Tolerant

RECOMMENDED NATIVE SHRUBS

Common Name	Latin Name	Low Maint	Salt Tolerance	Screen	Interest	Notes
Arrowwood	<i>Viburnum dentatum</i>		Tolerant		Flowers/Fruit/Fall Color	Withstands adverse city conditions.
Bayberry	<i>Myrica cerifera</i>	Yes	Tolerant		Semi-Evergreen	No serious insect or disease problems
Blueberry, Highbush	<i>Vaccinium corymbosum</i>		Tolerant		Flowers/Fruit/Fall Color, colorful winter twigs	Withstands adverse city conditions/attractive to birds.
Cranberry, Highbush or American Cranberrybush	<i>Viburnum trilobum</i>	Yes	Unknown		Showy white flowers, glossy red berries	generally free of insect and disease problems; attractive to birds.
Dogwood, Panicked	<i>Cornus racemosa</i>		Sensitive		Flowers/Fruit/Colored Stalks/fall color	Will tolerate adverse city conditions.
Dogwood, Red Osier	<i>Cornus sericea</i>		Sensitive		Red stems, white berries	Tolerant of most adverse city conditions
Elderberry	<i>Sambucus canadensis</i>		Unknown		White flowers, purple berries	Tolerates adverse city conditions; attractive to birds.
Spicebush	<i>Lindera benzoin</i>	Yes			Yellow flowers/red fruits	no serious insect or disease problems
Mountain Laurel	<i>Kalmia latifolia</i>		No	Yes	Evergreen/Flowers	
Rhododendron, Rosebay	<i>Rhododendron maximum</i>			Yes	Flowers/Evergreen	some pollution tolerance
Viburnum, Sweet	<i>Viburnum lentago</i>		Sensitive		Flowers/Fruit/Fall Color	tolerates adverse city conditions
Viburnum, Mapleleaf	<i>Viburnum acerifolium</i>		Sensitive		Fall Color	withstands adverse city conditions
Winterberry, Black Alder	<i>Ilex verticillata</i>	Yes	Intermediate		Gorgeous red berries in fall	cool, moist, acid soils; shade OK; relatively free of insect and disease; need male and female plants.
Witch Hazel	<i>Hamamelis virginiana</i>	Yes				

EXHIBIT C-PLANTS TO BE AVOIDED

INVASIVE NON-NATIVE TREES AND SHRUBS TO BE COMPLETELY AVOIDED

Common Name	Latin Name	Reason
Autumn Olive	<i>Eleagnus umbellata</i>	Crowds out native vegetation.
Bayberry, Common	<i>Berberis vulgaris</i>	Forms thorny thickets preventing native herbaceous and shrub growth.
Bayberry, Japanese	<i>Berberis thunbergii</i>	Forms thorny thickets preventing native herbaceous and shrub growth.
Buckthorn, Common	<i>Rhamnus cathartica</i>	Buckthorn invading drier areas.
Buckthorn, Glossy	<i>Rhamnus frangula</i>	Tolerant of dense shade and invades wet areas.
Euonymus, Winged**	<i>Euonymus alatus</i>	Dense shade and dense root system crowd out everything but own seedlings.
Honeysuckle	<i>Lonicera morrowii and tatarica</i>	Form impenetrable thickets and displace vegetation in young forests and floodplains.
Honeysuckle, Japanese	<i>Lonicera japonica</i>	Vine that chokes supporting trees and shrubs.
Locust, Black	<i>Robinia pseudoacacia</i>	Crowds out native vegetation.
Maple, Norway**	<i>Acer platanoides</i>	Crowds out native vegetation.
Rose, Multiflora	<i>Rosa multiflora</i>	Crowds out native vegetation.

NATIVE TREES NOT RECOMMENDED BY DRED OR EXT LITERATURE

Common Name	Latin Name	Reason
Box Elder	<i>Acer negundo</i>	Brittle wood, subject to snow and wind breakage.
Dogwood, Flowering	<i>Cornus florida</i>	Disease problem.
Elm, American	<i>Ulmus americanus</i>	Disease problem.
Hemlock, Eastern	<i>Tsuga canadensis</i>	Wooly adelgid heading north; recommend not to plant as there is no solution to the adelgid problem at this time.
Maple, Silver	<i>Acer saccharinum</i>	Disease problem, structurally weak wood.
Mulberry	<i>Morus sp.</i>	Abundant fruit is a litter problem.
Sycamore	<i>Plantanus occidentalis</i>	Disease problems make it very unattractive.
Willow, Weeping	<i>Salix sp.</i>	Root problems, tree litter, attracts beetles.
Aicantus	<i>Salix sp. altissima</i>	Crowds out native vegetation, toxin in bark, leaves and bark in soil endanger other plants.

NON-NATIVE TREES NOT RECOMMENDED BY DRED OR COOPERATIVE EXTENSION LITERATURE

Common Name	Latin Name	Reason
Birch, European White	<i>Betula pendula</i>	Disease problems make it very unattractive, spring, summer and fall.
Elm, Siberian	<i>Ulmus pumila</i>	Weak wooded, susceptible to wind breakage. Invasive in some locations.
Pear, Bradford Callery**	<i>Pyrus calleryana</i> 'Bradford'	Serious structural splitting at branch junctions.
Plane Tree, London	<i>Plantanus X acerfolia</i>	Disease problems.
Poplar, Lombardy	<i>Populus nigra</i>	Insect and disease problems make it short lived.

** *These plants occur regularly on plans and should be replaced with alternative plants.*

This Ordinance shall take effect upon its passage.

Sponsored by Councilors:

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

Approved:

City Attorney

Ordinance 01-18 will remain in first read until the August 14, 2017 City Council meeting.

Resolutions

RESOLUTION NO. 01-18 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE DEPARTMENT OF SAFETY TO ESTABLISH A CITY CONTINUITY OF OPERATIONS PLAN IN THE EVENT OF AN EMERGENCY.

Somersworth, NH
July 24, 2017

WHEREAS, the City of Somersworth has been notified of the availability of the 2017 New Hampshire EMPG grant through the New Hampshire Department of Safety, and

WHEREAS, the City of Somersworth is eligible to receive \$5,500 (five thousand five hundred dollars), and

WHEREAS, the City of Somersworth is required to provide a 50/50 match, but in-kind services is allowed as a match (equivalent salary for time each Somersworth staff provides to the Grant process), and

EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN

EMPG GRANT	=	\$11,000
<u>CITY MATCH</u>	=	<u>\$ 5,500 (In-kind)</u>
TOTAL PROJECT AWARD	=	\$ 5,500

WHEREAS, the Grant will allow the City of Somersworth to improve its Emergency Management Plan and provide alternative sites for government operations,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the terms of the Grant are hereby accepted and the City

Manager is authorized to sign all documents, agreements and take any and all such actions necessary for the grant's execution, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

Sponsored by Councilors:

Martin Pepin
Denis Messier
Jennifer G. Soldati

Approved:

City Attorney

Resolution 01-18 will remain in first read until the August 14, 2017 City Council meeting.

RESOLUTION NO. 02-18 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH 2-WAY COMMUNICATIONS INC., OF NEWINGTON, NH FOR THE PURCHASE OF PORTABLE RADIOS FOR THE FIRE DEPARTMENT.

Somersworth, NH
July 24, 2017

WHEREAS, the Somersworth Capital Improvement Program for Fiscal Years 2018 through 2023 contains a recommendation to replace the portable radios used by the Fire Department over a cycle of four fiscal years, and

WHEREAS, the fiscal year 2017-2018 adopted budget contains an appropriation for the third year of this four year replacement cycle for the purchase of portable radios, and

WHEREAS, City staff recommends purchasing the portable radios by utilizing the State of New Hampshire bid list, and

WHEREAS, the Public Safety Committee for the City of Somersworth has reviewed the recommendation to utilize the State of New Hampshire bid list and supports the recommendation, and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation to utilize the State of New Hampshire bid list and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with 2-Way Communications Inc., of Newington, NH for the purchase of portable radios for the fire department at an amount not to exceed \$33,915 (Thirty Three Thousand Nine Hundred

Fifteen dollars) and to take any actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors:

David A. Witham
Martin Pepin
Denis Messier
Jennifer G. Soldati

Approved:

City Attorney

Councilor Witham, seconded by Councilor Paradis, made a motion to waive Councilor Rules to allow for second read. Motion passed unanimously.

Councilor Witham, seconded by Councilor Paradis, made a motion to approve Resolution 2-18. The motion passed unanimously.

RESOLUTION NO. 03-18 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH CREDERE ASSOCIATES, LLC OF WESTBROOK, MAINE FOR ENGINEERING SERVICES ASSOCIATED WITH THE REMEDIATION OF PROPERTY LOCATED AT 1 WINTER STREET, FORMERLY KNOWN AS BRETON'S CLEANERS.

Somersworth, NH
July 24, 2017

WHEREAS, the Somersworth City Council adopted Resolution No. 37-17 authorizing the City Manager to enter into a grant agreement with the New Hampshire Department of Environmental Services for the purpose of funding the remediation of the former Breton's Cleaners property located at 1 Winter Street, and

WHEREAS, City staff solicited proposals from qualified engineering consultants to prepare and implement a remedial action plan which includes procuring a cleanup contractor and overseeing the demolition of the building, and

WHEREAS, City staff reviewed the proposals submitted and interviewed the prospective consultants and recommends contracting with Credere Associates, LLC of Westbrook, Maine,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Credere Associates, LLC of Westbrook, Maine to provide engineering services associated with the remediation of property located at 1 Winter Street and to take any other actions relative to this project determined to be in the best interest of the City.

Sponsored by Request

Mayor Dana S. Hilliard

Approved

City Attorney

Councilor Witham, seconded by Councilor McCallion, made a motion to waive Councilor Rules to allow for second read. Motion passed unanimously.

Councilor Cameron, seconded by Councilor Paradis, made a motion to approve Resolution 3-18. The motion passed unanimously.

Other

Request to Waive Excavation Moratorium Period for Construction Work on Blackwater Road for the Cumberland Farms Project Located at 208 & 216 Route 108 (City Ordinance Ch. 12, Streets and Sidewalks)

Councilor Witham, seconded by Mccallion made a motion to waive Council rules to allow Attorney, F.X. Bruton and Chris Demoulas of MHF to address the Council. The motion passed unanimously.

Mr. Bruton stated in that the Council waived the moratorium in January to allow for a small curb cut, with the agreement to pave a significant portion of Blackwater to preserve the integrity. This waiver was related to one water supply which was on the side of Blackwater Road. It was understood at that time that there was a second water line that was off Route 108. They now are aware that it is also on the side of Blackwater Road. This second line will not be used. The options are to cap the line on their property or cap the line at the main, and repave that portion of Blackwater Road through to Route 108.

Mr. Demoulas showed plans of the area in question.

Councilor Sprague asked if they planned to pave the full width of Blackwater Road. Mr. Demoulas agreed that yes, it would be the full width of the road.

Sprague asked if they would be shutting down the line and capping it. They would be. Councilor Sprague said he was in full support.

Councilor Sprague said he has a few issues with the project. The tracking of mud backing and forth across Route 108 is a mess and can be a traffic hazards. There is also a problem with line of vision around the temporary storage area across the street. The fence, with banners around the construction area, prohibits the ability to see through the fence and is a traffic hazard.

Councilor Witham asked the City Manager if this is supported by City Staff. Mr. Belmore said it was supported.

Councilor Witham made a motion to waive the moratorium, conditional on the developer capping the line in the street and paving the full road. The request was approved unanimously.

Vote to Ratify the Tentative Agreement Between the Somersworth Association of Clerical and Aides and the Somersworth School Board.

Councilor Witham stated that the terms of the agreement are in line with other collective bargaining units. He has no objection.

The vote passed, unanimously, by voice vote.

CLOSING COMMENTS BY VISITORS

Real Roseberry reiterated what he said in the beginning *Comments by Visitors*. He said that we have a city that has one of the third highest tax rates. But yet the Council has over ruled the tax cap twice. The city is in trouble. We need to have somebody that knows how to run this city. If it was run right, you wouldn't have to go over the tax cap.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor McCallion said we have Committees and they always their job. He received calls from 2 residents about Indigo Hill Road project, so he went over to reviewed the area. He is happy that they decided to use the vertical granite curbing. He is still a bit worried about the sidewalk. He can't wait to see how it goes.

Councilor Messier said August 1 is National Night Out at Bison Park in Ward 5. He would like to see renditions of what will be happening with the park.

He would like to see a timeline of the Breton's Cleaners demo project. He wants it down before snow.

Councilor Messier mentioned lawn mowing in the area. Seems like some residents aren't keeping up with their yards. Also, used TVs; nobody wants them. Don't let it be a lawn ornament. The property on Green Street has more trash than it used to. People in Code are working hard, but the public can help.

Councilor Witham also commented National Night Out and encouraged all to attend.

As for the override of the tax cap, don't blame the administration. The City Manager and Finance Director prepare a budget that is in line with the tax cap. It is Council that over rides the tax cap. The money is addressed to the roads, and has nothing to do with High Street.

Councilor Sprague sent his condolences to Councilor Pepin and Joanne; they are committed to the family as well as the City. They experienced a loss of a family member over the weekend. God Bless you.

Councilor Cameron said she enjoyed joining the Sober Sisters. They do a remarkable job. Her thoughts are with the Pepin Family.

Councilor Paradis said Vision 2020 is partnering with Farm to School, for National night out. We are all thinking about the Pepin Family.

FUTURE AGENDA ITEMS

None

NONPUBLIC SESSION

None

ADJOURNMENT

Councilor Soldati, seconded by Councilor McCallion, made a motion to adjourn. The meeting adjourned at 8:10 pm.

Trish Harris, City Clerk

Dana Hilliard, Mayor