



MINUTES OF CITY COUNCIL MEETING  
Somersworth, NH  
October 7, 2019  
7:00 P.M.

---

**ROLL CALL OF MEMBERS**

The meeting was called to order at 7:00pm by His Honor, the Mayor, Dana S. Hilliard, and upon roll call the following Council members were present: Pepin, Vincent, Dumont, Austin, Michaud, Witham, Sprague, Cameron, and Levasseur.

**PLEDGE OF ALLEGIANCE**

Councilor Sprague led the Pledge of Allegiance.

**PUBLIC HEARINGS**

**Ordinance No. 9-20** - To Amend Chapter 19, Zoning, Section 24, Accessory Dwelling Units  
No comments

Regarding a Question to be Placed on the November 5th Official Ballot: Shall we allow the Operation of Sports Book Retail Locations within the City of Somersworth?  
No Comments

**COMMENTS BY VISITORS**

Crystal Paradis, 73 Noble St, Ward 1, stated that she is running for City Council at Large. She is in favor of the proposed dog park. She and her dog have been on a tour around the area, looking at what makes dog parks successful, and looking at the challenges. Long Hill in Dover, has a great group of volunteers that raised the extra funds. They are out there every day taking care of the facility. They will be meeting soon to discuss options to build a shelter for the winter. She offered her support for the Somersworth Dog Park.

**CONSENT CALENDAR**

Approve Minutes of the City Council Meeting held on September 16, 2019  
*Councilor Pepin, seconded by Councilor Austin, made a motion to approve all items on the Consent Calendar. The motion passed, 9-0.*

**COMMENTS BY CITY COUNCILORS**

Councilor Witham said he wanted to put something on the radar screen of City Staff, perhaps it is a Traffic Safety matter. On High Street from Beacon Street to the VFW, is all day parking. The rest of that corridor is 2 hr parking. We recently reviewed the demand for parking in the downtown area. That area on High Street is particularly used for the downtown customers. This creates a burden. Parking and conditions have changed in the downtown area and we need to revisit this.

There are also areas of the city where vehicles are parked on streets and are never moved. He said he is not sure they are abandoned vehicles, but they are registered. It's a concern.

### **COMMUNICATIONS**

None

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

None

### **MAYOR'S REPORT**

Each year, property and lives are lost due to fires throughout our nation. While not all incidents are preventable, ensuring life safety codes are being followed, thus minimizes the damage and helps save lives in the event a fire occurs. Each year during their open house during Fire Prevention Safety Week, the brave members of the Somersworth Fire Department take time to educate the public in preventative measures and actions to take in the event that a fire does break out within their property. While the members of our Department are always there to serve, the first line of defense in a fire are individual preventative measures. This week we will once again, honor our Hilltop Fire Department by proclaiming this week Fire Safety Week in the City of Somersworth, and thank the department for sponsoring their yearly Open House and their dedication to the safety of every Hilltopper. I also want to thank them for continuing to invite my childhood friend, Smokey the Bear, to the annual event. At this time, I want to welcome the Chief to come forward for the presenting of a proclamation.

On behalf of the Veterans' Park Commission, City Councilor Dumont and I are actively seeking donations and pledges to help build a living testament to all who served our nation through the new construction the Veterans' Park. The vitalized design brings honor to each veteran and allows us citizens to reflect and pay homage to those who gave their all. Two weeks ago, the first batch of letters went out to businesses throughout our City. This week the final batch will be mailed to ensure that all businesses will have the opportunity to contribute to this living memorial. Members of the public are also invited to help contribute making this project a true, full community effort. To date, in the short time frame, we have already received over \$4,000 in pledges and donations, and I am confident that in the next several weeks, each business in this community will honor our Hilltop Veterans by bringing the construction of the Veterans' Park to fruition. I look forward to reporting to the Council at the next meeting how our contributions have continued to grow and how each member of this community is offering up their support for the finalized design to come reality to pay honor to every person who ever wore the uniform of the United States of America.

The City Clerk and I want you to help democracy run smoothly. Election Officials and workers are needed in wards 3 and 5 for this upcoming municipal election. You can have the satisfaction of helping serve your community in the fundamental elements of a free society, open and free elections. You will gain first hand insight into how elections are conducted and even receive a free lunch. Anyone interested in serving, please contact the City Clerk's office. Together as a united community we will continue to ensure that democracy runs smoothly and that Somersworth stays "on the move".

## **REPORTS OF STANDING COMMITTEES**

Public Safety – Councilor Pepin reported that the Committee met on September 25 at 5:15. The committee discussed:

- EMS, report from Paul Robidas, CPR for all City Employees. Response time is 4.10 min. on average. Ambulances are changed over to Stewart Ambulance.
- Fire, they did a survey the department, mobile radios are being brought in. 2 trucks were ordered. 2 new call firefighters were hired. Active shooter grant of 6k.
- Belmore updated the replacement of the chief. IRM will be doing the hiring process. They discussed the requirements of the applicants.
- Police, gave a presentation of all equipment, staff, another meeting for October 30<sup>th</sup>, to have time to review.

Public Works & Environment – Councilor Sprague reported that the Committee met on October 3<sup>rd</sup>. The committee discussed:

- Milling revealed that Union and Franklin Streets are deteriorated down to base gravel. They had to change some of the options of application on other roads, to being resurfaced and not a total mill. Crest was completed today. Councilor Witham, who Chaired the meeting, stated that in order to save some funds, they are using a hybrid approach on the lesser traveled roads off Union Street, to just an overlay and mill just the edges. We will be over budget. There are options for funds that can be utilized. All of the roads that were on the list to be paved, will be paved, including Lily Pond Road. Engineering staff believe this will work just fine.

Councilor Sprague reported that the Committee met again on October 7<sup>th</sup>. The committee discussed:

- 2 residents requested a waiver of moratorium. On High St, resident looking to put gas in, committee felt they were against that. And a house on Emery Street also looking to connect to gas, would have to go into Maple Street. Councilor Sprague stated we have moratoriums for a reason. ***Councilor Sprague requested that we add waiving the paving moratoriums for 124 High and for Emery Street to the agenda under ‘Other’ this evening. They were added without objection.***
- Waiver request of Chapter 8A, Article III, Section 4, of City Ordinance. They have hit ledge while trying to connect to the City sewer line. ***Councilor Sprague requested that this be added to the agenda under ‘Other’ this evening. This was added without objection.***
- It came to the City’s attention that Nadeau is not a City road. Staff is looking into more information.
- Church Street, to discontinue as a city road. There are 4 abutters on that road, staff will look into the options.
- Brief discussion about the Oaks timber cut project. They have a 38 year lease. They want to cut about 1000 trees. The Committee wants some more information. Time is of the essence, as they need to do this in the middle of winter, frozen ground. They want to put the surplus in an escrow for future improvements.
- Discussed seam degradation, crack sealing on High Street from Irving to Tri City Road to see if it will slow down the progression.

- Dirty Dirt at Bretton's Cleaners have been taken out of there and clean dirt has been filled.

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

### Special Committees

JBC – Councilor Pepin reported that the committee is winding down. They have \$50,000 remaining in contingency and they are waiting for bills to come in to finalize the budget. Only thing not completed was some flashing on the outside roof. This will be completed this week. They have found that there is not enough flow for boilers and gas meters and they had to make changes. One class room is very hot, and they are working on that.

School Board – Councilor Pepin reported that the Board met on September 24, 2019. There is nothing to report

Coast – Councilor Pepin reported that he attended the annual meeting. The DOT commissioner was in attendance. They received a CMAQ grant for 3 years of funding. They had the annual Election of Officers.

Veterans' Park Commission – Councilor Dumont reported that the committee met on September 30, 2019. They discussed fundraising. Iron Wood Design Company reported that everything is coming back favorable with the study of the site. Mayor Hilliard and Councilor Dumont send out 60 letters requesting donations from area businesses. He was very pleased to make the follow-up calls. He thanked those who have already donated and committed. They will start listing donors on Channel 22. First contribution was from Stratham Tire, in the amount of \$200. Hilltop Chevy donated \$2500. Total donations at this time is close to \$5000. City Manager Belmore and staff have really come together and worked this out. All we can say is Thank you.

SAU Withdrawal – Councilor Witham reported that the SAU Withdrawal Committee held a Public Hearing/listening session on September 26<sup>th</sup>; the last scheduled meeting of this committee. As typical with Public Hearings we had no public comments. They then went in to discussions. There was a motion made, and seconded, to support a direction that is being forwarded on to the Mayor and Council.

The town of Rollinsford formed a SAU Withdrawal Committee on the coat tails of our forming a committee, and that committee has recommended that they withdraw from SAU 56. And then contract services with a SAU; in all likelihood, our SAU. In essence, maintaining the cashflow into our SAU from Rollinsford, but eliminating their vote from our SAU. It was viewed as the most viable logical option for our SAU Withdrawal Committee. So, the Vote of our Committee was to support that direction. Certainly though, because Rollinsford is a town form of government, will require a vote of their residents at their March Town Meeting. So, this is all sort of on hold until their March Town Meeting. If that receives an affirmative vote at the March Town Meeting, then Mission Accomplished.

However, our Committee also wants to be sure that if there is not a favorable vote at their March Town Meeting, that we are not boxed out of our withdrawal from SAU 56. So, the request of our Committee is that, because this committee is will sunset on January 1, 2020,

that the next Mayor and Council appoint another SAU Withdrawal Committee to monitor the progress of the Rollinsford Vote and take any such action that might be needed should there not be an affirmative vote in Rollinsford. There are a lot of moving parts to that, but in essence, that is the report of the Somersworth SAU Withdrawal Committee.

Parade Committee – Councilor Cameron reported that the Committee met on October 7, 2019. The date of the Christmas Parade is set for December 7, 2019. The theme is Rock and Roll Holiday. The only obstacle would be the construction in Berwick.

Sustainability Committee - Councilor LeVasseur reported that the Committee met on September 19, 2019. They discussed the idling reduction policy. They are still working on the logistics. The committee unanimously approved this policy change. They recently had a film screening at the Blackbox Theatre.

#### City Manager's Report

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

**TO: Mayor Dana S. Hilliard and City Council Members**  
**FROM: Robert M. Belmore, City Manager**  
**DATE: Friday, October 4, 2019**  
**SUBJECT: City Manager's Report for Monday, October 7, 2019**  
**City Council Agenda**

---

***6:30 pm: Council Workshop***  
***Road Safety Audit presented by Michael J. Dugas, P.E., State Highway Safety Engineer***  
***Re: Blackwater Road / Old Rochester Road Safety Improvements***

---

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

##### **Ordinances**

- A. Ordinance No. 9-20: To Amend Chapter 19, Zoning, Section 24, Accessory Dwelling Units.** Again, the Planning Board has voted to recommend the City Council adopt this Amendment.

##### **Resolutions**

- A. Resolution No. 16-20: To Amend Council Rules and Regulations, Section 1, Council Meetings.** Again, the Government Operations Committee voted to amend Council Rules Regulations by adding to Section 1, Special Budget Meeting/s.

*New Business (Under Section 15 of Agenda)*

**Ordinances**

- A. Ordinance No. 10-20: To Amend Chapter 29 Administrative Code, to Reassign the Responsibility of Maintaining Parks and Recreational Facilities and Grounds to the Department of Public Works.** I recommended and the Government Operations Committee has endorsed this organizational change: the parks & recreational facilities maintenance function being fully assigned to the Department of Public Works. Presently, the maintenance functions are assigned to the Recreation Division with Public Works staff assisting. Current staffing has a seasonal maintenance person caring for the parks. It would be my intent to move this person to full time and place under the Highway Division of Public Works and budget for this transition in the next fiscal year. This would allow the person to focus on the parks during the appropriate months and then assist with various highway tasks as well as plowing in the off-park seasons. The Recreation Office staff would continue to focus on recreational programs and grant opportunities.

The Government Operations Committee met on September 18<sup>th</sup> and voted to move forward with this Ordinance change. Attached is a red-line version of Chapter 29 that depicts the recommended change. I recommend a Public Hearing be scheduled for the next Council meeting on Monday, October 28<sup>th</sup>.

***Public Hearing scheduled for October 28, 2019, without objection.***

**Resolutions**

- A. Resolution No. 17-20: To Direct the City Manager to Develop a Preliminary Report on Potential Location/s and Costs for a Possible City Dog Park.** Councilor Witham has requested this action item be placed on this Agenda for full Council consideration.

**Other**

- A. Vote on Placing this Question on the November 5<sup>th</sup> Official Ballot: Shall we Allow the Operation of Sports Book Retail Locations within the City of Somersworth?** Attached is information provided by the NH Lottery Commission. Councilor Sprague requested this item be placed onto the Council agenda for a vote.

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

**A. Informational Items.**

- a. **Goats at Noble Pines Park.** David Guion & his partner, d/b/a, Green Eyed Gypsy Goat Grazing, are planning to arrive at Noble Pines on Friday with his goats and sheep to feast on invasive knotweed that has become an issue at the ballfield along the outfield fence. The City of Lebanon, NH

City Council Meeting

October 7, 2019

has recently used them along with NH Motor Speedway to help with overgrown invasive landscaping plants. Lebanon City staff gave their pilot goat effort to remove poison ivy a strong successful review.

- b. Community Revitalization Tax Relief Incentive Program, Ch.31, City Ordinance.** The Economic Development Committee met on September 16<sup>th</sup> and voted to recommend acceptance of this application for Somedowntown, LLC, Mr. David Baker, for 8 Government Way. Attached is a copy of the application as well as Director Shanna Saunders memorandum determining the application is complete. I have also attached the City Ordinance, Ch. 31 regarding this Tax Relief Incentive Program. I recommend the Council schedule a public hearing for the next Council Meeting on October 28 and also a subsequent vote regarding its approval.

***Public Hearing scheduled for October 28, 2019, without objection.***

**c. Upcoming City Events.**

- **17<sup>th</sup> Annual Pumpkin Festival.** Saturday, October 12 from 10:00am - 4:00pm at Somersworth Plaza on Main Street.
- **Somersworth Senior Picnic.** Wednesday, October 23 from 11:00am – 1:00pm at the Flanagan Center Gym on Bartlett Ave.
- **Somersworth Festival Association 27<sup>th</sup> Annual Harvest Craft Fair.** Saturday, October 26 from 9:00 a.m. – 3:00 p.m. at the Somersworth High School.

**Attachments**

- 1. City Attorney Certifications Two (2)**
- 2. Summary of Tax Relief Incentives Program Action to Date**

**NOMINATIONS, APPOINTMENTS AND ELECTIONS**

Requires Council Confirmation Vote

Jason Barry, from Alternate Member to Full Member of the Planning Board, with a term to expire, October 2022

Lindsey Gagnon, from Alternate Member to Full Member of the Historic District Commission, with term to expire, October 2022

***Nominations will remain open until the October 28, 2019 City Council Meeting***

**UNFINISHED BUSINESS**

**ORDINANCES**



## City of Somersworth – Ordinance

Ordinance No: **9-20**

### **TO AMEND CHAPTER 19 ZONING, SECTION 24, ACCESSORY DWELLING UNITS**

September 16, 2019

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:

Section 19.24.a, Accessory Dwelling Units, delete the words, “or detached”.

Section 19.24.a shall read as follows:

- a) A maximum of one (1) ADU per property is permitted on property located in zoning districts that allow single-family dwellings and must be located within or attached to the principal single-family dwelling unit or attached garage. “Attached” does not include via the use of a breezeway.

This Ordinance shall take effect upon its passage.

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



## City of Somersworth – Ordinance 9-20

### History


First Read Date:	09/16/2019	Tabled:	NA
Public Hearing:	10/07/2019	Removed From Table:	NA
Second Read:	10/07/2019		

### Discussion

Councilor Witham, seconded by Councilor Cameron, made a motion to approve Ordinance 9-20.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 10/07/2019 Ordinance 9-20		<b>PASSED</b>	

## RESOLUTIONS

	City of Somersworth – Resolution
	Resolution No: <b>16-20</b> <b>TO AMEND COUNCIL RULES AND REGULATIONS, SECTION 1, COUNCIL MEETINGS</b>

September 16, 2019

WHEREAS, the Council Rules and Regulations have been reviewed by the Government Operations Committee as amended, and

WHEREAS, the Government Operations Committee recommends the Council Rules and Regulations, as amended, be further amended as follows:

Section 1. Council Meetings, add:

C. Special Budget Meeting/s: After the Budget Ordinance Public Hearing, the Mayor shall call at least one (1) Special Council Meeting no later than April 30<sup>th</sup>, for the sole purpose of allowing the City Council to review and deliberate the proposed City Manager's Annual Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective upon passage of this resolution.

Authorization	
<i>Sponsored by Councilors:</i> Martin P. Dumont, Sr. David A. Witham Nancie Cameron Edward LeVasseur	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 16-20

### History

First Read Date:	09/16/2019	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	10/07/2019		


### Discussion

Councilor Austin, seconded by Councilor LeVasseur, made a motion to approve Resolution 16-20.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 10/07/2019 Resolution 16-20		<b>PASSED</b>	

## **NEW BUSINESS**

### **ORDINANCES**

	<p style="text-align: center;"><b>City of Somersworth – Ordinance</b></p> <p>Ordinance No:   <b>10-20</b></p> <p><b>TO AMEND CHAPTER 29 ADMINISTRATIVE CODE TO REASSIGN THE RESPONSIBILITY OF MAINTAINING PARKS AND RECREATIONAL FACILITIES AND GROUNDS TO THE DEPARTMENT OF PUBLIC WORKS</b></p>
---	---

October 7, 2019

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 Section 29.3.6.12A and Section 29.3.6.16 as follows:

Section 29.3.6.12A Division of Recreation

The Division of Recreation shall:

- a) Provide recreational programs for the residents of the City and others, as authorized.
- b) Perform such other related duties as may be assigned.

Section 29.3.6.16 Division of Public Works

The Division of Public Works shall be responsible for all the physical structures and facilities of the City not assigned to another organizational body. The Division of Public Works will coordinate operations in Forest Glade Cemetery with the board of Cemetery Trustees. In addition, the Division of Public Works shall:

- a) Repair, maintain, construct and operate the public streets, bridges, sidewalks and rights-of-way of the City.
- b) Repair, maintain, construct and operate the storm and sanitary sewer systems of the City.
- c) Maintain City buildings and land except as may be assigned to another department, and to maintain all City parks and recreational facilities and grounds not otherwise assigned. (Amended 06/06/2016.)
- d) Provide specific maintenance assistance in the Forest Glade Cemetery as mutually agreed upon with the Cemetery Trustees.

- e) Maintain and repair all City mechanical equipment except items for which other maintenance arrangements have been made.
- f) Direct and maintain the equipment maintenance records for all motor vehicles and equipment.
- g) Provide lubricants, fuel and other vehicle consumables for authorized vehicles on a reimbursement basis.
- h) Perform such other related duties as may be assigned.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> Martin P. Dumont, Sr. David A. Witham Nancie Cameron Edward LeVasseur	<i>Approved:</i> City Attorney


## City of Somersworth – Ordinance 10-20

History			
First Read Date:	10/07/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion

Ordinance 10-20 will remain in first read until the October 28, 2019 City Council Meeting.  
 A Public Hearing has been scheduled for October 28, 2019.

## RESOLUTIONS

	City of Somersworth – Resolution
	Resolution No: <b>17-20</b> <b>TO DIRECT THE CITY MANAGER TO DEVELOP A PRELIMINARY REPORT ON POTENTIAL LOCATION/S AND COSTS FOR A POSSIBLE CITY DOG PARK</b>

October 7, 2019

WHEREAS, a City Dog Park has been discussed as a potential amenity for residents of the Somersworth Community, and

WHEREAS, a Dog Park is universally viewed as a place where people and their dogs can play together; owners and canines socializing in a secure off-leash location, and

WHEREAS, the City Council is interested in the possible establishment of a fenced-in, public Dog Park where canine citizens can exercise off-leash in a clean, safe environment without causing harm to people, property or wildlife,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is directed to report back to the City Council with a preliminary report on possible options for a Dog Park that would be designed to satisfy the needs of dog-owners and non-dog owners alike. Said options would include possible locations, costs to construct and maintain the park, and any other associated needs related to this endeavor. Furthermore, said report is due on or before December 16, 2019 so that the City Council and City Manager can consider funding the construction of a dog park in full or in part as part of the FY 2021 budget.

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

## City of Somersworth – Resolution 17-20

### History

First Read Date:	10/07/2019	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	10/07/2019		

### Discussion

Councilor Austin Requested to be added as a sponsor to this Resolution.

Councilor Witham, seconded by Councilor Austin, made a motion to waive Council Rules to allow for a second read of Resolution 17-20. Motion passed 9-0.

Councilor Witham, seconded by Councilor Vincent, made a motion to approve Resolution 17-20.

Councilor Witham stated that he has nephews in Kennebunk, ME who construct elements for dog parks. The City has talked about this before and it was brought up by a resident this past summer. He stated he is not sure on cost or where it will go, but dog parks are growing in popularity.

Councilor Vincent this is a great idea, pets today are family. This gets you out and keeps the dogs off our parks and baseball fields.

Councilor Dumont agreed that this is a great idea. The area he sees used the most is the old landfill, but they are not supposed to be there. This is a community friendly idea.

Councilor Cameron said she is excited to see this. Her dog is too old now but, has visited the Dover dog park in the past.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 10/07/2019 Resolution 17-20		<b>PASSED</b>	

## OTHER

Vote on Placing this Question on the November 5th Official Ballot:  
Shall we allow the Operation of Sports Book Retail Locations within the City of Somersworth?

Councilor Witham asked what Sports Book Betting was.

City Manager Belmore said it was betting on games, NFL etc.

Councilor Vincent explained that this has been passed at the State level, there will be 12 locations in the state. The commission is looking for good locations. The money generated, he thinks, will be along the lines of school funding.

Councilor Dumont said he believes off track betting is part of the process as well. The location in Sanford is the closest for horse races and dog races. He stated he is in favor of adding this to the ballot. Two Doors down, is in a leadership position for Keno. They have Keno nights and it is always packed there.

Councilor Witham said the question, in the way it is phrased, is a bit confusing. City Manager Belmore stated that the question is stated that way because that is how the State worded it and we are not allowed to change it.

Councilor Sprague said he asked for this to be put this on agenda. It is just so we can allow the voters in Somersworth to have a say about this. This is just to put it on the ballot. This is a bigger undertaking than Keno.

Councilor Cameron said she is in agreement to let the voters decide.

***Vote to place the question on the Ballot, passed, 9-0.***

Vote to waive the paving moratorium for 124 High Street.

Councilor Witham asked where 124 High Street is.

Councilor Sprague explained that is in the area of our downtown improvement project near where the old Black and White Market was.

Councilor Sprague stated that they will attempt to trench and bore under the road. If it does not work, they will have to cut a trench.

Councilor Witham said to cut a trench across the width of that roadway is ill advised at this point.

Councilor Sprague explained that there is a 5-year moratorium on that road, ending in November 2020. The resident has requested the waiver to allow him to connect to gas.

Moratoriums are in place for a reason. We have to remember the people who have come before us in the past. Need to treat everyone the same. If we waive the City Ordinance for one, others might come forward as well. He stated that he is inclined to reject this request.



Councilor Levasseur said being that this is our main thoroughfare, he asked that the homeowner hold out for one more year.

Councilor Vincent said he would not be supporting this evening.

***Vote to waive Moratorium for 124 High Street failed, with 8 opposed and 1 in favor. Moratorium is not waived.***

Vote to waive the paving moratorium 3 Emory Street.

Councilor Sprague explained that this is an older resident that is having problems with the heating system. They would like to install a gas furnace. The gas line is on Maple Street, and even though it will be a small trench, staff will ask for a full lane paving. Councilor Sprague reiterated; we have moratoriums for a reason.

Councilor Levasseur said Maple Street is not nearly as traveled as High Street. He stated that he would like a little more information.

***Councilor Levasseur, seconded by Councilor Witham, made a motion to waive council rules to allow the Director of Public Works to address the Council. Seconded by Witham, passed 9-0.***

Director Bobinsky stated that they heard from the applicant a few weeks ago. They propose to excavate a 4x4 section of the road.

Councilor Witham stated that if one resident wants gas it might cause the other residents to want gas also. Can they connect to gas from Prospect Street?

Director Bobinsky stated that there is not gas on Prospect Street.

Councilor Dumont said he voted in favor of waiving the moratorium on High Street, because we require bonding that would cover any possible issues.

This seems like a heating problem.

Director Bobinsky said the heating system has failed and they would like to connect to natural gas. There is a pavement moratorium for 3 years, which will be completed in the fall of 2020 and a winter moratorium which starts November 15<sup>th</sup> each year.

Councilor Pepin stated that the gas company said that the requirements of the project would probably be out of the budget for the home owner.

Sprague said the resident could have a gas furnace set up with a propane tank to hold until the moratorium is waived.

***Vote to waive Moratorium for 3 Emory Street failed, with 9 opposed. Moratorium is not waived.***

Vote to waive Sewer Ordinance to allow 72 Buffumsville Road to not connect to City sewer.

Councilor Sprague said the resident allegedly has a dry well, leach bed design approved by the State. Mr. French put the water line in which was a struggle. They hit bedrock when putting the sewer in. Blasting is an option, but there are concerns with the water line. They are not sure this is even feasible.

Councilor Witham stated, with the water line so close, he is good with waiving the requirement to connect to City sewer.

Councilor Sprague said when this person bought this property, it showed a sewer line right by the property. There is nothing in between, maybe because of the ledge that is there. We didn't tie in as a City. He doesn't have a problem with waiving the requirement to connect to City Sewer.

Councilor Witham made an amendment to require that the property owner maintain appropriate state permits.

***Vote to waive the Sewer Ordinance to allow 72 Buffumsville Rd to not connect to City Sewer, passed with 9 in favor.***

### **CLOSING COMMENTS BY VISITORS**

None

### **CLOSING COMMENTS BY COUNCIL MEMBERS**

Councilor Pepin reminded all of the Pumpkin Festival this Saturday.

Councilor Vincent goats are going to town (at Noble Pines). He stated that he was asked to check in at the State level for the renaming of the Berwick Bridge to the Veterans Memorial Bridge. There are deadlines at the state level. He will be checking with the City Manager.

Councilor Dumont said he talked to a couple constituents in Ward 3. One had concerns about the way we communicated with the public with the letters for the assessment. Before sending out any communication, we should have all of the answers. The other one was just a clear case of not being neighborly. Between a business and a resident regarding excessive runoff, it was unfortunate, but the City Manager and staff reached out to both situations.

Councilor Dumont went on to say that Bill Connors has sent many letters to members of this Council. In the nicest way, chewed me out. He said, as a former military he had a responsibility, and he did not attend the rising of the Air Force Flag. So, this Wednesday, he will be attending the raising the Navy flag, at 1700 on Wednesday. Better news, in the final 20 second of the Air Force vs. Navy game, the Navy pulled it out and won.

Councilor Dumont stated that he thinks the description of the new person for park maintenance is very creative. He thanked those who volunteer and those who run; behind the scenes. It takes a lot of people keep this City on the move.

He has run into an elderly couple in Market Basket a few times. They have asked if we could we do trips to Foxwoods or Oxwood. He doesn't know why we don't do this anymore. Maybe the Recreation Department could set this up, maybe one or two a year.

Councilor Witham explained to Councilor Dumont that his mother is on the HS Alumni Association and they have organized many trips to Foxwood.

Regarding Nadeau St, the City should likely be moving forward to make that a City Road. It was an oversight long before this council was a committee.

He saw the goats early Sunday morning, and they are going to town. He is hopeful that this works. It is unique and an environmental approach to a problem. Maybe the goats should be grand marshal in the parade.

Councilor Sprague said the dog park is a great idea. Why stop at one? Maybe the green space that Chinburg is developing by the old school. He stated that he is all for more green space and less blacktop. Dog parks are a very popular thing now. He stated that he has pet peeve. We are in the process of paving 30+ roads in the community. The area of Green Street to Washington Street, right in front of McKay's variety, there is an automobile that is leaking oil and destroying the parking area. It is an embarrassment to the community. He said he is not sure if there is an Ordinance or police offence, but someone should look into this. How a car can leak that much fluid and drive down the road. He went on to say that the Bruins off to a great start.

Councilor Cameron said she is looking forward to where this dog park will go and excited about the Pumpkin Festival this Saturday.

Councilor LeVasseur explained that he is not running for re-election for the City Council. He will be running for School Board at Large. The fact that almost half of the School Board has resigned over the past 2 years has made him realize that the School Board needs some stability.

#### **FUTURE AGENDA ITEMS**

None

#### **NONPUBLIC SESSION**

None

#### **ADJOURNMENT**

***Councilor Michaud, seconded by Councilor Austin, made a motion to adjourn. The meeting adjourned at 8:54 pm.***

---

Trish Harris, City Clerk

---

Dana Hilliard, Mayor