

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, JUNE 21, 2010

PORTSMOUTH, NH  
TIME: 6:30PM [or thereafter]

At 5:45 p.m. an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations – RSA-91-A:2, I (b c).

At 6:30 p.m., a Work Session was held regarding Downtown Portsmouth Zero Waste Project.

### **I. CALL TO ORDER [7:00PM or thereafter]**

Mayor Ferrini called the meeting to order at 7:10 p.m.

### **II. ROLL CALL**

Present: Mayor Ferrini, Assistant Mayor Novelline Clayburgh, Councilors Lister, Hejzmanek, Spear, Dwyer, Coviello, Kennedy and Smith

### **III. INVOCATION**

Mayor Ferrini asked everyone to join in a moment of silent prayer.

### **IV. PLEDGE OF ALLEGIANCE**

Councilor Lister led in the Pledge of Allegiance to the Flag.

### **PRESENTATION**

#### **1. Single Stream Recycling – Steve Parkinson, Public Works Director**

Public Works Director Parkinson provided a brief presentation on Single Stream Recycling and Solid Waste. He informed the City Council that Solid Waste Coordinator Silke Psula was scheduled to provide this presentation however she has been activated by the Coast Guard and is in Louisiana assisting with the oil spill. He reported to the Council that single stream is leading-edge technology that eliminates the need to separate recyclables by category for collections. The economic and environmental benefits are as follows:

- Increased participation in recycling
- Average increase in recycling volumes
- Less time for curbside collection
- Less idling time for trucks (resulting in less pollution)
- Fewer trips to the recycling facility

Public Works Director Parkinson said that single stream recycling will cut costs and increase recycling rates. In addition, the average savings for a collector using single stream was 5-25% and increased recycling rates by 25%.

City Manager Bohenko said that this presentation was to provide updated information to the City Council and additional information will be provided to the public on single stream recycling.

#### **V. ACCEPTANCE OF MINUTES – JUNE 7, 2010**

**Councilor Smith moved to approve and accept the minutes of the June 7, 2010 City Council meeting. Seconded by Councilor Lister and voted.**

#### **VI. PUBLIC COMMENT SESSION**

Mayor Ferrini announced due to the number of speakers this evening we will be limiting each speaker to two minutes in order to stay within the 45 minute time limit under the Public Comment Session rule.

Brad Lown spoke in favor of the zoning ordinance amendment to Sagamore Grove from Waterfront Business District to Single Residence B. He said that this was a unanimous vote of the Planning Board and should be approved by the City Council as submitted.

Steven Lyons, Representing Local AFSCME 1386 urged the City Council to support the Fact Finder's Report. He said that the report resolves outstanding issues and feels it is fair to the City and the union.

Ralph DiBernardo spoke in favor of moving the WW I monuments. He also expressed his opposition to the Continuing Care Retirement Community (CCRC) proposal. Mr. DiBernardo said that residential areas feel as though they are under attack by development and zoning changes.

Steve Lozan spoke in favor of the rezoning request for Sagamore Grove. He said that trucks will not be able to drive down that tiny street and it is a residential area.

John Durkin spoke in favor of the Sagamore Grove rezoning request. He feels that the rezoning is a reasonable request and represents the current residential area.

Matt Taylor spoke in support of the rezoning request for Sagamore Grove. He said that there is current access to the water for the public in this area and it should be zoned Single Residence B.

Jim Archibald spoke in support of the rezoning request for Sagamore Grove and urged the support of the City Council.

Erik Anderson expressed concern with the process used by the City Council for the approval of contracts. He feels there should be a reasonable amount of time for the residents to review the contracts before the City Council takes action. Mr. Anderson requested that the City Council table the contracts before them this evening to allow for further review and comment by the residents.

Bill St. Laurent, Association of Portsmouth Taxpayers said that the public comment session should allow each speaker three minutes whether they go over the 45 minute limit. He also feels there needs to be more reviews by residents of the contracts.

Richard Brooks, Central Veterans Council, spoke regarding the relocation of the WW I monuments to Langdon Park. He informed the City Council that he was not able to receive responses from everyone relative to this move. He said the overall response was basically inconclusive as to the proper location for the monuments. In conclusion, he said the ultimate decision rests with the City Council and the CVC will support any action that the Council may take on this matter.

Stephanie Seacord, Portsmouth Historical Society thanked the City Council for their consideration of the Preserve American Community Resolution and urged its approval.

Matt Dwyer, Portsmouth High School Custodian urged the City Council to support the Fact Finders Report for Local AFSCME 1386.

Martin Cameron said that the water bills should go back to quarterly billing.

Michael Meglida said he is also speaking on behalf of abutters on Walker Bungalow Road to support the rezoning of Sagamore Grove to Single Residence B.

William Pingree said his lot is one of the six properties on Sagamore Grove that is waterfront. He said any zoning changes will make the area what it has been for the last 70 years, residential.

Clyde Logue spoke in support of the zoning request for Sagamore Grove and said the area should be Single Residence B.

Harold Whitehouse spoke in support of the WW I monuments to be placed back to there original location at the Plains School.

Craig Sieve spoke in support of the zoning change for Sagamore Grove. He said the zoning should reflect the current residential use of the area.

Peter Weeks, PGW Real Estate Consulting, Brokerage, and Construction Management, spoke to his applications for the zoning change on Sagamore Grove to Single Residence B. He reviewed the Planning Board process followed for the rezoning request. He said that the area should be rezoned to Single Residence B and that there has not been a waterfront business in that area since 1965.

Joe Golter spoke in favor of the zoning change for Sagamore Grove and said that the area is residential.

## **VII. APPROVAL OF GRANTS/DONATIONS**

- A. Acceptance of Donation from Marie-Helene James for a Bench in Memory of her son Eric James - \$1,000.00

**Councilor Coviello moved to approve and accept the donation for a bench in memory of Eric James, as listed. Seconded by Councilor Kennedy and voted.**

- B. Energy Grant Award for Discover Portsmouth Center

**Councilor Smith moved to authorize the City Manager to accept and expend a \$140,000.00\* grant from the TRC Environmental Corporation for energy upgrades to the former Library Building at 10-30 Middle Street. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

**Councilor Smith moved to suspend the rules in order to take up Items XI. A.1. – A.3. - Approval of Steve Griswold, Deputy Fire Chief's Employment Agreement; Approval of David Ferland, Police Chief's Employment Agreement; and Approval of Stephen Dubois, Deputy Police Chief's Employment Agreement. Seconded by Councilor Kennedy and voted. Councilor Coviello voted opposed.**

- XI. A.1. Approval of Steve Griswold, Deputy Fire Chief's Employment Agreement

**Councilor Smith moved to approve this Employment Agreement to expire on March 1, 2012 with Steve Griswold, Deputy Fire Chief, as presented. Seconded by Councilor Dwyer.**

Councilor Coviello said he would vote opposed to the contract because he does not feel the Council is headed in the right direction with the contract in terms of cost and benefits. He said that he would oppose all three contracts because of the costs involved.

**Motion passed with Councilor Coviello voting opposed.**

- XI. A.2. Approval of David Ferland, Police Chief's Employment Agreement

**Councilor Smith moved to approve this four (4) year Employment Agreement to expire on June 30, 2014 with David Ferland, Police Chief, as presented. Seconded by Councilor Lister and voted. Councilor Coviello voted opposed.**

*\*Corrected 08/17/2010*

**XI. A.3. Approval of Stephen Dubois, Deputy Police Chief's Employment Agreement**

**Councilor Lister moved to approve this four (4) year Employment Agreement to expire on June 30, 2014 with Stephen J. DuBois, Deputy Police Chief, as presented. Seconded by Councilor Smith and voted. Councilor Coviello voted opposed.**

**VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. Third and final reading of Ordinance amending Chapter 10, Article IV, Section 10.420 – District Location and Boundaries that the following lots be rezoned from Waterfront Business (WB) to Single Residence B (SRB): Assessors Map 201, Lots 3, 4, 5, 6, 7 and 8 (1-6 Sagamore Grove); and that the Zoning Map be revised accordingly as shown on the exhibit titled “Sagamore Grove Waterfront Business District – Proposed Zoning”

**Councilor Coviello moved to pass third and final reading of the proposed Ordinance and zoning map, as submitted. Seconded by Councilor Dwyer.**

Councilor Kennedy said she would vote opposed to the motion because she feels it is the start of changing waterfront business zoning. In addition, she said that the Council needs to consider the zoning in the Master Plan.

Councilor Coviello said that by approving the change it does not mean that a ball will start rolling to change other waterfront business areas. He said each proposal is reviewed and considered on their merits by the land use boards.

Councilor Lister said he is thankful to the Planning Board for their work on this matter.

Councilor Dwyer said that the case has been made for this zoning change, everything was reviewed and the Planning Board is recommending this change.

Assistant Mayor Novelline Clayburgh thanked everyone that has spoke to the City Council on this issue. She said that she spoke with Planning Director Taintor in detail regarding this proposed amendment and based on the process followed by the Planning Board, she would support the ordinance.

Councilor Smith said he reviewed all the information on this matter and will support the motion.

Mayor Ferrini passed the gavel to Assistant Mayor Novelline Clayburgh.

Mayor Ferrini said he would support the motion for the rezoning request of Sagamore Grove. He said that this is an appropriate zoning change for the area.

Assistant Mayor Novelline Clayburgh returned the gavel to Mayor Ferrini.

**On a roll call 6-3, voted to pass third and final reading of the proposed Ordinance and zoning map, as submitted. Assistant Mayor Novelline Clayburgh, Councilors Hejtmanek, Dwyer, Coviello, Smith and Mayor Ferrini voted in favor. Councilors Lister, Spear and Kennedy voted opposed.**

**IX. CONSENT AGENDA**

***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

- A. Letter from David Hallowell, Portsmouth Maritime Folk Festival, requesting permission to hold the Maritime Folk Festival on Saturday, September 25, 2010 – Sunday, September 26, 2010 (***Anticipated action – move to refer to the City Manager with power***)
- B. Letter from Chris Curtis, The Music Hall, requesting permission to close Chestnut Street from Congress to Porter Streets for the Annual Telluride by the Sea Weekend Celebration Friday, September 24, 2010 – Sunday, September 26, 2010 (***Anticipated action – move to refer to the City Manager with power***)

**Councilor Smith moved to adopt the Consent Agenda. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

**X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Ralph and Linda DiBernardo requesting to separate the capital expenditure and the use fee associated with waste water treatment by making the capital expenditure a tax

**Councilor Coviello moved to accept and place the letter on file. Seconded by Councilor Lister.**

City Manager Bohenko explained that not all customers would receive a benefit from this request. He said that the bill would not be based on usage.

Councilor Kennedy requested that the City Council receive a copy of the City Manager's bullet points regarding this request.

**Motion passed.**

- B. Letter from Jeremy Bell, Isles of Shoals Steamship Company, requesting that 4 to 6 parking meters be bagged on the Sheraton side of Market Street immediately adjacent to their lot on Saturdays from mid-June through Labor Day with the City fee being waived

Councilor Kennedy advised the City Council that she would abstain from voting on this matter as she serves on the Isle of Shoals Steamship Company Committee.

City Manager Bohenko said he supports this request and feels it would cause an increase in business to the downtown. He informed the City Council that the City would see a loss of \$1,000.00 in revenue.

**Assistant Mayor Novelline Clayburgh moved to grant the request as submitted by Isles of Shoals Steamship Company. Seconded by Councilor Lister.**

Councilor Spear said he would not support this request because potentially other downtown businesses could ask this same request. City Manager Bohenko said that this is a non-profit business and the City tries to work with non-profits on these requests. Councilor Spear said he would prefer this take place at another location.

Councilor Smith said he prefers that items such as these go before the Parking Committee but he understands that there is a time factor for the request. He said he would like to see 4 meters used and would like to know the hours the Isles of Shoals Steamship Company would be using the location. City Manager Bohenko said he would provide a memorandum back to the City Council on the number of meters and the hours of use.

**Motion passed with Councilor Kennedy abstaining from voting on this matter.**

## **XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

### **A. CITY MANAGER**

4. Review of Fact Finder's Report of AFSCME Local 1386

City Manager Bohenko reported that the Fact Finder's report did not support any of the overtime concessions the Council would like to achieve through negotiations and recommended that the City Council reject the report.

Councilor Dwyer informed the City Council that she would be abstaining from discussion on this matter.

**Councilor Coviello moved that the Fact Finder's Report be rejected because this does not achieve the goals of the City Council in the area of overtime. Seconded by Councilor Kennedy.**

Councilor Smith thanked both sides for the work on this report. He said that Item 21 of the report regarding overtime concessions does not meet the guidelines of the City Council and is a concern. Councilors Lister and Kennedy said they agree with Councilor Smith regarding Item 21 of the report.

Mayor Ferrini passed the gavel to Assistant Mayor Novelline Clayburgh.

Mayor Ferrini said he would reject the report but thanked everyone for their work on this matter. He said that the overtime is an issue for the City Council and therefore he would not support the report.

Assistant Mayor Novelline Clayburgh returned the gavel to Mayor Ferrini.

**Motion passed.**

5. Report Back Re: Central Veterans Council request to relocate the WW I Monuments to Langdon Park

City Manager Bohenko said he would recommend relocating the monuments to Langdon Park.

**Councilor Smith moved to authorize the City Manager to implement the relocation of the WW I Monuments to Langdon Park as recommended by the City Council liaisons and City staff. Seconded by Councilor Coviello.**

Councilor Lister said that he and Councilor Smith met with the Central Veterans Council on this matter. He reported the dialogue has been great and we need to keep in mind the honor of the people when relocating the monuments. He also indicated at some point in the future there may be additional monuments erected and that needs to be considered as part of the big picture.

Councilor Spear said during the Public Comment Session he heard that there is not an agreement in relocating the monuments to Langdon Park. He said there has been limited public input on this matter and feels the matter should be tabled.

**Councilor Spear moved to table this matter indefinitely. Seconded by Councilor Kennedy.**

Councilor Spear said he wants to insure that the City Council is taking the right action on this matter. He would like to see more public input received.

Councilor Smith said that the Plains Field location has safety issues associated with it, no sidewalks, no cross walks and no parking available.



Assistant Mayor Novelline Clayburgh said that she would not support the tabling motion. She spoke to the Veterans Committee meeting on this matter and making their recommendation to relocate the monuments to Langdon Park.

**Motion to table failed on a unanimous voice vote.**

**Main motion passed.**

10. Request to Extend Art-Speak Memorandum of Understanding (MOU)

**Assistant Mayor Novelline Clayburgh moved to suspend the rules in order to allow Jane James to approach the City Council and speak on this request. Seconded by Councilor Smith and voted.**

Ms. James requested that the City Council support the Memorandum of Understanding (MOU) with Art-Speak as presented.

City Manager Bohenko recommended that the City Council support the request made by Ms. James to extend the Art-Speak Memorandum of Understanding (MOU).

**Councilor Lister moved to authorize the City Manager to extend the MOU with Art-Speak from July 1, 2010 through June 30, 2011. Seconded by Assistant Mayor Novelline Clayburgh.**

Councilor Coviello said that arts and culture is an important part of the community and drives economic development. He thanked Art-Speak for their continued hard work.

**Motion passed.**

Mayor Ferrini presented Jane James with a gift in recognition of her service as President of Art-Speak. Ms. James thanked Mayor Ferrini, the City Council and staff for their support during her term as President of Art-Speak.

6. Report Back Re: Request to make the Ceres Street Waterfront Pocket Park a non-smoking area

City Manager Bohenko said that this request is to make the pocket park on Ceres Street designated as a non-smoking area.

City Attorney Sullivan said because of children in the area the pocket park should be designated a non-smoking area. City Attorney Sullivan said because the City owns Ceres Street Waterfront Pocket Park it is not necessary for the City to rely upon legislative authorization to adopt regulations, rather the City has authority with respect to the Park arising from its status as the owner of that property.

He reported that we are all cognizant of the fact that a simple ban on smoking at the Park might have the unintended effect of driving the smokers either into Ceres Street or onto private property in the vicinity of the Park, such as the area between the Old Ferry Landing and the buildings along Bow Street.

City Attorney Sullivan indicated that smoking should be banned in the Park area but there should be a designated smoking area as far from the restaurants and waterfront area as possible. The designated smoking area should be in the area directly in front of the dumpster enclosure with a smoking material receptacle provided. He also informed the Council that signs will be posted to the area being non-smoking as well as the area that is designated for smoking to take place. Formal enforcement, if necessary, would likely be found through the trespass provision of the criminal code because smokers would be instructed to leave the Park.

**Councilor Kennedy moved to accept the recommendation of the City Attorney, regarding this matter. Seconded by Assistant Mayor Novelline Clayburgh.**

Councilor Lister said he would prefer the entire area to be non-smoking.

**Councilor Lister moved to amend the motion and create the area in front of the dumpster enclosure to also be designated non-smoking. Seconded by Councilor Kennedy.**

Assistant Mayor Novelline Clayburgh said she would not support the amendment. Councilor Coviello agreed with Assistant Mayor Novelline Clayburgh.

Councilor Kennedy said she feels all City property should be designated non-smoking.

Councilor Smith said he would not support the amendment because the smokers need an area or they would move out into the streets.

Mayor Ferrini passed the gavel to Assistant Mayor Novelline Clayburgh.

Mayor Ferrini said he would not support the amendment because he feels there should be a small designated area for smokers.

Assistant Mayor Novelline Clayburgh returned the gavel to Mayor Ferrini.

**On a voice vote 7-2, motion to amend that would create the area in front of the dumpster enclosure to also be designated non-smoking failed to pass. Councilors Lister and Kennedy voted in favor. Assistant Mayor Novelline Clayburgh, Councilors Hejtamenak, Spear, Dwyer, Coviello, Smith and Mayor Ferrini voted opposed.**

**Main motion passed.**

Recommendation:

*Smoking is banned in the Park area with a designated smoking area in the area directly in front of the dumpster enclosure. A smoking material receptacle would be provided at the location. Formal enforcement, if necessary, would likely be found through the trespass provision of the criminal code because smokers would be instructed to leave the Park. Failure of the smokers to leave the Park would constitute trespass.*

7. Report Back Re: Big Brothers Big Sisters request to hold the Seacoast Stiletto Sprint

**Councilor Smith moved to refer this matter to the City Manager with power. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

8. Report Back and Request to Establish Work Session Re: Continuing Care Retirement Community (CCRC)

City Manager Bohenko recommended that the City Council conduct a Work Session on the Continuing Care Retirement Community (CCRC) due to its voluminous content.

**Assistant Mayor Novelline Clayburgh moved to schedule a work session on June 28, 2010 at 6:30 p.m. to further discuss the proposed Continuing Care Retirement Community zoning amendments. Seconded by Councilor Coviello.**

Councilors Dwyer and Spear advised City Manager Bohenko and the rest of the City Council that they would not be able to attend the Work Session. Councilor Dwyer asked to join the Work Session via teleconference.

**Motion passed.**

9. Authorize Sale of former Fire Station 2 through Auction Process

City Manager Bohenko reported that this would allow the sale of former Fire Station 2 through an auction process.

**Councilor Dwyer moved that the City retain the services of Paul McInnis Inc. for the proposed auction sale. Seconded by Councilor Smith and voted.**

11. Proposed Economic Revitalization Zone (ERZ) for Commerce Way

City Manager Bohenko reported that the City has received a letter from Michael Kane requesting that an application be submitted to the New Hampshire Department of Resources and Economic Development for designation of Commerce Way Business Park as an Economic Revitalization Zone (ERZ).

He indicated that the ERZ designation is an economic development tool that creates incentive for companies to expand or relocate to an eligible area. Businesses located in an ERZ may be eligible for up to \$40,000 in tax credits to be used against its Business Profit Tax and Business Enterprise Tax up for a five-year period. To qualify for the tax credit, businesses in the zone must create new jobs and expand the economic base by creating new facilities or by the rehabilitation of existing structures. In 2009, at the recommendation of the Economic Development Commission, the City Council applied for and received ERZ status at Pease Tradeport and Highliner Avenue. Some of the eligible businesses in those areas are benefiting from the designation.

He further stated to implement the ERZ program so that local businesses are able to qualify for the tax credits, the City must identify a revitalization area and apply to the state for approval of the designated area. After state approval from the Division of Business Resources, businesses can apply for tax credits. There is no cost to the local community for designating ER Zones.

City Manager Bohenko informed the Council that the Commerce Way request is in anticipation of renovations to several buildings at the office complex as outlined in Mr. Kane's letter. The Kane Company plans to reduce the business park's current 59% vacancy rate through proposed upgrades to the interior and exterior of the office buildings including a completely new landscape design. The building plans include energy star ratings and other environmentally responsible construction and operations.

In closing, City Manager Bohenko reported that the Economic Development Commission reviewed the request from The Kane Company at its June 4, 2010 meeting and unanimously voted to recommend that the City Council submit an ERZ application to the State for the business park.

**Councilor Smith moved to authorize the City Manager to submit an application to the New Hampshire Department of Resources and Economic Development for approval of the Commerce Way Business Park Area as an Economic Revitalization Zone (ERZ). Seconded by Assistant Mayor Novelline Clayburgh and voted.**

12. Request to Dispose of Surplus Vehicles

City Manager Bohenko reported that this would allow the disposition of surplus vehicles.

**Councilor Smith moved to authorize the City Manager to dispose of surplus vehicles and other equipment by the sealed bid process. Seconded by Councilor Lister and voted.**

13. Request to Establish Public Hearing Re: Prime Wetlands Designation

City Manager Bohenko said that he is requesting to establish a Public Hearing regarding the Prime Wetlands Designation at the July 19<sup>th</sup> City Council with a presentation by staff.

**Councilor Smith moved to schedule a public hearing regarding the designation of prime wetlands for the July 19, 2010 City Council meeting. Seconded by Councilor Lister and voted.**

14. Preserve America Community Resolution

City Manager Bohenko recommended that the City Council approve the Resolution as presented.

**Councilor Smith moved to adopt the Preserve America Community Resolution, as presented. Seconded by Councilor Lister and voted.**

City Manager Informational Items.

- Wastewater Master Plan Update

City Manager Bohenko announced that the public update session on the Wastewater Master Plan will take place on Wednesday, June 23<sup>rd</sup> at 6:30 p.m., in the Levenson Room. Discussion will take place regarding the draft Wastewater Master Plan and Long-Term Control Plan, which was submitted to the U. S. Environmental Protection Agency and the New Hampshire Department of Environmental Services.

Councilor Coviello said he would like to see the City Council be able to have dialogue with the experts regarding the plan. City Manager Bohenko said he would check to see if dialogue could take place.

**B. MAYOR FERRINI**

1. Cable Television Public Access Charitable Trust Appointment of Councilor Jerry Hejtmanek

**Councilor Coviello moved to appoint Councilor Jerry Hejtmanek to the Cable Television Public Access Charitable Trust. Seconded by Councilor Kennedy and voted.**

**Assistant Mayor Novelline Clayburgh moved to suspend the rules in order to allow Mr. Jack Thorsen to address the City Council regarding the Cable Television Public Access Charitable Trust. Seconded by Councilor Kennedy and voted.**

Mr. Thorsen spoke briefly with the City Council regarding the Cable Television Public Access Charitable Trust. He reported on the 11 members that serve on the Committee and their desire to move forward in the process.

2. Appointments to be Considered:
  - Eva Powers – Appointment as an Alternate to the Conservation Commission
  - Elissa Hill Stone – Appointment as an Alternate to the Conservation Commission

The City Council considered the above referenced appointments which will be voted on by the Council at the July 19, 2010 City Council meeting.

3. Appointments to be Voted:
  - Kelvin Edwards – Appointment to the African Burying Ground Blue Ribbon Committee
  - Joseph Almeida – Reappointment to the Historic District Commission
  - Tracy Kozak – Reappointment to the Historic District Commission
  - Jonathan Wyckoff – Reappointment to the Historic District Commission
  - Steven Berg – Reappointment to the Portsmouth Housing Endowment Fund Advisory Board
  - Christine Lukacz – Reappointment to the Portsmouth Housing Endowment Fund Advisory Board

**Councilor Kennedy moved to appoint Kelvin Edwards to the African Burying Ground Blue Ribbon Committee; the reappointment of Joseph Almeida to the Historic District Commission until June 1, 2013, Tracy Kozak and Jonathan Wyckoff to the Historic District Commission until June 1, 2013; reappointment Steven Berg to the Portsmouth Housing Endowment Fund Advisory Board until June 21, 2011 and Christine Lukacz to the Portsmouth Housing Endowment Fund Advisory Board until June 1, 2012. Seconded by Councilor Lister and voted.**

### **C. COUNCILOR DWYER**

1. \*Middle School Progress Report

Councilor Dwyer provided the following progress update on the Joint Building Committee.

#### **Overall**

- Through RFP process, selected Gilbane Construction as construction manager and have come to agreement on a contract
- Approved Dan Hartry as clerk of the works
- Communications subcommittee has designed website for project updates – about to launch

## **Middle School**

- Following April 28<sup>th</sup> public input session, JBC approved schematic design for middle school
- Recommended construction phasing plan to School Board which approved the first two phases:
  - Phase 1: Spring 2011-Summer 2012 (build new addition)
  - Phase 2: June 2012-Feb 2013 (move into new addition: renovate 1930's building)
  - Phase 3: March 2013 – August 2013 (take down 1970's wing; build cafetorium, music, band rooms)
- Initial discussions/reviews on interior finishes, energy systems, value engineering specifics
- Underway are studies re: traffic, acoustics, technology planning

## **High School Field**

- Bid awarded to replace field with artificial turf, GMP #1 was approximately \$1.1 M (about \$18K lower than original estimate)
- Action over next few weeks is topsoil removal to Granite Street site
- Slated for completion first week of September

## **Granite Street Softball Field**

- Full team worked to address concerns raised by the Technical Advisory Committee, abutters, and Planning Board and received approval by Planning Board of site plans on June 17<sup>th</sup>
- Held onsite meeting to prepare abutters for truck activity associated with topsoil deliveries
- Preparation for Section 106 process is underway with submittal to state slated for July 7<sup>th</sup>

## **Some Upcoming Activities**

July 21, 2010 – Session for public input on the site plan for Middle School

August 3, 2010 – Site plan to Traffic & Safety Committee

August 27, 2010 – Site plan to Conservation Commission

August 19, 2010 and September 26, 2010 – Site plan to Planning Board

Councilor Spear reported with the hiring of Gilbane it has brought cost refining and they are reasonable.

Mayor Ferrini thanked the Committee for their work on this project.

Councilor Coviello asked when the demolition of the Wentworth School would be taking place. Councilor Dwyer said approximately some time in August.

**D. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the June 10, 2010 meeting

**Assistant Mayor Novelline Clayburgh moved to approve and accept the action sheet and minutes of the June 10, 2010 meeting. Seconded by Councilor Lister and voted. Councilor Kennedy voted opposed.**

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Lister requested that Mayor Ferrini send a letter to the School Board requesting a copy of budget adjustments.

Assistant Mayor Novelline Clayburgh said that two speakers during the Public Comment Session asked for copies of the contracts and asked if that could be done. City Manager Bohenko said that the City Council would have to instruct him how they wish to proceed with the process. City Manager Bohenko said that the Council currently receives the contracts 10 days before it goes to the City Council for consideration. He said that an additional step would need to be added to the process.

Mayor Ferrini said he would like the contracts to be public and for the public to have access to them in advance of the meeting when the City Council acts on them. City Manager Bohenko said that the City Council would need to establish a policy. Councilor Dwyer said further discussion should take place with the City Council on this matter. She further stated that there is a difference between a contract and a working agreement.

**XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]**

**At 9:35 p.m., Councilor Smith moved to adjourn. Seconded by Assistant Mayor Novelline Clayburgh and voted.**



Kelli L. Barnaby, CMC/CNHMC  
City Clerk