

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, NOVEMBER 8, 2010

PORTSMOUTH, NH  
TIME: 7:00 PM [or thereafter]

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

Mayor Ferrini called the meeting to order at 7:00 p.m.

### **II. ROLL CALL**

Present: Mayor Ferrini, Assistant Mayor Novelline Clayburgh, Councilors Lister, Hejtmanek, Spear, Dwyer (*arrived at 7:30*), Coviello, Kennedy and Smith.

### **III. INVOCATION**

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

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

Mayor Ferrini introduced the Webelos I Pack 164 for the posting of the colors who then led in the Pledge of Allegiance to the Flag.

## **PRESENTATION**

### **1. Wastewater Master Plan Final Report to Environmental Protection Agency (EPA)**

Deputy Public Works Director David Allen and Peter Goodwin of Weston and Sampson presented an overview of the final Wastewater Master Plan Report.

Mr. Goodwin thanked the City for their work over the last 2-3 years stating they have been receiving quarterly updates up to and including this one. He reviewed the scope of work that has occurred to this point and stated that after the submission of the draft WMP in June of 2010 regarding the phased expansion of Pease WWTF, no issues have been resolved with the EPA or NHDES as of yet. He stated that the follow-up to their response by the City has been to develop an alternative compliance strategy on Peirce Island, extend the submission date of the final WMP to November 15, 2010, and identification of preliminary engineering efforts including on-site technology testing. He continued by reviewing the alternative phased compliance strategy of Peirce Island/Pease. These steps include, secondary treatment at Peirce Island within existing fence line by 2017; WMP team identified innovative technologies with potential to reduce footprint of upgrade requirements; preliminary engineering, including on-site testing of potential technologies will be completed to assist with final technology selection; and expanding Pease over time as regulatory and economic conditions permit. Mr. Goodwin reviewed the overlay of the proposed secondary treatment facility within the existing fence line as well as the advantages of the revised compliance strategy. The advantages include; limits cost of compliance to \$30M by deferring additional investments until regulatory issues are resolved; complies with Consent Decree requirement in a time frame acceptable to the EPA; allows for continued sewer separation prior to planning for nutrient removal; allows stakeholders time to determine appropriate nutrient limits for Great Bay; and the City's long term goal of reclaiming Peirce Island is not precluded. Regarding the

Challenges of the EPA driven compliance strategy; Technology testing is required to confirm performance; EPA may impose nutrient limits which may require additional capital investment; and outstanding regulatory questions may still impact future decisions at Pease and Peirce Island. Mr. Goodwin then presented the average annual residential user rates currently and projected in 2017 which would increase \$300.00 including existing capital improvement plan projects and potentially another \$300.00 with the compliance strategy adder. Mr. Goodwin concluded by reviewing the continued regulatory process which includes; submit final WMP/LTCP to EPA/DES by November 15, 2010; obtain final EPA/DES approval of revised Compliance Strategy; resolve outstanding regulatory questions pertaining to Pease and Peirce Island; continued regional cooperation regarding Great Bay Water Quality concerns.

Deputy Public Works Director David Allen reviewed the requested actions of the Council including; authorize the City Manager to submit Final WMP/LTCP Report to EPA/DES and staff will be requesting the re-programming of sewer separation project funding for implementation of WMP preliminary engineering effort.

**Councilor Coviello moved to suspend the rules to move up Item XII.A.5. on the Agenda. Seconded by Councilor Lister and voted.**

Councilor Kennedy asked when the next chance for public input will be. Deputy Director Allen stated when the next permit comes up in 2012.

City Manager Bohenko stated that the fence line was a big concern as well as making sure that the technology will work for a secondary treatment facility. He stated we will continue to work with the EPA to move the flow over to Pease. He stated that tonight we are looking for a viable plan to implement the secondary treatment at Peirce Island within the fence line.

5. Wastewater Master Plan Final Report to Environmental Protection Agency (EPA)

**Councilor Coviello moved to authorize the City Manager to submit its final Wastewater Master Plan to EPA. Seconded by Councilor Smith.**

Councilor Coviello stated that due to EPA time constraints we have to build this to get by until we can go to Pease and wonders what the difference in cost will be because of this. Deputy Director Allen stated it is too soon to answer this question.

Councilor Kennedy stated that weighing between the options she is glad we are getting a secondary treatment plant, but asked what if they require us to deal with the nutrients in the next five years.

Peter Rice, City Engineer, Water/Sewer Division, explained that this is not going to be a wasted step because the secondary treatment is being built within the current building and goes 30 feet down and we are not demolishing tanks. He continued that with the reduction of flow this can be accomplished and gives us flexibility and time.

Councilor Kennedy asked how long the permit is good for. Mr. Rice stated 5 years with the next one beginning in 2012. Councilor Kennedy stated that it would be possible then in 2017 that we would have to deal with nutrients.

Discussion ensued regarding nutrient levels and the uncertainty of future requirements.

Assistant Mayor Novelline Clayburgh stated that this is a frustrating issue and feels we have our back against the wall. She thanked the staff for all of their work to bring this forward and wonders why the DES can't give us the answers. She stated that this plan makes sense shows that it will not be as much as they thought and is reasonable to the taxpayers.

Councilor Kennedy asked what the perceived increase in traffic may be. Deputy Director Allen stated it should stay the same as current, but there will be more sludge removal.

Councilor Kennedy asked how Newcastle fits into this. Deputy Director Allen stated they will continue as usual under the current system as they pay the same as Portsmouth residents. Councilor Kennedy asked if we can reopen that. Deputy Director Allen stated yes.

Councilor Spear stated that after reading the letters from the DES it gave the appearance the City was slacking and feels this is an opportunity to buy goodwill and time. He stated that this shows that Portsmouth is on the map in regional leadership.

City Manager Bohenko stated we are already established as leaders in the nitrogen issue and it is not only at the Wastewater treatment plant which is 20%, but 80% comes from other types of runoff.

**Motion passed.**

**V. ACCEPTANCE OF MINUTES** – There were no minutes for acceptance.

## **VI. PUBLIC COMMENT SESSION**

Representative Rich Dipentima– spoke in favor of keeping fluoride in the water supply. He stated that the debate of water fluoridation is filled with a lot of rhetoric. He stated that this has been around since 1945 and there have been countless studies showing the safety and effectiveness. He cited several examples of studies. He concluded by stating that this issue was put to referendum vote 2 times in the City of Manchester and passed both times.

Daniel Brown M.D. – spoke in favor of fluoridation in the water stating the he does agree that policies should be reviewed from time to time. He stated this issue is not a fad and there is a lot of misinformation on the internet. He stated there is continued good research and study that supports the value of fluoride and feels the worst thing to do in a bad economy is to lose fluoridation.

Keith Eveland – spoke in favor of fluoridation stating he was a pediatric dentist in the City of Portsmouth from 1972 to 2007 and was here in 1976 when fluoride was voted to be added to the water supply. He continued that he used to operate on children with fully decayed mouths and now it is uncommon and he feels that it has been a life-saver. He concluded by stating he heard some of the same arguments against fluoridation in 1976 as he is hearing now and feels that they are scare tactics.

Whitney Goode – spoke in favor of fluoridation stating she is a public health dentist and sees the benefits of the fluoridation every day. She stated the fluoridation of water started in Grand Rapids Michigan and the studies have supported its success over the years.

Peter Bresciano – spoke regarding assessments stating that this is the first time in many years that he did not receive his tax bill on November 1<sup>st</sup>. He stated that the schpeel that the Assessor gave on October 4<sup>th</sup> was the same stuff he has heard in 1994, 2000, 2006, etc. He stated he contends that 80% of the homeowners don't know how to read their tax cards and feels they should all learn because there are inaccuracies. He related his personal story of finding an inaccuracy. He distributed information for the record of 58 properties showing various increases and decreases.

Rick Horowitz – spoke in opposition to fluoridation stating that people who have spoken are saying these are scare tactics, but feels that most of the “world-wide” studies being cited are actually mostly places located in the United States as most of the rest of the world have specifically chosen not to fluoridate their water. He continued that people say they can filter the water, but that also takes out the other healthful minerals. He stated many of the scientists who originally supported fluoridation have come out against it now. He stated that on the toothpaste containers it states that if toothpaste is swallowed, then Poison Control must be called. He asked the Council to get out in front of this issue and give people a choice.

Shannon Farrelly – spoke against fluoridation stating that Mr. Horowitz did a commendable job of outlining the risks and stated that more and more we are finding things that are commonly used are toxic, i.e. plastic, pesticides, etc. She stated that removing fluoride from the water can be a first step. She stated that of course we should all be concerned with lower income children, but feels there are other sources available and we can work together as a community to outreach to people. She concluded by stating that Portsmouth is “going green” and this would be a good step towards this. She encouraged everyone to become educated and to look to social networks for the discussion being held everywhere on this topic.

Neil Hiltunen, President of the Board of Dental Examiners – submitted written comments for the record. He spoke in favor of fluoridation stating he looks at this as an opportunity to get correct information out to the public. He stated that the studies overwhelmingly prove fluoridation is beneficial and is an inexpensive, effective use of public funds to combat dental disease.

Martin Cameron – spoke regarding several issues including thanking the public works department for moving the grave markers, fluoride, and the Town of Greenland requesting waivers of certain projects.

Jon Wendall, Pediatric Dentist – distributed pictures with examples of mouths; one with fluoridation and one without, to illustrate the effectiveness. He stated that people have the choice of drinking bottled water and suggested people go to the ADA website for more information.

Bryan Frobese – spoke in favor of removing fluoride stating that it is medicating the whole town without their choice. He stated there are other sources of fluoride, which is considered a poison if too much is ingested. He stated that the bottled water option isn't practical for cooking, cleaning etc.

Harold Whitehouse – spoke regarding assessments stating he has spoken with the City Assessor and thanked her for her professionalism. He then gave the example of his own property which he has owned for 45 years and built the house himself. He stated he feels he is now being penalized for living in the south end. He continued that he doesn't understand how the true value of his property can be determined when he has never sold the property and feels that there should be legislation to bring a homestead exemption forward for people in his position. He stated he doesn't qualify for an elderly exemption as he is \$400.00 over the limit and worries how he will stay in his home.

Dawn McGill – spoke regarding fluoridation stating she appreciates the doctors and dentists who have spoken, but feels that fluoridation is a controversial issue. She cited various examples of people who are not supposed to ingest fluoride, i.e. kidney patients, children under 1 year old, etc. She stated that Europe is actually 98% fluoride free in the water supply and cited some examples of negative effects of fluoride. She concluded by stating that this is a controversial subject and that it should be pursued further.

Nancy Stiles – introduced herself as the State Senator-elect and provided contact information to the Council. Mayor Ferrini congratulated her on her elections.

**Councilor Coviello moved to suspend the rules to move up Item XI.C. on the agenda. Seconded by Councilor Spear and voted.**

- C. Letter from Rick Horowitz requesting the City Council support the elimination of fluoride from our water supply.

**Councilor Coviello moved to accept and place on file. Seconded by Councilor Dwyer.**

Councilor Coviello stated that the Council can't pick and choose where we get our information and so rely on experts. He stated another avenue to pursue this would be as a city referendum.

Councilor Dwyer stated she also researched this and spoke to her dentist who supplied her with studies and information from the American Dental Association. She stated they also discussed the pseudo information that can be found on the internet. She stated this issue is something that should be reviewed periodically.

Assistant Mayor Novelline Clayburgh stated that this would involve other communities as well that share our water source. City Manager Bohenko stated that they would also have to have a referendum question on their ballot.

Councilor Smith stated he is opposed to placing this letter on file and feels it should be referred to the City Manager for a report back as there are a lot of pros and cons to this controversial issue.

**Motion passed on an 8-1 vote. Councilor Smith voted opposed.**

## **VII. PUBLIC HEARINGS**

- A. RESOLUTION OF UP TO SIX MILLION FOUR HUNDRED THOUSAND DOLLARS (\$6,400,000.00) FOR CAPITAL IMPROVEMENTS PROJECTS IDENTIFIED IN FY 2011 BUDGET

At the request of City Manager Bohenko, Public Works Director Steve Parkinson reviewed the 7 projects that will be addressed with the \$6,400,000.00 Capital Improvement Funds.

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers. After no speakers, Mayor Ferrini declared the public hearing closed.

- B. RESOLUTION FOR THE SUM OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FOR LEASE PURCHASE TO REPLACE FIRE ENGINE NUMBER 6

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers. After no speakers, Mayor Ferrini declared the public hearing closed.

- C. ORDINANCE AMENDING CHAPTER 1, ARTICLE IV, SECTION 1.404(A)(1) – COMMISSIONS AND AUTHORITIES, HISTORIC DISTRICT COMMISSION MEMBERSHIP

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers. After no speakers, Mayor Ferrini declared the public hearing closed.

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

- A. Acceptance of Donation from Jay and Jean Smith to the USS Virginia Picnic - \$200.00

**Councilor Smith moved to approve and accept the \$200.00 donation for the USS Virginia picnic. Seconded by Councilor Coviello and voted.**

- B. Acceptance of \$10,000.00 Grant from State of NH for Creative Communities Network "pass through" Funds

**Councilor Smith moved to accept and approve the grant. Seconded by Councilor Lister and voted.**

- C. Acceptance of Donations to the Fire Department from Siegel Limited Partnership for the Restoration of 1950 Mack Fire Truck - \$1,000.00

**Councilor Smith moved to approve and accept the donation to the Fire Department for the restoration of the 1950 Mack Fire Truck, as listed. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

- D. Extension of New Hampshire Public Health Network Grant H1N1 Funds

**Councilor Smith moved to authorize the City Manager to apply for, accept and expend additional grant funds from the NH Department of Health and Human Services for the purpose of increasing equipment and supplies, receive additional training, and providing additional public health nursing as necessary. Seconded by Councilor Kennedy and voted.**

- E. Acceptance of Grant to the Police Department from The Bureau of Justice Assistance for Bulletproof Vest Partnership FY 2010 - \$9,325.00

**Councilor Lister moved to approve and accept the grant to the Portsmouth Police Department, as listed. Seconded by Councilor Kennedy.**

Councilor Kennedy thanked the Police Department for applying for grants.

**Motion passed.**

- F. Acceptance of Grant to the Police Department from the Police Standards & Training Council - \$2,000.00

**Councilor Smith moved to approve and accept the grant to the Portsmouth Police Department, as listed. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

## **IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. First reading of Ordinance amending Chapter 10, Article 5, Section 10.517 – Rooftop Appurtenances and Other Rooftop Features

**Councilor Smith moved to accept the Planning Board's recommendation and pass first reading and schedule a public hearing and second reading on the proposed Ordinance amendment, as presented, at the November 22, 2010 City Council meeting. Seconded by Assistant Mayor Novelline Clayburgh.**

Councilor Kennedy asked if there will be a maximum extension of the elevator.

Planning Director Taintor explained that this will add 5' to the current provision of 10' for a maximum of 15' to allow the use of the elevator to the roof and not just to the top floor.

Councilor Coviello stated that this is needed for delivery of equipment, etc.

Councilor Lister asked if there will be another access as well. Mr. Taintor stated there will also be stairs.

**Motion passed.**

- B Second reading and Adoption of Proposed Bonding Resolution of up to Six Million Four Hundred Thousand Dollars (\$6,400,000) Re: Capital Improvement Projects Identified in FY 2011 Budget

**Assistant Mayor Novelline Clayburgh moved to adopt the proposed Bonding Resolution, as presented. Seconded by Councilor Smith.**

Councilor Kennedy stated that fixing streets is good, but we need to fix the bump-outs like the one on State Street. She stated there needs to be a discussion about the slowing of traffic and loss of parking spaces.

Councilor Coviello clarified that there is no loss of parking spaces with bump-outs. Councilor Lister stated that there is the assumption of loss of parking with the bump-outs on Woodbury Avenue as well as how the road will be plowed. He stated this information needs to be put out to the public.

Councilor Kennedy suggested an informational session be held on bump-outs.

**Motion passed.**

- C. Second reading and Adoption of Proposed Bonding Resolution for the sum of Five Hundred Thousand Dollars (\$500,000) for Lease Purchase to Replace Fire Engine Number 6

**Councilor Smith moved to adopt the proposed Bonding Resolution, as presented. Seconded by Councilor Lister.**

Councilor Kennedy stated she is concerned with what happens if another station closes down and where this engine will be kept and wonders if this can wait.

Fire Chief LeClaire stated all fire apparatus is a part of the CIP rolling stock. He explained that they try to get the maximum life of all their vehicles through maintenance, etc. He stated whether Station 3 is closed or not, they will still need this first line vehicle.

**Motion passed.**

- D. Second reading of Proposed Ordinance amending the City Ordinances, Chapter 1, Article IV, Section 1.404(A)(1) – Commissions and Authorities, Historic District Membership

**Assistant Mayor Novelline Clayburgh moved to pass second reading and schedule a third and final reading on the proposed Ordinance, as presented, at the November 22, 2010 City Council meeting. Seconded by Councilor Lister and voted.**



**X. CONSENT AGENDA**

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

- A. Letter from Jill Etori, Cystic Fibrosis Foundation, requesting permission to hold the Seacoast Safari: CF Cycle for Life on Saturday, July 16, 2011 through Sunday, July 17, 2011 ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Kathryn Libby, American Lung Association, requesting permission to hold the second annual Cycle the Seacoast event on Sunday, May 1, 2011 ***(Anticipated action – move to refer to the City Manager with power)***

**Councilor Smith moved to adopt the Consent Agenda. Seconded by Councilor Coviello and voted.**

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

- A. Letter from Mali Welch, Redhook Brewery, requesting permission to assign a street name to Redhook Brewery's driveway and change the brewery's address to "1 Redhook Way"

**Councilor Smith moved to refer to the Pease Development Authority (PDA) for a report back. Seconded by Councilor Kennedy and voted.**

- B. Letter from William Lambert, The Cedars, requesting the installation of a controlled crosswalk at the intersection of White Cedar Blvd. and Lafayette Road

**Councilor Smith moved to refer to the Traffic & Safety Committee for report back. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

- C. Letter from Rick Horowitz requesting the City Council support the elimination of fluoride from our water supply. ***(Action taken previously)***
- D. Letter from Karen Anderson, Town Administrator, Town of Greenland, requesting that the City of Portsmouth provide paramedic intercept service beginning in 2011

**Councilor Smith moved to refer to the Fire Commission for report back. Seconded by Councilor Lister and voted.**

**XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

- 1. Establish City Council Schedule for 2011

**Councilor Smith moved to approve this schedule. Seconded by Councilor Dwyer and voted.**

2. Request for a License from Daniel LaCava, owner of Foobar for property located at 21 Congress Street to install a projecting sign

Mayor Ferrini passed the gavel to Assistant Mayor Novelline Clayburgh as he will be abstaining from this vote.

**Councilor Coviello moved to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Daniel LaCava, owner of Foobar to install a projecting sign on a new bracket at 21 Congress Street and further authorize the City Manager to execute a License Agreement for this request. Seconded by Councilor Lister and voted 8-0. Mayor Ferrini abstained.**

*Planning Board Conditions:*

- *The license shall be approved by the Legal Department as to content and form;*
  - *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
  - *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*
3. Request for a License from Mombo, LLC, owner of Mombo for property located at 66 Marcy Street to install a projecting sign

**Councilor Smith moved to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Mombo, LLC owner of Mombo to install a projecting sign on a new bracket at 66 Marcy Street and further authorize the City Manager to execute a License Agreement for this request. Seconded by Councilor Dwyer and voted.**

*Planning Board Conditions:*

- *The license shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*

4. Request for Approval of Pole License #63-0494

**Councilor Smith moved to approve the request from PSNH for pole license agreement, #63-0494, as recommended by the Public Works Department. Seconded by Councilor Coviello.**

Councilor Kennedy stated she has a personal issue regarding poles and would like to see a copy of the license. City Manager Bohenko explained that the item in the agenda packet is the actual license itself.

**Motion passed.**

5. Wastewater Master Plan Final Report to Environmental Protection Agency (EPA). (**Action taken previously**)

**Informational Items**

1. Events Listing
2. Reminder of Veterans Day Parade and Services
3. City's Public Art Acquisition Standing Committee Members
4. Response to Information Request by Councilor Esther Kennedy Re: Assessments

**B. MAYOR FERRINI**

***The following appointments were considered and will be brought back to be voted at the November 22<sup>nd</sup> Council Meeting.***

1. Appointments to be Considered:
  - Eric Gregg – Economic Development Commission
  - Kory Sirmaian – Recreation Board
  - Todd Henley – Recreation Board
2. Appointments to be Voted:
  - Paul Ford – Taxi Commission (Taxi Company representative)
  - Lisa Destefano - Economic Development Commission (Reappointment)
  - Dana Levenson – Economic Development Commission (Reappointment)
  - Joshua Cyr – Economic Development Commission (Reappointment)

**Councilor Smith moved to approve the appointment of Paul Ford to the Taxi Commission, (Taxi Company representative), and to reappoint Lisa Destefano, Dana Levenson and Joshua Cyr to the Economic Development Commission. Seconded by Councilor Coviello and voted.**

3. Acceptance of Resignation from Charles LeBlanc from the Zoning Board of Adjustment effective December 1, 2010

**Councilor Smith moved to accept with regret and appreciation the resignation of Charles LeBlanc from the Zoning Board of Adjustment. Seconded by Councilor Kennedy and voted.**

Councilor Dwyer asked who appoints the Chairs of committees. City Attorney Bob Sullivan stated the Committee does unless otherwise stated in the by-laws. Councilor Dwyer continued that she feels badly that Mr. LeBlanc is resigning and for all of the stresses that are involved. She stated she wants to figure out how to look at committee ethics and behaviors to avoid this in the future.

Mayor Ferrini stated that part of this discussion would be what ordinances allow and don't allow. He stated that he doesn't want to overly clog the retreat agenda, but this is timely and should be done.

### **C. COUNCILOR SPEAR**

#### 1. Report to City Council Re: European Green Conference

Councilor Spear stated that he recently represented the City of Portsmouth at the first European Green Capital Conference in Stockholm, Sweden, as part of a completely grant-funded delegation of U.S. municipal elected officials invited to share urban sustainability practices. He explained that he joined 11 U.S. Mayors and other high-ranking elected officials at the conference held October 20-22<sup>nd</sup> which focused on a bilateral initiative to promote clean technologies and sustainable solutions such as renewable energy and energy efficiency. He continued that the objectives of the embassy and his purpose in travelling to Stockholm were three; tell green stories of tens cities in the U.S. in hopes that the European perspective on American positions regarding environmental issues would be appreciated; secondly, to promote Portsmouth as being a leader in green issues including urban design, water/wastewater quality, energy efficient buildings and active participatory citizenry; and finally, begin a long term dialogue between US and Swedish cities on environmental issues. He concluded by stating he learned a lot about environmental issues. He stated he has already met with city staff regarding his tour of a wastewater treatment plant in Stockholm and will meet with the Piscataqua Sustainability Initiative to debrief them as well.

### **D. COUNCILOR KENNEDY**

#### 1. \*Assessments

Councilor Kennedy thanked Finance Director Belanger for the information she provided to the Council in their packets. She stated she still has a question regarding Mr. Oakes as to whether or not he is a contractor or not and if so, he would fall under the State RSA requiring him to be declared as such. City Manager Bohenko stated he will get this clarified for the Council.

Councilor Kennedy continued that she has several more questions for the Assessor as a result of the south end meeting recently held and has compiled them for the City Assessor. She stated she understands that Ms. Lentz is working on the manual, but wonders if and when she would be available to answer the questions. City Manager Bohenko stated she will be

available but clarified that she also needs to get her required information and the tax bills ready. He asked that people call his office with any questions.

Councilor Dwyer stated that because of the confusion and misinformation on this issue, she would like to have this discussion and the questions answered in a public meeting rather than the retreat so that it can be broadcast to a wider amount of people.

Mayor Ferrini stated there is the option to hold the retreat in the Chambers, but suggested that the follow up information be provided in the Council packets.

2. \*Budget

Councilor Kennedy stated that last June in discussions regarding the budget, many of the Council said they wanted to get an earlier start on the process. She stated she has compiled a list of items for consideration (written comments provided for the record). She concluded by stating she encourages the Council to provide the citizens a transparent and well organized budget process.

**E. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the October 14, 2010 meeting

**Assistant Mayor Novelline Clayburgh moved to approve and accept the action sheet and minutes of the October 14, 2010 Traffic & Safety Committee meeting. Seconded by Councilor Lister.**

Councilor Smith referred to Item 4, Little Harbour School, stating that these changes will make it safer for the kids as well as the painting of the crosswalks in that area a fluorescent color to make them stand out more.

**Motion passed on an 8-1 vote. Councilor Kennedy voted opposed.**

2. Parking Committee Action Sheet and Minutes of the October 14, 2010 meeting

**Assistant Mayor Novelline Clayburgh moved to approve and accept the action sheet and minutes of the October 14, 2010 Parking Committee meeting. Seconded by Councilor Coviello.**

Councilor Smith referred to Item 4, Request for Horse and Carriage Spaces, stating there once again will be this service in the downtown area.

Councilor Dwyer asked if it will be posted that these spaces will be available for parking when not utilized by the horse and carriage services. Councilor Smith stated yes, it will be posted as it was previously.

Councilor Smith also referred to Item 7, Municipal Agreements to Withhold Vehicle Registrations stating that this item will not be going forward as not all other municipalities have the same checks and balances so this would be hard to enforce.

**Motion passed on an 8-1 vote. Councilor Kennedy voted opposed.**

### **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

Mayor Ferrini stated that earlier in the year the Council met for work sessions on off nights and wants to put that option out there again as there are issues coming up that if discussed prior to a regular meeting, could delay the start of the regular meeting. He stated that the Council Retreat may generate some work session topics.

Councilor Lister acknowledged the Firefighter Service Award being awarded for the charitable work done for Firefighter Sarah Fox.

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

**Councilor Smith moved to adjourn at 9:10 p.m. Seconded by Assistant Mayor Novelline Clayburgh and voted.**

Valerie A. French  
Deputy City Clerk I