

SPECIAL CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, AUGUST 10, 2009

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

I. CALL TO ORDER

Mayor Ferrini called the meeting to order at 7:03 p.m.

II. ROLL CALL

Present: Mayor Ferrini, Assistant Mayor Blalock, Councilors Novelline Clayburgh, Kennedy, Spear, Hejtmanek and Pantelakos

Absent: Councilors Dwyer and Smith

III. PUBLIC HEARING

- A. RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO THIRTY EIGHT MILLION THREE HUNDRED THOUSAND DOLLARS (\$38,300,000.00) FOR SCHOOL IMPROVEMENTS

Mayor Ferrini introduced Mitchell Schuldman, School Board Chairman, who thanked everyone for coming to the public hearing to express their views on this important subject. He then introduced the team from JCJ Architecture and Lisa Destefano from Destafano Architecture stating that Lisa Destefano is local talent with local ties. He concluded by stating that the figure of this bonding is now \$37,500,000.00, which is down from the \$38,300,000.00 on the resolution.

IV. PRESENTATION – JCJ ARCHITECTURE

Jim LaPosta of JCJ Architects gave an overview presentation of the process to date. (Power point document in 08/10/09 meeting folder).

Doug Roberts of JCJ Architects reviewed the scheduling and costs of the project going forward with an expected occupancy date of October 2013.

V. PUBLIC COMMENT/INPUT

Elias Abelson, Chair of Portsmouth Library Board of Trustees (written comments submitted to record, see folder). He referred to a letter to the Editor that appeared July 16th which reported various ratings of the Portsmouth Public Library confirming that it is a remarkable place. He further expressed his concerns of the impact the middle school reconstruction will have on the library and its variety of patrons and asked the Council to address the safety and parking issues this will cause before going forward.

Mayor Ferrini submitted a letter from Donald Pexton to the record as Mr. Pexton could not attend the public hearing. Mr. Pexton asked the Council to vote against the bonding until a solution to all of the important issues has been proposed and voted on by a majority of the people.

John O'Leary, Library Board of Trustees member, spoke to the impact of the construction to library patrons safety and parking issues.

Eva Powers stated that she went on a tour of the Middle School and felt it was both inspiring and discouraging. She was inspired by the way the teachers and Principal Stokel are making the most of the facility, but discouraged by the condition of the building. She asked that the Council vote in favor of the bond resolution.

Pat Gormley stated that this is the right time for this project to go forward as it will still be four years until it is completed and if it is delayed any longer, the costs will be even greater.

Lyonel Tracy stated that the Council needs to make the decision based on creating a unity of purpose. He continued that it has to pass the test of whether or not the project has quality of services at a reasonable cost to the taxpayers. He stated this project does pass that test as it will fix the one major flaw left in the city. He continued that the school is already in the 2nd year of conditional use approval and can only get one more year before having to go to the State Board which does not look favorably upon safety issues. He stated this also needs to move forward now because the state funding has already been approved, but if it does not get approved by the Council by December 31st, it will no longer be available. He continued that lowering the amount of the bonding would also put the funding in jeopardy because of the State 60% rule, that any overages would not be covered if not a part of the original plan. He concluded by stating that the City of Portsmouth was a "donor" town for several years and feels that we should get some money from Concord before it goes elsewhere.

Jack Chambers stated that the condition of the middle school prevents the city from having an excellent school system. He stated people move to cities with excellent schools and that helps build the tax base and that the taxpayers should consider this an investment in their property value.

Carol Chellman thanked the Council for their work on the Middle School and also thanked other members of the community including the School Board and John Stokel, Middle School Principal. She stated that this project has gone through many phases and at any time it could have been dropped, but has made it this far and therefore, should continue. She stated she understands that there are citizens on fixed income, senior citizens, etc. that can't afford more taxes and we should help these people, but she also feels that we can't stop improving our city streets, schools etc. She stated Portsmouth is a diverse community and we need to represent all people, including those who want to improve the city. She concluded by stating that she has heard that the figure is too high and may be lowered to \$30,000,000 or \$32,000,000 and doesn't understand how they can do that when it has already been lowered several times and this is the amount that the experts say it will cost.

She stated that we should respect the experts' opinion and Lisa Destafano has done work all over the city and is local. Finally she asked that they not cut any more from the figure and jeopardize this being done right.

John Anderson stated he has 8, 6 and 2 year old children and feels that buildings are like cars and need to be maintained to keep in good shape. He stated we do pay higher taxes in Portsmouth, but we also get a lot of great services including the new library. He stated people come here for vacation and we get to live here. He feels that the Council is investing his money rather than spending it and stated that the market is good right now for construction in terms of lower costs and availability. He concluded that as a taxpayer he would like good schools.

John Lyons stated he has listened to the Library Board members and he is also proud of the new library building. He stated he is also sad that the building next door to it has safety issues and the Board that he Chairs at the State level, has taken a strong stand against safety hazards in our schools. He stated he is confident that a waiver would not be approved. He stated he has also spoken to several high-level people in Concord and Portsmouth is at risk if they do not bond by the end of this year. He stated we have also held a close relationship with the Town of Newington, and in order for us to be eligible for the amount of money being granted by the State, we have to have the Newington students. If we do not move forward, Newington may choose another option than Portsmouth. He concluded by stating that whatever the project costs is what needs to be bonded. If they vote for a lesser amount, then they really don't want to do the project and shouldn't.

Erika Taylor thanked everyone for their hard work and is in favor of moving forward with this project. She stated she currently has a 5th and 6th grader who will be at the school during the construction phase, but still wants this to be done for the future students.

Martin Cameron stated that he appreciated hearing all of the information regarding the waivers, etc. but the Waste Water Treatment Plant has been receiving waivers for the past 22 years and in that time we have renovated the City Hall, new library and the High School. He continued that in those 22 years because of the Waste Water Treatment Plant, the oysters are gone, the smelts are down and the Great Bay has deteriorated. He stated as a taxpayer since 1975 he has supported grades 1-12 three times and now understands that the safety issues at the middle school can't wait another 4 or 5 years, but the issue now is how much will it cost and feels that the Council can't make everyone happy.

Kent LaPage, current School Board member, stated he is the only School Board member who is not in favor of this bonding, but will be supportive of the project if it is approved. He stated he appreciates the hard work that the School Board and JCJ Architects has done this far and as a past Joint Building Committee member with Councilors Novelline Clayburgh and Pantelakos, he understands all of the work that is still to come. He then stated that he has visited the Attorney General Office regarding the deed restriction and she stated that it is a land trust going back to 1913 and that the Council vote was on a deed access. Secondly, he stated in 2003 the school was non-compliant and the possibility of building on another site was explored which was the Jones Avenue site.

He stated that effort was side-tracked but that the Council should have looked at that option now when this issue came up again. He continued discussing the ball fields issue stating he was surprised to learn that the Wentworth School was being considered and also feels that there may be a Title 9 issue with taking down the Peirce Field, which is used for girls softball. He urged the Council to read the Peirce Trust. He stated he also was surprised that the current plan to go "left" is an option since it wasn't an option before because of the Trust document. He stated he doesn't want to see this project delayed once they decide on the bonding.

David Forman stated he doesn't understand the people who are looking to lower the amount when we have gotten these figures from experts. He stated if we wanted less quality, we should have named the amount we were willing to spend and have them come back with that plan, but we set our objectives and this is what it will cost. He then cited various statistics regarding the U.S. ranking in education in the world and Portsmouth within the State.

Tony Coviello stated he appreciates how stingy everyone is being with his tax money, but doesn't feel this is the place to do that. He stated there is no in between here and the Council needs to do what is right.

Andrea Ardito stated she has a 6th, 3rd, and preschooler and appreciates the opportunity to speak. She stated she feels that that this project is similar to a marriage in that it will never be perfect but the work has to be done to keep it going forward. She stated there are no guarantees and nothing is foolproof, but we need to jump in with both feet and have faith that the government is committed and dedicated to getting it done right.

Carl Diemer stated he feels that we should already be turning the key to a new middle school as he was involved in the process back in 2003. He stated the middle school is in disrepair, but feels that this amount is too much to saddle the taxpayers with in this economy. He stated that the City Manager had been adamant that there would need to be a double-decker parking facility built and feels that the Council should have looked back at the 2003 study for ideas to address parking and fields. He stated that the costs are now too high and there is no guarantee of funding and specs are still 18 months away from being presented. He stated that there are examples of other towns with similar requirements that have come in at \$20,000,000 to \$30,000,000.

Erik Anderson stated the comments being made tonight have been good and the fact that the facility needs to be changed is not debatable, but the cost is. He stated that taking on debt has become so much a part of our society and automatic, but this is a burden on the taxpayers that the government is taking on. He stated the Council should be commended on their diligence during the budget process and feels that there are many other issues that make this one appear miniscule, i.e., the Waste Water Treatment Plant. He concluded by stating he doesn't know what the right figure is, but it has to be in the realm of what we can afford.

Allen Nelson stated he agrees that the middle school situation is not acceptable, but he feels that we need to get a better value for the money. He continued that he has philosophical issues with the Peirce Trust, but this is about what is best for our children. He stated that we

shouldn't put all of our eggs in one basket and that there should have been a parallel course of action with a Plan A and Plan B for comparison, but now we have to do it.

Kevin Eckart stated we need to withdraw emotions from the process as this should be about what is best for the students, teachers and taxpayers. He stated this only minimally addresses the parking problem and feels the decisions need to show both community and financial responsibility. He urged the Council to vote no on the bonding.

Christopher Serlin stated he feels that people already have their minds made up as to how they are voting, but while we engage in this debate, the children don't have a voice or a choice about what happens to the school. He stated there is an effect on the children's education in buildings with bad conditions. He stated we have already gone a long way in this process and if we don't do this now, we will have to start all over. He feels the location is great and that the bussing issue to sports and extra-curricular activities is second to the educational core. He stated that the education is what makes our children become responsible taxpayers themselves. He concluded by stating this has been debated for the last 9 years and he doesn't want to have to move out of Portsmouth because of his children's education. He stated this is what a Master Plan is for and it is time to do this now.

Ned Reynolds stated he is a parent of 3 children and a former City Councilor and urged the Council to approve the bonding. He stated he remembers Mayor Ferrini stating that the figure would not be over \$40,000,000 and now it is down to \$37.5 million with the square footage reduced by 28% from the original plan. He stated he is dismayed to hear about people discussing putting the school somewhere else as this issue had already been settled. He stated that as a parent, the quality of education is critical to property values of current and future residents.

Eric Weinrieb stated this is the right time and the right site for this school. He stated we should be listening to Lyonel Tracy because the State is where our money is coming from.

Walter Allen stated he is impressed with the wide cross-section of opinions but feels that the times are not good right now and would like reassurance from the State that they will not renege on this funding as has previously happened. He would like to see the worse-case scenario presented without State aid.

Nancy Andrews urged the Council to pass the bonding and feels we are in a crisis situation. She stated she was a teacher at the Little Harbour School and feels that when that building was built 40 years ago, they were penny wise and pound foolish. She stated we have improved the library and recreational facilities, but we need to care about the education as well and feels that this is an investment in the future. She concluded that President Obama is coming to Portsmouth High School and we are proud of that building, but what if he was to be going to the Middle School, it would be embarrassing.

Jim Gonsalves stated he is a detractor of the Parrott Avenue location, but supporter of bonding. He stated in the past 8 years the children have been successful in the Middle School despite the facility but because of the faculty and Mr. Stokel.

He continued that he is a late-comer to this discussion but feels the Parrott Avenue location is too congested as the flow of the streets around it is too narrow and the softball field has to be eliminated. He further discussed the lack of parking. He concluded that he would prefer a different location, but agrees that it needs to be done now.

Anna Nuttall stated she previously taught at Little Harbour School and is now at the Middle School. She continued that she understands that people think another site would be nice with a new building, fields etc. but this needs to be done now. She stated it is inexcusable to use this building as is and there will never be a perfect plan. She stated that buildings do help education and this needed to be done 10 years ago.

Carl Diemer stated he is not a detractor but a faithful volunteer who has been going through all of the hurdles since 2003. He stated with all things considered, the Sagamore Creek site would be a lower cost, easier to build and quicker to build. He clarified that the battles were not settled long ago and the study circles were meant to be advisory and not policy setting. He reiterated that there have been comparable projects done at 8-10 million less and feels that we need to do our due diligence but agrees it must be done quickly.

Andrea Ardito stated that there is a place for both passion and numbers. She stated that when the Middle School was built in the 1930's the economy was bad then too, but the people had the foresight to the future needs of the city. She stated she will be upset if a ceiling tile falls on her kids head. She stated her husband is out of work right now, but she is still willing to pay the tax money for the school. She feels that minutia is being debated and urged the Council to vote in favor of the bonding.

After three calls and not further speakers, Mayor Ferrini declared the Public Hearing closed.

VI. ADJOURNMENT

At 9:45 p.m., Assistant Mayor Blalock moved to adjourn. Seconded and voted.

Respectfully submitted:

Valerie A. French
Deputy City Clerk I