

CITY OF SOMERSWORTH
Office of the City Manager

TO: Mayor Dana Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager *RB*
DATE: Friday, February 13, 2015
SUBJECT: City Manager's Report for Tuesday, February 17, 2015
City Council Agenda

6:45p.m. – Public Hearing
Re: Ordinance No 11-15 Amend Chapter 10, Welfare Guidelines.

Lay on the Table (under Section 12 of Agenda)

Other:

- A. Authorize City Manager to Sign Unitil Agreement to Extend Natural Gas Service to Former Police Department Building.

Unfinished Business (under Section 13 of Agenda)

Nominations:

- A. Board of Library Trustees. – Arlene R. Labrie, Reappointment, Term to Expire 01/2018.

Ordinances:

- A. Ordinance No. 11-15 Amend Chapter 10, Welfare Guidelines. These Guidelines were reviewed and recommended at the January 14th Government Operations Committee meeting.

Resolutions:

- A. Resolution No. 27-15 To Authorize the City Manager to Order One Police Cruiser which will be Funded in the Fiscal Year 2015-2016. If approved, the City will be able to order the new cruiser to ensure a more timely delivery once the Fiscal Year 2016 Budget is passed.

New Business (under Section 14 of Agenda)

Resolutions:

- A. Resolution No. 28-15 To Establish a Memorial to be Named “Marcel’s Lillies” in Loving Memory of Ward 3 City Councilor Marcel Hebert.**
- B. Resolution No. 29-15 To Authorize the City Manager to Amend the Contract with Hoyle Tanner and Associates Inc. of Portsmouth, NH for Professional Engineering Services with the Downtown Improvement Project.** Attached is a “Draft” Contract Amendment from Hoyle Tanner for services to inspect and oversee construction work performed by the contractor throughout the completion of the paving project as well as any other project punch list items.
- A. Resolution No. 30-15 To Authorize the City Manager to Enter in a Memorandum of Understanding with American Capital Energy of Lowell, MA to Develop a Solar Project to NH RSA 362-A on the Somersworth Sanitary Landfill Superfund Site on Blackwater Road.** Attached is a copy of the “Draft” Memorandum of Understanding which will be reviewed by Attorney Mark Beliveau, the City’s Superfund legal counsel prior to signing.

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

A. Information Items:

- 1. FY2015-2016 Proposed Landfill Superfund Site.** As has been the practice, I will be signing (without objection) the attached “Draft” Contract for proposed monitoring work to be done by GeoSyntec Consultants as required by the EPA for FY 2015-2016. This Remedial Action Services contract outlines our compliance obligations in accordance with the existing EPA Consent Decree and Record of Decision (ROD). Please note that Attorney Beliveau will be reviewing the Contract prior to my signing it.
- 2. Recreation Facebook.** Attached is a memorandum that provides an update on the continued development of our Recreation Office Facebook page.
- 3. State of City Address.** In accordance with City Charter, The Mayor and School Board Chairman have scheduled a joint meeting on Monday, March 2nd, prior to the scheduled City Council meeting at 5:30 p.m. for the State of City Address.
- 4. Historic District Workshop.** The Council expressed some interest in having a Workshop regarding our Historic District zoning regulations. Please advise if you would like to schedule one prior to the March 16th meeting at 6:00 p.m. or at another date? Director of Planning & Community Development Dave Sharples would provide a presentation.
- 5. City Council Annual Goal Setting Session.** The Mayor has rescheduled the meeting to Saturday, March 28th at 9:00 a.m.
- 6. Council Chambers.** We will be installing two flat screen televisions in the Chamber so that the public can view presentations given to the Council, Planning Board and other City/School Boards. This will be funded with our Cable Franchise Funds.

B. Attachments:

1. City Attorney Certifications, Two (2).

Calendar Reminders

- February 14th, (Saturday) Mayor's Community Forum, 9:30 a.m.
- March 28th (Saturday), City Council Annual Goal Setting Session, 9:00 a.m. – 12:00 p.m.
(Original date was March 7th)
- March 21st (Saturday), Public Safety Forum, 9:30 a.m.
- April 4, 2015 (Saturday), City Council 2015 Budget Workshop, 8:30 a.m.

Chapter 10
City of Somersworth
Welfare Guidelines

Proposed on February 13, 1986
Adopted by City Council on March 3, 1986
Revised December 1992
Passed February 1, 1993
Revised June 7, 1999
Revised April 21, 2008

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I. Definitions

AGENCY: Any health, social service or other entity that provides services to a client. Any such entity to which a welfare official may refer to a client for additional resources and/or assistance.

APPLICANT: A person who expresses a desire to receive general assistance or to have his/her eligibility reviewed and whose application has not been withdrawn. This may be expressed either in person or by an authorized representative of the applicant.

APPLICATION (RE-APPLICATION): Written action by which a person requests assistance from a welfare official. This application must be made on a form provided by the welfare official. The application form may be written or completed electronically by means of an interview conducted by a welfare official and verified by the applicant's signature.

ASSETS: All cash, real property, personal property and future assets owned by the applicant.

AVAILABLE LIQUID ASSETS: Amount of liquid assets after exclusions enumerated in Section IX (D). Includes cash on hand, checking accounts, bank deposits, credit union accounts, stocks, bonds, and securities. IRA (Individual Retirement Account), 401k accounts, insurance policies with a loan value, and non-essential personal property shall be considered as available liquid assets when they have been converted into cash.

CASE RECORD: Official files containing forms, correspondence and narrative records pertaining to the application, including determination of eligibility, reasons for decisions and actions by the welfare official, and kinds of assistance given. The case record may be kept electronically. A hard copy of all signed documents should be kept.

CLAIMANT: A recipient or applicant who has requested, either in person or through an authorized representative, a fair hearing under Section XIV of these guidelines.

CLIENT: An individual who receives services from the welfare department. May be a single person or encompass a family.

ELIGIBILITY: Determination by a welfare official, in accordance with the guidelines, of an applicant's need for general assistance under the formula provided in Section IX.

FAIR HEARING: A hearing which the applicant or recipient may request to contest a denial, termination or reduction of assistance. The standards for such a hearing are in Section XIV.

GENERAL ASSISTANCE: Financial assistance provided to applicants in accordance with RSA 165 and these guidelines.

HOUSEHOLD: A household is defined as:

- The applicant/recipient and persons residing with the applicant/recipient in the relationship of father, mother, stepfather, stepmother, son, daughter, husband, wife, domestic partner or civil union partner; and/or
- The applicant/recipient and any adult (including an unrelated person) who resides with the applicant/recipient “in loco parentis” (in the role of a substitute parent) to a minor child (a person under 18 years of age). A person “in loco parentis” is one who intentionally accepts the rights and duties of a natural parent with respect to a child not their own and who has lived with the child long enough to form a “psychological family.”

MINOR: A person under 18 years of age.

NEED: The basic maintenance and support requirements of an applicant, as determined by a welfare official under the standards of Section IX(E) of these guidelines.

RECIPIENT: A person who is receiving general assistance.

“RELIEVE AND MAINTAIN”: The sustaining of basic needs necessary to the health and welfare of the household.

RESIDENCE: Residence or residency shall mean an applicant’s place of abode or domicile. The place of abode or domicile is that place designated by an applicant as their principal place of physical presence for the indefinite future to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence or residency as the principal place of physical presence. RSA 165:1 (I); 21:6-a.

RESIDENTIAL UNIT: All persons physically residing with the applicant, including persons in the applicant’s household and those not within the household.

SHELTER: A temporary housing provider through which an individual or family may seek emergency housing until permanent housing can be found.

UTILITY: Any service such as electric, gas, oil, water or sewer necessary to maintain the health and welfare of the household.

VENDOR/PROVIDER: Any landlord, utility company, store or other business which provides goods or services needed by the applicant/recipient.

VOUCHER SYSTEM: The system whereby the City of Somersworth issues vouchers to the recipient’s vendors and providers rather than cash to the recipient. RSA 165:1 (III). See Section VIII.

WELFARE OFFICIAL: The Welfare Officer or other designee official of the City of Somersworth appointed by the City Manager to, i.e. the Department Head of the Human

~~Services Department or designee, who performs the function of administering oversee the general assistance program. Such person has the authority to make all decisions regarding the granting of assistance under RSA 165, subject to the overall fiscal responsibility vested in the City Manager, or City Council. The term includes "overseers of public welfare" (RSA 165:1; 41:46) and "administrator of town or city welfare" RSA 165:2.~~

WORKFARE: Labor performed by welfare recipients at municipal sites or human service agencies as reimbursement for benefits received. RSA 165:31.

II. Severability

If any provision of these guidelines is held at law to be invalid or inapplicable to any person or circumstances, the remaining provisions will continue in full force and effect.

III. Confidentiality of Information

Information given by or about an applicant or recipient of general assistance is confidential and privileged, and is not a public record under the provisions of RSA 91-A. Such information will not be published, released, or discussed with any individual or agency without written permission of the applicant or recipient except when disclosure is required by law, or when necessary to carry out the purposes of RSA 165. RSA 165:2-c.

IV. Roles of Local Governing Body & Welfare Official

The responsibility of the day-to-day administration of the general assistance program should be vested in the appointed welfare official. The welfare official shall administer the general assistance program in accordance with the written guidelines of the City of Somersworth. The local governing body, City Council, is responsible for the adoption of the guidelines relative to general assistance. RSA 165:1 (II).

V. Maintenance of Records

A. Legal Requirement

Each welfare official is required by law to keep complete paper and/or electronic records concerning the number of applicants given assistance and the cost for such support. Separate case records shall be established for each individual or family applying for general assistance. The purposes for keeping such records are:

1. To provide a valid basis of accounting for expenditure of the City of Somersworth's funds;
2. To support decisions concerning the applicant's eligibility;
3. To assure availability of information if the applicant or recipient seeks administrative or judicial review of the welfare official's decision;
4. To provide the welfare official with accurate statistical information; and
5. To provide a complete history of an applicant's needs and assistance that might aid the welfare official in ongoing case management and in referring the applicant to appropriate agencies.

B. Case Records

The welfare official shall maintain case records containing the following information:

1. The complete application including any authorizations signed by the applicant allowing the welfare official to obtain or verify any pertinent information in the course of assisting the recipient, to include a signed Authorization to Release Information from the New Hampshire Department of Health and Human Services.
2. Written grounds for approval or denial of an application, contained in a notice of decision.
3. A narrative history recording need for assistance, the results of investigations of applicants' circumstances, referrals, changes in status and other relevant communications as determined by the welfare official.
4. Record forms which has complete data regarding the type, amount and dates of assistance given which may be kept on paper or electronically

VI. Application Process

A. Right to Apply

Screening Process

Individuals presenting themselves at the City of Somersworth Welfare office will be processed in the manner described below. Based on the large number of individuals seeking assistance on a daily basis, the Somersworth City Welfare ~~Department-Office~~ utilizes a screening process to identify, expedite and prioritize emergency needs(s) such as food, shelter, heat (during the winter months), utilities and emergency

medication. This process may involve the individual seeking assistance to complete a Welfare Department intake form to determine the extent of the emergency and the availability of resources and referrals. Based on the above information it may be necessary for the individual to complete the Application for Assistance and be seen by a welfare official who will conduct the intake interview.

Individuals requesting General Assistance who as a result of the screening process are not considered to be in an emergency situation be given further instructions to:

- a. Be provided with an appointment to return another day;
- b. be referred to an appropriate agency or resource

B. Application Process

1. Anyone may apply for general assistance by appearing in person or through an authorized representative and by completing a written or electronic application form. If more than one adult resides in a household, each may be required to appear at the welfare office to apply for assistance, unless one is working or otherwise reasonably unavailable. Unrelated adults in the applicant's residential unit may be required to apply separately if they do not meet the definition of household as defined in these guidelines. Each adult in the household may be requested to sign release of information forms.
2. The welfare official shall not be required to accept an application for general assistance from a recipient who is subject to a suspension pursuant to Section XIII(C) of these guidelines (RSA 165:1-b, VI); provided that any applicant who contests a determination of continuing noncompliance with the guidelines may request a fair hearing as provided in Section XIII(C)(7); and provided further that a recipient who has been suspended for at least six months due to noncompliance may file a new application.
3. The welfare official shall not be required to accept an Application for assistance from a person who is subject to a suspension pursuant to RSA 165: 1b, provided that any person who contests a determination of continuing noncompliance with these Guidelines may request a Fair Hearing.
4. The application process may be deferred if an applicant appears to be under the influence of alcohol, drugs or other substances, or appears incapable of comprehending and/or completing the application/interview process

5. If an applicant/client refuses to sign the Notice of Decision, the applicant/client is still responsible to observe and/or fulfill the requirement(s) listed in the Notice of Decision.

C. Welfare Official's Responsibilities at Time of Application

When application is made for general assistance, the welfare official shall inform the applicant of:

1. The requirement of submitting an application. The welfare official shall provide assistance to the applicant in completing the application, if necessary (e.g., applicant is physically or mentally unable, or has a language barrier);
2. Eligibility requirements, including a general description of the guideline amounts and the eligibility formula;
3. The applicant's right to a fair hearing, and the manner in which a review may be obtained; **if sought**
4. The applicant's responsibility for reporting all facts necessary to determine eligibility, and for presenting records and documents as requested and as reasonably available to support statements;

~~5. The joint responsibility of the welfare official and applicant for exploring facts concerning eligibility, needs and resources;~~

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~~6.5.~~ The kinds of verifications needed;

~~7.6.~~ Verification will be conducted in order to further substantiate facts and statements as presented by the applicant/client, and that this investigation will be ongoing while the case is open;

~~8.7.~~ The applicant's responsibility to notify the welfare official of any change in circumstances that may affect eligibility;

~~9.8.~~ Other forms of assistance for which the applicant may be eligible **if sought**;

~~10.9.~~ The availability of the welfare official to make home visits by mutually agreed appointment to take applications and to conduct ongoing case management for applicants who cannot leave their homes;

~~11.10.~~ The requirement of placing a lien on any real property owned by the recipient, or any civil judgments or property settlements, for any assistance given, except for good cause;

~~12.11.~~ The fact that reimbursement from the recipient will be sought if he/she becomes able to repay the amount of assistance given; and

~~13.12.~~ The applicant's right to review the guidelines, **if sought**

~~14.13.~~ The need to relocate to more affordable housing based on the applicant's present and projected verifiable income. Effort will be made to maintain an applicant/client in his/her own housing if it is within the ~~department's~~ **City's** rental allowance guidelines, unless it is clear that to do so would probably require an unreasonable period of continuing subsidy from the ~~Welfare Office Department~~. In determining whether or not continuing subsidy is warranted the department shall consider, among other relevant factors:

- a. efforts by the client to increase household income or obtain less expensive housing;
- b. the applicant/client's prospects of obtaining other forms of rent assistance;
- c. Special consideration will be given to helping an applicant/client residing in federally subsidized housing or other substantially below market rate housing to retain such housing.

~~15.14.~~ Families or individuals currently without housing and/or income may be referred to a shelter

~~16.15.~~ The ~~Department-Welfare Official~~ will not pay charges, which do not represent an actual service, for example, late charges, security deposits, key charges, damages, eviction fess, etc.

16. The amount of assistance provided will be negotiated with vendors whenever possible. The ~~Department-Welfare Official~~ will always attempt to provide what is necessary for the least cost possible. If negotiation is not possible, the lease expensive appropriate alternative will be sought.

D. Responsibility of Each Applicant and Recipient

IMPORTANT NOTICE

For safety and health reasons, applicants, clients and anyone accompanying them in the waiting room must immediately inform the ~~City worker,~~ **Welfare Officer of any of the following:** communicable diseases,; contagious diseases; infestations; and any other health

hazards. These include, but are not limited to; conjunctivitis, flu, lice, bed bugs, chicken pox, hepatitis, tuberculosis, or other health related issues, etc.

At the time of initial application, and at all times thereafter, the applicant/recipient has the following responsibilities:

- 1.** To provide accurate, complete and current information concerning needs and resources and the whereabouts and circumstances of relatives who may be responsible under RSA 165:19;
- 2.** To notify the welfare official promptly when there is a change in needs, resources, address or household size;
- 3.** To apply for immediately, but no later than 7 days from initial application, and accept any benefits or resources, public or private, that will reduce or eliminate the need for general assistance. RSA 165:1-b, I(d);
- 4.** To keep all appointments as scheduled;
- 5.** To provide records and other pertinent information and access to said records and information when requested;
- 6.** To provide a doctor's statement if claiming an inability to work due to medical problems;
- 7.** Following a determination of eligibility for assistance, to diligently search for employment and provide verification of work search (the number of work search contacts to be determined by the welfare official), to accept employment when offered (except for documented reasons of good cause (RSA 165:1-d)), and to maintain such employment. RSA 165:1-b, I (c);
- 8.** Following a determination of eligibility for assistance, to participate in the workfare program (if required) and if physically and mentally able. RSA 165:1-b, I (b); and
- 9.** To reimburse assistance granted if returned to an income status and if such reimbursement can be made without financial hardship. RSA 165:20-b.
- 10.** To immediately report the theft and /or loss of any money, voucher or other valuable property to the appropriate entity and/or law enforcement authority and to the welfare official with proof of the report to law enforcement.

An applicant shall be denied assistance if he/she fails to fulfill any of these responsibilities without reasonable justification. A recipient's assistance may be terminated or suspended for failure to fulfill any of these responsibilities without reasonable justification, in accordance with Section XIII(C).

Any recipient may be denied or terminated from general assistance, in accordance with Section XIII, or may be prosecuted for a criminal offense, if he/she, by means of intentionally false statements or intentional misrepresentation, or by impersonation or other willfully fraudulent act or device, obtains or attempts to obtain any assistance to which he/she is not entitled.

D. Actions on Applications

1. **Decision.** Unless an application is withdrawn, the welfare official shall make a decision concerning the applicant's eligibility immediately in the case of emergency, or within five working days after submission of the application. A written notice of decision shall be given in hand, delivered or mailed on the same day or next working day following the making of the decision. The notice of decision shall state that assistance of a specific kind and amount has been given and the time period of aid, or that the application has been denied, in whole or in part, with reasons for denial.

A decision may also be made to pend an application subject to receipt of specified information from the applicant. The notice of decision shall contain a first notice of conditions for continued assistance and shall notify the applicant of his/her right to affair hearing if dissatisfied with the welfare official's decision. RSA 165:1-b, II, III.

2. **Emergency Assistance.** If, at the time of initial contact, if the applicant/client demonstrates and verifies that an immediate need exists in which the threat to life or health (such as loss of shelter, heat sources, in winter, lack of food or prescriptions which are an immediate medical necessity), then temporary aid to fill such immediate need(s) shall be given no later than seventy-two (72) hours the time of the request. If a determination regarding utility assistance cannot be made immediately, a referral to shelter can be offered until such time as eligibility can be determined. Such emergency assistance shall not obligate the welfare official to provide further assistance after the application process completed. demonstrates and verifies that an immediate need exists, because of which the applicant may suffer a loss of a basic necessity of living or imminent threat to life or health (such as loss of shelter, utilities, heat, or lack of food or prescriptions), then temporary aid to fill such immediate need shall be given immediately, pending a decision on the application. Such emergency assistance shall not obligate the welfare official to provide further assistance after the application process is completed.

II. When an applicant/client submits a completed application for assistance with a Notice to Quit for non-payment of rent, prior to the date on which the Notice to Quit expires, the welfare official shall make a reasonable effort to:

- A. process the application/request in a manner which, if determined eligible and assistance is granted, would enable the applicant/client to tender a voucher in the amount necessary to defeat eviction by the day the Notice to Quit expires; or
- B. obtain a commitment from the landlord that he/she will agree to accept welfare assistance paid on behalf of the applicant/client and will wait for a decision from the Welfare Department and not pursue the eviction unless a specified date following the expiration of the Notice to Quit passes without the landlord receiving a commitment to pay from the department.
- C. In no case shall the decision on the application for rental assistance to cure a Notice to Quit for non-payment of rent be issued later than 72 hours from the time of the application or by the date of the expiration of the Notice to Quit, whichever is later.
- D. This process does not apply to a client who is presently in the suspension or denial status.

3. Temporary Assistance. In circumstances where required records are not available, the welfare official may give temporary **limited** approval of an application pending receipt of required documents. Temporary status shall not extend beyond two weeks. The welfare official shall not insist on documentary verification if such records are totally unavailable.

2. Withdrawn Applications. An application shall be considered withdrawn if:

- a. The applicant has refused to complete an application or has refused to make a good faith effort to provide required verifications and sufficient information for the completion of an application. If an application is deemed withdrawn for these reasons, the welfare official shall so notify the applicant in a written notice of decision;
- b. The applicant dies before assistance is rendered;
- c. The applicant avails him/herself of other resources to meet the need in place of assistance;
- d. The applicant requests that the application be withdrawn (preferably in writing); or

- e. The applicant does not contact the welfare official after the initial interview after being requested to do so.

E. Home Visits

A home visit may be made by appointment at the request of any applicant, but only when it is impossible for the applicant or their representative to apply in person. **Home visits will be made in pairs (i.e. no welfare official shall make a home visit alone).**

The home visit shall be conducted in such a manner as to preserve, to the greatest extent possible, the privacy and dignity of the applicant. To this end, the person conducting the visit shall not be in uniform or travel in a law enforcement vehicle, shall be polite and courteous, and shall not knowingly discuss or mention the application within the listening area of someone who is not a member of the household.

Applicant housing is expected to meet local health and safety codes standards. During the house visit the welfare official may discuss any in line of sight possible housing safety code violations by the landlord/owner with the applicant and may report all possible violations to proper municipal departments/authorities.

VII. Verification of Information

Any determination or investigation of need or eligibility shall be conducted in a manner that will not violate the privacy or personal dignity of the individual or harass or violate his or her individual rights.

A. Required Verifications

Verification will normally be required of the following:

1. Applicant's address;
2. Facts relevant to the applicant's residence, as set forth in sections IX(B) and X;
3. Name of persons in applicant's residential unit;
4. Applicant's and household's income and assets;
5. Applicant's and household's financial obligations;
6. The physical and mental condition of household members, only where relevant to their receipt of assistance, such as ability to work, determination of needs, or referrals to other forms of assistance;

7. Any special circumstances claimed by applicant;
8. Applicant's employment status and availability in the labor market;
9. Names, addresses, and employment status of potentially liable relatives;
10. Utility costs;
11. Housing costs;
12. Prescription costs; and
13. Any other costs that the applicant wishes to claim as a necessity.

B. Verification Records

Verification may be made through records provided by the applicant (for example, birth, marriage, and civil union certificates, pay stubs, pay checks, rent receipts, bankbooks, etc.) as primary sources. The failure of the applicant to bring such records does not affect the welfare official's responsibility to process the application promptly. The welfare official shall inform the applicant what records are necessary, and the applicant is required to produce records possessed as soon as possible. However, the welfare official shall not insist on documentary verification if such records are not available, but should ask the applicant to suggest alternative means of verification.

C. Other Sources of Verification

Verification may also be made through other sources, such as relatives, employers, former employers, banks, school personnel, and social or government agencies. The cashier of a national bank or a treasurer of a savings and trust company is authorized by law to furnish information regarding amounts deposited to the credit of an applicant or recipient. RSA 165:4.

D. Written Consent of Applicant

When information is sought from such other sources, the welfare official shall explain to the applicant or recipient what information is desired, how it will be used, and the necessity of obtaining it in order to establish eligibility. Before contact is made with any other source, the welfare official shall obtain written consent of the applicant or recipient, unless the welfare official has reasonable grounds to suspect fraud. In the case of suspected fraud, the welfare official shall carefully record his/her reasons and actions,

and before any accusation or confrontation is made, the applicant shall be given an opportunity to explain or clarify the suspicious circumstances.

E. Legally Liable Relatives

The relation of any poor person in the line of father, mother, stepfather, stepmother, son, daughter, husband or wife shall assist or maintain such person when in need of relief. Said person shall be deemed able to assist such person if his/her income is more than sufficient to avoid causing a financial hardship. RSA 195:19

~~The welfare official may seek statements from the applicant's legally liable relatives regarding their ability to help support the applicant.~~

F. Refusal to Verify Information

Should the applicant or recipient refuse comment and/or indicate an unwillingness to have the welfare official seek further information that is necessary, assistance may be denied for lack of eligibility verification.

VIII. Disbursements

The City of Somersworth pays through a voucher system. RSA 165:1 (III). Vouchers are payable directly to the vendors (utilities, landlords, stores, etc.) involved.

The amount shown on the voucher is the maximum amount to be used for payment. In accordance with the City of Somersworth's accounting practices, a recipient may be required to sign the voucher to insure proper usage. The vendor returns the voucher with the required documentation, for payment, to the welfare official. After the initial transaction, if there is any unspent money, the voucher shall be returned to the City of Somersworth for payment of the actual amount listed on an itemized bill or register tape. Vouchers altered by the recipient or vendor may not be honored.

A voucher previously issued, but not yet paid, may be revoked and voided under certain circumstance. If facts are discovered that would negate such issuance or fraud is determined the voucher will be cancelled promptly. If fraud is involved, the facts surrounding the matter will be given to the appropriate law enforcement authorities for action. The revocation of assistance is not meant to replace the suspensions process for issues of noncompliance.

IX. Determination of Eligibility and Amount

A. Eligibility Formula

An applicant is eligible to receive assistance when:

1. He/she meets the non-financial eligibility factors listed in Section C below; and
2. The applicant's basic maintenance need, as determined under Section E below, exceeds his/her available income (Section F below) plus available liquid assets (Section D below). If available income and available liquid assets exceed the basic maintenance need (as determined by the guideline amounts), the applicant is not eligible for general assistance. If the need exceeds the available income/assets, the amount of assistance granted to the applicant shall be the difference between the two amounts, in the absence of circumstances deemed by the welfare official to justify an exception.

B. Legal Standard and Interpretation

"Whenever a person in any town is poor and unable to support himself he shall be relieved and maintained by the overseers of public welfare of such town, whether or not he has residence there." RSA 165:1.

1. An applicant cannot be denied an application for assistance because he/she is not a resident of the City of Somersworth
1. ~~An applicant cannot be denied assistance because he/she is not a resident. See Section X.~~
2. "Whenever" means at any or whatever time that person is poor and unable to support him or herself and without reasonable alternative options to demm general assistance unnecessary.
 - a. The welfare official, or a person authorized to act on his/her behalf, shall be available during normal business hours.
 - b. The eligibility of any applicant for general assistance shall be determined no later than five (5) working days after the application is submitted. If the applicant has an emergency life safety need, then assistance for such emergency need shall be immediately provided in accordance with Section VI (D)(1), (2) provided and application is submitted.
 - c. ~~Assistance shall begin as soon as the applicant is determined to be eligible.~~

3. "Poor and unable to support" means that an individual lacks income and available liquid assets to adequately provide for the basic maintenance needs of him/herself or family as determined by the guidelines.
4. "Shelter""Relieved" means an applicant shall be assisted to meet those basic needs.

C. Non-Financial Eligibility Factors

1. **Age.** General assistance cannot be denied any applicant because of the applicant's age; ~~Minor applicants shall be referred to Protective Services of the NH Division of Children, Youth, and Families for support and case management. Minors have the residence of their parent(s) or legal guardian(s). Minors are the financial responsibility of the parent(s) or legal guardian(s). Minor who is married is considered an adult. age is not a factor in determining whether or not an applicant may receive general assistance. Minor children are assumed to be the responsibility of their parent(s) or legal guardian(s), unless circumstances warrant otherwise.~~
2. **Support Actions.** No applicant or recipient shall be compelled, as a condition of eligibility or continued receipt of assistance, to take any legal action against any other person. The City of Somersworth may pursue recovery against legally liable persons or governmental units. See Section XVI.
3. **Eligibility for Other Categorical Assistance.** ~~A client, who may be eligible for any assistance programs, must apply for such assistance immediately, but no later than seven (7) days after being required to do so by the welfare official. Failure to do so may result in the suspension of assistance.~~
4. **Employment.** An applicant who is gainfully employed, but whose income and assets are not sufficient to meet necessary household expenses, may be eligible to receive general assistance. However, recipients who without good cause refuses a job offer or referral to suitable employment, participation in the workfare program, or who voluntarily leave a job without good cause may be ineligible for continuing general assistance in accordance with the procedures for suspension outlined in the guidelines. The welfare official shall first determine whether there is good cause for such refusal, taking into account the ability and physical and mental capacity of the applicant, transportation problems, working conditions that might involve risks to health or safety, lack of adequate child care, or any other factors that might make refusing a job reasonable. These employment requirements shall extend to all adult members of the household.

5. **Registration with the New Hampshire Department of Employment Security (NHES) and Work Search Requirements.**

All unemployed recipients and adult members of their households shall, within seven days after having been granted assistance, register with NHES to find work and must conduct a reasonable, verified job search as determined by the welfare official. Each recipient must apply for employment to each employer to whom he/she is referred by the welfare official. These work search requirements apply unless the recipient and each other adult member of the household is:

- a. Gainfully employed full-time **and permanent employment status**;
- b. A dependent 18 or under who is regularly attending secondary school;
- c. Unable to work due to illness or mental or physical disability of him/herself or another member of the household, as verified by the welfare official; or
- d. Is solely responsible for the care of a child under the age of **five one**. ~~RSA 165:31, III.~~ A recipient responsible for the care of a child aged **five one** to twelve shall not be excused from work search requirements, but shall be deemed to have good cause to refuse a job requiring working during hours the child is not usually in school, if there is no responsible person available to provide care, and it is verified by the welfare official that no other care is available.

The welfare official shall give all necessary and reasonable assistance to ensure compliance with registration and work requirements, including the granting of allowances for transportation and work clothes **for employment as part of an allowable budget expense**. Failure of a recipient to comply with these requirements without good cause will be reason for denial of assistance.

6. **Students.** Applicants who are college students **with unreasonable employment availability limitations or refusing to seek full-time employment are not eligible for general assistance.** ~~not available for or refusing to seek full-time employment are not eligible for general assistance.~~ Clients enrolled in General Equivalency Diploma (GED) or high education programs must be employed full time or be available for full time employment.

7. **Non-Citizens.** The welfare official may, in his/her sole discretion, provide limited **emergency life-safety** assistance to non-citizens not otherwise eligible for general assistance.
- a. A non-citizen who is not:
- A qualified alien under 8 USCA 1641,
 - A non-immigrant under the Federal Immigration and Nationality Act, or
 - An alien paroled into the United States for less than one year under 8 USCA 1182(d)(5)
- ~~is not eligible for general assistance from the City of Somersworth. 8 USCA 1621(a).~~
- b. Qualified aliens include aliens who are lawfully admitted for permanent residence under the Immigration and Nationality Act (8USCA 1101 et seq.), aliens who are granted asylum under that act, certain refugees, and certain battered aliens. 8 USCA 1641.
- c. A non-citizen who is not eligible for general assistance may be eligible for state assistance with health care items and services that are necessary for the treatment of an emergency medical condition, which is defined as a medical condition (including emergency labor and delivery) manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:
- Placing the patient's health in serious jeopardy;
 - Serious impairment to bodily functions; or
 - Serious dysfunction of any bodily organ or part. 8 USCA 1621(b) and 42 USCA 1396(v)(3).
- d. A non-citizen may also be eligible for general assistance for treatment of an emergency medical condition, pursuant to Section IX(E)(8)(a) of these guidelines.
- e. Non-citizen applicants for general assistance may be required to provide proof of eligibility. 8 USCA 1625.
8. **Property Transfers.** No applicant who is otherwise eligible shall receive such assistance if he/she made an assignment, transfer, or conveyance of property for the purpose of rendering him/herself eligible for assistance within three years immediately preceding his/her application. RSA 165:2-b.
9. **Employment of Household Members.** The employment requirements of these guidelines, or participation in the workfare

program, shall be required for all adults aged 18 to 65 years residing in the same household, except those regularly attending secondary school or employed on a full-time basis, who are:

- a. Members of the recipient's household;
- b. Legally liable to contribute to the support of the recipient and/or children of the household; and
- c. Not prevented from maintaining employment and contributing to the support of the household by reason of physical or mental disability or other justifiable cause as verified by the welfare official.

The welfare official may waive this requirement where failure of the other household members to comply is not the fault of the recipient and the welfare official decides it would be unreasonable for the recipient to establish a separate household. RSA 165:32.

10. **Disqualification for Voluntary Termination of Employment.** Any applicant eligible for assistance who voluntarily terminated employment shall be ineligible to receive assistance for 90 days from the date of employment termination, provided the applicant:

- a. Has received local welfare within the past 365 days; and
- b. Has been given notice that voluntary termination of employment without good cause could result in disqualification; and
- c. Has terminated employment of at least 20 hours per week without good cause within 60 days of an application for local welfare; and
- d. Is not responsible for supporting minor children in his/her household, **which caused an inability to maintain employment**; or
- e. Did not have a mental or physical impairment which caused him/her to be unable to work.

Good cause for terminating employment shall include any of the following: discrimination, unreasonable work demands or unsuitable employment, retirement, leaving a job in order to accept a bona-fide job offer, migrant farm labor or seasonal construction, and lack of transportation or child care. An applicant shall be considered to have voluntarily terminated employment if the applicant fails to report for work without good cause. An applicant who is fired or resigns from a job at the request of the employer due to the applicant's inability to maintain the employer's normal work productivity standard shall not be considered to have voluntarily terminated employment. RSA 165:1-d.

D. Available Assets

1. **Available Liquid Assets.** Cash on hand, bank deposits, credit union accounts, income tax refunds, securities and retirement plans (i.e., IRA's, deferred compensation, etc.) are available liquid assets. Insurance policies with a loan value, and non-essential personal property, may be considered as available liquid assets when they have been converted into cash. The welfare official shall allow a reasonable time for such conversion. However, tools of a trade, livestock and farm equipment, and necessary and ordinary household goods are essential items of personal property which shall not be considered as available assets.
2. **Automobile Ownership.** The ownership of one automobile by an applicant/recipient or his/her dependent does not affect eligibility if it is essential for transportation to seek or maintain employment, to procure medical services or rehabilitation services, or if its use is essential to the maintenance of the individual or the family. **Possession of a new vehicle, luxury vehicle, multiple vehicles is usually considered as a liquid assess and may be required to be converted to cash prior to eligibility for anything other than an extreme emergency.**
3. **Insurance.** The ownership of insurance policies does not affect eligibility. However, when a policy has cash or loan value, the recipient will be required to obtain and/or borrow all available funds, which shall then be considered available liquid assets. **Motor vehicle insurances premiums and/or SR22 insurance premiums are not normally included as "need" in determining eligibility or amount of aid.**
4. **Real Estate.** The type and amount of real estate owned by an applicant does not affect eligibility, although rent or other such income from property shall be considered as available to meet need. Applicants owning real estate property, other than that occupied as their primary residence, shall be expected to make reasonable efforts to dispose of it at fair market value. Applicants shall be informed that a lien covering the amount of any general assistance they receive shall be placed against any real estate they own. RSA 165:28.

E. Standard of Need

NOTE: A client must first and foremost utilize resources for basic needs: which are rent, food (minus Food Stamp Allotment), cleaning and personal hygiene items, utilities, prescriptions, diapers, and gas for a vehicle (when vehicle is used for medial and work purposes only). Documented child care costs and court ordered child support payments may be considered. Clients must provide legitimate dated and signed receipts. Credit Card payments, rent-to-own items, cable service, Internet service, repayment of

personal loans, payment of traffic citations, bail, court fines and court ordered restitution are examples of non-basic needs. The above cited examples are not all inclusive of non-basic needs. Any income used for basic needs must be accounted for with legitimate dated receipts. Any income used for non basic needs and/or unaccounted for will be considered available when determining eligibility.

The basic financial requirement for general assistance is that an applicant be poor and unable to support him/herself. An applicant shall be considered poor when he/she has insufficient available income/assets to purchase either for him/her or dependents any of the following:

- ±. **Permanent Housing/Shelter.** The amount to be included as “need” for permanent housing/shelter including tenancy is the actual cost of rent or mortgage necessary to provide shelter in the City of Somersworth. ~~Such cost shall be determined in accordance with subparagraph 11 below. As~~ determined either by the most recent HUD Fair Market Rents, New Hampshire Housing Finance Authority Rental Survey or by minimum reasonable local market rent factors, as chosen by the welfare official.
- a. **Permanent Housing/Shelter Arrearages.** Shelter arrearages are not normally included. The welfare official may assist in the least costly manner, or provide alternate means to accommodate the health and safety of the household unit. ~~Shelter arrearages will be included in the “need” formula if, and only if, such payment is necessary to prevent eviction or foreclosure or to protect the health and safety of the household.~~ The welfare official may, in his/her sole discretion assist with shelter arrearages if, such payment is necessary to prevent eviction or foreclosure and to protect the health and safety of the household and if household can verify ability to afford/maintain housing based on present and/or projected verifiable income. However, if the amount of such mortgage or rental arrearage substantially exceeds the cost of alternative, available housing which complies with local health and housing code standards, or if the payment of arrears will not prevent eviction or foreclosure, the welfare official may instead authorize payment of first month’s rent, or portion thereof for such alternative housing if, under the circumstances of the case, it is reasonable to do so and would not cause undue hardship to the applicant household. Alternative housing may include transitional housing, i.e. shelters as an option. ~~Special consideration will be given to assisting an applicant/client residing in federally subsidized housing or other substantially below market rent housing to retain such housing.~~

1. Residents seeking rent or mortgage assistance within the first three months of occupancy may be expected to verify ability to reasonably financially maintain said expenses at time of move in.
 2. Housing is expected to meet local ordinance and code standards as verified by the local building/code inspector for consideration of financial housing assistance.
- b. **Hotel, Motel and Inns:** Occupants of hotels, motels, inns and classified as such, are not normally considered “tenants” and are exempt from the legal eviction process defined as RSA 540, RSA 540:1-a. Persons residing in housing exempt from the legal eviction process are not normally considered to be residing in permanent housing under these guidelines.
 - c. **Single Family Home Boarders:** Occupants of single-family homes in which the occupant has no lease, which is the primary and usual residence of the owner are not normally considered “tenants” and are exempt from the legal eviction process defined in RSA 540, RSA 540:1, RSA 540:1-a. Persons residing in housing exempt from the legal eviction process is not normally considered to be residing in permanent housing under these guidelines.
 - d. **First Month Rent:** Assistance with first month’s rent will be considered only in the event of verifiable emergency need, need, i.e. inability to financially maintain current housing’s basic expenses, homelessness, uninhabitable housing as determined by the local building/code inspector or other appropriate local authority and the verified ability at the time of application to financially maintain such proposed housing is verified. Applicant is expected to seek first month rental assistance prior to moving into proposed housing, including receiving rental keys from the landlord/owner or moving personal belonging into proposed rental housing.
 - e. **Security Deposits.** Security deposits may be included in the “need” formula if, and only if, the applicant is unable to secure alternative shelter for which no security deposit is required or is unable to secure funds, either him/herself or from alternative sources, for payment of the deposit. Any security deposit provided by the general assistance program which is returned under RSA 540-A:7 shall be returned to the City of Somersworth, not the recipient.

f. Relative Landlords. Whenever a relative of an applicant is also landlord for the applicant, a financial analysis shall be made in accordance with RSA 165:19.

g. Shelters. The welfare official may provide referrals to homeless shelters and/or transitional housing when appropriate or needed to resolve a basic health and safety housing need. Shelter and/or transitional housing recipients are expected to abide by shelter/transitional housing rules and policies. In cases in which an appropriate referral for emergency temporary housing/shelter is provided and the applicant/recipient refuses to accept such a referral City Welfare will not be liable for any alternative housing/shelter but may consider other forms of non-housing assistance to which he/she is otherwise eligible. In cases in which a client is involuntarily exited from emergency shelter for violation of rules/policies or voluntarily exits the shelter without a reasonable long term housing option, resulting in the need for further emergency housing assistance, city welfare will seek alternative emergency temporary housing/shelter. However, the city will not be liable for the cost of any alternative housing. The New Hampshire Division for Children, Youth and Families may be contacted to provide support for families involuntarily exited or voluntarily leaving the provided shelter without a reasonable housing/shelter option for their children/family. RSA 169-C: 29.

2. **Utilities.** When utility costs are not included in the shelter expense, the most recent outstanding monthly utility bill will be included as part of "need" by the welfare official (service must be in applicant's name). Arrearages will not normally be included in "need" except as set forth below.

NOTE: The New Hampshire Public Utilities Commission (PUC) has established comprehensive rules governing the provision of some utility services. Generally speaking, the PUC governs electric, telephone, water, and sewer; it does not govern any municipal utilities, propane tanks, or fuel oil. With the exception of the telephone, the rules are consistent across utilities. These rules and regulations cover the initiation of service, payment arrangements, termination of service, the terms of restoration of service, the requirement of deposits, municipal guarantees and guarantees from other third parties. There are special rules as to winter termination. The welfare official should be familiar with these rules in order to ensure that needs are properly met at the lowest available cost. The PUC has a toll-free consumer assistance number: 800/852-3793

- a. **Arrearages.** Arrearages will not be included except when necessary to ensure the health and safety of the applicant household or to prevent termination of utility service where no other resources

or referrals can be utilized. In accordance with the rules of the PUC relating to electric utilities, arrearages for electric service need not be paid if the welfare official notifies the electric company that the City of Somersworth guarantees payment of current electric bills as long as the recipient remains eligible for general assistance.

- b. **Restoration of Service.** When utility service has been terminated and the welfare official has determined that alternative utility service is not available and alternative shelter is not feasible, arrearages will be included in "need" when restoration of services is necessary to ensure the health and safety of the applicant household. The welfare official may negotiate with the utility for payment of less than the full amount of the arrears and/or may attempt to arrange a repayment plan to obtain restoration of services.

When electric service has been terminated and restoration is required, arrearages may either be included as set forth in the above paragraph, or may be paid in accordance with a reasonable payment plan entered into by the applicant and the electric company. The welfare official may hold the recipient accountable for the payment arrangement for as long as the recipient continues to request general assistance on a regular basis. Payment of a payment plan may be a required element of a notice of decision or case plan.

3. **Food.** The amount included as "need" for food purchases will be in accordance with the most recent standard food stamp allotment, as determined under the food stamp program administered by the New Hampshire Department of Health and Human Services. An amount in excess of the standard food allotment may be granted if one or more members of the household needs a special diet, as verified by the welfare official, the documented cost of which is greater than can be purchased with the family's allotment of food stamps. Food vouchers may not be used for alcohol, tobacco or pet food. See Appendix A.
4. **Household Maintenance Allowance.** Applicants may include, in calculating "need," the cost of providing personal and household necessities determined by the welfare official and used consistently for individuals and families. See Appendix A. Need allowance for diapers shall be calculated based on usage.
5. **Telephone.** If the absence of a telephone would create an unreasonable risk to the applicant's health or safety (as verified by the welfare official), or for other good cause as determined by the welfare official, the lowest available basic monthly rate will be budgeted as "need".

6. **Transportation.** If the welfare official determines that transportation is necessary (e.g., for health or medical reasons, to maintain employment, or to comply with conditions of assistance) “need” should include the cost of public transportation, where available. If, and only if, the transportation need cannot be reasonably provided by alternative means, such as public transportation or volunteer drivers, a reasonable amount for car payments and gasoline should be included as part of “need” when determining eligibility or amount of aid.
7. **Maintenance of Insurance.** In the event that the welfare official determines that the maintenance of medical insurance is essential, an applicant may include as “need” the reasonable cost of such premiums, especially in the event that insurance payments are less than the cost of prescriptions.
8. **Emergency and Other Expenses.** In the event that the applicant has the following current expenses, the actual cost shall be included as emergency and other expenses to determine eligibility and amount of assistance:
 - a. **Medical Expenses.** The welfare official shall not consider including amounts for medical, dental or eye services unless the applicant can verify that all other potential sources have been investigated and that there is no source of assistance other than local welfare. Other sources to be considered shall include state and federal programs, local and area clinics, area service organizations and area hospital indigent programs designed for such needs. When an applicant requests medical service, prescriptions, dental service or eye service, the local welfare official may require verification from a doctor, dentist or person licensed to practice optometry in the area, indicating that these services are absolutely necessary and cannot be postponed without creating a significant risk that the applicant's well being will be placed in serious jeopardy. ~~This office will consider only those medications that are considered life-saving/sustaining and the New Hampshire Division of Health and Human Services Medicaid program would consider reimbursable. Generic medications must be used unless specified otherwise by a licensed medical provider. The City's Welfare Official—of Somersworth—Welfare—Department—will not normally authorize assistance for medications which would not meet the criteria of treating a diagnosed life threatening medical condition.~~
 - b. **Clothing.** If the applicant has an emergency clothing need which cannot be met in a timely fashion by other community resources (i.e.: Salvation Army, Red Cross, church group), the expense of reasonably meeting that emergency clothing need will be included.

- c. **Legal Expenses:** Except for those specifically required by the statute, no legal expenses, including fines/citation will be included in "need".
 - d. **Miscellaneous:** Normally, cost to prevent repossession of any kind, moving expenses, storage charges, household items and any other non-essential expenses as determined by the welfare official shall not be considered allowable expenses.
9. **Unusual Needs Not Otherwise Provided For in These Guidelines.** If the welfare official determines that the strict application of the standard of need criteria will result in unnecessary or undue hardship (e.g. needed services are inaccessible to the applicant), such official may make minor adjustments in the criteria, or may make allowances using the emergency need standards state in Section VI(D)(2) of these guidelines. Any such determination and the reasons therefore, shall be stated in writing in the applicant's case record.
10. **Shared Expenses.** If the applicant/recipient household shares shelter, utility, or other expenses with a non-applicant/recipient (i.e.: is part of a residential unit), then need should be determined on a pro rata share, based on the total number of adults in the residential unit (e.g.: three adults in a residential unit, but only one applies for assistance-shelter need is 1/3 of shelter allowance for household of three adults).
11. **Payment Levels for Allowable Expenses.** When adopting these guidelines, the City of Somersworth shall establish payment levels for various allowable expenses which shall be based on actual local market conditions and costs. The payment levels shall be reviewed by the welfare official annually and modifications presented to the City Manager where market conditions have changed. RSA 165:1, II.

F. Income

In determining eligibility and the amount of assistance, the standard of need shall be compared to the available income/assets. Computation of income and expenses will be by the week or month. The following items will be included in the computation:

- 1. **Earned Income.** Income in cash or in-kind earned by the applicant or any member of the household through wages, salary, commissions, or profit, whether self-employed or as an employee, is to be included as income. Rental income and profits from items sold are considered earned income. With respect to self-employment, total profit is arrived at by subtracting business expenses from gross income in accordance with standard accounting principles **as reported on the client's 1099 form will be considered when determining eligibility.** When income consists of

wages, the amount computed should be that available after income taxes, social security and other payroll deductions required by state, federal, or local law, court ordered support payments and child care costs, and work related clothing costs have been deducted from income. Wages that are trusted, or income similarly unavailable to the applicant or applicant's dependents, should not be included.

2. **Income or Support from Other Persons.** Contributions from relatives or other household members shall be considered as income only if actually available and received by the applicant or recipient. The income of non-household members of the applicant's residential unit shall not be counted as income.

(Expenses shared with non-household members may affect the level of need, however. See Section IX(E)(10) regarding determination of need in cases of non-household residential units.)

3. **Income from Other Assistance or Social Insurance Programs.**
 - a. State categorical assistance benefits, OASDI payments, Social Security payments, VA benefits, unemployment insurance benefits, and payment from other government sources shall be considered income.
 - b. Food Stamps cannot be counted as income pursuant to federal law (7 USC 2017(b))
 - c. Fuel assistance cannot be counted as income pursuant to federal law. (42 USC 8624(f)(1))
4. **Court-Ordered Support Payments.** Alimony and child support payments shall be considered income only if actually received by the applicant or recipient.
5. **Income from Other Sources.** Payment from pension, trust funds, and similar programs shall be considered income.
6. **Earnings of a Child.** No inquiry shall be made into the earnings of a child 14 years of age or less unless that child makes a regular and substantial contribution to the family.
7. **Option to Treat a Qualified State Assistance Reduction as Deemed Income.** The welfare official may deem as income all or any portion of any qualified state assistance reduction pursuant to RSA 167:82, VIII. The following criteria shall apply to any action to deem income under this section. RSA 165:1-e.

- a. The authority to deem under this section shall terminate when the Qualified State Assistance Reduction no longer is in effect.
- b. Applicants for general assistance may be required to cooperate in obtaining information from the Department of Health and Human Services as to the existence and amount of any Qualified State Assistance Reduction. No applicant for general assistance may be considered to be subject to a Qualified State Assistance Reduction unless the existence and amount has been confirmed by the Department of Health and Human Services.
- c. The welfare official shall provide the applicant with a written decision which sets forth the amount of any deemed income used to determine eligibility for general assistance.
- d. Whenever necessary to prevent an immediate threat to the health and safety of children in the household, the welfare official shall waive that portion, if any, of the Qualified State Assistance Reduction as necessary.

G. Residents of Shelters for Victims of Domestic Violence and their Children

An applicant residing in a shelter for victims of domestic violence and their children who has income, and owns resources jointly with the abusive member of the applicant's household, shall be required to cooperate with the normal procedures for purposes of verification. Such resources and income may be excluded from eligibility determinations unless the applicant has safe access to joint resources at the time of application. The verification process may be completed through an authorized representative of the shelter of residence. The normal procedures taken in accordance with these guidelines to recover assistance granted shall not delay such assistance.

X. Non-Residents

A. Eligibility

Applicants who are temporarily in a municipality which is not their municipality of residence and who do not intend to make a residence there are nonetheless eligible to receive general assistance, provided they are poor and unable to support themselves. RSA 165:1-c. No applicant shall be refused assistance solely on the basis of residence. RSA 165:1.

B. Standards

The application procedure, eligibility standards and standard of need shall be the same for non residents as for residents.

C. Verification

Verification records shall not be considered unavailable, nor the applicant's responsibility for providing such records relaxed, solely because they are located in the applicant's municipality of residence.

D. Temporary or Emergency Aid

The standards for the fulfilling of immediate or emergency needs of nonresidents and for temporary assistance pending final decision shall be the same as for residents, as set forth in Section VI (D)(2).

E. Determination of Residence

Determination of residence shall be made if the applicant requests return home transportation (See paragraph F below), or if the welfare official has reason to believe the applicant is a resident of another New Hampshire municipality from which recovery can be made under RSA 165:20.

1. **Minors.** The residence of a minor applicant shall be presumed to be the residence of his/her custodial parent or guardian.
2. **Adults.** For competent adults, the standard for determining residence shall be the overall intent of the applicant, as set forth in the Section I definition of "residence." The statement of an applicant over 18 as to his/her residence or intent to establish residence shall be accepted in the absence of strongly inconsistent evidence or behavior.

F. Return Home Transportation

At the request of a nonresident applicant, any aid, temporary or otherwise, to which he/she would be otherwise entitled under the standards set forth in these guidelines, may be used by the welfare official to cause the applicant to be returned to his/her municipality of residence. RSA 165:1-c.

G. Recovery

Any aid given to a nonresident, including the costs of return home transportation, may be recovered from his/her municipality of residence using the procedures of Section XVI(B).

XI. Municipal Work Programs

A. Participation

Any recipient of general assistance who is able and not gainfully employed may be required to work for the City of Somersworth or an appropriate local human service agency at any available bona fide job that is within his/her capacity (RSA 165:31) for the purpose of reimbursement of benefits received. Participants in the workfare program are not considered employees of the City of Somersworth, and any work performed by workfare participants does not give rise to any employee-employer relationship between the recipient/workfare participant and the City of Somersworth.

B. Reimbursement Rate

The workfare participant shall be allotted the prevailing municipal wage for work performed, but in no case less than the minimum wage. No cash compensation shall be paid for workfare participation; the wage value of all hours worked shall be used to reimburse the City of Somersworth for assistance given. No workfare participant shall be required to work more hours than necessary to reimburse aid rendered.

C. Continuing Financial Liability

If, due to lack of available municipal work or other good cause, a recipient does not work a sufficient number of hours to fully reimburse the City of Somersworth for the amount of his/her aid, the amount of aid received less the value of the workfare hours completed shall still be owed to the City of Somersworth.

D. Allowance for Work Search

The City of Somersworth shall provide reasonable time during working hours for the workfare participant to conduct a documented employment search.

E. Workfare Program Attendance

With prior notice to the welfare official, a recipient may be excused from workfare participation if he/she:

1. Has a conflicting job interview;
2. As a parent or person "in loco parentis," must care for a child under the age of five. A recipient responsible for a child age five but under 12 shall not be required to work during hours the child is not in school, if there is no responsible person available to provide care, and no other care is available;
3. Is unable to work due to mental or physical disability, as verified by the welfare official;
4. Must remain at home because of illness or disability to another member of the household, as verified by the welfare official; or
5. Does not possess the materials or tools required to perform the task and the City of Somersworth fails to provide them.
6. Has a conflicting interview at a service or welfare agency;
7. Has a medical appointment or illness;

However, the workfare participant should attempt to schedule appointments so as not to conflict with the workfare program and must notify his/her supervisor in advance of the appointment. The welfare official may require participants to provide documentation of their attendance at a conflicting interview or appointment.

F. Workfare Hours

Workfare hours are subject to approval of the supervisor and the welfare official. Failure of the participant to adhere to the agreed workfare hours (except for the reasons listed above) will prompt review of the recipient's eligibility for general assistance, and may result in a suspension or termination of assistance. See Section XIII (C)(2)(b).

G. Workers Compensation

The City of Somersworth shall provide workers compensation coverage to participants in workfare programs ~~in the same manner such coverage is provided to other municipal employees, unless the City Manager and the City Council has voted to adopt a guideline making the provisions of the workers compensation laws not applicable to workfare program participants. RSA 281-A:2, VII(b), as required by New Hampshire State Law.~~

XII. Burials & Cremations

The welfare official shall provide for proper burial or cremation, at municipal expense, of persons found in the City of Somersworth at time of death, regardless of whether the deceased person ever applied for or received general assistance from any municipality. In such cases, assistance may be applied for on behalf of the deceased person. However, when possible, the application should be made before any burial or cremation expenses are incurred. The expense may be recovered from the deceased person's municipality of residence, or from a liable relative pursuant to RSA 165:3, II. If relatives, other private persons, the state or other sources are unable to cover the entire burial/cremation expense, the City of Somersworth will pay up to \$650.00 for burial/cremation. (See Appendix A.) RSA 165:3 and RSA 165:1-b; see also RSA 165:27 and 165:27-a. ~~The total burial/cremation expense is not to exceed \$2000.00. RSA 165-3, RSA 165:1-b, RSA 165-27 and 165:27-a.~~

~~Special religious rites, beyond the maximum amount the municipality will pay, will not be paid for at the public expense,~~

~~The municipality will not pay burial and/or cremation benefits in the instance of passedé funeral charges. The request should be made prior to the burial/or cremation, in a timely manner, immediately following the time of death.~~

XIII. Right to Notice of Adverse Action

A. Right to a Written Decision

All persons have a constitutional right to be free of unfair, arbitrary or unreasonable action taken by government. This includes applicants for and recipients of general assistance whose aid has been denied, terminated or reduced. Every applicant and recipient shall be given a written notice of every decision regarding assistance (See Section VI(D) for notice where application is granted.) The welfare official will make every effort to ensure that the applicant understands the decision.

B. Action Taken for Reasons Other than Noncompliance with the Guidelines

1. Whenever a decision is made to deny assistance or to refuse to grant the full amount of assistance requested, a notice of the decision shall be given or mailed to the applicant either the same day or next work day following the making of the decision or within five working days from the time the application is filled out and submitted, whichever occurs first.
2. In any case where the welfare official decides to terminate or reduce assistance for reasons other than noncompliance with the guidelines the official shall send notice at least seven days in advance of the effective date of the decision to the recipient stating the intended action.
3. The notice required by paragraphs 1 and 2 above shall contain:
 - a. A clear statement of the reasons for the denial or proposed termination or reduction.
 - b. A statement advising the recipient of his/her right to a fair hearing and that any request for a fair hearing must be made in writing within five working days.
 - c. A form on which the recipient may request a fair hearing.
 - d. A statement advising the recipient of the time limits which must be met in order to receive a fair hearing.
 - e. A statement that assistance may continue, if there was initial eligibility, until the date of hearing, if requested by the claimant. Aid must be repaid if the claimant fails to prevail at the hearing.

C. Suspension for Noncompliance with the Guidelines

1. **Due Process.** Recipients must comply with these guidelines and the reasonable request of welfare officials. Welfare officials must enforce the guidelines while ensuring that all recipients and applicants receive due process. Recipients should be given reasonable notice of the conditions and requirements of eligibility and continuing eligibility and notice that noncompliance may result in termination or suspension.
2. **Conditions.** Any applicant/recipient otherwise eligible for assistance shall become ineligible under RSA 165:1-b if he/she willfully and without good cause fails to comply with the requirements of these guidelines relating to the obligation to:
 - a. Disclose and provide verification of income, resources or other material financial data, as set out in Sections VI(C) and VII of these guidelines, including any changes in this information;
 - b. Participate in the work program under Section VI(C), to the extent assigned by the welfare official;
 - c. Comply with the work search requirements imposed by the welfare official under Section VI(C); and
 - d. Within 7 days, apply for other public assistance, as required by the welfare official under Section VI(C).
3. **First Notice.** No recipient otherwise eligible shall be suspended for noncompliance with conditions unless he/she has been given a written notice of the actions required in order to remain eligible and a seven-day period within which to comply. The first notice should be given at the time of the notice of decision and thereafter as conditions change. Additional notice of actions required should also be given, as eligibility is re-determined, but without an additional seven day period unless new actions are required. RSA 165:1-b, II.
4. **Noncompliance.**
 - a. If a recipient willfully and without good cause fails to come into compliance during the seven day period, or willfully falls into noncompliance within 30 days from receipt of a first notice, the welfare official shall give the recipient a suspension notice, as set forth in paragraph 5.

- b. If a recipient falls into noncompliance for the first time more than 30 days after receipt of a first notice, the welfare official shall give the recipient a new first notice with a new seven day period to comply before giving the recipient the suspension notice. RSA 165:1-b, III.
5. **Suspension Notice.** Written notice to a recipient that he/she is suspended from assistance due to failure to comply with the conditions required in a first notice shall include:
- a. A list of the guidelines with which the recipient is not in compliance and a description of those actions necessary for compliance;
 - b. The period of suspension (See paragraph 6 below);
 - c. Notice of the right to a fair hearing on the issue of willful noncompliance and that such request must be made in writing within five days of receipt of the suspension notice;
 - d. A statement that assistance may continue in accordance with the prior eligibility determination until the fair hearing decision is made if the recipient so requests on the request form for the fair hearing, however, if the recipient fails to prevail at the hearing: 1) the suspension will start after the decision, and 2) such aid must be repaid by the recipient; and
 - e. A form on which the individual may request a fair hearing and the continuance of assistance pending the outcome.
6. **Suspension Period.** The suspension period for failure to comply with these guidelines shall last:
- a. Either seven days, or 14 days if the recipient has had a prior suspension which ended within the past six months, and
 - b. Until the recipient complies with the guidelines if the recipient, upon the expiration of the seven or 14-day suspension period, continues to fail to carry out the specific actions set forth in the notice.
 - c. Notwithstanding paragraph C(6)(b) above, a recipient who has been suspended for noncompliance for at least six months may file a new application for assistance without coming back into compliance.

d.

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7. **Fair Hearing on Continuing Noncompliance.** A recipient who has been suspended until he/she complies with the guidelines may request a fair hearing to resolve a dispute over whether or not he/she has satisfactorily complied with the required guidelines, however no assistance shall be available under paragraph C (5)(d) above.
8. **Compliance After Suspension.** A recipient who has been subject to a suspension and who has come back into compliance shall have his/her assistance resumed, provided he/she is still otherwise eligible. The notice of decision stating that assistance has been resumed should again set forth the actions required to remain eligible for assistance, but need not provide a seven-day period for compliance unless new conditions have been imposed.

XIV. Fair Hearings

A. Requests

A request for a fair hearing is a written expression, by the applicant or recipient, or any person acting for him/her, to the effect that he/she wants an opportunity to present his/her case to a higher authority. When a request for assistance is denied or when an applicant desires to challenge a decision made by the welfare official relative to the receipt of assistance, the applicant must present a request for a fair hearing to the welfare official within five (5) working days of receipt of the notice of decision at issue. RSA 165:1-b, III.

B. Time Limits for Hearings

Hearings requested by claimants must be held within seven (7) working days of the receipt of the request. The welfare official shall give notice to the claimant setting the time and location of the hearing. This notice must be given to the claimant at least forty-eight (48) hours in advance of the hearing, or mailed to the claimant at least seventy-two (72) hours in advance of the hearing.

C. The Fair Hearing Officer (s)

The fair hearing officer or officers may be chosen by the City Manager. The person(s) serving as the fair hearing authority must:

1. Not have participated in the decision causing dissatisfaction;
2. Be impartial;
3. Be sufficiently skilled in interviewing to be able to obtain evidence and facts necessary for a fair determination; and
4. Be capable of evaluating all evidence fairly and realistically, to explain to the claimant the laws and regulations under which the welfare official operated, and to interpret to the welfare official any evidence of unsound, unclear or inequitable policies, practices or action.

D. Fair Hearing Procedures

1. All fair hearings shall be conducted in such a manner as to ensure due process of law. Fair hearings shall not be conducted according to strict rules of evidence. The burden of proof shall be on the claimant, who shall be required to establish his/her case by a preponderance of the evidence.
2. The welfare official responsible for the disputed decision shall attend the hearing and testify about his/her actions and the reasons therefore.
3. Both parties shall be given the opportunity to offer evidence and explain their positions as fully and completely as they wish. The claimant shall have the opportunity to present his/her own case or, at the claimant's option, with the aid of others, and to bring witnesses, to establish all pertinent facts, to advance any arguments without undue interference, to question or refute testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.
4. A claimant or his/her duly authorized representative has the right to examine, prior to a fair hearing, all records, papers and documents from the claimant's case file which either party may wish to introduce at the fair hearing, as well as any available documents not contained in the case file but relevant to the welfare official's action of which the claimant complains. The claimant may introduce any such documents, papers or records into evidence. No record, paper or document, which the claimant has requested to review but has not been allowed to examine prior to the hearing, shall be introduced at the hearing or become part of the record.
5. The welfare official (or a duly authorized representative) shall have the right to examine at the fair hearing all documents on which the claimant plans to rely at the fair hearing and may request a 24-hour continuance if such documents contain evidence not previously provided or disclosed by the claimant. Should the applicant have new documentation relevant to the disputed decision, he/she may reapply for assistance and file a written withdrawal of the fair hearing request.
6. The decision of the fair hearing officer(s) must be based solely on the record, in light of these guidelines. Evidence, both written and oral, which is admitted at the hearing shall be the sole contents of the record. The fair hearing officer(s) shall not review the case record or other materials prior to introduction at the hearing.
7. The parties may stipulate to any facts.

E. Decisions

1. Fair hearing decisions shall be rendered within seven (7) working days of the hearing. Decisions shall be in writing setting forth the reasons for the decision and the facts on which the fair hearing officer relied in reaching the decision. A copy of the decision shall be mailed or delivered to the claimant and to the welfare official.
2. Fair hearing decisions will be rendered on the basis of the officer's findings of fact, these guidelines and state and federal law. The fair hearing decision shall set forth appropriate relief.
3. The decision shall be dated. In the case of a hearing to review a denial of aid, the decision is retroactive to the date of the action being appealed. If a claimant fails to prevail at the hearing, the assistance given pending the hearing shall be a debt owed by the individual to the City of Somersworth.
4. The welfare official shall keep all fair hearing decisions on file in chronological order.
5. None of the procedures specified herein shall limit any right of the applicant or recipient to subsequent court action to review or challenge the adverse decision.

XV. Liens

A. Real Estate

The law requires the City of Somersworth to place a lien for welfare aid received on any real estate owned by an assisted person in all cases except for just cause. (This section does not authorize the placement of a lien on the real estate of legally liable relatives, as defined by RSA 165:19.) The City Manager (or their designee) shall file a Notice of Lien with the County Registry of Deeds, complete with the owner's name and a description of the property sufficient to identify it. Interest at the rate of 6% per year shall be charged on the amount of money constituting the lien commencing one year after the date the lien is filed, unless waived by the City of Somersworth. The lien remains in effect until enforced or released or until the amount of the lien is repaid to the City of Somersworth. The lien shall not be enforce so long as the real estate is occupied as the sole residence of the assisted person, his/her surviving spouse, or his/her surviving children who are under age 18 or blind or permanently and totally disabled. At such time as the lien may become enforceable, the welfare official shall attempt to contact the attorney handling the real estate or estate before enforcing the lien. Upon repayment of a lien, the City of Somersworth must file written notice of the discharge of the lien with the County Registry of Deeds. RSA 165:25.

B. Civil Judgments – RSA 165:28-a.

1. The City of Somersworth shall be entitled to a lien upon property passing under the terms of a will or by in testate succession, a property settlement, or a civil judgment for personal injuries (except Workers Compensation) awarded any person granted assistance by the City of Somersworth for the amount of assistance granted by the City of Somersworth.
2. The City of Somersworth shall be entitled to the lien only if the assistance was granted no more than 6 years before the receipt of the inheritance or the award of the property settlement or civil judgment. When the welfare official becomes aware of such a claim against a civil judgment, he/she shall contact the attorney representing the recipient.
3. This lien shall take precedence over all other claims.

XVI. Recovery of Assistance

The welfare official shall seek to recover money expended to assist eligible applicants. There shall be no delay, refusal to assist, reduction or termination of assistance while the welfare official is pursuing the procedural or statutory avenues to secure reimbursement. Any legal action to recover must be filed in a court within six (6) years after the expenditure. RSA 165:25.

A. Recovery from Responsible Relatives

The amount of money spent by the City of Somersworth to assist a recipient who has a father, mother, stepfather, stepmother, husband, wife or child (who is no longer a minor) of sufficient ability to also support the recipient, may be recovered from the liable relative. Sufficient ability shall be deemed to exist when the relative's weekly income is more than sufficient to provide a reasonable subsistence compatible with decency and health. The welfare official may determine that "in kind" assistance or the provision of products/services to the client is acceptable as a relative's response to liability for support. Written notice of money spent in support of a recipient must be given to the liable relative. The welfare official shall make reasonable efforts to give such written notice prior to the giving of aid, but aid to which an applicant is entitled under these guidelines, shall not be delayed due to inability to contact possibly liable relatives. RSA 165:19.

B. Recovery from the Municipality of Residence

The welfare official shall seek to recover from the municipality of residence the amount of money spent by the City of Somersworth to assist a recipient who has a residence in another municipality. Written notice of money spent in support of a recipient must be given to the welfare official of the municipality of residence. In any civil action for recovery brought under RSA 165:20, the court shall award costs to the prevailing party. RSA 165:19 and 20. (See RSA 165:20-a providing for arbitration of such disputes between communities.) RSA 165:20.

C. Recovery from Former Recipient's Income

A former recipient who is returned to an income status after receiving assistance may be required to reimburse the City of Somersworth for the assistance provided, if such reimbursement can be made without financial hardship. RSA 165:20-b.

D. Recovery from State and Federal Sources

The amount of money spent by the City of Somersworth to support a recipient who has made initial application for SSI and has signed HHS FORM 151 "AUTHORIZATION FOR REIMBURSEMENT OF INTERIM ASSISTANCE" shall be recovered through the SSA and the New Hampshire Department of Health and Human Services. Prescription expenses paid by the City of Somersworth for applicants who have applied for Medicaid shall be recovered through the New Hampshire Department of Health and Human Services if and when the applicant is approved for medical coverage.

E. Delayed State Claims

For those recipients of general assistance deemed eligible for state assistance, New Hampshire Department of Health and Human Services shall reimburse the City of Somersworth the amount of general assistance as a result of delays in processing within the federally mandated time periods. Any claims for reimbursement shall be held until the end of the fiscal year and may be reimbursed on a pro-rated basis dependent upon the total claims filed per year. RSA 165:20-c. A Form 340 "REQUEST FOR STATE REIMBURSEMENT" may be obtained from the New Hampshire Department of Health and Human Services for this purpose.

XVII. Application of Rents Paid by the City of Somersworth

Whenever the owner of property rented to a person receiving general assistance from the City of Somersworth is in arrears in sewer, water, electricity, or tax payments to the City of Somersworth, the City of Somersworth may apply the assistance which the property owner would have received in payment of rent on behalf of such assisted person to the property owner's delinquent balances, regardless of whether such delinquent balances are in respect of property occupied by the assisted person. RSA 165:4-a.

A. Payment Arrears

A payment shall be considered in arrears if more than thirty (30) days have elapsed since the mailing of a bill, or in the case of real estate taxes, if interest has begun to accrue pursuant to RSA 76:13. (RSA 165:4-a)

B. Order of Priority

Delinquent balances will be offset in order of the following priority: 1) Water, 2) Sewer, and 3) Taxes.

C. Procedure

1. The welfare official will issue a voucher on behalf of the tenant to the landlord for the allowed amount of rent. The voucher will indicate any amount to be applied to a delinquent balance owed by the landlord, specifying which delinquency and referring to the authority of RSA 165:4-a.
2. The welfare official will issue a duplicate voucher to the appropriate department (i.e.: tax collector, sewer department, water precinct, municipal electric facility), which shall forward the voucher to the treasurer or finance director for payment. Upon receipt of payment, the department will issue a receipt of payment to the delinquent landlord.

APPENDIX A
ALLOWABLE LEVELS OF ASSISTANCE PAYMENTS
FOR THE CITY OF SOMERSWORTH

Allowable Level of Assistance payments fore the City of Somersworth

Food Stamps (SNAP) will follow the State of New Hampshire allotments

Burial Allowance ~~\$500.00~~ \$650.00

Telephone will be the lowest available basic plan for local calls

APPENDIX B

CITY OF SOMERSWORTH

Explanation for Disqualification for Noncompliance with Guidelines

NH RSA 165:1-b

The following is written to help explain and standardize the process of "Disqualification for Noncompliance with Guidelines," RSA 165:1-b.

Once you determine that an applicant is eligible and you provide assistance, you can impose conditions on the person's continued receipt of assistance. The conditions may require the recipient to comply with written guidelines relating to:

- 1) Disclosure of income and resources,
- 2) Participation in a work program,
- 3) Conducting an adequate work search, and/or
- 4) Applying for public assistance through other agencies as outlined in the Model Guidelines.

Willful failure to comply with the conditions imposed can lead to the suspension of a recipient's assistance, but there is a process which must be followed. Prior to suspension, a recipient must be given written notice from the local welfare office of the specific actions which must be taken and the recipient must be given at least seven (7) days in which to comply prior to suspension. There can be no exception.

The **Notice of Decision** form may be used to grant an assistance application and *simultaneously* give notice of the conditions imposed on the recipient's continued receipt of assistance. The **Notice of Decision** form may also be used to give notice of the conditions that must be complied with, if that notice was not given at the time assistance was granted or if the conditions to be complied with have changed.

If a recipient does not comply with the conditions in the time period allowed, he/she can be "sanctioned" and his/her assistance suspended. How long the suspension lasts depends on whether there have been other suspensions within the previous 6 months and whether there are actions the recipient can take to come into compliance. A written decision (the **Notice of Decision** form can be used) must be given notifying the recipient of the term of the suspension, the specific reason(s) for the suspension citing the guidelines, any action(s) which must be taken to come back into compliance, and notice of the right to request a fair hearing within 5 days of receipt of the notice.

If this is a first sanction, assistance may be suspended for seven (7) days. If it is possible for the recipient to take action(s) to come into compliance, then assistance can remain

suspended after the seven (7) day period *and until* such time as the recipient takes the action(s) required to come into compliance (e.g. recipient only made 3 work search contacts instead of 10-the recipient must complete 7 more work search contacts; e.g. the recipient failed to apply for food stamps-if the recipient applies within the initial 7 day suspension, then the suspension ends after 7 days, otherwise, the suspension continues until the recipient applies). After the 7 day suspension period, the sanction must be lifted upon compliance with the condition.

If this is the second sanction (or more) for the recipient within a 6 month period, assistance may be suspended for 14 days. The reason for the sanction need not relate to previous sanctions to extend the suspension period to 14 days. If it is possible for the recipient to take action to come into compliance, then assistance can remain suspended after the 14 day period and until compliance, as described above.

If more than six months elapses between the first and second sanctions, follow the procedures for a first sanction.

All notices of decision telling a recipient that he/she has been suspended must provide an opportunity for the recipient to request a fair hearing. If the recipient timely requests a hearing, the welfare officer must provide the recipient with the option of continuing to receive assistance consistent with any prior eligibility determination until the fair hearing decision is made. If there is a dispute over whether the recipient has taken the actions required to come back into compliance, the recipient must be provided the opportunity for a fair hearing on that issue, but there shall be no assistance provided pending the outcome of that hearing.

The welfare officer is not required to accept applications for assistance during a period of suspension.

APPENDIX C

CITY OF SOMERSWORTH

ADOPTED ETHICS RESOLUTION ON RESPONSIBILITY FOR PERSONS WHO CHANGE THEIR RESIDENCE WHILE, OR AS A RESULT OF, APPLYING FOR LOCAL WELFARE

(New Hampshire Local Welfare Administrators Association)

- I. "Dumping" is hereby declared to be an unethical practice. For purposes of this resolution, "dumping" consists of attempting to end, or avoid acquiring, a local welfare financial responsibility by encouraging, persuading or pressuring a client:

- A. not to establish, or to discontinue, a residence in the town which he/she has applied for assistance, or
- B. to establish a residence in another town.

- II. In order to avoid "dumping" the following standards should be observed:

A welfare administrator should not encourage, direct, or knowingly allow a client who has applied for assistance in his/her town to apply for assistance in another town without making a good faith effort to contact the welfare administrator in that other town to explain why the person is coming to the other town. This applies whether or not the welfare administrator has accepted initial financial responsibility for the person (i.e. treat him/her as a resident) unless:

- A. he/she has an established place of abode (specific address, place to sleep) in another town which he/she intends to return to (even for just one night – i.e., hasn't moved out of yet), or
- B. he/she has **NO** established place of abode **ANYWHERE**, (i.e., any prior specific address was in some other town and has been abandoned) **AND** has a specific intent to go somewhere else rather than staying in the town for any time.

(Even when an applicant falls into A. or B. above, some temporary, non-resident assistance may be necessary, depending on the circumstances, in order to send the person on his/her way.)

III. Where a town has accepted initial financial responsibility under paragraph II above, the welfare administrator should not grant any assistance which he/she knows will be used so as to help establish the recipient's residence in another town, unless:

- A. a good faith effort is made to explore local resources, after which it is discovered that none within reason is available, or
- B. unless the client has indicated an intent to move to another town for some non-welfare-related reason.

In either case the welfare administrator who has accepted initial financial responsibility should contact the official of the other town and offer to pay up to one month's assistance following the move if necessary.

Towns must avoid "special" treatment. If a town never pays security deposits, the town must not pay security deposits in special instances to establish a client's residence elsewhere. The sending town should pay actual allowable shelter costs as determined by the receiving town's guidelines.

IV. Residency

According to RSA 126-A:43-h, persons receiving emergency housing (shelter) shall continue to maintain their legal residence as it existed at the time of entering the emergency housing facility. When a person leaves the originating shelter of their own free will, the liability no longer remains the responsibility of the original town. A person does not gain or lose residency while in a shelter, hospital or treatment center.

Persons who are sanctioned by local welfare, and arrive in another community, are not the liability of the community where the sanction originated. However, arrangements may be made between the two communities to have the sanction resolved.

APPENDIX D

CITY OF SOMERSWORTH NEW HAMPSHIRE WELFARE BENEFIT PROGRAMS

BENEFIT	PERSONS ELIGIBLE	SOURCE OF FUNDS	GOV'T WHICH ADMINISTERS	GOV'T WHICH SETS STANDARDS
TOWN				
1. Town Welfare RSA 165:1, I	Poor and in need	Local Property Tax	Town	Town
STATE				
2. APTD Aid to the Permanently & Totally Disabled RSA 167:6, VI	Low income Adults 18-64 Permanently & Totally Disabled	County & State	State	State
3. OAA Old Age Assistance RSA 167:6, I	Low Income Adults, 65 and over	County & State	State	State
4. ANB Aid to Needy Blind RSA 167:6, IV	Low Income Blind Adults	State	State	State
5. TANF Temporary Assistance to Needy Families 42 USC §601 RSA 167:6, V	Low Income Families with Dependent Children	State & Federal	State	Federal & State
FEDERAL				
6. Food Stamps 7 USC §2011	Lower Income	Federal Households	State	Federal
7. SSI Supplemental Security Income 42 USC §1831	Low Income	Federal	Federal	Federal

**AGREEMENT FOR PROFESSIONAL
ENGINEERING SERVICES**

This is an AMENDED AGREEMENT to the original contract between the City of Somersworth, NH (OWNER) and Hoyle, Tanner & Associates, Inc. (CONSULTANT). The effective date of this agreement is _____.

The OWNER wishes the CONSULTANT to provide professional engineering and related services for the PROJECT which is described herein below; and in consideration of these premises of the satisfactory performance by the CONSULTANT of the services hereinafter provided and for the payments to be made therefore by the OWNER, and the CONSULTANT and the OWNER do hereby agree as follows:

ARTICLE I - PROJECT DESCRIPTION

Hoyle, Tanner & Associates, Inc. has completed bid ready design plans and technical specifications for the proposed work in the project area, as outlined in the study and presentation for drainage replacement, Market Street limited sewer replacement and major water line replacements.

Hoyle, Tanner has provided additional and proposes to provide Resident Engineering services for the Downtown Utility Project in the spring of 2015.

ARTICLE II - GENERAL SCOPE OF SERVICES

Hoyle, Tanner will provide the following services and tasks for the above described project:

I Resident Inspection and Other Special Services

Hoyle, Tanner has provided additional Residential Inspection services in the fall of 2014 and will provide additional services in the spring of 2015 to complete the project final paving, striping and cleanup. Hoyle, Tanner anticipates up to 50 hours of inspection effort in the spring and will be on-site part time to inspect and oversee construction work performed by the contractor throughout the completion of the project.

ARTICLE III – SCHEDULE

Hoyle, Tanner will return in the spring of 2015 for part time inspections when the contractor is on-site after the winter shutdown to complete the project.

ARTICLE IV - BASIS OF PAYMENT

We propose to provide the additional services described in the GENERAL SCOPE OF SERVICES, Resident Inspection and Other Special Services for a not to exceed lump sum fee of Fifteen Thousand dollars, (\$15,000) bringing the total contract fee from \$440,950 to \$455,950.

ARTICLE V - ADDITIONAL SERVICES (NO CHANGE)

ARTICLE VI- INSURANCE (NO CHANGE)

ARTICLE VII – AUTHORIZATION (NO CHANGE)

RECEIPT OF THIS PROPOSAL IS ACKNOWLEDGED AND THE TERMS AND CONDITIONS CONTAINED IN THE ORIGINAL CONTRACT AND HEREIN ARE ACCEPTED, AUTHORIZED, AND GUARANTEED.

HOYLE, TANNER & ASSOCIATES, INC.

CITY OF SOMERSWORTH



William R. Davidson, P.E.
Vice President

February 11, 2015
(Date)

Robert Belmore
City Manager, City of Somersworth

(Date)

**City of Somersworth, NH
&
American Capital Energy, Inc.**

DRAFT

DRAFT

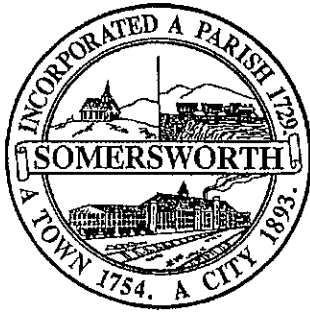
**Memorandum of Understanding
Development of Solar PV Project**

American Capital Energy, Inc. (ACE), teamed with Renewable Energy Development Partners, LLC and Weston & Sampson Engineers, Inc., has submitted a proposal to the City of Somersworth, NH (City) in response to a Request for Proposals (RFP) issued by the City in August 2014. The RFP contemplates the third-party development of a solar PV facility on the City's closed landfill, and ACE's proposal offered development of the landfill site, as well as the potential development of additional PV facilities on other City-owned buildings and parcels where viable. Under the third-party development model, the City would enter into a long term contract(s) with the developer to lease the landfill and/or other City properties, and to purchase the generated electricity to displace or offset current retail electricity usage or charges at beneficial terms to the City as outlined in the RFP.

Prior to the parties entering into long-term project agreements (PPAs and leases) for the development, installation and operation for one or more projects, certain pre-development activities must be completed to allow for technical and financial due diligence, the creation of a preliminary project design, and the preparation of project pricing. In addition, other pre-development activities must be completed related to incentive funding and utility coordination.

The purpose of this Memorandum of Understanding (MOU) is to memorialize the preliminary agreement between the parties, and to outline the responsibilities of ACE and the City during the project pre-development period:

1. The City shall allow ACE and its teaming partners access to the landfill and to other City-owned sites of potential PV development interest for the purposes of a detailed visual site inspection. The City shall also provide ACE with readily available records for the sites and buildings, including site surveys, landfill closure plans, roofing structural plans, historical site electrical usage and utility rate information, and other relevant documents.
2. ACE and its teaming partners, at their own cost & risk, shall review the information available for each site to determine the technical and financial feasibility of a PV project. This review shall include visual site inspections, desktop review of siting constraints, preliminary review of site information obtained from the City or in the public domain, and discussions with PSNH regarding interconnection. Upon completion of the feasibility analysis at each site, ACE shall prepare a preliminary project design depicting the project size, layout and anticipated output to serve as the basis for lease and PPA pricing.



David E. Sharples
Director of Planning and Community Development

January 30, 2015

To: Robert M. Belmore, City Manager

Re: Solar Array RFP progress

I'm writing this memorandum to provide an update on the process of selecting a consultant to partner with on a potential solar array project at the City landfill. The following represents the action to date:

- City Manager Belmore, Director Scott Smith, and Director Sharples interviewed all four firms we received proposals from;
- Created a matrix showing the pros and cons of each firm;
- Consulted with Mark Beliveau, the attorney we utilize for the Superfund, and generated follow up questions for the top three firms;
- After review of the responses to our follow up questions and in consultation with Mark Beliveau, we narrowed it down to American Capital Energy (ACE) and Oak Leaf Energy Partners as the two finalist;
- Conducted a second interview of both finalist with Mark Beliveau;
- We have ranked ACE as the top firm and Oak Leaf second;
- Collectively, the interview panel felt that both ACE and Oak Leaf were the most qualified firms to construct the project. ACE was preliminarily selected as the top firm due to their experience, knowledge of erecting solar arrays on landfills, their willingness to enter into a Memorandum of Understanding to further explore the project and funding opportunities at their risk and expense, and they are locally based.
- Staff brought the recommendation to both the Public Works and Environment Committee and Finance Committee and both committees endorsed inviting ACE to attend a workshop in front of the full Council on February 2nd.
- Bill Fitzpatrick, Director of Business Development, from ACE and Hank Ouimet, owner of Renewable Energy Development Partners LLC, will be attending the Council workshop.

Thank you.

	American Capital Energy	OakLeaf Energy Partners	GE Power and Wind	NhSolarGarden.com
Municipal Landfill experience	12	3	unknown but mentioned a couple out west	several ongoing in NH but none built
Size of Array(s) proposed	2MW (1MW each site)	2MW (1MW each site)	1MW (1 site)	1MW (.5MW each site)
Estimated financial benefit to City. Dependent upon size of array permitted and future market conditions	TBD	\$400,000 at 20 yrs. Assumes 3% increase in yearly electricity costs. Market dependent	loss of \$133,029 at 20 yrs \$1,501,673 at 30 yrs. Market dependent	\$560,000 over 20 yrs Lease of \$15,000/yr Solar Rebates \$13,000/yr
Will construct, own, operate, and maintain facility at no cost to City	Yes	Yes	Yes	Yes
Dependent on competitive grant funding	Yes	No	No	No
Dependent upon property tax exemption	TBD	Yes but can revisit pricing if not exempt	Yes but can revisit pricing if not exempt	Yes but can revisit pricing if not exempt
Public outreach/support	Real time display website accessed via City website	Real time display website accessed via City website	Powerdash interactive platform. Three flat screens for real time display. Site tours/field trips and in classroom talks. Teacher training and curricula development	None proposed but could work out an agreement

System mounting	Concrete ballasts	Concrete ballasts	Protruded Rail system with automated installation	Not provided but picture given. Elevated aluminum frame on concrete ballasts
Year system is online	2016 at the earliest due to reliance on grant funding	2015	2015	2015

CONTRACT AMENDMENT FOR July 2015 to June 2016

Pursuant to the existing Remedial Action Services Contract for the Somersworth Landfill Superfund Site between Geosyntec Consultants, Inc. and the Somersworth Landfill Group dated, 13 January 2000, as amended, (the "Agreement"), the parties, in consideration of the reciprocal benefits conferred herein and intending to be mutually bound hereby agree to amend said contract, effective on the 1st day of July 2015, as follows:

ARTICLE 1 – BACKGROUND AND OBJECTIVES**1.1 Background**

Consultant shall provide Remedial Action (RA) Services associated with monitoring of the Chemical Treatment Wall (CTW), permeable landfill cover and bedrock extraction components of the Preferred Remedial Action (PRA) at the Somersworth Sanitary Landfill Superfund Site (the "Site") in Somersworth, New Hampshire for the Work Settling Defendants (WSDs) for the Site. In addition, Geosyntec shall provide services related to the monitoring of landfill gas at the Site and assist the WSDs in addressing other environmental issues at the Site.

The Site has completed the RA implementation stage of the Superfund program consistent with the Consent Decree (CD) for the Site (USEPA, 1995). A "100% Design and Demonstration of Compliance Plan" dated April 1999 (the "100% Design") (Beak and Geosyntec, 1999) for PRA at the Site was approved by the United States Environmental Protection Agency (EPA) and New Hampshire Department of Environmental Services (NHDES). The major construction related components of the PRA were: (i) the installation of a permeable zero-valent iron CTW in the subsurface between the landfill and the wetland; (ii) the construction of a permeable cover over the landfill; and (iii) the installation of a bedrock groundwater extraction and infiltration system. Based on the results of landfill gas monitoring conducted in 2001 and 2002 the EPA and NHDES believed there was a need for a perimeter LFG venting trench. This venting trench was installed in 2003 as a component of the RA for the Site.

In 1999, Geosyntec prepared the engineering design of the 100% Design for the PRA and since that time has provided Construction Quality Assurance (CQA), Construction Management (CM), and RA services during the construction of the CTW and permeable cover components of the PRA at the Site. Geosyntec also prepared the Sampling and Analysis Plan (the "SAP") (Geosyntec, 1999b; 2001, 2010) for the PRA, and has conducted the baseline and other groundwater monitoring since that time as per the SAP.

1.2 Objectives

The objectives of this work are to monitor the performance of the PRA through continued implementation of the groundwater and soil gas monitoring program, to assist the WSDs with ongoing maintenance and to respond to other environmental issues raised by the EPA and NHDES. Geosyntec will conduct all work in accordance with all applicable regulations and standard practices. Geosyntec will immediately advise the WSDs of any issues that arise in relation to the project.

ARTICLE 2 - SCOPE OF SERVICES

2.1 Introduction

The scope of services required at the Site includes the following tasks:

- Task 1: Groundwater Monitoring for 2015 (Fall 2015)
- Task 2: Monitoring to Evaluate Extraction Well Shutdown (July 2015)
- Task 3: Communication with EPA July 2015 to June 2016
- Task 4: Annual Monitoring Report (Spring 2016)

2.2 Task 1: Groundwater Monitoring for 2015 (Fall 2015)

Geosyntec will complete the annual groundwater monitoring of wells for the CTW as described in the SAP (Geosyntec, 2010). The groundwater monitoring event will involve a combination of the passive diffusion bag (PDB) sampling method and conventional sampling methods. For the sampling round, a total of 24 wells will be sampled using conventional purging techniques and 21 wells sampled using PDBs. The event will also include a synoptic round of water level measurements and collection of field duplicate samples. All data will be compiled for submittal to the EPA. This year, as required once every five years, samples from ten locations will be analyzed for the NHDES Waste Management Division's Full List of VOCs. These additional analyses, as well as the additional data validation required for these analyses, has increased the cost of Task 1 compared with the 2014 sampling event.

2.3 Task 2: Monitoring to Evaluate Extraction Well Shutdown (July 2015)

It was not clear if the groundwater extraction system was having a significant hydraulic influence on the bedrock groundwater in the vicinity of extraction well BRW-1, despite decreasing groundwater concentrations. To address this uncertainty, the extraction well was shut down in 2014, for a planned period of at least one year. In order to evaluate the effects of this shut down, additional monitoring is required between the annual sampling events. Additional monitoring required will be conducted in July 2015 and will include a round of water levels, as well as sampling of the Extraction System Shutdown Monitoring wells for analysis of VOCs. Technical Memoranda will be prepared transmitting the results and

recommended actions to the EPA and NHDES in August and November (based on the Annual sampling conducted as part of Task 1), within 30 days of receiving the data.

2.5 Task 3: Communications with EPA for July 2014 to June 2015

Geosyntec will prepare progress reports for the EPA following groundwater monitoring events and communicate with the EPA if issues arise, for conference calls or they contact Geosyntec for information about the Site. It is anticipated that more communication with EPA will be required in 2015 compared to 2014 due to the EPA preparing its 5-year Review Report for submittal in September 2015.

2.6 Task 4: Annual Monitoring Report

Geosyntec will complete the Annual Monitoring Report with data collected in 2015 before the end of April 2016. In addition, the groundwater monitoring data collected during 2015 will be compiled into a draft report for submittal to the EPA for review and approval. This report will include evaluation of: (1) the performance of the CTW; (2) the performance of the natural attenuation remedy; and (3) the need for additional bedrock groundwater extraction. The Annual Report will be prepared using the data evaluation methodology provided in the SAP.

ARTICLE 3 – MISCELLANEOUS PROVISIONS

3.1 Compensation

Compensation for Consultant's services covered under this Amendment shall be in accordance with the terms and conditions of the original Agreement, subject to the estimated fee contained in Table 1 of this Amendment. Billing rates have been updated to be consistent with updated rates in Geosyntec's corporate purchase agreement with GE as shown in Table 6. Geosyntec will not surpass the authorized amount without first identifying the basis for any change and submitting an appropriate change order request to the WSDs for review and consideration prior to incurring any costs in excess of the authorized amount. Invoices will be submitted on a monthly basis reflecting services provided to date.

3.2 Entire Agreement

This amendment, together with the Agreement and other documents incorporated therein by reference, shall constitute the entire agreement and supersedes all prior negotiations, representations or agreements, between the parties. This Contract can only be amended by written document executed by the Group and Consultant.

IN WITNESS WHEREOF the Group and Consultant have made and executed this Contract as of the day and year first written above.

**THE SOMERSWORTH LANDFILL GROUP
THE CITY OF SOMERSWORTH**

GEOSYNTEC CONSULTANTS, INC.

By: _____

By: _____

Title: _____

Title: _____

THE GENERAL ELECTRIC COMPANY

By: _____

Title: _____

TABLE 1
ESTIMATED COSTS FOR PROJECT TASKS

Task #	Task Name	Cost for 2014 to 2015	Estimated Cost for July 2015 to June 2016
1	Groundwater Monitoring	\$39,328	\$44,288
2	Monitoring to Evaluate Extraction Well Shutdown	\$64,207 (system operation and maintenance up to July14)	\$11,962
3	Reports for EPA	\$4,708	\$6,004
4	Annual Monitoring Report	\$30,555	\$29,111
	Total	\$144,201	\$91,365

TABLE 2
DETAILED BREAKDOWN OF ESTIMATED COSTS
Somersworth Sanitary Landfill Superfund Site, New Hampshire

TASK 01: Groundwater Monitoring for 2014/2015

Activity	Company Category	Person	Hourly Rate	GeoSyntec													Other		ACTIVITY TOTAL (\$)	
				P or A	SPM	CM	CA	PM	Sr. Sci	Prj.Sc.	Gph	Steno	Total Prof. Time (\$)	bursements (\$)			Company Total (\$)	Cost (\$)		Notes
														Travel	Hotel	Phone Copies Freight				
Planning				8	8	2	10	4		2			4,272			200	100			4,572
Water Levels (1 round)							8	8		8			2,040	250		100	150			2,540
Install PDBs in wells (1 round)					4		10	10	10				3,098	250					PDBs	4,089
Sample PDBs (1 round)					4		8	18	18				4,058	300		750	250			5,358
Sample wells with Waterra (1 round)							12	15	15				3,501	250			200			3,951
Lab Analyses - VOCs ¹													-					2,620	ALS	2,620
Lab Analyses - Wet Chem & Metals													-					2,170	ALS	2,170
Lab Analyses - Full WMD Suite																		3,850	ALS	3,850
Data Compilation & Reporting																				
Chemistry/Field Data				2	15	16	10				10	24	7,445				550			7,995
Project Management				10	25	7	10						7,143							7,143
Total				20	56	25	68	55	51	12	24	24	31,557	1,050	1,050	1,250				34,907
TASK TOTAL (\$)																			9,381	44,288

Notes:

- 1- Assumes that we are sampling once a year and that we will not need to sample for the additional parameters requested by NHDES
PDBs - passive diffusion bags
ALS - ALS laboratories, formerly Columbia Analytical Services
VOCs - volatile organic compounds

TABLE 3
DETAILED BREAKDOWN OF ESTIMATED COSTS
 Somersworth Sanitary Landfill Superfund Site, New Hampshire

TASK 02: Additional Monitoring to Evaluate Extraction Well Shutdown

Activity	Company Category	P or A TK	SPM SO	SPM CM	PM CA	St. Sci KC	Pjt. Sci RS	Grpl Scno	Total Prof. Time (\$)	Business (\$)			Company Total (\$)	Other		ACTIVITY TOTAL (\$)
										Travel	Hotel	Phone Copies Freight		Cost (\$)	Notes	
Planning		0.5	1	1	1	4			650				650			650
Water Levels (June 2015)						8			893	80			973			973
Extraction Well Shutdown Evaluation Sampling (June 2015) ^{1,3}						12	12		1,764	125		50	2,014			2,014
Lab Analysis - VOCs									-				-	832	ALS	832
Data Compilation & Reporting Validation						4		2	1,875				1,875			1,875
Data Compilation and Validation		1	2	8				5	3,724				3,724			3,724
Update Technical Memos (July and December 2015)		2	8	16					1,894				1,894			1,894
Project Management		2	4	8				7	10,800	205		50	11,130			11,130
TASK TOTAL (\$)		3.5	16	33	1	28	12	0	10,800	205		50	11,130			11,962

Notes:

- PDBs - passive diffusion bags
 ALS - ALS laboratories, formerly Columbia Analytical Services
 VOCs - volatile organic compounds
 2 - Investigation and extraction well shutdown - Sampling of BRW-1, B-12R, OB-9R, OB-24R, OB-22R, OB-15R, OB-23R, OB-21R, OB-16R, PS-1R, OB-4R, and B-13R plus
 3 - Full sampling of these locations is included in the Phase 1 (Annual groundwater sampling) cost table

TABLE 4
DETAILED BREAKDOWN OF ESTIMATED COSTS
REMEDIAL ACTION - SOMERSWORTH SUPERFUND SITE, NH

TASK 03: Communication with EPA for 2014-2015

Activity	Company Category	Person	Hourly Rate	GeoSyntec												Other		ACTIVITY TOTAL (\$)
				P or A	SPM	Prj Sci	Sci	Grph	Steno	Total	Disbursements (\$)				Company Total (\$)	Cost (\$)	Notes	
											Travel	Phone	Copies	Other				
Progress Reports /Response to Comments				3	12	14			2	3,823			100		3,923			3,923
Communications				5	8					1,981	-		100		2,081			2,081
Total Hours				8	20	14	0	0	2						6,004	-		6,004
TASK TOTAL (\$)																		

TABLE 5
DETAILED BREAKDOWN OF ESTIMATED COSTS
 Somersworth Sanitary Landfill Superfund Site, New Hampshire

TASK 04: Annual Monitoring Report for 2014

Activity	Company Category Person Hourly Rate	P or A TK 177	SPM SO 137	PM CM 124	DB JS 108	Sr.Sci KC 79	Prj.Sci 68	Gph 58	Total Prof Time (\$)	Disbursements (\$)				Company Total (\$)	Other		ACTIVITY TOTAL (\$)
										Travel	Hotel	Phone	Copies		Cost (\$)	Notes	
Data Compilation & Validation			8	16			5		3,420					3,420			3,420
Compilation of Sampling Reports into Database		2	4		10	8	20		3,974					3,974			3,974
Evaluation of Temporal Trends - Water Levels		2	2	12	8				2,980					2,980			2,980
Evaluation of Temporal Trends - Gw Chem		2	2	12	3				2,440					2,440			2,440
Evaluation of Temporal Trends - Soil Gas*																	
Evaluation of Need for Additional Gw Extraction **		2	4	20	3	2	2		4,000					4,000			4,000
Evaluation of CTW Performance		4	4	40	3	6		20	8,174				1,000	9,174			9,174
Preparation of Draft Report for EPA Submittal		2	5	16					3,023				100	3,123			3,123
Project Management																	
TASK TOTAL (\$)		14	29	116	27	16	27	20	28,011	-	-	1,100	-	29,111	-	-	29,111

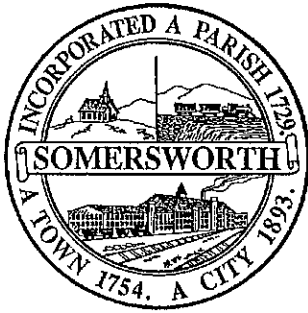
Notes:

* - soil gas sampling not required in 2015

** - this topic will be included in the report, but work to complete this item is covered in another task.

TABLE 6
2015-2016 RATE SCHEDULE
 REMEDIAL ACTION - SOMERSWORTH SUPERFUND SITE, NH

Labor Category No.	Low End of Direct Salary (\$/hr)	High End of Direct Salary (\$/hr)	2015-2016 Firm Maximum Labor Rate (\$/hr)
1	\$67.01		\$177.00
2	\$58.51	\$67.00	\$162.00
3	\$51.51	\$58.50	\$150.00
4	\$45.01	\$51.50	\$137.00
5	\$39.01	\$45.00	\$124.00
6	\$33.01	\$39.00	\$108.00
7	\$28.01	\$33.00	\$92.00
8	\$24.01	\$28.00	\$79.00
9	\$20.51	\$24.00	\$68.00
10	\$17.51	\$20.50	\$58.00
11		\$17.50	\$50.00



Kristen Ducharme
Recreation Supervisor

Memorandum

To: Dave Sharples
CC:
Date: January 16, 2015
Subject: Recreation Facebook Page

In April 2014, the Recreation Department created our first public Facebook page. Since April, our page has been growing and receiving new likes and views on a daily basis. In July 2014, when I took over as the new Recreation Supervisor our Facebook page had 36 total "likes" and we now have 170 "likes".

The Recreation Department currently uses Facebook for the following:

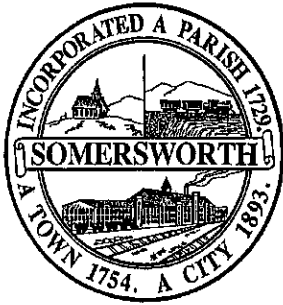
- Communicating to the public when our special events and programming are. I include dates, times, locations, costs, and program descriptions.
- Informing parents of cancelled games or events
- Reminders of events/programs in Recreation and the City.
- Seeking volunteers to help out with our programming
- Showcasing photos of our parks with a description on location and amenities
- Informing parents of program deadlines or early bird fees
- Splash Pad updates
- Program photos and updates

As our page continues to grow and develop we are building a community around our programs and parks. We are sharing photos of participants, informing the public of the great programs and events we offer, and showcasing our parks and amenities. Having a Facebook page has been a great avenue for reaching out to our community as it is free marketing and allows us to control what we post to the public.

Currently I send out links to "like" our Facebook page via email blasts and monthly newsletters. I have also included the link at the top of our webpage. By generating more likes we'll be able to connect with more members of the community. I am available to further discuss the Recreation Department's Facebook Page.

Thanks,

Kristen Ducharme
Recreation Supervisor



MEMORANDUM

To: Bob Belmore, City Manager

From: Scott Smith, Director of Finance and Administration

Date: February 11, 2015

Re: Monthly Report

Finance Department:

- Completed Management's Discussion and Analysis section for FY 2014 financial statements. Annual audit has been completed and final F/S should be available by the end of February. Will coordinate some tentative dates with the auditors to present the audit to Mayor and Council for your consideration.
- Met with City Manager and Department Heads on FY 2016 budget submittal and continued working on budget document.
- Participated in union negotiations.
- Assisted in preparation of CIP presentation for City Council Workshop.

City Clerk:

- Prepared for and attended two City Council meetings.
- Clerk and Deputy Clerk attended a variety of standing committee meetings to take minutes.
- Total Receipts for the month were \$3,204.
- The City Licensing board issued the following permits:
 - Maplewood PTA – Hilltop Hustle Road Race held 6/30/15
 - Old Rail Pizza Co. – Yearly Entertainment License 1/9/15

Tax Collector:

- A total of 879 vehicles were registered for a total of \$126,659 during the month.
- Collected \$4,330 for Municipal Transportation Fund during month of January.
- 19 customers used the drive up window during the month.
- 61 Motor Vehicles were registered in January using the E-Reg online process.
- Total receipts for the month were \$1,343,608.

Human Services:

- Total assistance for the month was \$10,672. That compares to \$ 6,121 for the month of January 2014 and \$ 8,500 for December 2014.
- 14 new cases were opened compared to 5 in 2014 and 13 in 2013.
- 24 cases were approved for varying levels of assistance in January, with 6 cases still pending and 14 cases denied. 16 cases were referred to other agencies for support.

Library

- The Friends will be holding a bake sale in February (Valentine's Day) to raise money for a sofa to be placed in the magazine area of the Library.
- The Library held 3 story times and one book discussion group..

Information Technology

- Spent time in general server maintenance, checked systems, checked and cleared logs.

CCTV (Channels 22 and 95)

- Cables access scheduled camera operators and updating programming on both access channels.

Department of Development Services (DDS)
Monthly Report
January 2015

Office of Assessing:

- The Equalization Ratio for 2014 was received from the DRA and was set at 100.5%.
- Sales Verification inspections have taken place in the month of January.
- Permit inspections/checks have taken place in the month of January.
- Data entry has begun for all changes resulting from sales and permit inspections. All changes will be effective for the 2015 first bill.
- The City received one abatement appeal to the BTLA, which was resolved through mediation in January.
- The USPAP report for the DRA was prepared in January.

Property Maintenance and Code Enforcement:

Property Maintenance and Code Enforcement Activity Report for January 2015					
Incident Location	Origin of Complaint	Nature of Concern	Responsible person notified	Compliance	Comments
30 Highland Street	CC	property maintenance	yes	pending	
21 Highland Street	CC	property maintenance	yes	pending	
49 Cemetery Road	CC	property maintenance	yes	pending	unkempt yard
230 Green Street	CC	ordinance violation	no	no	nothing found
30 Fremont Street	CC	property maintenance	yes	pending	tenant / landlord
95 Main Street	CC	property maintenance	yes	pending	electrical
2 / 4 Green Street	CC	property maintenance	yes	pending	
Somersworth Plaza	DDS	ordinance violation	yes	yes	parking issue
62 Green Street	CC	ordinance violation	yes	yes	garbage on sidewalk
64 Bartlett Ave	CC	property maintenance	yes	pending	
69 Bartlett Ave	CC	property maintenance	yes	pending	
12 Commercial Drive	DDS	ordinance violation	yes	pending	
139 Indigo Hill Road	CC	property maintenance	yes	yes	electrical
95 Main Street	DDS	property maintenance	yes	pending	electrical service
24C Union Street	CC	property maintenance	no	pending	foreclosure
95 Main Street	DDS	property maintenance	yes	pending	more electrical
67 Green Street	CC	property maintenance	yes	yes	odor of gas
1 Brenda Ave	DDS	ordinance violation	yes	yes	
162 Route 108	DDS	property maintenance	yes	pending	
In addition to new complaints received work continues on the Work in Progress (WIP) files from past months					

Building and Health Departments:**Major Building Permits issued in January 2015:****Construction cost****Fee**

216A	Green	New Construction	\$95,000.00	\$770.00
61	Buffumsville Rd	Rehab (Gut and rebuild)	\$90,000.00	\$730.00

Minor Building Permits issued in January 2015:

35	Bartlett Ave	Roof	\$27,700.00	\$0.00
320	Main	Kitchen Remodel	\$7,000.00	\$66.00
19	Drew Rd	Bathroom addition/Remodel	\$15,000.00	\$130.00
13	Mt. Auburn	Bathroom addition/Remodel	\$1,000.00	\$25.00
18	Cinnamon Ridge Rd	Other/See notes	\$6,000.00	\$50.00
237	Rt. 108	Wall / wall re-construction	\$15,000.00	\$130.00
45	Grand	Other/See notes	\$10,000.00	\$90.00
5	Pleasant	Window replacement	\$1,000.00	\$25.00
475	High	Other/See notes	\$19,000.00	\$162.00

PERMIT RECEIPTS						
	2012	2013	2014	2015	DIFFERENCE this year to last	% OF CHANGE
January	\$1,789.50	\$1,387.72	\$1,820.00	\$2,157.00	\$337.00	18.5%
February	\$658.60	\$1,922.02	\$3,864.00			
March	\$2,141.00	\$2,974.00	\$2,191.64			
April	\$1,811.00	\$2,470.38	\$4,768.15			
May	\$5,532.00	\$6,979.20	\$26,049.95			
June	\$1,701.00	\$3,609.52	\$24,212.88			
July	\$3,750.70	\$3,968.83	\$3,646.20			
August	\$3,059.03	\$13,916.92	\$6,156.50			
September	\$3,422.70	\$8,522.70	\$6,224.10			
October	\$2,217.25	\$4,336.68	\$6,880.63			
November	\$4,126.12	\$2,930.29	\$2,377.78			
December	\$1,726.75	\$2,990.12	\$2,338.80			
Year total	\$31,935.65	\$56,008.37	\$90,530.63	\$2,157.00	\$337.00	23.8%
Difference of change this year to last (completed months only)						

Total Permits 2012 to Present						
	2012	2013	2014	2015	DIFFERENCE this year to last	% OF CHANGE
January	34	31	28	30	2	7.1%
February	27	39	31			
March	27	44	32			
April	40	60	50			
May	41	65	68			
June	16	77	67			
July	48	54	49			
August	50	62	58			
September	51	72	68			
October	61	60	70			
November	36	50	52			
December	45	42	40			
YTD Totals	589	656	613	30	2	0.3%

Land Use Boards:

Conservation Commission January 2015:

- The Commission held a workshop meeting with a presentation from Nicholas Coates of the NH Association of Conservation Commissions.
- The Commission discussed the Mast Point Dam Revitalization project.

Historic District Commission January 2015:

- No. Two Mill, LLC, 22 Canal Street, Assessor's Map 11, Lot 190, HDC #31-2014. Application to demolish a section of the building was **approved**.
- General Electric, 50 Main Street, Assessor's Map 11, Lot 190A, HDC #01-2015. Application to demolish a building was **denied**.

Planning Board January 2015:

- Key Auto Group, on behalf of Mareld Company, Inc., 100 Tri City Road, Assessor's Map 39, Lot 01, SITE #11-2014. Application for a site plan and conditional use permit to re-develop the site for a vehicle repair and reconditioning facility was **approved with conditions**.
- John J. Flatley, Tri City Road, Assessor's Map 39, Lot 03, SITE #12-2014. Application for a site plan and conditional use permit to construct three apartment buildings with associated site improvements was **tabled** until the February 18, 2015 Planning Board meeting.
- No. Two Mill, LLC, 22 Canal Street, Assessor's Map 11, Lot 190, SITE #04-2006. Application for an amendment to a previously approved site plan to convert vacant space into 16 residential units was **approved with conditions**.

Zoning Board January 2015:

- Elm Grove East, LLC, 65 Green Street, Assessor's Map 10, Lot 24, ZBA #10-2014.
Application for a variance regarding minimum parking spaces was **denied**.
- Michael Penney, 41 Pleasant Street, Assessor's Map 10, Lot 95, ZBA #14-2014.
Application for a variance to build an egress platform within side setbacks was **tabled** until the February 4, 2015 meeting.
- Marco Back Nine, Inc., Willand Drive, Assessor's Map 43, Lot 1L, ZBA #15-2014.
Application for a variance for a mini-warehouse facility was **approved**.

Parks and Recreation

- The Biddy Basketball program for ages 3-6 was slated to start January 24th but has been delayed two weeks due to snowstorms. We have extended the season until March 14 to make up these dates. The program is held at Idlehurst Elementary School on Saturday mornings from 9:00-11:00 a.m. for six weeks. The early bird cost for this program was \$45 for residents and after January 22 the fee was \$60.
- The Dept. is working with Rollinsford to co-sponsor our annual Frosty Basketball Tournament for 5/6 grade Travel Teams in the greater Seacoast area. This double elimination tournament will take place at Idlehurst and SMS gyms Thursday, February 19- Sunday, February 22. The cost is \$150 for teams to enter. We will have concession items donated and we will be charging admission to the games.
- Tickets are on sale for the annual Father/Daughter Valentine's Dance. This event will take place at Idlehurst Elementary School on Thursday, February 12th from 6:30-8:30 p.m. A local DJ will be provided for entertainment along with an assortment of goodies and Valentine treats. Tickets are \$25 in advance per family or \$30 at the door (no extra cost for additional daughters).
- Our intern for the Mast Point Dam project has begun researching a marketing plan to inform our community about this new recreational opportunity in Somersworth. Our intern plans to come into the Rec. office 1-2 times a week to work on this project.

Submitted by Dave Sharples

Monthly Update

- The office continues to solicit interested developers for the repurposing of the former police station. The City-owned property was promoted in the January Business e-newsletter and there have been several inquiries.
- Biz Ed Connect, a regional internship program held their monthly meeting and it was announced that TradePort has hired their first intern from the CTC and it is going well. More placements are in the works.
- Christine met with Hilltop Chevrolet as they are preparing an expansion proposal for their business on Route 108. They anticipate a spring ground breaking and a 50% expansion that includes renovations and upgrades to their existing facility.
- Business outreach and assistance continues.
- A number of new businesses have opened over the past couple of months including; Goodwill Industries, New England Pickers, Depot Bar & Grill, Old Rail Pizza Co. and Olympia Sports. Las Palmas Mexican Grill is under construction on High St. and expects to open in February.
- The City was recognized with the Expansion Solutions Magazine's Award of Excellence as being part of the regional collaboration to attract aerospace and advanced manufacturing to the region. The story can be found on our website or at: [http://www.expansionsolutionsmagazine.com/2014 awards partnership crossbordercollaboration](http://www.expansionsolutionsmagazine.com/2014_awards_partnership_crossbordercollaboration)
- Christine was featured in an article about the UNH Economic Development Academy. The story, which can be found on our website or at: <http://extension.unh.edu/articles/If-You-Rebuild-It-Will-They-Come>, discussed the City's efforts to revitalize the downtown.



MEMORANDUM, from Director DPW

TO: Bob Belmore, City Manager

DATE: February 12, 2015

SUBJECT: Public Works Monthly Report for January, 2015

DIRECTOR'S COMMENTS

- Significant cooperation by all divisions within DPW for snow plowing/removal.
- Currently down 3 personnel in Highway Division.

WASTEWATER DIVISION, Jamie Wood, Chief Operator

Operations/Maintenance:

- Maintaining Mean Cell Residence Time (MCRT) at 7-days. Now operating under winter target limits. Nutrient Removal season runs annually from May 1st through September 30th.
- Gemini Electric on behalf of Martini Northern are in the process of submitting the design specifications concerning the Blackwater Rd pump station upgrade. Underwood Engineers will assist the city in reviewing these documents and will provide input for any needed modifications. This project is expected to be completed by June 30th, 2015.
- Treated a total of 2,250 gallons of septage from throughout the city.

Safety:

- Ned attended the Joint Loss Management Committee (JLMC) meeting on 1/8/15.
- Reported no injuries or incidence for the month.

Compliance:

- Preparing Monthly Reports to US-EPA and NH-DES. Reports are due to the agencies by the 15th of each month.
- Treated a total of 43-million gallons of wastewater during the reporting month.
- Reported no permit exceedances for the month.
- NH-DES sent a letter of compliance in response to our corrections letter addressing the annual inspection which was conducted on November 25th.

WATER DIVISION, Greg Kirchofer, Chief Water Plant Operator

Items completed this month:

- BACTs and TOCs completed
- Emptied cleaned and refilled KMnO₄ tank
- Attended NHWWA training at Madbury plant
- Addressed water quality issues @ Redicare and Empire Beauty School.
- Shut down plant for cleaning and inspection
- Met with City Manager on 2015-2016 budgets

Action items:

- Review Backflow program and survey
- SCADA upgrade

WATER DISTRIBUTION, Scott McGlynn, Chief Distribution Operator

Mains:

- One Main Break at Clement Road and Main Street.

Services:

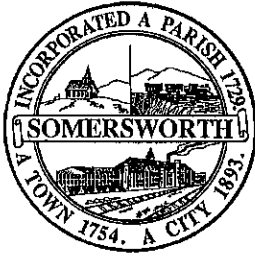
- Two Frozen Services
- Three Service Breaks
- One new service was added

Hydrants:

- Two Hydrant Repairs

Other Distribution Activities:

- Assisted FD, Structure Fire
- Cross connection and backflow surveys have begun.



Somersworth Police Department

12 Lilac Lane

Somersworth, NH 03878

Business: (603) 692-3131 Fax: (603) 692-2111

Dean W. Crombie
Chief of Police

MEMORANDUM

Memo To: Bob Belmore, City Manager
From: Dean Crombie, Chief of Police
Date: February 3, 2015
Subject: Monthly Report – Month of January 2015

COMMUNITY POLICING:

- Officer Hanson gave a safety class and drug awareness talk to local boy scouts at St. Martin's Church.
- Lt. McLin assisted local college students with a project on DWI laws.

PERSONNEL (TRAINING & STAFFING):

- Lt. McLin provided training to several officers for use of Mobile Data Terminals in the cruisers and administered exams to those involved for certification.
- Det. Lt. Kelly provided training to the Investigations Division for crime scene processing.

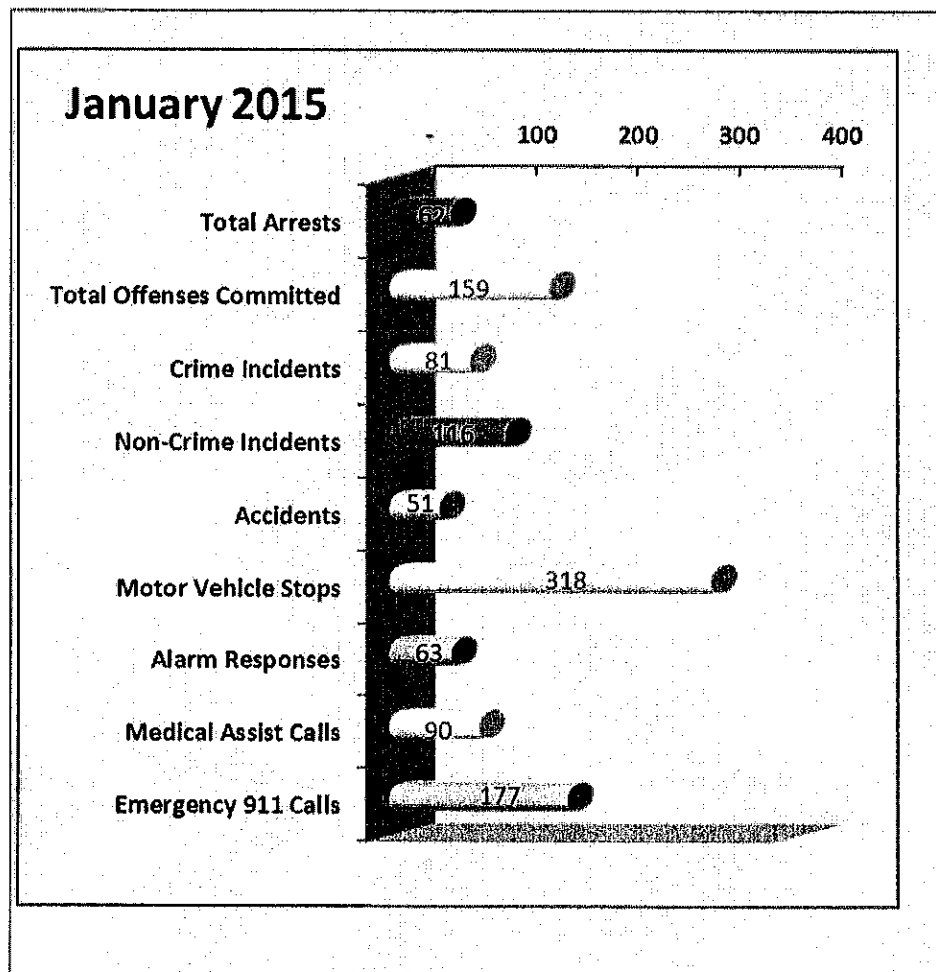
OTHER ITEMS:

- A New Hampshire Highway Safety Agency grant was approved for \$5,000 towards the purchase of (2) new rugged in-cruiser laptops.

- Lt. McLin and Sgt. Duval completed 3 audits for the FBI/NH State Police NCIC Unit. This was related to our State Police (SPOTS) Computer System and records associated with it.

SPD STATISTICS:

	Month of Jan-15	Year to Date Totals
Total Arrests	62	62
Calls for Service (Including Items Below)	1,967	1,967
Total Offenses Committed	159	159
Crime Incidents	81	81
Non-Crime Incidents	116	116
Accidents	51	51
Motor Vehicle Stops	318	318
Alarm Responses	63	63
Medical Assist Calls	90	90
Emergency 911 Calls	177	177
Revenues Deposited FY 2014-2015	\$11,779.08	\$109,495





City of Somersworth

Fire Department

195 Maple Street – Somersworth, NH 03878-1594



Keith E. Hoyle

Fire Chief & Emergency Management Director

khoyle@somersworth.com

Business: (603) 692-3457

Fax: (603) 692-5147

www.somersworth.com

JANUARY 2015 MONTHLY REPORT

EMERGENCY ACTIVITIES

Building Fires:	6
Vehicle Fires:	1
Outside Fires:	1
Emergency Medical:	59
Motor Vehicle Crash:	7
Malfunction/false alarm:	13
Accidental/public service:	38
Hazardous Condition:	21
Hazardous Materials:	3

NON-EMERGENCY ACTIVITIES

Burning Permits:	16
Fireworks Permits:	0
Oil Burner Permits:	2
Place of Assembly Permits:	1
Fire Safety Inspections:	6
Fire Drills:	1

CALLS FOR SERVICE

- We responded to 8 more emergency calls this January (149) than in January 2014 – an increase of 5%.
- We responded to mutual aid fires in Berwick (6) and Lebanon ME.
- There was a serious fire at 18 Emery Street caused by smoking materials that destroyed the home. There were no injuries despite the 3 degree cold.
- American Ambulance continues to provide excellent EMS services to the city with an average response time that is approximately 4 minutes.
- We placed additional staff on duty for the two large snowstorms that plagued us in January.

PLANNING/PROJECTS/GRANTS

- MOU signed with Strafford County for disaster services which will allow for quicker reimbursements from FEMA.
- NH Department of Safety applying for FEMA funds to reimburse communities for up to 75% of the costs of the January 26-28 storm. If the statewide costs exceed a set amount determined by FEMA, they will allow reimbursement from 3pm on January 26 through noon on January 28th. Somersworth's total amount during this period was \$83,112.61.
- Met with engineers regarding renovation of 448 High Street into a restaurant/store.
- Engine 3 returned from warranty work on paint and body.
- Teaming up with DPW to clear fire hydrants that are buried under tons of snow. We continue to ask homeowners to shovel out fire hydrants adjacent to their homes.
- The "Ready Strafford" organization continues to make progress to assist municipal Emergency Managers with disaster and public health services in Strafford County.
- Submitted draft of FY16 operating budget.

TRAINING/MEETINGS

- Attended meetings of the Public Safety Committee: JLMC: SRTC: Traffic Safety Committee: and the Seacoast Fire Chiefs.
- Attended a meeting of the Community Mutual Aid Association.
- Attended monthly meeting of the Fire Station Study Committee.
- New call firefighters continue to attend Firefighter I classes while two now have enrolled in Firefighter II courses – all paid for by the federal FEMA SAFER Act grant.

COMMUNITY SERVICE

- Attended Drug Task Force meeting.
- FEMA SAFER Act grant paid for display cabinet to be used in High School to educate students about public service as a call or career firefighter/EMT.

Respectfully Submitted:
Keith E. Hoyle, Fire Chief/EMD



City of Somersworth Report

January 2015

Number of Responses: 108

Response Time Average: 4 min 39 seconds

Training:

A monthly training was conducted based on the established schedule. Topic was Infection Control

Community Events:

None

Other:

Continued Acute Stroke care and treatment involvement at the state. Guidance to protocol and EMS direction participation at MCB and Trauma Services Committee

ORDINANCE NO. 11-15 AMEND CHAPTER 10, WELFARE GUIDELINES.

Somersworth, NH

February 2, 2015

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

- Amend Chapter 10, Welfare Guidelines, by deleting in its entirety and replacing with the attached revised Chapter 10.

This Ordinance shall take effect upon its passage.

Introduced by Councilors

Jennifer G. Soldati

David Witham

Brian Tapscott

Sean Collins

Approved:

City Attorney

RESOLUTION NO. 27-15 TO AUTHORIZE THE CITY MANAGER TO ORDER
ONE POLICE CRUISER WHICH WILL BE FUNDED IN THE FISCAL YEAR 2015-
2016 BUDGET.

Somersworth, NH
February 2, 2015

WHEREAS, the City of Somersworth's Capital Improvement Plan proposes a replacement schedule for police cruisers to maintain fleet integrity and reduce maintenance costs; and

WHEREAS, the Somersworth City Council established a goal by consensus at their February 19, 2011 goal setting session whereby they may review and approve a priority list of CIP (capital improvement plan) items earlier than the actual FY budget approval process is complete in order to allow for timely ordering,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order one new police cruiser, which will be funded through an appropriation in the Fiscal Year 2015-2016 budget. Said purchase with necessary patrol set-up would not exceed \$30,000 (Thirty Thousand dollars).

Introduced by Councilors

Martin Pepin
Jennifer G. Soldati
Marcel N. Hebert
Denis Messier

Approved:

City Attorney

RESOLUTION NO. 28-15 TO ESTABLISH A MEMORIAL TO BE NAMED
"MARCEL'S LILIES" IN LOVING MEMORY OF WARD 3 CITY COUNCILOR
MARCEL HEBERT.

Somersworth, NH
February 17, 2015

WHEREAS, the City Council recognizes the dedication and service to the Somersworth Community provided by Marcel Hebert as a Ward 3 City Councilor and member of the Council's Public Safety and Recreation Committees; and

WHEREAS, the City Council wishes to commemorate and celebrate the memories of Marcel's humor, wit and dedication; and

WHEREAS, the City Council recognizes Marcel's many years of volunteer work with countless hours working to beautify our Community both with his love of flowers and his caring spirit,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT a Memorial plaque will be placed with plantings at the public adopt-a-spot located at the corner of High Street and Government Way, and that said plaque will read,

"Marcel's Lilies" in loving memory of Ward 3 City Councilor Marcel Hebert.

Introduced by

Mayor Dana Hilliard

Councilors:

Jennifer G. Soldati

David Witham

Sean Collins

Brian Tapscott

Approved:

City Attorney

RESOLUTION NO. 29-15 TO AUTHORIZE THE CITY MANAGER TO AMEND
THE CONTRACT WITH HOYLE TANNER AND ASSOCIATES INC. OF
PORTSMOUTH, NH FOR PROFESSIONAL ENGINEERING SERVICES
ASSOCIATED WITH THE DOWNTOWN IMPROVEMENT PROJECT.

Somersworth, NH
February 17, 2015

WHEREAS, the Somersworth City Council adopted Resolution 6-14 to authorize the City Manager to contract with Hoyle, Tanner and Associates to provide construction administration and inspection services associated with the downtown improvement project; and

WHEREAS, the contract for inspection services has been exhausted and additional inspection services are required to complete the project and oversee the final paving in the spring of 2015; and

WHEREAS, Hoyle, Tanner and Associates Inc. has provided an estimate of \$15,000 to complete all the final oversight including inspection services of the final paving in the spring of 2015,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with Hoyle, Tanner and Associates, Inc. of Portsmouth, NH to provide professional engineering services associated with the downtown improvement project for an amount not to exceed \$15,000 (Fifteen Thousand dollars).

Introduced by Councilors
David Witham
Dale R. Sprague
Martin Pepin
Jennifer G. Soldati

Approved

City Attorney

RESOLUTION NO. 30-15 TO AUTHORIZE THE CITY LMANAGER TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH AMERICAN CAPITAL ENERGY OF LOWELL,
MA TO DEVELOP A SOLAR PROJECT PURSUANT TO NH RSA 362-A ON THE
SOMERSWORTH SANITARY LANDFILL ON BLACKWATER ROAD.

Somersworth, NH
February 17, 2015

WHEREAS, the City of Somersworth solicited proposals from qualified companies to design, engineer, install, monitor, evaluate, maintain, finance and decommission community solar projects pursuant to NH RSA 362-A (net metering and group net metering) and locate them on the closed Somersworth Sanitary Landfill Superfund site on Blackwater Road; and

WHEREAS, the request for proposal required qualified companies to build the most economical, cost beneficial system that will maximize the power generating capacity of the site and provide the highest and best economic benefit to the City of Somersworth; and

WHEREAS, City staff interviewed each company that submitted a proposal and recommends entering into a memorandum of understanding with American Capital Energy of Lowell, MA; and

WHEREAS, the Finance Committee of the City Council reviewed the recommendation of City staff to enter into a memorandum of understanding with American Capital Energy and supports this recommendation; and

WHEREAS, the Somersworth City Council held a workshop on February 3, 2015 to receive information and publicly discuss this project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a memorandum of understanding with American Capital Energy of Lowell, MA to develop solar projects pursuant to NH RSA 362-A on the Somersworth Sanitary Landfill Superfund Site on Blackwater Road and take any and all such other actions relative to this memorandum of understanding determined to be in the best interest of the City.

Introduced by Councilors

David Witham
Dale R. Sprague
Jennifer G. Soldati
Martin Pepin

Approved:

City Attorney

MITCHELL MUNICIPAL GROUP, P.A.
ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246

WALTER L. MITCHELL
JUDITH E. WHITELAW
LAURA SPECTOR-MORGAN
STEVEN M. WHITLEY

TELEPHONE (603) 524-3885
FACSIMILE (603) 524-0745

February 9, 2015

CERTIFICATION

Re: City of Somersworth, New Hampshire

Resolution No. 27-15

Title: TO AUTHORIZE THE CITY MANAGER TO ORDER ONE
POLICE CRUISER WHICH WILL BE FUNDED IN THE FISCAL
YEAR 2015-2016 BUDGET

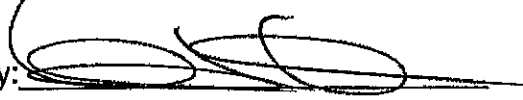
This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: _____

2/9/15

By: _____



MITCHELL MUNICIPAL GROUP, P.A.
ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246

WALTER L. MITCHELL
JUDITH E. WHITELAW
LAURA SPECTOR-MORGAN
STEVEN M. WHITLEY

TELEPHONE (603) 524-3885
FACSIMILE (603) 524-0745

February 9, 2015

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 11-15

Title: AMEND CHAPTER 10, WELFARE GUIDELINES

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance, after it passed a first reading. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: _____

2/9/15

by: _____





FAX COVER SHEET
U.S. Department of Commerce
Economic Development Administration
Office of External Affairs
Legislative and Intergovernmental Affairs Division
Phone: (202) 482-2900; Fax: (202) 482-0995

DATE: January 30, 2015

TO: Brian Tapscott, Chair, Board of Directors, Strafford RPC
Fax: (603) 994-3504

FROM: Angela Ewell-Madison, Director
Barrett Haga, Senior Congressional Affairs Specialist
Barbara Smith, Senior Correspondence Manager
Donnis Crump, Congressional Affairs Specialist
Eartha Ball, Investment Information Specialist
Libby Jones, Congressional Affairs Specialist

MESSAGE: Attached is a letter informing you of the Economic Development Administration's approval of the Strafford Regional Planning Commission's request for designation as an Economic Development District. The original of this letter will be sent to you via first class mail.

Pages: 3 (including this cover page)



UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Economic Development
Washington, D.C. 20230

January 26, 2015

Mr. Brian Tapscott
Chairman, Board of Directors
Strafford Regional Planning Commission
150 Wakefield Street, Suite 12
Rochester, NH 03867

Dear Mr. Tapscott:

I am pleased to inform you that the U.S. Economic Development Administration (EDA) has approved the Strafford Regional Planning Commission's request for designation as an Economic Development District (EDD). The EDD is comprised of the communities of Barrington, Brookfield, Dover, Durham, Farmington, Lee, Madbury, Middletown, Milton, New Durham, Rochester, Rollinsford, Somersworth, Strafford, and Wakefield.

President Obama is committed to ensuring that no community or demographic group is excluded from the opportunity to achieve the American Dream. To that end, this EDA designation will serve as a foundation for future economic successes that will benefit both families and businesses in your region. EDA is committed to providing financial assistance to meet the economic development needs of distressed communities throughout the United States. Our mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy.

I trust that this designation will strengthen the economies of the Strafford region, and wish you every success in carrying out your economic development activities. Chivas Grannum, of EDA's Philadelphia regional office, will remain your primary point of contact regarding this designation and may be contacted by telephone at (215) 597-8723, or email at cgrannum@eda.gov.

Your ongoing efforts to stimulate growth and business expansion through local economic development programs are greatly appreciated.

Sincerely,

Roy K.J. Williams
Assistant Secretary of Commerce
for Economic Development

Enclosure



UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Economic Development
Washington, D.C. 20230

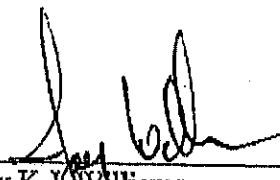
MEMORANDUM OF DESIGNATION OF
AN ECONOMIC DEVELOPMENT DISTRICT

In accordance with Section 401 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3171 et seq.), I hereby designate the region identified below as an Economic Development District:

Name of District Organization Strafford Regional Planning Commission

State New Hampshire

Regional Definition Communities of Barrington, Brookfield, Dover,
Durham, Farmington, Lee, Madbury, Middletown,
Milton, New Durham, Rochester, Rollinsford,
Somersworth, Strafford, and Wakefield



Roy K.J. Williams
Assistant Secretary of Commerce
for Economic Development

Date: January 26, 2015