



**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, January 30, 2015  
**SUBJECT:** City Manager's Report for Monday, February 2, 2015  
City Council Agenda

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*6:00p.m. – Workshop on Landfill Solar Project.*

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**6:00 to 6:30- Solar Project**

*Presentation from American Capital Energy (presenting will be Bill Fitzpatrick, Director of Business Development and Hank Ouimet, owner of Renewable Energy Development Partners LLC). Attached is a copy of their proposed Memorandum of Understanding.*

**6:30 to 6:45- Superfund Landfill**

*City Environmental Attorney Mark Beliveau will provide an update.*

*Lay on the Table (under Section 12 of Agenda)*

**Other:**

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

*Unfinished Business (under Section 13 of Agenda)*

**Resolutions:**

- A. Resolution No. 26-15 Authorize the City Manager to Contract with Underwood Engineers of Portsmouth, NH to Provide Engineering Services for Improvements to the Blackwater Road Sewer Pump Station.** Public Works & Environment Committee and Finance Committee reviewed this with staff at their January 12<sup>th</sup> meeting and recommends adoption.

## ***New Business (under Section 14 of Agenda)***

### **Ordinances:**

- A. Ordinance No. 11-15 Amend Chapter 10, Welfare Guidelines.** These Guidelines were reviewed at the Government Operation Committee at their last meeting on January 14<sup>th</sup>. Attached is a memorandum from Finance Director Smith and Welfare Officer Lauren Berman that provides a summary of proposed Welfare Guideline changes.

### **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. We utilize the NH State Bidding Process for our cruiser purchases. This Budget number includes transferring equipment from the cruiser going offline to outfit the new unit with lights, radio and a mobile computer.

## ***City Manager's Items (under section 10 of Agenda)***

### **A. Information Items:**

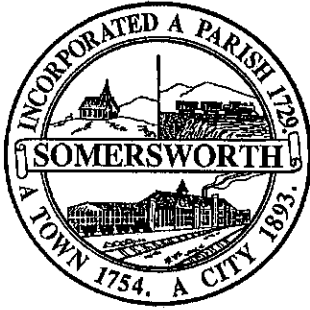
- 1. Winter Storm Juno Report.** Attached is a summary of Public Works efforts and expense in battling this major storm.
- 2. Villages at Sunningdale.** Attached is a memorandum that provides a progress report regarding the Sunningdale residential project.
- 3. State of the City Address.** In accordance with the City Charter, the Mayor and School Board Chairman have scheduled a joint meeting on ***Monday, March 2nd starting at 5:30 p.m.*** for the State of City Address.
- 4. Economic Development Manager.** Attached is a sample of the approximately 300 letters mailed to Somersworth businesses by our Economic Development Manager, Christine Soutter. Please take note of the City hosting a Chamber of Commerce Business Before Hours on ***Friday, April 10<sup>th</sup> at 8:00 a.m.*** in the City Council Chambers.

### **B. Attachments:**

1. City Attorney Certifications, One (1).

### ***Calendar Reminders***

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



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**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 2<sup>nd</sup>.
- 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.<br>Dependent upon size of array permitted and future market conditions | TBD   | \$400,000 at 20 yrs.<br>Assumes 3% increase in yearly electricity costs.<br>Market dependent | loss of \$133,029 at 20 yrs<br>\$1,501,673 at 30 yrs.<br>Market dependent   | \$560,000 over 20 yrs<br>Lease of \$15,000/yr Solar<br>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   |

**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:

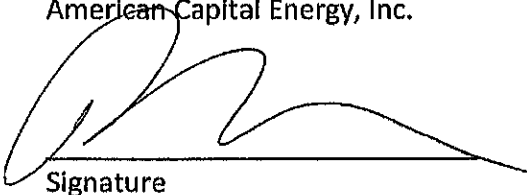
1. The City shall allow ACE and its teaming partners access to the landfill and to other City-owned sites of potential PV development interest for the purposes of a detailed visual site inspection. The City shall also provide ACE with readily available records for the sites and buildings, including site 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.

3. ACE shall work with City staff, its consultants, NHDES, and the EPA to develop the preliminary project design for the landfill.
4. Upon mutual agreement of the preliminary design, ACE shall prepare PPA and lease pricing for each site contingent on available incentive funding.
5. In collaboration with the City, ACE shall, at its own cost and risk, prepare and submit applications for competitive funding to the NHPUC for projects > 500 kW, and applications under the existing NHPUC C&I rebate program for projects < 500 kW.
6. In collaboration with the City, ACE shall, at its own cost & risk, pursue other funding or financing arrangements with third parties including PSNH and its parent Northeast Utilities.
7. Within 3 months of the approval of sufficient incentives (rebates or grant funding from the NHPUC, or other incentives as may become available) the parties agree to work exclusively with each other to negotiate and enter into long-term project agreements for the selected projects. The parties agree that such agreements will be for a minimum term of 20 years; that they will provide the City with the opportunity 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, and to purchase the PV facilities at the end of the term; and that the specific terms of the project agreements will be negotiated in good faith to achieve an allocation of risks and responsibilities that is consistent with similar project agreements in the marketplace.
8. Failing successful negotiations of project agreements for the selected projects, the parties will have no further obligations to each other except that the City agrees that it will not use any of the information developed by ACE as a basis for entering into project agreements with a different firm, and that it will prevent public disclosure of ACE's sensitive commercial information to the extent allowable under NH law.
9. Upon execution of a PPA and lease for a project, ACE will assume unilateral at-risk responsibility for conducting the necessary development activities for the project prior to construction, and for installing and operating the project in accordance with the project agreements.
10. Throughout the term of the MOU and any successor agreements, ACE and its teaming partners agrees to name the City as an additional Insured on their commercial liability insurance policies.

The parties have agreed to the terms of this MOU as of February --, 2015.

For ACE:

Tom Hunton, CEO  
Amerlean Capital Energy, Inc.



Signature



**MEMORANDUM, from Director DPW**

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**TO:** Bob Belmore, City Manager

**CC:** Scott Smith, Finance Director  
Jamie Wood, WWTF Chief Operator

**DATE:** January 9, 2015

**RE:** Blackwater Road Pumping Station Evaluation, Executive Summary

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Bob,

On January 24, 2013 Underwood Engineers provided the city with an evaluation of the Blackwater Pumping Station which included a conceptual opinion of project costs (including design, contract bidding and award, construction, engineering and contingency). The total Cost identified was \$639,000 through 2014 escalating by 4% thereafter.

We now find ourselves preparing for the design phase of the project. I respectfully submit the following recommendations.

**Option #1: Underwood Engineers (UE).**

Contract with UE for design work for the pumping station for the following costs:

Design Services: \$50,000 (if design begins by July 2015, UE confirms this 2013 price).  
Bidding Documents through Contract Award: \$6,000

In addition, should this recommendation be acceptable, I would further suggest we continue the contract with UE including the resident engineer and oversight phase once a contract has been awarded for the project (current proposal from UE being \$50,000 for resident engineer and oversight). Doing so would mitigate potential cost increases associated with bringing on an additional firm with no knowledge of UE's design submission.

**Option #2: Publish a Request for Proposal for Design and Construction Resident Engineer and Oversight.**

If Option #1 is not selected, consideration should be given to those engineering firms listed on the State of NH/DES' roster of Prequalified Engineering Firms. In order to have all options for funding available to the City (i.e. State Revolving Fund (SRF)), it would be prudent when selecting a firm that they are prequalified.

Todd F. Smith

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,

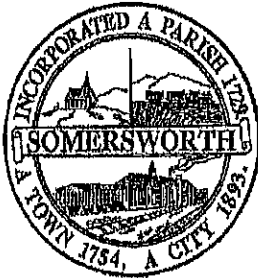
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order one new police cruiser, which will be funded through an appropriation in the Fiscal Year 2015-2016 budget. Said purchase with necessary patrol set-up would not exceed \$30,000 (Thirty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

Introduced by Councilors

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

Approved:

City Attorney



MEMORANDUM

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To: Bob Belmore, City Manager  
Cc: Lauren Berman – Welfare Director  
From: Scott Smith, Director of Finance and Administration  
Date: December 9, 2014  
Re: Chapter 10 - Welfare Guidelines

Attached please find a copy of Chapter 10 – City of Somersworth Welfare Guidelines with proposed amendments.

Welfare Director Lauren Berman has worked with Director's from the Tri-City area to update our guidelines to meet current practices and to keep our guidelines consistent with the practices of other area Departments.

She has included an executive summary to point out the specific revisions made in the document.

Please let me know if you have any questions or would like any additional clarification.

## MEMO

**TO: FINANCE DIRECTOR**  
**FROM: WELFARE OFFICER**  
**DATE: REVISION OF MEMO 1/13/2015**  
**SUBJECT: WELFARE GUIDELINE REVISIONS - UPDATED**

- Index updated
- Under case records on page 6, numbers 3 and 4 have been added for more clarification
- Page 7 under VI. The Right to Apply, the screening process paragraph was added for clarification of the initial steps of walking into City Welfare
- Under Welfare Official's Responsibilities on page 9 numbers 13-16 have been added to clarify the request the worker can make in working with clients, i.e. finding affordable housing, referring a family to a shelter, the city will not pay late charges, security deposits, damages, eviction fees and the Welfare officer will negotiate when possible with current landlord in regards to cost and preventing eviction.
- Page 10, from letter D, number 10 was added on how to report theft
- Page 10 the Important Notice was added under letter D
- Page 12 under emergency assistance has been updated by defining the time frame and what defines an emergency
- Page 12, II added
- Page 15, under E changed the paragraph from previous guidelines for clearer definition
- Page 16, Eligibility for other Categorical Assistance has been added
- Page 16, the last paragraph under VIII has been changed to the fact a voucher can be revoked or voided under certain circumstances, which are described in the last paragraph
- Paged, 17, Under letter C, minors shall be referred to Protective Services of the NH Division of Children, Youth and Families
- Page 19, Students has been changed for clarification
- Page, 22, E, Note has been added to clarify standard of need
- Pages 23-24, which is under the heading of Standard of Need, categories have been added: Permanent housing/shelter, Hotel, Motel, and Inns, Single Family Home Boarders, First month rent and Shelters for housekeeping reasons
- Page 27, Medical Expenses has been updated
- Page 28, Legal Expenses and Miscellaneous are new
- Page 35 Burial amount has changed from \$500.00 to \$650.00

**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 a fair 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/pr 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 contact to provide support for families involuntarily exited or voluntarily leaving the provided shelter without a reasonable hosing/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

## **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**

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

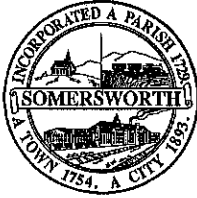
**Allowable Level of Assistance payments fore the City of Somersworth**

**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**





## MEMORANDUM, from Director DPW

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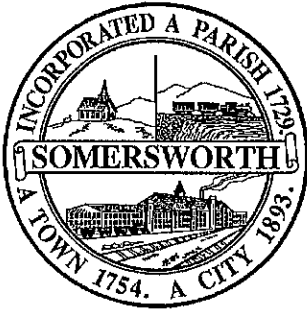
**TO:** Bob Belmore, City Manager  
**DATE:** January 30, 2015  
**SUBJECT:** Winter Storm Juno Preliminary Report

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Winter Storm Juno began at approximately 1:00 am on Tuesday January 26, 2015 and lasted through 11:00pm Tuesday January 27, 2015. Cleanup has and will continue from Wednesday January 28, 2015 through approximately mid-week of February 2, 2015.

The following is the breakdown in personnel, equipment used and materials expended.

1. Seventeen personnel working throughout the storm.
2. Eighteen pieces of equipment used.
  - a. Six Large dump trucks with plow/wing/sanders.
  - b. Six one ton, 2 with sanders.
  - c. Two sidewalk tractors.
  - d. Two loaders with plows/wings.
  - e. Two backhoes.
  - f. Contracted dump trucks for snow hauling:
    - i. Two – Evening of January 28, 2015 (9 hours).
    - ii. Eight scheduled – Evening of January 31, 2015 (8 hours).
3. Unscheduled maintenance. There were 15 unscheduled maintenance events on our vehicles ranging from hydraulic issues, wiper systems, plow systems and lighting issues. All told this incurred 42 hours of general labor (cost included in OT) and some warranty items on newer equipment.
4. Costs (approximated, cleanup still ongoing):
  - a. Personnel/Overtime (anticipated through cleanup): \$8,600.00
  - b. Salt/110 plus yards Sand/12 plus yards: \$8,000.00
  - c. Contracted dump trucks (\$65 per hour): \$5,300.00
  - d. Unscheduled maintenance parts: \$670.00
  - e. Approximate total (pending ongoing cleanup): \$22,570.00



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**David E. Sharples**  
**Director of Planning and Community Development**

January 28, 2015

To: Robert M. Belmore, City Manager

Re: Villages at Sunningdale

I'm writing this memorandum in response to your request for an update on the Sunningdale residential project. I spoke with the developer Joe Falzone on 1/22/2015 and he informed me of his anticipated schedule as follows:

- He submitted an Intent to Cut to perform some tree harvesting/removal that will begin immediately;
- He is submitting the plan for signature and recording within a week or so; and,
- He intends to start construction within 30-60 days on Phase I of the project that will create 16 lots and consist of the construction of a portion of the main roadway and a cul-de-sac.

This development includes some significant offsite work that includes improvements to Millennium Park and a new sewer line and sidewalk along Stackpole Road from the existing sidewalk by Idlehurst Elementary to the proposed development. Construction of these offsite improvements will start as part of Phase I. The sewer line will be quite deep so traffic will be disrupted during the construction of the sewer line and sidewalk as a good portion of Stackpole Road will need to be excavated to place the new line. They will repave the roadway when the work is completed. As required by the Planning Board, the applicant will be bonding all of the public improvements and will carry a two year maintenance bond after completing the work.

Thank you.

# SOMERSWORTH, NEW HAMPSHIRE

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City of Somersworth  
One Government Way  
Somersworth, NH 03878



City Hall  
603.692.4262  
[www.somersworth.org](http://www.somersworth.org)

Cheryl Arsenault & Celeste Gingras  
45 Market Street Bakery & Café  
45 Market Street  
Somersworth, NH 03878

— SAMPLE —

January 28, 2015

Dear Cheryl & Celeste,

As we continue into the New Year I wanted to update you and our business community on City happenings and opportunities. I also want to thank you for your investment in choosing our City to locate your business.

2014 was a very busy year for the City as we directed a good deal of time and energy into City infrastructure improvements particularly our roads such as along High Street and the Downtown Revitalization Projects area as well as the Somersworth-Berwick Bridge. Our Mayor and City Council continue to provide direction and vision to our City Management team to move our community forward as a premier place to reside and recreate.

The City also continued to seek out tools that would strengthen a strong working partnership with our businesses. Here is a brief overview. In 2013 the City adopted RSA 79-E, a tax incentive for property owners to invest in downtown buildings, and we look forward to receiving additional redevelopment proposals. Prior to this initiative, the City also created two Economic Revitalization Zones (ERZ's) that provide tax relief on Business Profits Tax and/or Business Enterprise Tax for qualifying investment.

Details about this and other business resources and incentives can be found on our website, [www.somersworth.com](http://www.somersworth.com). Business news is available by signing up for our monthly business e-newsletter and through a new City LinkedIn account dedicated to business news and events. Please connect with us at Somersworth NH Economic Development Office on LinkedIn and at [www.somersworth.com](http://www.somersworth.com) to get the most up to date City and business news.

Additionally, I want to share the following opportunities.

- The Great Falls Development Corporation, a private non-profit revolving loan fund, offers small loans with low interest rates and flexible terms to businesses located in Somersworth. New and existing businesses needing funding for start-up, or to acquire new equipment or hire employees for expansion are encouraged to contact my office.

- The Economic Development office is partnering with the high school Career Technical Center on a number of projects including BizEd Connect, an internship program that connects talented CTC students with local businesses. TradePort and Blue Dolphin, located in the Canal St. Mills, were our first businesses to hire interns and here is what TradePort folks have to say:

*"[The intern] has been a great addition to our team, always showing up on time and ready to work. He has picked up on his responsibilities very quickly, and has been a great help to our computer technician. We are very happy to have him onboard!"*

Another opportunity for businesses looking for young talent is the CTC Career Fair to be held on April 22<sup>nd</sup>. Businesses can also become more involved by providing valuable guidance and input as a member of one of the nine advisory boards. Contact me at 692-9516 to learn more.

In closing, I extend a warm invitation for you to join us on Friday, April 10<sup>th</sup> at City Hall for a light breakfast and networking. The Economic Development office is hosting a Chamber of Commerce Business Before Hours from 8-9:30am. Call the Chamber at 692-7175 to sign up.

Whether you are looking to hire, expand or looking for resources to grow your business I am here to assist you; contact me at [csoutter@somersworth.com](mailto:csoutter@somersworth.com) or at 692-9516. Your thoughts and feedback are always welcome.

I look forward to hearing from you.

Best wishes for continued success.

Sincerely,



Christine J. Soutter  
Economic Development Manager



**MITCHELL MUNICIPAL GROUP, P.A.**

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JUDITH E. WHITBLAW  
LAURA SPECTOR-MORGAN  
STEVEN M. WHITLEY

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

January 26, 2015

**CERTIFICATION**

Re: City of Somersworth, New Hampshire

Resolution No. 26-15

Title: AUTHORIZE THE CITY MANAGER TO CONTRACT WITH  
UNDERWOOD ENGINEERS OF PORTSMOUTH, NH TO PROVIDE  
ENGINEERING SERVICES FOR IMPROVEMENTS TO  
THE BLACKWATER ROAD SEWER PUMP STATION

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution, 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: \_\_\_\_\_

Jan 26, 2015

By: \_\_\_\_\_

Laura Morgan