

## CITY OF SOMERSWORTH

### Office of the City Manager

**TO:** Mayor Matthew Spencer and City Council Members

**FROM:** Robert M. Belmore, City Manager *RB*

**DATE:** Friday, February 1, 2013

**SUBJECT:** City Manager's Report for Monday February 4, 2013  
City Council Agenda

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#### 6:00 p.m. Workshop

##### **Presentation by Underwood Engineers – Blackwater Road Pumping Station Report**

Engineers Valerie Giguere and Steve Clifton are scheduled to present the attached PowerPoint presentation, followed by Questions and Answers.

#### 6:45 p.m. Public Hearing

##### **Ordinance No. 8-13 Amend Chapter 24 Housing Code**

Director of Planning and Community Development, Dave Sharples will provide a summary of the proposed changes.

#### **Nonpublic Session RSA 91-A:3 II (d)**

Please consider a nonpublic session at the end of the regular meeting to consider the proposed Comcast Cable Franchise Agreement Renewal. Please bring copies that I provided to you at the last Council meeting.

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### ***Lay on the Table (Under Section 11 of Agenda):***

#### **Ordinances**

- A. **Ordinance No. 8-13 Amend Chapter 24 Housing Code.** This proposed ordinance change is sponsored by the Economic Development Committee.

### ***New Business (under Section 13 of the Agenda):***

#### **Ordinances**

- A. **Ordinance No. 9-13 Adopt New Chapter 31, Community Revitalization Tax Relief Incentive.** Attached is memorandum from Director Sharples as well as additional information and a map of the proposed area. The Economic Development Committee is recommending its adoption. I recommend a Public Hearing prior to the next regular meeting on Tuesday, February 19<sup>th</sup> at 6:45 p.m.

## Resolutions

- A. Resolution No. 23-13 Authorizing the City Manager to Enter into an Emergency Management Performance Grant Agreement with the New Hampshire Department of Safety to Purchase Mobile EOC Equipment for the Fire Department.** I mentioned this Grant Award in my last meeting report to the Council. The Public Safety Committee is sponsoring/recommending this Resolution's approval. The City funding match was appropriated in this Fiscal Year 2013 Budget. The City match includes \$31,370. for the Chevy Tahoe vehicle purchase and \$5,130. in miscellaneous related equipment and set-up charges.
- B. Resolution No. 24-13 To Authorize the City Manager to Order One Police Cruiser which will be Funded in the Fiscal Year 2013-2014 Budget.** The Public Safety Committee is sponsoring support for this action item. City Council passed a similar Resolution last year. If approved, the City will be able to order the new cruiser to ensure a more timely delivery once the Fiscal Year 2014 Budget is passed. We utilize the NH State Bidding Process for our cruiser purchases.

## Other:

- A. Vote to Approve a Request for Proposal (RFP) Process regarding EMS/Ambulance Services Contract.** Requested by Public Safety Committee, Chairman David Witham.
- B. Vote to Amend Council Rules and Regulations, Order of Business. Amend by Inserting "Announcements by City Councilors" as Number 5 and Renumbering the Remaining Items – Councilor Tapscott, Chair of Government Operations Committee.** Council Rules maybe amended by a two-thirds vote of all members of the Council present (excerpt from Council Rules and Regulations).

## *City Manager's Items (under section 9 of the Agenda)*

### **A. Informational Items:**

- 1. City Council Annual Goal Setting Session.** I have attached a copy of a proposed workshop format for the Annual Goal Session scheduled for Saturday, February 9, 2013, starting at 8:30 a.m.
- 2. High Street Infrastructure Bond Project Workshop.** I recommend the Council schedule a Workshop prior to the next regular meeting, Tuesday, February 19<sup>th</sup>, at 5:30 p.m. Hoyle Tanner Engineers will provide an update on the project. The Council will also be asked to weigh-in on some preliminary design concepts. Although it is not a public hearing, I plan to notice all property owners along the project area about this presentation.



3. **TD Green Streets Grant.** I authorized the submittal of this TD Bank Green Streets Grant application after being notified of the opportunity by Glen Ohlund, TD Bank's Community Development Officer. Attached is a memorandum that provides a summary of the Grant's purpose, that is, to make further improvements to Pine Street Park, the Library grounds and Noble Pines Park. There is no City funding match required with this Grant.
4. **Solar Power at Landfill-Superfund Site.** The City has received notification that the EPA will fund a solar feasibility study at our site. EPA plans to hire its' support contractor SKEO Solutions to move forward with this study. Unless directed otherwise, I will be authorizing staff and take any other action needed to complete the study. Director Sharples has provided a memorandum regarding his contact with EPA.

**B. Attachments:**

1. Goal Setting Workshop Agenda for February 9, 2013
2. City Attorney Legal Opinion dated January 25, 2013, requested by Mayor Spencer
3. City Assessor Walker's Veteran Credits Memorandum of January 25, 2013
4. Blackwater Road Pumping Station Evaluation PowerPoint by Underwood Engineers

**EXHIBIT A**

Scope of Services

1. The Department of Safety, Division of Homeland Security and Emergency Management (hereinafter referred to as "the State") is awarding the City of Somersworth (hereinafter referred to as "the Grantee") \$36,550.00 for the purpose of obtaining equipment to outfit an all-hazards mobile command vehicle. Equipment will include two multi-band radios, a cross band vehicle repeater, a laptop, command cabinet with command board, canopy style tent, and NFPA compliant emergency lighting.
2. "The Grantee" agrees that the project grant period ends May 31, 2014 and that a final performance and expenditure report will be sent to "the State" by June 30, 2014.
3. "The Grantee" agrees to comply with all applicable federal and state laws, rules, regulations, and requirements.
4. "The Grantee" shall maintain financial records, supporting documents, and all other pertinent records for a period of seven (7) years from the grant period end date. In these records, "the Grantee" shall maintain documentation of the 50% cost share required by this grant.

Grantee Initials \_\_\_\_\_

Date \_\_\_\_\_

## **EXHIBIT B**

### Grant Amount and Method of Payment

#### 1. GRANT AMOUNT

	<b>Applicant</b>	<b>Grant</b>	
	<b>Share</b>	<b>(Federal Funds)</b>	<b>Cost Totals</b>
Project Cost	\$36,550.00	\$36,550.00	\$73,100.00
The Project Cost is 50% Federal Funds, 50% Applicant Share.			

#### 2. PAYMENT SCHEDULE

- a. "The Grantee" agrees the total payment by "the State" under this grant agreement shall be up to \$36,550.00.
- b. "The State" shall reimburse up to \$36,550.00 to "the Grantee" upon "the State" receiving appropriate documentation of expended funds from "the Grantee".

Grantee Initials \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_



City Council Meeting, February 4, 2013  
Ord No. 9-13



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**Dave Sharples**  
**Director of Planning and Community Development**

January 31, 2013

To: Robert M. Belmore, City Manager

Re: RSA 79-E

I have enclosed a copy of the proposed ordinance with the map of the district and an explanatory map of how the district was determined and a PowerPoint presentation that outlines the proposed RSA. The proposed draft has been reviewed by our City attorney and his recommended changes have been incorporated into the enclosed document.

As you know, the City can either adopt the RSA either by Resolution or by Ordinance. Although almost identical to the state statute which is also attached, the proposed ordinance does include some language not in the state version so it was determined that adoption by ordinance is the preferred method. The City attorney also weighed in on this and agreed that we could adopt it this way. The enclosed draft includes nine highlighted parts which is language that is not included in the state language. Most of these are reiterations of what would be required anyway or are for clarification purposes. However, one change worth noting is the addition of the term "non-subsidized" in Section 7.D. The intent of this addition is to make it clear that there is a public benefit to increase non-subsidized housing in the Downtown Revitalization District. I will be prepared to provide a presentation on the proposal at a public hearing.

In addition to the above-mentioned enclosures, I've also included a sample application and covenant for reference purposes. These documents are from Durham NH and we will curtail them to suit our needs should this proposal be enacted.

Thank you.

enc (6)

# **CHAPTER 31**

## **COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE**

**State Law References:** Community Revitalization Tax Relief Incentive, RSA 79-E, State Economic Growth, Resource Protection and Planning Policy, RSA 9-B, Appraisal of Taxed Property, RSA 75:1, Collection of Taxes, RSA 80:1-80:42-a, and Administrative Procedure Act, RSA 541-A.

### **Section 1 Declaration of Public Benefit**

- A. It is declared to be a public benefit to enhance Somersworth's Downtown Revitalization District with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.
- B. It is further declared to be a public benefit to encourage the rehabilitation of underutilized structures in the downtown as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.
  - 1. In instances where a qualifying structure is determined to possess no significant historical, cultural, or architectural value and for which the City Council makes a specific finding that rehabilitation would not achieve one or more of the public benefits established in Chapter 31, Section 7 to the same degree as the replacement of the underutilized structure with a new structure, the tax relief incentives provided under this chapter may be extended to the replacement of an underutilized structure in accordance with the provisions of this chapter.
- C. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this ordinance are considered to provide a demonstrated public benefit if they encourage the substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of a qualifying structure, as defined in this ordinance .

### **Section 2 Tax Relief Authority**

The City of Somersworth hereby adopts RSA 79-E in the manner specified under RSA 79-E:3. In addition, the City has modified the incentive program to best suit the needs of the City and its constituents.

### **Section 3 Definitions**

In the interpretation and enforcement of this article, all words other than those defined specifically below shall have the meanings implied by their context in the ordinance or the ordinarily accepted meanings. For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.



the inventory form and letter, as well as other required information, have been submitted.

- B. Upon receipt of an application, the application will be reviewed by the Director of Planning and Community Development and any other City official deemed appropriate by the Director for any compliance issues. The applicant must satisfactorily answer any questions they may have for the application to be deemed complete.
- C. The City Council will hold a duly noticed public hearing to take place no later than 60 days from receipt of an application, to determine whether the structure at issue is a qualifying structure; whether the proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.
- D. No later than 45 days after the public hearing, the City Council shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.
- E. The City Council may grant the tax relief, provided:
  - 1. The City Council grants the request by a majority vote; and
  - 2. The City Council finds a public benefit under Chapter 31, Section 7; and
  - 3. The specific public benefit is preserved through a covenant under Chapter 31, Section 8; and
  - 4. The City Council finds that the proposed use is consistent with the municipality's master plan and development regulations; and
  - 5. In the case of a replacement, the City Council specifically finds that the Somersworth Historic District Commission has determined that the replaced qualifying structure does not possess significant historical, cultural, or architectural value, the replacement of a qualifying structure will achieve one or more of the public benefits identified in Chapter 31, Section 7 to a greater degree than the renovation of the underutilized structure, and the historical, cultural, or architectural resources in the community will not be adversely affected by the replacement.
- F. If the City Council grants the tax relief, they shall identify the specific public benefit achieved under Chapter 31, Section 7 and shall determine the precise terms and duration of the covenant to preserve the public benefit under Chapter 31 Section 8.
- G. If the City Council, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The City Council's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.
- H. The City Council shall have no obligation to grant an application for tax relief for properties located within a tax increment finance district when the City Council determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:



## Section 6 Resumption of Full Tax Liability

Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.

## Section 7 Public Benefit

The proposed substantial rehabilitation must provide at least one of the following public benefits in order to qualify for tax relief under this ordinance:

- A. It enhances the economic vitality of the downtown;
- B. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district in which the building is located; or
- C. It promotes development of compact and vibrant municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B.
- D. It increases **non-subsidized** residential housing in the Downtown Revitalization District.

## Section 8 Covenant to Protect Public Benefit

- A. Tax relief for the substantial rehabilitation or replacement of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and as otherwise provided in this chapter.
- B. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the City Council, be effective for a period of time up to twice the duration of the tax relief period.
- C. **The covenant shall include provisions requiring the property owner to obtain and maintain a certificate of occupancy for the duration of the tax relief period.**
- D. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the City Council's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition or damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in Chapter 31, Section 9.
- E. To protect public benefit, the City Council shall provide for the recording of the covenant with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.
- F. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

The City of Somersworth will abide by any rules the commissioner of the department of revenue administration adopts, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

### **Section 13 Extent of Tax Relief**

- A. Tax relief granted under this ordinance shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the City Council and not to those increases attributable to other factors including but not limited to market forces; or
- B. Tax relief granted under this ordinance shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the City Council approves the application for tax relief and the owner grants to the municipality the covenant to protect public benefit as required in this ordinance, provided that for a qualifying structure which is a building destroyed by fire or act of nature, original assessed value shall mean the value as of the date of approval of the application for tax relief of the qualifying structure that would have existed had the structure not been destroyed; or
- C. The tax relief granted under this chapter shall only apply to substantial rehabilitation or replacement that commences after the City Council approves the application for tax relief and the owner grants to the City Council the covenant to protect the public benefit as required in this chapter, provided that in the case of a qualifying structure which is a building destroyed by fire or act of nature, and which occurred within 15 years prior to the adoption of the provisions of this chapter by the City council, the tax relief may apply to such qualifying structure for which replacement has begun, but which has not been completed, on the date the application for relief under this chapter is approved.

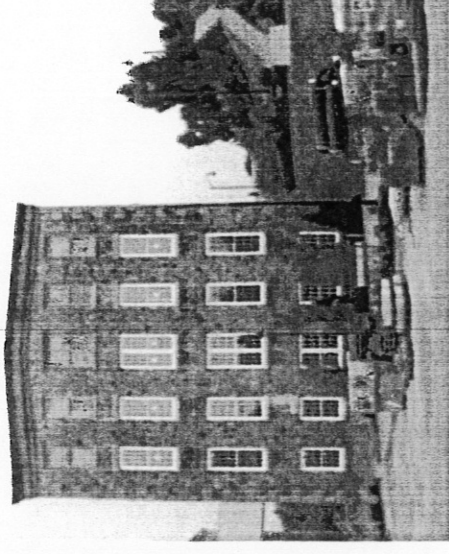
### **Section 14 Other Programs**

The provisions of this ordinance shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

### **Section 15 Reserved**

# What is RSA 79-E

- Encourages investment in downtowns by providing a Tax Incentive for the rehabilitation and active use of under-utilized buildings
- A 2009 amendment extended RSA 79-E to apply to replacements of qualifying structures
- Property owners who want to substantially rehabilitate or replace a qualifying building may apply to the City Council
  - Majority vote of City Council to pass
- Approved properties receive a period of relief from increased property taxes in exchange, the property owner grants a covenant for a certain period ensuring public benefit





# NH Communities that have adopted RSA 79-E

Allenstown  
Belmont  
Berlin  
Concord  
Danbury  
Deerfield  
Durham  
Goffstown  
Groveton (Northumberland)  
Hopkinton  
Hooksett  
Lisbon

Manchester  
Moultonborough  
Nashua  
Newmarket  
Pittsfield  
Rochester  
Warner

# Examples

Durham

Adopted: 2009

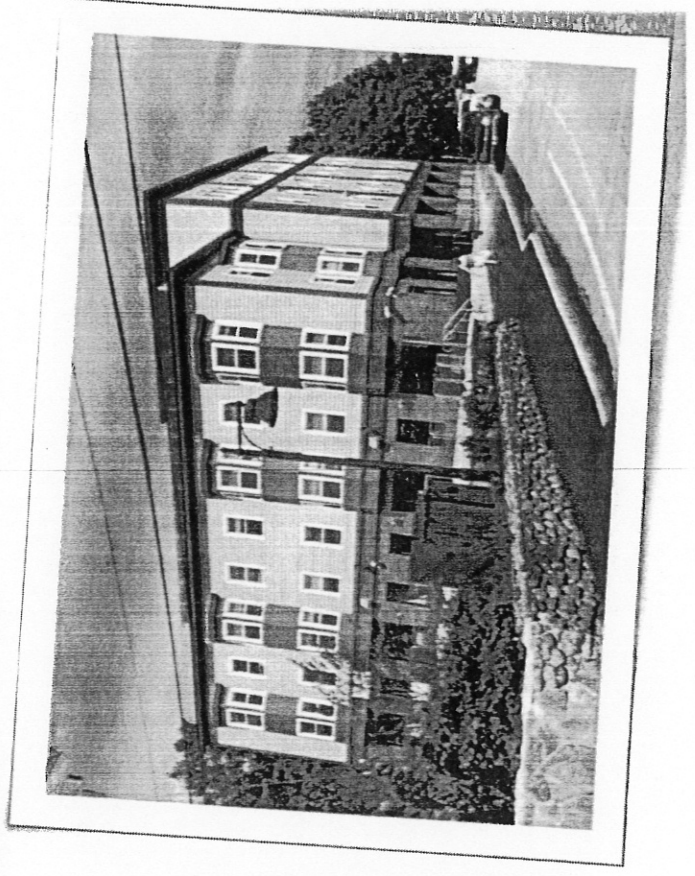
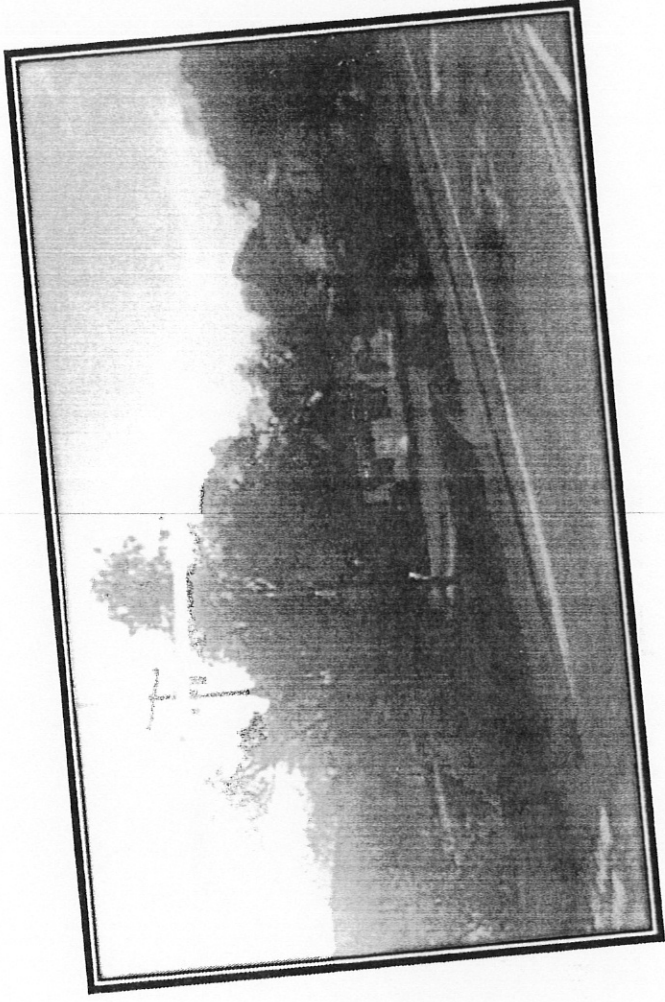
## Stat's Replacement

- Restaurant and underutilized office space replaced with 4 story mixed use building, new student housing, expanded retail, restaurant, and office space, energy enhancements & green infrastructure

3 years of Tax Relief

## Recommendations:

- Great and flexible tool
- Carefully think about and define public benefit for your community
- Develop clear criteria for public benefit
- Consider level of relief which is appropriate to spur investment in your community



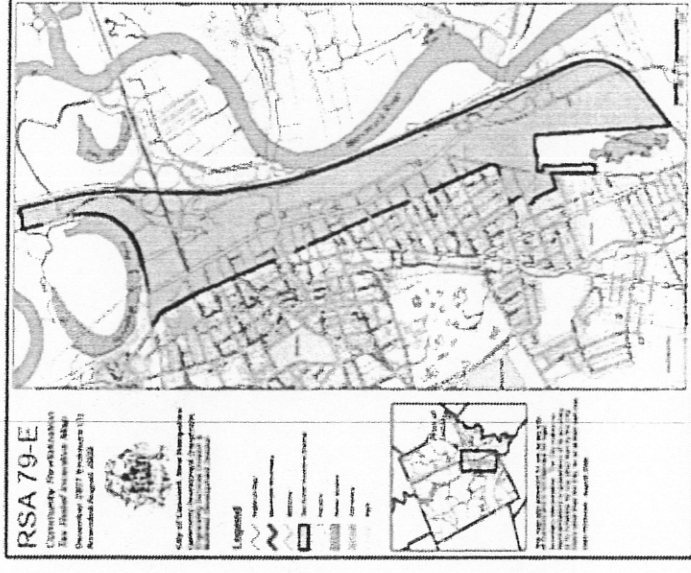
# Examples Continued

Concord, NH

Adopted: January, 2008

## Key Recommendations

- Great tool for encouraging investment and growth
- Useful in meeting Concord's goals within Master Plan--smart growth and building a stronger downtown community
- Has been used to create new market rate housing in downtown, the first since 1980s



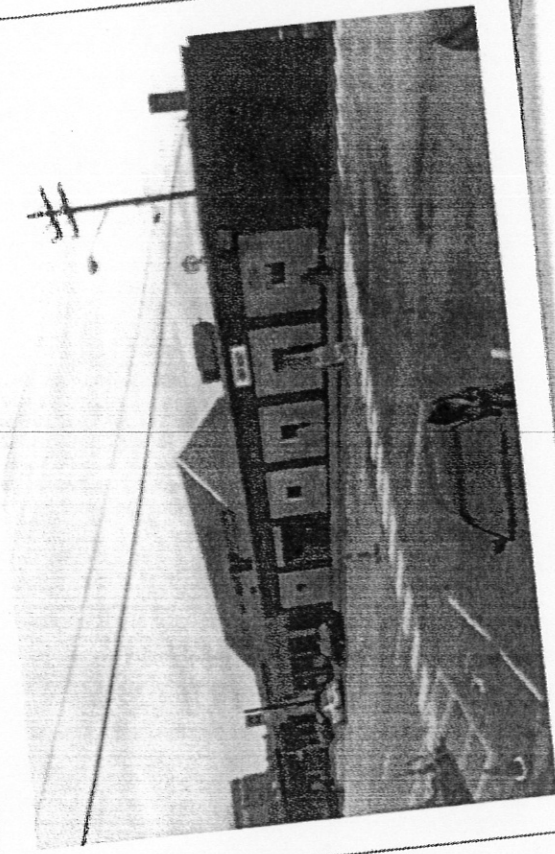


# SMILE! Building, Concord

## Replacement

### Before

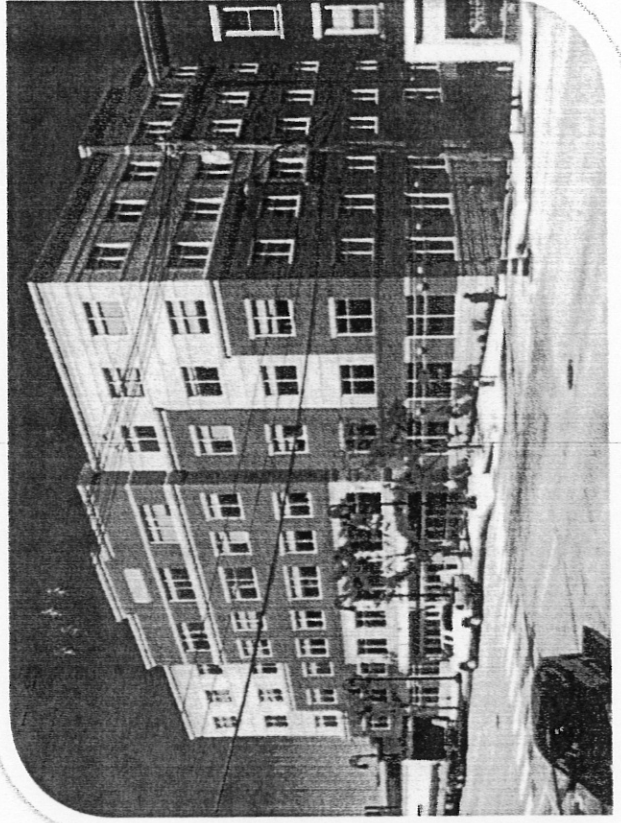
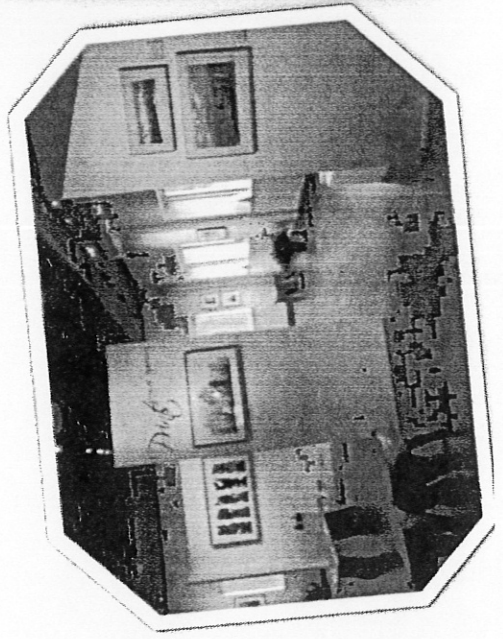
- 2 two level office building, housing Labor Ready
- Assessed Value \$1.24 Million



### After

- 91,500 SF Office and 10,500 SF Retail
- \$27 Million investment (with Mennion Place)

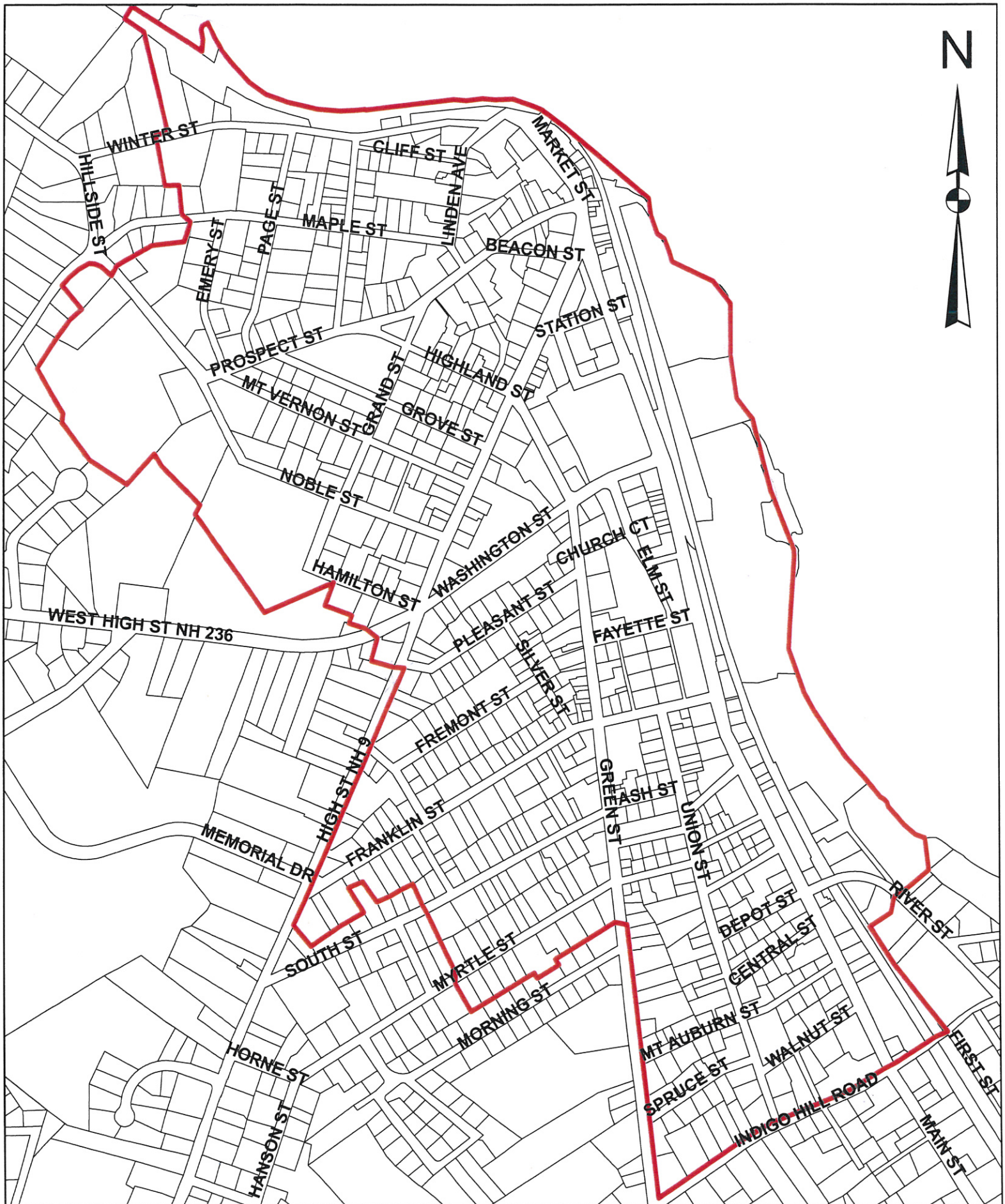
5 Years of Tax Relief @ \$1.3 Million







# Appendix A: RSA 79-E Downtown Revitalization District



Dated February 2013

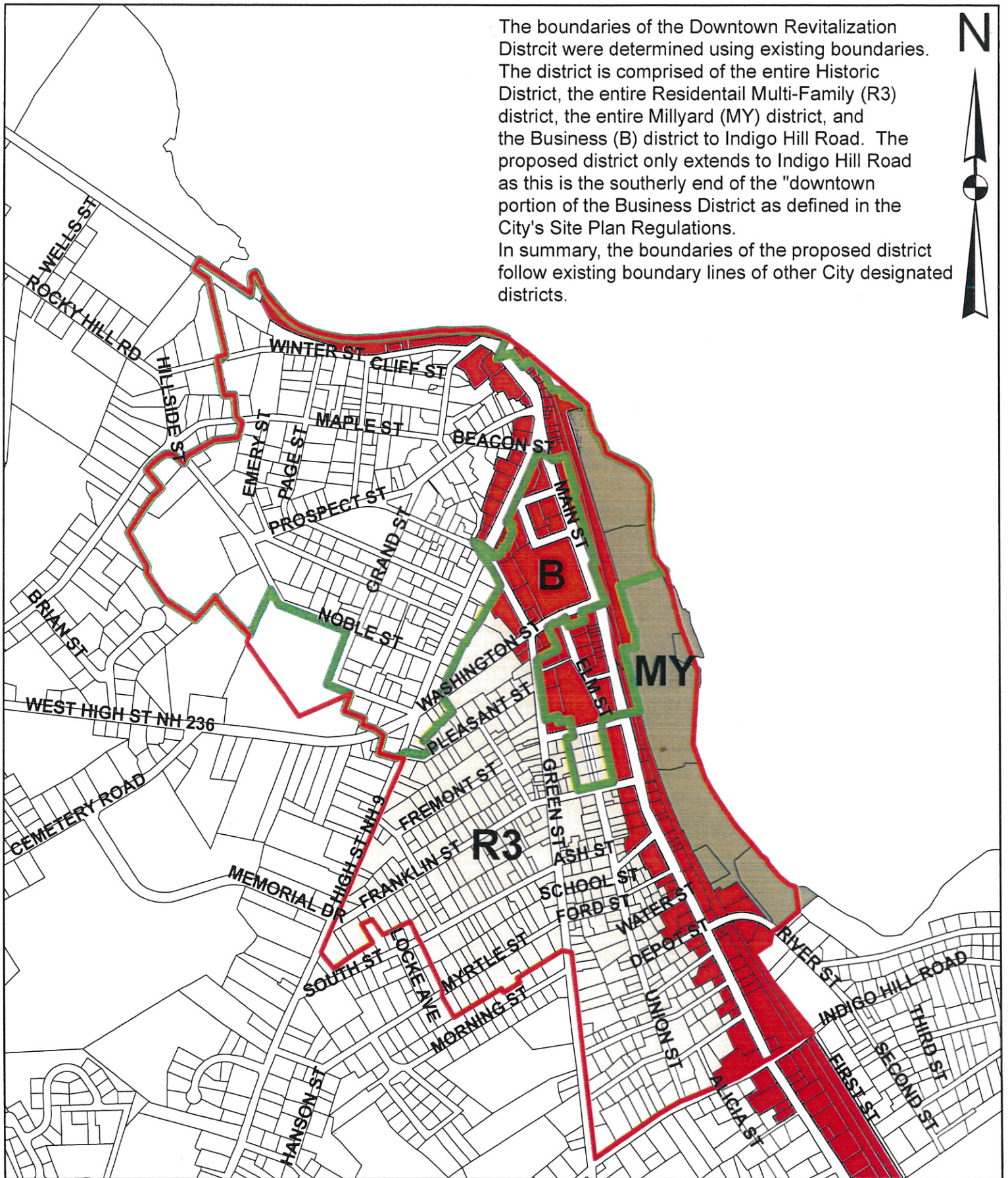




RSA 79-E Downtown Revitalization District Boundary



# How the boundaries of the proposed RSA 79-E Downtown Revitalization District were determined

The boundaries of the Downtown Revitalization District were determined using existing boundaries. The district is comprised of the entire Historic District, the entire Residential Multi-Family (R3) district, the entire Millyard (MY) district, and the Business (B) district to Indigo Hill Road. The proposed district only extends to Indigo Hill Road as this is the southerly end of the "downtown portion of the Business District as defined in the City's Site Plan Regulations. In summary, the boundaries of the proposed district follow existing boundary lines of other City designated districts.



-  RSA 79-E Downtown Revitalization District Boundary
-  Historic District Boundary





**TOWN OF DURHAM PLANNING AND  
COMMUNITY DEVELOPMENT DEPARTMENT**

15 NEWMARKET RD  
DURHAM, NH 03824-2898  
603/868-8064 603/868-8065  
FAX 603/868-8033  
www.ci.durham.nh.us

SAMPLE

**Community Revitalization Tax Relief Application** (per RSA 79E)

Date: \_\_\_\_\_ [Office use only. Fee submitted: \_\_\_\_\_ Final action: \_\_\_\_\_]

**Property information**

Property address/location: \_\_\_\_\_

Name of building (if applicable): \_\_\_\_\_

Tax map #: \_\_\_\_\_; Lot #'s): \_\_\_\_\_; Year built (if known): \_\_\_\_\_

**Property owner**

Name (include name of individual): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant/developer** (if different from property owner) **or Agent**

Name (include name of individual): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Proposed project**

Explain project: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Building uses. Existing: \_\_\_\_\_; Proposed: \_\_\_\_\_

Nonresidential square footage. Existing: \_\_\_\_\_; Proposed: \_\_\_\_\_

# of residential dwelling units. Existing: \_\_\_\_\_; Proposed: \_\_\_\_\_

Expected construction dates. Start: \_\_\_\_\_; Finish: \_\_\_\_\_

(Continued Tax Relief (79E) application - Tax Map: \_\_\_\_\_ Lot: \_\_\_\_\_)

### Project costs

Describe work that will constitute the substantial rehabilitation and estimated/projected costs. Please attach written estimates, if available.

Structural: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Electrical: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Plumbing: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Mechanical: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Other: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Total project cost: \$ \_\_\_\_\_

### Other Information

Name of contractor (if known): \_\_\_\_\_

Will the project include any affordable housing units? \_\_\_\_\_; If so, how many? \_\_\_\_\_

Will any state or federal grants or funds be used in this project? \_\_\_\_\_

What are the public benefits associated with this project (in accordance with RSA 79-E:7)?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Submission of application

**Note:** This program is available for projects where the rehabilitation cost equals or exceeds 15 percent of the pre-rehabilitation assessed valuation or \$75,000, whichever is less. Please attach any plot plans, building plans, elevation drawings, sketches, or photographs which help illustrate the project. A \$50.00 application fee (made out to "Town of Durham") must be submitted with this application. This application must be signed by the property owner.

*I (we) hereby submit this application under the Community Revitalization Tax Relief Incentive Statute (NH RSA 79-E) and attest that to the best of my (our) knowledge all of the information herein and in the accompanying materials is true and accurate. I (we) have reviewed the statute and understand that: a) there will be a public hearing to evaluate the merits of this application; b) I (we) will need to enter into a covenant with the Town; and c) I (we) may be required to pay reasonable expenses associated with the creation of the covenant.*

Signature of property owner (1): \_\_\_\_\_

Date: \_\_\_\_\_

Signature of property owner (2): \_\_\_\_\_

Date: \_\_\_\_\_



**TOWN OF DURHAM, NH**  
**COVENANT TO PROTECT PUBLIC BENEFIT**  
**Per RSA 79-E:8 (Community Revitalization Tax Relief Incentive)**

I (We) [name] of [address], Durham, NH 03824 (hereinafter referred to, collectively, if appropriate, as "GRANTOR") owner(s) of [property] situate at [address], Durham, NH (hereinafter referred to as the "PROPERTY"), for (myself/ourselves/itself) and for (my/our/it's) successors and assigns, for consideration of tax relief granted to GRANTOR by GRANTEE pursuant to the provisions of RSA 79-E, agree to the following Covenants imposed by the Town of Durham, (hereinafter referred to as "GRANTEE"), 15 Newmarket Road, Durham, County of Strafford, State of New Hampshire.

These covenants are made in exchange for property tax relief granted with respect to the PROPERTY as a result of the substantial rehabilitation of the PROPERTY to be accomplished by the GRANTORS in accordance with GRANTOR'S proposal (specific approved scope of work is attached as "CHAPTER 79-E COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE ADDENDUM") approved by GRANTEE on [date of council approval].

This Covenant is to protect the public benefit in accordance with the provisions of RSA 79-E for a term of five years, beginning on April first of the first tax year commencing immediately after the completion of the rehabilitation work. Notwithstanding the foregoing, the contemplated tax relief shall be null and void if the proposed rehabilitation work is not completed by March 31 [deadline year for completion].

The PROPERTY is designated GRANTEE'S Tax Map [number] Lot [number] in the Town of Durham. For further reference to GRANTOR'S title see deed recorded at Book [reference], Page [reference], Strafford County Registry of Deeds.

The GRANTEE agrees that the PROPERTY, if substantially rehabilitated in accordance with GRANTOR'S proposal approved by GRANTEE on [date of council approval] provides a demonstrated public benefit in accordance with the provisions of RSA 79-E:7 inasmuch as the substantial rehabilitation of said property:

- I. Enhances the economic vitality of downtown;
- II. Enhances or improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located; and
- III. Promotes development of municipal centers, providing for efficiency, safety and a greater sense of community consistent with RSA 9-B.

The terms of the Covenant which is hereby granted by the GRANTOR to the GRANTEE with respect to the above described PROPERTY are to be co-extensive with the tax relief period and are as follows:

## GRANTOR'S COVENANTS:

**REHABILITATION OF PROPERTY.** The Grantor agrees to substantially rehabilitate the PROPERTY during the term of this Agreement in accordance with GRANTOR'S proposal approved by GRANTEE on [date of council approval]. The substantial rehabilitation contemplated by GRANTOR'S proposal approved by GRANTEE on [date of council approval] shall be completed by the GRANTOR on or before March 31, [deadline year]. All of the work on the attached scope of work must be completed in order for the tax relief to take effect. If only some of the work on the attached scope of work is completed prior to March 31, [upcoming year] or March 31, [following year], then the PROPERTY shall be fully assessed for the value of that work during the tax year(s) commencing [upcoming year] and/or [following year].

**MAINTENANCE OF THE PROPERTY.** The GRANTOR agrees to maintain, use and keep the structure in a condition that furthers the public benefits for which the tax relief was granted and accepted during the term of the tax relief under RSA 79-E.

**REQUIRED INSURANCE, USE OF INSURANCE PROCEEDS, AND TIMEFRAME TO REPLACE OR REMOVE DAMAGED PROPERTY.** The GRANTOR agrees and is required to obtain and maintain casualty insurance, as well as flood insurance, if appropriate. The GRANTEE requires a lien against proceeds for any insurance claims to ensure proper restoration or demolition of any damaged structures and property. The GRANTEE further requires that the restoration or demolition commence within one year following any insurance claim incident; otherwise the GRANTOR shall be subject to the termination provisions set forth in RSA 79-E:9, I.

**RECORDING.** The GRANTEE agrees to and shall provide for the recording of this covenant with the Strafford County Registry of Deeds. It shall be a burden upon the PROPERTY and bind all transferees and assignees of such PROPERTY. The GRANTOR will be solely responsible for payment of the recording fees.

**ASSESSMENT OF THE PROPERTY.** The GRANTEE agrees that the PROPERTY shall be assessed, during the term of the Tax Relief Granted based on the pre-rehabilitation value or such other value utilized by the Assessor to address improvements not covered by RSA 79-E. If the terms of these covenants are not met, the Property Tax Relief will be discontinued. Furthermore, the GRANTEE will assess all taxes to the owner as though no tax relief was granted, with interest in accordance with RSA 79-E:9, II.

## **RELEASE, EXPIRATION, CONSIDERATION.**

- I. **RELEASE.** The GRANTOR may apply to the local governing body of the Town of Durham for a release from the foregoing discretionary tax relief and associated covenant within the duration of the tax relief period of the RSA 79-E upon a demonstration of extreme personal hardship. Upon release from such covenants, the GRANTOR shall thereafter pay the full value assessment of such structure(s) and land to the Tax Collector of the Town of Durham.



- II. EXPIRATION. Upon final expiration of the terms of the tax relief and associated covenants the tax assessment will convert to the then full fair market value and these covenants will be concluded.
- III. CONSIDERATION. The Tax Collector shall issue a summary receipt to the owner of such PROPERTY and a copy of the governing body of the Town of Durham for the sums of tax relief accorded during the term of this Agreement. The local governing body shall, upon receiving a copy of the above-mentioned consideration, execute a release of the Covenant to the GRANTOR who shall record such a release with the Strafford County Registry of Deeds. A copy of such release or renewal shall also be sent to the local assessing official.
- IV. MAINTENANCE OF STRUCTURE. If, during the term of the tax relief, the GRANTOR shall fail to maintain the structure in conformity with the foregoing agreement, or shall cause the structure(s) to significantly deteriorate or be demolished or removed, the covenants shall be terminated and a penalty shall be assessed in accordance with Paragraph I(a) above.

ENFORCEMENT. If a breach of this Covenant is brought to the attention of the GRANTEE, the GRANTEE shall notify the GRANTOR, in writing of such breach, which notification shall be delivered in hand or by certified mail, return receipt requested to the GRANTOR.

The GRANTOR shall have 30 days after receipt of such notice to undertake those actions, including restorations, which are reasonably calculated to cure the said breach and to notify the GRANTEE thereof.

If the GRANTOR fails to take such curative action, the GRANTEE may undertake any actions that are reasonably necessary to cure such breach, and the cost thereof, including GRANTEE'S expenses, court costs and legal fees, shall be paid by the GRANTOR, provided the said GRANTOR is determined to be directly or indirectly responsible for the breach.

The GRANTOR, by accepting and recording this Covenant to the GRANTOR agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein provided for and incumbent upon the GRANTEE, all in furtherance of the purposes for which this Tax Relief and associated Covenant is delivered.



WITNESS MY/OUR/IT'S HAND this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Grantor

\_\_\_\_\_  
Print Name

STATE OF NEW HAMPSHIRE  
COUNTY OF STRAFFORD

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared the above  
\_\_\_\_\_ and \_\_\_\_\_, known to me, or satisfactorily  
proven, to be the same, and acknowledged that he/she/they executed the same for the purposes  
contained therein.

\_\_\_\_\_  
Notary Public/Justice of the Peace

My commission expires: \_\_\_\_\_

**ACCEPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Town of Durham

TOWN OF DURHAM

By: \_\_\_\_\_  
Durham Town Administrator  
(or other authorized officer)

Print Name: \_\_\_\_\_

# TITLE V TAXATION

## CHAPTER 79-E COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE

### Section 79-E:1

#### **79-E:1 Declaration of Public Benefit. –**

I. It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.

II. It is further declared to be a public benefit to encourage the rehabilitation of the many underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.

II-a. In instances where a qualifying structure is determined to possess no significant historical, cultural, or architectural value and for which the governing body makes a specific finding that rehabilitation would not achieve one or more of the public benefits established in RSA 79-E:7 to the same degree as the replacement of the underutilized structure with a new structure, the tax relief incentives provided under this chapter may be extended to the replacement of an underutilized structure in accordance with the provisions of this chapter.

III. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this chapter are considered to provide a demonstrated public benefit if they encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of a qualifying structure, as defined in this chapter.

**Source.** 2006, 167:1. 2009, 200:3, 4, eff. July 15, 2009.

### Section 79-E:2

#### **79-E:2 Definitions. –** In this chapter:

I. "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter. Cities or towns may further limit "qualifying structure" according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts that meet certain age, occupancy, condition, size, or other similar criteria consistent with local economic conditions, community character, and local planning and development goals. Cities or towns may further modify "qualifying structure" to include buildings that have been destroyed by fire or act of nature, including where such destruction occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town.

I-a. "Replacement" means the demolition or removal of a qualifying structure and the construction of a new structure on the same lot.

II. "Substantial rehabilitation" means rehabilitation of a qualifying structure which costs at least 15 percent of the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less. Cities or towns



may further limit "substantial rehabilitation" according to the procedure in RSA 79-E:3 as meaning rehabilitation which costs a percentage greater than 15 percent of pre-rehabilitation assessed valuation or an amount greater than \$75,000 based on local economic conditions, community character, and local planning and development goals.

II-a. "Tax increment finance district" means any district established in accordance with the provisions of RSA 162-K.

III. "Tax relief" means:

(a) For a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation thereof.

(b) For the replacement of a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a replacement structure shall not exceed the property tax on the replaced qualifying structure as a result of the replacement thereof.

(c) For a qualifying structure which is a building destroyed by fire or act of nature, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on such qualifying structure shall not exceed the tax on the assessed value of the structure that would have existed had the structure not been destroyed.

IV. "Tax relief period" means the finite period of time during which the tax relief will be effective, as determined by a local governing body pursuant to RSA 79-E:5.

**Source.** 2006, 167:1. 2009, 200:5-7. 2010, 329:1, 2. 2011, 237:1, 2, eff. July 5, 2011.

### **Section 79-E:3**

#### **79-E:3 Adoption of Community Revitalization Tax Relief Incentive Program –**

I. Any city or town may adopt or modify the provisions of this chapter by voting whether to accept for consideration or modify requirements for requests for community revitalization tax relief incentives. Any city or town may do so by following the procedures in this section.

II. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

III. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

IV. If a majority of those voting on the question vote "yes," applications for community revitalization tax relief incentives may be accepted and considered by the local governing body at any time thereafter, subject to the provisions of paragraph VI of this section.

V. If the question is not approved, the question may later be voted on according to the provisions of paragraph II or III of this section, whichever applies.

VI. The local governing body of any town or city that has adopted this program may consider rescinding its action in the manner described in paragraph II or III of this section, whichever applies. A vote terminating the acceptance and consideration of such applications shall have no effect on incentives previously granted by the city or town, nor shall it terminate consideration of applications submitted prior to the date of such vote.

**Source.** 2006, 167:1. 2010, 329:3, eff. July 20, 2010.

### **Section 79-E:4**



**79-E:4 Community Revitalization Tax Relief Incentive. –**

I. An owner of a qualifying structure who intends to substantially rehabilitate or replace such structure may apply to the governing body of the municipality in which the property is located for tax relief. The applicant shall include the address of the property, a description of the intended rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee.

I-a. In order to assist the governing body with the review and evaluation of an application for replacement of a qualifying structure, an owner shall submit to the governing body as part of the application, a New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian and a letter issued by the local heritage commission and if the qualifying structure is located within a designated historic district established in accordance with RSA 674:46, a letter from the historic district commission or, if such local commissions are not established, a letter issued by the New Hampshire division of historical resources that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the property on which those structures are located. The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted.

II. Upon receipt of an application, the governing body shall hold a duly noticed public hearing to take place no later than 60 days from receipt of the application, to determine whether the structure at issue is a qualifying structure; whether any proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.

III. No later than 45 days after the public hearing, the governing body shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.

IV. (a) The governing body may grant the tax relief, provided:

(1) The governing body finds a public benefit under RSA 79-E:7; and

(2) The specific public benefit is preserved through a covenant under RSA 79-E:8; and

(3) The governing body finds that the proposed use is consistent with the municipality's master plan or development regulations; and

(4) In the case of a replacement, the governing body specifically finds that the local heritage commission or historic district commission or, if such local commissions are not established, the New Hampshire division of historical resources has determined that the replaced qualifying structure does not possess significant historical, cultural, or architectural value, the replacement of the qualifying structure will achieve one or more of the public benefits identified in RSA 79-E:7 to a greater degree than the renovation of the underutilized structure, and the historical, cultural, or architectural resources in the community will not be adversely affected by the replacement. In connection with these findings, the governing body may request that the division of historical resources conduct a technical evaluation in order to satisfy the governing body that historical resources will not be adversely affected.

(b) If the governing body grants the tax relief, the governing body shall identify the specific public benefit achieved under RSA 79-E:7, and shall determine the precise terms and duration of the covenant to preserve the public benefit under RSA 79-E:8.

V. If the governing body, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.

VI. Municipalities shall have no obligation to grant an application for tax relief for properties located within tax increment finance districts when the governing body determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:

(a) The development program or financing plans for such tax increment finance districts; or

(b) The ability to satisfy or expedite repayment of debt service obligations incurred for a tax increment financing district; or

(c) The ability to satisfy program administration, operating, or maintenance expenses within a tax increment financing district.

**Source.** 2006, 167:1. 2009, 200:8-11, eff. July 15, 2009.

### Section 79-E:5

#### **79-E:5 Duration of Tax Relief Period. –**

I. The governing body may grant such tax assessment relief for a period of up to 5 years, beginning with the completion of the substantial rehabilitation.

I-a. For the approval of a replacement of a qualifying structure, the governing body may grant such tax assessment relief for a period of up to 5 years, beginning only upon the completion of construction of the replacement structure. The governing body may, in its discretion, extend such additional years of tax relief as provided for under this section, provided that no such additional years of tax relief may be provided prior to the completion of construction of the replacement structure. The municipal tax assessment of the replacement structure and the property on which it is located shall not increase or decrease in the period between the approval by the governing body of tax relief for the replacement structure and the time the owner completes construction of the replacement structure and grants to the municipality the covenant to protect the public benefit as required by this chapter. The governing body may not grant any tax assessment relief under this chapter with respect to property and structures for which an election has been made for property appraisal under RSA 75:1-a.

II. The governing body may, in its discretion, add up to an additional 2 years of tax relief for a project that results in new residential units and up to 4 years for a project that includes affordable housing.

III. The governing body may, in its discretion, add up to an additional 4 years of tax relief for the substantial rehabilitation of a qualifying structure that is listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district, provided that the substantial rehabilitation is conducted in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation.

IV. The governing body may adopt local guidelines to assist it in determining the appropriate duration of the tax assessment relief period.

**Source.** 2006, 167:1. 2009, 200:12. 2010, 329:4, eff. July 20, 2010.

### Section 79-E:6

**79-E:6 Resumption of Full Tax Liability. –** Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.

**Source.** 2006, 167:1, eff. April 1, 2006.

### Section 79-E:7

**79-E:7 Public Benefit. –** In order to qualify for tax relief under this chapter, the proposed substantial rehabilitation must provide at least one of the public benefits, and the proposed replacement must provide one or more of the public benefits to a greater degree than would a substantial rehabilitation of the same qualifying structure, as follows:

I. It enhances the economic vitality of the downtown;

II. It enhances and improves a structure that is culturally or historically important on a local, regional,



state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;

III. It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B; or

IV. It increases residential housing in urban or town centers.

**Source.** 2006, 167:1. 2009, 200:13, eff. July 15, 2009.

### **Section 79-E:7-a**

**79-E:7-a Public Benefit Determinations.** – Cities or towns may adopt according to the procedure in RSA 79-E:3 provisions that further define the public benefits enumerated in RSA 79-E:7 to assist the governing body in evaluating applications made under this chapter based on local economic conditions, community character, and local planning and development goals.

**Source.** 2010, 329:5, eff. July 20, 2010.

### **Section 79-E:8**

#### **79-E:8 Covenant to Protect Public Benefit. –**

I. Tax relief for the substantial rehabilitation or replacement of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and as otherwise provided in this chapter.

II. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the governing body, be effective for a period of time up to twice the duration of the tax relief period.

III. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the governing body's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition or damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in RSA 79-E:9, I.

IV. The local governing body shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.

V. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

**Source.** 2006, 167:1. 2009, 200:14, eff. July 15, 2009.

### **Section 79-E:9**

#### **79-E:9 Termination of Covenant; Reduction of Tax Relief; Penalty. –**

I. If the owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided in RSA 79-E:8, III, the governing body shall, after a duly noticed public hearing, determine whether and to what extent the public benefit of the rehabilitation or replacement has been diminished and shall determine whether to terminate or reduce the tax relief period in accordance with such determination. If the



covenant is terminated, the governing body shall assess all taxes to the owner as though no tax relief was granted, with interest in accordance with paragraph II.

II. Any tax payment required under paragraph I shall be payable according to the following procedure:

(a) The commissioner of the department of revenue administration shall prescribe and issue forms to the local assessing officials for the payment due, which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

**Source.** 2006, 167:1. 2009, 200:15, eff. July 15, 2009.

### Section 79-E:10

**79-E:10 Lien for Unpaid Taxes.** – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-E:9.

**Source.** 2006, 167:1, eff. April 1, 2006.

### Section 79-E:11

**79-E:11 Enforcement.** – All taxes levied pursuant to RSA 79-E:9 which are not paid when due shall be collected in the same manner as provided in RSA 80.

**Source.** 2006, 167:1. 2007, 42:3, eff. July 20, 2007.

### Section 79-E:12

**79-E:12 Rulemaking.** – The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

**Source.** 2006, 167:1, eff. April 1, 2006.

### Section 79-E:13

**79-E:13 Extent of Tax Relief.** –

I. (a) Tax relief granted under this chapter shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the governing body and not to those increases attributable to other factors including but not limited to market forces; or

(b) Tax relief granted under this chapter shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the governing body approves the application for tax relief and the owner grants to the municipality

the covenant to protect public benefit as required in this chapter, provided that for a qualifying structure which is a building destroyed by fire or act of nature, original assessed value shall mean the value as of the date of approval of the application for tax relief of the qualifying structure that would have existed had the structure not been destroyed.

II. The tax relief granted under this chapter shall only apply to substantial rehabilitation or replacement that commences after the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect the public benefit as required in this chapter, provided that in the case of a qualifying structure which is a building destroyed by fire or act of nature, and which occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town, the tax relief may apply to such qualifying structure for which replacement has begun, but which has not been completed, on the date the application for relief under this chapter is approved.

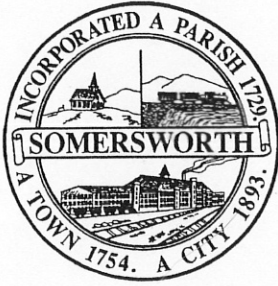
**Source.** 2006, 167:1. 2010, 329:6. 2011, 237:3, eff. July 5, 2011.

### **Section 79-E:14**

**79-E:14 Other Programs.** – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

**Source.** 2006, 167:1, eff. April 1, 2006.





## MEMORANDUM

**TO:** Mayor Matthew Spencer and Members of the City Council

**FROM:** Robert M. Belmore, City Manager *RB*

**CC:** Department Heads

**DATE:** February 1, 2013

**SUBJECT:** City Council Goal Setting Session, Saturday, February 9<sup>th</sup>  
City Council Chambers

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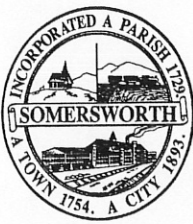
Attached is the previous goal session summary minutes of February 25, 2012.

**8:30 a.m.** Settle-in with coffee & food

**9:00 a.m.** Establish 2013-2014 Council Goals

- Review previous goals.
- Reach consensus on moving forward with priorities.
- Discuss strategy and achievable timelines.

**Noon** The plan is to finish no later than noon.



## City Council Meeting Minutes

February 25, 2012

### City Council 2012 Goal Setting Workshop

CM Belmore Progress Report: amended May 1 & July, 2012

Present: Mayor Matthew Spencer, Councilors Brian Tapscott, Jonathan McCallion, Dale Sprague, David Witham, Robin Jarvis, Martin Pepin, Jennifer Soldati, Marcel Hebert and Matthew Durkee.

Staff present: City Manager Robert Belmore, Police Chief Dean Crombie, Fire Chief Don Bliss, Director of Dev. Services/Planner David Sharples, Director of Finance & Administration Scott Smith, and Director of Public Works & Utilities Tom Willis.

Folks arrived starting at 8:30 for coffee. The meeting was called to order at 8:55am in Council Chambers at City Hall. Manager Belmore facilitated the session.

Belmore read the following excerpts from the 2/19/2011 Council Goal Workshop: from the Vision2020 Committee: *Somersworth will be a vibrant and highly sought after community in which to live, work and play that celebrates its history, culture, diversity and industrial roots*; and the Mission statement/core values developed by the Council: *Trust* - with each other and with the Community, being reciprocal in nature, *Respect* - fostering differing views, *Serve* - serving the Public needs.

The City Council discussed last year's goals and placed goals into three different categories: Preserve, Achieve and Avoid. Consensus was to look at goals in the context of completing benchmarks or actually accomplishing the goal within the next 12-24 months. Here is a summary of the Council's consensus for 2012 Goals (not numbered by priority).

#### **PRESERVE**

##### **1. Reuse of Hilltop Elementary School Property**

- a. Work in collaboration with the Friends of Somersworth. Staff continues to assist when requested. BI Metivier & Director Sharples met with Nora Molloy to go over historical files of the building. Yankee Thermal Energy also met with staff and we received their initial report and are awaiting their follow-up report.

##### **2. Fund Balance & Stabilizing the Tax Rate**

- a. Continue the strategies for a strong Fund Balance to assist in efforts to stabilize the tax rate; continue examination of the use of CRF (Capital Reserve Funds); and discuss issuance of a Bond/s to address needed CIP/infrastructure needs. Council received last year's audit and it was noted that the Fund Balance is consistent with Council Policy. Council recently approved a non-CRF for School/City building maintenance and is close to moving forward on a Bond issuance.



### 3. Sustainability

- a. Support on-going initiatives of Sustainability Committee and other possible environmentally friendly efforts. Committee/City received grant for recycle bins and launched Community Garden effort. Recycling Education – Part of the funds received from the Clean Air – Cool Planet Grant by the Sustainability Committee was for recycling education. The committee is going to use the remaining funds from that grant (\$200 +/-) to purchase to traveling display board to put up in various public spaces (e.g. Library and perhaps City Hall) whose primary purpose is to educate the public on recycling and other sustainable practices. The display has been purchased and is ready to be utilized.

### 4. Regionalization

- a. Continue on going work to examine opportunities to partner with other communities, the County and the School Department. Police recently received a Grant - being administered by County for the Somersworth and Rochester Departments. We recently joint bid for street line striping with Dover. We recently purchased bulk copier paper through the School Dept. purchasing cooperative. The City continues to partner with neighboring cities on bids; and in addition we partner with Portsmouth, Dover, Rochester and Pease in economic development/advertising. Participated in County Regionalization meetings and analysis for County Police Prosecutorial services.

## ACHIEVE

### 1. Image of City & Marketing City

- a. Recruit businesses; take steps to attract good companies and retain both businesses and talented residents by offering quality services; be business friendly in our approaches to code inspections and business start-ups. Fire Chief recently took steps to modify fire inspections protocol in a more user friendly manner. Fire Prevention Ordinance, Ch. 21 –inspections: new Ordinance approved. It provides more flexibility for businesses to meet code. The City's CO process was streamlined to allow for a more expedited review for existing structures.
- b. More positive Press; celebrate City successes. City received good Press through the LID Award received by Director Sharples and new Planning Intern project. Fire Department recognized in assisting PNSY sub fire.
- c. Foster partnerships with Chamber, Festival Association, Skyhaven Airport, etc.; support efforts like Pumpkin Festival & Children's' Festival. Draft Article was finalized and submitted to Chamber for consideration of printing in Chamber Newsletter.
- d. The new Economic Development Manager would be charged to focus on these ideas and implement steps to accomplish them. Finalists will be interviewed this month by a panel: George Bald; (Senator-former Main Street Program Director) Jeanie Forrester, and MRI Pres. Don Jutton; and Director Sharples.

- e. Mayor to explore re-establishing a Christmas / Holiday Parade. Mayor has organized a Committee and seed funding was appropriated by Council.
- f. Look to bring Culture and Arts into the City; more destination stops.

## **2. Code and Property Maintenance – Neighborhood Appearance**

- a. Consider quarterly neighborhood clean-ups and more educational outreach on property care; public works to place more trash receptacles in key areas. Added trash receptacles at Green/Franklin Sts and more downtown (4).
- b. City staff will examine and report back to Council on possibility of placing Building and Code Office/Property Maintenance under the direction of the fire chief/fire department operations, examples of this model include the City of Dover and Town of Bedford, NH. Follow-up discussion and meetings completed; staff recommendation accepted, i.e., not to make the change at this time.
- c. Council's Economic Development Committee to examine possible City Ordinance amendments to better assist with property maintenance and code compliance. EDC has begun discussions.

## **3. High Street Infrastructure / Sidewalks / Streetscape**

- a. Examine options to improve pedestrian friendly environment in the City. TE Grant project for downtown has started. Utility and Drainage report given to Council; and project estimates on July 16 for possible Bond. Bridge Project has started w/another public meeting on August 2.
- b. Examine Traffic signalization/timing – staff to seek NH DOT assistance. Letter sent to DOT and a response received from DOT.
- c. Better overall planning on sidewalk improvements & sidewalk locations.
- d. Look at Horne Street (NH DES prior involvement); and Garden Street. City Engineer working on estimates.

## **4. City Information Outreach to Community**

- a. Continue improvements to the Website. Website consultant has submitted a new Draft concept that Council will comment on.
- b. Complete new Cable Franchise Agreement and institute educational channel and eventual Public Access channel. Renewal Proposal is in the hands of COMCAST.
- c. Explore / implement WiFi Access in downtown area (check Pittsfield model), this was referred to staff and the Council's Economic Development Committee. Initial costly WiFi proposal asked to be scaled back for further discussion.



**5. Review City Procedures for more Electronic Efforts**

- a. Implement m/v E-Reg; consider more paperless City transaction efforts for direct payments and banking lockbox process. Auto debit instituted for utility bill payments (w/170 E-Z Pay customers now) and E-Reg has been launched.
- b. Consider I-Pads for use by Council for meeting packets and other reports to be distributed electronically. Finance Committee reviewed proposal to purchase I pads and voted not to recommend at this time.

**6. Support of Local Business**

- a. Continue “buy local” options and initiatives to include banking efforts (perhaps vendors like Warrens office supplies in nearby Maine as well NH and locally based financial institutions). I’ve directed staff to examine and encourage purchasing from local business whenever possible. One department has reached out to Warrens for purchases.

**7. Downtown Traffic & Parking Patterns**

- a. Consider other alternatives to enhance a safe, positive traffic and parking flow in downtown area, ex: new diagonal parking in Bristol, NH. City will explore new diagonal parking during the design phase of the Transportation Enhancement project as well as other alternatives to create a safe environment for all modes of travel in the downtown area.
- b. Support Master Plan funding in FY 2013 Budget to complete an update to Transportation section. Funding was in Manager’s proposed budget however City Council deferred the funding.

**8. Recycling – Transfer Station**

- a. Consider expanding recycling efforts with a partnership program with Dover, Rollinsford, or others, or a Public-Private effort; this was charged to staff and the Council’s Public Works and Environment Committee.
- b. Provide more recycling education to Community. The Sustainability Committee is planning to do so with the aid of a recycling display, which has been purchased and is ready to be launched.

**9. Promote Environmentally & Health friendly efforts**

- a. Economic Development Manager to pursue possible efforts to promote a bike/walk to work event/s, perhaps with “Somersworth Dollars” for City business purchases as prize incentives. Explore partnerships with hospitals and insurance wellness programs.
- b. Council to make an enhanced commitment to sustainability efforts. The Planning Board adopted LID stormwater regulations that enhance the protection of our drinking water resources.

#### **10. Bonding CIP**

- a. Council consensus to continue the CIP funding discussion in order to examine the possible issuance of a Bond for needed capital improvement work, particularly School CIP items, at \$1million +/- amount. City Council Workshop held on April 23 and July 11.
- b. City Manager and Finance Director are to meet with SAU staff/School Superintendent to formulate a possible funding plan that outlines projects and funding; to include possible use of excess Idlehurst School Bond funds and perhaps use of a Bond Anticipation Note. Same as above.

#### **AVOID**

- **Riverfront Development**

- Consensus was this issue would be better discussed at a later time.

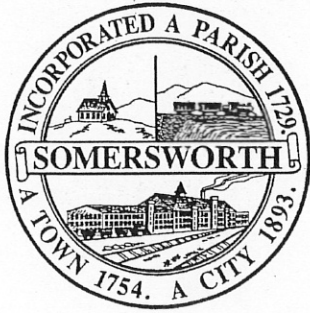
Mayor Spencer recommended the City Council consider a follow-up goal session later in the year, perhaps in September. Goal Setting Workshop was adjourned at 11:50am by consensus.

Respectfully submitted,

*Robert M. Belmore*  
City Manager  
February 29, 2012



TO Mayor + Council  
02-01-13 /BS



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**Dave Sharples**  
**Director of Planning and Community Development**

January 31, 2013

To: Robert M. Belmore, City Manager

Re: TD Green Streets Grant

I am writing this memorandum to inform you that we have submitted the grant application to the TD Bank and the Arbor Day Foundation's Green Streets forestry grant program that we discussed last week. The grant identifies the majority of the improvements at the Pine St. Park. The project total is \$26,000 whereas the total grant amount that can be requested is \$20,000. However, we are leveraging the \$6,000 we received from the Somersworth Housing Authority (SHA) as part of the grant application. Please note that there is no matching requirement and no City funds would need to be utilized for this project.

The proposed project builds upon the improvements we were already planning with the SHA funding that includes both landscaping and hardscaping of the Pine St. Park. The project costs include materials, installation, maintenance, community education and project evaluation. We also requested funds to do some additional landscaping in front of the Library and at Noble Pines as part of the project.

The winners of the grant will be announced in April and the project must be completed by December 1<sup>st</sup>, 2013.

Thank you.

**Bob Belmore***TO Mayor + Council  
02-01-13 BS***From:** Ohlund, Glen [Glen.Ohlund@td.com]**Sent:** Wednesday, January 23, 2013 9:16 AM**To:** Bob Belmore**Cc:** Dave Sharples; cjdavis2001@comcast.net**Subject:** TD and Arbor Day Foundation Introduce TD Green Streets

Hi Bob and all- Its been a long time since Main Streets! I wanted to let you and other city staff know about this funding opportunity via TD Bank and Arbor Day Foundation. There are only three eligible municipalities in NH so the "odds" look pretty good.

Please call me if you have any questions. It would be great to catch up at some point.

Respectfully,

*Glen Ohlund*

Glen Ohlund

**TD Bank, NA / Community Development**

5 Commerce Park North

Bedford, NH 03110

(o) 603.222.9570 (c) 603.491.1460

Email: [glen.ohlund@td.com](mailto:glen.ohlund@td.com)



FYI – please see the below announcement re: TD's new environmental funding opportunity.

This initiative will award (10) \$20,000 grants to municipalities (recognized Tree City USA communities only) to support local forestry projects in low- to moderate-income neighborhoods.

Applications are due Thursday, January 31, 2013 and detailed eligibility requirements can be found at <http://www.arborday.org/programs/tdgreenstreets/>.

A press release was distributed footprint wide, but please feel free to forward information to your contacts at municipalities that might be interested/eligible.

Please reach out with any questions.

Thank you!

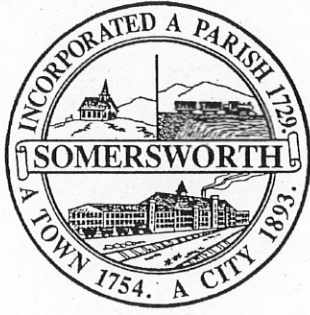
## News Release

### TD and Arbor Day Foundation Introduce TD Green Streets

New Urban forestry grant program to contribute \$200,000 to municipalities from Maine to Florida

2/1/2013





*To Mayor + Council*  
*02-01-13 DS*

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**Dave Sharples**  
**Director of Planning and Community Development**

January 31, 2013

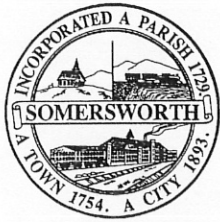
To: Robert M. Belmore, City Manager

Re: Landfill update

I am pleased to inform you that I received notification from John Podgurski at the EPA that they have funding available to perform a feasibility study at our landfill regarding the potential use of the site for renewable energy generation, more specifically a solar array. He informed me that the next step is for them to reach out to their subcontractor and then they will contact me about a conference call between the City, EPA, and their contractor to discuss the scope of the project. I will continue to provide updates as I receive more information.

Thank you.

*TO Mayor & Council  
02/01/13 BJS*



## City of Somersworth

1 Government Way – Somersworth, NH 03878

### MEMORANDUM

TO : Bob Belmore, City Manager  
FROM : Marybeth Walker

RE : Veteran Credits  
DATE : January 25, 2013

The following table presents the information requested regarding veteran credits. To include a comparison to other cities located in Strafford County.

As you will see the City of Somersworth has in place the highest amount allowed for the regular veterans credit (\$500). If the City Council so chose they could increase the Veteran Tax Credit for Service-Connected Total Disability. The standard credit is \$700. The optional credit upon adoption by the city is between \$701 up to \$2000.

We currently have 27 veterans receiving this credit, which currently subtracts \$1,400 from the tax-bill. In the table below I have included what the impact on the city is for the total credits and what the potential increase would be if the optional credit were adopted at the maximum amount of \$2,000.

Town/City	Regular Veteran RSA:72:26	Total Disabled RSA:72:35	surviving spouse RSA 72:29-a
BARRINGTON	\$ 450	\$ 1,400	\$ 2,000
DOVER	\$ 500	\$ 2,000	\$ 2,000
DURHAM	\$ 200	\$ 2,000	\$ 2,000
FARMINGTON	\$ 500	\$ 2,000	\$ 2,000
LEE	\$ 375	\$ 1,400	\$ 700
MADBURY	\$ 500	\$ 2,000	\$ 700
MIDDLETON	\$ 400	\$ 2,000	\$ 700
MILTON	\$ 500	\$ 1,400	\$ 700
NEW DURHAM	\$ 500	\$ 1,400	\$ 700
ROCHESTER	\$ 200	\$ 2,000	\$ 2,000
<b>SOMERSWORTH</b>	<b>\$ 500</b>	<b>\$ 1,400</b>	<b>\$ 1,400</b>
STRAFFORD	\$ 200	\$ 700	\$ 700
<b>Mandatory</b>	\$ 50	\$ 700	\$ 700
<b>Optional Range</b>	\$50-\$500	\$701-\$2000	\$701-\$2000
<b>Somersworth Currently receiving credit</b>	<b>478</b>	<b>27</b>	<b>0</b>
<b>Impact on community- current</b>	<b>\$239,000</b>	<b>\$37,800</b>	
<b>If increased to maximum</b>	<b>N/A</b>	<b>+ \$16,200</b>	