

CITY OF SOMERSWORTH

CITY COUNCIL MEETING

AGENDA

AUGUST 15, 2011 – 7:00 P.M.

(PUBLIC HEARING AT 6:45 P.M.)

- Ord. No. 1-12 Amend Chap. 13, Police Offenses, Section 3.1.F.2
Time Limited Parking, Two hour
 - Ord. No. 2-12 Amend Chap. 19, Zoning Ord., Section 19.3.D.1
District Boundaries, Historic Mill District
 - Ord. No. 3-12 Amend Chap. 19, Zoning Ord.
 - Ord. No. 4-12 Amend Chap. 19, Zoning, Ord., Section 19.3.B.13
Establishment of Zoning Districts
 - Ord. No. 5-12 Amend Chap. 19, Zoning Ord., Table of Uses
1. Roll Call of Members
 2. Pledge of Allegiance
 3. Minutes of the Previous Meeting
 - A. Minutes of March 28, 2011 Budget Presentation.
 - B. Minutes of April 9, 2011 City Council Budget Workshop.
 - C. Minutes of May 2, 2011 City Council Workshop – Stratford
Capital Group LLC Presentation.
 - D. Minutes of June 6, 2011 Public Hearing on Ord. No. 28-11
Ball Field at Millennium Park St. Laurent Ball Field.
 - E. Minutes of June 6, 2011 City Council Meeting.
 - F. Minutes of June 20, 2011 City Council Meeting.
 - G. Minutes of July 11, 2011 City Council Meeting.
 4. Comments by Visitors

5. Communications
 - A. Presentation by Peter Michaud, Architect.
6. Presentation of Petitions and Disposal Thereof by Reference or Otherwise
7. Mayor's Report
8. Reports of Standing Committees
9. Reports of Special Committees, City Officers and City Manager
10. Nominations, Appointments and Elections
11. Lay on Table
 - A. Two (2) Year Agreement between Somersworth School Board and Somersworth Educational Support Personnel Association (Expires June 30, 2013).
 - B. One (1) Year Agreement between the Somersworth School Board and the Somersworth Association of Educators (Expires June 30, 2012).
12. Unfinished Business

Nominations:

- A. Zoning Board of Adjustment – Frank Menez, Term to Expire 04/2014.
- B. Trustee of Trust Funds – John Jackman, Term to Expire 04/2014.

Ordinances:

- A. Ordinance No. 1-12 Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking Two Hour.

- B. Ordinance No. 2-12 Amend Chapter 19, Zoning Ordinance, Section 19.3.D.1 District Boundaries, Historic Mill District.
- C. Ordinance No. 3-12 Amend Chapter 19, Zoning Ordinance.
- D. Ordinance No. 4-12 Amend Chapter 19, Zoning Ordinance, Section 19.3.B.13 Establishment of Zoning Districts.
- E. Ordinance No. 5-12 Amend Chapter 19, Zoning Ordinance, Table of Uses.

Resolutions:

- A. Resolution No. 1-12 Authorizing the City Manager to Execute a Lease Agreement with the Pall Corporation of Port Washington, NY to Lease Building Space at the Somersworth Water Treatment Facility.
 - B. Resolution No. 3-12 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Manufactured Housing Units Subject to an Unredeemed Tax Lien.
 - C. Resolution No. 4-12 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Property Located at 1 Winter Street (Formerly Known as Breton's Cleaners) Subject to an Unredeemed Tax Lien.
 - D. Resolution No. 5-12 To Authorize the Use of \$22,000 (Twenty Two Thousand Dollars) from the Citywide Revaluation Capital Reserve Fund for Cycled Inspections.
13. New Business

Resolutions:

- A. Resolution No. 6-12 Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire Division of Historical Resources for a Certified Local

Government (CLG) Grant to Perform an Update to the Historical Survey Forms.

- B. Resolution No. 7-12 Change the Purpose of the Citywide Revaluation Capital Reserve Fund in Accordance with RSA 34:11 to a Capital Reserve Fund for the Purpose of Downtown and Transportation Enhancement Improvements.
 - C. Resolution No. 8-12 Authorizing the City Council to Create a Non-Capital Reserve Fund to be known as the Accrued Employee Leave and Benefits Liability Fund.
 - D. Resolution No. 9-12 Authorize the City Manager to Enter into a Multi-Year Contract with Waste Management of Rochester, NH for Wastewater Treatment Facility Sludge Disposal.
 - E. Resolution No. 10-12 Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire for a Land and Water Conservation Fund (LWCF) Grant to Complete the Noble Pines Park Improvement Project.
- 14. Comments by Visitors
 - 15. Closing Comments by Council Members
 - 16. Future Agenda Items
 - 17. Nonpublic Session (as necessary, pending roll call vote by Council)
 - 18. Adjournment

UNFINISHED

BUSINESS

ORDINANCE NO. 1-12 AMEND CHAPTER 13, POLICE OFFENSES, SECTION
3.1.F.2. TIME LIMITED PARKING, TWO HOUR.

Somersworth, NH
July 11, 2011

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

Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking, Two Hour, by adding the following:

- Elm Street on the easterly side from Fair Court to Fayette Street, ten parking stalls.

This Ordinance shall take effect upon its passage.

Introduced by Councilor

Brian Tapscott

Approved:

City Attorney

ORDINANCE NO. 2-12 AMEND CHAPTER 19 ZONING ORDINANCE, SECTION 19.3.D.1 DISTRICT BOUNDARIES, HISTORIC MILL DISTRICT.

Somersworth, NH
July 11, 2011

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

Amend Chapter 19, Zoning Ordinance, Section 19.3.D.1 District Boundaries, Historic Mill District, in the following manner:

DELETE the existing Section 19.3.D.1 and replace with the following:

19.3.D.1 Millyard District. The Millyard District begins at a point located at the northwest corner of Assessor's Map 11 Lot 190, thence running southerly along the westerly boundary lines of Assessor's Map 11 Lots 190 and 190A to a point at the northwest corner of Assessor's Map 10 Lot 196, thence running southerly along the westerly boundary line of Map 10 Lot 196 to the southwest corner of Assessor's Map 11 Lot 189, thence running southerly along the easterly boundary line of Assessor's Map 11 Lot 181 to the northwest corner of Assessor's Map 9 Lot 280, thence running along the northerly boundary line of Map 9 Lot 280 to the north corner of Map 9 Lot 280, thence running southerly along the western boundary line of Assessor's Map 9 Lot 282 to River Street, thence running southerly along River Street to the southern corner of Map 9 Lot 282C, thence running northeasterly along the southern boundary lines of Map 9 Lots 282C and 282B to the Salmon Falls River, thence running northerly along the western shoreline of the Salmon Falls River to Map 11 Lot 189, thence running westerly along the northern boundary line of Map 11 Lot 190 to the point of beginning.

This Ordinance shall be effective upon its passage.

Introduced by Councilor

David Witham

Approved:

City Attorney

ORDINANCE NO. 3-12 AMEND CHAPTER 19 ZONING ORDINANCE.

Somersworth, NH

July 11, 2011

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

Amend Chapter 19, Zoning Ordinance, in the following manner:

REPLACE "Historic Mill District" with "MillYard District" wherever it appears in the Zoning Ordinance.

This Ordinance shall be effective upon its passage.

Introduced by Councilor

David Witham

Approved:

City Attorney

ORDINANCE NO. 4-12 AMEND CHAPTER 19, ZONING ORDINANCE, SECTION 19.3.B.13 ESTABLISHMENT OF ZONING DISTRICTS.

Somersworth, NH
July 11, 2011

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

Amend Chapter 19, Zoning Ordinance, Section 19.3.B.13, Establishment of Zoning Districts, as follows:

DELETE Section 19.3.B.13 in its entirety and

REPLACE with the following:

19.3.B.13 MillYard District.

This district is provided to promote a mixed use district where retail, commercial, industrial, and multi-family residential uses can harmoniously coexist. The regulations of this district are specifically designed to maintain the historic character of the old mill area of the City and to encourage recreational access to and along the Salmon Falls River.

This Ordinance shall be effective upon its passage.

Introduced by Councilor

David Witham

Approved:

City Attorney

ORDINANCE NO. 5-12 AMEND CHAPTER 19, ZONING ORDINANCE, TABLE OF USES.

Somersworth, NH
July 11, 2011

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

Chapter 19, Table of Uses, is hereby amended in the following manner:

Table 4.A.2.2 Commercial nurseries and greenhouses:

DELETE HM in the Prohibited column

ADD MY to the Permitted Column

Table 4.A.2.3 Group care facility:

DELETE HM in the Prohibited column

ADD MY to the Special Exception Column

Table 4.A.2.5 Veterinary hospital:

DELETE HM in the Prohibited column

ADD MY to the Special Exception Column

Table 4.A.3.7 Parking and transfer of commercial vehicles, etc.:

DELETE HM in the Prohibited column

ADD MY to the Permitted Column

Table 4.A.4. Airport or heliport:

DELETE HM in the Prohibited column

ADD MY to the Special Exception Column

Table 4.A.4.6 Public utility station:

DELETE HM in the Prohibited column

ADD MY to the Special Exception Column

Table 4.A.4.9 Bus depot:

DELETE HM in the Prohibited column

ADD MY to the Special Exception Column

Table 4.A.3.5 Bed and breakfast, tourist homes and boarding houses:

DELETE HM in the Prohibited column

ADD MY to the Permitted Column

Table 4.A.3.14 Business center developments:

DELETE HM in the Prohibited column

ADD MY to the Permitted Column

Table 4.A.3.18 Funeral homes:

DELETE HM in the Prohibited column

ADD MY to the Permitted Column

Table 4.A.3.23 Outdoor recreation area, etc.:

DELETE HM in the Prohibited column

ADD MY to the Permitted Column

Table 4.A.3.28 Coffee kiosk:

DELETE HM in the Prohibited column

ADD MY to the Special Exception Column

This Ordinance shall be effective upon its passage.

Introduced by Councilor

David Witham

Approved:

City Attorney

RESOLUTION NO. 1-12 AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE PALL CORPORATION OF PORT WASHINGTON, NY TO LEASE BUILDING SPACE AT THE SOMERSWORTH WATER TREATMENT FACILITY.

Somersworth, NH
July 11, 2011

WHEREAS the Pall Corporation and the City of Somersworth have had a mutually beneficial relationship over the past 10 (ten) years and would like to extend it for another 10 (ten) years, and

WHEREAS Pall Corporation's relationship with the City began in 2001 when the Pall Corporation funded the construction of two buildings at the Somersworth Water Treatment Plant site, and

WHEREAS one building was donated to the City and the second building was leased to the Pall Corporation to conduct research and development on membrane technology for water applications, and

WHEREAS the City Council's Public Works and Environment Committee has reviewed the proposed lease extension with staff and recommends approval, and

WHEREAS the City Council's Finance Committee has reviewed the proposed lease extension with staff and recommends approval,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a lease agreement with the Pall Corporation of Port Washington, NY to lease building space at the Somersworth Water Treatment Facility under terms and conditions deemed to be in the best interest of the City.

Introduced by Councilors

Dale Spainhower
Denis Messier
Robin S. Jarvis
Michael X. Watman
Dale R. Sprague

Approved:

City Attorney

RESOLUTION NO. 3-12 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN MANUFACTURED HOUSING UNITS SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH
July 11, 2011

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on manufactured housing units located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
32 Colonial Village	81-32M
37 Colonial Village	81-37M
43 Colonial Village	81-43M
12 Crystal Springs	82-12M
39 Crystal Springs	82-39M
52 Crystal Springs	82-52M
2 Jack & Jill	83-2M
5 Jack & Jill	83-5M
7 Jack & Jill	83-7M
13 Jack & Jill	83-13M
14 Jack & Jill	83-14M
16 Jack & Jill	83-16M
34 Jack & Jill	83-34M
3 Brook Drive	85-13M
4 Brook Drive	85-16M
15 Brook Drive	85-5M
109 Sherwood Glen	87-109M
117 Sherwood Glen	87-117M
120 Sherwood Glen	87-120M
122 Sherwood Glen	87-122M
136 Sherwood Glen	87-136M
207 Sherwood Glen	87-207M
223 Sherwood Glen	87-223M

306 Sherwood Glen	87-306M
307 Sherwood Glen	87-307M
407 Sherwood Glen	87-407M
412 Sherwood Glen	87-412M
419 Sherwood Glen	87-413M
420 Sherwood Glen	87-420M
613 Sherwood Glen	87-613M
644 Sherwood Glen	87-644M
4 Ringer Drive	88-2M

Introduced by
Mayor Lincoln Soldati
by request

Approved by:
City Attorney

RESOLUTION NO. 4-12 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTY LOCATED AT 1 WINTER STREET (FORMERLY KNOWN AS BRETON'S CLEANERS) SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH
July 11, 2011

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deed on property located at 1 Winter Street (formerly known as Breton's Cleaners), Tax Map/Lot number 11-181A.

Introduced by
Mayor Lincoln Soldati
by request

Approved by:
City Attorney

RESOLUTION NO. 5-12 TO AUTHORIZE THE USE OF \$22,000 (TWENTY TWO THOUSAND DOLLARS) FROM THE CITYWIDE REVALUATION CAPITAL RESERVE FUND FOR CYCLED INSPECTIONS.

Somersworth, NH
July 11, 2011

WHEREAS the Citywide Revaluation Capital Reserve Fund was created by Resolution 3-08 designating the City Council as agents to expend, and

WHEREAS there is approximately \$117,500 (One Hundred Seventeen Thousand Five Hundred dollars) in this Citywide Revaluation Capital Reserve Fund, and

WHEREAS the City Council appropriated funding for a program of cycled inspections as part of the adopted Fiscal Year 2012 budget and as agents to expend are requesting the Trustees of Trust Funds release \$22,000 (Twenty Two Thousand dollars) from the Citywide Revaluation Capital Reserve Fund to be used toward this program,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Trustees of Trust Funds are requested to release \$22,000 (Twenty Two Thousand dollars) of the Citywide Revaluation Capital Reserve Fund to be used toward the Fiscal Year 2012 cycled inspection program.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague

Approved

City Attorney

**NEW
BUSINESS**

RESOLUTION NO. 6-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES FOR A CERTIFIED LOCAL GOVERNMENT (CLG) GRANT TO PERFORM AN UPDATE TO THE HISTORICAL SURVEY FORMS.

Somersworth, NH
August 15, 2011

WHEREAS, the City of Somersworth has applied for a CLG Grant to the State of New Hampshire by and through the Department of Cultural Resources; and

WHEREAS, the City of Somersworth has received notification of a \$10,000.00 Grant Award; and

WHEREAS, the City of Somersworth is matching this Award with in-kind professional services and funds for printing and postage; and

Explanation of Total Project Grant Breakdown

City Match	=	\$1,800 In-Kind Professional Services \$500 Site Fees-room, AV \$400 Printing & Postage for Marketing
State of NH Grant	=	\$10,000
Total Project Cost	=	\$12,700

WHEREAS, the Grant will allow the City of Somersworth to update the historical survey forms on properties located within the Historic District. This is Phase IV of a multi-phase project that will require additional grant funds in the coming years to complete the update for the entire Historic District; and

WHEREAS, it is expected that the City will pursue similar future CLG grants to complete the survey,

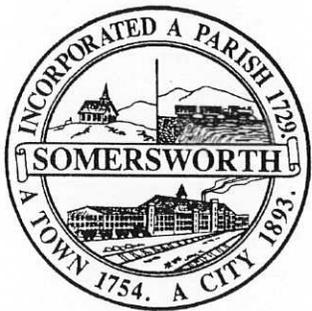
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents, agreements and take any and all such actions on behalf of the City, for this and any future New Hampshire Division of Historical Resources Certified Local Government Grant to complete the historic survey of all properties in the district, which may be deemed necessary for the execution of this grant as well as future awards.

Introduced by

Council Member
David Witham

Approved:

City Attorney



David Sharples
City Planner

Date: July 25, 2011

To: Bob Belmore

From: Dave Sharples

Re: Resolution No. 6-12 for 2011 CLG Grant to update the Historical Survey Forms.

Attached is Resolution No. 6-12 authorizing the City Manager to enter into a grant agreement with the State of New Hampshire Division of Historical Resources for a Certified Local Government (CLG) Grant to perform an update to the Historical Survey Forms. Authorizing this resolution will allow the City Manager to take any and all actions necessary to execute this grant, which is to complete Phase IV of a multi-phase project to update the Historical Survey Forms. This resolution would also enable the City Manager to execute any and all future actions associated with State of New Hampshire Division of Historical Resources Certified Local Government Grants for this survey update.

Thank you.

RESOLUTION NO. 7-12 CHANGE THE PURPOSE OF THE CITYWIDE REVALUATION CAPITAL RESERVE FUND IN ACCORDANCE WITH RSA 34:11 TO A CAPITAL RESERVE FUND FOR THE PURPOSE OF DOWNTOWN AND TRANSPORTATION ENHANCEMENT IMPROVEMENTS.

Somersworth, NH
August 15, 2011

WHEREAS, the City-wide Revaluation Capital Reserve Fund was established by Resolution 3-08, and

WHEREAS, RSA 34:11 permits the purpose for which a capital reserve fund is established be changed by a favorable vote of $\frac{3}{4}$ of all members of the City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City-wide Revaluation Capital Reserve Fund shall be changed to the purpose of creating a Downtown and Transportation Enhancement Improvements Fund, and

BE IT FURTHER RESOLVED THAT contributions to that fund shall come from the operating budget, grant funds, or any other funding source, and further that the City Council is hereby designated as agents to expend these funds.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague

Approved:

City Attorney

RESOLUTION NO. 8-12 AUTHORIZING THE CITY COUNCIL TO CREATE A
NON-CAPITAL RESERVE FUND TO BE KNOWN AS THE ACCRUED EMPLOYEE
LEAVE AND BENEFITS LIABILITY FUND.

Somersworth, NH
August 15, 2011

WHEREAS, the City of Somersworth accrues a liability through union agreements and the non-union personnel rules and regulations to employees for payment of leave and other benefits payable at termination; and

WHEREAS, the Fiscal Year 2012 adopted budget contains an appropriation to create a fund to address the liability created for payment of unused leave and other benefits at termination,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Somersworth City Council hereby establishes a non-capital reserve fund under the provisions of RSA 34:1-a to be known as the Accrued Employee Leave and Benefits Liability Fund; and

BE IT FURTHER RESOLVED THAT the Somersworth City Council are named as agents to expend this fund and contributions to this fund will come from the operating budget or other available funds.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague

Approved:

City Attorney

RESOLUTION NO. 9-12 AUTHORIZE THE CITY MANAGER TO ENTER INTO A MULTI-YEAR CONTRACT WITH WASTE MANAGEMENT OF ROCHESTER, NH FOR WASTEWATER TREATMENT FACILITY SLUDGE DISPOSAL.

Somersworth, NH
August 15, 2011

WHEREAS, City staff solicited bids from qualified companies to dispose of sludge created at the Somersworth Wastewater Treatment Facility and recommends contracting with Waste Management of Rochester, NH; and

WHEREAS, the City Council's Finance Committee has reviewed the recommendation received from City staff and supports this recommendation; and

WHEREAS, the City Council's Public Works and Environment Committee has reviewed the recommendation received from city staff and supports this recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a multi-year contract with Waste Management of Rochester, NH for Wastewater Treatment Facility sludge disposal.

Introduced by Councilors

Robin S. Jarvis
Michael X. Watman
Dale R. Sprague
Dale Spainhower
Denis Messier

Approved:

City Attorney

RESOLUTION NO. 10-12 AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE FOR A LAND AND WATER CONSERVATION FUND (LWCF) GRANT TO COMPLETE THE NOBLE PINES PARK IMPROVEMENTS PROJECT.

Somersworth, NH
August 15, 2011

WHEREAS, the City Council passed Resolution No. 15-11 authorizing the City Manager to seek funding for the Noble Pines Comprehensive Improvement Project as proposed in the fiscal year 2012-2017 Capital Improvement Plan; and

WHEREAS, the City of Somersworth has applied for a LWCF Grant to the State of New Hampshire by and through the Department of Resources and Economic Development; and

WHEREAS, the City of Somersworth has received notification of a \$39,047 Grant Award; and

WHEREAS, the total cost of the project is estimated to be \$78,094; and

WHEREAS, the City intends to provide in-kind services and community donations for the required 50% match for the project; and

WHEREAS, this Grant will assist the completion of the Project and allow the City to complete improvements to the Noble Pines Park that will enhance the overall aesthetics and functionality of this park by constructing a skateboard park, pavilion picnic area, and installation of a water spray cooling area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents, agreements and take any and all such actions on behalf of the City, which may be deemed necessary for this grant's execution.

Introduced by Councilors

Martin Pepin
Brian Tapscott
David Witham

Approved:

City Attorney



CITY OF SOMERSWORTH

Office of the City Manager

TO: Mayor Lincoln Soldati and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, August 12, 2011

SUBJECT: City Manager's Report for Monday, August 15th, 2011
City Council Agenda

*5:30 PM – Non-Meeting with School/SAU & City Manager
Regarding Union Negotiations*

6:45 PM – Public Hearing

- Ord. No. 1-12 Amend Chap. 13, Police Offenses, Section 3.1.F.2 Time Limited Parking, Two hour
 - Ord. No. 2-12 Amend Chap. 19, Zoning Ord., Section 19.3.D.1 District Boundaries, Historic Mill District
 - Ord. No. 3-12 Amend Chap. 19, Zoning Ord.
 - Ord. No. 4-12 Amend Chap. 19, Zoning, Ord., Section 19.3.B.13 Establishment of Zoning Districts
 - Ord. No. 5-12 Amend Chap. 19, Zoning Ord., Table of Uses
-

Unfinished Business (under Section 12 of the Agenda):

Ordinances:

- A. Ordinance No. 1-12 Amend Chapter 13, Police Offenses, Section 3.1.F.2. Time Limited Parking Two Hour.**
- B. Ordinance No. 2-12 Amend Chapter 19, Zoning Ordinance, Section 19.3.D.1 District Boundaries, Historic Mill District.** City Planner Dave Sharples will be present to answer any questions on these Planning Board recommendations.
- C. Ordinance No. 3-12 Amend Chapter 19, Zoning Ordinance.**
- D. Ordinance No. 4-12 Amend Chapter 19, Zoning Ordinance, Section 19.3.B.13 Establishment of Zoning Districts.**
- E. Ordinance No. 5-12 Amend Chapter 19, Zoning Ordinance, Table of Uses.**

Resolutions:

- A. Resolution No. 1-12 Authorizing the City Manager to Sign a Lease Agreement with Pall Corporation of Port Washington, NY to Lease Building Space at the Somersworth Water Treatment Facility.** As previously mentioned, Staff negotiated the terms of this proposed lease with Pall Corporation. An actual lease agreement containing these specific items will be drafted and signed once City Attorney has reviewed and approved it.
- B. Resolution No. 3-12 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Manufactured Housing Units Subject to an Unredeemed Tax Lien.** Again, please note that the tax liens will remain in effect on all these properties so that the City retains the option of accepting these deeds at a future date.
- C. Resolution No. 4-12 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Property (Formerly Known as Breton's Cleaners) Subject to an Unredeemed Tax Lien.** This is the former Breton Cleaners contaminated site that is under a NH DES clean up mandate. Attached is a Memorandum updating recent contact with NH DES to re-open our discussions on Brownfield program opportunities.
- D. Resolution No. 5-12 To Authorize the Use of \$22,000 (Twenty Two Thousand Dollars) from the Citywide Revaluation Capital Reserve Fund for Cycled Inspections.** You previously received a Memorandum from Finance Director Smith is attached that further explains the proposed strategy previously discussed with Council concerning these funds.

New Business (under Section 13 of the Agenda):

- A. Resolution No. 6-12 Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire Division of Historical Resources for a Certified Local Government (CLG) Grant to Perform an Update to the Historical Survey Forms.** Attached is an explanation from City Planner Dave Sharples regarding this HDC project. As noted in the Resolution, this vote would also authorize future grant applications to complete this entire multi-phase project.
- B. Resolution No. 7-12 Change the Purpose of the Citywide Revaluation Capital Reserve Fund in Accordance with RSA 34:11 to a Capital Reserve Fund for the Purpose of Downtown and Transportation Enhancement Improvements.** I recommend Council schedule a Public Hearing before the next regular meeting at 6:45 p.m. on Tuesday, September 6th.
- C. Resolution No. 8-12 Authorizing the City Council to Create a Non-Capital Reserve Fund to be known as the Accrued Employee Leave and Benefits Liability Fund.** This Resolution is sponsored by the Finance Committee. The City Council appropriated \$10,000 in this fiscal year to place into this newly established fund (should Council vote to do so.) Again, suggest a Public Hearing before the next regular meeting. Starting at 6:45 on Tuesday, September 6th. (Workshop was planned with Friends of Hilltop starting at 5:30 p.m. (?).)
- D. Resolution No. 9-12 Authorize the City Manager to Enter into a Multi-Year Contract with Waste Management of Rochester, NH for Wastewater Treatment Facility Sludge Disposal.** As noted in the Resolution, Council Standing Committees recommend this action. The multi-year contract would run to June 30, 2015. Although this bid process underwent a second revision, the net result was a lower per ton disposal cost from today's \$90 per ton, to \$80 (1st bid) to the \$70 proposed bid price with WMI. Attached is a Memorandum on this issue from Public Works Director Willis.

E. Resolution No. 10-12 Authorizing the City Manager to Enter into a Grant Agreement with the State of New Hampshire for a Land and Water Conservation Fund (LWCF) Grant to Complete the Noble Pines Park Improvement Project. Attached is a Memorandum from Recreation Supervisor Nick Campion. In addition, I am pleased to report that Staff did receive a verbal grant approval from Home Depot to provide building materials and possibly some volunteers to assist in building the Pavilion.

City Manager's Items (under Section 9 of the Agenda):

A. Informational Items:

1. **Property Tax Deeds.** Attached is a Memorandum regarding the execution of tax deeds for certain properties due to the outstanding City taxes.
2. **Municipal Engineering Support.** A panel (Public Works Director Tom Willis, Finance Director Scott Smith, City Planner Dave Sharples and City Manager) interviewed four engineering firms. A recommended selection will be provided to the Public Works and Environment Committee and then to the City Council for a contract authorization vote to engage a firm to provide City Engineering on-going support. At this point in the process, three firms were short-listed. Administration is currently checking references. The three engineering firms are Appledore Engineers, CMA Engineers, and K.V. Partners, LLC.
3. **Interim City Department Management Plans.** I have retained Municipal Resources Inc. (MRI) of Meredith, NH for a not-to-exceed six month interim period for an average of 24 hours per week of Fire Department management and oversight services with the intention of ensuring that Fire Department operational and administrative functions are effectively provided during an interim period. I have appointed City Planner David Sharples as Interim Director of Development Services. Dave will also continue to serve as City Planner. Again, this interim period should not exceed six months. *I intend to start an open recruitment process for both positions in the near future.*