

CITY OF SOMERSWORTH  
CITY COUNCIL MEETING

AGENDA

FEBRUARY 7, 2011

7:00 P.M.

6:00 P.M. – CITY COUNCIL WORKSHOP FOR DISCUSSION OF AN  
ANNUAL CYCLED INSPECTION PROGRAM FOR ALL CITY REAL  
ESTATE PROPERTIES

1. Roll Call of Members
2. Pledge of Allegiance
3. Minutes of the Previous Meeting
  - A. Minutes of Joint City Council/School Board Workshop held on 01/18/11.
  - B. Minutes of City Council Meeting held on 01/18/11.
4. Comments by Visitors
5. Communications
6. Presentation of Petitions and Disposal Thereof by Reference or Otherwise
  - A. Petition from Norma and Thomas Willard, Kimberly Faustino, Nancy and George Cote.
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. Ordinance No. 5-11 Amend Chapter 24 by the Addition of Chapter 24-A Entitled Somersworth Housing Code for Rental Multi-Unit Properties.
12. Unfinished Business

Resolutions:

- A. Resolution No. 13-11 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien.
- B. Resolution No. 14-11 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Property Subject to an Unredeemed Tax Lien.

13. New Business

Resolutions:

- A. Resolution No. 16-11 City of Somersworth Sustainability Initiative.
- B. Resolution No. 17-11 City of Somersworth Sustainability Committee.

Other:

- A. Discussion of Proposed Amended Area School Agreement.
- B. Council Vote on Monthly Utility Billing.

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

7 Lakeview Drive  
Dover, NH 03820  
January 18, 2011

Mr. Robert Belmore, City Manager  
City of Somersworth, NH  
1 Government Way  
Somersworth, NH 03878

Dear Bob,

Attached is a letter we sent in 2003 to the City of Somersworth stating the below request. The signed copies are probably in your files. We followed up on this matter with Mr. Elliott several times and got nowhere. The City of Dover was also involved in that and we successfully had that part of the land transferred to us. Do you have any suggestions on getting the City of Somersworth to act on this?

We, the immediate abutters, would like to petition the City to release and discharge all public servitude to the property at the end of Lake Street in accordance with RSA 231:51 and 231:52.

This approximate 40' of property is shown on the enclosed map between Dover lots 39-56 (owned by the Cotes) and 39-45 (owned by the Willards and Faustino) and Somersworth lots 6 (Cotes) and 5 (previously owned by Lewis and now owned by Willards and Faustino).

Please inform us of the procedure to get this land deeded over to us. Norma Willard can be reached by phone at 742-4878 or 438-4878 and by email: [normawillard@comcast.net](mailto:normawillard@comcast.net).

We appreciate your assistance in this matter.

Sincerely,

Norma B. Willard  
Thomas M. Willard  
Kimberly Faustino  
Nancy L. Cote  
George W. Cote

**UNFINISHED**

**BUSINESS**

RESOLUTION NO. 13-11 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH  
January 18, 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 MAYOR AND 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 property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
37 Colonial Village	81-37M
43 Colonial Village	81-43M
141 Colonial Village	81-141M
52 Crystal Springs	82-52M
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
4 Brook Drive	85-16M
109 Sherwood Glen	87-109M
207 Sherwood Glen	87-207M
306 Sherwood Glen	87-306M
407 Sherwood Glen	87-407M
420 Sherwood Glen	87-420M
613 Sherwood Glen	87-613M
4 Ringer Drive	88-2M

Introduced by  
Mayor Lincoln Soldati  
by request

Approved by:  
City Attorney

RESOLUTION NO. 14-11 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTY SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH  
January 18, 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, Tax Map/Lot number 11-181A.

Introduced by  
Mayor Lincoln Soldati  
by request

Approved by:  
City Attorney

NEW

BUSINESS

RESOLUTION NO. 16-11 CITY OF SOMERSWORTH SUSTAINABILITY INITIATIVE.

Somersworth, NH  
February 7, 2011

WHEREAS, the City Council recognizes the importance of encouraging sustainable practices by and throughout the entire community; and

WHEREAS, the City's Master Plan recommends the City take a leadership role in building a sustainable community for current and future generations; and

WHEREAS, the City's Vision 2020 Initiative is committed to facilitate a sustainable Somersworth; and

WHEREAS, the City Council recognizes the basic principles that a sustainable society is one that eliminates our contribution to:

- 1) The progressive buildup of substances extracted from the Earth's crust;
- 2) The progressive buildup of chemicals and compounds produced by society;
- 3) The progressive physical degradation and destruction of nature and natural processes; and
- 4) Conditions that undermine people's capacity to meet their basic human needs.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOMERSWORTH that the City Council establish a Special Committee of the City known as the Sustainability Committee.

Introduced by

Mayor Lincoln Soldati

Approved:

City Attorney

RESOLUTION NO. 17-11 CITY OF SOMERSWORTH SUSTAINABILITY COMMITTEE.

Somersworth, NH  
February 7, 2011

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOMERSWORTH that the "Sustainability Committee" **shall be formed no later than March 1, 2011.**

Be it further resolved that the Committee shall be comprised of the following members:

- The Mayor or his designee.
- One member of the City Council appointed by the Mayor.
- The City Manager or his designee.
- The Director of Development Services or his designee.
- Two members of the community at large appointed by the Mayor.
- One member of the Somersworth business community appointed by the Greater Somersworth Chamber of Commerce.
- One Somersworth High School student recommended by the Somersworth High School principal and approved by the Mayor.
- One member of the Conservation Commission appointed by the Chair of the Conservation Commission.
- One member of the Planning Board appointed by the Chair of the Planning Board.

Members of the Committee must be residents or employees of the City and shall be appointed for a two-year term.

Be it further resolved that the Committee shall:

- Serve as a resource and clearinghouse for the City Council and City Departments concerning issues of sustainability.
- Develop recommendations for the implementation of the goals in the Master Plan related to sustainability.
- Identify existing sustainable practices and identify areas needing improvement.
- Assist in coordinating efforts of various departments in implementing sustainability projects.
- Adopt an open meeting concept to encourage involvement of the community at large in the activities of the Committee.
- Promote public awareness of sustainability issues.
- Report regularly to the City Council on the meetings and activities of the Committee.

Introduced by

Mayor Lincoln Soldati

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:** February 4<sup>th</sup>, 2011

**SUBJECT:** City Manager's Report for Monday, February 7<sup>th</sup>, 2011  
City Council Agenda

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### **6:00 PM WORKSHOP**

Discussion of an annual cycled inspection program for all city real estate properties. City Assessing Agents Janis Carruth and Wil Corcoran will be in attendance. Attached is a proposal from Corcoran Associates.

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#### ***Presentation of Petitions and Disposal Thereof by Reference or Otherwise (under Section 6 of the Agenda):***

- A. Petition from Norma and Thomas Willard, Kimberly Faustino, Nancy and George Cote.** Attached is a map of the area as well as City Attorney's recommendation to schedule a Public Hearing.

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

- A. Ordinance No. 5-11 Amend Chapter 24 by the Addition of Chapter 24A Entitled Somersworth Housing Code for Rental Multi-Unit Properties.**

#### ***Old Business (under Section 12 of the Agenda):***

##### **Resolutions:**

- A. Resolution No. 13-11 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien.** As previously noted, if the City executes these deeds, the City will be responsible for lot rental fees, providing property insurance on the units and the consideration of commencing with eviction proceedings. 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.
- B. Resolution No. 14-11 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Property Subject to an unredeemed Tax Lien.** Again, this is the former Breton Cleaners contaminated site that is under a NH DES clean up mandate. I do want to let you know that I recently met with NH DES officials to re-look the possibility of applying for State and EPA Brownfields funding to raze the building and clean up the site.

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

**Resolutions:**

- A. Resolution No. 16-11 City of Somersworth Sustainability Initiative.**
  
- B. Resolution No. 17-11 City of Somersworth Sustainability Committee.**

**Other:**

- A. Discussion of Proposed Amended Area School Agreement.** Last meeting, I provided City Attorney's comments on his review of the proposed amendments.

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

**A. Informational Items:**

1. **State of City Address.** The new City Charter requires annually, on or before the 15<sup>th</sup> day of MARCH, the City Manager, in concert with the Superintendent of Schools, Mayor and School Board Chairman, shall prepare a State of the City Address to a joint meeting of the City Council and School Board. The State of the City Address shall, but not be limited to, review of performance of the existing fiscal year budget, capital expenditures and plans, an analysis of conformance with the City Master Plan, and plans for the forthcoming fiscal year to enhance or maintain the City of Somersworth and the services that the City provides. Similar to last year, this could be done prior to a regular Council Meeting – Monday, March 7<sup>th</sup>, 5:30 p.m. or so. Otherwise, a special meeting will need to be scheduled.
  
2. **Hilltop Elementary School Re-Use.** The City only received one proposal in response to the RFP solicitation. Director Wheeler's cover memorandum outlines the proposal's major components that include the purchase of the land and building for \$325,000; redevelopment cost estimated at \$10 million; and 50 age restricted rental units developed.