

CITY OF SOMERSWORTH

CITY COUNCIL MEETING

AGENDA

JULY 16, 2012 – 7:00 P.M.

6:00 P.M. – WORKSHOP

PRESENTATION FROM HOYLE TANNER ENGINEERS
REGARDING THE UTILITY/DRAINAGE ASSESSMENT OF THE
HIGH STREET/MARKET STREET TE GRANT AREA

1. Roll Call of Members
2. Pledge of Allegiance
3. Minutes of Previous Meetings
 - A. Minutes of City Council Meeting Held on 6/04/2012.
 - B. Minutes of Public Hearings Held on 6/18/2012.
 - C. Minutes of City Council Meeting Held on 6/18/2012.
4. Comments by Visitors
5. Communications
6. Presentation of Petitions and Disposal Thereof by Reference or Otherwise
 - A. Tax Cap Petition
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

12. Unfinished Business

13. New Business

Resolutions:

A. Resolution No. 1-13 To Authorize the City Manager to Contract with Wright/Pierce Engineers of Portsmouth, NH to Conduct an Evaluation of the Water Distribution System.

B. Resolution No. 2-13 To Authorize the City Manager to Execute an Agreement with the Town of Berwick, Maine for the Sale of Municipal Water.

C. Resolution No. 3-13 To Authorize the City Manager to Purchase a Trailer Mounted Trash Pump for the Wastewater Treatment Facilities.

D. Resolution No. 4-13 Accept Gator Rock Road.

E. Resolution No. 5-13 Providing City Water to Properties in the Town of Rollinsford, NH.

Other:

A. Vote to Extend the Comcast Franchise Agreement.

B. City Attorney's Legal Opinion Regarding Water/Sewer Billing Petition.

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

**"Budget Control Charter Amendment"
Charter Amendment
Petitioners' Committee Affidavit**

The registered voters below hereby constitutes the required members (5) of the petitioners' committee for the purpose of circulating and filing petitions to amend the town charter and the signatures of 20 registered voters, as specified by RSA 49-B:3. The proposed charter amendment shall read as provided in the attached exhibit "Proposed City of Somersworth Charter Amendment."

All notices to the committee shall be sent to Real Roseberry, 405 Route 108, Somersworth, NH 03878:

Name REAL ROSEBERRY

Address

405 RTE 108

Signature Real Roseberry

Date 4/15/2012

Name BEATRICE ROSEBERRY

Address 405 RTE 108

Signature Beatrice Roseberry

Date 4/15/12

Name LISA ROSCHERY

Address 9 Cemetery Rd

Somersworth NH 03878

Signature Lisa Roschery

Date 4/16/12

Real Roseberry 5/21/12

5-21-12
Mona J. Perreault

MONA G. PERREAULT, Notary Public
My Commission Expires May 7, 2013

**"Budget Control Charter Amendment"
Charter Amendment
Petitioners' Committee Affidavit**

The registered voters below hereby constitutes the required members (5) of the petitioners' committee for the purpose of circulating and filing petitions to amend the town charter and the signatures of 20 registered voters, as specified by RSA 49-B:3. The proposed charter amendment shall read as provided in the attached exhibit "Proposed City of Somersworth Charter Amendment."

All notices to the committee shall be sent to Real Roseberry, 405 Route 108, Somersworth, NH 03878:

Name Kirsten Schultz

Address 219 West High St, Somersworth NH 03878

Kirsten S. Schultz

Signature

4/16/12
Date

Name Shawn Schultz

Address 219 West High St, Somersworth NH 03878

[Signature]

Signature

4/16/2012
Date

Name

Address

Signature

Date

Real Roseberry 5/21/12

5-21-12
[Signature]

MONA G. PERREAULT, Notary Public
My Commission Expires May 7, 2013

Explanatory Note:

- This amendment places a cap on the level of City spending based on the National Consumer Price Index. Capital expenditures and debt expenditures are included in the cap. The cap may be overridden by a two-thirds (2/3) vote of the Council.

PRINTED NAME	SIGNATURE	ADDRESS	
PATRICIA VATCHER	Patricia Vatcher	403 RT 108	4-15-12
WILLIAM K SHAW	William K Shaw	8 RINGER DR	4/15/2012
* LAURIE MILLS	Laurie Mills	11 Ringer Dr.	4-15-2012
MARU ANN DOWLING	Maru Ann Dowling	80 Stackpole Rd.	4/15/2012
* DONALD ARSENEAULT	Donald Arsenault	9 Ringer Dr.	4/15/2012
Gerald C Redmond	Gerald C Redmond	212 W High St	4/15/2012
Valerie Paige	Valerie Paige	214 W High St	4/15/2012
Henry Goodwin	Henry Goodwin	215 W High St	4/15/2012
TINA McGLONE	Tina McGlone	35 HART ST	4/15/12
Don Richard	Don Richard	199 West High St	4/15/2012
Shulak Richard	Shulak Richard	199 W. High St	4/15/2012
LAURA LYONS	Laura Lyons	196 W. High St.	4.15.2012
Christina Chellis	Christina Chellis	195 W. High St.	4/15/12
Amy Bandouveres	Amy Bandouveres	190 W. High St.	4-15-12
* Lynn Veeel	Lynn Veeel	188 W High St.	4/15/12
WILLIS HUTCHINGS	Willis Hutchings	184 W. High St.	4/15/12
PATRICIA SENALE	Patricia Senale	18 Quarry Rd	4/15/12

* Not on CHECKLIST

AFFIDAVIT

This is to verify that I, REAL ROSEBERRY, personally circulated
 Printed Name of Circulator
 this paper, which contains 17 signatures.

All signatures were affixed in my presence, and I believe them to be genuine signatures of the persons whose names they purport to be, that each signer has signed no more than one petition, and that each signer had an opportunity before signing to read the petition.

Real Roseberry
 Signature of Circulator

4/25/12
 Date

Real Roseberry 5/21/12

5-21-12
Mona G. Perreault
 MONA G. PERREAULT, Notary Public
 My Commission Expires May 7, 2013

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PRINTED NAME	SIGNATURE	ADDRESS	
Susan Adler	<i>[Signature]</i>	1 Spruce St	4/15/12
LEONARD N. BABB	<i>[Signature]</i>	13 BAKER WAY	4-15/12
KAREN BABB	<i>[Signature]</i>	13 Baker Way	4/15/12
* Dean Doucette	<i>[Signature]</i>	2 Baker Way	4-15-12
Julie Roy	<i>[Signature]</i>	2 Baker Way	4-15-12
Madeline Bradon	<i>[Signature]</i>	164 West High St	4-15-12
Pete Volkmer	<i>[Signature]</i>	154 West High	4-15-12
Lis			

* Not on checklist

AFFIDAVIT

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 Printed Name of Circulator
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[Signature]
 Signature of Circulator

4/25/12
 Date

[Signature] 5/21/12

5-21-12
[Signature]
 MONA G. PERREAULT, Notary Public
 My Commission Expires May 7, 2013

PROPOSED CITY OF SOMERSWORTH CHARTER AMENDMENT

DATE: MAY 21, 2012

Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment of the municipal charter as set forth below.

6.4-a Limitation on Budget Increase

(A) Limitation on budget increase.

Recognizing that final tax rates for the City of Somersworth are set by the Department of Revenue Administration pursuant to RSA 21J:35, I, the Manager shall submit a proposed budget and an accompanying message to the Council, and the Council shall adopt its annual budget proposals and shall act upon such proposals, in accordance with the mandates of this section.

Override Provision. Budgetary restrictions described in any part of Section 6.4-a may be overridden upon a vote of two-thirds (2/3) of all elected members of the Council. Such override expires following adoption of the annual budget. Subsequent budgets or supplemental appropriations require additional two-thirds (2/3) override votes, or the limitations expressed in this section will apply.

In establishing a municipal budget, the Manager and Council shall be allowed to assume an estimated property tax rate in an amount not to exceed the tax rate established during the prior fiscal year increased by a factor equal to the change in the National Consumer Price Index – Urban as published by the United States Department of Labor for the calendar year immediately preceding the year of the budget adoption.

(B) Exception to budget increase limitation. Capital expenditures, and the total or any part of the principal and interest payments of any municipal bond, whether established for school or municipal purposes, may be excepted from being included in the expenditures that are subject to the prior limitation upon a two-thirds (2/3) vote of all members of the City Council. The exception made under this section shall expire upon adoption of the budget for the next budget year, unless two-thirds (2/3) of all members of the City Council vote to renew the exception for the next budget year.

(C) Budget limitation in a revaluation year. When the Council accepts an increase in real estate values as the result of a City-wide revaluation, the Council shall adhere to a maximum increase in real estate tax revenues as follows: The real estate taxes raised from the prior budget year shall be increased by a factor no more than the change in the National Consumer Price Index – Urban as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, then this figure shall be used in establishing the new municipal budget.

(D) Budget limitation with annual changes in assessments. When annual changes in real estate values occur as a result of State of New Hampshire assessing requirements, the Manager and Council shall adhere to a maximum increase in real estate tax revenues as follows: The real estate taxes raised from the prior year shall be increased by a factor of no more than the change in the National Consumer Price Index – Urban as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, plus real estate taxes calculated by applying the prior year real estate tax rate to the net increase in new construction. “Net increase in new construction” is defined as the total dollar value of building permits less total dollar value of demolition permits issued for the period of April 1 – March 31 preceding budget adoption.

(E) Total Expenditures. Total expenditures for any given budget year shall not exceed the amount of funds reasonably calculated to be derived by the tax rate established herein, increased by the other revenues generated by the municipality.

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PRINTED NAME	SIGNATURE	ADDRESS
Robert Fortier	<i>Robert Fortier</i>	29 Stackpole Rd
Joline LaPanne	<i>Joline LaPanne</i>	20 Walnut St Apt 4
Helene Houde	HELENE HOUDE	7 MYRTLE ST.
Lina Marshall	<i>Lina Marshall</i>	8 Myrtle St
✓ Stacy-Lynn Vollkommer	<i>Stacy-Lynn Vollkommer</i>	14 Myrtle St.
✓ Scott J. Lison	<i>Scott J. Lison</i>	30 Myrtle St.
Christine M Jones	<i>Christine M Jones</i>	43 Myrtle St
PRISCILLA GAGNON	SOMERSWORTH	39 MYRTLE ST. SOMERSWORTH
VIVIAN Guilmette	<i>Vivian Guilmette</i>	5 Locke Ave Somersworth, N.H.
DELMORE GUILMETTE	<i>Delmore Guilmette</i>	5 Locke Ave Somersworth, N.H.
Kay Lambert	<i>Kay Lambert</i>	1 Locke Ave Somersworth, N.H.
✓ Fely Sumner	<i>Fely Sumner</i>	66 South St Somersworth, N.H.
✓ Jamie Smith	<i>Jamie Smith</i>	3 Myrtle St Somersworth, N.H.
Michael Carter	<i>Michael Carter</i>	9 Stackpole Rd
✓ Grace Koller	<i>Grace Koller</i>	11 Stackpole Rd
✓ Stephen Babel	<i>Stephen Babel</i>	1 Cinnamon Ridge
William FISHER	<i>William Fisher</i>	4 Cinnamon Ridge Somersworth

AFFIDAVIT

This is to verify that I, *Real Roseberry*, personally circulated

Printed Name of Circulator

this paper, which contains 17 signatures.

All signatures were affixed in my presence, and I believe them to be genuine signatures of the persons whose names they purport to be, that each signer has signed no more than one petition, and that each signer had an opportunity before signing to read the petition.

Real Roseberry
Signature of Circulator

6/13/12
Date

✓ Not on Checklist. EBR,

REC'D

JUL 12 2012

CITY CLERK

Explanatory Note:

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PRINTED NAME	SIGNATURE	ADDRESS
BERTRAND V. MARTEL	<i>Bertrand V. Martel</i>	115 SHERWOOD GLEN
✓ Robert Rabideau	<i>Robert Rabideau</i>	120 Sherwood Glen
✓ Pauline LaPanne	<i>Pauline LaPanne</i>	120 Sherwood Glen
✓ Theresa May	<i>Theresa A May</i>	126 Sherwood Glen
✓ Richard J. Joubert	<i>Richard Joubert</i>	106 Sherwood Glen
Catherine Stevens Martha	<i>Catherine Martha</i>	102 Sherwood Glen
Shawn M. MARTIN	<i>Shawn M. Martin</i>	102 Sherwood

AFFIDAVIT

This is to verify that I, *Reed Rowberry*, personally circulated
 Printed Name of Circulator
 this paper, which contains 7 signatures.

All signatures were affixed in my presence, and I believe them to be genuine signatures of the persons whose names they purport to be, that each signer has signed no more than one petition, and that each signer had an opportunity before signing to read the petition.

Reed Rowberry
 Signature of Circulator
7/12/12
 Date

✓ Not on checklist. EBB.

(3)

Explanatory Note:

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PRINTED NAME	SIGNATURE	ADDRESS
FRED THOMAS	[Signature]	8 ACORN LANE
Christine Entekin	[Signature]	19 Cinnamon Ridge Rd
✓ Melissa Bryant	[Signature]	2 Acorn Lane
Charles Johnson	[Signature]	34 Cinnamon Ridge
Maria Despenza	[Signature]	32 Cinnamon Ridge
Narrisa Dionne	[Signature]	45 Cinnamon Ridge Som.
Kim Varney	Kim M. Varney	28 Cinnamon Ridge Rd.
Marilyn Janelle	Marilyn Janelle	28 Cinnamon Ridge Rd.
Pete Bowlsonger	PETE BOWLSONGER	22 CINNAMON RIDGE
Bethany Marchly	[Signature]	17 Buffumsville Somersworth
Bethany Perkins	Bethany Perkins	49 Mt Auburn St Somersworth

This is to verify that I, Real Roseberry, **AFFIDAVIT** personally circulated this paper, which contains 11 signatures.

All signatures were affixed in my presence, and I believe them to be genuine signatures of the persons whose names they purport to be, that each signer has signed no more than one petition, and that each signer had an opportunity before signing to read the petition.

Real Roseberry
Signature of Circulator
7/12/12
Date

✓ Not on checklist. EBBs.

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PRINTED NAME	SIGNATURE	ADDRESS
Christine Gaitan	<i>Christine Gaitan</i>	94 Washington St. Somersworth N
David J Prithan	<i>David J Prithan</i>	9 Cemetery rd Somersworth, NH
William G Womers	<i>William G Womers</i>	12 Wash parky Somersworth NH
Tom Todd	<i>Tom Todd</i>	17 William Somersworth
Monique Desmarais		21 Nash Parkway City
* Charlene Rivera	<i>Charlene Rivera</i>	19 Nash Parkway
Joe Rivera	<i>Joe Rivera</i>	19 Wash Parkway
Dolores Burdick	<i>Dolores Burdick</i>	35 Nash Parkway
Susan E. Whitworth	<i>Susan E. Whitworth</i>	22 Nash Parkway
Stephen H. Hallenbeck	<i>Stephen H. Hallenbeck</i>	5 Wash Parkway
James Sweatt	<i>James Sweatt</i>	31 Morning St
Jennifer Sweatt	<i>Jennifer Sweatt</i>	31 Morning St
JOSEPH PRINCE	<i>Joseph Prince</i>	20 Morning St.
BERYL PRINCE	<i>Beryl Prince</i>	20 Morning St - Som.
ROBERT HEATH	<i>Robert Heath</i>	14 MORNING ST. SOM. W. NH
* Jenny Sylvie	<i>Jenny Sylvie</i>	14 Morning St.
Cannelto Cherdio	<i>Cannelto Cherdio</i>	10 Morning St.

AFFIDAVIT

This is to verify that I, *Real Rosenberg*, personally circulated this paper, which contains 17 signatures.

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Real Rosenberg
Signature of Circulator

6/4/12
Date

* Not on Checklist. DD

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PRINTED NAME SIGNATURE ADDRESS

* RADUL CHEVALIER	R R C	10 Morning
* Robert Lapierre	Robert Lapierre	6 morning St Somersworth N.H.
Judy Strate	Judy Strate	4 Morning St
Ann Marie Mendo	ANN MARIE MORMAND	199 Green St - Albany
Ronald DuBois	Ronald Dubois	19 M...
* Alicia Salter	Alicia Salter	90 LILY POND RD
Robert Noel	ROBERT NOEL	18 Rocky Hill Rd,
George A. Pevear Jr	George Pevear Jr	113 maple Rd
Wayne Lindhorn	Wayne Lindhorn	15 Sunset Drive
SHAWNE FREEMAN	Shawne Freeman	5 Sunset Dr.
BRADON TARR	BRADON TARR	3 Francoeur Dr Somersworth
Margaret Richards	Margaret Richards	6 Francoeur Drive
* FORD W SHAW	Ford W Shaw	89 WAT SHERBORNE
Richard Gagne	Richard Gagne	2 Full Ct Somersworth
Rockelle Gagne	Rockelle Gagne	3 Full Ct. Som.
Virginia D Burgess	Virginia D Burgess	95 West High St.

AFFIDAVIT

This is to verify that I, Real Roubery, personally circulated
Printed Name of Circulator
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Real Roubery
 Signature of Circulator

6/4/12
 Date

* not on Checklist DD

(14)

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PRINTED NAME	SIGNATURE	ADDRESS
Jennifer Morin	Jennifer Morin	154 Blackwater Rd
Vickie McKay	Vickie McKay	157 Blackwater Rd
William Laber	William Laber	157 Blackwater Rd
* SHEBY Gray	Shelby Gray	158 Blackwater Rd.
SHARON HAWKINS	Sharon Hawkins	164 Blackwater Rd.
Louise Yacoub	LOUISE YACOUB	12 Greenfield Dr
Jeanne Yacoub	Jeanne Yacoub	12 Greenfield Drive
James Turk	James Turk	7 Greenfield Drive
* Don F. McKeown	Don F. McKeown	8 Greenfield Dr
Debra Robertson	Debra Robertson	6 Greenfield Dr.
TES ROBERTSON	Tes Robertson	6 GREENFIELD DR.
PAULA CARR	Paula Carr	12 Pinkham Ave
Donald J. Carr	Donald J Carr	12 Pinkham Ave
Kimberly Chapman	Kimberly Chapman	14 Pinkham Ave
Mark Parisi	Mark Parisi	6 Pinkham Ave Somersworth
CHAUDE L. SPADDER	Chaude L Spadder	5 PINKHAM AVE.
Joel Twitkell	Joel Twitkell	9 Pinkham Ave

AFFIDAVIT

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Printed Name of Circulator

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Signature of Circulator

Date

Real Roseberry

6/5/12

15

* Not on checklist DD

JUL 12 2012

CITY CLERK

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PRINTED NAME	SIGNATURE	ADDRESS
* LAUREY LOUTURE	<i>Laurey Louture</i>	3. Louture Rd
Dennis Fournier	<i>Dennis Fournier</i>	140 Lily Pond Rd,
George M. Apin	<i>George M. Apin</i>	333 Main St
Tiffany Sullivan	<i>Tiffany Sullivan</i>	343A Main St.
Jennifer Mountain	<i>Jennifer Mountain</i>	341 Main St
Phillip Plante	<i>Phillip Plante</i>	8 Fungous Ln
Kathy Kinneavy	<i>Kathy Kinneavy</i>	17 Lincoln St
Franklin S. Smith	<i>Franklin S. Smith</i>	4 Patricia St.
Raymond L Brunelle	<i>Raymond L Brunelle</i>	46 Mt Vernon St
* RAYMOND L BRUNELLE	<i>Raymond L Brunelle</i>	46 Mt Vernon St
* PAUL L CHARRIER	<i>Paul Charrier</i>	200 Hill St - ^{N.H.} Amherst
Stephen Desrosiers	<i>Stephen Desrosiers</i>	67 Myrtle St. Somersworth
* Kathleen E Merrill	<i>Kathleen Merrill</i>	360 Main St #11A
Kelly McNeal	<i>Kelly McNeal</i>	238 Main St.
Joyce B McInnis	<i>Joyce B McInnis</i>	286 High St
Michelle Dumas	<i>Michelle Dumas</i>	146 Blackwater Rd.
James Dumas	<i>James Dumas</i>	146 Blackwater Rd

AFFIDAVIT

This is to verify that I, *Real Roubery*, personally circulated

Printed Name of Circulator

this paper, which contains 16 signatures.

All signatures were affixed in my presence, and I believe them to be genuine signatures of the persons whose names they purport to be, that each signer has signed no more than one petition, and that each signer had an opportunity before signing to read the petition.

Real Roubery
Signature of Circulator

6/6/12
Date

* not on Checklist DD

JUL 12 2012

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CITY CLERK

PRINTED NAME	SIGNATURE	ADDRESS
Eric Hunt	Eric Hunt	11 Pinkham Ave
Jane Woodman	Karen Woodman	13 pinkham Ave
* RHONDA Pepper	Rmpepper	4 Primrose Ln
JAMES WALLS	JAMES WALLS	6 PRIMROSE LN
Debbie Reidy	Debbie Reidy	5 Primrose Lane
Mindy Clark	Mindy Clark	9 Lil Nor Ave
Alicia Carpinin	Alicia Carpinin	2 Lil Nor Ave
JEAN L. LEBRON	Jean L LeBrun	82 West High St
John A. Corrin	John A. Corrin	2 Tates Brook Rd
Sharon Corrin	Sharon Corrin	2 Tates Beet Rd
Amie Hagan	Gencie Hagan	1 Lily Pond Rd
John Havelka	John Havelka	170 West High St
Jane ANICE HAMILTON	Jane Anice Hamilton	39 Page St.
BANKY BEN MOUSSA	Banky Ben Moussa	90 Market St.
* Roland Busquet	Roland Busquet	24 Market St.
Kelle Therman	Kelle Therman	78 Market St.
Dennis Therman	Dennis Therman	78 MARKET

AFFIDAVIT

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Printed Name of Circulator

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Real Roseberry
Signature of Circulator

6/6/12
Date

* Not on Checklist DD

15

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PRINTED NAME	SIGNATURE	ADDRESS
Judith Veilleux	Judith Veilleux	823 Tricity Rd Somersworth, NH
Tina Stuart	Tina Stuart	700 Sherwood Glen
Carl Stuart	Carl Stuart	700 Sherwood Glen Somersworth
Blanche Knopson	Blanche Knopson	134 Rte. 108 Somersworth
Warren King	Warren King	134 Rte 108 Somersworth
Drew Gagne	Drew Gagne	117 Rocky Hill Rd. Somersworth NH
Robert Gagne	Robert Gagne	55 Indigo Hill Rd
Fernand Gagne	Fernand Gagne	55 Indigo Hill Rd
Elbach Millsbaugh	Elbach Millsbaugh	9 Laurel Lane
Bill Millsbaugh	Bill Millsbaugh	9 Laurel Lane
Maureen Macrone	Maureen Macrone	12 Pinewood Dr
Jessie Paradise	Jessie Paradise	17 Hampton St
Sean Collins	Sean Collins	17 Hampton St
RITA PERRON	Rita Perron	131 Maple St. Somersworth
Ken Vincent	Ken Vincent	19 Vineyard way
ROLAND	ROLAND	215 MAIN
MARIS	MESSIER	MARIS MESSIER 215 MAIN

AFFIDAVIT

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Real Rouberry
 Signature of Circulator
6/7/12
 Date

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PRINTED NAME	SIGNATURE	ADDRESS
Hannah Mei	<i>Hannah Mei</i>	28 Linden St Somersworth
Don Bernos	<i>Don Bernos</i>	117 High St Somersworth
Terry Gagnon	<i>Terry Gagnon</i>	25 A River St Som
Cheryl Gagnon	<i>Cheryl Gagnon</i>	25 A River St Som
GIES GRAPONTE	<i>Gies Graponte</i>	211 A MAIN ST
Johnhuas	<i>Johnhuas</i>	33 Davis St. Som
Claudette Bayko	<i>Claudette Bayko</i>	29 Pinewood Dr. Som.
DIANA McLAUGHLIN	<i>Diana McLaughlin</i>	100 Blackwater Rd Som.
* EVERETT MILLER	<i>Everett Miller</i>	109 Blackwater rd som
Jacob Lacharite	<i>Jacob Lacharite</i>	83 blackwater RD Som
Bill O'Bryan	<i>Bill O'Bryan</i>	6 Crest Drive Somersworth
Kyle Capp	<i>Kyle Capp</i>	2 Stralanie Ave Somersworth
Quinta Dyer	<i>Quinta Dyer</i>	6 Locust St Somersworth
PHILIP TURBOTE	<i>Philip Turbott</i>	4 Locust St
JEFFREY W. LIBBY	<i>Jeffrey W. Libby</i>	28 1/2 BLACKWATER RD
* CHRIS BISHOP	<i>Chris Bishop</i>	3 LEMELIN CT
Yvette W. Waigle	<i>Yvette W. Waigle</i>	5 Lemelin Ct

AFFIDAVIT

This is to verify that I, *Beal Rosberry*, personally circulated

Printed Name of Circulator

this paper, which contains 17 signatures.

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Beal Rosberry
Signature of Circulator

6/8/12
Date

* Not on checklist
DD

15

JUL 12 2012

CITY CLERK

Explanatory Note:

- This amendment places a cap on the level of City spending based on the National Consumer Price Index. Capital expenditures and debt expenditures are included in the cap. The cap may be overridden by a two-thirds (2/3) vote of the Council.

PRINTED NAME	SIGNATURE	ADDRESS
NITA M. ACOURSE	<i>Nita M. Acourse</i>	5 Kenelm Ct.
MICHAEL S. DUFFY	<i>Michael S. Duffy</i>	14 LAURIER ST.
DORIS MESERVE	<i>Doris Meserve</i>	7 Jamaica St.
Pamela Landry	<i>Pamela Landry</i>	12 Down St.
Ruth Cagnon	<i>Ruth Cagnon</i>	25 DAVIS ST.
Rich Lavolette	<i>Richard Lavolette</i>	23 DAVIS ST.
Cecil Mosey	<i>Cecil Mosey</i>	12 DAVIS ST Somersworth NH
Stacie Welch	<i>Stacie Welch</i>	10 Davis St.
George Constantinos	<i>George Constantinos</i>	8 DAVIS ST
Kurt Robbins	<i>Kurt Robbins</i>	1 Albert st.
WALTER J. ...	<i>Walter J. ...</i>	...
GINO IOCONO	<i>Gino Iocono</i>	4 ROWLAND ST.
Thomas Clark	<i>Thomas Clark</i>	37 LUNDEN ST.
Mary Ann Davis	<i>Mary Ann Davis</i>	247 Green St.
MARCIA GAROFANI	<i>Marcia Garofani</i>	993 Green St Somersworth NH
Richard G. Bicchetti	<i>Richard G. Bicchetti</i>	257 Green St Somersworth

AFFIDAVIT

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Real Roseberry
Signature of Circulator

6/11/12
Date

(17)

REC'D

JUL 12 2012

CITY CLERK

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PRINTED NAME	SIGNATURE	ADDRESS
RICHARD J BRUNELLE	Richard J. Brunelle	3 DANIEL ST.
ALBERT J CAUTURE	Al. Cauture	4 DRICK ST
FERNAND MARTIN	Fernand Martin	11 Tate's Brook Rd.
Leatrice Martin	Leatrice Martin	11 Tate's Brook Rd.
MARSHAL A. NAY	Marshal A. Nay	10 TATES BROOK RD
MADELAINE BRANDT	Madeline Brandt	" " "
John Lahue	John Lahue	14 Tate's Brook Rd
Baquet Richmond	Baquet Rich	382 High St
J Linda Dureau	Linda Dureau	30 Tate's Brook Rd
ANN FERSON	Ann Ferson	30 LIL NOR AVE.
Annette Bisier	Annette Bisier	24 LIL NOR
Dany Bisier	Dany Bisier	24 LIL NOR
ALTON LEADITT	Alton Leaditt	19 LIL NOR
Thomas J Keelty	Thomas J Keelty	20 LIL NOR
Kathleen Keelty	Kathleen Keelty	20 LIL NOR
Alison Williams	Alison Williams	17 Highland St
ROBERT FULLERTON	Robert Fullerton	31 LIL NOR AVE.

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Real Rosberry
 Signature of Circulator

5/31/12
 Date

✓ Not on checklist. ERSB.

REC'D

JUL 12 2012

CITY CLERK

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PRINTED NAME	SIGNATURE	ADDRESS
Paul Edger	<i>W Edger</i>	25 Tate's Brook Rd.
Deborah Landry	<i>Deborah Landry</i>	164 West High St.
Richard Bradley	<i>Richard Bradley</i>	164 West High St
Jan Presby	<i>JAN PRESBY</i>	63 BARTLETT AVE
Martina DeBasi	<i>Martina DeBasi</i>	53 Bartlett Ave.
Charlotte Richard	<i>Charlotte Richard</i>	19 Guy St.
Henry TREFETHEN	<i>Henry Trefethen</i>	14 Guy ST
Donald Ouellette	<i>Donald Ouellette</i>	9 May St
RICHARD HARVEY	<i>Richard Harvey</i>	
Joan Gosselin	<i>Joan Gosselin</i>	4 Guy St
JAMES L. PARCELL	<i>James L. Parcell</i>	16 Blackwater Rd.
Katherine King	<i>Katherine King</i>	801 Tri-City Rd.
Shirley M. Ouellette	<i>Shirley M. Ouellette</i>	7B Crest Dr.
Anne C. DeSerres	<i>Anne C. DeSerres</i>	26 Drew Rd.
MAREN LETARTE	<i>Maren Letarte</i>	1 Bernier St. Som. N. 17
Fred Lentz	<i>FRED LENTZ</i>	23 DREW RD. SOMERSWORTH
DOLORES LENTZ	<i>Dolores Lentz</i>	23 DREW RD SOMERSWORTH, N.H.

AFFIDAVIT

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Reed Rowberry
 Signature of Circulator

6/11/12
 Date

✓ NOT on checklist. EBB

(16)

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PRINTED NAME	SIGNATURE	ADDRESS
✓ Daniel MacLeod	<i>Daniel MacLeod</i>	27 Drew Rd
✓ Wayne Martel	<i>Wayne B Martel</i>	19 Drew Rd
ROBERTA DESMARAIS	<i>Roberta Desmarais</i>	18 Drew Road
Peter Smith	<i>[Signature]</i>	19 Crest Drive
DONALD HOWARD SR	<i>Donald Howard Sr</i>	31 CREST DR
Molly Gasior	<i>Molly Gasior</i>	2 Fox Ct.
Richard M SIVIGNY	<i>Richard M Sivygn</i>	6 Fox Ct
Donna M Stiles	<i>Donna M Stiles</i>	51 Crest Dr.
✓ L. Norden	<i>Ken Finda</i>	14 Blackwater Rd
✓ RICHARD BENOIT	<i>Richard Benoit</i>	55 CREST DRIVE
Carolyn H CASOP	<i>Carolyn H Casop</i>	67 Crest Drive
Martin P Dumont	<i>[Signature]</i>	23 CREST DR.
✓ CAROL SALAVA	<i>Carol Salava</i>	54 Crest Dr.
✓ ROGER STONE	<i>Roger Stone</i>	41 Tates Brook
✓ JAMES P BARBEAU	<i>James P Barbeau</i>	3 PINKHAM AVE
Jason Woodman	<i>Jason Woodman</i>	13 Pinkham Ave
✓ MIKE TOMASZOWSKI	<i>Mike Tomaszowski</i>	3 PINKHAM AVE

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Real Rowberry
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6/2/12
 Date

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PRINTED NAME	SIGNATURE	ADDRESS
Brad Pinkham	Brad Pinkham	2 Primrose Lane
Ken [unclear]	Ken P. [unclear]	33 TAMES BRACK RD.
✓ JEFF RICH	J Rich	212 MAPLE ST
✓ Cecilia Rich	C Rich	212 Maple St.
Lorraine Goupi	Lorraine Goupi	40 Cemetery Rd.
Raymond & Pat	Raymond Moore	38 Cemetery Rd
Raymond W Moore	Raymond W Moore	
✓ LIONEL VAILLEUX	Lionel Vaillieux	35 Cemetery Rd Somersworth
✓ Jellen Vaillieux	Jellen Vaillieux	35 Cemetery Rd.
Kathleen Brady	Kathleen Brady	11 Cemetery Rd Somersworth
✓ Dan Paige	Darin Paige	214 west High St
Nola Scott	Nola Scott	197 West High St Somersworth
James H. Scott	James H. Scott	197 West High St Somersworth
Paula Fiandaca	Wm. Fiandaca	178 West High St Somersworth
Schw Mahas	Schw Mahas	54 W. H. St Somersworth
Ruth Lucey	Ruth Lucey	96 Washington St Somersworth, N.H.
A. GEORGE LUCEY	A. George Lucey	96 Washington St

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6/3/12
Date

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PRINTED NAME	SIGNATURE	ADDRESS
EDOUARD LEE LERC	<i>Edouard Lerc</i>	24 Drew Rd
MARIE LEE LERC	<i>Marie Lerc</i>	24 Drew Rd
Marguerite Carignan	<i>Marguerite Carignan</i>	17 Drew Rd -
✓ Rachel Yerakes	<i>Rachel Yerakes</i>	16 Drew Rd
Charice Ouellette	<i>Charice Ouellette</i>	8 Drew Rd
James Kottakidis	<i>James Kottakidis</i>	1 Drew Rd
LEE F. OUELLETTE	<i>Lee F. Ouellette</i>	5 Edmund Rd
ALPHONSE A. APOINTE	<i>Alphonse A. Apoinde</i>	15 DREW RD SOMERSWORTH
DANA E. CHAMBERLAIN	<i>Dana E. Chamberlain</i>	88 WEST HIGH ST, SOMERSWORTH
WAVE TRUING	<i>Wave Truing</i>	119 MAPLE ST SOMERSWORTH
ROBERT MORRISSETTE	<i>Robert Morissette</i>	123 MAPLE ST SOMERSWORTH
MICHELLE VALLEE	<i>Michelle Vallee</i>	129 MAPLE ST - SOMERSWORTH
Patricia R. Vallee	<i>Patricia R. Vallee</i>	129 MAPLE ST, Somersworth
WILLIAM CARON	<i>William Caron</i>	69 MYRTLE ST SOMERSWORTH
Jan Ashley	<i>Jan Ashley</i>	3 Edmund Rd
John E. Knoud	<i>John E. Knoud</i>	1 Edmund Rd Rd Somersworth, NH
✓ Jacqueline Adams	<i>Jacqueline Adams</i>	20 Drew Rd. Somersworth.

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Real Rosebury
 Signature of Circulator
6/3/12
 Date

✓ Not on Checklist. EBB.

RESOLUTION NO. 1-13 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT/PIERCE ENGINEERS OF PORTSMOUTH, NH TO CONDUCT AN EVALUATION OF THE WATER DISTRIBUTION SYSTEM.

Somersworth, NH
July 16, 2012

WHEREAS, the Fiscal Year 2012 adopted budget contains an appropriation for the purpose of contracting with an engineering firm to conduct an evaluation of the water distribution system, including evaluation of the water storage tanks, updating the water model, and preparing recommendations for future capital improvements; and

WHEREAS, City staff solicited proposals from qualified engineering firms to conduct an evaluation of the water distribution system; and

WHEREAS, City staff reviewed and interviewed the responses and recommend awarding the contract to Wright/Pierce Engineers of Portsmouth, NH; and

WHEREAS, the City Council's Public Works and Environment Committee reviewed the recommendation with staff and recommends contracting with Wright/Pierce Engineers for this project; and

WHEREAS, the City Council's Finance Committee reviewed the recommendation with staff and recommends contracting with Wright/Pierce Engineers for this project,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Wright/Pierce Engineers of Portsmouth, NH to conduct an evaluation of the water distribution system.

Introduced by Councilors

Dale R. Sprague
Robin S. Jarvis
Jennifer Soldati
Brian Tapscott
Marcel Hebert

Approved

City Attorney

RESOLUTION NO. 2-13 TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TOWN OF BERWICK, MAINE FOR THE SALE OF MUNICIPAL WATER.

Somersworth, NH

July 16, 2012

WHEREAS, the Town of Berwick, Maine is in the process of making necessary repairs to their water standpipe; and

WHEREAS, in an effort to complete this project they have requested the City of Somersworth to supply their water department with the necessary amount of municipal water until the standpipe is back in service; and

WHEREAS, the Town of Berwick has agreed to the following conditions:

- Provide the City of Somersworth an amount of \$2,500 to establish an escrow account to pay for legal review of any necessary agreements between Somersworth and Berwick for emergency intermunicipal water systems connection to include this water sale as well as any required approvals from other regulatory agencies such as the NH Public Utilities Commission.
- Pay the City of Somersworth \$500 as an agreed upon fee for the current emergency intermunicipal water systems connection agreement.
- Install a water meter that is satisfactory to the City of Somersworth that will correctly calculate water use by the Town of Berwick.
- Pay monthly for all water used at the City of Somersworth's prevailing water rate to include payment for any other related charges such as late fees and penalties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute an agreement with the Town of Berwick, Maine for the sale of municipal water with these conditions and any others deemed to be in the best interest of the City.

Introduced by Councilors

Dale Sprague
Brian Tapscott
Marcel Hebert

Approved:

City Attorney

RESOLUTION NO. 3-13 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A TRAILER MOUNTED TRASH PUMP FOR THE WASTEWATER TREATMENT FACILITIES.

Somersworth, NH
July 16, 2012

WHEREAS, the Fiscal Year 2012 adopted budget contains an appropriation for the purpose of purchasing a trailer mounted trash pump for the Wastewater Treatment Facilities; and

WHEREAS, City staff solicited bids from qualified companies for the purchase of this equipment; and

WHEREAS, City staff reviewed the bids and recommends purchasing this equipment from D.L. Thurrott Company of Lincoln, Rhode Island at a cost of \$31,964.50 (Thirty One Thousand Nine Hundred Sixty Four dollars and Fifty cents); and

WHEREAS, the City Council's Public Works and Environment Committee reviewed the recommendation with staff and recommends purchasing this equipment from D.L. Thurrott Company; and

WHEREAS, the City Council's Finance Committee reviewed the recommendation with staff and recommends purchasing this equipment from D.L. Thurrott Company,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a trailer mounted trash pump from D.L. Thurrott Company of Lincoln, Rhode Island at a cost of \$31,964.50 (Thirty One Thousand Nine Hundred Sixty Four dollars and Fifty cents).

Introduced by Councilors

Dale R. Sprague
Robin S. Jarvis
Jennifer Soldati
Brian Tapscott
Marcel Hebert

Approved

City Attorney

RESOLUTION NO. 4-13 ACCEPT GATOR ROCK ROAD.

Somersworth, NH
July 16, 2012

WHEREAS, the City of Somersworth Planning Board approved a certain subdivision known as "Subdivision Plan, Gator Rock, LLC, 364 Route 108, Somersworth, New Hampshire", dated June 7, 2004, prepared by Tritech Engineering Corporation, recorded in the Strafford County Registry of Deeds as Plan 78-39 and the road was to be accepted by the City of Somersworth; and

WHEREAS, the City Council named Gator Rock Road by Resolution 1-09 on August 18, 2008; and

WHEREAS, the road known as Gator Rock Road has been constructed to the satisfaction of the City,

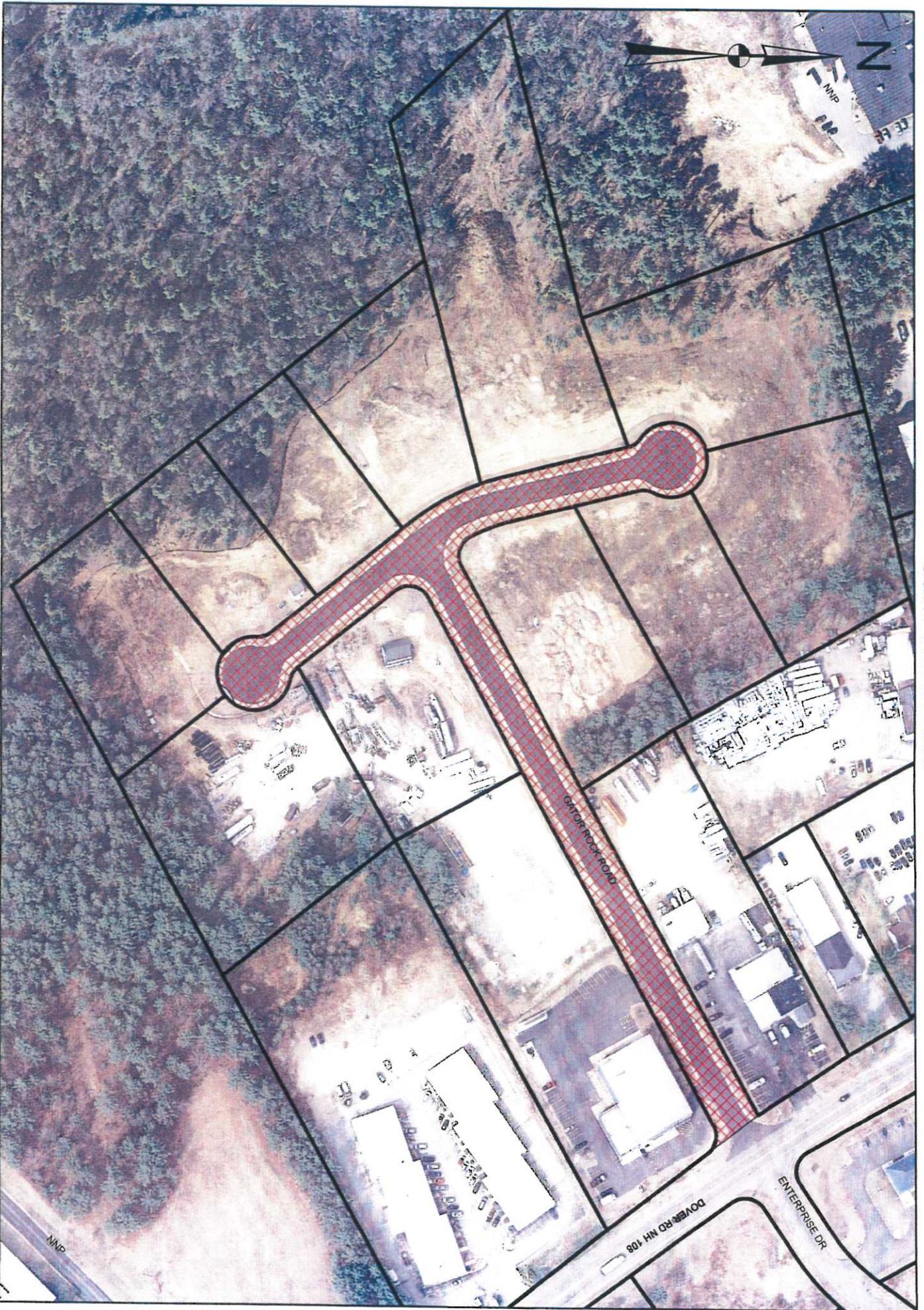
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to accept and record deeds to Gator Rock Road, including drainage easements and said way is hereby accepted as a public way.

Introduced by Councilors

Dale Sprague
Brian Tapscott
Marcel Hebert

Approved:

City Attorney.



Gator Rock Road



Roadway proposed for acceptance

RESOLUTION NO. 5-13 AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS FOR THE SALE OF MUNICIPAL WATER TO FOUR RESIDENTIAL PROPERTIES IN THE TOWN OF ROLLINSFORD, NH.

Somersworth, NH
July 16, 2012

WHEREAS, the City of Somersworth in 1984 extended a 12-inch diameter water main from Green Street across the City Boundary into Rollinsford along Goodwin Road to provide water to Janco Electronics, Inc.; and

WHEREAS, there are four residential properties within the town boundaries of Rollinsford located between the boundary with Somersworth and the Janco Electronics property whose water supply is provided by individual onsite wells, namely: the Baker property located at 61 Goodwin Road; the Janetos property located at 80 Goodwin Road; the Janetos property located at 83 Goodwin Road; and the Whitehouse property located at 272 Rollins Road; and

WHEREAS, the State of New Hampshire Department of Environmental Services has determined that the residential water supply wells for these properties have become contaminated; and

WHEREAS, the City of Somersworth received a letter from Mr. Janetos, dated April 13, 2011, requesting that Janco Realty be allowed to connect the four residential properties with contaminated wells to Somersworth's municipal water supply; and

WHEREAS, Mr. Janetos has provided the City Manager with legal documentation and engineering plans regarding the extension of City water services to these residential properties; and

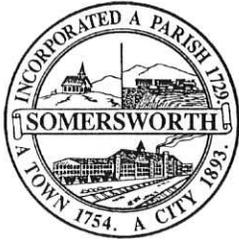
WHEREAS, the City Attorney has reviewed and approved the legal submittals with Janco reimbursing the City for all expenses,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any and all necessary agreements to allow the City of Somersworth to provide water from the existing City water main under Green Street that extends into Rollinsford to the four residential properties located within Rollinsford described herein, and to take any other action deemed to be in the best interest of the City to complete the project.

Introduced by Councilors

Dale Sprague
Brian Tapscott
Marcel Hebert

Approved:
City Attorney.



CITY OF SOMERSWORTH

Office of the City Manager

TO: Mayor Matthew Spencer and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, July 13th, 2012

SUBJECT: City Manager's Report for Monday, July 16th, 2012
City Council Agenda

6:00 PM – WORKSHOP

Presentation from Hoyle Tanner Engineers regarding the utility/drainage assessment of the High Street/Market Street TE Grant Area

New Business (under Section 13 of the Agenda):

Other:

- A. Resolution No. 1-13 To Authorize the City Manager to Contract with Wright/Pierce Engineers of Portsmouth, NH to Conduct an Evaluation of the Water Distribution System.** Attached is a summary of six cost proposals received. City Staff interviewed all six firms and the joint recommendation was Wright/Pierce based on proposal presentation and cost. The staff panel included Finance Director Scott Smith, Public Works Director Tom Willis, Engineer Joe Ducharme and the City Manager. The proposal includes a not-to-exceed cost of \$26,350 which is below the \$50,000 budgeted. I have also provided a copy of Wright/Pierce's proposal presentation. Once the study is completed, the results will be presented to the full Council.
- B. Resolution No. 2-13 To Authorize the City Manager to Execute an Agreement with the Town of Berwick, Maine for the Sale of Municipal Water.** Attached are copies of correspondence that I shared with Council Standing Committees.
- C. Resolution No. 3-13 To Authorize the City Manager to Purchase a Trailer Mounted Trash Pump for the Wastewater Treatment Facilities.** Please see the attached Memorandum from Wastewater Treatment Plant Chief Operator Jamie Wood.
- D. Resolution No. 4-13 Accept Gator Rock Road.** Attached is a map of the road and a memo from Public Works Director Willis recommending acceptance. The majority of this twelve lot subdivision is located in the Industrial (I) zoning district and the entire subdivision is in the ERZ.
- E. Resolution No. 5-13 Providing City Water to Properties in the Town of Rollinsford, NH.** Attached is a sample copy of the agreements drafted by City Attorney that I would sign. All work would be done under City supervision and all costs would be borne by Janco. A map is also attached.

Other:

- A. Vote to Extend the Comcast Franchise Agreement.** Attached is a copy of the proposed extension as drafted by the City's Special Legal Counsel in this matter.
- B. City Attorney's Legal Opinion Regarding Water/Sewer Billing Petition.** Attached is a copy of City Attorney's opinion.

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

A. Informational Items:

1. **New Hampshire Local Government Center 2013-2014 Legislative Policy Process.** Attached is a packet of information from LGC Government Affairs regarding policy recommendations made by the three policy subcommittees of the Committee on Government Affairs. Please note the timeline for Council to consider any review and action.
2. **Somersworth/Berwick Bridge Project Public Meeting.** This has been scheduled for Thursday, August 2nd at 6:00 p.m. in Council Chambers. Attached is a copy of the notice.
3. **Property Tax Cards – Assessment Data.** Attached is a memo from Director Sharples regarding the launch of the City's tax cards information online via the City's website.
4. **City Website/City Newsletter.**
 - **Website** - Finance Director Scott Smith and I are working with Carrie Mayor of Mayo Designs who assisted the City in our first website re-design. Attached is a copy of a first draft design concept. Please share your comments or ideas regarding this draft or any ideas that we should consider incorporating. I will also be directing our new Economic Development Manager to develop a comprehensive Economic/Business Development and Retention Component for our website once he/she comes aboard.
 - **Newsletter** – Attached is an email regarding parameters and deadline. Please consider contributions.