

CITY OF SOMERSWORTH
CITY COUNCIL MEETING

AGENDA FOR AUGUST 15, 2016

6:00 P.M. – WORKSHOP – FIRE STATION ADVISORY COMMITTEE
PRESENTATION

6:45 P.M. – PUBLIC HEARING – ORDINANCE 1-17

7:00 P.M. – CITY COUNCIL MEETING

1. Roll Call of Members
2. Pledge of Allegiance
3. Minutes of Previous Meetings
 - A. Minutes for WORKSHOP – Hilltop Commission held on July 25, 2016
 - B. Minutes for CITY COUNCIL MEETING held on July 25, 2016
4. Comments by Visitors
5. Announcements by Councilors
6. Communications
 - A. Letter from Tom Argue
 - B. Letter of Resignation- Lee Reublinger- Moderator, Ward 3
7. Presentation of Petitions and Disposal Thereof by Reference or Otherwise
8. Mayor's Report
9. Reports of Standing Committees
10. Reports of Special Committees, City Officers and City Manager
11. Nominations, Appointments and Elections
 - A. Mayoral Nominations – For Council confirmation vote.
 1. Strafford Regional Planning Commission – Technical Advisory Committee
Shanna B. Saunders, Member, with term to expire June, 2018
Michael Bobinsky, Alternate Member, with term to expire June, 2018
Bob Belmore, 2nd Alternate Member, with term to expire June, 2018
 2. Pamela Sawyer, re-appointment as Supervisor of the Checklist, Ward 1,
with term to expire July 2021.
 3. Megan Dubois, as Election Moderator of Ward 4, with a term to expire
January 2018.

4. Mary Shaw, re-appointment as Member of the Board of Cemetery Trustees, with a term to expire July 2019.
5. Todd Marsh, as a Member of the Ethics Commission, with a term to expire July 2019.
6. Sarah McGraw, as a Member of the Conservation Commission, with a term to expire July 2019.
7. Timothy Campbell, as Election Moderator of Ward 3, with a term to expire January 2018.)

B. Mayoral Appointment- Does not require confirmation.

1. Roger Berube, as a Member of the Skyhaven Advisory Council, with a term to expire August 2018

12. Lay on Table

13. Unfinished Business

Ordinances:

- A. Ordinance No. 1-17 Supplemental Appropriation for Water Main Improvements Associated With the Fiscal Year 2016-2017 Road Improvement Projects.

14. New Business

Ordinances:

- A. Ordinance No. 2-17 Amend Chapter 19, Zoning Ordinance, Section 30.E, Hilltop School Property Overlay District.

Resolutions:

- A. Resolution No. 10-17 to Authorize the City Manager to Amend the Contract with Severino Trucking Co., Inc. of Candia, NH for the Required Sewer Line Improvements on Memorial Drive.
- B. Resolution No. 11-17 to Authorize the City Manager to Request Proposals for the Re-use of Hilltop School in Accordance with the Recommendations of the Hilltop Commission.
- C. Resolution No. 12-17 To Authorize the City Manager to Waive Ordinance Chapter 13D (Noise/Nuisance Control) for Severino Trucking Company, Inc. and/or Its Subcontractors to Permit Night Work as Needed as Part of the FY 16/17 Road Improvement Project.

- D. Resolution No. 13-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Water Department Utilizing the New Hampshire State Bid List.
- E. Resolution No. 14-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Wastewater Department Utilizing the New Hampshire State Bid List.

Other:

- A. Vote to authorize the City Manager to sign document/s to amend the approved Public Benefit Covenant (per 79-E:8) pertaining to the 44 Market Street property

15. Comments by Visitors

16. Closing Comments by Council Members

17. Future Agenda Items

18. Nonpublic Session (as necessary, pending roll call vote by Council)

19. Adjournment

ORDINANCE NO. 1-17 SUPPLEMENTAL APPROPRIATION FOR WATER MAIN IMPROVEMENTS ASSOCIATED WITH THE FISCAL YEAR 2016-2017 ROAD IMPROVEMENT PROJECTS.

Somersworth, NH
July 25, 2016

THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 7.7(A) of the City Charter:

The annual budget for the City of Somersworth for Fiscal Year 16-17 is amended as follows:

Appropriate \$801,666 from Water Utility Fund budget as follows:

| Original Budget | Amendment | Revised Budget |
|-----------------|------------|----------------|
| \$ 2,032,719 | \$ 801,666 | \$ 2,834,385 |

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Trish Harris
City Clerk

Background:

This ordinance appropriates the use of the Water Utility Funds for the purpose of providing funding for water main improvements associated with the Fiscal Year 2016-2017 road improvement projects..

This Ordinance requires a public hearing and requires a 2/3 majority vote of the City Council after the public hearing subject to Section 7.4.1 and .Section 7.7 (A) of the City Charter.

Introduced by Councilors:

David Witham
Dale Sprague
Martin Pepin
Jennifer Soldati
Denis Messier

Approved:

City Attorney

ORDINANCE NO. 2-17 AMEND CHAPTER 19, ZONING ORDINANCES, SECTION 30.E,
HILLTOP SCHOOL PROPERTY OVERLAY DISTRICT.

Somersworth, NH
August 15, 2016

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT
the ordinance of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 19, Zoning Ordinance, Section 30.E , Hilltop School Property Overlay District,
Additional Permitted Uses by adding “Multi-dwelling unit” and “Elderly Housing Facility” with
a maximum density allowed = 10 units per acre.

This ordinance shall be effective upon its passage.

Sponsored by

Mayor Dana Hilliard
Councilor Martin P Dumont Sr.
Councilor Jessica Paradis

Approved
City Attorney

Section 30 Hilltop School Property Overlay District

19.30.A Title and Authority

Title: This Ordinance shall be known as the “Hilltop School Property (HSP) Zoning Overlay Ordinance” of the City of Somersworth, New Hampshire.

Authority: Pursuant to the authority granted by RSA 483-B:8, Municipal Authority; RSA 674:17 I., Purposes of Zoning Ordinances; RSA 674:21, Innovative Land Use Controls; this ordinance is hereby adopted by the City of Somersworth, New Hampshire to protect the public health, safety, and general welfare.

19.30.B District Boundaries

The boundaries of the Hilltop School Property Overlay District are hereby established to include all the property on Tax Map 11 Lot 49 which is hereby declared to be part of this ordinance.

19.30.C Purpose

The purpose of this ordinance is to provide for productive, desirable reuse of the Hilltop School building and property (Map 11 Lot 49) located within the Residential Single Family/A (R1/A) District as outlined in the City’s Zoning Ordinance 19.3.D.11., further governed by the Historic District (HD) Overlay Zoning District outlined in ordinance 19.3.D.6.

Recognizing the former school property is located within the R1-A Zoning District, within the HD Overlay District, yet does not conform to the norm of structures and uses intended to be regulated by these ordinances, it is deemed appropriate and necessary to provide for a zoning overlay district to apply specifically and solely to this property without hindering the intent and purposes of the aforementioned ordinances.

Regulations set forth in this ordinance are designed to support the intent of the HD District Ordinance to provide for the recognition, preservation, enhancement and continued use of structures, sites and areas having historic and cultural significance in support of the community’s economic prosperity, cultural enrichment and general welfare, to stabilize and improve property values in the city and to aid in the safeguard of the heritage of Somersworth by providing for the protection of structures and areas that represent significant elements of its

history.

19.30.D Applicability

All land and building use activities and development conducted within the Hilltop School Property District shall be regulated by the standards established herein.

The standards established herein shall constitute the rules of an overlay zone and shall be superimposed over other zoning districts or portions thereof. The provisions herein shall apply in addition to all other applicable ordinances and regulations. In such instances where the building and property of the Hilltop School Property align with buildings and properties typical of those of the HD, and R1/A Zoning Districts, the provisions set forth in those ordinances should be adhered to.

This overlay ordinance will make provisions for such instances where the property and building in the overlay district do not physically, and logically align to types reasonably intended to be governed by the R1/A and HD ordinances. The provisions set forth for this overlay district make an effort to align with the goals and intent of the city's overall zoning codes. In the event of a conflict between any provision herein and any other ordinance or regulation, the more restrictive requirement shall prevail.

19.30.E Additional Permitted Uses

In addition to all uses permitted by the existing ordinances which govern this overlay district, the following uses, as defined in the existing City of Somersworth zoning ordinances, will be permitted:

| | |
|--|--|
| Principal Use | |
| Government Facilities & Svcs. | |
| Private Educational Institution | |
| Museum | |
| Clubhouse, community center, non-commercial recreational facilities, such as swimming pools and tennis courts, for the citizens of Somersworth | |
| Communications (i.e., radio/televisio | |

| | |
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| n broadcasting, telephone communicatio ns). | |
| Professional & Business Offices | |
| Bed and Breakfast/Inn ¹ | |
| Athletic/Fitness Facility | |
| Amusement and Recreational Services ² | |
| Daycare Facilities | |
| Artisan Studio | |
| Artisan Production Shop | |
| All open land or fields used for baseball, football, track and field or other athletic games | |
| Photography Studio | |
| Multi-dwelling unit ⁵ | |
| Elderly Housing Facility ⁵ | |
| Accessory Uses | |
| Produce, Christmas Tree and Other Seasonal Stands | |
| Gift Shop ⁴ | |
| Café/ Retail ³ | |
| | |

¹ Owner Occupied and limited to no more than 10 rentable rooms.

² Including such things as cinemas; theaters; bands; orchestras and other musical entertainment but excluding pool hall, billiards, video gaming centers operated for profit.

³ Drive thru services are not permitted. Seating for no more than 12 people permitted.

⁴ Goods limited to items that support and promote the current building occupants and/or the City of Somersworth.

⁵ Max density allowed = 10 units per acre

Passed 03/18/2013.

RESOLUTION NO. 10-17 AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH SEVERINO TRUCKING CO., INC. OF CANDIA, NH FOR REQUIRED SEWER LINE IMPROVEMENTS ON MEMORIAL DRIVE.

Somersworth, NH
August 15, 2016

WHEREAS, the City Council adopted Resolution 6-17 authorizing the City Manager to contract with Severino Trucking Co., Inc. for certain road and utility improvements, and

WHEREAS, during the initial stages of the improvements, it became apparent that improvements to a section of sewer main in the Memorial Drive section of the contract are necessary and in the best interest of the City, and

WHEREAS, staff met with the contractor and developed a cost for the improvements in an amount not to exceed \$60,000 (Sixty Thousand dollars) and recommends the City proceed with the improvements, and

WHEREAS, the Public Works and Environment Committee for the City of Somersworth has reviewed the recommendation by staff and supports the recommendation, and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation by staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with Severino Trucking Co., Inc. of Candia, NH to include required sewer line improvements on Memorial drive at an amount not to exceed \$60,000 (Sixty Thousand dollars) and to take any other actions on behalf of this project determined to be in the best interest of the City.

Sponsored by Councilors:

David A. Witham
Dale R. Sprague
Martin Pepin
Jennifer G. Soldati

Approved:

City Attorney

RESOLUTION NO. 11 – 17 TO AUTHORIZE THE CITY MANAGER TO REQUEST PROPOSALS FOR THE REUSE OF HILLTOP SCHOOL IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE HILLTOP COMMISSION.

Somersworth, NH
August 15, 2016

WHEREAS on January 19, 2016, in accordance with Council Rule 15, Honorable Mayor Dana Hilliard announced the formation of the Hilltop Commission, and

WHEREAS, the Hilltop Commission was empowered to explore, develop and finalize a sustainable proposal for the City Council to implement the re-use of the historic hilltop building; explore the feasibility of financing or investors for the re-use of the historic hilltop building; and to present their findings on proposed legislation to the City Council to vote upon by October 3rd, 2016, and

WHEREAS, the Hilltop Commission completed their work and presented their findings and a recommendation to the City Council on July 25, 2016, and

WHEREAS, the recommendation presented is to seek proposals for the private rehabilitation of the facility with public land ownership and reasonable restrictions,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to request proposals for the re-use of Hilltop School in accordance with the recommendations of the Hilltop Commission and take any other actions with this project determined to be in the best interest of the City.

Sponsored by

Mayor Dana Hilliard
Councilor Martin P Dumont Sr.
Councilor Jessica Paradis

Approved

City Attorney

RESOLUTION NO. 12-17 TO AUTHORIZE THE CITY MANAGER TO WAIVE ORDINANCE CHAPTER 13D (NOISE/NUISANCE CONTROL) FOR SEVERINO TRUCKING COMPANY, INC. AND/OR ITS SUBCONTRACTORS TO PERMIT NIGHT WORK AS NEEDED AS PART OF THE FY16/17 ROAD IMPROVEMENT PROJECT.

Somersworth, NH
August 15, 2016

WHEREAS, Chapter 13-D prohibits excessive noise as a result of construction activity at specific times during night time hours; and

WHEREAS, the City adopted Resolution to authorize the City Manager to contract with Severino Trucking Company, Inc. of Candia, New Hampshire as part of the FY16/17 road improvement project; and

WHEREAS, it is the desire of the City of Somersworth to complete these improvements to minimize any disruption to the opening of the middle/high school or to the community as a whole during the construction activity; and

WHEREAS, it may be in the best interest of the City to allow Severino Trucking Company, Inc. and/or its subcontractors to perform portions of the FY16/17 road improvement project during night time hours,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to waive the provisions of Chapter 13-D (Noise/Nuisance Control) for Severino Trucking Company, Inc. and/or its subcontractors to permit night work as needed as part of the FY16/17 road improvement project to meet the needs and the best interest of the City.

Sponsored by Councilors

Dale R. Sprague
Dave A. Witham
Jennifer Soldati

Approved:

City Attorney

RESOLUTION NO. 13-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE
A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WATER DEPARTMENT
UTILIZING THE NEW HAMPSHIRE STATE BID LIST

Somersworth, NH
August 15, 2016

WHEREAS, the City of Somersworth Capital Improvement Program (CIP) for Fiscal Years 2017 through 2022 contains a recommendation to purchase a one-ton replacement truck for the Water Department; and

WHEREAS, the City of Somersworth Fiscal Year 2016-2017 adopted Water Department budget provides funding for the purchase of a one-ton pick-up truck and related accessories for use by the Water Distribution Division; and

WHEREAS, City staff recommends purchasing this truck utilizing the New Hampshire State bid list; and

WHEREAS, the Finance Committee and Public Works & Environment Committee for the City of Somersworth has reviewed this and support's this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a one-ton truck and related accessories for the Water Department utilizing the State of New Hampshire State bid list and to take any and all other such actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors

David Witham
Dale Sprague
Jennifer Soldati
Martin Pepin

Approved:

City Attorney

RESOLUTION NO. 14-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE
A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WASTEWATER
DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST

Somersworth, NH
August 15, 2016

WHEREAS, the City of Somersworth Capital Improvement Program (CIP) for Fiscal Years 2017 through 2022 contains a recommendation to purchase a one-ton replacement truck for the Wastewater Department; and

WHEREAS, the City of Somersworth Fiscal Year 2016-2017 adopted Wastewater Department budget provides funding for the purchase of a one-ton pick-up truck and related accessories for use by the Wastewater Division; and

WHEREAS, City staff recommends purchasing this truck utilizing the New Hampshire State bid list; and

WHEREAS, the Finance Committee and Public Works & Environment Committee for the City of Somersworth has reviewed this and support's this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a one-ton truck and related accessories for the Wastewater Department utilizing the State of New Hampshire State bid list and to take any and all other such actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors

David Witham
Dale Sprague
Jennifer Soldati
Martin Pepin

Approved:

City Attorney