

ROLL CALL OF MEMBERS

The meeting was called to order at 7:00 p.m. by His Honor, the Mayor, Dana S. Hilliard and, upon roll call, the following Council members were present: Dumont, Austin, Michaud, Witham, Gerding, Cameron and Paradis.

PLEDGE OF ALLEGIANCE

Councilor Witham led the Pledge of Allegiance.

PUBLIC HEARING

There were no Public Hearings held.

COMMENTS BY VISITORS

There were no opening comments by visitors.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Meeting held on August 9, 2021
- B. Letter of Resignation from Library Trustees, Historic District Commission, and Cultural Commission Pius Charles Murray
- C. Letter of Resignation from Library Trustees Wayne Preston

Councilor Austin made a motion to approve all items in the Consent Calendar. The motion was seconded by Councilor Cameron and passed 7-0.

COMMENTS BY CITY COUNCILORS

There were no opening comments by City Councilors

COMMUNICATIONS

A. Vision 2020 Presentation

Director Mears and Councilor Cameron gave a presentation highlighting the goals met from the Vision 2020 project.

B. Letter from Representative Paul R. Bergeron, House Special Committee on Redistricting

Dear Mayor Hilliard:

On June 3, 2021, Rep. Barbara Griffin, Chairman of the House Special Committee on Redistricting, mailed letters to the Mayors and Clerks inquiring as to the cities' plans for redistricting ward boundaries following the release of census data. In that letter she stated: "Our work will proceed under the assumption that all cities will realign their wards so as to be as equal in population as possible. After all, if you elect local officials on a ward basis, you fall under the 'one man/one vote' mandate as well. Many state representative districts within cities are established using ward boundaries. Therefore, we need information from you relative to your redistricting plans as we prepare for redistricting at the state level. It is our intention to adopt a plan for the new House districts as early as possible in the 2022 legislative session. Your cooperation is certainly appreciated."

As of this date, the Committee has received responses from three of the state's 13 cities. (Summary attached.) The delayed release of the Census data for redistricting will make it extremely challenging for the cities and the House Special Committee on Redistricting to complete their work in time for the 2022 elections: The U.S Census Bureau is set to release demographic statistics that will be used to redraw legislative voting districts by August 16th. This release will be in a legacy format that was used in the 2010 Census. By September 30th, the Census Bureau will release the same data in a more user-friendly format. The House deadline to report all Committee retained bills is November 18th. (The bills retained for redistricting purposes are HB50, HB51, HB52, HB53, HB54, and HB55.) Rep. Griffin's letter of June 3rd included several questions regarding your city's redistricting plans, but the most important question is simply, "What are your city's plans for revising your ward (voting district) boundaries?" We would greatly appreciate it if you could respond to this survey in order to assist the Committee in its work. Responses can be e-mailed to our Committee Assistant, Lindsay Oestreich, at Lindsay.oestreichPleg.state.nh.us or mailed to Room 409, House Committee Services, Legislative Office Building, 33 North State Street, Concord, NH 03301.A copy of the summary of the responses received thus far is enclosed. Thank you.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were none.

MAYOR'S REPORT

Mayors Report for City Council Meeting September 7th, 2021

The Mayor's office and City Manager are excited to formal announce a partnership the City of Somersworth and The New Hampshire Small Business Development Center. For the past two months the City Manager and I have been in discussing with the SBCD on how they could extend services to current and future small business owners, with an emphasis on prospect minor business owners. SBCD Business advisor to offer advising office hours in the City of Somersworth, which will take place every 2nd Wednesday of the month from 10:00 a.m. to 6:00 p.m.

Under the partnership and agreement SBCD will be doing;

Provide office hours for confidential advising to local small businesses

Provide the host/partner an SBDC media kit (SBDC blurb, social media handles, handout, impact report, local client stories, staff profile, SBDC logo, advisor headshots)

Provide a stand for SBDC materials (handout, impact report, business cards) to be placed in the host office

Announce this partnership in an upcoming quarterly newsletter Promote office hours via social media and tag partner in posts

The City Manager and I look forward to this opportunity for all Somersworth business and future business owners. Just another explanation of our commitment to remaining "On the Move!"

A sense of pride should be in us all learning how successful the Vision 2020 campaign was and how our major goal of making Somersworth one of the most desirable communities on the seacoast was reached. Our planning for the future however cannot cease, and we must continue our unwavering commitment to keep Somersworth "On the Movel". With that spirt in mind, this evening I am announcing the formation of the "Eyes on 30" Commission. Like the Vision 2020 Committee passed in 2008 by this body, the purpose and mission of the "Eyes on 30" commission will be;

To build upon the success of the Vision 2020 goals and to ensure Somersworth will have well defined plans and goals to keep the Hilltop City "On the Move", celebrating its "Proud Past" while planning for its "Bright Future" through the next decade.

The member of the Commission shall include;

- One member of the City Council appointed by the Mayor.
- The Director of Development Services or their designee.
- Two members of the community at large appointed by the Mayor.

• One member of the business community appointed by the Greater Somersworth Chamber of Commerce.

- One member of the Planning Board appointed by the Chair of the Planning Board.
- One member of the Zoning Board appointed by the Chair of the Zoning Board.
- One member of the School Board appointed by the School Board Chair.
- The City Manager or his designee.
- The Superintendent of Schools or her designee.

The Commission will seek input from the public, hold forums and charrettes and help outline and well support Vision to keep our community "On the Move" into the next decade. I look forward to announcing some of the appointments at the next meeting.

While our society continues to navigate the new norms and follow the guidelines which have kept us safe, we cannot ignore how throughout this pandemic the Hilltopper Spirit of Neighbor helping neighbor has resonated from all corners of our 10 square mile community. The Somersworth Festival association in partnership with the Mayor's Office, Police Department, Fire Department, Stewarts Ambulance is happy to announce, "Celebrate Somersworth". Celebrate Somersworth will take place on Memorial Drive from 5-8 after Pumpkin Festival. There will be food vendors, games, an outdoor DJ and first responder exhibitions. The evening will conclude at 8pm with a fireworks display celebrating all citizens and the strength of the Hilltopper Spirit. Stay tuned for more details coming soon.

The wheels of time do not stop, pause, or stand still. As a free nation we will never forget the moments in our history, which reflected the resiliency of the American society. This Saturday while time will move forward, we will pause. Pause to remember, pause to reflect, pause to pray, and pause to recommitment ourselves to the freedoms that this nation reflects. While the souls lost on 9/11 now guide this nation towards its destiny, its destiny of creating a society where all will be protected, celebrated and free. For those of us charged with keeping the names and memories alive, we willingly accept our roles in history.

This Saturday will make 20 years since the attack on this nation. An attack which punctured a wound in our hearts but strengthen the soul of our nation. While the 20 years may now reflect this event as history, for those of us who bared witness to the events that day, the pain will forever be part of us. On Saturday, the Hilltop City will honor each soul as St. Ignatius parish reads the names of each victim and displays an American flag for each person in front of their parish.

As we move forward though the pages of history, as a nation let us forever carry the names and memories of those lost on September 11th and let us pledge to honor them by becoming the nation, we announced to the world we would on July 4th, 1776.

May God forever shine grace upon each of their souls, and may God forever bless these 50 United States of America.

12 Nominations, Appointments and Elections:

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the follow is being brought forward this evening for a confirmation vote;

Sarah Eckstein for Appointment as member to the Conservation Commission, with a term to expire July 2024

Laura Barry for Reappointment as a Member of the Historic District Commission with a Term to Expire July, 2024

Mark Richardson for Reappointment as a Representative of The Strafford Regional Planning Commission to Expire September, 2020

Also Under nominations, appointments and Elections; in accordance with Council rule 15 I am naming the following Mayoral appointments:

Wendy Berkeley for Reappointment as a member of the Sustainability Committee with a term to expire September, 2023

Lilac Snowden-Hallowell for Appointment as an Alternate Member of the Sustainability Committee with a Term to Expire September, 2023

Arielle Marquis Mental Health and Wellness Commission

Martin Pepin, Martin P. Dumont Sr., Richard Michaud, and David A. Witham for Appointment to the Ward Boundary Review Committee in accordance with City Charter Article III, Section 3.5 (C) In accordance with Council Rule 15 this appointment does not require Council approval

This respectfully concludes my September 7th, 2021 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham stated that the Committee last met on August 18th and voted unanimously to approve the addition of \$55,000 of contingency fund for the Wastewater Treatment

Plant project. Witham added that the project is nearly complete and there is no known anticipated need for the funds, but it is fiscally prudent to have the funds available in case the need arises.

Economic Development Committee – Councilor Dumont stated the Committee met earlier this evening (September 7, 2021) and reached a consensus to have staff issue an RFP for the former Breton's site Cleaners, but wait on the former Police Station site until after cleanup is completed. There was also a brief discussion on potential wayfinding signs for the downtown area.

Recreation Committee – Councilor Cameron thanked Deborah Clough, of Dover, for her assistance with beautification efforts for the City. Cameron also reported that the Committee decided to place a planter box at the "Welcome to Somersworth" sign near the bridge and thanked the Public Works Department for fabricating the box.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

School Board – Councilor Austin stated the School Board met last on August 10th and 24th. The Board discussed their kickoff plans with the theme of "working together". Summer school had a great participation rate with approximately 100 students per day on average with 61 credits recovered, which is 2-3 times more than the typical summer session. The Board discussed a successful summer program and is looking forward to fall test scores to see the impact of the summer learning.

Hilltop Mental Health and Wellness Commission – Councilor Austin said the Commission had their second meeting on August 25th. He stated the meeting was a brainstorming session on what would be best for Somersworth as far as mental health services. The Commission also decided to hold a monthly meeting going forward.

Fire Station Building Committee – Councilor Witham stated the Committee met last on August 10th. The primary objective was to get an update on the project and a breakdown of the timeline over the next 12-16 months. Ground has been broken on the project and minor site work has begun.

Sustainability Committee – Councilor Paradis stated the Committee last met on August 9th and hosted guest, Joshua Singer, Program Coordinator for Clean Energy New Hampshire. The Committee discussed the pesticide reduction goals, the City's use of pesticides and herbicides, and the commitment to reduce the discharge of nitrogen into the Great Bay Estuary. The number one goal is public education through communication in conjunction with the Conservation Commission. The Committee also spoke with Mr. Singer from Clean Energy NH who works with local municipalities for sustainability initiatives such as solar ordinances and more.

COAST – Councilor Dumont stated that some of the routes through Somersworth have changed. He also mentioned the biggest issue they are facing currently is a lack of drivers.

Mayor's Monarch Challenge – Councilor Gerding said that a PSA created by a group of Somersworth Middle School students was just released which can be found on the City website as well as channel 22. He also mentioned a contest for artwork to be displayed on seed packets to be distributed for free to residents of the City.

Office of the City Manager

TO:	Mayor Dana S. Hilliard and City Council Members
FROM:	Robert M. Belmore, City Manager
DATE:	Friday, September 3, 2021
SUBJECT: September 7,	City Manager's Report for City Council Meeting on Tuesday, 2021

Unfinished Business (under Section 14 of Agenda)

Ordinances

A. Ordinance No. 2-22: To Amend Chapter 12, Streets and Sidewalks. This Ordinance was referred to Public Works & Environment Committee.

New Business (under Section 15 of Agenda)

Resolutions

- A. Resolution No. 7-22: Authorizing the City Manager to Acquire Easements Associated with the Transportation Alternatives Project (TAP) Grant, Congestion Mitigation and Air Quality (CMAQ) Grant, and the Cemetery Road Complete Street Project. As you see in this Resolution, some of these easements are temporary and some are permanent. The permanent easements will be recorded at the Registry while the temporary easements will sunset after construction.
- B. Resolution No. 8-22: To Authorize the City Manager to Convey a Gas Line Utility Easement to Northern Utilities, Inc., doing Business as Unitil. The Public Works & Environment Committee met on August 4th and supports the relocation of Unitil's Natural Gas Station at the corner of Bartlett Avenue and Maple Street to the Public Works' "boneyard"/lay down area for surplus materials and snow storage on City Property (the so-called former Turcotte Pit). Unitil has agreed to pay \$10,000 for the Easement. Please note that this easement was surveyed at Unitil's expense; in addition, Unitil also had their present gas line surveyed which assisted the City to meet the recent EPA requested actions regarding the adjacent Superfund Site. Finally, through these discussions and this partnership, Unitil officials have placed a natural gas line extension to the Police and Public Works facilities onto their short-term expansion plans. Manager Belmore explained this would save the City significant money over the years. Attached is a copy of the Proposed Easement, which has been reviewed by City Attorney as well as copies of the preliminary proposed plan and structure. This project will require review at the Site Review Technical Committee level and Planning Board Approval. Manager Belmore reminded Council that a Unitil representative was present if there were any further questions.
- **C.** Resolution No. 9-22: Authorizing the City Manager to take the Necessary Steps to Discontinue Caiman Drive and Seamore Drive. The Public Works & Environment Committee met on August 4th and voted to support discontinuing these recently accepted roads so that a proposed 160,000 square foot warehouse construction project could move

forward on this property. Attached is a copy of a letter from the property owner's representative Robert Stowell of TriTech Engineering regarding this request.

D. Resolution No. 10-22: To Authorize the City Manager to Order a Utility Van for the Water Distribution Division. City Council appropriated \$61,200 in the Water Enterprise Fund for the purchase of a new vehicle for the Water Distribution Division. Staff has been informed that the present cost for the chassis (\$33,079) and body (\$21,844) is approximately \$54,923. The body cost quoted is only good until 9/29/21. Manager Belmore noted that there is an anticipated increase in cost so the sooner we purchase the better off we are in regards to meeting our budget. Attached is the email correspondence received from the dealer in this regard. Please note that this is a replacement vehicle and the plan is to sell the vehicle it is replacing on GovDeals. Manager Belmore mentioned that in the next meeting Council will mostly likely see a Resolution granting permission for this (current Water Distribution utility van) and other surplus vehicles to be sold.

<u>Other</u>

- A. Vote to Authorize the City Manager to Enter into a Memorandum of Understanding with the New Hampshire Small Business Development Center to Provide City Hall Office Space for Economic Development Outreach. Attached is a copy of Memorandum of Understanding (MOU) which will allow for office space for an SBDC Business Advisor to conduct office hours at City Hall to support Economic Development and to support our Business Community partners. The proposed office hours will start taking place once a month and initially will be planned for the second Wednesdays from 10am-6pm. Further outreach and announcements will be disseminated as appropriate if approved.
- B. Vote to Enter into an Agreement with the City of Dover, City of Rochester, and Community Action Partnership of Strafford County to Operate an Emergency Cold Weather Warming Center at 30 Willand Drive in Somersworth from November 29, 2021 through April 1, 2022. Attached is a copy of the "Draft" Agreement.
- C. Set Polling Hours for the November 2, 2021 Municipal Election

City Manager's Items (under section 11 of Agenda)

Informational Items

- 1. City Project Budgets: Wastewater Treatment Plant & Cemetery Road Complete Streets. Attached is a copy of a Memorandum from Finance Director Scott Smith that provides a preliminary budget estimate regarding these two projects. Manager Belmore mentioned that while there have been some issues, please keep in mind we should have some credits to help reconcile change orders.
- 2. Solar. Within the past few months, the City has been approached by two companies interested in developing a Solar Array on our Sanitary Landfill Superfund Site. Although we have tried twice to reach a mutually beneficial agreement for this potential project, perhaps the third attempt will be the charm. *Manager Belmore noted that previously the companies proposing the installation of solar arrays did not want to agree to bear the cost of removal if deemed necessary by the*

EPA. Therefore, without objection, I intend to issue another Request for Proposal (RFP) for this potential project.

- **3. Veterans Memorial at Stein Park.** Presently, there is \$24,136 left in the Veterans Memorial Project Budget that was approved by the City Council. Without objection, I will be authorizing additional planting and irrigation work at the site to be completed by Rye Beach Landscaping. I have attached a copy of their proposed contract work. Reminder: The City Manager has spending authority up to \$25,000.
- 4. Body Worn Camera Grant. Attached is a Memorandum from Captain Russell Timmons regarding the Command Staff's research into acquiring body worn cameras for our sworn Police Officers. I have authorized our application for a matching Grant of \$27,160 to purchase thirty-one (31) cameras. Should we be successful, staff will work through the appropriate Council Committees before presenting to the full Council for acceptance and implementation of this program. *Manager Belmore stated if we get the grant, it would cover half of the approximately \$54,000. Moving forward with this will also require upgrades to the server which is already in the CIP for next year.*
- **5.** National Guard Phase II Environmental Site Assessment (ESA). The Strafford Regional Planning Commission (SRPC) has approved the utilization of their County Assessment Grant Funding so that Nobis Engineering can complete a Phase II ESA for the City for the National Guard site. The Phase I ESA was already accomplished by Nobis Engineering with SRPC's Grant assistance.
- 6. Sale of Engine 2. This on-going saga of the sale of Engine 2, 1996 Spartan fire apparatus, has concluded for the sum of \$10,000.

Attachments

- 1. City Attorney Certifications Four (4)
- 2. City Charter Change to Ward Boundaries
- 3. Director Michelle Mears Memorandum Re: Planning Board Appointment Recommendation for SRPC Commissioner

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Appointments not requiring Council Vote:

A. Wendy Berkeley for Reappointment as a member of the Sustainability Committee with a term to expire September, 2023

Mayor Dana Hilliard Reappointed Wendy Berkeley as a member of the Sustainability Committee with a term to expire September, 2023.

B. Lilac Snowden-Hallowell for Appointment as an Alternate Member of the Sustainability Committee with a Term to Expire September, 2023

Mayor Dana Hilliard Appointed Lilac Snowden-Hallowell as a member of the Sustainability Committee with a term to expire September, 2023.

C. Martin Pepin, Martin P. Dumont Sr., Richard Michaud, and David A. Witham for Appointment to the Ward Boundary Review Committee in accordance with City Charter Article III, Section 3.5 (C)

Mayor Dana Hilliard re-Appointed Martin Pepin, Martin P. Dumont Sr., Richard Michaud, and David A. Witham to the Ward Boundary Review Committee.

Nominations for a Council Confirmation Vote:

A. Sarah Eckstein for Appointment as a Full-Time Member of the Conservation Commission with a Term to Expire July, 2024

Councilor Dumont made a motion to Appoint Sarah Eckstein as a Full-Time Member of the Conservation Commission with a Term to Expire July, 2024. The motion was seconded by Councilor Gerding and passed 7-0.

B. Laura Barry for Reappointment as a Member of the Historic District Commission with a Term to Expire July, 2024

Councilor Witham made a motion to Reappoint Laura Barry as a Member of the Historic District Commission with a Term to Expire July, 2024. The motion was seconded by Councilor Cameron and passed 7-0.

B. Mark Richardson for Reappointment as a Representative to the Strafford Regional Planning Commission with a Term to Expire September, 2026 (Recommendation from the Planning Board)

Councilor Austin made a motion to Reappoint Mark Richardson as a Representative to the Strafford Regional Planning Commission with a Term to Expire, 2026. The motion was seconded by Councilor Michaud and passed 7-0.

UNFINISHED BUSINESS

ORDINANCES

A. Ordinance No. 2-22 – To Amend Chapter 12, Streets and Sidewalks (Referred to the Public Works and Environment Committee on 7/19/2021)

Ordinance No. 2-22 remains with the Public Works and Environment Committee.

NEW BUSINESS

RESOLUTIONS

A. Resolution No. 7-22 – Authorizing the City Manager to Acquire Easements Associated with the Transportation Alternatives Project (TAP) Grant, Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant, and the Cemetery Road Complete Streets Project Councilor Witham made a motion to waive Council rules to allow for a first reading of Resolution No. 7-22 by title only. The motion was seconded by Councilor Dumont and passed 7-0. Clerk Slaven performed a first reading of Resolution No. 7-22 by title only.

Councilor Witham made a motion to waive Council rules to allow for a second reading of Resolution No. 7-22. The motion was seconded by Councilor Dumont and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 7-22 by title only.

Councilor Witham made a motion to approve Resolution No. 7-22 as submitted. The motion was seconded by Councilor Dumont.

Councilor Paradis asked for clarification on which side the improvements to High Street were addressing. She was under the impression the improvements were to be on the left side on High Street when entering into the downtown area. She received clarification that the improvements are to be made to the right side. Councilor Witham stated the biggest hang up on this project has been the temporary easements for fixing the retaining walls. He also mentioned the issue of signal poles that have been determined to be outside of the right of ways.

The motion to adopt Resolution No. 7-22 as submitted passed 7-0 by roll call vote.

B. **Resolution No. 8-22** – To Authorize the City Manager to Convey a Gas Line Utility Easement to Northern Utilities, Inc., Doing Business as Unitil

Councilor Witham made a motion to allow for a second reading of Resolution No. 8-22 by title only. The motion was seconded by Councilor Dumont and passed 6-1. Councilor Paradis voted No.

Councilor Witham made a motion to adopt Resolution No. 8-22 as submitted. The motion was seconded by Councilor Austin.

Councilor Paradis inquired if this project includes the laying of any new gas pipelines. Manager Belmore stated this project must be vetted by the SRTC and Planning Board. Jake Rafferty from Unitil stated that the scope of the work includes two gas pipelines going from the Turcotte pit to Maple Street allowing them to install a new Blackwater Road natural gas line in 2022. Councilor Paradis asked if the Conservation Commission will have a chance to weigh in since it is near a public waterway. Mr. Rafferty stated based on the footprint of the easement it is not encroaching on any wetlands. Councilor Paradis asked if an environmental impact study has been completed. Mr. Rafferty explained they have not had one done, but are prepared to get a water runoff letter from an approved professional engineer as part of the technical review process. Manager Belmore explained the study will look at the property as it is now and ensure there are no post development changes or concerns once construction is completed.

The motion to adopt Resolution No. 8-22 as submitted passed 6-1 by roll call vote. Councilor Paradis voted No.

C. **Resolution No. 9-22** – Authorizing the City Manager to Take the Necessary Steps to Discontinue Caiman Drive and Seamore Drive

Resolution No. 9-22 will remain in first read until the call of the chair.

D. Resolution No. 10-22 – To Authorize the City Manager to Order a Utility Van for the Water Distribution Division

Councilor Witham made a motion to waive Council rules to allow for a second reading of Resolution No. 10-22 by title only. The motion was seconded by Councilor Dumont and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 10-22 by title only.

Councilor Witham made a motion to adopt Resolution No. 10-22 as submitted. The motion was seconded by Councilor Dumont and passed 7-0 by roll call vote.

OTHER

A. Vote to Authorize the City Manager to Enter into a Memorandum of Understanding with the New Hampshire Small Business Development Center to Provide City Hall Office Space for Economic Development Outreach

The Vote to Authorize the City Manager to Enter into a Memorandum of Understanding passed 7-0.

B. Vote to Enter into an Agreement with the City of Dover, City of Rochester, and Community Action Partnership of Strafford County to Operate an Emergency Cold Weather Warming Center at 30 Willand Drive in Somersworth from November 29, 2021 through April 1, 2022

Councilor Witham noted that the financial contributions listed do not show one from Somersworth. The contribution from Somersworth, however, comes from a loss of taxable property (roughly \$15k-\$20k annually) and services for Fire, Police, and EMS. Councilor Dumont stated he thought we contributed \$20k last year. He received clarification that payment was for the homeless shelter center at the Garrison Hotel. Dumont thanked the Mayor for defending Somersworth in regards to the in-kind contribution of what Somersworth gave up in order to establish the warming center. Councilor Dumont spoke to a homeless encampment and would like to hear what we can do for these people in need. Some settle the issue by removing the people out, but this does not solve the issue. Though he initially thought the encampment to be on public land, Dumont received clarification from Manager Belmore that it is, in fact, on privately owned land. The Vote to Enter into an Agreement with the City of Dover, City of Rochester, and Community Action Partnership of Strafford County passed 7-0.

C. Set Polling Hours for the November 2, 2021 Municipal Election

Councilor Witham made a motion that the polling hours be set from 8:00 a.m. to 7:00 p.m. The motion was seconded by Councilor Dumont.

Councilor Gerding stated he remembers the polls being open 7 a.m. to 7 p.m. Councilor Paradis stated that, to her understanding, all of the elections held since she has been in Somersworth have been 7 a.m. to 7 p.m. She added that it is easy for residents to remember and, although recalls the number of voters during that time has been nominal, still affords a few people to come and vote during that time. Councilor Witham stated that a strong case can be made during a presidential election to add the extra hour, but difficult to afford the same for a municipal election.

The motion to set the polling hours for the November 2, 2021 Municipal Election from 8:00 a.m. to 7:00 p.m. passed 5-2. Councilors Paradis and Gerding voted No.

COMMENTS BY VISITORS

Sarah Eckstein, Ward 4, urged Council to be more creative on purchases that create carbon emissions.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Dumont welcomed Chief Kretschmar back. Dumont commented on his appreciation for Hilltopper blue. He also made mention of all the service animals that were left in Afghanistan.

Councilor Austin stated that the homeless problem has also been to his attention and mentioned some finger pointing surrounding the situation. He said the issue is not a City problem, it is a regional issue; adding that the Tri-City Mayors have gotten the ball rolling. He implored people to focus on a solution rather than pointing fingers.

Councilor Michaud had no closing comments.

Councilor Witham said there are a lot of reasons homelessness exists such as affordable housing, mental health, drug addiction, etc. He said he agrees the issue needs to be handled with compassion and it would be helpful to better understand the issues and their impacts on the City and hopes that is something that can be worked on in the near future.

Councilor Gerding said he agrees with Councilor Witham's request for information to better understand the homeless issue. He also stated his excitement to see the potential for solar power. It is a great place for it and why not generate power on an old landfill site. He also encouraged members of the Community to look into the Community Power Coalition which is a coalition of municipalities that work together to generate power.

Councilor Cameron reiterated the need for people to be nice to each other especially to those working in retail as even a smile really goes a long way.

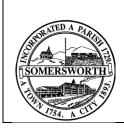
Councilor Paradis thanked Sarah Eckstein for her comments on reducing carbon emissions. She also stated that in regards to "Eyes on 30", she believes it to be premature to be forming a master plan so close to an election where the voters will decide who the next leader of the City will be. In regard to the homeless communities, we have learned from other communities that one of the top demands is sanitation services. Perhaps we can provide more of those services to meet these needs in the form of clean up days and additional trash cans. Paradis said she was happy to see the Small Business group setting up shop in City Hall, inviting in more entrepreneurs. Paradis also wished Dan DeSantis a happy birthday and mentioned his request to have his road (Mt. Vernon) paved due to poor conditions.

ADJOURNMENT

Councilor Austin made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Michaud and passed 9-0. The meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk



City of Somersworth – Ordinance

Ordinance No:

2-22

TO AMEND CHAPTER 12, STREETS AND SIDEWALKS

July 19, 2021

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

Amend Chapter 12 by adding Sections 12.8 & 12.9 as follows:

Section 12.8 - Outdoor Dining and Sidewalk Sales

PERMIT REQUIRED: A business owner shall obtain a permit to encumber the sidewalk from the Director of Public Works and Utilities, or their designee, to: 1) operate an outdoor seating area on a sidewalk, or on-street parking spaces, for service and consumption of food or drink prepared on premises; or 2) operate a sidewalk sale area for selling other goods subject to the following requirements:

1) The permit Applicant shall:

a. Provide a Certificate of Insurance naming the City of Somersworth as additional insured. The terms of the Certificate of Insurance shall be in a form and amount acceptable by the City.b. Agree to indemnify and hold harmless the City of Somersworth, New Hampshire from all claims for damage or injury whatsoever, that may arise from the encumbrance, obstruction, occupation, or use of the aforesaid sidewalk.

2) The building in which the licensed business operates must share a common boundary with a sidewalk. Sidewalk encumbrances shall allow a minimum four (4) foot-wide unobstructed pedestrian corridor at all times, and at least five (5) feet wide when located along a street corner. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances, at the discretion of the Director of Public Works and Utilities, or their designee.

3) Public on-street parking space(s) encumbrances must provide an accessible path of travel to the area from abutting sidewalks. Such expansions must occupy the area directly in front of the proposed business and may request to expand to be in front of the adjacent properties with abutting property owner and/or business permission.

4) Egress from the building must be maintained free of obstruction per the Building Code, NFPA 101 Life Safety Code, and any other applicable Local, State, or Federal Regulations, as amended.

5) Permits may only allow encumbrances between April 15 to November 15, and as weather conditions allow.

6) The Director of Public Works and Utilities, or their designee, may establish additional permit conditions to protect the City, public safety, and the continued use of the sidewalk by the public.7) The Director of Public Works and Utilities, or their designee, has the authority to deny, revoke, or

suspend the permit at his/her discretion at any time for any reason, including but not limited to violating the permit conditions, safety considerations, or due to planned or unplanned City projects, events, or activities.

8) The encumbered area must not block access to public street furniture, trash receptacles, street signage, fire hydrants, or other public infrastructure.

9) The encumbered area and any furniture or features within the area must be kept in a clean, safe, and sanitary condition, and all trash shall be properly disposed.

10) Canopies over any sidewalk café shall not be allowed unless they are completely supported by hardware on the building structure, that is, there shall be no vertical supports in or around the sidewalk café; table umbrellas without logos are allowed but must not extend beyond the Area.

11) No improvements or personal property located within the Area shall extend on or over any municipal property located outside the Area.

12) No advertising of any kind shall be allowed in the Area.

13) All outdoor dining areas where alcohol service is provided shall comply with the following requirements:

• Outdoor dining establishments shall agree at all times to comply with all laws, rules and regulations of the New Hampshire State Liquor Commission and all other local, state and federal laws.

• Be separated from the public pedestrian space on the adjacent municipal sidewalk by an enclosure system consisting of heavy-duty decorative materials as approved by the City Manager or designee; special attention shall be paid to the method used to support the enclosure system in order to avoid damage to public property and ensure public safety.

• The minimum height of the enclosure system shall be 30 inches and the maximum height shall be 36 inches.

The enclosure system, tables and chairs shall be movable/non-permanent.

Permits issued under this section may be revoked at any time by the City for failure to comply with the approved permit, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

Section 12.9 - Decorative Sidewalk Landscaping

PERMIT REQUIRED: A business owner shall obtain a permit to encumber the sidewalk from the Director of Public Works and Utilities, or their designee, to display decorative landscaping features in front of their business within the City right-of-way. The permit shall specify the area, use, and arrangement of any features or furniture within the encumbered area, and is subject to the following requirements;

1) The program is active April 15 to November 15 each year.

2) Decorative sidewalk landscaping may be placed within 5 feet to either or both side(s) of your front door entrance.

3) Landscaping features shall allow a minimum four (4) foot wide unobstructed pedestrian corridor at all times, and at least five (5) feet wide when located along a street corner. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances, at the discretion of the Director of Public Works and Utilities, or their designee.

4) Landscaping features should sit directly on the sidewalk, and be no larger than 3 feet long by 3 feet wide by 42 inches (3.5 feet) tall.

5) Landscaping features shall not be directly attached to (e.g., bolts, nails, screws) or damage the underlying sidewalk in any way.

6) No unmaintained features, or dead flowers, will be allowed.

7) Damaged flowers and/or containers must be removed immediately.

8) The applicant is responsible for cleaning/repairing any damage or staining to the sidewalks. The permit must be renewed each year. New applications and renewals are reviewed on an annual basis and should be submitted to the City no later than March 15 of each year. Permits are valid from April 15 to November 15 as conditions allow.

Permits issued under this section may be revoked at any time by the City for failure to comply with the approved permit, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

This Ordinance shall take effect upon its passage.

Authorization		
Sponsored by Councilor:	Approved:	
Crystal Paradis	City Attorney	

City of Somersworth – Ordinance 2-22

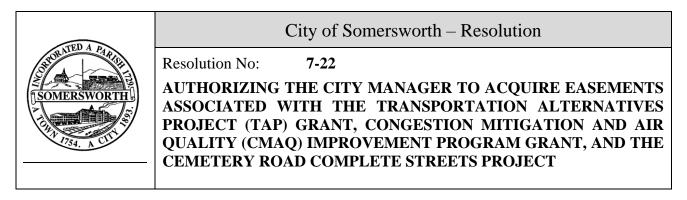
History			
First Read Date:	7-19-2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

07/19/2021

Mayor Hilliard referred Ordinance No. 2-22 to the Public Works and Environment Committee.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
	TOTAL VOTES:		
On / /	Ordinance 2-22	PASSED	FAILED



September 7, 2021

WHEREAS, the City is currently designing and/or constructing infrastructure improvements through the Transportation Alternatives Project (TAP) Grant, the Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant, and the Cemetery Road Complete Streets Project; and

WHEREAS, to effectively and efficiently complete these projects the City needs to acquire some permanent and/or temporary easements on the following properties in the project areas;

Cemetery Road-Complete Streets Project

Parcel ID	Physical Address	Permanent/Temporary
13-56-0	5 Cemetery Road	Permanent
13-55-0	7 Cemetery Road	Permanent

CMAQ project -Traffic Signal System Upgrade Improvements

Parcel ID	Physical Address	Permanent/Temporary
36-45A	396 High St	Temporary
37-04	400 High St	Temporary
37-09	6 Waltons Way	Permanent
37-10	59 Waltons Way	Permanent
42-35	11 Andrews Rd	Permanent
40-5	110-176 Tri City	Temporary
40-56	481 High St	Temporary
40-09	506 High St	Permanent
40-51	503 High St	Permanent

TAP Grant -Sidewalk and Pedestrian Improvements

Parcel ID	Physical Address	Permanent/Temporary
14-42	229 High Street	Temporary
14-17	130 Franklin Street	Temporary
14-16	128 Franklin Street	Temporary
14-33	222 High Street	Both
14-21	117 Franklin Street	Temporary

14-21A	214 High Street	Both
14-32	210 High Street	Temporary
14-27	11 Garden Street	Both
14-29	200 High Street	Both
10-88	188 High Street	Both
10-87	186 High Street	Both
10-86	184 High Street	Both
10-85	178 High Street	Both
10-113	174 High Street	Permanent
10-112	172 High Street	Both
10-111	96 Washington Street	Both
22-57-1A	4 Lenox Street	Temporary;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to acquire the aforementioned easements associated with the TAP grant, CMAQ improvement program grant, and Cemetery Road complete streets project.

Authorization		
Sponsored by Councilors:	Approved:	
David A. Witham Donald Austin Nancie Cameron Martin P. Dumont, Sr.	City Attorney	

City of Somersworth – Resolution 7-22

History			
First Read Date:	09/07/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/07/2021		

Discussion

09/07/2021

Councilor Witham made a motion to waive Council rules to allow for a first reading of Resolution No. 7-22 by title only. The motion was seconded by Councilor Dumont and passed 7-0. Clerk Slaven performed a first reading of Resolution No. 7-22 by title only.

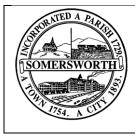
Councilor Witham made a motion to waive Council rules to allow for a second reading of Resolution No. 7-22. The motion was seconded by Councilor Dumont and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 7-22 by title only.

Councilor Witham made a motion to approve Resolution No. 7-22 as submitted. The motion was seconded by Councilor Dumont.

Councilor Paradis asked for clarification on which side the improvements to High Street were addressing. She was under the impression the improvements were to be on the left side on High Street when entering into the downtown area. She received clarification that the improvements are to be made to the right side. Councilor Witham stated the biggest hang up on this project has been the temporary easements for fixing the retaining walls. He also mentioned the issue of signal poles that have been determined to be outside of the right of ways.

The motion to adopt Resolution No. 7-22 as submitted passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	Exc	cused
Ward 2 Councilor	Vincent	Exc	cused
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	Х	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
	TOTAL VOTES:	7	0
On 09/07/2021	Resolution 7-22	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 8-22

TO AUTHORIZE THE CITY MANAGER TO CONVEY A GAS LINE UTILITY EASEMENT TO NORTHERN UTILITIES, INC., DOING BUSINESS AS UNITIL

September 7, 2021

WHEREAS, Northern Utilities, Inc., doing business as UNITIL, currently operates a natural gas transmission line on Bartlett Avenue; and

WHEREAS, UNITIL has approached the City with a plan to move their gas transmission line to property owned by the City of Somersworth that is commonly known as the Turcotte Pit off Maple Street; and

WHEREAS, this plan would require a 100-foot by 100-foot wide non-exclusive, permanent easement and right-of-way in, under, across, and over the easement area for the purpose of installing, operating, maintaining, inspecting, removing, repairing, and replacing Gas Facilities with its associated pipes, manholes and appurtenances and also storage of equipment and materials associated with the Gas Facilities operations; and

WHEREAS, UNITIL has agreed to purchase this permanent easement from the City of Somersworth for a sum of \$10,000 (Ten Thousand dollars);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to convey a gas line easement to Northern Utilities, Inc., doing business as UNITIL, on City owned property commonly known as the Turcotte Pit off Maple Street, for the sum of \$10,000 (Ten Thousand dollars), and to take any additional actions required to convey this easement determined to be in the best interest of the City.

Authorization		
Sponsored by Councilors:	Approved:	
David A. Witham Martin P. Dumont, Sr. Kenneth Vincent Matt Gerding	City Attorney	

City of Somersworth – Resolution 8-22

History			
First Read Date:	09/07/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	09/07/2021		

Discussion

09/07/2021

Councilor Witham made a motion to allow for a second reading of Resolution No. 8-22 by title only. The motion was seconded by Councilor Dumont and passed 6-1. Councilor Paradis voted No.

Councilor Witham made a motion to adopt Resolution No. 8-22 as submitted. The motion was seconded by Councilor Austin.

Councilor Paradis inquired if this project includes the laying of any new gas pipelines. Manager Belmore stated this project must be vetted by the SRTC and Planning Board. Jake Rafferty from Unitil stated that the scope of the work includes two gas pipelines going from the Turcotte pit to Maple Street allowing them to install a new Blackwater Road natural gas line in 2022. Councilor Paradis asked if the Conservation Commission will have a chance to weigh in since it is near a public waterway. Mr. Rafferty stated based on the footprint of the easement it is not encroaching on any wetlands. Councilor Paradis asked if an environmental impact study has been completed. Mr. Rafferty explained they have not had one done, but are prepared to get a water runoff letter from an approved professional engineer as part of the technical review process. Manager Belmore explained the study will look at the property as it is now and ensure there are no post development changes or concerns once construction is completed.

The motion to adopt Resolution No. 8-22 as submitted passed 6-1 by roll call vote. Councilor Paradis voted No.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	Excused	
Ward 2 Councilor	Vincent	Excused	
Ward 3 Councilor	Dumont	Х	
Ward 4 Councilor	Austin	Х	
Ward 5 Councilor	Michaud	Х	
At Large Councilor	Witham	Х	
At Large Councilor	Gerding	Х	
At Large Councilor	Cameron	Х	
At Large Councilor	Paradis		X
	TOTAL VOTES:	6	1

On 09/07/2021	Resolution 8-22	PASSED	FAILED
STORATED A PARIO	City of S	omersworth – Res	olution
SOMERSWORTH	Resolution No: 9-22		
1734. A UT	AUTHORIZING THE CIT STEPS TO DISCONTINUE		

September 7, 2021

WHEREAS, the City of Somersworth has received a request by property owners abutting Caiman Drive and Seamore Drive to discontinue these public ways to accommodate development in this area; and

WHEREAS, the Public Works & the Environment Committee of the City of Somersworth has reviewed this proposed action with staff and recommends this discontinuance,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH, in accordance with RSA 231:43, that Caiman Drive and Seamore Drive are hereby discontinued as public ways, described as follows:

Caiman Drive Right-of-Way

A certain tract or parcel of land located in the City of Somersworth, County of Strafford, and the State of New Hampshire, being shown as Caiman Drive Right-of-Way, Parcel "A" on plan entitled "Boundary Line Adjustment Plan, 108 Gator Rock, LLC and the City of Somersworth, Gator Rock Road, Somersworth, New Hampshire", dated August 11, 2021, prepared by Tritech Engineering Corporation, to be recorded at the Strafford County Registry of Deeds; being more particularly bounded and described as follows:

Beginning at a point on the Westerly sideline of Caiman Drive, at the Southerly end of Seamore Drive; Thence running along the proposed Gator Rock Road cul-de-sac, along a curve to the left, having a radius of 50.00 feet, a distance of 98.01 feet to a point; Thence turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 23.84 feet to a point on the Easterly sideline of Caiman Drive; Thence turning and running along the Easterly sideline of Caiman Drive; Thence turning and running along the Easterly sideline of Caiman Drive; Thence turning and running along the Easterly sideline of Caiman Drive, S 38°29'49" E, a distance of 170.63 feet to point; Thence turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 21.68 feet to a point; Thence turning and running along a curve to the right, having a radius of 50.00 feet, a distance of 229.35 feet to a point; Thence turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 21.68 feet to a point; Thence turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 229.35 feet to a point; Thence turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 21.68 feet to a point; Thence turning and running along the turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 21.68 feet to a point; Thence turning and running along the turning and running along the Westerly sideline of Caiman Drive; N 38°29'49" W, a distance of 238.29 feet to a point; Said point being the point of beginning.

The above-described parcel "A" contains 20,142 Square Feet or 0.462 Acres.

Seamore Drive Right-of Way

A certain tract or parcel of land located in the City of Somersworth, County of Strafford, and the State of New Hampshire, being shown as Seamore Drive Right-of-Way, Parcel "B" on plan entitled "Boundary Line Adjustment Plan, 108 Gator Rock, LLC and the City of Somersworth, Gator Rock Road, Somersworth, New Hampshire", dated August 11, 2021, prepared by Tritech Engineering Corporation, to be recorded at the Strafford County Registry of Deeds; being more particularly bounded and described as follows:

Beginning at a point on the Westerly sideline of Seamore Drive, at the Northwesterly end of Caiman Drive; Thence running along a curve to the right, having a radius of 330.00 feet, a distance of 142.00 feet to a point on the Westerly sideline of Seamore Drive; Thence turning and running along the Westerly sideline of Seamore Drive, N 13°50'34" W, a distance of 176.06 feet to point; Thence turning and running along a curve to the left, having a radius of 30.00 feet, a distance of 21.68 feet to a point; Thence turning and running along a curve to the left, having a radius of 50.00 feet, a distance of 229.35 feet to a point; Thence turning and running along the Easterly sideline of Seamore Drive; Thence turning and running along the Easterly sideline of Seamore Drive; Thence turning and running along the Easterly sideline of Seamore Drive; S 13°50'34" E, a distance of 176.06 feet to a point; Thence turning and running along a curve to the left, having a radius of 270.00 feet, a distance of 50.00 feet, a distance of 176.06 feet to a point; Thence turning and running along a curve to the left, having a radius of 270.00 feet, a distance of 50.02 feet to a point; Thence turning and running along a curve to the left, having a radius of 270.00 feet, a distance of 30.00 feet, a distance of 11.56 feet to a point; Thence turning and running along the proposed Gator Rock Road cul-de-sac, along a curve to the left, having a radius of 50.00 feet, a distance of 93.99 feet to a point; Said point being the point of beginning.

The above-described parcel "B" contains 24,430 Square Feet or 0.561 Acres.

Caiman Drive & Seamore Drive Easements

The Right of Ways described herein were conveyed to the City of Somersworth with the benefit of the 20-foot drainage easement around the storm drain inlets located at the Northwest corner of Lot 1-L and the Southwest corner of Lot 1-B as well as a 5-foot-wide easement on each side of the roadway.

These easement rights associated with Caiman Drive and Seamore Drive shall also be discontinued.

Authorization

Sponsored by Councilors:

Approved:

City of Somersworth – Resolution 9-22

History				
First Read Date:	09/07/2021	Tabled:		
Public Hearing:		Removed From Table:		
Second Read:				

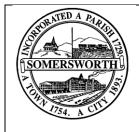
Discussion

09/07/2021

Resolution No. 9-22 will remain in first read until the call of the chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		

	TOTAL VOTES:		
On	Resolution 9-22	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 10-22

TO AUTHORIZE THE CITY MANAGER TO ORDER A UTILITY VAN FOR THE WATER DISTRIBUTION DIVISION

September 7, 2021

WHEREAS, the City of Somersworth's Capital Improvement Plan proposes a replacement schedule for public works and utility equipment to maintain fleet integrity, standardize equipment and reduce maintenance costs, and

WHEREAS, the City of Somersworth's approved FY2022 Budget provides funding for a new utility van to be used by the Water Distribution Division, and

WHEREAS, City staff has evaluated the advantage of the use of a standard vehicle manufacturer acquisition policy and recommends the use of the NH State bid list for Ford vehicles as the most efficient method of procuring these new vehicles,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order one new Ford E-350 Utility Van for use by the Water Distribution Division which is funded in the approved FY2022 City Budget.

Authorization

Sponsored by Councilors:

Approved:

David A. Witham

City of Somersworth – Resolution 10-22

History				
First Read Date:	09/07/2021	Tabled:		
Public Hearing:		Removed From Table:		
Second Read:	09/07/2021			

Discussion

09/07/2021

Councilor Witham made a motion to waive Council rules to allow for a second reading of Resolution No. 10-22 by title only. The motion was seconded by Councilor Dumont and passed 7-0. Clerk Slaven performed a second reading of Resolution No. 10-22 by title only.

Councilor Witham made a motion to adopt Resolution No. 10-22 as submitted. The motion was seconded by Councilor Dumont and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	Excused	
Ward 2 Councilor	Vincent	Excused	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	Austin	Х	
Ward 5 Councilor	Michaud	Х	
At Large Councilor	Witham	Х	
At Large Councilor	Gerding	Х	
At Large Councilor	Cameron	Х	
At Large Councilor	Paradis	Х	

	TOTAL VOTES:	7	0
On 09/07/2021	Resolution 10-22	PASSED	FAILED