

Minutes of City Council Meeting Monday, March 21, 2022

ROLL CALL OF MEMBERS

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

Councilor Dumont was excused.

PLEDGE OF ALLEGIANCE

Councilor Vincent led the Pledge of Allegiance.

PUBLIC HEARING

A. **Ordinance No. 8-22:** To Amend Chapter 17, Forest Glade Cemetery, Section 17.4.

No public comments were heard.

COMMENTS BY VISITORS

Richard Brooks, 18 Linden Street, expressed his concern regarding the time frame for the posting of notices for agendas, meetings, and public hearings because he had heard some members of the public at the last meeting express their frustration from not knowing what was happening with 1 Winter Street until the day of the meeting. Mr. Brooks inquired about why Council meeting notices are not posted sooner than the Friday before the meeting and are only being posted at City Hall, the library, and on the website. Mr. Brooks provided some suggestions to Council on this issue.

Paul Goodwin, 21 Linden Street, stated he is here to speak against Resolution 26-22 and wanted to mention that a section of the Master Plan talked about the downtown area. He mentioned that section talks about minimizing chain businesses, promoting local businesses, residential units above retail, and businesses that attract diversity. Mr. Goodwin also mentioned that he feels it would be difficult to procure funding from a banking source when submitting a proposal for a piece of property without actually owning that property.

Madeline Desantis, 23 Linden Street, thanked the Council members who have changed their minds since the last meeting concerning Resolution 26-22. She has always believed that the City of Somersworth is special and has so much potential. She has noticed young families moving into the City and improvements to buildings all the time, and does not believe that a Dominos would add to the inviting feel that the downtown brings to the entrance of the City.

Allison Visser, 21 Hamilton Street, stated she agrees with the other speakers and feels that putting a chain restaurant at the entrance of the City will take away the historical vibrancy the City has.

Thomas Kefalas, owner of Somersworth House of Pizza, thanked the public for all the support he has received. He also thanked the Council members for allowing him the time to speak at the meetings and express his thoughts and opinions. He also wanted to mention that he is not objecting to Boston Pie or Domino's coming to the City, he objects to City owned property being sold to a franchise so close to the locally owned pizza places in the downtown area. He recognizes that the franchise can purchase privately owned property, but in this circumstance we as a Community can offer our thoughts on city owned property sales. .

Crystal Paradis, 73 Noble Street, mentioned the statement in the Master Plan concerning minimizing of chain stores. She also feels that 1 Winter Street is a key piece of property and hopes that the Council will take the time to look at the Master Plan and take the time to figure out what will be in the best long-term interest for the City.

Dominic Benvenuti, from Boston Pie Inc., wanted to address some concerns that were brought forward at the March 7th Council Meeting. First, he wanted to clarify that Boston Pie Inc. is not a corporate chain, rather, a local business that uses the Domino's name. Boston Pie Inc. is owned by himself and David Jenks and they own several stores in the area and visits them every day. He lives locally and participates and contributes in several ways in the Communities they have stores in and live in. He also wanted to mention that if the City would like something different for a building appearance, green space, a second story, or something else that they are willing to adjust the proposal accordingly.

Emmett Soldati, 7 Prospect Street, gave some history of 1 Winter Street and the time and funds for clean-up by the City. His thoughts at the time were that this will all be worth it someday. The City has been a good steward of the property and he would appreciate the Council taking the time to find the next good steward. He also mentioned that he is pleased to see all the progress the City has made over the past many years.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Workshop held on March 7, 2022
- B. Approve Minutes of the City Council Meeting held on March 7, 2022

Councilor Pepin made a motion to approve all items in the Consent Calendar. The motion was seconded by Councilor Austin and passed 8-0.

COMMENTS BY CITY COUNCILORS

Councilor Vincent thanked the citizens who have come out to this meeting to express their opinions. Vincent also thanked Mr. Benvenuti for coming and addressing the concerns that were expressed by the citizens. He apologized to Mr. Benvenuti because he has compassion for a fellow business owner, but has more compassion for his constituents. Vincent also mentioned that he had the pleasure of witnessing the swearing in of Police Chief McLin and welcomed him to his new role.

Councilor Cameron stated that it has been a while since she has seen the out-pouring of citizen concerns and encourages the Council to listen to their constituents. The Council should consider protecting local small businesses and look for the right solution for this piece of property with the guidance of the 2020 Vision and the City's Revitalization efforts.

COMMUNICATIONS

There were no communications.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were none.

MAYOR'S REPORT

Mayors Report for City Council Meeting March 21st, 2022

Tonight, before the Council is Resolution No. 26-22 – To Authorize the City Manager to Negotiate a Purchase and Sales Agreement, Subject to Approval of the City Council, with Boston Pie, Inc. of Danvers Massachusetts for the Sale and Reuse of City Owned Property Located At 1 Winter Street, Formerly Known as Breton's Cleaners.

Resolution No. 26 – 22 comes before the Council this evening after an open RFP process in which two proposals were received. Both proposals were thoroughly vetted by the Economic Development committee and like all proposes were open to the public. Despite what the Councils final decision is on this proposal, the facts should be clear to the public. The process was open, allowed members of the public to share their input by reaching out to their Councilors or the Mayor. This process has always been in place and will continue to be in place.

What is also important to stress is that this Council will continue to review all proposal before it, and make the best decision based upon what they believe is the best fit for our community.

To the public, be clear this body and Mayor are committed to Somersworth. We are committed to vetting each decision that comes before us and continue to encourage and seek your views and input.

I would like to thank the Economic Development Committee for completing the task at hand and forwarding what you believe was the most credible RFP to bring before Council for a final decision. I have no doubt that most if not the majority of the Council joins me in believing the best choice is to not move forward with the approval of Resolution No. 26 – 22 reopen the process seeking a new round of RFPs.

I would like to thank the Fosters for your extensive coverage on this issue, while I have yet to see any reports on the state of the city address, the issue of Domino's Pizza and the Warming Center continue to be some of the only few news stories on our community that make it into the paper recently. I look forward to a return of coverage on all the amazing things which continue to happen on our 10 Square mile home. However, with the coverage you did give to the Resolution before Council this evening, I would not be surprised that after Council votes down the Resolution this evening that more interested in legitimate proposals (proposals coming forward for more than a dollar) will be generated.

I look forward to the Council doing as it has for the past nine years now, the hard work we were elected to do, making decision based on what you believe is best for Somersworth and keeping our great community "On the Move!" I respectfully request that Council does not approval Resolution No. 26 – 22

“On The Move!” A true day of celebration in our great city today as the torch was passed to our new Chief of Police Tim McLin. Best wishes Tim, as you move forward with leading our great force. Remember, the full Hilltopper community is behind you, as you continue the journey of keeping our 10 square mile home safe. As a united team all of us together will ensure we continue to honor our “Proud Past” celebrate like we did today our “Bright Future” and keep our great city “On the Move!”

Before the Council this evening for a first reading is Ordinance 9-22 2022 – 2023 budget. Which means I find it fitting this evening for the annual statement of guidance on our budget process. As I have stated in the past, Over the last nine years, Council has modeled its due diligence of ensuring the balance of investing in Somersworth’s future, and services, while maintaining our communities affordability for all current and future Hilltoppers.

The adoption and vetting of our municipal budget is one of the great responsibilities this body tackles annually. The process begins when the City Manager allow with his department heads and staff prepares their annual suggestions of what they believe is the right equation for our needs vs. managing the unequable property tax system we must all adhere to in the State of New Hampshire. Once again, our Manager and the professional staff, in my opinion, has reached that balance successful. The proposed budget will ensure our Hilltop City maintains an affordable rate property taxes, while not shorting the needs our city or hindering the progress we have made over the last 9 years.

The budget will now be in the hands of this body to do its due diligence at examining the proposal and seeking consensus at moving forward into another fiscal year. As we begin our work, I will again ensure that all voices are heard within the process, and that this body is afford the opportunity to do a deep dive, seeking answers to the questions asked and approving a final budget that will keep Somersworth “On the Move!”

The schedule created will allow each member to process as an individual and come together as a team to pass and approve the budget before the end of May at the latest. It is my hope that Council can possibly conclude its work before the end of April.

As we begin this process, I again encourage each member to reach out to the City Manager when you have question, the Chair of the Finance committee or I when you need further clarification or questions. As in the past nine years, I will ensure that process remains open and does not stagnate. While we may not all agree at times, and that the budget generally is when we can get on each other nerves. Let us keep in mind again, that we have become a model of how municipal government should operate and function. Despite our contentions at time, despite the times we may become heated during this process, remember we are a team. Remember that at the end of the process all of us share the same goals and values, to continue the equation that we have mastered over the last nine years, keeping Somersworth “On the Move!”.

I look forward to us beginning our work, and once again demonstrating how we honor our “Proud Past” while continue to build a “Bright Future” for all.

I would respectful request that Council wave its rules this evening and give Ordinance 9-22 2022 – 2023 budget a second reading then place it upon the table.

This respectfully concludes my March 21st, 2022 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham stated that the Committee met this afternoon and discussed the Council-approved resurfacing project, and that PAVEX requested additional time to sign the contract so they can work out a deal with their subcontractor. The Committee also discussed the joint bid with the City of Dover regarding pavement markings and that bid was awarded to K5 Corporation. Witham added that the Rocky Hill Road Culvert that has been in need of replacement has gone out to bid and the City received two bids. Wickson Construction was the lowest bid, and there may be a supplemental appropriation coming to the Council in the future. Wright Pierce Engineering has been contracted for the Constitutional Way and Main Street Complete Streets projects and are near completion of the design plans. Some funds have become available from ARPA (American Rescue Plan Act) for a portion of the work, but the project is a bondable project which the City is not prepared for at this time. Wright Pierce suggested some camera inspections which City Staff will be reviewing and reporting back on. Witham also stated that Waste Management requested an increase in cost before the current contract is up and the Finance Committee decided to offer a compromise that will come before the Council for final approval. Lastly, the City has some surplus vehicles they will be putting on GovDeals to sell.

Public Works & Environment – Councilor Witham stated that the Committee met this afternoon and discussed the PAVEX request for more time to execute their contract, the Rocky Hill Road culvert, and the long line pavement marking she spoke about in the Finance Committee report. Witham stated they discussed a vacant lot on Kelwyn Drive that is divided by town lines for Rollinsford and the City of Somersworth. The City of Somersworth has a water line that loops around Kelwyn Drive that serves approximately a dozen Rollinsford residents. The Committee agreed to move forward and authorize Manager Belmore to petition to the PUC for the extension of the water line to this property. There was also discussion pertaining to the condition of the City's streets and roads during this season.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Sustainability Committee – Councilor Gerding stated that the Committee has been working on a sustainability framework which will be a matrix of a variety of sustainability points. He is hoping to set up a workshop to give an update to Council. Gerding also mentioned they had a person step down and are in need of someone to work on the plastics working group. Gerding stated that the household waste day is on May 21st from 8:30 a.m. to 12:30 p.m. at Turnkey Landfill in Rochester.

School Board - Councilor Austin stated they discussed ESSER 3 funds that have become available from COVID. They expect to see 5.1 million dollars over the next 3 years, and that 20% of those funds are for recouping the learning loss from students not being in the classroom. They are working on a plan for the funds.

City Manager's Report

Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, March 18, 2022

SUBJECT: City Manager's Report for Monday, March 21, 2022 City Council Meeting

Unfinished Business (under Section 14 of Agenda)

Ordinance

A. Ordinance No. 8-22: To Amend Chapter 17, Forest Glade Cemetery, Section 17.4. Again, this Ordinance amendment was initiated by the Cemetery Trustees, who are recommending an increase to Cemetery lot fees.

Resolution

A. Resolution No. 26-22: To Authorize the City Manager to Negotiate a Purchase and Sales Agreement, Subject to Approval of the City Council, with Boston Pie, Inc. of Danvers Massachusetts for the Sale and Reuse of City Owned Property Located at 1 Winter Street, Formerly Known as Breton's Cleaners. Again, the Economic Development Committee reviewed the two (2) proposals received for the sale and development of the property, and the Committee then decided to forward the entire discussion to the full Council for a determination on how to proceed.

B. Resolution No. 27-22: To Authorize the City Manager to Negotiate Agreements, Subject to Approval of the City Council, with Ameresco, Inc. of Framingham, Massachusetts to Develop a Solar Project Pursuant to RSA 362-A on the Closed Somersworth Sanitary Landfill Superfund Site on Blackwater Road. Again, based on a review of the six (6) Solar Array Development Proposals by City Staff, the Public Works & Environment Committee and the Finance Committee, as well as the consensus of Councilors present at the last meeting on February 22nd, was to move forward with a vote to engage Ameresco in negotiations to complete this Solar Array project.

C. Resolution No. 28-22: To Authorize the City Manager to Enter into a Grant Agreement with the New Hampshire Department of Justice for Police Overtime Incurred for Activities Related to Responding to Relaxed Covid-19 Restrictions. Again, the Finance Department voted to support this Resolution to accept the Grant for Overtime Reimbursement.

New Business (under Section 15 of Agenda)

Ordinance

A. Ordinance No. 9-22: Fiscal Year 2022-2023 Budget. The City Manager's Proposed FY 2022/2023 Budget and School Department Budget has been submitted in accordance with the City Charter. Mayor Hilliard has scheduled the Public Hearing for Monday, April 4th. The City Manager's Budget Presentation starts at 6:00 p.m. The Budget Public Hearing is posted for 7:00 p.m. as part of the regular Council monthly meetings.

Resolution

A. Resolution No. 29-22: To Amend Council Rules and Regulations Section 7, Order of Business. This Resolution is being brought forward by Mayor Hilliard and Councilor Don Austin.

B. Resolution No. 30-22: To Reaffirm the City of Somersworth Nonpartisan Election. The Government Operations Committee met on March 3rd and voted to forward this Resolution to the full Council for consideration.

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

Informational Items

1. Additional Council Workshops. Mayor Hilliard has approved these two (2) additional Council Workshop Meetings:
 - May 2 at 6:30 p.m. - Superfund Legal Counsel Mark Beliveau, Esquire and Gareth Orsmond, Esquire
 - May 16 at 6:00 p.m. – National Guard Reuse Commission Report: SRPC Staff and Zoom with Consultants

Reminder: Upcoming City Council Workshops & Special Meetings.

- Saturday, April 2 at 8:30 a.m. – Community Support Organizations & City Budget Review
- Monday, April 4 at 6:00 p.m. / 7:00 p.m. – City Manager presents FY2023 Budget; Council Meeting at 7:00 p.m. with FY2023 Budget Public Hearing scheduled
- Saturday, April 9 at 8:30 a.m. – Goal Setting Session
- Monday, April 11 at 6:00 p.m. – Special City Council Budget Meeting

Attachments

1. Department Head Monthly Reports
2. City Attorney Certifications Three (3)

NOMINATIONS, APPOINTMENTS AND ELECTIONS

There are no Nominations, Appointments and Elections

LAY ON THE TABLE

There were no items on the table.

UNFINISHED BUSINESS

ORDINANCES

A. **Ordinance No. 8-22** - To Amend Chapter 17, Forest Glade Cemetery, Section 17.4

Councilor Pepin made a motion to adopt Ordinance No. 8-22 as submitted. The motion was seconded by Councilor Vincent and passed 8-0 by roll call vote.

RESOLUTIONS

A. **Resolution No. 26-22** – To Authorize the City Manager to Negotiate a Purchase and Sales Agreement, Subject to Approval of the City Council, with Boston Pie, Inc. of Danvers Massachusetts for the Sale and Reuse of City Owned Property Located At 1 Winter Street, Formerly Known as Breton's Cleaners

Councilor Vincent made a motion to NOT adopt Resolution No. 26-22 as submitted. The motion was seconded by Councilor Gerding.

Councilor Pepin stated he will not be supporting this Resolution and mentioned that he supported this Resolution initially, not because he wanted to see another pizza place in town, but because he wanted to see some type of development in the City.

Councilor Witham stated he was not able to be present at the last meeting, but did watch it and heard all the public's comments. He also initially supported this Resolution and has since changed his mind as well. Witham admitted to having tunnel vision when supporting this Resolution because,

as a Councilor, they often hear “get properties on the tax roll” and was not seeing the big picture. Witham also mentioned that if this Resolution does not get passed, we should adjust the RFP and go from there.

Councilor Messier stated that this property was a Brownfield site and when a City or Town receives funds for Brownfield site, a stipulation is attached to put the property back on the tax roll. Messier is wondering where they go from here.

Councilor Austin stated that dozens of RFP’s were sent and only 2 proposals were received back. The Economic Development Committee could not decide on which proposal to accept so they forwarded both to the Council. He will support defeating this Resolution and hopes to recraft the RFP so that it will bring something there that will satisfy the long-term goals and vision for the City.

Councilor Michaud stated that he is not going support this Resolution because of the Form Based Codes that were adopted a few years ago which strongly encouraged the City to avoid putting one-story buildings in the downtown area. He would like to see a strong thriving downtown area and believes that having people living downtown will help achieve that.

Councilor Gerding feels that the process of this Resolution was a learning opportunity and thanked everyone who took the time to voice their opinions in order to allow Council to consider all the aspects of this Resolution and the effects it would have on the community. From this experience, he has learned as an EDC member how to look at RFP’s and the proposals that are sent in.

Councilor Vincent apologized to Dominic Benivenuti for being the deal breaker for this Resolution. Vincent stated that is was not their intent to waste their time or money.

Councilor Vincent made a motion to not adopt Resolution No. 26-22 as submitted. The motion was seconded by Councilor Gerding and passed 8-0 by roll call vote.

B. Resolution No. 27-22 – To Authorize the City Manager to Negotiate Agreements, Subject to Approval of the City Council, with Ameresco, Inc. of Framingham, Massachusetts to Develop a Solar Project Pursuant to RSA 362-A on the Closed Somersworth Sanitary Landfill Superfund Site on Blackwater Road

Councilor Witham made a motion to adopt Resolution No. 27-22 as submitted. The motion was seconded by Councilor Gerding and passed 8-0 by roll call vote.

C. Resolution No. 28-22 – To Authorize the City Manager to Enter into a Grant Agreement with the New Hampshire Department of Justice for Police Overtime Incurred for Activities Related to Responding to Relaxed Covid-19 Restrictions

Councilor Austin made a motion to adopt Resolution No. 28-22 as submitted. The motion was seconded by Councilor Pepin and passed 8-0 by roll call vote.

NEW BUSINESS

ORDINANCES

A. Ordinance No. 9-22 -Fiscal Year 2022-2023 Budget

Councilor Witham made a motion to suspend Council rules to allow a first reading of Ordinance No. 9-22 by title only. The motion was seconded by Councilor Michaud and passed 8-0.

Deputy City Clerk Ramsey performed a first reading of Ordinance No. 9-22 by title only.

Councilor Witham made a motion to suspend Council rules to allow for a second reading of Ordinance No. 9-22. The motion was seconded by Councilor Vincent and passed 8-0.

Deputy City Clerk Ramsey performed a second reading of Ordinance No. 9-22 by title only.

Councilor Witham made a motion to lay Ordinance No. 9-22 upon the table. The motion is non-debatable and passed 8-0 by roll call vote.

RESOLUTIONS

A. **Resolution No. 29-22** -To Amend Council Rules and Regulations Section 7, Order of Business

Mayor Hilliard referred this Resolution to the Government Operations Committee.

B. **Resolution No. 30-22** -To Reaffirm the City of Somersworth Nonpartisan Elections

Resolution No. 30-22 will remain in first read until call of the Chair.

Mayor Dana S. Hilliard requested to be added as a sponsor to this Resolution

COMMENTS BY VISITORS

Thomas Kefalas, owner of Somersworth House of Pizza, stated that he is very proud of the decision the Council made this evening and believes that this is how changes are made.

Richard Brooks, 18 Linden Street, thanked the Council for their reconsideration. Richard also talked about the trucking convoy that has been traveling around the United States and Canada.

Adel Elmoraghy, owner of Villa Pizza, thanked the Council for standing with them and helping them He also thanked the citizens of Somersworth for their outpouring of support.

Paul Goodwin, 21 Linden Street, also thanked the Council for their reconsideration. Paul also mentioned that he feels that when it comes to City owned property, there should be a more informative way to notify abutters and citizens.

Crystal Paradis, 73 Noble Street, thanked the Council for their reconsideration. Crystal also inquired about the warming center.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin stated that he went through the Master Plan and feels that it is a useful tool to use and feels that Eyes on 30 should be utilized to take a look to see if there are some adjustments or updates that could be made. He also talked about the City being built around the railroad and how that looked and how the City was formed to accommodate the busy mills that formed the dense population and how the housing has changed. He also spoke about how challenging it is to draw in businesses that will attract people to the downtown area and how the Council tries very hard to make the right decisions.

Councilor Vincent apologized for not making the State of the City Address. He also mentioned that he noticed the vents at the old landfill are rusted and may need to be maintained. Vincent congratulated Chief McLin.

Councilor Austin congratulated Chief McLin. He also spoke about the posting of meetings and how the information can be found. He explained the process of the items on an agenda and how people can be involved.

Councilor Michaud congratulated Chief McLin. Michaud mentioned that he shares the frustration of trying to get development to come here to the City like the neighboring Cities. He also stated a concern that was brought to him about putting a crosswalk in between Thomas Apartments and Tara Meadows.

Councilor Witham mentioned the local baseball team started tryouts and he will be rolling the baseball field and hopes that the field will be used by the end of March. He also welcomed Chief McLin and knows he will serve the City well.

Councilor Gerding feels that there will be many great things with Chief McLin. He also thanked the Public Works Department for hanging the cultural banners. Gerding stated that the freezing and thawing weather does not help the roads, but is great for maple season was able to do some boiling with his class.

Councilor Cameron stated that change is inevitable and feels that it moves things forward and believes that keeping an open mind for the future will drive the downtown to flourish. She also believes that Chief McLin will be a great addition to the Police Department.


Councilor Messier mentioned he saw a bunch of blue trash bags along the road and noticed a person with a yellow vest picking up trash. He stopped and thanked her and gave her a donation for volunteering her time to help the City look nice. Messier congratulated Chief McLin.

ADJOURNMENT

Councilor Cameron made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Gerding and passed 8-0. The meeting adjourned at 9:34 p.m.

Respectfully Submitted,

Ammy Ramsey, Deputy City Clerk

	City of Somersworth – Ordinance
	<p>Ordinance No: 8-22</p> <p>TO AMEND CHAPTER 17, FOREST GLADE CEMETERY, SECTION 17.4</p>

March 7, 2022

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 17, Forest Glade Cemetery Section 17.4, by deleting it in its entirety and replace with:

Section 17.4 City staff may sell grave lots that have been approved for sale by the Cemetery Trustees based on available space at Forest Glade Cemetery. The City Manager is authorized to set the price of grave lots based on recommendations of the Cemetery Trustees. A portion of individual grave lot fees, presently set at three hundred and fifty dollars (\$350), will go into a Cemetery Perpetual Care Fund. All burial deeds will be forwarded to and signed by the City Manager and given to the purchaser, his/her heirs and assigns, conditioned on the following conditions being complied with: the lot not be used for any other purpose than as a place of burial for the dead; and no trees within the lot shall be cut down or destroyed without the consent of the Trustees. Further, the Trustees at the time of selling any lot may impose such restrictions and conditions as to fencing and the occupation and improvement of the lot as they may consider proper, and may also impose such other restrictions and conditions as they may deem necessary, all of which shall be inserted in the deed to the purchaser. The purchaser shall have no right to erect any tomb on his/her lot unless said right is granted in the original deed from the City and approved by the Cemetery Trustees. The City Manager is hereby authorized to sign, seal and deliver the City's deed of lots in said cemetery, consistent with these Ordinances, and on the terms and for the purpose therein named.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Donald Austin Martin P. Dumont, Sr.</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Ordinance 8-22

History

First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/21/2022		

Discussion


03/07/2022

Ordinance No. 8-22 will remain in first read until call of the Chair. Public Hearing scheduled for next City Council meeting.

3/21/2022

Councilor Pepin made a motion to adopt Ordinance No. 8-22 as submitted. The motion was seconded by Councilor Vincent and passed 8-0.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	EXCUSED	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	0
On 3/21/2022	Ordinance 8-22	PASSED	FAILED

	<p align="center">City of Somersworth – Resolution</p>
	<p>Resolution No: 26-22</p> <p>TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A PURCHASE AND SALES AGREEMENT, SUBJECT TO APROVAL OF THE CITY COUNCIL, WITH BOSTON PIE, INC. OF DANVERS MASSACHUSETTS FOR THE SALE AND REUSE OF CITY OWNED PROPERTY LOCATED AT 1 WINTER STREET, FORMERLY KNOWN AS BRETON’S CLEANERS</p>

March 7, 2022

WHEREAS, the Somersworth City Council adopted Resolution 40-18 authorizing the City Manager to enter into a project agreement with the US Environmental Protection Agency to provide grant funding in the amount of \$200,000 (Two Hundred Thousand dollars) with a local match of \$40,000 (Forty Thousand dollars) for the removal and remediation of contaminated soils at the former Breton’s Cleaners property located at 1 Winter Street (Tax Map 11-181A), and

WHEREAS, the remediation project is complete and the property is available for redevelopment, and

WHEREAS, the City requested proposals from qualified developers for the acquisition and redevelopment of the property, and

WHEREAS, the City received two proposals which were discussed at the February 22, 2022 City Council meeting at the request of the Economic Development Committee, and a majority of Council members present voted to sponsor a Resolution to move forward with the sale and reuse of this property to Boston Pie, Inc. of Danvers, Massachusetts for a cost of \$200,000 (Two Hundred Thousand dollars) and other considerations,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate a purchase and sales agreement, subject to approval of the City Council, with Boston Pie, Inc. of Danvers, Massachusetts for a cost of \$200,000 (Two Hundred Thousand dollars) and other considerations, for the sale and reuse of City owned property at 1 Winter Street (Tax Map 11-181A), formerly known as Bretons Cleaners, and to take any other actions necessary to complete this action determined to be in the best interest of the City.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Nancie Cameron Denis Messier Martin Pepin Kenneth Vincent Martin P. Dumont, Sr. Donald Austin Richard R. Michaud</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Resolution 26-22

History

First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	03/21/2022		

Discussion

3/7/2022

Resolution No. 26-22 will remain in first read until call of the Chair.

3/21/2022

Councilor Vincent made a motion to NOT adopt Resolution No. 26-22 as submitted. The motion was seconded by Councilor Gerding.

Councilor Pepin stated he will not be supporting this Resolution and mentioned that he supported this Resolution initially, not because he wanted to see another pizza place in town, but because he wanted to see some type of development in the City.

Councilor Witham stated he was not able to be present at the last meeting, but did watch it and heard all the public's comments. He also initially supported this Resolution and has since changed his mind as well. Witham admitted to having tunnel vision when supporting this Resolution because, as a Councilor, they often hear "get properties on the tax roll" and was not seeing the big picture. Witham also mentioned that if this Resolution does not get passed, we should adjust the RFP and go from there.

Councilor Messier stated that this property was a Brownfield site and when a City or Town receives funds for Brownfield site, a stipulation is attached to put the property back on the tax roll. Messier is wondering where they go from here.

Councilor Austin stated that dozens of RFP's were sent and only 2 proposals were received back. The Economic Development Committee could not decide on which proposal to accept so they forwarded both to the Council. He will support defeating this Resolution and hopes to recraft the RFP so that it will bring something there that will satisfy the long-term goals and vision for the City.


Councilor Michaud stated that he is not going support this Resolution because of the Form Based Codes that were adopted a few years ago which strongly encouraged the City to avoid putting one-story buildings in the downtown area. He would like to see a strong thriving downtown area and believes that having people living downtown will help achieve that.

Councilor Gerding feels that the process of this Resolution was a learning opportunity and thanked everyone who took the time to voice their opinions in order to allow Council to consider all the aspects of this Resolution and the effects it would have on the community. From this experience, he has learned as an EDC member how to look at RFP's and the proposals that are sent in.

Councilor Vincent apologized to Dominic Benivenuti for being the deal breaker for this Resolution. Vincent stated that it was not their intent to waste their time or money.

Councilor Vincent made a motion to not adopt Resolution No. 26-22 as submitted. The motion was seconded by Councilor Gerding and passed 8-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	EXCUSED	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	0
On 3/21/2022	Resolution 26-22	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 27-22 TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AGREEMENTS, SUBJECT TO APPROVAL OF THE CITY COUNCIL, WITH AMERESCO, INC. OF FRAMINGHAM, MASSACHUSETTS TO DEVELOP A SOLAR PROJECT PURSUANT TO RSA 362-A ON THE CLOSED SOMERSWORTH SANITARY LANDFILL SUPERFUND SITE ON BLACKWATER ROAD

March 7, 2022

WHEREAS the City of Somersworth solicited proposals from qualified companies to design, engineer, install, monitor, evaluate, maintain, finance and decommission a community solar project pursuant to the New Hampshire Group Net Metering statute, RSA 362-A and locate it on the closed Somersworth sanitary landfill superfund site on Blackwater Road, and

WHEREAS the request for proposal required qualified companies to build the most economical, cost beneficial system that will maximize the power generating capacity of the site and provide the highest and best economic benefit to the City of Somersworth, and

WHEREAS six proposals were submitted and City staff reviewed the proposals and interviewed all six developers and prepared a list of three finalists, and

WHEREAS the Public Works and Environment Committee met with staff and reviewed the proposals of the three finalists and reached consensus to have Ameresco, Inc. present their proposal before the full City Council, and

WHEREAS Ameresco, Inc. presented their proposal to the City Council on February 22, 2022 and the City Council reached unanimous consensus to sponsor a Resolution to authorize the City Manager to enter into an agreement with Ameresco, Inc. to develop the solar project,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate agreements, subject to approval of the City Council, to include a land lease, payment in lieu of taxes (PILOT), and power purchase agreement (PPA) with Ameresco, Inc. of Framingham, Massachusetts to develop a solar project pursuant to RSA 362-A on the closed Somersworth Sanitary Landfill Superfund site on Blackwater Road and take any and all other such actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Nancie Cameron Denis Messier Martin Pepin Kenneth Vincent Martin P. Dumont, Sr. Donald Austin Richard R. Michaud Matt Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 27-22

History

First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	03/21/2022		

Discussion


03/07/2022

Resolution No. 27-22 will remain in first read until call of the Chair.

03/21/2022

Councilor Witham made a motion to adopt Resolution No. 27-22 as submitted. The motion was seconded by Councilor Gerding and passed 8-0

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	0
On 03/21/2022 Resolution 27-22		PASSED	FAILED

	<p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 28-22</p> <p>TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE DEPARTMENT OF JUSTICE FOR POLICE OVERTIME INCURRED FOR ACTIVITIES RELATED TO RESPONDING TO RELAXED COVID-19 RESTRICTIONS</p>
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March 7, 2022

WHEREAS, the City of Somersworth has applied for a grant through the New Hampshire Department of Justice for Police Officer overtime expenses incurred for activities related to responding to relaxed COVID-19 restrictions, and

WHEREAS, the City of Somersworth has received notification of a Grant Award in the amount of \$75,000, and

WHEREAS, the Grant will reimburse the City up to \$75,000 for overtime paid to Police Officers for activities related to responding to relaxed COVID-19 restrictions,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents and agreements necessary for the grant's execution, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Martin P. Dumont, Sr. Donald Austin</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Resolution 28-22

History

First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	03/21/2022		

Discussion

03/07/2022

Resolution No. 28-22 will remain in first read until call of the Chair.

03/21/2022

Councilor Austin made a motion to adopt Resolution No. 28-22 as submitted. The motion was seconded by Councilor Pepin and passed 8-0.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	EXCUSED	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		8	0
On 03/21/2022	Resolution 28-22	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **9-22**

FISCAL YEAR 2022-2023 BUDGET

March 21, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT BUDGETS FOR THE CITY OF SOMERSWORTH FOR THE 2022-2023 FISCAL YEAR SHALL BE:

DEPARTMENT

ADOPTED BUDGET

GENERAL FUND

Elected Leadership	\$196,505
City Management	532,787
Finance and Administration	1,628,474
Development Services	942,564
Police	4,644,286
Fire	2,385,058
Public Works	3,362,989
Other Expenses	1,459,029
Capital Outlay	167,459
Intergovt Assessments - County	2,947,120
School Department	28,596,753

TOTAL GENERAL FUND

46,863,024

ENTERPRISE FUNDS

Wastewater Department	3,417,865
Water Department	2,754,483
Solid Waste	597,857

TOTAL ENTERPRISE FUNDS

6,770,205

SPECIAL REVENUE FUND

Cable Fund	71,649
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TOTAL FY 2022-2023 APPROPRIATION

\$53,704,878

This Ordinance will take effect upon passage.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard by request	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 9-22

History

First Read Date:	03/21/2022	Tabled:	03/21/2022
Public Hearing:		Removed from Table:	
Second Read:	03/21/2022		

Discussion

3/21/2022

Councilor Witham made a motion to suspend Council rules to allow a first reading of Ordinance No. 9-22 by title only. The motion was seconded by Councilor Michaud and passed 8-0. Deputy City Clerk Ramsey performed a first reading of Ordinance No. 9-22 by title only.

Councilor Witham made a motion to suspend Council rules to allow for a second reading of Ordinance No. 9-22. The motion was seconded by Councilor Vincent and passed 8-0. Deputy City Clerk Ramsey performed a second reading of Ordinance No. 9-22 by title only.

Councilor Witham made a motion to lay Ordinance No. 9-22 upon the table. The motion is non-debatable and passed 8-0 by roll call vote.

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	Messier		
TOTAL VOTES:			
On / / Ordinance 9-22		PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **29-22**

TO AMEND COUNCIL RULES AND REGULATIONS, SECTION 7, ORDER OF BUSINESS

March 21, 2022

City Council Rules and Regulations as amended, to be further amended by adding a new Section 7.D, as follows:

- D. During any regularly scheduled meeting of the City Council, the Mayor and City Councilors are encouraged to refrain from making any comments directly related to their campaigns for reelection while sitting in the role of Mayor or Councilor. This does not pertain to any announcement regarding a decision to run or not run for reelection. Any additional reelection campaign comments could be made during the Comments by Visitors time on the agenda after temporarily recusing himself/herself from participation as Mayor or City Councilor and joining the public audience.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective upon passage of this resolution.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilors:</i> Donald Austin Richard R. Michaud	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 29-22

History

First Read Date:	03-21-2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

3/21/2022

Mayor Hilliard referred this Resolution to the Government Operations 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 / / . Resolution 29-22		PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **30-22**

TO REAFFIRM THE CITY OF SOMERSWORTH'S NONPARTISAN ELECTIONS

March 21, 2022

WHEREAS the Mayor, City Council, School Board and all elected municipal officers of the City of Somersworth hold nonpartisan seats; and

WHEREAS, the City Council acknowledges the diverse political views of all persons and believes everyone, no matter what their political affiliation, should be treated with respect regardless of race, color, national origin, immigration or refugee status, ethnicity, primary language, religion, gender, gender identity and expression, sexual orientation, marital status, mental, emotional, and/or physical ability, age, or economic status; and

WHEREAS, the City's elected officials continue to work constructively and collaboratively to avoid stagnation and polarization in order to solve problems that lead to improved outcomes, better assessment and understanding of decisions and issues, thereby creating more effective decision-making, regardless of any political party affiliation; and

WHEREAS, good ideas and decisions are derived from diverse political perspectives; and to reject good ideas because of party affiliation is counterproductive to establishing a common good;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council of the City of Somersworth reaffirms the City's status to continue to be a body politic and municipal corporation that embraces and supports its local municipal elections as nonpartisan, each candidate for office being eligible based on her or his own merits rather than as a member of a political party.

Authorization

Sponsored by:
Mayor Dana S. Hilliard
Councilors:
Richard R. Michaud
Donald Austin
Nancie Cameron

Approved:

City Attorney

City of Somersworth – Resolution 30-22

History

First Read Date:	03/21/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

3/21/2022

Resolution No. 30-22 will remain in first read until 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	Messier		
TOTAL VOTES:			
On Resolution 30-22		PASSED	FAILED