



Minutes of City Council Meeting Monday, October 17, 2022

ROLL CALL OF MEMBERS

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

PLEDGE OF ALLEGIANCE

Councilor Austin led the Pledge of Allegiance.

PUBLIC HEARING

A. Ordinance 4-23 – To Amend Chapter 10, Welfare Guidelines

There were no public comments.

B. Ordinance 5-23 – To Amend Chapter 8a, Sewerage Committee Article XIV

There were no public comments.

C. Ordinance 6-23 – Supplemental Appropriation for Capital Improvements Projects for the School Department

SAU56 Superintendent Lori Lane provided context for the request for the Supplemental Appropriation. She stated the School Department was notified of the award of the Extraordinary Needs Grant should become part of the annual adequacy funding, however, there are circumstances such as the rising of property prices could change whether the school department receives this funding. The request for the Supplemental Appropriation will be utilized for much needed security upgrades to the Schools and perhaps the SAU should funding be available after doing the Schools.

COMMENTS BY VISITORS

There were no opening comments by visitors.

CONSENT CALENDAR

A. Approve Minutes of the City Council Meeting held on October 3, 2022

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

COMMENTS BY CITY COUNCILORS

There were no opening comments by City Councilors.

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 October 17, 2022

This evening we honor a dedicated public servant of our great Hilltop community Marty Dumont. Since calling Somersworth his home, Marty immediately became active in the city he loved. From serving in his church to a long list of private, civic and government boards and commissions. Marty continued to model the Hilltopper spirit of neighbor helping neighbor. Tonight, we say thank you, and offer best wishes to our friend Marty Dumont. Marty, thank you for your 11 years of service on the Planning Board and your term on the Council from 2015 – 2022. The most sacred gift anyone can give of themselves is their time. Thank you for your time, in helping to ensure Somersworth remained “On the Move”. We wish you the best as you continue to enjoy your retirement and gather more Market Basket stories to share with us all. Somersworth has truly become a better place because of you. Mayor Hilliard presented a custom lamp that had his name and years of service as a Councilor engraved on the base along with the City seal. Former Councilor Dumont thanked the Mayor, City Manager, and Council and said he very much enjoyed his time living and serving in Somersworth. He said the City of Somersworth is a great place and that he also enjoyed his time as a substitute teacher at Somersworth High School.

This evening under other is Vote to Approve an Amendment to the Stewart’s Ambulance Service, Inc. Agreement regarding the Accreditation Provision.

To summarize, CAAS accreditation is great but it’s expensive. In these challenging economic times, the best thing we can do for Somersworth is retain high quality staff to continue providing care in the community they know and love. It costs approximately \$150,000 for CAAS accreditation in lieu of the accreditation the money will be used for retention bonuses of staff in the area.

For what it’s worth, only one in 5,000 EMS services are CAAS accredited. It’s nice to have but by no means a "must have". During the last two inspections of Stewarts, perfect scores both times. Stewart’s commitment to Somersworth is unwavering and will continue operating at an incredibly high standard. I urge council this evening to approve the amendment to the contract.

This respectfully concludes my October 17, 2022, Mayors Report

REPORT OF STANDING COMMITTEES

Economic Development Committee – Councilor Austin stated the Committee met earlier this evening and first discussed requests from Z Capital in relation to the RFP submitted for 1 Winter Street. The

requests posed large hurdles for the City to justify including indemnification, moving a sewer line, and acceptance into the 79E program. The Committee reached a consensus to have City Manager Belmore have further conversations with Z Capital and report back to Committee. The cleanup of the former police station is complete. Councilor Austin stated that Manager Belmore recommended utilizing the Request for Qualifications process to see what ideas come back to Committee from developers regarding the former National Guard site and the Committee's consensus was to use the same process for the former police station. The Committee was also updated on various recent development activity within the City.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

School Board – Councilor Austin stated he attended the latest School Board meeting where the Superintendent reported a sporadic, yet manageable number of covid cases. He also mentioned that Jersey Mike's is having a grand opening on October 26 where all the proceeds from sales will go to the Somersworth School District.

Christmas Parade Committee – Councilor Cameron stated the Committee met earlier this evening and decided on the date of December 3rd for the parade. The grand marshal of the event will be the Summersworth Historical Museum.

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, October 14, 2022

SUBJECT: City Manager's Report for Monday, October 17, 2022 City Council Meeting

Unfinished Business (under Section 15 of Agenda)

Ordinances

- A. Ordinance No. 4-23: To Amend Chapter 10, Welfare Guidelines.** Again, the Government Operations Committee voted to support the Guideline changes. Most of these changes are housekeeping in nature to keep up with current vernacular found at the State level. The only financial change is increasing the burial assistance amount from \$650 to \$750.
- B. Ordinance No. 5-23: To Amend Chapter 8A, Sewerage Committee Article XIV.** Again, the Government Operations Committee voted to support amending the Sewerage Committee section of the Ordinance.
- C. Ordinance No. 6-23: Supplemental Appropriation for Capital Improvements Projects for the School Department.** Again, the Finance Committee voted to recommend this Supplemental Appropriation.

New Business (under Section 16 of Agenda)

Resolutions

- A. **Resolution 14-23: To Authorize the City Manager to Contract with Electric Light Company of Cape Neddick, ME for the High Street Corridor Traffic Signal Improvements Funded Through a Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant.** Respectfully, I ask the Council to consider waiving Rules to act on this Resolution and the next Resolution No. 15-23 too. Please see attached Notices to Proceed from the NH DOT.
- B. **Resolution 15-23: To Authorize the City Manager to Contract with TEC, Inc. of Hampton, NH To Provide Construction Engineering Services Associated with the High Street Corridor Traffic Signal Improvements Funded Through a Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant.**

New Business - continued (under Section 16 of Agenda)

Resolutions

- C. **Resolution 16-23: To Authorize the City Manager to Enter into a Grant Agreement with the New Hampshire Department of Safety Regarding a Highway Safety Grant and Community Outreach and Betterment Grant.** The Finance Committee and the Public Safety Committee met on September 28th and both Committees voted to recommend acceptance of the NH Highway Safety Grant of \$8,200.00 with a maximum soft City in-kind of \$2,050.00 and the Community Outreach and Betterment (COB) Grant of \$20,000.00 with a maximum soft City in-kind of \$5,000.00. Attached are pages from the Grant packet received from the State.
- D. **Resolution No. 17-23: To Authorize the City Manager to Amend the Memorandum of Understanding with Four-Up, Inc.** The Finance Committee met on September 28th and voted to recommend amending the Memorandum of Understanding (MOU) regarding the water rate agreement with the Oaks allowing for a 35% discount. I want to make note that the Oaks receives no discount for potable water used at their building facilities. Attached is a copy of the present MOU.

Other

- A. **Vote to Approve an Amendment to the Stewart's Ambulance Service, Inc. Agreement Regarding the Accreditation Provision.** The Public Safety Committee met on September 28th and voted to support indefinitely waiving the CAAS (Commission on Accreditation of Ambulance Services) accreditation requirement in the Stewart's Ambulance Service Agreement so that these funds will go towards supporting employee compensation and retention. Attached is the Amended Agreement for your consideration.
- B. **Vote to Approve Issuing a Request for Qualifications (RFQ) for the Purchase and Development of the National Guard Readiness Property for Residential Use (requested by the National Guard Building Reuse Commission).** The National Guard Building Reuse Commission met on October 5th and voted to recommend issuing an RFQ to look for a developer as opposed to a specific project, this would allow the City and the Developer to negotiate potential plans for the site. Attached is a copy of the Consultant's Re-use Alternatives regarding the Council's final two preferred alternatives.

City Manager's Items (under section 12 of Agenda)

Informational Items

- A. **Warming Center Agreement.** Please see the attached “*Draft Agreement*”. Without objection, I will be finalizing and signing this Agreement with our partners once finalized. It does add the County into the Agreement as they will be providing Contract Management as well as providing funding received from the State. Council voted to authorize the City Manager to enter into an Agreement with the Cities of Dover and Rochester and a third party, without mentioning the County as a party (see attached). Therefore, I wanted to bring this modification to your attention.

City Manager’s Items - continued (under section 12 of Agenda)

Informational Items

- B. **Solar Array at the Superfund Site.** Director Scott Smith and I met last week with the Ameresco Project Team to discuss the status of the project and to review their comfort letter from the US Environmental Protection Agency. They indicated optimism in receiving final approval regarding their Interconnect Plan from Eversource by the end of the month. They will be sending us “*Drafts*” of their proposed Purchase Power Agreement (PPA), Lease and Payment in Liew of Taxes (PILOT) for Staff and Legal Counsel to review.

Attachments

1. **Department Head Reports**
2. **City Attorney Certifications - Three (3)**
Certification for Resolution No. 17-23 will be sent to us on Monday

NOMINATIONS, APPOINTMENTS AND ELECTION

There were no appointments for this meeting.

UNFINISHED BUSINESS

ORDINANCES

- A. **Ordinance 4-23** – To Amend Chapter 10, Welfare Guidelines

Councilor Pepin made a motion to adopt Ordinance 4-23 as submitted. The motion was seconded by Councilor Gibson and passed 9-0 by roll call vote.

- B. **Ordinance 5-23** – To Amend Chapter 8a, Sewerage Committee Article XIV

Councilor Pepin made a motion to adopt Ordinance 5-23 as submitted. The motion was seconded by Councilor Gerding and passed 9-0 by roll call vote.

- C. **Ordinance 6-23** – Supplemental Appropriation for Capital Improvements Projects for the School Department

Councilor Witham thanked Superintendent Lane for her remarks. He reiterated that the predictability of these funds is not strong and it makes much more sense to utilize one-time funds for one-time endeavors. Councilor Vincent stated he had good conversations with the Superintendent and understands the need for safety upgrades given the current climate.

Councilor Witham made a motion to adopt Ordinance 6-23 as submitted. The motion was seconded by Councilor Gerding and passed 9-0.

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 14-23** – To Authorize the City Manager to Contract with Electric Light Company of Cape Neddick, ME for the High Street Corridor Traffic Signal Improvements Funded Through a Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 14-23. The motion was seconded by Councilor Austin and passed by voice vote. Clerk Slaven performed a second reading of Resolution 14-23.

Councilor Witham made a motion to adopt Resolution 14-23 as submitted. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

- B. **Resolution 15-23** – To Authorize the City Manager to Contract with TEC, Inc. of Hampton, NH To Provide Construction Engineering Services Associated with the High Street Corridor Traffic Signal Improvements Funded through a Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 15-23. The motion was seconded by Councilor Austin and passed by voice vote. Clerk Slaven performed a second reading of Resolution 15-23.

Councilor Pepin made a motion to adopt Resolution 15-23 as submitted. The motion was seconded by Councilor Vincent and passed 9-0 by roll call vote.

- C. **Resolution 16-23** – To Authorize the City Manager to Enter into a Grant Agreement with the New Hampshire Department of Safety Regarding a Highway Safety Grant and Community Outreach and Betterment Grant

Resolution 16-23 will remain in first reading until the call of the Chair.

- D. **Resolution 17-23** – To Authorize the City Manager to Amend the Memorandum of Understanding with Four-Up, Inc.

Resolution 17-23 will remain in first reading until the call of the Chair.

OTHER

- A. Vote to Approve an Amendment to the Stewart's Ambulance Service, Inc. Agreement regarding the Accreditation Provision

Councilor Witham stated the idea of accreditation stemmed from law enforcement agencies, however, not many neighboring municipalities seek it. What it typically provides is guidelines and a framework for best practices. He stated Stewarts has and will continue to do things the right way with or without accreditation. Councilor Vincent seconded the notion that Stewarts and their director, Paul Robidas, operate at a high level. Councilor Pepin stated the Public Safety Committee voted to support the removal of the accreditation provision unanimously. Councilor Gibson stated he has seen accreditation issues during his time as a school board member. He stated the amount of time and energy that goes into accreditation is substantial so he has no problem supporting this action.

The vote to approve the amendment to the Stewart's Ambulance Service, Inc. agreement passed unanimously by voice vote.

- B. Vote to Approve Issuing a Request for Qualifications (RFQ) for the Purchase and Development of the National Guard Readiness Property for Residential Use
(Requested by the National Guard Building Reuse Commission)

Councilor Witham stated for this vote, it is important to discuss the history of how we got here. After acquiring the property, a Committee was formed, and with help from the Strafford Regional Planning Commission & consultants hired by them with grant funds, set out to determine the best reuse options for the property. The first option was recreational, however, that comes with significant costs to the City, but requires no rezoning. The second option was a commercial use such as a brew pub. This requires rezoning for a commercial use in an otherwise residential neighborhood. The third option was townhomes and 9 or 10 single-family homes. Option three resonated the most with the Committee and also other Councilors due to the potential income from the sale of the property, as well as continued additional tax revenue. Councilor Witham stated that staff feels the RFQ will get the ball rolling.

Councilor Gibson would like to amend the vote to remove the words “for residential use”. He stated a developer could have a creative idea for the property and wants to keep the parameters open to see what they can come up with. He continued that adding residential properties may bring quick revenue, but Somersworth has an imbalance in the ratio of housing to commercial. Adding residences at this location is not a good long-term investment for the City.

Councilor Gibson made a motion to amend item B under ‘Other’ by removing the words “for Residential Use”. The motion failed for lack of a second.

Councilor Vincent stated that a recreational use, including a pool, has worked for abutting municipalities such as Dover who started an ice arena. He stated that Councilor Gibson makes a good point regarding residential use and wants to dig deeper into uses for this property.

Councilor Messier stated that the proposal for housing at this location never resonated with him. He added that the City does not have enough Recreation buildings and would like to further explore this option.

Councilor Witham stated that he understands people have passion for recreation and the idea of a recreation center is an easy one to get behind, however, the reality is the City does not have the financial capability for one. Even making modest improvements to the building, the amount to renovate would already be in the millions of dollars. Councilor Witham added that the Recreation Department’s staff is woefully understaffed and the City would need to employ more people. He stated the vote before us today is just an RFQ to see what comes back.

Councilor Gibson stated that once we start down a path it can be difficult to control the momentum of the initial decisions and we need to have a plan to consider a broader spectrum of ideas.

Councilor Gerding stated he is on the National Guard Reuse Commission and at the beginning stated he was tempted by the idea of a community center, however, once learning of the costs the

appetite waned. He added that the City is still in the process of maintaining and improving what recreational amenities that we have.

Councilor Austin stated he believes the RFQ is an appropriate tool to use for the property. He added if we are hung up on one idea or the other, it makes sense to get a broader range of responses and ideas.

Councilor Austin made a motion to amend item B under ‘Other’ by adding the words “or Recreational Use” to the end.

Councilor Pepin stated he agrees with Councilor Gibson to open the RFQ up to other ideas than residential and then discuss about what fits and what does not. Councilor Witham stated he supports the amendment and reminded everyone that the consensus of the Council leaning towards residential use as discussed at the Committee level.

Councilor Austin’s motion to amend was seconded by Councilor Vincent and passed 5-4 by roll call vote. Councilors Pepin, Vincent, Gibson, and Messier voted No.

Councilor Vincent made a motion to table item B under ‘Other’. The motion was seconded by Councilor Gibson and failed 2-7 by roll call vote. Councilors Vincent and Gibson voted Yes.

Councilor Witham expressed a desire for Council members to have a greater consensus of Council regarding such a large property.

Councilor Witham made a motion to table item B under ‘Other’. The motion was seconded by Councilor Michaud and passed 8-1 by roll call vote. Councilor Austin voted No.

COMMENTS BY VISITORS

SUA56 Superintendent Lori Lane thanked Council on behalf of the School Department for the approval of the Supplemental Appropriation. She added she is excited to move forward with projects to make the SAU safer.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Vincent stated that tabling the vote for the National Guard property RFQ gives us a chance to regroup.

Councilor Austin gave a shoutout to former Councilor Dumont for his services and said he contributed a lot to the Community. He also mentioned the promotion for the grand opening of Jersey Mikes who will donate all proceed from October 26th to the School Department.

Councilor Michaud thanked emergency personnel for doing great work during the latest storm and Public Works for their cleanup efforts.

Councilor Witham gave a shoutout to emergency services. He also reported three lights out on Maple Street.

Councilor Gerding reminded the Public that the election is on November 8th and polls are open from 7am-7pm.

Councilor Cameron gave a shoutout to the Somersworth High School Football Team and said she is looking forward to the Christmas parade.

Councilor Messier thanked City Clerk Jonathan Slaven for his service to the City and wished him well in his future endeavors.

ADJOURNMENT

Councilor Gerding made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Michaud and passed by voice vote. The meeting adjourned at 9:10 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk

City of Somersworth – Ordinance 4-23

History

| | | | |
|------------------|------------|---------------------|--|
| First Read Date: | 10/03/2022 | Tabled: | |
| Public Hearing: | 10/17/2022 | Removed From Table: | |
| Second Read: | 10/17/2022 | | |

Discussion


10/03/2022

Ordinance 4-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council meeting.

10/17/2022

Councilor Pepin made a motion to adopt Ordinance 4-23 as submitted. The motion was seconded by Councilor Gibson and passed 9-0 by roll call vote.

| Voting Record | | YES | NO |
|---------------------|----------------|---------------|---------------|
| Ward 1 Councilor | Pepin | X | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Gibson | X | |
| 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: | | 9 | 0 |
| On 10/17/2022 | Ordinance 4-23 | PASSED | FAILED |

| | |
|---|---|
|  | City of Somersworth – Ordinance |
| | Ordinance No: 5-23 TO AMEND CHAPTER 8A, SEWERAGE COMMITTEE ARTICLE XIV |

October 3, 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:

Delete Chapter 8A, Sewerage Committee Article XIV, in its entirety, and replace it with:

Section 1. The Sewerage Committee shall be the appeals Committee for decisions made by the City Manager, or his/her designee concerning interpretation and execution of the provisions of this Ordinance.

Section 2. The Sewerage Committee shall be a Committee that consists of three members of the City Council. Appointment to the Sewerage Committee shall be by the Mayor in the normal course of assignment of the City Council Standing Committees.

| Authorization | |
|---|-----------------------------------|
| <i>Sponsored by Councilors:</i> Richard Michaud Matt Gerding Donald Austin Nancie Cameron | <i>Approved:</i> City Attorney |

October 17, 2022

City of Somersworth – Ordinance 5-23

History

| | | | |
|------------------|-----------|---------------------|--|
| First Read Date: | 10/3/2022 | Tabled: | |
| Public Hearing: | | Removed From Table: | |
| Second Read: | | | |

Discussion


10/03/2022

Ordinance 5-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council Meeting.

10/17/2022

Councilor Pepin made a motion to adopt Ordinance 5-23 as submitted. The motion was seconded by Councilor Gerding and passed 9-0 by roll call vote.

| Voting Record | | YES | NO |
|---------------------|----------------|---------------|---------------|
| Ward 1 Councilor | Pepin | X | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Gibson | X | |
| 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: | | 9 | 0 |
| On 10/17/2022 | Ordinance 5-23 | PASSED | FAILED |

|  | City of Somersworth – Ordinance |
|---|---|
| | <p>Ordinance No: 6-23</p> <p>SUPPLEMENTAL APPROPRIATION FOR CAPITAL IMPROVEMENTS PROJECTS FOR THE SCHOOL DEPARTMENT</p> |

October 3, 2022

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

The annual budget for the City of Somersworth for Fiscal Year 22-23 is amended as follows:

Appropriate \$262,833 (Two Hundred Sixty-Two Thousand Eight Hundred Thirty-Three dollars) from an unanticipated State of New Hampshire Extraordinary Needs Grant Revenue to the School Department Budget as follows;

| | | |
|-----------------|------------|----------------|
| Original Budget | Amendment | Revised Budget |
| \$ 26,759,213 | \$ 262,833 | \$ 27,022,046 |

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Jonathan Slaven
City Clerk

Background:

This Ordinance appropriates a portion of an unanticipated revenue from the State of New Hampshire Extraordinary Needs Grant to the School Department. The net amount to be received from the State is \$262,833. The intent is to use this appropriation, for some or all of the following Capital Improvements based on actual cost; Upgrades to the High School Entrance to improve security; Upgrades to the SAU Office Entrance to improve security and ADA compliance; District Wide Security Upgrades to locks and card readers.

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

| Authorization | |
|--|--|
| <p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Donald Austin Matt Gerding</p> | <p><i>Approved:</i></p> <p>City Attorney</p> |

October 17, 2022

City of Somersworth – Ordinance 6-23

History

| | | | |
|------------------|------------|---------------------|--|
| First Read Date: | 10/3/2022 | Tabled: | |
| Public Hearing: | 10/17/2022 | Removed From Table: | |
| Second Read: | 10/17/2022 | | |

Discussion

10/3/2022


Ordinance 6-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for the next City Council meeting.

10/17/2022

Councilor Witham thanked Superintendent Lane for her remarks. He reiterated that the predictability of these funds is not strong and it makes much more sense to utilize one-time funds for one-time endeavors. Councilor Vincent stated he had good conversations with the Superintendent and understands the need for safety upgrades given the current climate.

Councilor Witham made a motion to adopt Ordinance 6-23 as submitted. The motion was seconded by Councilor Gerding and passed 9-0.

| Voting Record | | YES | NO |
|---------------------|---------|----------|----------|
| Ward 1 Councilor | Pepin | X | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Gibson | X | |
| 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: | | 9 | 0 |

|  | City of Somersworth – Resolution | | | |
|---|--|----------------|---------------|---------------|
| | Resolution No: 14-23 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH ELECTRIC LIGHT COMPANY OF CAPE NEDDICK, ME FOR THE HIGH STREET CORRIDOR TRAFFIC SIGNAL IMPROVEMENTS FUNDED THROUGH A CONGESTION MITIGATION AND AIR QUALITY (CMAQ) IMPROVEMENT PROGRAM GRANT | | | |
| On 10/17/2022 | | Ordinance 6-23 | PASSED | FAILED |

October 17, 2022

WHEREAS, the Somersworth City Council adopted Resolution 37-18 authorizing the City Manager to enter into a Grant Agreement with the New Hampshire Department of Transportation and to accept a Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant; and

WHEREAS, the City’s consultant engineer for the project solicited proposals from qualified contractors to make the High Street corridor traffic signal improvements; and

WHEREAS, the City’s consultant engineer for the project reviewed the proposals received and recommends awarding the contract to Electric Light Company of Cape Neddick, Maine for an amount of \$528,960 (Five Hundred Twenty-Eight Thousand Nine Hundred Sixty Dollars); and

WHEREAS, this contract recommendation was reviewed and authorized for award by the State of New Hampshire Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Electric Light Company of Cape Neddick, Maine for an amount of \$528,960 (Five Hundred Twenty-Eight Thousand Nine Hundred Sixty Dollars) to make the High Street corridor traffic signal improvements and to take any other action relative to this project determined to be in the best interest of the City.

| Authorization | |
|---|-----------------------------------|
| <i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilors:</i> David A. Witham Nancie Cameron Matt Gerding | <i>Approved:</i> City Attorney |

October 17, 2022

| | |
|---|--|
| Donald Austin Denis Messier Richard Michaud | |
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City of Somersworth – Resolution 14-23

History

| | | | |
|------------------|------------|---------------------|--|
| First Read Date: | 10/17/2022 | Tabled: | |
| Public Hearing: | | Removed From Table: | |
| Second Read: | 10/17/2022 | | |


Discussion

10/17/2022

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 14-23. The motion was seconded by Councilor Austin and passed by voice vote. Clerk Slaven performed a second reading of Resolution 14-23.

Councilor Witham made a motion to adopt Resolution 14-23 as submitted. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

| Voting Record | | YES | NO |
|--------------------|------------------|--------|--------|
| Ward 1 Councilor | Pepin | X | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Gibson | X | |
| 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: | | 9 | 0 |
| On 10/17/2022 | Resolution 14-23 | PASSED | FAILED |

|  | City of Somersworth – Resolution |
|---|--|
| | <p>Resolution No: 15-23</p> <p>TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH TEC, INC. OF HAMPTON, NH TO PROVIDE CONSTRUCTION ENGINEERING SERVICES ASSOCIATED WITH THE HIGH STREET CORRIDOR TRAFFIC SIGNAL IMPROVEMENTS FUNDED THROUGH A CONGESTION MITIGATION AND AIR QUALITY (CMAQ) IMPROVEMENT PROGRAM GRANT</p> |

October 17, 2022

WHEREAS, the Somersworth City Council adopted resolution 37-18 authorizing the City Manager to enter into a Grant Agreement with the New Hampshire Department of Transportation and to accept a Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant; and

WHEREAS, City staff solicited proposals from qualified consultants to provide construction engineering services associated with the High Street corridor traffic signal improvements; and

WHEREAS, City staff reviewed the proposals received and recommends awarding the contract to TEC, Inc of Hampton, NH for an amount of \$53,479 (Fifty-Three Thousand Four Hundred Seventy-Nine Dollars); and

WHEREAS, this contract recommendation was reviewed and authorized for award by the State of New Hampshire Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with TEC, Inc. of Hampton, NH for an amount of \$53,479 (Fifty-Three Thousand Four Hundred Seventy-Nine Dollars) to provide construction engineering services associated with the High Street corridor traffic signal improvements and to take any other action relative to this project determined to be in the best interest of the City.

| Authorization | |
|--|---|
| <p><i>Sponsored by:</i> Mayor Dana S. Hilliard</p> <p><i>Councilors:</i> David A. Witham Nancie Cameron Matt Gerding</p> | <p><i>Approved:</i> City Attorney</p> |

October 17, 2022

| | |
|---|--|
| Donald Austin Denis Messier Richard Michaud | |
|---|--|

City of Somersworth – Resolution 15-23

History

| | | | |
|------------------|------------|---------------------|--|
| First Read Date: | 10/17/2022 | Tabled: | |
| Public Hearing: | | Removed From Table: | |
| Second Read: | 10/17/2022 | | |


Discussion

10/17/2022

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 15-23. The motion was seconded by Councilor Austin and passed by voice vote. Clerk Slaven performed a second reading of Resolution 15-23.

Councilor Pepin made a motion to adopt Resolution 15-23 as submitted. The motion was seconded by Councilor Vincent and passed 9-0 by roll call vote.

| Voting Record | | YES | NO |
|---------------------|------------------|---------------|---------------|
| Ward 1 Councilor | Pepin | X | |
| Ward 2 Councilor | Vincent | X | |
| Ward 3 Councilor | Gibson | X | |
| 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: | | 9 | 0 |
| On 10/17/2022 | Resolution 15-23 | PASSED | FAILED |

| | |
|---|--|
|  | <p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 16-23</p> <p>TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE DEPARTMENT OF SAFETY REGARDING A HIGHWAY SAFETY GRANT AND COMMUNITY OUTREACH AND BETTERMENT GRANT</p> |
|---|--|

October 17, 2022

WHEREAS, the City of Somersworth has applied for a New Hampshire Highway Safety Enforcement Grant, and

WHEREAS, the City of Somersworth has received notification of a New Hampshire Highway Safety Enforcement Grant in the amount of \$8,200 with a maximum City in-kind match of \$2,050; and

WHEREAS, the New Hampshire Highway Safety Enforcement Grant will provide additional funding for the City of Somersworth Police Department for enforcement patrols and overtime; and

WHEREAS, included with the New Hampshire Highway Safety Grant the City of Somersworth has received notification of a Community Outreach and Betterment Grant award in the amount of \$20,000 with a maximum City in-kind match of \$5,000; and

WHEREAS, the Community Outreach and Betterment Grant will provide funding to the City of Somersworth Police Department for increased outreaching to traditionally underserved New Hampshire Drivers;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH that the City accepts the terms and conditions of the New Hampshire Highway Safety Enforcement Grant and the Community Outreach and Betterment Grant, and furthermore, 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>Martin Pepin David A. Witham Donald Austin Denis Messier Matt Gerding Nancie Cameron</p> | <p><i>Approved:</i></p> <p>City Attorney</p> |

| | |
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| Robert Gibson Richard Michaud | |
|----------------------------------|--|

City of Somersworth – Resolution 16-23

History

| | | | |
|------------------|------------|---------------------|--|
| First Read Date: | 10/17/2022 | Tabled: | |
| Public Hearing: | | Removed From Table: | |
| Second Read: | | | |

Discussion

10/17/2022

Resolution 16-23 will remain in first reading until the call of the Chair.

| Voting Record | | YES | NO |
|---------------------|---------|---------------|---------------|
| Ward 1 Councilor | Pepin | | |
| Ward 2 Councilor | Vincent | | |
| Ward 3 Councilor | Gibson | | |
| 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: | | | |
| Resolution 16-23 | | PASSED | FAILED |



City of Somersworth – Resolution

Resolution No: **17-23**

TO AUTHORIZE THE CITY MANAGER TO AMEND THE MEMORANDUM OF UNDERSTANDING WITH FOUR-UP, INC.

October 17, 2022

WHEREAS, the City of Somersworth has a lease agreement with Four-Up, Inc. (The Oaks Golf Course) to operate a golf course on City owned property; and

WHEREAS, the City of Somersworth subsequently entered into a Memorandum of Understanding (MOU) on August 14, 2003 with Four-Up, Inc. to supply untreated water for irrigation purposes from the City owned wells on Rocky Hill Road; and

WHEREAS, Section 5(a) of the MOU provides Four-Up, Inc. a discount of 2% off the City's customer rate to acknowledge that the water supplied is untreated through the City's Water Treatment Facility; and

WHEREAS, City staff was asked to analyze the cost to provide untreated water from the Rocky Hill Road well and compare that to the current discount provided; and

WHEREAS, after review, City staff recommends to amend Section 5(a) of the MOU by deleting it in its entirety and replace with the following:

Section 5(a) Four-Up, Inc. will pay for water under this MOU at prevailing City customer rates less thirty-five percent (35%) (the approximate savings realized by the City not providing treatment to the water provided under this MOU); and

WHEREAS, City staff reviewed this recommendation with the Finance Committee and they support this recommendation,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the memorandum of understanding with Four-Up, Inc.

| Authorization | |
|---|-----------------------------------|
| <i>Sponsored by Councilors:</i> David A. Witham Donald Austin | <i>Approved:</i> City Attorney |

City of Somersworth – Resolution 17-23

History

| | | | |
|------------------|------------|---------------------|--|
| First Read Date: | 10/17/2022 | Tabled: | |
| Public Hearing: | | Removed From Table: | |
| Second Read: | | | |

Discussion

10/17/2022

Resolution 17-23 will remain in first reading until the call of the Chair.

| Voting Record | | YES | NO |
|---------------------|---------|---------------|---------------|
| Ward 1 Councilor | Pepin | | |
| Ward 2 Councilor | Vincent | | |
| Ward 3 Councilor | Gibson | | |
| 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: | | | |
| Resolution 17-23 | | PASSED | FAILED |