

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, Gibson, Austin, Michaud, Witham, Gerding, Cameron and Messier.

Councilor Vincent was absent.

PLEDGE OF ALLEGIANCE

Councilor Gibson led the Pledge of Allegiance.

RECOGNITION OF INDIGENOUS PEOPLE – OUR NATIVE ANCESTRAL AMERICANS

Mayor Hilliard read the Recognition of Indigenous People – Our Native Ancestral Americans

PUBLIC HEARING

There were no Public Hearings.

COMMENTS BY VISITORS

There were no comments by visitors.

NEW BUSINESS

OTHER C

Mayor Hilliard requested that without objection from the City Council, we will move to the Agenda Item, Under Other C. Superfund Site Solar Array: City Council Vote to Assume Potential Risks Associated with Any Solar Array Panel Removal Due to Required Repairs Associated with the Superfund Cleanup Process if Directed by the Environmental Protection Agency (EPA) and/or the NH Department of Environmental Services (NHDES). There was no objection from the City Council.

City Manager Belmore stated that a draft lease agreement has gone back and forth between Ameresco and the City's Legal Counsel and is hopeful that it is finalized in the near future. He added that the City asked the developer five questions with one pertaining to if solar panels needed to go offline with direction from NHDES or EPA, the City would be responsible for the financial commitment to remove some of those panels as well as the loss of revenue to Ameresco. He added that this financial risk was discussed at the Finance Committee meeting last week. Manager Belmore stated that there was a consensus from the Finance Committee to support the financial risk in part because the site development plans would be reviewed by the City's environmental consultant Geosyntec and also by NHDES and US EPA, and to bring it to full Council, he added that Ameresco Representative, Ryan Fahey, is in attendance to answer any questions the Council may have.

Councilor Witham made a motion to suspend Council rules allowing questions to be asked to Mr. Fahey. The motion was seconded by Councilor Gibson and passed by voice vote 8-0.

Councilor Witham commented that the Finance Committee discussed what is the relative risk of removing panels if directed to do so by NHDES or EPA should the City move forward with the Solar Array and it was understood that the City along with Ameresco is taking a risk. He added that NHDES and EPA will have signed off on the ability for the City to move forward with this project and are aware of what is taking place on the site. From a risk assessment perspective, he added, the Committee believed that if any risk should develop it would be in later years and should that happen, he believes that the City will have taking in revenue from the pilot agreement with Ameresco could assist in covering costs should the City have to take action. Councilor Witham reported that the Committee discussed the possibility of the funds that are received from the pilot agreement be put into a dedicated fund which would go towards the need to cover any expenses down the road with this project.

Councilor Messier stated that the NHDES and EPA suggested this solar array project as suitable for the Superfund Site and questions if the project is worth it with their being a risk to discuss. He asked if the City is trying to dissolve themselves of monetary risk and putting that onto the developer.

Manager Belmore offered to clarify that a yes vote on Other C means that the City would be assuming the financial risk and responsibility and would not be shifting that onto the developer, Ameresco. He added that Councilor Messier is correct in that EPA has encouraged the City to develop a solar array on the Superfund Site and the risk is seen as minimal, however, if something were to develop over time, the City is financially responsible to take action and not Ameresco.

Councilor Pepin asked for additional information pertaining to the dedicated fund for this project. Councilor Witham clarified that the fund was only discussed as an idea at the Finance Committee but does not currently exist, it is something that the full Council would need to vote on.

Councilor Witham moved for a roll call vote; Mayor Hilliard stated that without objection the Council will institute a roll call vote, no objections.

Councilor Gibson asked who is responsible for replacement of solar panels due to wear. Manager Belmore confirmed that Ameresco is responsible for any damage, replacement or maintenance.

Councilor Messier, assuming that the Contract will have language defining “risk”, asked if it is written down so the Council can review the language to ensure both Ameresco and the City understand the definition of risk pertaining to this project. Manager Belmore stated that the Contract language is still being ironed out and expects it be nearing conclusion, he added that the Contract will be brought to full Council and require a vote.

Ryan Fahey thanked the Council for their questions and time and confirmed that risk has been defined for both the City and Ameresco using many different scenarios, he went on to state that the risks that we are talking about in this case are unforeseen circumstances. Mr. Fahey reiterated that the EPA has been supportive and encourages the Solar Array project to move forward on the site adding that Ameresco has been in touch with EPA directly including sending a comfort letter discussing the project at the Superfund Site and the longevity of the cleanup process solution far outlasting the expected life of the project ultimately saying that there is a remedy in place and that solar panels can be installed and removed from the site after the term of the agreement with the City.

The vote to Assume Potential Risks Associated with Any Solar Array Panel Removal Due to Required Repairs Associated with the Superfund Cleanup Process if Directed by the Environmental Protection Agency (EPA) and/or the NH Department of Environmental Services (NHDES) passed by roll call vote 8-0.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Goal Setting Session held on January 30, 2023
- B. Approve Minutes of the City Council Meeting held on January 30, 2023

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

COMMENTS BY CITY COUNCILORS

There were no comments by 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 February 6th, 2023

Tonight, on the agenda for a first reading is Resolution 30-23 To Provide Guidance for Qualified Developers in Submitting Proposals for Reuse of the National Guard Readiness Center on Blackwater Road. The resolution is being brought forward by Councilor Witham and I have an in-depth discussion by this body on moving forward to seek development opportunities for the former National Guard property. The resolution would seek to amend the actions which occurred at the last council meeting by adding two future clarifying points.

- 1) Option A would include using the entire site and would call upon developers to create a plan to relocate the ball field and all related infrastructure to Millennium Park.
- 2) Option B would honor the strong social connection the ball field has played within this community and its history and exclude it from the development.
- 3)

While the Little League field might not meet the needs of classification as historic, it has played a strong role within this Community's history and social development. It has evolved to be recognized as part of the fabric of Somersworth and is worth either saving or relocating. I therefore respectfully request that this body support the adoption of this amendment.

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

Richard Brooks, re-appointment to the Historical District Commission with a term to expire February 2026

This respectfully concludes my February 6th, 2023 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee - Councilor Witham reported that the Finance Committee met on Friday, February 3rd at 8:00 a.m. The first item on the Agenda was discussion pertaining to the School Board's request to use \$100,000 of estimated unspent funds from the current year's budget for use in the 2023-2024 budget which the Committee supports., Councilor Witham stated that according to Katie Krauss, Business Administrator, the School Department is anticipating \$500,000 - \$600,000 remaining at the end of the 2022-2023 fiscal year, he went on to explain that the reason the School Board is not asking for \$600,000 is because the fiscal year is not over and they need to keep a healthy balance for unanticipated needs as well as to not have a cavity in preparation of future budget years by not having the added revenue available.

Councilor Witham reported the next items being discussed were Capital Outlay Projects, the first being the Police Department Dispatch Radio Console equipment that is 15 years old and experienced breakdowns recently, the equipment is used for receiving and transmitting radio signals, tone activations, communication with Highway personnel, etc. and vital to City operations. Two-way Communications is the City's radio service provider has informed staff that the parts are almost impossible to find. The Finance Committee agreed that they would like to move quickly on the replacement of the equipment as they fear any imminent breakdown could adversely affect operations and propose authorizing up to \$200,000 of the roughly \$600,000 ARPA funds available to the City.

Councilor Witham reported on the next Capital Outlay item discussed by the Committee, the Public Works Facility Roof Replacement that is roughly a 20-30 years old metal roof. He explained that that roof has had many leaks that have received patch work on a fairly regular basis and is deemed to be at the end of its useful life. The Committee has proposed to move forward with a new roof on the Public Works Facility and received a quote of over \$190,000.

Councilor Witham reported the Committee having a discussion regarding tax deeded properties which takes place around this time every year, the City's Tax Collector provides a list of properties that are in arrears in their payment of property taxes. He added that the Committee doesn't typically look at properties until they are outside of a 3-year window. Councilor Witham stated that of the list they were provided, the Committee is looking to take action on two residential properties and a handful of mobile homes. He added that mobile homes are interesting to the Council because once the City assumes the deed to the home, as the owner of the home, the City must then pay park rent. Councilor Witham noted that if past practice is any indication of our future response, typically when the City makes contact with the property owner and notifies of the imminent deeding process, the property owners will usually reach out to make arrangements thus avoiding the deeding process.

The Finance Committee also had discussion around two tax exemptions that are currently offered in the City, one being the Veterans Tax Credit that requires some language modifications to be in line with State law and the second being Solar Tax Exemptions; the City currently offers an exemption to solar panels on businesses and properties if they are in support of that property and not selling back to the grid for a profit. He noted that State law has changed to allow exemption up to a certain amount of net metering, however, the Committee does not believe that is in the best interest of the City and will not be moving forward on language changes to the current solar tax exemption.

Councilor Witham reported that Finance Director Smith provided the Committee with an updated review of the current fiscal year operating budget and noted continuing to monitor Solid Waste

regarding recycling and Fire Department over expenditures caused by Engine number 3's need for an engine replacement as well as overtime needs.

Under miscellaneous, the Committee discussed the roof on the Noble Pines Water Tower and that no bids were received for the project. Councilor Witham stated that Wright Pierce Engineering did a study of the tower and recommended replacing the current failing fiberglass roof. Public Works Director Bobinsky is going to reach out to a company that specializes in this kind of project.

Government Operations Committee – Councilor Michaud reported that the Committee met on February 1st at 5:00 p.m. and had a discussion pertaining to the SOS Recovery Friendly Workplace (RFW) Initiative with Advisor, Amy Donle and Coordinator, Eileen Lawton. The Committee also heard from a Lived Experience Panelist, Randy, who shared his experiences with addiction and homelessness and what led him to the successful life he lives today, including people, programs and the first employer to take a chance on him during his recovery. Ms. Donle stated that the RFW Initiative is about connection and explained that the City, if they chose implement the program, would receive continued trainings at no cost and Ms. Lawton added that the City would have a wellness program in their back pocket to offer peer to peer support to their employees. The Government Operations Committee motioned to support the implementation of the RFW Initiative. The next Committee meeting is scheduled for Thursday, March 2nd at 5:00 p.m.

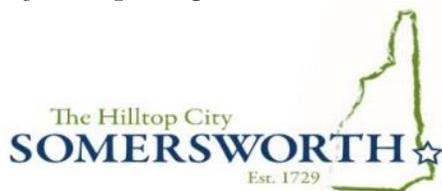
Economic Development Committee - Councilor Austin reported there is a meeting scheduled for Wednesday, February 15th at 5:00 p.m.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Somersworth School Board – Councilor Austin reported meeting with the School Board on Monday, January 30th and learned that for the current fiscal year, they had received an unanticipated revenue payment from the NH Retirement System in the amount of \$132,000. He added that the Board received a presentation from Somersworth students from each grade level sharing their day-to-day experiences, he commented that each of the students did a remarkable job, were well prepared and well spoken.

Joint Commission of the School Board and City Council – Met on January 30th and voted to recommend that the Finance Committee support a Resolution authorizing the use of \$100,000 in unanticipated funds/surplus from the current 22/23 fiscal year to next year's revenue balance.

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, February 3, 2023

SUBJECT: City Manager's Report for Monday, February 6, 2023 City Council Meeting

6:00 p.m. Council Workshop
Re: Joint Meeting with the School Board regarding the Fiscal Year 2024 Budget
Development

Unfinished Business (under Section 15 of Agenda)

Resolutions

- A. **Resolution No. 27-23: To Authorize the City Manager to Contract with Beta Group, Inc. for Engineering and Design Services for a Water Main Replacement Project on Main Street.** Again, the Public Works & Environment Committee and the Finance Committee accepted Staff's recommendation to award the contract to Beta Group, Inc.
- B. **Resolution No. 28-23: To Authorize the City Manager to Contract with Wright Pierce Engineering of Portsmouth, NH for Planning and Design Services Associated with Future Water Treatment Facility Upgrades.** Again, the Public Works & Environment Committee and the Finance Committee accepted Staff's recommendation to award the contract to Wright Pierce Engineering.

New Business (under Section 16 of Agenda)

Ordinances

- A. **Ordinance No. 14-23: Supplemental Appropriation for Unanticipated Heating Systems Replacement Projects at the Police Station and Department of Public Works Facility.** Attached are Memorandums from Police Chief Tim McLin and Public Works Director Mike Bobinsky given to the Finance Committee at their August 31, 2022 meeting. I recommend a Public Hearing be scheduled for the next regular Council meeting on Tuesday, February 21, 2023.

Without objection from the Council, the Public Hearing will be held during the next regularly scheduled Council meeting.

Resolutions

- A. **Resolution No. 29-23: To Authorize the City to Use Funding from the Building Maintenance Fund for the Unanticipated Replacement of the Heating Systems at the Police Station and Department of Public Works Facility.** The City spent \$34,430 on the Police Station repair and \$12,980 to complete the Public Works Facility repair. We had approximately \$143,000 in the Fund at the end of December, 2022.
- B. **Resolution No. 30-23: To Provide Guidance for Qualified Developers in Submitting Proposals for Reuse of the National Guard Readiness Center on Blackwater Road in Somersworth, NH.** Attached are Maps that depict Option A and Option B.

Other

- A. **Motion to Reconsider Ordinance No. 10-23 to Amend Chapter 14 Licenses and Permits, Sections 14.2 Permits, 14.3 Fees, 14.6 Applications, 14.7 and 14.8 (Requested by Councilor David. A. Witham).**
- B. **In Accordance with Resolution 31-21, the City Council to Provide Guidance for Budget Preparation for the Use of Fund Balance as Part of the School Department Budget; the City Council Votes to Authorize the Use of \$ 100,000 of the Anticipated School Department FY 2023 Surplus as a Revenue Source as Part of the School Department/School Board FY 2023-2024 Budget.** Attached are documents that were presented to the Joint Commission of City Council and School Board at their Tuesday, January 31st meeting; and presented to the Council's Finance Committee at their Friday, February 3rd meeting.
- C. **Superfund Site Solar Array: City Council vote to assume potential risks associated with any Solar Array panel removal due to required repairs associated with the Superfund cleanup process if directed by the Environmental Protection Agency (EPA) and/or the NH Department of Environmental Services.** A Draft Lease Agreement has gone back and forth between Ameresco and the City's Legal Counsel; I am hopeful that it can be finalized in the very near future. The City also asked the developer five (5) questions on January 11th that would assist in this process. I received the responses yesterday. The Finance Committee discussed the risks outlined in the response to #1 in the attached email. An Ameresco representative, Ryan Fahey, plans to attend the Council meeting should you have any questions.

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

Informational Items

- A. **FY2023-2024 Geosyntec Contract Amendment for the Somersworth Landfill Superfund Site.** In keeping with past practice, and without objection, I will be signing the Attached Draft Contract Amendment for proposed monitoring work to be done by Geosyntec Consultants as required by the EPA, this would cover FY 23/24. This Remedial Action Services contract outlines our compliance obligations in accordance with the existing EPA Consent Decree and Record of Decision (ROD) as well as other work that may be required by the EPA from time to time. The Contract costs and other associated budgeted expenses are split between the City at 50.5% and GE at 49.5%.

Attachments

1. **City Attorney Certifications: Three (3)**

NOMINATIONS, APPOINTMENTS AND ELECTION

In accordance with Council Rules 17 Appointments, the following is being brought forward for a confirmation vote:

Richard Brooks re-appointed to Historical District Commission with a term to expire February 2026.

Councilor Witham motioned to re-appoint Richard Brooks to the Historical District Commission. The motion was seconded by Councilor Pepin

Discussion:

Councilor Witham commented that Mr. Brooks was in attendance at the Council meeting and takes time out of his schedule to come to the meeting when his name is up and even beyond that, adding that Mr. Brooks is thoughtful, articulate, and puts the time and energy in. Councilor Witham commented that although they do not always agree, he appreciates Mr. Brooks way of articulating his rationale of the reason for his vote and supports the re-appointment.

Councilor Gerding seconded the comments of Councilor Witham pertaining to Mr. Brooks, adding that he has sat on the Historic District Commission with Mr. Brooks for the last 6 years. Councilor Gerding continued that Mr. Brooks is very thorough and has knowledge of all the rules and regulations and Ordinances surrounding the Historic District, his willingness to sit on sub-committees and going above and beyond for the Commission. Councilor Gerding happily supports Mr. Brooks’ re-appointment to the Historic District Commission.

The motion passed 8-0 by a voice vote.

LAY ON THE TABLE

No items Lay on the Table.

UNFINISHED BUSINESS

RESOLUTIONS

- A. **Resolution 27-23** – To Authorize the City Manager to Contract with BETA Group, Inc. for Engineering and Design Services for a Water Main Replacement Project on Main Street

Clerk LaPanne performed a second reading on Resolution 27-23.

Councilor Pepin made a motion to adopt Resolution 27-23 as submitted. The motion was seconded by Councilor Austin.

No Discussion.

Clerk LaPanne was recognized to call the roll, the motion passed 8-0 by roll call vote.

- B. **Resolution 28-23** – To Authorize the City Manager to Contract with Wright Pierce Engineering of Portsmouth, NH for Planning and Design Services Associated with Future Water Treatment Facility Upgrades

Clerk LaPanne performed a second reading on Resolution 28-23.

Councilor Gibson made a motion to adopt Resolution 28-23 as submitted. The motion was seconded by Councilor Austin.

No Discussion.

Clerk LaPanne was recognized to call the roll, the motion passed 8-0 by roll call vote.

NEW BUSINESS

ORDINANCES

- C. **Ordinance 14-23** – Supplemental Appropriation for Unanticipated Heating Systems Replacement Projects at the Police Station and Department of Public Works Facility

Clerk LaPanne performed a first reading of Ordinance 14-23.

Ordinance 14-23 will remain in first reading until the call of the chair.

A Public Hearing is scheduled for the next regular scheduled City Council meeting.

RESOLUTIONS

- A. **Resolution 29-23** – To Authorize the City to Use Funding from the Building Maintenance Fund for the Unanticipated Replacement of the Heating Systems at the Police Station and Department of Public Works Facility

Clerk LaPanne performed a first reading of Resolution 29-23.

Resolution 29-23 will remain in first reading until the call of the chair.

- A. **Resolution 30-23** – To Provide Guidance for Qualified Developers in Submitting Proposals for Reuse of the National Guard Readiness Center on Blackwater Road in Somersworth, NH

Clerk LaPanne performed a first reading of Resolution 30-23.

Resolution 30-23 will remain in first reading until the call of the chair.

OTHER

- A. A motion to reconsider Ordinance 10-23 To Amend Chapter 14 Licenses and Permits, Sections 14.2 Permits, 14.3 fees, 14.6 application, 14.7 and 14.8 (Requested by Councilor David A. Witham)

The motion was seconded by Councilor Gibson.

Discussion:

Councilor Witham explained that his motion for reconsideration was due to the questions he presented during the last Council meeting with the intention of sending it back to the Government Operations Committee for review after hearing feedback from the Council.

The motion passed 6-2 by voice vote. Councilor Messier and Councilor Michaud voted no.

Councilor Witham made a motion to rerefer Ordinance 10-23 to the Government Operations Committee. The motion was seconded by Councilor Gibson and passed 7-1 by voice vote. Councilor Messier voted no.

- B. In Accordance with Resolution 31-21, the City Council to Provide Guidance for Budget Preparation for the Use of Fund Balance as Part of the School Department Budget; the City Council Votes to Authorize the Use of \$100,000 of the Anticipated School Department FY 2023 Unexpended Funds/Surplus Funds as a Revenue Source as Part of the School Department/School Board FY 2023-2024 Budget

Discussion:

Councilor Gibson questioned that if the vote passes, could the amount be amended further down the line if additional surplus funds were available given the proposed tax impact for next fiscal year's school budget. Mayor Hilliard stated that there is a deadline for filing and moving this forward, adding that he would recommend amending the vote by adding an amount up to pertaining to language and referred the question to the City Manager. Manager Belmore stated that the City is able to adjust their revenues in September and assumes the School follows the same procedures and therefore could be adjusted at a later date.

Councilor Austin cautioned Councilors that the \$100,000 figure has already been incorporated into the projected budget heard from the School Board during the Budget Workshop and if the vote were not to pass, the projected tax impact would be higher.

Councilor Witham stated that he is comfortable with the \$100,000 being requested by the School Department and expressed caution in raising the amount as to not create a hole in the future budget without having this revenue source to lean on.

Councilor Gibson stated that he understands Councilor Witham's cautions and that with the confirmation of being able to revisit the surplus funds at a later date, supports the vote as is.

The vote to authorize the use of \$100,000 of the anticipated School Department FY 2023 Unexpended Funds/Surplus Funds as a Revenue Source as Part of the School Department/School Board FY 2023-2024 Budget passed 8-0 by voice vote.

COMMENTS BY VISITORS

There were no comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Gibson commented that he likes what has developed over the years between the School Board and the City Council, he recalls difficulties in the past and appreciates the good working relationship that is currently had and hopes to maintain that in future years between the two bodies. He added that Somersworth has done a great job of taking care of their students with the resources that they have available to provide a good education.

Councilor Austin commented on the reports that the Council has been getting from the SOS pertaining to the Emergency Warming Center, stating that the reports are easy to understand giving the Council a really good idea of what is happening there and believes that this year has shown success in terms of being able to provide services to the individuals staying at the Center. He thanked the groups and volunteers that are managing the staffing and providing food.

Councilor Witham commented on Resolution 30-23 to provide guidance for developers on their proposals of the National Guard Readiness Center as it will have its second reading at the next regularly scheduled Council meeting and be up for discussion and action of the Councilors, since he will be sitting in as the role of Deputy Mayor, he decided to share his comments tonight stating that there was a workshop of the Council to discuss City owned properties including the National Guard Readiness Center, it went to Council for vote but he felt that it was not clear to him on what was being asked of developers and that it needed some tighter parameters thus his reasoning for crafting Resolution 30-23. Councilor Witham stated that he wanted to provide guidance for developers to

either include the Little League Field or not and that this Resolution was not intended to derail the vote that Council took but rather to provide some clarity. Councilor Witham commented on the growth of residential development throughout the City in recent years and finds it interesting that the School Board shared that student enrollment numbers have seen a steady decline doesn't seem to align with the residential growth but looks forward to the day that the City can increase their school enrollment as it is healthy for the Community.

Councilor Gerding commented that he would like to share some of his experience with others regarding the insights that he has learned of the last few years of how NH education funding works and how to better enlighten how to move forward particularly regarding the budget discussions had during the Joint Workshop of the City Council and School Board early in the day. He noted that the voucher system was passed in NH a couple of years ago which is a new system that initially cost the State \$300,000 in its first year with the following year costing the State \$14.4 million. Councilor Gerding spoke to the fact the funding is essentially taking public tax dollars from local municipalities to give to families who choose to homeschool their children or send them to a private school instead of feeding that back into the public school systems. He acknowledged that it is the parents' right to make the decision to send their child to public school or not, however, what is hard to digest is the loss of tax revenue to pay for the public school systems. Councilor Gerding mentioned that there are a number of different proposals to expand this voucher program, to broaden it and make it even more expensive which will then further the budgetary issues that the City of Somersworth is already experiencing. He asked that the Council be unified in taking action in saying that we as a Community are losing money noting that the City lost almost \$1 million in State education aid for the upcoming fiscal year.

Councilor Cameron thanked Richard Brooks for his insight and comments as part of the Historic District Commission and appreciates his continued volunteerism as a concerned citizen of the City.

Councilor Messier commented that he was out and about over the weekend a came into contact with an individual that owns a business in Dover which is expanding into Somersworth and wished the young gentleman well. Additionally, he would like an update regarding the disposal of the contaminated soil that was discovered during the construction of the new Fire Station. Councilor Messier agreed with Councilor Austin's comments regarding the reporting on the Emergency Warming Center provided with SOS and stated that he is happy that the first responders are not being inundated with service calls to the Center. He thanked the County, Communities and SOS for what they have done to protect individuals from the Winter weather.

ADJOURNMENT

Councilor Michaud made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Gibson and passed 8-0 by voice vote. The meeting adjourned at 8:08 p.m.

Respectfully Submitted,

Kristen LaPanne, City Clerk



City of Somersworth – Resolution

Resolution No: 27-23

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH BETA GROUP, INC. FOR ENGINEERING AND DESIGN SERVICES FOR A WATER MAIN REPLACEMENT PROJECT ON MAIN STREET

January 23, 2023

WHEREAS, the City of Somersworth’s fiscal year 2022-2023 adopted Water Enterprise Budget contains an appropriation for engineering and design services for the replacement of the water main on Main Street; and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to BETA Group, Inc. of Manchester, New Hampshire for a cost not to exceed \$100,000 (One Hundred Thousand Dollars); and

WHEREAS, the Finance Committee has reviewed the recommendation with City staff and supports the recommendation; and

WHEREAS, the Public Works and Environment Committee has reviewed the recommendation with City staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with BETA Group, Inc. of Manchester, New Hampshire for engineering and design services for the replacement of the water main on Main Street for an amount not to exceed \$100,000 (One Hundred Thousand Dollars) and to take any actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Donald Austin Matt Gerding Martin Pepin Denis Messier	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 27-23

History

First Read Date:	1/30/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	2/6/2023		

Discussion

1/30/2023

Clerk LaPanne performed a first reading of Resolution 27-23.

Resolution 27-23 will remain in first reading until the call of the chair.

2/6/2023

Clerk LaPanne performed a second reading on Resolution 27-23.

Councilor Pepin made a motion to adopt Resolution 27-23 as submitted. The motion was seconded by Councilor Austin.

No Discussion.

Clerk LaPanne was recognized to call the roll, the motion passed 8-0 by roll call vote

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	Excused	
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:		8	0

On 2/6/2023

Resolution 27-23

PASSED

FAILED



City of Somersworth – Resolution

Resolution No: **28-23**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT PIERCE ENGINEERING OF PORTSMOUTH, NH FOR PLANNING AND DESIGN SERVICES ASSOCIATED WITH FUTURE WATER TREATMENT FACILITY UPGRADES

January 23, 2023

WHEREAS, the City of Somersworth’s fiscal year 2022-2023 adopted Water Enterprise Budget contains an appropriation for planning and design services associated with future Water Treatment Facility upgrades; and

WHEREAS, City staff requested and received a proposal for this project and recommends awarding the contract to Wright Pierce Engineering of Portsmouth, NH for a cost not to exceed \$150,000 (One Hundred Fifty Thousand Dollars); and

WHEREAS, the Finance Committee has reviewed the recommendation with City staff and supports the recommendation; and

WHEREAS, the Public Works and Environment Committee has reviewed the recommendation with City staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract Wright Pierce Engineering of Portsmouth, NH for the planning and design of future Water Treatment Plant upgrades for an amount not to exceed \$150,000 (One Hundred Fifty Thousand Dollars) and to take any actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Donald Austin Matt Gerding Martin Pepin Denis Messier	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 28-23

History

First Read Date:	1/30/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	2/6/2023		

Discussion

1/30/2023

Clerk LaPanne performed a first reading of Resolution 28-23.

Resolution 28-23 will remain in first reading until the call of the chair.

2/6/2023

Clerk LaPanne performed a second reading on Resolution 28-23.

Councilor Gibson made a motion to adopt Resolution 28-23 as submitted. The motion was seconded by Councilor Austin.

No Discussion.

Clerk LaPanne was recognized to call the roll, the motion passed 8-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	Excused	
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:		8	0
On 2/6/2023 Resolution 28-23		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 14-23

SUPPLEMENTAL APPROPRIATION FOR UNANTICIPATED HEATING SYSTEMS REPLACEMENT PROJECTS AT THE POLICE STATION AND DEPARTMENT OF PUBLIC WORKS FACILITY

February 6, 2023

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 \$47,410 (Forty-Seven Thousand Four Hundred Ten dollars) from the Building Maintenance Fund to the Capital Outlay Budget as follows:

Budget	Amendment	Revised Budget
\$ 207,459	\$ 47,410	\$ 254,869

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Kristen LaPanne
City Clerk

Background:

This Ordinance appropriates funding from the Building Maintenance Fund to replace the heating systems at the Police Station and the Department of Public Works Facility.

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	
<i>Sponsored by Councilor:</i> David A. Witham Donald Austin Matt Gerding Richard Michaud	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 14-23

History

First Read Date:	2/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/6/2023

Clerk LaPanne performed a first reading of Ordinance 14-23.

Ordinance 14-23 will remain in first reading until the call of the chair.

A Public Hearing is scheduled for the next regular scheduled City Council meeting.

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:			
On	Ordinance 14-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **29-23**

TO AUTHORIZE THE CITY TO USE FUNDING FROM THE BUILDING MAINTENANCE FUND FOR THE UNANTICIPATED REPLACEMENT OF THE HEATING SYSTEMS AT THE POLICE STATION AND DEPARTMENT OF PUBLIC WORKS FACILITY

February 6, 2023

WHEREAS, the Somersworth City Council adopted Resolution 23-12 on April 16, 2012 to create a Non-Capital Reserve Fund known as the Building Maintenance Fund for the purpose of unanticipated and/or unplanned building maintenance for City and School Facilities, and

WHEREAS, the Police Station and Department of Public Works Facility incurred failures of the heating systems which required replacement to properly heat these facilities during the winter months; and

WHEREAS, City Staff solicited quotes and recommended using ProHVAC of Dover, NH for the replacement of the heating system units at each facility; and

WHEREAS, the Finance Committee reviewed this recommendation with City Staff and authorized staff to contract with ProHVAC for an amount not to exceed \$55,000, \$40,000 for the Police Facility and \$15,000 for the Public Works Facility, and to make the repairs as soon as possible; and

WHEREAS, the actual cost for the repairs at both facilities is \$47,410 (Forty-Seven Thousand Four Hundred Ten dollars); and

WHEREAS, the Finance Committee recommends utilizing the Building Maintenance Fund for these repairs; and

WHEREAS, the City Council is designated as agents to expend these funds,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize an amount of \$47,410 (Forty-Seven Thousand Four Hundred Ten dollars), from the Building Maintenance Fund for the unanticipated replacement of the heating systems at the Police Station and Department of Public Works Facility.

Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Matt Gerding
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 29-23

History

First Read Date:	2/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/6/2023

Clerk LaPanne performed a first reading of Resolution 29-23.

Resolution 29-23 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:			
On	Resolution 29-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 30-23

TO PROVIDE GUIDANCE FOR QUALIFIED DEVELOPERS IN SUBMITTING PROPOSALS FOR REUSE OF THE NATIONAL GUARD READINESS CENTER ON BLACKWATER ROAD IN SOMERSWORTH, NH

February 6, 2023

WHEREAS, the Somersworth City Council directed the City Manager and the City Council’s Economic Development Committee to solicit requests for reuse proposals from qualified developers for the former National Guard Readiness Center on Blackwater Road at a workshop held on Monday, January 30, 2023; and

WHEREAS, the proposals will seek reuse of the property for either residential or recreational purposes; and

WHEREAS, the current property is approximately a 7.28 acre lot comprising some open space, a 12,459 square foot assembly building, a 5,689 square foot maintenance garage, parking areas and a Little League Baseball Field and associated field amenities (concession, storage shed, batting cages, dugout, score booth); and

WHEREAS, the proposals may consider the full development of the site including the ball field or development of the site not including the ball field, or both; and

WHEREAS, use of the entire site would be noted as development **OPTION A** as identified on the attached map and use of the site excluding the ball field and associated support infrastructure (parking, concessions, etc.) would be identified as **OPTION B** as identified on the attached map; and

WHEREAS, qualified developers responding to OPTION A shall establish a plan for relocating the Little League Field to the site of the current softball field at Millennium Park to include needed reconstruction of the Millennium Park field into a regulation Little League Field to include irrigation, dugouts, a combined concession/score booth/storage room equal in size to existing amenities at the current site,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager will seek reuse development proposals from qualified developers in line with property utilization either identified as OPTION A or OPTION B as outlined and delineated on the attached maps.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard Councilor David A. Witham	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 30-23

History

First Read Date:	2/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/6/2023

Clerk LaPanne performed a first reading of Resolution 30-23.

Resolution 30-23 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:			
On	Resolution 30-23	PASSED	FAILED