



Minutes of City Council Meeting Monday, February 21, 2023

ROLL CALL OF MEMBERS

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

PLEDGE OF ALLEGIANCE

Councilor Gerding led the Pledge of Allegiance.

RECOGNITION OF INDIGENOUS PEOPLE – OUR NATIVE ANCESTRAL AMERICANS

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

PUBLIC HEARING

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

There were no public comments.

COMMENTS BY VISITORS

Shayntel Cormier of 86 High Street, shared comments of her concerns regarding her apartments code violations that her landlord, Anji Reddy, has not addressed. Ms. Cormier shared that her apartment went without heat for approximately a week in the beginning of February which then led to pipes freezing and bursting leaving them with no water for days. Ms. Cormier reported working with the City's Code Compliance Officer Conlin, and noted having around 15 code violations throughout her apartment. She continued stating that she has received multiple eviction notices and there are discrepancies in the amounts that the landlord is reporting as rent owed. Ms. Cormier referenced the article that Foster's Daily Democrat published regarding the many complaints against Anji Reddy and is sharing her story with the Council to ask for help and to raise awareness.

Caitlin Judd of 11 Ash Street, shared her experience of moving into her apartment with her family that is also owned by Anji Reddy. Ms. Judd stated that her home's basement has been infested with rats and that due to the uninhabitable nature of her apartment, they have been coming up into her living space. Ms. Judd noted that her apartment has nine code violations and she too has been working with the City's Code Compliance Officer Conlin, and commented that he has been incredible in helping to obtain the information and evidence needed for her upcoming court date on March 10th. Ms. Judd stated that her landlord has threatened eviction due to her withholding rent and putting it into an escrow account as she awaits the code violations being addressed adding that her family has been exposed to lead within the home. She continued to share issues of water damage and issues with no heat during the winter causing pipes to burst.

Norman Chelloux of 86 High Street, shared his comments regarding issues in the apartment including no heat or electricity in his bedroom.

CONSENT CALENDAR

- A. Approve Minutes of the Joint Workshop of the City Council and School Board 2023/2024 Proposed School Budget held on February 6, 2023
- B. Approve Minutes of the City Council Meeting held on February 6, 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 9-0.

COMMENTS BY CITY COUNCILORS

Councilor Vincent commented on the complaints shared by the visitors during public comment regarding Anji Reddy, and assured them that the City's Code Department would be looking into this heavily if they aren't already.

Councilor Gibson commented on his surprise that a real estate company may have misrepresented rental properties to potential tenants and hopes that was not the case. He wished the visitors the best of luck and his hope that issues are resolved and in the tenant's favor.

Councilor Gerding thanked the visitors for sharing their comments and having their voices heard. He stated that he will be looking into the State laws and City Ordinances regarding tenant rights to see what he is able to do, but is fearful that, besides court action that the City may already be involved in, the City and Council are limited in what they can do and apologizes if that is the case.

Councilor Pepin commented that when he was on the Fire Department, there were inspections required of buildings with more than 3 apartments and expressed the difficulty they would face in their efforts to get some landlords to comply. He mentioned that in previous years there was an effort made to gather landlords to discuss the possibility of passing some kind of legislation pertaining to an inspection program which had a good turnout of landlords, however, the landlords that the City tends to have the most issues with, live outside of this Community. Councilor Pepin acknowledged that he is aware of the City working as hard as they can on the issues brought up and also that the City is limited in the actions they can take, he added that the court system needs to take these types of complaints seriously.

Councilor Messier commented that he is aware that the City Code Department is doing a great job and continues to look into the complaints. He stated that the court systems are packed but there is no lack of effort from the City's Code Department and feels bad for the situation the visitors reported experiencing.

Councilor Cameron commented that she finds that what the visitors shared is absolutely deplorable and encouraged them to continue spreading the word of what this landlord is putting them through. She added that the City has a great Code Department and is hopeful that the court can provide some sort of resolution in the tenant's favor.

Councilor Austin commented that he is in support of the tenants, adding that he believes one of the best things that they can do is to continue to be public advocates for their situation and others going

through similar situations. He acknowledged that the court system has to go through their steps which takes time and it is unfortunate that City staff and Council cannot assist in moving the process any quicker. Councilor Austin feels that the more public attention that this type of situation creates, the more it will bring the necessary conversations to the forefront.

Councilor Michaud expressed his frustration of the way that the visitors are being treated by their landlord and recalled a similar situation within the City that was brought up in the past. He agreed with Councilor Pepin's comments regarding the Fire Department inspections that stopped many years ago and wonders if it is something that can be reinstated to protect tenants.

Deputy Mayor Witham thanked the visitors for speaking on their concerns and commented that in his experience, this agenda item is usually glossed over with minimal comments but with having heard from every Councilor, he assured that visitors that their comments have been heard. He added that City staff will continue to do what they can and if anything more can be done, it will be done. Deputy Mayor Witham suggested that the tenants continue to document by keeping pictures and records of their issues and to reach out to the City's Human Services Department to inquire about resources for free legal assistance.

COMMUNICATIONS

There were no communications.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were no presentations of petitions and disposal thereof by reference or otherwise.

MAYOR'S REPORT

Deputy Mayor Witham communicated that Mayor Dana S. Hilliard is away.

REPORT OF STANDING COMMITTEES

Economic Development Committee – Councilor Austin reported that the Committee met on February 15th and first discussed City-owned properties starting with 1 Winter Street of which the Mayor asked the Committee to consider options pertaining to what could be done with the property. He noted that Boston Pie Company was entertaining a proposal to develop a Domino's restaurant just over the bridge in Berwick, ME and the Committee asked that City Manager Belmore to follow-up on that, it turns out that the process is far enough along that the company is no longer interested in 1 Winter Street. The Committee also learned that the current proposal from Z-Capital Investments has been removed from the table and they are no longer interested in the property since the Council will not pay to move the sewer line. Councilor Austin reported that after further discussion of the Committee, two options were suggested, the first being to put out another request for proposal or the second option being to retain the property as City-owned; he added that Manager Belmore confirmed that after having received the Brownfields Grant for 1 Winter Street, the State and EPA would approve the City retaining the property for this purpose. The Committee suggested that the Council consider alternatives for the property if it is retained by the City, including the potential to rent space to food trucks, green space, parking, etc.

Councilor Austin reported that the Somersworth Plaza parking lot was the second City-owned property that was discussed, and the Committee agreed to begin by reviewing the charette document that was created years ago. Councilor Austin acknowledged that they are aware that the Eyes on 30 Committee has briefly discussed the property as well and perhaps there can be some synergy in terms of the discussion as to what may be possible for that space.

Councilor Austin stated that the Committee discussed wayfinding and Historic District signage that would identify specific locations and attractions throughout the City. He added that with the current budget available for this project, the Committee agreed that it is a good starting point to begin with smaller walking and vehicular signs identifying the City Hall, restaurants, Library, etc. Councilor Austin mentioned that there was discussion pertaining to larger signs that could be placed at the entrances of the City and the Committee agreed to revisit this in the future. City staff will report back to the Economic Development Committee once they receive an estimate from Sundance Sign.

Lastly, Councilor Austin reported that City staff have prepared a bid draft for the former Police Station and Manager Belmore asked the Committee if there were any specifications or requirements they might wish to add. The Committee discussed whether they should require a developer to take some sort of action within a specified amount of time after purchasing the property, but it was agreed to not add any requirements of such to the bid.

Government Operations Committee – Councilor Michaud reported that the Committee is scheduled to meet on Thursday, March 2 at 5:00 p.m.

Public Works & Environment Committee – Deputy Mayor Witham reported that the Committee met on February 15th and began their discussion with the bid results of the road resurfacing and sidewalk repairs. He reported that the City received three bids from contractors, all of which have done work within the City previously, he noted that GMI Asphalt, LLC came in with the lowest bid and had favorable references, therefore, the Committee unanimously voted to award the contract to GMI Asphalt, LLC. Deputy Mayor Witham stated that the sidewalk repairs project quote came in significantly higher than was originally expected, which led the Committee in deciding to remove the Green Street section of sidewalk being proposed in the project due to the complexity and high cost of that specific section of sidewalk.

Deputy Mayor Witham reported that the Committee discussed the former Prince's Garage property located at 261 Main Street that has contaminated soil. He stated that it can be difficult for private entities to get approved for grants that assist in the cleanup costs of the contamination. David Baker reached out to the City and proposed temporarily transferring ownership to the City solely for the cleanup purposes and then the City would transfer the ownership back to Mr. Baker. Deputy Mayor Witham stated that the consensus of the Committee was in favor of this proposal.

Deputy Mayor Witham reported that the next agenda item discussed was the contaminated soil that was identified on the new Fire Department property during construction. The contaminated soil was moved to a location where it was placed and covered with protective plastic while awaiting further instruction on how to properly dispose of the contaminated soil. City staff learned that there is a landfill that would accept the contaminated soil in Niagara Falls, New York with the tipping fee of roughly \$250,000 and the transportation of the contaminated soil will be an additional cost of roughly \$750,000. The Committee agreed to recommend the City not take any action on the disposal of the contaminated soil at this time. Deputy Mayor Witham stated that the NH DES officials are aware of the soil and its current state, adding that Manager Belmore has continued to communicate with NH DES looking for their guidance on a better and more cost-effective way of disposal.

Deputy Mayor Witham stated that the Committee had a discussion pertaining to a list of roads within the City that have been identified as private ways and noted that some of the roads are being brought for consideration of City acceptance. While many of the roads are not currently built to City standard and therefore, would not be accepted by the City as public roads. There was additional discussion regarding the purchasing of signage that identifies the roads as private to avoid future confusion regarding who is responsible for the maintenance of the road. With budgetary concerns, the Committee agreed to start with the private roads with several residential properties that may have the look of a City street but are not.

Councilor Gibson asked if the City should be receiving a reimbursement for private roads that the City has agreed to plow until the end of the season due to previous miscommunications. Deputy Mayor Witham clarified that the City has only been plowing one private road that the City agreed to continue for the remainder of the winter season and then the property owners would be responsible for the maintenance going forward. Councilor Gibson inquired about a GPS mapping system that the Public Works Department could utilize to avoid future confusion. Deputy Mayor Witham stated that the Committee discussed the private road signs as a way to avoid confusion and will mention the mapping system at the next Committee meeting.

Councilor Gibson asked, pertaining to 261 Main Street property, if the City would be obligated to share any of the costs regarding the cleanup. City Manager Belmore confirmed that City staff, with the help of the City's Attorney, have drafted a purchase and sales agreement that specifies the property owner is responsible for any costs associated with the property and cleanup.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Somersworth School Board – Councilor Austin reported meeting with the School Board on February 14th and confirmed the date of graduation is June 8, 2023 at 6:00 p.m. at the UNH Whittemore Center. He stated that the bulk of the meeting was regarding the 2023/2024 proposed budget and he felt it was clear that the School Board has not yet come to a consensus on the budget and have an upcoming meeting scheduled for February 27th. Councilor Austin reported that there was discussion of adding back two positions into the proposed budget which several School Board members were in favor of.

Eyes on 30 Committee – Councilor Cameron reported that the Committee met on February 15th and determined seven goals and will be meeting on March 29th to discuss how the City can achieve the goals and to identify action items.

Planning Board – Deputy Mayor Witham reported that the Planning Board approved multiple applications including a single-family home off of Cole's Pond Road, an industrial warehouse near the Warming Shelter, and the conditional use permit for the timber cut at the Oaks Golf Course. He added that the recent weather has not been conducive for the timber cut with the ground being too soft and that it is unlikely that there will be any cutting this year, however, all conditions of the permit have been met. Deputy mayor Witham reported that the proposed development for 85 Elm Street was not approved and the Planning Board agreed to continue the application while the developer addresses concerns from the Planning Board regarding parking.



Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager
DATE: Friday, February 17, 2023
SUBJECT: City Manager's Report for Tuesday, February 21, 2023 City Council Meeting

6:00 p.m. Non-meeting – Union Negotiations

*6:30 p.m. Council Workshop
Re: Presentation by Placework Architects ~ Public Library Expansion/ADA
Improvements Study*

Unfinished Business (under Section 15 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.** Again, the Finance Committee supports this Supplemental Appropriation.

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.** Again, 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.** Again, attached are maps depicting Option A and Option B.

New Business (under Section 16 of Agenda)

Ordinances

- A. Ordinance No. 15-23: To Amend Chapter 34, Exemptions and Credits, Section 34.2, Veterans' Property Tax Credit.** The Finance Committee met on February 3rd and recommended

this housekeeping item to align with House Bill 1667 that passed in June of 2022. The revised NH Statue affects our current Veterans' Credit in 2 ways. This action to re-adopt the current Veterans' Credit will include active military if they meet the requirements and not just discharged military veterans. In addition, if we don't re-adopt this tax credit, the City will revert to the \$50 standard Veterans' Credit. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, March 6, 2023.

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

B. Ordinance No. 16-23: Supplemental Appropriation for Sidewalk Improvements. The Public Works & Environment Committee met on February 15th and voted to recommend this funding formula to the full Council. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, March 6, 2023.

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

Resolutions

A. Resolution No. 31-23: Vote to Support the City of Somersworth Joining a Statewide Public Transportation Coalition. Mayor Hilliard and I recently met with Rad Nichols, COAST Executive Director to discuss this initiative. Rad has been visiting other COAST served Communities to solicit a strong membership for this Coalition. I have attached copies of information that Rad provided to the Mayor and I.

B. Resolution No. 32-23: To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien. The Finance Committee took up this matter at their February 3rd meeting and voted to support Resolution No. 32-23, & Resolution No. 33-23. This recommendation is based on the past practice to deed the most delinquent properties and allow more time for others to come into tax payment compliance. Attached is the list of properties that was provided to the Finance Committee.

C. Resolution No. 33-23: To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Properties Located on Wexford Lane and Blackwater Road Subject to an Unredeemed Tax Lien. The recommendation of 'not to accept' is based on the land containing buried debris; i.e., potential contamination clean-up costs.

D. Resolution No. 34-23: To Authorize the City Manager to Contract with GMI Asphalt, Inc. of Belmont, NH for Fiscal Year 2023 Road Resurfacing Improvements. Attached is a summary of bids received from City Engineer Amber Hall.

E. Resolution No. 35-23: To Authorize the City Manager to Contract with GMI Asphalt, Inc. of Belmont, NH for Fiscal Year 2023 Sidewalk Repair and Reconstruction Project. The Public Works & Environment Committee met on February 15th to discuss the three (3) bids received for the Road Resurfacing and the Sidewalk Repairs. After review, the Committee accepted Staff's recommendation to award the contract to GMI Asphalt, Inc. Attached is a Memorandum from City Engineer Amber Hall.

Other

- A. **Vote to Ratify a 3-Year Wage and Working Agreement between the City of Somersworth and Public Works/Highway Division Union, AFSCME Council 93, Local 863.** Attached is a “*confidential*” Memorandum regarding this Tentative Agreement.
- B. **Vote to Waive the Excavation Moratorium for the TAP Grant Project.** Please see the attached Memorandum from City Engineer Amber Hall and the request from Northeast Earth Mechanics.

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

Informational Items

- A. **City Board Committee Nominations.** Per RSA 422:37, I am pleased to inform you that I have appointed Scott Smith, Finance Director/Deputy City Manager to the Skyhaven Airport Advisory Council. I have also nominated Michelle Mears, Director of Planning & Community Development for a seat on the Great Falls Development Corporation Board of Directors. I am confident both of them will serve Somersworth’s best interests.

City Manager Belmore commented that under the new revised bylaws of the Great Falls Development Corporation Board of Directors, it states that the City Manager recommends a staff member to the entire Board who then needs to ratify that appointment which has not been done yet. Manager Belmore added that the City Manager and Mayor, according to State law, have an appointment to the Skyhaven Airport Advisory Council.

- B. **Moose Plate Grant Amendment.** The City was notified that the additional \$15,000 Grant Funding request (original Grant was \$10,000) to replace the Italianate Well House Roof at Forest Glade Cemetery was approved by the Executive Council.
- C. **Former Police Station.** The Economic Development Committee met on February 15th and stated that their collective understanding was that the City is not placing any conditions on the \$200,000 minimum bid solicitation for the former Police Station. That is, there are no redevelopment timelines attached to the sale.
- D. **Upcoming City Council Workshops & Special Meetings.**
 - **State of the City Address** - Monday, March 20 at 6:00 p.m.
 - **City Manager Presents FY2024 Proposed Budget** – Monday, April 3 at 6:00 p.m.
FY2024 Budget Public Hearing at 7:00 p.m.
 - **Community Support Organizations & City Budget Review** - Saturday, April 8 at 8:30 a.m.
 - **Special Budget Meeting of Council** - Monday, April 10 at 6:00 p.m.

Attachments

1. Department Head Reports
2. City Attorney Certifications: Five (5)
3. Copy of RSA 422:37, Skyhaven Airport Advisory Council
4. Draft RFB - Former Police Station Property

NOMINATIONS, APPOINTMENTS AND ELECTION

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

- A. Scott Orzechowski, re-appointment to the Conservation Committee with a term to expire May 2026

In accordance with Council Rules 17, the nomination will remain open until the next regular scheduled City Council meeting.

LAY ON THE TABLE

No items Lay on the Table.

UNFINISHED BUSINESS

ORDINANCES

- B. **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 second reading of Ordinance 14-23 by title only.

Councilor Austin made a motion to adopt Ordinance 14-23 as submitted. The motion was seconded by Councilor Gibson.

Discussion:

Councilor Messier commented that he has no problem with the heating systems being replaced but it seems that the Ordinance and Resolutions before the Council are coming after the replacement has already been paid for and wonders if there should be a policy in place that allows the City Manager to deal with urgent matters such as this and will not be voting in support of this Ordinance or Resolution 29-23.

Clerk LaPanne was recognized to call the roll, the motion passed 8-1 by roll call vote. Councilor Messier voted no.

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 second reading of Resolution 29-23 by title only.

Councilor Austin made a motion to adopt Resolution 29-23 as submitted. The motion was seconded by Councilor Vincent.

Clerk LaPanne was recognized to call the roll, the motion passed 8-1 by roll call vote. Councilor Messier voted no.

- 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 second reading of Resolution 30-23 by title only.

Councilor Gerding made a motion to adopt Resolution 30-23 as submitted. The motion was seconded by Councilor Michaud.

Discussion:

Councilor Pepin stated that his comments are not meant to be negative towards the Little League Field but wants to ensure that what is developed within that Community fits and is what the neighborhood wants, as well seeing what the potential could be for the property coming into the City. He added that he is not going to vote in support of the Resolution and revisited the wording of the Resolution pertaining to Option A and Option B, to keep the Little League Field or to move it to another location. Councilor Pepin expressed concern over who would be responsible for the maintenance of the field and maintenance building, reconstruction of a new field with all of its current amenities, water bill and other expenses whether the field remains on the property or is moved to Millennial Park as suggested in this Resolution. He added that as a member of the Parks & Recreation Committee, they have not discussed the proposal of moving the Little League Field and doesn't support the way that the Resolution is currently written but does want to see something happen with the property as opposed to it sitting longer.

Councilor Vincent agrees that Councilor Pepin brings up valid reasons to question the current Resolution, adding that he does not want to see the property sit and suggests the Council table the item or it be moved back to a Committee for further review.

Deputy Mayor Witham stated that there are four options before the Council pertaining to the Resolution, 1) to adopt the Resolution; 2) to defeat the Resolution; 3) to table the Resolution; or 4) to refer to a Committee. He added that the Council voted to request proposals from developers for the property for either recreational or residential use; the property currently includes the Little League Field and the reason that he sponsored the Resolution is to provide guidance to developers as well as to add protection to the Little League Field with two options.

Councilor Austin stated that he compares this situation to the 1 Winter Street property and that Council will not know what type of proposals will be received until it is put out there. He added that he likes the idea of protecting the Little League Field and that it is an important part of Somersworth's history and should be maintained in some form; he sees no reason to delay moving forward on the process of requesting proposals from developers to see what is received.

Councilor Gibson agrees with some of the concerns that Councilor Pepin expressed regarding the Little League Field but also believes that, as Councilor Austin stated, the Council should not delay the process and supports moving forward with putting out a request for proposal to see what comes back.

Councilor Cameron stated that she has some reservation about the Little League Field being moved but is in favor of moving forward with requesting proposals from developers even if that means amending the Resolution before them.

Councilor Gerding expressed he was initially disappointed with how the recommendation of the National Guard Building Reuse Commission was handled by the Council; however, he does see the value in providing the two options to potential developers, and feels it allows the Council to see what type of proposals come back to gauge the interest and reuse of the property and supports the Resolution as is with the protection of the Little League Field.

Councilor Michaud is in favor of the Resolution to get it out to developers as opposed to continuing to hold up the process.

Councilor Pepin clarified that the first Resolution that was voted on at a previous Council meeting requested proposals from developers with no requirements or specifications, and the current Resolution before the Council requires that a developer either keep the field or relocate the field. He asked for further clarification that if this Resolution is voted down tonight, will the first Resolution stand and it was confirmed it would. Councilor Pepin suggested adding to the request for proposal, that the City strongly prefers to have the field remain in its current location or that it be relocated but not that it is a requirement of the developer.

Councilor Vincent commented that the property holds great value and wonders if the Council should consider having further discussion before putting out a Request for Proposals. He added that if the City retains ownership of the property, this could allow for the City to develop what they choose in upcoming years that is perhaps more beneficial for the City and what the Council and tax payers want.

Deputy Mayor Witham stated that the intent of the Resolution was to provide clarity to developers and he doesn't believe that the Resolution slows the process but rather provides guidance and articulates that the City values the Little League Field. He added that the final "whereas" in the Resolution does not require the developer to do anything but asks that they have a plan.

Councilor Michaud asked for clarification of the Resolution, will the City be receiving proposals for the property that offer a dollar amount or not. Manager Belmore stated that in his experience, incoming proposals are generally returned with monetary bid proposals as well.

There was additional discussion about the property's request for proposal process.

Clerk LaPanne was recognized to call the roll, the motion passed 6-3 by roll call vote. Councilors Pepin, Vincent and Messier voted no.

Councilor Vincent was excused from the meeting at 8:45 p.m.

UNFINISHED BUSINESS

ORDINANCES

- A. **Ordinance 15-23** – To Amend Chapter 34, Exemptions and Credits, Section 34.2, Veterans' Property Tax Credit

Clerk LaPanne performed a first reading of Ordinance 15-23.

Ordinance 15-23 will remain in first reading until the call of the Chair.

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

B. **Ordinance 16-23** – Supplemental Appropriation for Sidewalk Improvements

Clerk LaPanne performed a first reading of Ordinance 16-23.

Ordinance 16-23 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

C. **Resolution 31-23** – Vote to Support the City of Somersworth Joining a Statewide Public Transportation Coalition

Councilor Pepin motioned to waive Council rules and to have Resolution 31-23 read by title only. The motion was seconded by Councilor Cameron. The motion passed by a voice vote 7-1. Councilor Gerding voted no.

Clerk LaPanne performed a first reading of Resolution 31-23 by title only.

Resolution 31-23 will remain in first reading until the call of the Chair.

D. **Resolution 32-23** – To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien

Councilor Gibson motioned to waive Council rules and to have Resolution 32-23 read by title only. The motion was seconded by Councilor Michaud. The motion failed by a voice vote 2-6. Councilors Gibson and Michaud voted yes.

Clerk LaPanne performed a first reading of Resolution 32-23.

Resolution 32-23 will remain in first reading until the call of the Chair.

E. **Resolution 33-23** – To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Properties Located on Wexford Lane and Blackwater Road Subject to an Unredeemed Tax Lien

Clerk LaPanne performed a first reading of Resolution 33-23.

Resolution 33-23 will remain in first reading until the call of the Chair.

F. **Resolution 34-23** – To Authorize the City Manager to Contract with GMI Asphalt, Inc. of Belmont, NH for Fiscal Year 2023 Road Resurfacing Improvements

Clerk LaPanne performed a first reading of Resolution 34-23.

Resolution 34-23 will remain in first reading until the call of the Chair.

G. **Resolution 35-23** – To Authorize the City Manager to Contract with GMI Asphalt, Inc. of Belmont, NH for Fiscal Year 2023 Sidewalk Repair and Reconstruction Project

Clerk LaPanne performed a first reading of Resolution 35-23.

Resolution 35-23 will remain in first reading until the call of the Chair.

OTHER

A. Vote to Ratify a 3-Year Wage and Working Agreement between the City of Somersworth and Public Works/Highway Division, AFSCME Council 93, Local 863

Councilor Witham commented that he is happy to support the agreement adding that the Public Works Department, in his opinion are unsung heroes and appreciated their hard work.

The vote to ratify the following 3-year Wage and Working Agreements between the City of Somersworth and Public Works/Highway Division, AFSCME Council 93, Local 863 passed 8-0 by voice vote.

A. Vote to Waive the Excavation Moratorium for the TAP Grant Project

City Manager Belmore mentioned that the contractors hope to begin the project in March.

The vote to Waive the Excavation Moratorium for the TAP Grant Project passed 8-0 by voice vote.

COMMENTS BY VISITORS

There were no comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin commented on the Somersworth Plaza, stating that the City put a lot of time and effort into working with the tenants of the plaza to create a charette document to voice their opinion adding that the City continues to maintain the parking lot and plaza façade and it frustrates him that when the City looks to developing the area there is kick back. Councilor Pepin commented on the report of the School Board meeting, stating that he was not fully on board with the \$0.90 proposal presented during the combined workshop and that he is not willing to go over the \$0.90 tax rate increase.

Councilor Gibson commented on the public comments by visitors from the tenants who spoke earlier, he added that it does seem to be difficult to obtain quality landlords in the City and would like the City to consider instituting an inspection program and seeing what more the City can do when

landlords do not comply. He commented on the School Board report, stating that he understands the proposal presented during the workshop was not final but feels that the School Board is back tracking and misrepresenting what they initially presented. Councilor Gibson commented on his disappointment if realtors are representing properties to potential tenants, in an irresponsible manner.

Councilor Austin wanted to be sure that his report on the School Board meeting was clear and believes that it is possible that the budget may be reconsidered based off of public comments which is within their preview to make adjustments line-by-line. He added that he contacted the Chair of the School Board's Budget Committee and expressed that he felt the Council would not be in favor of going over the proposed \$0.90 tax rate increase presented at the workshop, so if the School Board wishes to add positions back in, they would need to find a way to pay for it. Councilor Austin stated that he would also not be in favor of going over the proposed tax rate but feels that it is important to maintain the relationship between the School Board and City Council and all have worked hard over the last decade to do so.

Councilor Gerding commented that he sent out an email to the Council with a letter pertaining to educational funding that requests the State take a dramatic look at how they fund education. Councilor Gerding is requesting support of the Council by adding their signatures and to let him know if there are other local officials that may be willing to sign in support. Councilor Gerding also mentioned the reason why he voted no on the "read by title only" request to waive Council rules explaining that one was more of an advocacy piece he felt was important to read aloud for the public to hear and encouraged those listening at home, to read Resolution 31-23 which pertains to transportation and Resolution 32-23 listed properties that he wanted the public to be aware of.

ADJOURNMENT

Councilor Pepin made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Austin and passed 8-0 by voice vote. The meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Kristen LaPanne, City Clerk



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

City of Somersworth – Ordinance 14-23

History			
First Read Date:	2/6/2023	Tabled:	
Public Hearing:	2/21/2023	Removed From Table:	
Second Read:	2/21/2023		
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.

2/21/2023

Clerk LaPanne performed a second reading of Ordinance 14-23 by title only.

Councilor Austin made a motion to adopt Ordinance 14-23 as submitted. The motion was seconded by Councilor Gibson.

Discussion:

Councilor Messier commented that he has no problem with the heating systems being replaced but it seems that the Ordinance and Resolutions before the Council are coming after the replacement has already been paid for and wonders if there should be a policy in place that allows the City Manager to deal with urgent matters such as this and will be voting no.

Clerk LaPanne was recognized to call the roll, the motion passed 8-1 by roll call vote. Councilor Messier voted no.

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:		8	1

On 02/21/2023

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

City of Somersworth – Resolution 29-23

History

First Read Date:	2/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	2/21/2023		

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.

2/21/2023

Clerk LaPanne performed a second reading of Resolution 29-23 by title only.

Councilor Austin made a motion to adopt Resolution 29-23 as submitted. The motion was seconded by Councilor Vincent.

Clerk LaPanne was recognized to call the roll, the motion passed 8-1 by roll call vote. Councilor Messier voted no.

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:		8	1
On 02/21/2023	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:	2/21/2023		

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.

2/21/2023

Clerk LaPanne performed a second reading of Resolution 30-23 by title only.

Councilor Gerding made a motion to adopt Resolution 30-23 as submitted. The motion was seconded by Councilor Michaud.

Discussion:

Councilor Pepin stated that his comments are not meant to be negative towards the Little League Field but wants to ensure that what is developed within that Community fits and is what the neighborhood wants, as well seeing what the potential could be for the property coming into the City. He added that he is not going to vote in support of the Resolution and revisited the wording of the Resolution pertaining to Option A and Option B, to keep the Little League Field or to move it to another location. Councilor Pepin expressed concern over who would be responsible for the maintenance of the field and maintenance building, reconstruction of a new field with all of its current amenities, water bill and other expenses whether the field remains on the property or is moved to Millennial Park as suggested in this Resolution. He added that as a member of the Parks & Recreation Committee, they have not discussed the proposal of moving the Little League Field and doesn't support the way that the Resolution is currently written but does want to see something happen with the property as opposed to it sitting longer.

Councilor Vincent agrees that Councilor Pepin brings up valid reasons to question the current Resolution, adding that he does not want to see the property sit and suggests the Council table the item or it be moved back to a Committee for further review.

Deputy Mayor Witham stated that there are four options before the Council pertaining to the Resolution, 1) to adopt the Resolution; 2) to defeat the Resolution; 3) to table the Resolution; or

4) to refer to a Committee. He added that the Council voted to request proposals from developers for the property for either recreational or residential use; the property currently includes the Little League Field and the reason that he sponsored the Resolution is to provide guidance to developers as well as to add protection to the Little League Field with two options.

Councilor Austin stated that he compares this situation to the 1 Winter Street property and that Council will not know what type of proposals will be received until it is put out there. He added that he likes the idea of protecting the Little League Field and that it is an important part of Somersworth's history and should be maintained in some form; he sees no reason to delay moving forward on the process of requesting proposals from developers to see what is received.

Councilor Gibson agrees with some of the concerns that Councilor Pepin expressed regarding the Little League Field but also believes that, as Councilor Austin stated, the Council should not delay the process and supports moving forward with putting out a request for proposal to see what comes back.

Councilor Cameron stated that she has some reservation about the Little League Field being moved but is in favor of moving forward with requesting proposals from developers even if that means amending the Resolution before them.

Councilor Gerding expressed he was initially disappointed with how the recommendation of the National Guard Building Reuse Commission was handled by the Council; however, he does see the value in providing the two options to potential developers because it allows the Council to see what type of proposals come back to gauge the interest and reuse of the property and supports the Resolution as is with the protection of the Little League Field.

Councilor Michaud is in favor of the Resolution to get it out to developers as opposed to continuing to hold up the process.

Councilor Pepin clarified that the first Resolution that was voted on at a previous Council meeting requested proposals from developers with no requirements or specifications, and the current Resolution before the Council requires that a developer either keep the field or relocate the field. He asked for further clarification that if this Resolution is voted down tonight, will the first Resolution stand and it was confirmed it would. Councilor Pepin suggested adding to the request for proposal, that the City strongly prefers to have the field remain in its current location or that it be relocated but not that it is a requirement of the developer.

Councilor Vincent commented that the property holds great value and wonders if the Council should consider having further discussion before putting out a Request for Proposals. He added that if the City retains ownership of the property, this could allow for the City to develop what they choose in upcoming years that is perhaps more beneficial for the City and what the Council and tax payers want.

Deputy Mayor Witham stated that the intent of the Resolution was to provide clarity to developers and he doesn't believe that the Resolution slows the process but rather provides guidance and articulates that the City values the Little League Field. He added that the final "whereas" in the Resolution does not require the developer to do anything but asks that they have a plan.

Councilor Michaud asked for clarification of the Resolution, will the City be receiving proposals for the property that offer a dollar amount or not. Manager Belmore stated that in his experience, incoming proposals are generally returned with monetary bid proposals as well.

There was additional discussion about the property's request for proposal process.

Clerk LaPanne was recognized to call the roll, the motion passed 6-3 by roll call vote. Councilors Pepin, Vincent and Messier voted no.

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:		6	3
On 02/21/2023	Resolution 30-23	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **15-23**

TO AMEND CHAPTER 34, EXEMPTIONS AND CREDITS, SECTION 34.2, VETERANS' PROPERTY TAX CREDIT

February 21, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 34, Exemptions and Credits, by deleting Section 34.2, Veterans' Property Tax Credits in its entirety and replace it with the following:

Section 34.2 Veteran's Property Tax Credit

The City adopts the provisions of RSA 72:28, for an optional Veterans' Property Tax Credit. The Veterans' Property Tax Credit shall be \$750, effective April 1, 2023.

Background:

The State of New Hampshire has revised RSA 72:28 to include veterans that continue to serve in the military. Previously, only veterans that have been discharged from the military qualified for the tax credit. The NH Municipal Association and the State of New Hampshire Department of Revenue Service have recommended that municipalities re-adopt the tax credit. The City's current tax credit is \$750, the maximum under State law is \$750.

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

February 21, 2023

City of Somersworth – Ordinance 15-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Clerk LaPanne performed a first reading of Ordinance 15-23.

Ordinance 15-23 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 15-23	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **16-23**

SUPPLEMENTAL APPROPRIATION FOR SIDEWALK IMPROVEMENTS

February 21, 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 \$40,000 (Forty Thousand dollars) from the special Highway Block Grant funds to the Department of Public Works - Street Maintenance Budget as follows;

Budget	Amendment	Revised Budget
\$ 1,146,450	\$ 40,000	\$ 1,186,450

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 special non-lapsing Highway Block Grant funds for sidewalk improvements. The total contract with GMI Asphalt, Inc. for the sidewalk improvements is \$140,000, with \$100,000 appropriated in the adopted Fiscal Year 22-23 budget, and the additional \$40,000 from this supplemental appropriation.

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

Sponsored by Councilors:

David A. Witham
Denis Messier
Martin Pepin
Kenneth S. Vincent

Approved:

City Attorney

February 21, 2023

City of Somersworth – Ordinance 16-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Clerk LaPanne performed a first reading of Ordinance 16-23.

Ordinance 16-23 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 16-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **31-23**

VOTE TO SUPPORT THE CITY OF SOMERSWORTH JOINING A STATEWIDE PUBLIC TRANSPORTATION COALITION

February 21, 2023

WHEREAS, the City of Somersworth supports and promotes public transit in our Community; and

WHEREAS, the Cooperative Alliance for Seacoast Transportation (COAST) is leading an effort to start a meaningful dialogue on increasing financial support for public transportation operations throughout the State of New Hampshire; and

WHEREAS, a Statewide Coalition of public transit and community-based transportation providers and the communities, businesses, and other organizations they serve is being formed and is known as the Statewide Public Transportation Coalition; and

WHEREAS, the initial policy objective of this Coalition is to increase the State’s share of the operating costs of public transit, as the State’s per capita contribution to public transit operations according to American Association of State Highway and Transportation Officials (AASHTO) is by far the lowest in New England and nearly the lowest in the Nation; and

WHEREAS, with Federal emergency relief funding currently provided to public transit system operators expected to be fully expended by 2024, and operating costs having increased significantly due to workforce shortages and inflation, additional State support is urgently needed to avoid deep cuts in the services provided by the State’s public transit agencies; and

WHEREAS, there are recently approved Federal funds that will be unavailable to public transit systems in New Hampshire if matching funds are not available from the State. Without increased State support to unlock these new Federal funds, the State’s public transit agencies, and the services provided, will need to be significantly reduced by 2024/2025; and

WHEREAS, cuts in services will create adverse impacts to vulnerable members of the Somersworth Community who rely on public transit,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Mayor and City Council supports the policy objective of significantly increased financial support from the State of New Hampshire and strongly urge that these increased funds be included in the State Fiscal Year 2024/2025 biennial budget. Also, the City Council supports the City of Somersworth joining the Statewide Public Transportation Coalition and will work with the other coalition members to advocate for reasonable State funding levels so that public transit agencies across the State will be able to continue operation into the foreseeable future.

Authorization	
Sponsored by: Mayor Dana S. Hilliard	Approved: City Attorney

City of Somersworth – Resolution 31-23

History			
First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Councilor Pepin motioned to waive Council rules and to have Resolution 31-23 read by title only. The motion was seconded by Councilor Cameron. The motion passed by a voice vote 7-1. Councilor Gerding voted no.

Clerk LaPanne performed a first reading of Resolution 31-23 by title only.

Resolution 31-23 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 31-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **32-23**

TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN

February 21, 2023

WHEREAS, RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to a real estate tax lien and not redeemed; and

WHEREAS, the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
79 Crystal Springs Way	82-43M
124 Sherwood Glen	87-124M
130 Sherwood Glen	87-130M
207 Sherwood Glen	87-207M
208 Sherwood Glen	87-208M
325 Sherwood Glen	87-325M
332 Sherwood Glen	87-332M
409 Sherwood Glen	87-409M
510 Sherwood Glen	87-510M
703 Sherwood Glen	87-703M
4 Ringer Drive	88-2M
5 Ringer Drive	88-10M
10 Ringer Drive	88-5M

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

February 21, 2023

City of Somersworth – Resolution 32-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Councilor Gibson motioned to waive Council rules and to have Resolution 32-23 read by title only. The motion was seconded by Councilor Michaud. The motion failed by a voice vote 2-6. Councilors Gibson and Michaud voted yes.

Clerk LaPanne performed a first reading of Resolution 32-23.

Resolution 32-23 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 32-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **33-23**

TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTIES LOCATED ON WEXFORD LANE AND BLACKWATER ROAD SUBJECT TO AN UNREDEEMED TAX LIEN

February 21, 2023

WHEREAS, RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to a real estate tax lien and not redeemed; and

WHEREAS, the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
5 Wexford Lane	35-12A
7 Wexford Lane	35-12B

Note – It is believed that these properties contain contaminated soils and /or buried debris and an uninhabitable mobile home.

Authorization	
<i>Sponsored by:</i> David A. Witham Donald Austin Matt Gerding Robert Gibson	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 33-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Clerk LaPanne performed a first reading of Resolution 33-23.

Resolution 33-23 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 33-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **34-23**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH GMI ASPHALT, INC. OF BELMONT, NH FOR FISCAL YEAR 2023 ROAD RESURFACING IMPROVEMENTS

February 21, 2023

WHEREAS, the City Council adopted Resolution 19-23 on November 14, 2022, authorizing the City Manager to prepare and request bids from qualified contractors for road improvements to the following City streets:

Buffumsville Road (River St to New Dam Bridge) shim/overlay
Bourque St. (Down St. to Second St.) shim/overlay
Lee St. (Indigo Hill Rd. to Bourque St.) shim/overlay
Maloney St. (Salmon Falls Rd. to end) reconstruction
First St. reconstruction
Trench patching due to water breaks; and

WHEREAS, the bid package included an alternate bid item for additional road improvements and the bid submitted is such that there is sufficient funding to include the following City streets;

Coombes Road (Lily Pond to Quarry Road) shim/overlay
Quarry Road (West High St to end) shim/overlay
Spence St. (West High to Coombes Road) shim/overlay; and

WHEREAS, the Public Works and Environment Committee reviewed the results of the bids received with City staff and recommends contracting with GMI Asphalt, Inc. of Belmont, NH to make these road improvements for a cost of \$1,240,107 (One Million Two Hundred Forty Thousand One Hundred Seven dollars); and

WHEREAS, The Public Works and Environment Committee recommends including a contingency in the amount of \$59,893 (Fifty-Nine Thousand Eight Hundred Ninety-Three dollars) for the project, and allow the City Manager to increase the contract to an amount not to exceed \$1,300,000 (One Million Three Hundred Thousand dollars) if needed, and it is determined to be in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with GMI Asphalt, Inc. of Belmont, NH to make road improvements to the aforementioned City streets for a cost of \$1,240,107 (One Million Two Hundred Forty Thousand One Hundred Seven dollars); and

BE IT FURTHERED RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an amount of \$59,893 (Fifty-Nine Thousand Eight Hundred Ninety-Three dollars) is included with the project total for contingencies and the City Manager is authorized to increase the contract to an amount not to exceed \$1,300,000 (One Million Three Hundred Thousand dollars) if needed, and it is determined to be in the best interest of the City.

Authorization

<i>Sponsored by:</i> David A. Witham Denis Messier Martin Pepin Kenneth S. Vincent		<i>Approved:</i> City Attorney
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City of Somersworth – Resolution 34-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Clerk LaPanne performed a first reading of Resolution 34-23.

Resolution 34-23 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 34-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **35-23**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH GMI ASPHALT, INC. OF BELMONT, NH FOR FISCAL YEAR 2023 SIDEWALK REPAIR AND RECONSTRUCTION PROJECT

February 21, 2023

WHEREAS, the City Council adopted Resolution 10-23 on September 26, 2022, authorizing the City Manager to prepare and request bids from qualified contractors for repairs and reconstruction of certain City sidewalks; and

WHEREAS, City staff solicited bids from qualified contractors and recommends awarding a contract to GMI Asphalt, Inc. of Belmont, NH; and

WHEREAS, the Public Works and Environment Committee reviewed the results of the bids received with City staff and recommends contracting with GMI Asphalt, Inc. of Belmont, NH for an amount of \$130,580 (One Hundred Thirty Thousand Five Hundred Eighty dollars) to make repairs and reconstruction to the following sidewalks:

West High St. from Maple St. to Cemetery Road
West High St. by the SAU Building driveway
Bartlett Avenue from Guy St. to High St.; and

WHEREAS, the Public Works and Environment Committee recommends including a contingency in the amount of \$9,420 (Nine Thousand Four Hundred Twenty dollars) for the project, and allow the City Manager to increase the contract to an amount not to exceed \$140,000 (One Hundred Forty Thousand dollars) if needed, and it is determined to be in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with GMI Asphalt, Inc. of Belmont, NH to make sidewalk repairs and reconstruction to the aforementioned City sidewalks for an amount of \$130,580 (One Hundred Thirty Thousand Five Hundred Eighty dollars); and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an amount of \$9,420 (Nine Thousand Four Hundred Twenty dollars) is included with the project total for contingencies and the City Manager is allowed to increase the contract to an amount not to exceed \$140,000 (One Hundred Forty Thousand dollars) if needed, and it is determined to be in the best interest of the City.

Authorization	
<i>Sponsored by:</i> David A. Witham	<i>Approved:</i> City Attorney

Denis Messier Martin Pepin Kenneth S. Vincent	
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City of Somersworth – Resolution 35-23

History			
First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

2/21/2023

Clerk LaPanne performed a first reading of Resolution 35-23.

Resolution 35-23 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 35-23	PASSED	FAILED