



Minutes of City Council Meeting Monday, March 6, 2023

ROLL CALL OF MEMBERS

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

PLEDGE OF ALLEGIANCE

Councilor Cameron 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

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

There were no public comments.

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

There were no public comments.

COMMENTS BY VISITORS

David Baker, owner of 261 Main Street, LLC, expressed his appreciation to the Council for their willingness to work with him on the redevelopment of the 261 Main Street property. He explained the property as a gateway to the City and feels he is fortunate to have the City assisting him in seeking a Brownfields Cleanup Grant to develop a structure that can contribute to the Community and living space. Mr. Baker is hopeful that the Council will approve his proposal and looks forward to moving forward with the City of Somersworth.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Workshop Presentation by Placework Architects – Public Library Expansion/ADA Improvement Study held on February 21, 2023
- B. Approve Minutes of the City Council Meeting held on February 21, 2023

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

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

MAYOR'S REPORT

Mayor Hilliard invited Raude Raychel, President of the Indonesian Community Connect (ICC), to share announcement of exiting news coming up this week for their organization.

Ms. Raychel thanked the Council and invited all to join her and ICC during Indonesian International Week at their first annual 2-day event that will feature business trade expo, tourism, cultural night, performances and more. Ms. Raychel proceeded to read a communication from her team acknowledging ICC's 5-year existence, adding that it has become one of the most demanding Community providers and is a hub of resources. ICC has established partnerships with businesses, Community organizations, and State and Federal agencies to bridge the Community's cultural and economic resources and to provide opportunities throughout New Hampshire to build awareness. Ms. Raychel stated that ICC has become partners with USSBA, and is working with many Indonesian stakeholders, including the Embassy of Indonesia, the Indonesian Consulate in New York, the Indonesian Trade Promotion Center, and more, in an effort to open the doors to New Hampshire Indonesian businesses and to enter the U.S. market. ICC would like to create a historical moment in New Hampshire as they make Somersworth their home. Ms. Raychel stated that the event will be enriched with Indonesian Culture including cooking demonstrations, cultural awareness and top-notch performers from West Java, Indonesia.

Ms. Raychel confirmed that the event is scheduled for March 9th from 11:00 a.m. to 5:00 p.m. and March 10th from 6:00 p.m. to 8:00 p.m. at the New Frontiers Church located at 1 Gosling Road, Portsmouth, NH.

Mayors Report for City Council Meeting March 6th, 2023

In 2007 Somersworth Youth Connection, fondly known as SYC, first opened its doors at Somersworth Middle School, funded by a Department of Education 21st Century Community Learning Centers grant. The program served middle school students, supporting them beyond the typical hours of the school day, providing academic support, countless enriching extracurricular educational opportunities, and embracing Hilltopper values. In 2012, when the first grant cycle came to an end, SYC applied for, and was awarded, additional grant funds to allow for the expansion to provide these same supports, services, and opportunities to elementary school students and their families. In 2017, SYC was awarded the grant for a third time, becoming one of the longest grant-awarded programs in the state, and receiving one of the highest overall scores in the state due to the

quality and diversity of services provided, as well as the level of collaboration with school and community partners.

With each grant cycle however, the question of how SYC would become a sustainable program, and continue to provide the vital programming that supports students and families of this community before and after school became increasingly important. Each cycle, one truth was becoming more and more inevitable; forever functioning off of grant funds was just not going to be possible, and an end date was approaching.

With this inevitability in mind, in December of 2020 the Joint Commission of the City Council and School Board pledged their support in continuing this program even if grant funding was not available, and suggested financial support from both the School and City in the future. To ensure all options could be explored and discussed, the Mayor's office named The SYC Task Force. The task force aimed at studying the program and exploring creative models to propose a plan to keep SYC in operation. As the commission continued their work and deep dive into exploring options, all members were in agreement that SYC is an integral part of the Somersworth community and must continue to be supported.

In February of 2021 a resolution to commit to continuing support for the program was drafted by the SYC Task Force. This resolution was sponsored by the Mayor, every School Board member, and every City Councilor, and was unanimously passed by both the School Board and City Council. Over the course of the 10 months the SYC Task Force learned of the increasing threats to cut 21st Century Grant funding at the federal level, and increasing restrictions on use of funds & program requirements that made it challenging to build a sustainable program that meets the needs of our Hilltopper community. At the same time, each grant cycle came with decreased funding, and a decreased likelihood of being re-awarded the grant. In December of 2021 a funding model was developed between the City and the School, creating a shared ownership and responsibility keeping SYC an integral part of the Hilltopper community.

SYC is now reaching its 16th year of programming and has continued to work with school, City, local business, families, and community partners to continue to grow a program focused on positive youth development, and embraces and teaches Hilltopper values such as diversity, tolerance, civic engagement, community service, and lifelong learning. From physical activity and fitness, to wellness and prevention; from science and engineering to technology and programming; from reading and writing, to yoga and mindfulness; from summer learning, to first-job training; from college and career readiness activities, to volunteer opportunities; from academic supports to nutritious meals and a safe place to be. SYC has developed itself into more than just a program, it is a reflection of who we are as Hilltoppers and embeds the Hilltopper values into the next generation of Somersworth citizens every day.

As we moved forward into our budget process, it is my hope that SYC will not only sustain the funding level this Council granted last year, but that Council might be open to increasing the funding level. As we continue our journey “On the Move”, let us continue our commitment to proven programs that work at inspire, education and help develop the next generation of our community leaders.

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

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

Also under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the follow is being brought forward this evening and placed in nomination;

Matt Keiser, re-appointment to the Zoning Board of Adjustments with a term to expire March 2026

This respectfully concludes my March 6th, 2023 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham reported that the Committee met on March 1st and the first agenda items discussed was funding of Resolution 34-23 for road resurfacing and Resolution 35-23 for sidewalk repairs. Both projects are recommended to be awarded contracts through GMI Asphalt, Inc. of Belmont, NH which has favorable references. Councilor Witham explained the funding amounts that have been allotted for each of the projects, what fund or line item the money will come from and remaining balances of those line items. The Committee agreed not to drain the balance of the Road Resurfacing budgeted line item as a precaution to cover any road repair emergencies that could arise.

Councilor Witham stated that the Committee discussed the crack sealing bid results and recommends awarding the bid to Superior Sealcoat of Wilmington, MA for an amount not to exceed \$54,778. There will be a number of streets included in the project that is scheduled to take place over the upcoming Spring and Summer in an effort to preserve the life of the streets.

Councilor Witham reported that the Finance Committee discussed line striping and pavement markings. The Committee recommends the City award the contract to K5 Corporation in an amount not to exceed \$24,524 for the line striping and to waive the bidding process in order to join cooperatively with the City of Dover and receive the same unit of price offer. Councilor Witham reported that the Committee recommends awarding the contract to Spots on Lots in an amount not to exceed \$21,031 for the pavement markings, he noted that due to the size of the business it can take them longer to get the work completed. For this reason, the Committee asked City staff to work with the vendor to develop a priority list of streets that are perhaps busier than others. He added that the Committee also requested that City staff work with Spots on Lots to coordinate a better plan for traffic control.

Councilor Witham reported that there was a discussion pertaining to the 85 Elm Street development regarding the leasing of parking spaces for the residents of that building. The current price to lease a parking space from the City is \$20 per month, and the Committee agreed to keep this amount consistent throughout the City. Councilor Witham stated that the developer initially had thoughts of leasing spaces within the Somersworth Plaza parking lot and the Committee had some apprehension about that, and suggested the developer look into spaces on Main Street. Additionally, the Finance Committee discussed the parking license agreement and came to a consensus that there be a defined term year with extension possibilities in lieu of “in perpetuity”.

Government Operations Committee – Councilor Michaud reported that the Committee met on March 2nd and discussed Ordinance 10-23 regarding Chapter 14, Licenses and Permits after City Council passed a vote of reconsideration and was sent back to the Government Operations Committee. He stated that the Committee discussed adding language pertaining to waiving the permit fee for non-profit organizations, fundraising for charitable purposes and tagging (solicitation) when fundraising for Community based effort. The Committee came to a consensus to move forward with the amendments to City Council.

Councilor Michaud reported on the Recovery Friendly Workplace Initiative Program and confirmed a Resolution will be brought forward to the Council requesting to authorize the City to enroll in the program.

Economic Development Committee – Councilor Austin reported that the Committee met prior to the Council meeting and in attendance was Robert Previti, the Manager of the 85 Elm Street development project. Mr. Previti and the Council discussed his revised application for consideration of the Community Revitalization Tax Relief Incentive Program pertaining to the project. The Committee discussed the developers revised 7-year tax relief incentive request and the financial impact it will have on the City. Councilor Austin feels that the incentive will be fairly lucrative to the developer if the City approves the 7-year tax relief. He added that he believes that the project will provide a significant public benefit. The Committee consensus was to bring the application to full Council with a recommendation to approve the application as submitted.

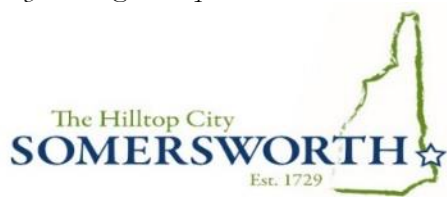
Councilor Austin reported that the Committee discussed the draft Parking License provided by Mr. Previti which suggests a 20-year term with the ability to renegotiate in 10-year terms subsequently thereafter. The Committee discussed the leasing of parking spaces located on Main Street and has asked that Mr. Previti consider adding language regarding a process for City events that, at times, closes the section of parking being proposed as leased spaces for the 85 Elm Street and 20 Green Street residential development. The Committee agreed to support a Resolution, at the urgent request of Mr. Previti, that authorizes the City Manager to execute a lease agreement with Mr. Previti once negotiations and a lease is finalized with the additional language.

Councilor Austin stated that the 2017 Charette document was provided to the Committee and they plan to discuss it at their next meeting, along with the wayfinding signage that he had previously reported on.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Somersworth School Board – Councilor Austin reported that the School Board has a special meeting on March 2nd to vote in support of moving the 2023-2024 proposed budget onto the City Manager. He stated that the budget came in around \$4,000 less than expected, and the tax rate impact is still \$0.90 as originally presented to Council during the joint workshop of the City Council and School Board.

City Manager's Report



Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, March 3, 2023

March 6, 2023

Unfinished Business (under Section 15 of Agenda)

Ordinances

- A. Ordinance No. 15-23: To Amend Chapter 34, Exemptions and Credits, Section 34.2, Veterans' Property Tax Credit.** Again, this housekeeping item aligns with House Bill 1667 that passed in June of 2022. In addition, if we don't re-adopt this tax credit, the City will revert to the \$50 standard Veterans' Credit.
- B. Ordinance No. 16-23: Supplemental Appropriation for Sidewalk Improvements.** Again, Public Works & Environment Committee voted to recommend this funding formula to the full Council. The Finance Committee met on March 1st and voted to recommend this funding path.

Resolutions

- A. Resolution No. 31-23: Vote to Support the City of Somersworth Joining a Statewide Public Transportation Coalition.** Again, 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.
- 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.** Again, the Finance Committee voted to support Resolution No. 32-23, & Resolution No. 33-23.
- 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.**
- 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.** Again, the Public Works & Environment Committee and Staff recommend GMI Asphalt, Inc. for the City Road Resurfacing and the Sidewalk Repairs. Attached is a Memorandum that outlines the funding strategy for this Resolution and Resolution No. 35-23 regarding Sidewalk Repairs as reviewed and recommended by the Finance Committee at their March 1st meeting.
- 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.** Again, the Public Works & Environment Committee and Staff recommend GMI Asphalt, Inc. for the Sidewalk Repairs

New Business (under Section 16 of Agenda)

Ordinances

- A. Ordinance No. 17-23: Supplemental Appropriation for the Replacement of the Dispatch Radio Console at the Somersworth Police Station.** The Finance Committee met on

February 3rd and voted to recommend this funding formula to the full Council. The estimated amount was \$175,000 not including contingency, but the quote came back less than anticipated to the revised estimate of \$168,461. I have added an approximate 10% contingency to this new estimate. Attached is a Memorandum from Chief Tim McLin regarding the need to move forward expeditiously. I recommend a Public Hearing be scheduled for the next regular Council meeting on Monday, March 20, 2023.

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

Resolutions

- A. Resolution No. 36-23: To Authorize the City Manager to Use Funding from the American Rescue Plan Act and Contract with 2-Way Communications of Portsmouth, NH to Replace the Dispatch Radio Console at the Somersworth Police Station.** The Finance Committee met on February 3rd and voted to recommend this funding path.
- B. Resolution No. 37-23: To Authorize the City Manager to Execute a Purchase and Sales Agreement with David Baker, DBA 261 Main Street, LLC to Purchase the Property Located at 261 Main Street and Accept the Deed for the Sole Purpose of Pursuing a Federal Brownfields Cleanup Grant.** The Public Works & Environment Committee discussed these Draft documents at their February 15th meeting and voted to recommend approval to the full Council. The Drafts were prepared utilizing the City's Special Environmental Counsel, Attorney Gareth Orsmond, and approved by Mr. Baker and his Legal Counsel. In the Purchase & Sales Agreement, if approved, the City Manager will also sign an Escrow Agreement. The funds placed into an Escrow Account will be used by the City for any expenses required regarding this property, such as damage to the fence enclosing the property. Attached are copies of all the Agreements.

Other

- A. Vote to Ratify a 3-Year Wage and Working Agreement between the City of Somersworth and Somersworth Public Administrators Association (SPAA).** Attached is a *"confidential"* Memorandum regarding this Tentative Agreement.

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

Informational Items

- A. Police Body Cameras.** Attached is a copy of a Memorandum from Chief Tim McLin that provides an update on the implementation of the Department's Police Officer Program. The timeline places full implementation on or about mid-May.
- B. City Manager's Proposed FY 2023-2024 Budget.** In accordance with City Charter, I will be submitting my Proposed City Budget for the next Fiscal Year on or before March 15th. I will notify you of the date it will be available prior to the Charter due date.
- C. Community Revitalization Tax Relief Incentive Program Application (City Ordinance Chapter 31) from Mr. Robert Previti for 85 Elm Street and 20 Green Street.** The Economic Development Committee will review this application at their March 6th meeting. Should the Committee recommend acceptance of this application, I recommend a Public Hearing be

scheduled for the next regular Council meeting on March 20th in accordance with our City Ordinance.

Attach is a copy of the Application, a Memorandum from Director Michelle Mears and a copy of Chapter 31. Please note that the Economic Development Committee reviewed their initial application at their January 17th meeting. This is a revised application that requests seven (7) years tax relief and places a rehabilitation value of approximately \$100,000 for the Lloyd Wells House.

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

Attachments

1. City Attorney Certifications: Three (3)

Reminder: 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.

Councilor Witham asked, regarding the radio console replacement at the Police Department, would it be out of order to waive Council rules to have a seconded reading on Resolution 36-23 and deal with the housekeeping of Ordinance 17-23 pertaining to the Supplemental Appropriation. There was no objection from the Council.

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

Councilor Austin motioned to re-appoint Scott Orzechowski to the Conservation Committee. The motion was seconded by Councilor Messier and passed 7-0 by voice vote.

In accordance with Council Rules 17 Appointments, the following is being brought forward and placed in nomination:

- A. Matt Keiser, re-appointment to the Zoning Board of Adjustments with a term to expire March 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

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

Clerk LaPanne performed a second reading of Ordinance 15-23 by title only.

Councilor Gibson made a motion to adopt Ordinance 15-23 as submitted. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

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

Clerk LaPanne performed a second reading of Ordinance 16-23 by title only.

Councilor Austin made a motion to adopt Ordinance 16-23 as submitted. The motion was seconded by Councilor Witham and passed 7-0 by roll call vote.

RESOLUTIONS

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

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

Councilor Gerding made a motion to adopt Resolution 31-23 as submitted. The motion was seconded by Councilor Messier and passed 7-0 by roll call vote.

Mayor Hilliard asked if Councilors would like to be added as sponsors and all agreed.

- B. **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

Clerk LaPanne performed a second reading of Resolution 32-23 by title only.

Discussion:

Councilor Witham commented on the process that the City developed years ago pertaining to properties with delinquent taxes and feels that it has worked very well. He added that the intention is to work with property owners that are in arrears, by agreeing to payment arrangements with the objective to not take the properties.

Councilor Witham made a motion to adopt Resolution 32-23 as submitted. The motion was seconded by Councilor Michaud and passed 7-0 by roll call vote.

- C. **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 second reading of Resolution 33-23 by title only.

Councilor Witham made a motion to adopt Resolution 33-23 as submitted. The motion was seconded by Councilor Messier and passed 7-0 by roll call vote.

- D. **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 second reading of Resolution 34-23 by title only.

Councilor Austin made a motion to adopt Resolution 34-23 as submitted. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

- E. **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 second reading of Resolution 35-23 by title only.

Councilor Witham made a motion to adopt Resolution 35-23 as submitted. The motion was seconded by Councilor Gibson and passed 7-0 by roll call vote.

UNFINISHED BUSINESS

ORDINANCES

- A. **Ordinance 17-23** – Supplemental Appropriation for the Replacement of the Dispatch Radio Console at the Somersworth Police Station

Clerk LaPanne performed a first reading of Ordinance 17-23.

Ordinance 17-23 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 36-23** – To Authorize the City Manager to use funding from the American Rescue Plan Act and Contract with 2-Way Communications of Portsmouth, NH to Replace the Dispatch Radio Console at the Somersworth Police Station

Clerk LaPanne performed a first reading of Resolution 36-23.

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 36-23. The motion was seconded by Councilor Gibson and passed 7-0 by roll call vote.

Clerk LaPanne performed a second reading of Resolution 36-23 by title only.

Councilor Gibson made a motion to adopt Resolution 36-23 as submitted. Councilor Witham seconded the motion.

Discussion:

Councilor Gibson commented that he feels that it is urgent to get the dispatch radio console replaced for the Police Department operations.

Councilor Witham commented with the City using American Rescue Plan Act funds for the replacement of the radio dispatch console, it allows the City to act urgently without waiting for the next budget year.

The motion passed 7-0 by roll call vote.

- A. **Resolution 37-23** – To Authorize the City Manager to Execute a Purchase and Sales Agreement with David Baker DBA 261 Main Street, LLC to Purchase the Property Located at 261 Main Street and Accept the Deed for the Sole Purpose of Pursuing a Federal Brownfields Cleanup Grant

Clerk LaPanne performed a first reading of Resolution 37-23.

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 37-23. The motion was seconded by Councilor Gerding and passed 6-1 by roll call vote. Councilor Gibson voted no.

Clerk LaPanne performed a second reading of Resolution 37-23 by title only.

Councilor Witham made a motion to adopt Resolution 37-23 as submitted. Councilor Messier seconded the motion.

Discussion:

Councilor Gerding commented that he is in support of this Resolution and believes that this is a good example of good government. The City is assisting a local developer, that has developed in the City before, by bringing in commercial or residential space if the Council approves this Resolution. He added that the City holds no financial responsibility of the property during this process and upon completion of the project, the development will provide benefits to the Community as a residential or commercial building.

Councilor Witham agreed with Councilor Gerding's comments, adding that the City is assisting a known developer to the City, with the cleanup of a contaminated property knowing that the City will sell it back to Mr. Baker who will then develop the property. He is in full support of the Resolution.

Councilor Michaud commented that he agrees with the comments of both Councilors Gerding and Witham regarding the Resolution. He added that he is in support of the Resolution especially with the property being in his Ward and being in an area that is blighted off of Main Street.

The motion passed 6-0 by roll call vote. Councilor Gibson abstained.

OTHER

- A. Vote to Ratify a 3-Year Wage and Working Agreement between the City of Somersworth and Somersworth Public Administrators Association (SPPA)

Councilor Witham commented that he is happy to support the agreement as it lines up with other union salary increases. He added that he is especially happy that the City will have the ability to negotiate vacation time with potential employees.

Discussion:

Councilor Witham commented that he fully supports the Ratification of the 3-Year Wage and Working Agreement and stated that regarding the wages, it aligns with the other Union Contracts that the Council has awarded in recent meetings. Additionally, Councilor Witham commented that he is pleased that the Agreement allows the City some flexibility pertaining vacation time when trying to attract new hires within the City.

The vote to ratify the following 3-year Wage and Working Agreements between the City of Somersworth Public Administrators Association (SPPA) passed 7-0 by voice vote.

COMMENTS BY VISITORS

There were no comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Austin commented on the relationship between the School Board and City Council that has developed the spirit of cooperation and communication that has served the City well over the last many years. He hopes that the relationship continues to be maintained and encourages both Boards to operate in partnership with each other.

Councilor Gerding commented that he appreciated the Mayor's Report and commented pertaining to the Somersworth Youth Connection (SYC) and believes they have become a pillar in the Community. He put in a plug for SYC's fundraiser, they are selling Spring bulbs and perennials and if anyone is interested that visit the SYC Facebook or Instagram, visit www.threeriversfundraising.com and enter code DC9CED, or email Council Gerding.

Councilor Cameron commented that there is a lot going on within the City that makes her proud to live in Somersworth. She added that she agrees with Councilor Austin's comments regarding the communication between the School Board and City Council and hopes that the two bodies can continue to work together as a team.

Councilor Messier questioned why the City of Somersworth didn't join the City of Dover pertaining to the K5 Corporation contract for line striping. He commented on the sidewalk in front of the Hilltop School, he stated that he read minutes from a meeting where the Committee was going to ask the developer, Mr. Chinburg, to clean snow off of those sidewalks and hopes that is not case. Councilor Messier has concerns regarding asking tenants of the 85 Elm Street development, to find alternative parking during City events and wonders if events could be moved to the High School parking lot in an effort to not disrupt the minimal parking the Downtown area already struggles with.

ADJOURNMENT

Councilor Michaud made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Gibson and passed 7-0 by voice vote. The meeting adjourned at 8:08 p.m.

Respectfully Submitted,

March 6, 2023

Kristen LaPanne, City Clerk



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

March 6, 2023

City of Somersworth – Ordinance 15-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:	3/6/2023	Removed From Table:	
Second Read:	3/6/2023		

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.

3/6/2023

Clerk LaPanne performed a second reading of Ordinance 15-23 by title only.

Councilor Gibson made a motion to adopt Ordinance 15-23 as submitted. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
Ward 2 Councilor	Vincent	EXCUSED	
Ward 3 Councilor	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:		7	0
On 3/6/2023	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	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Martin Pepin	<i>Approved:</i> City Attorney

March 6, 2023

City of Somersworth – Ordinance 16-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:	3/6/2023	Removed From Table:	
Second Read:	3/6/2023		

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.


3/6/2023

Clerk LaPanne performed a second reading of Ordinance 16-23 by title only.

Councilor Austin made a motion to adopt Ordinance 16-23 as submitted. The motion was seconded by Councilor Witham and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
Ward 2 Councilor	Vincent	EXCUSED	
Ward 3 Councilor	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:		7	0
On 3/6/2023	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	
<i>Sponsored by:</i> Mayor Dana S. Hilliard	<i>Approved:</i> City Attorney

March 6, 2023

<i>Sponsored by Councilors:</i> Robert Gibson Donald Austin Richard Michaud David A. Witham Matt Gerding Nancie Cameron Denis Messier	
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City of Somersworth – Resolution 31-23

History			
First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/6/2023		

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.

3/6/2023


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

Councilor Gerding made a motion to adopt Resolution 31-23 as submitted. The motion was seconded by Councilor Messier and passed 7-0 by roll call vote.

Mayor Hilliard asked if Councilors would like to be added as sponsors and all agreed.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
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:		7	0
On 3/6/2023	Resolution 31-23	PASSED	FAILED

	<p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 32-23</p> <p>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</p>
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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	
<p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Donald Austin Matt Gerding Robert Gibson</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

March 6, 2023

City of Somersworth – Resolution 32-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/6/2023		

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.

3/6/2023

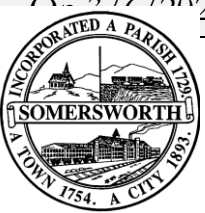
Clerk LaPanne performed a second reading of Resolution 32-23 by title only.

Discussion:

Councilor Witham commented on the process that the City developed years ago pertaining to properties with delinquent taxes and feels that it has worked very well. He added that the intention is to work with property owners that are in arrears, by agreeing to payment arrangements with the objective to not take the properties.

Councilor Witham made a motion to adopt Resolution 32-23 as submitted. The motion was seconded by Councilor Michaud and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
Ward 2 Councilor	Vincent	EXCUSED	
Ward 3 Councilor	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:		7	0

	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	<i>Approved:</i> City Attorney

Donald Austin Matt Gerding Robert Gibson	
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City of Somersworth – Resolution 33-23
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History			
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First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/6/2023		

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.


3/6/2023

Clerk LaPanne performed a second reading of Resolution 33-23 by title only.

Councilor Witham made a motion to adopt Resolution 33-23 as submitted. The motion was seconded by Councilor Messier and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
Ward 2 Councilor	Vincent	EXCUSED	
Ward 3 Councilor	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:		7	0
On 3/6/2023	Resolution 33-23	PASSED	FAILED

	<p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 34-23</p> <p>TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH GMI ASPHALT, INC. OF BELMONT, NH FOR FISCAL YEAR 2023 ROAD RESURFACING IMPROVEMENTS</p>
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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

Sponsored by:
David A. Witham
Denis Messier
Martin Pepin
Kenneth S. Vincent

Approved:
City Attorney

City of Somersworth – Resolution 34-23

History

First Read Date:	2/21/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/6/2023		

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.


3/6/2023

Clerk LaPanne performed a second reading of Resolution 34-23 by title only.

Councilor Austin made a motion to adopt Resolution 34-23 as submitted. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
Ward 2 Councilor	Vincent	EXCUSED	
Ward 3 Councilor	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:		7	0
On 3/6/2023	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:	3/6/2023		

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.

3/6/2023

Clerk LaPanne performed a second reading of Resolution 35-23 by title only.

Councilor Witham made a motion to adopt Resolution 35-23 as submitted. The motion was seconded by Councilor Gibson and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
Ward 2 Councilor	Vincent	EXCUSED	
Ward 3 Councilor	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:		7	0
On 3/6/2023	Resolution 35-23	PASSED	FAILED

	City of Somersworth – Ordinance
	Ordinance No: 17-23 SUPPLEMENTAL APPROPRIATION FOR THE REPLACEMENT OF THE DISPATCH RADIO CONSOLE AT THE SOMERSWORTH POLICE STATION

March 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 \$185,482 (One Hundred Eighty-Five Thousand Four Hundred Eighty-Two dollars) from the American Rescue Plan Funds to the Capital Outlay Budget as follows:

Budget	Amendment	Revised Budget
\$ 254,869	\$ 185,482	\$ 440,351

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 American Rescue Plan Funds (ARPA) for the replacement of the Dispatch Radio Console at the Somersworth Police Station. There is currently \$626,462 available in ARPA Funds.

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

March 6, 2023

City of Somersworth – Ordinance 17-23

History

First Read Date:	3/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

3/6/2023


Clerk LaPanne performed a first reading of Ordinance 17-23.

Ordinance 17-23 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 17-23	PASSED	FAILED
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	<p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 36-23</p> <p>TO AUTHORIZE THE CITY MANAGER TO USE FUNDING FROM THE AMERICAN RESCUE PLAN ACT AND CONTRACT WITH 2-WAY COMMUNICATIONS OF PORTSMOUTH, NH TO REPLACE THE DISPATCH RADIO CONSOLE AT THE SOMERSWORTH POLICE STATION</p>
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March 6, 2023

WHEREAS, the Somersworth Capital Improvement Plan for Fiscal Years 2024-2029 includes a project to replace the dispatch radio console at the Somersworth Police Station; and

WHEREAS, the manufacturer of the current dispatch radio console is no longer manufacturing replacement parts and the equipment has been deemed at the end of its useful life; and

WHEREAS, the manufacturer of the current dispatch radio console will no longer support the system and replacement of a new dispatch radio console will require some lead time for the installation; and

WHEREAS, City Staff obtained a quote from 2-Way Communications of Portsmouth, NH for an amount of \$168,482 (One Hundred Sixty-Eight Thousand Four Hundred Eighty-Two dollars) to replace the dispatch radio console; and

WHEREAS, the Finance Committee reviewed this project with City Staff and determined it is in the best interest of the City to utilize American Rescue Plan Act funds to start this project as soon as possible and recommends awarding a contract to 2-Way Communications for this project; and

WHEREAS, the Finance Committee also recommends adding an amount of \$17,000 (Seventeen Thousand dollars) to this project for contingencies and to authorize the City Manager to increase the contract to an amount not to exceed \$185,482 (One Hundred Eighty-Five Thousand Four Hundred Eighty-Two dollars) if needed and 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 may use funding from the American Rescue Plan Act and contract with 2-Way Communications of Portsmouth, NH to replace the dispatch radio console at the Somersworth Police Station for an amount of \$168,482 (One Hundred Sixty-Eight Thousand Four Hundred Eighty-Two dollars); and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an amount of \$17,000 (Seventeen Thousand dollars) is included with this project for contingencies and the City Manager is authorized to increase the contract to an amount not to exceed \$185,482 (One Hundred Eighty-Five Thousand Four Hundred Eighty-Two dollars) if needed and determined to be in the best interest of the City.

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

City of Somersworth – Resolution 36-23
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History			
First Read Date:	3/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/6/2023		

Discussion

3/6/2023

Clerk LaPanne performed a first reading of Resolution 36-23.

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 36-23. The motion was seconded by Councilor Gibson and passed 7-0 by roll call vote.

Clerk LaPanne performed a second reading of Resolution 36-23 by title only.

Councilor Gibson made a motion to adopt Resolution 36-23 as submitted. Councilor Witham seconded the motion.

Discussion:


Councilor Gibson commented that he feels that it is urgent to get the dispatch radio console replaced for the Police Department operations.

Councilor Witham commented with the City using American Rescue Plan Act funds for the replacement of the radio dispatch console, it allows the City to act urgently without waiting for the next budget year.

The motion passed 7-0 by roll call vote.

Voting Record	YES	NO
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Ward 1 Councilor	Pepin	EXCUSED	
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:		7	0
On 3/6/2023	Resolution 36-23	PASSED	FAILED

	<p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 37-23</p> <p>TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PURCHASE AND SALES AGREEMENT WITH DAVID BAKER DBA 261 MAIN STREET, LLC TO PURCHASE THE PROPERTY LOCATED AT 261 MAIN STREET AND ACCEPT THE DEED FOR THE SOLE PURPOSE OF PURSUING A FEDERAL BROWNFIELDS CLEANUP GRANT</p>
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March 6, 2023

WHEREAS, David Baker purchased property located at 261 Main Street in Somersworth, formerly known as Prince’s Garage, and demolished the building on-site with the intent of redeveloping the property; and

WHEREAS, during the process of redevelopment it was determined that there was extensive environmental contamination that requires additional assessment and remediation before any redevelopment of the property can occur; and

WHEREAS, David Baker approached the City with a proposal that the City purchase the property at 261 Main Street for the sole purpose of pursuing a Federal Brownfields Grant through the Environmental Protection Agency to complete the assessment and remediation of the property; and

WHEREAS, City Staff, with the assistance of the City’s Environmental Attorney, have completed a draft purchase and sales agreement with David Baker DBA 261 Main Street, LLC to purchase said property for \$1 (One dollar) with the terms that the City will resell the property back to David Baker DBA 261 Main Street, LLC at the conclusion of a Brownfields cleanup, or at any time for any reason, or no reason at all, for \$1 (One dollar); and

WHEREAS, David Baker will be responsible for any costs associated with the cleanup not covered by a Brownfields Grant; and

WHEREAS, the Public Works and Environment Committee reviewed this agreement with City Staff and recommends authorizing the City Manager to execute the agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a purchase and sales agreement with David Baker DBA 261 Main Street, LLC to purchase the property located at 261 Main Street and accept the deed for \$1 (One dollar) for the sole purpose of pursuing a Federal Brownfields Grant and to take any other actions with this agreement 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 Kenneth S. Vincent Martin Pepin	
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City of Somersworth – Resolution 37-23

History

First Read Date:	3/6/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	3/6/2023		

Discussion

3/6/2023

Clerk LaPanne performed a first reading of Resolution 37-23.

Councilor Witham made a motion to waive Council Rules to allow for a second reading of Resolution 37-23. The motion was seconded by Councilor Gerding and passed 6-1 by roll call vote. Councilor Gibson voted no.

Clerk LaPanne performed a second reading of Resolution 37-23 by title only.

Councilor Witham made a motion to adopt Resolution 37-23 as submitted. Councilor Messier seconded the motion.

Discussion:

Councilor Gerding commented that he is in support of this Resolution and believes that this is a good example of good government. The City is assisting a local developer, that has developed in the City before, by bringing in commercial or residential space if the Council approves this Resolution. He added that the City holds no financial responsibility of the property during this process and upon completion of the project, the development will provide benefits to the Community as a residential or commercial building.

Councilor Witham agreed with Councilor Gerding's comments, adding that the City is assisting a known developer to the City, with the cleanup of a contaminated property knowing that the City will sell it back to Mr. Baker who will then develop the property. He is in full support of the Resolution.

Councilor Michaud commented that he agrees with the comments of both Councilors Gerding and Witham regarding the Resolution. He added that he is in support of the Resolution especially with the property being in his Ward and being in an area that is blighted off of Main Street.

The motion passed 6-0 by roll call vote. Councilor Gibson abstained.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	EXCUSED	
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:		7	0
On 3/6/2023	Resolution 37-23	PASSED	FAILED