

Minutes of City Council Meeting  
Monday, March 20, 2023

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**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: Pepin, Vincent, Gibson, Austin, Michaud, Witham, Cameron and Messier. Councilor Gerding was absent.

**PLEDGE OF ALLEGIANCE**

Councilor Austin 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 17-23** – Supplemental Appropriation for the Replacement of the Dispatch Radio Console at the Somersworth Police Station

There were no public comments.

- A. **Community Revitalization Tax Relief Incentive Program Application** (City Ordinance Chapter 31) from Mr. Robert Previti for 85 Elm Street and 20 Green Street

Ben Stebbins, co-applicant of the Community Revitalization Tax Relief Incentive Program Application for 85 Elm Street and 20 Green Street, expressed his excitement in beginning the project and feels it will be a big economic benefit for the City of Somersworth. Mr. Stebbins stated that having the tax relief application approved by the City is critical in their ability to move forward and attract financing options. He thanked the Council for their consideration and offered to stick around for any questions.

**COMMENTS BY VISITORS**

Maggie Larson, Chair of the Somersworth School Board, commented on the resignation letter of Mark Richardson from the School Board as an At-Large member on the City Council's Agenda. She noted that the letter was sent directly to the Mayor on March 13<sup>th</sup>, written as effective immediately, but that it had not been sent to her or the School Board. Ms. Larson confirmed that Mr. Richardson contacted her on March 17<sup>th</sup> regarding his departure but did not provide a formal letter of resignation which does not follow the Board Policy in accordance with BBBC. She stated that the announcement of a vacant At-Large School Board Member was posted on March 16<sup>th</sup>, prior to her knowledge of Mr. Richardson's resignation. Ms. Larson stated that she inquired with Mr. Richardson on March 8<sup>th</sup> if he

had a meeting at City Hall on March 3<sup>rd</sup> as she has concerns that information from a non-public meeting was shared which goes against RSA 91-A:2.

Mayor Hilliard gavelled the speaker and Councilor Vincent requested a Point of Order to determine the reasoning. Mayor Hilliard explained that under City Council Rules, public commenters may not directly make accusations or attack any member of this City Council.

The City Council went into a recess at 7:06 p.m.

Mayor Hilliard returned the City Council from recess at 7:09 p.m. after sharing Council Rules.

Maddy DeSantis-Wysocki commented that she hadn't planned on attending the Council meeting but then noticed Mark Richardson's resignation letter on the Agenda and noted that it accused the School Board Chair as creating a toxic work environment. Ms. DeSantis-Wysocki stated that the State of the City Address that she heard spoke of a 'team approach' and stated that the Mayor is not a team-player and promotes a culture of toxicity. She added that she feels that the reason for Mr. Richardson's resignation is not from a toxic environment, rather he divulged non-public information. Ms. DeSantis-Wysocki stated that the Councilors should be concerned with the actions of this meeting.

Maggie Larson began reciting from the Charter, 6.9 Misuse of Information. Mayor Hilliard called a recess at 7:12 p.m.

Mayor Hilliard returned the City Council from recess at 7:14 p.m.

Barbara Wentworth, Ward 2 School Board Member, commented on the relationship between the School Board and the City Council pertaining to comments made by Council members at previous meetings. To her knowledge, Ms. Wentworth feels that the two bodies have a great relationship as shown at the recent Joint Workshop meeting pertaining to the school's budget. She mentioned that she believes that the Council and School Board both work towards a common goal by providing what is best for the City's students and Community and noted that all have been in agreeance with staying at the \$0.90 tax rate increase projected for the proposed School Budget. Ms. Wentworth commented that after learning of Mr. Richardson's resignation from the School Board, she feels that some of his comments within the letter calls the relationship of the Council and School Board into question. She noted that she has never felt that there has been any toxicity or been approached by anyone stating that they feel that way. Ms. Wentworth commented that, in her opinion, the School Board meetings are about the Community and that with differing opinions, all members show respect for each other. She encourages anyone with issues or things that need to be discussed, that they get brought up and discussed. Ms. Wentworth added that her interactions with both the City Council and School Board have been very respectful and reminded the elected officials of both body's that they are here to serve the Community and get the information out there and to ask questions. She expressed that after the State of the City, she is upset by the handling of the public comments.

Maggie Larson, Chair of the Somersworth School Board, commented that her understanding from previous City Council meetings, letters of resignations were read aloud. Ms. Larson spoke to the diligent work that the School Board has done to ensure that the 2023-2024 proposed budget provides both educational and community needs and offers fair and competitive compensation, all while

maintaining an effective relationship with the City Council. She added that the Board does their best to remain impartial, respectful and aligning with the interests of the public. Ms. Larson hopes that all School Board and Council members share the same belief that an open line of communication is key in maintaining the relationship. She added that she felt she needed to address Mr. Richardson's letter of resignation as it became a public document and was negative towards the School Board.

### **CONSENT CALENDAR**

A. Approve Minutes of the City Council Meeting held on March 6, 2023

*Councilor Vincent made a motion to approve item A. in the Consent Calendar. The motion was seconded by Councilor Gibson and passed by voice vote 8-0.*

B. Letter of Resignation from At-Large School Board Member Mark Richardson

*Councilor Vincent made a motion to remove item B from the Consent Calendar.*

*Clerk LaPanne performed a reading of the following Letter of Resignation from At-Large School Board Member Mark Richardson.*

Monday, March 13, 2023  
Mayor Dana Hilliard  
Somersworth City Hall  
1 Government Way  
Somersworth, NH 03878

Dear Mayor Hilliard,

Due to extenuating circumstances, I have come to the difficult decision to resign from my elected position as an At-Large member of the Somersworth School Board, effective immediately.

Overall, I've enjoyed my years of service on the Somersworth School Board, and it pains me a great deal to have come to this decision, but I find it impossible to continue on as a member of what has become an increasingly toxic environment within the School Board. Many folks have asked me, "What the heck is going on with the School Board?" They have watched meetings or been present during meetings, and all I can say to them is that what they're asking has been playing out before their eyes, and yes, I've never seen anything like it in my total of almost 18 years on the Board. The simple answer is that there's no respect for a process that has been tried and true. No respect for the established chain of command within the School District. No respect for or intention of listening to alternative positions on issues by "other" members of the board. No respect for years of hard work by a number of people to bring Somersworth up from the days of having a perceived negative reputation to being a community we can be proud of and is respected by others. In terms of funding our schools and the city side of Somersworth, there's no understanding of the city at large or the

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relationship between the School Board and our City Council, and of the hard-working people who work on the city side of our community. In my opinion, as seen in this current budget cycle, there's no respect for hard working Somersworth residents and those on fixed incomes who are paying the bills. The list goes on, but those are certainly the highlights. All of which are evident to those residents and employees watching who have spoken to me. I must add that these references do not apply to all School Board members on all issues, but overall, there are enough instances, such that I can no longer hold myself to a position where my presence may be perceived as supporting the toxicity that has become ever present, negative in tone and action and apparently condoned (in my opinion) by our Board Chairperson.

As such, I will not be present at the School Board meeting on Tuesday, March 14th. My thanks go out to all who have supported me over my years on the Board, and I hope you'll understand my position.

Sincerely,

Mark Richardson  
Former Somersworth School Board Member At-Large

*The Letter of Resignation from At-Large School Board Member Mark Richardson has been accepted.*

#### **COMMENTS BY CITY COUNCILORS**

Councilor Vincent commented that he is concerned with the letter of resignation from Mark Richardson, an 18-year School Board veteran. Councilor Vincent has requested that Maggie Larson contact him to discuss the issue and feels that as Councilors, they should be concerned. He expressed his understanding, from his own experience, that employees or board members cannot be discussed but does want to find out what is going on. Councilor Vincent commented that in the past, the relationship between the Council and School Board has been great and thinks that further conversations need to be had. He thanked the School Board for all of their work and is sorry to lose Mark Richardson as a School Board member.

Councilor Witham commented that he read the letter prior to the Council meeting and stated he is concerned by the tone of the resignation letter from Mark Richardson. He stated that within the Councilors there are difference of opinions and often many of them may emerge during the budget season and can be magnified. He stated that regarding the letter, he has never felt or witnessed what was read aloud from the letter in his years of watching or attending School Board meetings. Councilor Witham stated that he feels that it is important that during difficult conversations, that elected members try to work through it. He added that he does respect Mark Richardson and that he provides valuable input at the Planning Board which they are both members of. Regarding the proposed school budget, he stated that he is not concerned with the \$0.90 tax rate or going over that, his concern would be in going below that tax rate projection and the impact that it would cause to the school system. Councilor Witham acknowledged that he felt the School Board's budgeting process was worked through in a thoughtful manner as a body. He further commented on the reemergence of a part-time position for a foreign language teacher which as part of the budget process eliminated, for example, a

grounds keeper position which he understands that those types of decisions need to be made and agree to disagree.

## **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**

### **Mayors Report for City Council Meeting March 20th, 2023**

This evening prior to tonight's Council meeting was the annual State of the City Address. As I reported to those in attendance Somersworth there is a lot to celebrate.

In 2014 our community began its journey, its journey to embrace itself, its history, its identity, and the foundation of its strength.

We united as Hilltoppers, no longer allowing others to create a superficial image or reputation of untruths about our community. Instead, allowing the Hilltopper spirit of *neighbor helping neighbor* illuminate the path towards our new success.

In 2014 our tax rate was **\$30.47**, ten years later we stand at **\$28.09**.

**In one decade**, we awoken our dedication to succeed throughout the 10 square miles we call home, and have delivered with results.

**In one decade**, we have invested \$23 million in road improvements equating to 25.46 miles of new or improved roads within our community. We have risen our local economy from the tomb of despair, attracting 185 new business. From Hampshire Pewter, Smoke and Cream, Hall at Great Falls, a new regional state liquor store and Pensole Shoes.

**In one decade**, we have re-affirmed our commitment to the safety of all Hilltoppers by ensuring that our first responders have 21<sup>st</sup> century equipment, training and pay. From competitive contract to new fire apparatus, a new fire station and fire equipment.

We have stood by those who walk the thin blue line, by investing in a K9 program, crime scene unit vehicle, wellness uniforms and body worn cameras. Our EMS responders under the leadership of Paul Robidas continues to be model throughout our state. With CPR and AED training for City employees

and students, guiding our community throughout the pandemic and being there quickly when citizens are within need.

We have stood by our **PROUD PAST** by adding historic building to the national and state historic registry, been approved for two state historic markers for the Forest Glad cemetery and former Hilltop School, and are now working closely with the Historic society to ensure the museum will be preserved and protected for all future generations of Hilltoppers.

The wheels for improvements have continued in motion in all aspects throughout our community. Upgrades to Jules Bission Park, Mast Point Dam, Millennium Park, Nobles Pine and Willand Pond have all occurred over the last decade. As a testament to those who served this great nation, Somersworth in 2020 completed its new Veterans Memorial at Stein Park. A created a new space for our four-legged members of our Hilltopper family, with the creation of a dog park.

The year 2020 also gave time to celebrate, as we reached our Vision 2020 goals completing are mapped out vision to make Somersworth one of the most desirable communities on the Seacoast.

The State of our city is **STRONG**, strong because we believe in ourselves and our abilities to succeed. **Strong** because of our commitment to each other. **Strong** because we acknowledge that diversity and celebrating each other's leads to universal success throughout our 10 square mile home. With each flag raised at citizens place, we celebrate.

We celebrate the Greeks, the Irish, the French Canadians and Penacook and Wabanaki People. We celebrate Catholics, Protestants, Jews, Muslims, and non-believers. We celebrate, straights and members of our LGBTQ+ community. We celebrate each other.

We are **strong**.

**Strong**, because of our commitment to the future generation of our city, state and nation, as a testament to how we stand by our public schools. Over the last decade each of our schools has received capital improvements. From a CTE renovation, to upgrades at the Middle and High School. The results lay not only in the success of our students, but the accolades our schools have received for their dedication to their missions.

In 2015 our High School was once again reaccredited by NEASC an accreditation they have never lost.

The middle school was named a National Distinguished Title 1 school in 2014, A NELMS spotlight school from 2014- 2020 and New Hampshire Middle School of the Year in 2019. Idlehurst and Maplewood have continued to lead the way with their dedication to all early grade levels and SAU56 continues to unify by bringing the entire district together as **ONE**.

This is a snap shot of the progress which has been made over the last decade, a microbe of what we have done by creating a team approach to governing. It is our team approach that reflects the true spirit of democracy, the team approach that must be protected, and preserved.

So Somersworth, let's celebrate for we Somersworth, our truly **"ON THE MOVE!"**

The state of our city is truly **STRONG.**

Our strength will continue in motion, our team approach will continue to be a fabric of who we are and how we govern. Despite the naysayers, despite those who still do not believe in our progress or what we have accomplished. Somersworth we are and will remain **"On the Move!"**. The story of our success is not fiction, it is truth of what can be accomplished when individual agendas become extinct like the dinosaurs and replaced with the agenda of team.

Somersworth, our PAST IS PROUD and Our FUTURE IS BRIGHT!

What a decade it has been!

As the "EYES ON 30" commission continues its work, let us get excited. Excited about what the next decade will bring for our home, excited about the journey we will continue to take.

The journey of celebrating all

The journey of continuing to build excellence in our public school

The journey of modeling democracy through a team approach to governing.

THE JOURNEY OF BUILDING THE SUCCESS FOR ALL THROUGHOUT OUR COMMUNITY.

**Nominations, Appointments and Elections:**

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

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

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

Steve Goff, re-appointment to the Trustee of Trust Funds with a term to expire May 2026

In accordance with **Council Rule 17** the nomination will remain open until the next regular scheduled meeting.

**This respectfully concludes my March 20th, 2023 Mayors Report**

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## **REPORT OF STANDING COMMITTEES**

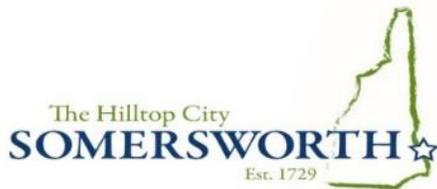
Councilor Pepin reported that the Public Safety Committee is scheduled to meet Wednesday, March 22 at 3:30 p.m. in Council Chambers.

## **REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER**

*Planning Board* - Councilor Witham reported on the Planning Board meeting stating that they approved the 128-unit apartment building on 85 Elm Street. The project is a high-quality development that has been vetted through the Historic District Commission and has had two meetings with the Planning Board. He added that the developer has agreed to provide \$75,000 towards reconstruction of Church Court as well as \$2,000 to cover costs of pavement line striping and parking lanes on Elm Street. Councilor Witham stated that one of the biggest challenges has been parking, the Planning Board required 1.3 spaces per unit, and the developer is working with the City to acquire additional parking via permits off of Main Street to meet this target. The Planning Board approved the project at 85 Elm Street with a condition that the City Council passes the Parking License agreement with the developer.

*Lamprey Regional Cooperative* - Councilor Messier reported on the Lamprey Regional Cooperative meeting that was held on January 9<sup>th</sup> at the Lee Public Safety building. The discussions mainly pertained to the operation and closure budget and a new waste disposal agreement with Waste Management. The Executive Committee of the Cooperative negotiated the agreement with Waste Management, there were increases made due to the host City, Rochester, having increases in their expenses.

### 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 17, 2023  
**SUBJECT:** City Manager's Report for Monday, March 20, 2023 City Council Meeting

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*6:00 p.m. State of the City Address*

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## *Unfinished Business (under Section 15 of Agenda)*

### Ordinance

- A. **Ordinance 10-23: To Amend Chapter 14 Licenses and Permits, Sections 14.2 Permits, 14.3 Fees, 14.6 Application, 14.7 and 14.8. (Referred to Government Operations Committee per Reconsideration Vote on February 6, 2023).** Attached is the *red-line* version of the Ordinance Amendments that the Government Operations Committee voted to recommend at their February 6<sup>th</sup> meeting.
- B. **Ordinance No. 17-23: Supplemental Appropriation for the Replacement of the Dispatch Radio Console at the Somersworth Police Station.** Again, the Finance Committee voted to recommend this funding formula to the full Council. The estimated amount was \$175,000 not including contingency, but the quote came back in less than anticipated to the revised estimate of \$168,461. I have added an approximate 10% contingency to this new estimate.

## *New Business (under Section 16 of Agenda)*

### Ordinance

- A. **Ordinance No. 18-23: Fiscal Year 2023-2024 Budget.** The City Manager's Proposed FY 2023-2024 Budget and School Department Budget has been submitted in accordance with the City Charter. Mayor Hilliard has scheduled a Public Hearing for Monday, April 3<sup>rd</sup>. The City Manager's Budget Presentation starts at 6:00 p.m. The Budget Public Hearing is posted for 7:00 p.m. as part of the regular Council meeting.

### Resolutions

- A. **Resolution No. 38-23: To Authorize the City to Participate in the State of New Hampshire's Recovery Friendly Workplace Initiative Program.** The Government Operations Committee voted at their March 2<sup>nd</sup> meeting to recommend the adoption of this Resolution. Attached are the minutes of that meeting.
- B. **Resolution No. 39-23: To Authorize the City Manager to Contract with Superior Sealcoat, Inc. of Wilmington, MA for Crack Sealing on Selected City Streets.** The Finance Committee met on March 1<sup>st</sup> to discuss the three (3) bids received for the Crack Sealing repairs on City Streets. After review, the Committee accepted Staff's recommendation to award the contract to Superior Sealcoat, Inc. of Wilmington, MA. Attached is a Memorandum from City Engineer Amber Hall regarding the bids received.
- C. **Resolution No. 40-23: To Authorize the City Manager to Enter into a Grant Agreement with the State of New Hampshire Department of Environmental Services for a Lead Service Line Inventory, Sampling Plan and Replacement Plan Grant.** The Public Works & Environment Committee met on November 10<sup>th</sup> in 2022 and voted to support this Resolution. Attached is a Memorandum from City Engineer, Amber Hall, as well as the letter notifying the City of this award. A copy of the Grant Paperwork is also attached.

*Please note:* there is no City match with this Grant.

- D. Resolution No. 41-23: To Authorize the City Manager to Enter into a Grant Agreement with the State of New Hampshire Department of Business and Economic Affairs for a Housing Opportunity Grant through the InvestNH Municipal Planning and Zoning Grant Program.** Attached is information provided by Director Michelle Mears. I had informed the Council at the January 23<sup>rd</sup> meeting that Staff was going to apply for this Grant in my Manager's Report "Informational Items" section.

*Notes from this meeting:* "I have authorized Michelle Mears, Director of Planning & Community Development to apply for a \$25,000 Planning Grant to address a Housing chapter component of our City's Master Plan. We will also be applying for a Regulatory Housing Audit to examine all our Zoning, Subdivision Regulations, and Ordinances to consider changes related to Housing. This Grant application will be for \$50,000. Both Grants do not require any City matching funds."

### Other

- A. Vote to Approve the 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 reviewed this application at their March 6<sup>th</sup> meeting. The Committee recommends acceptance of this Application. 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 17<sup>th</sup> 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 and seven (7) years tax relief on the new 128-unit apartment complex.

*City Manager Belmore ask that if Councilors who plan to vote in support for the applications acceptance, could provide some substance to what public benefit they feel the project would bring to the City. He also asked the Council to define the number of Years that would be granted 5 or the 7 years that was requested as part of the requirements of the r tax relief per Chapter 31.*

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

#### Informational Items

- A. Forest Glade Cemetery Historical Marker.** The City was notified from the State of NH, Division of Historical Resources, the Forest Glade Cemetery was granted a State Historical Marker. The State website indicates the Markers cost between \$2,000-\$2,300. At the next regular Council meeting on April 3<sup>rd</sup>, I would like to introduce a Resolution to authorize signing of an Agreement with the State similar to the one Council approved for the former Hilltop School. Please let me know who would like to Sponsor such a Resolution.

#### Attachments

1. Department Head Reports
2. City Attorney Certifications: Five (5)

**Reminder:**

- **City Manager’s Budget Presentation** – Monday, April 3 at 6:00 p.m.  
**Council Meeting & 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.

**NOMINATIONS, APPOINTMENTS AND ELECTION**

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

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

*Councilor Vincent motioned to re-appoint Matt Keiser to the Zoning Board of Adjustments. The motion was seconded by Councilor Austin.*

*Councilor Witham commented that Mr. Keiser is the current Chair of the Board and runs an excellent meeting and works hard on the side of the City. He fully supports the re-appointment of Mr. Keiser to the Zoning Board of Adjustments.*

*Councilor Vincent commented that Mr. Keiser is an excellent Chairperson for the Board and knows how to handle situations that come in front of the Board and supports his re-appointment.*

*The motion passed 8-0 by voice vote.*

**OTHER**

A. Vote to Approve the Community Revitalization Tax Relief Incentive Program Application (City Ordinance Chapter 31) from Mr. Robert Previti for 85 Elm Street and 20 Green Street

*Councilor Witham requested that the Council that the Agenda out of order and address New Business Other A. Vote to Approve the Community Revitalization Tax Relief Incentive Program Application (City Ordinance Chapter 31) from Mr. Robert Previti for 85 Elm Street and 20 Green Street. No objection from the Council.*

***Discussion:***

*Councilor Austin commented on the public benefits of the development for purposes of passing this vote. He stated that the addition of the 128 units will certainly increase the economic vitality of the Downtown area, it enhances and improves the current historical structure, the increase in residents has the opportunity to increase safety by having more people around to see what is going on, and it addresses the Council’s desire to increase nonsubsidized residential housing in the Downtown area.*

*Councilor Vincent stated that he is in favor of the application and development because the City needs housing and agrees that it will impact the City in some ways, perhaps the most impact being to the school system. He does think that the school system could use some more students for enrollment reasons but isn't sure if the impact could potentially be too much. He remains in favor.*

*Councilor Pepin thanked the developer for considering the City of Somersworth for this project. He reminisced on the days where the Downtown area had more people and looks forward to a day when he might see that again. Councilor Pepin believes that the development will bring more people to the local business and restaurants. He fully supports the passing of this application.*

*Councilor Austin made a motion to waive Council rules to allow Mr. Stebbins to answer questions. The motion was seconded by Councilor Michaud and passed 7-1. Councilor Witham voted no.*

*Councilor Austin asked Mr. Stebbins if most of the units are single bedrooms. Mr. Stebbins confirmed that there is roughly 114 units that are either studio or 1-bedrooms with the remainder being 2-bedrooms. Mr. Stebbins added that they conducted a school impact study which according to his recollection, the study estimates an impact of approximately four students.*

*Councilor Witham commented on the Sunningdale project pertaining to public concern of the potential school impact the development would have on the school system, he noted that last he knew the count was two students from that development within 89 units. Councilor Witham stated that we need more students to increase enrollments and participation in extracurricular activities and sports which will help increase the vitality of the City. Councilor Witham agreed with Councilor Austin's comments pertaining to the development and its benefits to the City. He added that the location of the project is blighted and the buildings to be torn down are beyond repair, the developers are contributing \$75,000 to a road in dire need of reconstruction, and after the 7-year tax relief expires the City will receive a fair amount in property taxes that will support the demand it may have to the City. Councilor Witham thanked the developers for considering this project in Somersworth.*

*Councilor Cameron is in favor of the application; she commented that the project is happening in an area near where she lives. She agrees with the comments by other Councilors regarding the project and added that the development provides an opportunity for other developers to bring their projects into the City and continue to increase the City's economic vitality.*

*City Manager Belmore shared with the Council, that when City staff review tax relief application requests, not only is the public benefit considered but also rehabilitation of structure cost. He stated that the tax relief incentive application is requesting 5 years for the qualifying structure of the rehabilitation to the Lloyd Wells House and to the new Apartment complex as well as 2 years for the new, nonsubsidized residential units should the Council approve the application as submitted.*

*Councilor Witham indicated that the vote will be to approve the Community Revitalization Tax Relief Incentive Program Application for 7 years of tax relief. There was no objection from the Council.*

*Councilor Witham requested the vote be by roll call. There was no objection from the Council.*

*The vote to approve the Community Revitalization Tax Relief Incentive Program Application (City Ordinance Chapter 31) from Mr. Robert Previti for 85 Elm Street and 20 Green Street for 7 years of tax relief passed 8-0 by roll call vote.*

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

- A. Steve Goff, re-appointment to the Trustee of Trust Funds 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**

- A. **Ordinance 10-23** – To Amend Chapter 14 Licenses and Permits, Sections 14.2 Permits, 14.3 Fees, 14.6 Application, 14.7 and 14.8 (referred to Government Operations Committee per Reconsideration Vote on February 6, 2023)

*Clerk LaPanne performed a second reading of Ordinance 10-23.*

*Mayor Hilliard asked if the Government Operations Committee was prepared to release the amendments of Ordinance 10-23. Councilor Michaud, Chair of the Government Operations Committee, stated that they were prepared to release the amended Ordinance.*

*City Manager Belmore reviewed the redline version of the Ordinance that was included in his Manager's Report to the Council regarding the amendments which the Government Operation Committee supported. The amendments included striking 'tent show' and 'public dance' from the list of reasons for a permit and adding language that waives the permit fee for non-profit organizations if the permit is for raising funds for a charitable purpose or Community-based fundraising effort.*

*Councilor Witham made a motion to amend Ordinance 10-23 to eliminate 'tent show' and 'public dance' and to add the following language 'The \$25.00 fee shall be waived if the applicant is a non-profit organization; the permit is to raise funding for a charitable purpose; or tagging (solicitation) is for a Community based fundraising effort.' The motion was seconded by Councilor Austin and passed 7-1 by roll call vote. Councilor Messier voted no.*

*Councilor Witham made a motion to adopt Ordinance 10-23 as amended. The motion was seconded by Councilor Austin.*

*Discussion:*

*Councilor Witham thanked the Government Operation Committee for taking a second look at the Ordinance and appreciates the amendments.*

*The motion passed 7-1 by roll call vote. Councilor Messier voted no.*

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

*Clerk LaPanne performed a second reading of Ordinance 17-23 by title only.*

*Councilor Austin made a motion to adopt Ordinance 17-23 as submitted. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.*

## NEW BUSINESS

### ORDINANCES

- A. **Ordinance 18-23** – Fiscal Year 2023-2024 Budget

*Councilor Witham made a motion to suspend Council rules and have Ordinance 18-23 read by title only. The motion was seconded by Councilor Gibson and passed 8-0 by voice vote.*

*Clerk LaPanne performed a first reading of Ordinance 18-23 by title only.*

*Ordinance 18-23 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 38-23** – To Authorize the City to Participate in the State of New Hampshire’s Recovery Friendly Workplace Initiative Program

*Clerk LaPanne performed a first reading of Resolution 38-23.*

*Resolution 38-23 will remain in first reading until the call of the Chair.*

- B. **Resolution 39-23** – To Authorize the City Manager to Contract with Superior Sealcoat, Inc. of Wilmington, MA. for Crack Sealing on Selected Streets

*Clerk LaPanne performed a first reading of Resolution 39-23.*

*Resolution 39-23 will remain in first reading until the call of the Chair.*

- C. **Resolution 40-23** – To Authorize the City Manager to Enter into a Grant Agreement with the State Of New Hampshire Department of Environmental Services for a Lead Service Line Inventory, Sampling Plan and Replacement Plan Grant

*Clerk LaPanne performed a first reading of Resolution 40-23.*

*Resolution 40-23 will remain in first reading until the call of the Chair.*

- D. Resolution 41-23** – To Authorize the City Manager to Enter into a Grant Agreement with the State of New Hampshire Department of Business and Economic Affairs for a Housing Opportunity Grant Through the InvestNH Municipal Planning and Zoning Grant Program

*Clerk LaPanne performed a first reading of Resolution 41-23.*

*Resolution 41-23 will remain in first reading until the call of the Chair.*

### **COMMENTS BY VISITORS**

Mandy Demers, Ward 5 School Board Member, commented that she brought her teenagers to attend the State of the City Address to watch a civic process and that even with differing opinions the importance to show civility and respect. Ms. Demers encourages all as City residents and elected officials, to remember that we are setting an example on how to engage with others regardless of point of views. She recognized the importance of having elected officials on both the School Board and City Council that have years of experience but believes that progress and new approaches are important as well. Ms. Demers also encouraged Council and Board members to surround themselves with others that offer differing opinions to ensure the City moves forward in a direction that is best for the City students and residents. Ms. Demers added that the School Board has been respectful to all Councilors who speak at their meetings and appreciative of any feedback and expressed dismay of the way the meeting began during public comments.

Kari Clark, At-Large School Board Member, commented that she respects all members of the City Council and is thankful for the knowledge they bring to the City. Ms. Clark stated that pertaining to the School Board, she believes that the members do not always agree but that each member is listened to including the public. She stated that it was unfortunate to learn that Mark Richardson resigned from his position on the School Board because he had a lot of knowledge and served the Community well and asks that the Council be mindful of the reasons why he resigned.

Susan Tierney, Ward 3 School Board Member, commented that the School Board is comprised of members with different politics, beliefs, and perspectives but that all members work together for the good of the Community and students. Ms. Tierney stated that she believes that School Board Chair Maggie Larson remains neutral and supports each of the School Board members even with differing opinions. Ms. Tierney commented that her experience with all of her fellow School Board members, including Mark Richardson, has been positive and productive and all care deeply about the Community's wellbeing and share a common goal to ensure the school system is attractive and brings in more students.

### **CLOSING COMMENTS BY COUNCIL MEMBERS**

Councilor Pepin commented that he is disgusted with this meeting's forum, he feels that it has painted a frame that shows the School Board and City Council being at odds with one another. He served as a School Board Representative of the City Council for many years and has respect for the elected officials that serve on the Board. Councilor Pepin commented that there have been many scenarios

where he has not agreed with other Councilor's differing opinions but they work through it in an effort to do what is best for the City. Councilor Pepin can understand resigning from a position if a member doesn't feel that they can contribute any longer or that perhaps they feel they are not listened to, it is time to move on. Councilor Pepin stated that as an elected official, we are charged with doing what is in the best interest of the City and working together respectfully and has respect for all the work that the School Board members do. Councilor Pepin stated that his wife was recently a patient of Wentworth Douglass Hospital and acknowledge the large work load that the nurses and doctors have, he expressed appreciation to the staff and commented that they are a fine group of people.

Councilor Vincent commented that at times he feels like a Councilor on his own island and questions many things that come before him regarding the City. He stated that he does listen to what people say and he appreciates the School Board members that came forward to share their comments, and looks forward to speaking with the Board Chair to find out what is going on and hopes to move towards a resolution for their concerns. Councilor Vincent commented that both the School Board and City Council are tasked to work for the constituents of the City and he looks intently into any monies being spent to ensure it is in the best interest of the City and its residents.

Councilor Gibson stated that he agrees with the previous Councilors comments. He commented that in his earlier days of working with Mayor Hilliard, he didn't have a great relationship with him but quickly realized that that the Mayor has the best interest of the City and for students as Principal. Councilor Gibson spoke to his 14 years of experience being a member of the School Board, stating that he learned to disagree but still in the end come to a successful resolution to benefit the City. He added that he is happy to have discussions with those that disagree with the way the Council operates and acknowledged that that there is a policy and procedure in place during public comments and can understand the reasoning of what transpired at the beginning of the meeting.

Councilor Austin stated that he stands by his closing comments from the previous City Council meeting where he reiterated the importance an effective working relationship between the Council and School Board and since that there has been some deterioration in that relationship. He hopes that the two bodies can continue their relationship and work as a team for the betterment of the City. Councilor Austin stated he has other opinions but doesn't feel it appropriate to discuss in a public forum at this time, he stated that he will work to determine the best parliamentary process to provide feedback to the School Board. Councilor Austin added that if conversations are being had that include underlying agendas, they need to end and agrees with the School Board members, that if a meeting is held in a nonpublic setting, per RSA 91-A:2, that information must remain nonpublic information. He wished everyone a happy Spring.

Councilor Michaud thanked the School Board members that came out to speak and shared having been in a situation where he seriously considered resigning from his position on the City Council. He stated that he enjoys serving on the Council and supporting the City but it can be frustrating at times. Councilor Michaud stated that he is uncomfortable with what happened at the beginning of the meeting and hopes that the two Boards can move forward in a positive direction. He wished everyone a happy Spring and commented that Malley Farm's Community Garden's will be opening soon and anyone interested in having a plot can pick up an application at Public Work's to get on the list, the deadline to sign up is March 31<sup>st</sup>.

Councilor Witham stated that his conduct is never above reproach, he encourages anyone to speak up to him about it because he feels it is so important with what he does as a Councilor. He commented on Mark Richardson's resignation letter and provided an experience between him and his 11-year old son at the time who played baseball, he concluded the story encouraging people to work through their problems rather than running from them.

Councilor Cameron mentioned Councilor Witham bringing up work *conduct*, she commented on the word perception and how people present themselves says a lot. She commented on Mark Richardson's resignation and added that if a board member feels that they aren't effective or can no longer make a difference, then that is the right decision. Councilor Cameron stated that both the School Board and the City Council work very hard to represent the public within their roles and agree to disagree is important and is an opening for effective discussions. Councilor Cameron thanked the Public Work's employee that was plowing during the last storm and their patience.

Councilor Messier commented on the School Board comments and plans to review the City Charter for the correct procedure of Board members resigning. He stated that he accepts Mark Richardson's resignation and does have concerns and will speak with the School Board Chair to find out what is going on.

### **ADJOURNMENT**

*Councilor Messier made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Michaud and passed 8-0 by voice vote. The meeting adjourned at 8:48 p.m.*

Respectfully Submitted,

---

Kristen LaPanne, City Clerk



## City of Somersworth – Ordinance

Ordinance No: **10-23**

**TO AMEND CHAPTER 14 SECTIONS 14.2 PERMITS, 14.3 FEES, 14.6 APPLICATION, 14.7 AND 14.8.**

January 9, 2023

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 14, Section 14.2 Permits, by deleting it in its entirety and replace with:

Persons or organizations shall obtain a permit from the Licensing Board for the following purposes:

1. Solicit funds for charitable purposes.
2. Erect banners or signs related to a special event.
3. Tag (donation solicitation) days.
4. Conduct parades or processions, festivals or races, walk-a-thons, public demonstration or protest on public property or highway.
5. Conduct a carnival, fair, circus, dance exhibition or demonstration, live music shows, disc jockey, karaoke, or other amplified music event in which the public is invited for pay to attend or attendance is free.
6. The temporary closing of any City street or temporary use of any City property for the purpose of community related or private events. A certificate of insurance in the amount of \$1,000,000, acceptable to the City, that names the City of Somersworth as an additional insured shall be required. The Licensing Board, at its discretion, may require additional conditions at no cost to the City to include, but not limited to, a higher insurance binder amount, police or fire details, or other measures to ensure the public safety.

Amend Chapter 14, Section 14.3 Fees, by deleting it in its entirety and replace with:

Each applicant shall pay in advance for such license, for the use of the City as follows:

1. There will be a \$25.00 fee for each license issued, unless otherwise stated in another section, for each day or event, unless specifically waived by the Licensing Board. The \$25.00 fee shall be waived if the applicant is a non-profit organization; the permit is to raise funding for a charitable purpose; or tagging (solicitation) is for a Community based fundraising effort.
2. License fees for carnivals, circuses, traveling tent shows and the like, shall be determined by the Board within the limits of said Chapter 286 RSA.

March 20, 2023

Amend Chapter 14, Section 14.6 Application, by deleting it in its entirety and replace with:

A written application for a permit must be submitted 30 (thirty) days prior to the date of the event. The application shall contain the following information:

- Name or Name of Organization
- Statement of permission from property owner
- Name, address and telephone number of Person in Charge
- Purpose
- Dates and times
- Specific location(s)
- Anticipated number of attendees
- Police detail secured if required
- Certificate of Insurance naming the City of Somersworth as additionally insured (if event is to take place on City property)
- Map of event set-up (tables, tents, stages, parking, restrooms, etc.)

Serving of alcoholic beverages shall require proof of proper State of NH Liquor Licensing permission and a police officer/s detail.

Any event requiring the use of a public way, publicly owned property, or any modification to parking regulations shall require a meeting with a Police Department representative as well as any necessary City staff as designated by the City Manager no later than 14 (fourteen) days prior to the event.

Amend Chapter 14, Section 14.7, by deleting it in its entirety and replace with:

If the request would require a temporary waiver of any Planning or Zoning Regulations of the City, the Licensing Board shall first refer the application to the appropriate staff or Board for review and recommendation prior to deciding on the application.

Amend Chapter 14, Section 14.8, by deleting it in its entirety and replace with:

The permit when issued shall contain the effective date, expiration date, the purpose and the name, address, telephone number and email address of the responsible person.

This Ordinance shall take effect upon passage.

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

City of Somersworth – Ordinance 10-23

| History                      |           |                     |  |
|------------------------------|-----------|---------------------|--|
| First Read Date:             | 1/9/2023  | Tabled:             |  |
| Public Hearing:              | 1/30/2023 | Removed From Table: |  |
| Second Read:                 | 1/30/2023 |                     |  |
| Reconsideration Vote:        | 2/6/2023  |                     |  |
| Second Read after Amendment: | 3/20/2023 |                     |  |

**Discussion**

*1/9/2023*

*Clerk LaPanne performed a first reading of Ordinance 10-23 by title only.*

*Ordinance 10-23 will remain in first reading until the call of the Chair.*

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

*1/30/2023*

*Clerk LaPanne performed a second reading of Ordinance 10-23.*

*Councilor Austin made a motion to adopt Ordinance 10-23 as submitted. The motion was seconded by Councilor Gibson.*

**Discussion:**

*Councilor Witham asked the City Manager where the amendment reasoning originated. Manager Belmore explained that the Ordinance amendment went through the Government Operations Committee and is intended to add clarity regarding the Event/Sign Permit Application mostly pertaining to some of the larger events that would require traffic detours where the Police Department and Public Works staff would need to be made aware. The proposed amendments add language to the Event/Sign Permit Application which is information that City staff would normally gather upon receiving an application. Councilor Witham shared hesitation of supporting the entirety of the proposed Ordinance due to portions that he doesn't necessarily agree with, he provided an example pertaining to item number 3 "Tag (donation solicitation) days" which he related being typically done by youth sports organizations attempting to raise money to support their programs by standing outside of a business and the fact that they would need to pay a fee and complete an application in order to do so. Manager Belmore noted that this listed reason for requiring a permit has existed for decades and that fees are generally waived for non-profits. Councilor Witham questioned,*

*what is the value of obtaining the permit if fees are waived. Manager Belmore stated that having a permit is a matter of gathering information mainly for the Police Department to be aware and that the property/business owner gave permission to the solicitor; he added that it is a process that has been in place and has not received any pushback pertaining to the request for the application. Councilor Witham questioned if the Police Department confirms with the business that permission was granted; Manager Belmore responded that is generally verified by City staff and within the application.*

*Councilor Messier stated that if we waive fees for non-profits, it doesn't state that within the proposed Ordinance and would not be supporting it.*

*Councilor Vincent noted reading through the proposed changes and wondered if the City should increase the permit fees to be more comparable to surrounding cities. Manager Belmore acknowledged that the fee amount is probably less than the neighboring cities but that Director Smith, Chief McLin, Captain Duval and himself all met to look at what is actually happening before submitting recommendations to the Government Operations Committee. He added that an amendment to address the non-profit language pertaining to waiving fees could be addressed prior to moving forward if the Council wanted to do so.*

*Councilor Vincent reported looking into the fees of other local communities and noted that the City of Somersworth is significantly lower and that is not a bad amount to be at and that he has no problems with an amendment regarding the non-profit fees being waived. He added that the Lion's Club puts up signs yearly and has never been charged a permit fee to do so.*

*Councilor Witham doesn't have concern with the current or proposed fee amounts but rather how far the City goes with the permitting process, he wonders should an organization like the Lion's Club need a permit to put out signs that they are selling Christmas trees or a little league organization need a permit to tag at a business who gives them permission to be there or else they would be asked to leave. He does agree that a permit is needed if an event is going to close the street, if tents are going to be erected or things of that nature.*

*Councilor Pepin stated that when this proposal first came up, he went over the proposed changes with a member of the Somersworth Festival Association (SFA) to gather feedback as to how it could affect them and their process and other than a miscommunication about needing written permission from the businesses within the Somersworth Plaza regarding the International Children's Festival which was cleared up, there was no issues presented from the member of the SFA.*

*Councilor Vincent stated the reasoning for permits when pertaining to signs, is that he recalled there being an instance where a sign was large and placed in a way where it blocked line of sight for some of the road traffic which is why the Police Department needs to be notified and this process is in place.*

*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             |
| <b>TOTAL VOTES:</b> |                 | <b>8</b>      | <b>1</b>      |
| On 1/30/2023        | Ordinance 10-23 | <b>PASSED</b> | <b>FAILED</b> |

3/20/2023

*Clerk LaPanne performed a second reading of Ordinance 10-23.*

*Mayor Hilliard asked if the Government Operations Committee was prepared to release the amendments of Ordinance 10-23. Councilor Michaud, Chair of the Government Operations Committee, stated that they were prepared to release the amended Ordinance.*

*City Manager Belmore reviewed the redline version of the Ordinance that was included in his Manager’s Report to the Council regarding the amendments which the Government Operation Committee supported. The amendments included striking ‘tent show and ‘public dance’ from the list of reasons for a permit and adding language that waives the permit fee for non-profit organizations if the permit is for raising funds for a charitable purpose or Community-based fundraising effort.*

*Councilor Witham made a motion to amend Ordinance 10-23 to eliminate ‘tent show’ and ‘public dance’ and to add the following language ‘The \$25.00 fee shall be waived if the applicant is a non-profit organization; the permit is to raise funding for a charitable purpose; or tagging (solicitation) is for a Community based fundraising effort.’ The motion was seconded by Councilor Austin and passed 7-1 by roll call vote. Councilor Messier voted no.*

*Councilor Witham made a motion to adopt Ordinance 10-23 as amended. The motion was seconded by Councilor Austin.*

**Discussion:**

*Councilor Witham thanked the Government Operation Committee for taking a second look at the Ordinance and appreciates the amendments.*

*The motion passed 7-1 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         |               | Excused       |
| At Large Councilor  | Cameron         | X             |               |
| At Large Councilor  | Messier         |               | X             |
| <b>TOTAL VOTES:</b> |                 | <b>7</b>      | <b>1</b>      |
| On 3/20/2023        | Ordinance 10-23 | <b>PASSED</b> | <b>FAILED</b> |



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:

Recorded by:

Scott A. Smith  
Director of Finance and Administration

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><br>David A. Witham<br>Donald Austin<br>Matt Gerding<br>Robert Gibson | <i>Approved:</i><br>City Attorney |

March 20, 2023

City of Somersworth – Ordinance 17-23

**History**

|                  |           |                     |  |
|------------------|-----------|---------------------|--|
| First Read Date: | 3/6/2023  | Tabled:             |  |
| Public Hearing:  | 3/20/2023 | Removed From Table: |  |
| Second Read:     | 3/20/2023 |                     |  |

**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.*

3/20/2023

*Clerk LaPanne performed a second reading of Ordinance 17-23 by title only.*

*Councilor Austin made a motion to adopt Ordinance 17-23 as submitted. The motion was seconded by Councilor Messier and passed 8-0 by roll call vote.*

| Voting Record       |         | YES      | NO       |
|---------------------|---------|----------|----------|
| Ward 1 Councilor    | Pepin   | X        |          |
| Ward 2 Councilor    | Vincent | X        |          |
| Ward 3 Councilor    | Gibson  | X        |          |
| Ward 4 Councilor    | Austin  | X        |          |
| Ward 5 Councilor    | Michaud | X        |          |
| At Large Councilor  | Witham  | X        |          |
| At Large Councilor  | Gerding | Excused  |          |
| At Large Councilor  | Cameron | X        |          |
| At Large Councilor  | Messier | X        |          |
| <b>TOTAL VOTES:</b> |         | <b>8</b> | <b>0</b> |

|   |   |               |        |
|---|---|---------------|--------|
| On 3/20/2023  | Ordinance 17-23   | <b>PASSED</b> | FAILED |
|  | City of Somersworth – Ordinance                                       |               |        |
|   | Ordinance No: <b>18-23</b><br><br><b>FISCAL YEAR 2023-2024 BUDGET</b> |               |        |

March 20, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT BUDGETS FOR THE CITY OF SOMERSWORTH FOR THE 2023-2024 FISCAL YEAR SHALL BE:

**DEPARTMENT**

**GENERAL FUND**

|                                | <b><u>BUDGET</u></b> |
|--------------------------------|----------------------|
| Elected Leadership             | \$231,220            |
| City Management                | 569,803              |
| Finance and Administration     | 1,817,558            |
| Development Services           | 1,037,072            |
| Police                         | 4,829,459            |
| Fire                           | 2,563,621            |
| Public Works                   | 3,540,198            |
| Other Expenses                 | 1,445,616            |
| Capital Outlay                 | 192,750              |
| Intergovt Assessments - County | 3,049,883            |
| School Department              | 29,109,022           |

**TOTAL GENERAL FUND**

**48,386,202**

**ENTERPRISE FUNDS**

|                       |           |
|-----------------------|-----------|
| Wastewater Department | 4,183,996 |
| Water Department      | 3,236,505 |
| Solid Waste           | 647,260   |

**TOTAL ENTERPRISE FUNDS**

**8,067,761**

**SPECIAL REVENUE FUND**

|            |        |
|------------|--------|
| Cable Fund | 74,313 |
|------------|--------|

**TOTAL FY 2023-2024 APPROPRIATION**

**\$56,528,276**

This Ordinance shall take effect upon its passage.

March 20, 2023

| Authorization  |                                   |
|--|-----------------------------------|
| <i>Sponsor by Request:</i><br>Mayor Dana S. Hilliard | <i>Approved:</i><br>City Attorney |

**City of Somersworth – Ordinance 18-23**

| History          |           |                     |  |
|------------------|-----------|---------------------|--|
| First Read Date: | 3/20/2023 | Tabled:             |  |
| Public Hearing:  |           | Removed From Table: |  |
| Second Read:     |           |                     |  |

**Discussion**

3/20/2023

*Clerk LaPanne performed a first reading of Ordinance 18-23.*

*Ordinance 18-23 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 |     |    |
| <b>TOTAL VOTES:</b> |         |     |    |

|    |                 |        |        |
|----|-----------------|--------|--------|
| On | Ordinance 18-23 | PASSED | FAILED |
|----|-----------------|--------|--------|



City of Somersworth – Resolution

Resolution No: 38-23

**TO AUTHORIZE THE CITY TO PARTICIPATE IN THE STATE OF NEW HAMPSHIRE’S RECOVERY FRIENDLY WORKPLACE INITIATIVE PROGRAM**

March 20, 2023

WHEREAS, the City of Somersworth is a welcoming City where the contributions of all are valued and celebrated; and

WHEREAS, the City is committed to a healthy, safe and stigma-free work environment; and

WHEREAS, the City supports the State of New Hampshire Recovery Friendly Workplace Initiative which promotes individual wellness by encouraging an environment in which employers, employees and community members can collaborate to create a positive change and eliminate barriers for those impacted by substance use disorder and mental health issues; and

WHEREAS, the Government Operations Committee met with SOS representatives and recommend that the City implement the Recovery Friendly Workplace Initiative; and

WHEREAS, the New Hampshire Recovery Friendly Workplace Initiative provides employers with resources and support needed to foster a supportive environment that encourages the success of their employees and Community impacted by substance use disorder and mental health issues;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City will now begin participating in the State of New Hampshire’s Recovery Friendly Workplace Initiative Program, and furthermore the City Manager is authorized to take any other actions related to this program determined to be in the best interest of the City.

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

March 20, 2023

City of Somersworth – Resolution 38-23

**History**

|                  |           |                     |  |
|------------------|-----------|---------------------|--|
| First Read Date: | 3/20/2023 | Tabled:             |  |
| Public Hearing:  |           | Removed From Table: |  |
| Second Read:     |           |                     |  |

**Discussion**

3/20/2023

*Clerk LaPanne performed a first reading of Resolution 38-23.*

*Resolution 38-23 will remain in first reading until the call of the Chair.*

| <b>Voting Record</b> |                  | <b>YES</b> | <b>NO</b> |
|----------------------|------------------|------------|-----------|
| 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          |            |           |
| <b>TOTAL VOTES:</b>  |                  |            |           |
| On                   | Resolution 38-23 | PASSED     | FAILED    |



City of Somersworth – Resolution

Resolution No: 39-23

**TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH SUPERIOR SEALCOAT, INC. OF WILMINGTON, MA. FOR CRACK SEALING ON SELECTED CITY STREETS**

March 20, 2023

WHEREAS, the City Council adopted Resolution 20-23 on January 9, 2023, authorizing the City Manager to prepare and request bids from qualified contractors for crack sealing on the following City streets:

- Maple Street (Blackwater Road to Linden Street)
- Hillside Street (Winter Street to Maple Street)
- Washington Street (High Street to Main Street)
- Kilda Street (Route 108 to Cecile Street)
- Cecile Street (Blackwater Road to Kilda Street)
- Blackwater Road (Dover Line to High Street)
- Salmon Falls Road (Eddy Bridge to Rochester Line)
- High Street (section between Stackpole Road and Commercial Drive); and

WHEREAS, the Finance Committee reviewed the results of the bids received with City staff and recommends contracting with Superior Sealcoat, Inc. of Wilmington, MA. for a cost not to exceed \$54,778 (Fifty-Four Thousand Seven Hundred Seventy-Eight dollars);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Superior Sealcoat, Inc. of Wilmington, MA. for crack sealing on the aforementioned City streets for a cost not to exceed \$54,778 (Fifty-Four Thousand Seven Hundred Seventy-Eight dollars) and to take any other action associated with this project determined to be in the best interest of the City.

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

City of Somersworth – Resolution 39-23

**History**

|                  |           |                     |  |
|------------------|-----------|---------------------|--|
| First Read Date: | 3/20/2023 | Tabled:             |  |
| Public Hearing:  |           | Removed From Table: |  |
| Second Read:     |           |                     |  |

**Discussion**

3/20/2023

*Clerk LaPanne performed a first reading of Resolution 39-23.*

*Resolution 39-23 will remain in first reading until the call of the Chair.*

| <b>Voting Record</b> |                  | <b>YES</b> | <b>NO</b> |
|----------------------|------------------|------------|-----------|
| 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          |            |           |
| <b>TOTAL VOTES:</b>  |                  |            |           |
| On                   | Resolution 39-23 | PASSED     | FAILED    |

|   |  |
|---|--|
|  | <b>City of Somersworth – Resolution</b>  |
|   | Resolution No: <b>40-23</b><br><b>TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR A LEAD SERVICE LINE INVENTORY, SAMPLING PLAN AND REPLACEMENT PLAN GRANT</b> |

March 20, 2023

WHEREAS, the City of Somersworth has received notification of the establishment of a 2023 Lead Service Line Inventory, Sampling Plan and Replacement Plan Grant Program through the New Hampshire Department of Environmental Services; and

WHEREAS, with the assistance of the City’s Consultant Engineer, the City applied for a grant through the program to conduct a lead service line inventory and water system improvement project; and

WHEREAS, the New Hampshire Department of Environmental Services has awarded the City a 100% Grant in the amount of \$50,000 (Fifty Thousand Dollars), to be used to conduct a lead service line inventory and develop a replacement plan for any lead service lines should they exist;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a Grant agreement with the New Hampshire Department of Environmental Services for a Lead Service Line Inventory, Sampling Plan and Replacement Grant and to execute any documents and agreements necessary for the Grant’s acceptance and execution, and take any and all other such actions relative to this Grant project’s completion determined to be in the best interest of the City.

|   |                                   |
|---|-----------------------------------|
| Authorization   |                                   |
| <i>Sponsored by Councilors:</i><br>David A. Witham<br>Denis Messier<br>Martin Pepin<br>Kenneth S. Vincent | <i>Approved:</i><br>City Attorney |

March 20, 2023

City of Somersworth – Resolution 40-23

**History**

|                  |           |                     |  |
|------------------|-----------|---------------------|--|
| First Read Date: | 3/20/2023 | Tabled:             |  |
| Public Hearing:  |           | Removed From Table: |  |
| Second Read:     |           |                     |  |

**Discussion**

3/20/2023

*Clerk LaPanne performed a first reading of Resolution 40-23.*

*Resolution 40-23 will remain in first reading until the call of the Chair.*

| <b>Voting Record</b> |                  | <b>YES</b> | <b>NO</b> |
|----------------------|------------------|------------|-----------|
| 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          |            |           |
| <b>TOTAL VOTES:</b>  |                  |            |           |
| On                   | Resolution 40-23 | PASSED     | FAILED    |

|   |  |
|---|--|
|  | <b>City of Somersworth – Resolution</b>  |
|   | Resolution No: <b>41-23</b><br><b>TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS FOR A HOUSING OPPORTUNITY GRANT THROUGH THE INVESTNH MUNICIPAL PLANNING AND ZONING GRANT PROGRAM</b> |

March 20, 2023

WHEREAS, the State of New Hampshire created the InvestNH Initiative utilizing ARPA State Fiscal Recovery funds to provide grants to municipalities to analyze and update their land use regulations to help increase housing opportunities; and

WHEREAS, City Staff applied for two phases of the Housing Opportunity Planning Grant. Phase 1: Needs Analysis and Planning; and Phase 2: Regulatory Audit; and

WHEREAS, the City will prepare a Housing Chapter for the City’s Master Plan and have a comprehensive audit of the Somersworth land use policies that will identify policy barriers to housing, and recommend changes that would increase capacity; and

WHEREAS, the City has received notification by the InvestNH Steering Committee that the City has received a 100% Grant award in the amount of \$75,000 (Seventy-Five Thousand dollars) for Phase 1 and Phase 2 of the Housing Opportunity Planning Grant;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a Grant agreement with the New Hampshire Department of Business and Economic Affairs for a Housing Opportunity Planning Grant in the amount of \$75,000 (Seventy-Five Thousand dollars) and to execute any documents and agreements necessary for the Grant’s acceptance and execution, and take any and all other such actions relative to this Grant project’s completion determined to be in the best interest of the City;

AND, BE IT FURTHER RESOLVED that the City Manager is authorized to contract with a consultant, chosen from the State’s List of Qualified Consultants, and to expend these State Grant Funds in the Award amount of \$75,000 (Seventy-Five Thousand dollars).

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

March 20, 2023

**City of Somersworth – Resolution 41-23**

**History**

|                  |           |                     |  |
|------------------|-----------|---------------------|--|
| First Read Date: | 3/20/2023 | Tabled:             |  |
| Public Hearing:  |           | Removed From Table: |  |
| Second Read:     |           |                     |  |

**Discussion**

3/20/2023

*Clerk LaPanne performed a first reading of Resolution 41-23.*

*Resolution 41-23 will remain in first reading until the call of the Chair.*

| <b>Voting Record</b> |                  | <b>YES</b>    | <b>NO</b>     |
|----------------------|------------------|---------------|---------------|
| 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          |               |               |
| <b>TOTAL VOTES:</b>  |                  |               |               |
| On                   | Resolution 41-23 | <b>PASSED</b> | <b>FAILED</b> |