

Minutes of City Council Meeting
Monday, June 5, 2023

ROLL CALL OF MEMBERS

The meeting was called to order at 7:03 p.m. by Deputy Mayor Witham and, upon roll call, the following Council members were present: Pepin, Vincent, Gibson, Austin, Witham, Michaud, Gerding, Cameron and Messier.

Mayor Dana S. Hilliard was excused.

PLEDGE OF ALLEGIANCE

Councilor Messier led the Pledge of Allegiance.

RECOGNITION OF INDIGENOUS PEOPLE – OUR NATIVE ANCESTRAL AMERICANS

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

PUBLIC HEARING

- A. **Ordinance 20-23** – To Amend Chapter 4, Personnel Rules & Regulations, Compensation Schedule

There were no public comments.

- B. **Ordinance 21-23** – To Amend Chapter 4, Personnel Rules & Regulations, Section 11.4.4 Longevity

There were no public comments.

- C. **Ordinance 22-23** – Supplemental Appropriation for the Replacement of the Public Works Building Roof

There were no public comments.

- D. **Resolution 44-23** – To Authorize the City Manager to Amend the Renewal Cable Television Franchise Agreement Between the City of Somersworth and Comcast of Maine / New Hampshire, Inc.

There were no public comments.

COMMENTS BY VISITORS

There were no opening comments by visitors.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Workshop Presentation by Britt Eckstrom of Wright-Pierce Engineering – Constitutional Way Complete Streets Design held on May 15, 2023
- B. Approve Minutes of the City Council Meeting held on May 15, 2023

Councilor Austin made a motion to adopt the Consent Calendar as presented. The motion was seconded by Councilor Gibson and passed 9-0 by voice vote.

COMMENTS BY CITY COUNCILORS

There were no opening 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

There was no Mayor's Report.

REPORT OF STANDING COMMITTEES

Government Operations Committee – Councilor Michaud reported that the Committee met on May 24th and was given an update from City Manager Belmore regarding staffing and vacancies throughout the City. Manager Belmore stated that the Public Works Department is in the process of hiring a candidate, and the Police and Fire Departments are interviewing for open positions. Councilor Michaud reported that the Committee then went into a nonpublic session regarding an employee matter.

Economic Development Committee – Councilor Austin reported that the Committee met on May 24th and discussed the Realtor Marketing proposals that the City received pertaining to the former Police Station located on Main Street. The City received two proposals; one from Heather Kretschmar of The Bean Group, and one from Peter Russell and Associates. The Committee reviewed the proposals and unanimously voted to accept the Real Estate Proposal from Heather Kretschmar. The Committee felt that the proposal submitted by Peter Russell and Associates was less favorable, less optimistic and required a guaranteed commission fee whether or not the property sold.

Councilor Austin reported that City Manager Belmore proposed hiring a consultant team to engineer and design the 1 Winter Street property due to the number of projects happening throughout the City and the lack of resources available to get to this project timely. Councilor Austin reported that Councilor Gibson expressed interest in discussing the addition of staff within the Planning and Community Development Department for the next fiscal budget year in order to keep the resources in house as opposed to hiring outside consultants for these types of projects.

Finance Committee – Councilor Witham reported that the Committee met on May 30th and discussed the Transfer Ordinance that is before the Council for a first read. The Ordinance is requesting a transfer of \$200,000 from the Police Department to the Fire Department. Councilor Witham reported that the Fire Department is projected to end the fiscal year with a deficit of approximately \$170,000 due to unanticipated apparatus repairs and overtime needs.

Councilor Witham stated that the Committee discussed the sale of the former Police Department on Main Street and agreed with the recommendation of the Economic Development Committee to move forward with Heather Kretschmar of The Bean Group for the real estate market listing of the property for the same reasons reported by Councilor Austin.

The Finance Committee discussed the Competitive Purchasing requirements that are outlined within the Administrative Code, Chapter 29 with regards to the bidding of soft costs specific to the purchase of furniture for the new Fire Station. Councilor Witham stated that due to the variety of furniture and equipment needed, the Committee determined it would be difficult to find an entity that would bid on the entire package as a whole. The Fire Chief provided the Committee with a detailed list of furniture and equipment needed, including the estimated cost of the items from local vendors which came in under budget and is estimated to cost \$29,292. The Committee agreed unanimously to waive the bidding process and proceed with the recommendation submitted by Fire Chief Kramlinger.

Councilor Witham reported that the Committee discussed the City-wide Meter Replacement Program. The City has been using Neptune Meters for many years and staff recommended to sole source the replacement of meters through this program to maintain consistency. The Program will replace residential meters that are five years and older. The Committee supported this approach.

Councilor Witham reported that the Police Department has one SUV that the City is looking to sell, the Committee recommended approval of the listing of the surplus SUV on GovDeals. Councilor Witham stated that the City Manager is required to come to the full Council for disposal of equipment that has a projected value in excess of \$1,000, the Committee was in support of increasing the amount to \$5,000 which they felt would be more reflective of the current times.

Councilor Witham reported that the Committee received an update regarding the Supplemental Site Investigation (SSI) and the New Hampshire Department of Environmental Services requirement for the City to install monitoring wells at the Fire Station site due to the detection of PFAS on the property. The City requested quotes from a number of environmental engineering firms and recommended moving forward with Aries Engineering for an estimated total project cost of \$11,900. Councilor Witham stated that the City has not directly worked with Aries Engineering, however, Port One Architect and Harvey Construction have contracted out work to Aries Engineering for testing on the Fire Station site. The Committee agreed to support the City moving forward with contracting with Aries Engineering for the SSI work at the Fire Station site.

The Committee discussed funding options and timelines for the Constitutional Way Complete Streets project. Councilor Witham stated that Finance Director Smith provided an explanation of the \$1,100,000 current bond issue for improvements on High Street which expires in fiscal year 2024-2025 and can be viewed as an ideal bond replacement for the Constitutional Way project. Discussion continued pertaining to the options available and the Committee supported a Bond Anticipation Note with the first interest payment due in 2025 and a 10-year amortization schedule that will have a .04 cent tax impact. With the finalization of the design and engineering expected to be completed by this fall, the Committee supports going out to bid for the project in the fall/winter timeframe and a project start date to begin in the spring of 2024.

Councilor Witham reported on the Committee's discussion pertaining to the Community Power Coalition which has approximately 33 cities and towns throughout the State that have joined the Coalition. Councilor Witham noted that the City would be required to establish an energy committee and have multiple public hearings prior to joining the coalition. He added that City buildings would not be able to participate in the Community Power Coalition due to the Blackwater Road solar array project agreement with Eversource, however, residents and businesses would be able to opt in if they wished to. The Committee is planning to invite the Coalition's consultant to a future Finance Committee meeting to get more information on joining the Community Power Coalition.

Councilor Witham reported on the Committee's discussion of adding eight City designed Historical Markers that would be in addition to the two State Historical Markers being installed at the Forest Glade Cemetery and the Hilltop School. The cost of said markers is almost \$15,000 and the Committee agreed to support a Resolution for an amount not to exceed \$15,000 for this project.

The Committee discussed a 1-year lease extension requested by the Pall Corporation for a space they lease within the Water Treatment Plant. The Corporation also agreed to increase the lease from \$1,300 to \$1,500 per month. Councilor Witham reported the Finance Committee supported the lease extension.

Councilor Witham reported that City Manager Belmore is looking to execute a Purchase Power Agreement (PPA), a Ground Lease, and Payment in Lieu of Taxes (PILOT) Agreement with Ameresco, Inc. to develop a solar project on the Blackwater Road superfund site. The Committee agreed to sponsor a Resolution authorizing the City Manager to execute said agreements with Ameresco, Inc.

Councilor Witham reported that City Manager Belmore notified the Committee that the Granite State YMCA has merged with the Somersworth Early Learning Center on Blackwater Road. The YMCA has requested to partner with the City of Somersworth to apply for a \$500,000 Community Development Building Grant (CDBG) for a number of upgrades and improvements to the Somersworth Early Learning Center site. The Finance Committee was fully in support of the City partnering with the Granite State YMCA to apply for a CDBG for the improvements.

Councilor Witham stated that the Lamprey Regional Cooperative was looking to have the City sign a Waste Disposal Agreement, City Manager Belmore is awaiting further clarification on any need for the City to do so and will bring information back to the Committee if necessary.

Councilor Witham reported that the City received a proposal from Chinburg Properties regarding the National Guard property on Blackwater Road. He summarized that the proposal suggests 1-2 apartment buildings with a number of amenities offered to the residents and noted that with the proposal, the City would continue to own the current Little League Baseball Field. Councilor Witham stated that Mayor Hilliard would like to refer the National Guard proposal to the Economic Development Committee for review and requested that they bring a recommendation to the full Council.

Councilor Witham reported that there was a general discussion pertaining to Zoning Ordinances and solar arrays, and City Manager Belmore reported that the Economic Development Committee supported his recommendation to seek a consultant for assistance with the former Breton Cleaner's site development and design.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

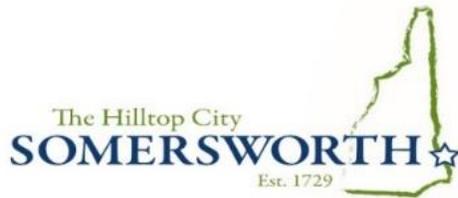
E-911 Committee – Councilor Pepin reported that the Committee met on May 18th at the Police Department. He reported that the first item discussed was in regards to the development of a storage facility that was approved by the Town of Rollinsford. Access to the facility is off of Royal Drive in Somersworth, and the naming of the road requires approval from the City of Somersworth. The Town of Rollinsford approved the road name as Storage Drive and the E-911 Committee confirmed that the name does not conflict with other road names throughout the City. The E-911 Committee

recommended approving Storage Drive with the condition that the developers install a “Private Way” road sign.

Councilor Pepin reported that the City’s Engineer, Amber Hall, has been working with E-911 officials for potential address changes within the City, he added that there are about 13 addressed that were discussed.

Somersworth School Board – Councilor Austin reported that the School Board met on May 23rd and recognized the School employees that are scheduled to retire at the end of the 2023 school year. He noted that eight employees are retiring with over a combined 100 years of teaching experience. Councilor Austin stated that the retirees are an amazing group of people and he wishes them well.

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, June 2, 2023
SUBJECT: City Manager’s Report for Monday, June 5, 2023 City Council Meeting

Lay on the Table (under Section 14 of Agenda)

Resolutions

- A. Resolution No. 44-23: To Authorize the City Manager to Amend the Renewal Cable Television Franchise Agreement between the City of Somersworth and Comcast of Maine/New Hampshire, Inc.** Again, the Government Operations Committee voted to move a Renewal Agreement to the full City Council for a vote. Attorney Kate Miller will be in attendance should there be any questions.

Unfinished Business (under Section 15 of Agenda)

Ordinance

- A. Ordinance No. 20-23: To Amend Chapter 4, Personnel Rules and Regulation Compensation Schedule.** Again, the Government Operations Committee voted to recommend this Ordinance amendment to the full Council.

- B. **Ordinance No. 21-23: To Amend Chapter 4, Personnel Rules and Regulations, Section 11.4.4 Longevity.** Again, the Government Operations Committee voted to recommend this Ordinance amendment to the full Council

- C. **Ordinance No. 22-23: Supplemental Appropriation for the Replacement of the Public Works Building Roof.** Again, the Finance Committee recommends using ARPA funds to fund this expense.

Resolutions

- A. **Resolution No. 45-23: To Authorize the City Manager to Contract with Triple Construction, LLC, of Hudson, New Hampshire for the Replacement of the Department of Public Works Building Roof.** Again, the Finance Committee's recommendation is to award the contract to Triple Construction, LLC of Hudson, New Hampshire.

New Business (under Section 16 of Agenda)

Ordinance

- A. **Ordinance No. 23-23: Transfer Between Departments.** The Finance Committee met on May 4th and voted to support this Ordinance. Finance Director Scott Smith confirmed the City's General Fund budget is forecasted to be approximately \$350,000 below the estimated Budget for fiscal year 2022-2023.
The Police Department has projected unexpended funds. The recommended amount is from the Police Budget to cover the Fire Departments short fall in their Budget. I recommend a Public Hearing be scheduled for the next regular Council meeting on Tuesday, June 20, 2023

There was no objection from Council, the Public Hearing for Ordinance No. 23-23 is scheduled for the next regular Council meeting on Tuesday, June 20, 2023.

Resolutions

- A. **Resolution No. 46-23: To Establish a Mental Health and Wellness Committee.**

- B. **Resolution No. 47-23: To Authorize the City Manager to Execute a Lease Agreement Extension with the Pall Corporation of Port Washington, NY to Lease Building Space at the Somersworth Water Treatment Facility.** Attached is an email from Pall Corporation requesting approval from the City of Somersworth to extend their Lease at 9 Wells Street for an additional one (1) year. I have also included their current Lease extension that ends on June 20, 2023. Their Lease payment will increase from \$1,300/month to \$1,500/month starting July 1, 2023 should Council approve this extension. Copies of the proposed Lease Amendment is attached.

- C. **Resolution No. 48-23: To Authorize the City Manager to Execute Agreements with Ameresco, Inc. of Framingham, Massachusetts, Operating as Blackwater Road Solar, LLC., to Develop a Solar Project Pursuant to RSA 362-A on the Closed Somersworth Sanitary Landfill Superfund Site on Blackwater Road.** Attached are copies of the three

(3) Agreements that were negotiated with the assistance of the City's Special Legal Counsel. Gareth Orsmond of Pierce Atwood.

Lease payments are: a one-time \$5,000 development rent payment; a one-time \$15,000 construction rent payment and then \$37,000 per year with a 2% annual increase. *PILOT payments are:* \$7,028 per megawatt/AC, which is approximately \$14,000 per year.

- D. Resolution No. 49-23: Naming Storage Drive and Assigning Addresses, as Assigned.** The E911 Committee met on May 18th and voted to support this Resolution.
- E. Resolution No. 50-23: Annual Flag Pole Displays at Citizen's Place.** Attached is a copy of the Council's adopted "Citizen's Place Flag Policy" and "Flag Pole Reservation Request Form".
- F. Resolution No. 51-23: To Authorize the City Manager to Accept Easements Associated with the First Street Drainage Improvements and Road Reconstruction.** Attached are copies of the Easement documents. I respectfully request that Council consider waiving its' rules to provide a second reading and vote this evening. The contractor would like to schedule this work as soon as possible; it took Staff more time than anticipated to secure the Easements.

City Manager Belmore stated that the contractor has been on hold pending the approval and acceptance of the easements associated with the First Street drainage improvements and road reconstruction, and recommends that the Council consider waiving Council Rules and allow for a second reading of Resolution No. 51-23 so the project can move forward.

Other

- A. Vote to Authorize the Sale of City Surplus Property-per Administrative Code, Chapter 29, Section 8.5, Disposal of City Property.** Attached is a copy of this Section of the City Ordinance as well as information pertaining to the Police Vehicle to be sold on GovDeals. The Finance Committee met on May 30th and expressed support of using GovDeals. The Finance Committee also voted to sponsor an Ordinance change to increase the authorization for the Manager to dispose of surplus property from \$1,000 to \$5,000. This will be introduced at a future Council meeting.
- B. Vote to Waive the Bidding Requirement under Administrative Code, Chapter 29 and Sole Source Water Meters from TI-Sales of Sudbury, Massachusetts.** The Finance Committee met on May 30th and expressed support of this request. Council appropriated \$960,000 for a City-wide Meter Replacement Program. The City has used Neptune Meters for many years; therefore, Staff's recommendation is to continue with the same manufacturer. Attached is a copy of a letter from the TI-Sales representative.

City Manager Belmore stated that contracting with Neptune Meters will provide consistency throughout the City when needing to replace or repair meters. He added that the City discussed replacing meters that are older than 5-years for the City-wide Meter Replacement Program. Manager Belmore clarified that the City will contract with Neptune Meters for the purchasing of the meters, however, the City will go out to bid for the installation of the meters.

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

Informational Items

1. **NH Highway Safety Grant.** Without objection, I intend to give authorization to Police Chief Tim McLin to apply for a NH Highway Safety Grant in the amount of approximately \$8,200 of Grant funding. The City's in-kind match would be the use of Police Cruisers and other equipment. The Grant funds provide overtime reimbursement for officers to conduct safety patrols. Attached is a Memorandum from Police Chief Tim McLin along with breakdown of Grant funds.
2. **RFP for the Acquisition and Redevelopment of the Former National Guard Readiness Center.** The City receive one (1) Proposal for the redevelopment of this property from Chinburg Properties. Mayor Hilliard will be referring this Proposal to the Economic Development Committee for review. Attached is a copy of the Project Proposal from Chinburg Properties.

Attachments

1. **City Attorney Certifications: Seven (7)**

NOMINATIONS, APPOINTMENTS AND ELECTION

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

- A. Dale Smith-Kenyon for re-appointment to the Conservation Commission with a term to expire June 2026

Councilor Gerding made a motion to re-appoint Dale Smith-Kenyon to the Conservation Commission. The motion was seconded by Councilor Messier and passed 9-0 by voice vote.

- B. Jeremy Rhodes for re-appointment to the Conservation Commission with a term to expire June 2026

Councilor Vincent made a motion to re-appoint Jeremy Rhodes to the Conservation Commission. The motion was seconded by Councilor Pepin and passed 9-0 by voice vote.

- C. Douglas Bryar for appointment to the Conservation Commission with a term to expire June 2026

Councilor Gerding made a motion to appoint Douglas Bryer to the Conservation Commission. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote.

LAY ON THE TABLE

- A. **Resolution 44-23** – To Authorize the City Manager to Amend the Renewal Cable Television Franchise Agreement Between the City of Somersworth and Comcast of Maine / New Hampshire, Inc.

Councilor Austin made a motion to remove Resolution 44-23 from the table. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote.

Councilor Pepin made a motion to adopt Resolution 44-23 as submitted. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

UNFINISHED BUSINESS

ORDINANCES

- A. **Ordinance 20-23** – To Amend Chapter 4, Personnel Rules & Regulations, Compensation Schedule

Clerk LaPanne performed a second reading of Ordinance 20-23.

Councilor Austin made a motion to adopt Ordinance 20-23 as submitted. The motion was seconded by Councilor Pepin and passed 9-0 by roll call vote.

- B. **Ordinance 21-23** – To Amend Chapter 4, Personnel Rules & Regulations, Section 11.4.4 Longevity

Clerk LaPanne performed a second reading of Ordinance 21-23.

Councilor Gerding made a motion to adopt Ordinance 21-23 as submitted. The motion was seconded by Councilor Cameron and passed 9-0 by roll call vote.

- C. **Ordinance 22-23** – Supplemental Appropriation for the Replacement of the Public Works Building Roof

Clerk LaPanne performed a second reading of Ordinance 22-23.

Councilor Austin made a motion to adopt Ordinance 22-23 as submitted. The motion was seconded by Councilor Pepin and passed 9-0 by roll call vote.

RESOLUTIONS

- A. **Resolution 45-23** – To Authorize the City Manager to Contract with Triple Construction, LLC. of Hudson, New Hampshire for the Replacement of the Public Works Building Roof

Clerk LaPanne performed a second reading of Resolution 45-23.

Councilor Cameron made a motion to adopt Resolution 45-23 as submitted. The motion was seconded by Councilor Gerding and passed 9-0 by roll call vote.

NEW BUSINESS

ORDINANCES

- A. **Ordinance 23-23** – Transfer Between Departments

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

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

RESOLUTIONS

A. **Resolution 46-23** – To Establish a Mental Health and Wellness Committee

Clerk LaPanne performed a first reading of Resolution 46-23.

Resolution 46-23 will remain in first reading until the call of the Chair.

B. **Resolution 47-23** – To Authorize the City Manager to Execute a Lease Agreement Extension with the Pall Corporation of Port Washington, New York to Lease Building Space at the Somersworth Water Treatment Facility

Clerk LaPanne performed a first reading of Resolution 47-23.

Resolution 47-23 will remain in first reading until the call of the Chair.

C. **Resolution 48-23** – To Authorize the City Manager to Execute Agreements with Ameresco, Inc. of Framingham, Massachusetts, Operating as Blackwater Road Solar, LLC., to Develop a Solar Project Pursuant to RSA 362-A on the Closed Somersworth Sanitary Landfill Superfund Site on Blackwater Road

Clerk LaPanne performed a first reading of Resolution 48-23.

Resolution 48-23 will remain in first reading until the call of the Chair.

D. **Resolution 49-23** – Naming Storage Drive and Assigning Addresses, if Required

Clerk LaPanne performed a first reading of Resolution 49-23.

Resolution 49-23 will remain in first reading until the call of the Chair.

E. **Resolution 50-23** – Annual Flag Pole Displays at Citizen's Place

Clerk LaPanne performed a first reading of Resolution 50-23.

Resolution 50-23 will remain in first reading until the call of the Chair.

F. **Resolution 51-23** - To Authorize the City Manager to Accept Easements Associated with the First Street Drainage Improvements and Road Reconstruction

Clerk LaPanne performed a first reading of Resolution 51-23.

Councilor Gerding made a motion to suspend Council Rules to allow for a second reading of Resolution 51-23. The motion was seconded by Councilor Austin and passed 9-0 by voice vote.

Councilor Gibson made a motion to adopt Resolution 51-23 as submitted. The motion was seconded by Councilor Cameron.

Discussion:

Councilor Gerding clarified that it was recommended by the City Manager that the Council suspend Council Rules to allow for a second reading of Resolution 51-23 in order to move forward with this project timely.

Councilor Gibson questioned if the City is financially obligated for any costs other than the initial work as part of the project. City Manager Belmore stated that the City is only responsible for the drainage improvements and the City will need permission to maintain them going forward.

Councilor Witham further explained that what can often happen and with First Street in particular, the drainage intrudes on private property right-of-way and in order for repairs to be made, the contractor needs to encroach on private property and this Resolution allows for that to happen.

The motion passed 9-0.

OTHER

- A. Vote to Authorize the Sale of City Surplus Property per Administrative Code, Chapter, 29, Section 8.5, Disposal of City Property

The Council unanimously voted to authorize the Sale of the City surplus property per Administrative Code, Chapter 29, section 8.5, Disposal of City Property.

Councilor Vincent questioned where the funds of the sale get allocated to. City Manager Belmore confirmed that the funds go into the General Fund.

- E. Vote to Waive the Bidding Requirement under Administrative Code, Chapter 29, and Sole Source Water Meter Purchasing from TI-Sales of Sudbury, Massachusetts

The Council unanimously voted to waive the bidding requirement under Administrative Code, Chapter 29, and sole source water meter purchasing from TI-Sales of Sudbury, Massachusetts.

COMMENTS BY VISITORS

There were no closing comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin commented that he would like to have a Fire Station Building Committee meeting in the near future, he stated that he was not aware of some of the soft cost and monitoring well discussions that was reported by the Finance Committee Chair. Councilor Pepin stated that he doesn't have an issue with what the Finance Committee decided, and he believes that the Fire Chief continues to do a great job providing information but would like to be informed as Chair of the Fire Station Building Committee. Councilor Pepin stated that he is fully in support of the proposal received by Chinburg Properties regarding the National Guard property. Councilor Pepin mentioned the new Ward boundaries that become effective on July 1, 2023 and would like to ensure that residents effected by the change are notified adequately.

Councilor Vincent commented that he agrees with Councilor Pepin's comments pertaining to the Fire Station Building project updates. Councilor Vincent also mentioned the High Street sidewalk project and expressed that he is happy to see the improvements beginning to take place throughout the City. Councilor Gibson stated that he is happy to see how things are going within the City. He wished everyone a good month ahead.

Councilor Austin congratulated the Somersworth High School seniors that will graduate Thursday evening. He also commented that he is bothered by the number of vehicular accidents he has been hearing about throughout the City, and asks that people slow down and pay attention so everyone can get to their destination safely.

Councilor Gerding commented on the upcoming projects that he is in support of. The Community Power Coalition, although City buildings are not able to participate, provided a lot of potential for the Community at-large, including residents, businesses and the City's School System, to decrease their energy costs. Councilor Gerding stated that he was excited to learn of the Chinburg Properties proposal for the National Guard site, he added that the development would bring in needed housing and the potential for businesses, as well as allowing the City to hold onto the Little League Baseball Field. Councilor Gerding congratulated the Class of 2023, he stated that they were the first class he taught at the Somersworth Middle School and is a great group of student and community members. He also congratulated the educators that are retiring at the end of this school year adding that they are a phenomenal group of individuals that will be hard to replace. With the month of June, Councilor Gerding wished everyone a Happy Pride Month, he added that the City has been supportive of many diverse groups of individuals and especially of the LGBTQ+ Community and sends his well wishes to everyone who identifies in that group.

Councilor Cameron commented that she too, is excited about the National Guard property proposal, especially knowing that the City would keep the Little League Baseball Field. She congratulated the graduating Class of 2023. Councilor Cameron mentioned that there is another strain of kennel cough and is requesting that the water bowls be removed from the City's dog park, she also encouraged dog owners visiting the park, to bring their own water bowl to avoid spreading the virus. Councilor Cameron commented on the upcoming events of the Children's Festival scheduled on June 17th noting that the fireworks display will be held Friday, June 16th.

Councilor Witham congratulated the Class of 2023. He commented on a remark made in a Foster's Daily Democrat article made recently about City staff and those that make over \$100,000 annually, he stated that he believes that more City staff need to be making over \$100,000 and is rather embarrassed by the salaries of the department heads. He commented that, although the City has been making moves to increase pay scales through recent contract negotiations, he feels that more can be done and will be looking to make more strides in the near future. Councilor Witham commented on solar tracker discussions that have recently come up, noting that the City currently does not have any zoning language, but is happy to see that staff are identifying the solar trackers as a structure which must meet current setbacks and other requirements per City zoning regulations. He commented that a resident reached out to him asking if the City has considered a moratorium on the solar trackers until the City is able to establish zoning regulations, Councilor Witham stated that he would entertain a moratorium on a temporary basis to allow the City to work through the requirements.

ADJOURNMENT

Councilor Messier made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Cameron and passed 9-0 by voice vote. The meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Kristen LaPanne, City Clerk



City of Somersworth – Resolution

Resolution No: **44-23**

TO AUTHORIZE THE CITY MANAGER TO AMEND THE RENEWAL CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF SOMERSWORTH AND COMCAST OF MAINE/NEW HAMPSHIRE, INC.

May 15, 2023

WHEREAS, Comcast of Maine/New Hampshire, Inc. is a duly authorized holder of a Renewal Cable Television Franchise to operate a cable television system in the City of Somersworth, New Hampshire pursuant to NH RSA 53-C, as amended, said Renewal Franchise having commenced on June 18th, 2013; and

WHEREAS, Comcast of Maine/New Hampshire and the City of Somersworth wish to amend the Renewal Cable Television Franchise agreement; and

WHEREAS, the Renewal Cable Television Franchise Agreement may be amended by written agreement following publication of the proposed amendment in a manner consistent with NH RSA Chapter 43; and

WHEREAS, the City Council of the City of Somersworth as Franchising Authority is authorized to amend the Renewal Cable Television Franchise Agreement pursuant to RSA 53-C;

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Somersworth that the Renewal Cable Television agreement is hereby amended as follows:

Delete Section 2.2 -Term: Non-Exclusivity in its entirety and replace with the following:

Section 2.2 – Term: Non-Exclusivity

The term of this non-exclusive Renewal Franchise shall be for a period of ten (10) years and shall commence on June 18, 2023 following the expiration of the current Franchise, and shall expire at midnight on June 17, 2033.

Authorization	
<i>Sponsored by Councilors:</i> Richard R. Michaud Matt Gerding Don Austin Nancie Cameron	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 44-23

History			
First Read Date:	5/15/2023	Tabled:	5/15/2023
Public Hearing:	6/5/2023	Removed From Table:	6/5/2023
Second Read:	5/15/2023		

Discussion

5/15/2023

Clerk LaPanne performed a first reading of Resolution 44-23.

Mayor Hilliard called the Council to a brief recess at 7:32 p.m.

Mayor Hilliard returned the Council from recess at 7:34 p.m. and explained the reason for the call of a recess. He stated that the Council has been offered an amendment of Resolution 44-23 and in order to accept the amendment, the Council must follow parliamentary procedure by having the first reading of the Resolution followed with a request to suspend Council rules to allow for a second reading which must happen before the amendment may be offered. Once the amendment is adopted, Council can then move to table Resolution 44-23 which will allow for the regularly scheduled Public Hearing to take place at the next Council meeting on June 5th as required.

Councilor Gerding made a motion to suspend Council Rules to allow for a second reading of Resolution 44-23. The motion was seconded by Councilor Austin and passed 8-0 by voice vote.

Clerk LaPanne performed a second reading of Resolution 44-23.

Councilor Cameron made a motion to amended Resolution 44-23 and replace it in its entirety with the revised Resolution 44-23 provided by the special legal counsel, Kate Miller, Esq. The motion was seconded by Councilor Pepin.

Discussion:

Councilor Gerding felt it was important for the viewers at home to hear the amendments to Resolution 44-23 and read the following:

WHEREAS, Comcast of Maine/New Hampshire, Inc. is the duly authorized holder of a Renewal Cable Television Franchise to operate a cable television system in the City of Somersworth, New Hampshire pursuant to NH RSA 53-C, as amended, said Renewal Franchise having commenced on June 18th, 2013; and

WHEREAS, Said Franchise shall expire on June 17th, 2023; and

WHEREAS, Comcast representative and representatives of the City have negotiated a new Franchise Agreement, with an effective date of June 18, 2023, and

WHEREAS, the City Council of the City of Somersworth as Franchising Authority is authorized to renew the Franchise, subject to a public hearing to allow members of the public to ask questions about the proposed new Franchise Agreement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT: The City Manager is authorized to renew the Cable Television Franchise with Comcast of Maine/New Hampshire, Inc., subject to a Public Hearing on June 5, 2023, and the proposed Franchise Agreement shall be available to the public at the City Clerk's office, prior to that hearing, and the City Manager is authorized to execute the Franchise Agreement and all other documents necessary and convenient to renew the Cable TV Franchise Agreement with Comcast of Maine/New Hampshire, Inc.

Councilor Gibson asked for clarification on the reasoning of the amendment. City Manager Belmore stated that special legal counsel, Attorney Kate Miller, reworked what the City drafted and provided the amended language that she recommends. Councilor Gibson questioned if the amended language would fully replace Resolution 44-23 or if it would be in addition to it. Mayor Hilliard confirmed that the amendment is meant to replace the Resolution in its entirety. Councilor Gibson wanted to ensure that the Council should not be concerned with the removal of the language of Section 2.2. Manager Belmore does not believe there is reason to worry, he added that the legal counsel who provided the recommendation, has great knowledge of Cable Television Federal and State regulations and have worked with multiple other municipalities on these types of agreements.

Manager Belmore stated that he provided each of the Council members with a copy of the new proposed 10-year franchise agreement and noted that the amendment states that the agreement is available in the City Clerk's office for review prior to the scheduled Public Hearing.

The motion passed 8-0 by voice vote.

Councilor Gerding made a motion to table Resolution 44-23 as amended. The motion passed 8-0 by voice vote.

6/5/2023

Councilor Austin made a motion to remove Resolution 44-23 from Lay on the Table. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote.

Councilor Pepin made a motion to adopt Resolution 44-23 as submitted. The motion was seconded by Councilor Austin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0
On 6/5/2023	Resolution 44-23	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 20-23

TO AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS, COMPENSATION SCHEDULE

May 15, 2023

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

Amend Chapter 4 by deleting the Compensation Schedule in its entirety and replacing it with the following Compensation Schedule:

**Personnel Rules and Regulations
FY2023-2024 Compensation Schedule
Effective July 1, 2023 - 7% Increase**

GRADE	HIRE	1	2	3	4	5	6	7
6	13.08	13.60	14.15	14.71	15.30	15.91	16.54	17.21
7	13.71	14.25	14.83	15.42	16.04	16.68	17.34	18.04
8	14.40	14.98	15.58	16.20	16.85	17.53	18.22	18.95
9	15.13	15.74	16.36	17.02	17.70	18.40	19.14	19.91
10	15.87	16.50	17.16	17.85	18.56	19.30	20.07	20.89
11	16.68	17.34	18.04	18.77	19.52	20.30	21.11	21.96
12	17.53	18.23	18.96	19.72	20.50	21.33	22.18	23.06
13	18.40	19.14	19.90	20.70	21.53	22.40	23.28	24.21
14	19.28	20.05	20.85	21.69	22.56	23.45	24.40	25.37
15	20.29	21.10	21.95	22.82	23.73	24.68	25.67	26.70
16	21.25	22.10	22.98	23.90	24.86	25.85	26.89	27.96
17	22.35	23.25	24.17	25.15	26.15	27.20	28.28	29.41
18	23.47	24.41	25.38	26.40	27.45	28.55	29.69	30.88
19	24.60	25.58	26.61	27.67	28.78	29.93	31.13	32.37
20	25.92	26.95	28.03	29.15	30.31	31.53	32.80	34.10
21	27.18	28.27	29.39	30.57	31.79	33.06	34.39	35.76
22	28.58	29.72	30.91	32.15	33.44	34.78	36.17	37.61
23	29.98	31.18	32.43	33.73	35.07	36.48	37.93	39.45
24	31.45	32.71	34.02	35.37	36.79	38.26	39.79	41.39
25	33.03	34.35	35.73	37.15	38.64	40.19	41.79	43.46
26	34.72	36.11	37.56	39.06	40.62	42.24	43.93	45.69
27	36.38	37.84	39.34	40.93	42.56	44.27	46.03	47.87
28	38.22	39.75	41.33	42.99	44.72	46.50	48.36	50.30
29	40.13	41.73	43.40	45.13	46.94	48.81	50.77	52.80

Exempt Salary Schedule

Grade	Minimum	Maximum
25	70,337.41	89,652.11
30	89,302.22	108,878.90
31	97,557.06	118,697.25
32	98,470.64	119,972.33
33	103,462.68	125,812.72
34	108,683.12	132,207.76
35	114,131.99	138,765.96
36	119,874.45	145,715.66
37	125,747.48	152,893.77

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

City of Somersworth – Ordinance 20-23

History

First Read Date:	5/15/2023	Tabled:	
Public Hearing:	6/5/2023	Removed From Table:	
Second Read:	6/5/2023		

Discussion

5/15/2023

Councilor Austin made a motion to suspend Council rules to allow for a reading of Ordinance 20-23 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 20-23 by title only.

Ordinance 20-23 will remain in first reading until the call of the Chair.

6/5/2023

Clerk LaPanne performed a second reading of Ordinance 20-23.

Councilor Austin made a motion to adopt Ordinance 20-23 as submitted. The motion was seconded by Councilor Pepin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0
On 6/5/2023	Ordinance 20-23	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 21-23

TO AMEND CHAPTER 4, PERSONNEL RULES AND REGULATIONS, SECTION 11.4.4 LONGEVITY

May 15, 2023

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

Amend Chapter 4 by deleting sections 11.4.4 Longevity and replacing it with the following:

11.4.4 Longevity

Commencing on December 1, 2023, members will be eligible to receive a longevity stipend. Payment of a longevity stipend will be based on an employee’s completion of the following number of consecutive years of full-time employment with the City as of December 1:

Completion of at least 3 years	-	\$1,000
Completion of at least 5 years	-	\$1,500
Completion of at least 10 years	-	\$2,000
Completion of at least 15 years	-	\$2,500
Completion of at least 20 years	-	\$3,000
Completion of at least 25 years	-	\$3,500

There will be no pro rata accrual or payment of this longevity stipend – an employee must be employed on December 1 to be eligible for the stipend. Payment will be made the first paycheck in December.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>Richard Michaud Matt Gerding Don Austin Nancie Cameron</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Ordinance 21-23

History

First Read Date:	5/15/2023	Tabled:	
Public Hearing:	6/5/2023	Removed From Table:	
Second Read:	6/5/2023		

Discussion

5/15/2023

Clerk LaPanne performed a first reading of Ordinance 21-23.

Ordinance 21-23 will remain in first reading until the call of the Chair.

6/5/2023

Clerk LaPanne performed a second reading of Ordinance 21-23.

Councilor Gerding made a motion to adopt Ordinance 21-23 as submitted. The motion was seconded by Councilor Cameron and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0

On 6/5/2023

Ordinance 21-23

PASSED

FAILED



City of Somersworth – Ordinance

Ordinance No: 22-23

SUPPLEMENTAL APPROPRIATION FOR THE REPLACEMENT OF THE PUBLIC WORKS BUILDING ROOF

May 15, 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 \$168,000 (One Hundred Sixty-Eight Thousand dollars) from the American Rescue Plan Funds to the Capital Outlay Budget as follows:

Budget	Amendment	Revised Budget
\$ 440,351	\$ 168,000	\$ 608,351

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 Public Works Building Roof. There is currently \$440,980 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 Don Austin Matt Gerding Robert Gibson	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 22-23

History

First Read Date:	5/15/2023	Tabled:	
Public Hearing:	6/5/2023	Removed From Table:	
Second Read:	6/5/2023		

Discussion

5/15/2023

Clerk LaPanne performed a first reading of Ordinance 22-23.

Ordinance 22-23 will remain in first reading until the call of the Chair.

6/5/2023

Clerk LaPanne performed a second reading of Ordinance 22-23.

Councilor Austin made a motion to adopt Ordinance 22-23 as submitted. The motion was seconded by Councilor Pepin and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0



City of Somersworth – Resolution

Resolution No: 45-23

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH TRIPLE CONSTRUCTION, LLC OF HUDSON, NH FOR THE REPLACEMENT OF THE PUBLIC WORKS BUILDING ROOF

On 6/5/2023

Ordinance 22-23

PASSED

FAILED

May 15, 2023

WHEREAS, funding from the City of Somersworth ARPA funds are available for a metal roof replacement at the Somersworth Department of Public Works Building; and

WHEREAS, the existing roof has deteriorated beyond routine repairs and its useful life; and

WHEREAS, City staff requested bids and received a proposal for this project and recommends awarding the contract to Triple Construction, LLC of Hudson, New Hampshire, for a cost of \$ 152,913 (One Hundred Fifty-Two Thousand Nine Hundred Thirteen dollars); and

WHEREAS, the Finance Committee recommends including a contingency in the amount of \$15,087 (Fifteen Thousand Eighty-Seven dollars) for the project, and allow the City Manager to increase the contract to an amount not to exceed \$168,000 (One Hundred Sixty-Eight 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 Triple Construction, LLC of Hudson, NH to replace the Public Works Building roof at an amount of \$152,913 (One Hundred Fifty-Two Thousand Nine Hundred Thirteen dollars); and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an amount of \$15,087 (Fifteen Thousand Eighty-Seven 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 \$168,000 (One Hundred Sixty-Eight Thousand dollars) if needed, and it is determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:
David A. Witham
Don Austin
Matt Gerding

Approved:
City Attorney

Robert Gibson	
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City of Somersworth – Resolution 45-23

History

First Read Date:	5/15/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	6/5/2023		

Discussion

5/15/2023

Clerk LaPanne performed a first reading of Resolution 45-23.

Resolution 45-23 will remain in first reading until the call of the Chair.

6/5/2023

Clerk LaPanne performed a second reading of Resolution 45-23.

Councilor Cameron made a motion to adopt Resolution 45-23 as submitted. The motion was seconded by Councilor Gerding and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	

TOTAL VOTES:		9	0
On 6/5/2023	Resolution 45-23	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **23-23**

TRANSFER BETWEEN DEPARTMENTS

June 5, 2023

BE IT ORDAINED BY THE CITY OF SOMERSWORTH, pursuant to Section 7.7 (D) of the City Charter, that the following General Fund unencumbered balance transfer be made:

<u>DEPARTMENTS</u>	<u>FROM</u>	<u>TO</u>
ELECTED LEADERSHIP		
CITY MANAGEMENT		
FINANCE AND ADMINISTRATION		
DEVELOPMENT SERVICES		
POLICE	200,000	
FIRE		200,000
PUBLIC WORKS		
OTHER EXPENSES (CONTINGENCY)		
CAPITAL OUTLAY		
INTERGOVT ASSESSMENTS-COUNTY TAX		
SCHOOL DEPARTMENT	_____	_____
TOTAL GENERAL FUND	200,000	200,000

This Ordinance shall take effect upon passage.

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

City of Somersworth – Ordinance 23-23

History

First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/5/2023

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

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

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			

	City of Somersworth – Resolution		
	Resolution No:	46-23	TO ESTABLISH A MENTAL HEALTH AND WELLNESS COMMITTEE
On	Ordinance 23-23	PASSED	FAILED

June 5, 2023

WHEREAS, there is a need to foster, promote and support mental health and wellness services and opportunities within the City; and

WHEREAS, the Mayor and City Council supports the ongoing education of, and outreach to, all City and School employees, students, and citizens of Somersworth to further efforts of wellness and recovery outreach; and

WHEREAS, the purpose of the Mental Health and Wellness Committee will be to provide an ongoing focus, and to examine, study and implement systems that support mental health, wellness and recovery opportunities within the City that foster community-wide coalitions to aid in the education, outreach and these service goals; and

WHEREAS, the Mental Health and Wellness Committee may recommend changes to policies in support of its mission to provide education and outreach to the Community; and

WHEREAS, the City will establish a Mental Health and Wellness Committee consisting of eleven (11) members, said membership established as follows:

- One (1) City Councilor appointed by the Mayor
- One (1) School Board Member appointed by the School Board Chair
- Mayor or designee
- City Manager or designee
- School Superintendent or designee
- One (1) member from the City’s Public Safety Departments appointed by the City Manager
- Executive Director of the Chamber of Commerce or designee
- Four (4) additional members representing youth organizations, public health entities, community-based healthcare, and civic organizations appointed by the Committee Chair;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Mayor and City Council will establish a Mental Health and Wellness Committee to provide ongoing focus, and to examine, study and implement systems that support mental health, wellness and recovery opportunities within the City through the formation of community-wide coalitions that will aid in the education as well as outreach to facilitate these service goals.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Sponsored by Councilor:</i> Don Austin	<i>Approved:</i> City Attorney
City of Somersworth – Resolution 46-23	

History			
First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/5/2023

Clerk LaPanne performed a first reading of Resolution 46-23.

Resolution 46-23 will remain in first reading until the call of the Chair.

Voting Record	YES	NO
Ward 1 Councilor Pepin		
Ward 2 Councilor Vincent		
Ward 3 Councilor Gibson		
Ward 4 Councilor Austin		
Ward 5 Councilor Michaud		
At Large Councilor Witham		
At Large Councilor Gerding		
At Large Councilor Cameron		
At Large Councilor Messier		

	City of Somersworth – Resolution		
	Resolution No: 47-23 TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT EXTENSION WITH THE PALL CORPORATION OF PORT WASHINGTON, NEW YORK TO LEASE BUILDING SPACE AT THE SOMERSWORTH WATER TREATMENT FACILITY		
TOTAL VOTES:			
On	Resolution 46-23	PASSED	FAILED

June 5, 2023

WHEREAS, the Pall Corporation has a lease agreement with the City of Somersworth to lease building space at the Somersworth Water Treatment Facility that expires on June 30, 2023; and

WHEREAS, the Pall Corporation has informed the City they would like to terminate this lease in accordance with the terms and conditions of the lease, but also have requested a one (1) year extension to expire on June 30, 2024 to remove all equipment and fixtures as required by the lease terms and conditions; and

WHEREAS, the agreed lease amount for the one (1) year extension is \$1,500 (One Thousand Five Hundred dollars) per month;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a lease extension through June 30, 2024 with the Pall Corporation of Port Washington, New York, for \$1,500 (One Thousand Five Hundred dollars) per month, for building space at the Somersworth Water Treatment Facility under terms and conditions deemed to be in the best interest of the City.

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

Robert Gibson	
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City of Somersworth – Resolution 47-23

History

First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/5/2023

Clerk LaPanne performed a first reading of Resolution 47-23.

Resolution 47-23 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		

	City of Somersworth – Resolution		
	Resolution No:	48-23	
TO AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS WITH AMERESCO, INC. OF FRAMINGHAM, MASSACHUSETTS, OPERATING AS BLACKWATER ROAD SOLAR, LLC., TO DEVELOP A SOLAR PROJECT PURSUANT TO RSA 362-A ON THE CLOSED SOMERSWORTH SANITARY LANDFILL SUPERFUND SITE ON BLACKWATER ROAD			
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 47-23	PASSED	FAILED

June 5, 2023

WHEREAS, the City Council adopted Resolution 27-22 authorizing the City Manager to negotiate agreements, subject to the approval of the City Council, with Ameresco, Inc. of Framingham, Massachusetts to develop a solar project on the closed Somersworth Sanitary Landfill Superfund Site on Blackwater Road; and

WHEREAS, the City Manager negotiated agreements with Ameresco, Inc. for the design, installation, maintenance, and decommission of a community solar project pursuant to the New Hampshire Group Net Metering statute, RSA 362-A and locate it on the closed Somersworth sanitary landfill superfund site on Blackwater Road; and

WHEREAS, the Agreements consist of a Purchase Power Agreement (PPA), a Ground Lease, and a Payment in Lieu of Taxes (PILOT) agreement by and between the City of Somersworth and Blackwater Road Solar, LLC.;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute Agreements with Ameresco, Inc. of Framingham, Massachusetts, operating as Blackwater Road Solar LLC., to develop a solar project pursuant to RSA 362-A on the closed Somersworth Sanitary Landfill Superfund site on Blackwater Road and take any and all other such actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i>	<i>Approved:</i>

David A. Witham
 Donald Austin
 Matt Gerding
 Robert Gibson

City Attorney

City of Somersworth – Resolution 48-23

History

First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/5/2023

Clerk LaPanne performed a first reading of Resolution 48-23.

Resolution 48-23 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		



City of Somersworth – Resolution

Resolution No: **49-23**

NAMING STORAGE DRIVE AND ASSIGNING ADDRESSES, IF REQUIRED

At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 48-23	PASSED	FAILED

June 5, 2023

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the following road be named and addresses assigned, if required;

NAME

EXPLANATIONS

“STORAGE DRIVE”

- 1) Name suggested by Developer of the Tara Fields Self Storage Facility and approved by the Rollinsford Planning Board in August 2022 as the property is in Rollinsford, however access is off of Royal Drive in Somersworth.
- 2) The E-911 Street Name and Address Committee recommended and approved the street name at their May 18, 2023 Committee meeting.
- 3) The Street name is required to be in compliance with E-911 standards due to the size and location of the storage units.
- 4) Storage Drive is a private road.
- 5) Developer is required to install a street sign and a “Private Way” sign per City condition of name acceptance.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT this action is in accordance with RSA 231:133; RSA 231:133-a; RSA 106-H; State of NH, Department of Safety, Division of Emergency Communications Addressing Standards, and Chapter 19, Section 23, City of Somersworth Ordinances.

Authorization	
<i>Sponsored by:</i> Councilor Martin Pepin	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 49-23

History			
First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/5/2023

Clerk LaPanne performed a first reading of Resolution 49-23.

Resolution 49-23 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		



City of Somersworth – Resolution

Resolution No: **50-23**

ANNUAL FLAG POLE DISPLAYS AT CITIZEN’S PLACE

At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 49-23	PASSED	FAILED

June 5, 2023

WHEREAS, the City Council adopted Resolution 2-19 adopting a policy for flag raising at Citizen’s Place that authorizes the Mayor to manage the flag pole displays at Citizen’s Place; and

WHEREAS, Citizen’s Place has become a focal point which celebrates and embraces Somersworth’s rich history and commitment to cultural diversity; and

WHEREAS, the flag poles located on Citizen’s Place are reserved for the City of Somersworth and its Citizens, for use by any person, group or organization that promotes benevolence, tolerance and diversity; and

WHEREAS, the City Council believes it is important to establish an annual flag pole display in an effort to raise awareness for certain events that closely demonstrates the City’s rich history and cultural diversity; and

WHEREAS, the City Council has identified a list of annual flag pole displays that promote the history and cultural diversity within the City of Somersworth with a display schedule as follows:

MONTH	FLAG RAISED	DATE CELEBRATED
January	Coexist Flag	All Month
March	Flag of Ireland	March 17 th
March	Flag of Greece	March 25 th
April	Earth Day Flag	April 22 nd
April	Flag of England	April 23 rd

April	Arbor Day Flag	April 24 th
April	POW Flag	Memorial Day
May	Police Memorial Flag	On Police Memorial Day – Week Recognition
May	EMS/Stewarts Ambulance Flag	On EMS Recognition Week
May	Firefighters Flag	On Firefighters’ Recognition Week
May	Merchant Navy / Merchant Marines Flag	May 22 nd
June	Pride Flag	All Month
June	US Army Flag	June 14 th
June	Juneteenth Flag	June 19 th
June	Flag of Quebec	June 24 th
August	Coast Guard Flag	August 4 th
September	US Air Force Flag	September 18 th
September	Recovery Flag	All Month
October	US Navy Flag	October 13 th
November	US Marines Flag	November 10 th
November	Abenaki and Pennacook Indigenous People Flag	All Month
December	Peace Flag	All Month
December	Space Force Flag	December 20 th

AND, WHEREAS, other flags may be flown in addition to the aforementioned schedule, however, these requests will require a special permit and permission from the Mayor to be displayed at Citizens Place;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City will hereby display flags identified in this Resolution at the dates designated by the City Council at Citizen’s Place.

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

City of Somersworth – Resolution 50-23

History			
First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/5/2023

Clerk LaPanne performed a first reading of Resolution 50-23.

Resolution 50-23 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		

Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 50-23	PASSED	FAILED
	City of Somersworth – Resolution		
	Resolution No: 51-23 TO AUTHORIZE THE CITY MANAGER TO ACCEPT EASEMENTS ASSOCIATED WITH THE FIRST STREET DRAINAGE IMPROVEMENTS AND ROAD RECONSTRUCTION		

June 5, 2023

WHEREAS, the City will be constructing infrastructure improvements at First Street as part of the FY2023 Road Resurfacing program; and

WHEREAS, to effectively and efficiently complete these projects the City needs to acquire permanent drainage easements on the following properties in the project areas:

First Street Project

Parcel ID	Physical Address
3-71	16 First Street
3-171	First Street
3-70	27 Second Street
3-71D	25 Second Street

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to accept the aforementioned easements associated with the First Street construction project.

Authorization

Sponsored by Councilors:
Nancie Cameron
Don Austin
Richard Michaud
David A. Witham

Approved:
City Attorney

City of Somersworth – Resolution 51-23

History

First Read Date:	6/5/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	6/5/2023		

Discussion

6/5/2023

Clerk LaPanne performed a first reading of Resolution 51-23.

Councilor Gerding made a motion to suspend Council Rules to allow for a second reading of Resolution 51-23. The motion was seconded by Councilor Austin and passed 9-0 by voice vote.

Councilor Gibson made a motion to adopt Resolution 51-23 as submitted. The motion was seconded by Councilor Cameron.

Discussion:

Councilor Gerding clarified that it was recommended by the City Manager that the Council suspend Council Rules to allow for a second reading of Resolution 51-23 in order to move forward with this project timely.

Councilor Gibson questioned if the City is financially obligated for any costs other than the initial work as part of the project. City Manager Belmore stated that the City is only responsible for the drainage improvements and the City will need permission to maintain them going forward.

Councilor Witham further explained that what can often happen and with First Street in particular, the drainage intrudes on private property right-of-way and in order for repairs to be made, the contractor needs to encroach on private property and this Resolution allows for that to happen.

The motion passed 9-0.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0
On 6/5/2023	Resolution 51-23	PASSED	FAILED