

## MINUTES OF CITY COUNCIL MEETING

Somersworth, NH  
October 15, 2018  
7:00 P.M.

### ROLL CALL OF MEMBERS

The meeting was called to order at 7:00pm by His Honor, the Mayor, Dana S. Hilliard, and upon roll call the following Council members were present: Pepin, Vincent, Dumont, Michaud, Witham, Sprague, Cameron, and Levasseur. Councilor McCallion was excused.

### PLEDGE OF ALLEGIENCE

Councilor Witham led the Pledge of Allegiance.

### PUBLIC HEARINGS

- A. **Resolution No. 19-19 - To Accept Curran Way as a Public Way**  
No public comments.

### COMMENTS BY VISITORS

Joe Caldarola, Manager of Sophie Lane, LLC., stated that he was there to answer any questions regarding Curran Way.

Don Austin, School Board Chair, thanked the council for their support over the last several years. He wanted to publically acknowledge the working relationship between the School Board and City Council. It is better now than it ever has been. They have worked together, moving projects along in the school, capital improvements projects, and the most recent approval of Maple Wood renovations. They have worked through some significant challenges, and continue to have several joint meetings at different levels, and communication on different levels, with open and honest dialog. There is communication on a regular ongoing basis. He thanked the City Council for their cooperation and partnership.

### CONSENT CALENDAR

- A. Approve Minutes of the City Council Meeting held on October 1, 2018  
*Councilor Levasseur, seconded by Councilor Witham, made a motion to approve the items on the Consent Calendar. The motion passed, 8-0.*

### COMMENTS BY CITY COUNCILORS

None

### COMMUNICATIONS

None

City Council Meeting, October 15, 2018

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

**Mayors Report for City Council Meeting October 15th, 2018**

- For five years now Somersworth has grown to become the model of how government was intended to function within our democratic republic. Our team approach between the Council and School Board accompanied with open communication between all levels of municipal and school employees have led to 21<sup>st</sup> century approaches in government and our city continuing “On the Move!” Our commitment to excellence and belief in our abilities to be the carrier of our destiny have inched us closer and closer to fulfilling our Vision 20/20 goals of become one of the most desirable communities on the seacoast. While we continue to approach each barrier with the spirit Hilltoppers are known for, turning challenges into opportunities, the reality of holding full control over the path we choose to follow has still yet to come to fruition.

Somersworth is a City, one of 12 others throughout the state that shares the title and similar ways of governing. Unlike towns, our government is in constant motion and requires the full independent voice of its chosen elected officials to make decisions regarding its direction. Since the late 60's Somersworth has shared its governing authority and the direction of our school system at-large in a combined SAU governing board with the town of Rollinsford. The SAU56 structure and its governing board is tasked with setting the combined vision and the hiring and non-renewal of SAU employees included the Superintendent. The Superintendent is charged with not only the management of the daily operations of the SAU system as a whole, but crafting and presenting a vision to the SAU and Somersworth School board on the direction our district will follow.

While throughout most of our combined history this shared mutual agreement has worked; as history continues to be in motion so do our two communities. The town of Rollinsford no longer sends any students to the Somersworth school system. A decision which they had full authority to independently make, and chose to do. Yet, out of the 14 members of the governing SAU board Rollinsford still hold 5 voting members. These 5 voices and votes help weight in on decisions which affect the self - autonomy of the Somersworth schools, and have a direct effect upon our students and staff. The recent claim that the Rollinsford School Board “We’ve never had any input into how the Somersworth schools runs their schools” and the fantasy of a land filled with Unicorns and Leprechauns begin to take shape. While one would claim that the “Pure Math” does not give them a voice and vote into our Hilltopper self – governing the “Pure Governing” proves otherwise.

City Council Meeting, October 15, 2018

Rollinsford has 5 direct votes on the SAU Board, if we were to focus on only one detail, that being the hiring of a Superintendent we can gain a clear understanding of how the “Pure Math” equates to the “Pure Governing” of the town of Rollinsford having a direct voice into the City of Somersworth’s educational affairs. To bring light to recent actions, the SAU Board has gone 3 months without a chair. The position of Chair is rotated between the Somersworth and Rollinsford. It being Rollinsford turn they have yet to, for whatever reason, forward a name for nomination. Thus, the SAU combined board has gone over three months without a chair, forcing the vice-chair from Somersworth to serve in that role. The “Pure Governing” points to a clear direction which our community must undertake, separating from the current structure and thus becoming in full control of our school system.

The Somersworth School Board, along with their talents and leadership skill are fully capable to govern the direction that education will take in Somersworth alone. Along with the partnership of the Joint Commission of the Council and School Board and our team approach to governing, Somersworth is now in the perfect position to become the stewards of its own destiny. I applaud the recent discussions of the Somersworth School Board to move closer to us fully self-governing ourselves. It will be their choice to start the process of withdrawing from the current agreement making our city a single voice in its school governing. A decision which I fully support and urge the full Council to do the same.

The decision to be self – governing will come at a cost, it always does. Withdraw of Somersworth from the current SAU structure will result in a loss of \$193,000 in revenue. The time we will gain from the staff in their full focus on Somersworth and our independent voice in my opinion is well worth this cost. As a Council we must not only fully support the School Board if they choose to go forward in this process with our vote, but must also do so in finances. I am therefore calling upon this Council to not only commit to fully support withdraw by the Somersworth School Board of SAU56, but also supplement the loss of \$193,000 in revenue when the appropriate time arrives.

Somersworth, for 5 years we have we gained our strength, confidence, and belief in ourselves. Now is the time for us to gain our full voice and stand by our independent team approach to self – governing.

- The next **Mayors Community** forum will take place Saturday **November 3rd from 9:00 – 10:30** at City Hall. Included in this forum I will be inviting the Chairs of all boards and commissions to be on hand to speak to residents about their various functions in our community. Applications for residents who are interested in serving will also be available. The forum will highlight the amazing work which takes place in helping keep our community “On the Move”, and the opportunities available to all citizens to have a voice and be part of the team. I encourage all residents to drop by this exciting forum and learned more about their municipal government.

*The purpose of the forums are to foster dialog and ideas, in a non-formal setting to continue to move our community forward. All members of the community are welcome to attend any forums*

- A great way to start the morning took place on October 3<sup>rd</sup>, with the brave men and women of the Somersworth Police Department with the Coffee with a Cop series. The conversation was fully engaging and reflected the Hilltopper partnership of ensuring our residents, neighborhoods and business remain safe. Thank you to Somersworth Police Department and all citizens who attended the morning event. Together as a team we will continue to keep Somersworth safe and “On the Move!”
- Despite the rain on Saturday, there was plenty to do in the Hilltop city. After the Mayors Community forum, I spent time with our fearless officers of the Somersworth Fire Department at their annual open house. The event highlighted the variety of services the department offers and insight into their daily duties. In addition to gaining insight into home safety and the equipment our officers use each day, they were also treated to the annual visit from Smokey the Bear (my childhood favorite) and other fire safety celebrities.

After the Fire Department open house, it was then time to get into the Halloween Spirit at the annual Pumpkin Festival. Despite the cold damp weather, the turnout highlighted the Hilltopper commitment to community. Smiles were seen throughout the plaza as Hilltoppers decorated, catapulted, and smashed Pumpkins. Special thanks to the Somersworth Festival Association for continuing to sponsor the anticipated annual event.

**Item 12 Nominations, Appointments and Elections:**

- Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the follow are before the Council this evening for a confirmation vote.
- **Councilor Martin P. Dumont and Councilor Martin Pepin** appointment as a member of the **Joint Building Committee for the Maple Wood School Project**

I respectful request that Council approve the nominations.

**This respectfully concludes the Mayors report for Monday October 15<sup>th</sup>, 2018**

## REPORTS OF STANDING COMMITTEES

Finance Committee – Councilor Witham reported that the Committee met on October 10<sup>th</sup> at 3pm. The Committee discussed:

- Res 18-19, HVAC replacement at the Middle School at a cost of \$28,500, the funds will be used from an Eversource rebate, which has a remaining \$33,000 available.
- New sound system at the High School gym is aged and not good quality. Approximate cost is just under \$5,000. Funding sources; old account named Bleacher Fund/Bricks, has a remaining balance of \$2,100. This account is about 30 years old. Remainder could be funded by the remainder of the Eversource rebate, after the middle school HVAC project. This will be going to the School Board Building and Grounds Committee for approve their approval.
- Investment Policy is an annual housekeeping matter. No proposed changes. There were questions regarding the banks that are used. Finance endorsed and supported unanimously.
- WWTF upgrades, because of the additional scope of work, additional engineering funds are required. Wright/Pierce is requesting an amended contract. There was discussion about the option for funding; bond it separately, or supplemental appropriation to the WWTF. The Committee endorsed a Supplemental Appropriation.
- Estimated project cost for the TAP Grant Road Project is at \$1,460,000; \$473,500 over TAP Grant budget. Director Smith explained the options. The City could reduce the scope and remove certain elements of each segment to bring the project in line with funding from the TAP Grant. The other option would be to remove the Cemetery Road sidewalk segment and include that part of this project with the Cemetery Road improvements currently being engineered by Wright/Pierce, reducing the project scope by \$414,000. The Committee endorsed the strategy outlined by City Staff, to remove Cemetery Rd sidewalk construction from TAP Grant funding
- Updates on the Water intermunicipal agreement with Dover, regarding the allocation of financial responsibility of the annual operation and maintenance fees as well as future capital cost needs. There was discussion about the number of users/units in Somersworth and Dover.
- Update on the Solar Array, Blackwater Road Superfund land fill site. Contractor would pay the City a pilot agreement for use of that land. There was discussion about costs or liability of the City. Committee consensus was the City needed to maintain its ability to back out of the project if needed. Committee consensus was to add this item to the November 5, 2018 agenda for full Council Finance in agreement that final items need to be negotiated.

Public Works & Environment – Councilor Sprague reported that the Committee met on October 10<sup>th</sup> at 4:00pm. The Committee discussed:

- Same topics as the Finance Committee
- Wright pierce engineering, for WWTF

- Tap grant Cemetery Road, to complete streets.
- Fair court update.
- Liabilities of the Solar array.
- Acceptance of Curran Way. The Committee voted to accept Curran Way, with conditions; a 2 year surety bond, with a company that is acceptable to City staff, details of deeding the road and easements.

## REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

### Special Committees

School Board – Councilor Pepin reported that the Board met on October 9, 2018. Karen Hiller announced her resignation, stating that she is moving out of town. The committee discussed the withdrawal from SAU 56. This will be an action item at the next meeting. The Board discussed funding of the PA system. The Board appointed Board Members Richardson and McCallion to the Joint Building Committee for the Maple Wood School Project.

Sustainability Committee - Councilor Levasseur reported that the Committee met on October 11<sup>th</sup>. They discussed the plastic mitigation resolution. This will be introduced to full Council on November 5<sup>th</sup>, 2018. They are also looking into reduction policies, and how to incorporate sustainable practices into the RFPs.

Joint City Council and School Board Committee – Councilor Dumont reported that the Committee met on October 2. They discussed the opening day facilities assessment at the school. Everything seemed to work well. They found that the middle school elevator is in need of replacement. It was in the CIP for the year 2020, but it will need to be considered soon. There was a discussion about a CTC Career concept to increase intern opportunities. The goal is to get the kids to become interns in companies, in their senior year. The committee discussed the Cemetery Road parking and the anticipated loss of parking spots. There was lengthy discussion about the SAU withdrawal. A CIP is being put together for October 17, 2018 Planning Board Meeting regarding the JBC for Maple Wood School.

Veterans Park Commission- Councilor Dumont reported that the Commission met on October 15, 2018. They did a site walk of the current area with a landscaping contractor. They discussed the process of the park upgrades. They are having a problem with marketing and soliciting funds from the community, but they are moving forward with discussion of concepts and ideas. The Commission has asked staff to look at funding issues. The park will be more than a 12 month effort, but there will be pieces completed along the way.



**CITY OF SOMERSWORTH**  
*Office of the City Manager*

**TO:** Mayor Dana S. Hilliard and City Council Members

**FROM:** Robert M. Belmore, City Manager

**DATE:** Friday, October 12, 2018

**SUBJECT:** City Manager's Report for Monday, October 15, 2018  
City Council Agenda

---

*Lay on the Table (Under Section 13 of Agenda)*

**Resolutions**

- A. Resolution No. 19-19: To Accept Curran Way as a Public Way.** Public Works & Environment Committee met on October 10<sup>th</sup> to discuss the acceptance of Curran Way as a Public Way and voted to recommend acceptance with the following conditions: A 2-year maintenance Surety Bond in the amount of \$71,000 is provided acceptable to the City, a deed to the road as well as all needed public utility easements are provided to the City. Attached is information provided to the Public Works & Environment Committee.

*Unfinished Business (Under Section 14 of Agenda)*

**Resolutions**

- B. Resolution No. 18-19: To Authorize the School Department to Utilize Funds from an Eversource Energy Efficiency Rebate to Contract with Ideal Temp HVAC of Freemont, NH to Replace an HVAC Unit at the Middle School.** The Finance Committees met on October 10<sup>th</sup> and voted to recommend approval to the full City Council.
- C. New Business (Under Section 15 of Agenda)**

**Ordinances**

- A. Ordinance No. 4-19: To Amend Chapter 19, Zoning Ordinance, Section 14, Historic District.** Historic District Commission members presented this “*Draft*” Ordinance revision to the City Council at the Council’s September 14<sup>th</sup> workshop. Attached are copies of the present HDC section of the Ordinance and the HDC Standards for Review document. I recommend the matter be scheduled for a Public Hearing at the next regular Council meeting on November 5<sup>th</sup>. Rescheduled for December 3<sup>rd</sup> City Council Meeting.
- B. Ordinance No. 5-19: Supplemental Appropriation for Engineering Services for Improvements at the Somersworth Wastewater Treatment Facility.** The Finance Committee and Public Works & Environment Committee met on October 10<sup>th</sup> and both Committees voted to recommend this action item for approval by the full City Council. Director Scott Smith’s memorandum on this funding issue is attached and it was discussed at both Committee meetings. Public Hearing scheduled for November 5<sup>th</sup> City Council Meeting.

### **Resolutions**

- A. Resolution No. 20-19: To Authorize the City Manager to Amend the Contract with Wright Pierce Engineers of Portsmouth, NH to Include Additional Engineering Services at the Somersworth Wastewater Treatment Facility.** The Finance Committee and Public Works & Environment Committee met on October 10<sup>th</sup> and both Committees voted to recommend this action item for approval by the full City Council. Director Scott Smith’s memorandum on this funding issue is attached and it was discussed at both Committee meetings.

**CM explained that funding had ceased to be available, and the engineering contract needs to be signed, not ... to sign the full 12mil project at once.**

### **Other**

- A. NH DOT TAP Grant & Cemetery Road Complete Streets Projects. Vote to Transfer the New Cemetery Road Sidewalk Construction from the TAP Grant Project Scope to the City Cemetery Road Complete Street Project (from Finance Committee and Public Works & Environment Committee).** Attached is a copy of Director Scott Smith’s memorandum that outlines the spending allocations in a summary format for both projects. Both Council Committees voted at their meetings on October 10<sup>th</sup> to recommend full City Council support.
- B. Vote for Re-adoption of the City of Somersworth Investment Policy.** This is an annual housekeeping action item for the City Council. City Staff



supports re-adoption without any amendments. The Finance Committee met on October 10th and recommends re-adoption. Attached is a copy of the City Investment Policy.

***City Manager's Items (under section 11 of Agenda)***

**A. Informational Items.**

**1. Tax Rate.** The City has received our official 2018 Tax Rate from the NH Department of Revenue Administration; the rate is set at \$33.41, which is a \$.32 total increase. You may recall, our estimated tax rate increase at the time of the Council's Budget adoption was approximately \$.94 (ninety four cents). An unanticipated significant increase in State Adequacy Funding was the primary driver in a further tax rate reduction than estimated. Attached is memorandum from Finance Director Scott Smith outlining the Tax Bill breakdown.

**2. Grants.**

- **Breton's Cleaners-EPA Clean-up Grant.** On October 4<sup>th</sup> I met with an EPA Official, Credere representative, our project consultant and potential contractors interested in submitting a proposal for the contaminated soil removal. I will provide key benchmark updates as we move forward.
- **Police Department.** I have authorized the City's application for several NH Department of Highway Safety Grants, totaling \$8,498.00. Unless Council directs differently the City/Police Department will move forward with these programs pending Governor & Executive Council approval. The attached "Exhibit A" outlines the various safety initiatives that will be deployed. The additional City in-kind match of \$2,124.50 represents the use of our Police vehicles.

**3. Upcoming Council Meetings.**

- **Monday, November 5<sup>th</sup> Council Meeting.** There will be a presentation by our Consultant (MRI) regarding the new Fire Station CIP Project. Also, there will be an update and discussion of the potential Solar Landfill project.
- **Joint Goal Setting Session of Council & School Board.** Wednesday, November 7<sup>th</sup> from 5:00 p.m. – 8:00 p.m. at the Black Box Theatre, Somersworth Career Technical Center.

**4. Upcoming Community Events.**

- **Somersworth Annual Senior Picnic.** Wednesday, October 17<sup>th</sup> at the Flanagan Center Gym on Bartlett Avenue from 11:00 a.m. – 1:00 p.m.
- **125 Commission Celebrates Somersworth's 125<sup>th</sup> Birthday.** Saturday, November 10<sup>th</sup> at the Historic Somersworth 1899 Ballroom, located at the Somersworth VFW from 7:00 p.m. – 10:00 p.m.
- **Annual Veteran's Day Ceremony.** Sunday, November 11<sup>th</sup> at 2:00 p.m. at the American Legion Post 69.

**B. Attachments.**

- a. **City Attorney Certifications Three (3)**
- b. **Department Head Reports**

**12. NOMINATIONS, APPOINTMENTS AND ELECTIONS**


**A. Nominations Requiring Council Approval:**

- a. Martin P. Dumont, Sr. as a member of the Joint Building Committee for the Maple Wood Elementary School Project
- b. Martin Pepin, as a member of the Joint Building Committee for the Maple Wood Elementary School Project

***Councilor Witham, seconded by Councilor Vincent, made a motion to accept the nominations. The motion passed, 8-0.***

**LAY ON THE TABLE**

**A. Resolution No. 19-19 - To Accept Curran Way as a Public Way**

	<b>City of Somersworth – Resolution</b>
	Resolution No: <b>19-19</b>  <b>TO ACCEPT CURRAN WAY AS A PUBLIC WAY</b>

October 1, 2018

WHEREAS, the City of Somersworth Planning Board approved a certain subdivision known as Subdivision Plan for Bridgeview Farms, Salmon Falls Road, and Maloney Street, Somersworth New Hampshire, Tax Map 52, Lot 1, Dated July 11, 2005, last revised November 21, 2005, prepared by Trittech Engineering Corporation, recorded as Plan #83-18 at the Strafford County Registry of Deeds and the roadway was to be accepted by the City of Somersworth; and

WHEREAS, the City Council named Curran Way as a street by Resolution No. 11-08 on October 1, 2007; and

WHEREAS, the road known as Curran Way has been constructed to the satisfaction of the City,

WHEREAS, the following conditions apply: A 2-year maintenance Surety Bond in the amount of \$71,000 is provided acceptable to the City, a deed to the road as well as all needed public utility easements are provided to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to accept and record a deed to Curran Way and said way is hereby accepted as a public way.

Authorization	
<i>Sponsored by Request:</i> Councilor Dale R. Sprague	<i>Approved:</i> City Attorney

City Council Meeting, October 15, 2018

## City of Somersworth – Resolution 19-19

### History

First Read Date:	10/01/2018	Tabled:	NA
Public Hearing:	10/15/2018	Removed From Table:	NA
Second Read:	10/15/2018		

### Discussion

***Councilor Witham, seconded by Councilor Sprague, made a motion to suspend Council rules to allow for a second read of Resolution 19-19. The motion passed unanimously, 9-0. Following the Second read, Councilor Witham, seconded by Councilor Levasseur, made a motion to adopt to adopt Resolution 19-19.***

Discussion-

Councilor Witham explained that a street cannot be accepted as a City street until the developer is completed with the proposed number of homes. This is the first time that this street has been addressed to the council. In this case, it has taken quite a bit of time for the street to come to full build out.

There has been some discussion about the integrity of the asphalt.

Councilor Witham, seconded by Councilor Vincent, made a motion to suspend rules to allow DPU Director Bobinsky to come up for questions. The motion passed, 9-0.

Councilor Witham stated that he read the memo from Director Bobinsky. There is some cracking on the road, recognized by city staff. The road was built to city specifications, and there has been degradation of the surface.

Director Bobinsky said there were boring samples of the road to test the compaction and density; they tested positive. The cracking was brought to the attention of the developer. The final suggestion was to allow him to fill the cracks, and create a uniformed cover by repaving the road. The developer will post a 2 year bond.

Councilor Sprague asked if, in 2007, were there compaction tests, on base gravel. There needs to be a better procedure for informing residence that the road is not a city road, or maintained by the city before they purchase property; maybe a sign, like other communities have.

Director Bobinsky said that the compaction tests do not stand out in his mind. There is a 1" base, and a 1 ½" top. The curbing is ok, and there is no substantial cracking on the upper end.

Councilor Witham said he called for a second read of this Resolution for the discussion to occur tonight for the people who live on Curran Way and spoke. We need to look out for the community as a whole. He would like to see this discuss at the Public Works and Environment committee.

Councilor Dumont spoke about the safety and lack of attention for danger for children. The road is prepared and accepted before the first certificate of Certificate of Occupancy is granted in other communities. If a developer is not providing the information to new residents, there is a flaw in our process.

Pepin thanked the citizens of Curran Way for showing up and for taking care of their neighbors. His main concern is that he doesn't want to accept another road that we have problems with. The base is good, need to address the crack problems.

Councilor Sprague said the cracking at the entrance of Curran Way is due to stretching, which is due to the heavy trucks entering and exiting. Without knowing specifications, he is not going to vote on this tonight. Would like it to go to the Public Works and Environment Committee for further discussion.

***Councilor McCallion, seconded by Councilor Levasseur, motion to TABLE Resolution 19-19. The***

---

*motion passed unanimously, 9-0.*

*On October 15, 2018, Councilor Witham, seconded by Councilor Levasseur, made a motion to remove Resolution 19-19 from the table. The motion passed, 8-0.*

*Councilor Witham, seconded by Councilor Levasseur made a motion to amendment Resolution 19-19 to include the following conditions: A 2-year maintenance Surety Bond in the amount of \$71,000 is provided acceptable to the City, a deed to the road as well as all needed public utility easements are provided to the City.*

*The motion to amend passed, 8-0.*

*Councilor Witham, seconded by Councilor Sprague, made a motion to approve Resolution 19-19 as amended.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	-	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague *	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	0
On 10/01/2018 Resolution 19-19		PASSED	

## UNFINISHED BUSINESS

### Resolutions:

- A. **Resolution No. 18-19** - To Authorize the School Department to Utilize Funds from an Eversource Energy Efficiency Rebate to Contract with Ideal Temp HVAC of Freemont, NH to Replace an HVAC Unit at the Middle School



## City of Somersworth – Resolution

Resolution No: **18-19**

**TO AUTHORIZE THE SCHOOL DEPARTMENT TO UTILIZE FUNDS FROM AN EVERSOURCE ENERGY EFFICIENCY REBATE TO CONTRACT WITH IDEAL TEMP HVAC OF FREEMONT, NH TO REPLACE AN HVAC UNIT AT THE MIDDLE SCHOOL**

October 1, 2018

WHEREAS, the School Department solicited proposals from qualified contractors to replace a failed HVAC unit at the Somersworth Middle School, and

WHEREAS, the School Building, Grounds, and Transportation Committee reviewed the bids received and recommends contracting with Ideal Temp HVAC of Freemont, NH to replace the HVAC unit utilizing funds available from an Eversource energy efficiency incentive rebate, and

WHEREAS, the Finance Committee met with the school administration and supports this recommendation at a cost not to exceed \$30,000 (Thirty Thousand dollars),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the School Department is authorized to contract with Ideal Temp HVAC of Freemont, NH to replace an HVAC unit at the Somersworth Middle School at a cost not to exceed \$30,000 (Thirty Thousand dollars), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the School Department is authorized to use the Eversource energy efficiency rebate to fund this project.

*Note: The School Department received \$75,000 from Eversource as an incentive for implementing certain energy efficient projects at Idlehurst Elementary School. There is currently \$33,373 left from this incentive.*

### Authorization

*Sponsored by Councilors:*

David A. Witham  
Dale R. Sprague  
Martin Pepin  
Richard Michaud

*Approved:*

City Attorney

City Council Meeting, October 15, 2018

## City of Somersworth – Resolution 18-19

### History

First Read Date:	10/01/2018	Tabled:	NA
Public Hearing:	10/01/2018	Removed From Table:	NA
Second Read:	10/15/2018		

### Discussion

On October 1, 2018, Resolution 18-19 was referred to the Finance Committee.

On October 15, 2018, *Councilor Pepin, seconded by Councilor Vincent, made a motion to approve Resolution 18-19.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	-	-
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 10/15/2018 Resolution 18-19		<b>PASSED</b>	

### NEW BUSINESS

### ORDINANCES

- B. **Ordinance No. 4-19** – To Amend Chapter 19, Zoning Ordinance, Section 14, Historic District



## City of Somersworth – Ordinance

Ordinance No: **4-19**

### **TO AMEND CHAPTER 19, ZONING ORDINANCE, SECTION 14, HISTORIC DISTRICT**

October 15, 2018

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:

Delete Section 19:14 in its entirety and replace with the following:

#### **19:14.A Section A INTRODUCTION AND BACKGROUND**

The downtown area of Somersworth was primarily built by following a master plan designed by the Great Falls Manufacturing Company starting in 1823. The designed attempted to relate the brick mills, brick or wood worker-housing and small-scale commercial buildings. Also, this overall plan included large-scale landscape features like the tree-lined canal. The effect created was like the pedestrian-oriented mill cities across New England. As the mill prospered and the city grew, other commercial buildings and areas were established; these included other areas (such as High Street), and replacement of earlier, smaller businesses. By the end of the 19th Century, the downtown boasted many fine brick hotels and commercial blocks.

The topography of the city played a central role in its development; i.e. the mills were located on the river, their source of power; worker housing and early commercial development were built on the flat land on the other side of the canal, within easy walking distance to the mills; and the mill owners and managers built their houses a carriage ride away, high on the hill to take advantage of the spacious views and cool breezes. An architectural hierarchy was established that closely followed the topological and social dictates. (The higher up you were the higher up you were!)

The history of Somersworth can still be read in her streets and buildings, but unfortunately, some pages of her history are missing. Fire and urban renewal erased large chunks of the streetscape; especially in the downtown. The master plan as envisioned by the city founders can never be finished nor re-created and it is not even desirable that it should be. However, recognizing the value of planning and good design, the Historic District Commission hopes to guide future changes in a manner that will be complimentary to those original intentions.

#### **19:14.B Section B AUTHORITY**

19:14.B.1 **HISTORIC DISTRICT COMMISSION.** There is herein established a seven member Historic District Commission (HDC) with the membership and power and duties as set forth in New Hampshire Revised Statutes Annotated Chapter 673:4 and 674:46, as the same may be subsequently amended, and as may be needed to carry out the purposes of this section.

19:14.B.2 **POWERS AND DUTIES OF THE COMMISSION** The HDC shall have the following powers and duties:

19:14.B.2.a Maintain a system for the survey and inventory of historic properties. This survey will be the system for comprehensive historic planning within the City.



It will be consistent with the technical standards issued by the United States Department of the Interior to produce reliable, understandable, and up-to-date information for decision making, related to the identification, evaluation, and protection/treatment of historical resources;

19:14.B.2.b Establish rules and regulations for the conduct of business which are consistent with the purposes of the Historic District and in conformance with applicable NH State statutes. Members shall be governed by a code of conduct, in conformance with NH State statutes, and in accordance with the City Charter, to prevent real and apparent conflicts of interest in the performance of the HDC's responsibilities;

19:14.B.2.c Establish, adopt, and make available to applicants and the public, guidelines and standards for review to be used by the HDC in reviewing and passing of applications for Certificate of Appropriateness(COA) to construct, alter, modify, repair, move, or demolish any building and/or structure within an Historic District;

19:14.B.2.d Approve, disapprove, in whole or in part, applications for which a COA is required per the Zoning Ordinance;

19:14.B.2.e Request reports and recommendations from City departments and agencies and from other organizations and sources which may have information or can provide advice pertinent to the application or its impact to the district;

19:14.B.2.f Retain professional consultants as may be necessary to carry out the purpose of this section;

i. Applicants may be asked to retain professional consultants in regards to supplying information on the applicant's project. This would be at the applicant's expense.

ii. The HDC may retain professional consultants subject to the availability of funds to help provide support and information to help carry out the HDC's authority and purview.

19:14.B.2.g Investigate and recommend to the City Council new areas for designation as Historic Districts.

19:14.B.2.h Act in an advisory role to other officials agencies, departments, boards, commissions, and committees of the local government, regarding the identification, protection, and preservation of local resources;

19:14.B.2.i Act as liaison on behalf of the local government to individuals and organizations concerned with historic preservation;

19:14.B.2.j Work toward continuing education of citizens within the HDC's jurisdiction, regarding historic preservation issues and concerns;

19:14.B.2.k Recommend and propose amendments and/or revisions to the boundaries and limits of any Historic District to the City Council; and

19:14.B.2.l Keep or cause to be kept accurate and complete records and minutes of meetings, findings of the HDC, and records of each application, all of which shall be part of the public record.

### **19:14.C Section C DESIGNATION OF HISTORIC DISTRICT**

19:14.C.1 **DESCRIPTION** The Historic District is an overlay zoning district, meaning that it is a zoning district which is superimposed over other zoning districts. In all cases where the Historic District is superimposed over another zoning district, that district whose regulations are more restrictive shall apply.

19:14.C.2 **PURPOSE** It is hereby declared as a matter of public policy that the recognition, preservation, enhancement, and continued use of structures, sites, areas, and districts within the City of Somersworth having historic, architectural, cultural or design significance is required in the interest of the health, economic prosperity, cultural enrichment, and general welfare of the

City Council Meeting, October 15, 2018

community. The purposes of this ordinance are to:

19:14.C.2.a Safeguard the heritage of Somersworth by providing for the protection of the structures and areas representing significant elements of its history;

19:14.C.2.b Enhance the visual character of the City by encouraging and regulating the compatibility of architectural styles within Historic Districts reflecting unique and established architectural traditions typical of houses in excess of 50 years old;

19:14.C.2.c Foster public appreciation of and civic pride in the beauty of the City and the accomplishments of its past;

19:14.C.2.d Strengthen the economy of the City by protecting and enhancing the City's attractions to residents, tourists and visitors;

19:14.C.2.e Stabilize and improve property values within the City; and

19:14.C.2.f Promote the private and public use of structures and areas within Historic Districts for the education, prosperity and general welfare of the community.

19:14.C.3 **DISTRICT BOUNDARIES** The location and boundaries of both the "Hilltop Historic District" and the "Industrial and Commercial Historic District" are hereby established as shown on a map entitled "Historic Districts, City of Somersworth, New Hampshire, January 1992", and as amended, which is hereby declared to be part of this ordinance.

#### **19:14.D Section D PURVIEW OF THE COMMISSION**

19:14.D.1 **ACTIVITIES REQUIRING REVIEW**. It shall be unlawful for any person to construct, alter, modify, repair, move, or demolish any building, structure, or improvement which lies within a Historic District without first obtaining a Certificate of Appropriateness (COA) from the Historic District Commission (HDC), or in the case of a project of minimal impact, the Planner, Code Officer (CO), and the HDC Chair, in the manner prescribed in this section.

19:14.D.2. **EXEMPT ACTIVITIES**. Exempt activities described in this section do not require review of the applicant's proposed projects or HDC approval. This section does not exempt any property owner from being required to obtain any other permit prescribed by the State of NH or the City of Somersworth.

19:14.D.2.a Any interior construction, alteration, or repair that does not change in any way the outward appearance or any exterior details of the building.

19:14.D.2.b Ordinary maintenance, repair, or painting of any exterior architectural feature which does not involve a change in design, materials, or outer appearance. If any element of a structure must be temporarily removed for painting or repair, it shall be reinstalled within 30 days. Painting must be of standard workmanship quality.

19:14.D.2.c Landscaping that does not affect the current grade of the site, provided there is no change to any vertical structure, such as construction or alteration of walkways and patios.

19:14.D.2.d Planting or removal of vegetation, except in the case of removing a healthy or undamaged tree with a diameter larger than 12"(circumference in excess of 36") when measured 4 feet above grade.

19:14.D.2.e Cleaning of any structure provided the cleaning is performed with proper care and will not harm any element of the structure. (Discouraged paint removal processes; sandblasting, chemical paint removers, high pressure water wash, heat tools, and rotary tools). The gentlest process is always preferred.

19:14.D.3 **PROJECTS OF MINIMAL IMPACT**. For the purpose of this section, the following activities shall be considered to be projects of minimal impact and shall be reviewed and approved, conditionally approved or disapproved by the Planner, CO, and HDC Chair. A monthly report shall be provided to the HDC informing them of any approved projects of minimal impact.

19:14.D.3.a Erection, construction, or repair of any fence or fence like structure. A fence that is less than 30 percent open such as a stockade fence should not be located in front of the house. Chain Link fence is not allowed unless necessary in cases such as, but not limited to, industrial applications or ball fields.

19:14.D.3.b Erection, construction, or repair of any signs provided the proposed signage adheres to both the HDC Sign Standards for Review, Chapter 19.20 of the Somersworth Ordinances, and other City Sign Ordinances.

19:14.D.3.c Simple roof replacements that involve no alterations to the roof, roof trim, or any roof features. Any changes to the pitch, size, angle, addition, roof feature, or any other change to any feature of the roof shall require HDC approval.

19:14.D.3.d Sheds less than 120 square feet provided they match the style and texture of the other structures on the property.

19:14.D.3.e Installation or removal of storm doors or windows provided the size and shape match the existing window/door and it adheres to the HDC Storm window and door in the Standards for Review, Section 3, Fenestration.

19:14.D.3.f Essential outdoor mechanical equipment (ducts, fans, solar panels, etc.) provided they are installed in locations which create the least disturbance to the historical integrity of the building and which involve the minimum alteration to its structure.

19:14.D.4 **APPROVAL OF MINIMAL IMPACT** The Planner, CO, and HDC Chair shall have final authority to approve, conditionally approve, or disapprove applications for projects of minimal impact. However, if the Planner, CO, and HDC Chair or the HDC Chair's designee does not unanimously agree that the application is minimal impact, the application shall be forwarded to the HDC for full review and action. Furthermore, the decision of the Planner, CO, and HDC Chair or the HDC Chair's designee may be appealed to the HDC provided that notice of the appeal is filed within ten (10) workdays of the staff's decision.

19:14.D.5 **PROJECTS OF MAJOR IMPACT** Any development activity not specifically listed as an exempt activity or as a project of minimal impact shall be considered a project of major impact and shall go through the review process of the HDC as outlined in the sections below.

#### **19:14.E Section E PROCEDURES FOR REVIEW FOR CERTIFICATE OF APPROPRIATENESS**

19:14.E.1 **APPLICATION**. All application packages shall include the items listed below, as outlined.

19:14.E.1.a **APPLICATION FORM**. A completed application form available from and provided by the Somersworth Development Services.

19:14.E.1.b **PHOTOGRAPHS**. Current photographs of each side of any building proposed for alterations, additions, or demolition. Current photographs of the streetscape in both directions of the street, or both streets if a corner lot.

19:14.E.1.c **ELEMENTS SUBJECT TO REVIEW**. It is the responsibility of the applicant and/or the contractor to describe in a clear manner every element of the proposed project that is subject to the HDC review.

19:14.E.1.d **PLANS**. Detail drawings of all project specific elements. This may be limited to a detailed drawing of one window in the case of an application proposing replacement of only windows involving no change to the window sizes, but will need additional drawings if more than one window size or style is involved.

19:14.E.1.e **MEASUREMENTS**. Measurements shall be displayed on all plans including building heights. Measurements shall be provided in a clear manner and include dimensions building details such as but not limited to doors, windows, trim, overhangs, and siding exposure.

19:14.E.1.f **REVISIONS**. When subsequent revised plans are submitted the revised plans shall clearly indicate every change from the prior set of plans. This should not be written on or over the older set of plans.

19:14.E.1.g **SAMPLES**. Manufacturer pamphlets, cut sheets, or samples will be needed if the material proposed is typically discouraged by the Historic District Commission.

**19:14.E.2 ADDITIONAL REQUIREMENTS**. The following are additional needs if an Application proposes significant changes.

19:14.E.2.a **ELEVATION DRAWINGS**. An Application for projects involving changes to the buildings details, openings, height, roofline, mechanical units, or projections shall also provide elevation drawings. Elevation drawing shall show each affected façade of the building, structure, or sign clearly depicting existing conditions and proposed changes. If the overall height change is proposed, adjacent buildings shall be included in a streetscape drawing to act as a fixed benchmark.

19:14.E.2.b **SITE PLANS**. Any site work, new construction, demolition, or change to an existing building's footprint shall provide a Site Plan drawn to scale clearly depicting existing conditions and proposed work. This shall include topographic details in the vicinity of the building due to the steep nature of the land within the Historic District. Plans shall depict any land within 15' of any retaining walls, foundation, or new construction. A streetscape drawing depicting adjacent buildings shall be included to act as a fixed benchmark.

19:14.E.2.c **ENGINEER REPORT**. Any proposed demolition shall require a detailed report from an engineer licensed in the State of New Hampshire as to the soundness of the structure. Any dangerous conditions should be identified. Include the engineer's resume highlighting professional experience in historic property assessment/rehabilitation.

Exception: Structures deemed not contributing by the HDC

19:14.E.3 **APPLICATION DEADLINE**. Complete applications must be filed with the Planning Dept, 14 days prior to the next scheduled HDC meeting to be placed on that meeting's agenda.

19:14.E.4 **REVIEW OF THE APPLICATION**

19:14.E.4.a **DETERMINATION OF APPROPRIATENESS**. In deliberation whether to approve or deny an application the HDC shall consider whether or not the proposed work described in the application conforms to the Somersworth HDC Standards for Review.

19:14.E.4.b **SCHEDULING AND COMPLETENESS**. The HDC will consider applications only at its scheduled meetings. At that time the HDC may consider denying the application if it is for any reason incomplete as outlined in the Application section. This will be decided by a majority vote of present HDC members. If denied for this reason a specific list of what was missing will be provided to the applicant within 10 days.

19:14.E.4.c **PRESENTATION OF THE APPLICATION**. The applicant or their designee should attend the meeting to present the application and be prepared to answer any questions. If the HDC is unable to obtain answers during the review of the application, the HDC has grounds for denial of the application.

19:14.E.4.d **PUBLIC MEETING**. Each reviewed application will allow comment by any abutters, citizens, or other interested people-

19:14.E.4.e **COMPLIANCE PARAMETERS**. When the Commission deems it appropriate in dealing with violations of this ordinance and other matters, it may work with property owners in a flexible manner in setting timeframes and other benchmarks to guide how and when specific work must be completed.

19:14.E.5 **ACTION ON AN APPLICATION**

19:14.E.5.a To the extent practical and appropriate, an applicant may file applications for permits simultaneously to any other board or commission. These plans should be consistent

with one another in regard to all details.

19:14.E.5.b If any changes are made by other boards or commissions on elements under the HDC purview, the applicant shall reappear before the HDC for approval.

19:14.E.5.c On more complex projects involving other boards or commissions applicants should consider presenting a preliminary proposal at any HDC meeting (consisting of simple hand sketches or other lesser requirements) prior to submitting an official formal application. During the preliminary proposal the HDC shall;

i. allow informal discussion about the project.

ii. offer comments, concerns, and or suggestions to aid the applicant.

iii. make no official decision or ruling during the discussion.

19:14.E.5.d The Commission shall file a Certificate of Appropriateness or a Certificate of Denial with the Planning Department.

19:14.E.5.e The HDC shall render a decision within thirty-five (35) days after the HDC accepts the application as complete.

19:14.E.5.f Failure to act on an application within the period of time specified above shall be deemed to constitute approval of the application as submitted.

19:14.E.5.g The Certificate of Appropriateness by approval or by default of the Commission to take action shall be effective for 1 year after the date of approval, but will not expire during an active building permit.

19:14.E.5.h If the applicant has neither obtained a building permit (or the extension for one) nor commenced work within 1 year after the date of approval, then the approval shall automatically be deemed null and void.

19:14.E.5.i When an application is rejected as being incomplete or denied, the reason(s) for the decision shall be conveyed to the applicant and in the Certificate of Denial and clearly stated in the minutes of the meeting.

19:14.E.5.j At the HDC's discretion on larger or more sensitive projects, the HDC may recommend that the Code Officer oversee construction of the elements and details of the building that are part of the HDC's approval to ensure the building is constructed correctly in accordance with the proposal. The HDC may request that progress reports be submitted to the City and it may identify the requested parameters for those progress reports.

19:14.E.5.k Once a Certificate of Appropriateness has been issued, any changes in construction, due to any reason shall be brought back to the HDC for review and approval. The Code Officer (CO) may issue a Stop Work Order if any project is not in conformance with the application approved by the HDC. However, if a proposed change is very minor, then Code Enforcement and HDC Chair may approve the proposed change if:

i. The change is deemed to be insignificant

ii. The change would be barely noticeable, if at all, from a public right of way and

iii. The change would be consistent with the intent of the earlier approval.

19:14.E.6 **DECISIONS / FINDINGS.** For a project of minor or major impact, a building or demolition permit shall not be issued until and unless a COA is issued by the HDC in accordance with the provisions of this section.

19:14.E.6.a At the conclusion of its review, the HDC shall issue in writing one of the following:

i. If in the opinion of a majority of HDC members present and voting the applicant's

proposal meets the purpose of this section, then the Historic District Commission shall issue a COA signed by the Chair together with any changes, conditions and/or stipulations. After the issuance of the COA, the Building Inspector may issue any building, demolition or other permit for the approved project; or

- ii. If in the opinion of the majority of the HDC members present and voting the applicant's proposal does not meet the purposes of this section, then the HDC shall issue a Notice of Disapproval in writing together with the reasons for such decision signed by the Chair and all voting HDC members. The issuance of a Notice of Disapproval shall prohibit the Building Inspector from issuing a building, demolition or other permit; or
- iii. If acceptable with the applicant, and in the opinion of the majority of the HDC members present and voting the application may be tabled.

**19:14.F Section F STANDARDS FOR REVIEW**

19:14.F.1 The Standards for Review articulates how and why a building should be similar to surrounding buildings. They will articulate the buildings form, scale, setback, materials, and other pertinent information, to properly blend a new, altered, or remodeled building into the existing historic streetscape or context.

**19:14.G Section G APPEALS AND ENFORCEMENT.**

19:14.G.1 **RESUBMITTAL.** If the applicant's proposal is denied, the applicant may, and is encouraged to, make modifications to the proposed plans and shall have the right to resubmit the application at any time after so doing.

19:14.G.2 **APPEAL PROCESS.** Any person aggrieved by a decision of the Historic District Commission shall have the right to appeal, by filing a motion for rehearing before the HDC. Such an appeal when taken shall stay all proceedings in furtherance of the action appealed, unless the HDC shall certify that by reason of facts stated in a certificate issued by it, a stay would cause imminent peril of life or property. The appeal shall be made within thirty (30) days after the decision of the HDC. The 30-day time period shall be counted in calendar days beginning with the date upon which the HDC issued the decision. After appeal, if said person or persons are still aggrieved by the HDC. They have the right to appeal that decision to the Zoning Board of Adjustment or to pursue any other remedy accorded by NH State law.

19:14.G.3 **REQUIRED MAINTENANCE.**

19:14.G.3.a **RESPONSIBILITY.** A property owner in the Historic District is prohibited from allowing his or her property to deteriorate in the manners specified in Chapter 19:24 of the Somersworth Ordinances and failing to correct those conditions shall be subject to enforcement under Chapter 24, The Property Maintenance Code. Any corrections as directed by such enforcement action must also adhere to this chapter section, 19:14, in its entirety.

19:14.G.4 **ENFORCEMENT AND VIOLATIONS.**

19:14.G.4.a **ENFORCEMENT.** These regulations, in accordance with RSA 674:49-may be enforced under the authority of NH State RSA 676 as the same may be subsequently amended, and such other authorities as may be available, Chapter 24 of the Somersworth Ordinance, the Property Maintenance Code or any other remedy afforded by law.

19:14.G.4.b **SEVERABILITY.** If any of the provisions set forth in these ordinances are held to be invalid, for any reason, by a Court of Law, such holding shall not invalidate other provisions contained herein

19:14.G.4.c **VIOLATIONS.** If during the regular inspections by the CO a property is found to not be in compliance with the provisions of this section, or if the property is found in violation of Chapter 24 of the Somersworth Code-shall be subject to the established violation method used for violations of Chapter 24 of the Somersworth Code

**19:14.H Section H DEFINITIONS.**

- 19:14.H.1 **CITY**; City of Somersworth
- 19:14.H.2 **CITY COUNCIL**; Somersworth City Council
- 19:14.H.3 **CO**; Code Officer (Code Enforcement Officer, Code Compliance Officer)
- 19:14.H.4 **COA**; Certificate of Appropriateness
- 19:14.H.5 **COMMISSION**; Historic District Commission
- 19:14.H.6 **DISTRICT**; Somersworth Historic District
- 19:14.H.7 **HD**; Historic District
- 19:14.H.8 **HDC**; Historic District Commission
- 19:14.H.9 **NRHP**; National Register of Historic Places
- 19:14.H.10 **SHPO**; State Historic Preservation Office

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

## City of Somersworth – Ordinance 4-19

History			
First Read Date:	10/15/2018	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			


### Discussion

*Councilor Witham, made a motion to waive Council rules to allow for Ordinance 4-19 to be read by title only. Motion passed, 8-0.*

Ordinance 4-19 will remain in first read until the November 5, 2018 City Council Meeting.

### C. Ordinance No. 5-19 - Supplemental Appropriation for Engineering Services for Improvements at the Somersworth Wastewater Treatment Facility

City Council Meeting, October 15, 2018

	<b>City of Somersworth – Ordinance</b>
	Ordinance No: <b>5-19</b>  <b>SUPPLEMENTAL APPROPRIATION FOR ENGINEERING SERVICES FOR IMPROVEMENTS AT THE SOMERSWORTH WASTEWATER TREATMENT FACILITY</b>

October 15, 2018

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 18-19 is amended as follows:

Appropriate \$155,000 from Sewer Utility Fund budget as follows:

Original Budget	Amendment	Revised Budget
\$ 2,257,532	\$ 155,000	\$ 2,412,532

Approved as to Funding:

Scott A. Smith  
Director of Finance and Administration

Recorded by:

Trish Harris  
City Clerk

**Background:**

This ordinance appropriates funding for an amendment to the engineering design services portion of the contract with Wright/Pierce Engineers for necessary improvements at the Somersworth Wastewater Treatment Facility.

Authorization	
<i>Sponsored by:</i> David A. Witham Dale R. Sprague Martin Pepin Kenneth S. Vincent Richard R. Michaud	<i>Approved:</i> City Attorney

City Council Meeting, October 15, 2018



## City of Somersworth – Ordinance 5-19

### History

First Read Date:	10/15/2018	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion


*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.*

Ordinance 5-19 will remain in first read until the November 5, 2018 City Council Meeting.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham *		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
<b>TOTAL VOTES:</b>			
On    /    /    .    Ordinance 5-19		PASSED	FAILED

### RESOLUTIONS

- A. **Resolution No. 20-19** - To Authorize the City Manager to Amend the Contract with Wright Pierce Engineers of Portsmouth, NH to Include Additional Engineering Services at the Somersworth Wastewater Treatment Facility

	<b>City of Somersworth – Resolution</b>
	<p>Resolution No:       <b>20-19</b></p> <p><b>TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH WRIGHT PIERCE ENGINEERS OF PORTSMOUTH, NH TO INCLUDE ADDITIONAL ENGINEERING SERVICES AT THE SOMERSWORTH WASTEWATER TREATMENT FACILITY</b></p>

October 15, 2018

WHEREAS, The City Council adopted Resolution No. 22-18 to authorize the City Manager to amend the contract with Wright Pierce Engineers for an amount not to exceed \$863,000 (Eight Hundred Sixty Three Thousand dollars) for engineering services to provide a plant facility assessment and engineering and design specifications for facility improvements at the Wastewater Treatment Facility, and

WHEREAS, the plant facility assessment identified additional improvements such as replacing the process water line, replace chemical piping and manholes, and additional building improvements that weren't included in the original scope of work, and

WHEREAS, Wright Pierce has provided the City a proposal to provide engineering and design services for the additional improvements at a cost of \$155,000 (One Hundred Fifty Five Thousand dollars) which would increase the total contract to an amount not to exceed \$1,018,000 (One Million Eighteen Thousand dollars) ;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with Wright Pierce Engineers of Portsmouth, N.H. to include additional engineering services at the Somersworth Wastewater Treatment Facility for an amount of \$155,000 (One Hundred Fifty Five Thousand dollars) thereby increasing the total contract to an amount not to exceed \$1,018,000 (One Million Eighteen Thousand dollars), and to take any other action related to this contract determined to be in the best interest of the City.

Authorization	
<p><i>Sponsored by:</i></p> <p>David A. Witham Dale R. Sprague Martin Pepin Kenneth S. Vincent Richard R. Michaud</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City Council Meeting, October 15, 2018

## City of Somersworth – Resolution 20-19

### History

First Read Date:	10/15/2018	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion

*Councilor Witham, seconded by Councilor Levasseur, made a motion to waive Council rules to allow Resolution 20-19 to be read by title only. The motion passed, 7-1, with Councilor Sprague opposed.*

Resolution 20-19 will remain in first read until the November 5, 2018 City Council Meeting.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham *		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
<b>TOTAL VOTES:</b>			
On / / . Resolution 20-19		PASSED	FAILED

## OTHER

- A. NH DOT TAP Grant & Cemetery Road Complete Streets Projects: Vote to transfer the new Cemetery Road Sidewalk Construction from the TAP Grant Project Scope to the City Cemetery Road Complete Street Project (from Finance Committee and Public Works & Environment Committee)  
***Council vote, 8-0.***
- B. Vote for Re-adoption of the City of Somersworth Investment Policy  
***Council vote, 8-0.***

## CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin thanked Karen Hiller for all her work on the School Board. She was an active member. There have been a lot of functions recently. He thanked all of the volunteers who were involved.

Councilor Vincent stated that there has been a lot going on. He attended the Pumpkin Festival sporting his lion's hat. It was a wet, cold, damp, day. He thanked all of the volunteers, The Chamber, the Children's' Festival; they all hung in there. He hopes the rain did not dampen the profits. He reminded that the Candidates forum is scheduled for October 25<sup>th</sup> at 6:30pm, in regards to the state election. The public will be able to talk to the candidates in all of the districts. He stated that he is ecstatic to hear that the tax rate has gone from what they originally thought; 94 cents to 32 cents.

Councilor Witham thanked Karen Hiller for her time on the school board. He said he looks forward to the conversation about the SAU withdrawal, and asked that this be reviewed by the Government Operations Committee for Council weigh in with a resolution and not just a vote. Now that the work is completed on Indigo Hill Road, new utility poles have been installed, but wires have not been moved and old poles have not been taken down. He would like someone to look into this. Regarding the speed on Memorial Drive, there is a radar trailer out there, but he would like to see the sign updated. It still says, 'school opening soon'. Tire Company on Main Street is not well kept, and he is sure code enforcement has visited this location. There are a lot of tires stacked along the side of the building. He thanked Chief Hoyle for the Fire Department open house.

Councilor Sprague wished everyone a Happy Halloween, be safe.

Councilor Cameron said that she attended the Pumpkin Festival representing Vision 2020. They received a few ideas for Breton Cleaners sight. She then went to the Fire Station Open House where she met the new police K-9, Bravo.

Councilor Levasseur thanked Karen Hiller for her time on the School Board. Vision 2020 was at the Pumpkin Festival, looking for suggestions from the public for the redevelopment for Bretons cleaners. At the recent downtown roundtable, the hashtag

#seesomersworth was created. He encouraged all to come and see the fall foliage at Forest Glade Cemetery.

ADJOURNMENT

*Councilor Pepin, seconded by Councilor Cameron, made a motion to adjourn. The meeting adjourned at 8:03 pm. 7-1, Sprague opposed.*

---

Trish Harris, City Clerk

---

Dana Hilliard, Mayor