



## MINUTES OF CITY COUNCIL MEETING

Somersworth, NH

January 8, 2020

7:00 P.M.

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### **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, Austin, Michaud, Witham, Gerding, Cameron, and Paradis.

### **PLEDGE OF ALLEGIENCE**

Councilor Gerding led the Pledge of Allegiance.

### **PUBLIC HEARINGS**

#### **Ordinance No. 15-20 - To Amend Chapter 12, Streets and Sidewalks**

No Comments

#### **CDBG – Public Hearing on the Proposed Project – Somersworth Housing Authority’s Improvements**

Donna Lane, CDBG Consultant, stated that the Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility projects, up to \$500,000 for housing projects, and up to \$500,000 for emergency activities. Additionally, up to \$25,000 is available per planning/feasibility study grant. All projects must directly benefit a majority of low- and moderate-income persons.

The purpose of this hearing is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Housing Grant. The City will retain up to \$25,000 for administrative expenses and grant the bulk of the funds to the Somersworth Housing Authority (SHA). SHA will then loan the CDBG funds to a related entity to be determined to complete facility upgrades; including replacement windows to Somersworth Housing Authority’s Albert J. Nadeau Homes located on Bartlett Ave & Verona Street as well as Filion Terrace located on Washington Street; in addition the replacement of apartment doors at Filion Terrace and Charpentier Apartments, located at 28 Franklin Street in Somersworth, NH. All 169 units are occupied by low- and moderate-income households.

This project conforms with Somersworth’s Housing and Community Development Plan’s Goal of: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. Increase and improve housing through renovation and/or rehabilitation of existing structures and through new development. (Short-term goal and long-term goal)

Information packets were available for public review.

The Public was asked for comments. With there being no further comments, Mayor Hilliard closed the Public Hearing.

**CDBG – Public Hearing on the Housing and Community Development Plan**

Donna Lane, CDBG Consultant, stated that the Housing and Community Plan outlines long term and short term goals for the City and needs to be readopted every 3 years.

The City of Somersworth's three-year short and long-term goals and objectives are as follows:

Goal: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups

Goal: Encourage economic development activities to increase quality industrial and commercial development

Goal: Encourage the protection, enhancement and renovation of significant historic and architectural resources in the community. Preserve and promote the town's historically and culturally significant structures.

Goal: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and long-term goal).

Goal: Promote activities that protect the health and safety of residents and visitors

Information packets were available for public review.

The Public was asked for comments. With there being no further comments, Mayor Hilliard closed the Public Hearing.

**CDBG – Public Hearing on Residential Antidisplacement and Relocation Assistance Plan**

Donna Lane, CDBG Consultant, stated that this Plan states in general, that if the City were to undertake a CDBG project which involved displacement and resulting relocation they would follow the Uniform Relocation Act requirements. The Residential Antidisplacement and Relocation Assistance Plan outlines the measures they would take to find comparable, housing for persons (or businesses) displaced and/or relocated.

This project will require some temporary relocation. Residents will be relocated to empty units on site, to modular units on site, or to other properties owned by SHA. SHA will pay temporary relocation costs for eligible households.

Information packets were available for public review.

The Public was asked for comments. With there being no further comments, Mayor Hilliard closed the Public Hearing.

**COMMENTS BY VISITORS**

Ben Bradley, Director of Government Relations and Public Policy of Wentworth Douglas, stated that he supports the Resolution 24-20 and is grateful of support from the Somersworth City Council and thanked for their consideration.

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## **CONSENT CALENDAR**

Approve Minutes of the City Council Workshop – Form Based Codes, held on December 16, 2019

Approve Minutes of the City Council Meeting held on December 16, 2019

Approve Minutes of the Joint City Council Meeting – Government Operations Committee and Public Safety Committee held on December 19, 2019

***Councilor Witham, seconded by Councilor Vincent, made a motion to approve all items on the Consent Calendar. The motion passed, 9-0.***

## **COMMENTS BY CITY COUNCILORS**

None

## **COMMUNICATIONS**

None

## **PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE**

None

## **MAYOR'S REPORT**

### **Mayors Report for City Council Meeting January 8th, 2020**

- Tonight marks the beginning of 2020-2021 Council session. The beginning of each legislative session is filled with high energy, excitement, dedication, commitment and hope. Each of us was elected based upon the faith that we would carry forth and preserve the values and traditions of great cities ***“Proud Past”*** and ***“Bright Future”***. While each of us have separate desires and agenda items we would like to see implemented to continue to keep Somersworth ***“On the Move!”*** As we begin our journey as the Hilltop cities governing body it is imperative that we continue to hold steady to the framework we have built which has made our municipal government a model throughout the state.

In this chamber tonight is a variety of educational backgrounds and life experiences. There are differences in faith, generations, gender, sexual ordination and ethnicity. Our differences are the strength of our ability to lead and continue to foster the Hilltopper values of honoring and respecting each other. While we are elected to represent separate wards or the community at – large, upon taking our oaths last night we became part of one team, one family, one united community. Like any family or team, we will not always agree, the pillars of democracy encourage each voice to be heard, but also successfully functions when comprise and common direction and vision our achieved.

As we continue our work for 2020 – 2021 with pride, we will carry forth our 21<sup>st</sup> century team approach to governing. We will hold true to respecting each other, listening to each other

and modeling civility for all members of our community. While the rest of our nation continues battle for the soul of what has made America strong, in Somersworth we will continue to protect and strengthen those pillars. Openness, communication and viewing shedding some of our individualism for the love of service and Somersworth will continue to bring pride and inspiration to each member of our community.

Remember, each one of us were elected by the community based upon our love for Somersworth and the values of community it represents. So, let us begin our working by pledging ourselves to not only our community but to each other.

Let us pledge that despite how heated conversations and debates might become, that we will continue to carry forth our demeanor with dignity and civility.

Let us pledge that we will build trust among each other, and that when conflicts arise, we will work them out to ensure our community and team continues *“On the Move!”*

Let us pledge that we will honor the vast diversity which comprises this council, and how that diversity reflects its strength and the strength of the community.

Let us pledge, that despite the differences in party ideology we will shed our partisanship at the door and protect this institution for its influences.

And finally let us pledge, let us pledge that we will be the stewards of each other and our community. Speaking, listening and leading with our mind, heart and soul.

As Mayor, I will continue with my unwavering commitment, dedication, loyalty and love to this Council and to our great Hilltop City. As I begin my fourth term as Mayor, I pledge to continue to govern with the practices of empathy, compassion and openness. I will not shy away for carrying forward on the oath I affirmed or to my commitment to progress our community and our Council forward. I will also not faultier from defending and ensuring that the practices of our team approach continues to be the foundational bedrock of how we carry forward on our democratic governing.

With great excitement, I look forward to continuing my duties as the face and voice for the Hilltop City. With honor I will continue to defend our Hilltop city when necessary and spread the word throughout our state as to how Somersworth with its progressive practices continues *“On the Move”* as New Hampshire’s *welcoming city*. This evening I pledge myself to each Councilor and to each resident who calls our ten square mile community home, that I will continue to give all of my energy, insight and experience to ensure that our *“Proud Past”* will continue to be honored and celebrated and that each citizen and Somersworth will forever be granted a *“Bright Future”*

- The start of the new council session as marks the beginning of the **Mayors Community Forums**. The purpose of the forums are to foster dialog and ideas, in a non-formal setting to continue to move our community forward. Each forum will be hosted at city hall and will afford each citizen the opportunity to discuss issues and concerns with the Mayor, City Council and School Board members.

I will begin the first forum with the Ward 1 Councilor and School Board member and proceed in order until all Wards and At- Larger members have been hosted. Upon the conclusion of hosting each member a new schedule will be created and we will proceed in order again. All members of the community are welcome to attend any forums. The 2020 dates are as follows; please note that dates sometimes will be re-scheduled do to unforeseen

conflicts. All forums will take place on Saturdays from 9:00 – 10:30 at City Hall or other announced locations.

### **Mayors Community Forums**

**All forums will take place at City Hall, in the City Council Chambers from 9:00 to 10:30**

**February 15<sup>th</sup>: Mayor, Ward 1 City Councilor and School Board Member**

**March 14<sup>th</sup>: Mayor, Ward 2 City Councilor and School Board Member**

**April 18<sup>th</sup>: Mayor, Ward 3 City Councilor and School Board Member**

**May 16<sup>th</sup>: Mayor, Ward 4 City Councilor and School Board Member**

**June 13<sup>th</sup>: Mayor, Ward 5 City Councilor and School Board Member**

**September 19<sup>th</sup>: Mayor, At-Large Council and School Board Members (Witham and Potter)**

**October 10<sup>th</sup>: Mayor, At-Large Council and School Board Members (Gerding and Cannon)**

**November 7<sup>th</sup>: Mayor, At-Large Council and School Board Members (Cameron and Donohue)**

**December 12<sup>th</sup>: Mayor, At-Large Council and School Board Members (Paradis and Levasseur)**

- The Mayor's office will be holding regular office hours during the following day's and time for the Winter and Spring. Please note that due to meetings or events that there might be times when regular scheduled hours are canceled. Office hours will take place on the following days:

**Monday: 5:00 – 6:00pm**

**Wednesday: 5:00 – 6:00pm**

**Friday: 4:00 – 5:00pm**

### **Nominations, Appointments and Elections:**

- Under nominations and appointments, in accordance with Council rule 15 I am naming the following appointments this evening which do not require Council approval. In accordance with Council Rule 15A, these appointments will sunset in January 2022;

### **The following are the appointments for the 2020 and 2021 City Council session;**

#### **Finance Committee**

David Witham, Chair

Don Austin, Vice-Chair

Martin Pepin

Martin Dumont

#### **Government Operations Committee**

Richard Michaud, Chair

Nancie Cameron, Vice-Chair

Matt Gerding

Don Austin

Recreation Committee

Nancie Cameron, Chair  
Richard Michaud, Vice-Chair  
Crystal Paradis  
Martin Pepin

Public Works and the Environment Committee

David Witham, Chair  
Martin Dumont, Vice-Chair  
Ken Vincent  
Matt Gerding

Economic Development Committee

Martin Dumont, Chair  
Don Austin, Vice-Chair  
Richard Michaud  
Crystal Paradis

Public Safety Committee

Martin Pepin, Chair  
Ken Vincent, Vice-Chair  
Nancie Cameron  
Crystal Paradis

Sustainability Committee

Crystal Paradis

Lamprey Board of Directors

Crystal Paradis

School Board Representative

Martin Pepin

Vision 2020

Matt Gerding, Chair  
Nancie Cameron, Vice-Chair

Building Trades & Trust Rep

Martin Pepin

Coast Board of Directors

Martin Pepin

Traffic Safety Committee

Ken Vincent

E-911 Street Name/Address Committee

Martin Pepin

Christmas Parade Committee

Nancie Cameron

Marty Dumont

Cultural Commission

Matt Gerding, Chair

Nancie Cameron Vice-Chair

Sewer Appeals

Richard Michaud

Martin Pepin

Ken Vincent

Joint Commission of City Council and School Board

Martin Dumont, Chair

Don Austin

Martin Pepin, Alternate

Tri – City Coalition

Marty Dumont

Crystal Paradis

Members of the Christmas Parade Committee, with terms to expire January 2022

Beth Poulin Chair

Russ Timmons

Nancie Cameron

Marty Dumont

Chris Smith

Liza Coco

Katelyn Rideout

Lindsey Gagnon

Members of the Mayor's Cultural Commission, with terms to expire January 2022

Matt Gerding, Chair

Nancie Cameron, Vice-Chair

Arlene Jones

Rick Michaud

Maureen Jackman

Celeste Feren

Jenne Holmes

- Under nominations and appointments. I will be seeking council approval this evening to suspend Council Rule 17: Appointments, and act on all council appointments to boards and commissions this evening as well as the position of Acting Mayor.

Acting Mayor, Term to expire January 2022  
David A. Witham

Council Representative to the Planning Board, Term to expire January 2022  
David A. Witham

Alternate Council Representative to Planning Board, Term to expire January 2022  
Kenneth S. Vincent

Council Representative to the Historic District Commission, Term to expire January 2022  
Matt Gerding

**This respectfully concludes my January 8, 2020 Mayors Report**

## **REPORTS OF STANDING COMMITTEES**

Public Works & Environment – Councilor Witham Stated that a meeting is being scheduled for Wednesday, January 15, 2020 at 3:30pm.

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

### Special Committees

COAST – Councilor Pepin reported that they are still working on the CMAQ grant.

Planning Board – Councilor Witham reported that there was a Compliance Hearing for Cumberland Farms on Rt 108, in December, regarding the deterioration of Blackwater Road, which has been observed by staff and residents. This is caused by the tanker trucks and vehicles passing to turn. Cumberland Farms agreed to pave a 4' shoulder on both sides of the road. This will take place in the spring. The City will oversee the project. There was discussion about other concerns with signage and dead vegetation. They were receptive and are moving forward.

Veterans Park Commission – Councilor Dumont reported that there were 2 benches available. He was happy to announce that both have been sponsored for \$2,000 each. The State of New Hampshire Catholic War Vets each donated \$1000 each. Hilltop Chevy donated \$100 from the sale of every car between Veterans Day to December 31<sup>st</sup>. They had a banner sale during that time. We are still waiting for the total amount. We now have a



second opportunity to remember a loved one who have served. Bricks are a \$50 donation each. We will be getting the bricks from the same company that did the bricks in Dover. We will also have 16 granite pavers available for a \$1500 donation. The ground breaking ceremony will be Memorial Day 2020. New Councilor, Matt Gerding also donated campaign funds to the to the Veterans Park.

### 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, January 3, 2020**  
**SUBJECT: City Manager's Report for Wednesday, January 8, 2020**  
**City Council Agenda**

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#### *Unfinished Business (Under Section 14 of Agenda)*

#### **Ordinances**

- A. Ordinance No. 15-20: To Amend Chapter 12, Street and Sidewalks.** Attached is a copy of the red-lined version of the Ordinance that depicts the proposed changes. These changes are intended to add clarity to certain sections of the Ordinance. Again, the Public Works & Environment Committee voted at their November 14<sup>th</sup> meeting to support this Ordinance change.

#### **Resolutions**

- A. Resolution No. 22-20: To Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Windows at the Albert J. Nadeau Homes and Filion Terrace, and Replace Apartment Doors at Filion Terrace and Charpentier Apartments, and to Sign the Adopted 2020 City Housing and Community Development Plan and 2020 Residential Antidisplacement and Relocation Assistance Plan.** Again, the Finance Committee met on November 26<sup>th</sup> and voted to support this Resolution. Somersworth Housing Authority (SHA) is looking for approval from the City Council to apply for CDBG funds as the City would act as a sub-recipient of the grant request totaling \$500,000. The City Council will need to adopt the Housing Relocation and Community Development Plan as this is an application requirement in order for this Grant project to move forward. Attached are copies of the proposed plans.

- B. Resolution No. 23-20: Proclaiming Somersworth a Welcoming City.** This Resolution has been referred by Mayor Hilliard to the Government Operations Committee.

*New Business (Under Section 15 of Agenda)*

**Resolutions**

- A. Resolution No. 24-20: Vote to Support the Proposed Exeter Health Resources Affiliation with Wentworth-Douglass Hospital and Massachusetts General Hospital.**
- B. Resolution No. 25-20: To Authorize the City Manager to Enter into a Grant Agreement with the State of New Hampshire for a Land and Community Heritage Investment Program Grant for a Roof Rehabilitation Project on the Furber Memorial Chapel.** Attached is a copy of the Grant award notification letter from the Land and Community Heritage Investment Program (LCHIP) Executive Director. Council will eventually need to authorize funding for the project.
- C. Resolution No. 26-20: To Authorize the City Manager to Enter into a Project Agreement with the State of New Hampshire Division of Historical Resources and to Accept a Moose Plate Program Grant Award.** Attached is a copy of the Grant award notification letter from Preservation Coordinator Amy Dixon. Next steps include placing the project out-to-bid to determine an actual cost. Council will then need to authorize funds from this Grant and the LCHIP funds as well as any City match to complete the project.

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

**A. Informational Items.**

- a. Wastewater Treatment Facility Upgrade.** Attached is a copy of the approval letter from the NH Department of Environmental Services that allows the City to move forward with Wright Pierce Engineers to Bid the Wastewater Treatment Plant upgrade project.
- b. Upcoming City Council 2020 Workshops.** The following Workshops are being scheduled with Mayor Hilliard's approval:
- **Tuesday, January 21<sup>st</sup> @ 6:00p.m. - New Fire Station Design, Port One Architects**
  - **Monday, Feb. 3<sup>rd</sup> @ 6:00p.m. - Cemetery Rd. Complete Streets Design, Wright Pierce Engineers**

## **Attachments**

- 1. City Attorney Certifications** (will be available on Monday).

## **NOMINATIONS, APPOINTMENTS AND ELECTIONS**

### Nominations For Council Confirmation Vote

Ronald LeHoullier, Re-Appointment as a Member of the Planning Board with a term to expire January 2023

***Councilor Witham, seconded by Councilor Cameron, made a motion to approve the nomination.***

Councilor Dumont said Mr. LaHoullier has served on land use boards for a number of years; he may have a record. He supports the nomination.

Councilor Witham said he echoes Councilor Dumont's comments. There has been a fair amount of turnover on the Planning Board; there are a lot of new bright individuals. Mr. LaHoullier has been a constant. He supports the nomination.

***The motion passed, 9-0.***

Harold Guptill, Re-Appointment as a Member of the Planning Board with a term to expire January 2023.

***Councilor Witham, seconded by Councilor Dumont, made a motion to approve the nomination. The motion passed, 9-0.***

***Councilor Witham, seconded by Councilor Dumont, made a motion to suspend Council rules to move on the nominations this evening. The motion passed, 9-0.***

### Nominations Requiring Council Confirmation Vote

Mayoral Nomination of Deputy (Acting) Mayor

David A. Witham

***Vote: passed, 9-0.***

Mayoral Nominations of Planning Board Representatives:

David A. Witham

Kenneth S. Vincent, Alternate

***Vote: passed, 9-0.***

Mayoral Nomination of Historic District Commission Representative:

Matt Gerding

***Vote: passed, 9-0.***

Mayoral Nominations of Maple Wood Joint Building Committee Representatives:

Martin P. Dumont, Sr.

Martin Pepin


***Vote: passed, 9-0.***

Sarah McGraw-Small, Re-appointment as a Member of the Conservation Commission, term to expire January 2023

This nomination will remain open until the January 21, 2020 City Council Meeting.

## **UNFINISHED BUSINESS**

### **ORDINANCES**

	<b>City of Somersworth – Ordinance</b>
	Ordinance No: <b>15-20</b>  <b>TO AMEND CHAPTER 12, STREETS AND SIDEWALKS</b>

December 16, 2019

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 Chapter 12, Streets and Sidewalks in its entirety, and replace with the following:

#### **CHAPTER 12 STREETS AND SIDEWALKS**

##### **SECTION 12.1 - Excavate, Obstruct or Encumber**

**PERMIT REQUIRED:** No person, firm or corporation, or any agent or servant thereof, shall excavate, obstruct, or in any way encumber any street, sidewalk or other City-owned property or right-of-way in the City of Somersworth without first having obtained a written permit to do so from the Director of Public Works, or designee, except where such licensing power is particularly vested in the City Council (see RSA 231:184). Any person, persons, firm or corporation violating any of the provisions of this section shall be fined not less than \$500.00 nor more than \$1,000.00 for each violation, pay for any repairs necessary to bring the trench into compliance, and may subject the Permittee/contractor to revoked digging privileges.

**EXCEPTION, PER RSA 236:9:** The exception to the above shall be in cases of emergency where the public health or safety is endangered. Such immediate action as may be necessary may be taken without such permission, but in such cases the person directing or taking such action shall at once notify the Director of Public Works, or designee.

**REGULATIONS:** Permittees shall obtain a copy of and adhere to all provisions of the Somersworth Construction Standards by the Department of Public Works and Utilities.

**WORK SCHEDULE:** Except for emergencies as may be deemed essential by the Department of Public Works and Utilities, no person, firm or corporation or any agent or servant thereof, shall excavate, obstruct, or in any way encumber any street, sidewalk, or other City-owned property or right-of-way in the City of Somersworth between the 15<sup>th</sup> of November and the 15<sup>th</sup> of April. The Director of Public Works, or designee, must approve the schedule of work. Scheduling will be such as to not unreasonably interfere with traffic.

**FEES:** Every permit will require the Permittee to pay a fee to the City to cover the City's cost of reviewing, processing, inspecting, and executing the permit. The amount of the fee will be established by the Department of Public Works and Utilities.

**BONDS AND LETTERS OF CREDIT:** Every Permittee will be required to furnish one of the following:

- Bonds - Permittees who regularly work in the City can opt to provide an annual bond to the City, with the approval of the City Engineer. The amount of the bond will be established by the Department of Public Works and Utilities.
- Letters of Credit - Permittees who regularly work in the City can opt to provide a Letter of Credit from a New Hampshire bank to the City, with the approval of the City Engineer. The amount of the Letter of Credit will be established by the Department of Public Works and Utilities.

**BACKFILLING, PAVING, DUST CONTROL, AND TRAFFIC CONTROL:** These items will be done in accordance with the Somersworth Construction Standards.

**INSPECTIONS:** The Director of Public Works and Utilities or his/her designee may inspect the site prior to the commencement of backfill, during the backfill operation, prior to the commencement of paving and during the paving operation. It shall be the responsibility of the licensee to arrange for these inspections during normal working hours, and he/she shall provide a 24-hour notice.

**MORATORIUM PERIOD:** In an effort to protect the City's investment in its infrastructure, excavations in newly constructed, reconstructed, rehabilitated, or overlaid pavements anywhere within the public right-of-way or on City property, to include streets and sidewalks, are prohibited as follows:

- For pavements that have been overlayed, the excavation moratorium shall be three (3) years after the effective date of completion or acceptance.
- For pavements that have been reclaimed, reconstructed, rehabilitated, or are newly constructed, the moratorium period shall be five (5) years after the effective date of completion or acceptance.

**INSURANCE:** As a condition of this permit, the Permittee shall agree to provide insurance to indemnify the City of Somersworth and the Department of Public Works and Utilities, including all officials and employees thereof. Required policies shall include, but not be

limited to. Comprehensive General Liability and Workman's Compensation. The requirements of the policies will be according to the Somersworth Construction Standards.

REVOCATION OF PERMIT: The City of Somersworth, Department of Public Works and Utilities, or the City Engineer may revoke any permit issued under this regulation at any time.

#### Section 12.2 - Use of Sidewalks

No person shall drive any vehicle or equipment on any sidewalk in the City, except for strollers, wagons, carriages, or other methods of transporting small children.

#### Section 12.3 – Signs and Awnings

No person shall place, establish or maintain any sign, awning or shade before his/her place of business, dwelling house or tenement, over any part of any street or sidewalk, unless the same be safely fixed and supported so as in no way to incommode or endanger persons passing upon such street or sidewalk and so that the lowest part of such sign, awning or shade shall be at least seven and one-half feet above the sidewalk; nor shall any person hang, affix, fasten, place or allow to remain upon the outer edge of any sidewalk, any sign or showcase except in conformance with the requirements of the Zoning Ordinance. (Amended 7/18/1994.)

#### Section 12.4 - Rubbish, Refuse and Garbage

(See Chapter 7 - STREETS, SIDEWALKS, SEWERS).

#### Section 12.5 - Snow and Ice

- 1) No person shall deposit, or cause to be deposited, any ice or snow that has been removed from private property in or upon any street, sidewalk or public place in the City, nor shall such snow or ice be put or placed in a public road so as to block access to hydrants or sidewalks maintained by the City during snow events.
- 2) No person shall deposit, or cause to be deposited, including, but not limited to deposits from roof and/or foundation drains/pumps, any liquid from private property in or upon any public road, sidewalk, or City property, in such a manner so as to cause a condition hazardous to pedestrian movements and/or to the normal and reasonable flow of vehicle traffic.

#### Section 12.6 - Transporting Buildings

No person shall move, or assist in moving, any house, shop, or other building through any street, lane or alley, without first obtaining a written license therefore in the manner prescribed in Section 1 of this chapter.

When the City Engineer shall, as aforesaid, grant permission to any person, firm or corporation, to encumber any street sidewalk or public square, for the purpose of erecting, altering or moving buildings, or to dig up or encumber the same in any other manner, he may, as a condition to granting such permission, require the party obtaining the same to furnish a bond of indemnity to the City of Somersworth in such sum and with such sureties as he may deem proper.

Section 12.7 - Driveways

**PERMIT REQUIRED:** It shall be unlawful to construct, or alter in any way that substantially affects the side or grade of, any driveway, entrance, exit, or approach within the limits of any street, sidewalk or other City-owned property or right-of-way in the City of Somersworth without first having obtained a written permit to do so from the Director of Public Works and Utilities, or designee, except where such licensing power is particularly vested in the City Council (see RSA 236:13). Any person, persons, firm or corporation violating any of the provisions of this section shall be fined not less than \$500.00 or more than \$1,000.00 for each violation, pay any late fees as part of an after-the-fact the permit application, and pay for any repairs the City deems necessary.

**REGULATIONS:** Permittees shall obtain a copy of and adhere to all provisions of the Somersworth Construction Standards by the Department of Public Works and Utilities.

**FEES:** Every permit will require the Permittee to pay a fee to the City to cover the City's cost of reviewing, processing, inspecting, and executing the permit. The amount of the fee will be established by the Department of Public Works and Utilities.

Section 12.10

The Director of Public Works and Utilities, or designee, shall issue permits in accordance with rules and regulations promulgated by the Planning Board. June 6, 1972.

Amended 06/18/2001

Amended XX/XX/2019

This Ordinance will take effect upon passage.

Authorization	
<i>Sponsored by Councilors:</i> Dale R. Sprague David A. Witham Kenneth S. Vincent Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

## City of Somersworth – Ordinance 15-20

### History

First Read Date:	12/16/2019	Tabled:	NA
Public Hearing:	01/08/2020	Removed From Table:	NA
Second Read:	01/08/2020		

### Discussion

***Councilor Witham, seconded by Councilor Cameron, made a motion to approve Ordinance 15-20.***

Councilor Witham stated that they were given a redline version of these changes. Many of the amendments are housekeeping items. The key focus is to prohibit blocking sidewalks and hydrants with snow.

Also, some property owners discharge sump pumps into the streets which freezes this time of the year.

Councilor Gerding asked if there was a penalty?

City Manager Belmore stated this adds clarity about the entire right of way and also provides for a penalty.

Councilor Vincent asked who enforces these penalties. City Manager Belmore stated the Highway Department has been giving warnings. The Police Department will be issuing summonses.

Councilor Gerding asked if it was illegal to dump liquids at any time of the year.


City Manager Belmore said there is also a concern for erosion, so this will be enforced for the entire year.

***The motion passed, 9-0.***

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	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	Paradis	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 01/08/2020 Ordinance 15-20		<b>PASSED</b>	



## RESOLUTIONS

	City of Somersworth – Resolution
	<p>Resolution No: <b>22-20</b></p> <p><b>TO AUTHORIZE THE CITY MANAGER TO SIGN AN APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO UPGRADE THE WINDOWS AT THE ALBERT J. NADEAU HOMES AND FILION TERRACE, AND REPLACE APARTMENT DOORS AT FILION TERRACE AND CHARPENTIER APARTMENTS, AND TO SIGN THE ADOPTED 2020 CITY HOUSING AND COMMUNITY DEVELOPMENT PLAN AND 2020 RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN</b></p>

December 16, 2019

WHEREAS, a public hearing will be held on January 8, 2020,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council authorizes the City Manager to sign an application for a CDBG grant to upgrade the windows at the Albert J. Nadeau Homes on Bartlett Avenue and Filion Terrace on Washington Street, and to replace the apartment doors at Filion Terrace on Washington Street and Charpentier Apartments on Franklin Street. The estimated cost of the improvements is up to \$500,000 (Five Hundred Thousand dollars) and the City Council authorizes the following:

1. Authorizes the Somersworth Housing Authority to continue as the Authorized Agent of the City of Somersworth in all matters relating to Community Development for this project until it is completed.
2. Authorizes the City Manager to enter into a contract with the Somersworth Housing Authority for the administration and supervision of this project until it is completed.
3. Authorizes the City Manager to execute any and all other documents with the State of New Hampshire, Office of Community Development Finance Authority (CDFA), which will be necessary to effectuate the purposes of this Resolution, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council hereby adopts the 2020 Housing and Community Development Plan and the 2020 Residential Anti-displacement and Relocation Assistance Plan.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin P. Dumont, Sr. Martin Pepin Richard R. Michaud	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 22-20

History			
First Read Date:	12/16/2019	Tabled:	NA
Public Hearing:	CDBG 01/08/2020	Removed From Table:	NA
Second Read:	01/08/2020		

### Discussion

On December 16, 2019, *Councilor Witham, seconded by Councilor Cameron, made a motion to waive Council Rules to allow for Resolution 22-20 to be read by title only. Motion passed, 9-0.*

On January 8, 2020, *Councilor Witham, seconded by Councilor Cameron, made a motion to approve Resolution 22-20.*

Councilor Witham asked if this Board took issue with some part of the plan, would that stop this in its tracks?

City Manager Belmore said yes; they would have to modify their plan.

Mayor Hilliard explained that three sections would be adopted in this one vote:

- Council votes to adopt the Housing and Community Development Plan
- Council votes to adopt the Antidisplacement and Relocation Assistance Plan
- Council votes to approve the submittal of the SHA Improvements Project application and votes to authorize the City Manager to sign and submit the CDBG application, and upon approval of the CDBG application, authorizes the City Manager to execute any documents which may be necessary to effectuate the CDBG contract, and any amendments thereto.


*The motion passed, 9-0.*

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	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	Paradis	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 01/08/2020 Resolution 22-20		<b>PASSED</b>	

**Resolution No. 23-20** - Proclaiming Somersworth a Welcoming City  
(Referred to Government Operations Committee)

## **NEW BUSINESS**

### **RESOLUTIONS**

	City of Somersworth – Resolution
	Resolution No: <b>24-20</b> <b>VOTE TO SUPPORT THE PROPOSED EXETER HEALTH RESOURCES AFFILIATION WITH WENTWORTH-DOUGLASS HOSPITAL AND MASSACHUSETTS GENERAL HOSPITAL</b>

January 8, 2020

WHEREAS, Exeter Health Resources, Wentworth-Douglass Hospital, and Massachusetts General Hospital have proposed an affiliation to create a regional New Hampshire based not-for-profit healthcare system on the Seacoast;

WHEREAS, the affiliation would ensure a strong future for not-for-profit healthcare on the Seacoast that invests in our community every year and every dollar received from donors remains in the local community;

WHEREAS, the proposed affiliation would bring greater access to advanced sub-specialty care from Massachusetts General Hospital for the residents of Somersworth;

WHEREAS, the City of Somersworth and the greater Seacoast Region continues to face an unprecedented mental health and substance use disorder crisis and the proposed affiliation would include a \$13 million incremental subsidized investment in mental health and substance use disorder treatment services over the next five years;

WHEREAS, the proposed investment in mental health and substance use disorder would not only increase access to prevention and treatment programs but also help address social determinants of health including homelessness;

WHEREAS, annually 300 babies are born prematurely on the Seacoast and many residents currently have to drive long distance to care for these vulnerable newborns;

WHEREAS, the proposed affiliation would offer advanced care for premature newborns with a level II nursery locally on the Seacoast;

WHEREAS, Wentworth-Douglass Hospital's affiliation with Massachusetts General Hospital in 2017 has since resulted in cost savings, access to lower cost options, and more advanced sub-specialty care and serves as real evidence of a successful affiliation that benefits our community;

WHEREAS, Exeter Health Resources, Wentworth-Douglass Hospital, and Massachusetts General Hospital have demonstrated a commitment to improving the health of their respective communities for over 100 years;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somersworth, that the City of Somersworth expresses its strong support for the proposed Exeter Health Resources affiliation with Wentworth-Douglass Hospital and Massachusetts General Hospital, and furthermore, that the City of Somersworth strongly supports the Attorney General working with Exeter Health Resources, Wentworth-Douglass Hospital, and Massachusetts General Hospital to come to a resolution so the residents of Somersworth can enjoy the benefits of the affiliation and continue to receive world class not-for-profit healthcare close to home.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilors:</i> Martin Pepin Kenneth S. Vincent Martin P. Dumont, Sr. Donald Austin Richard R. Michaud David A. Witham Nancie Cameron	<i>Approved:</i> City Attorney

## City of Somersworth – Resolution 24-20

### History

First Read Date:	01/08/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	01/08/2020		

### Discussion

***Councilor Austin, seconded by Councilor Dumont, made a motion to waive Council rules to allow for a second read of Resolution 24-20. The motion passed, 9-0.***

***Councilor Vincent, seconded by Councilor Pepin, made a motion to approve Resolution 24-20.***

Councilor Vincent stated that the urgency for the second reading is for the situation at hand. This has been ditched by the Attorney General and it's like this has been buried. He is in favor of moving forward.

Councilor Witham stated, as Councilor Vincent said, the Attorney General has ditched this; it has hit a road block. Why is that?

***Councilor Witham, seconded by Councilor Austin, to waive council rules to allow Ben Bradley, Director of Government Relations and Public Policy of Wentworth Douglas, to address the council. Motion passed, 9-0.***

Mr. Bradley said that the process through the state is two-fold. One is through the Division of Charitable Trusts which reviews our charitable mission as non-profit hospitals, ensuring that we maintain our mission for providing access to addressing the physical and mental health needs of the community. And secondly to ensure that the Attorney General doesn't find any antitrust concerns. The issue that we ran into is around antitrust concerns. The Attorney General offered an objection to the affiliation in September. They happen to disagree with the Attorney General assessment and hope to work with him to move this affiliation forward.

Councilor Witham asked what antitrust is, in laymans terms.

Mr. Bradley said they feel the marketing analysis was not appropriately done, as they did not include Frisbee Hospital and others in the area.

Councilor Vincent said he has been very involved with this in the State level; he has received lots of emails. The Attorney General is concerned that there would be a conglomerate take over. He asked if the AG has closed the case.

Mr. Bradley stated that the Attorney General has offered to meet in the near future.

Councilor Witham said Wentworth Douglas has affiliation with Mass General, and he assumes there was not issue at that time. This is to affiliate with Exeter, correct?

Mr. Bradley said that is correct.

Councilor Pepin said this is a no brainer. He lost an infant many years ago. They talked about being able to bring the child to Boston then. He said he can't believe that we still don't have an area around here. As for substance abuse and mental health, being on emergency response, just the time and money that is involved, it is a no brainer. He just hopes that it goes through.

Councilor Gerding said it is his understanding that Frisbee Hospital is looking to join with Portsmouth Regional Hospital. It is interesting that they were left out of the AGs report. It seems like Exeter would be the one left out.

Councilor Paradis stated that she went to a forum on the Frisbee sale and it is important to note that these three entities are non-profit. The \$13million for the mental health and substance abuse disorder will not be going directly to Exeter; it will be split across with Wentworth Douglas and Massachusetts General. She asked if there were any guidelines as to how they would choose partners to deliver those services.

Mr. Bradley stated that they have great partnerships in the communities already and they would hope to continue those partnerships and make investments where appropriate. They are looking at primary care and other areas. Also looking into capital improvements that would provide greater access to ensure people aren't visiting the emergency department in those crisis situations, but getting treatment early.

Councilor Dumont stated that in the last 20 years, health care in the area has improved. Thank God we do what we do currently. It doesn't make sense that someone would not consider this. Remember the days when Frisbee and Wentworth Douglas were close to becoming one. Wentworth Douglas became the entity that could deliver more services. People travel to Wentworth Douglas for their oncology center. Whoever is standing in the way is not interested in quality care.

Councilor Witham asked if we adopt this resolution, will this be communicated to the state?

City Manager Belmore said yes. It will be sent to the Governor and to the Attorney General.

***The motion passed, 9-0.***

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	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	Paradis	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 01/08/2020 Resolution 24-20		<b>PASSED</b>	



## City of Somersworth – Resolution

Resolution No: 25-20

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE FOR A LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM GRANT FOR A ROOF REHABILITATION PROJECT ON THE FURBER MEMORIAL CHAPEL**

January 8, 2020

WHEREAS, the City of Somersworth has been notified of the award of a New Hampshire Land and Community Heritage Investment Program Grant, and

WHEREAS, the City of Somersworth is eligible to receive up to \$30,000 (Thirty Thousand dollars) requiring a 50% local match of up to \$30,000 ( Thirty Thousand dollars ), and

WHEREAS, the Grant will allow the City of Somersworth to rehabilitate and restore the slate roof on the Furber Memorial Chapel, and

### EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN

NHLCHIP (50%)	=	\$30,000.00
<u>City Match (50%)</u>	=	<u>\$30,000.00</u>
Total Project Award	=	\$60,000.00

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents and agreements necessary for the grant's execution, expend the grant proceeds in accordance with the grant documents, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

#### Authorization

*Sponsored by:*

Mayor Dana S. Hilliard

*Approved:*

City Attorney

City Council Meeting

January 8, 2020

## City of Somersworth – Resolution 25-20

### History

First Read Date:	01/08/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	01/08/2020		

### Discussion

*Councilor Witham, seconded by Councilor Dumont, made a motion to waive Council Rules to allow for a second read of Resolution 25-20. The motion passed, 9-0.*

*Councilor Witham, seconded by Councilor Cameron, made a motion to approve Resolution 25-20. The motion passed, 9-0.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	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	Paradis	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 01/08/2020	Resolution 25-20	<b>PASSED</b>	





## City of Somersworth – Resolution

Resolution No: **26-20**

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROJECT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES AND TO ACCEPT A MOOSE PLATE PROGRAM GRANT AWARD**

January 8, 2020

WHEREAS, the City of Somersworth has received notification of the establishment of a Moose Plate Grant Program to support historical preservation efforts throughout the State of New Hampshire, and

WHEREAS, the New Hampshire Division of Historical Resources has awarded the City a grant of \$10,000.00 (Ten Thousand Dollars), to be used as part of the Furber Memorial roof restoration project, and

WHEREAS, the grant funds will be used as part of the City's match required under the New Hampshire Land and Community Heritage Program grant for this project and requires no local match,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents and agreements necessary for the grant's acceptance and execution, and take any and all other such actions relative to this grant project's completion determined to be in the best interest of the City.

### Authorization

*Sponsored by:*  
Mayor Dana S. Hilliard

*Approved:*  
City Attorney

City of Somersworth – Resolution 26-20
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History			
First Read Date:	01/08/2020	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	01/08/2020		

<b>Discussion</b>
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*Councilor Witham, seconded by Councilor Cameron, made a motion to waive Council Rules to allow for a second read. The motion to waive rules passed, 9-0.*

*Councilor Austin, seconded by Councilor Cameron, made a motion to approve Resolution 26-20. The motion passed, 9-0.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	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	Paradis	X	
<b>TOTAL VOTES:</b>		<b>9</b>	<b>0</b>
On 01/08/2020 Resolution 26-20 PASSED			

## **CLOSING COMMENTS BY VISITORS**

None

## **CLOSING COMMENTS BY COUNCIL MEMBERS**

Councilor Pepin said the band and chorus did an outstanding job during the Inauguration. It was all very beautiful. He stated that he appreciates the Mayors 'working together' comments during his Inauguration Speech and Mayors Report this evening. He is looking forward to working together with the other members of the Council and the School Board.

Councilor Vincent welcomed the new Council Members.

Councilor Dumont complement the organization of the Inauguration and stated that the band and chorus are a success. It encouraged him that the Council could become a choral group. They could add an item to the agenda, where they sing a song. In the past we sang French songs. He led the Somersworth Rotary for 10 years and they would open with 'Zippidy Do Dah.' He and Councilor Austin have sung in many choirs together.

Councilor Austin said it's nice to be volunteered. He congratulated the new councilors and said he is looking forward to the next 2 years.

Councilor Michaud welcomed the new councilors, and agreed that the band did an awesome job.

Councilor Witham welcomed Crystal and Matt. Each inauguration is special; the choral and band showing the talent of the students is icing on the cake.

Talking about icing, in Fosters is an article about the impact of salt on the environment and the roads. IT's not a surprise. It made him think about what can a community do to lessen the impacts. Use less salt. Keep the salt under cover, which we do here in Somersworth. Monitor the amount of salt you put out. We've been aggressive with upgrading our equipment in the DPW. When we get an inch or 2 of snow, the strategy was to just melt it with salt. Now we try to plow the couple of inches, it is not as practical; it requires more people, more fuel...

There is new technology, called a live blade edge, that we will look into. Another thing is the use of salt brine, the idea was discussed in Somersworth a few years ago, and we will be bringing that idea back to the Public Works Committee.

We are doing some good things in the community, and there is more that we can do.

Councilor Gerding thanked Maureen Jackman and Sean Peschel for coordinating the event last night. He was excited to be a part of it. He thanked all fellow Councilors for the welcome and stated that he is excited to be a part of this.

Councilor Cameron said it was a lovely ceremony. The speeches from the Mayor gives us incentive and invigorate us. As for the 'Zippidy Do Dah'... that will have to go to the Government Operations Committee for further review. She welcome Matt and Crystal to the Council.

Councilor Paradis thanked the citizens for voting. She is looking forward to serving with integrity. She extended invitation to join her for Coffee with a Councilor, at 10am at Teatotaler, the Saturday before City Council Meetings. She said her contact information is on the City website, and the public can also find her on Facebook, Twitter, The Grass Roots Gardening Club will be starting some projects outside of the VFW in the Spring. They will be building something cool. The Somersworth Ready Together public meeting this Monday, January 13<sup>th</sup> at Idelhurst. As for the Dog Park, she is excited to be on the Recreation Committee and excited to get that moving.

**FUTURE AGENDA ITEMS**

None

**NONPUBLIC SESSION**

None

**ADJOURNMENT**

*Councilor Michaud, seconded by Councilor Pepin, made a motion to adjourn. The meeting adjourned at 8:23 pm.*

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Trish Harris, City Clerk

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Dana Hilliard, Mayor