

CITY OF SOMERSWORTH
Office of the City Manager

TO: Mayor Dana Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager *RB*
DATE: Friday, January 2, 2015
SUBJECT: City Manager's Report for Monday, January 5, 2015
City Council Agenda

6:00 p.m. - Workshop

Re: Code Enforcement/City Attorney Walter Mitchell.

6:40 p.m. - Public Hearings

Re: Ordinance 9-15 Police Offenses, Time Limited Parking

Re: Community Revitalization Tax Relief Incentive Application from David H. M. Baker.

6:45 p.m.-Public Hearing

Re: Resolution No. 21-15 Community Development Block Grant (CDBG) for Albert Nadeau Homes.

Lay on the Table (under Section 12 of Agenda)

Minutes:

- A. Minutes of City Council School Board Workshop Held on 11/10/14.
- B. Minutes of Workshop on Update from HTA Engineers and Presentation by VHB Engineers Held on 11/10/14.
- C. Minutes of Public Hearing on Ordinance No. 8-15 Held on 11/10/14.
- D. Minutes of City Council Meeting Held on 11/10/14.
- E. Minutes of Goal Follow-up Workshop held on 11/15/14.

Other:

- A. Authorize City Manager to Sign Until Agreement to Extend Natural Gas Service to Former Police Department Building.

Unfinished Business (under Section 13 of Agenda)

Ordinances:

- A. Ordinance No. 9-15 Amend Chapter 13, Police Offenses, Section 3.F.4 Time Parking, 20 Minutes, by Adding New Section Relative to Green Street. Request by owner of Jimmy Jones Restaurant, recommended by Traffic Safety Committee.

Resolutions:

- A. Resolution No. 21-15 Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Heating System and Improve the Energy Efficiency of the Albert J. Nadeau Homes on Bartlett Avenue and to Sign the Adopted 2014 City Housing and Community Development Plan and the 2014 Residential Antidisplacement and Relocation Assistance Plan. Somersworth Housing Authority Executive Director Debbie Evans discussed this Project with the Council's Finance Committee at their November 24th meeting. Ms. Evans will be attending in order to answer any questions.

Other:

- A. Community Revitalization Tax Relief Incentive Application from David H. M. Baker for Round Robin Building Property Located at 67-73 High Street. This was discussed at the Finance Committee meeting on November 24th. Director Sharples has examined the application and he has deemed it complete.

New Business (under Section 14 of Agenda)

Resolutions:

- A. Resolution No. 23-15 To Establish the Penalties for First and Second Offenses for Local Ordinance Citations Issued in Accordance with NH RSA Section 31:39-d. SB347: This State Law Amendment became effective January 1st. There is no need for Council action as it becomes part of the statutory powers available to municipalities. City Council does need to vote to authorize a fine structure. Attached is a memorandum from Development Services Director Sharples regarding Staff's work to date in preparation for implementing this new Code Enforcement process.
- B. Resolution No. 24-15 Proclamation Declaring January Diversity Month in the City of Somersworth
- C. Resolution No. 25-15 A Resolution Urging Movoto Real Estate to Rescind its Rankings of the Most Dangerous Towns in New Hampshire and Remove Somersworth and all Other Cities and Towns from its List.

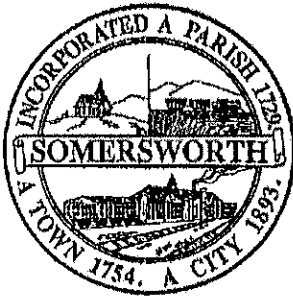
City Manager's Items (under section 10 of Agenda)

A. Information Items:

1. **Gerrish Commons Pump Station.** Attached is a copy of an Agreement with the Gerrish Commons Homeowners Association to have their private Wastewater Pump Station evaluated at their expense by a City designated Engineer. This is a request being studied by the Council's Public Works & Environment Committee in regards to the City's possible acquisition of this pump station being a benefit to the City. As reported to the Committee, I would move forward with the use of Underwood Engineers for this analysis. Their emailed preliminary scope of services is attached.
2. **Calendar Reminder.**
 - January 20, 2015 (Tuesday) Road Plan with City Engineer and CIP Summary, 5:30 p.m.
 - February 2, 2015 Landfill Solar Project, 6:00 p.m.
 - April 4, 2015 (Saturday) City Council 2015 Budget Workshop, 8:30 a.m.

B. Attachments:

1. City Attorney Certifications, Three (3).



David E. Sharples
Director of Planning and Community Development

December 31, 2014

To: Robert M. Belmore, City Manager

Re: SB 347 implementation

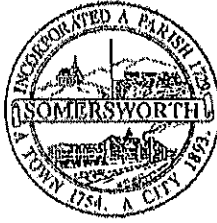
I'm writing this memorandum in response to your request for an update on SB347. As you know, the changes in SB347, which become effective on January 1, 2015, allow our code department to issue land use citations under RSA 31:39-d. To prepare our code officers to utilize this enforcement tool, we have done, or plan to do, the following:

- Developed a draft citation form with assistance from Steven Buckley, an NHMA attorney and Officer Bill Harper, the City's prosecutor. The draft form was reviewed by the City attorney as well.
- Met with Sheldon Perkins, the Code Enforcement Officer and Gerome Grossman, their contract attorney, from Rochester to understand their citation process which they utilize frequently under a different RSA but will also utilize the new process. We will schedule on-site training with Rochester after the New Year.
- Contacted Police Chief Crombie who has agreed to provide our code officers training from either Captain Kretschmar or Officer Harper after the New Year.
- We plan to contact the Court to inform them of our new process and to see how they want to handle citations. For example, Rochester has set days where they are heard by the Court.

Once the fine structure is finalized and training is completed, we will be able to utilize the citation process as part of our code enforcement efforts.

Thank you.

Somersworth, New Hampshire



On behalf of the Gerrish Commons Homeowners Association (GCHA), we have enclosed a check for \$1,500 to establish an escrow account for Underwood Engineers to perform a study on our sewer pump station located at 37 Hawthorne Circle. I have attached the proposal that identifies the scope of work to be performed. Please also allow this letter to serve as the GCHA's acknowledgement that the funding and completion of this study, regardless of its findings, does not guarantee acceptance of the sewer pump station by the City.

Gerrish Commons Homeowners Association

City of Somersworth

Christian Santos, President

Robert M. Belmore, City Manager

Date

Date

Brieanna Patterson, Treasurer

Date

City of Somersworth
One Government Way
Somersworth, NH 03878

City Hall
603.692.4262
www.somersworth.com

Proud past, bright future

Bob Belmore

From: Jamie Wood
Sent: Monday, November 24, 2014 11:19 AM
To: Bob Belmore
Cc: Todd Smith; Scott A. Smith
Subject: FW: Pump station evaluation

Good morning Bob,

Below is the quote (\$1,500) from Underwood Engineers regarding the Gerrish Commons pump station review.

Once approved, I'll fill out a purchase order for your signature and schedule with Underwood a due date.

Thanks,

Jamie L Wood

Chief Operator, WWTP
City of Somersworth
99 Buffumsville Rd
Somersworth, NH 03878
Tel: (603) 692-2418
www.somersworth.com

From: Valerie Giguere [mailto:vgiguere@underwoodengineers.com]
Sent: Monday, November 24, 2014 10:12 AM
To: 'Jamie Wood'
Cc: W. Steven Clifton
Subject: RE: Pump station evaluation

Hi Jamie,

Based on our discussion and understanding of the work to be performed (see suggested scope below), we recommend the City budget \$1,500 for the pumping station evaluation.

- Site visit with maintenance staff
- Review of available maintenance records
- Review of available record information – plans, shop drawings
- Review pumping station performance with person/maintenance contractor currently overseeing pumping station
- Review pumping station with manufacturer's representative
- Prepare report memo of findings

Does not include:

- Electrical evaluations
- Drawdown tests

Thanks.

11/24/2014

RESOLUTION NO. 23-15 TO ESTABLISH THE PENALTIES FOR FIRST AND SECOND OFFENSES FOR LOCAL ORDINANCE CITATIONS ISSUED IN ACCORDANCE WITH NH RSA SECTION 31:39-d.

Somersworth, NH
January 5, 2015

WHEREAS, NH RSA Section 31:39-d allows the City to issue local ordinance citations, pleas by mail; and

WHEREAS, NH RSA Section 31:39-d allows the City to establish a penalty for violations,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT a penalty of \$100 for the first offense and a penalty of \$275 for the second offense shall be imposed on any local ordinance violation enforced by the City under the provisions of NH RSA Section 31:39-d.

Introduced by Councilors

Jonathan McCallion
David Witham
Dale R. Sprague
Sean Collins
Jennifer G. Soldati
Denis Messier
Brian Tapscott

Approved:

City Attorney

RESOLUTION NO. 24-15 PROCLAMATION DECLARING JANUARY DIVERSITY
MONTH IN THE CITY OF SOMERSWORTH.

Somersworth, NH
January 5, 2015

WHEREAS, January 15, 2015 will mark the 86th birthday of the Rev. Martin Luther King, Jr.;
and

WHEREAS, the "dream" of equal treatment, dignity and respect of all people is a "dream" worth
striving for; and

WHEREAS, our nation has worked towards the goal of fulfillment of this commitment for over
239 years; and

WHEREAS, the City of Somersworth has a proud history of tolerance and diversity; and

WHEREAS, the City of Somersworth is committed to the values of equality and liberty stated in
the Declaration of Independence, United States Constitution, New Hampshire State Constitution
and City charter; and

WHEREAS, the Rev. Martin Luther King, Jr. reminded us that freedom, liberty and equality must
be protected for all citizens and that "from the prodigious hilltops of New Hampshire, let freedom
ring."

NOW, THEREFORE, BE IT RESOLVED THAT the City of Somersworth encourages all
residents, including community groups, schools and institutions to continue to work toward
fulfilling Dr. King's dream of the elimination of all barriers to the fulfillment of equal
opportunities and human rights; and

The City of Somersworth calls upon all citizens to reflect during this month on the message of
Rev. Martin Luther King, Jr. and commit themselves throughout the year to join the fight for the
elimination of all forms of discrimination and disadvantage and to ensure that everyone has the
right to live in conditions of dignity, respect and peace; and

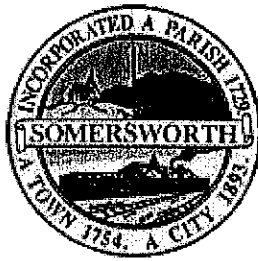
The Somersworth Mayor and City Council hereby declare that January, 2015 be Diversity and
Tolerance Month in the City of Somersworth and that the City of Somersworth along with all of
its citizens hereby recommits itself to the fulfillment of Rev. Martin Luther King, Jr.'s "Dream."

Introduced by
Mayor Dana S. Hilliard
City Councillors:
Jennifer G. Soldati
Denis Messier
Brian Tapscott
David Witham
Sean Collins

Approved:

City Attorney

City of Somersworth, New Hampshire



Resolution

Resolution No. 25-15 - A Resolution Urging Movoto Real Estate to Rescind its Rankings of "The Most Dangerous Places in New Hampshire" and Remove Somersworth and all other New Hampshire Cities and Towns from its list.

WHEREAS, Movoto Real Estate has unjustly painted an image of Somersworth as an unsafe and unwelcoming community; and

WHEREAS, several inconsistencies exist with Movoto Real Estate's methodology of establishing its rankings; and

WHEREAS, The State of New Hampshire has been ranked consistently as one of the safest states in the United States by the Federal Bureau of Investigation, the Organization for Economic Cooperation and Development, and several other credible sources; and

WHEREAS, the report is offensive and a direct attack upon the foundation which makes our city unique, a sense of pride, citizenship and community.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT Movoto Real Estate is urged to rescind its rankings of "The Most Dangerous Places in New Hampshire" and remove Somersworth and all other New Hampshire cities and towns from its list. It is further urged to visit and spend time within Somersworth and with its citizens. You will quickly discover the pride, determination and spirit of a great City and even greater citizens.

Introduced by
Mayor Dana S. Hilliard
Councilors:
Jennifer G. Soldati
Jonathan McCallion
David Witham
Dale R. Sprague
Sean Collins

Approved:

City Attorney

Proud Past, Bright Future

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246

WALTER L. MITCHELL
JUDITH E. WHITE LAW
LAURA SPECTOR-MORGAN
STEVEN M. WHITLEY

TELEPHONE (603) 524-3885
FACSIMILE (603) 524-0745

December 29, 2014

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 9-15

Title: AMEND CHAPTER 13, POLICE OFFENSES,
SECTION 3.F 4 TIME LIMITED PARKING, 20 MINUTES,
BY ADDING NEW SECTION RELATIVE TO GREEN STREET

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance, after it passed a first reading. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 12/29/14

by: 

MITCHELL MUNICIPAL GROUP, P.A.
ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246

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JUDITH B. WHITELAW
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STEVEN M. WHITLEY

TELEPHONE (603) 524-3885
FACSIMILE (603) 524-0745

December 29, 2014

CERTIFICATION

Re: City of Somersworth, New Hampshire


Resolution No. 21-15

Title: AUTHORIZE THE CITY MANAGER TO SIGN AN APPLICATION
FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO UPGRADE
THE HEATING SYSTEM AND IMPROVE THE ENERGY EFFICIENCY
OF THE ALBERT J. NADEAU HOMES ON BARTLETT AVENUE

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 12/29/14

By: 

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246

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FACSIMILE (603) 524-0745

December 30, 2014

CERTIFICATION

Re: City of Somersworth, New Hampshire

Resolution No. 25-15

Title: A RESOLUTION URGING MOVOTO REAL ESTATE TO
RESCIND ITS RANKINGS OF THE MOST DANGEROUS TOWNS IN
NEW HAMPSHIRE AND REMOVE SOMERSWORTH AND ALL OTHER
NEW HAMPSHIRE CITIES AND TOWNS FROM ITS LIST.

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 12/30/14

By: 