




*Office of the City Manager*

**TO:** Mayor Dana S. Hilliard and City Council Members  
**FROM:** Robert M. Belmore, City Manager   
**DATE:** Wednesday, December 30, 2020  
**SUBJECT:** City Manager's Report for Monday, January 4, 2021

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

**Ordinances**

- A. Ordinance No. 7-21: To Amend Chapter 6 – City Officials, Section 6.6.2.4, Public Safety Committee.

*Unfinished Business (under Section 14 of Agenda)*

**Ordinances**

- A. Ordinance No. 5-21: To Amend Chapter 19 – Zoning, Definitions, Section 25.B, Agricultural Use. This Ordinance was referred back to the Public Works & Environment Committee.

**Resolutions**

- A. Resolution No. 13-21: To Authorize the City to use Funding from the Furber Memorial Chapel Expendable Trust Fund as a Portion of the City's Match to a Land and Community Heritage Investment Program Grant for the Roof Restoration Project on the Furber Memorial Chapel. Again, the Finance Committee met on October 7<sup>th</sup> and voted to recommend the entire balance of the Furber Chapel Memorial Trust Fund, which is approximately \$10,000, be used for this project to help provide the required City funding match of this Grant. If approved, this action will close this Fund. Note: This was scheduled for a November second reading, however due to clerical error it was not placed on the Agenda.

*New Business (under Section 15 of Agenda)*

**Resolutions**

- A. **Resolution No. 21-21:** To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien. The Finance Committee took up this matter at their December 9<sup>th</sup> meeting and voted to support Resolution No. 21-21 & Resolution No. 22-21 to the full Council. This recommendation is based on the past practice to deed the most delinquent properties and allow more time for others to come into tax payment compliance. Attached is information provided to the Finance Committee on December 9<sup>th</sup>.
- B. **Resolution No. 22-21:** To Notify the Tax Collector that the City Council Shall Not Accept a Tax Deed on Properties Located on Wexford Lane and Blackwater Road Subject to an Unredeemed Tax Lien. The recommendation of 'not to accept' is based on the land containing buried debris; i.e., potential contamination clean-up costs.
- C. **Resolution No. 23-21:** City Council Vote to Conditionally Lay Out Nadeau Street as a Class V Roadway Subject to the Condition that this Vote is not Final Until the City Council Receives Certification from the City Engineer that all Improvements Have Been Made to City Standards.

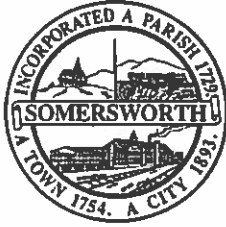
*City Manager's Items (under section 11 of Agenda)*

**A. Informational Items**

- 1. **Army National Guard Readiness Center.** I informed the Council about the notification that I received regarding the Somersworth's Center being decommissioned in 2021 (see attached email). The Fire Station Building Committee Chairman has scheduled a meeting with Committee members and Staff on Wednesday, January 6<sup>th</sup> to discuss this matter in relation to any impact on the new Fire Station Project.

***Attachments***

- 1. **City Attorney Certifications Three (3)**



## City of Somersworth – Ordinance

Ordinance No: 7-21

### **TO AMEND CHAPTER 6 – CITY OFFICIALS, SECTION 6.6.2.4, PUBLIC SAFETY COMMITTEE**

September 21, 2020

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:

Remove Section 6.6.2.4 in entirely and replace with:

#### Section 6.6.2.4 Public Safety Committee

The purpose of the Committee is to consider matters relating to Police and Fire services and other emergency response needs of the City, as well as other matters referred to it. In order to be proactive and to continuously improve our quality of life, the Committee may also provide recommendations and guidance for Police, Fire, and other emergency operations in delivering services ethically and effectively to ensure the safety and security of the Public; and Public Trust is not compromised.

This Ordinance will take effect upon passage.

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

## City of Somersworth – Ordinance 7-21

### History

First Read Date:	09/21/2020	Tabled:	10/19/2020
Public Hearing:	10/19/2020	Removed From Table:	
Second Read:	10/05/2020		

### Discussion

*Ordinance No. 7-21 will remain in first read until the call of the Chair.*

*10/05/2020*

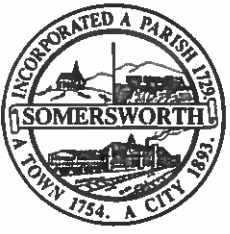
*Councilor Witham moved to refer Ordinance No. 7-21 to the Public Safety Committee. The motion was seconded by Councilor Vincent and passed 8-0 by voice vote.*

*10/19/2020*

*Councilor Paradis made a motion to approve amendments to Ordinance No. 7-21 as endorsed by the Public Safety Committee. The motion was seconded by Councilor Pepin and passed 9-0 by voice vote.*

*Councilor Witham made a motion to table. The motion was seconded by Councilor Dumont and passed 9-0 by voice vote.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On / / Ordinance 7-21		PASSED	FAILED

	City of Somersworth – Resolution	
	Resolution No:	13-21
<b>TO AUTHORIZE THE CITY TO USE FUNDING FROM THE FURBER MEMORIAL CHAPEL EXPENDABLE TRUST FUND AS A PORTION OF THE CITY’S MATCH TO A LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM GRANT FOR THE ROOF RESTORATION PROJECT ON THE FURBER MEMORIAL CHAPEL</b>		

October 19, 2020

WHEREAS, the City Council adopted Resolution 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 to replace and restore the roof on the Furber Memorial Chapel, and

WHEREAS, city staff received bids for this project from qualified contractors and recommended awarding the project to Alden Bailey Restoration Corp. of Ridgefield, Connecticut, and

WHEREAS, the Finance Committee reviewed this recommendation from staff and authorized awarding the contract for this project to Alden Bailey Restoration Corp. for an amount not to exceed \$55,000 (Fifty-Five Thousand dollars) including contingency, and

WHEREAS, to complete this project the City is required to provide a 50% match in the amount of \$27,500 (Twenty-Seven Thousand Five Hundred dollars), and

WHEREAS, it is recommended that the City utilize the full balance available in the Furber Memorial Chapel Expendable Trust Fund to provide a portion of the City’s match in the amount of approximately \$10,000 (Ten Thousand dollars) and close the fund,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize the full balance available in the Furber Memorial Chapel Expendable Trust Fund to provide a portion of the City’s match for the roof restoration project on the Furber Memorial Chapel.

Authorization	
<i>Sponsored by Councilors:</i>	<i>Approved:</i>
David A. Witham	City Attorney
Donald Austin	
Martin Pepin	
Martin Dumont, Sr.	

## City of Somersworth – Resolution 13-21

### History

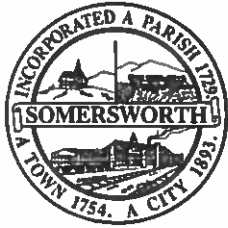
First Read Date:	10/19/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

### Discussion

*10/19/2020*

*Resolution No. 13-21 will remain in first read until call of the Chair.*

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On	Resolution 13-21	PASSED	FAILED



## City of Somersworth – Resolution

Resolution No: **21-21**

**TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN**

January 4, 2021

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
90 Colonial Village	81-90M
37 Crystal Springs Way	82-12M
92 Crystal Springs Way	82-36M
73 Crystal Springs Way	82-49M
65 Crystal Springs Way	82-57M
28 Dudley Court	83-35M
124 Sherwood Glen	87-124M
207 Sherwood Glen	87-207M
208 Sherwood Glen	87-208M
409 Sherwood Glen	87-409M
629 Sherwood Glen	87-629M
703 Sherwood Glen	87-703M

Authorization	
<i>Sponsored by:</i> Councilors: David A. Witham Donald Austin Martin Pepin Martin P. Dumont	<i>Approved:</i> City Attorney

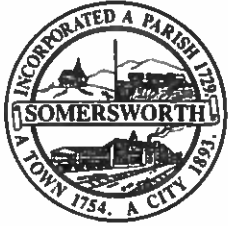
YEAR	OWNER OF RECORD	PARCEL	LIEN DATE	LOCATION	PAYMENTS MADE	TOTAL DUE 12/01/2020
<b>LAND AND BUILDING</b>						
2017	BROWNE JAMES B	68-3	05/29/2018	400 OLD ROCHESTE	10/28/2020 \$3,000.00	1,996.58
2017	CARON JOHN	8-7A	05/29/2018	334 MAIN ST	11/30/2020 \$2,520.00	95.98
2017	HARMON SCOTT T	65-58	05/29/2018	15 LAUREL LN		13,070.83
2017	HART JOHN KNOX+JENNIFER ANN	68-5A	05/29/2018	401 OLD ROCHESTE	07/21/2020 \$700.00	14,372.68
2017	LBC PROPERTY LLC	11-67	05/29/2018	25 HIGH ST		9,775.00
2017	MARIELLE A LABBE REV TRUST	10-149	05/29/2018	410 MT VERNON ST	11/24/2020 \$4,000.00	2,595.61
2017	TRUE MARGIE M	9-60	05/29/2018	40 SOUTH ST		3,606.16
2017	RHODES MICHAEL J/DONALD B/GWEN	8-14	05/29/2018	347 MAIN ST		9,967.03
2017	ROBERGE RAYMOND A	15-102	05/29/2018	298 HIGH ST		12,461.41
<b>MOBILE HOMES</b>						
2017	BONNEAU SANDRA + DOUGLAS	87-703M	05/29/2018	703 SHERWOOD GLEN		975.28
2015	BRAMLETT DANA + LAURA	87-629M	04/25/2016	629 SHERWOOD GL	November \$1,125.00	793.19
2016	BRAMLETT DANA + LAURA	87-629M	04/18/2017	629 SHERWOOD GLEN		1,688.27
2017	BRAMLETT DANA + LAURA	87-629M	05/29/2018	629 SHERWOOD GLEN		1,583.60
2015	CHAMPA MICHAEL	82-19M	04/25/2016	48 CRYSTAL SPRING	07/16/2020 \$367.00	564.40
2016	CHAMPA MICHAEL	82-19M	04/18/2017	48 CRYSTAL SPRINGS WAY		989.28
2017	CHAMPA MICHAEL	82-19M	05/29/2018	48 CRYSTAL SPRINGS WAY		944.86
2017	EAGAN GREG	82-12M	05/29/2018	37 CRYSTAL SPRINGS WAY		437.31
2017	FULLER WILLIAM G + JOANNE L	82-36M	05/29/2018	92 CRYSTAL SPRING	11/30/2020 \$600.00	299.21
2016	GIBBONS PEGGY	82-57M	04/18/2017	65 CRYSTAL SPRING	11/02/2020 \$300.00	206.06
2017	GIBBONS PEGGY	82-57M	05/29/2018	65 CRYSTAL SPRINGS WAY		795.54
2017	JOHNSON KAREN E	87-409M	05/29/2018	409 SHERWOOD GL	02/26/2020 \$560.55	959.66
2015	LANDRY MICHAEL J + LISA M	81-47M	04/25/2016	47 COLONIAL VILLA	02/27/2020 \$100.00	1,985.47
2016	LANDRY MICHAEL J + LISA M	81-47M	04/18/2017	47 COLONIAL VILLAGE		2,466.95
2017	LANDRY MICHAEL J + LISA M	81-47M	05/29/2018	47 COLONIAL VILLAGE		2,313.55
2017	HAINES STEVEN	87-207M	05/29/2018	207 SHERWOOD GLEN		1,382.84
2015	PEASLEE SCOTT	82-22M	04/25/2016	47 CRYSTAL SPRING	06/03/2019 \$198.00	750.87
2016	PEASLEE SCOTT	82-22M	04/18/2017	47 CRYSTAL SPRINGS WAY		1,306.06
2017	PEASLEE SCOTT	82-22M	05/29/2018	47 CRYSTAL SPRINGS WAY		1,236.73



2017 MAY LOGAN	87-124M	05/29/2018	124 SHERWOOD GLEN	1,357.81
2016 MOULTON MICHAEL G	81-90M	04/18/2017	90 COLONIAL VILLA 05/21/2019 \$554.65	505.58
2017 MOULTON MICHAEL G	81-90M	05/29/2018	90 COLONIAL VILLAGE	1,155.06
2017 SHAW TRACY	82-49M	05/29/2018	73 CRYSTAL SPRINGS WAY	447.09
2017 SMITH CAROLYN L+WILBUR J JR	83-35M	05/29/2018	28 DUDLEY CT	567.29
2016 TILTON GARY R + JACQUELINE M	87-208M	04/18/2017	208 SHERWOOD GL 10/30/2019 \$189.82	485.63
2017 TILTON GARY R + JACQUELINE M	87-208M	05/29/2018	208 SHERWOOD GLEN	654.53

LAND ONLY

2017 LILLY POND CONSERVATION GROUP	49-12	05/29/2018	41 COLES POND RD	1,169.24
2017 LILLY POND CONSERVATION GROUP	50-1	05/29/2018	LILY POND RD	4,005.40
2010 PIONEER MECHANICAL INC (ALL PA	35-12A	03/30/2011	5 WEXFORD LANE	1,819.58
2010 PIONEER MECHANICAL INC (ALL PA	35-12B	03/30/2011	7 WEXFORD LANE	1,675.30
2011 PIONEER MECHANICAL INC (ALL PA	35-12A	05/18/2012	5 WEXFORD LANE	1,754.45
2011 PIONEER MECHANICAL INC (ALL PA	35-12B	05/18/2012	7 WEXFORD LANE	1,618.78
2012 PIONEER MECHANICAL INC (ALL PA	35-12A	04/24/2013	5 WEXFORD LANE	1,689.79
2012 PIONEER MECHANICAL INC (ALL PA	35-12B	04/24/2013	7 WEXFORD LANE	1,559.72
2013 PIONEER MECHANICAL INC (ALL PA	35-12A	04/14/2014	5 WEXFORD LANE	1,635.42
2013 PIONEER MECHANICAL INC (ALL PA	35-12B	04/14/2014	7 WEXFORD LANE	1,511.88
2014 PIONEER MECHANICAL INC (ALL PA	35-12A	05/06/2015	5 WEXFORD LANE	1,700.84
2014 PIONEER MECHANICAL INC (ALL PA	35-12B	05/06/2015	7 WEXFORD LANE	1,579.20
2015 PIONEER MECHANICAL INC/ LANDRY	35-12A	04/25/2016	5 WEXFORD LANE	1,645.92
2015 PIONEER MECHANICAL INC/ LANDRY	35-12B	04/25/2016	7 WEXFORD LANE	1,530.88
2016 PIONEER MECHANICAL INC/ LANDRY	35-12A	04/18/2017	5 WEXFORD LANE	1,444.08
2016 PIONEER MECHANICAL INC/ LANDRY	35-12B	04/18/2017	7 WEXFORD LANE	1,340.28
2017 PIONEER MECHANICAL INC/ LANDRY	35-12A	05/29/2018	5 WEXFORD LANE	1,360.75
2017 PIONEER MECHANICAL INC/ LANDRY	35-12B	05/29/2018	7 WEXFORD LANE	1,284.21



## City of Somersworth – Resolution

Resolution No: 22-21

**TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTIES LOCATED ON WEXFORD LANE AND BLACKWATER ROAD SUBJECT TO AN UNREDEEMED TAX LIEN**

January 4, 2021

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
5 Wexford Lane	35-12A
7 Wexford Lane	35-12B

*Note – It is believed that these properties contain contaminated soils and /or buried debris and an uninhabitable mobile home.*

### Authorization

*Sponsored by:*

Councilors:

David A. Witham

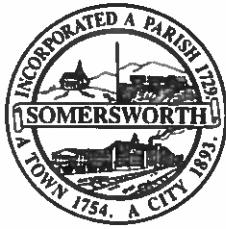
Donald Austin

Martin Pepin

Martin P. Dumont

*Approved:*

City Attorney



## City of Somersworth – Resolution

Resolution No: **23-21**

**CITY COUNCIL VOTE TO CONDITIONALLY LAY OUT NADEAU STREET AS A CLASS V ROADWAY SUBJECT TO THE CONDITION THAT THIS VOTE IS NOT FINAL UNTIL THE CITY COUNCIL RECEIVES CERTIFICATION FROM THE CITY ENGINEER THAT ALL IMPROVEMENTS HAVE BEEN MADE TO CITY STANDARDS**

January 4, 2021

WHEREAS, the City Council adopted Resolution 8-21 to establish a betterment assessment for the purpose of reconstructing Nadeau Street and accepting it as a City street, and

WHEREAS, the three (3) properties abutting Nadeau Street have executed an agreement with the City agreeing to the terms of the betterment assessment created by Resolution 8-21, and

WHEREAS, the recommended work and improvements necessary to bring Nadeau Street up to City standards are out to bid and work is anticipated to occur in the spring of 2021,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council votes to conditionally lay out Nadeau Street as a Class V roadway subject to the condition that the vote is not final until the following conditions are met;

- The City Council receives from the City Engineer, certification that all recommended work and improvements on the road have been completed to City road standards, and
- All steps have been taken to secure the agreed upon repayment of costs of this work by the road abutters through Betterment Assessments.

### Authorization

*Sponsored by:*  
Martin Pepin  
Kenneth Vincent  
Martin P. Dumont, Sr.  
Donald Austin  
Richard Michaud  
David A. Witham  
Matthew Gerding  
Nancie Cameron  
Crystal Paradis

*Approved:*  
City Attorney

**Bob Belmore**

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**From:** Bob Belmore  
**Sent:** Monday, December 28, 2020 9:35 AM  
**To:** Councilor David Witham (dwitham@somersworth.com); Councilor Don Austin; Councilor Martin Dumont (madumont@somersworth.com); Councilor Richard R. Michaud (rmichaud@somersworth.com); Crystal Paradis; Ken Vincent (thevince@comcast.net); Martin Pepin (mpepin@comcast.net); Matthew Gerding; Mayor Dana Hilliard; Nancie Cameron (ncameron@somersworth.com)  
**Cc:** Brenda Breda; Scott A. Smith  
**Subject:** Army National Guard - Somersworth

Good Monday Morning All,

Another FYI item –

I have been informed by Warren Perry, Deputy Adjutant General, NH Department of Military Affairs & Veterans Services that the Army National Guard Readiness Center in Somersworth (Maple St/Blackwater Rd) will be disengaging from use as a military purpose site. Therefore, this property will be reverting back to the City as the former owner. Their schedule is not yet nailed down, however I was told that the redeployment of soldiers and equipment will commence this Spring of 2021.

sincerely, Bob

**Robert M. Belmore, ICMA-CM**  
City Manager

City of Somersworth, NH  
One Government Way  
Somersworth, NH 03878

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www.Somersworth.com



For suggestions from the CDC on how to protect yourself and your family from Coronavirus (COVID-19), click [HERE](#)

**MITCHELL MUNICIPAL GROUP, P.A.**

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LACONIA, NEW HAMPSHIRE 03246  
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WALTER L. MITCHELL  
LAURA A. SPECTOR-MORGAN  
NAOMI N. BUTTERFIELD  
JOSEPH H. DRISCOLL, IV  
JUDITH E. WHITELAW (OF COUNSEL)

TELEPHONE (603) 524-3885

December 22, 2020

**CERTIFICATION**

Re: City of Somersworth, New Hampshire

Resolution No. 21-21

**Title: TO NOTIFY THE CITY TAX COLLECTOR THAT THE  
CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN  
PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN**

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: 12/22/2020

By: 

**MITCHELL MUNICIPAL GROUP, P.A.**

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JOSEPH H. DRISCOLL, IV  
JUDITH E. WHITELAW (OF COUNSEL)

TELEPHONE (603) 524-3885

December 22, 2020

**CERTIFICATION**

Re: City of Somersworth, New Hampshire

Resolution No. 22-21

Title: TO NOTIFY THE CITY TAX COLLECTOR THAT THE  
CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTIES  
LOCATED ON WEXFORD LANE AND BLACKWATER ROAD  
SUBJECT TO AN UNREDEEMED TAX LIEN

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: 12/22/2020

By: 

**MITCHELL MUNICIPAL GROUP, P.A.**

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WALTER L. MITCHELL  
LAURA A. SPECTOR-MORGAN  
NAOMI N. BUTTERFIELD  
JOSEPH H. DRISCOLL, IV  
JUDITH E. WHITELAW (OF COUNSEL)

TELEPHONE (603) 524-3885

December 28, 2020

**CERTIFICATION**

Re: City of Somersworth, New Hampshire

Resolution No. 23-21

Title: **CITY COUNCIL TO VOTE TO CONDITIONALLY LAY OUT NADEAU STREET AS A CLASS V ROADWAY SUBJECT TO THE CONDITION THAT THIS VOTE IS NOT FINAL UNTIL THE CITY COUNCIL RECEIVES CERTIFICATION FROM THE CITY ENGINEER THAT ALL IMPROVEMENTS HAVE BEEN MADE TO CITY STANDARDS**

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.

Date: 12/28/2020

MITCHELL MUNICIPAL GROUP, P.A.  
City Attorney

By: 