

*Office of the City Manager*

TO: Mayor Dana S. Hilliard and City Council Members  
FROM: Robert M. Belmore, City Manager  
DATE: Friday, January 5, 2024  
SUBJECT: City Manager's Report for Monday, January 8, 2024 City Council Meeting

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*Unfinished Business (under Section 15 of Agenda)*

Ordinances

- A. **Ordinance No. 7-24: Amend Chapter 13 Police Offenses, Section 3 Traffic Control.** Again, the Traffic and Safety Committee recommends this Ordinance change. This 2-hour parking was put into place when General Electric was active. Therefore, the 2-hour limit is no longer needed in this area. If approved, the Lord's Court change will allow residents along the Road to park there during months when snow plowing does not occur. Presently, there is no parking allowed for the entire 12 months each year on Lord's Court.

*New Business (under Section 16 of Agenda)*

Resolutions

- A. **Resolution 28-24: Proclamation Declaring January Diversity Month in the City of Somersworth.** City Council should consider waiving Council Rules to act on this Resolution this evening.
- B. **Resolution 29-24: To Authorize the City Manager to Enter into a Grant Agreement with the New Hampshire State Library and to Accept a Moose Plate Grant Award for Vital Record Preservation.** Attached is a copy of the Grant Agreement for this Vital Record Project. The City will conduct preservation treatment, microfilm, and digitally scan 3 volumes of Marriage, Birth, and Death records for the years 1938-1940. My appreciation is extended to the City Clerk's office for successfully seeking out this Grant Fund opportunity.

Informational Items

- A. **Constitutional Complete Streets Project.** Wright-Pierce Engineers has informed us that we will have the final bid documents to us by January 5<sup>th</sup>. Staff is finalizing a bid release date this week, with bids due back in early February.

### Informational Items (cont.)

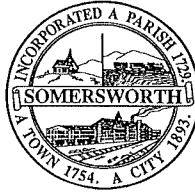
- B. **Sports Hub Dome.** Staff completed a pre-construction meeting this past Thursday. As you may have seen, the site prep work has started. The developer's timeline for opening the facility is November 1<sup>st</sup> of this year.
- C. **New John Deere Loader.** The City accepted delivery of a new John Deere Loader this past week with a Plow and a Wing System. Attached is a photo of the Loader.

### Attachments

1. **City Attorney Certifications:** Two (2)

# SOMERSWORTH, NEW HAMPSHIRE

City of Somersworth  
One Government Way  
Somersworth, NH 03878



City Hall  
603.692.4262  
[www.somersworthnh.gov](http://www.somersworthnh.gov)

January 5, 2024

Dear Councilors & School Board Chair,

During the November 7, 2023 Somersworth Municipal Election, the School Board Ward 5 elected position resulted in a tie within the write-in votes to which Mary Ann Davis's name was pulled during a lot (NH RSA 669:36) held by the City Clerk on December 7, 2023.

On December 21, 2023, the Office of the City Clerk received an email from Mary Ann Davis stating that Ms. Davis is "unable to fulfill the position for the Ward 5 School Board". A copy of her email is attached.

For election races determined by write-in votes, if the person who received the most votes for an office, declines to take the Oath of Office and assume office, a vacancy is created. (RSA 669:12; RSA 652:12)

Per the Somersworth Council Rules and Regulations, Section 10A. Voting on Council or School Board Vacancies, please accept this letter as notice that the School Board Ward 5 position is vacant. In accordance with the City Charter the vacancy will be posted within City Hall for fourteen (14) days and advertised in a local newspaper three (3) times.

Regards,

Matt Gerding  
Mayor

## Kristen LaPanne

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**From:** MaryAnn Davis <maryann@spenceandmathews.com>  
**Sent:** Thursday, December 21, 2023 2:24 PM  
**To:** Kristen LaPanne  
**Subject:** Declination of the Ward 5 Board member position.

Hello Kristen,

Please note your records that I am unable to fulfill the position for the Ward 5 School Board.

Thank you for updating your files.

Merry Christmas!

**Mary Ann Davis**

**Personal Lines Account Manager/Licensed Agent**

Po Box 715 | Berwick, ME 03901

207-698-6019

Desktop Fax 207-482-0937

[Maryann@spenceandmathews.com](mailto:Maryann@spenceandmathews.com)

[www.spenceandmathews.com](http://www.spenceandmathews.com)

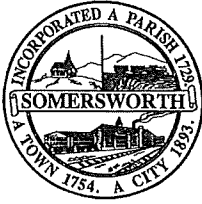
*For service, please call 800-595-2565, or visit us on the web at [spenceandmathews.com](http://spenceandmathews.com) Our staff is ready to serve you.*

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## City of Somersworth – Resolution

Resolution No: **28-24**

### **PROCLAMATION DECLARING JANUARY DIVERSITY MONTH IN THE CITY OF SOMERSWORTH**

January 8, 2024

WHEREAS, January 15, 2024 will mark the 95<sup>th</sup> birthday of the Rev. Martin Luther King, Jr.; and

WHEREAS, the “dream” of equal treatment, is the foundation of human rights and democratic values; and

WHEREAS, our Nation has worked towards the goal of fulfillment of this commitment for over 245 years; and

WHEREAS, the City of Somersworth has become a model of a Community which embraces and promotes its 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, 2024 be Diversity and Equality Month in the City of Somersworth and that the City of Somersworth along with all of its citizens hereby recommit itself to the fulfillment of Rev. Martin Luther King, Jr.’s “Dream.”

#### Authorization

##### *Sponsored by:*

Mayor Matt Gerding

##### *Councilors:*

David A. Witham

Nancie Cameron

Crystal Paradis-Catanzaro

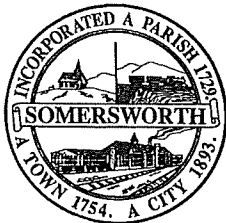
Richard Michaud

Paul Goodwin

Denis Messier

##### *Approved:*

City Attorney



## City of Somersworth – Resolution

Resolution No: 29-24

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE STATE LIBRARY AND TO ACCEPT A MOOSE PLATE GRANT AWARD FOR VITAL RECORD PRESERVATION**

January 8, 2024

WHEREAS, the City of Somersworth values its history and understands the importance of preserving and maintaining the City's records; and

WHEREAS, the City of Somersworth applied for a Moose Plate Grant through the New Hampshire State Library to preserve and protect the City's historical vital records; and

WHEREAS, the City of Somersworth has received notification of a Moose Plate Grant award in the amount of \$9,249 (Nine Thousand Two Hundred Forty-Nine dollars), to conduct preservation treatment, microfilm, and digitally scan three (3) volumes of Marriage, Birth, and Death records for the years 1938-1940;

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 Matt Gerding

*Councilors:*

David A. Witham

Nancie Cameron

Crystal Paradis-Catanzaro

Richard Michaud

Paul Goodwin

Denis Messier

*Approved:*

City Attorney

## GRANT AGREEMENT

The State of New Hampshire and the Grantee hereby  
Mutually agree as follows:  
GENERAL PROVISIONS

## 1. Identification and Definitions.

|  |   |  |   |
|--|---|--|---|
| <b>1.1. State Agency Name</b><br>DNCR – NH State Library   |   | <b>1.2. State Agency Address</b><br>20 Park St.<br>Concord NH 03301        |   |
| <b>1.3. Grantee Name</b><br>City of Somersworth  |   | <b>1.4. Grantee Address</b><br>One Government Way<br>Somersworth, NH 03878 |   |
| <b>1.5 Grantee Phone #</b><br>603-692-9511   | <b>1.6. Account Number</b><br>34050000-073-509074 | <b>1.7. Completion Date</b><br>12-31-2024                                  | <b>1.8. Grant Limitation</b><br>\$9,249 |
| <b>1.9. Grant Officer for State Agency</b><br>Charles Shipman  |   | <b>1.10. State Agency Telephone Number</b><br>603-271-3302                 |   |
| If Grantee is a municipality or village district: "By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b." |   |  |   |
| <b>1.11. Grantee Signature 1</b>   |   | <b>1.12. Name &amp; Title of Grantee Signor 1</b>                          |   |
| <b>Grantee Signature 2</b>   |   | <b>Name &amp; Title of Grantee Signor 2</b>                                |   |
| <b>Grantee Signature 3</b>   |   | <b>Name &amp; Title of Grantee Signor 3</b>                                |   |
| <b>1.13 State Agency Signature(s)</b>  |   | <b>1.14. Name &amp; Title of State Agency Signor(s)</b>                    |   |
| <b>1.15. Approval by Attorney General (Form, Substance and Execution) (if G &amp; C approval required)</b>   |   |  |   |
| By: Assistant Attorney General, On: / /  |   |  |   |
| <b>1.16. Approval by Governor and Council (if applicable)</b>  |   |  |   |
| By: On: / /  |   |  |   |

2. **SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT B (the scope of work being hereinafter referred to as "the Project").

Grantee Initials \_\_\_\_\_

Date \_\_\_\_\_

**New Hampshire State Library Moose Plate Grant**

**Grantee: City of Somersworth**

**Grant Period: 2023-24**

**Exhibit A**

**Special Provisions**

There are no additional or special provisions.

**Exhibit B**

**Scope of Work**

OBLIGATION OF THE GRANTEE: The Grantee agrees to abide by the limitations, conditions, and procedures outlined herein and to perform grant activities as outlined in its grant application and project budget. Specifically: **The City of Somersworth will conduct preservation treatment, microfilm, and digitally scan 3 volumes of Marriage, Birth, and Death records for the years 1938-1940.**

ACKNOWLEDGEMENT: Funding credit must appear in all programs, publicity, and promotional materials. The following wording is suggested.

**"This preservation project has been made possible through funds received from the sale of the New Hampshire Moose Conservation License Plate and administered by the New Hampshire State Library, a division of the New Hampshire Department of Cultural Resources."**

FINAL GRANT REPORTS: The Grantee agrees to submit final narrative and financial reports on a form provided by the State Library by December 31, 2024. Failure to submit final reports will render the Grantee ineligible for future Conservation License Plate Grant funding within the NH Department of Natural and Cultural Resources.

**Exhibit C**

**Payment Terms**

GRANT AMOUNT: Total granted amount shall not exceed **\$9,249**.

PAYMENT METHOD and TERM: Payment will be made upon the acceptance of this grant agreement in the amount of ninety percent (90%) and in the amount of ten percent (10%) upon the acceptance of final grant reports and approval upon approval by the Governor and Executive Council through December 31, 2024.

Grantee Initials: \_\_\_\_

Date: \_\_\_\_





Ed Hardy, Equipment Operator, who has worked for the City for 25 Years

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

ATTORNEYS AT LAW  
25 BEACON STREET EAST  
LACONIA, NEW HAMPSHIRE 03246  
[www.mitchellmunicipalgroup.com](http://www.mitchellmunicipalgroup.com)

LAURA A. SPECTOR-MORGAN  
JOSEPH H. DRISCOLL, IV  
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 2, 2024

**CERTIFICATION**

Re: City of Somersworth, New Hampshire

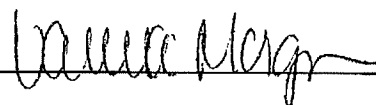
Resolution No. 28-24

Title: **PROCLAMATION DECLARING JANUARY DIVERSITY MONTH IN THE CITY  
OF SOMERSWORTH**

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: 1-2-24

By: 

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

ATTORNEYS AT LAW  
25 BEACON STREET EAST  
LACONIA, NEW HAMPSHIRE 03246  
[www.mitchellmunicipalgroup.com](http://www.mitchellmunicipalgroup.com)

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January 2, 2024

**CERTIFICATION**

Re: City of Somersworth, New Hampshire

Resolution No. 29-24

Title: **TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE STATE LIBRARY AND TO ACCEPT A MOOSE PLATE GRANT AWARD FOR VITAL RECORD PRESERVATION**

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

Date: 1-2-24

By: 