

City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, November 13, 2023
7:00 p.m.

1. Roll Call of Members
2. Pledge of Allegiance
3. Recognition of Indigenous People – Our Native Ancestral Americans
 - This meeting takes place on N'Dakinna (n-DA-ki-na), which is the unceded traditional ancestral homeland of the Abenaki (a-BEN-a-ki), Pennacook and Wabanaki Peoples past and present. We acknowledge and honor with gratitude the land, waterways, living beings and the Aln8bak (Al-nuh-bak), the people who have stewarded N'dakinna throughout the generations.
4. Public Hearing
 - A. **Ordinance 3-24** – Supplemental Appropriation for Engineering and Design Services to Replace the Hamilton Street Water Tank
 - B. **Ordinance 4-24** – To Amend Chapter 19, Zoning, Section 19.3.D District Boundaries and Section 19.14.C.3 District Boundaries (Re: Historic District)
5. Comments by Visitors
6. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on October 23, 2023
7. Comments by City Councilors
8. Communications
9. Presentations of Petitions and Disposal Thereof by Reference or Otherwise
10. Mayor's Report
11. Report of Standing Committees
12. Report of Special Committees, City Officers and City Manager
13. Nominations, Appointments and Election
14. Lay on the Table
15. Unfinished Business

ORDINANCES

- A. **Ordinance 3-24** – Supplemental Appropriation for Engineering and Design Services to Replace the Hamilton Street Water Tank

- B. **Ordinance 4-24** – To Amend Chapter 19, Zoning, Section 19.3.D District Boundaries and Section 19.14.C.3 District Boundaries (Re: Historic District) (Referred to Economic Development Committee on 10/23/2023)

RESOLUTIONS

- A. **Resolution 15-24** – To Authorize the City Manager to Execute a 20-Year Lease Extension Agreement with Hideout Golf, LLC. for the Operation and Maintenance of an 18-Hole Golf Course on City Owned Property
- B. **Resolution 16-24** – To Authorize the City Manager to Contract with Wright-Pierce Engineering of Portsmouth, New Hampshire from Engineering Services at the Somersworth Wastewater Treatment Facility
- C. **Resolution 17-24** – To Authorize the City Manager to Contract with Wright-Pierce Engineering of Portsmouth, New Hampshire for Engineering Services to Replace the Hamilton Street Water Tank
- D. **Resolution 20-24** – To Authorize the City Manager to Prepare Bid Specifications to Resurface a Section of High Street and Reconstruct the West Side Sidewalk on High Street from West High Street to South Street

16. New Business

ORDINANCES

- A. **Ordinance 5-24** – To Amend Chapter 4, Personnel Rules and Regulations, Section 6.4 Transfer Between Departments and Section 7.2 Overtime

RESOLUTIONS

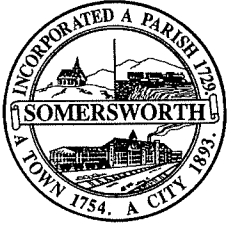
- A. **Resolution 21-24** – To Authorize the City Manager to Convey an Easement over City-Owned Property Abutting 46 Pinewood Drive to Katherine L. and Melvin W. Burkhardt, Trustees of the Burkhardt Family Revocable Trust
- B. **Resolution 22-24** – To Authorize the City Manager to Contract with Richardson Electric Company, Inc. of Seabrook, New Hampshire for the Replacement of Two Variable Frequency Drives at the Water Treatment Facility
- C. **Resolution 23-24** – To Authorize the City Manager to Convey a Telecommunication Utility Easement to Consolidated Communications of Northern New England Company, LLC.

OTHER

- A. Vote to Certify 2023 Municipal Election Results
- B. Vote to Waive the Excavation Moratorium and Paving Moratorium for a Repair of a Residence's Sewer Line at 19 Drew Road (City Ordinance, Chapter 12)
- C. Vote to Waive the Excavation Moratorium for Unitil to Perform Gas Main installation work on Maple Street (City Ordinance, Chapter 12)
- D. Vote to Waive the Excavation Moratorium for Consolidated Communication to Perform Work on City Property known as the Turcotte Pit off Maple Street (City Ordinance, Chapter 12)

17. Comments by Visitors

18. Closing Comments by Council Members
19. Future Agenda Items
20. Nonpublic Session (as necessary, pending roll call vote by Council)
21. Adjournment



City of Somersworth – Ordinance

Ordinance No: 3-24

SUPPLEMENTAL APPROPRIATION FOR ENGINEERING AND DESIGN SERVICES TO REPLACE THE HAMILTON STREET WATER TANK

October 23, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 7.7(A) of the City Charter:

The annual budget for the City of Somersworth for Fiscal Year 23-24 is amended as follows:

Appropriate \$146,000 (One Hundred Forty-Six Thousand dollars) from Water Fund Revenue to the Water Department Budget as follows;

Original Budget	Amendment	Revised Budget
\$ 3,236,505	\$ 146,000	\$ 3,382,505

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Kristen LaPanne
City Clerk

Background:

This Ordinance appropriates additional funding to provide engineering and design services to replace the Hamilton Street Water Tank. The fiscal year 2022-2023 adopted budget included an appropriation in the amount of \$154,500 to replace the roof on the current Hamilton Street Water Tank. The project cost came in significantly higher than the amount budgeted, so those funds will be used in conjunction with this supplemental appropriation to begin the process of replacing that tank.

This Ordinance requires a public hearing and requires a 2/3 majority vote of the City Council after the public hearing subject to Section 7.4.1 and. Section 7.7 (A) of the City Charter.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Donald Austin Richard Michaud	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 3-24

History			
First Read Date:	10/23/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

10/23/2023

Clerk LaPanne performed a first reading of Ordinance 3-24.

Ordinance 3-24 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Ordinance 3-24	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 4-24

TO AMEND CHAPTER 19, ZONING, SECTION 19.3.D DISTRICT BOUNDARIES AND SECTION 19.14.C.3 DISTRICT BOUNDARIES

October 23, 2023

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:

Amend Chapter 19, Section 19.3.D District Boundaries by deleting it in its entirety and replacing it with the following:

19.3.D. DISTRICT BOUNDARIES

19.3.D.6. Hilltop Historic District.

- 19.3.D.6.a. Property Map 10. From the corner of Grand and Noble Streets proceed SW down the W side of Grand to Hamilton Street. SE down S side of Hamilton to the NW corner of Lot 123. Follow the border of Lot 123 to the southernmost corner of Lot 123. Proceed SW along the westernmost boundary of Lot 121 to High Street. Cross High Street to the junction of Lots 116/117. SW on the boundary of Lot 116 to Lot 115. SE on the border of Lots 115 and 116 to High Street. N across High Street to the SE corner of Lot 62 (See Property Map 11).
- 19.3.D.6.b. Property Map 11. From the NW corner of Lot 155 (See Property Map 10) across the intersection of Constitutional Way and High Street to the SE corner of Lot 62. W and N on the boundary of Lot 62 to Lord's Court on the boundary of Lots 62, 63 and 63A to the junction of Lot 63A/64. NW on the S boundary of Lot 64 to the boundary of Lot 64/61. NE on the boundary of Lots 64 and 61 across the NW boundaries of Lots 64 through 69. Cross Beacon Street to the junction of Lots 77/80. NE on the NE boundary of Lots 77 and 78 to Prospect Street. Cross Prospect Street to the SE corner of Lot 90. NW on the NW boundary of Lots 90, 93 and 95B to the junction of Lots 95/95B. NW on the NW border of Lot 95B to the junction of Lots 95B/96/97. NW on the boundary of Lots 96 and 97 to Linden Street. NE on the Linden Street boundary of Lot 96 to the NE corner of Lot 96. SE on the boundary of Lot 96 to the junction of Lots 96/95. NE across Market Street to the Salmon Falls River. W by NH side of Salmon Falls River to junction with Property Map 12 (See Property Map 12).
- 19.3.D.6.c. Cross Winter Street to the junction of Lots 23/24. S on the boundary of Lots 30 and 31 to Maple Street. Cross Maple Street to the junction of Lots 5/10 on Property Map 13 (See Property Map 13).
- 19.3.D.6.d. Property Map 13. Commencing at the junction of Lots 5/10, S to the SE boundary of Lot 5. W along the S boundaries of Lots 5, 6, 7 and 8 to Rochester Street. Cross Rochester Street to the junction of Lots 16/17. NW along Lot 17 and Rochester Street to the junction of Lots 17/18. From the NW corner of Lot 17, SE to Lot 16 SW along Lots 18 and 18A to Lot 15. From the NW corner of Lot 16, NW to Maple Street and SW along Maple Street to the NE corner of Lot 20. SE along Lot

15 to Lot 40. NE to the NW corner of Lot 13. SE to the junction of Lots 12/13 and NE along Lots 12 and 13 to Noble Street. SE along Noble Street to the corner of Grand Street (See Property Map 10).

19.3.D.7. Industrial and Commercial Historic District.

19.3.D.7.a. Property Map 10 Main Street and B&M Railroad property onto Lot 190 and 190A to the Salmon Falls River. Proceed N by NW on the shoreline of the Salmon Falls River (See Property Map 11).

19.3.D.7.b. Property Map 11. Follow shoreline of Salmon Falls River NW around Lot 189 to junction with B&M Railroad property. Proceed NW on B&M Railroad property line to a point directly in line with the boundary of Lots 182 and 183. Proceed SW on the boundary of Lots 182/183 to the W corner of Lot 183 (Market Street). Proceed NW across Market Street to the N Corner of Lot 96. S on Lot 96 to the junction of Lots 96/97, SE on the boundary of Lots 96/97, 25B/97; to the SE corner of Lot 25B. Continue 63 feet SE on the boundary of Lots 95/98 and 95/99. NE 124 feet on the boundary of Lots 95/99; then SE on the boundary of Lot 95 to the NW corner of Lot 91. Proceed SE on the boundary of Lot 91 to the NW corner of Lot 90. SE on the boundary of Lot 90 to Prospect Street. SW across Prospect Street to the NW corner of Lot 78. SW on the boundary of Lots 78/79 and 77/79 to the SE corner of Lot 77 (Beacon Street). Continue SW across Beacon Street to the N corner of Lot 69. Proceed SW on the W boundaries of Lots 69 through 62 to Highland Street. Proceed SE on the boundary of Lot 62 to High Street, continue across High Street to the W corner of Lot 218 (Constitutional Way boundary) to the S point of Lot 218. Proceed NE on the boundary of Lots 218, 217, 216, 215, 214 and 168C to the junction of Lots 168C/214/ 212. Proceed NW on the boundary of Lot 214 to High Street then NE on High Street to the intersection of High Street and Main Street (N corner of Lot 210). Proceed SE across Main Street to the Main Street junction of Lots 202/203. NE on the boundary of Lots 202/203 to the NE corner of Lot 202 (junction with B&M Railroad property). Proceed SE on the boundary of B&M Railroad property and Lots 203, 204 and 205 to the SE corner of Lot 205. SE to the SW corner of Lot 205 (Main Street) See Property Map 10.⁸

Amend Chapter 19, Section 19.14.C.3 District Boundaries by deleting it in its entirety and replacing it with the following:

The location and boundaries of both the “Hilltop Historic District” and the “Industrial and Commercial Historic District” are hereby established as shown on a map entitled "Historic Districts, City of Somersworth, New Hampshire, October 2023", and as amended, which is hereby declared to be part of this ordinance.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 4-24

History			
First Read Date:	10/23/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

10/23/2023

Councilor Witham made a motion to suspend Council Rules to allow Ordinance 3-24 to be read by title only. The motion was seconded by Councilor Gerding.

Discussion:

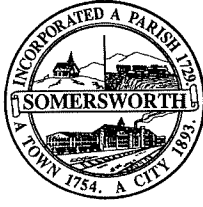
Councilor Witham stated that he wants to remain transparent through this process, however, he feels that having the Ordinance read aloud would be too difficult to follow along with and encourages anyone with interest, to see the map amendment of the Historic District to understand it.

The motion passed 9-0 by voice vote.

Clerk LaPanne performed a first reading of Ordinance 4-24 by title only.

Mayor Hilliard assigned Ordinance 4-24 to the Chair of the Economic Development Committee.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Ordinance 4-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **15-24**

TO AUTHORIZE THE CITY MANAGER TO EXECUTE A 20-YEAR LEASE EXTENSION AGREEMENT WITH HIDEOUT GOLF, LLC. FOR THE OPERATION AND MAINTENANCE OF AN 18-HOLE GOLF COURSE ON CITY OWNED PROPERTY

October 23, 2023

WHEREAS, the City Council adopted Resolution 3-24 on August 7, 2023 to authorize the City Manager to negotiate a 20-year Lease Extension Agreement with Hideout Golf, LLC. to operate and maintain an 18-hole golf course with associated Golf Course facilities and improvements known as the Oaks Golf Course; and

WHEREAS, the City Manager and Hideout Golf, LLC. have negotiated a proposed Lease Extension Agreement under the following terms and conditions;

- The City is the owner of the Oaks Golf Course Property, which is leased to Hideout Golf, LLC. with a Lease Agreement expiration date of December 1, 2040; and
- Hideout Golf, LLC. will make significant capital improvements to include new irrigation construction, bunker and cart path construction, and redesign of several holes; and
- The parties agree that if the proposed improvements are fully completed by December 1, 2038, the Lease Agreement expiration date will be extended through December 1, 2060; and

WHEREAS, the proposed Lease Extension Agreement was presented to the Finance Committee and they support extending the Lease Extension Agreement under the aforementioned conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a 20-year Lease Extension Agreement with Hideout Golf, LLC. for the operation and maintenance of an 18-hole Golf Course and associated improvements on City owned property.

Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 15-24

History

First Read Date:	10/23/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

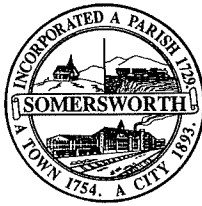
Discussion

10/23/2023

Clerk LaPanne performed a first reading of Resolution 15-24.

Resolution 15-24 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 15-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **16-24**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT-PIERCE ENGINEERING OF PORTSMOUTH, NEW HAMPSHIRE FOR ENGINEERING SERVICES AT THE SOMERSWORTH WASTEWATER TREATMENT FACILITY

October 23, 2023

WHEREAS, the City of Somersworth's fiscal year 2023-2024 adopted Wastewater Enterprise Budget contains an appropriation for engineering services for the preliminary design of Phase II upgrades to the Somersworth Wastewater Treatment Facility; and

WHEREAS, Wright-Pierce Engineering was contracted to engineer, design, and administer the recently completed Phase I upgrades of the facility; and

WHEREAS, Wright-Pierce Engineers has provided the City a proposal for engineering services to provide preliminary design of the Phase II improvements for an amount not to exceed \$415,000 (Four Hundred Fifteen Thousand dollars); and

WHEREAS, the Public Works and Environment Committee has reviewed the proposal with City staff and supports contracting with Wright-Pierce Engineering; and

WHEREAS, the Finance Committee has reviewed the proposal with City staff and supports contracting with Wright-Pierce Engineering;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Wright-Pierce Engineering of Portsmouth, New Hampshire for the preliminary design of Phase II upgrades of the Somersworth Wastewater Treatment Facility for an amount not to exceed \$415,000 (Four Hundred Fifteen Thousand dollars), and to take any other action related to this contract determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David A. Witham
Martin Pepin
Donald Austin
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 16-24

History

First Read Date:	10/23/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

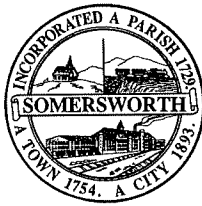
Discussion

10/23/2023

Clerk LaPanne performed a first reading of Resolution 16-24.

Resolution 16-24 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 16-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 17-24

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT-PIERCE ENGINEERING OF PORTSMOUTH, NEW HAMPSHIRE FOR ENGINEERING SERVICES TO REPLACE THE HAMILTON STREET WATER TANK

October 23, 2023

WHEREAS, the City of Somersworth's fiscal year 2022-2023 adopted Water Enterprise Budget contains an appropriation to repair the roof of the Hamilton Street Water Tank to extend the life of this asset; and

WHEREAS, City staff solicited proposals for this work, however, the cost of repair was significantly over the amount appropriated, and does not justify any additional life that may be realized by the repair; and

WHEREAS, this repair was reviewed by the Public Works and Environment Committee with City staff and the Committee decided to initiate plans to replace the water tank, and recommend using the funding available for the roof repair toward engineering services required to design a replacement water tank; and

WHEREAS, City staff requested and received a proposal from Wright-Pierce Engineering to update the evaluation of the water tank, prepare preliminary and final design of a water tank replacement, and provide project bidding services, with said proposal being in the amount of \$300,500 (Three Hundred Thousand Five Hundred dollars); and

WHEREAS, the Public Works and Environment Committee has reviewed the proposal with City staff and supports contracting with Wright-Pierce Engineering; and

WHEREAS, the Finance Committee has reviewed the proposal with City staff and supports contracting with Wright-Pierce Engineering;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Wright-Pierce Engineering of Portsmouth, New Hampshire. for the engineering and design to replace the Hamilton Street Water Tank for an amount not to exceed \$300,500 (Three Hundred Thousand Five Hundred dollars), and to take any other action related to this contract determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David A. Witham
Martin Pepin
Donald Austin
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 17-24

History

First Read Date:	10/23/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

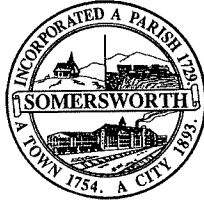
Discussion

10/23/2023

Clerk LaPanne performed a first reading of Resolution 17-24.

Resolution 17-24 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 17-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **20-24**

TO AUTHORIZE THE CITY MANAGER TO PREPARE BID SPECIFICATIONS TO RESURFACE A SECTION OF HIGH STREET AND RECONSTRUCT THE WEST SIDE SIDEWALK ON HIGH STREET FROM WEST HIGH STREET TO SOUTH STREET

October 23, 2023

WHEREAS the City of Somersworth's Capital Improvement Plan recommends road resurfacing and other general maintenance of streets, and sidewalk improvements throughout the City; and

WHEREAS the City has recently finished the improvements associated with the Transportation Alternatives Programs Grant which included reconstructing the east side sidewalk on High Street from West High Street to Franklin Street and it would be in the best interest of the City to reconstruct a similar section of sidewalk on the west side of High Street; and

WHEREAS, the Public Works and Environment Committee is recommending the City prepare bid specifications to contract for a mill and overlay of High Street from West High Street to South Street and to reconstruct the west side sidewalk on High Street from West High Street to South Street, and to construct this work as a standalone bid project because of the need to complete engineering design work for the sidewalk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to prepare bid specifications and solicit bids from qualified contractors to resurface the aforementioned section of High Street and reconstruct the aforementioned section of sidewalk on High Street, and take any other actions relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David Witham
Martin Pepin
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 20-24

History

First Read Date:	10/23/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

10/23/2023

Clerk LaPanne performed a first reading of Resolution 20-24.

Resolution 20-24 will remain in first reading until the call of the Chair.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 20-24	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **5-24**

TO AMEND CHAPTER 4, PERSONNEL RULES AND REGULATIONS, SECTION 6.4 TRANSFER BETWEEN DEPARTMENTS AND SECTION 7.2 OVERTIME

November 13, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT, the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 4 by editing sections 6.4 Transfer Between Departments and 7.2 Overtime as follows:

6.4 Transfer Between Departments

If an employee, possessing the qualifications necessary to fill a vacant position in the City, wishes to transfer from their current department to another department, they shall be afforded the opportunity to apply and be considered for the position.

7.2 Overtime

Overtime will be paid to employees not exempt from the FLSA at the overtime rate of one and one-half times the adjusted base rate of pay for time worked in excess of eight (8) hours per day and of forty (40) hours per week. Overtime within a class will be offered on an equal basis wherever possible. Overtime shall be approved by the appropriate Department Head in advance unless it is required due to an emergency.

At the discretion of the Department Head, compensatory time off may be granted rather than overtime pay. If compensatory time is granted the maximum balance allowed will be 60 hours. The General Foreman will be allowed a balance equal to the current compensatory maximum allowed in the AFSCME Council 93 Local #863 CBA. If an employee works more than 40 hours in a week, compensatory time off not taken during the same pay period accumulates at the rate of one-and-one-half times the time actually worked. Compensatory time off only applies to time to be taken in a pay period after the period when the overtime is worked. The FLSA has detailed rules regarding granting and accumulating compensatory time which must be fully understood by the employee and department head before being granted. In case of conflict between these rules and the FLSA, the FLSA will be followed.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> Richard Michaud Matt Gerding Donald Austin Nancie Cameron	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 5-24

History

First Read Date:		Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Ordinance 5-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **21-24**

TO AUTHORIZE THE CITY MANAGER TO CONVEY AN EASEMENT OVER CITY-OWNED PROPERTY ABUTTING 46 PINWOOD DRIVE TO KATHERINE L. AND MELVIN W. BURKHARDT, TRUSTEES OF THE BURKHARDT FAMILY REVOCABLE TRUST

November 13, 2023

WHEREAS, Katherine and Melvin Burkhardt of 46 Pinewood Drive, Tax Map 32 Lot 15 have approached the City requesting an easement over City-owned land located on Pinewood Drive (Tax Map 46 Lot 04) for an existing driveway to access their garage; and

WHEREAS, the property is currently subject to a power line easement with the Public Service Company of New Hampshire and they have not raised an objection to this easement request; and

WHEREAS, said easement will provide access to 46 Pinewood Drive and the grantee shall assume full responsibility for maintenance and repair of the driveway and agree to indemnify and hold the City harmless from any and all liability arising out of the use of the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to convey an easement over City-owned property abutting 46 Pinewood Drive to Katherine L. and Melvin W. Burkhardt, Trustees of the Burkhardt Family Revocable Trust, and to take any additional actions required to convey this easement determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David Witham
Martin Pepin
Richard Michaud

Approved:

City Attorney

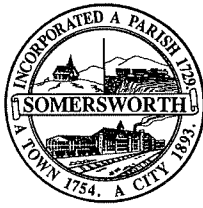
City of Somersworth – Resolution 21-24

History

First Read Date:		Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 21-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **22-24**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH RICHARDSON ELECTRIC COMPANY, INC. OF SEABROOK, NEW HAMPSHIRE FOR THE REPLACEMENT OF TWO VARIABLE FREQUENCY DRIVES AT THE WATER TREATMENT FACILITY

November 13, 2023

WHEREAS, the City of Somersworth’s Capital Improvement Plan endorsed a project to replace two variable frequency drives (VFDs) for the raw water pumps at the Water Treatment Facility; and

WHEREAS, the City of Somersworth’s approved FY2024 Budget provides funding for the replacement of two VFDs at the Water Treatment Facility; and

WHEREAS, City staff prepared and accepted request for bids from qualified contractors for the project and recommends awarding the project to Richardson Electric Company, Inc. for an amount of \$90,750 (Ninety Thousand Seven Hundred Fifty dollars); and

WHEREAS, the City Council authorizes the City Manager to utilize an amount up to \$9,250 (Nine Thousand Two Hundred Fifty dollars) for project contingency making the total project not-to-exceed \$100,000 (One Hundred Thousand dollars);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Richardson Electric Company, Inc. of Seabrook, New Hampshire for an amount not-to-exceed \$100,000 (One Hundred Thousand dollars) for the replacement of two variable frequency drives at the Water Treatment Facility, and to take any other actions necessary for this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David Witham
Donald Austin
Matt Gerding
Kenneth Vincent

Approved:

City Attorney

City of Somersworth – Resolution 22-24

History

First Read Date:		Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 22-24	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **23-24**

TO AUTHORIZE THE CITY MANAGER TO CONVEY A TELECOMMUNICATION UTILITY EASEMENT TO CONSOLIDATED COMMUNICATIONS OF NORTHERN NEW ENGLAND COMPANY, LLC.

November 13, 2023

WHEREAS, the Somersworth City Council approved an easement with Northern Utilities, Inc., doing business as Unitil, on September 7, 2021 for a natural gas transmission line; and

WHEREAS, Unitil needs a telecommunication line from Consolidated Communications of Northern New England Company, LLC to support the monitoring and tracking and power needs of the new natural gas transmission line substation at the Turcotte Pit off Maple Street; and

WHEREAS, Consolidated Communications of Northern New England Company, LLC requires a permanent easement from the City off Maple Street in what is commonly referred to as the “Turcotte Pit” for the right to lay, install, maintain, replace, and remove telephone cable, wire, and related fixtures and appurtenances and underground lines;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to convey a telecommunications utility easement to Consolidated Communications of New England Company, LLC, on City owned property commonly known as the Turcotte Pit off Maple Street, and to take any additional actions required to convey this easement determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:
David A. Witham

Approved:
City Attorney

City of Somersworth – Resolution 23-24

History

First Read Date:		Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 23-24	PASSED	FAILED