



City of Somersworth  
City Council Meeting Agenda  
City Council Chambers  
Monday, April 1, 2024  
7:00 p.m.

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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 9-24** – Fiscal Year 2024-2025 Budget
  - B. **Ordinance 10-24** – To Amend Chapter 32, Water Ordinance, by Amending Section 16.1.a Titled “Rates, Fees, and Charges” to Increase the Water Utility Rates Effective July 1, 2024, and July 1, 2025
  - C. **Ordinance 11-24** – To Amend Chapter 8A, Sewer Ordinance, by Amending Charges Article XV Section 7.B Titled “Sewer Use Volume Charges” to Increase the Sewer Volume Charges Effective July 1, 2024, and July 1, 2025
  - D. **Ordinance 12-24** – Supplemental Appropriation for Additional Funding Needed for the Water Meter Replacement Program
5. Comments by Visitors
6. Consent Calendar
  - A. Approve Minutes of the State of the City Address held on March 18, 2024
  - B. Approve Minutes of the City Council Meeting held on March 18, 2024
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

Nominations Requiring a Council Vote:

- A. Bradley Fredette for re-appointment to the Zoning Board of Adjustments with a term to expire April 2027
- B. Nancy Mitchell for appointment to the Library Board of Trustees with a term to expire April 2029
- C. Sarah Robbitts-Terry for appointment to the Library Board of Trustees with a term to expire April 2029

14. Lay on the Table

- A. **Ordinance 9-24** – Fiscal Year 2024-2025 Budget

15. Unfinished Business

ORDINANCES

- A. **Ordinance 10-24** – To Amend Chapter 32, Water Ordinance, by Amending Section 16.1.a Titled “Rates, Fees, and Charges” to Increase the Water Utility Rates Effective July 1, 2024, and July 1, 2025
- B. **Ordinance 11-24** – To Amend Chapter 8A, Sewer Ordinance, by Amending Charges Article XV Section 7.B Titled “Sewer Use Volume Charges” to Increase the Sewer Volume Charges Effective July 1, 2024, and July 1, 2025
- C. **Ordinance 12-24** – Supplemental Appropriation for Additional Funding Needed for the Water Meter Replacement Program

RESOLUTIONS

- A. **Resolution 41-24** – To Authorize the City Manager to use Funding from the American Rescue Plan Act and the Cable Fund to Contract with Brightly Software, Inc. of Cary, North Carolina for SmartGov Software for the Department of Development Services

16. New Business

ORDINANCES

- A. **Ordinance 13-24** – To Amend Chapter 19 Zoning Ordinance, Table of Uses, Table 4.A.5, and Adding Notes 11 through 11.4, Regarding Motor Vehicle Service-Related uses within the Residential/Commercial District

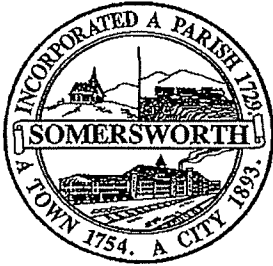
17. Comments by Visitors

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  
Boards, Commissions & Committee Application

*Instructions: Please complete all information.*

Name: Bradley Fredette

Telephone: 603 534 0125 Email: Fredettebrad@gmail.com

Residence Address: 3 Blackwater Rd.

Mailing Address (if different): \_\_\_\_\_

Resident of Somersworth for 18 Years Ward 3

Registered Voter: Yes  No

Education Level:  
Bachelors +

Please list any organizations, groups, or other committees you are involved in:  
Zoning Board of Adjustment - Reappointment

I am interested in serving on the following Board, Commission or Committee (s):

Reappointment to ZBA

My Background or Interests are: Education, development, community engagement

over



I have served on the following Committee (s) in the past: ZBA

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Would you be able to commit to attending all meetings? Yes X No \_\_\_\_\_

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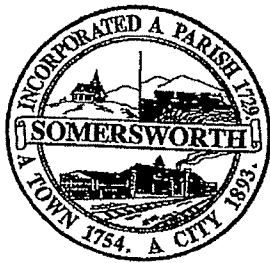
By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: B. Hill

Date: 2/29/2024

**Please submit application to:  
City Clerk's Office  
City Hall, One Government Way  
Somersworth, NH 03878**



City of Somersworth  
Boards, Commissions & Committee Application

**Instructions: Please complete all information.**

Name: Nancy B Mitchell  
Telephone: 207-671-0898 Email: nancybmitchell14@gmail.com  
Residence Address: 18 Turgeons Lane  
Mailing Address (if different): \_\_\_\_\_  
Resident of Somersworth for 2<sup>+</sup> Years Ward 5  
Registered Voter: Yes  No   
Education Level:  
Bachelor's +15

Please list any organizations, groups, or other committees you are involved in:  
Library Book Club; Pope Memorial Humane Society volunteer,  
House of Hope volunteer

I am interested in serving on the following Board, Commission or Committee (s):

Library Board of Trustees

My Background or Interests are: Retired Teacher

Reading, Walking Dogs, Cooking, Photography

over

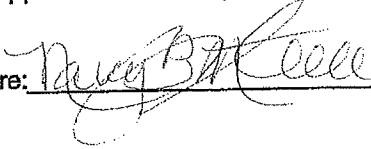


I have served on the following Committee (s) in the past: this will be the first if I am selected

Would you be able to commit to attending all meetings? Yes  No

By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

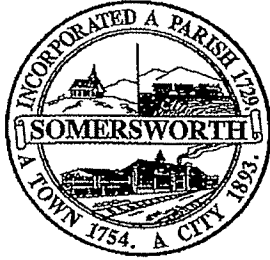
Signature: 

Date: 2/7/24

**Please submit application to:  
City Clerk's Office  
City Hall, One Government Way  
Somersworth, NH 03878**

My name is Nancy Mitchell and I am interested in joining the library board of trustees. The first thing I did when we moved to Somersworth, a little over 2 years ago, was to get a library card and join the book club. As a retired teacher, reading and public libraries have always played a key role in my life. All through high school and college, I worked in my town's library. I was even accepted to Simmons College School of Library Science after I graduated from college but I got married and had a baby instead. Sometimes life intervenes! But to this day, I still get excited when I get to go to the library and pick out new books to read!

I believe in public libraries as the center of the community. It is a place to promote literacy and a love of reading. As a teacher, I encouraged all my students and parents to get a library card and take out books to read. It also provides a place for people to connect to others. Somersworth Public Library is so active and vibrant with all they do through the book club, the reading programs, community centered programs like the gardening series, the cookbook club, movie nights, etc. I would love to take a more active role in helping to guide the library into an even greater future.



## City of Somersworth Boards, Commissions & Committee Application

**Instructions: Please complete all information.**

Name: Sarah Robbitts-Terry  
Telephone: 609-903-5010 Email: sarah@sarahterry.com  
Residence Address: 31 Cinnamon Ridge Road  
Mailing Address (if different): \_\_\_\_\_  
Resident of Somersworth for 10 Years Ward 4  
Registered Voter: Yes  No

Education Level:  
Masters from UNH, in creative writing

Please list any organizations, groups, or other committees you are involved in:  
I've run summer programs at Lane Memorial Library for the past four years.

I am interested in serving on the following Board, Commission or Committee (s):  
Somersworth Public Library's Board of Trustees

My Background or Interests are: I am the Program and Volunteer Coordinator at the Portsmouth Historical Society, so I have a great deal of experience creating, booking, and running programs, and I manage our group of over 50 volunteers. I have a background in education, and was a 6<sup>th</sup> grade English teacher as well as a STEAM educator at the Children's Museum of NH. My undergraduate and grad degrees are both in creative writing over  
➔  
and I am passionate about promoting literacy.



I have served on the following Committee (s) in the past: \_\_\_\_\_

Would you be able to commit to attending all meetings? Yes  No

By submitting this Application you understand that:

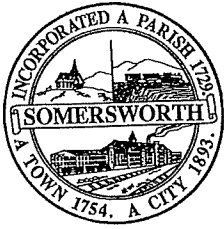
1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: \_\_\_\_\_



Date: 2/9/2024

**Please submit application to:  
City Clerk's Office  
City Hall, One Government Way  
Somersworth, NH 03878**



City of Somersworth – Ordinance

Ordinance No: 9-24

**FISCAL YEAR 2024-2025 BUDGET**

March 18, 2024

THE CITY OF SOMERSWORTH ORDAINS THAT BUDGETS FOR THE CITY OF SOMERSWORTH FOR THE 2024-2025 FISCAL YEAR SHALL BE:

<u>DEPARTMENT</u>	<u>BUDGET</u>
<b><u>GENERAL FUND</u></b>	
Elected Leadership	\$230,220
City Management	614,050
Finance and Administration	1,919,546
Development Services	1,082,786
Police	5,180,374
Fire	2,838,771
Public Works	3,572,794
Other Expenses	1,391,000
Capital Outlay	45,000
Intergovt Assessments - County	3,169,922
School Department	<u>31,319,747</u>
<b>TOTAL GENERAL FUND</b>	<b><u>51,364,210</u></b>
<b><u>ENTERPRISE FUNDS</u></b>	
Wastewater Department	3,619,635
Water Department	2,873,558
Solid Waste	<u>676,169</u>
<b>TOTAL ENTERPRISE FUNDS</b>	<b><u>7,169,362</u></b>
<b><u>SPECIAL REVENUE FUND</u></b>	
Cable Fund	<u>69,513</u>
<b>TOTAL FY 2024-2025 APPROPRIATION</b>	<b><u><u>\$58,603,085</u></u></b>

This Ordinance shall take effect upon its passage.

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



## City of Somersworth – Ordinance

Ordinance No: 10-24

**TO AMEND CHAPTER 32, WATER ORDINANCE, BY AMENDING SECTION 16.1.a TITLED “RATES, FEES, AND CHARGES” TO INCREASE THE WATER UTILITY RATES EFFECTIVE JULY 1, 2024, AND JULY 1, 2025**

March 18, 2024

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

Amend Chapter 32, Section 16.1.a titled “Rates, Fees, and Charges”, by deleting the second paragraph in its entirety and replace it with the following:

All water users will be charged at a rate of \$5.94 per 100 cubic feet of water used beginning July 1, 2024; \$6.53 per 100 cubic feet of water used beginning July 1, 2025;

**Background:**

By passage of this Ordinance the City Council is increasing the Water Use Volume Charge 10% effective July 1, 2024, and 10% effective July 1, 2025.

This Ordinance shall take effect upon its passage.

**Authorization**

*Sponsored by Councilors:*

David A. Witham  
Denis Messier  
Martin Pepin  
Kenneth S. Vincent

*Approved:*

City Attorney

**City of Somersworth – Ordinance 10-24**

**History**

First Read Date:	3/18/2024	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

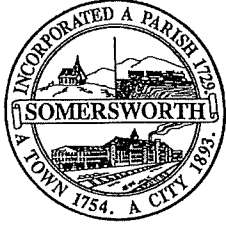
**Discussion**

3/18/2024

*Clerk LaPanne performed a first reading of Ordinance 10-24.*

*Ordinance 10-24 will remain in first reading until the call of the Chair.*

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Paradis-Catanzaro		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Goodwin		
At Large Councilor	Cameron		
At Large Councilor	Messier		
<b>TOTAL VOTES:</b>			
<b>On</b>	<b>Ordinance 10-24</b>	<b>PASSED</b>	<b>FAILED</b>



## City of Somersworth – Ordinance

Ordinance No: 11-24

**TO AMEND CHAPTER 8A, SEWER ORDINANCE, BY AMENDING CHARGES ARTICLE XV SECTION 7.B TITLED “SEWER USE VOLUME CHARGES” TO INCREASE THE SEWER VOLUME CHARGES EFFECTIVE JULY 1, 2024, AND JULY 1, 2025**

March 18, 2024

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

Amend Chapter 8A, Article XV, Section 7.B Titled “Sewer Use Volume Charges”, by deleting it in its entirety and replace it with the following:

All sewer users will be charged at a rate of \$8.83 per 100 cubic feet of water used beginning July 1, 2024; \$9.75 per 100 cubic feet of water used beginning July 1, 2025;

**Background:**

By passage of this Ordinance the City Council is increasing the Sewer Use Volume Charge 10% effective July 1, 2024, and 10% effective July 1, 2025.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Martin Pepin Kenneth S. Vincent	<i>Approved:</i> City Attorney

**City of Somersworth – Ordinance 11-24**

**History**

First Read Date:	3/18/2024	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

**Discussion**

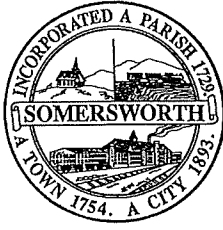
3/18/2024

*Clerk LaPanne performed a first reading of Ordinance 11-24.*

*Ordinance 11-24 will remain in first reading until the call of the Chair.*

Councilor Vincent inquired about the meaning of 100 cubic feet regarding the measurements of water used. Director Bobinsky confirmed that 100 cubic feet equals 748 gallons of water used.

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Paradis-Catanzaro		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Goodwin		
At Large Councilor	Cameron		
At Large Councilor	Messier		
<b>TOTAL VOTES:</b>			
<b>On</b>	<b>Ordinance 11-24</b>	<b>PASSED</b>	<b>FAILED</b>



## City of Somersworth – Ordinance

Ordinance No: 12-24

### **SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL FUNDING NEEDED FOR THE WATER METER REPLACEMENT PROGRAM**

March 18, 2024

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 2023-2024 is amended as follows:

Appropriate \$75,000 (Seventy-Five Thousand dollars) from the Water Fund budget; and

Appropriate \$50,000 (Fifty Thousand dollars) from the Sewer Fund budget as follows:

Water Fund Original Budget \$ 3,236,505	Amendment \$ 75,000	Revised Water Fund Budget \$ 3,311,505
Sewer Fund Original Budget \$ 4,183,996	Amendment \$ 50,000	Revised Sewer Fund Budget \$ 4,233,996

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 complete the Residential meter replacement program.

This Ordinance shall take effect upon its passage.

***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.***

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Martin Pepin Kenneth S. Vincent	<i>Approved:</i> City Attorney

**City of Somersworth – Ordinance 12-24**

**History**

First Read Date:	3/18/2024	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

**Discussion**

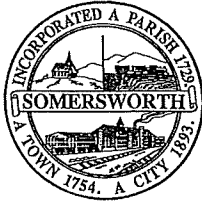
3/18/2024

*Clerk LaPanne performed a first reading of Ordinance 12-24.*

*Ordinance 12-24 will remain in first reading until the call of the Chair.*

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Paradis-Catanzaro		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Goodwin		
At Large Councilor	Cameron		
At Large Councilor	Messier		
<b>TOTAL VOTES:</b>			
On	Ordinance 12-24	<b>PASSED</b>	<b>FAILED</b>





## City of Somersworth – Resolution

Resolution No: **41-24**

**TO AUTHORIZE THE CITY MANAGER TO USE FUNDING FROM THE AMERICAN RESCUE PLAN ACT AND THE CABLE FUND TO CONTRACT WITH BRIGHTLY SOFTWARE, INC. OF CARY, NORTH CAROLINA FOR SMARTGOV SOFTWARE**

March 18, 2024

WHEREAS, the Somersworth Capital Improvement Program for Fiscal Years 2025-2030 includes a project to provide on-line permitting software for use by the Department of Development Services; and

WHEREAS, City Staff researched qualified companies and requested and received demonstrations from a number of these software companies that provide similar products; and

WHEREAS, after reviewing products available, City Staff determined that SmartGov by Brightly Software of Cary, North Carolina provides a platform that best meets the needs of the City with an initial cost of \$48,386 (Forty Eight Thousand Three Hundred Eighty Six dollars); and

WHEREAS, the Finance Committee reviewed this recommendation with City Staff and recommends the City contract with Brightly Software for SmartGov Software for an amount not to exceed \$48,386 (Forty-Eight Thousand Three Hundred Eighty-Six dollars); and

WHEREAS, the Finance Committee also recommends the City fund this contract using available funding from the American Rescue Plan Act and the Cable Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to use funding from the American Rescue Plan Act and the Cable Fund to contract with Brightly Software for SmartGov Software for an amount not to exceed \$48,386 (Forty-Eight Thousand Three Hundred Eighty-Six dollars) and take any and all other actions relative to this purchase determined to be in the best interest of the City.

<b>Authorization</b>	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Martin Pepin Kenneth S. Vincent	<i>Approved:</i> City Attorney

**City of Somersworth – Resolution 41-24**

**History**

First Read Date:	3/18/2024	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

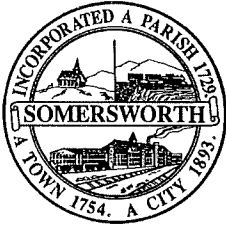
**Discussion**

*3/18/2024*

*Clerk LaPanne performed a first reading of Resolution 41-24.*

*Resolution 41-24 will remain in first reading until the call of the Chair.*

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Paradis-Catanzaro		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Goodwin		
At Large Councilor	Cameron		
At Large Councilor	Messier		
<b>TOTAL VOTES:</b>			
On	Resolution 41-24	<b>PASSED</b>	<b>FAILED</b>



## City of Somersworth – Ordinance

Ordinance No: 13-24

**TO AMEND CHAPTER 19, ZONING ORDINANCE, TABLE OF USES, TABLE 4.A.5, AND ADDING NOTES 11 THROUGH 11.4, REGARDING MOTOR VEHICLE SERVICE-RELATED USES WITHIN THE RESIDENTIAL/COMMERCIAL DISTRICT**

April 1, 2024

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, Table of Uses – Table 4.A.5 as follows:**

Principle Use 9

To prohibit Auto Convenience Markets in the Residential/Commercial (R/C) District

Principle Use 20

To prohibit Motor Vehicle Repair Garage/Stations in the Residential/Commercial (R/C) District

Principle Use 21

To prohibit Automobile Sales in the Residential/Commercial (R/C) District

Principle Use 29

To prohibit Motor Vehicle Services in the Residential/Commercial (R/C) District

**Amend Chapter 19, Table of Uses – Table 4.A.5 by adding notes 11, 11.1, 11.2, 11.3, and 11.4 as follows:**

Auto Convenience Market, Motor Vehicle Repair Garage Station, Automobile Sales, Motor Vehicle Service shall be subject to the following Specific Land Use Standards:

**SPECIFIC LAND USE STANDARDS** In addition to the other requirements of this document, the following standards apply to the uses listed in this section. If the proposed use does not meet the standards contained herein, a variance would be required:

**11.1.AUTO CONVENIENCE MARKET.**

- a) The use shall be located a minimum of two hundred feet (200') from any residential property. The distance shall be measured from building to building in a straight line.
- b) All repair and service work shall be performed within an enclosed building.
- c) Bay Doors. Bay doors or vehicle entrances, exits and openings shall not face any residential zoning district within 200-feet from the face of the building containing

the bay door, vehicle entrance, exit or opening. Bay doors are required to be automatic doors so that doors are closed after vehicles have entered/exited building.

- d) No used or discarded automotive parts or equipment may be located in any open area outside of an enclosed building.

#### 11.2 MOTOR VEHICLE REPAIR GARAGE/STATION.

- a) The use shall be located a minimum of two hundred feet (200') from any residential property. The distance shall be measured from building to building in a straight line.
- b) All repair and service work shall be performed within an enclosed building. Bay Doors. Bay doors or vehicle entrances, exits and openings shall not face any residential zoning district within 200-feet from the face of the building containing the bay door, vehicle entrance, exit or opening. Bay doors are required to be automatic doors so that doors are closed after vehicles have entered/exited building.
- c) No used or discarded automotive parts or equipment may be located in any open area outside of an enclosed building.
- d) No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
- e) All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Such vehicles shall not be stored on the property longer than 21 days.

#### 11.3 AUTOMOBILE SALES.

- a) The use shall be located a minimum of two hundred feet (200') from any residential property. The distance shall be measured from building to building in a straight line.
- b) All repair and service work shall be performed within an enclosed building.
- c) Bay Doors. Bay doors or vehicle entrances, exits and openings shall not face any residential zoning district within 200-feet from the face of the building containing the bay door, vehicle entrance, exit or opening. Bay doors are required to be automatic doors so that doors are closed after vehicles have entered/exited building.
- d) The installation and use of an outside public address or bell system is prohibited.
- e) Any used or discarded automotive parts or equipment located in any open area outside an enclosed building must be screened from view.

#### 11.4 MOTOR VEHICLE SERVICES.

- a) Building shall be constructed or arranged so that entrances, exits, and openings shall not face any residentially zoned property within 100 feet of the entrances, exits or openings.
- b) Bay Doors. Bay doors or vehicle entrances, exits and openings shall not face any residential zoning district within 100 feet from the face of the building containing

- the bay door, vehicle entrance, exit or opening. Bay doors are required to be automatic doors so that doors are closed after vehicles have entered/exited building.
- c) All service work (excluding parking services) shall be performed within an enclosed building.

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by Councilors:</i> Paul Goodwin Richard Michaud Robert Gibson Crystal Paradis-Catanzaro	<i>Approved:</i> City Attorney