



City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, April 4, 2022
7:00 p.m.

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
 - A. **Ordinance No. 9-22** -Fiscal Year 2022-2023 Budget
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on March 21, 2022
6. Comments by City Councilors
7. Communications
 - A. Letter from Oksana Markarova, Ambassador of Ukraine to the United States of America
8. Presentations of Petitions and Disposal Thereof by Reference or Otherwise
9. Mayor's Report
10. Report of Standing Committees
11. Report of Special Committees, City Officers and City Manager
12. Nominations, Appointments and Election
13. Lay on the Table

ORDINANCES

- A. **Ordinance No. 9-22** -Fiscal Year 2022-2023 Budget

14. Unfinished Business

RESOLUTIONS

- A. **Resolution No. 29-22** -To Amend Council Rules and Regulations Section 7, Order of Business (Referred to the Government Operations Committee on 3/21/2022)

B. **Resolution No. 30-22** - To Reaffirm the City of Somersworth Nonpartisan Elections

15. New Business

RESOLUTIONS

A. **Resolution No. 31-22** - To Authorize the City Manager to Execute a Contract Amendment Submitted by Waste Management of New Hampshire, Inc. for Collection and Disposal of Municipal Solid Waste, Municipal Recycling, and Wastewater Treatment Sludge

B. **Resolution No. 32-22** – To Authorize the City Manager to Accept and Execute a Modified Grant Agreement Increasing Grant Funds with the New Hampshire Department of Environmental Services for the Cleanup Grant Award for the Former Somersworth Police Station Located at 5 Main Street

C. **Resolution No. 33-22** – To Authorize the City Manager to Contract with Wickson Construction NH, LLC of Rye, NH for the Replacement of a Culvert on Rocky Hill Road

D. **Resolution No. 34-22** – To Authorize the City Manager to Contract with EnviroVantage of Epping, NH for the Abatement and Removal of Asbestos, PCBs, and a Fuel Oil Tank at the Former Somersworth Police Station Located at 5 Main Street

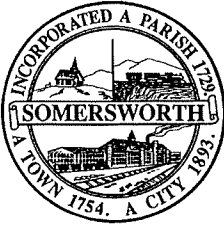
16. Comments by Visitors

17. Closing Comments by Council Members

18. Future Agenda Items

19. Nonpublic Session (as necessary, pending roll call vote by Council)

20. Adjournment



City of Somersworth – Ordinance

Ordinance No: **9-22**

FISCAL YEAR 2022-2023 BUDGET

March 21, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT BUDGETS FOR THE CITY OF SOMERSWORTH FOR THE 2022-2023 FISCAL YEAR SHALL BE:

<u>DEPARTMENT</u>	<u>ADOPTED BUDGET</u>
<u>GENERAL FUND</u>	
Elected Leadership	\$196,505
City Management	532,787
Finance and Administration	1,628,474
Development Services	942,564
Police	4,644,286
Fire	2,385,058
Public Works	3,362,989
Other Expenses	1,459,029
Capital Outlay	167,459
Intergovt Assessments - County	2,947,120
School Department	28,596,753
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TOTAL GENERAL FUND	46,863,024
<u>ENTERPRISE FUNDS</u>	
Wastewater Department	3,417,865
Water Department	2,754,483
Solid Waste	597,857
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TOTAL ENTERPRISE FUNDS	6,770,205
<u>SPECIAL REVENUE FUND</u>	
Cable Fund	71,649
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TOTAL FY 2022-2023 APPROPRIATION	\$53,704,878
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This Ordinance will take effect upon passage.

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

City of Somersworth – Ordinance 9-22

History

First Read Date:	03/21/2022	Tabled:	03/21/2022
Public Hearing:		Removed from Table:	
Second Read:	03/21/2022		

Discussion

3/21/2022

Councilor Witham made a motion to suspend Council rules to allow a first reading of Ordinance No. 9-22 by title only. The motion was seconded by Councilor Michaud and passed by voice vote. Deputy City Clerk Ramsey performed a first reading of Ordinance No. 9-22 by title only.

Councilor Witham made a motion to suspend Council rules to allow for a second reading of Ordinance No. 9-22. The motion was seconded by Councilor Vincent and passed by voice vote. Deputy City Clerk Ramsey performed a second reading of Ordinance No. 9-22.

Councilor Witham made a motion to lay Ordinance No. 9-22 upon the table. Mayor Dana S. Hilliard stated that the motion is non-debatable and the motion passed 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	Messier		
TOTAL VOTES:			
On / / Ordinance 9-22		PASSED	FAILED



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in the United States of America

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Washington, D.C.
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(+1 202) 333-0817 (fax)
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Mr. Dana S. Hilliard
Mayor of Somersworth

N6147/35-200-21509

March 22, 2022

Dear Mr. Hilliard,

I am writing to you to express my sincere gratitude to you and all members of the Somersworth City Council for the support to Ukraine, which was expressed in the Resolution 25-22 of the Council.

However, I would like to request you to help the Ukrainian people more in their resistance to Russia's unprovoked and unjustified military aggression against Ukraine that is becoming more deadly, ruthless, and devastating with every day and hour. The war waged by Russia has already taken thousands of innocent lives of Ukrainian people, including more than a hundred children, has caused a humanitarian disaster and a global refugee crisis. Russian invasion forces have used illegal weapons against the people of Ukraine, including cluster and vacuum bombs, reducing entire cities to ruins. More than 3 million Ukrainians have fled abroad, making it the single largest humanitarian tragedy since World War II.

Putin is targeting civilians, residential buildings, kindergartens, and orphanages using banned weapons. We have horrific examples of Russian troops' actions in Ukraine, such as the bombing of a maternity hospital in the city of Mariupol or the cynical executions of civilians, which have nothing in common with civilized human behavior.

I ask you to consider the possibility of urgent humanitarian assistance to Ukrainian people, who are suffering from Russian brutality and barbarism.

On March 2, 2022, the United Nations General Assembly overwhelmingly adopted a resolution demanding the Russian Federation immediately end its invasion of Ukraine and unconditionally withdraw all its military forces from the territory of our country. The International Court of Justice ordered Russia on March 16, 2022, to stop the military actions it started in Ukraine on February 24. Nevertheless, Putin continues its horrific war against the people of Ukraine.

American Federal Government imposed severe sanctions on Russia; restrictive measures against the Russian economy are introduced on the States level; many international and American companies have made decisions to leave the Russian market and not to import Russian goods and services.

I would like to ask you to urge the business community of the Somersworth to stop doing business with Russia, divest Russian assets and refuse to finance Putin's regime. Both governments and business must take a stand. History will reflect our choices.

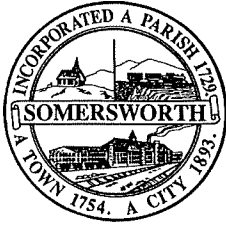
On behalf of the courageous freedom loving Ukrainian people, I thank you for your understanding.

Sincerely,



Oksana Markarova

Ambassador of Ukraine to the USA



City of Somersworth – Resolution

Resolution No: 29-22

TO AMEND COUNCIL RULES AND REGULATIONS, SECTION 7, ORDER OF BUSINESS

March 21, 2022

City Council Rules and Regulations as amended, to be further amended by adding a new Section 7.D, as follows:

- D. During any regularly scheduled meeting of the City Council, the Mayor and City Councilors are encouraged to refrain from making any comments directly related to their campaigns for reelection while sitting in the role of Mayor or Councilor. This does not pertain to any announcement regarding a decision to run or not run for reelection. Any additional reelection campaign comments could be made during the Comments by Visitors time on the agenda after temporarily recusing himself/herself from participation as Mayor or City Councilor and joining the public audience.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective upon passage of this Resolution.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilors:</i> Donald Austin Richard R. Michaud	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 29-22

History

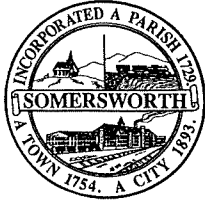
First Read Date:	03-21-2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

3/21/2022

Mayor Hilliard referred this Resolution to the Government Operations Committee.

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 29-22		PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 30-22

TO REAFFIRM THE CITY OF SOMERSWORTH'S NONPARTISAN ELECTIONS

March 21, 2022

WHEREAS the Mayor, City Council, School Board and all elected municipal officers of the City of Somersworth hold nonpartisan seats; and

WHEREAS, the City Council acknowledges the diverse political views of all persons and believes everyone, no matter what their political affiliation, should be treated with respect regardless of race, color, national origin, immigration or refugee status, ethnicity, primary language, religion, gender, gender identity and expression, sexual orientation, marital status, mental, emotional, and/or physical ability, age, or economic status; and

WHEREAS, the City's elected officials continue to work constructively and collaboratively to avoid stagnation and polarization in order to solve problems that lead to improved outcomes, better assessment and understanding of decisions and issues, thereby creating more effective decision-making, regardless of any political party affiliation; and

WHEREAS, good ideas and decisions are derived from diverse political perspectives; and to reject good ideas because of party affiliation is counterproductive to establishing a common good;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council of the City of Somersworth reaffirms the City's status to continue to be a body politic and municipal corporation that embraces and supports its local municipal elections as nonpartisan, each candidate for office being eligible based on her or his own merits rather than as a member of a political party.

Authorization

Sponsored by:
Mayor Dana S. Hilliard
Councilors:
Richard R. Michaud
Donald Austin
Nancie Cameron

Approved:

City Attorney

City of Somersworth – Resolution 30-22

History

First Read Date:	03/21/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

3/21/2022

Resolution No. 30-22 will remain in first reading 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	Messier		
TOTAL VOTES:			
On	Resolution 30-22	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **31-22**

TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT REQUESTED BY WASTE MANAGEMENT OF NEW HAMPSHIRE, INC. FOR COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE, MUNICIPAL RECYCLING, AND WASTEWATER TREATMENT SLUDGE

April 4, 2022

WHEREAS, the City Council adopted Resolution 35-20 which authorized the City Manager to enter into a five-year contract extension (7/1/2020-6/30/2025) with Waste Management of New Hampshire, Inc. for the collection and disposal of municipal solid waste, municipal recycling, and wastewater treatment sludge; and

WHEREAS, the City has been contacted by a representative of Waste Management of New Hampshire, Inc. requesting an increase of 7% for municipal solid waste and recycling and an increase of 5% for wastewater sludge due to increased costs as a result of recent economic conditions, these increases will be in addition to the scheduled annual escalators in the current agreements; and

WHEREAS, the City, in an effort to continue our positive and longstanding working relationship with Waste Management of New Hampshire, Inc., is agreeable to the additional increase requested, however, will phase the increase in over a two-year period for municipal solid waste and recycling with a 3.5% increase to take effect on 7/1/2022 and an additional 3.5% increase to take effect on 7/1/2023, these increases are in addition to the scheduled annual escalators existing in the current agreement; and

WHEREAS, The City is agreeable to a one time increase for wastewater sludge of 3.5% to take effect on 7/1/2022, this increase is in addition to the scheduled annual escalators existing in the current agreement;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute a contract amendment with Waste Management of New Hampshire, Inc. for collection and disposal of municipal solid waste, recycling, and wastewater treatment sludge, and to take any other actions relative to this agreement determined to be in the best interest of the City.

Authorization

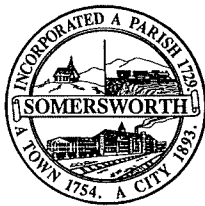
Sponsored by Councilors:

David A. Witham
Richard R. Michaud
Donald Austin
Matt Gerding

Approved:

City Attorney

City of Somersworth – Resolution



Resolution No: 32-22

TO AUTHORIZE THE CITY MANAGER TO ACCEPT AND EXECUTE A MODIFIED GRANT AGREEMENT INCREASING GRANT FUNDS WITH THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR THE CLEANUP GRANT AWARD FOR THE FORMER SOMERSWORTH POLICE STATION LOCATED AT 5 MAIN STREET

April 4, 2022

WHEREAS, the City Council adopted Resolution No. 22-21 which authorized the City Manager to enter into a grant agreement with the New Hampshire Department of Environmental Services to accept a cleanup grant award for the former Somersworth Police Station located at 5 Main Street; and

WHEREAS, the City of Somersworth received notification of a cleanup grant award of \$97,450 (Ninety-Seven Thousand Four Hundred Fifty dollars) from New Hampshire's Brownfields Revolving Loan Fund (RLF) for the purpose of funding the remediation of the former Somersworth Police Station located at 5 Main Street; and

WHEREAS, the City's consultant solicited proposals on behalf of the City from qualified contractors to provide cleanup services and the proposals received are higher than the project budget; and

WHEREAS, the New Hampshire Department of Environmental Services informed the City of Somersworth of their intent to modify the grant agreement by increasing the amount to \$149,895 (One Hundred Forty-Nine Thousand Eight Hundred Ninety-Five dollars) for an excess of \$52,445 (Fifty-Two Thousand Four Hundred Forty-Five dollars) in order to cover the funding gap resulting from contractor bids coming in higher than the original project budget;

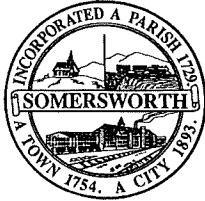
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to accept and execute any documents and a modified agreement necessary for the grant's acceptance and execution, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

Authorization

Sponsored by:
Mayor Dana S. Hilliard

Councilors:
David A. Witham
Richard R. Michaud
Donald Austin
Matt Gerding
Nancie Cameron
Martin Dumont
Martin Pepin

Approved:
City Attorney



City of Somersworth – Resolution

Resolution No: 33-22

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WICKSON CONSTRUCTION NH, LLC OF RYE, NH FOR THE REPLACEMENT OF A CULVERT ON ROCKY HILL ROAD

April 4, 2022

WHEREAS, the Somersworth Capital Improvement Program for fiscal years 2021 through 2026 contains a recommendation to replace the culvert on Rocky Hill Road; and

WHEREAS, the fiscal year 2020-2021 adopted budget contains an appropriation to replace the culvert on Rocky Hill Road; and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to Wickson Construction NH, LLC of Rye, NH for a cost not to exceed \$396,995 (Three Hundred Ninety-Six Thousand Nine Hundred Ninety-Five dollars); and

WHEREAS, the Finance Committee has reviewed the recommendation with City staff and supports the recommendation; and

WHEREAS, the Public Works and Environment Committee has reviewed the recommendation with City staff and supports the recommendation,

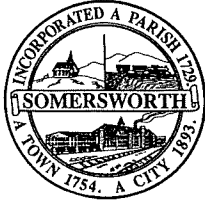
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Wickson Construction NH, LLC of Rye, NH to replace the culvert for an amount not to exceed \$396,995 (Three Hundred Ninety-Six Thousand Nine Hundred Ninety-Five dollars) and to take any actions relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Richard R. Michaud
Martin Pepin
Matt Gerding
Kenneth S. Vincent

Approved:
City Attorney



City of Somersworth – Resolution

Resolution No: 34-22

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH ENVIROVANTAGE OF EPPING, NH FOR THE ABATEMENT AND REMOVAL OF ASBESTOS, PCBS, AND A FUEL OIL TANK AT THE FORMER SOMERSWORTH POLICE STATION LOCATED AT 5 MAIN STREET

April 4, 2022

WHEREAS, the Somersworth City Council adopted Resolution 22-21 authorizing the City Manager to enter into a grant agreement with the New Hampshire Department of Environmental Services to accept a cleanup grant award for the former Somersworth Police Station located at 5 Main Street; and

WHEREAS, the City's consultant engineer for the project solicited proposals from qualified contractors for the abatement and removal of asbestos, PCBs, and a fuel oil tank; and

WHEREAS, the City's consultant engineer for the project reviewed the proposals received and recommends awarding the contract to EnviroVantage of Epping, NH for an amount of \$123,895 (One Hundred Twenty-Three Thousand Eight Hundred Ninety-Five Dollars);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with EnviroVantage of Epping, NH for an amount of \$123,895 (One Hundred Twenty-Three Thousand Eight Hundred Ninety-Five Dollars) for the abatement and removal of asbestos, PCBs, and a fuel oil tank at the former Somersworth Police Station located at 5 Main Street and to take any other action relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by:
Mayor Dana S. Hilliard
Councilors:
Martin Pepin
Donald Austin
Richard R. Michaud
David A. Witham
Matt Gerding
Nancie Cameron
Denis Messier
Martin P. Dumont, Sr.

Approved:
City Attorney