



City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, December 12, 2022
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
 - Ordinance 8-23** – To Amend Chapter 19 – Zoning, Table Uses 4.A.1, Footnote # 2
5. Comments by Visitors
6. Consent Calendar
 - A. Approve Minutes of the City Council & Joint School Board Meeting held on October 18, 2022
 - B. Approve Minutes of the City Council Meeting held on November 14, 2022
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 Confirmation Vote:
 - A. Ronald LeHoullier re-appointed to Planning Board term to expire January 2026
 - Nominations being introduced for a Council Confirmation Vote:
 - A. Paul Hackworth Jr. as At Large School Board Member with a term to expire at the conclusion of the next Municipal Election

14. Lay on the Table

OTHER

- A. Vote to Approve Issuing a Request for Qualifications (RFQ) for the Purchase and Development of the National Guard Readiness Property for Residential Use (Requested by the National Guard Building Reuse Commission)

15. Unfinished Business

ORDINANCES

- A. **Ordinance 7-23** – City Council Meeting Schedule for 2023
- B. **Ordinance 8-23** – To Amend Chapter 19 – Zoning, Table Uses 4.A.1, Footnote # 2

RESOLUTIONS

- A. **Resolution 18-23** - To Authorize the City Manager to Enter into An Amended Agreement with the State Of New Hampshire Division of Historical Resources and to Accept an Additional Moose Plate Program Grant Award

16. New Business

ORDINANCES

- A. **Ordinance 9-23** – Supplemental Appropriation to Replace the School Zone Warning Lights on Maple Street and High Street

RESOLUTIONS

- A. **Resolution 20-23** - To Authorize the City Manager to Prepare Bid Specifications for Crack Sealing of Selected City Streets
- B. **Resolution 21-23** – To Authorize the City Manager to Accept the New Hampshire Department of Environmental Services Cybersecurity Implementation Grant
- C. **Resolution 22-23** - Proclamation Declaring January Diversity Month in the City of Somersworth
- D. **Resolution 23-23** – To Authorize the City to Use Funding from The Municipal and Transportation Fund to Replace the School Zone Warning Lights on Maple Street and High Street

OTHER

- A. Vote to Authorize the Sale of City Surplus Property-per Administrative Code, Chapter 29, Section 8.5, Disposal of City Property: Vehicles (2)
- B. To Authorize the City Manager to sign a Temporary Access Permit with Eversource for access onto property located at 100 Hide-Away Place (the Oaks Golf Course property).

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: 7-23

CITY COUNCIL MEETING SCHEDULE FOR 2023

November 14, 2022

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT, in accordance with Chapter 3.7 of the City Charter which provides that the City Council's "regular meetings shall be held on the first and third Monday of the month at 7:00 p.m. unless otherwise designated by Ordinance..." and Chapter 6, City Officials, Section 6.8.2 of the City Ordinances which also provides that the "City Council shall meet in regular session on the first and third Mondays of each month at 7:00 p.m., unless otherwise agreed on by a majority of the members of the Council" that the City Council Meeting schedule for 2023 shall be as follows:

- Monday, January 9th and Monday, January 23rd
- Monday, February 6th and Tuesday, February 21st
- Monday, March 6th and Monday March 20th
- Monday, April 3rd and Monday, April 17th
- Monday, May 1st and Monday, May 15th
- Monday, June 5th and Tuesday, June 20th
- Monday, July 10th
- Monday, August 7th
- Tuesday, September 5th and Monday September 18th
- Monday, October 9th and Monday, October 23rd
- Monday, November 13th
- Monday, December 11th

This Ordinance shall take effect upon passage.

Authorization

Sponsored by:
Mayor Dana S. Hilliard

Approved:
City Attorney

City of Somersworth – Ordinance 7-23

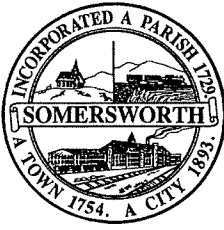
History			
First Read Date:	11/14/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

11/14/2022

Ordinance 7-23 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 7-23		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 8-23

**TO AMEND CHAPTER 19 – ZONING, TABLE OF USES 4.A.1,
FOOTNOTE #2**

November 14, 2022

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 Table of Uses – Table 4.A.1, Footnote # 2, New residential use is not allowed at the street level.

By adding the following:

Except within the Business District area starting at the intersection of Fayette Street and Main Street continuing along the length of the Business District until the Rollinsford Town line, this includes both sides of Main Street within the (B) District.

Note: The Planning Board made a motion to recommend to City Council to adjust the zoning ordinance as presented.

This Ordinance shall take effect upon passage.

Authorization

Sponsored by Councilor:

David A. Witham

Approved:

City Attorney

City of Somersworth – Ordinance 8-23

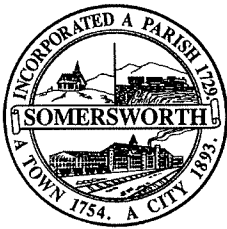
History			
First Read Date:		Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

11/14/2022

Ordinance 8-23 will remain in first reading until the call of the Chair. Public Hearing scheduled for next City Council meeting.

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 8-23	PASSED FAILED



City of Somersworth – Resolution

Resolution No: **18-23**

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AMENDED AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES AND TO ACCEPT AN ADDITIONAL MOOSE PLATE PROGRAM GRANT AWARD

November 14, 2022

WHEREAS, the City Council adopted Resolution No. 12-22 on October 25, 2021 authorizing the City Manager to accept a Moose Plate Program Grant from the New Hampshire Division of Historical Resources in the amount of \$10,000 (Ten Thousand Dollars), to be used for replacing the Italianate Well House Roof at Forest Glade Cemetery, requiring no local matching funds, and

WHEREAS, City Staff solicited bids from qualified contractors for the project, and

WHEREAS, the project bids received were in excess of the \$10,000 (Ten Thousand Dollar) grant amount awarded to the City from the New Hampshire Moose Plate Grant Program, and

WHEREAS, City Staff applied for additional funds to complete the restoration and received notification the City was awarded an additional grant in the amount of \$15,000 (Fifteen Thousand Dollars) for a total project award of \$25,000 (Twenty-Five Thousand Dollars),

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into an agreement with the New Hampshire Division of Historical Resources for an additional Moose Plate Program Grant, and to execute any documents and agreements necessary for the grant's 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 Councilors:

David A. Witham
Denis Messier
Nancie Cameron
Richard Michaud
Donald Austin
Martin Pepin
Kenneth Vincent

Approved:

City Attorney

City of Somersworth – Resolution 18-23

History

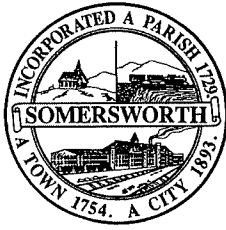
First Read Date:		Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

11/14/2022

Resolution 18-23 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	XX/XX/22	Resolution 18-23	PASSED FAILED



City of Somersworth – Ordinance

Ordinance No: 9-23

SUPPLEMENTAL APPROPRIATION TO REPLACE THE SCHOOL ZONE WARNING LIGHTS ON MAPLE STREET AND HIGH STREET

December 12, 2022

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 22-23 is amended as follows:

Appropriate \$40,000 (Forty Thousand dollars) from the Municipal and Transportation Fund to the Capital Outlay Budget as follows;

Original Budget	Amendment	Revised Budget
\$ 167,459	\$ 40,000	\$ 207,459

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Kristen LaPanne
City Clerk

Background:

This ordinance appropriates funding from the Municipal and Transportation Fund for the replacement of School Zone Warning lights on Maple Street and High Street.

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 passage.

Authorization

Sponsored by Councilor:

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

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **20-23**

TO AUTHORIZE THE CITY MANAGER TO PREPARE BID SPECIFICATIONS FOR CRACK SEALING OF SELECTED STREETS

December 12, 2022

WHEREAS the City of Somersworth’s Capital Improvement Plan recommends road preventative and general maintenance of streets in the City, and

WHEREAS the City has prioritized street repair using the BETA Pavement Condition Assessment Program, and

WHEREAS the Public Works and Environment Committee reviewed staff recommended streets to be included for crack sealing preventative maintenance, and now, therefore, supports the following:

Maple Street (Backwater Road to Linden Street)
Hillside Street (Winter Street to Maple Street)
Washington Street (High Street to Main Street)
Kilda Street (Route 108 to Cecile Street)
Cecile Street (Blackwater Road to Kilda Street)
Blackwater Road (Dover Line to High Street)
Salmon Falls Road (Eddy Bridge to Rochester Line)
High Street (section between Stackpole Road and Commercial Drive)

NOW, THEREFORE, BE IT RESOLVED THAT 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 for crack sealing of the aforementioned streets and take any other actions relative to this project determined to be in the best interest of the City.

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



City of Somersworth – Resolution

Resolution No: 21-23

TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES CYBERSECURITY IMPLEMENTATION GRANT

December 12, 2022

WHEREAS the City contracted with ATOM Group to conduct a Cybersecurity Audit at the City’s Water and Wastewater Treatment Facilities and the City was provided a list of recommendations to increase security, titled “SCADA Testing Results”; and

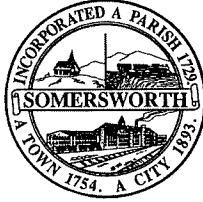
WHEREAS the City of Somersworth applied for an American Rescue Plan Act (ARPA) Cybersecurity Implementation Grant Program through the New Hampshire Department of Environmental Services to address the list of recommendations provided in the City’s cybersecurity assessment; and

WHEREAS the City of Somersworth has been notified that they have been awarded a Grant, with no local match required, in the amount of \$41,966 (Forty-One Thousand Nine Hundred Sixty-Six Dollars) to implement the recommendations identified in the City’s cybersecurity assessment at the City’s Water and Wastewater Treatment Facilities; and

WHEREAS the Finance Committee reviewed this Grant award with City staff at their November 29, 2022 meeting and recommends acceptance of the Grant;

NOW, THEREFORE, BE IT RESOLVED THAT BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to accept the New Hampshire Department of Environmental Services Cybersecurity Implementation Grant and take any other actions relative to this project determined to be in the best interest of the City.

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



City of Somersworth – Resolution

Resolution No: 22-23

PROCLAMATION DECLARING JANUARY DIVERSITY MONTH IN THE CITY OF SOMERSWORTH

December 12, 2022

WHEREAS, January 15, 2023 will mark the 94th 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, 2023 be Diversity and Equality Month in the City of Somersworth and that the City of Somersworth along with all of its citizens hereby recommits itself to the fulfillment of Rev. Martin Luther King, Jr.’s “Dream.”

Authorization

Sponsored by:

Mayor Dana S. Hilliard

Councilors:

David A. Witham

Donald Austin

Richard R. Michaud

Nancie Cameron

Kenneth S. Vincent

Martin Pepin

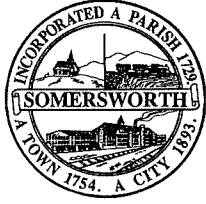
Robert Gibson

Matthew Gerding

Denis Messier

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **23-23**

TO AUTHORIZE THE CITY TO USE FUNDING FROM THE MUNICIPAL AND TRANSPORTATION FUND TO REPLACE THE SCHOOL ZONE WARNING LIGHTS ON MAPLE STREET AND HIGH STREET

December 12, 2022

WHEREAS, the School Zone Warning lights on Maple Street and High Street are aged and in poor condition; and

WHEREAS, City Staff solicited quotes to replace the School Zone Warning lights with modern equipment utilizing present day standards and powered using solar technology; and

WHEREAS, City Staff recommends contracting with S.U.R. Construction of Rochester, NH to replace the School Zone Warning lights utilizing software that is consistent with the other school zones in the City; and

WHEREAS, the Public Works and Environment Committee reviewed this recommendation with City Staff and supports contracting with S.U.R. Construction; and

WHEREAS, the Finance Committee reviewed this recommendation with City Staff and supports contracting with S.U.R. Construction for an amount not to exceed \$40,000 (Forty Thousand dollars); and

WHEREAS, the Finance Committee recommends utilizing the Municipal and Transportation Fund for this project; and

WHEREAS, the City Council is designated as agents to expend these funds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize an amount not to exceed \$40,000 (Forty Thousand dollars) from the Municipal and Transportation Fund to replace the School Warning lights on Maple Street and High Street.

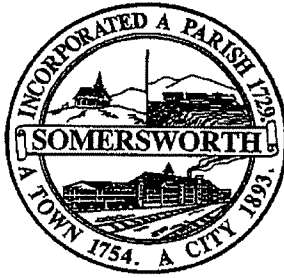
Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Richard R. Michaud
Kenneth S. Vincent
Martin Pepin
Matthew Gerding
Denis Messier

Approved:

City Attorney



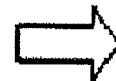
City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Ronald LeHoullier
Telephone: 603.841.5669 Email: rmlehoullier@comcast.net
Residence Address: 43 Davis St
Mailing Address (if different): _____
Resident of Somersworth for 62 Years Ward 4
Registered Voter: Yes No
Education Level: Portsmouth Shipyard Apprentice graduate
Please list any organizations, groups, or other committees you are involved in:
Somersworth Festival Association volunteer
St. Ignatius of Loyola parish choir
I am interested in serving on the following Board, Commission or Committee (s):
Planning Board

My Background or Interests are: 32 year member of
land use boards, zoning & planning

over



I have served on the following Committee (s) in the past: 20 years on zoning board, 22 years on planning board 2000-2022
1990-2010

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: Ronald McFadden

Date: 11.15.22

**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: Paul Hackworth jr

Telephone: 603-556-1070 Email: Paullloyd13@gmail.com

Residence Address: 43 mt auburn st

Mailing Address (if different): _____

Resident of Somersworth for 2 Years Ward 4

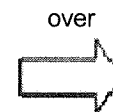
Registered Voter: Yes No

Education Level:
Some college

Please list any organizations, groups, or other committees you are involved in:

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

My Background or Interests are: I work in the building security, fire alarm and camera



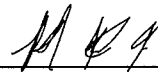
I have served on the following Committee (s) in the past: School board Ward 1 representative

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: 5/5/22

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