

City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, February 6, 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
5. Comments by Visitors
6. Consent Calendar
 - A. Approve Minutes of the City Council Goal Setting Session held on January 30, 2023
 - B. Approve Minutes of the City Council Meeting held on January 30, 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. Nominations Requiring a Council Confirmation Vote:
 - A. Richard Brooks, re-appointment to the Historical District Commission with a term to expire February 2026
15. Lay on the Table
16. Unfinished Business

RESOLUTIONS

- A. **Resolution 27-23** – To Authorize the City Manager to Contract with BETA Group, Inc. for Engineering and Design Services for a Water Main Replacement Project on Main Street

- B. **Resolution 28-23** – To Authorize the City Manager to Contract with Wright Pierce Engineering of Portsmouth, NH for Planning and Design Services Associated with Future Water Treatment Facility Upgrades

17. New Business

ORDINANCES

- A. **Ordinance 14-23** – Supplemental Appropriation for Unanticipated Heating Systems Replacement Projects at the Police Station and Department of Public Works Facility

RESOLUTIONS

- A. **Resolution 29-23** – To Authorize the City to Use Funding from the Building Maintenance Fund for the Unanticipated Replacement of the Heating Systems at the Police Station and Department of Public Works Facility
- B. **Resolution 30-23** – To Provide Guidance for Qualified Developers in Submitting Proposals for Reuse of the National Guard Readiness Center on Blackwater Road in Somersworth, NH

OTHER

- A. A motion to reconsider Ordinance 10-23 To Amend Chapter 14 Licenses and Permits, Sections 14.2 Permits, 14.3 fees, 14.6 application, 14.7 and 14.8 (Requested by Councilor David A. Witham)
- B. In Accordance with Resolution 31-21, the City Council to Provide Guidance for Budget Preparation for the Use of Fund Balance as Part of the School Department Budget; the City Council Votes to Authorize the Use of \$100,000 of the Anticipated School Department FY 2023 Unexpended Funds/Surplus Funds as a Revenue Source as Part of the School Department/School Board FY 2023-2024 Budget
- C. Superfund Site Solar Array: City Council Vote to Assume Potential Risks Associated with Any Solar Array Panel Removal Due to Required Repairs Associated with the Superfund Cleanup Process if Directed by the Environmental Protection Agency (EPA) and/or the NH Department of Environmental Services

18. Comments by Visitors

19. Closing Comments by Council Members

20. Future Agenda Items

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

22. Adjournment



City of Somersworth – Resolution

Resolution No: **27-23**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH BETA GROUP, INC. FOR ENGINEERING AND DESIGN SERVICES FOR A WATER MAIN REPLACEMENT PROJECT ON MAIN STREET

January 23, 2023

WHEREAS, the City of Somersworth’s fiscal year 2022-2023 adopted Water Enterprise Budget contains an appropriation for engineering and design services for the replacement of the water main on Main Street; and

WHEREAS, City staff requested and received proposals for this project and recommends awarding the contract to BETA Group, Inc. of Manchester, New Hampshire for a cost not to exceed \$100,000 (One Hundred Thousand 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 BETA Group, Inc. of Manchester, New Hampshire for engineering and design services for the replacement of the water main on Main Street for an amount not to exceed \$100,000 (One Hundred Thousand 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
Matt Gerding
Martin Pepin
Denis Messier

Approved:

City Attorney

City of Somersworth – Resolution 27-23

History

First Read Date:	1/30/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

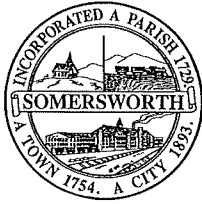
Discussion

1/30/2023

Clerk LaPanne performed a first reading of Resolution 27-23.

Resolution 27-23 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		



City of Somersworth – Resolution

Resolution No: **28-23**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH WRIGHT PIERCE ENGINEERING OF PORTSMOUTH, NH FOR PLANNING AND DESIGN SERVICES ASSOCIATED WITH FUTURE WATER TREATMENT FACILITY UPGRADES

January 23, 2023

WHEREAS, the City of Somersworth’s fiscal year 2022-2023 adopted Water Enterprise Budget contains an appropriation for planning and design services associated with future Water Treatment Facility upgrades; and

WHEREAS, City staff requested and received a proposal for this project and recommends awarding the contract to Wright Pierce Engineering of Portsmouth, NH for a cost not to exceed \$150,000 (One Hundred Fifty Thousand 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 Wright Pierce Engineering of Portsmouth, NH for the planning and design of future Water Treatment Plant upgrades for an amount not to exceed \$150,000 (One Hundred Fifty Thousand 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
Matt Gerding
Martin Pepin
Denis Messier

Approved:

City Attorney

City of Somersworth – Resolution 28-23

History

First Read Date:	1/30/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

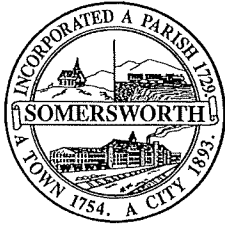
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1/30/2023

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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		



City of Somersworth – Ordinance

Ordinance No: 14-23

SUPPLEMENTAL APPROPRIATION FOR UNANTICIPATED HEATING SYSTEMS REPLACEMENT PROJECTS AT THE POLICE STATION AND DEPARTMENT OF PUBLIC WORKS FACILITY

February 6, 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 22-23 is amended as follows:

Appropriate \$47,410 (Forty-Seven Thousand Four Hundred Ten dollars) from the Building Maintenance Fund to the Capital Outlay Budget as follows:

Budget	Amendment	Revised Budget
\$ 207,459	\$ 47,410	\$ 254,869

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 Building Maintenance Fund to replace the heating systems at the Police Station and the Department of Public Works Facility.

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.

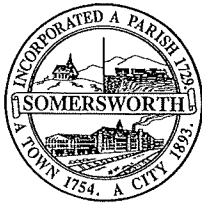
Authorization

Sponsored by Councilor:

David A. Witham
Donald Austin
Matt Gerding
Richard Michaud

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **29-23**

TO AUTHORIZE THE CITY TO USE FUNDING FROM THE BUILDING MAINTENANCE FUND FOR THE UNANTICIPATED REPLACEMENT OF THE HEATING SYSTEMS AT THE POLICE STATION AND DEPARTMENT OF PUBLIC WORKS FACILITY

February 6, 2023

WHEREAS, the Somersworth City Council adopted Resolution 23-12 on April 16, 2012 to create a Non-Capital Reserve Fund known as the Building Maintenance Fund for the purpose of unanticipated and/or unplanned building maintenance for City and School Facilities, and

WHEREAS, the Police Station and Department of Public Works Facility incurred failures of the heating systems which required replacement to properly heat these facilities during the winter months; and

WHEREAS, City Staff solicited quotes and recommended using ProHVAC of Dover, NH for the replacement of the heating system units at each facility; and

WHEREAS, the Finance Committee reviewed this recommendation with City Staff and authorized staff to contract with ProHVAC for an amount not to exceed \$55,000, \$40,000 for the Police Facility and \$15,000 for the Public Works Facility, and to make the repairs as soon as possible; and

WHEREAS, the actual cost for the repairs at both facilities is \$47,410 (Forty-Seven Thousand Four Hundred Ten dollars); and

WHEREAS, the Finance Committee recommends utilizing the Building Maintenance Fund for these repairs; 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 of \$47,410 (Forty-Seven Thousand Four Hundred Ten dollars), from the Building Maintenance Fund for the unanticipated replacement of the heating systems at the Police Station and Department of Public Works Facility.

Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Matt Gerding
Richard Michaud

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **30-23**

TO PROVIDE GUIDANCE FOR QUALIFIED DEVELOPERS IN SUBMITTING PROPOSALS FOR REUSE OF THE NATIONAL GUARD READINESS CENTER ON BLACKWATER ROAD IN SOMERSWORTH, NH

February 6, 2023

WHEREAS, the Somersworth City Council directed the City Manager and the City Council’s Economic Development Committee to solicit requests for reuse proposals from qualified developers for the former National Guard Readiness Center on Blackwater Road at a workshop held on Monday, January 30, 2023; and

WHEREAS, the proposals will seek reuse of the property for either residential or recreational purposes; and

WHEREAS, the current property is approximately a 7.28 acre lot comprising some open space, a 12,459 square foot assembly building, a 5,689 square foot maintenance garage, parking areas and a Little League Baseball Field and associated field amenities (concession, storage shed, batting cages, dugout, score booth); and

WHEREAS, the proposals may consider the full development of the site including the ball field or development of the site not including the ball field, or both; and

WHEREAS, use of the entire site would be noted as development **OPTION A** as identified on the attached map and use of the site excluding the ball field and associated support infrastructure (parking, concessions, etc.) would be identified as **OPTION B** as identified on the attached map; and

WHEREAS, qualified developers responding to OPTION A shall establish a plan for relocating the Little League Field to the site of the current softball field at Millennium Park to include needed reconstruction of the Millennium Park field into a regulation Little League Field to include irrigation, dugouts, a combined concession/score booth/storage room equal in size to existing amenities at the current site,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager will seek reuse development proposals from qualified developers in line with property utilization either identified as OPTION A or OPTION B as outlined and delineated on the attached maps.

Authorization

Sponsored by:

Mayor Dana S. Hilliard
Councilor David A. Witham

Approved:

City Attorney