



City of Somersworth
City Council Meeting
Monday, January 4, 2021

Due to the State of Emergency declared by the Governor and in accordance with the Governor's Emergency Order # 12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. This meeting will be held via Zoom online platform. The public is asked to submit comments via email to jslaven@somersworth.com or bbelmore@somersworth.com. Comments must be received not later than 4:00 PM the day of the City Council meeting. The meeting can be viewed via the Local Government Cable Access Ch. 22 (Comcast) as well as via live stream at the City's website www.somersworth.com. The public can access the meeting and listen live by telephoning any of the following numbers and then adding webinar I.D # 823 0778 5491

1 (312) 626-6799 or, 1(646) 558-8656 or, 1 (301) 715-8592 or, 1 (346) 248-7799 or,
1 (669) 900-9128 or, 1 (253) 215-8782

* If any member of the public has difficulty accessing the meeting by phone or viewing the meeting on the Local Government Access Channel or live stream, please call 603-692-3131 to report the issue.

7:00 p.m. City Council Meeting

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on December 14, 2020
6. Comments by City Councilors
7. Communications
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 Elections

Mayoral Appointments not Requiring a Council Vote:

- A. Roland Lapointe for Re-Appointment as a Somersworth Housing Authority Commissioner with a term to expire January, 2026

Nominations requiring a Council Confirmation Vote:

- B. Michelle Mears, Director of Planning & Community Development City as the Representative to the Strafford MPO Technical Advisory Committee – term to expire June 30, 2021

13. Lay on the Table

ORDINANCES

- A. **Ordinance No. 7-21** - To Amend Chapter 6 – City Officials, Section 6.6.2.4, Public Safety Committee

14. Unfinished Business

ORDINANCES

- A. **Ordinance No. 5-21** - To Amend Chapter 19 – Zoning, Definitions, Section 25.B, Agricultural Use (Referred to Public Works & Environment Committee 12/14/2020)

RESOLUTIONS

- A. **Resolution No. 13-21** - To Authorize the City to Use Funding from the Furber Memorial Chapel Expendable Trust Fund as a Portion of the City's Match to a Land and Community Heritage Investment Program Grant for the Roof Restoration Project on the Furber Memorial Chapel

15. New Business

RESOLUTIONS

- A. **Resolution No. 21-21** – To Notify the City Tax Collector that the City Council Shall Not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien
- B. **Resolution No. 22-21** – To Notify the Tax Collector that the City Council Shall Not Accept a Tax Deed on Properties Located on Wexford Lane and Blackwater Road Subject to an Unredeemed Tax Lien
- C. **Resolution No. 23-21** - City Council Vote to Conditionally Lay Out Nadeau Street as a Class V Roadway Subject to the Condition that this Vote is Not Final Until the City Council

Receives Certification from the City Engineer That All Improvements Have Been Made to City Standards

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: 7-21

TO AMEND CHAPTER 6 – CITY OFFICIALS, SECTION 6.6.2.4, PUBLIC SAFETY COMMITTEE

September 21, 2020

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:

Remove Section 6.6.2.4 in entirety and replace with:

Section 6.6.2.4 Public Safety Committee

The purpose of the Committee is to consider matters relating to Police and Fire services and other emergency response needs of the City, as well as other matters referred to it. In order to be proactive and to continuously improve our quality of life, the Committee may also provide recommendations and guidance for Police, Fire, and other emergency operations in delivering services ethically and effectively to ensure the safety and security of the Public; and Public Trust is not compromised.

This Ordinance will take effect upon passage.

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

City of Somersworth – Ordinance 7-21

History

First Read Date:	09/21/2020	Tabled:	10/19/2020
Public Hearing:	10/19/2020	Removed From Table:	
Second Read:	10/05/2020		

Discussion

Ordinance No. 7-21 will remain in first read until the call of the Chair.

10/05/2020

Councilor Witham moved to refer Ordinance No. 7-21 to the Public Safety Committee. The motion was seconded by Councilor Vincent and passed 8-0 by voice vote.

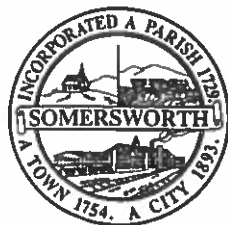
10/19/2020

Councilor Paradis made a motion to approve amendments to Ordinance No. 7-21 as endorsed by the Public Safety Committee. The motion was seconded by Councilor Pepin and passed 9-0 by voice vote.

Councilor Witham made a motion to table. The motion was seconded by Councilor Dumont and passed 9-0 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	Paradis		
TOTAL VOTES:			
On / / Ordinance 7-21		PASSED	FAILED

City of Somersworth – Resolution



Resolution No: 13-21

TO AUTHORIZE THE CITY TO USE FUNDING FROM THE FURBER MEMORIAL CHAPEL EXPENDABLE TRUST FUND AS A PORTION OF THE CITY'S MATCH TO A LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM GRANT FOR THE ROOF RESTORATION PROJECT ON THE FURBER MEMORIAL CHAPEL

October 19, 2020

WHEREAS, the City Council adopted Resolution 25-20 to authorize the City Manager to enter into a grant agreement with the State of New Hampshire for a Land and Community Heritage Investment Program Grant to replace and restore the roof on the Furber Memorial Chapel, and

WHEREAS, city staff received bids for this project from qualified contractors and recommended awarding the project to Alden Bailey Restoration Corp. of Ridgefield, Connecticut, and

WHEREAS, the Finance Committee reviewed this recommendation from staff and authorized awarding the contract for this project to Alden Bailey Restoration Corp. for an amount not to exceed \$55,000 (Fifty-Five Thousand dollars) including contingency, and

WHEREAS, to complete this project the City is required to provide a 50% match in the amount of \$27,500 (Twenty-Seven Thousand Five Hundred dollars), and

WHEREAS, it is recommended that the City utilize the full balance available in the Furber Memorial Chapel Expendable Trust Fund to provide a portion of the City's match in the amount of approximately \$10,000 (Ten Thousand dollars) and close the fund,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize the full balance available in the Furber Memorial Chapel Expendable Trust Fund to provide a portion of the City's match for the roof restoration project on the Furber Memorial Chapel.

Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Martin Pepin
Martin Dumont, Sr.

Approved:

City Attorney

City of Somersworth – Resolution 13-21

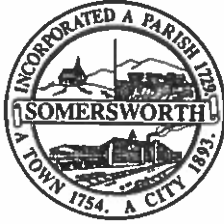
History			
First Read Date:	10/19/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

10/19/2020

Resolution No. 13-21 will remain in first read 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	Paradis		
TOTAL VOTES:			
On	Resolution 13-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **21-21**

TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN

January 4, 2021

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
90 Colonial Village	81-90M
37 Crystal Springs Way	82-12M
92 Crystal Springs Way	82-36M
73 Crystal Springs Way	82-49M
65 Crystal Springs Way	82-57M
28 Dudley Court	83-35M
124 Sherwood Glen	87-124M
207 Sherwood Glen	87-207M
208 Sherwood Glen	87-208M
409 Sherwood Glen	87-409M
629 Sherwood Glen	87-629M
703 Sherwood Glen	87-703M

Authorization

Sponsored by:

Councilors:

David A. Witham

Donald Austin

Martin Pepin

Martin P. Dumont

Approved:

City Attorney

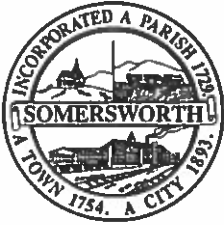
City of Somersworth – Resolution 21-21

History

First Read Date:	01/04/2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

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 21-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 22-21

TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTIES LOCATED ON WEXFORD LANE AND BLACKWATER ROAD SUBJECT TO AN UNREDEEMED TAX LIEN

January 4, 2021

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
5 Wexford Lane	35-12A
7 Wexford Lane	35-12B

Note – It is believed that these properties contain contaminated soils and /or buried debris and an uninhabitable mobile home.

Authorization

Sponsored by:

Councilors:
David A. Witham
Donald Austin
Martin Pepin
Martin P. Dumont

Approved:

City Attorney

City of Somersworth – Resolution 22-21

History

First Read Date:	01/04/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

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 22-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 23-21

CITY COUNCIL VOTE TO CONDITIONALLY LAY OUT NADEAU STREET AS A CLASS V ROADWAY SUBJECT TO THE CONDITION THAT THIS VOTE IS NOT FINAL UNTIL THE CITY COUNCIL RECEIVES CERTIFICATION FROM THE CITY ENGINEER THAT ALL IMPROVEMENTS HAVE BEEN MADE TO CITY STANDARDS

January 4, 2021

WHEREAS, the City Council adopted Resolution 8-21 to establish a betterment assessment for the purpose of reconstructing Nadeau Street and accepting it as a City street, and

WHEREAS, the three (3) properties abutting Nadeau Street have executed an agreement with the City agreeing to the terms of the betterment assessment created by Resolution 8-21, and

WHEREAS, the recommended work and improvements necessary to bring Nadeau Street up to City standards are out to bid and work is anticipated to occur in the spring of 2021,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council votes to conditionally lay out Nadeau Street as a Class V roadway subject to the condition that the vote is not final until the following conditions are met;

- The City Council receives from the City Engineer, certification that all recommended work and improvements on the road have been completed to City road standards, and
- All steps have been taken to secure the agreed upon repayment of costs of this work by the road abutters through Betterment Assessments.

Authorization

Sponsored by:
Martin Pepin
Kenneth Vincent
Martin P. Dumont, Sr.
Donald Austin
Richard Michaud
David A. Witham
Matthew Gerding
Nancie Cameron
Crystal Paradis

Approved:
City Attorney

City of Somersworth – Resolution 23-21

History

First Read Date:	01/04/2021	Tabled:	
Public Hearing:		Removed from Table:	
Second Read:			

Discussion

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:			
Resolution 23-21		PASSED	FAILED