



City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, January 9, 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
 - A. **Ordinance 9-23** – Supplemental Appropriation to Replace the School Zone Warning Lights on Maple Street and High Street.
5. Comments by Visitors
6. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on December 12, 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 Being Introduced for a Council Confirmation Vote:
 - A. Chris Horton, Commissioner for the Strafford Regional Planning Commission, with a term to expire January 2027
 - Nominations Requiring a Council Confirmation Vote:
 - A. Ronald LeHoullier, re-appointment to the Planning Board with a term to expire January 2026

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 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 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

16. New Business

ORDINANCES

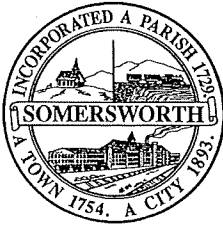
- A. **Ordinance 10-23** – To Amend Chapter 14 Licenses and Permits, Sections 14.2 Permits, 14.3 Fees, 14.6 Applications, 14.7 and 14.8
- B. **Ordinance 11-23** – To Amend Chapter 29 Administrative Code, Section 29.4.9 Traffic Safety Committee
- C. **Ordinance 12-23** – To Amend Chapter 19 Zoning, Section 21 Circulation & Parking Regulations A.1 and A.2
- D. **Ordinance 13-23** – To Amend Chapter 19 Zoning, Section 32 Form Based Codes

RESOLUTIONS

- A. **Resolution 24-23** – To Authorize the City Manager to Enter into an Amended Project Agreement with the New Hampshire Department of Transportation to Increase the Transportation Alternatives Program Grant Award
- B. **Resolution 25-23** – To Authorize the City to Use Funding from the Municipal and Transportation Fund for the Local Match of Additional Funding for the Transportation Alternatives Program Grant
- C. **Resolution 26-23** – To Authorize the City Manager to Award Contracts for the Construction and Construction Engineering for the Improvements Associated with the Transportation Alternatives Program Grant

OTHER

- A. Update on the Emergency Warming Center Operations and Request for Sunday Operations
- 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: 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 – Ordinance 9-23

History

First Read Date:	12/12/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

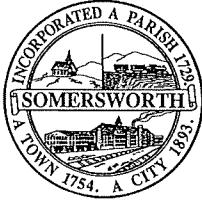
Discussion

12/12/2022

Clerk LaPanne performed a first reading of Ordinance 9-23.

Ordinance 9-23 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 9-23		PASSED	FAILED



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

Sponsored by Councilors:

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

Approved:

City Attorney

City of Somersworth – Resolution 20-23

History

First Read Date:	12/12/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

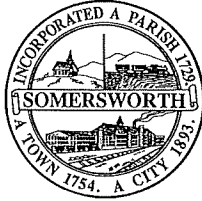
Discussion

12/12/2022

Clerk LaPanne performed a first reading of Resolution 20-23.

Resolution 20-23 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 / / Resolution 20-23		PASSED	FAILED



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

Sponsored by Councilors:

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

Approved:

City Attorney

City of Somersworth – Resolution 21-23

History

First Read Date:	12/12/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

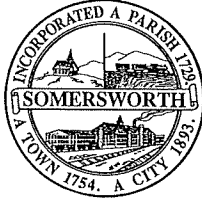
Discussion

12/12/2022

Clerk LaPanne performed a first reading of Resolution 21-23.

Resolution 21-23 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 / / Resolution 21-23		PASSED	FAILED



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 – Resolution 23-23

History

First Read Date:	12/12/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

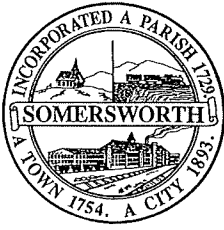
Discussion

12/12/2022

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

Resolution 23-23 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 / / Resolution 23-23		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 10-23

TO AMEND CHAPTER 14 LICENSES AND PERMITS, SECTIONS 14.2 PERMITS, 14.3 FEES, 14.6 APPLICATION, 14.7 and 14.8.

January 9, 2023

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 14, Section 14.2 Permits, by deleting it in its entirety and replace with:

Persons or organizations shall obtain a permit from the Licensing Board for the following purposes:

1. Solicit funds for charitable purposes.
2. Erect banners or signs related to a special event.
3. Tag (donation solicitation) days.
4. Conduct parades or processions, festivals or races, walk-a-thons, public demonstration or protest on public property or highway.
5. Conduct a carnival, tent show, fair, circus, public dance, dance exhibition or demonstration, live music shows, disc jockey, karaoke, or other amplified music event in which the public is invited for pay to attend or attendance is free.
6. The temporary closing of any City street or temporary use of any City property for the purpose of community related or private events. A certificate of insurance in the amount of \$1,000,000, acceptable to the City, that names the City of Somersworth as an additional insured shall be required. The Licensing Board, at its discretion, may require additional conditions at no cost to the City to include, but not limited to, a higher insurance binder amount, police or fire details, or other measures to ensure the public safety.

Amend Chapter 14, Section 14.3 Fees, by deleting it in its entirety and replace with:

Each applicant shall pay in advance for such license, for the use of the City as follows:

1. There will be a \$25.00 fee for each license issued, unless otherwise stated in another section, for each day or event, unless specifically waived by the Licensing Board.
2. License fees for carnivals, circuses, traveling tent shows and the like, shall be determined by the Board within the limits of NH RSA 286.

Amend Chapter 14, Section 14.6 Application, by deleting it in its entirety and replace with:

A written application for a permit must be submitted 30 (thirty) days prior to the date of the event. The application shall contain the following information:

- Name or Name of Organization
- Statement of permission from property owner
- Name, address and telephone number of Person in Charge
- Purpose
- Dates and times
- Specific location(s)
- Anticipated number of attendees
- Police detail secured if required
- Certificate of Insurance naming the City of Somersworth as additionally insured (if event is to take place on City property)
- Map of event set-up (tables, tents, stages, parking, restrooms, etc.)

Serving of alcoholic beverages shall require proof of proper State of NH Liquor Licensing permission and a police officer/s detail.

Any event requiring the use of a public way, publicly owned property, or any modification to parking regulations shall require a meeting with a Police Department representative as well as any necessary City staff as designated by the City Manager no later than 14 (fourteen) days prior to the event.

Amend Chapter 14, Section 14.7, by deleting it in its entirety and replace with:

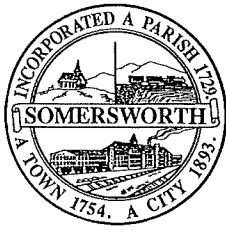
If the request would require a temporary waiver of any Planning or Zoning Regulations of the City, the Licensing Board shall first refer the application to the appropriate staff or Board for review and recommendation prior to deciding on the application.

Amend Chapter 14, Section 14.8, by deleting it in its entirety and replace with:

The permit when issued shall contain the effective date, expiration date, the purpose and the name, address, telephone number and email address of the responsible person.

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by Councilors:</i> Richard R. Michaud Matt Gerding Don Austin Nancie Cameron	<i>Approved:</i> City Attorney



City of Somersworth – Ordinance

Ordinance No: 11-23

TO AMEND CHAPTER 29 ADMINISTRATIVE CODE, SECTION 29.4.9 TRAFFIC SAFETY COMMITTEE

January 9, 2023

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 29, Section 29.4.9 Traffic Safety Committee, by deleting it in its entirety and replace with:

There is hereby established a Traffic Safety Committee consisting of ten members, said membership constituted as follows:

- Chief of Police (or designee)
- Chief of Fire (or designee)
- Superintendent of Schools (or designee)
- Director of Public Works (or designee)
- City Engineer
- Director of Planning & Community Development (or designee)
- Two members at large
- City Council member

The members at large shall be appointed by the Mayor, with the consent of the City Council, for three-year staggered terms, beginning July 1st of their respective years. The City Council member shall be appointed by the Mayor as part of the normal assignment of Council Standing Committees.

The Mayor and City Manager shall be ex-officio members of the Committee, without a vote in the Committee's deliberations.

The Chairman of the Traffic Safety Committee shall be designated by the Mayor.

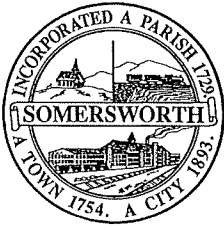
The Traffic Safety Committee is authorized to:

- (1) carry on a continuing study of the problems of highway safety and traffic law enforcement;
- (2) conduct conferences and hearings on various phases of highway safety;
- (3) appoint sub-committees to carry out designated responsibilities related to traffic safety;
- (4) develop and recommend highway safety programs to prevent motor vehicle accidents and enhance overall traffic safety;

- (5) review and make recommendations on all traffic safety and parking ordinances prior to action on those ordinances by the City Council;
- (6) submit a report of its activities to the Mayor and City Council by way of meeting minutes or Special Report.

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by Councilor:</i> Richard R. Michaud Matt Gerding Don Austin Nancie Cameron	<i>Approved:</i> City Attorney



City of Somersworth – Ordinance

Ordinance No: 12-23

**TO AMEND CHAPTER 19 ZONING, SECTION 21
CIRCULATION & PARKING REGULATIONS A.1 AND A.2**

January 9, 2023

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 Section 21.A.1. by adding the following:

For properties containing commercial uses and/or multifamily sites (three (3) residential units or more) the parking requirements shall follow the Site Plan Review Regulations.

Amend Chapter 19 Section 21.A.2. by deleting it in its entirety.

This Ordinance shall take effect upon passage.

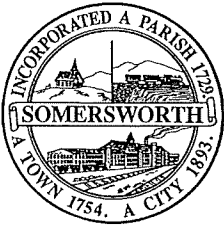
Authorization

Sponsored by Councilor:

David A. Witham

Approved:

City Attorney



City of Somersworth – Ordinance

Ordinance No: 13-23

TO AMEND CHAPTER 19 ZONING, SECTION 32 FORM BASED CODES

January 9, 2023

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, Section 32.F Dimensional Regulation by adding the following:

19.32.F.3 Where parcels that are not able to meet the dimensional regulations, an applicant may submit a Conditional Use Permit application.

19.32.F.4 Criteria for granting a Conditional Use Permit:

- a. Both public and private buildings and landscaping contribute to the aesthetic value of the right of way and provide civic spaces.
- b. Development adequately accommodates automobiles, while respecting the pedestrian and the spatial form of public areas.
- c. The design of streets and buildings reinforces a safe environment, but not at the expense of accessibility.
- d. The architecture and landscape designs are inspired by local climate, topography, history, and building practice.
- e. Civic spaces and public gathering places are provided as locations that reinforce community identity and activity

This Ordinance shall take effect upon passage.

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



City of Somersworth – Resolution

Resolution No: 24-23

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AMENDED PROJECT AGREEMENT WITH THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION TO INCREASE THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT AWARD

January 9, 2023

WHEREAS, the City Council adopted Resolution 43-17 on June 5, 2017 to authorize the City Manager to enter into a project agreement with the New Hampshire Department of Transportation for a Transportation Alternatives Program (TAP) Grant award; and

WHEREAS, the City requested bids from qualified contractors for the construction of the TAP project, however, the bid in conjunction with other costs associated with the project is in excess of the TAP Grant award by \$324,686 (Three Hundred Twenty Four Thousand Six Hundred Eighty Six dollars); and

WHEREAS, after review, the New Hampshire Department of Transportation informed the City that additional Grant funding has been made available and has amended the Grant award to the City by an additional \$259,749 (Two Hundred Fifty Nine Thousand Seven Hundred Forty Nine dollars) toward the project, such amount being 80% of the additional project costs; and

WHEREAS, the City will be responsible for the remaining 20% of the additional project costs, such amount being \$64,937 (Sixty Four Thousand Nine Hundred Thirty Seven 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 amended project agreement with the New Hampshire Department of Transportation to increase the Transportation Alternatives Program Grant award, and to take any and all other such actions relative to this grant and this project's completion determined to be in the best interest of the City.

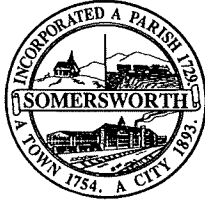
Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Nancie Cameron
Denis Messier
Matthew Gerding
Richard R. Michaud

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: 25-23

TO AUTHORIZE THE CITY TO USE FUNDING FROM THE MUNICIPAL AND TRANSPORTATION FUND FOR THE LOCAL MATCH OF ADDITIONAL FUNDING FOR THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT

January 9, 2023

WHEREAS, the City Council adopted Resolution 44-17 on June 5, 2017 to authorize the use of \$197,300 (One Hundred Ninety Seven Thousand Three Hundred dollars) from the Municipal and Transportation Fund for the local match of a Transportation Alternatives Program Grant (TAP Grant); and

WHEREAS, the City Council has been notified that the New Hampshire Department of Transportation has amended the Grant agreement to provide additional funding for the TAP Grant; and

WHEREAS, the Grant award requires an additional local match in the amount of \$64,937 (Sixty Four Thousand Nine Hundred Thirty Seven dollars); and

WHEREAS, the City Council intends to utilize funding for the additional matching funds from the Municipal and Transportation Fund; 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 \$64,937 (Sixty Four Thousand Nine Hundred Thirty Seven dollars) for the additional local match of a Transportation Alternatives Program Grant (TAP Grant) through the New Hampshire Department of Transportation.

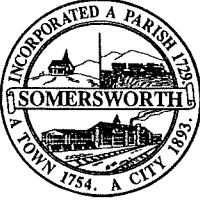
Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Nancie Cameron
Denis Messier
Matthew Gerding
Richard R. Michaud

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: 26-23

TO AUTHORIZE THE CITY MANAGER TO AWARD CONTRACTS FOR THE CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR THE IMPROVEMENTS ASSOCIATED WITH THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT

January 9, 2023

WHEREAS, the Somersworth City Council adopted Resolution 43-17 on June 5, 2017 to authorize the City Manager to enter into a grant agreement with the New Hampshire Department of Transportation for a Transportation Alternatives Program (TAP) Grant award for sidewalk improvements on High Street, Memorial Drive, and pathway improvements between Maplewood Elementary and Somersworth Middle School; and

WHEREAS, the City's consultant engineer for the project solicited proposals from qualified contractors to construct these improvements; and

WHEREAS, City staff solicited proposals from qualified consultants for the construction engineering and project inspection of these improvements; and

WHEREAS, these contracts for construction and construction engineering have been reviewed and authorized for award by the State of New Hampshire Department of Transportation as follows;

- Northeast Earth Mechanics, LLC of Pittsfield, NH for the construction of the TAP improvements for an amount of \$1,071,879 (One Million Seventy One Thousand Eight Hundred Seventy Nine dollars); and
- TEC, Inc. of Hampton, NH for construction engineering inspection for an amount of \$62,020 (Sixty Two Thousand Twenty dollars); and
- CMA Engineers of Portsmouth, NH for construction engineering design oversight for an amount of \$11,915 (Eleven Thousand Nine Hundred Fifteen dollars);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to award the contracts for the construction and construction engineering for the improvements associated with the Transportation Alternatives Program Grant and to take any other action relative to the grant and to this project determined to be in the best interest of the City.

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

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 4, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 10-23

**Title: TO AMEND CHAPTER 14, LICENSES AND PERMITS,
SECTIONS 14.2 PERMITS, 14.3 FEES, 14.6 APPLICATION,
14.7 AND 14.8**

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.

City Attorney

Date: 1/4/23

By: 

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 4, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 11-23

Title: TO AMEND CHAPTER 29 ADMINISTRATIVE CODE,
SECTION 29.4.9 TRAFFIC SAFETY COMMITTEE

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 1/4/23

By: 

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD -- OF COUNSEL

TELEPHONE (603) 524-3885

January 4, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 12-23

Title: TO AMEND CHAPTER 19 ZONING, SECTION 21 CIRCULATION
& PARKING REGULATIONS A.1 AND A.2

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 1/4/23

By: 

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 4, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 13-23

Title: TO AMEND CHAPTER 19 ZONING, SECTION 32
FORM BASED CODES

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 1/4/23

By: 

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 5, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Resolution No. 24-23

Title: **TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN
AMENDED PROJECT AGREEMENT WITH THE NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION TO INCREASE THE
TRANSPORTATION ALTERNATIVES PROGRAM GRANT AWARD**

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 1/5/23

By: 

MITCHELL MUNICIPAL GROUP, P.A.

ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 5, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Resolution No. 25-23

Title: **TO AUTHORIZE THE CITY TO USE FUNDING FROM THE MUNICIPAL AND TRANSPORTATION FUND FOR THE LOCAL MATCH OF ADDITIONAL FUNDING FOR THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT**

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: _____

1/5/23

By: _____



MITCHELL MUNICIPAL GROUP, P.A.
ATTORNEYS AT LAW
25 BEACON STREET EAST
LACONIA, NEW HAMPSHIRE 03246
www.mitchellmunicipalgroup.com

WALTER L. MITCHELL
LAURA A. SPECTOR-MORGAN
JOSEPH H. DRISCOLL, IV
NAOMI N. BUTTERFIELD – OF COUNSEL

TELEPHONE (603) 524-3885

January 5, 2023

CERTIFICATION

Re: City of Somersworth, New Hampshire

Resolution No. 26-23

Title: **TO AUTHORIZE THE CITY MANAGER TO AWARD CONTRACTS FOR THE CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR THE IMPROVEMENTS ASSOCIATED WITH THE TRANSPORTATION ALTERNATIVES PROGRAM TAP GRANT**

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced resolution. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 1/5/23

By: 