



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

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1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
  - A. Community Revitalization Tax Relief Incentive Program Application (City Ordinance, Chapter 31) from Somedowntown LLC, Mr. David Baker, for 60-64 High Street
4. Comments by Visitors
5. Consent Calendar
  - A. Approve Minutes of the City Council Workshop held on February 22, 2022
  - B. Approve Minutes of the City Council Meeting held on February 22, 2022
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 Election
  - Nominations Requiring a Council Confirmation Vote:
    - A. Kimberly Shoen for Appointment as a Member of the Historic District Commission with a term to expire February, 2025
    - B. Tim Metivier for Appointment as an Alternate Member of the Historic District Commission with a term to expire February, 2025
13. Lay on the Table

14. Unfinished Business

15. New Business

ORDINANCES

A. **Ordinance No. 8-22** - To Amend Chapter 17, Forest Glade Cemetery, Section 17.4

RESOLUTIONS

B. **Resolution No. 25-22** – To Affirm Support of Ukraine in Response to Unprovoked Russian Military Aggression

C. **Resolution No. 26-22** – To Authorize the City Manager to Negotiate a Purchase and Sales Agreement, Subject to Approval of the City Council, with Boston Pie, Inc. of Danvers Massachusetts for the Sale and Reuse of City Owned Property Located At 1 Winter Street, Formerly Known as Breton’s Cleaners

D. **Resolution No. 27-22** – To Authorize the City Manager to Negotiate Agreements, Subject to Approval of the City Council, with Ameresco, Inc. of Framingham, Massachusetts to Develop a Solar Project Pursuant to RSA 362-A on the Closed Somersworth Sanitary Landfill Superfund Site on Blackwater Road

E. **Resolution No. 28-22** – To Authorize the City Manager to Enter into a Grant Agreement with the New Hampshire Department of Justice for Police Overtime Incurred for Activities Related to Responding to Relaxed Covid-19 Restrictions

OTHER

A. Vote to Approve the Community Revitalization Tax Relief Incentive Program Application (City Ordinance, Chapter 31) from Somedowntown LLC, Mr. David Baker, for 60-64 High Street

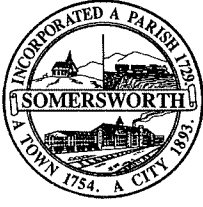
16. Comments by Visitors

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: 8-22

### TO AMEND CHAPTER 17, FOREST GLADE CEMETERY, SECTION 17.4

March 7, 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 Chapter 17, Forest Glade Cemetery Section 17.4, by deleting it in its entirety and replace with:

Section 17.4 City staff may sell grave lots that have been approved for sale by the Cemetery Trustees based on available space at Forest Glade Cemetery. The City Manager is authorized to set the price of grave lots based on recommendations of the Cemetery Trustees. A portion of individual grave lot fees, presently set at three hundred and fifty dollars (\$350), will go into a Cemetery Perpetual Care Fund. All burial deeds will be forwarded to and signed by the City Manager and given to the purchaser, his/her heirs and assigns, conditioned on the following conditions being complied with: the lot not be used for any other purpose than as a place of burial for the dead; and no trees within the lot shall be cut down or destroyed without the consent of the Trustees. Further, the Trustees at the time of selling any lot may impose such restrictions and conditions as to fencing and the occupation and improvement of the lot as they may consider proper, and may also impose such other restrictions and conditions as they may deem necessary, all of which shall be inserted in the deed to the purchaser. The purchaser shall have no right to erect any tomb on his/her lot unless said right is granted in the original deed from the City and approved by the Cemetery Trustees. The City Manager is hereby authorized to sign, seal and deliver the City's deed of lots in said cemetery, consistent with these Ordinances, and on the terms and for the purpose therein named.

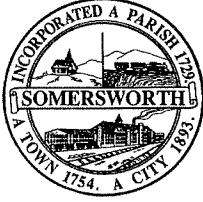
#### Authorization

*Sponsored by Councilors:*

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

*Approved:*

City Attorney



## City of Somersworth – Resolution

Resolution No: 25-22

### **TO AFFIRM SUPPORT OF UKRAINE IN RESPONSE TO UNPROVOKED RUSSIAN MILITARY AGGRESSION**

March 7, 2022

WHEREAS the Mayor and City Council commends the courage, resolve, and restraint shown by the Ukrainian people in their pursuit of sovereignty and democracy, and pays tribute to the many men and women who gave their lives in the pursuit of a free and democratic Ukraine; and

WHEREAS, the City Council affirms its support for a secure, democratic, and independent Ukraine, free to choose its own leaders and future; and

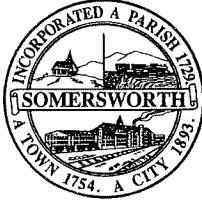
WHEREAS, the City Council condemns the unprovoked and deadly Russian military invasion of Ukraine; and

WHEREAS, the City Council supports the United States commitment to support the continuing efforts of the Government of Ukraine to restore its territorial integrity by providing political, diplomatic, and military support to strengthen the defense capabilities of Ukraine; and

WHEREAS, City Council encourages the President that, should any further invasion or other malign activity to undermine the sovereignty of Ukraine occur by Russia, the United States should use the tools at its disposal to impose significant costs on the Russian Federation to restore peace in Europe;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council of the City of Somersworth encourages unity among NATO allies and the broader transatlantic community to convey solidarity in response to Russia's unprovoked military aggression against Ukraine.

<b>Authorization</b>	
<i>Sponsored by:</i> Mayor Dana S. Hilliard	<i>Approved:</i> City Attorney
<i>Councilors:</i> David A. Witham Nancie Cameron Denis Messier Donald Austin Richard R. Michaud Martin P. Dumont, Sr. Martin Pepin Matt Gerding Kenneth Vincent	



## City of Somersworth – Resolution

Resolution No: 26-22

**TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A PURCHASE AND SALES AGREEMENT, SUBJECT TO APPROVAL OF THE CITY COUNCIL, WITH BOSTON PIE, INC. OF DANVERS MASSACHUSETTS FOR THE SALE AND REUSE OF CITY OWNED PROPERTY LOCATED AT 1 WINTER STREET, FORMERLY KNOWN AS BRETON’S CLEANERS**

March 7, 2022

WHEREAS, the Somersworth City Council adopted Resolution 40-18 authorizing the City Manager to enter into a project agreement with the US Environmental Protection Agency to provide grant funding in the amount of \$200,000 (Two Hundred Thousand dollars) with a local match of \$40,000 (Forty Thousand dollars) for the removal and remediation of contaminated soils at the former Breton’s Cleaners property located at 1 Winter Street (Tax Map 11-181A), and

WHEREAS, the remediation project is complete and the property is available for redevelopment, and

WHEREAS, the City requested proposals from qualified developers for the acquisition and redevelopment of the property, and

WHEREAS, the City received two proposals which were discussed at the February 22, 2022 City Council meeting at the request of the Economic Development Committee, and a majority of Council members present voted to sponsor a Resolution to move forward with the sale and reuse of this property to Boston Pie, Inc. of Danvers, Massachusetts for a cost of \$200,000 (Two Hundred Thousand dollars) and other considerations,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate a purchase and sales agreement, subject to approval of the City Council, with Boston Pie, Inc. of Danvers, Massachusetts for a cost of \$200,000 (Two Hundred Thousand dollars) and other considerations, for the sale and reuse of City owned property at 1 Winter Street (Tax Map 11-181A), formerly known as Bretons Cleaners, and to take any other actions necessary to complete this action determined to be in the best interest of the City.

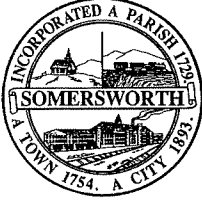
### Authorization

*Sponsored by Councilors:*

David A. Witham  
Nancie Cameron  
Denis Messier  
Martin Pepin  
Kenneth Vincent  
Martin P. Dumont, Sr.  
Donald Austin  
Richard R. Michaud

*Approved:*

City Attorney

	<b>City of Somersworth – Resolution</b>
	Resolution No: <b>27-22</b> <b>TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AGREEMENTS, SUBJECT TO APPROVAL OF THE CITY COUNCIL, WITH AMERESCO, INC. OF FRAMINGHAM, MASSACHUSETTS TO DEVELOP A SOLAR PROJECT PURSUANT TO RSA 362-A ON THE CLOSED SOMERSWORTH SANITARY LANDFILL SUPERFUND SITE ON BLACKWATER ROAD</b>

March 7, 2022

WHEREAS the City of Somersworth solicited proposals from qualified companies to design, engineer, install, monitor, evaluate, maintain, finance and decommission a community solar project pursuant to the New Hampshire Group Net Metering statute, RSA 362-A and locate it on the closed Somersworth sanitary landfill superfund site on Blackwater Road, and

WHEREAS the request for proposal required qualified companies to build the most economical, cost beneficial system that will maximize the power generating capacity of the site and provide the highest and best economic benefit to the City of Somersworth, and

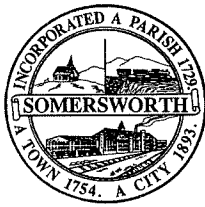
WHEREAS six proposals were submitted and City staff reviewed the proposals and interviewed all six developers and prepared a list of three finalists, and

WHEREAS the Public Works and Environment Committee met with staff and reviewed the proposals of the three finalists and reached consensus to have Ameresco, Inc. present their proposal before the full City Council, and

WHEREAS AMERESCO, Inc. presented their proposal to the City Council on February 22, 2022 and the City Council reached unanimous consensus to sponsor a Resolution to authorize the City Manager to enter into an agreement with Ameresco, Inc. to develop the solar project,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate agreements, subject to approval of the City Council, to include a land lease, payment in lieu of taxes (PILOT), and power purchase agreement (PPA) with Ameresco, Inc. of Framingham, Massachusetts to develop a solar project pursuant to RSA 362-A on the closed Somersworth Sanitary Landfill Superfund site on Blackwater Road and take any and all other such actions relative to this project determined to be in the best interest of the City.

<b>Authorization</b>	
<i>Sponsored by Councilors:</i> David A. Witham Nancie Cameron Denis Messier Martin Pepin Kenneth Vincent Martin P. Dumont, Sr. Donald Austin Richard R. Michaud	<i>Approved:</i> City Attorney



## City of Somersworth – Resolution

Resolution No: **28-22**

**TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE NEW HAMPSHIRE DEPARTMENT OF JUSTICE FOR POLICE OVERTIME INCURRED FOR ACTIVITIES RELATED TO RESPONDING TO RELAXED COVID-19 RESTRICTIONS**

March 7, 2022

WHEREAS, the City of Somersworth has applied for a grant through the New Hampshire Department of Justice for Police Officer overtime expenses incurred for activities related to responding to relaxed COVID-19 restrictions, and

WHEREAS, the City of Somersworth has received notification of a Grant Award in the amount of \$75,000, and

WHEREAS, the Grant will reimburse the City up to \$75,000 for overtime paid to Police Officers for activities related to responding to relaxed COVID-19 restrictions,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute any documents and agreements necessary for the grant's 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 Councilors:*

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

*Approved:*

City Attorney