



City of Somersworth
City Council Meeting Agenda
City Council Chambers

Monday, March 21, 2022
7:00 p.m.

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
 - A. Ordinance No. 8-22: To Amend Chapter 17, Forest Glade Cemetery, Section 17.4.
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Workshop held on March 7, 2022
 - B. Approve Minutes of the City Council Meeting held on March 7, 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
13. Lay on the Table
14. Unfinished Business

ORDINANCES

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

RESOLUTIONS

A. **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

B. **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

C. **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

15. New Business

ORDINANCES

A. **Ordinance 9-22** -Fiscal Year 2022-2023 Budget

RESOLUTIONS

A. **Resolution 29-22** -To Amend Council Rules and Regulations Section 7, Order of Business

B. **Resolution 30-22** -To Reaffirm the City of Somersworth Nonpartisan Elections

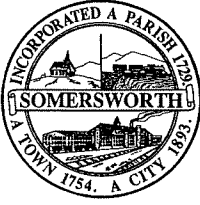
16. Comments by Visitors

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 – Ordinance 8-22

History

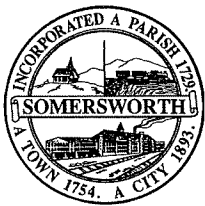
First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

03/07/2022

Ordinance No. 8-22 will remain in first read until 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	Dumont		
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 8-22	PASSED	FAILED



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

City of Somersworth – Resolution 26-22

History

First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

3/7/2022

Resolution No. 26-22 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	Messier		
TOTAL VOTES:			
On		Resolution 26-22	PASSED
			FAILED



City of Somersworth – Resolution

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

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.

Authorization

Sponsored by Councilors:

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

Approved:

City Attorney

City of Somersworth – Resolution 27-22

History

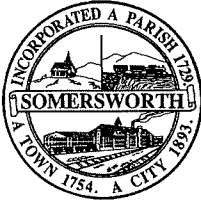
First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

03/07/2022

Resolution No. 27-22 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	Messier		
TOTAL VOTES:			
On		Resolution 27-22	
		PASSED	
		FAILED	



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

City of Somersworth – Resolution 28-22

History

First Read Date:	03/07/2022	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

03/07/2022

Resolution No. 28-22 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	Messier		
TOTAL VOTES:			
On	Resolution 28-22	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 9-22

FISCAL YEAR 2022-2023 BUDGET

March 21, 2022

THE CITY OF SOMERSWORTH ORDAINS THAT BUDGETS FOR THE CITY OF SOMERSWORTH FOR THE 2022-2023 FISCAL YEAR SHALL BE:

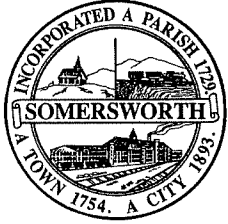
<u>DEPARTMENT</u>	<u>ADOPTED BUDGET</u>
<u>GENERAL FUND</u>	
Elected Leadership	\$196,505
City Management	532,787
Finance and Administration	1,628,474
Development Services	942,564
Police	4,644,286
Fire	2,385,058
Public Works	3,362,989
Other Expenses	1,459,029
Capital Outlay	167,459
Intergovt Assessments - County	2,947,120
School Department	28,596,753
TOTAL GENERAL FUND	46,863,024
<u>ENTERPRISE FUNDS</u>	
Wastewater Department	3,417,865
Water Department	2,754,483
Solid Waste	597,857
TOTAL ENTERPRISE FUNDS	6,770,205
<u>SPECIAL REVENUE FUND</u>	
Cable Fund	71,649
TOTAL FY 2022-2023 APPROPRIATION	\$53,704,878

This Ordinance will take effect upon passage.

Authorization

Sponsored by:
Mayor Dana S. Hilliard
by request

Approved:
City Attorney



City of Somersworth – Resolution

Resolution No: **29-22**

TO AMEND COUNCIL RULES AND REGULATIONS, SECTION 7, ORDER OF BUSINESS

March 21, 2022

City Council Rules and Regulations as amended, to be further amended by adding a new Section 7.D, as follows:

- D. During any regularly scheduled meeting of the City Council, the Mayor and City Councilors are encouraged to refrain from making any comments directly related to their campaigns for reelection while sitting in the role of Mayor or Councilor. This does not pertain to any announcement regarding a decision to run or not run for reelection. Any additional reelection campaign comments could be made during the Comments by Visitors time on the agenda after temporarily recusing himself/herself from participation as Mayor or City Councilor and joining the public audience.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective upon passage of this resolution.

Authorization

Sponsored by:

Mayor Dana S. Hilliard

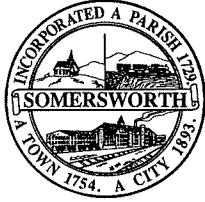
Councilors:

Donald Austin

Richard R. Michaud

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **30-22**

TO REAFFIRM THE CITY OF SOMERSWORTH'S NONPARTISAN ELECTIONS

March 21, 2022

WHEREAS the Mayor, City Council, School Board and all elected municipal officers of the City of Somersworth hold nonpartisan seats; and

WHEREAS, the City Council acknowledges the diverse political views of all persons and believes everyone, no matter what their political affiliation, should be treated with respect regardless of race, color, national origin, immigration or refugee status, ethnicity, primary language, religion, gender, gender identity and expression, sexual orientation, marital status, mental, emotional, and/or physical ability, age, or economic status; and

WHEREAS, the City's elected officials continue to work constructively and collaboratively to avoid stagnation and polarization in order to solve problems that lead to improved outcomes, better assessment and understanding of decisions and issues, thereby creating more effective decision-making, regardless of any political party affiliation; and

WHEREAS, good ideas and decisions are derived from diverse political perspectives; and to reject good ideas because of party affiliation is counterproductive to establishing a common good;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council of the City of Somersworth reaffirms the City's status to continue to be a body politic and municipal corporation that embraces and supports its local municipal elections as nonpartisan, each candidate for office being eligible based on her or his own merits rather than as a member of a political party.

Authorization

Sponsored by Councilors:

Richard R. Michaud
Donald Austin
Nancy Cameron

Approved:

City Attorney