

City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, May 15, 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 19-23** – To Amend Chapter 32, Water Ordinance, Section 4.1.E, Service
5. Comments by Visitors
6. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on May 1, 2023
 - B. Approve Minutes of the City Council and Eyes on 30 Committee Joint Workshop held on May 8, 2023
 - C. Letter of Resignation from Conservation Commission Board Member Angela Ficco
7. Comments by City Councilors
8. Communications
 - A. Special Legal Counsel Kate Miller, Esq., Renewal Cable Television Franchise Agreement between the City of Somersworth and Comcast of Maine/New Hampshire, Inc.
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. Dale Smith-Kenyon for re-appointment to the Conservation Commission with a term to expire June 2026

- B. Jeremy Rhodes for re-appointment to the Conservation Commission with a term to expire June 2026
- C. Douglas Bryar for appointment to the Conservation Commission with a term to expire June 2026

14. Lay on the Table

15. Unfinished Business

ORDINANCES

- A. **Ordinance 19-23** – To Amend Chapter 32, Water Ordinance, Section 4.1.E, Service

16. New Business

ORDINANCES

- A. **Ordinance 20-23** – To Amend Chapter 4, Personnel Rules & Regulations, Compensation Schedule
- B. **Ordinance 21-23** – To Amend Chapter 4, Personnel Rules & Regulations, Section 11.4.4 Longevity
- C. **Ordinance 22-23** – Supplemental Appropriation for the Replacement of the Public Works Building Roof

RESOLUTIONS

- A. **Resolution 44-23** – To Authorize the City Manager to Amend the Renewal Cable Television Franchise Agreement Between the City of Somersworth and Comcast of Maine / New Hampshire, Inc.
- B. **Resolution 45-23** – To Authorize the City Manager to Contract with Triple Construction, LLC. of Hudson, New Hampshire for the Replacement of the Public Works Building Roof

OTHER

- A. Discuss HB75 and HB270 (Requested by Councilor Kenneth Vincent)

17. Closing Comments by Council Members

18. Future Agenda Items

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

20. Adjournment

Mayor Dana Hilliard
City of Somersworth
One Government Way
Somersworth, NH 03878

May 9, 2023

Dear Mayor Hilliard,

I hope this letter finds you well. I am writing to inform you know that I will not be seeking reappointment for my Conservation Commission member position at the end of my current term, set to expire in June. I have greatly enjoyed serving on the Somersworth Conservation Commission for close to a decade. Protecting water supplies, wetlands, habitats, and open spaces for all to enjoy and thrive in are passions of mine. So much so, that I will remain active on Commission subcommittees. I can't leave completely!

Thank you and have a wonderful day!

Sincerely,

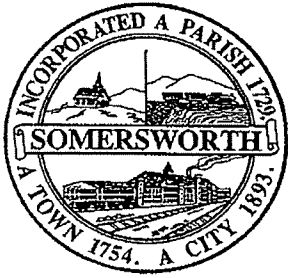
Angela Ficco

cc:

Scott Orzechowski

Michelle Mears

Dana Crossley



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Dale A Smith-Kenyon

Telephone: 603-692-5738 Email: jaemda@comcast.net

Residence Address: 18 Indigo Hill Rd, Somersworth, NH 03878

Mailing Address (if different): _____

Resident of Somersworth for 38 Years Ward 4

Registered Voter: Yes No

Education Level:
Assoc Science w/major in Nursing

Please list any organizations, groups, or other committees you are involved in:

CON.COMM

I am interested in serving on the following Board, Commission or Committee (s):

Conservation Commission

My Background or Interests are: Member of Conservation Comm
for N 20⁺ yrs. Interested in preserving wetlands,
open spaces, citizen education + involvement; manage-
ment of invasive species; Monitoring of cons. ^{over} assessments



I have served on the following Committee (s) in the past: Conservation Comm,
currently vice chair

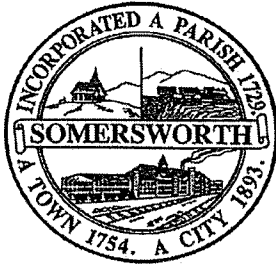
Would you be able to commit to attending all meetings? Yes No

By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: Dale A Smith-Kemp Date: 4/12/2023

**Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878**



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Terence Rhodes

Telephone: 603-891-5000 Email: terrhodes@gmail.com

Residence Address: 10 Fadden St

Mailing Address (if different): Same

Resident of Somersworth for 14 Years Ward 2

Registered Voter: Yes ✓ No _____

Education Level: Business & Logistics MEd

Please list any organizations, groups, or other committees you are involved in:
Planning Board

I am interested in serving on the following Board, Commission or Committee (s):
Conservation Commission - Regulator

My Background or Interests are: City planning, community governance, growth & sustainable development

over



I have served on the following Committee (s) in the past: zoning planning

Would you be able to commit to attending all meetings? Yes ✓ No

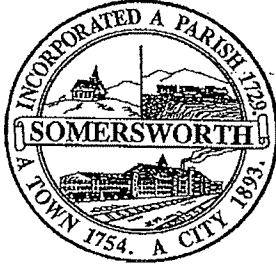
By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: [Handwritten Signature]

Date: April 19 2015

**Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878**



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Douglas Bryant
Telephone: 603-305-6134 Email: BRYARDB@HOTMAIL.COM
Residence Address: 81 SUNNINGDALE DR, SOMERSWORTH
Mailing Address (if different): _____
Resident of Somersworth for 5 Years Ward _____
Registered Voter: Yes No
Education Level: COLLEGE DEG.

Please list any organizations, groups, or other committees you are involved in:
SOMERSWORTH CONSERV. COMM. (ALTERNATE)

I am interested in serving on the following Board, Commission or Committee (s):

CONSERVATION COMM.

My Background or Interests are: OUTSIDE PLANT ENG. FOR
VERIZON COMMUNICATION (34 YRS, RET). CONTRACT
O. P. ENGINEER FOR BYERS ENG. (17 YRS)

over



I have served on the following Committee (s) in the past: CONSERVATION COMM
(CURRENT ALTERNATE)

Would you be able to commit to attending all meetings? Yes No

By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

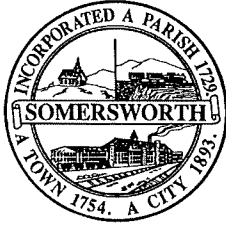
Signature: _____



Date: _____

5/11/23

**Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878**



City of Somersworth – Ordinance

Ordinance No: 19-23

TO AMEND CHAPTER 32, WATER ORDINANCE, SECTION 4.1.E, SERVICE

May 1, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 32, Water Ordinance, by deleting Section 4.1. e., Service., paragraph i., in its entirety and replace it with the following:

Section 4.1 e. Service.

- i. Customer shall be provided service through a Utility owned Service Pipe and Curb Stop/Curb Shut Off. The Utility reserves the right to determine the number of water service connections per legally subdivided lot. Customer may at Customer's own expense separately meter individual buildings and tenants as Customer determines.

Authorization

Sponsored by Councilors:

David A. Witham
Martin Pepin
Kenneth Vincent

Approved:

City Attorney

City of Somersworth – Ordinance 19-23

History			
First Read Date:	5/1/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

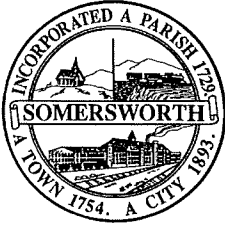
Discussion

5/1/2023

Deputy Clerk Ramsey performed the first reading of Ordinance 19-23.

Ordinance 19-23 will remain in first read 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 19-23	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: **20-23**

TO AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS, COMPENSATION SCHEDULE

May 15, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT, the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 4 by deleting the Compensation Schedule in its entirety and replacing it with the following Compensation Schedule:

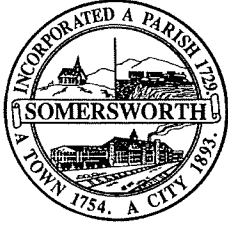
**Personnel Rules and Regulations
FY2023-2024 Compensation Schedule
Effective July 1, 2023 - 7% Increase**

GRADE	HIRE	1	2	3	4	5	6	7
6	13.08	13.60	14.15	14.71	15.30	15.91	16.54	17.21
7	13.71	14.25	14.83	15.42	16.04	16.68	17.34	18.04
8	14.40	14.98	15.58	16.20	16.85	17.53	18.22	18.95
9	15.13	15.74	16.36	17.02	17.70	18.40	19.14	19.91
10	15.87	16.50	17.16	17.85	18.56	19.30	20.07	20.89
11	16.68	17.34	18.04	18.77	19.52	20.30	21.11	21.96
12	17.53	18.23	18.96	19.72	20.50	21.33	22.18	23.06
13	18.40	19.14	19.90	20.70	21.53	22.40	23.28	24.21
14	19.28	20.05	20.85	21.69	22.56	23.45	24.40	25.37
15	20.29	21.10	21.95	22.82	23.73	24.68	25.67	26.70
16	21.25	22.10	22.98	23.90	24.86	25.85	26.89	27.96
17	22.35	23.25	24.17	25.15	26.15	27.20	28.28	29.41
18	23.47	24.41	25.38	26.40	27.45	28.55	29.69	30.88
19	24.60	25.58	26.61	27.67	28.78	29.93	31.13	32.37
20	25.92	26.95	28.03	29.15	30.31	31.53	32.80	34.10
21	27.18	28.27	29.39	30.57	31.79	33.06	34.39	35.76
22	28.58	29.72	30.91	32.15	33.44	34.78	36.17	37.61
23	29.98	31.18	32.43	33.73	35.07	36.48	37.93	39.45
24	31.45	32.71	34.02	35.37	36.79	38.26	39.79	41.39
25	33.03	34.35	35.73	37.15	38.64	40.19	41.79	43.46
26	34.72	36.11	37.56	39.06	40.62	42.24	43.93	45.69
27	36.38	37.84	39.34	40.93	42.56	44.27	46.03	47.87
28	38.22	39.75	41.33	42.99	44.72	46.50	48.36	50.30
29	40.13	41.73	43.40	45.13	46.94	48.81	50.77	52.80

Exempt Salary Schedule

Grade	Minimum	Maximum
25	70,337.41	89,652.11
30	89,302.22	108,878.90
31	97,557.06	118,697.25
32	98,470.64	119,972.33
33	103,462.68	125,812.72
34	108,683.12	132,207.76
35	114,131.99	138,765.96
36	119,874.45	145,715.66
37	125,747.48	152,893.77

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



City of Somersworth – Ordinance

Ordinance No: 21-23

TO AMEND CHAPTER 4, PERSONNEL RULES AND REGULATIONS, SECTION 11.4.4 LONGEVITY

May 15, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT, the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 4 by deleting sections 11.4.4 Longevity and replacing it with the following:

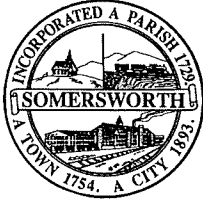
11.4.4 Longevity

Commencing on December 1, 2023, members will be eligible to receive a longevity stipend. Payment of a longevity stipend will be based on an employee's completion of the following number of consecutive years of full-time employment with the City as of December 1:

Completion of at least 3 years	-	\$1,000
Completion of at least 5 years	-	\$1,500
Completion of at least 10 years	-	\$2,000
Completion of at least 15 years	-	\$2,500
Completion of at least 20 years	-	\$3,000
Completion of at least 25 years	-	\$3,500

There will be no pro rata accrual or payment of this longevity stipend – an employee must be employed on December 1 to be eligible for the stipend. Payment will be made the first paycheck in December.

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



City of Somersworth – Ordinance

Ordinance No: **22-23**

SUPPLEMENTAL APPROPRIATION FOR THE REPLACEMENT OF THE PUBLIC WORKS BUILDING ROOF

May 15, 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 \$168,000 (One Hundred Sixty-Eight Thousand dollars) from the American Rescue Plan Funds to the Capital Outlay Budget as follows:

Budget	Amendment	Revised Budget
\$ 440,351	\$ 168,000	\$ 608,351

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 American Rescue Plan Funds (ARPA) for the replacement of the Public Works Building Roof. There is currently \$440,980 available in ARPA Funds.

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.

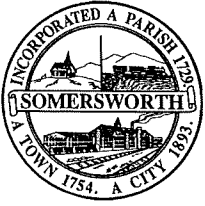
Authorization

Sponsored by Councilors:

David A. Witham
Don Austin
Matt Gerding
Robert Gibson

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **44-23**

TO AUTHORIZE THE CITY MANAGER TO AMEND THE RENEWAL CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF SOMERSWORTH AND COMCAST OF MAINE/NEW HAMPSHIRE, INC.

May 15, 2023

WHEREAS, Comcast of Maine/New Hampshire, Inc. is a duly authorized holder of a Renewal Cable Television Franchise to operate a cable television system in the City of Somersworth, New Hampshire pursuant to NH RSA 53-C, as amended, said Renewal Franchise having commenced on June 18th, 2013; and

WHEREAS, Comcast of Maine/New Hampshire and the City of Somersworth wish to amend the Renewal Cable Television Franchise agreement; and

WHEREAS, the Renewal Cable Television Franchise Agreement may be amended by written agreement following publication of the proposed amendment in a manner consistent with NH RSA Chapter 43; and

WHEREAS, the City Council of the City of Somersworth as Franchising Authority is authorized to amend the Renewal Cable Television Franchise Agreement pursuant to RSA 53-C;

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Somersworth that the Renewal Cable Television agreement is hereby amended as follows:

Delete Section 2.2 -Term: Non-Exclusivity in its entirety and replace with the following:

Section 2.2 – Term: Non-Exclusivity

The term of this non-exclusive Renewal Franchise shall be for a period of ten (10) years and shall commence on June 18, 2023 following the expiration of the current Franchise, and shall expire at midnight on June 17, 2033.

Authorization

Sponsored by Councilors:

Richard R. Michaud
Matt Gerding
Don Austin
Nancie Cameron

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: **45-23**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH TRIPLE CONSTRUCTION, LLC OF HUDSON, NH FOR THE REPLACEMENT OF THE PUBLIC WORKS BUILDING ROOF

May 15, 2023

WHEREAS, funding from the City of Somersworth ARPA funds are available for a metal roof replacement at the Somersworth Department of Public Works Building; and

WHEREAS, the existing roof has deteriorated beyond routine repairs and its useful life; and

WHEREAS, City staff requested bids and received a proposal for this project and recommends awarding the contract to Triple Construction, LLC of Hudson, New Hampshire, for a cost of \$ 152,913 (One Hundred Fifty-Two Thousand Nine Hundred Thirteen dollars); and

WHEREAS, the Finance Committee recommends including a contingency in the amount of \$15,087 (Fifteen Thousand Eighty-Seven dollars) for the project, and allow the City Manager to increase the contract to an amount not to exceed \$168,000 (One Hundred Sixty-Eight Thousand dollars) if needed, and it is determined to be in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Triple Construction, LLC of Hudson, NH to replace the Public Works Building roof at an amount of \$152,913 (One Hundred Fifty-Two Thousand Nine Hundred Thirteen dollars); and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an amount of \$15,087 (Fifteen Thousand Eighty-Seven dollars) is included with the project total for contingencies and the City Manager is allowed to increase the contract to an amount not to exceed \$168,000 (One Hundred Sixty-Eight Thousand dollars) if needed, and it is determined to be in the best interest of the City.

Authorization

Sponsored by Councilor:

David A. Witham
Don Austin
Matt Gerding
Robert Gibson

Approved:

City Attorney