



CITY OF SOMERSWORTH
AGENDA FOR MONDAY, MAY 6, 2019

7:00pm City Council Meeting

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearings
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Goal Setting Session held on April 6, 2019
 - B. Approve Minutes of the City Council Meeting held on April 15, 2019
 - C. Approve Minutes of the Special City Council Meeting held on April 29, 2019
6. Comments by City Councilors
7. Communications
 - A. Presentation of the Master Plan from the *Tri City Mayors' Task Force on Homelessness*
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
 - A. For Council Vote
 - a. Laurene Anderson-Ashe, re-appointment as a Member of the Board of Library Trustees, with a term to expire March 2024
 - b. Becky Patten, appointment as a Member of the Board of Library Trustees, with a term to expire April 2024

13. Lay on the Table

- A. **Ordinance No. 4-19** – To Amend Chapter 19, Zoning Ordinance, Section 14, Historic District

14. Unfinished Business

- A. **Ordinance 18-19** - To Amend Chapter 13, Police Offenses, Section 3.4, Motor Vehicle Operation, by Prohibiting Tractor-Trailers from Making a Left Hand Turn onto Station Street from Government Way (Referred to Traffic Safety Committee)

15. New Business

ORDINANCES

- A. **Ordinance 19-19** - To Amend Chapter 6, City Officials, by Deleting Section 6.1, Exemption For Prisoners of War and Section 6.9, Veteran’s Property Tax Exemptions, Blind and Solar Exemptions
- B. **Ordinance 20-19** - To Create New Chapter 34, Exemptions and Credits
- C. **Ordinance 21-19** - To Amend Chapter 4, Personnel Rules & Regulations, Section 7.3, Holidays, Regarding Holiday Work Pay

RESOLUTIONS

- A. **Resolution No. 36-19** - To Authorize the City Manager to Enter into a Grant Agreement with the Great Bay Resource Protection Partnership for a Land Protection Transaction Grant to Conduct an Appraisal and Land Survey for the Lily Pond Conservation Land Project

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: 18-19

TO AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.4, MOTOR VEHICLE OPERATION, BY PROHIBITING TRACTOR-TRAILERS FROM MAKING A LEFT HAND TURN ONTO STATION STREET FROM GOVERNMENT WAY

April 1, 2019

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 13, Police Offenses, Section 3.4.G Left Turns, by adding:

When signs are erected giving notice thereof, it shall be unlawful for anyone operating a Tractor-Trailer (See RSA 259:109) to turn left onto Station Street from Government Way.

(RSA 259:109 Tractor-trailer. – “Tractor-trailer” shall mean any truck-tractor and semi-trailer.

This Ordinance shall take effect upon passage.

Authorization

Sponsored by Councilors:

Dale R. Sprague
David A. Witham
Marty Pepin
Kenneth S. Vincent

Approved:

City Attorney

City of Somersworth – Ordinance 18-19

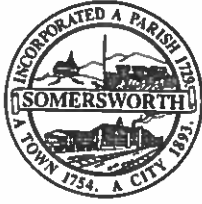
History

First Read Date:	04/01/2019	Tabled:	
Public Hearing:	04/15/2019	Removed From Table:	
Second Read:	04/15/2019		

Discussion

04/15/2019, Re-referred to Traffic Safety Committee.

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	Sprague *		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Ordinance 18-19		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 19-19

TO AMEND CHAPTER 6, CITY OFFICIALS, BY DELETING SECTION 6.1, EXEMPTION FOR PRISONERS OF WAR AND SECTION 6.9, VETERAN'S PROPERTY TAX EXEMPTIONS, BLIND AND SOLAR EXEMPTIONS

May 6, 2019

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:

1. Amend Chapter 6, City Officials, Section 6.1, Exemption for Prisoners of War, by deleting the section in its entirety,
2. Amend Chapter 6, City Officials, Section 6.9, by deleting the section in its entirety, to include:
 - 6.9.1 Veterans Exemptions
 - 6.9.2 Service Connected Total Disability
 - 6.9.3 Surviving Spouse
 - 6.9.4 Exemption for the Blind
 - 6.9.5 Solar Exemption
3. Renumber Chapter 6 accordingly.

This Ordinance shall take effect upon its passage.

Authorization

Sponsored by Councilors:

Martin P. Dumont, Sr.
Nancie Cameron
Edward Levasseur

Approved:

City Attorney

City of Somersworth – Ordinance 19-19

History

First Read Date:	05/06/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Action

Discussion

NOTE: This Ordinance is a housekeeping amendment, to move the Exemptions and Credits to a new Ordinance Chapter.

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	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / /		Ordinance 19-19 PASSED	



City of Somersworth – Ordinance

Ordinance No: 20-19

TO CREATE NEW CHAPTER 34, EXEMPTIONS AND CREDITS

May 6, 2019

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 by adding new Chapter 34 as follows:

Chapter 34, EXEMPTIONS AND CREDITS

Section 34.1 Elderly Property Tax Exemption

A. Amount of Exemption

The elderly exemptions from property tax in the City of Somersworth, based on assessed value, for qualified taxpayers, are as follows, effective April 1, 2016.

1. For a person 65 years of age up to 74 years, Fifty Thousand (\$50,000) Dollars.
2. For a person 75 years of age up to 79 years, Sixty-Five Thousand (\$65,000) Dollars.
3. For a person 80 years of age or older, Seventy-Five Thousand (\$75,000) Dollars.

B. Qualifications

1. The taxpayer must be a New Hampshire resident for at least three (3) years and own the real estate individually or jointly or, if the real estate is owned by such person's spouse, they must have been married at least five (5) years.
2. The taxpayer must have a net income of not more than Thirty-Two Thousand, (\$32,000) Dollars or, if married, a combined net income of less than Fifty Thousand (\$50,000) Dollars.
3. The taxpayer must not own assets in excess of One-Hundred Thousand (\$100,000) Dollars, excluding the value of the person's residence and up to 2 acres of land.
4. The property cannot have been transferred to the applicant, from a person under the age of 65, if they were related to the applicant by blood or marriage, within the past five (5) years, per RSA 72:40-a, or as subsequently amended.
5. The property must meet the definition of a residential real estate, per RSA 72:29-II, or as subsequently amended, which includes the housing unit which is the person's principal home and related structures. It does not include attached dwelling units and unattached structures used or intended for commercial or other non-residential purposes.

34.1.C Application

1. The application form for tax exemption, as authorized by RSA 72:33, or as subsequently amended, must be filed by the taxpayer with the Assessing Department by April 15th, prior to the setting of the tax rate and showing that the applicant was duly qualified upon April 1st of the year in which the exemption or tax credit is first claimed
2. The following documentation must be provided at the time of application:
 - List of assets, value of each asset, net encumbrance and net value of each asset (Provide year end statements for each of the assets);
 - Statement of applicant and spouse's income;
 - W-2 and 1099 forms;
 - Federal Income Tax Forms;
 - State Interest and Dividends Tax Form;
 - Property Tax Bill for any other property owned;
 - November and December bank statements for all accounts;
 - Copy of license or birth certificate;
 - Copy of Vehicle registrations.
3. Additional documentation may be requested to verify income and assets. Documents are considered confidential and are returned to the applicant at the time a decision is made on the application

Section 34.2 Veteran's Property Tax Credit

The City adopts the provisions of RSA 72:28, V and VI for an optional veterans' exemption and an expanded qualifying war service for veterans seeking the exemption. The veterans' tax credit shall be \$250 with \$50 additional tax credit each successive tax year of 2005 through 2009. This veteran's tax credit of \$250 shall be effective for the tax amounts due for tax year 2004 (final bill due December 2004).

<u>Veteran's Tax Credit Amount – Tax Year Effective</u>		
\$250 - 2004	\$350 - 2006	\$450 - 2008
\$300 - 2005	\$400 - 2007	\$500 - 2009

Section 34.3 Service Connected Total Disability

The City adopts the provisions of RSA 72:35, for an optional property tax credit on residential property for a service connected total disability. The service connected total disability tax credit shall be \$2,000.

Section 34.4 Surviving Spouse

The City adopts the provisions of RSA 72:29A, for an optional property tax credit for surviving spouses. The surviving spouse tax credit shall be \$2,000.

Section 34.5 Exemption for the Blind

Every inhabitant who is legally blind as determined by the administrator of blind services of the vocational rehabilitation division of the education department shall be exempt each year on the assessed value for property tax purposes of his/her residential real estate to the value of \$25,000. The term "residential real estate" as used in this section shall mean the same as defined in RSA 72:29. All applications made under this section shall be subject to the provisions of RSA 72:33 and RSA 72:34. This exemption shall be effective as of April 1, 1993.

Section 34.6 Solar Exemption

The City adopts the provisions of RSA 72:61-64, an exemption from the assessed value for property tax purposes, for persons owning real property which is equipped with a solar energy system as defined in RSA 72:61. Such Solar property tax exemption shall be in an amount equal to 100% of the assessed value of qualifying solar energy system equipment as defined in RSA 72:61 and as may be amended. This exemption shall be effective for the tax year that begins April 1, 2017.

Section 34.7 Exemption for Prisoners of War

Pursuant to RSA 261:157-a, the City of Somersworth hereby waives the fee charged for a permit to register one motor vehicle owned by any person who was captured and incarcerated for 30 days as defined in RSA 72:28 IV, and who was honorably discharged, provided the person provides to the Tax Collector satisfactory proof of these circumstances.

This ordinance shall take effect upon its passage, and any person entitled to said waiver who registered one vehicle prior to the effective date and after September 1, 1985, shall be entitled to a refund upon application and proper documentation.

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by:</i> Martin P. Dumont, Sr. Nancie Cameron Edward Levasseur	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 20-19

History

First Read Date:	05/06/2019	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	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / Ordinance 20-19		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 21-19

TO AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS, SECTION 7.3, HOLIDAYS, REGARDING HOLIDAY WORK PAY

May 6, 2019

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:

1. Amend Chapter 4, Personnel Rules and Regulations, Section 7.3, Holidays, by deleting the second paragraph in its entirety and adding:

When a holiday falls on a Sunday, the following Monday is observed as the holiday. When a holiday falls on a Saturday, the preceding Friday is observed. Any employee required to work on a holiday will receive pay for the time worked at one and one-half times the adjusted base rate in addition to holiday pay for that day.

This Ordinance shall take effect upon its passage.

Authorization

Sponsored by Councilors:

Martin P. Dumont, Sr.
Nancie Cameron
Edward Levasseur

Approved:

City Attorney

City of Somersworth – Ordinance 21-19

History

First Read Date:	05/06/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Action

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	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / /		Ordinance 21-19 PASSED	



City of Somersworth – Resolution

Resolution No: 36-19

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE GREAT BAY RESOURCE PROTECTION PARTNERSHIP, FOR A LAND PROTECTION TRANSACTION GRANT TO CONDUCT AN APPRAISAL AND LAND SURVEY FOR THE LILY POND CONSERVATION LAND PROJECT

May 6, 2019

WHEREAS, the City of Somersworth has been notified of the award of a Great Bay Resource Protection Partnership, for a Land Protection Transaction Grant, and

WHEREAS, the City of Somersworth is eligible to receive \$10,000 (Ten Thousand dollars) requiring a local match of \$10,000 (Ten Thousand dollars), and

WHEREAS, the Grant will allow the City of Somersworth to conduct an appraisal and land survey of potential conservation land in the Lily Pond Watershed, and

WHEREAS, the Finance Committee reviewed this project with Staff and voted to support this Grant submittal, and

WHEREAS, the City Council authorizes the Conservation Commission to use the Conservation Fund for the local match, and

EXPLANATION OF TOTAL PROJECT GRANT BREAKDOWN

GBRPP Grant (50%)	=	\$10,000
City Soft/in-kind Match	=	\$1,500
<u>City Cash Match (50%)</u>	=	<u>\$10,000</u>
Total Project Award	=	\$21,500

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, expend the grant proceeds in accordance with the grant documents, and take any and all other such actions relative to this grant determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Dale R. Sprague Martin Pepin Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 36-19

History

First Read Date:	05/06/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

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	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Resolution 36-19		PASSED	FAILED