



City of Somersworth
City Council Meeting Agenda
City Council Chambers
October 11, 2021
7:00 p.m.

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
 - A. **Ordinance No. 2-22** – To Amend Chapter 12, Streets and Sidewalks
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Workshop held on September 20, 2021
 - B. Approve Minutes of the City Council Meeting held on September 20, 2021
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 being introduced for Council Confirmation Vote:

- A. Elizabeth Croston for Appointment as a member of the Board of Library Trustees with a term to expire October, 2026
- B. Arlene Labrie for Appointment as a member of the Board of Library Trustees with a term to expire October, 2026
- C. Amy LaBelle for Reappointment as a member of the Board of Cemetery Trustees with a term to expire October, 2026

13. Lay on the Table

ORDINANCES

A. **Ordinance No. 2-22** – To Amend Chapter 12, Streets and Sidewalks

14. Unfinished Business

15. New Business

ORDINANCES

A. **Ordinance No. 3-22** – Supplemental Appropriation for Capital Improvement Projects for the School Department

OTHER

A. Vote to Re-adopt the City of Somersworth Investment Policy

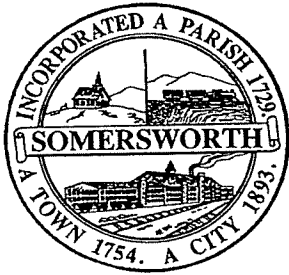
16. Comments by Visitors

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
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Elizabeth Croston
Telephone: (603) 534-3000 Email: emoon2012@gmail.com
Residence Address: 17 William St.
Mailing Address (if different): _____
Resident of Somersworth for 4+ Years Ward 4
Registered Voter: Yes No _____
Education Level: Masters + 3 credits (M.Ed.) [I'm a HS French teacher!]

Please list any organizations, groups, or other committees you are involved in:
President of Seacoast Mother's Association; I have just changed schools, but I am sure I will pick up new clubs at my new school.

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

Library Board of Trustees

My Background or Interests are: Reading!, ordering too many books online, French language + culture, teaching, trying to get back into yoga and working out in general, traveling (pre-Covid), and spending time with my family (taking my daughter to the library + Noble over Pines Park, family walks, exploring local parks, etc.)

I have served on the following Committee (s) in the past: 4-H advisory board, Noble HS

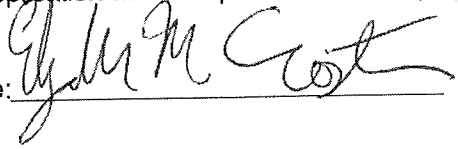
School Climate Committee, NHS National French Honor Society advisor, and in HS/College I was in many clubs. I was usually president or a very high leader role.

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

I do have a 2 1/2 year old at home, so if my husband can't get home or if she is sick, I could "zoom" into the meeting. This is worse case scenario, not the "A or m."

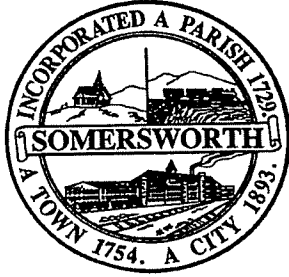
By submitting this Application you understand that:

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: 08/28/21

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: ARLENE R. LABRIE

Telephone: 603-312-7979 Email: ARLABRIE@GMAIL.COM

Residence Address: 16 GRAND ST, SOMERSWORTH

Mailing Address (if different): _____

Resident of Somersworth for 60+ Years Ward 1

Registered Voter: Yes No

Education Level:
UNIVERSITY BACHELOR OF SCIENCE DEGREE

Please list any organizations, groups, or other committees you are involved in:
SOMERSWORTH HISTORICAL SOCIETY AND MUSEUM DIRECTOR

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

LIBRARY TRUSTEE

My Background or Interests are: WORKED AS A MEDICAL TECHNOLOGIST AND SOFTWARE QUALITY ASSURANCE ENGINEER. INTERESTS: GENEALOGY, ART AND HISTORY

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I have served on the following Committee (s) in the past: LIBRARY TRUSTEE FROM
2010 - 2018

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

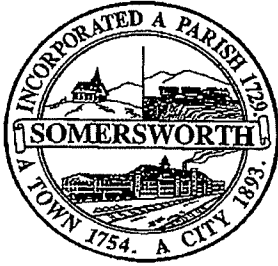
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Signature: Arline R. Labrie

Date: 8/31/2021

**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: Amy C. LaBelle
Telephone: 603-767-8895 Email: labelleac@yahoo.com
Residence Address: 178 Maple St. Somersworth NH 03878
Mailing Address (if different): _____
Resident of Somersworth for 17 Years Ward 3.
Registered Voter: Yes No _____
Education Level:
Masters Degree

Please list any organizations, groups, or other committees you are involved in:
Supervisor of the Checklist.

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

Cemetery Trustee.

My Background or Interests are: I've been a member/Trustee since 2018. I'd like to continue to serve as a Cemetery Trustee.

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

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

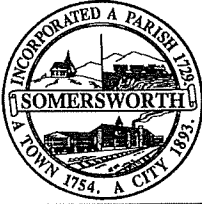
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1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
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3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: Amy C. LaBelle

Date: 10/6/21

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



City of Somersworth – Ordinance

Ordinance No: 2-22

TO AMEND CHAPTER 12, STREETS AND SIDEWALKS

July 19, 2021

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 12 by adding Sections 12.8 & 12.9 as follows:

Section 12.8 – Outdoor Dining

This section (12.8 A and 12.8 B) is only applicable to the use of public space such as sidewalks, street side parking spaces, and any other City-owned public rights of way; it does not apply to the use of private property which may need Land Use Board/s review and approval.

A) Sidewalk Dining

PERMIT REQUIRED: A business owner shall obtain a permit to encumber the sidewalk from the Director of Public Works, or their designee, to operate an outdoor seating area on a sidewalk, for service and consumption of food or drink prepared on premises.:

FEE: Each permit requires a non-refundable fee of \$50 payable to the City of Somersworth at the time of application.

1) The permit Applicant shall:

- a. Provide a Certificate of Insurance naming the City of Somersworth as additional insured. The terms of the Certificate of Insurance shall be in a form and amount acceptable by the City.
- b. Agree to indemnify and hold harmless the City of Somersworth, New Hampshire from all claims for damage or injury whatsoever, that may arise from the encumbrance, obstruction, occupation, or use of the aforesaid sidewalk.

2) The building in which the licensed business operates must share a common boundary with a sidewalk. Sidewalk encumbrances shall allow a minimum four (4) foot-wide unobstructed pedestrian corridor at all times, and at least five (5) feet wide when located along a street corner. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances, at the discretion of the Director of Public Works and Utilities, or their designee.

3) Egress from the building must be maintained free of obstruction per the Building Code, NFPA 101 Life Safety Code, and any other applicable Local, State, or Federal Regulations, as amended.

4) Permits may only allow encumbrances between April 15 to November 1, and as weather conditions allow.

- 5) The encumbered area must not block access to public street furniture, trash receptacles, street signage, fire hydrants, or other public structures or infrastructure.
- 6) The encumbered area and any furniture or feature within the area must be kept in a clean, safe, and sanitary condition, and all trash shall be properly disposed.
- 7) Planters or pots may be used to assist in defining a dining area, however these are not required.
- 8) Lighting must not cause glare to pedestrians or vehicular traffic and must not be affixed to City trees or other City structures or infrastructure.
- 9) Table umbrellas without logos are allowed, however these must not extend beyond the permitted Area, and must be anchored properly.
- 10) No advertising signs of any kind shall be allowed in the permitted Area unless duly licensed in compliance with all City regulations.
- 11) All outdoor dining areas where alcohol service is provided shall comply with the following requirements:
 - Outdoor dining establishments shall agree at all times to comply with all laws, rules and regulations of the New Hampshire State Liquor Commission and all other Local, State and Federal regulations.
 - Be separated from the public pedestrian space on the adjacent municipal sidewalk by an enclosure system that is safe.

The enclosure system, tables, chairs, and other features shall be movable/non-permanent, and shall not damage the underlying sidewalk or other City infrastructure or structures in any way.

Permits issued under this section may be revoked at any time by the City for failure to comply with the approved permit, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

B) On Street Dining

PERMIT REQUIRED: A business owner shall obtain a permit from the Director of Public Works to encumber and utilize street side parking space(s) or any other City-owned parking areas for service and consumption of food or drink prepared on premises.

FEE: Each permit requires a non-refundable fee of \$50 payable to the City of Somersworth at the time of application.

- 1) Applications for On-Street Dining shall be reviewed and approved by the Somersworth Technical Review Committee (SRTC).
- 2) All On-Street dining must use jersey barriers as a safety precaution.
- 3) Public on-street parking space(s) encumbrances must provide an accessible path of travel to the area from abutting sidewalks. Such expansions must occupy the area directly in front of the proposed business and may request to expand to be in front of the adjacent properties with abutting property owner and/or business permission.
- 4) All other regulations contained in Section 12. A – Sidewalk Dining shall apply to this section.

Permits issued under this section may be revoked at any time by the City for failure to comply with the approved permit, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

Section 12.9 – Decorative Sidewalk Landscaping and Sidewalk Sales

The use of adjacent sidewalks for decorative landscaping and sidewalk sales does not require a permit but is subject to the following regulations;

- 1) The program is active April 15 to November 1 each year.
- 2) Decorative sidewalk landscaping and sidewalk sales are allowed as long as they may be placed within 5 feet to either or both side(s) of your front door entrance, and don't encumber the normal flow for pedestrians on the sidewalk.
- 3) Landscaping features and sidewalk sales shall allow a minimum four (4) foot wide unobstructed pedestrian corridor at all times, and at least five (5) feet wide when located along a street corner. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances, at the discretion of the Director of Public Works, or their designee.
- 4) Landscaping features shall not be directly attached to (e.g., bolts, nails, screws) or damage the underlying sidewalk in any way.
- 5) The business displaying decorative landscaping or conducting sidewalk sales is responsible for cleaning/repairing any damage or staining to the sidewalks.
Decorative sidewalk landscaping and sidewalk sales are allowed from April 15 to November 1 as conditions allow.

The City reserves the right to required business to remove decorative landscaping or discontinue sidewalk sales immediately for violations of the requirements of this Section, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilor:</i> Crystal Paradis	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 2-22

History

First Read Date:	7-19-2021	Tabled:	09/20/2021
Public Hearing:		Removed From Table:	
Second Read:	09/20/2021		

Discussion

07/19/2021

Mayor Hilliard referred Ordinance No. 2-22 to the Public Works and Environment Committee.

09/20/2021

Without Objection, Mayor Hilliard recognized the City Clerk for a second reading of Ordinance No. 2-22. Clerk Slaven performed a second reading of Ordinance No. 2-22 by title only.

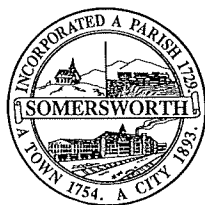
Councilor Witham made a motion to amend Ordinance No. 2-22 in accordance with the redlined version presented. The motion was seconded by Councilor Austin.

Councilor Paradis noted a typo under Section B, On-street Dining, where the Site Review Technical Committee was named as the Somersworth Technical Review Committee. Mayor Hilliard noted the typo and accepted the friendly amendment without objection.

The motion to amend Ordinance No. 2-22 as presented passed 9-0.

Councilor Witham made a motion to table Ordinance No. 2-22 until the Public Hearing. The motion was seconded by Councilor Dumont and passed 9-0 by roll call vote.

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	Paradis		
TOTAL VOTES:			
On	/ /	Ordinance 2-22	PASSED FAILED



City of Somersworth – Ordinance

Ordinance No: 3-22

SUPPLEMENTAL APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE SCHOOL DEPARTMENT

October 11, 2021

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 21-22 is amended as follows:

Appropriate \$600,000 (Six Hundred Thousand dollars) from unanticipated State of New Hampshire Adequacy Grant Revenue to the School Department Budget as follows;

Original Budget	Amendment	Revised Budget
\$ 27,680,522	\$ 600,000	\$ 28,280,522

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Jonathan Slaven
City Clerk

Background:

This Ordinance appropriates a portion of an unanticipated increase in the amount of State of New Hampshire Adequacy Funding to the School Department. The total amount to be received from the State is \$1,234,630 more than the November 2020 estimate provided by the State and used to develop the Fiscal Year 21-22 adopted budget. The intent is to use this appropriation, for some or all of the following Capital Improvements based on actual cost; building repairs and renovations to the Somersworth Middle School, renovation to or build a new concession stand/bathrooms at the High School Football Field, and upgrade the badge or key access to School buildings.

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
Donald Austin
Martin P. Dumont, Sr.

Approved:

City Attorney