



City of Somersworth
City Council Meeting
Monday, October 19, 2020

**THIS CITY COUNCIL MEETING WILL BE HELD AT THE BLACK BOX THEATER
AT THE SOMERSWORTH HIGH SCHOOL CAREER TECHNICAL CENTER
LOCATED AT 18 CEMETERY ROAD**

7:00 p.m. City Council Meeting

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on October 5, 2020
 - B. Letter from Mr. William Connor
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 Elections
 - Nominations being introduced for Council Confirmation Vote:
 - A. Keith Perkins, for Appointment as Full-Time Member to the Zoning Board of Adjustments, with a term to expire October 2023
 - B. Neil Larson, for Re-Appointment to the Board of Cemetery Trustees, with a term to expire October 2025

Somersworth City Council Meeting
October 19, 2020

13. Lay on the Table

14. Unfinished Business

ORDINANCES

- A. **Ordinance No. 5-21** - To Amend Chapter 19 – Zoning, Definitions, Section 25.B, Agricultural Use (Referred to Public Works & Environment Committee 7/13/2020)
- B. **Ordinance No. 7-21** – To Amend Chapter 6 – City Officials, Section 6.6.2.4, Public Safety Committee (Referred to Government Operations Committee 09/21/2020; Referred to Public Safety Committee 10/05/2020)

15. New Business

ORDINANCES

- A. **Ordinance No. 8-21** – To Amend Chapter 14, Licensing and Permits, Section 14.1, Amending Membership of the Licensing Board
- B. **Ordinance No. 9-21** – Transfer Ordinance to Fund the Purchase of a Sidewalk Tractor

RESOLUTIONS

- A. **Resolution No. 13-21** – To Authorize the City to Use Funding from the Furber Memorial Chapel Expendable Trust Fund as a Portion of the City’s Match to a Land and Community Heritage Investment Program Grant for the Roof Restoration Project on the Furber Memorial Chapel
- B. **Resolution No. 14-21** – To Authorize the City Manager to Contract with Chadwick-Baross for the Purchase of a Sidewalk Tractor
- C. **Resolution No. 15-21** – To Authorize the City Manager to Apply for a Homeland Security Pre-Disaster Mitigation Grant for Assessment and Design Services for Improvements to the Salmon Falls Road

OTHER

- A. Vote to Re-adopt the City of Somersworth Investment Policy
- B. Vote to Authorize the Sale of City Surplus Property – Per Administrative Code, Chapter 29, Section 8.5, Disposal of City Property

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

To: City of Somersworth N.H. - Honorable Mayor & City Council. 10/12/2020.
Topic: City Council Meetings Agenda, October 5, 2020.
Ordinance No. 7-21, To Ammend Chapter No.6.
Sponsored by: The Honorable Mayor Dana Hilliard & Councilman Matt Gerding.

: Citizen Comments: William L. Connor, 41 Pinewood Drive, Ward Two:

The general purpose of this document is provide an opportunity to weigh in with my personal opinions related to the Ordinance No.7-21, To Ammend Chapter No. 6 - City Officials -, coupled with actions that I have observed during the City Council meetings, as to its being read, discussions that were held and then relegated to another committee (Public Safety Committee) for further study and judgment.

The Ordinance No.7-21, To Ammend Chapter No.6 -City Officials- , is sponsored by our Mayor Dana Hilliard and Councilman Gerding. Under his authority and using the proper protocal, Mayor Hilliard had directed and assigned the task of reviewing Chapter No.6, to the Government Operations Committee, hence Councilman Matt Gerding and this committee conducted a review of said Chapter No.6 and has submitted a finished document for the full councils consideration.

Mayor Hilliard in his Mayors Report, has previously provided the council with a detailed account of what the main objectives are of Ordinance No.7-21. The council has had adequate time to review the submitted document that the Government Operation Committee developed.

During the councils session of deliberations concerning the Ordinance No.7-21, it had became obvious from the start that by some of the council memberships hyperbolic dialogue, that they were not supportive of the passage of this ordinance, by the tone of their contentious rebuttals and did so demonstrate an unwillingness to grasp how the ordinance may provide helpfulness in areas, in need of assistance.

* On October 8, 2020, The State of New Hampshire, Governor Chris Sununu issued an Executive order to implement (20) Police Reforms, all of which must be in place by July 1, 2021, per New Hampshire Union Leader, October 8, 2020, Page A2.

Therefore, It may be prudent for all council members to review these aforementioned reforms along with the Ordinance No.7-21, with a measure of flexibility and give a mindful consideration as to where an advantage may be gained and realized by us being ahead of the political tsunami curve.

Notably; Our Honorable Mayor Hilliard has sagely sponsored the Ordinance No.7-21, because he was confident enough that our city leaders could demonstrate publicly a willingness to explore the ordinances possibilities for improvement and overcome any unyielding personal issues, otherwise the perception given is that the process was lacking an orderly continuity.

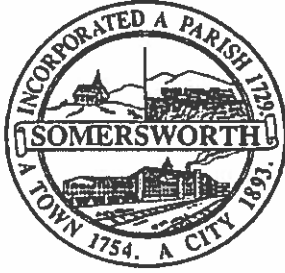
As to nation's current political climate and unrest being a determining factor, it is understandable for some council members to have had their personal opinions influenced or swayed about their accepting Ordinance No.7-21 as valid. Irregardless, as a reminder it is also a requirement for those citizens whom serve the public that they have an open mind to earnestly engage in this type of continuous improvement strategy.

Respectfully-

WLC

Conservative Democrat.

wconnor43@comcast.net



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Keith Perkins

Telephone: (603) 841-0252 Email: KeithPerkins622@gmail.com

Residence Address: 22 Third St.

Mailing Address (if different): 1A Chesley Ave.

Resident of Somersworth for 27 Years Ward 5

Registered Voter: Yes No

Education Level:

B.S. in Civil Engineering, NH PE license

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

Planning Board - Alternate
Zoning Board - Alternate

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

Zoning Board - Full Time member

My Background or Interests are: Background in Civil Engineering
for NH DOT

over



I have served on the following Committee (s) in the past: Planning Board - Alternate
Zoning Board - Alternate

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

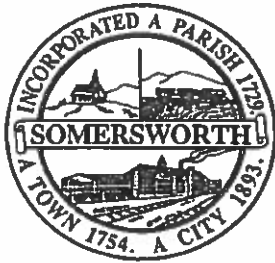
By submitting this Application you understand that:

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: Keith Perkins

Date: 10/14/20

**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: Neil Larson

Telephone: 603-397-7231 Email: drnigel@gmail.com

Residence Address: 16 Hamilton st., Somersworth NH

Mailing Address (if different): _____

Resident of Somersworth for 13 Years Ward 1

Registered Voter: Yes No

Education Level: Masters

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

I am interested in serving on the following Board, Commission or Committee (s):
Cemetery trustees (renewal of term)

My Background or Interests are: History, geography

over

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

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

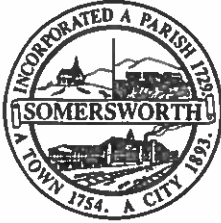
By submitting this Application you understand that:

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: 10/13/20

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



City of Somersworth – Ordinance

Ordinance No: 5-21

**TO AMEND CHAPTER 19 – ZONING, DEFINITIONS,
SECTION 25.B, AGRICULTURAL USE**

July 13, 2020

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 in Section 25 Definitions:

Section 19.25.B, Agricultural Use, delete the word, “apiculture.”

Section 19.25.B shall read as follows:

AGRICULTURAL USE Land used for agriculture, farming, dairying, pasturage, horticulture, aquaculture, floriculture, silviculture, animal and poultry husbandry.

This Ordinance will take effect upon passage.

Authorization	
<i>Sponsored by Councilors:</i> Crystal Paradis Nancie Cameron Matthew Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 5-21

History

First Read Date:	07/13/2020	Tabled:	NA
Public Hearing:	08/10/2020	Removed From Table:	NA
Second Read:	08/10/2020		

Discussion

07/13/2020

*Ordinance No. 5-21 will remain in first read until the call of the Chair.
Public Hearing scheduled at the call of the Chair.*

Mayor Hilliard referred Ordinance No. 5-21 to the Public Works & Environment Committee on 7/13/2020.

08/10/2020

Remains in Committee

09/09/2020

Remains in Committee

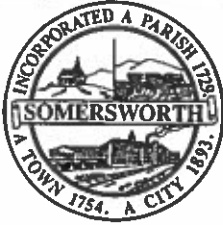
09/21/2020

Remains in Committee

10/05/2020

Remains in 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	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On / / . Ordinance 5-21		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 7-21

TO AMEND CHAPTER 6 – CITY OFFICIALS, SECTION 6.6.2.4, PUBLIC SAFETY COMMITTEE

September 21, 2020

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 City Officials, Section 6.6.2.4, Public Safety Committee, by adding:

In order to maintain our present quality of life, the Committee may also provide assistance in guiding Police, Fire and other emergency operations in delivering services ethically and effectively to ensure the safety and security of the Public, and, Public Trust is not compromised.

This Ordinance will take effect upon passage.

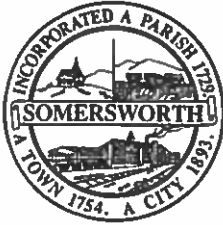
Authorization

Sponsored by:

Mayor Dana S. Hilliard
Councilor Matthew Gerding

Approved:

City Attorney



City of Somersworth – Ordinance

Ordinance No: 8-21

**TO AMEND CHAPTER 14 – LICENSING AND PERMITS,
SECTION 14.1, AMENDING MEMBERSHIP OF THE
LICENSING BOARD**

October 19, 2020

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:

Chapter 14, Section 1:

- Strike “City Clerk” and replace with “City Manager or his/her designee”
(Revised 10/19/2020)

This Ordinance will take effect upon passage.

Authorization	
<i>Sponsored by:</i> Richard R. Michaud Donald Austin Matthew Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 8-21

History

First Read Date:	10/19/2020	Tabled:	NA
Public Hearing:		Removed From Table:	NA
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	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On / / Ordinance 8-21		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 9-21

TRANSFER ORDINANCE TO FUND THE PURCHASE OF A SIDEWALK TRACTOR

October 19, 2020

BE IT ORDAINED BY THE CITY OF SOMERSWORTH, pursuant to Section 7.7 (D) of the City Charter, that the following General Fund unencumbered balance transfer be made:

<u>DEPARTMENTS</u>	<u>FROM</u>	<u>TO</u>
ELECTED LEADERSHIP		
CITY MANAGEMENT		
FINANCE AND ADMINISTRATION		
DEVELOPMENT SERVICES		
POLICE		
FIRE		
PUBLIC WORKS	130,000	
CAPITAL EXPENSES		130,000
OTHER EXPENSES (<i>CONTINGENCY</i>)		
INTERGOVT ASSESSMENTS-COUNTY TAX		
SCHOOL DEPARTMENT	_____	_____
 TOTAL GENERAL FUND	 130,000	 130,000

Note: The intent is to transfer funding from the amount appropriated for road resurfacing in the Department of Public Works budget to Capital Outlay to be used toward the purchase of a sidewalk tractor. There is also approximately \$35,000 held in escrow that will be used toward this purchase. When the road resurfacing bids are received, the City may use the Municipal and Transportation Fund to supplement any needed funding to complete the road resurfacing projects as scheduled.

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by Councilor:</i> David A. Witham Donald Austin Martin Pepin Martin Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 9-21

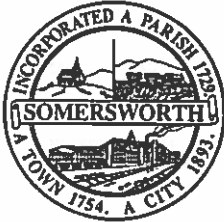
History

First Read Date:	10/19/2020	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	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On / / Ordinance 9-21		PASSED	FAILED

City of Somersworth – Resolution



Resolution No: 13-21

TO AUTHORIZE THE CITY TO USE FUNDING FROM THE FURBER MEMORIAL CHAPEL EXPENDABLE TRUST FUND AS A PORTION OF THE CITY’S MATCH TO A LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM GRANT FOR THE ROOF RESTORATION PROJECT ON THE FURBER MEMORIAL CHAPEL

October 19, 2020

WHEREAS, the City Council adopted Resolution 25-20 to authorize the City Manager to enter into a grant agreement with the State of New Hampshire for a Land and Community Heritage Investment Program Grant to replace and restore the roof on the Furber Memorial Chapel, and

WHEREAS, city staff received bids for this project from qualified contractors and recommended awarding the project to Alden Bailey Restoration Corp. of Ridgefield, Connecticut, and

WHEREAS, the Finance Committee reviewed this recommendation from staff and authorized awarding the contract for this project to Alden Bailey Restoration Corp. for an amount not to exceed \$55,000 (Fifty-Five Thousand dollars) including contingency, and

WHEREAS, to complete this project the City is required to provide a 50% match in the amount of \$27,500 (Twenty-Seven Thousand Five Hundred dollars), and

WHEREAS, it is recommended that the City utilize the full balance available in the Furber Memorial Chapel Expendable Trust Fund to provide a portion of the City’s match in the amount of approximately \$10,000 (Ten Thousand dollars) and close the fund,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City may utilize the full balance available in the Furber Memorial Chapel Expendable Trust Fund to provide a portion of the City’s match for the roof restoration project on the Furber Memorial Chapel.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Donald Austin Martin Pepin Martin Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 13-21

History

First Read Date:	10/19/2020	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	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On	Resolution 13-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 14-21

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH CHADWICK-BAROSS FOR THE PURCHASE OF A SIDEWALK TRACTOR

October 19, 2020

WHEREAS, the Somersworth City Council is currently considering taking action on Ordinance 9-21, sponsored by the Finance Committee, to transfer funding from the Department of Public Works to the Capital Outlay section of the FY2021 adopted budget for the purchase of a sidewalk tractor, and

WHEREAS, the Public Works and Environment Committee has reviewed proposals for purchasing three different sidewalk tractors prepared by staff and based on an a favorable review to include the ability to utilize existing accessory equipment for the unit recommends the City authorize the purchase of a 2020 Holder C9.92 sidewalk tractor from Chadwick-BaRoss of Concord, New Hampshire at a cost not to exceed \$162,775 (One Hundred Sixty-Two Thousand Seven Hundred Seventy-Five dollars), and

WHEREAS, the City has available \$35,184 (Thirty-Five Thousand One Hundred Eighty-Four dollars) held in escrowed funding received from Cumberland Farms for pedestrian related improvements,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Chadwick-BaRoss of Concord, New Hampshire for the purchase of a 2020 Holder C9.92 sidewalk tractor for an amount not to exceed \$166,000 (One Hundred Sixty-Six Thousand dollars) and to take any other action associated with this purchase determined to be in the best interest of the City, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City is authorized to pre-order the sidewalk tractor in advance of the budget transfer required for funding the purchase and is authorized to use the balance of funding available in said escrow received from Cumberland Farms for pedestrian related improvements for this purchase.

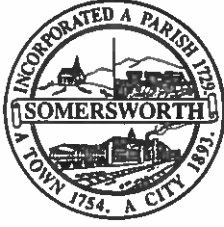
Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Donald Austin Martin Pepin Martin P. Dumont Sr. Matthew Gerding Kenneth Vincent	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 14-21

History			
First Read Date:	10/19/2020	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	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
On	Resolution 14-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 15-21

TO AUTHORIZE THE CITY MANAGER TO APPLY FOR A HOMELAND SECURITY PRE-DISASTER MITIGATION GRANT FOR ASSESSMENT AND DESIGN SERVICES FOR IMPROVEMENTS TO THE SALMON FALLS ROAD

October 19, 2020

WHEREAS, the Salmon Falls Road is susceptible to flooding and the City experienced damaging floods impacting the Salmon Falls Road and residents along this road in 2006 and in 2007, and

WHEREAS, the City filed a Letter of Intent (LOI) with the US Department of Homeland Security to seek Pre- Disaster Mitigation Funds for assessment and design services for the Salmon Falls Road estimated to cost \$150,000 (One Hundred Fifty Thousand dollars), and

WHEREAS, the City completed a Multi Hazard Mitigation Plan Update in 2016 and one of the key projects recommended is the redesign of the Salmon Falls Road for flood resiliency, and

WHEREAS, the City of Somersworth has received notification that the Letter of Intent (LOI) and project description was deemed eligible to apply for this Grant which could provide \$112,500 (One Hundred Twelve Thousand Five Hundred dollars) or 75% of the cost, requiring a local match of \$37,500 (Thirty Seven Thousand Five Hundred dollars) or 25% of the cost, and

WHEREAS, the Finance Committee reviewed this Grant with staff and supports applying for this Grant,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to apply for a Pre-Disaster Mitigation Grant for assessment and design services for Salmon Falls Road, and to take any and all other such actions relative to this Grant application determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David A. Witham
Martin Pepin
Donald Austin
Marty Dumont

Approved:

City Attorney

City of Somersworth – Resolution 15-21

History

First Read Date:	10/19/2020	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	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
TOTAL VOTES:			
Resolution 15-21		PASSED	FAILED