

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, OCTOBER 3, 2016 TIME: 7:00PM

## AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

### PRESENTATION

- 1. PS21

- V. ACCEPTANCE OF MINUTES – SEPTEMBER 6, 2016

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 14 – HOUSING CODE BE AMENDED BY DELETING THE EXISTING ARTICLE II: DEMOLITION AND INSERTING IN ITS PLACE A NEW ARTICLE II. THE PURPOSE OF THIS ARTICLE IS TO ENCOURAGE THE PRESERVATION OF BUILDINGS AND PLACES OF HISTORIC, ARCHITECTURAL AND COMMUNITY VALUE

- VIII. APPROVAL OF GRANTS/DONATIONS

- A. Grants:
  - 2016 Internet Crimes Against Children Task Force Grant - \$256,037.00
  - Acceptance of the New Hampshire Highway Safety Grants
    - Distracted Driving Patrols \$10,000.00
    - Sobriety Checkpoints \$ 6,758.00
    - DWI Patrols \$ 9,843.00
    - Step Patrols \$ 9,926.40
    - Bicycle/Pedestrian Patrols \$ 6,195.20
  - Acceptance of Bullet Proof Vest Grant - \$11,065.68
  - Opioid Abuse Reduction Initiative Grant - \$59,324.03

***(Sample motion – move to approve and accept the grants to the Portsmouth Police Department, as presented)***

**IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. First reading of Ordinance amending Chapter 3, Article II, Section 3.2 Solid Waste, Yard Waste and Recycling and an amendment to Chapter 1, Article XIII, Section 1.13 – Municipal Enforcement Procedures
- B. Second reading of Ordinance amending Chapter 14, Article II – Demolition – The Preservation of Buildings and Places of Historic, Architectural and Community Value

**X. CONSENT AGENDA**

***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

- A. Letter from Melissa Walden, American Lung Association requesting permission to hold the Seacoast ride on Sunday, May 7, 2017 at 7:00 a.m. – 3:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
- B. Letter from Jennifer Goodman, New Hampshire Preservation Alliance expressing support for the adoption of a new demolition ordinance (***Anticipated action – move to accept and place the letter on file***)

**XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Attorney General Joseph Foster regarding Enabling Authority for Municipal Regulation of Plastic Bag Use

**XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

**City Manager's Items Which Require Action:**

- 1. Establish Public Hearing Re: Funding to Acquire A Portion of Property at 150 Greenleaf Avenue
- 2. Request for Acceptance of Harbor Walk Park Pier Project
- 3. Polling Hours for November 8<sup>th</sup> Presidential General Election

**Informational items**

- 1. Events Listing
- 2. Report Back Re: Veterans Tax Credit

**B. MAYOR BLALOCK**

1. Appointment to be Considered:
  - Appointment of Jody Record to the Planning Board as a Regular Member
  - Appointment of Jeffrey Kisiel to the Planning Board as an Alternate Member
  - Reappointment of Bruce Boley to the Board of Library Trustees
  - Reappointment of Jack Jamison to the Board of Library Trustees

**C. COUNCILOR DENTON**

1. \*Curbside Composting Pilot Program (***Sample motion – move that the City Manager report back with curbside composting pilot program options. The scope of at least one option should be large enough so the savings from tipping fees should pay for the majority of the pilot program’s costs if the program is fully utilized by residents***)

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIV. ADJOURNMENT**

**KELLI L. BARNABY, MMC, CMC, CNHMC**

**CITY CLERK**

*\*Indicates Verbal Report*

**INFORMATIONAL ITEMS**

1. Notification that the minutes of the August 18, 2016 Planning Board meeting are now available on the City’s website

**NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.**

**From:** "Doug Roberts"

**Date:** September 26, 2016 at 1:24:22 PM EDT

**To:** "Jack Blalock", "John P. Bohenko"

**Subject:** PS21 presentation

Hi Jack and John,

PS21 is wondering if we can get a spot on the agenda of an upcoming City Council meeting for a short presentation.

We'd like to suggest that the City adopt a policy for tactical urbanism and community-led demonstration projects. Such a policy would make it easier for everyday residents, advocacy organizations, and community groups to spearhead short-term projects alongside DPW and other agencies.

We would like to show a short video (3-1/2 minutes) and talk about the policy for perhaps a total of 10 minutes.

Mike Lydon, the consultant who helped PS21 with Islington Street Lab, developed a model policy for the city of Burlington, which it adopted last spring. The policy gives project examples and lays out answers to questions like: How can residents get city approval? What is the best way to design temporary structures? What are the best materials for a project and potential cost? What materials are safe and will be approved? What level of design is needed, and what are the standards? What are the protocols for safe installation and removal? What are the evaluation metrics?

We think a similar policy could be appropriate for Portsmouth. I've mentioned the Burlington policy to the city manager and Juliet Walker, and last week Peter Vandermark and I gave a presentation about it to the City-Wide Neighborhood Committee, which passed a resolution in support.

Doug Roberts

[www.ps21.info](http://www.ps21.info)

**CITY COUNCIL NON-MEETING WITH COUNSEL REGARDING PUBLIC USE AND  
VIEWING FOR EMINENT DOMAIN PURPOSES PROPERTY AT 150 GREENLEAF AVENUE  
MAP 243 LOT 067**

PORTSMOUTH MUNICIPAL COMPLEX  
COUNCIL CHAMBERS

MONDAY, SEPTEMBER 6, 2016  
TIME: 5:30PM

**COUNCIL PRESENT:** Mayor Blalock, Assistant Mayor Splaine, Councilors Dwyer, Lown, Spear and Cyr

**COUNCIL ABSENT:** Councilors Perkins, Pearson and Denton

**STAFF PRESENT:** John Bohenko, City Manager; Robert Sullivan, City Attorney; Suzanne Woodland, Deputy City Attorney;

Mayor Blalock opened the public use and necessity hearing for the acquisition of a portion of the property at 150 Greenleaf Avenue. He said we will begin the hearing by taking a view of the property.

Because the portion of the property the City seeks to acquire is in the rear of the parcel, the City Council will travel to 180 Greenleaf Avenue, the Comcast Facility. He said we will use the Comcast parking lot to park and have the opportunity to view the proposed acquisition from the Comcast boundary line. The access area for viewing has been mowed, but will likely be wet due to the rain.

The Deputy City Attorney will point out the area under consideration. Interested parties and the public are welcome to join the City Council on its view.

At the conclusion of the view, the hearing will be adjourned until later in the evening when the City Council commences its regular meeting at 7:00 p.m. at the Eileen Dondero Foley Council Chambers. At that time there will be a presentation and the City will take testimony and comments.

The City Council traveled to the site. Deputy City Attorney Woodland said the City Council will be allowed question at the hearing back in the Council Chambers. City Clerk Barnaby provided copies of a map to those in attendance of the area as provided by Deputy City Attorney Woodland. Deputy City Attorney Woodland explained the area and spoke to the berm covering the line and said that culverts are several feet down.

**Councilor Lown moved to continue the discussion until we have the hearing back at the Council Chambers. Seconded by Councilor Spear and voted.**

**NON-MEETING WITH COUNSEL REGARDING LITIGATION RELATIVE TO A  
GOODWIN SETTLEMENT AGREEMENT**

A roll call for attendance of City Council members present for the meeting was taken.

**COUNCIL PRESENT:** Mayor Blalock, Assistant Mayor Splaine, Councilors Dwyer, Lown, Spear, Cyr and Denton

COUNCIL ABSENT: Councilors Perkins and Pearson

STAFF PRESENT: John P. Bohenko, City Manager; Robert Sullivan, City Attorney; Tom Closson, Negotiator; Dianna Fogarty, Human Resources Director; and Kelli L. Barnaby, City Clerk

**Councilor Lown moved to enter into Non-Meeting regarding Litigation. Seconded by Councilor Cyr.**

Assistant Mayor Splaine said he would vote against the motion and feels we need to air on the side of caution when holding Non-Meetings or Non Public Sessions.

Councilor Dwyer said some people might come away thinking the Council will be talking about the Geraldine Webber will when it is about Aaron Goodwin.

Councilor Denton said it is important that issues discussed in the Non-Meeting remain confidential.

Councilor Lown said if there is a settlement there would be time to discuss it publicly.

**On a roll call 6-3, motion passed. Assistant Mayor Splaine voted opposed and Councilors Perkins and Pearson were absent.**

The City Council discussed the Aaron Goodwin litigation.

At 7:15 p.m., Mayor Blalock adjourned the Non-Meeting with Counsel.

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## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, SEPTEMBER 6, 2016

PORTSMOUTH, NH  
TIME: 7:00PM

### **I. CALL TO ORDER**

Mayor Blalock called the meeting to order at 7:25 p.m.

### **II. ROLL CALL**

Present: Mayor Blalock, Assistant Mayor Splaine, Councilors Dwyer, Lown, Spear, Cyr and Denton

Absent: Councilors Perkins and Pearson

### **III. INVOCATION**

Mayor Blalock asked everyone to join in a moment of silent prayer.

#### IV. PLEDGE OF ALLEGIANCE

Assistant Mayor Splaine led in the Pledge of Allegiance to the Flag.

#### PRESENTATIONS

##### 1. Water Restrictions

Deputy Public Works Director Goetz provided an update on the drought in the northeast and stated that we are at extreme drought levels. He indicated that we are 4 years below the average and reviewed the precipitation history. He informed the City Council that the Bellamy Reservoir is down 3 feet from overflow with a current withdrawal of 3 million gallons/day. He addressed current water supply management and contingencies by tracking reservoir levels and water quality. Deputy Public Works Director Goetz reported they're working with a consultant to activate the new Madbury Well #5 as an emergency source of supply. He spoke to water demands with July's average being 6.1 million gallons per Day (MGD); August's average is 5.7 MGD, Labor Day weekend was 4.7 MGD and Winter's demand is 3.5 to 4.0 MGD. He also addressed water efficiency rebates and reported as of September 1<sup>st</sup> 366 toilet rebates were issued and 82 washing machine rebates have been issued. In addition, he stated that Portsmouth Housing Authority had 97 toilet rebates in April which created a 17% reduction in usage (2,795 gallons/day = 3.73 units/day). Deputy Director Goetz said effective September 8, 2016 hand-held watering of vegetable gardens, perennial flowers and nurseries will be allowed as well as golf course watering of tees and greens but no fairways or rough.

**Assistant Mayor Splaine moved to authorize the City Manager to enact an outside water ban, and further, to give the City Manager the authority to take whatever action necessary to enforce the water ban as outlined in discussions held this evening. Seconded by Councilor Cyr and voted.**

##### 2. Sustainability Committee

Bert Cohen said he will present some information and ideas to which they would request a work session to be held with the City Council. Members of the Sustainable Committee Bert Cohen, Chair; Peter Britz, City Representative; Josh Denton, City Council Representative; Patrick Ellis, School Board Representative; Peter Gerrish, PHS Eco-Club Representative; Larry Lariviere, Citizen; Jacob Levenson, City Representative; Drew Stadterman, Citizen; and Wes Tator, Citizen reported the following:

- LEED Certification of City Buildings Madbury WTP Solar Array Installation
- PHS Solar Array Installation
- LED Streetlight conversion
- 95.8% Recovery Rate Sample Analysis
- Over a decade of 55% diversion from landfills
- Food waste composting drop-off at Department of Public Works
- Improving public space recycling receptacles
- Roll out of standardized recycling signs w/simple instructions to reduce confusion

## Sidewalks Borthwick Avenue

- Greenway south side of North Mill Pond
- Removal of existing barrier to migrating fish
- Funding of a greenway connected to development of 11 acre parcel
- Signalize cross walk

Councilor Denton spoke to Portsmouth's current compost pilot program. He also addressed Cambridge's and Natick's curbside compost pilots. He reported to the City Council that the program in Cambridge was free where Natick charged. He also spoke to compost processing going out to Pease.

The Committee further reported the following:

- Relatively few facilities in New England, but common in other parts of the country
- Reduces organic matter by 50% or more
- Reduces biogas for use in CHP
- Logically "next step" for upgrades at Pease after Peirce Island is completed
  
- Utilize unused space at the Pease WWTP
- Deliver biosolids from Peirce Island
  - Source separated food waste
  - Grease trap waste
- Portsmouth could run the show, or seek a private company to take responsibility
- Facility could provide a regional solution for these materials, along with income for Portsmouth

What are the Benefits:

- Portsmouth is currently spending:
  - \$500,000 per year on electricity (sewer division)
  - \$300,000 per year on biosolids disposal (combined)
  - \$20,000 per year for natural gas at Pease
- Produce enough electricity to reduce the Sewer Department electric bill to ZERO
- Reduce the volume of biosolids in half
- Reduce the cost of managing biosolids in half
- Eliminate the cost of heating at Pease

In closing, the Committee members reported on climate changes and what can be done and that climate changes are a significant problem. The solution to climate changes goes through Congress and how to prepare for sea level rise:

- Now is the time to speak out on behalf of Carbon Fee and Dividend legislation
- Provide Leadership for Citizens, other Communities
- Join 20 other cities who have adopted supportive Resolutions



Councilor Denton announced that the Work Session with the City Council would be on October 1<sup>st</sup> at the Council Retreat.

## **V. ACCEPTANCE OF MINUTES – AUGUST 1, 2016**

**Councilor Spear moved to accept and approve the minutes of the August 1, 2016 City Council meeting. Seconded by Councilor Dwyer and voted.**

## **VI. PUBLIC COMMENT SESSION**

Erik Anderson spoke regarding the 3 contracts before the City Council for the Police and Fire Departments. He said he hopes that the City Council have reviewed the contracts in depth and spoke against stipends that are in the Fire Department for the fire boat which we no longer have.

Jon Wyckoff spoke on demolition in residential areas and that problems exist with the property at 140 Thornton Street. He said he is pleased to see an ordinance being brought forward on this matter. He expressed concern regarding the former School House Restaurant and how this ordinance could impact that property.

Mark Brighton said he would support the Police Department contracts that are being presented.

Arthur Clough said that Ben Anderson took a picture of him and his child while eating ice cream at Prescott Park. He also spoke regarding the need for compliance in the park.

## **VII. PUBLIC HEARINGS**

### **A. PUBLIC USE AND NECESSITY HEARING FOR EMINENT DOMAIN PURPOSES PROPERTY AT 150 GREENLEAF AVENUE MAP 243 LOT 067**

Mayor Blalock read the legal notice, declared the public hearing open and called for speakers. He announced prior to the speakers the Legal Department will be making a presentation. City Attorney Sullivan said the Legal Department and outside counsel request the City Council to adopt the Resolution as presented.

Attorney Charles Bauer spoke to the overview of the area that was visited this evening. He addressed the history of the litigation. He spoke to the conditions of the site in the 1960's which were swampy. He said in 1964 the State of NH purchased property now known as 150 Greenleaf Avenue to construct and operate the New Hampshire Vocational Technical School. He said in 1967 the City Council advised of need for sewer to serve Lois, Marjorie and Sylvester Street. He reported that a city crew began excavating a ditch through land off Greenleaf Avenue toward Marjorie Street in an effort to drain the area and alleviate a swamp and odor problem. He further stated the residents of the neighborhood had complained to the City Council about sewage nuisance from septic tanks and asked for a sewer line to service the area. It was noted that engineers said the land must first be drained. Attorney Bauer outlined the following:

November 20, 1967 – State of NH Board of Education grants approval for City to install sewer line. NH State Board of Education voted:

“To approve the request of the Department of Public Works of the City of Portsmouth to extend a sewer line across the rear of the property of the Vocational Technical Institute in Portsmouth”

November 21, 1967 – Portsmouth Herald:

“In other business yesterday the board granted an easement to the City of Portsmouth across land at the Vocational-Technical Institute on the Interstate Highway for a sewer line for the proposed Prospect Park sewer.”

Late 1967 and 1968

City constructs sewer line in swamp land across the rear of the parcel

Attorney Bauer spoke to the change of ownership of the property during the time of purchase of land from 1983 – 2003. He said in 2003 a berm was put in place which is above ground. He said swamp is now referred to as wetlands. He said an error was made in obtaining rights to the land and in 2013 and 2014 the City was ruled a trespasser but the City appealed that in 2015. He reported that the present land owner has requested \$26,500.00 per month for rent of the land. He also reported that numerous negotiations have been tried and failed.

Deputy City Attorney Woodland spoke to the items that will be addressed during this portion of the presentation. She said an appraisal of the property has been done and the City wants to maintain the flow and retention of water. She stated maintaining the wetlands area does serve a storm water function. She reported that the sewer line is atypical and addressed the covenants on Greenleaf Avenue. Deputy City Attorney Woodland said the area is necessary to maintain the sewer line and its supporting infrastructure. She addressed the acquisition would be 4.6 acres and the property taking is valued at \$11,000,000.00 before and after the taking. She reported that there are limitations for the development of the property. She said the appraiser came forward with an offer of \$345,000.00 for acquisition.

Attorney Kuzinevich representing Mr. Boyle said he cautions the City Council and said that this is not a simple case. He said there is 12 years of litigation and Mr. Boyle has won all of the cases. He reported that Mr. Boyle did not discover the sewer line when he purchased the property and he wants to put another dealership on the remaining acres. Attorney Kuzinevich said there is zero functionality of wetlands. He said there was a ditch around the property and the City created the wetlands without the owner’s permission. He stated that the eminent domain does not resolve the litigation. He said they will challenge the eminent domain and that the City will average rent to Mr. Boyle since 2008.

Jim Boyle said that this is costing the City a lot of money and that this is a bad faith taking.

Paul McEachern said he served the City Council in 1968 and the City Attorney was John Driscoll who was part time and did his best. He said the Board of Education would have given an easement, it was obviously an oversight.

Rick Becksted said eminent domain should be the last resort and feels that the City Council should try speaking with Mr. Boyle to resolve these issues.

With no further speakers, Mayor Blalock declared the public hearing closed.

At 9:45 p.m., Mayor Blalock declared a brief recess. At 9:55 p.m., Mayor Blalock called the meeting back to order.

**B. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF TWO HUNDRED ONE THOUSAND DOLLARS (\$201,000.00) FROM UNASSIGNED FUND BALANCE FOR NECESSARY EXPENDITURES RELATED TO CONTRACTUAL OBLIGATIONS**

Mayor Blalock read the legal notice, declared the public hearing open and called for speakers.

City Manager Bohenko said the collective bargaining agreements before the Council require a supplemental appropriation.

With no speakers, Mayor Blalock declared the public hearing closed.

**Assistant Mayor Splaine moved to suspend the rules to take up item IX. B. – Adoption of Resolution Authorizing a Supplemental Appropriation of Two Hundred One Thousand Dollars (\$201,000.00) for Unassigned Fund Balance for Necessary Expenditures related to Contractual Obligations; XII. A.1. – Request for Approval of a Proposed Agreement between the City of Portsmouth Police Commission and the Portsmouth Police Patrolman’s Union, NEPBA Local #11; XII. A.2. – Request for Approval of a Proposed Agreement between the City of Portsmouth Police Commission and the Portsmouth Police Ranking Officers’ Association; and XII. A.3 – Request for Approval of a Proposed Agreement between the City of Portsmouth Fire Commission and the Portsmouth Professional Fire Officers’ Association. Seconded by Councilor Cyr and voted.**

IX. B. Adoption of Resolution Authorizing a Supplemental Appropriation of Two Hundred One Thousand Dollars (\$201,000.00) from Unassigned Fund Balance for Necessary Expenditures related to Contractual Obligations

**Assistant Mayor Splaine moved to adopt the Resolution authorizing a Supplemental Appropriation in the amount of Two Hundred One Thousand (\$201,000.00) Dollars from Unassigned Fund Balance for Necessary Expenditures Related to Contractual Obligations, as presented. Seconded by Councilor Cyr. On a unanimous roll call vote 7-0, motion passed.**

XII. A.1. Request for Approval of a Proposed Agreement between the City of Portsmouth Police Commission and the Portsmouth Police Patrolman’s Union, NEPBA Local #11

**Assistant Mayor Splaine moved to accept the proposed contract between the Portsmouth Police Commission and the Portsmouth Police Patrolman's Union, NEPBA, Local #11, to expire on June 30, 3018. Seconded by Councilor Cyr.**

Councilor Spear said that this goes for both police contracts that there are no items for overtime reform. He said the contract is very generous and he would vote against both contracts. He said his issue with this contract is the overtime and expressed concern that our Chief will only be here for a short amount of time and the contract is for multiple years and will tie the hands of a new Chief. He feels a contract should be put in place by a new Chief.

Councilor Lown agrees with what Councilor Spear has said but the new Chief will come in a year from now and there is another way to look at this. He feels the contract could be helpful to the new Chief.

Councilor Dwyer said she agrees with Councilor Lown and said this contract will make us competitive.

Assistant Mayor Splaine said Chief Mara and the Police Commission have done excellent work to get an agreement with the unions. He said we should be paying the Police and Fire more than they receive because they keep us safe.

Councilor Denton said he would vote for the contracts and it is not an issue because Chief Mara will not be here for a long period of time.

Mayor Blalock passed the gavel to Assistant Mayor Splaine.

Mayor Blalock said we want to maintain the employees and they are well deserving of this contract.

Assistant Mayor Splaine returned the gavel to Mayor Blalock.

**Motion passed.**

- XII. A.2. Request for Approval of a Proposed Agreement between the City of Portsmouth Police Commission and the Portsmouth Police Ranking Officers' Association

**Assistant Mayor Splaine moved to accept the proposed contract between the Portsmouth Police Commission and the Portsmouth Police Ranking Officers' Association, to expire on June 30, 2018. Seconded by Councilor Dwyer and voted.**

- XII. A.3. Request for Approval of a Proposed Agreement between the City of Portsmouth Fire Commission and the Portsmouth Professional Fire Officers' Association

**Assistant Mayor Splaine moved to accept the proposed contract between the Portsmouth Fire Commission and the Portsmouth Professional Fire Officers' Association, to expire on June 30, 2018. Seconded by Councilor Cyr.**

Councilor Spear said he would vote against the motion because it has to do with the fire boat. He said he cannot support paying a stipend to employees to run a fire boat when we do not have one.

Councilor Denton said we are planning to get a new fire boat and would the officer's still need training to run the boat. Fire Chief Achilles said the Fire Commission recognizes that this was for training and the training still will be transferrable.

Councilor Lown said he would vote against the contract because 2 of the 3 Commissioners voted against a cost savings. He said shift replacement continues to be a concern and feels it needs to be reduced.

Mayor Blalock passed the gavel to Assistant Mayor Splaine.

Mayor Blalock said he was disappointed that the Fire Chief was not supported. He said we want to remain competitive and keep the employees. He said he would support the motion because he does not like to see employees working without a contract.

Assistant Mayor Blalock returned the gavel to Mayor Blalock.

Councilor Dwyer said she would support the contract but this time the union needs to work on shift replacement.

**Motion passed. Councilor Lown and Spear voted opposed.**

## **VIII. APPROVAL OF GRANTS/DONATIONS**

### **A. Acceptance of Grant for Household Hazardous Waste Collection**

**Councilor Lown moved to accept and expend a \$4,660.00 DES grant for the purpose of household hazardous waste collection events and authorize the City Manager to execute any documents which may be necessary for this grant contract. Seconded by Councilor Cyr and voted.**

### **B. Acceptance of Edward Byrne Memorial Justice Assistant Grant (JAG) – Evaluative Standards - \$10,182.00**

**Councilor Spear moved to accept and approve the grant to the Portsmouth Police Department in the amount of \$10,182.00. Seconded by Councilor Lown and voted.**

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

### A. Resolution Re: Eminent Domain 150 Greenleaf Avenue

**Councilor Spear moved to adopt the Resolution entitled “Regarding the Public Necessity for the City to Condemn Certain Property Located at 150 Greenleaf Avenue Portsmouth New Hampshire for Sewer, Drainage, and Storm water Purposes with Just Compensation to the Landowner.” Seconded by Councilor Cyr.**

Councilor Lown said we heard a presentation from Attorney Kuzinevich on the matter of the land not being wetlands. He asked why the area surrounding the berm would the City need to preserve the land. Deputy City Attorney Woodland said in 2005 Mr. Boyle’s soil scientist declared the areas as wetlands. She spoke how the water flows through the property. She reported in 2011 without a permit Mr. Boyle installed culverts and there was a difference of opinion whether he was allowed to but the culverts were already in place. Councilor Lown asked why we can’t just take the area of land where the berm is located. Deputy City Attorney Woodland said this would be for waste water. Attorney Bauer said approval has not been given by DES or the City at this point the land is not developable. Councilor Lown said if just the berm was taken you could define the state of the berm and the state of the wetlands. Attorney Bauer said that is what you are being asked to do.

Councilor Dwyer said she did not hear anything about dams or creating wetlands. She asked if there is anything being proposed for a dam. Attorney Bauer said no the berm was said by Attorney Kuzinevich to be a dam.

Councilor Lown spoke about the amount of rent the City might be required to pay and asked if we can wait until we know what the amount is. Attorney Bauer said the rent from back to 2008 is \$2.5 million you would not have to pay the rent going forward until something happens then at that point the rent stops. He said the primary purposes is to do the public use and necessity that was supposed to happen back in the 1960’s.

Assistant Mayor Splaine asked Deputy City Attorney Woodland how much this has cost to this point and how much it would cost going forward. Deputy City Attorney Woodland said in 60 days we are going before the BTLA and the cost is hard to predict. Attorney Bauer said the cost to date is approximately \$300,000.00.

Assistant Mayor Splaine said the owner is making an appeal to talk with a member of the City Council and asked how we get to the point of an agreement. Attorney Bauer said he has spent an inordinate amount of time on negotiating. He said there have been many attempts to resolve things but Mr. Boyle has made that difficult.

Councilor Denton said he is not taking eminent domain lightly. He said if an attorney tells you go with eminent domain you need to listen because they know more than we do on this matter.

Councilor Dwyer said the old maps show what it was when a State agency grants approval by vote to approve the extension of a sewer line. She said we need to assume that means something and we need to trust that a State agency grants an easement in its written minute's eminent domain is a last recourse. She said we attempted to settle and that comes at a cost. She stated many, many, many attempts have been made to settle. She said we need to learn from our history.

Councilor Lown said the questions is how does eminent domain compare with removing the line and building a pump station.

Assistant Mayor Splaine said he would vote against eminent domain and it leaves a bad test in his mouth. He said something here does not add up and there must be some way to get to yes without eminent domain.

Councilor Spear said eminent domain does allow us to get to yes. He said he agrees with comments made by Councilor Dwyer on the vote for the easement. He said it was a different world in the 1960's and said the sewer line is a benefit. He said he endorses eminent domain.

**On a roll call 5-2, motion passed. Councilors Dwyer, Spear, Cyr, Denton and Mayor Blalock voted in favor. Assistant Mayor Splaine and Councilor Lown voted opposed.**

## **X. CONSENT AGENDA**

- A. Letter from James Daley, St. Thomas Aquinas High School, requesting permission to close Chestnut Street from 11:00 a.m. to 3:00 p.m. on Sunday, June 4, 2017 to allow for a reception line at the conclusion of the Commencement ceremony  
***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold the following events:
- First Night Portsmouth 2017 – Saturday, December 31, 2016; 4:00 p.m. – Midnight
  - Children's Day – Sunday, May 7, 2017; Noon – 4:00 p.m.
  - 40<sup>th</sup> Annual Market Square Day Festival & 10k Road Race – Saturday, June 10, 2017; 9:00 a.m. – 4:00 p.m.
  - 15<sup>th</sup> Annual Summer in the Street – Saturday, June 24<sup>th</sup>, July 1<sup>st</sup>, July 8<sup>th</sup>, July 15<sup>th</sup>, July 22<sup>nd</sup>, July 29<sup>th</sup>, 5:00 p.m. – 9:30 p.m.
- (Anticipated action – move to refer to the City Manager with power)***
- C. Request for Approval of Pole License to install 1 replacement pole and replacement guy-pole located adjacent to the driveway of 999 Islington Street ***(Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes)***

- D. Request for Approval of Pole License at 173, 175 Market Street as part of the redevelopment of this property (***Anticipated action – move to approval the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
  
- E. Request for Approval of Pole License to install 1 replacement pole at 50 Marjorie Street (***Anticipated action – move to approval the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
  
- F. Request for Approval of Pole License to install 1 replacement pole at the southeast corner of the Cottage Street and Route 1 Bypass intersection (adjacent to Holloway Motors) (***Anticipated action – move to approval the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
  
- G. Request for Approval of Pole License to install 1 replacement pole with guy-wire located at 1608 Islington Street (***Anticipated action – move to approval the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)

**Councilor Spear moved to adopt the Consent Agenda. Seconded by Councilor Lown and voted.**

**XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Elizabeth Dinan requesting the establishment of a swap shed at the recycling center

**Councilor Lown moved to refer to the City Manager for report back. Seconded by Councilor Cyr and voted.**

- B. Letter from Attorney Watson regarding Mr. Lassen’s proposal for dock space at the reconstructed docks at 95 Mechanic Street

**Councilor Lown moved to refer to the City Manager for report back with a recommendation. Seconded by Councilor Cyr and voted.**



## **XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

Due to the hour the remaining items under the City Manager's name would become consent items unless an item was removed by a Councilor.

Councilor Spear requested to remove City Manager's Item XII. A.7. from Consent Items.

### **A. CITY MANAGER**

4. Proposed Acceptance of a Permanent Easement from the Portsmouth Housing Authority for Construction of a Sidewalk and Multi-use Path on Gosling Road ***(Moved to approve the Planning Board's recommendation to accept this easement granted to the City by Portsmouth Housing Authority)***
5. Report Back from Planning Board Re: Proposed Acquisition of Land from the Foundation for Seacoast Health ***(Move to approve the Planning Board's recommendation to acquire the land from the Foundation for Seacoast Health)***
6. Report Back Re: Construction of a Tidal Docking Structure within the Ridge Court Right-of-Way and Right-of-Way Setback ***(Move to accept the recommendation of the Conservation Commission regarding Ridges Court)***

**Councilor Lown moved to adopt the City Manager's Items by Consent. Seconded by Councilor Cyr and voted. Mayor Blalock abstained from voting on Item XII. A.6.**

7. Request for First Reading of Demolition Ordinance

**Assistant Mayor Splaine moved to authorize the City Manager to bring back the proposed Ordinance for first reading at the September 19, 2016 City Council meeting, as presented. Seconded by Councilor Spear.**

Councilor Spear wants to confirm that the pictures of the home are from the exterior and not the interior of the home. Planning Director Taintor said it would be to record interior or exterior photos of the home. City Manager said we would discuss that matter internally and determine whether we can take photos of the interior by State law.

Councilor Dwyer said the wording for a Demolition Review Committee needs more teeth. She spoke to an historic district area by geographic for protection of structures. Planning Director Taintor said it is broader for the historic district and neighborhood specific. Councilor Dwyer said we need procedures that are clear.

**Motion passed.**

## **B. MAYOR BLALOCK**

1. Appointment of Thomas Martin to the PPMTV Board

**Councilor Spear moved to appoint Thomas Martin to the PPMTV Board. Seconded by Councilor Cyr and voted.**

2. Joint Budget Committee

Mayor Blalock announced he will be establishing the Joint Budget Committee as listed below.

- Mayor Blalock, Chair
- City Councilors (2) – Appointed by Mayor
- School Board Representative (2) – Appointed by School Board
- Fire Commission Representative – Appointed by Fire Commission
- Police Commission Representative – Appointed by Police Commission
- Ex-Officio – City Manager Bohenko, Finance Director Belanger, Fire Chief Achilles, Police Chief Mara and Stephen Zadavec, Superintendent of Schools

## **C. ASSISTANT MAYOR SPLAINE**

1. Regional Desalination Initiative. Addressing future Seacoast Area water needs

Assistant Mayor Splaine said he would like to have a discussion on this at the October 1<sup>st</sup> Council Retreat.

## **D. COUNCILOR PERKINS**

1. Proposed amendment to the Outdoor License Program for Sidewalk Cafes  
Approved Locations:
  - *State Street Saloon*
  - *Popovers on the Square*
  - *Ri Ra*
  - *The District*
  - *Birdseye Lounge, LLC*
2. Recruiting Food Trucks

Councilor Perkins was absent this evening so these items will be brought forward at the September 19<sup>th</sup> City Council meeting.

## **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIV. ADJOURNMENT**

**At 11:10 p.m., Councilor Lown moved to adjourn. Seconded by Councilor Spear and voted.**

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

Kelli L. Barnaby, MMC, CMC, CNHMC  
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, October 3, 2016 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 14 – Housing Code be amended by deleting the existing Article II: Demolition and inserting in its place a new Article II. The purpose of this Article is to encourage the preservation of buildings and places of historic, architectural and community value. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC  
City Clerk

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Kelli L. Barnaby, MMC, CMC, CNHMC  
City Clerk

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 14 – Housing Code, be amended by deleting the existing Article II: Demolition and inserting in its place the following new Article II:

---

ARTICLE II: DEMOLITION

Section 14.201 PURPOSE

The purpose of this Article is to encourage the preservation of buildings and places of historic, architectural and community value.

Section 14.202 DEFINITIONS

As used in this Article, the following words or phrases shall have the meanings set forth below, except when the context requires a different meaning.

Demolition: Razing or destruction, entirely or in part, of a building or structure, whether or not reconstruction is planned after demolition, or removal of a building or structure in whole or in part from its present location. For the purpose of this Article, demolition shall not include (a) interior demolition that does not affect the exterior of the building or structure, or (b) work necessary to repair or replace exterior finishes such as roofing, siding, trim or windows.

Demolition Review Committee: A committee appointed by the City Council and comprised of five members as follows: one member of the Historic District Commission, one member of the Planning Board, one member of the Portsmouth Historical Society, the Chief Building Inspector or his/her designee, and the Planning Director or his/her designee. Representatives of the Historic District Commission and Planning Board shall be appointed annually or as necessary.

Section 14.203 APPLICABILITY

The requirements of this Article shall apply to any demolition except:

- (1) Demolition of a building or structure that has been granted a Certificate of Approval by the Historic District Commission; or
- (2) Demolition of any “dangerous building” that has been ordered to be demolished pursuant to Chapter 14, Article I, Section 14.109(C).

Section 14.204: APPLICATION AND NOTICE

- A. Prior to the commencement of any demolition, the owner(s), contractor, or agent (hereinafter Applicant) must (a) submit a completed Demolition Permit Application (hereinafter Application) to the Inspection Department, (b) post a sign or signs as required by paragraph B below, and (c) publish a legal notice as required by paragraph B below.
- B. The applicant shall post one or more signs on the building to be demolished, or on the lot where such building is located, so as to be clearly visible from all public ways. In the event that visibility at the building's location would be hindered in such a manner as to obstruct notice of the sign, the applicant will be required to post a sufficient number of signs as to insure clear visibility. Said sign(s) shall be provided by the Inspection Department at the time of application for the Permit.
  - (1) If the building to be demolished was constructed more than 50 years prior to the date of application and the area to be demolished (building footprint or gross floor area) is greater than 500 square feet, the notice shall read as follows:

NOTICE

An application has been submitted to demolish this building or a portion thereof. Further information about the proposed demolition is available from the Inspection Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 (tel. 610-7243). You may object to the demolition by filing a written objection with the Inspection Department at the above address.

If no written objection is received in the Inspection Department within 30 days from the date of this notice, the Demolition Permit will be issued. If a written objection is received within said period, the Demolition Review Committee will hold a public hearing on the matter within 75 days from the date of this notice. Notice of the public hearing will be published in a newspaper of general circulation, posted on the City's website, and given to all parties who have filed objections to the proposed demolition.

Date of this Notice: \_\_\_\_\_.

- (2) If the building to be demolished was constructed 50 years or less prior to the date of application, or the area to be demolished (building footprint or

gross floor area) is 500 square feet or less, the notice shall read as follows:

### NOTICE

An application has been submitted to demolish this building or a portion thereof. Further information about the proposed demolition is available from the Inspection Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 (tel. 610-7243). You may object to the demolition by filing a written objection with the Inspection Department at the above address.

If no written objection is received in the Inspection Department within 30 days from the date of this notice, the Demolition Permit will be issued. If a written objection is received within said period, the Inspector may order an additional delay in issuing the Demolition Permit, up to a maximum of 90 days from the date of this notice.

Date of this Notice: \_\_\_\_\_.

- (3) In either case, the required sign(s) shall remain posted until the Inspection Department has issued a demolition permit.
- C. The applicant shall, within seven (7) days of submitting an Application, have published a legal notice in a newspaper of general circulation in Portsmouth. All costs which are incurred for publication of the legal notice are to be paid by the applicant who also will provide copies of the published legal notice to the Inspection Department prior to the expiration of the thirty (30) day period contained in the legal notice. The legal notice shall include the wording required by Section 14.204.B (1) or (2), as applicable, and shall also contain the address and description of the building or structure to be demolished and the name and address of the applicant.

### Section 14.205: PROCEDURE

- A. If the building to be demolished was constructed more than 50 years prior to the date of application and the area to be demolished (building footprint or gross floor area) is greater than 500 square feet, the following procedure shall be followed:
  - (1) If a written objection is not received by the Inspection Department within thirty (30) days of the date of notice, the Building Inspector shall verify that the notice requirements in Section 14.204 have been satisfied and the demolition may proceed.

- (2) If a written objection is received by the Inspection Department within thirty (30) days of the date of notice, the Building Inspector shall have fifteen (15) days to notify the applicant in writing that the demolition must be reviewed by the Demolition Review Committee before proceeding and forward the application to each member of the Demolition Review Committee.
- (a) The Demolition Review Committee shall schedule a public hearing within thirty (30) days of notification from the Building Inspector. Notice of the public hearing shall be given to all parties who have filed objections, posted in two public places and on the City's website, and published in a newspaper of general circulation at least ten (10) days prior to the hearing, not including the day of the hearing or the day of posting.
  - (b) The Demolition Review Committee shall hear all public testimony on the building's significance. The owner or the owner's representative shall be invited to attend the hearing.
  - (c) At the conclusion of the hearing, the Demolition Review Committee shall determine that the building is "significant" or "not significant" based on whether the building is of such historic, architectural or community value that its removal would be to the detriment of the public interest.
  - (d) If the Committee finds the building is "not significant," no further review is required.
  - (e) If the Committee finds the building is "significant," the following steps shall be taken:
    - (i) The Committee shall hold a meeting with the owner or owner's representative within fifteen (15) days, or at the applicant's earliest convenience, to discuss alternatives to demolition.
    - (ii) After the meeting provided for in paragraph (i) above, if no alternatives to demolition have been identified and agreed to by the applicant, and if the applicant agrees, the applicant shall submit basic measured drawings of the building (plan and elevations) as determined by the Demolition Review Committee. In addition, if the applicant agrees, the Committee shall document the building photographically. The applicant shall also be encouraged to salvage significant architectural features identified by the Committee.



- (iii) Following the completion of documentation and (if applicable) salvage as set forth in (ii) above, no further review is required.

B. If the building to be demolished was constructed 50 years or less prior to the date of application, or the area to be demolished (building footprint or gross floor area) is 500 square feet or less, the following procedure shall be followed:

- (1) If a written objection is not received by the Inspection Department within thirty (30) days of the date of notice, the Building Inspector shall verify that the notice requirements in Section 14.204 have been satisfied.
- (2) If a written objection is received by the Inspection Department within thirty (30) days of the date of notice, the Building Inspector shall order an additional delay period, not to exceed sixty (60) days from the date of receipt of the written objection(s). However, in no event shall the delay period ordered by the Building Inspector exceed ninety (90) days from date of notice.

#### Section 14.206: DEMOLITION PERMIT

Upon completion of the procedure outlined in Section 14.205, the Building Inspector shall issue a Demolition Permit after the expiration of any delay period ordered pursuant to Section 14.205.

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The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

\_\_\_\_\_  
Jack Blalock, Mayor

ADOPTED BY COUNCIL:

\_\_\_\_\_  
Kelli L. Barnaby, City Clerk


PORTSMOUTH POLICE DEPARTMENT

MEMORANDUM

RECEIVED


SEP 28 2016

CITY MANAGER  
PORTSMOUTH, NH

DATE: SEPTEMBER 28<sup>TH</sup>, 2016  
TO: JOHN P. BOHENKO, CITY MANAGER  
FROM: BRENNA CAVANAUGH, CHAIR, PORTSMOUTH POLICE COMMISSION  
DAVID J. MARA, CHIEF OF POLICE  
RE: GRANTS ~~AND CONTRACTS~~ 


At the September 27<sup>th</sup>, 2016 monthly Police Commission meeting, the Board of Police Commissioners approved and accepted the following grants:

1. Grants:
  - a. 2016 Internet Crimes Against Children Task Force (ICAC) – A grant in the amount of \$256,037 to fund the New Hampshire Internet Crimes Against Children Task Force for the 2016-2017 year. Portsmouth is the Headquarters of the NH ICAC Task Force. This Grant is administered through the Portsmouth Police Department and apportioned to all satellite locations in New Hampshire.
  - b. Acceptance of the New Hampshire Highway Safety Grants as follows:
    1. Distracted Driving Patrols \$10,000.00
    2. Sobriety Checkpoints \$ 6,758.00
    3. DWI Patrols \$ 9,843.00
    4. Step Patrols \$ 9,926.40
    5. Bicycle/Pedestrian Patrols \$ 6,195.20
  - c. Acceptance of the Bullet Proof Vest Grant - Fiscal Year 2017, 50% of the cost of five (5) SERT & (15) Reg Vests, which is: \$ 11,065.68.
  - d. Opioid Abuse Reduction Initiative Grant – New Hampshire Department of Safety grant in the amount of \$59,324.03.

The board also signed the new collective bargaining agreements with its unions. ~~Copies of these signed agreements are attached.~~ 

We submit the information to you pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at their next meeting.

Respectfully submitted,

  
Brenna Cavanaugh, Chair  
Board of Police Commissioners

  
David J. Mara, Chief of Police

copies: Board of Police Commissioners  
Finance Director Judic Belanger

Admin. Mgr. Karen Senecal  
Business Asst. Tammie Perez



U.S. Department of Justice

Office of Justice Programs

Office of Communications

Washington, D.C. 20531

<b>GRANT NOTIFICATION</b>		<b>Grant Number: 2015-MC-FX-K026</b>	
<b>Name &amp; Address of Recipient:</b>		City Of Portsmouth 1 Junkins Ave.	
<b>City, State &amp; ZIP:</b>		Portsmouth, New Hampshire 03801-0380	
<b>Recipient Project Director/Contact:</b> David Mara Chief			
<b>Phone:</b> (603) 610-7429			
<b>Title of Program:</b>		FY 16 Internet Crimes Against Children Task Force Invited	
<b>Title of Project:</b>		FY 16 Internet Crimes Against Children Task Force Invited	
<b>Amount of Award:</b>		<b>\$ 256,037</b>	<b>Date of Award:</b> 09/14/2016
<b>Awarding Agency:</b> Office of Juvenile Justice and Delinquency Prevention Jacqueline O'Reilly			
<b>Supplement:</b> 01			
<b>Statutory Authority for Program:</b> FY16(OJJDP - MEC - ICAC Task Force - other than TTA or "HERO" veterans employment) Pub. L. No. 114-113; 129 Stat. 2242, 2309			
<b>Impact/Focus:</b> State		<b>CFDA Number:</b> 16.543	
<b>Project Description:</b> The National Internet Crimes Against Children (ICAC) Task Force Program, as established by the PROTECT Our Children Act of 2008, consists of State and local law enforcement task forces dedicated to developing effective responses to online enticement of children by sexual predators, child exploitation, and child obscenity and pornography cases. Each State and local task force that is part of the national program shall: 1) consist of State and local investigators, prosecutors, forensic specialists, and education specialists who are dedicated to addressing the goals of the task force; 2) engage in proactive investigations, forensic examinations, and effective prosecutions of Internet crimes against children; 3) provide forensic, preventive, and investigative assistance to parents, educators, prosecutors, law enforcement, and others concerned with Internet crimes against children; 4) develop multijurisdictional, multiagency partnerships and responses to Internet crimes against children offenses through ongoing informational, administrative, and technological support to other State and local law enforcement agencies, as a means for such agencies to acquire the necessary knowledge, personnel, and specialized equipment to investigate and prosecute such offenses; 5) participate in nationally coordinated investigations in any case in which the Attorney General determines such participation to be necessary, as permitted by the available resources of such task force; 6) establish or adopt investigative and prosecution standards consistent with established norms, to which such task force shall comply; 7) investigate, and seek prosecution on tips related to Internet crimes against children, including tips from Operation Fairplay, the National Internet Crimes Against Children Data System, the National Center for Missing and Exploited Children's CyberTipline, ICAC task forces, and other Federal, State, and local agencies, with priority being given to investigate leads that indicate the possibility of identifying or rescuing child victims, including investigative leads that indicate a likelihood of seriousness of offense or dangerousness to the community; 8) develop procedures for handling seized evidence for ICAC task force lead agencies and affiliate agencies; 9) maintain reports required by OJJDP and other reports and records as determined by the Attorney General; and, 10) seek to comply with national standards regarding the investigation and			



## U.S. Department of Justice

Office of Justice Programs

Office of Communications

*Washington, D.C. 20531*

prosecution of Internet crimes against children, as set forth by the Attorney General, to the extent such standards are consistent with the law of the State where the task force is located.

The Portsmouth Police Department (PD) will continue its efforts to provide an effective statewide response to technology facilitated exploitation of children in the State of New Hampshire (NH). Grant funding will be used to support salaries and benefits of Portsmouth PD employees tasked with duties related to the administration and implementation of the Internet Crimes Against Children (ICAC) Task Force program within the State of New Hampshire. The NH ICAC Task Force Commander position will be funded on a full time basis and is responsible for coordinating and managing NH ICAC activities and oversight of affiliate agencies. In addition, grant funds will partially support a Portsmouth PD detective responsible for ICAC investigations and forensic examinations. Grant funds will also support computer forensic training and certification for the detective. The Portsmouth PD will also provide overtime reimbursement for costs incurred by Portsmouth PD and five affiliate agencies to conduct ICAC operations, investigations, prosecutions and provide for increased public education about internet safety. Other investigative costs such as internet access, software licenses and training registration fees will also be supported.

NCA/CF

For more information about this grant, contact the Office of Justice Program's Office of Communications at 202/307-0703.




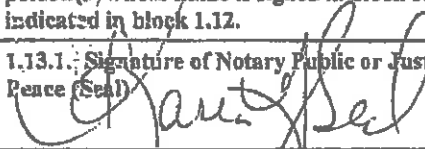

**OFFICE OF HIGHWAY SAFETY GRANT AGREEMENT**

The State of New Hampshire and the Subrecipient hereby  
Mutually agree as follows:  
**GENERAL PROVISIONS**

**Project Title: Portsmouth Distracted Driving Patrols**

**Project #: 318-17A-031**

**1. Identification and Definitions.**

<b>1.1. State Agency Name</b> New Hampshire Department of Safety Office of Highway Safety		<b>1.2. State Agency Address</b> 33 Hazen Drive, Room 109A Concord, NH 03305	
<b>1.3. Subrecipient Name</b> Portsmouth Police Department		<b>1.4. Subrecipient Address</b> 3 Junkins Avenue Portsmouth, NH 03801	
<b>Chief's Email Address:</b> dmara@cityofportsmouth.com		<b>Grant Contact Email:</b> ksenechal@cityofportsmouth.com	
<b>1.4.1 Subrecipient Type (State Govt, City/Town Govt, County Govt, College/University, Other (Specify))</b> City		<b>1.4.2 DUNS</b>  073976706	
<b>1.5. Subrecipient Phone #</b> 603-610-7457	<b>1.6. Effective Date</b> October 1, 2016	<b>1.7. Completion Date</b> September 30, 2017	<b>1.8. Grant Limitation</b> <b>\$10,000.00</b>
<b>1.9. Grant Officer for State Agency</b> Luann Speikers		<b>1.10. State Agency Telephone Number</b> 603-271-2197	
<b>"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."</b>			
<b>1.11. Subrecipient Signature 1</b> 		<b>1.12. Name &amp; Title of Subrecipient Signor 1</b> David Mara, Chief of Police	
<b>Subrecipient Signature 2</b> 		<b>Name &amp; Title of Subrecipient Signor 2</b> John P. Bohanes, City Manager	
<b>Subrecipient Signature 3</b> 		<b>Name &amp; Title of Subrecipient Signor 3</b> K. Holligan	
<b>1.13. Acknowledgment: State of New Hampshire, County of</b> <u>Holliston</u> , on <u>9/14/16</u> before the undersigned officer, personally appeared the person(s) identified in block 1.12., known to me (or satisfactorily proven) to be the person(s) whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
<b>1.13.1. Signature of Notary Public or Justice of the Peace (Seal)</b> 		<b>1.13.2 Name &amp; Title of Notary Public or Justice of the Peace</b> KAREN A. SENECHAL, Adm. Myr.	
<b>1.14. State Agency Signature(s)</b> 		<b>1.15. Name &amp; Title of State Agency Signor(s)</b> John J. Barthelmes, Commissioner NH Department of Safety Date: <u>9-15-16</u>	
<b>1.16. Approval by Attorney General (Form, Substance and Execution) (if G &amp; C approval required)</b> By: _____ Assistant Attorney General, On: <u>   /   /</u>			
<b>1.17. Approval by Governor and Council (if applicable)</b> By: _____ On: <u>   /   /</u>			

**2. SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:55-63, the Subrecipient identified in block 1.3 (hereinafter referred to as "the Subrecipient"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

KAREN A. SENECHAL  
Notary Public - New Hampshire  
My Commission Expires June 10, 2020



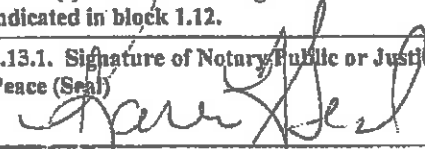
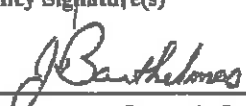
**OFFICE OF HIGHWAY SAFETY GRANT AGREEMENT**

The State of New Hampshire and the Subrecipient hereby  
Mutually agree as follows:  
**GENERAL PROVISIONS**

**Project Title: Portsmouth Sobriety Checkpoints**

**Project #: 308-17A-083**

**1. Identification and Definitions.**

1.1. State Agency Name New Hampshire Department of Safety Office of Highway Safety		1.2. State Agency Address 33 Hazen Drive, Room 109A Concord, NH 03305	
1.3. Subrecipient Name Portsmouth Police Department		1.4. Subrecipient Address 3 Junkins Avenue Portsmouth, NH 03801	
Chief's Email Address: dmara@cityofportsmouth.com		Grant Contact Email: ksenecal@cityofportsmouth.com	
1.4.1 Subrecipient Type (State Govt, City/Town Govt, County Govt, College/University, Other (Specify) City		1.4.2 DUNS  073976706	
1.5. Subrecipient Phone #  603-610-7457	1.6. Effective Date  October 1, 2016	1.7. Completion Date  September 30, 2017	1.8. Grant Limitation  \$6,758.00
1.9. Grant Officer for State Agency LuAnn Speikers		1.10. State Agency Telephone Number 603-271-2197	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
1.11. Subrecipient Signature 1 		1.12. Name & Title of Subrecipient Signor 1 David Mara, Chief of Police	
Subrecipient Signature 2 		Name & Title of Subrecipient Signor 2 John Borkko, City Manager	
Subrecipient Signature 3		Name & Title of Subrecipient Signor 3	
1.13. Acknowledgment: State of New Hampshire, County of <u>Rockingham</u> , on <u>9/14/16</u> before the undersigned officer, personally appeared the person(s) identified in block 1.12., known to me (or satisfactorily proven) to be the person(s) whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
1.13.1. Signature of Notary Public or Justice of the Peace (Seal) 		1.13.2 Name & Title of Notary Public or Justice of the Peace Karen A. Senecal, Adm. Mgr	
1.14. State Agency Signature(s) 		1.15. Name & Title of State Agency Signor(s) John J. Barthelmes, Commissioner NH Department of Safety Date: <u>9-15-16</u>	
1.16. Approval by Attorney General (Form, Substance and Execution) (if G & C approval required) By: _____ Assistant Attorney General, On: <u>  /  /  </u>			
1.17. Approval by Governor and Council (if applicable) By: _____ On: <u>  /  /  </u>			

2. **SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:55-63, the Subrecipient identified in block 1.3 (hereinafter referred to as "the Subrecipient"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

KAREN A. SENECA  
Notary Public - New Hampshire  
My Commission Expires June 10, 2020

Subrecipient Initials DM JB Date 9-14-16  
Page 1 of 3


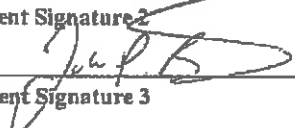
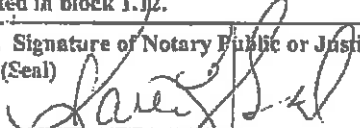

**OFFICE OF HIGHWAY SAFETY GRANT AGREEMENT**

The State of New Hampshire and the Subrecipient hereby  
Mutually agree as follows:  
**GENERAL PROVISIONS**

**Project Title: Portsmouth DWI Patrols**

**Project #: 308-17A-082**

**1. Identification and Definitions.**

<b>1.1. State Agency Name</b> New Hampshire Department of Safety Office of Highway Safety		<b>1.2. State Agency Address</b> 33 Hazen Drive, Room 109A Concord, NH 03305	
<b>1.3. Subrecipient Name</b> Portsmouth Police Department		<b>1.4. Subrecipient Address</b> 3 Junkins Avenue Portsmouth, NH 03801	
Chief's Email Address: dmara@cityofportsmouth.com		Grant Contact Email: ksenechal@cityofportsmouth.com	
<b>1.4.1 Subrecipient Type (State Govt, City/Town Govt, County Govt, College/University, Other (Specify))</b> City		<b>1.4.2 DUNS</b> 073976706	
<b>1.5. Subrecipient Phone #</b> 603-610-7457	<b>1.6. Effective Date</b> October 1, 2016	<b>1.7. Completion Date</b> September 30, 2017	<b>1.8. Grant Limitation</b> \$9,843.00
<b>1.9. Grant Officer for State Agency</b> LuAnn Speikers		<b>1.10. State Agency Telephone Number</b> 603-271-2197	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
<b>1.11. Subrecipient Signature 1</b> 		<b>1.12. Name &amp; Title of Subrecipient Signor 1</b> David Mara, Chief of Police	
<b>Subrecipient Signature 2</b> 		<b>Name &amp; Title of Subrecipient Signor 2</b> John P. Brooks, City Manager	
<b>Subrecipient Signature 3</b>		<b>Name &amp; Title of Subrecipient Signor 3</b>	
<b>1.13. Acknowledgment:</b> State of New Hampshire, County of _____, on / / , before the undersigned officer, personally appeared the person(s) identified in block 1.12., known to me (or satisfactorily proven) to be the person(s) whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
<b>1.13.1. Signature of Notary Public or Justice of the Peace (Seal)</b> 		<b>1.13.2 Name &amp; Title of Notary Public or Justice of the Peace</b> Karen A. Senechal Adm. Page	
<b>1.14. State Agency Signature(s)</b> 		<b>1.15. Name &amp; Title of State Agency Signor(s)</b> John J. Barthelmes, Commissioner NH Department of Safety Date: 9-15-16	
<b>1.16. Approval by Attorney General (Form, Substance and Execution) (if G &amp; C approval required)</b> By: _____ Assistant Attorney General, On: / /			
<b>1.17. Approval by Governor and Council (if applicable)</b> By: _____ On: / /			

**2. SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:55-63, the Subrecipient identified in block 1.3 (hereinafter referred to as "the Subrecipient"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

KAREN A. SENECHAL  
Notary Public - New Hampshire  
My Commission Expires June 10, 2020




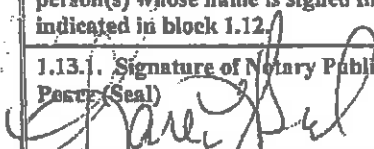
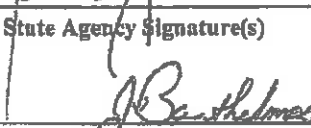
**OFFICE OF HIGHWAY SAFETY GRANT AGREEMENT**

The State of New Hampshire and the Subrecipient hereby  
Mutually agree as follows:  
**GENERAL PROVISIONS**

Project Title: **Portsmouth STEP**

Project #: 315-17A-103

**1. Identification and Definitions.**

1.1. State Agency Name New Hampshire Department of Safety Office of Highway Safety		1.2. State Agency Address 33 Hazen Drive, Room 109A Concord, NH 03305	
1.3. Subrecipient Name Portsmouth Police Department		1.4. Subrecipient Address 3 Junkins Avenue Portsmouth, NH 03801	
Chief's Email Address: dmara@cityofportsmouth.com		Grant Contact Email: ksenechal@cityofportsmouth.com	
1.4.1 Subrecipient Type (State Govt, City/Town Govt, County Govt, College/University, Other (Specify) City		1.4.2 DUNS 073976706	
1.5. Subrecipient Phone # 603-610-7457	1.6. Effective Date October 1, 2016	1.7. Completion Date September 30, 2017	1.8. Grant Limitation \$9,926.40
1.9. Grant Officer for State Agency LuAnn Speikers		1.10. State Agency Telephone Number 603-271-2197	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
1.11. Subrecipient Signature 1 		1.12. Name & Title of Subrecipient Signor 1 DAVID MARA, Chief of Police	
Subrecipient Signature 2 		Name & Title of Subrecipient Signor 2 John P. Bohacko, City Manager	
Subrecipient Signature 3 		Name & Title of Subrecipient Signor 3	
1.13. Acknowledgment: State of New Hampshire, County of <u>Rockingham</u> , on <u>9/14/16</u> , before the undersigned officer, personally appeared the person(s) identified in block 1.12., known to me (or satisfactorily proven) to be the person(s) whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
1.13.1. Signature of Notary Public or Justice of the Peace (Seal) 		1.13.2 Name & Title of Notary Public or Justice of the Peace KAREN A. SENECHAL, Adm. Mgr	
1.14. State Agency Signature(s) 		1.15. Name & Title of State Agency Signor(s) John J. Barthelmes, Commissioner NH Department of Safety Date: <u>9-15-16</u>	
1.16. Approval by Attorney General (Form, Substance and Execution) (if G & C approval required) By: _____ Assistant Attorney General, On: / /			
1.17. Approval by Governor and Council (if applicable) By: _____ On: / /			

2. **SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:55-63, the Subrecipient identified in block 1.3 (hereinafter referred to as "the Subrecipient"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

KAREN A. SENECHAL  
Notary Public, State of New Hampshire  
Commission Expires June 10, 21





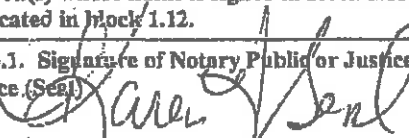
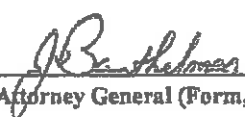
**OFFICE OF HIGHWAY SAFETY GRANT AGREEMENT**

The State of New Hampshire and the Subrecipient hereby  
Mutually agree as follows:  
**GENERAL PROVISIONS**

Project Title: Portsmouth Bicycle/Pedestrian Patrols

Project #: 314-17A-014

**1. Identification and Definitions.**

1.1. State Agency Name New Hampshire Department of Safety Office of Highway Safety		1.2. State Agency Address 33 Hazen Drive, Room 109A Concord, NH 03305	
1.3. Subrecipient Name Portsmouth Police Department		1.4. Subrecipient Address 3 Junkins Avenue Portsmouth, NH 03801	
Chief's Email Address: dmara@cityofportsmouth.com		Grant Contact Email: ksenechal@cityofportsmouth.com	
1.4.1 Subrecipient Type (State Govt, City/Town Govt, County Govt, College/University, Other (Specify) City		1.4.2 DUNS  073976706	
1.5. Subrecipient Phone #  603-610-7457	1.6. Effective Date  October 1, 2016	1.7. Completion Date  September 30, 2017	1.8. Grant Limitation  \$6,195.20
1.9. Grant Officer for State Agency LuAnn Speikers		1.10. State Agency Telephone Number 603-271-2197	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
1.11. Subrecipient Signature 1 		1.12. Name & Title of Subrecipient Signor 1 Chief of Police David Mora	
Subrecipient Signature 2 		Name & Title of Subrecipient Signor 2 John P. Buchenlo, City Manager	
Subrecipient Signature 3		Name & Title of Subrecipient Signor 3	
1.13. Acknowledgment: State of New Hampshire, County of <u>Rockingham</u> on <u>9/14/16</u> before the undersigned officer, personally appeared the person(s) identified in block 1.11., known to me (or satisfactorily proven) to be the person(s) whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
1.13.1. Signature of Notary Public or Justice of the Peace (Seal) 		1.13.2 Name & Title of Notary Public or Justice of the Peace Karen A. Senecal, Adm. Mgr.	
1.14. State Agency Signature(s) 		1.15. Name & Title of State Agency Signor(s) John J. Barthelmes, Commissioner NH Department of Safety Date: <u>9-15-16</u>	
1.16. Approval by Attorney General (Form, Substance and Execution) (if G & C approval required) By: _____ Assistant Attorney General, On: <u>   /   /   </u>			
1.17. Approval by Governor and Council (if applicable) By: _____ On: <u>   /   /   </u>			

KAREN A. SENECHAL  
Notary Public - New Hampshire  
My Commission Expires June 10, 2020

2. **SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:55-63, the Subrecipient identified in block 1.3 (hereinafter referred to as "the Subrecipient"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

Officer 20  
Turnover

APPLICATION SUMMARY FOR FY 2016 REGULAR FUND

Applicant	Quantity	Total Cost	Date Submitted	Status
PORTSMOUTH CITY	20	\$22,131.35	05/14/16	Approved by BVP <a href="#">View Details</a>
<b>Grand Totals:</b>	20	\$22,131.35		

AWARD SUMMARY FOR FY 2016 REGULAR FUND

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$22,131.35	\$11,065.68	08/18/16	Approved by BVP
<b>Grand Totals:</b>	\$22,131.35	\$11,065.68		



State of NH Dept of Safety  
Law Enforcement Opioid Abuse Reduction Initiative  
"Seacoast HIDIT" (High Intensity Drug Interdiction Team)

## GRANT AGREEMENT

The State of New Hampshire and the Grantee hereby mutually agree as follows:

### GENERAL PROVISIONS

#### 1. Identification and Definitions.

<b>1.1. State Agency Name</b> NH Department of Safety Division of State Police		<b>1.2. State Agency Address</b> 33 Hazen Drive Concord, NH 03305	
<b>1.3. Grantee Name</b> City of Portsmouth Police Department		<b>1.4. Grantee Address</b> 3 Junkins Avenue, Portsmouth, NH 03801	
<b>1.5. Effective Date</b> G&C Approval	<b>1.6. Completion Date</b> 6/30/2017	<b>1.7. Audit Date</b> N/A	<b>1.8. Grant Limitation</b> \$59,324.03
<b>1.9. Grant Officer for State Agency</b> Pamela Urban-Morin		<b>1.10. State Agency Telephone Number</b> (603) 271-7663	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
<b>1.11. Grantee Signature 1</b> 		<b>1.12. Name &amp; Title of Grantee Signor 1</b> CHIEF David J. Marra	
<b>Grantee Signature 2</b> <small>City Manager signature will be secured 9/27/16</small>		<b>Name &amp; Title of Grantee Signor 2</b> John P. Bohenko, City Manager.	
<b>Grantee Signature 3</b>		<b>Name &amp; Title of Grantee Signor 3</b>	
<b>1.13. Acknowledgment:</b> State of New Hampshire, County of <u>Rockingham</u> , on <u>9/22/16</u> <small>Chief Marra</small> / / , before the undersigned officer, personally appeared the person identified in block 1.12., known to me (or satisfactorily proven) to be the person whose name is signed in block 1.11., and acknowledged that he executed this document in the capacity indicated in block 1.12.			
<b>1.13.1. Signature of Notary Public or Justice of the Peace</b> (Seal) 		<b>KAREN A. SENECAI</b> Notary Public - New Hampshire My Commission Expires June 10, 2020	
<b>1.13.2. Name &amp; Title of Notary Public or Justice of the Peace</b> <u>Karen A. Senecal</u>			
<b>1.14. State Agency Signature(s)</b>		<b>1.15. Name &amp; Title of State Agency Signor(s)</b> Steven Lavoie, Director of Administration	
<b>1.16. Approval by Attorney General (Form, Substance and Execution)</b>			
By:		Assistant Attorney General, On: / /	
<b>1.17. Approval by Governor and Council</b>			
By:		On: / /	

**2. SCOPE OF WORK:** In exchange for grant funds provided by the state of New Hampshire, acting through the agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:66, the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS:

That Chapter 3, Article II, Section 3.2 – SOLID WASTE, YARD WASTE AND RECYCLING - of the Ordinances of the City of Portsmouth which shall read as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

**ARTICLE II: SOLID WASTE, YARD WASTE AND RECYCLING**

**Section 3.201: PURPOSE**

The City of Portsmouth recognizes that a comprehensive municipal program for the disposal of solid waste and yard waste, as well as the recycling of materials is necessary for the convenience of its citizens and the protection of the environment of the municipality. The City further recognizes that such program must be developed and administered in the most cost efficient manner consistent with the goals of the program.

**Section 3.202: DEFINITIONS**

For the purposes of this ordinance, the following definitions apply:

*Bulky Waste:* any items whose large size or weight precludes or complicates their handling by normal collection, processing or disposal methods.

*Downtown Business District:* For the purposes of this section, the Downtown Business District shall mean the following areas:

Congress Street from ~~Bridge-Middle~~ Street to Market Square;  
High Street from Congress Street to Ladd Street;  
Ladd Street from High Street to Market Street;  
Market Street from Market Square to ~~Hanover-Deer~~ Street;  
Daniel Street from ~~Wright Avenue~~ **State Street** to Market Square;  
~~Wright Avenue from Daniel Street to State Street;~~  
State Street from ~~Wright Avenue~~ **Daniel Street** to ~~Pleasant-Middle~~ Street;  
Pleasant Street from Court Street to Market Square;  
Chapel Street from ~~Daniel-Bow~~ Street to State Street;  
Porter Street from Middle Street to Pleasant Street;  
**Sheafe Street from Chapel Street to Penhallow Street;**  
**Bow Street from Daniel Street to Market Street;**  
**Penhallow Street from State Street to Bow Street;**  
**Hanover Street from Market Street to Maplewood Avenue;**  
**High Street from Hanover Street to Deer Street;**  
**Feet Street from Hanover Street to State Street**

*Non-Business Districts:* For the purposes of this section, the Non-Business Districts shall mean all areas other than those designated as being within the Downtown Business District.

*Commercial Property:* any property the predominate use of which is a structure used for commercial or business purposes including, but not limited to, the following:

- Properties containing five (5) or more dwelling units;
- Hotels, restaurants, warehouses;

- Trailer Parks containing five (5) or more dwelling units;
- Markets, bakeries, grocery stores, fruit stands;
- Manufacturing or industrial;
- Business offices;
- Condominiums; and
- Any non-residential use

*Construction and Demolition (C&D):* waste from the building, tearing down or destruction of a structure or part of a structure.

*Garbage:* All putrescible waste material including, but not limited to wastes resulting from the handling, preparation, cooking and consumption of food. Garbage shall not include yard, industrial, hazardous and/or radioactive waste.

*Hazardous Waste:* A solid, semi-solid, liquid or contained gaseous waste, or combination of, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious or incapacitating illness, or pose a health hazard to humans and the environment when improperly treated, stored, transported or disposed.

*Industrial Waste:* Byproducts or scrap remaining from an industrial manufacturing process.

*Putrescible Waste:* Any organic material, which can decompose and give rise to foul odors and noxious byproducts.

*Radioactive Waste:* Material regulated by the Atomic Energy Commission.

*Recyclable ~~Materials and/or Single Stream Mixed Recyclables~~* are defined as follows:

- ~~“Metal”~~“~~Aluminum~~” means cans made of aluminum, tin or steel
- “Glass” means jars and bottles colored green, brown or clear
- “Paper” means fibrous material derived mainly from wood, examples of such are cardboard, newspapers, ~~inserts~~, junk mail, magazines, office paper, ~~and office manila folders~~, phone books, paperback books, paper board (cereal and pasta boxes), wax coated milk and juice cartons, and paper egg cartons
- “Plastic” means plastic bottles, jars, jugs and containers labeled number 1 through 7 all polyethylene terephthalate (PET) and high-density polyethylene (HDPE) plastic containers such as soda, milk and detergent containers. ~~This definition includes all plastic containers encoded on the bottom with a number “1” or “2” inside a three-arrow recycling symbol~~
- ~~“Steel” or “tin” cans means cans made of those materials~~
- This list of recyclables may be modified as needed by the Department of Public Works;

*Refuse:* Any solid waste composed wholly or partly of garbage and rubbish.

*Residential Property:* Any property the predominate use of which is a residential structure containing at least one (1) dwelling unit but not more than four (4) dwelling units.

*Rubbish:* All nonputrescible waste material including, but not limited to, paper, cigarettes, cardboard, cans, wood, glass, bedding and crockery. Rubbish shall not include yard, industrial, hazardous and/or radioactive waste.

*Yard Waste:* Leaves, grass, clippings, garden debris, small brush (no greater than 5” in diameter) or chipped branches.

**Section 3.203: PROGRAM COMPONENTS**

The City's program for waste disposal and materials recycling shall consist of the following components, each of which is to be administered in accordance with the provisions of this ordinance:

**A. Curbside Placement Time**

~~A. The City shall maintain a regularly scheduled program of curbside solid waste pick-up from residential properties and commercial properties in the Downtown Business District.~~

1. Non-Business District waste shall be placed curbside no earlier than 7:00 p.m. the evening before collection

2. The Department of Public Works shall determine and publish the days and hours under which the curbside collection shall be available to residents and property owners.

3. Downtown Business District waste shall be placed curbside no earlier than two (2) hours prior to the scheduled collection time which will be determined and published by the Department of Public Works.

**A-B. Solid Waste Disposal (Curbside pick-up):**

~~The City shall maintain a regularly scheduled program of curbside solid waste pick-up from residential properties and commercial properties in the Business District. Solid waste may consist of garbage and refuse, but shall exclude other types of waste. The limitations on curbside solid waste pick-up are as follows:~~

~~1.2. Weekly pick-up from residential properties shall not exceed 300 over twelve cubic feet or 3—45 U.S. gallons trash barrel of municipal solid waste~~

~~2.3. Weekly pick-up for commercial properties in the Downtown Business District shall not exceed 300 over one cubic yard or 9—45 U.S. gallons of solid waste trash barrels. Where a non-residential structure contains five or more business establishments, including multi-family housing, and is located in the Downtown Business District, that building shall be considered one unit limited to not more than 300 U.S. gallons more than one cubic yard~~

~~3.4. All waste placed for curbside pick-up shall be kept in sealed covered, sanitary containers not exceeding a volume of 100 U.S. gallons fifty (50) pounds each~~

~~4.5. Trash containers shall not be so filled so as to be grossly unwieldy; containers smaller larger than a volume of 45 U.S. gallons may not exceed fifty (50) pounds each or be so worn or damaged as to make them likely to fail. Containers larger than 45 gallons but smaller than 100 gallons must have working wheels and stop bar compatible with collection trucks hydraulic tipper.~~

~~5. Non-Business District waste shall be placed curbside no earlier than 7:00 p.m. the evening before collection~~

~~6. The Department of Public Works shall determine and publish the days and hours under which the curbside collection shall be available to residents and property owners.~~

~~6.7. Business District waste shall be placed curbside no earlier than two (2) hours prior to the scheduled collection time which will be determined and published by the Department of Public Works 4:30 p.m. but no later than 6:00 p.m. on the day of collection~~

7.8. Every rental and leased dwelling unit shall be provided by the property owner with adequate storage receptacles with tight fitting covers for rubbish and garbage. These containers must be maintained in a clean and sanitary condition and disposal procedures must comply with this ordinance.

8.9. In the **Downtown** Business District, materials for disposal or recycling shall not be placed in plastic or paper bags, unless the bags are within **sealed-covered** containers.

#### **B.C. Recycling:**

Recycling of recyclable materials is mandatory for all residential and commercial property owners or residents who dispose of waste at the Recycling Center or who utilize the curbside collection service of the City. The recycling program shall operate under the following terms and conditions:

1. The City shall **make available** ~~provide all residential properties with at least one marked~~ recycling container for use in connection with the curbside recycling program. These containers shall not be used for any materials other than specified recyclable materials.
2. **All recyclable materials do not need to be separated and may be placed in a common recycling container.**
3. **If recycling materials exceed the capacity of one recycling container, multiple additional recycling containers may be left for pick up provided the additional containers are labeled "Recycling".**
- 2.4. All **fiber, metal aluminum**, glass and plastic to be recycled shall be cleaned and placed together in the recycling container. **Recyclables shall not be places in plastic bags.** ~~Lids, caps, corks and neck rings shall be removed from all materials.~~
- 3.5. **Excess Paper and cardboard** ~~to be recycled~~ shall be placed on top of or next to the recycling container in a manner to prevent the scattering of paper. Paper **and flattened cardboard shall** ~~shall~~ either be packed in standard paper grocery bags, **cardboard boxes**, or securely tied in flat bundles, none of which shall weigh greater than fifty pounds.



4.6. If there are more recyclables than can be held in one container, the resident shall flatten those materials which can be flattened and/or place the additional recyclables next to the recycling container in a separate cardboard box or other suitable container clearly marked "recyclables."

5.7. No person other than an authorized agent of the City acting in the course of his/her employment shall collect or pick-up or cause to be collected or picked up any recyclable material placed at curbside.

6.8. ~~Mixed r~~Recyclable materials generated at both commercial and residential properties in the City may be delivered to the City's Recycling Center.

7.9. Recyclable materials shall be separated from municipal solid waste when placed at curbside.

C.D. Bulky Waste (Curbside Collection):

Residential properties which qualify for curbside collection of municipal solid waste shall also be permitted to utilize an on demand curbside bulky waste collection service maintained by the City. Curbside pick-up of bulky waste shall be performed under the following terms and conditions:

1. The property owner or resident shall schedule bulky waste pick-up on an appointment basis by arrangement with the Department of Public Works.
2. Each property shall be allowed up to four curbside collections of bulky waste per calendar quarter, each of which shall be limited to a maximum of sixty-four cubic feet per collection (64 cubic feet is approximately the bed size of a mid-sized pick-up truck).
3. All bulky waste items set out at curbside must be properly sorted by type in accordance with categories to be established by the Department of Public Works and communicated to the property owner/resident at the scheduling of the appointment. Bulky waste shall be placed curbside no earlier than the Saturday prior to collection.
4. Any bulky waste which is not collected by the City due to lack of compliance with the provisions of this ordinance must be removed from the curbside by the property owner/resident within twenty-four (24) hours of being provided notice that the Department of Public Works will not collect the bulky waste.
5. Where bulky waste is not picked up by the City for any reason, proper disposal is the responsibility of the owner/resident.

D.E. Bulky Waste and Municipal Solid Waste (Recycling Center):

The City shall maintain a recycling service for bulky waste and municipal solid waste. The terms and conditions under which the Recycling Center shall operate are as follows:



1. The Department of Public Works shall determine and publish the days and hours under which the Recycling Center shall be available to residents and property owners.
2. The Recycling Center shall be available only for waste generated by residential properties.
3. The Recycling Center shall be available to Portsmouth Commercial Properties for single stream mixed recyclables only, materials exclusively provided they obtain an annual pass is obtained from the City. The fee, if any, for the annual pass shall be established by the City Council during its annual budget process.

**E.F.** Yard Waste

Yard waste shall be collected by the City in accordance with the following terms and conditions:

1. Yard waste shall be collected at curbside in accordance with a collection schedule to be determined and published by the Department of Public Works.
2. Brush which is placed at curbside must be cut into lengths not exceeding four (4) feet; contain no pieces of brush greater than five inches in diameter, and be tied in neat bundles the diameter of which shall not exceed one (1) foot and a weight of which shall not exceed greater than fifty (50) pounds.
3. Other than brush, yard waste which is placed at curbside must either:
  - A. be placed in commercially manufactured biodegradable bags which are factory labeled to indicate that they are 100% biodegradable; or
  - B. be placed in open containers which are clearly labeled, "Yard Waste."

Neither the biodegradable bags nor the open containers shall weigh more than fifty (50) pounds each when filled and placed at the curbside.

4. Any yard waste placed at curbside which the Public Works Department refuses to collect due to lack of compliance with this ordinance must be removed from the curbside by the property owner/resident within twenty-four (24) hours of being provided notice by the Public Works Department that the yard waste will not be collected.
5. The Director of Public Works may designate a central repository to which residential properties may deliver yard waste. Landscape contractors may utilize the same repository for a processing fee. The fee shall be established by the City Council during its annual budget process. Yard waste must originate from Portsmouth residential property only. , provided the yard waste originated from a Portsmouth residential property.

**Section 3.204: PROHIBITIONS:**

The following acts are not permitted in the City of Portsmouth:

1. The disposal at City's Recycling Center or the placement at curbside for municipal pick-up of any hazardous waste or radioactive waste.
2. The disposal of any materials on public or private property in any manner not permitted by this ordinance or by state law.
3. The placement of solid waste for curbside pick-up, the placement of bulky waste for curbside pick-up or the deposit of any waste or recyclables at the City's Recycling Center or other repository by any person, firm or corporation not expressly authorized to do so under the provisions of this ordinance.
4. The bringing of materials into the City of Portsmouth from elsewhere for disposal or recycling by the City.
5. The use of public trash containers for disposal of commercial or residential garbage, rubbish or refuse.

**Section 3.205: RIGHT OF INSPECTION**

The placement of any materials at curbside for municipal pick-up conveys to the City the right to inspect such materials for compliance with this ordinance as well as local, state and federal law.

**Section 3.206: PENALTIES AND REMEDIES**

In addition to any other penalty or remedy permissible ~~at~~by law for violation of this ordinance, the following shall apply:

1. Any person, firm or corporation violating any provision of this ordinance shall be subject to a penalty, upon conviction, up to the maximum amount authorized under state law.
2. The Public Works Department is authorized to issue citations to persons, firms or corporations violating this ordinance in accordance with municipal citation authorization contained in the ordinances of the City of Portsmouth. All except that all citations issued for violation of this ordinance shall be in the amount of \$100.00 for the first violation, \$250 for the second violation and \$500 for third violation and loss of municipal services for subsequent violations. .
3. The Public Works Department may refuse to accept or pick-up any waste of any kind which is not delivered or placed in accordance with the provisions of this ordinance or any rules adopted hereunder by the Department of Public Works. In all such circumstances, proper disposal of the waste is the responsibility of the owner/resident.

4. The Public Works Department has the right to refuse residents/commercial properties access to the Recycling Center who misuse the Center, are negligent and/or abusive to City employees.
5. The City Attorney is authorized to file any appropriate legal proceedings, including but not limited to requests for injunctive relief, necessary to prevent violation of this ordinance.
6. The Public Works Department may negotiate and settle civil claims involving violations of this ordinance.

**Section 3.207: SEVERABILITY**

In the event that any portion of this ordinance is found to be unenforceable for any reason, the remaining provisions shall remain in full force and effect.

(Amended Article II by deleting it in its entirety and replaced with the following on 12/16/2003).  
(This ordinance shall take effect on January 1, 2003 except for mandatory recycling in the business district which shall become effective on July 1, 2003).

ORDINANCE #  
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, Article XIII, Section 1.13 – MUNICIPAL ENFORCEMENT PROCEDURES of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

Section 1.1302: DEPARTMENTS AUTHORIZED

- A. The heads of the Fire and Planning, Inspections and **Environment** ~~Department~~ **Department of Public Works** employees designated by the heads of those department s are hereby authorized to issue such citations.
- B. All proposed citations are to be reviewed with the Office of the City Attorney prior to issuance.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

\_\_\_\_\_  
Jack Blalock, Mayor

ADOPTED BY COUNCIL:

\_\_\_\_\_  
Kelli L. Barnaby, City Clerk

# **AMERICAN LUNG ASSOCIATION®** Fighting for Air

**American Lung Association  
of the Northeast**

**LungNE.org**  
**1-800-LUNG USA**

**OFFICES:**

**Connecticut**

45 Ash Street  
E. Hartford, CT 06108

**Maine**

122 State Street  
Augusta, ME 04330

**Massachusetts**

460 Totten Pond Road  
Suite 400  
Waltham, MA 02451

**393 Maple Street**

Springfield, MA 01105

**New Hampshire**

1800 Elm Street  
Manchester, NH 03104

**New York**

155 Washington Ave., Suite 210  
Albany, New York 12210

21 West 38th Street, 3rd Floor  
New York, New York 10018

237 Mamaroneck Ave., Suite 205  
White Plains, New York 10605

700 Veterans Memorial Highway  
Hauppauge, New York 11788

1595 Elmwood Avenue  
Rochester, New York 14620

**Rhode Island**

260 West Exchange Street  
Suite 102B  
Providence, RI 02903

**Vermont**

372 Hurricane Lane  
Suite 101  
Williston, VT 05495

September 22, 2016

City of Portsmouth  
Attn: John Bohenko  
1 Junkins Avenue  
Portsmouth NH 03801

Dear John,

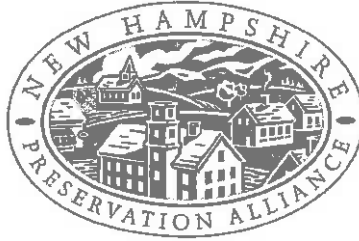
The 8<sup>th</sup> annual American Lung Association Cycle the Seacoast ride is scheduled for Sunday, May 7<sup>th</sup>, 2017. With close to 400 cyclists expected we are looking forward to a very exciting day.

The first riders will be leaving Redhook Brewery at 7:00 a.m. and the last rider will be in around 3:00 p.m. The route is being worked on. As soon as the final maps are printed, I will be sure to forward a copy to you. We will be supplying our own safety and first aid volunteers with the assistance of the Port City Amateur Radio Club. Also enclosed is a copy of our \$250,000 insurance coverage from SCS Insurance where you are listed as an additional insured.

If you need anything else from me, please do not hesitate to let me know. Please let me know if you have any suggestions for police support along the route. We look forward to another safe and successful year. Thank you.

Sincerely,

Melissa Walden  
Associate of Development  
American Lung Association  
207-624-0306



BOARD OF DIRECTORS

September 28, 2016

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KATHY BOGLE SHIELDS  
CANTERBURY

VICE CHAIR  
JEFFREY D. GILBERT  
RYE

TREASURER  
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HOPKINTON

EXECUTIVE DIRECTOR  
JENNIFER GOODMAN

Mayor Jack Blalock and Portsmouth City Council  
City Hall  
1 Junkins Avenue  
Portsmouth, NH 03801  
Sent by email to [cityclerk@cityofportsmouth.com](mailto:cityclerk@cityofportsmouth.com)

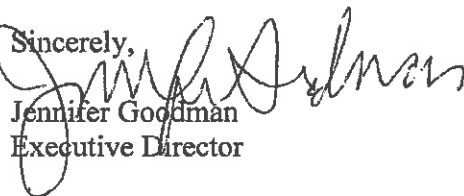
Dear Mayor Blalock and Council members:

I am writing to express support for the adoption of a new demolition ordinance that is before the City Council.

The Preservation Alliance is the statewide non-profit historic preservation organization with individual, organizational and business members across the state. In addition to aiding the rescue, rehabilitation or restoration of landmark properties, we help municipalities and investors adopt and use preservation, planning and development tools such as demolition delay ordinance, federal tax incentives for income-producing properties, the discretionary preservation easement program for agricultural structures (NH RSA 79D) and Community Revitalization Tax Relief Incentive (NH RSA 79 E).

Every community has different needs and goals, and this one seems like a very good fit -- to add to your "toolbox" -- in your great city where historic buildings are so integral to your identity and economy. The tool can add predictability to the development process, raise awareness of significant places, and lead to alternative outcomes when combinations of the right ownership, investment and creative solutions align.

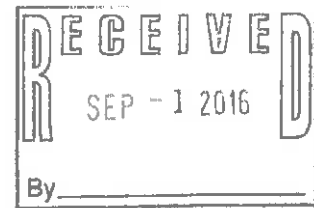
Please let us know if you have any questions, and thank you for your consideration.

Sincerely,  
  
Jennifer Goodman  
Executive Director

cc: John Bohenko, City Manager and Rick Taintor, Planning Director

ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397



JOSEPH A. FOSTER  
ATTORNEY GENERAL



ANN M. RICE  
DEPUTY ATTORNEY GENERAL

August 30, 2016

Robert P. Sullivan, Esquire  
Portsmouth City Attorney  
One Junkins Avenue  
Portsmouth, NH 03801

RE: Enabling Authority for Municipal Regulation of Plastic Bag Use

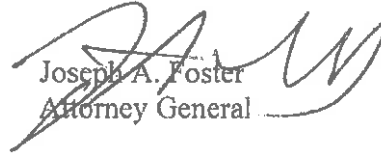
Dear Attorney Sullivan:

Thank you for your letter dated August 4, 2016, regarding the authority of the City of Portsmouth to enact an ordinance regulating the use of plastic bags. You reference a letter from the N.H. Dept. of Environmental Services in which it states that it "does not take any position on this matter" and that "it does not have the legal authority to offer an opinion of the type that you have requested." To eliminate any uncertainty, you discuss the possibility of filing a declaratory judgment action to determine definitively whether the City of Portsmouth has legal authority to adopt such a measure. You state that this concept "has led you to a search for a suitable defendant" and ask whether the State would be willing to act "in the role of defendant."

The State would not be willing to act as defendant in this case. First, as you note RSA 491:22 requires the parties to be "claiming adversely" to each other. The State has not taken a position and, therefore, this is not the case. Second, because the State has no position, it would do nothing to defend the action if named other than move to dismiss for lack of subject matter jurisdiction. To the extent litigation proceeded beyond this stage, the State would continue to take no position. Therefore, the City might obtain something in the nature of a default judgment, which presumably would have no precedential value. In addition, even if the State were to "defend" the action, any judgment obtained against the State would likely have questionable impact on any parties with a distinct interest and no ability to, themselves, defend against the lawsuit. Based on all of these factors, it would appear that the most logical defendant in any case would be a member of the community you would be attempting to regulate.

Thank you for your time and attention to this matter.

Sincerely,

  
Joseph A. Foster  
Attorney General

cc: Michael J. Wimsatt, Director of Waste Management Division  
NH Department of Environmental Services

#1487859




**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

**Office of the City Manager**

**Date:** September 29, 2016

**To:** Honorable Mayor Jack Blalock and City Council Members

**From:** John P. Bohenko, City Manager 

**Re:** City Manager's Comments on October 3, 2016 City Council Agenda

---

***Presentation:***

1. **PS21 Presentation.** On Monday evening, a representative from PS21 will make a presentation to the City Council regarding a policy for tactical urbanism and community-led demonstration projects ([see attached request from Doug Roberts](#)).

***Acceptance of Grants and Donations:***

1. **Acceptance of Police Department Grants.** [Attached under Section VIII of the Agenda is a memorandum](#), dated September 28, 2016 from Brenna Cavanaugh, Chair of the Portsmouth Police Commissioners, and Police Chief David J. Mara, requesting that the City Council approve the following grants:

1. Grants:
  - a. 2016 Internet Crimes Against Children Task Force (ICAC) – A grant in the amount of \$256,037 to fund the New Hampshire Internet Crimes Against Children Task Force for the 2016-2017 year. Portsmouth is the Headquarters of the NH ICAC Task Force. This Grant is administered through the Portsmouth Police Department and apportioned to all satellite locations in New Hampshire.
  - b. Acceptance of the New Hampshire Highway Safety Grants as follows:
    1. Distracted Driving Patrols \$10,000.00
    2. Sobriety Checkpoints \$ 6,758.00
    3. DWI Patrols \$ 9,843.00
    4. Step Patrols \$ 9,926.40
    5. Bicycle/Pedestrian Patrols \$ 6,195.20

- c. Acceptance of the Bullet Proof Vest Grant – Fiscal Year 2017, 50% of the cost of five (5) SERT & (15) Reg Vests, which is: \$11,065.68.
- d. Opiod Abuse Reduction Initiative Grant – New Hampshire Department of Safety grant in the amount of \$59,324.03.

The Police Commission submits the information to the City Council pursuant to City Policy Memorandum #94-36, for the City Council’s consideration and approval at their next meeting.

*I recommend the City Council move to accept and approve the grants to the Portsmouth Police Department, as presented. Action on this matter should take place under Section VIII of the Agenda.*

## ***Items Which Require Action Under Other Sections of the Agenda:***

### **1. First Reading of Proposed Ordinance Amendments.**

- 1.1 **First Reading of Proposed Ordinance amending Chapter 3, Article II, Section 3.2 Solid Waste, Yard Waste and Recycling and an amendment to Chapter 1, Article XIII, Section 1.13 – Municipal Enforcement Procedures.** As a result of the September 19<sup>th</sup> City Council meeting, under Section IX of the Agenda, I am bringing back for first reading the [attached proposed Ordinance amending Chapter 3, Article II, Section 3.2 Solid Waste, Yard Waste and Recycling](#).

In order to give the Department of Public Works authority to issue citations under the Solid Waste Ordinance, an amendment to Chapter 1, Article XIII, Section 1.13 – Municipal Enforcement Procedures is necessary ([see attached amendment](#)). The term “Environment Department” was replaced with “Department of Public Works.”

The Department of Public Works recommends updating the City’s Solid Waste Ordinance to accommodate current waste material collection practices and future growth of the program, and requests a public hearing and second reading at the October 17, 2016 City Council Meeting. The proposed updates to the City’s Solid Waste Ordinance do not significantly alter the ordinance, but update the ordinance to reflect common practices already taking place. For example, under the current language trash containers cannot be larger than 45 gallons, thus residents are technically not allowed to be using the 64 or 95 gallon wheeled totes frequently purchased for curbside collection. At the September 19, 2016 Council meeting, Jacob Levenson, the City’s Solid Waste Sustainability Coordinator provided a brief presentation of the proposed ordinance changes.

These changes include following:

- Update the maximum weight and volume of acceptable curbside containers from 45 gallons to include up to 100 gallons; so long as any container larger than 45

gallons has a stop bar compatible with the hydraulic tipper and has working wheels.

- Update Business District curbside collection hours (currently listed as 4:30pm-6:00pm) to allow DPW to add a morning pick up for residents and provide future adaptability to alter routes as needed for operational efficiency. The days and hours of collection will be published by the Department of Public Works.
- Update penalties and remedies to better enforce ordinance violations.
- Modernize the definitions classifying waste and how they are handled.

*I recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the October 17, 2016 City Council meeting, as presented. Action on this matter should take place under Section IX of the Agenda.*

## 2. **Public Hearing/Second Reading of Proposed Ordinance Amendments.**

- 2.1 **Public Hearing/Second Reading of Ordinance amending Chapter 14, Article II – Demolition – The Preservation of Buildings and Places of Historic, Architectural and Community Value.** As a result of the September 19<sup>th</sup> City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed demolition ordinance](#) (City Ordinances, Chapter 14 – Housing Code, Article II – Demolition). This revision has been prepared in response to a referral by the City Council at its meeting on February 1, 2016.

The draft revised ordinance provides for additional review, including a public hearing, whenever demolition is proposed for a building that is more than 50 years old. The purpose of this additional review is to allow for a determination as to whether the building has historic, architectural or community value, and for identification of alternatives to demolition. Where no such alternatives are identified or acceptable to the owner, if the applicant agrees, the draft ordinance requires documentation in the form of photographs and measured drawings, and encourages salvage of historic building elements. Please note the change in the proposed Ordinance that allows the applicant to refuse that the house be photographed. A draft of the revised ordinance was provided to Portsmouth Advocates for review, and the current document incorporates several changes suggested by the Advocates, including posting of notices on the City’s website in addition to the newspaper.

*I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the October 17, 2016 City Council meeting, as presented. Action on this matter should take place under Section IX of the Agenda.*

## ***City Manager's Items Which Require Action:***

1. **Establish Public Hearing Re: Funding to Acquire a Portion of Property at 150 Greenleaf Avenue.** Attached is a copy of the agenda comments that was sent to the City Council on September 6, 2016 regarding the legal acquisition by eminent domain of approximately 4.8 acres through which a municipal sewer line, installed within a berm, was constructed by the City in 1967 and 1968.

In order to proceed to acquire this land, funding in the amount of \$345,000 needs to be appropriated. I am requesting that the City Council establish a public hearing for its October 17, 2016 meeting to raise and appropriate \$345,000 from the Sewer Fund net position.

*Therefore, I recommend the City Council move to establish a public hearing for its October 17, 2016 meeting, to raise and appropriate \$345,000 from the Sewer funds net position.*

2. **Request for Acceptance of Harborwalk Park Pier Project.** The City constructed the Harborwalk Park Pier in late 2015 with about half of the cost being provided by Transportation Enhancement Federal funds. The total cost of the structure was \$489,132.00. As part the State's closeout procedure on the project, the City is required to formally accept the project. The Public Works Department and their consulting engineers Tighe and Bond, Inc. have reviewed the entire project in depth and find no fault with the work that was performed. For your information, attached are photographs of the project.

*Therefore, I am recommending the City Council move to accept the Harborkwalk Park Pier Project, and further, authorize the City Manager the Certificate of Final Completion of Work.*

3. **Polling Hours for November 8, 2016 Presidential General Election.** Attached is a memorandum from Kelli Barnaby, City Clerk, recommending the polling hours be set from 8:00 a.m. to 8:00 p.m. for the Presidential General Election on November 8, 2016.

*I would recommend the City Council move to set the polling hours from 8:00 a.m. to 8:00 p.m. for the Presidential General Election on November 8, 2016.*

## ***Informational Items:***

1. **Events Listing.** For your information, attached is a copy of the Events Listing updated after the last City Council meeting on September 19, 2016. In addition, this can be found on the City's website.

2. **Report Back Re: Veterans Tax Credit.** As a result of a request by Councilor Denton, at the September 19<sup>th</sup> City Council meeting, the Council requested a report back regarding implementing the additional Veterans' property tax credit authorized under RSA 72:28b, which went into effect on August 8, 2016, extending the current tax credit amount to all honorably discharged veterans that are not eligible for the current veterans' tax credit or the tax credits for service connected total disability. [Attached is a memorandum from Rosann Maurice-Lentz, City Assessor, regarding "All Veteran Tax Credit" RSA 72:28 \(b\).](#)



## *Items Which Require Action Under Other Sections of the Agenda:*

### 1. Public Hearing:

- 1.1 Public Necessity Hearing to Acquire a Portion of Property at 150 Greenleaf Avenue by Eminent Domain. City Attorney Robert Sullivan, Deputy City Attorney Suzanne Woodland and Attorney Charles Bauer, as outside counsel, will make a presentation as part of the public hearing for a proposed eminent domain action concerning a portion of the property at 150 Greenleaf Avenue.

For the City Council's consideration is the legal acquisition by eminent domain of approximately 4.6 acres of a 13.78 acre parcel through which a municipal sewer line, installed within a berm, was constructed by the City in 1967 and 1968. The parcel is owned by the 150 Greenleaf Avenue Trust, James Boyle, Trustee. The proposed area with municipal structure to be acquired is shown on the plan included with the proposed City Council Resolution.

The presentation will include an overview of the alleged defects in permanent rights for the City to maintain the sewer line in its current configuration within the berm which runs through the historically swampy area. The presentation will also address the public use, public necessity, and public benefit for such action, weighing the needs of the City with the rights of the landowner.

The public sewer line serves, and has served for nearly 50 years, the Lois Street residential neighborhood and a portion of Middle Road including the Riverbrook Condominiums. The historically swampy wetlands area also serves, and has served the public, to detain storm water as a low point in the area. The landowner will continue to fully own and operate an automotive dealership on the remaining fully developed portion of the property. The landowner will be reasonably and justly compensated for the proposed acquisition.

As will be explained further as part of the presentation, this hearing is part of the legal due process and procedures required by New Hampshire statutes for the eminent domain acquisition of property. That due process includes an appraisal, a copy of which is provided to the property owner. This step has been completed and the appraisal report has been posted to the City's website.

The appraisal report provides two methodologies for determining value of the property to be acquired. Using the method most favorable to the landowner, the City would propose to offer to the landowner \$345,000 to acquire the parcel for public use. The estimated costs of removing and replacing the sewer line for continued municipal services to residents and landowners, which would require state and local approvals, would greatly exceed the acquisition expense.

If the City Council elects to proceed with the eminent domain, there will be a 60 to 90 day period of negotiation and statutorily required notices to various parties. Within the statutory structure, the landowner will have the opportunity to challenge the public use, public necessity, public benefit, and just compensation.

Attached is the proposed Resolution for the City Council's adoption with attached plan.

*The City Legal team recommends the City Council move to adopt the Resolution entitled "Regarding the Public Necessity for the City to Condemn Certain Property Located at 150 Greenleaf Avenue Portsmouth New Hampshire for Sewer, Drainage, and Stormwater Purposes with Just Compensation to the Landowner." Action on this matter should take place under Section IX of the Agenda.*

**CERTIFICATE OF FINAL COMPLETION OF WORK**  
(page 1 of 2)

OWNER'S CONTRACT NO.: #55-15 ENGINEER' PROJECT NO.: 2507681  
AGREEMENT DATE: 4/28/15

CONTRACT TITLE: Harborwalk Park Pier

FINAL COMPLETION DATE PER AGREEMENT AND CHANGE ORDERS: 12/11/15  
ACTUAL DATE OF FINAL COMPLETION: 12/11/15

FINAL CERTIFICATION OF CONTRACTOR

I hereby certify that the Work as identified in the Final Payment Request dated 9/23/16 for the above-noted construction Contract represents full compensation for the actual value of work completed. Additionally, all work completed conforms to the terms of the Agreement and authorized changes.

MARITIME CONSTRUCTION & ENG, LLC 9/23/16  
CONTRACTOR Date

[Signature]  
Authorized Representative's Signature

SHAWN M. TOOLEY, OWNER  
Name & Title

FINAL CERTIFICATION OF ENGINEER

I have reviewed the Contractor's Final Payment Request dated 9/23/16 and hereby certify that to the best of my knowledge, the cost of the work identified on the Final Payment Request represents full compensation for the actual value of work completed and that the work has been completed in accordance with the terms of the Agreement and authorized changes.

TIGHE & BOND 9-14-16  
ENGINEER Date

[Signature]  
Authorized Representative's Signature

DUNCAN MELLOR, PE  
Name & Title PRIN. COASTAL ENG.



CERTIFICATE OF FINAL COMPLETION OF WORK  
(page 2 of 2)

FINAL ACCEPTANCE OF OWNER

I, as representative of the Owner, accept the above Final Certifications and authorize Final Payment in the amount of \$ 512.00 and direct the Contractor's attention to the General Conditions. The guaranty for all Work completed subsequent to the date of Substantial Completion, expires one year from the date of this Final Acceptance.

At a meeting of the PORTSMOUTH (Town Council/Selectmen/Alderman), the Owner, \_\_\_\_\_ (Name of the community) has accepted the constructed project.

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Representative's Signature

\_\_\_\_\_  
Name & Title

END OF SECTION



**Locus Map**  
**Harborwalk Park Pier**

Map Prepared by Portsmouth Department of Public Works



Printed: 09/29/2016









**OFFICE OF THE CITY CLERK**

**MEMORANDUM**

TO: John P. Bohenko, City Manager  
FROM: Kelli L. Barnaby, City Clerk  
DATE: September 22, 2016  
SUBJECT: Polling Hours for November 8, 2016 Presidential General Election

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In accordance with RSA 659:4, the City Council shall determine the polling hours for the election. I would request extending the polling hours by one hour to be set from 8:00 a.m. - 8:00 p.m. for the Presidential General Election. This is allow us to accommodate voters by an additional hour in the evening.

If you have any questions, please do not hesitate to contact me.

Run: 9/29/16  
10:49AM

## Event Listing by Date

Page: 1

Starting Date: 9/19/2016

Ending Date: 8/ 1/2017

Start End	Type Description	Location	Requestor	Vote Date
9/24/2016 9/25/2016	BIKE TOUR Donna Hepp is the contact for this event. Tel. 414-258-3287	Through Portsmouth	Grante State Wheelmen	12/ 7/2015
9/24/2016 9/25/2016	FESTIVAL David Hallowell is the contact for this event. This is a 2-day event starting at 8:00 a.m. to 6:00 p.m.	Pleasant Street	Portsmouth Maritime Folk Festi	1/25/2016
9/24/2016 9/25/2016	TOUR Caroline Amport Piper is the contact for this event. Tel. (603) 686-4338 This event begins each day at 11:00 a.m. to 3:00 p.m.	South End	Friends of the South End	12/ 7/2015
10/ 9/2016 10/ 9/2016	ROAD RACE Contacts: (Date changed to October 9, 2016 instead of October 8th) Ben Anderson - ben@prescottpark.org Angela Greene - angela@prescottpark.org Race Start: 10:00 a.m. Registration: 8:00 a.m.	Memorial Bridge Portsmouth	Memorial Bridge Road Race	12/ 7/2015
10/13/2016 10/16/2016	FESTIVAL Amber Day is the contact for this event. (603) 534-0905	Chestnut Street	New Hampshire Film Festival	9/19/2016
10/22/2016 10/22/2016	WALK Contact Susan von Hemert Annual Memorial Bridge Walk walking across Memorial Bridge to Prescott Park	Memorial Bridge Walk to Prescott Park	Seacoast Rotary	3/ 3/2016
10/22/2016 10/22/2016	WALK Mary-Jo Monusky, Executive Director is the contact for this event. This 5K walk begins at 9:00 a.m. to 11:00 a.m.	Start and Finish on Jewell Court	Arts in Reach - RESCHEDULED TO	10/22/2016
10/31/2016 10/31/2016	PARADE	Peirce Island thru downtown to Prescott Park	Portsmouth Halloween Parade	7/11/2016
11/13/2016 11/13/2016	ROAD RACE Jay Diener, Co-race Director is the contact for this event. He can be reached at (603) 758-1177 Runners start at 8:30 a.m.	Portsmouth, New Castle, Rye	Seacoast Half Marathon	4/18/2016
11/24/2016 11/24/2016	ROAD RACE Matt Junkin, Race Director is the contact for this event. This is the Thanksgiving Day Turkey Trot which begins at Peirce Island and ends at Strawberry Banke. Registration begins at 7:00 a.m. Race commences at 8:30 a.m.	Peirce Island is the start - Strawberry Banke is th	Seacoast Rotary Turkey Trot 5K	11/16/2015
12/11/2016 12/11/2016	ROAD RACE Thomas M. Bringle is the contact for this event. Tel. 603-724-6080 tbringle@arthritis.org. Registration begins at 9:00 a.m. Race start time: 10:00 a.m.	Little Harbour School	Arthritis Foundation - Jingle	1/25/2016

## Event Listing by Date

Starting Date: 9/19/2016

Ending Date: 8/ 1/2017

Start End	Type Description	Location	Requestor	Vote Date
12/31/2016 12/31/2016	FESTIVAL Barbara Massar is the contact for this event. This event begins at 4:00 p.m. to Midnight	Downtown - Various Locations throughout Market Squ	First Night - Pro Portsmouth	9/ 6/2016
1/ 1/2017 1/ 1/2017	RACE Michael Rennebu is the contact for this event. Cell #603-969-9783 Race Start: 11:00 a.m. Registration: 9:00 a.m.	Portsmouth Middle School	Great Bay Services	12/ 7/2015
5/ 6/2017 5/ 6/2017	WALK Jenelle Dolan, Development Specialist is the contact for this event. Tel. 978-729-5849	Little Harbour Elementary School	March of Dimes	7/11/2016
5/ 7/2017 5/ 7/2017	EVENTS Barbara Massar is the contact for this event. This event begins at Noon to 4:00 p.m.	Pleasant Street - State Street - Market Square	Children's Day - Pro Portsmout	9/ 6/2016
5/13/2017 5/13/2017	RACE Contact: Carolyn Ostrom, NH Community Relations, Specialist - 617-501-2728 costrom@vtnhkomen.org Ed Harvey, Race Director 603-862-1246 Edmund.Harvey@unh.edu	Strawbery Banke	Susan G. Komen Foundation	8/15/2016
6/10/2017 6/10/2017	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Market Square	Market Square Day - Pro Portsm	9/ 6/2016
6/10/2017 6/10/2017	ROAD RACE Barbara Massar is the contact for this event. The road race starts at 9:00 a.m. in Market Square	Starts in Market Square	Market Square Road Race - Pro	9/ 6/2016
6/17/2017 6/17/2017	RACE	Pleasant Street	Big Brothers Big Sisters of Ne	9/19/2016
6/24/2017 6/24/2017	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Street Music Ser	9/ 6/2016
7/ 1/2017 7/ 1/2017	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2016
7/ 8/2017 7/ 8/2017	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in Street Series. It begins at 5:00 to 9:30 p.m.	Downtown - Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2016

Run: 9/29/16  
10:49AM

## Event Listing by Date

Page: 3

Starting Date: 9/19/2016

Ending Date: 8/ 1/2017

Start End	Type Description	Location	Requestor	Vote Date
7/15/2017 7/15/2017	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	9/ 6/2016
7/22/2017 7/22/2017	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2017
7/29/2017 7/29/2017	MUSIC Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2016





# CITY OF PORTSMOUTH

## Assessors Office

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# Memo

**To:** John P. Bohenko, City Manager  
**From:** Rosann Maurice-Lentz, City Assessor  
**CC:** Judith Belanger, Finance Director  
**Date:** September 29, 2016  
**Re:** All Veteran Tax Credit RSA 72:28 (b)

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The past year hold over bill HB430 relative to the “All Veterans Tax Credit” was approved and signed by the Governor. This bill expanded RSA 72:28 and added RSA 72:28 (b) enabling municipalities to change the eligibility requirements for persons receiving the veterans’ property tax credit to include all veterans who have been honorably discharged or officers honorably separated from service. If adopted, this statute removes all gaps in the eligibility periods described in RSA 72:28.

Under the current statute (RSA 72:28), the City of Portsmouth adopted by resolution on February 9, 2004, to increase the optional veteran’s credit to certain wartime veterans, their wives or widows to \$500 off their property tax bill annually; the minimum amount by statute is \$50.

### Potential Impact

According to NH Employment Security, in a 2015 document, there were more than 99,550 vets 18 and older in NH in 2014. Of those, approximately 27,000 served during periods that do not qualify for the veteran’s tax credit. In order to estimate the potential impact to the City of Portsmouth I utilized the number of registered voters within the City and the percentage of veterans located within Rockingham County and estimated as follows:

Number Registered Voters in Portsmouth	17,000
Percentage of Veterans in Rockingham County	10%
Estimated Veterans within the City of Portsmouth	1,700
Veterans Currently Receiving Optional Tax Credit	800
<b>Potential Increase in Veterans Qualifying</b>	<b>900</b>
Current Credit Amount	\$500
Potential loss in Revenue	\$450,000
Impact on Tax Rate (Approximate)	\$ .095

## Other Municipalities

Below is a list of other municipalities and what they currently offer their veterans. The only municipality to currently adopted the new legislation is the Town of Bedford.

<b>Municipality</b>	<b>Amount</b>
Portsmouth	\$500.00
New Castle	\$500.00
Rye	\$500.00
Newington	\$500.00
Greenland	\$500.00
Dover	\$500.00
Durham	\$500.00
N. Hampton	\$500.00
Hampton	\$500.00
Stratham	\$500.00
Rochester	\$250.00
Somersworth	\$500.00
Manchester	\$400.00
Bedford	\$500.00 Adopted Legislation left credit at \$500
Concord	\$150.00
Nashua	\$500.00

## Procedure for Adoption

RSA 72:28 allows a town or city to modify the Standard and Optional Veteran' Tax Credit by the procedures in RSA 72:27-a in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation.



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*

Committee: Planning Board  
**applicant**

**Initial**

SEP 10 2012

Name: Jody Record Telephone: 603-988-9865

Could you be contacted at work? YES/NO If so, telephone# 603-862-1462

Street address: 162 Rockland Street

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): writenow31@yahoo.com

How long have you been a resident of Portsmouth? ? 44 years

**Occupational background:**

writer, editor (1994- present)

real estate agent (1984-1994)

**Please list experience you have in respect to this Board/Commission:**

currently planning board alternate



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO - am aware due to current position

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: I am currently an alternate on the planning board, which now has a vacancy for a full time member. I would like to fill that position.

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

Fair Tide Inc. Kittery, Maine (provides transitional housing)

Please list two character references not related to you or city staff members: (Portsmouth references preferred)

1) Phyllis Eldridge 431-2791 205-3579

Name, address, telephone number

2) Doug Roberts 531-3986

Name, address, telephone number

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 may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Jody Record Date: 9-15-16

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes No



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*

SEP 2 2016

Committee: Planning Board

Initial applicant

Name: Jeffrey Kisel Telephone: 603.770.2763

Could you be contacted at work? YES/NO  If so, telephone # \_\_\_\_\_

Street address: 21 Wallis Road

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): Kisel.Jeffrey@gmail.com

How long have you been a resident of Portsmouth? 3+ years

Occupational background:

Self employed / General contractor

Please list experience you have in respect to this Board/Commission:

28 year seacoast resident, 8+ years in construction,  
North End Charrette, West End Charrette, Portsmouth  
Listen's Master Plan Review

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: To bring a younger voice to the  
~~to the~~ table where decisions are made about topics  
such as the McIntyre Building, Prescott Park,  
West End, Affordable housing and the Community  
Campus project.

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

FUTURES Advisory Board member; Portsmouth Public  
Media - Television, Board member; 603 Initiative,  
Board Member

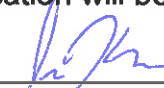
Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) Daniel Umbro 21 Wallis Road, 603.770.5547  
Name, address, telephone number

2) John Formella, 939 Maplewood Ave 850.375.1707  
Name, address, telephone number

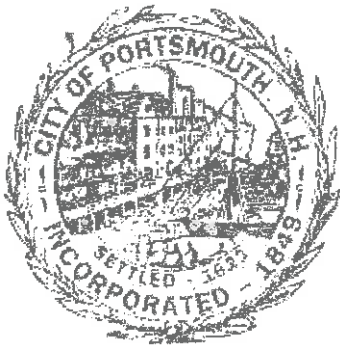
BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature:  Date: 9/26/16

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes X No     

**Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801**



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

SEP 26 2016

Committee: Board of Library Trustees

Renewing applicant

Name: Bruce Boley Telephone: 603-431-8471

Could you be contacted at work?  YES  NO - If so, telephone# Cell phone: 603-812-1209

Street address: 88 Newcastle Ave., Portsmouth, NH 03801

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): bboley@hsph.harvard.edu

How long have you been a resident of Portsmouth? 46 years

Occupational background:

- chan
- Project manager, Harvard, School of Public Health 2002-2015
- Special Education Director, Portsmouth School Dept. 1990-2002 (approx)
- Special needs consultant " " 1972 1980-1990 "
- NH Child Welfare social worker 1969-1972

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: \_\_\_\_\_

I have very much enjoyed being a part of this fine library during my first term. I feel that I have been supportive & helpful to the director & staff in planning & policy discussions. Also, I have been a proponent of bringing live music of Portsmouth young people to the library & wish to see this through.

OVER  
➔

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

Just beginning as a hospice volunteer  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) John Evans, One Lookout Lane, Portsmouth 603-433-3218  
Name, address, telephone number
- 2) Janky Lennie  
Graham Opmshaw, 86 Newcastle Ave., Ports. 603-373-8228  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This reappointment application is for consideration and does not mean you will necessarily be reappointed 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 may be forwarded to the City Council for consideration at the Mayor's discretion; and
- 4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
- 5. Application will be kept on file for one year from date of receipt.

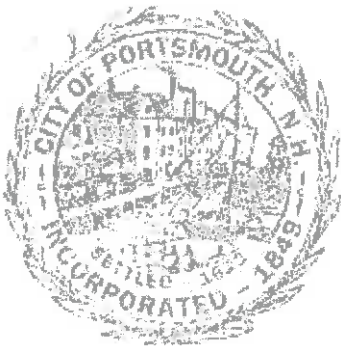
Signature: Bruce Foley Date: 9-23-2016

**CITY CLERK INFORMATION ONLY:**

New Term Expiration Date: 10-1-2019  
Annual Number of Meetings: 10 Number of Meetings Absent: 2  
Date of Original Appointment: 3/17/2015

**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**





CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

received  
9/28/16

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

Committee: LIBRARY BOT Renewing applicant

Name: JACK JAMISON Telephone: 431-6313

Could you be contacted at work? YES  NO - If so, telephone# RETIRED

Street address: 7 FREEDOM CIR, #21 PORTSMOUTH

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): JJJ,INC@COMCAST.NET

How long have you been a resident of Portsmouth? 12 YEARS

Occupational background:

IBM - SYSTEMS ENGINEER

HONEYWELL - GROUP MANAGER

DATA GENERAL CORP - DIRECTOR SOFTWARE DEVELOPMENT

JJJ INC. PRINCIPAL

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: \_\_\_\_\_

I LOVE THIS LIBRARY

MY FIRST TERM WAS LARGELY A LEARNING EXPERIENCE

I WANT TO SUPPORT THIS IMPORTANT COMMUNITY RESOURCE



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

- FAMILIES FIRST OF THE GREATER SEACOAST - BOD 11 YRS
- PORTSMOUTH LIBRARY - BOT
- PORTSMOUTH SENIORS - VOLUNTEER
- ACTIVE RETIREMENT ASSOC. -
- MUSIC HALL - VOLUNTEER

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) HELEN TAFT <sup>FAMILIES FIRST</sup> 100 CAMPUS DR 422-8208  
Name, address, telephone number
- 2) JANET PRESLOTT <sup>HOSPICE HELP FOUNDATION</sup> 155 FLEET ST 766-0444  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed 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 may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: John S. Janison Date: 9-23-2016

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: \_\_\_\_\_

Annual Number of Meetings: \_\_\_\_\_ Number of Meetings Absent: \_\_\_\_\_

Date of Original Appointment: \_\_\_\_\_

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801