

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, FEBRUARY 4, 2013 TIME: 6:00PM

AGENDA

- 5:30PM - ANTICIPATED "NON-MEETING WITH COUNSEL RE: LITIGATION – RSA 91-A:2 I (c)
- 6:00PM – WORK SESSION REPORT BACK ON LETTER AND PETITION OF ISLINGTON CREEK NEIGHBORHOOD ASSOCIATION RE: BOARDING HOUSE

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

V. ACCEPTANCE OF MINUTES – JANUARY 22, 2013

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. CAPITAL IMPROVEMENT PLAN (CIP) FY2014-2019 (*Action on this matter will be taken at the February 19, 2013 City Council meeting*)
- B. ORDINANCE AMENDING CHAPTER 1, ARTICLE XIV, SECTION 1.14 – MUNICIPAL FUND BALANCE
- C. CONCERNING THE PUBLIC NECESSITY FOR OBTAINING PERMANENT AND TEMPORARY EASEMENTS AND TO PROCEED AS MAY BE NECESSARY WITH AN EMINENT DOMAIN ACTION. THE PROPERTY INVOLVED IS OWNED BY PAN AM RAILWAYS/BOSTON & MAINE RAILROAD OFF OF BARTLETT STREET, MAP 164, AND LOT 004

VIII. APPROVAL OF GRANTS/DONATIONS

A. Acceptance of Police Department Grants and Donations:

- Grant from the State of New Hampshire Department of Safety for the Part II Local Law Enforcement Radio Interoperability Initiative - \$25,332.88
- Grant from the State of New Hampshire Department of Justice in support of the DV/SA Victim Advocate for the Police Department - \$50,000.00
- Donations to the Police Cadet Explorer Post:
 - Mr. J. Page - \$135.00
 - Ms. J. Spear - \$35.00
 - Mr. F. Mastan - \$50.00

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

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption:

Elderly Exemption at 2%

Single	\$35,176.00 increase of \$690.00
Married	\$43,393.00 increase of \$851.00
Asset Limit of	\$117,257.00 increase of \$2,299.00

(Sample motion – move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the proposed Resolution at the February 19, 2013 City Council meeting)

- B. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption:

Disabled Exemption at 2%

Single	\$35,176.00 increase of \$690.00
Married	\$43,393.00 increase of \$851.00
Asset Limit of	\$117,257.00 increase of \$2,299.00

(Sample motion – move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the proposed Resolution at the February 19, 2013 City Council meeting)

- C. Second Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance ***(Sample motion – move to pass second reading and hold third and final reading on the proposed Fund Balance Ordinance, at the February 22, 2013 City Council meeting)***

- D. Adoption of Resolution concerning the Public Necessity for obtaining Permanent and Temporary Easement sand to proceed as may be necessary with an Eminent Domain Action. The Property Involved is owned by Pan Am Railways/Boston & Maine Railroad off of Bartlett Street, Map 164, and Lot 004 ***(Sample motion – move to adopt the Resolution attached)***

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Request for Approval of Pole License to install 3 poles located on Sagamore Road ***(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)***

- B. *Acceptance of Donations to Recreation Department in the amount of \$180.00 in memory of Thomas Leary:
- PHS Class of 1958 Club Girls - \$30.00
 - Priscilla Syphers - \$50.00
 - Appzero Software, Inc. - \$100.00

(Anticipated action – move to approve and accept the donations to the Recreation Department, as listed)

- C. Letter from David Hallowell, Portsmouth Maritime Folk Festival, requesting permission to hold the Annual Portsmouth Maritime Folk Festival on Saturday, September 28, 2013 and Sunday, September 29, 2013 ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Kelly Sicard, Breathe New Hampshire, requesting permission to hold the 28th Annual Seacoast Bike Tour on Saturday, May 18, 2013 and Sunday, May 19, 2013 ***(Anticipated action – move to refer to the City Manager with power)***
- E. Letter from Gale Auclair, American Lung Association, requesting permission to hold the 4th Annual Cycle the Seacoast Ride on Sunday, May 5, 2013 ***(Anticipated action – move to refer to the City Manager with power)***
- F. Letter from Thomas Martin, The Portsmouth Criterium, requesting permission to hold the Portsmouth Criterium Bike Race on Sunday, September 8, 2013 ***(Anticipated action – move to refer to the City Manager with power)***
- G. Letter from Kristen Lyons, Sexual Assault Support Services, requesting permission to hold the 5th Annual 5k to Keep Kids SAFE on Sunday, May 19, 2013 at 11:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Attorney Bernard Pelech regarding Rezoning request for property located at 678-680 Maplewood Avenue ***(Sample motion – move to refer to the Planning Board for report back)***

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

1. Consideration of First Reading of Proposed Resolution and Ordinance Amendments:
- 1.1 First Reading of Proposed Resolutions Amending Elderly & Disabled Exemptions Income Asset Limits ***(Action on this item should take place under Section IX of the Agenda)***

2. Public Hearing:
 - 2.1 Public Hearing Re: Proposed Capital Improvement Plan (CIP) FY2014-2019
(Action on this matter will be taken at the February 19, 2013 City Council meeting)
3. Public Hearing/Second Reading of Proposed Ordinance Amendments:
 - 3.1 Public Hearing/Second Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance **(Action on this item should take place under Section IX of the Agenda)**
4. Public Necessity Hearing and Adoption of Resolution:
 - 4.1 Public Necessity Hearing and Adoption of Resolution to acquire Easements from Pan Am Railways through the Eminent Domain Process **(Action on this item should take place under Section IX of the Agenda)**

City Manager's Items Which Require Action

1. Report Back Re: Former U.S. Army Reserve Center on Cottage Street
2. Request for Approval on Teacher's Retirement Incentive

Informational Items

1. Events Listing
2. City Council Work Session Re: Sewer/Water Rate Study
3. Report Back Re: Change of "Trick or Treat" Date
4. Update Senior Transportation Program

B. MAYOR SPEAR

1. Appointments to be Considered:
 - Kelly Weinstein – Citywide Neighborhood Steering Committee
 - Lisa Louttit – Peirce Island Committee
 - J. Robert Shouse - Blue Ribbon Committee on Sustainable Practices
2. Resignation – Paul S. Ford as the Taxi Industry Liaison to the Taxi Commission
3. Status of the proceeds from the Sale of 127 Parrott Avenue formerly the Senior Center

C. COUNCILOR SMITH

1. *Report Back and Update Status of Parking Traffic & Safety Committee Parking Garage Site Selection

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]

**KELLI L. BARNABY, CMC/CNHMC
CITY CLERK**

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. Notification that the Zoning Board of Adjustment Minutes of the December 18, 2012 meeting are available on the City's website for your review
2. Notification that the Planning Board Minutes of the September 13, 2012 and September 20, 2012 meetings are available on the City's website for your review

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

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: TUESDAY, JANUARY 22, 2013

PORTSMOUTH, NH
TIME: 7:00 PM [or thereafter]

I. CALL TO ORDER [7:00PM or thereafter]

Mayor Spear called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present: Mayor Spear, Assistant Mayor Lister, Councilors Kennedy, Novelline Clayburgh, Lown, Dwyer and Thorsen

Absent: Councilors Coviello and Smith

III. INVOCATION

Mayor Spear asked everyone to join in a moment of Silent Prayer.

IV. PLEDGE OF ALLEGIANCE

Assistant Mayor Lister led the Pledge of Allegiance to the Flag.

PRESENTATIONS

1. Report Back Re: Donations for Veterans Memorial in Memorial Park

Deputy City Manager Allen provided a brief presentation on the Veterans Memorial to the entrance of the Memorial Bridge. The presentation included the layout and details for the Memorial which is in the conceptual phase. The funding for this Memorial has been donated by Jim & Laurie Teetzal.

Councilor Kennedy inquired if there would be lighting installed. Deputy City Manager Allen stated that the design will include lighting.

Assistant Mayor Lister advised City Manager Bohenko that the Central Veterans Council would like to be part of the project. City Manager Bohenko stated that staff would reach out to the Central Veterans Council.

Councilor Dwyer said with the closure of the Connie Bean Center and intention of installing memorial plaques she would like the two projects considered together during the process.

2. Basing KC-46A at Pease

Lt. Col. Bill Sylla, Lt. Col. Strider Sulley, and Maj. Joel Johnson of the NH Air National Guard provided a Presentation on Basing the CK-46A at Pease Air National Guard Base. The program will deliver the first 18 tankers in FY17 and Pease is contending for 12 planes.

Councilor Kennedy moved to suspend the rules in order to take up a Resolution of Support for the Basing of the KC-46A at Pease Air National Guard Base. Seconded by Assistant Mayor Lister and voted.

- Resolution of Support for the Basing of the KC-46A at Pease Air National Guard Base

Mayor Spear read the Resolution.

Assistant Mayor Lister moved to accept the Resolution of Support for the Basing of the KC-46A at Pease Air National Guard Base, as presented. Seconded by Councilor Lown and voted.

3. Comprehensive Annual Financial Report (CAFR) – Scott McIntyre of Melanson, Heath & Company, P.C. Auditors' Financial Report for the Year Ending June 30, 2012 (Annual Audit)

Scott McIntyre of Melanson, Heath & Company provided a Presentation on the Comprehensive Annual Financial Report (CAFR) of the City of Portsmouth for the Year Ending June 30, 2012. Scott reviewed the various highlights of the CAFR with the City Council as well as the Management Letter.

V. ACCEPTANCE OF MINUTES – JANUARY 7, 2013

Councilor Novelline Clayburgh moved to approve and accept the minutes of the January 7, 2013 City Council meeting. Seconded by Assistant Mayor Lister and voted.

VI. PUBLIC COMMENT SESSION

Karina Quintans, representing the Islington Creek Neighborhood, spoke to the petition and letter previously submitted regarding the boarding house located at 21 Brewster Street. She addressed the various violations that have occurred and indicated the facility does not maintain State and Local codes. She urged the City Council to help and make this facility comply with all the requirements of State and Local laws and requested that the Council conduct a Work Session on this matter.

John McGee spoke regarding Robin Rousseau and stated that she is not a bully but has been bullied in the last 6 months. He said that Mayor Spear appointed himself to serve on the Committee which reviewed Ms. Rousseau and he feels that was inappropriate. He also spoke to the issue of there not being a public meeting on the report of the Committee. Mr. McGee urged the City Council to think long and hard on censuring Ms. Rousseau.

Marylou McElwain spoke to the exemption for the 2 developers in regards to the proposed amendment to the height ordinance. She said the developers took advantage of a loop hole within the ordinance, which should have been amended before the exemptions were made. Ms. McElwain addressed a comment made by Planning Director Taintor contained in a memorandum from him to City Manager Bohenko regarding this ordinance. In the memorandum, Planning Director Taintor stated that Portwalk exploited a loop hole in the ordinance and she expressed concern with that term being used.

Mark Brighton spoke regarding the proposed 4% increase to the budget and its relation to the rate of inflation. He stated during the election process commitments were made by candidates and they have not been kept.

Bob Shouse spoke to the height ordinance and granting the two exemptions created a negative effect. He stated the ordinance sets a bad precedent and recommended the Council table third reading.

Ralph DiBernardo stated that the two exemptions should not have been added into the height ordinance.

Paul Mannle stated that he has seen board and commission member's behaviors be questionable at times.

VII. APPROVAL OF GRANTS/DONATIONS

A. Acceptance of Grant for Art-Speak

Assistant Mayor Lister moved to accept a grant to Art-Speak to be used for operational support of Art-Speak, as presented. Seconded by Councilor Kennedy and voted.

B. Acceptance of Police Department Grants:

- Grant from Police Standards and Training in support of Deputy Chief Corey MacDonald's attendance at the Senior Management Institute for Police at Boston University - \$1,000.00
- Grant from the Fuller Foundation, Inc. to provide training and equipment to investigators and prosecutors - \$5,000.00

Councilor Kennedy moved to approve and accept the grants to the Portsmouth Police Department, as listed. Seconded by Assistant Mayor Lister and voted.

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

A. First Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance

Councilor Novelline Clauburgh moved to pass first reading and schedule a public hearing and second reading on the proposed Fund Balance Ordinance, at the February 4, 2013 City Council meeting. Seconded by Councilor Dwyer and voted.

B. Third and Final Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, Section 10.535 – Dimensional Standards in the Central Business Districts, Relating to the Height Requirements in the CBA and CBB Districts

Assistant Mayor Lister stated that there is a question to pull out the 2 exemptions from the ordinance. City Attorney Sullivan said an amendment would require two-thirds vote of those in attendance this evening, which would equal 5 votes. City Attorney Sullivan stated anyone that would like to change their mind can do so, as the ordinance is in front of the Council and can be amended. He also stated that the amendment could be made by any Councilor.

Councilor Lown moved to pass third and final reading of the proposed Ordinance, as presented. Seconded by Assistant Mayor Lister.

Councilor Kennedy moved to suspend the rules in order to take up an amendment at third reading. Seconded by Councilor Dwyer and voted.

Councilor Kennedy asked if the Council could vote to separate the question and have two votes on this matter.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear moved to amend the ordinance by removing the paragraph which reads “This shall not apply to any application which has been the subject of notice by the Zoning Board of Adjustment after June 1, 2012, and prior to the first legal notice of the second reading and public hearing on this amendment at the City Council”. Seconded by Councilor Dwyer.

Assistant Mayor Lister returned the gavel to Mayor Spear.

Councilor Lown said this is an issue of fairness. He stated the Wright Avenue project would not be unfair to require them to meet the ordinance requirements but feels differently on the Maplewood Avenue project. He stated the project may not move forward if the ordinance does not allow for the exemption. Councilor Lown further added that the Council is not obligated to grant the exemption but if it doesn't, it could have a chilling affect on development in the future.

Mayor Spear read the paragraph that would be stricken from the ordinance.

Councilor Dwyer asked if there is anything preventing the Maplewood Avenue project from going to the Board of Adjustment. City Attorney Sullivan responded no.

Assistant Mayor Lister said he respects Councilor Lown's comments but feels the Council is splitting hairs. He said a major concern is growth and development in the City.

Councilor Kennedy thanked Mayor Spear for bringing the motion forward. She said we have a height ordinance and that is what we are asking for. She said the projects are just in the development process and feels the amendment is a good decision. She further stated growth is a major concern in the City, as stated by Assistant Mayor Lister.

Councilor Thorsen said the last time he opposed the amendment but feels the Council should send it back to the boards to deal with variances and the amendment should be passed.

Councilor Novelline Clayburgh said she supported the motion at the last meeting and agrees with Councilor Lown that it is a matter of fairness. She said 2 projects have been in the pipeline for over 6 months and that the Council should not change the rules midstream.

On a roll call 5-2, voted to amend the ordinance by removing the paragraph which reads “This shall not apply to any application which has been the subject of notice by the Zoning Board of Adjustment after June 1, 2012, and prior to the first legal notice of the second reading and public hearing on this amendment at the City Council”. Assistant Mayor Lister, Councilors Kennedy, Dwyer, Thorsen and Mayor Spear voted in favor. Councilors Novelline Clayburgh and Lown voted opposed.

Voted to pass third and final reading of the proposed Ordinance, as amended.

IX. CONSENT AGENDA

- A. *Acceptance of Donation to the Coalition Legal Fund:
- Town of Carroll - \$1,000.00
- (Anticipated action – move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund)***
- B. *Acceptance of Donations to Recreation Department in the amount of \$610.00 in memory of Thomas Leary:
- Robert D. and Mary F. Stella - \$20.00
 - Catherine E. and Dennis P. Fitzgerald - \$25.00
 - Franzoso Revocable Living Trust, Eugene R. Franzoso, Trustee & Colleen R. Franzoso Trustee - \$25.00
 - Charity Lower and Matthew Maniates - \$25.00
 - James G. Sullivan - \$25.00
 - Jerold R. Tostenson - \$40.00
 - Alexander N. Bouzakine and Elena V. Bouzakina - \$50.00
 - Liberty Mutual Commercial Insurance Leadership Team - \$100.00
 - The Electric Barn, Inc. - \$100.00
 - Creek Athletic Club - \$100.00
 - Ernestine L. Morrow - \$100.00
- (Anticipated action – move to approve and accept the donations to the Portsmouth Recreation Department, as listed)***

- C. Letter from Deirdre Barrett and Kimberly McGlinchey, ECO Club Advisors of Portsmouth High School, requesting permission to hold the 3rd Annual "Run for the Sol" 5k Road Race in collaboration with great Bay Community College on Saturday, May 11, 2013 from 1:00 p.m. – 3:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
- D. Letter from Jeanine Sylvester, Runner's Alley, LLC, requesting permission to hold the 16th Annual Runner's Alley/Redhook Brewery Memorial 5k on Sunday, May 26, 2013 at 11:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)
- E. Letter from Calvin Sanborn, AIDS Response Seacoast, requesting permission to hold the 17th Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 5, 2013 from 10:00 a.m. – 5:00 p.m., further permission to place 5 temporary 2' by 4' A-frame signs to mark the route (***Anticipated action – move to refer to the City Manager with power***)
- F. Request for Approval of Pole License to install 150 feet of underground conduit located on Vaughan 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***)

Councilor Kennedy moved to adopt the Consent Agenda. Seconded by Assistant Mayor Lister and voted.

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Carl Walton and Paul Schurman, Veterans of Foreign Wars, regarding consideration for Tenancy of former U.S. Army Reserve Center on Cottage Street

Councilor Kennedy moved to refer to the City Manager for report back. Seconded by Assistant Mayor Lister.

Councilor Dwyer stated that the City needs to start from scratch with the Doble Center facility.

City Manager Bohenko stated that more information is needed from the Department of Defense and he would provide an update to the Council.

Motion passed.

- B. Letter from Attorney John Bosen regarding Easement Deed from the City of Portsmouth for property located at 582 Greenside Avenue

Councilor Kennedy moved to authorize the City Manager to negotiate and execute an easement deed from the City to Alan S. Van Wert and Cheryl L. Jameson for the purpose of allowing the single family residence located at 582 Greenside Avenue to remain in its current location, notwithstanding its minor encroachment into the municipal right-of-way at that location. Seconded by Assistant Mayor Lister and voted.

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Report Back Re: Zoning for Assisted Living Facilities (*Postponed from the January 7, 2013 City Council meeting to the January 22, 2013 City Council meeting*)

Planning Director Taintor provided an overview on the definition contained in the Zoning Ordinance for “assisted living facility”. He stated that the ordinance further defines two categories of assisted living facility: “assisted living home” for five or fewer residents, and “assisted living center” for six or more residents. Assisted living homes, which are comparable in scale to single-family homes, are allowed by special exception in all residential and mixed residence districts but not in nonresidential districts. The larger assisted living centers are only allowed in three zoning districts: they are permitted (P) in the General Business (GB) and Business (B) districts, and allowed by conditional use permit in the Gateway district.

In addition, assisted living centers are not currently allowed in three zoning districts where multifamily residential uses are permitted: the Central Business districts (CBA and CBB) and the Garden Apartment/Mobile Home district (GA/MH). Assisted living centers can be similar in scale, character and impacts to condominium and apartment developments, and so it is reasonable to allow them in the same areas where multifamily uses are allowed.

Recommended Approach

The Planning Department developed a three-part concept for expanding the areas of the City in which assisted living facilities might be allowed:

- Allow assisted living centers (6 or more residents) in the CBA and CBB districts where comparable multifamily dwellings are allowed. Also allow assisted living homes (up to 5 residents) in these districts, although they may be less likely to be developed because of their small scale relative to most new development in the downtown. Consider allowing residential care facilities (e.g., skilled nursing or rehabilitation) in these districts as well.
- Allow assisted living centers (6 or more residents) in the Single Residence (SRA and SRB) and Garden Apartment/Mobile Home (GA/MH) districts by conditional use permit from the Planning Board.
- Establish special dimensional intensity and design standards for assisted living facilities and residential care facilities in Residential districts.

He stated the proposed approach for nonresidential zoning districts is to align the requirements for assisted living facilities more closely with those for multifamily dwellings and/or residential care facilities, which can be similar in scale and character to assisted living facilities. Specifically, it is recommended that the Table of Uses be amended as follows:

- In the Central Business (CBA and CBB) districts, allow all assisted living and residential care facilities by special exception. This reflects the similarity of such uses with multifamily dwellings, which are allowed in these districts.
- In the Gateway and Business (B) districts, allow assisted living homes (5 or fewer residents) by special exception, which is the existing standard for residential care facilities with 5 or fewer residents.

Planning Director Taintor stated the existing dimensional and intensity standards in residential zoning district are inappropriate for assisted living centers and similar residential care facilities. He also stated the recommended changes do not allow independent living units, which represent the largest portion of units in CCRCs and are the driving force for development of such facilities.

Assisted Living Facility Size and Unit Mix

It is recommended that a ceiling of 40 units be placed on the size of assisted living facilities in the Single Residence districts. Based on information from a number of national studies and reports on assisted living facilities, this 40-resident cap is a reasonable limit on the scale of such facilities, especially in residential districts. He stated that concerns were raised about expanding the supply of independent or assisted living for seniors without a corresponding increase in skilled nursing care facilities. Therefore, the recommended zoning amendment also requires that an assisted living center provide a minimum of one nursing care bed for every 8 assisted living units.

Councilor Lown moved to authorize the City Manager to bring back for first reading the proposed Zoning Ordinance amendment, as presented, at the February 4, 2013 City Council meeting. Seconded by Councilor Dwyer.

Planning Director Taintor stated he proposed ratios in some instances and changes can be made if different ratios are brought forward at the public hearing. Councilor Kennedy voiced concern with proposing a ratio and not having back-up data. She asked what other communities in the State are allowing for units.

Assistant Mayor Lister said the message we want to get out, is everyone wants to do what it can to support senior citizens in our community. He said that skilled nursing care is not addressed in the ordinance and feels more information is needed before bringing this ordinance forward.

Councilor Novelline Clayburgh said any of the facilities would require 2 acres or more of land and there are not many areas available with that amount of land. Planning Director Taintor said there are approximately 10 parcels that would meet the zoning ordinance requirements.

Councilor Dwyer stated that she has been an abutter to an assisted living facility for over 30 years and they have been a good neighbor. She further stated not everyone in assisted living goes to nursing home care. She said there are a number of residents that need to go to other communities because Portsmouth does not have this type of facility.

City Manager Bohenko said this is a report back and at the public hearing a presentation would be made. He stated we would hear from members of the community, and the staff is trying to work with the business community. He said maybe sometimes things are not from strict planning guidelines and we have tried to let the process work. He further recommended moving this matter forward and to go through the process.

Councilor Dwyer said putting out the Council's concerns may save staff time in the long run. She said she wants to make sure the issues raised this evening are addressed at the public hearing. City Manager Bohenko said we can't take all the City Council views and make them part of the ordinance but the staff would try. Councilor Dwyer said she would like to have an explanation of data provided and that the ratio needs to be looked at. City Manager Bohenko said he recommends withdrawing this matter.

Councilor Kennedy said she would like to have the City Council look at the process and provide a presentation before bringing the matter forward. City Manager Bohenko stated we can look at the process and make changes at the request of the City Council.

Councilor Novelline Clayburgh said she feels we have a process in place. She further stated the Planning Board has studied this over several meetings and a detailed presentation is held at our public hearings.

Councilor Thorsen asked Councilor Lown if he would withdraw the motion, or should a motion be made to postpone. Councilor Lown said it has been 8 months since the City Council voted for the Planning Board to come back with a report on this matter. He said a presentation could be made before first reading, and he will not withdraw his motion.

Councilor Thorsen moved to postpone to a date uncertain to be set following a presentation on this matter. Seconded by Councilor Kennedy.

On a roll call 4-3, voted to postpone to a date uncertain to be set following a presentation on this matter. Assistant Mayor Lister, Councilors Kennedy, Dwyer and Thorsen voted in favor. Councilors Novelline Clayburgh, Lown and Mayor Spear voted opposed.

2. Elderly and Disabled Exemptions

City Manager Bohenko reported this matter comes before the City Council each year, and asked if the Council would like to make changes to the exemptions.

Councilor Kennedy moved to authorize the City Manager to proceed with Option A and bring back Resolutions for first reading at the February 4, 2013, City Council meeting. Seconded by Assistant Mayor Lister.

Option A adjusts the income and asset levels for both the elderly and disabled taxpayers by the November to November CPI of 2.0%.

City Manager Bohenko stated that this is a policy decision of the City Council and the exemptions currently add eleven cents to the tax rate.

Councilor Kennedy asked if asset limits include the homes. Assessor Maurice-Lentz responded they do not include the homes.

Motion passed.

3. Request to Renew Seacoast Growers' Association (Farmers' Market) Proposed 2013 License Agreement

Councilor Kennedy moved to authorize the City Manager to enter into a License Agreement with the Seacoast Growers' Association for 2013, as presented. Seconded by Councilor Lown.

Councilor Dwyer noted that the map reflects Section C as Vendor Parking and Section E as Public Parking, which is incorrect.

Councilor Lown moved to suspend the rules in order to allow Edie Barker to address the City Council on this matter. Seconded by Councilor Kennedy and voted.

Ms. Barker said Section C should be Public Parking and Section E Vendor Parking. City Manager Bohenko stated the map will be changed to reflect what has been discussed.

Motion passed with Councilor Novelline Clayburgh abstaining from voting.

Appendix 1 – Farmers' Market Map will be changed to reflect Section C as Public Parking and Section E as Vendor Parking.

4. Proposed Lease of 299 Vaughan Street for a Public Parking Lot

City Manager Bohenko reported that Cathartes Development is proposing that the City lease 299 Vaughan Street for a public parking lot. He stated the property has existing buildings that Cathartes Development indicated would be removed after all approvals have been received. This would give the ability to create approximately 89 parking spaces on this site.

City Manager Bohenko stated the Lease Agreement would be similar to the agreement we entered into with Parade Office LLC for use of spaces. The public parking would be available as it was with the Portwalk lease 24 hours a day, seven days a week at .75 an hour. City Manager Bohenko also indicated the spaces could be available no later than June.

Councilor Novelline Clayburgh moved to authorize the City Manager to enter into an agreement between the City of Portsmouth and Cathartes Development to lease a public parking lot for 89 spaces at 299 Vaughan Street. Seconded by Assistant Mayor Lister.

Councilor Kennedy asked what approvals are required. City Manager Bohenko stated Historic District Commission, Conservation Commission and Planning Board.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear said 2 years ago was the time to build a garage when the Portwalk project started, unfortunately people felt we had enough parking with the Portwalk project and now that it has come to an end we need more parking. He said with this agreement we will have a few more years to decide on a garage and remember this parking will go away at some point.

Assistant Mayor Lister returned the gavel Mayor Spear.

Motion passed.

5. Proposed Payment in Lieu of Taxes (PILOT) Re: Betty's Dream

City Attorney Sullivan reported on this matter and informed the Council the City is involved in litigation with the facility with respect to its tax status years 2011 and 2012. After protracted negotiations between the City Assessor and Betty's Dream a proposed settlement has been reached. The settlement terms are, if the Council agrees to accept a payment in lieu of taxes, in the amount of \$3,000.00 per year commencing with tax year 2011 and continuing to December 31, 2020, then the case will be settled for that period of time.

Councilor Dwyer moved to authorize the City Manager to proceed with the PILOT and settlement of this issue. Seconded by Councilor Novelline Clayburgh and voted.

6. Acquisition of Easements Re: McDonough/Brewster Streets

City Manager Bohenko reported that the acquisition of easements is for a public works project to install new drain lines in this area. He stated during significant rain events, flooding occurs at the end of Brewster Street and in the adjacent low areas north of McDonough Street. The Public Works Department proposed to install new drain lines and infrastructure to reduce this flooding. In addition, it is likely the City will have to proceed with an eminent domain action to secure the easements necessary to lay the new drain lines.

Assistant Mayor Lister moved to accept an easement from Mr. Ahlgren as may be negotiated. Seconded by Councilor Novelline Clayburgh and voted.

Councilor Novelline Clayburgh moved to schedule a public necessity to be held at the next City Council meeting on February 4, 2013 to acquire easements from Pan Am Railways through the eminent domain process. Seconded by Assistant Mayor Lister and voted.

7. Request to Establish a Work Session Re: Letter and Petition of Islington Creek Neighborhood Association regarding the Boarding House at 21 Brewster Street

City Manager Bohenko said he is recommending the Council conduct a Work Session on this matter prior to the February 4, 2013 Council meeting.

Councilor Novelline Clayburgh moved to establish a work session on Monday, February 4, 2013 at 6:00 p.m., prior to the regular City Council meeting, regarding the report back on 21 Brewster Street Boarding House. Seconded by Assistant Mayor Lister.

Councilor Kennedy said it is important the Council understand the sensitivity of residents living at 21 Brewster Street. She stated the goal of the Islington Creek Neighborhood is to make a better situation at 21 Brewster Street.

Councilor Thorsen said at the Work Session the Council should be presented with the validation of grievances brought forward. He would like to address the rights of the business and property owners because it is important to understand these from a legal perspective.

Motion passed.

8. Request to Establish a Work Session Re: Wastewater

City Manager Bohenko recommended that the City Council hold a Work Session prior to the February 19, 2013 Council meeting regarding wastewater.

Councilor Kennedy moved to establish a work session on Tuesday, February 19, 2013 at 6:00 p.m., regarding wastewater. Seconded by Councilor Novelline Clayburgh and voted.

City Manager Bohenko reminded the City Council of their Work Session Re: Capital Improvement Plan on Monday, January 28, 2013 at 6:30 p.m.

B. MAYOR SPEAR

1. Appointments to be Voted:
 - Alison Hamilton, Citizens Advisory Committee
 - Anthony Blenkinsop, reappointment to the Planning Board

Assistant Mayor Lister moved to appoint Alison Hamilton to the Citizens Advisory Committee and the reappointment of Anthony Blenkinsop to the Planning Board until December 31, 2015. Seconded by Councilor Dwyer and voted.

2. Report Back from Committee Re: Robin Rousseau

Mayor Spear requested Councilor Lown present the findings of the Committee.

Councilor Lown reported the Committee reviewed a number of documents, including newspaper articles, letters from citizens, attendance records, minutes of the Zoning Board of Adjustment meetings, and videotape of several meetings, and a letter from Robin Rousseau in her defense. He stated the Committee found that the function of a member of the Zoning Board of Appeals is to understand the zoning ordinances and applicable case law, to obtain all necessary facts and evidence, and then in each case to apply the evidence to the ordinance.

The Committee found Ms. Rousseau's conduct was on numerous occasions offensive and disrespectful. Ms. Rousseau demonstrated disrespect for members of the public (she has indicated that if some abutters do not like certain business activity, that they should "leave"), Planning Department staff, and for the rules of order – the process by which the Board conducts its inquiry, considers evidence and renders its decisions. In addition, the Committee found that Ms. Rousseau on more than one occasion disparaged City zoning ordinances that she is charged with a duty to uphold and apply.

The committee is not making any determination as to whether Ms. Rousseau should be removed from the ZBA pursuant to State statute (RSA 673:13). That statute specifies that removal may be effectuated "upon written findings of inefficiency, neglect of duty or malfeasance in office." The Committee makes no recommendation either for or against removal, and does not suggest that the City Council, at least at this time, should reach any conclusion on whether her conduct falls within the parameters of the State statute.

The Committee also recognizes the importance of free speech and the desirability of a healthy debate on all City boards among board members whose visions and hopes for the City may differ. The Committee's recommendation in this case is in no way designed to chill the expression of different opinions on any City board. The Committee's focus was on Ms. Rousseau's style, tone and demeanor as a representative of the City.

The Committee recommends to the City Council that Ms. Rousseau be publicly censured for her conduct. It is the hope of the Committee that a public admonishment will demonstrate the Council's commitment to civility on all public boards and that it may cause Ms. Rousseau to alter her demeanor and to show greater respect to members of the public who appear before the ZBA, for the process, and for Planning Department staff in carrying out her duties for the remainder of her term.

Assistant Mayor Lister moved to accept the Report from the Committee. Seconded by Councilor Lown.

Councilor Dwyer said there have been instances where Ms. Rousseau made the choice not to follow the criteria of the Board of Adjustment to judge cases and that is a concern. She asked if that has been considered in the report of the Committee.

City Attorney Sullivan explained that a member of the Board of Adjustment sits like a judge on a case. The member hears the facts and applies the facts of the zoning ordinance through its criteria.

Councilor Lown said the issues were with civility and respect. He stated Ms. Rousseau did openly disparage the criteria on one case.

Councilor Kennedy said she had difficulty with the process when this was brought forward. She said there is a Chair on the Board of Adjustment and they have a responsibility, and feels that the Chair should have handled the complaint. She also stated that she was concerned with the make up of this Committee.

Councilor Lown said the Committee would have been happy to meet with Ms. Rousseau, but she chose not to participate in the process. The Chair of the Board of Adjustment wrote a letter to the Committee. Councilor Kennedy said the Chair sent a letter after the Committee was formed. She stated her concerns with the Chair not writing a letter before the Committee was formed.

Mayor Spear said Robin Rousseau accused him of criminal activity in the forming of this Committee to the Attorney General. He also spoke with Ms. Rousseau to invite her to speak with him before the Committee was formed.

Councilor Novelline Clayburgh said she would support the motion, and stated a great deal of time was spent on this report. She said it is her responsibility as a Councilor to take the recommendation of the Committee.

Councilor Lown said the City Council should not make this more difficult than it needs to be. He feels personally that she should not be removed but the Committee did not discuss that. He said this is just a vote on civility as a member on a Board or Commission.

Councilor Thorsen said the chairperson did not feel Ms. Rousseau's actions rose to the removal of her as a member.

Mayor Spear said it is more than Ms. Rousseau's demeanor; she disparages the City Ordinances, City Manager and staff. He spoke to the important role of the Board of Adjustment.

Assistant Mayor Lister said he agrees with Councilor Lown that there was not evidence to have Ms. Rousseau removed.

Councilor Thorsen said Robin Rousseau did not reach the level of removal from the Board, and he would not support to censure.

On a roll call 5-2, voted to accept the Report from the Committee. Assistant Mayor Lister, Councilors Novelline Clayburgh, Lown, Dwyer and Mayor Spear voted in favor. Councilors Kennedy and Thorsen voted opposed.

C. COUNCILOR DWYER

1. *Request for Closure of Chestnut Street on February 20, 2013 Re: African Burying Ground Candlelight Memorial

Councilor Dwyer said the request before you is to close Chestnut Street for the African Burying Ground Candlelight Memorial. She also said the 1779 Petition would be read at the burial ground.

Councilor Kennedy moved to authorize the City Manager to close Chestnut Street on the evening of February 20, 2013 for the African Burying Ground Candlelight Memorial, and further to authorize the City Manager to take whatever actions necessary to implement this event. Seconded by Councilor Novelline Clayburgh and voted.

XII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Dwyer requested a report back from the Parking Traffic & Safety Committee regarding a parking garage.

Councilor Kennedy requested a report back on the Senior Transportation Program.

- Wentworth Connections (Not on agenda)

Councilor Kennedy moved to have Mayor Spear write a letter to Wentworth Connections on the status of the funding they committed to support elderly services. Seconded by Councilor Thorsen and voted.

XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]

At 10:00 p.m., Assistant Mayor Lister moved to adjourn. Seconded by Councilor Novelline Clayburgh and voted.



Kelli L. Barnaby, CMC/CNHMC
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a PUBLIC HEARING will be held by the Portsmouth City Council on Monday, February 4, 2013, at 7:00 p.m., Council Chamber, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire, on the proposed CAPITAL IMPROVEMENT PLAN. The complete Capital Improvement Plan is on file in the Office of the City Clerk during regular business hours.

CITY OF PORTSMOUTH, NH

Capital Plan Summary 14'

Description

I.	EQUIPMENT AND VEHICLE SCHEDULE	\$285,000
II.	BUILDING & INFRASTRUCTURE	\$4,020,000
III.	INFORMATION MANAGEMENT SYSTEMS	\$362,250
IV.	TRANSPORTATION MANAGEMENT PLAN	\$20,608,000
	CAPITAL CONTINGENCY	\$163,000
	SUBTOTALS	\$25,438,250
V.	ENTERPRISE FUNDS TOTAL	\$9,020,000
	GRAND TOTAL	\$34,458,250

*\$1,500,000 is proposed to be funded from FY14' General Fund

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

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CITY OF PORTSMOUTH, NH		
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KELLI L. BARNABY, CMC/CNHMC CITY CLERK		
#12517		11P 1/24

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, February 4, 2013 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on Proposed Amendments to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance. 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, CMC/CNHMC
CITY CLERK

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KELLI L. BARNABY, CMC/CNHMC CITY CLERK
#12517

11P1/25

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, Article XIV, Section 1.14 – MUNICIPAL FUND BALANCE 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 1.1401: MANDATED FUND BALANCE

The General Fund Balance of the City, at the end of any fiscal year as recorded in accordance with generally accepted accounting principles (GAAP) and excluding any and all reserves, and any dedicated fund balances of the General Fund (otherwise referred to as Unassigned Fund Balance of the General Fund) shall be maintained at the prescribed amount of not less than ~~7%~~ **(10%)** of the actual Total General Fund appropriations for that fiscal year.

Section 1.1402: OPERATIONAL OBJECTIVE

Notwithstanding the provision of 1.1401, it is recognized that the financial management goal of the City of Portsmouth is to annually maintain an Unassigned Fund Balance of ~~greater than~~ **between 10% and 17%** of total general fund appropriations.

Section 1.1403: USE OF UNASSIGNED FUND BALANCE

In any subsequent fiscal year, the City Council may utilize the excess of actual Unassigned Fund Balance of the General Fund (as determined by the annual financial audit of the City) over the prescribed level in **Section 1.1401** from the prior fiscal year for capital projects, transfers to capital reserve, or any other appropriation nonrecurring in nature.

Section 1.1404: EMERGENCY APPROPRIATIONS

At any time, in any budget year, the City Council may, after notice and public hearing, make emergency appropriations from Fund Balance to meet an essential need for public expenditure. Such appropriations shall be adopted by written resolution, after notice and public hearing by a favorable vote of a majority of the members of the City Council. If such appropriation reduces the Unassigned Fund Balance to a level below that prescribed by 1.1401 of this ordinance, the resolution authorizing such appropriation shall include a plan to restore the funds within a period not to exceed two (2) years to the prescribed level. The City Council may, by a two-thirds (2/3) majority vote appropriate from the Unassigned Fund Balance for non-emergency appropriations by following the foregoing procedure, provided that such appropriation does not reduce the Unassigned Fund Balance below the minimum balance required by 1.1401 of this ordinance.

Section 1.1405: RESTORATION PLAN

Whenever the Unassigned Fund Balance of the General Fund is less than the prescribed level, the City Council shall be required, within the fiscal year, to formulate

and implement a plan to restore such prescribed amount to the General Fund, such plan shall not exceed a two (2) year period.

(Article XIV - Adopted in its entirety 8/18/97; Amended 04-02-2012 replaced "Undesignated" with "Unassigned"; **further amended _____, 2013**)

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:

Eric Spear, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, February 4, 2013 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, concerning the public necessity for obtaining permanent and temporary easements and to proceed as may be necessary with an eminent domain action. The property involved is owned by Pan Am Railways/Boston & Maine Railroad off of Bartlett Street, Map 164, and Lot 004. The complete details of the project and a map showing the proposed easements which are the subject to this public necessity hearing may be seen by any member of the public during normal business hours (8:00 a.m. to 3:30 p.m.) at the Department of Public Works located at 680 Pevely Hill Road, Portsmouth, NH (603) 766-1416.

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

<p style="text-align: center;">LEGAL NOTICE</p> <p>NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, February 4, 2013 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, concerning the public necessity for obtaining permanent and temporary easements and to proceed as may be necessary with an eminent domain action. The property involved is owned by Pan Am Railways/Boston & Maine Railroad off of Bartlett Street, Map 164, and Lot 004. The complete details of the project and a map showing the proposed easements which are the subject to this public necessity hearing may be seen by any member of the public during normal business hours (8:00 a.m. to 3:30 p.m.) at the Department of Public Works located at 680 Pevely Hill Road, Portsmouth, NH (603) 766-1416.</p> <p>KELLI L. BARNABY, CMC/CNHMC CITY CLERK #12517</p> <p style="text-align: right;">11P1/25</p>

CITY OF PORTSMOUTH
PORTSMOUTH, NEW HAMPSHIRE
2013

RESOLUTION # -

BE IT RESOLVED:

REGARDING THE PUBLIC NECESSITY TO
CONDEMN CERTAIN PROPERTY ALONG BARTLETT STREET
FOR DRAINAGE IMPROVEMENTS
FOR THE MCDONOUGH/BREWSTER STREET AREA

WHEREAS during significant rain events, flooding occurs at the end of Brewster Street and in the adjacent low areas north of McDonough Street;

WHEREAS as part of the City's McDonough Street Improvement project the City proposes to install new drain lines and infrastructure to resolve flooding issues;

WHEREAS the project requires the acquisition of utility easements over property owned by Pan Am Railways (also known as the Boston and Maine Corporation) north of Brewster Street along the North Mill Pond, Tax Map 164 - Lot 004;

WHEREAS ownership of the property is recorded at the Rockingham County Registry of Deeds at: Book 333, Page 416; Book 403, Page 459; Book 439, Page 162; and Book 479, Page 219 (all conveyances to the Eastern Railroad). See also, Book 560, Page 162 (sale of assets from Eastern Railroad to Boston and Maine Corporation) and Book 1739, Page 051 and Book 2668, Page 1952;

WHEREAS the City seeks a permanent easement 20 feet in width to install and maintain two new drain lines under existing rail lines and to construct an outfall at the North Mill Pond;

WHEREAS the City seeks a temporary 100 foot wide construction easement to facilitate installation of the two new drain lines;

WHEREAS the City also seeks a permanent easement along the south side of existing rail lines consisting of an approximately 500' corridor of 25 feet in variable width for the installation of a new drain line and to encompass an existing public sewer line;

WHEREAS the property interests are more fully described in a preliminary easement plan dated November 1, 2012, prepared by Ambit Engineering Inc entitled "Easement Plan Tax Map 164 - Lot 4 Boston & Maine Corporation to the City of Portsmouth;" and

WHEREAS the City Council of the City of Portsmouth has determined that it is in the public interest and necessary for the City to construct storm drain improvements for the McDonough-Brewster Street Area as described;

NOW THEN, after notice and public hearing, the City Council of the City of Portsmouth hereby declares that there is a public necessity to acquire the above-mentioned temporary and permanent easements across property owned by Pan Am Railways/Boston and Maine Corporation and that such easements are for the public use;

WHEREFORE, the City Manager is authorized to acquire by negotiated sale, condemnation or any other method any and all property interests in as much of the property described in this Resolution as may be necessary to complete the storm drain and other improvements in the McDonough-Brewster Street area.

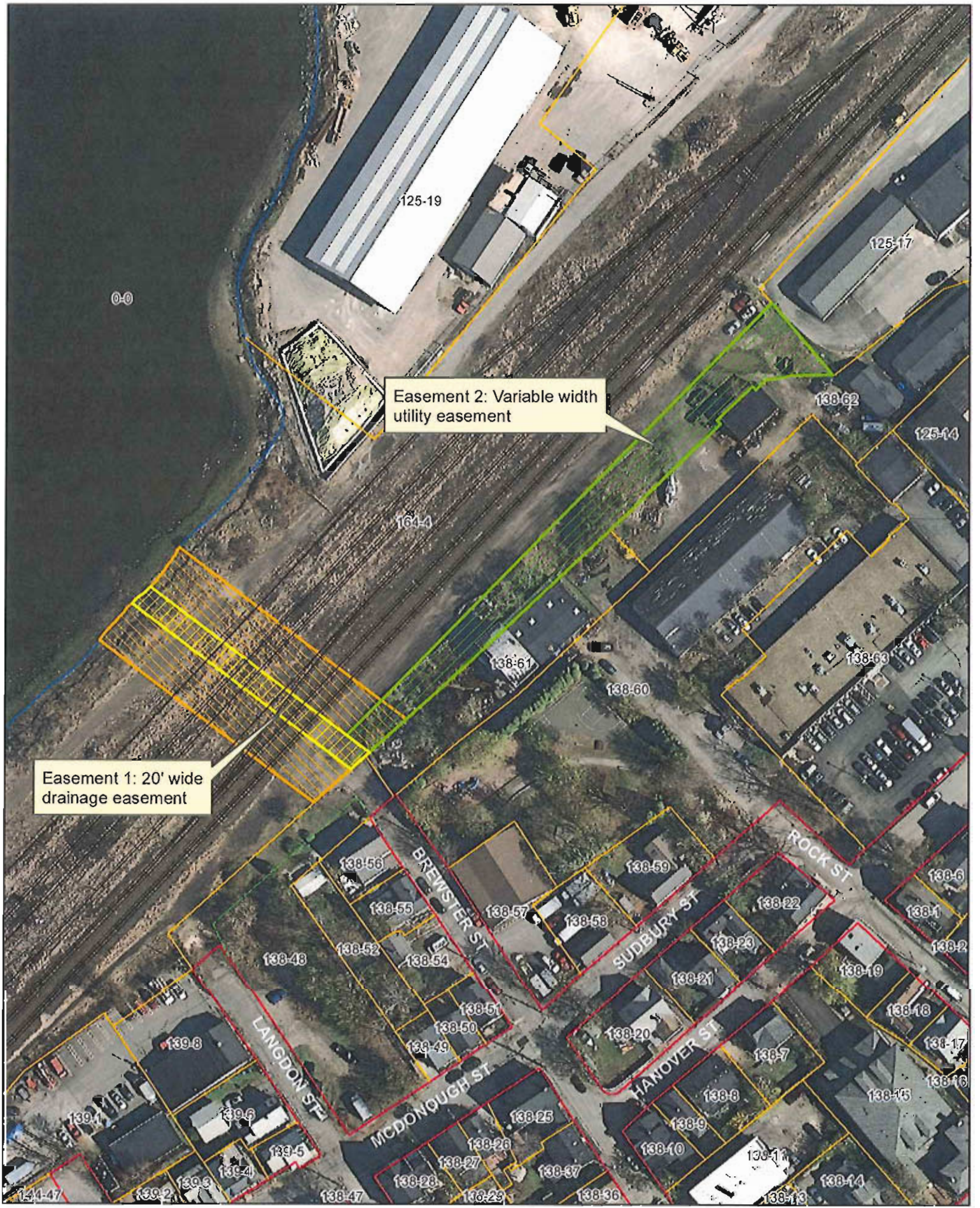
This Resolution shall take effect upon passage.

Approved:

Eric Spear, Mayor

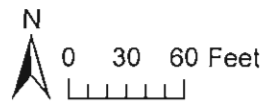
Adopted by the City Council
, 2013

Kelli L. Barnaby, City Clerk



McDonough Street Easements
Figure 1

Map prepared by City of Portsmouth Department of Public Works
 U:\Projects\0516 McDonough Street Easements\Easements.pdf



PORTSMOUTH POLICE DEPARTMENT

JAN 30 2013

MEMORANDUM

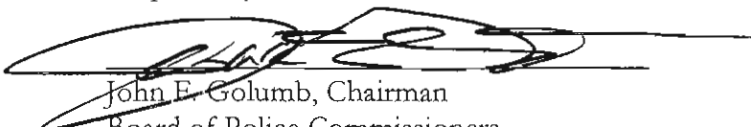
DATE: 23 JANUARY, 2013
TO: JOHN P. BOHENKO, CITY MANAGER
FROM: JOHN F. GOLUMB, CHAIRMAN, PORTSMOUTH POLICE COMMISSION
STEPHEN J. DUBOIS, CHIEF OF POLICE
RE: GRANTS & DONATIONS


At the January 23rd, monthly Police Commission meeting, the Board of Police Commissioners approved and accepted the following grants and donations:

1. A grant allocation in the amount of \$25,332.88 for the purchase of seven additional radios as part of the Part II Local Law Enforcement Radio Interoperability initiative. The department will also be allowed to deduct the cost of programming the radios under the terms of the grant.
2. A grant in the amount of \$50,000 from the State of New Hampshire Department of Justice in support of a DV/SA Victim Advocate for the Portsmouth Police Department.
3. Donations as follows in support of the Portsmouth Police Cadet Explorer Post:
 - a. A donation in the amount of \$135.00 from Mr. J. Page
 - b. A donation in the amount of \$35.00 from Ms. J. Spear
 - c. A donation in the amount of \$50.00 from Mr. F. Mastan

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,


John F. Golumb, Chairman
Board of Police Commissioners


Stephen J. DuBois, Chief of Police

cc: Board of Police Commissioners
Finance Director Judie Belanger
Admin. Manager Karen Senecal
Budget Coordinator Tammie Perez

State of New Hampshire



JOHN J. BARTHELMES
COMMISSIONER OF SAFETY

EARL M. SWEENEY
ASSISTANT COMMISSIONER

DEPARTMENT OF SAFETY

James H. Hayes Safety Building, 33 Hazen Drive, Concord, NH 03305
Tel: (603) 271-2559
Speech/Hearing Impaired
TDD Access Relay NH 1-800-735-2964

RADIO RECIPIENT AND CERTIFICATION Must be completed prior to radio distribution

As Mayor/Town Manager or Chairman of the Board of Selectmen of the City/town of :

Portsmouth

Or, if a County Sheriff of _____

I am aware that the State is purchasing equipment from funds allocated to the State of New Hampshire by the US Department of Homeland Security for the Law Enforcement Agency in my town and I hereby acknowledge that the state will provide standardized interoperable Project 25 (APCO-25) radio equipment with a 3 year warranty, and certify the following:

"The State is retaining some of the local unit of government allocation of grant funds for purchases made by the State on behalf of the local unit of government. States holding Homeland Security grant funds on behalf of local units of government must enter into a memorandum of understanding with the local unit of government specifying the amount of funds to be retained by the State for purchases. This agreement must be kept on file with the State Administrative Agency (Department of Safety)."

My Department will receive: 7 (# radios insert # from December 10th letter)

The value of the equipment provided is: \$ 25,332.88 *insert value below here

Signature of Town Official or County authorized to sign a contract under RSA RSA 31:95b or RSA 37:6 (town/City) or RSA 28:4 (County)

John P. Bohenko 12/19/12

Signature and Date

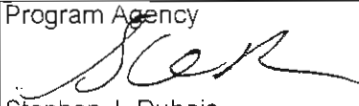
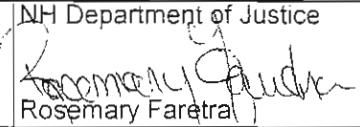
John P. Bohenko

Print name as signed above

Signature and Printed Name of Police Chief or County Sheriff:

See R Stephen J. DuBois

Radio values are as follows: Motorola single band APX 7000: \$3,537.84; Motorola UHF/VHF dual band: \$4,105.84; Motorola 700/800 dual band: \$4,745.84; Motorola single band APX 6000: \$2,290.08

STATE OF NEW HAMPSHIRE DEPARTMENT OF JUSTICE GRANT AWARD		
Agency Name:	Portsmouth Police Department	Vendor No.: 159594-B001
Program Name:	DV/SA Victim Advocate	Amount: \$ 50,000.00
Grant Start Date:	01/01/2013	State Grant Number: 2013W087
Grant End Date:	06/30/2013	Federal Grant Number: 2011-WF-AX-0032
Appropriation No.:	02-20-20-201510-5017-072-500574	
Head of Agency	Project Director	Fiscal Officer
Stephen J. Dubois Portsmouth Police Chief 3 Junkins Drive Portsmouth, NH 03801 603-610-7572	Kristin Maki V/W Advocate 3 Junkins Drive Portsmouth, NH 03801 603-610-7464	Karen Senecal 3 Junkins Ave. Portsmouth, NH 03801 603-610-7416
Federal Grant Name:	Violence Against Women Act - 2011	
Federal Agency:	United States Department of Justice	
Bureau/Office:	Office on Violence Against Women	
CFDA Number:	16.588	
Purpose of Grant:	DV/SA Victim Advocate	
Financial Requirements:	See signed Program Guidelines and Special Conditions.	
Match Requirements:	Match funds must be generated from program allowable activities.	
Reporting Requirements:	Monthly or quarterly financial reports Annual performance report and audit Adherence to State and Federal guidelines and special conditions	
Approval	Program Agency	NH Department of Justice
Name	 Stephen J. Dubois	 Rosemary Faretra
Title	Portsmouth Police Chief	Director of Administration
Date	1/8/13	
All terms of this grant award are not valid unless signed by both authorized parties.		

Original marked
 1/15/13
 Emailed SP-9
 1/15/13

**THE CITY OF PORTSMOUTH
TWO THOUSAND THIRTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # - 2013

BE IT RESOLVED:

Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$35,176 for a single taxpayer or \$43,393 for married taxpayers, inclusive of social security payments and total assets may not exceed \$117,257 whether single or married The elderly exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

ERIC SPEAR, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2013**

**KELLI L. BARNABY, CMC
CITY CLERK**

NOTE: This exemption becomes effective for the tax year April 1, 2013.

**THE CITY OF PORTSMOUTH
TWO THOUSAND THIRTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # - 2013

BE IT RESOLVED:

Pursuant to RSA 72:37-b, City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$35,176 for a single taxpayer or \$43,393 for married taxpayers, inclusive of social security payments and total assets may not exceed \$117,257 whether single or married. The disabled exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

ERIC SPEAR, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2013**

**KELLI L. BARNABY, CMC
CITY CLERK**

NOTE: This exemption becomes effective for the tax year April 1, 2013.

Elderly and Disabled Exemption Limits
12 Year History- City of Portsmouth

Year	Asset Limit	Income Single	Income Married	Exemption Amt 65-74	Exemption Amt 75-79	Exemption Amt 80+	Exemption Amount Disabled		
2000	\$ 35,000	\$ 22,000	\$ 28,000	\$ 50,000	\$ 75,000	\$ 100,000			
2001	\$ 60,000	\$ 25,000	\$ 35,000	\$ 100,000	\$ 150,000	\$ 200,000			
2002	\$ 100,000	\$ 25,000	\$ 35,000	\$ 100,000	\$ 150,000	\$ 200,000	\$ 100,000		
2003	\$ 100,000	\$ 25,000	\$ 35,000	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2004	\$ 100,000	\$ 25,000	\$ 35,000	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2005	\$ 100,000	\$ 25,000	\$ 35,000	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2006	\$ 100,000	\$ 30,000	\$ 37,000	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2007	\$ 102,000	\$ 30,600	\$ 37,740	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2008	\$ 105,470	\$ 31,640	\$ 39,030	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2009	\$ 108,634	\$ 32,589	\$ 40,201	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2010	\$ 110,611	\$ 33,182	\$ 40,993	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2011	\$ 111,718	\$ 33,514	\$ 41,343	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2012	\$ 114,958	\$ 34,486	\$ 42,542	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
2013 (Proposed)	\$ 117,257	\$ 35,176	\$ 43,393	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000		
State of NH	\$ 35,000	\$ 13,400	\$ 20,400	\$ 5,000	\$ 5,000	\$ 5,000	Chosen by Municipality upon adoption or modification		

Elderly/Disabled Exemption Sorted By Asset Limit for Elderly

Community	Asset Limit	Income Single	Income Married	Exemption Amt 65-74	Exemption Amt 75-79	Exemption Amt 80+	Exemption Amount Disabled	Median Household Income	Median Income 65 Years and Over
Newington	\$ 500,000	\$ 40,000	\$ 60,000	\$ 200,000	\$ 300,000	\$ 300,000	n/a	No Report	No Report
Rye	\$ 199,000	\$ 40,000	\$ 59,900	\$ 75,000	\$ 90,000	\$ 105,000	n/a	No Report	No Report
Seabrook (Elderly/Disabled)	\$185,000/\$150,000	\$35,000/\$25,000	\$47,000/\$37,500	\$ 125,000	\$ 150,000	\$ 175,000	\$ 100,000	\$ 62,763	\$ 63,393
Dover	\$ 155,000	\$ 35,000	\$ 48,000	\$ 107,000	\$ 149,000	\$ 191,000	\$ 107,000	\$ 57,521	\$ 34,602
Newcastle	\$ 150,000	\$ 40,000	\$ 55,000	\$ 125,000	\$ 175,000	\$ 225,000	\$ 75,000	\$ 103,462	\$ 82,222
Nashua	\$ 125,000	\$ 36,000	\$ 46,000	\$ 155,000	\$ 180,000	\$ 225,000	\$ 155,000	\$ 66,074	\$ 37,194
Portsmouth	\$ 117,257	\$ 35,176	\$ 43,393	\$ 125,000	\$ 175,000	\$ 225,000	\$ 100,000	\$ 64,459	\$ 42,968
Lebanon	\$ 100,000	\$ 36,800	\$ 36,800	\$ 45,000	\$ 80,000	\$ 170,000	n/a	\$ 54,969	\$ 36,910
Manchester (Elderly/Disabled)	\$100,000/\$200,000	\$32,000/\$100,000	\$45,000/\$100,000	\$ 109,500	\$ 148,500	\$ 195,500	\$ 140,000	\$ 53,278	\$ 30,627
Concord	\$ 90,000	\$ 32,800	\$ 45,000	\$ 72,818	\$ 118,420	\$ 202,124	n/a	\$ 54,163	\$ 31,699
Somersworth	\$ 80,000	\$ 30,000	\$ 45,000	\$ 45,000	\$ 50,000	\$ 55,000	n/a	\$ 51,350	\$ 30,846
Franklin	\$ 74,300	\$ 21,700	\$ 29,600	\$ 25,600	\$ 64,100	\$ 109,900	n/a	\$ 44,332	\$ 23,450
Laconia	\$ 70,000	\$ 23,000	\$ 31,000	\$ 50,000	\$ 65,000	\$ 85,000	n/a	\$ 48,517	\$ 36,464
Keene (Single/Married)	\$55,000/\$78,650	\$ 26,400	\$ 35,640	\$ 29,700	\$ 37,400	\$ 44,900	\$ 29,700	\$ 48,441	\$ 31,032
Rochester	\$ 50,000	\$ 28,500	\$ 39,500	\$ 48,000	\$ 84,000	\$ 108,000	\$ 48,000	\$ 52,536	\$ 38,808
Claremont	\$ 50,000	\$ 19,600	\$ 26,600	\$ 19,250	\$ 38,500	\$ 77,000	\$ 19,250	\$ 38,846	\$ 27,574
Berlin	\$ 35,000	\$ 18,900	\$ 26,400	\$ 14,000	\$ 21,000	\$ 42,000	n/a	\$ 38,107	\$ 26,473
State of NH	\$ 35,000	\$ 13,400	\$ 20,400	\$ 5,000	\$ 5,000	\$ 5,000	Chosen by Municipality upon adoption or modification	\$ 64,664	\$ 38,538

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TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Property Taxes

Section 72:39-b

72:39-b Procedure for Adoption and Modification of Elderly Exemption. –

I. A town or city may adopt or modify elderly exemptions by the procedure in RSA 72:27-a.

II. An elderly exemption, based on assessed value for qualified taxpayers, may be granted for a different dollar amount determined by the town or city, to a person 65 years of age up to 75 years, to a person 75 years of age up to 80 years, and to a person 80 years of age or older. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income in each applicable age group of not more than a dollar amount determined by the town or city of not less than \$13,400 or, if married, a combined net income of not more than a dollar amount determined by the town or city of not less than \$20,400; and own net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the person's residence or, if married, combined net assets not in excess of a dollar amount determined by the town or city of not less than \$35,000 excluding the value of the residence. Under no circumstances shall the amounts of the exemption for any age category be less than \$5,000. The combined net asset amount for married persons shall apply to a surviving spouse until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse.

Source. 1996, 140:1. 1997, 241:2. 2003, 299:16. 2004, 238:4. 2006, 212:2, eff. June 1, 2006.

InterOffice Memo

To: John P. Bohenko, City Manager
From: Tom Richter, Engineering Technician
Date: January 14, 2013
Subject: PSNH License Agreement 63-0496

I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0496.

This request is to license three poles located on Sagamore Avenue associated with the reconstruction of the Sagamore Bridge. The new poles will be placed so that the overhead transmission lines will pose no impact to the construction of the new bridge.

The Public Works Department recommends approval of this license.

Attached are pictures of the proposed pole locations as well as a plan view of the site. Please call with any questions you may have.

cc: Peter Rice, P.E. Deputy Director of Public Works
Kelli Barnaby, City Clerk



Handwritten signature and date: 1/22/13

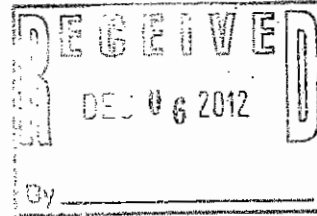


**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System



December 5, 2012

Office of the City Clerk
City of Portsmouth
One Junkins Avenue
Portsmouth, NH 03801

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace poles located in the City of Portsmouth. Enclosed for your review is pole license petition 63-0496 for pole(s) located in the City of Portsmouth.

Upon approval, please have the license section signed by the proper authority. The copy labeled "**Portsmouth**" should be retained for your records.

Please return the remaining copies along with any invoices for payment to my attention at the address below.

If the petition is rejected, please return all copies of the license petitions with an explanation of rejection.

If you have any additional questions or require more information, please contact me at 603-634-2218 .

Respectfully,

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Representative-A Records
Public Service of New Hampshire
60 West Pennacook Street PO Box 330
Manchester, NH 03105-9989

Enclosure(s)

PETITION AND POLE LICENSE

PETITION

Manchester, New Hampshire

November 28, 2012

To the City Council of the City of Portsmouth New Hampshire.

PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary along, and under the following public ways:

License for ~~four~~ (3) pole(s), 136/42Y, 136/46, 136/49 located on Sagamore Road in the City of Portsmouth.

Three 3 LMP
TAR

Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: [Signature]

BY: [Signature]
Lisa-Marie Pinkes, PSNH CO Support/ Licensing

LICENSE

Upon the foregoing petition and it appearing that the public good so requires, it is hereby

ORDERED

This 28th day of November, 2012, that, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Electrical Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked "PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE No. 63-0496, dated 10/19/2010, attached hereto and made a part hereof.

City of Portsmouth, New Hampshire

BY: _____

BY: _____

BY: _____

BY: _____

BY: _____

BY: _____

Received and entered in the records of the City of Portsmouth, New Hampshire, Book _____, Page _____

Date: _____

ATTEST: _____
Town Clerk

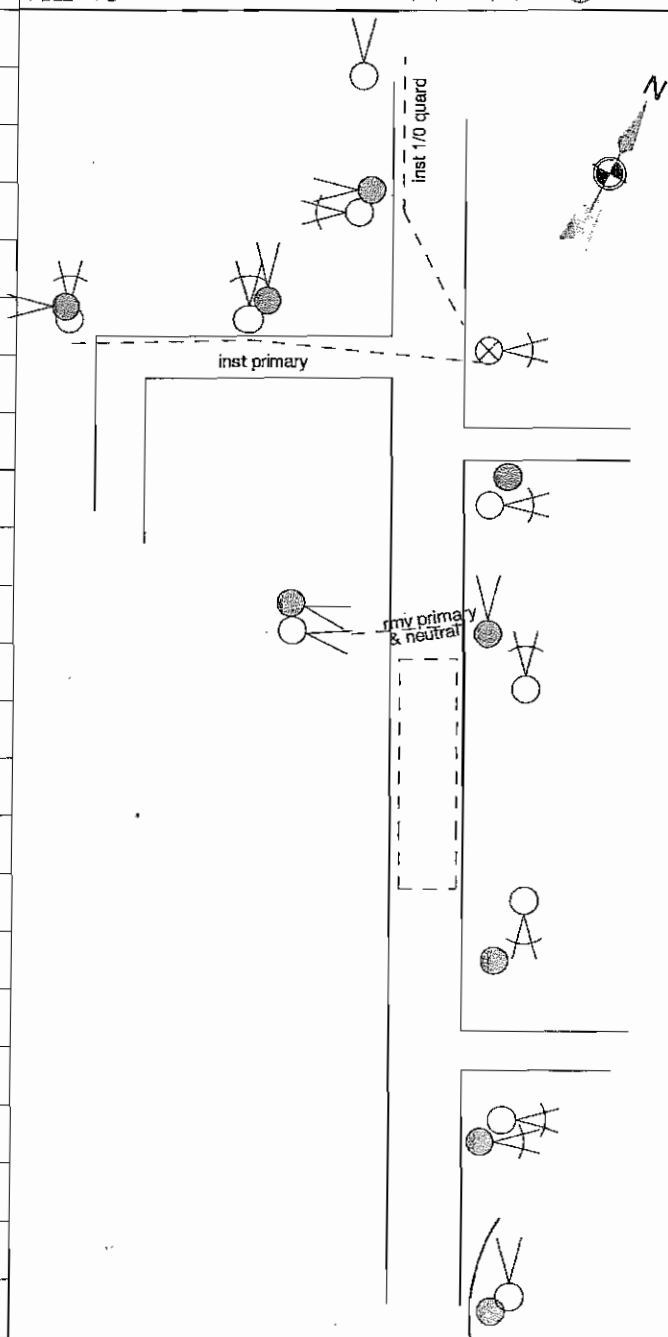
POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and
Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

DATE 10/19/2010
MUNICIPALITY: Portsmouth
STREET / ROAD: Sagamore Road
PSNH OFFICE: Portsmouth
PSNH ENGINEER: Jim Osburn
TELCO ENGINEER: Joe Gazono

LICENSE NO. 63-0496
STATE HWY. DIV. NO. 6
STATE LICENSE NO. _____
WORK REQUEST# 1510212
WORK FINANCIAL # 9P020270
TELCO PROJECT # 234199

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL			REMOVE			REF	100% LTS	J/O	100% TEL	Span	Dist. from:	Remarks	DOC REQ
LTS	TEL			POLE	PB												
136/42Y		45/2														install JO pole/100% anc new mid span pole	M
136/43	59/42	45/2														inst/rmv JO pole/anc	
136/44AA	59H/1	40/2														inst/rmv JO pole/anc	
136/46B2	N/A	40/2														inst/rmv 100% pole/anc	
136/44	59/43																
136/45	59/44	55/2														inst/rmv JO pole	
136/46A	59D/1	40/2														inst/rmv JO pole/100%anc	
136/46	59/45	65/1														inst/rmv JO pole/anc	M
136/49	59/56	65/1														inst/rmv JO pole/anc	M
136/50	59/57	55/2														Inst/rmv JO pole/anc	
136/51	59/58	50/2														inst/rmv JO pole inst 100% anchor	



ADDENDUM PER RSA 231:163

- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

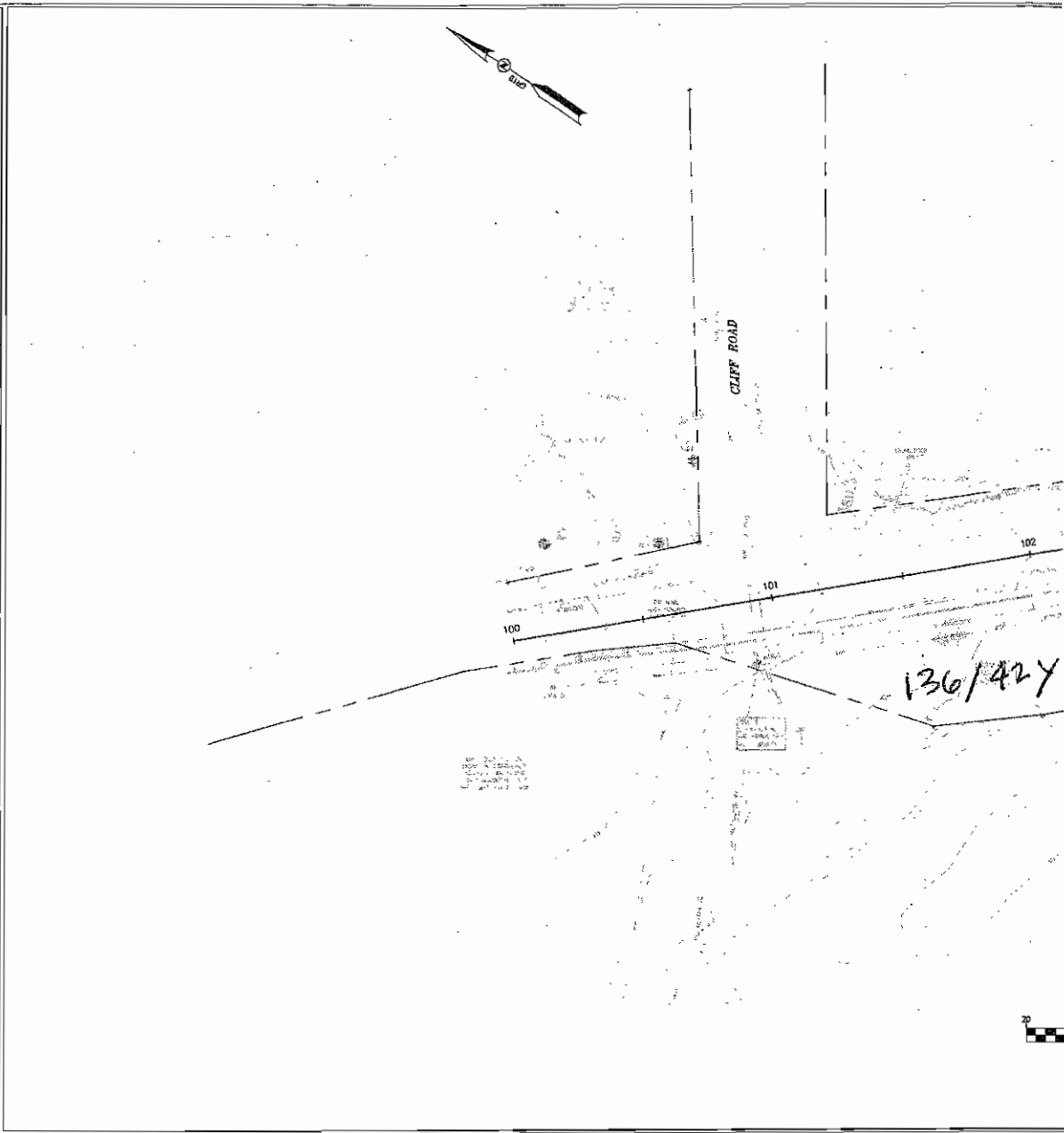
The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Approved by City Council:

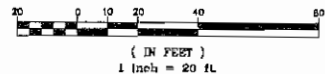
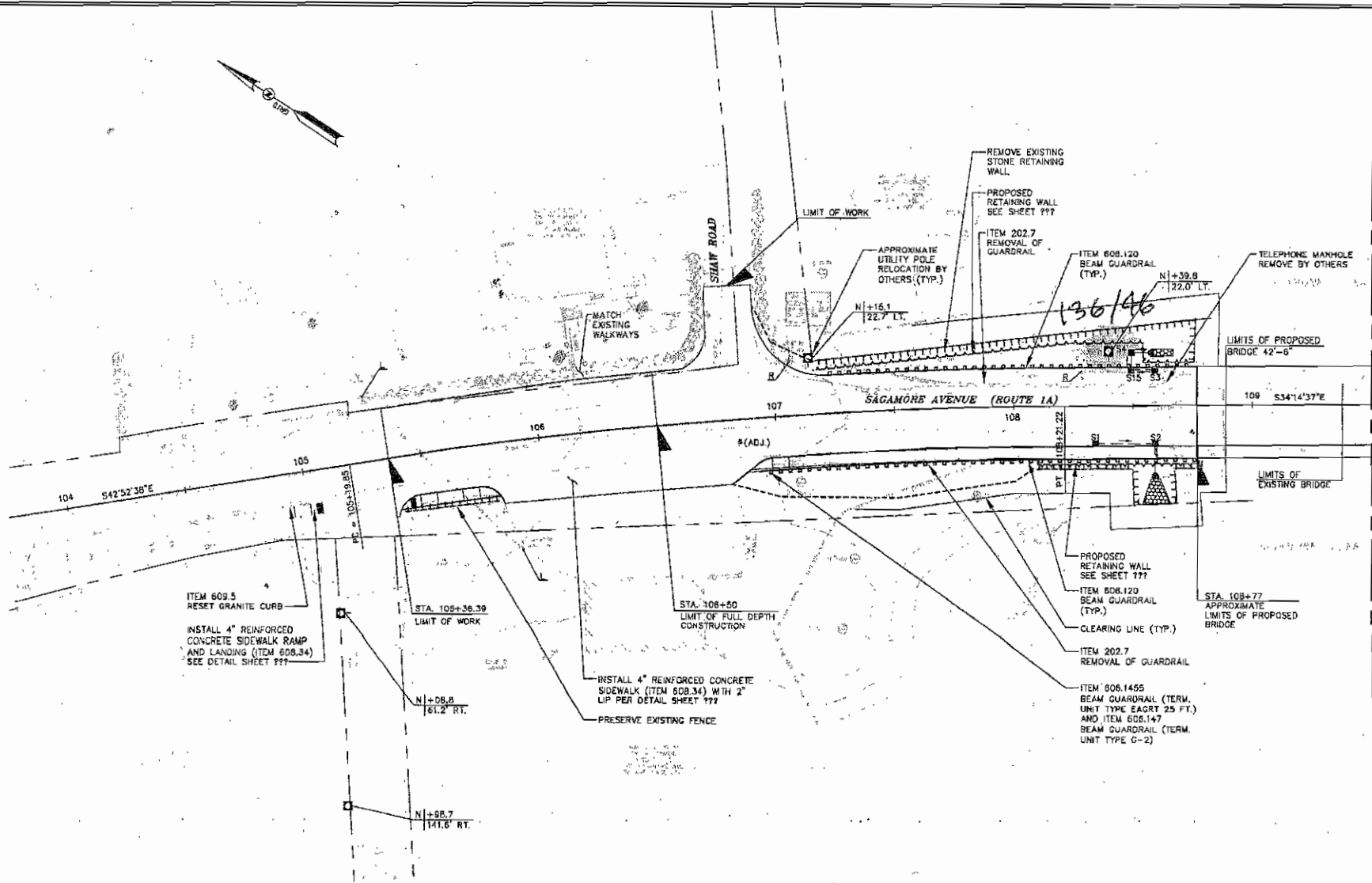
EXISTING DETAIL		ARM	DATE 11/10
PROPOSED DESIGN		DEM	DATE 11/10
SHEET CHECKED		TAT	DATE 11/10
AS BUILT DETAILS			DATE

REVISIONS AFTER PROPOSAL	
NUMBER	DATE
STATION	STATION
DESCRIPTION	

NOTEBOOKS	
BOOK	PAGE
BOOK	PAGE
BOOK	PAGE



EXISTING DETAIL	ASB	DATE 11/10	NOTED BOOKS	NUMBER	DATE	STATION	REVISIONS AFTER PROPOSAL
PROPOSED DESIGN	JCS	DATE 11/10	BOOK	DATE	STATION	DESCRIPTION	
SHEET CHECKED	TAT	DATE 11/10	BOOK	DATE	STATION		
AS BUILT DETAILS		DATE	BOOK				

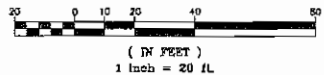
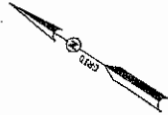
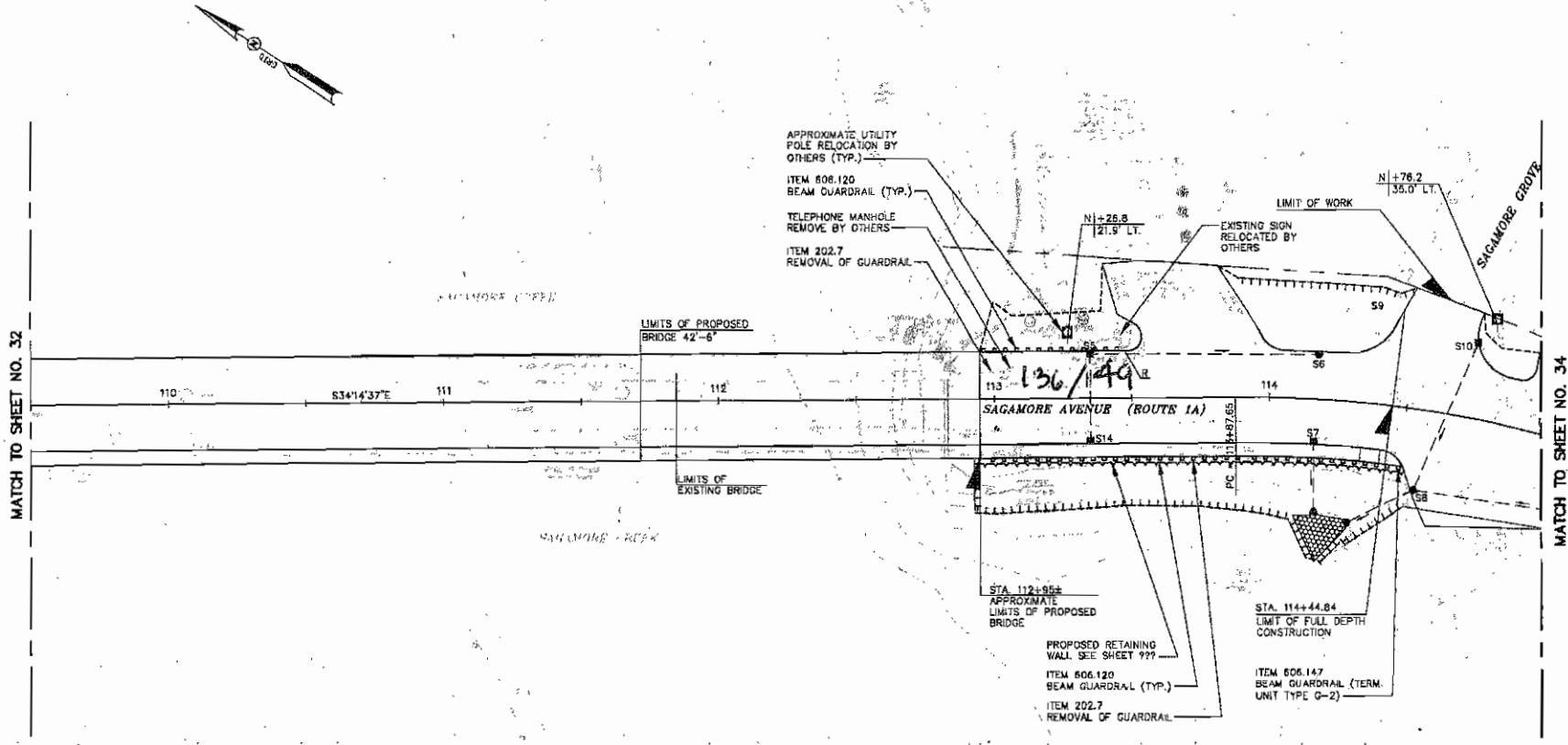


FAY, SPOFFORD & THORNDIKE, LLO

CITY OF PORTSMOUTH			
DEPARTMENT OF PUBLIC WORKS			
GENERAL PLANS			
FEDERAL PROJECT NO.	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
	14493	32	83

MATCH TO SHEET NO. 33

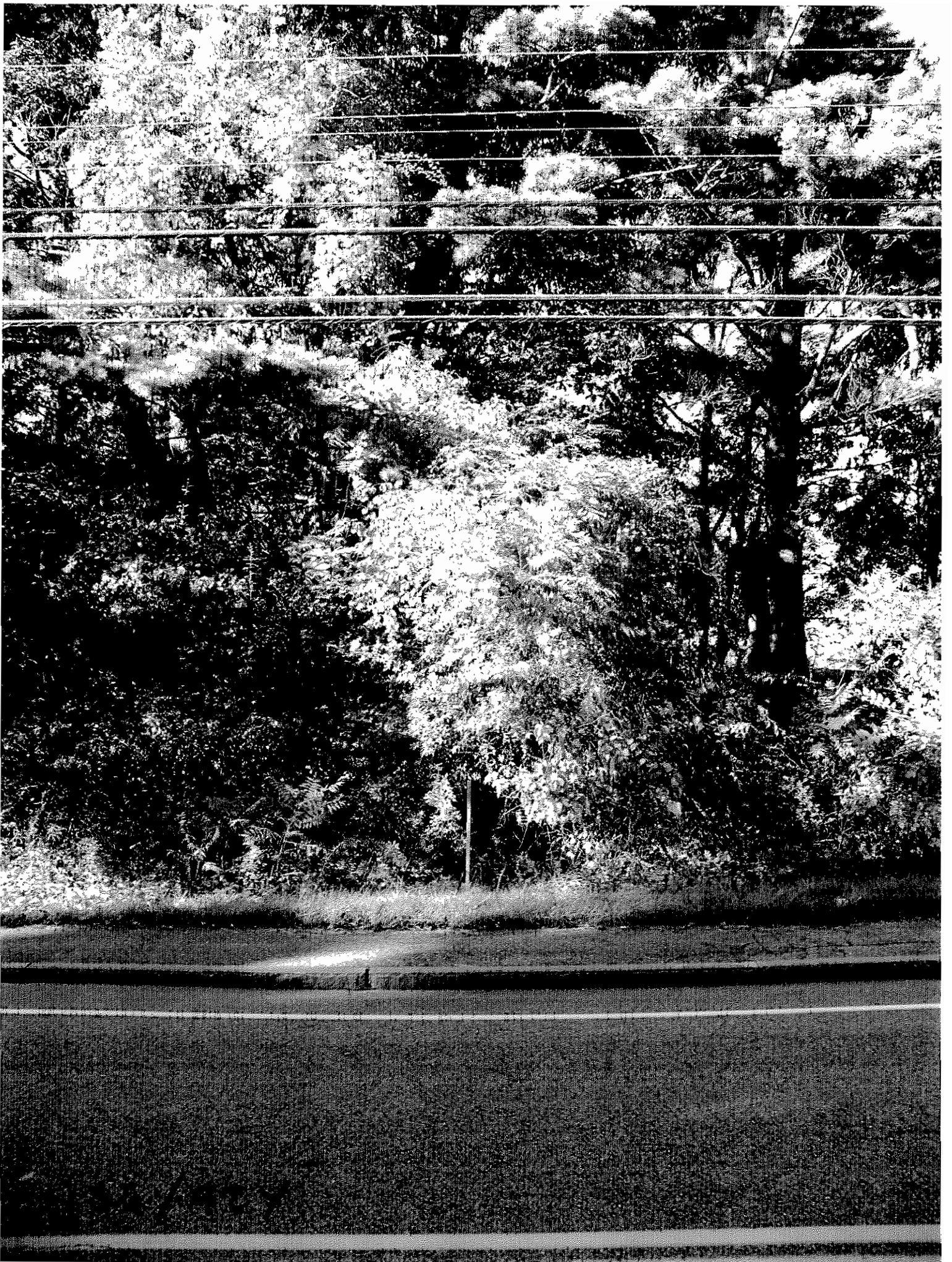
DATE 11/10	DATE 11/10	DATE 11/10	DATE 11/10	DATE
EXISTING DESIGN	PROPOSED DESIGN	SHEET CHECKED	AS BUILT DETAILS	
ARN	DEM	TAT		
NOTED	NOTED	NOTED	NOTED	
BOOK	BOOK	BOOK	BOOK	
PAGE	PAGE	PAGE	PAGE	
NUMBER	DATE	STATION	REVISIONS AFTER PROPOSAL	DESCRIPTION



NOTE: FOR TYPICAL DECK SECTION AT BRIDGE SEE FIGURE XXX.

FAY, SPOFFORD & THORNDIKE, LLC

CITY OF PORTSMOUTH			
DEPARTMENT OF PUBLIC WORKS			
GENERAL PLANS			
FEDERAL PROJECT NO.	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
	14493	33	63



136/46





136/49

received
1/18/13
January 11, 2013

✓ Mayor Eric Spear
and City Council Members
City of Portsmouth
1 Junkins Ave,
Portsmouth, NH 03801

Cc: John P. Bohenko, City Manager

Re: Requesting permission for Annual Portsmouth Maritime Folk Festival

On behalf of the Portsmouth Maritime Folk Festival (PMFF), a New Hampshire Non Profit Corporation, I am requesting permission to hold the Annual Portsmouth Maritime Folk Festival on September 28th and 29th, 2013.

This event celebrates Portsmouth's maritime history and seafaring traditions, with presentations and performances that are free and open to the public. As we make our own arrangements with city historical venues (Moffatt-Ladd House, Warner House, The Athenaeum, and others) and local pubs and businesses (RiRa, The Rusty Hammer, The Works, and others) we do not require any street closings or police details.

We do request the closure of the three parking spaces immediately in front of the RiRa Pub and Breaking New Grounds (about 22 Market Square) from noon until 6PM on September 29th. We have been able to coordinate this same closure with the City in prior years and it has gone very smoothly.

Weather permitting, we do like to have some shanty singing outside, in Market Square and some other areas around town, on the sidewalks, with respect for public access and safety. People seem to like the festive and historic nature of the singing, and it raises awareness for the special indoor events over the course of the weekend.

The schedule, in brief, is:

Saturday, September 28th:

10 AM Shanty singers call the festival to a start in the public sidewalk area facing 22Market Square. This is outside the RiRa Pub which enthusiastically welcomes our presence and provides ample space for performers without hindering pedestrian traffic.

11AM - 2PM Singing and lectures at historic sites, pubs, and restaurants.

Sunday, September 29th:

1 - 4:30 PM Cameo concerts, singarounds, and shanty performance at The Works, the Rusty Hammer, the Portsmouth Athenaeum, Oppenheimer, and outside the RiRa Pub in Market Square.

5:00 PM Festival Close. The performers gather back in front of RiRa at 22 Market Square, with the same provisions with the pub and pedestrian traffic considerations as the day before.

We'd like to use the same 4 wooden 'A-frame' signs that we have been allowed to use in prior years. These are about 24 inches wide by about 60 inches tall, displaying the event schedule near each key venue around the city. We keep these largely on the grass areas off any sidewalks, on each venue's private property as much as possible. Pedestrians would not be inconvenienced or put at risk.

It should be further noted that all of the performers and volunteer staff for this event are experienced professionals having been part of this festival in the past, and numerous similar events. We work with everyone to provide clear guidance on their being good stewards for the maritime festivities and good neighbors to the City.

We sincerely hope that our plans meet with the approval of the City. We'd love be able to invite the Mayor, City Council Members, and the City Manager join us for in a weekend of maritime history, tradition and song.

I will be happy to provide other information or answer any questions.

Thank you for your time and consideration,

A handwritten signature in black ink that reads "David Hallowell". The signature is written in a cursive, flowing style with a long horizontal tail on the final letter.

David Hallowell
PMFF Board Member

437 Marcy St.
Portsmouth
603-433-9355

Jan. 14, 2013

Mr. John Bohenko
City Manager
Portsmouth City Hall
3 Junkins Ave
Portsmouth, NH 03801

JAN 17 2013

Dear Mr. Bohenko,

Breathe New Hampshire is preparing once again for our 28th annual Seacoast Bike Tour on May 18 & 19, 2013. An anticipated 175 cyclists and close to 70 volunteers will participate in this two-day charity cycling event to benefit Breathe New Hampshire.


The event will again begin and end at the Pease International Tradeport, with an overnight in Ogunquit, ME. Normally we go through a small portion of Portsmouth on Saturday morning and again Sunday on the return, but with the Memorial Bridge construction we've had to adjust our routes the past two years. We will be traveling through the center of Dover again this year to get into Maine. Although we are not cycling through the center of Portsmouth, the event start and end is still in Portsmouth in Pease Tradeport.

The start and finish line location at 14 Manchester Square in Pease will again be at the International Marketplace. This location is also been our location for our finish line barbeque as in the past. The finish line barbeque usually takes place from approximately 11AM to 2:30PM on Sunday, May 19, with food, music, raffles and festivities. Last year and in previous years, the building contact at 14 Manchester Square had given us permission to grill out on their patio area, and they have also given permission for a band to play, as long as both are permitted by the town of Portsmouth.

Please mail or email any forms that need to be completed and I will be sure to complete and return them as soon as possible. If you have any questions or concerns, I can be reached by phone at 603-669-2411 X 120 or by email ksicard@breathenh.org.

Thank you in advance for your time and consideration.

Sincerely,


Kelly Sicard
Director of Special Events & Volunteers

*Thanks
for your help!
Happy New Year!*



AMERICAN LUNG ASSOCIATION®

Fighting for Air

American Lung Association
of New England

lungne.org
1-800-LUNG USA

OFFICES:

Connecticut

45 Ash Street
E. Hartford, CT 06108
Fax: 860-289-5405

Maine

122 State Street
Augusta, ME 04330
Fax: 207-626-2919

Massachusetts

460 Totten Pond Road
Suite 400
Walcham, MA 02451
Fax: 781-890-4280

393 Maple Street
Springfield, MA 01105
Fax: 413-737-3511

New Hampshire

1800 Elm St.
Manchester, NH 03104
Fax: 603-369-3978

Rhode Island

260 West Exchange Street
Suite 102B
Providence, RI 02903
Fax: 401-331-5266

Vermont

372 Hurricane Lane
Suite 101
Williston, VT 05495
Fax: 802-876-6505

JAN 28 2013

January 22, 2013

John Bohenko
City of Portsmouth
1 Junkins Ave.
Portsmouth, NH 03801

Dear John,

The American Lung Association's 4th annual *Cycle the Seacoast* ride will be held on Sunday, May 5th, 2013. With close to 350 cyclists expected, we are looking forward to a very exciting day.

As last year, we are offering three (25, 50 and 100 mile) routes with staggered start times (7:00, 8:00 and 9:00am). Previously, you requested that we send off the cyclists in waves, which we will do again this year. We expect all our cyclists to be off the routes by 3:00pm and we will be requesting police details at key locations. We will be supplying our own safety and first aid volunteers through the Port City Amateur Radio Club.

Additionally, I have enclosed a copy of our \$250,000 insurance coverage from SCS Insurance where you are listed as an additional insured. I will contact Ann Sharpe about scheduling a conference call to review the logistics and for approval. I will send Ann the route maps electronic for review.

If you need additional information from me, please do not hesitate to let me know. We look forward to another safe and successful year. Thank you.

Sincerely,

Gale Auclair
Senior Development Manager
American Lung Association
207-624-0302



CERTIFICATE OF LIABILITY INSURANCE

ALAO-73

OP ID: JPP

DATE (MM/DD/YYYY)

01/18/13

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER SCS Agency, Inc. P.O. Box 220493 11 Grace Avenue - Suite 300 Great Neck, NY 11022-0493	516-466-6007	CONTACT NAME: _____ PHONE (A/C, No, Ext): _____ E-MAIL ADDRESS: _____ FAX (A/C, No): _____
	516-829-5857	
INSURED ALA of the Northeast, Inc. 700 Veterans Hwy Hauppauge, NY 11788-2919		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia ALA Account only INSURER B: _____ INSURER C: _____ INSURER D: _____ INSURER E: _____ INSURER F: _____
		NAIC # 18058

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	X		PHPK-883673	07/01/12	07/01/13	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 3,000,000
							PRODUCTS - COMP/OP AGG	\$ 3,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			PHPK-883673	07/01/12	07/01/13	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB-349874	07/10/12	07/10/13	EACH OCCURRENCE	\$ 5,000,000
							AGGREGATE	\$ 5,000,000
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				WC STATUTORY LIMITS	
							OTHER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	Property			PHPK-883673	07/01/12	07/01/13	Contents	60,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Re: Cycle the Seacoast on May 5th, 2013

The Certificate Holder is additional insured as respects to General Liability under the Blanket Additional Insured Endorsement as required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

COPORTS

CITY OF PORTSMOUTH
 1 JUNKINS AVENUE
 PORTSMOUTH, NH 03801

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**Cycle the Seacoast
Little Harbor School Start
Sunday, May 5, 2013**

25 MILE ROUTE



Orange Signs

	Direction	CUM	NOTES
	START – Little Harbor School		
0.1	Continue straight ahead on Clough Dr. towards Brackett Lane	0.1	
0.1	Left @ T onto Brackett Rd.	0.2	Sign with Left arrow
0.1	First Right onto Brackett Lane	0.3	Sign with Right arrow
0.1	Right @ T onto South St.	0.4	Sign with Right arrow
0.0	Quick first Left unto Junkins Ave.	0.4	Portsmouth Police 7-10am
0.4	Left @ T onto Pleasant St.	0.8	Sign with Left Arrow
0.1	First Right onto Court St.	0.9	Sign with Right Arrow
0.2	Right @ T onto Marcy St.	1.1	Sign with Right arrow
0.3	Bear Left stay on Marcy St. turns into NH Route 1B South – follow Route 1B South	1.4	Follow signs to New Castle Sign with Left arrow
1.3	Cont. to New Castle Island; Follow Ctr. Yellow Line	2.7	
2.0	CAUTION – METAL GRATE BRIDGE Wentworth Bridge	4.7	RM- 7-11am Sign – Caution Must Walk Bikes
1.1	Left @ T onto Sagamore, Route 1A	5.8	Police Portsmouth – 7-11 RM – 11am-3pm Sign with Left arrow
0.5	Circle – Take 3rd exit to continue on Route 1A/ Pioneer Rd.	6.3	Police Rye – 7-3
1.9	Pass Odiorne State Park	8.2	
1.5	Pass Wallis Sands State Beach	9.7	Sign with Straight arrow
2.2	CAUTION – HAIRPIN TURN!	11.9	Sign – Caution Hairpin Turn
1.7	REST STOP – SANDPIPER COUNTRY STORE – Ocean Blvd.	13.6	







1.1	Right onto Central Road – See notes	14.7	RM– 7:30am – 10:30am direct 50/100 to go straight Sign 25 Milers only with Right arrow
0.4	Left onto South Road	15.1	Sign with Left arrow
1.5	Right onto West Road at Stop Sign (50/100 mile route rejoins here)	16.6	RM- 10:15-12:30 Sign – 25 Milers only with Right arrow
1.1	Right onto Washington Rd. at Stop Sign	17.7	Sign with Right arrow
1.4	Bear left @ STOP sign & continue on Washington (Rye Center)	19.1	RM- 11-3pm Sign with Left arrow
0.1	Rest Stop -Tate & Foss Real Estate	19.2	Mandatory Stop
0.2	Bear left onto Wallis Road	19.4	Sign – Bear Left
1.1	Left onto Sagamore at Stop Sign	20.5	Sign with Left arrow
0.6	Bear left to remain on Sagamore at intersection of Sagamore and Clark	21.1	Sign with Left arrow
0.9	Traffic Circle- Take 2nd exit at traffic circle to remain on Sagamore Rd. which merges with Route 1A	22.0	Police – Rye 7-3 ** At intersection of Sagamore & 1B – place SIGN: FINISH LINE with Straight arrow.
0.7	CAUTION – METAL GRATE BRIDGE Sagamore Creek Bridge	22.7	Route Marshal ?11:30-3:30 Sign: Caution Must Walk Bikes
0.9	Right @ traffic light onto South St. at far end of cemetery	23.6	Sign – Finish Line with Right arrow
0.2	Take first Right onto Clough Dr.	23.8	Sign - Finish Line with Right Arrow







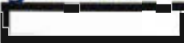




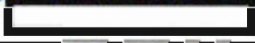




**Cycle the Seacoast
LITTLE HARBOR SCHOOL START
Sunday, May 5, 2013**







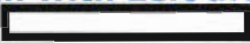














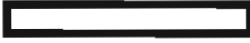



50 MILE ROUTE









White Signs

	Direction	CUM	NOTES
	START – Little Harbor School		
0.1	Continue straight ahead on Clough Dr. towards Brackett Lane	0.1	
0.1	Left @ T onto Brackett Rd.	0.2	Sign with Left arrow
0.1	First Right onto Brackett Lane	0.3	Sign with Right arrow
0.1	Right @ T onto South St	0.4	Sign with Right arrow
0.0	Quick Left onto Junkins Ave.	0.4	Portsmouth Police 7-10am
0.4	Left @ T onto Pleasant St.	0.8	Sign with Left Arrow
0.1	First Right onto Court St.	0.9	Sign with Right arrow
0.2	Right @ T onto Marcy St.	1.1	Sign with Right arrow
0.3	Bear Left stay on Marcy St. turns into NH Route 1B South- Follow Rt. 1B South	1.4	Follow signs to New Castle Sign with Left arrow
1.3	Cont. to New Castle Island; Follow Ctr. Yellow Line	2.7	
2.0	CAUTION – METAL GRATE BRIDGE Wentworth Bridge	4.7	RM - 7-11am Sign – Caution Must Walk Bikes
1.1	Left @T onto Sagamore, Route 1A	5.8	Police Portsmouth 7-11 RM- 11am-3pm Sign with Left arrow
0.5	Circle - Take 3rd exit to continue on Route 1A/ Pioneer Rd.	6.3	Police Rye – 7-3
1.9	Pass Odiorne State Park - Route 1A	8.2	
1.5	Pass Wallis Sands State Beach-Route 1A	9.7	Sign with Straight arrow
2.2	CAUTION – HAIRPIN TURN!	11.9	Sign – Caution Hairpin Turn
1.7	SANDPIPER COUNTRY STORE – REST STOP - Ocean Blvd.	13.6	
1.1	50/100 route stays straight	14.7	25 route turns to right on Central
1.2	Right onto Atlantic Ave./Route 111 West	15.9	RM - 7:30-10:30am Sign with Right arrow 
2.0	Go straight at yellow flasher (Mill Road)  50 mile sweep – place these signs after the last 50 & 100 goes outbound 	17.9	Sign with straight arrow  Signs with Right arrow 
1.3	Straight across Route 1	19.2	Sign with straight arrow 

	Police located at Crooked Intersection of Hobbs and Atlantic	19.8	Police Greenland 8:00-noon
	Before rest stop – place rest stop sign with right arrow so they can find it	19.9	Rest Stop sign with Right arrow 
0.7	Rest Stop -N. Hampton Town Green/Gazebo - intersection of Rte 111 & 151	19.9	
0.1	Exit Left onto Rte. 111 West <i>out of rest stop (Exeter Rd.)</i> , go down the hill then bear right (See below)	20.0	Sign with Left arrow  
0.1	Bear Right onto 111 West	20.1	Sign with Right arrow  
	IMPORTANT SIGN	22.3	Sign – Go Straight with arrow  
	IMPORTANT SIGN – Place sign 50' up the ramp from 111 onto 101 West		Sign – STOP – Wrong Way (red sign with white lettering)
2.7	Right @ T onto Hampton Rd. turns into High Street (also marked 27/111 West)	22.7	Sign with Right arrow  
	50 mile and 100 mile route separate at this point.		(100 route goes straight)
0.2	Left onto Ashbrook Rd. Team 2 places 2 signs	22.9	RM- 9am-11am 2 Signs – White Sign – 50 Milers with Left arrow Green Sign – with Straight Arrow  
0.6	Turn Left onto Route 88 (Exeter Rd.)	23.5	Sign with Left arrow 
3.4	Right onto Parsonage Rd.	26.9	Sign with Right arrow 
0.2	Left onto Drinkwater Rd.	27.1	Sign with Left arrow 
0.1	Right onto Crank Rd. – turns into Goodwin Rd.	27.2	Sign with Right arrow 
0.9	Left onto Kensington Rd. (Route 84)	28.1	Sign with Left arrow 

0.5	Right onto Stard Rd.	28.6	Sign with Right arrow 
1.1	Left onto Route 107 100 route joins here	29.7	Sign with Left arrow 
0.7	Right onto Lafayette (Route1 South)	30.4	Police Location Seabrook 10:00-2:00 Sign with Right arrow  
0.1	Before approaching this intersection -	~30.5	Sign - Caution Prepare for Left Turn  
0.2	Left Railroad Ave/Depot Rd. (First Light on Route 1)	30.7	Police Location Seabrook 10:00-2:00 Sign with Left arrow  
0.6	Right onto Centennial Rd. (4 Corners/Church on left)	31.3	Sign with Right arrow  
0.2	Right onto Liberty Lane	31.5	Rest Stop Sign with Right arrow 
	Place signs half way toward Library	31.6	Signs with straight arrow  
0.2	Rest Stop- Seabrook Public Library - Liberty Lane	31.7	Mandatory Stop
0.0	Exit Rest Stop – Turn Right onto Centennial Rd.	31.7	Sign with Right arrow  
0.3	Left @ T onto Walton Road	32.0	Sign with Left arrow  
0.1	Right onto Washington Street No street sign - turn is next right. Sign on Left says "Turtle Creek"	32.1	Sign with Right arrow  
0.4	Left onto Route 286 East @ traffic light Rte 286 sign is after turn	32.5	Sign with Left arrow  
1.9	Left @ T & traffic light onto Route 1A North- Continue onto Ocean Blvd.	34.4	Sign with Left Arrow  
6.9	Left onto Atlantic Ave/ Rt. 111	41.3	2 Signs – 50/100 Milers to Finish Line with Left arrow  

	Sign Team – do not place. Rick or Bob – day of event will place.		Sign: Yes, you’ve been here before. Just follow the signs. 
2.0	Right @ YELLOW flasher onto Mill Road 50 mile sweep will place these signs – Team 1 does not. 	43.3	Sign – 50 Milers to Finish Line with Right arrow. Sign – 100 Milers to Finish Line with Right arrow.   (50 sweep to place after last outbound 50/100 cyclists ride through)
1.4	Straight across South Rd. @ Stop Becomes West Rd. (25 mile route rejoins here)	44.7	2 Signs -50/100 Milers to Finish Line with Straight arrow  
1.1	Right @ STOP onto Washington Rd.	45.8	Sign Right arrow
1.4	Bear left @ STOP & continue on Washington (Rye Center)	47.2	RM - 11-3pm Sign with Left arrow
0.1	Tate & Foss Real Estate – Rest Stop	47.3	Mandatory Stop
0.2	Bear left onto Wallis Road	47.5	Sign- Bear Left
1.1	Left onto Sagamore at Stop Sign	48.6	Sign with Left arrow
0.6	Bear left to remain on Sagamore at intersection of Sagamore Rd. and Clark	49.2	Sign with Left arrow
0.9	Traffic Circle – Take 2 nd exit at traffic circle to remain on Sagamore which merges with Route 1A	50.1	Police Rye 7-3 **At intersection of Sagamore & 1B – place SIGN FINISH LINE with Straight arrow
0.7	CAUTION – METAL GRATE BRIDGE Sagamore Creek Bridge	50.8	Route Marshal? -11:30-3:30 Sign: Caution Must Walk Bikes
0.9	Right @ traffic light onto South Street at far end of cemetery	51.7	Sign – Finish Line with Right arrow
0.2	Take first Right onto Clough Dr.	51.9	Sign – Finish Line with Right arrow

White = 50 mile route signs



Green = 100 mile route signs




















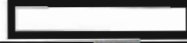

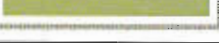



**Cycle the Seacoast
LITTLE HARBOR SCHOOL START
Sunday, May 5, 2013**

100 MILE ROUTE































GREEN SIGNS













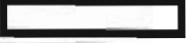




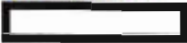


	Direction	CUM	NOTES
	START – Little Harbor School		
0.1	Continue straight ahead on Clough Dr. towards Brackett Lane	0.1	
0.1	Left @ T onto Brackett Rd.	0.2	Sign with Left arrow
0.1	First Right onto Brackett Lane	0.3	Sign with Right arrow
0.1	Right @ T onto South St.	0.4	Sign with Right arrow
0.0	Quick first Left onto Junkins Ave.	0.4	RM - 6:45-9:30am
0.4	Left @ T onto Pleasant St.	0.8	Sign with Left arrow
0.1	First Right onto Court St.	0.9	Sign with Right arrow
0.2	Right @ T onto Marcy St.	1.1	Sign with Right arrow
0.3	Bear Left stay on Marcy St. Turns into NH 1B South – Follow Rte. 1B South	1.4	Follow signs to New Castle Sign with Left arrow
1.3	Cont. to New Castle Island; Follow Ctr. Yellow Line	2.7	
2.0	CAUTION – METAL GRATE BRIDGE Wentworth Bridge	4.7	RM- 7am-11am Sign – Caution Must Walk Bikes
1.1	Left @ T onto Sagamore, Route 1A	5.8	Police Portsmouth 7-11 RM – 11-3pm Sign with Left arrow
0.5	Circle – Take 3rd exit to remain on Rte. 1A, becomes Pioneer Rd.	6.3	Police Rye – 7-3
1.9	Pass Odiorne State Park	8.2	
1.5	Pass Wallis Sands State Beach	9.7	Sign with Straight arrow
2.2	CAUTION – HAIRPIN TURN!	11.9	Sign – Caution Hairpin Turn
1.7	REST STOP – SANDPIPER COUNTRY STORE – Ocean Blvd	13.6	
1.1	Go straight on 50/100 route	14.7	25 route turns right at Central
1.2	Right onto Atlantic Avenue/Route 111 West	15.9	RM- 7:30-10:30am Sign with Right Arrow 








2.0	Go straight at yellow flasher (Mill Road) 50 Mile Sweep- place these signs after the last 50 & 100 goes outbound 	17.9	Sign with straight arrow   Signs with Right Arrow  
1.3	Straight across Route 1	19.2	Sign with Straight arrow  
	Police Located at Crooked Intersection of Hobbs and Atlantic	19.8	Police Greenland 8:00-noon
	Before the rest stop – place rest stop sign with right arrow so they can find it.	19.9	Rest Stop sign with Right arrow 
0.7	REST STOP - intersection of Rt. 111 and Rte 151 Gazebo – Town Green	19.9	
0.1	Exit Left onto Rte 111 West out of rest stop (Exeter Rd.), go down the hill	20.0	Sign with Left arrow  
0.1	Bear Right onto 111 West		Sign with Right arrow  
	IMPORTANT SIGN	22.3	Sign – Go Straight with arrow  
	IMPORTANT SIGN – Place sign 50’ up the ramp from 111 onto 101 West		Sign – STOP – Wrong Way (red sign with white lettering)
2.7	Right @T onto Hampton Rd. turns into High St. (also marked Route 27/ 111 West)	22.7	Sign with Right arrow  
0.2	50 mile route separates from 100 mile route at Ashbrook Rd. Team 2 places 2 signs	22.9	2 Signs - Green sign with Straight arrow and 50 milers with left arrow  
1.6	Left onto Drinkwater Rd	24.5	Sign – 100 Milers with Left arrow 
2.3	Right onto North Road	26.8	Sign with Right arrow 
0.9	Cross Rte 150. Becomes Moulton Ridge Rd.	27.7	Sign with Straight arrow 
0.5	Right onto Hillard Rd.	28.2	Sign with Right arrow 
0.6	Left onto Hobbs Rd.	28.8	Sign with Left arrow 

0.4	Right onto N Haverhill Rd. Rte 108	29.2	Sign with Right arrow 
2.0	Route 108 Turn Left onto Pine St.	31.2	Sign with Left arrow 
	Diagonal Left onto Route 111 (Front St.)		Sign with Left arrow RM - 8:30-11:30 Stand at intersection to wave cyclists to the diagonal turn 

1.4	REST STOP - Brickyard Park ** RED Sign with arrow 	32.7	2 Signs - 1. Rest Stop with Left arrow  2. Leaving RS - use sign: Route with Left arrow 
0.8	Right onto PICKPOCKET RD.	33.5	Sign with Right arrow 
2.5	Left @ T/STOP onto Route 111A	36.0	SIGN with Left arrow 
0.4	Right onto Deer Hill Road	36.4	Sign with Right arrow 
1.7	Left @ T onto North Road	38.1	SIGN with Left arrow 
1.9	Cross Route 125	40.0	Sign - Straight arrow 
2.3	Left onto Beede Hill Road	42.3	SIGN with Left arrow 
2.1	REST STOP - FREEMONT SAFETY COMPLEX ** RED Sign with arrow  Entrance is across street to left.	44.4	2 Signs - bottom of Beede 1. Rest Stop with Left Arrow  2. Route with Right arrow  Mandatory Stop

	Exit Left out of rest stop onto Rte. 107 West – place sign where trekkers exit	44.4	Sign – Route with Left arrow 
0.6	Left onto Sandown Rd- becomes Fremont Rd. Continue on Fremont Rd.	45.0	SIGN with Left arrow 
	Between these 2 points place (at North Rd.)		Sign with Straight arrow 
4.0	Right @ fork onto Sargent Road (just past Dilion Ave.)	49.0	Sign with Right arrow 
1.1	Left @ T/STOP onto Route 121A	50.1	SIGN with Left arrow 
	Between these 2 points Place at approx. mileage so they know they are on correct route	At 51.5 miles	Sign with Straight arrow 
	Between these 2 points Place at approx. mileage so they know they are on correct route	At 53.5 miles	Sign with Straight arrow 
5.5	Cross Route 111 - Caution Major Intersection	55.6	Caution Intersection Ahead with straight arrow 
	Between these 2 points Place at approx. mileage so they know they are on correct route	At 57.5 miles	Sign with Straight arrow 
3.7	Cross Route 125 at traffic light, continue on 121A	59.3	Sign with Straight arrow 
0.9	Left onto Elm St.(Elm St. is just past municipal building) -Turns into Kingston Rd.	60.2	SIGN with Left arrow 
0.0	REST STOP - PLAISTOW TOWN GREEN	60.2	
	Turn Left out of rest stop onto Elm St.		Sign -Route with Left arrow 
0.3	Right onto Palmer Ave.	60.5	Sign with Right arrow 
0.3	Right @ STOP onto Sweet Hill Rd.	60.8	Sign with Right arrow 
1.8	Left @ T/STOP onto Route 108 NORTH (also known as: Newton Rd./Main St.)	62.6	Route with Left arrow 
4.0	Bear Left at blinking yellow light, stay on Route 108 (N. Main St.)	66.6	Sign with Left arrow 

	Between these 2 points Place at approx. mileage so they know they are on correct route	68	Sign with Straight arrow 
2.7	Straight across Route 107A	69.3	Sign with Straight arrow 
1.1	Right @ T/STOP onto Route 107/Main St	70.4	Sign with Right arrow 
0.9	Straight @ YELLOW flasher stay on Route 107	71.3	Sign with Straight arrow 
3.7	Straight across 150 at stop sign – stay on Route 107	75.0	Sign with Straight arrow 
1.6	Stay on 107 – go past Seabrook Greyhound Park	76.6	
0.8	Straight through light at Stard Road	77.4	50 mile route rejoins 100 mile route at Stard Rd. Sign with Straight arrow  
0.7	Right onto Lafayette (Route 1 South)	78.1	Police Seabrook 10:00-2:00 Sign with Right arrow  
0.1	Before approaching this intersection	78.2	Sign – Caution Prepare for Left Turn  
0.2	Left onto Railroad Ave./Depot Rd. (First light on Rt. 1)	78.4	Police Seabrook 10:00-2:00 SIGN with Left arrow  
0.6	Right onto Centennial Rd. (4 Corners/Church on left)	79.0	SIGN with Right arrow  
0.2	Right onto Liberty Lane	79.2	Rest Stop Sign with Right arrow 
	Place signs half way down Liberty Lane so they know the RS is further ahead	79.3	Sign with Straight arrow  
0.2	REST STOP - Seabrook Public Library - Liberty Lane	79.4	Mandatory Stop
0.0	Exit Rest Stop – Turn Right onto Centennial Rd.		SIGN Route with Right arrow  

0.3	Left @ T onto Walton Road	79.7	SIGN with Left arrow 
0.1	Right onto Washington Street No Sign - Turn is next right. Sign on Left says "Turtle Creek"	79.8	SIGN with Right arrow 
0.4	Left onto Route 286 EAST @ traffic light Route 286 sign is after turn	80.2	SIGN with Left arrow 
1.9	Left @ T & traffic light onto Route 1A NORTH - continue onto Ocean Blvd.	82.1	SIGN with Left arrow 
6.9	Left onto Atlantic Ave./ Rte. 111	89.0	Sign - 100 Milers to Finish Line with Left arrow 
2.0	Right @ YELLOW flasher onto Mill Road (50 mile sweep to place this sign)	91.0	Sign - 100 Milers to Finish Line with Right arrow 
1.4	Straight across South Rd. @ STOP Mill Rd. Becomes West Rd. (25 mile route rejoins here)	92.4	Sign -100 Milers to Finish Line with Straight arrow 
1.1	Right @ STOP onto Washington Rd.	93.5	Sign with Right arrow
1.4	Bear left @ STOP & continue on Washington (Rye Center)	94.9	RM - 11-3pm Sign with Left arrow
0.1	Rest Stop - Tate & Foss Real Estate	95.0	Mandatory Stop
0.2	Bear left onto Wallis Road	95.2	
1.1	Left onto Sagamore at Stop Sign	96.3	Sign with Left arrow
0.6	Bear Left to remain on Sagamore at intersection of Sagamore and Clark	96.9	Sign with Left arrow
0.9	Traffic Circle- Take 2nd exit at traffic circle to remain on Sagamore Rd. which merges with Route 1A.	97.8	Police Rye 7-3 ** At intersection of Sagamore & 1B - place SIGN Finish Line with Straight arrow
0.7	CAUTION METAL GRATE BRIDGE! Sagamore Creek Bridge	98.5	Police Portsmouth 11:30-3:30 Sign -Caution Must Walk Bikes

0.9	Right @ traffic light onto South St. at far end of cemetery	99.4	SIGN – Return to Start with Right arrow
0.2	Take first Right onto Clough Dr.	99.6	Sign - Finish Line with Right Arrow



PO Box 763 Portsmouth, NH 03802
www.PortsmouthCrit.com

January 25, 2013

City of Portsmouth
Att: Ann Sharpe
1 Junkins Avenue
Portsmouth, NH 03801

Distinguished Members of the Portsmouth City Council,

Last years event was a great success and we would like to thank you for your ongoing support. The Portsmouth Criterium has taken place in downtown Portsmouth for the past eight years. On September 9, 2012 our event attracted 7,000 spectators to downtown Portsmouth to watch the races, visit our Lifestyle Expo booths along Market Street and Pleasant Streets, and cheer on their friends in our 3rd annual *Community Challenge*. The Community Challenge raised \$2250 for Kremfels Center (www.kremfelscenter.org), which is a non-profit organization based in Portsmouth NH dedicated to improving the lives of people living with brain injury from trauma, tumor or stroke. Overall, we had over 500 participants including just under 200 children who came to participate in the different race categories.

On behalf of The Portsmouth Criterium I would like to request the following date for this year's event:
Sunday, September 8, 2013.

I ask that you please consider this formal request to be included on the agenda for the upcoming City Council meeting scheduled for **February 4, 2013.**

Thank you for your time and consideration.

Regards,

Thomas Martin
Race Director

Honorary Race Directors:
Susanne Delaney
Catherine Keenan

Volunteers:
Anne Lynch
Matt McNeil
Gillian Dahlke

Logistics:
Drew Szeliga
Jennifer Stebbing

Graphic Designer:
Andrew Canniff

Kids Race:
Scott & Heidi Bogle

Lifestyle Expo:
JEM Events

Registration:
Joy Page
Joan Walsh

Special Events:
Diane Gibbins

January 28th, 2013

JAN 29 2013

Mr. John Bohenko
City Manager
Portsmouth Municipal Complex
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mr. Bohenko,

On behalf of the staff and board of directors at Sexual Assault Support Services (SASS), I am asking for permission to hold our 5th annual 5K to Keep Kids SAFE on Pease International Tradeport on Sunday, May 19th, 2013 at 11:00 am. The start/finish of the race will be held at Martin's Point Health Care in Pease 161 Corporate Drive Portsmouth, NH. Last year, the 5k was a very successful family event that included over 230 runners and walkers. We are looking forward to having the event again this year and, as always, we will be working with Pease Development Authority in the planning and running of the event.

We will apply for all the necessary permits with the Portsmouth Police following your approval. Please contact me personally with any questions regarding this fundraising event. Thank you for your consideration in this regard.

Sincerely,



Kristen Lyons
Client Services Advocate
Sexual Assault Support Services

Cc: Chief Stephen DuBois
Portsmouth Police Department

Law Offices of
WHOLEY & PELECH

55 CONGRESS STREET, SUITE B
P.O. BOX 395
PORTSMOUTH, NEW HAMPSHIRE 03802-0395

BERNARD W. PELECH*

JOHN J. WHOLEY
(1922-2001)

ADMITTED NH & ME BARS

TEL 603-436-6121
Fax 603-433-7491

bernie@wholey-pelech.com



January 30, 2013

Mayor Eric Spear
Members of the City Council
1 Junkins Avenue
Portsmouth, NH 03801

**Re: Rezoning request
678-680 Maplewood Avenue**

Dear Mayor Spear and Members of the City Council:

This office represents Portsmouth City Realty Investment Trust and Airgead Realty Trust, owners respectively of the property located at 680 Maplewood Avenue and 678 Maplewood Avenue.

On behalf of my clients, I would respectfully request that the council rezone these two (2) parcels of land (Map 220, Lot 89 and Map 220, Lot 90) from their current zoning designation of Single Residence B to the Business District.

Unlike the previous request, the current request does not include the request to rezone the property located at 261 Myrtle Avenue. Based upon abutter objections to the rezoning of 261 Myrtle Avenue, my clients have altered their rezoning request.

Given the location of these properties, which presently abut the Business zone and a business use and are further bounded by Interstate 95, my clients feel that a Business zone designation would be more appropriate going forward.

As I understand the procedure, the Council will refer this matter to the Planning Board which will conduct a public hearing on the request and make a recommendation back to the Council.

Thank you for your anticipated cooperation in this matter.


Sincerely,

A handwritten signature in black ink, appearing to read "Bernard W. Pelech". The signature is fluid and cursive, with a large loop at the end.

Bernard W. Pelech

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: January 31, 2013
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on February 4, 2013 City Council Agenda

5:30 p.m. – Non-meeting with counsel.

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

.....

Work Session:

1. **Report Back on Letter and Petition of Islington Creek Neighborhood Association Re: Boarding House at 21 Brewster Street.** On Monday evening at 6:00 p.m., the City Council will be meeting in a work session prior to the regular meeting to receive a report back from City staff as it relates to the petition and letter from the Islington Creek Neighborhood Association regarding the boarding house at 21 Brewster Street.

David Allen, Deputy City Manager, will be leading this presentation along with other City staff.

Acceptance of Grants and Donations:

1. **Acceptance of Police Department Grants and Donations.** Attached under Section VIII of the Agenda is a memorandum, dated January 23, 2013, from John F. Golumb, Chairman of the Portsmouth Police Commissioners, and Police Chief Stephen J. DuBois, requesting that the City Council approve the following grants:
 1. A grant allocation in the amount of \$25,332.88 for the purchase of seven additional radios as part of the Part II Local Law Enforcement Radio Interoperability initiative. The department will also be allowed to deduct the cost of programming the radios under the terms of the grant.

2. A grant in the amount of \$50,000 from the State of New Hampshire Department of Justice in support of a DV / SA Victim Advocate for the Portsmouth Police Department.
3. Donations as follows in support of the Portsmouth Police Cadet Explorer Post:
 - a. A donation in the amount of \$135.00 from Mr. J. Page
 - b. A donation in the amount of \$35.00 from Ms. J. Spear
 - c. A donation in the amount of \$50.00 from Mr. F. Mastan

The Police Commission is submitting this information pursuant to City Policy Memorandum #94-36 for City Council approval and acceptance.

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

Items Which Require Action Under Other Sections of the Agenda:

1. **Consideration of First Reading of Proposed Resolution and Ordinance Amendments:**

- 1.1 **First Reading of Proposed Resolutions Amending Elderly & Disabled Exemptions Income Asset Limits.** As requested by the City Council at the January 22nd City Council meeting, under Section IX of the Agenda, I am bringing back for first reading the **attached proposed Resolutions amending Elderly and Disabled Exemption Income and Asset Limits**. Annually, the City of Portsmouth reviews income and asset levels for both the Elderly and Disabled Exemptions pursuant to RSA 72:39-b (**see attached State Statute**) and RSA 72:37-b and makes recommendations as to these levels.

Last year, the City Council adopted resolutions #1-2012 and #2-2012 which increased the income and asset levels for both the elderly and disabled exemptions by 2.9% from the previous year. The current elderly and disabled exemption income levels are \$34,486 for a single taxpayer, \$42,542 for married taxpayers, and an asset limit of \$114,958.

If qualified, for elderly taxpayers, the exemption off the assessed value of the property is as follows:

- Age 65 to 74 \$125,000
- Age 75 to 79 \$175,000
- Age 80 + \$225,000

If qualified, for disabled taxpayers, the exemption off the assessed value of the property is \$100,000.

As requested, the **Resolutions attached** adjust the income and asset levels for both the elderly and disabled taxpayers by the November to November CPI of 2.0 %. This would increase the limits (rounded up) as follows:

- Single \$ 35,176 increase of \$690
- Married \$ 43,393 increase of \$851
- Asset Limit of \$117,257 increase of \$2,299

Any adjustment if approved would be for assessments as of April 1, 2013 for the 2013 tax year or FY14.

The Assessor's office mails a notification annually to all elderly and disabled persons who currently receive this exemption to update their applications. All new applicants must submit an application and required documentation by April 15th of each year.

If the City Council wishes to make the proposed adjustments, it would require a public hearing and a majority vote of the City Council to adopt the **attached proposed Resolutions**. I have **attached for your information the tax impact of the elderly and disabled exemptions for FY13**.

As requested by the City Council at your January 22, 2013 meeting, the City Assessor has reported back concerning the elderly and disabled exemptions.

The State of New Hampshire per RSA 72:39-a, provides for Conditions for the Elderly Exemption. Minimum amounts that a town or city can offer for the exemption are as follows:

- Income Limits - \$13,400 for single applicants and \$20,400 for married applicants.
- Asset limit - \$35,000
- Exemption Amount - \$5,000 off the assessed value for all age categories.

RSA 72:39-b allows a town or city to modify the elderly exemptions limits by the procedure in RSA 72:27-a; which the City of Portsmouth has adopted to do in prior years.

Unlike the elderly exemption, the disabled exemption is not a mandatory exemption but a local option. Each town or city within the state may adopt this exemption per RSA 73:27-b and if adopted, minimum amounts are similar as the elderly exemption except there is no minimum on the exemption amount. These amounts may be modified following the same procedures as the elderly exemption but do not have to be the same.

The [attached spreadsheets](#) are the results of a survey taken which includes all 13 cities within the State of New Hampshire and neighboring communities of the City of Portsmouth. This survey shows the income, asset and exemption amounts offered and include a comparison of the median household income for each community and median household income of those 65 years and over as reported by the U.S. Census Bureau 2007-2011 American Community Survey 5-Year estimates.

The City Assessor has also included within her report a comparison since fiscal year 2000 of the income, asset, and exemption amounts offered by the City of Portsmouth for both the elderly and disabled exemptions.

I would recommend the City Council move to make the following two separate motions:

1) Move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the Resolution for Elderly Exemptions at the February 19, 2013 City Council meeting, as submitted. (Resolution requires two readings and a majority vote.)

2) Move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the Resolution for Disabled Exemptions at the February 19, 2013 City Council meeting, as submitted. (Resolution requires two readings and a majority vote.)

Action on this item should take place under Section IX of the Agenda.

2. **Public Hearing:**

2.1 **Public Hearing Re: Proposed Capital Improvement Plan (CIP) FY2014-2019.**

In accordance with Section 7.7 of the City Charter, a Public Hearing on the proposed Capital Improvement Plan for FY2014-2019 will take place on Monday evening at 7:00 p.m. At that time, I have requested that staff make a PowerPoint presentation giving the public an overview of the proposed Capital Plan for the aforementioned years. In addition, I will have copies available of the summary pages for the public, as well as the capital expenditures that will be proposed in the FY2014 budget. Also, a copy of the Capital Plan is on our web page (www.cityofportsmouth.com).

The City Council is required, in accordance with Section 7.8 of the City Charter, to adopt the Capital Plan subsequent to the Public Hearing and before the City Manager submits the budget to the City Council. I anticipate that I will be transmitting my proposed FY2014 budget to you on or about March 28, 2013. Given that projected date, I am suggesting the City Council adopt the proposed Capital Improvement Plan at your February 19th City Council meeting. **Please**

bring your Capital Improvement Plan with you. If you need another copy, please let me know.

I would suggest that action on this matter be taken at the February 19th City Council meeting, at which time I will recommend adoption of the CIP with any appropriate amendments.

3. **Public Hearing/Second Reading of Proposed Ordinance.**

- 3.1 **Public Hearing/Second Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance.** As a result of the January 22nd City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the **attached proposed Ordinance amendment** to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance, which would maintain an unassigned fund balance of not less than 10% with a goal of 17%. Please note further that use of unassigned fund balance typically should be used for appropriations that are nonrecurring in nature.

As you will recall, at the October 27, 2012 City Council Retreat, there was a request to review the existing Fund Balance Ordinance to determine if it needed any revisions that would place the City in a better position to obtain a AAA bond rating. As you are aware, the City presently has a bond rating of AA+ which is one step below AAA.

Since 1997, the City has received four bond upgrades which have been attributed directly to financial policies that the City has enacted (stable tax rate, health insurance stabilization fund, leave at termination fund, capital improvement plan and fund balance ordinance).

In reviewing AAA ratings in other communities, it appears that the one thing they have in common is a fund balance policy and/or an ordinance that strives to maintain an unassigned fund balance between 10% and 17% of general fund appropriations.

As part of the discussion at the January 7, 2013 meeting regarding this matter, there were two inquiries which required a report back as follows:

Question 1:

Councilor Thorsen - What is the marginal benefit between an AA+ and AAA rating?

The following chart is an estimate of the interest savings the City would realize on a \$20 million bond issue, issued for 20 years, if the City's bond rating was upgraded to AAA from AA+. These interest rates are compiled by Municipal Market Data (MMD), which collects interest rate information on bonds in the market and reports the rates daily by rating category and by maturity dates. The

analysis shows, under current market conditions, the City would expect to save approximately \$236,000 in interest over the life of a \$20 million, 20 year bond issue as a result of the upgrade.

Estimated current benefit of an upgrade from AA+ to AAA on \$20 million Bond Issue

Year	AAA	AA+	AA	Interest Rate Difference Between AA+ and AAA	Assumed Principal	Interest
1 2014	0.20	0.23	0.25	0.03%	1,000,000	19,950
2 2015	0.34	0.39	0.43	0.05%	1,000,000	19,700
3 2016	0.47	0.52	0.57	0.05%	1,000,000	19,250
4 2017	0.61	0.69	0.77	0.08%	1,000,000	18,750
5 2018	0.76	0.85	0.93	0.09%	1,000,000	17,950
6 2019	0.88	0.98	1.07	0.10%	1,000,000	17,100
7 2020	1.09	1.19	1.29	0.10%	1,000,000	16,150
8 2021	1.31	1.42	1.52	0.11%	1,000,000	15,150
9 2022	1.51	1.62	1.73	0.11%	1,000,000	14,100
10 2023	1.70	1.81	1.92	0.11%	1,000,000	13,000
11 2024	1.82	1.94	2.05	0.12%	1,000,000	11,900
12 2025	1.90	2.02	2.13	0.12%	1,000,000	10,750
13 2026	1.98	2.10	2.22	0.12%	1,000,000	9,600
14 2027	2.06	2.18	2.30	0.12%	1,000,000	8,400
15 2028	2.13	2.25	2.37	0.12%	1,000,000	7,200
16 2029	2.20	2.32	2.44	0.12%	1,000,000	6,000
17 2030	2.26	2.38	2.50	0.12%	1,000,000	4,800
18 2031	2.32	2.44	2.56	0.12%	1,000,000	3,600
19 2032	2.38	2.50	2.62	0.12%	1,000,000	2,400
20 2033	2.44	2.56	2.68	0.12%	1,000,000	1,200
Total					20,000,000	236,950

It is important to note that the difference in interest rates between different rating categories, referred to as the quality spread, is not fixed. When interest rates are high, the quality spread expands. So, although the interest cost difference between a AAA rated credit and a AA+ rated credit is relatively small right now, as rates rise, the quality spread will expand and the City can expect the impact to be greater.

Question 2:

Councilor Kennedy - What other types of criteria do the rating agencies use to assign a bond rating?

The City uses both Standard and Poor’s and Moody’s Investors Services to assign a credit rating before issuing bonds. Publications from both agencies use similar evaluation criteria for management to utilize and better position their governments for maximum stability in the short and long-term.

When reviewing an entity, Standard and Poor’s states “Proactive budget and liability planning, strong liquidity management, and the establishment of reserves are among the factors the strongest issuers share.” Moody’s Investor’s Services

states “A strong governmental management team prepares well for economic downturns, maintains strong controls during boom times, and manages well during all economic cycles”.

The following are key focus areas for rating agencies:

- **Focus on Structural Balance - Conservative Budgeting Techniques**
Preparing a balanced budget where recurring revenues match recurring expenditures. Not relying on one-time measures without the appropriate re-alignment of revenues and expenditures.
 - Recurring revenues match recurring expenditures
 - Conservative revenue forecasting
- **Fund Balance Policies**
A formalized policy for Fund Balance which identifies target level and the instances in which reserves may be used.
 - Unassigned Fund Balance Ordinance
 - Total Fund Balance
- **Established Stabilization Reserves**
A formalized financial reserve policy to provide financial flexibility and stability.
 - Health Insurance Stabilization Fund
 - Leave at Termination Fund
 - Reserve for Debt
- **Debt Management Policy**
A formalized debt plan that includes target and maximum debt levels, target for pay-as-you-go funding of capital work, and incorporation of these debt policies into a multi-year capital plan.
 - Pay-as-you-go financing Capital Outlay
 - City Policy is to use no more than 10% of annual appropriations toward net debt service payments
 - Remain below the allowable debt limit

- **Strong Liquidity Management**
 - Ability to manage Cash Flow
 - Strong reserves
- **Succession and Contingency Planning**
Ability to identify mid-year changes in revenues and expenditures and respond quickly.
 - Fund balance policies for contingency planning
 - Government's Management organizational structure
- **Other Factors**
 - Economic Development plans that suit the particular strengths and needs of the community
 - Demographics- Median Household Income
 - Tax Base
 - Economic Growth

The City has implemented most of the aforementioned criteria and is working on those areas that we feel can be strengthened.

Prior to the public hearing, Judie Belanger, Finance Director, will make a presentation regarding this matter.

I would recommend the City Council move to pass second reading and schedule third and final reading of the proposed Fund Balance Ordinance at the February 19, 2013 City Council meeting. Action on this matter should take place under Section IX of the Agenda.

4. **Public Necessity Hearing and Adoption of Resolution.**

- 4.1 **Public Necessity Hearing and Adoption of Resolution to acquire Easements from Pan Am Railways through the Eminent Domain Process.** Director of Public Works Steve Parkinson and Assistant City Attorney Suzanne Woodland will make a brief presentation as part of the public hearing relative to the McDonough-Brewster Street Drainage Improvements. The purpose of the hearing is to demonstrate the public necessity for drainage improvements in the area and to authorize condemnation proceedings as may be necessary to obtain easements over property owned by Pan Am Railways. During significant rain

events, flooding occurs at the end of Brewster Street and in the adjacent low areas north of McDonough Street.

The City proposes to install new drain lines and infrastructure over property owned by Pan Am railways to reduce flooding. Proposed Permanent Utility Easement 1 is 20 feet in width which would allow for the installation and maintenance of two new drain lines under existing rail lines and allow for the construction of an outfall at the North Mill Pond. A temporary 100 foot wide construction easement will also be part of the project to install the two drain lines. Proposed Permanent Utility Easement 2 consists of an approximately 500 foot corridor of approximately 25 feet in variable width. This corridor runs south of, and parallel to, the existing rail lines. This corridor will allow for the installation of a new drain line and encompass an existing public sewer line. See Exhibit A. These land acquisitions were referred to the Planning Board which recommended on October 18, 2012, that the City Council acquire the easements necessary for the project.

Although the City has proposed to negotiate with Pan Am Railways for the acquisition of the easement rights needed for this project, it is anticipated that these rights will need to be taken by eminent domain as has occurred with two other recent projects.

I would recommend the City Council move to adopt the Resolution attached hereto. Action on this item should take place under Section IX of the Agenda.

Consent Agenda:

1. **Acceptance of Donations to Recreation Department.** The City of Portsmouth Recreation Department has received the following donations in the amount of \$180.00 in memory of Thomas Leary:

➤	PHS Class of 1958 Club Girls	\$ 30.00
➤	Priscilla Syphers	\$ 50.00
➤	Appzero Software, Inc.	\$100.00

I would recommend the City Council move to approve and accept the donations to the Portsmouth Recreation Department, as listed. Action on this matter should take place under Section X of the Agenda.

City Manager's Items Which Require Action:

1. **Report Back Re: Former U.S. Army Reserve Center on Cottage Street.** Attached is a report back regarding the request of the Veterans of Foreign Wars for tenancy of the former U.S. Army Reserve Center on Cottage Street (see memorandum from David Moore, Community Development Director). As noted in the memo, Gary Puryear, who is the Department of the Army representative responsible for the disposal of the Center, confirmed that there are no Public Benefit Conveyance (PBC) programs that would result in a VFW receiving the Doble property. Additionally, Mr. Puryear advised that the Army considers VFW's private organizations and therefore, are not eligible to be considered as "other public benefits" in any Negotiated Sale between the City and the Army. He summarized that the only way a VFW organization could receive a BRAC property would be through the Public Sale option. Public sale by the Army would only take place if the City said it didn't want the property.

We will have a follow-up presentation on the Doble status at the February 19th City Council meeting, but we wanted to get this report back to the City Council so that we can advise the VFW that their request is not feasible.

In addition, we also received a letter dated January 23, 2013 from the American Legion Frank E. Booma Post 6 regarding consideration of the acquisition of the U.S. Army Reserve Center (see attached letter). As noted above, we will advise the American Legion that their request is not feasible, as well.

I would recommend the City Council move to send a letter advising the Veterans of Foreign Wars and the American Legion that their requests are not feasible due to the Base Realignment and Closure Act.

2. **Request for Approval on Teacher's Retirement Incentive.** The School Board has requested that the City Council consider approving a teacher's one-time retirement incentive. Attached is a memorandum from Edward McDonough, Superintendent of Schools regarding this matter. As you will recall, the City Council approved a similar request last year.

I am recommending that the City Council approve the request from the Portsmouth School Board to offer a retirement incentive to teachers, as presented.

Informational Items:

1. **Events Listing.** For your information, attached is a copy of the Events Listing updated after the last City Council meeting on January 22, 2013. In addition, this now can be found on the City's website.

2. **City Council Work Session Re: Sewer/Water Rate Study.** This is a reminder that the City Council Work Session regarding the Sewer/Water Rate Study is scheduled for Monday, February 11, 2013 at 6:30 p.m., in the Eileen Dondero Foley Council Chambers.
3. **Report Back Re: Change of “Trick or Treat” Date.** Attached is a report back from **Carl Diemer, Chairman of the Portsmouth Recreation Board,** regarding a request from Mayor Spear to change the date of “trick or treat” from October 30th to October 31st.
4. **Update Senior Transportation Program.** As requested by the City Council, we will give an update on Tuesday, February 19, 2013, regarding the senior transportation program. At that time, we will have Brinn Chute, Senior Services Coordinator, give an update as to her progress and activities.

M E M O R A N D U M

TO: John P. Bohenko, City Manager
FROM: David Moore, Community Development Director *q.s.m.*
DATE: January 28, 2013
RE: Communication with U.S. Army re: VFW request for Doble Center

As you requested, I spoke with Gary Puryear regarding the recent request from the VFW regarding the Paul A. Doble Army Reserve Center. Mr. Puryear is the Department of the Army representative responsible for the disposal of the Center.

He confirmed for me that there are no Public Benefit Conveyence (PBC) programs that would result in a VFW receiving the Doble property. Additionally, he advised that the Army considers VFWs private organizations and therefore are not eligible to be considered as "other public benefits" in any Negotiated Sale between the City and the Army.

He summarized that the only way a VFW organization could receive a BRAC property would be through the Public Sale option. Public Sale by the Army would only take place if the City said we didn't want it. I have attached a written communication from Mr. Puryear, which summarizes the information he provided in our phone conversation. I have also attached a copy of the letter from the VFW.

He advised me that the issue of a VFW request had come up in another installation in Pennsylvania and the Army response was the same.

I will continue to prepare a presentation/update for your review in preparation for updating the City Council on the history of planning for the Doble Center and disposal options.

Please let me know if you would like any additional information.

cc: Dave Allen, Deputy City Manager

David Moore

From: Puryear, Gary W CIV USARMY 99 RSC (US) [gary.w.puryear.civ@mail.mil]
Sent: Friday, January 25, 2013 3:21 PM
To: David Moore
Cc: Puryear, Gary W CIV USARMY 99 RSC (US)
Subject: RE: BRAC disposal options (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Dave,
As per our phone discussion today:

Since the VFW is a private organization, they do not qualify under the Public Benefit definition, therefore cannot receive the property for free.

Negotiated Sales can be for a public purpose such as a DPW use wherein it still is public, but not a normal qualifier for receiving the property for free under the PBC rules.

Any group can bid for the property if we offer it up for public sale. If the City wishes to change their Reuse Plan (ie not move forward for any PBC reuse), we will need a formal declaration. We can discuss this and any other options you feel you need to sort through.

Trust this answers your questions.

Regards,
Gary

Gary Puryear
Base Transition Coordinator
99th RSC East, New England
LTC USA (Ret), REM, RLA, FMA, CESCO
Office: 978-784-3771
Cell: 724-759-4473

NEW EMAIL ADDRESS as of 9 January 2013: gary.w.puryear.civ@mail.mil

-----Original Message-----
From: David Moore [mailto:dmoore@cityofportsmouth.com]
Sent: Friday, January 25, 2013 1:22 PM
To: Gary.Puryear@usar.army.mil
Subject: BRAC disposal options

Gary,

Can you confirm for me that I have the following information correctly?



Veterans of Foreign Wars

Of the United States

Emerson Hovey Post 168
238 Deer Street
Portsmouth, New Hampshire 03801
603-436-9724
Vfw168@aol.com

Carl Walton, Commander

JAN - 9 2013

January 8, 2013

City of Portsmouth
City Council
One Junkins Avenue
Portsmouth, NH 03801

Subject: Consideration for Tenancy of former U.S. Army Reserve Center – Cottage Street

Dear Honorable Councilors:

Recently, the local post command staff has become aware of the dire need for our headquarters to be relocated to another site within the city. The Emerson Hovey Post, the oldest VFW post in the state, has been an active civic organization within Portsmouth since the organization's inception. Formerly located on Parrott Avenue around 1919, the post has been at its present location on Deer Street since the mid-1950's. During that time the post has contributed its members' time and funds to such worthy activities as the Portsmouth Little League, Boys' Junior Basket Ball League, and has provided safety Halloween trick-or-treat bags to the various schools within the city. In addition, the post continually supports its veteran citizens through its annual Christmas breakfast and party for the dependent children of our deployed servicemen and women, and it often provides specialized relief to destitute veterans in need.

Like most civic organizations, Post 168 supports such charities as the Salvation Army, Crossroads, and Operation Blessing. The post hosts the scheduled meetings of the local police union and contributes to the police annual yearbook. It actively participates in Eagle Scout award ceremonies several times each year. Further, it also acts as a conduit for local businesses to contribute items that are used in support the post's programs. In addition, Post 168 is an active partner in the Central Veterans Council and participates in patriotic celebrations like the Memorial Day and Veterans Day parades and services.

With limited parking, the post has been a welcome and convenient venue for local organizations and private citizens to hold functions within its hall. It is a center where veterans may meet and share common experiences endured during this country's conflicts. It is also the home to the general VFW membership and its women's and men's auxiliary monthly meetings. It is because of the issue of limited parking, soon to be no parking, that the post needs to find a new home.

Your VFW post has been proud to represent Portsmouth to the state and it truly appreciates the support that the city has given it in the past in return. That said, it is our earnest desire that the post be considered for the future tenancy of the former U.S. Army Reserve Center on Cottage Street. Thank you, in advance, for your consideration of our request.

Sincerely,

Carl Walton, Commander

PAUL SCHURMAN ADJ.



JAN 28 2013

Frank E. Booma Post 6
96 Islington Street
Portsmouth, N.H. 03801
6034367575
boomapost6@comcast.net

January 23, 2013

One Junkins Avenue
Portsmouth, N.H. 03801

Re: Consideration of acquisition of U.S. Army Reserve Center – Cottage Street

Dear City Council,

It has come to the attention of the Frank E. Booma Post 6 American Legion that the former reserve center on Cottage Street may be available to several entities within the City. As you know the Frank E. Booma Post 6 has been in existence for 94 years within the City of Portsmouth. We have been domiciled in a few different locations within the city during this time period.

The Frank E. Booma Post has been a generous benefactor within the city for its entire existence. Our donations over the years have included many organizations within the city. We have assisted the Salvation Army, Crossroads, Betty's Dream, Operation Blessing, The Portsmouth Little League by sponsoring teams and donating the scoreboard at the Atlantic Heights, American Legion baseball, the young men's basketball league, Pease Greeters, Honor Flight New England and many other causes too numerous to mention. We are active in the District and State level of the American Legion, the Central Veterans Council and participates in the Memorial Day and Veterans Day parades, the Albacore Memorial Service, the Christmas parade and are available to the city whenever requested in any capacity.

For many years the Frank E. Booma Post has actively pursued the allocation of a new location for our organization. Our full potential could be better realized at a location where we could host large functions as fundraisers which our present size, location and parking situation do not allow.

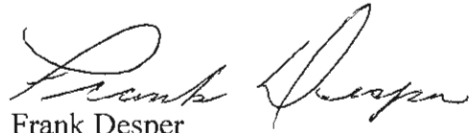
We have served the Veterans of the City and State proudly since our inception and endeavor to continue to do so in the future.

It would be beneficial to our organization to acquire the Cottage Street property to allow us to further our charitable endeavors within the City. We therefore request consideration for acquisition of the Army Reserve Center.

If you have any questions or concerns about our intentions or our organization, do not hesitate to contact the Adjutant, Richard Brooks at the Frank E. Booma Post by the most convenient means.

Thank you for your consideration of our request.

Respectfully,



Frank Desper
Commander



Richard Brooks
Adjutant

Cc: file

Memorandum

To: John P. Bohenko, City Manager
CC: Dianna Fogarty, Human Resources Director
From: Edward McDonough, Superintendent of Schools *(EM)*
Date: 1/30/2013
Re: Retirement Incentive

In an attempt to achieve savings without compromising education, the School Board approved a one time retirement incentive package, subject to the approval of the City Council. The purpose of this program was to provide a lump sum payment as an incentive to long term employees who are eligible to retire. The savings would be achieved by replacing employees at the top of the pay scale with new employees who would be paid at a lower rate. The details of the program are outlined below:

Eligible members who have fifteen (15) years or more service in the district by the end of the 2012-13 school year, and who file an irrevocable commitment to retire from the district between the date of this agreement and on or before Friday, January 25, 2013 and who actually retire under the NHRS at the end of the 2012-13 school year can receive:

A one-time payment of \$12,000

Any eligible members who have less than fifteen (15) years or more service in the district by the end of the 2012-13 school year, and who file an irrevocable commitment to retire from the district between the date of this memorandum and on or before Friday, January 27, 2012 and who actually retire under the NHRS at the end of the 2012-13 school year can receive:

A one-time payment of \$10,000

I am pleased to inform you that three (3) teachers have submitted their intent to retire as a result of this program. Steve Bartlett, Business Administrator has calculated that the school department would reduce the salary and benefit line items by \$99,033; the incentive would cost \$34,000 resulting in total savings of \$65,033.

I am requesting a meeting with the City Council so that I may present this package to them for approval and answer any questions they may have.

Thank you for your consideration.



PORTSMOUTH SCHOOL DEPARTMENT

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

EDWARD McDONOUGH
SUPERINTENDENT OF SCHOOLS

STEPHEN ZADRAVEC
ASSISTANT SUPERINTENDENT

STEPHEN BARTLETT
BUSINESS ADMINISTRATOR

MEMORANDUM OF UNDERSTANDING PORTSMOUTH SCHOOL DISTRICT AND ASSOCIATION OF PORTSMOUTH TEACHERS RETIREMENT INCENTIVE BENEFIT

The Portsmouth School District (District) and the Association of Portsmouth Teachers (APT) currently are parties to a collective bargaining agreement that expires on June 30, 2014. These parties desire to create a temporary retirement incentive benefit for the 2012-13 contract year only.

Eligible member who have fifteen (15) years or more service in the district by the end of the 2012-13 school year, and who file an irrevocable commitment to retire from the district on or before January 25, 2013 and who actually retire under the NHRS at the end of the 2012-13 school year can receive

a one-time payment of \$12,000.

Any eligible members who have less than fifteen (15) years or more service in the district by the end of the 2012-13 school year, and who file an irrevocable commitment to retire from the district on or before January 25, 2013 and who actually retire under the NHRS at the end of the 2012-13 school year can receive

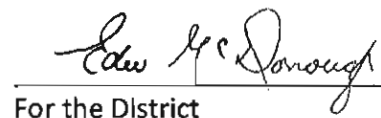
a one-time payment of \$10,000.

This does not set a precedent or past practice for any other situation.

This agreement is null and void unless approved by the City Council.

Agreed:


For the APT 11/8/12
Date


For the District 11/8/12
Date

"THE PURPOSE OF THE PORTSMOUTH SCHOOLS IS TO EDUCATE ALL STUDENTS BY CHALLENGING THEM TO BECOME THINKING, RESPONSIBLE, CONTRIBUTING CITIZENS WHO CONTINUE TO LEARN THROUGHOUT THEIR LIVES."

Event Listing by Date

Starting Date: 1/22/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
3/10/2013 3/10/2013	ROAD RACE Tracey Tucker, Executive Director - New Heights, 436-2251 is the contact for this event. This event is being held at Pease Tradeport, with 10:30 a.m. start.	Pease Tradeport	St. Paddy's 5-Miler	12/ 3/2012
3/30/2013 3/30/2013	ROAD RACE Donald Allison is the contact for this event. His number is 617-835-2378. This event begins at Portsmouth High School at 11:00 a.m.	Portsmouth High School	Eastern States 20 Mile	12/17/2012
4/13/2013 4/13/2013	WALK Contact: Kim Blanchard, Development Coordinator (603) 623-3502 Walk 10:00 a.m. to 2:00 p.m. - Start and Finish at Little Harbour School	Start and Finish at Little Harbour School	National Multiple Sclerosis So	1/ 7/2013
4/28/2013 4/28/2013	ROAD RACE Dawn Sawyer is the contact for this event. Tel. 502-4611. This event begins at the Portsmouth Police Department, Junkins Avenue at 10:00 a.m. and finishes at Greenland Police Department, Portsmouth Avenue. There will be shuttle to starting line and then from finish line to parking at Portsmouth High School.	Portsmouth Police Department to Greenland Police D	Chief Michael Maione Memorial	12/ 3/2012
5/ 5/2013 5/ 5/2013	FESTIVAL Barbara Massar is the contact for this event. This event takes place in various locations downtown.	Downtown - Various locations	Children's Day	9/ 4/2012
5/ 5/2013 5/ 5/2013	WALK Calvin Sanborn is the contact for this event. This event begins and ends at City Hall lower parking lot, from 10:00 a.m. to 5:00 p.m.	City Hall	AIDS Response Seacoast	1/22/2013
5/11/2013 5/11/2013	ROAD RACE Kimberly McGlinchey and Deirdre Barrett are the contacts for this event. They can be reached at Portsmouth High School 436-7100. This event begins at 1:00 p.m. and ends at 3:00 p.m.	Pease Tradeport	ECO Club - Portsmouth High Sch	1/22/2013
5/11/2013 5/11/2013	ROAD RACE Jacqui Bryan (498-2988) and Marci Francis ((802)683-9187) are the contacts for this event. This event begins and ends at Strawberry Banke.	Strawberry Banke	Susan G. Komen for the Cure	10/22/2012
5/26/2013 5/26/2013	ROAD RACE Jeanine Sylvester is the contact for this event - 430-1212. The event begins and ends at the Redhook Ale Brewery, at 11:00 a.m.	Redhook Ale Brewery - Pease Tradeport	Runner's Alley	1/22/2013
6/ 8/2013 6/ 8/2013	ROAD RACE Barbara Massar is the contact for this event. This event begins and ends at Market Square.	Downtown	Market Square Road Race	9/ 4/2012
6/ 9/2013 6/ 9/2013	ROAD RACE John Martin is the contact for this event. This event begins and ends at Little Harbour School, with a starting time of 8:30 a.m. Registration is 7:30 to 8:00 a.m. From the school following route 1B to 1A and turning back on the same route at North Beach, N. Hampton. Event should finish by 12:30 p.m.	Little Harbour School - start and finish	John Martin, Founder	12/ 3/2012
6/22/2013 6/22/2013	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/ 4/2012

Run: 1/30/13
4:26PM

Event Listing by Date

Page: 2

Starting Date: 1/22/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
6/22/2013 6/23/2013	ROAD RACE Contact: Garfield Jones of Fattman Productions at (617) 916-2002 or Garfield@fattmanproductions.com. This is the Cambridge, MA based Community Running Association in conjunction with the New England Chapter of the American Liver Foundation 24 hour relay.	Along Seacoast Route 1A, South Street, Municipal P	Fattman Productions	1/ 7/2013
6/29/2013 6/29/2013	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series that starts at 5:00 p.m. to 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
7/ 4/2013 7/ 4/2013	ROAD RACE Contact: Dave Abbett. This 5K event is at the Pease Tradeport.	Pease Tradeport	Sub 5 Race Management	1/ 7/2013
7/ 6/2013 7/ 6/2013	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/ 4/2012
7/13/2013 7/13/2013	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/ 4/2012
7/20/2013 7/20/2013	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/ 4/2012
7/27/2013 7/27/2013	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/ 4/2012
8/ 1/2013 8/ 1/2013	ROAD RACE Chamber Community Road Race Series. Doug Bates is the contact.	Peirce Island	Portsmouth Rotary Club - Thund	12/17/2012
8/ 3/2013 8/ 3/2013	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/ 4/2012
9/21/2013 9/21/2013	ROAD RACE Community Road Race Series Doug Bates is the contact.	Little Harbour School	BreastCancerStories.org	12/17/2012
9/21/2013 9/22/2013	TOUR Caroline Amport Piper (603-686-4338) and Dave Anderson are the contacts for this event. This is a two-day event from 11:00 a.m. to 3:00 p.m. both days.	South End	Friends of the South End	10/22/2012
9/28/2013 9/28/2013	ROAD RACE Karen Butz Webb, Executive Director is the contact for this event. This event begins and ends at Portsmouth High School. E-mail address for information is: projectsafetyassociation@gmail.com	Portsmouth High School	Project Safety Association	10/22/2012

Run: 1/30/13
4:26PM

Event Listing by Date

Page: 3

Starting Date: 1/22/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
9/29/2013 9/29/2013	WALK Contact: Caitlyn Mosher Ellis (617) 393-2092. Strawbery Banke - Walk site opens at 8:30 a.m. for registration, the Walk kicks off at 10:00 a.m. and clean up by 1:00 p.m. The 1.3 and 2.7 mile routes will both go through the downtown are (using Congress Street).	Walk begins and ends at Strawbery Banke	Alzheimer's Association	1/ 7/2013
10/12/2013 10/12/2013	ROAD RACE Community Road Race Series. Doug Bates is the contact.	West Road	Community Child Care Center	12/17/2012
11/28/2013 11/28/2013	ROAD RACE Community Road Race Series Doug Bates is the contact.	Peirce Island	Seacoast Rotary Club Turkey Tr	12/17/2012
1/ 1/2014 1/ 1/2014	ROAD RACE Community Road Race Series Doug Bates is the contact.	Little Harbour School	Great Bay Services	12/17/2012



CITY OF PORTSMOUTH
Recreation Department

Mr. John Bohenko, City Manager
1 Junkins Avenue
Portsmouth, N.H.

1/25/13

Mr. Bohenko,

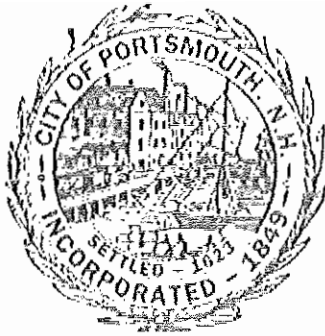
The Portsmouth Recreation Board was asked to review a request from Mayor Spear to change the date of “trick or treat” from October 30th to October 31st.

After much discussion, the Recreation Board unanimously recommended to keep the original date of October 30th for “trick or treat”, citing the long tradition and history of the customary date, as well as the conflict with the Halloween Parade on October 31st. Having two major events on the same evening would be a strain on the community and the Police Department, and force many families to choose between the two.

Sincerely,

Carl Diemer

Chairman, Portsmouth Recreation Board



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

es

APPOINTMENT APPLICATION

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

Committee: Citywide Neighborhood Committee Initial applicant

Name: Kelly Weinstein Telephone: 603-809-0102

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

Street address: 809 State Street Portsmouth, NH 03801

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 2 years

Occupational background:

High School English Teacher

UNH Admissions Application Reader

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

I organized and implemented my neighborhood's association;

I organized and planned the National Nigh Out for our neighborhood;

I have worked with Public Works about concerns about parks;

I have attended the Citywide Neighborhood Committee meetings



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

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

Reasons for wishing to serve: to help beautify and improve all neighborhoods in Portsmouth; to assist other concerned residents and provide them with answers to questions

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

~~National Multiple Sclerosis Association/Walk; ALS walk; Parent/Teacher Association at school~~

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

1) Adam and Regan Reudig Rock Street 646-342-9275
Name, address, telephone number

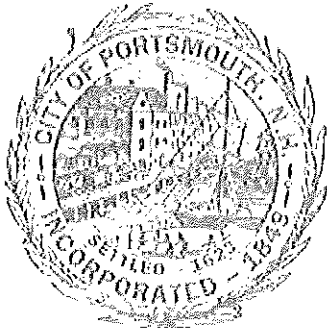
2) Sarah and Shawn McLaughlin Thornton Street 208-720-7984
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

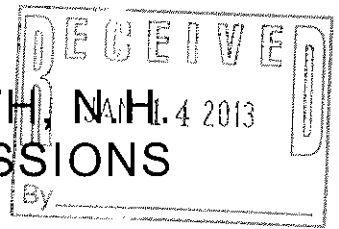
1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to 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: Kelly A. M. Weinstein Date: 1-9-13

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. 4 2013
BOARDS AND COMMISSIONS



APPOINTMENT APPLICATION

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

Committee: Peirce Island Initial applicant

Name: Lisa Louttit Telephone: 501-0278

Could you be contacted at work? YES/NO If so, telephone # yes 508-561-8169

Street address: 99 Hanover St. #303 Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): Lisag@comcast.net

How long have you been a resident of Portsmouth? 13 months

Occupational background:

Real estate agent 18 years

Medfield Parks & Recreation Commission 2001-2012

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

Parks & Recreation Commission 2001-2012 Medfield, Ma



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: _____

I have been attending the Peirce Island meetings. I am a frequent visitor to Peirce Island and feel that is a vibrant & wonderful asset to Portsmouth.

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

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

1) Steven Marison 38 Pickering St. 969-6446
Name, address, telephone number

2) Pat Bertrand 66 Suzanne Dr. 427-2413
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

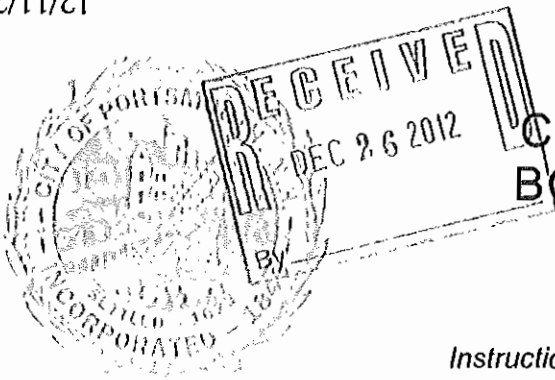
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5. Application will be kept on file for one year from date of receipt.

Signature: Lisa Louette Date: 1/14/13

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

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

6/27/2012



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: SUSTAINABLE PRACTICES / PIERCE ISLAND
Initial applicant

Name: J. Robert Shouse Telephone: 603-431-4729

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

Street address: 555 DENNETT ST

Mailing address (if different): _____

Email address (for clerk's office communication): SHOUSE ROBERT @ GMAIL .COM

How long have you been a resident of Portsmouth? 64 yrs

Occupational background:

<u>OWNER</u>	<u>BICYCLE BOB'S</u>	<u>30 yrs</u>
<u>PNS</u>	<u>CONTRACTING OFC.</u>	<u>12 yrs</u>
<u>BEO.</u>	<u>WASHINGTON U</u>	<u>4 yrs - B.A.</u>

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

LIFE EXPERIENCE ONLY
I AM PRO ENVIRONMENT
PRO ECOLOGY



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: INTEREST OF THE CITY

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

ELKS

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

1) CHIEF STEVE DUBOIS 603-431-1500
Name, address, telephone number

2) HAROLD WHITEHOUSE
Name, address, telephone number

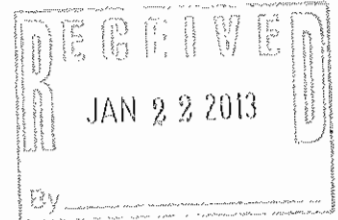
BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
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5. Application will be kept on file for one year from date of receipt.

Signature: [Signature] Date: 12/20/2012

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

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



Mr. Peter Bresciano
Chairman
City of Portsmouth Taxi Commission
One Junkins Avenue
Portsmouth, New Hampshire 03801

December 1, 2012

Dear Chairman Bresciano,

As I informed the Taxi Commission at the November meeting I have decided to resign as the Taxi Industry Liason to the City of Portsmouth Taxi Commission.

Having given notice in November and with intent to carry through the December meeting to encourage the installation of a new Commissioner my last meeting will be January.

I have enjoyed this post and hope I brought my 30 years in ground transportation to good use and the administration of fair policy.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul S. Ford".

Paul S. Ford
816 Middle Street
Portsmouth, NH 03801

THE
MARK WENTWORTH
HOME

received
1/28/13

TRADITION. COMMUNITY. INNOVATION.

January 24, 2013

Mayor Eric Spear
City of Portsmouth
Municipal Complex
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor,

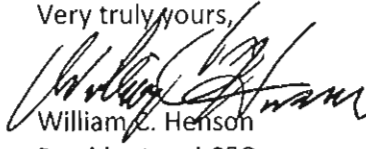
The purpose of the Mark Wentworth Home as stated in our by-laws reads as follows: "The purpose of this organization shall be to provide care and services to elderly of Portsmouth and surrounding areas on a non-profit basis."

In so much as the real estate owned by the Home at 127 Parrott Avenue was an asset of the Home, it like all of our other assets, was always used, as will the proceeds from its sale, in furtherance of that purpose.

The Mark Wentworth Home organization today consists of our state of the art residential care facility on Pleasant Street, the Adult Day Program which has been relocated to the Community Campus, and the Senior Transportation Program which is operated in partnership with the City of Portsmouth. On a combined basis we serve in the neighborhood of four to five hundred seniors with these programs on a continual basis.

I hope this information is helpful to you and the rest of the City Council.

Very truly yours,


William C. Henson
President and CEO



CITY OF PORTSMOUTH

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
(603) 610-7200
Fax (603) 427-1526

Eric A. Spear
Mayor

January 23, 2013

Mr. William C. Henson
Mark Wentworth Home
346 Pleasant Street
Portsmouth, NH 03801

Dear Mr. Henson:

Last evening, the City Council asked that I correspond with you in order to determine the status of the proceeds from the sale of 127 Parrott Avenue formerly the senior center.

It is my understanding that the proceeds from the sale of this building will be used for senior citizens services. Could you please advise me specifically how these funds will be dispersed for these services.

Thank you in advance for your cooperation regarding this matter.

Very truly yours,

Eric Spear
Mayor

ES/ams

c. City Council Members
John P. Bohenko, City Manager

MEMORANDUM

TO: John Bohenko, City Manager
FROM: Mary E. Koepenick, Planning Department *M. E. Koepenick*
SUBJECT: Board of Adjustment Minutes
DATE: January 23, 2013

The approved Minutes of the following Board of Adjustment meetings are now available for review on the City's website:

December 18, 2012

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Jane Shouse, Planning Department
SUBJECT: Planning Board Minutes
DATE: January 29, 2013

Please be advised that the approved minutes from the September 13, 2012 and September 20, 2012 Planning Board meetings are now available on the City's website for your review.