

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: TUESDAY, FEBRUARY 19, 2013 TIME: 6:30PM

AGENDA

- 6:00PM - ANTICIPATED "NON-MEETING WITH COUNSEL RE: LITIGATION – RSA 91-A:2 I (c)
- 6:30PM – WORK SESSION - WASTEWATER UPDATE

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

PRESENTATIONS

1. Update on Senior Transportation Program from William Henson, President and CEO of the Mark Wentworth Home
2. Update from Brinn Chute, Senior Services Coordinator
3. Update on Doble Center from David Moore, Community Development Director

- V. ACCEPTANCE OF MINUTES *(There are no minutes on for approval this evening)*

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARINGS

- A. 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

- B. 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

VIII. APPROVAL OF GRANTS/DONATIONS

- A. *Acceptance of Donation from Lonza Biologics Incorporated (**Sample motion – move to accept and approve the aforementioned donation from Lonza Biologics Incorporated, and further, authorize the City Manager to sign a release agreement**)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption 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 adopt the proposed Resolution)

- B. Adoption 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 adopt the proposed Resolution)

- C. Third and Final Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance (**Sample motion – move to pass third and final reading on the proposed Fund Balance Ordinance**)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Kristen Lyons, Sexual Assault Support Services, requesting permission to reschedule the 5th Annual 5K Race to Sunday, June 2, 2013 at 11:00 a.m. (*The Council previously approved this race for a different date*) (**Anticipated action – move to refer to the City Manager with power**)

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Barbara Engelbach, Moffatt-Ladd House Maintenance Chair, inquiring if non-profit museums could have tier billing as private residences for the watering of gardens (***Sample motion – move to refer to the City Manager to include in the rate study***)
- B. Letter from Elizabeth Moreau, Member, Islington Creek Neighborhood Association, requesting submitted stipulations be integrated with any renewal of the license for the 21 Brewster Street property (***Sample motion – move to refer to the Legal Department for report back at the March 4, 2013 City Council meeting***)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

- 1. Public Hearing and Adoption of Proposed Resolutions:
 - 1.1 Public Hearing and Adoption of Resolutions Amending Elderly & Disabled Exemptions Income Asset Limits (***Action on this item should take place under Section IX of the Agenda***)
- 2. Third and Final Reading of Proposed Ordinance:
 - 2.1 Third and Final 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***)

City Manager's Items Which Require Action

- 1. Adoption of Capital Improvement Plan (CIP) FY2014-2019
- 2. Request to Renew Lease Agreement for Sons of Italy
- 3. Town of Barrington Re: Land Conservation
- 4. Request for Easement Re: 32 Livermore Street
- 5. Report Back Re: 21 Brewster Street Boarding House Permit

Informational Items

- 1. Events Listing
- 2. Strawberry Banke Re: Skating Rink Proposal

B. MAYOR SPEAR

1. Appointments to be Considered:
 - Colby Gamester – Planning Board
 - Craig Welch – Portsmouth Housing Endowment Fund
2. Appointments to be Voted:
 - Kelly Weinstein – Citywide Neighborhood Steering Committee
 - Lisa Louttit – Peirce Island Committee
 - J. Robert Shouse - Blue Ribbon Committee on Sustainable Practices

C. ASSISTANT MAYOR LISTER

1. Defense of Marriage Act Re: Motion to Sign onto an Amicus Brief (***Sample motion – move to sign onto an amicus brief with other cities and employers in the Windsor v. United States of America lawsuit at the U.S. Supreme Court challenging the constitutionality of the Federal Defense of Marriage Act***)

D. COUNCILOR KENNEDY

1. *Deduct Water Meters for Historical Museums

E. COUNCILOR DWYER

1. *Portsmouth's 400th Anniversary

F. COUNCILOR THORSEN

1. Capital Improvement Plan (CIP)

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 Historic District Commission Minutes of the September 12, 2012 meeting are available on the City's website for your review
2. Notification that the Site Review Technical Advisory Committee Minutes of the February 5, 2013 meeting are available on the City's website for your review
3. 2012 Board and Commission Attendance Records

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Tuesday, February 19, 2013 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption to \$35,176.00 for single and \$43,393.00 for married and total assets may not exceed \$117,257.00 whether single or married. The complete Resolution 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

Legal Notice
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KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

#12517 11P 2/7

**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.

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KELLI L. BARNABY, CMC/CNHMC CITY CLERK

#12517

11P2/7

**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 & Disabled Exemption Impact

Exemption Type	Exemption Amount	Number Currently Receiving Exemption	Value Loss	Revenue Loss
65 through 74	\$ 125,000.00	40	\$ 5,000,000.00	\$ 87,750.00
75 through 79	\$ 175,000.00	34	\$ 5,950,000.00	\$ 104,422.50
80 and over	\$ 225,000.00	60	\$ 13,500,000.00	\$ 236,925.00
Disabled	\$ 100,000.00	7	\$ 700,000.00	\$ 12,285.00
Totals		141	\$ 25,150,000.00	\$441,382.50

Note: The current tax rate of \$17.55 would be decreased to \$17.44 a difference of 11 cents on the current tax rate if the elderly and disabled exemptions were not granted.

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 Household 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

Note: Median Income is in the past twelve months (in 2011 inflation-adjusted dollars) as reported by the U.S. Census Bureau 2007-2011 American Community Survey 5-Year estimates

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.

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

February 6th, 2013

FEB -8 2013

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

Dear Mr. Bohenko,

Unfortunately our race date was not available on Pease so I am introducing another date instead on behalf of the staff and board of directors at Sexual Assault Support Services (SASS). I would like to ask for permission to hold our 5th annual 5K to Keep Kids SAFE on Pease International Tradeport on Sunday, June 2nd, 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



Moffatt-Ladd House and Garden
154 Market Street, Portsmouth, NH 03801-3730

House telephone: 603-436-8221
Office telephone: 603-430-7968
Fax: 603-431-9063



February 5, 2013

The Honorable Eric Spear and Portsmouth Counselors

City Manager John Bohenko

One Junkins Avenue

Portsmouth, NH 03801

Gentlemen:

The Moffatt-Ladd House and Garden has been operated as a museum since 1912 by The National Society of The Colonial Dames of America in the State of New Hampshire. Our garden property runs from Market Street to High Street. We have enjoyed sharing that garden with the Portsmouth community by hosting Children's Day activities, sponsoring a pirate camp for children enrolled in the community childcare program, and sponsoring a maritime festival celebrating Portsmouth maritime heritage.

On December 4, 2012 there was a public information meeting about the current water and sewage rates in Portsmouth. Item 5 on the agenda discusses additional billing tiers. Unfortunately, I was unable to attend. Would it be possible for the non-profit museums to benefit from the tier billing allowed to private residences for watering gardens? I am enclosing a copy of a utility bill sent to the Moffatt-Ladd House and Garden so that you can see the costs for which we are responsible. We hope you can come to a positive decision before we face another hot, dry July! I can be reached at (603) 431-0054.

Sincerely,

Barbara W. Engelbach

Barbara W. Engelbach
Moffatt-Ladd House Maintenance Chair

Enclosures

A National Historic Landmark open to the public since 1913

Owned and operated by The National Society of The Colonial Dames of America in the State of New Hampshire



City of Portsmouth, NH
 PO Box 6660
 Portsmouth, NH 03802-6660
 (603)610-7237 or (603)610-7248

Remittance Portion

Amount Paid

Please Pay
 Total Amount \$ 439.69

2012 UTILITY BILL

DUE BY 09/14

Account Number
 0165040000-00

NSCDA-NH
 154 MARKET ST
 PORTSMOUTH NH 03801

Service Location 154 MARKET ST

0165040000 00 19 0000043969 8
This is by far the largest number of units I've seen on a bill or we need to see what can

Barbara F+I -1/8
-King F+I

PLEASE MAKE CHECK PAYABLE TO: CITY OF PORTSMOUTH

DETACH AND REMIT TOP PORTION WITH CHECK

PLEASE REFERENCE ON THE CHECK: ACCT # 0165040000-00

Readings		Current		Previous		Usage
Meter ID - Dial #		Date	Reading	Date	Reading	
14080202	-1	07/31	1003	06/30	977	26

1 Unit = 748 gallons or 100 cubic feet, unless otherwise indicated.

Previous Balance (07/17/12) \$	442.13
Payments	442.13 cr
Balance Forward \$	0.00
WATER USAGE-O&M	49.22
WATER CAPITAL EXPENSES	72.28
BACKFLOW TESTING	50.00
MIN CHRG RESID 5/8" MTH	4.95
SEWER USAGE-O&M	159.24
SEWER CAPITAL EXPENSES	104.00
Current Charges (08/15/12) \$	439.69

DUE BY 09/14 \$ 439.69

Penalty per month of 1.5% will be added if not paid by due date.

This bill is for July's consumption.

Utility rates, payment options and other information on reverse side.

CITY HALL HOURS

Monday: 8:00am - 6:00pm

Tuesday - Thursday: 8:00am - 4:30pm

Friday: 8:00am - 1:00pm

Service Location
 154 MARKET ST

**Islington Creek Neighborhood Association
Portsmouth, New Hampshire**

February 13, 2013

Portsmouth City Council
1 Junkins Ave.
Portsmouth NH 03801

Dear City Councilors,

On behalf of the Islington Creek Neighborhood Association, I would like to submit some requested stipulations that could be integrated with any renewal of the license for the 21 Brewster Street property. Please find the stipulations attached.

We appreciate the City Council looking into the issues that remain unresolved with this property. The extensive health and building code violations have been going on for many years. We are hopeful that we can finally see a resolution to these issues so that the residents of this property do not have to live in these unhealthy and dangerous conditions.

Respectfully,




Elizabeth A. Moreau
Member, Islington Creek Neighborhood Association

Requested Stipulations for any term renewal for the property at 21 Brewster Street

1. For any term of renewal, City agencies shall regularly monitor the property to ensure compliance with all City statutes and ordinances. This monitoring shall include surprise, unannounced inspections. The intent of these inspections will be to ensure that the property continues to be compliant for a period of at least 18 months or longer.
2. Any failure of the property or its owner to comply with terms of renewal will mean that the license will not be renewed beyond the current term of the license, and the license may be subject to revocation if violation of these terms is significant enough that it warrants such action.
3. The management of the property assigned by the owner shall have full authority to manage day to day operations and be given the means to carryout necessary upkeep of the facility. This would include ensuring the facility is maintained to the safe and healthy standards set out in our State and City statutes and ordinances.
4. The management of the property assigned by the owner shall be given the authority to evict tenants that don't adhere to stringent building rules and regulations. Evidence of any tenant being involved in criminal activity shall be grounds for eviction.
5. The management of the property assigned by the owner shall establish open communication with the tenants so that they are free to inform the management of issues with the building, especially ones that deal with health and building code violations.

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: February 14, 2013
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on February 19, 2013 City Council Agenda

6:00 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.

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Work Session:

6:30 p.m.

1. **Wastewater Update.** On Tuesday evening, City staff will conduct a briefing to update the City Council regarding efforts related to Wastewater Facilities and Programs.

The briefing will provide an update to the Council on a number of topics including:

- National Pollutant Discharge Elimination System (NPDES) permit status for the Peirce Island Wastewater Treatment Facility (WWTF) and Pease WWTF;
- Collection system project status for the combined sewer overflow long-term control plan and Mechanic Street Pumping Station Esthetic Improvements project;
- WWTF projects status for Peirce Island WWTF Piloting Project and related permit support work and upcoming Pease WWTF projects; and,
- Status of the sewer rate model development that will determine the impact to rates resulting from the Peirce Island WWTF upgrade.

Presentation:

1. **Update on Senior Transportation Program from William Henson, President and CEO of the Mark Wentworth Home.** On Tuesday evening, William Henson, President and CEO of the Mark Wentworth Home, who we contract with for senior transportation, will give an update regarding the Senior Transportation Program.
2. **Update from Brinn Chute, Senior Services Coordinator.** At Tuesday's City Council meeting, Brinn Chute, Senior Services Coordinator, will provide an update as to her progress and activities regarding senior services.
3. **Update on Doble Center from David Moore, Community Development Director.** On Tuesday evening, Community Development Director David Moore will give a presentation concerning the Base Realignment and Closure Act regarding the Paul A. Doble Army Reserve Center on Cottage Street.

Acceptance of Grants and Donations:

1. **Acceptance of Donation from Lonza Biologics Incorporated.** On January 10, 2013 the City was contacted by Tarsia Kenny the Environmental Scientist for Lonza Biologics Incorporated to determine if the City was interested in approximately 18,250 pounds of granular sodium chloride (pharmaceutical grade salt) at no charge. After reviewing the provided material safety data sheet (MSDS) for the sodium chloride, Todd Croteau, General Foreman, and Jared Sheehan, Engineering Technician of the Public Works Department, scheduled a meeting to visually inspect the salt to verify if it would be applicable to road application with the City's current snow removal equipment. It was determined that the best usage of the material due to its small granular size would be to incorporate it into the City's brine operation which is used to pre-treat the road surface prior to snow events.

I would recommend the City Council move to accept and approve the aforementioned donation from Lonza Biologics Incorporated, and further, authorize the City Manager to sign a release agreement. Action on this item should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. **Public Hearing and Adoption of Proposed Resolutions.**
 - 1.1 **Public Hearing and Adoption of Resolutions Amending Elderly & Disabled Exemptions Income Asset Limits.** As a result of the February 4th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption 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 opted 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 spreadsheet](#) is the result 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.

On Tuesday evening before the public hearing, the Assessor will make a short presentation on this matter.

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

- 1) Move to adopt the Resolution for Elderly Exemptions, as submitted.
(Resolution requires two readings and a majority vote.)*
- 2) Move to adopt the Resolution for Disabled Exemptions, as submitted.
(Resolution requires two readings and a majority vote.)*

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

2. **Third and Final Reading of Proposed Ordinance.**

2.1 **Third and Final Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance.** As a result of the February 4th City Council meeting, under Section IX of the Agenda, I am bringing back for third and final 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.

I would recommend the City Council move to pass third and final reading of the proposed Fund Balance Ordinance. Action on this matter should take place under Section IX of the Agenda.

City Manager's Items Which Require Action:

1. **Adoption of Capital Improvement Plan (CIP) FY2014-2019.** As you will recall, in January, the City Council conducted a work session regarding the proposed Capital Improvement Plan for FY2014-2019. In addition, in accordance with 7.7 of the City Charter, the City Council conducted a public hearing on this proposed Capital Plan on Monday, February 4, 2013. At both of these meetings, a presentation of the proposed Capital Plan was made by the City staff. Also, copies of the Plan were made available to the public, as well as put on file with the City Clerk's Office and the Public Library. Further, the CIP for FY2014-2019 is available on the City's website.

As I indicated at the public hearing, 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 this evening's meeting. **Please bring your Capital Improvement Plan with you.** If you need another copy, please let me know.

I would recommend the City Council adopt the Capital Improvement Plan for FY 2014 – FY 2019.

2. **Request to Renew Lease Agreement for Sons of Italy.** Attached is a copy of a letter from the Sons of Italy, Seacoast Area Lodge #2303 requesting the renewal of their Lease Agreement for the property at One Plains Avenue, for a one-year extension effective April 1, 2013 through March 31, 2014. Also, attached is a copy of the revised Lease Agreement.

I would recommend the City Council move to extend the Lease Agreement with the Sons of Italy at One Plains Avenue, for a period of one year from April 1, 2013 through March 31, 2014.

3. **Town of Barrington Re: Land Conservation.** The City has been contacted by the John Wallace, Chairman of the Barrington Conservation Commission, to assist with a land protection project in Barrington. This property is within the Bellamy River watershed, which drains into our Bellamy Reservoir, which feeds our new water treatment plant in Madbury. This site has significant development potential which if realized could impact the water quality of our drinking water source. This protection project would put conservation restrictions on this property such that it would be protected in perpetuity from development.

The parcel of land known as the Leahy property is 42 acres with frontage on the Bellamy River, and Mr. Wallace believes he would have a much greater chance convincing his Board of Selectmen to protect this property if he could represent he had partners such as the City of Portsmouth to also support this project. Mr. Wallace is requesting that the City participate by providing a donation of \$5,000 towards acquisition of this parcel. Attached please find a letter from John Wallace with three maps showing the project area.

According to Peter Rice, Deputy Director of Public Works, purchase of this property would be consistent with our goal of protecting our drinking water source. We currently have \$20,000 budgeted for groundwater protection in the FY 2013 engineering budget. This budget line item has been used in the past for source water protection activities. The property was recently appraised at \$63,000, therefore, a \$5,000 contribution towards acquisition would represent between 7% and 8% of the appraised value of the property.

Based on the importance of protecting the City's drinking water supplies, I recommend the City support this project with an amount not to exceed \$5,000.

I would recommend the City Council move to support this project with an amount not to exceed \$5,000.

4. **Request for Easement Re: 32 Livermore Street.** The owner of property located at 32 Livermore Street seeks an easement from the City to construct a new underground service for utilities as shown on the attached plan. The relocated utility service is proposed to run from an existing pole to the other side of Livermore Street under the public street and sidewalk to the dwelling unit at 32 Livermore Street.

The owner is prepared to reconstruct the brick sidewalk and repair the road to City specifications after installation of the new service. Public Works has no objection to this relocation of a utility service underground subject to the obligation to reconstruct to the City specifications and subject to the owner relocating the conduit at its own expense as might be necessary for future municipal projects. If approved, the Legal Department would prepare the necessary agreement and easement.

I would recommend the City Council move to refer this proposed easement for an underground utility conduit on Livermore Street to the Planning Board for a report back.

5. **Report Back Re: 21 Brewster Street Boarding House Permit.** As you will recall, on Monday, February 4th, the City Council conducted a work session regarding the Islington Creek Neighborhood Association's concerns pertaining to the boarding house at 21 Brewster Street. As a result of that work session, the City Council requested a report back on the process to move forward regarding the Boarding House Permit for 21 Brewster Street which will expire on March 20, 2013. For your information, I have [attached the presentation from the February 4th meeting.](#) Going forward, City staff is recommending that formal action on the 21 Brewster Street Boarding House Permit take place at your March 4th meeting. At that time, we also will be asking you to act on the other two Boarding House Permits: 350-352 Hanover Street and 278 Cabot Street. With regards to the renewal of the 21 Brewster Street permit, it is recommended that it include the following conditions:

- 1) Extend the current permit for three months with an inspection and report back on progress made at the facility;
- 2) Require full-time professional management of the facility; such management firm having the ability to respond to municipal inquiries and requests 24/7;
- 3) Integrated Pest Management (IMP) to be maintained on monthly basis or more often if needed with monthly reports submitted to Health Department;
- 4) Require all common floors to remain non-porous and non-absorbent with cleanable surfaces;
- 5) Soiled or infested bedding shall be disposed of and not reused; and,
- 6) Correction of all deficiencies from the annual inspection prior to permit issuance.

In addition, by the March 4th meeting, City staff would recommend that all issues from the memorandum dated January 10, 2013 from Jason Page, Zoning Officer, be complied with.

On Tuesday evening, we will give you an update as to the compliance of this memorandum.

Also, please note under correspondence, Section XI of the Agenda, is a [letter from Elizabeth Moreau regarding Islington Creek Neighborhood Association's](#) request for additional stipulations for the proposed license for 21 Brewster Street. The Legal Department would like to have the opportunity prior to the March 4th meeting to review the language and suggest amendments where appropriate if the City Council chooses to include the conditions with the same intent.

[Attached for your review in advance of the March 4th City Council meeting is a copy of the proposed permits for each of the aforementioned boarding houses.](#)

I would recommend the City Council move to authorize the City Manager to bring back at the March 4th City Council meeting, permit renewals for 21 Brewster Street three month extension; one-year permit for 350-352 Hanover Street; and a one-year permit for 278 Cabot Street.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on February 4, 2013. In addition, this now can be found on the City's website.
2. **Strawbery Banke Re: Skating Rink Proposal.** Lawrence Yerdon, President and CEO of Strawberry Banke, will be making a presentation to City Council on March 4th regarding the skating rink proposal on the grounds of the Museum.

JAN 28 2013

Order Sons of Italy in America
Seacoast Area Lodge No. 2303
PO Box 132
Portsmouth, NH 03802-0132

January 24, 2013

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

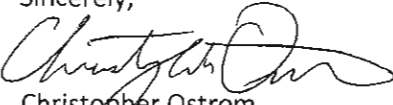
Dear Mr. Bohenko and Members of Portsmouth City Council:

I am writing to you on behalf of the Sons of Italy, Seacoast Area Lodge #2303.

Our non-profit organization is currently occupying the "school house" located on Plains Avenue in Portsmouth. We would like you to approve an extension of our lease.

Thank you for your consideration.

Sincerely,


Christopher Ostrom
Recording Secretary

LEASE

This lease is made by and between the **City of Portsmouth**, a municipal corporation organized and existing under the laws of the State of New Hampshire and having a usual place of business at 1 Junkins Avenue in said Portsmouth, hereinafter LESSOR, and the **SONS OF ITALY** of Plains School House, Portsmouth, New Hampshire, hereinafter LESSEE.

1. PREMISES

LESSOR leases to LESSEE a certain building/area known as the Sons of Italy situated at Plains School House in said Portsmouth, County of Rockingham and State of New Hampshire.

2. RENT

The payment due under this lease shall be \$1.00 per year payable on the first day of each year in advance.

3. TERM

A. **Initial Term:** The term of this lease shall commence on APRIL 1, 2013 and shall end MARCH 31, 2014.

B. **Termination:** Notwithstanding any other provision in this lease, this lease may be terminated by the LESSEE upon thirty days (30) written notice to the LESSOR.

4. PARKING

LESSEE shall use only such portion of the surrounding grounds as LESSOR may designate for parking.

5. WASTE

LESSEE shall not allow any waste, rubbish or other objectionable materials to accumulate within the premises or upon the surrounding grounds. LESSEE shall arrange and pay for proper rubbish receptacles and private rubbish disposal.

6. UTILITIES

LESSEE shall arrange for the prompt payment of all water, gas, heat, lights and power, telephone service and other utilities furnished to the premises throughout the term of the Lease, and all other costs and expenses of every kind whatsoever of or in connection with the use, operation and maintenance of the premises and all activities conducted thereon, and LESSOR shall have no responsibilities for such expenses.

7. REPAIRS AND MAINTENANCE

LESSEE shall, throughout the term of this Lease, at its own cost, and without any expense to LESSOR, keep and maintain the leased premises in good condition and repair, and shall return the premises on termination of this lease to the City in such condition. LESSOR shall not be obligated to make any repairs to the leased premises. LESSEE shall also comply with and abide by all federal, state and municipal laws, ordinances and regulations affecting the leased premises, the improvements thereon or any activity or condition on or in such premises. No alteration of the premises which is visible from the exterior thereof and no alteration of the interior which exceeds Two Hundred (\$200) Dollars in cost shall be made without the prior written approval of the LESSOR'S City Manager.

8. DAMAGE AND DESTRUCTION

In case the building on the premises is destroyed and damaged so as to make it untenable, LESSEE, if not in default hereunder, may elect to terminate this Lease with the City of Portsmouth by written notice delivered to LESSOR within sixty (60) days after the occurrence of such damage or destruction.

9. LESSOR'S RIGHT OF ENTRY

LESSEE shall permit LESSOR and the agents and employees of LESSOR to enter into and upon the premises at all reasonable times to inspect the same, or to make repairs or improvements called for in this Agreement.

10. SUBLETTING AND ASSIGNMENT

LESSEE shall not assign this Lease or sublet any portion of the premises.

11. ACCEPTANCE OF PREMISES AND ADA COMPLIANCE

- A. LESSEE by acceptance of the premises, acknowledge that they are fit for the uses of the LESSEE.

- B. The LESSOR and LESSEE agree that the LESSEE shall be solely responsible for making the services and/or programs which it offers accessible to the handicapped as this term is recognized in the Americans with Disabilities Act. Where it is necessary to make structural modifications to the building and/or property in order to achieve the goal of accessibility of the unique services and programs offered by the LESSEE, then LESSEE shall be solely responsible for making such structural modifications. Prior to making any structural modifications, the LESSEE shall obtain the consent of the LESSOR.

12. LIENS

LESSOR shall keep all of the premises free and clear of all liens arising out of LESSEE'S occupancy of the premises and at all times promptly and fully pay or discharge any claims on which any lien could be based.

13. INDEMNIFICATION OF LESSOR

LESSEE shall indemnify and hold harmless the LESSOR, its officers, agents and employees from and against any and all claims, demands, suits, judgments or liability whatsoever, including the costs of defense and reasonable attorney's fees, for bodily injury, death or property damage arising out of the use or condition of the premises during the term of this lease. LESSEE also agrees to indemnify and hold harmless the LESSOR from any claims brought against LESSEE for failure to provide accessible services and programs under the Americans with Disabilities Act or to otherwise fail to comply with the responsibilities under the Americans with Disabilities Act as a provider of public accommodations.

14. DEFAULT

In the event of any breach of this Lease by the parties or failure to perform any condition herein, the parties may in addition to all rights and remedies each has at law, LESSOR shall give:

- A. Written notice to the LESSEE of a claimed breach. If such breach is not cured within 30 days, the LESSOR shall have the right of reentry and may remove all persons and property from the premises to be stored at the expense of the LESSEE. LESSOR, after reentry, may terminate this Lease and in addition to its other rights, may recover from LESSEE, its reasonable costs and damages occasioned by LESSEE'S breach.
- B. LESSOR shall give written notice to LESSEE of the LESSEE'S failure to perform any condition of this Lease. If such failure is not cured within 30 days, the LESSOR may, but shall not be required to, obtain substitute performance of the condition. LESSEE shall repay to LESSOR ON DEMAND, the entire expense thereof including compensation to the agents and employees of LESSOR. Any act or thing done by LESSOR pursuant to the provisions of this Section shall not be or be construed as a waiver of any such default by LESSEE, or as waiver of any covenant, term or condition herein contained or the performance thereof, or of any other right or remedy of LESSOR, hereunder or otherwise. All amounts payable by LESSEE to LESSOR under any of the provisions of this Lease, if not paid when the same becomes due as in this Lease provided, shall bear interest from the date they become due until paid at the rate of eleven (11%) percent per annum, compounded annually.
- C. LESSEE may terminate this Lease after 30 days written notice to LESSOR specifying any breach or failure of the LESSOR to perform under the provisions of this Agreement.

- D. Either party reserves the right to contest the claim of breach or failure to perform under this Agreement and to collect reasonable costs and damages occasioned thereby.

15. SURRENDER OF PREMISES

All alterations, additions and improvements made in or to the premises in the nature of fixtures shall unless otherwise provided by written Agreement or by the terms hereof, be the property of LESSOR and remain and surrendered with the premises and LESSEE hereby waives all claim for damages to a loss of any property belonging to LESSEE that may be in or upon the premises.

16. NOTICE

Any notice required under this Lease or other writing which may be given by either party hereto to the other shall be deemed to have been given when made in writing and deposited in the U.S. MAIL, registered and prepaid and addressed as follows:

TO LESSOR:
City Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

TO LESSEE:
Sons of Italy
John Semprini, President
P.O. Box 132
Portsmouth, NH 03801

17. USE OF PREMISES

The premises shall be used solely for the following purposes:

- A. Holding therein official business meetings of LESSEE between the hours of 8:00 a.m. and 11:00 p.m.
- B. No alcoholic beverages shall be used, consumed or possessed upon the premises.

18. REGULATIONS

LESSEE agrees that it shall abide by and enforce among its staff any reasonable rules and regulations established by the LESSOR which may be modified from time to time.

19. EXTENSION OR RENEWAL

There is no automatic extension or renewal of this lease and no further notice is required on the part of the LESSOR.

20. INSURANCE

LESSEE shall, at all times during the term of this Lease, maintain in effect bodily injury insurance covering the premises and the operations of the LESSEE in the amount of One Million (\$1,000,000) Dollars per occurrence and property damage insurance in the amount of at least Five Hundred Thousand (\$500,000) Dollars per occurrence. Such insurance shall be drawn so as to protect LESSOR and LESSEE. All insurance shall be written in a form satisfactory to LESSOR. LESSEE shall deliver to the LESSOR certificates of all insurance which shall provide that LESSOR shall be notified of the cancellation thereof or of nonpayment of premiums. In the event the insurance is altered, terminated or in case of nonpayment of premium, LESSOR shall, at its option. The cost of such insurance shall be paid by the LESSEE within ten (10) days of notice by LESSOR that such effect such insurance payment is due.

21. PUBLIC BENEFIT

No later than June 20, 2011 the Lessee shall provide to the City Manager for presentation to the City Council a narrative description of the benefit which inures to the public generally directly related to the use of the leased premises by the Lessee.

IN WITNESS WHEREOF, the parties have executed this Lease at Portsmouth on

_____ 2013.

CITY OF PORTSMOUTH

WITNESS

John P. Bohenko, City Manager

Pursuant to vote of the City Council on
_____, **2013.**

SONS OF ITALY

WITNESS

John Semprini, President



**Land Use Department
Town of Barrington
P.O. Box 660; 333 Calef Hwy
Barrington, NH 03825**

September 25, 2012

John P. Bohenko, Portsmouth City Manager
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mr. Bohenko:

As you may have heard from Environmental Planner Peter Britz, the town of Barrington is working on a land protection project that directly benefits Portsmouth. As such we are respectfully requesting financial support from the City of Portsmouth to protect this parcel.

The accompanying map shows the location of the 42-acre property in question. As you can see, it connects the two 'outlier' pieces of the Samuel A Tamposi Water Supply Reserve (SATWaSR), which is owned by the town of Barrington and is protected via a conservation easement held by the Society for the Protection of New Hampshire Forests (SPNHF). Because it contains the headwaters of both the Bellamy and Oyster Rivers, SATWaSR was purchased and protected in 2001 with financial help from NH DES' Water Supply Protection Program and the communities whose water supplies would be protected - including Portsmouth. The land is open to the public for passive recreational activities and hunting.

The northern corner of the property touches on the Bellamy River, and the property as a whole is entirely within the Bellamy watershed. As I'm sure you know, the Bellamy River is the main contributor to the reservoir in Madbury, which is a major source of Portsmouth's water supply. According to the National Wetlands Inventory, only about 2.5 acres of the property is classified as wetlands.

From a natural resources perspective, the property is almost entirely rated as "Highest Ranked Habitat in NH" in NH Fish and Game's 2006 Wildlife Action Plan, and is also almost entirely rated as "Supporting Natural Landscape" in the Land Conservation Plan for New Hampshire's Coastal Watersheds report of 2006.

The parcel is owned by Doris Leahy, and she has indicated a willingness to sell it to the town of Barrington for its appraised value of \$63,000. The appraisal was recently completed by Scott Heath,

Certified General Appraiser. Once the sale is completed, the property would be added to SATWaSR and thus subject to the conservation easement held by SPNHF.

The bulk of the funding for the purchase and the transaction costs associated with the easement would be paid for by the Town of Barrington's Conservation Fund. We are also applying for funds from other sources, as can be seen in the table below.

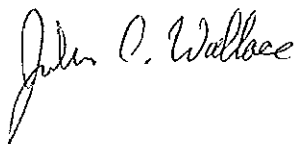
Expense			Proposed Source of Funds
Transactions costs (estimated); Appraisal, Stewardship fee and Staff Time for SPNHF, misc.	\$9,139		
Easement purchase cost	0		donated by town
Full fee purchase cost	\$63,000		
		\$20,000	Bafflin Foundation
		\$15,000	Moose Plate Grant
		\$5,000	City of Portsmouth
		\$4,000	PREP
		\$28,139	Barrington Conservation Fund:
Project Total	\$72,139	\$72,139	

Please let us know if the City of Portsmouth is able to contribute the proposed full amount of \$5,000 towards conservation of this 42-acre parcel in support of the City's drinking water supply source protection. If that amount is not possible we will have to look elsewhere for funding, but any amount would help.

As I'm sure you realize, land conservation of this type not only is a cost-effective way of keeping drinking water safe, but also provides a legacy to future generations who will continue to be able to appreciate and enjoy all of New Hampshire's natural heritage.

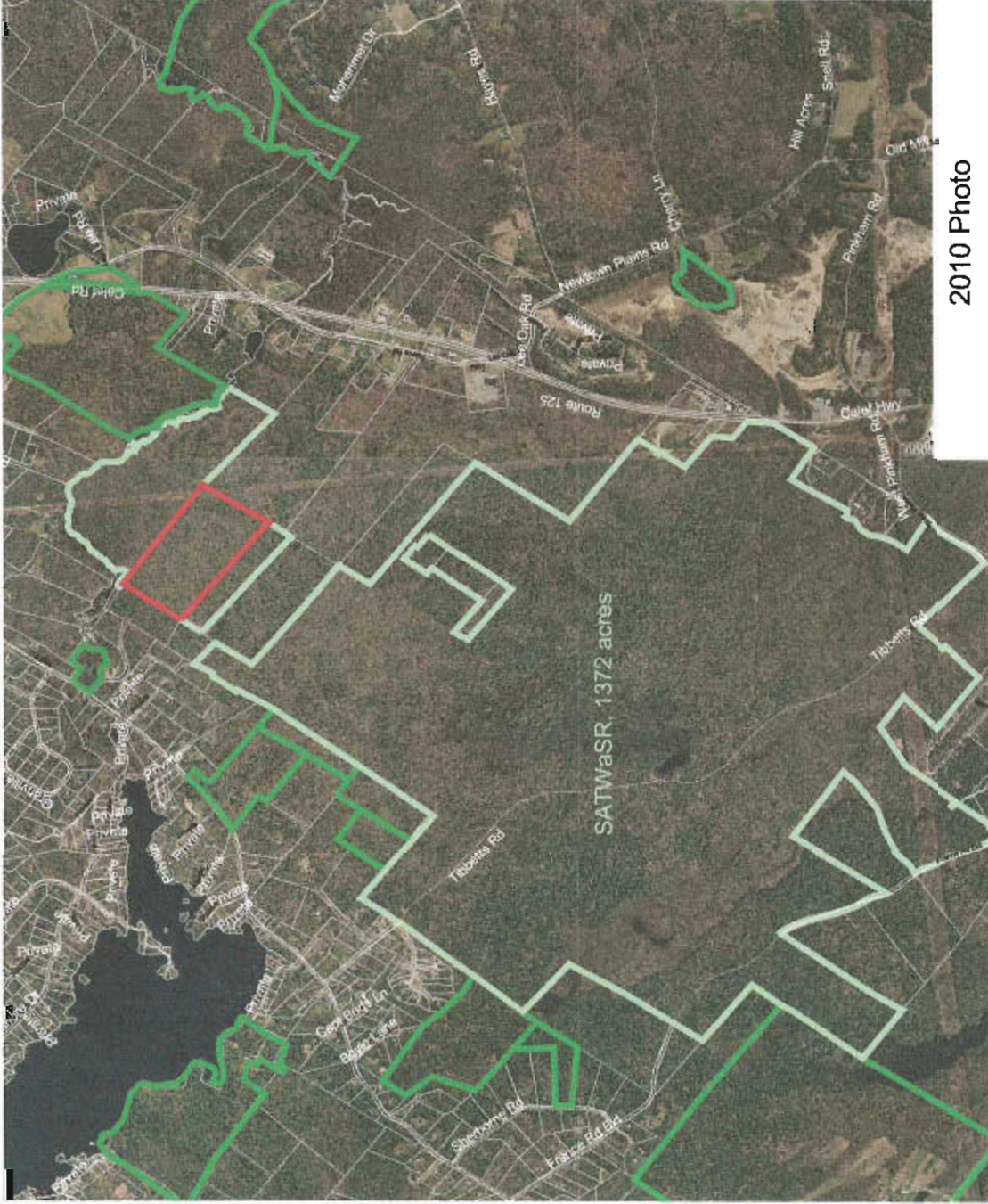
Thank you for your consideration. If you have any questions, please feel free to contact me at 664-5974 or via email at crawford@metrocast.net.

Sincerely,



John Wallace
Chair, Barrington Conservation Commission

Leahy Property



- Leahy, 42 acres
 - SATWaSR
 - Other Conserved
- Barrington tax maps 4-08



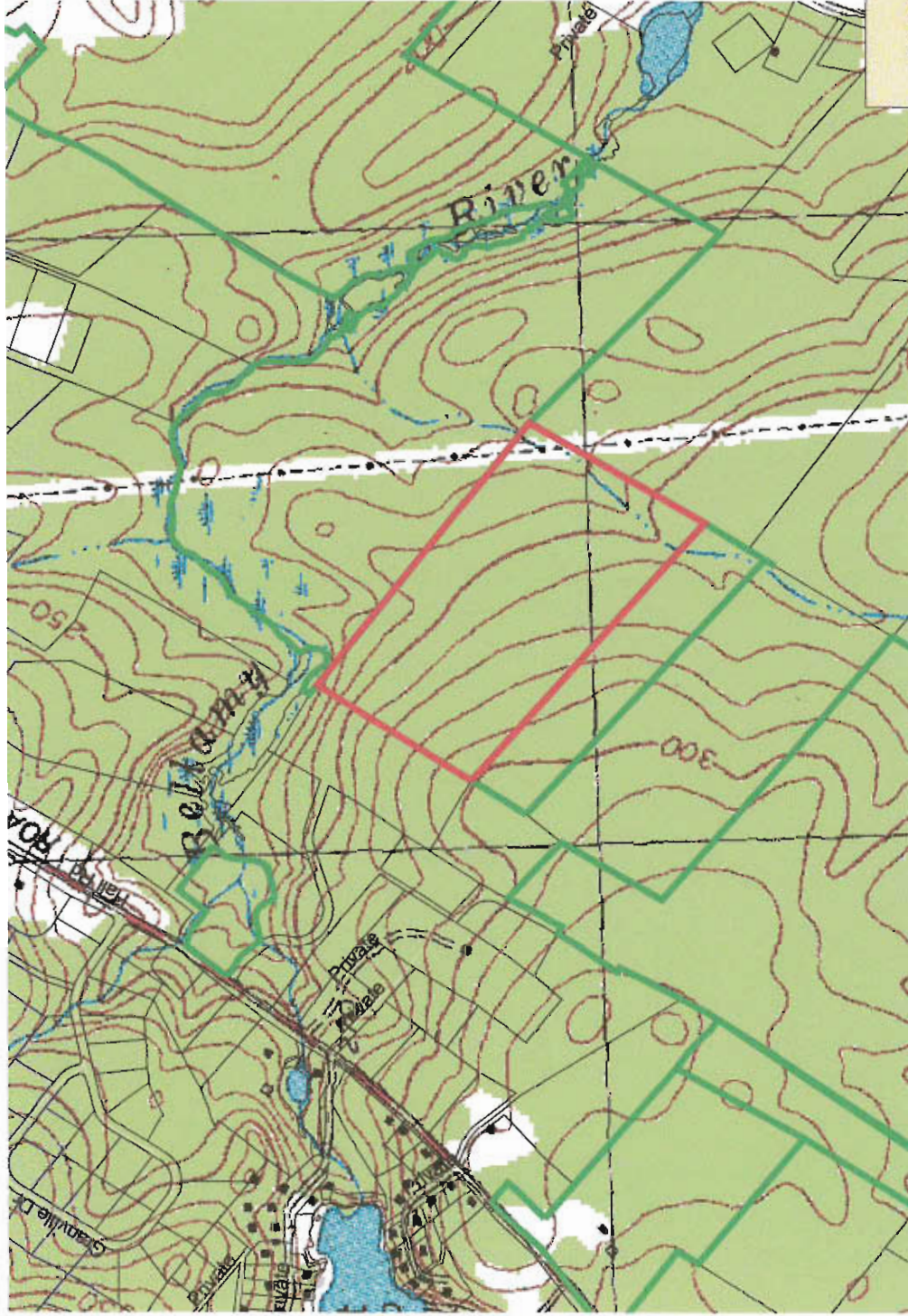
Map created by John Wallace,
Barrington Conservation Commission

Based datasets provided by NH GRANIT. Digital data in NH GRANIT represent the efforts of the contributing agencies to record information from the cited source materials. Complex Systems Research Center, under contract to the NH Office of Energy and Planning, and in consultation with cooperating agencies, maintains a continuing program to identify and correct errors in these data. OEP, CSRC, and the cooperating agencies make no claim as to the validity or reliability or to any implied uses of these data.

2010 Photo



Leahy Property

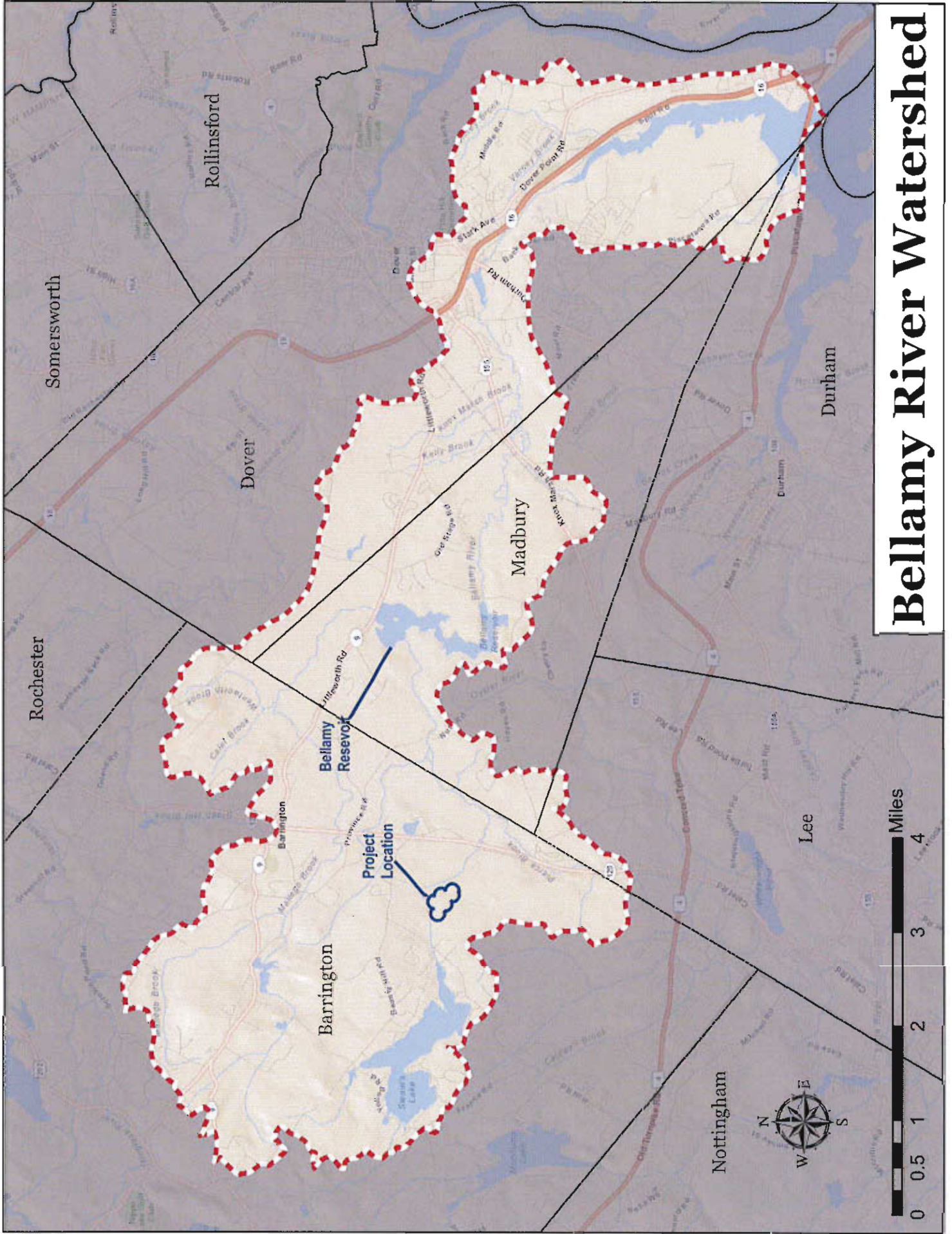


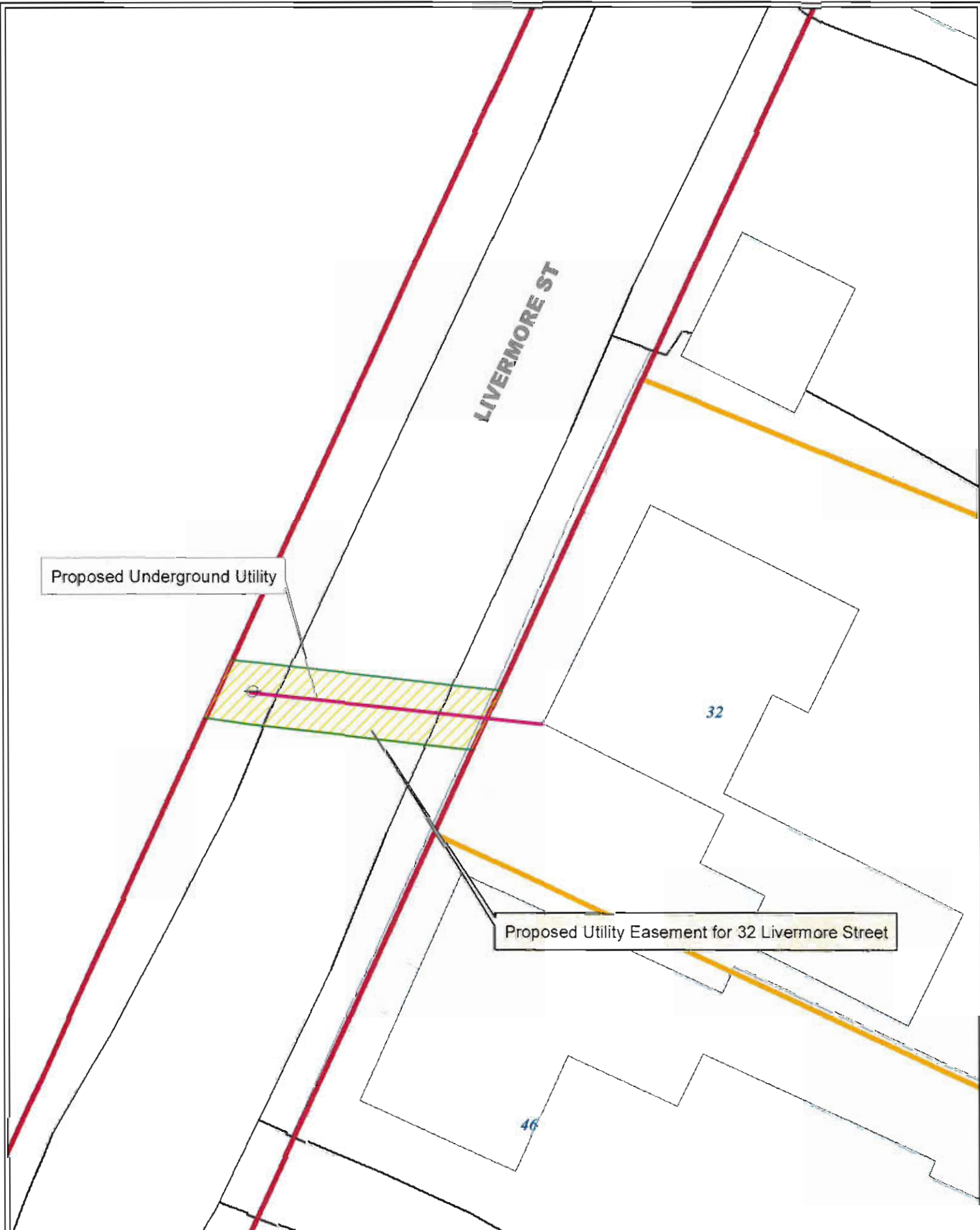
- Leahy
- Other Conserved
- Barrington tax maps 4-08



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Bellamy River Watershed





Proposed Underground Utility

Proposed Utility Easement for 32 Livermore Street

**Proposed Utility Easement
32 Livermore Street**



21 Brewster Street Boarding House

By a letter dated December 11, 2012, the Islington Creek Neighborhood Association requested that the City Council “hold a work session with the Health Department, Code Enforcement, Fire Department, the Police Department, and residents of Islington Creek Neighborhood, to review and discuss existing reports and documents and gain a detailed understanding of the issues at 21 Brewster Street.” To that end, the City Council voted at the regular City Council meeting of January 22, 2013 to hold a work session on February 4, 2013. The letter from the Islington Creek Neighborhood Association included the signatures of 120 residents from the Brewster Street/McDonough Street area and other parts of Portsmouth, approximately 36 newspaper articles, most written between 2006 and 2012, police logs between 2005 and December of 2012, and a copy of the Boarding House ordinance Chapter 9, Article VIII and Chapter 8, Article I, Section 8.128 - Public Peace.

Boarding houses in the City are regulated under the City Ordinance Chapter 9, Article VIII, Section 9.801 – 9.805 which was adopted in September of 2007. Permits are issued annually following a satisfactory inspection of the facility by the Code Enforcement Officer. In addition, the City can regulate housing issues under the City Ordinance Chapter 14 Housing Code

The City has three permitted Boarding Houses: 350-352 Hanover Street; 21 Brewster Street; and 278 Cabot Street. The attached exhibit shows the locations of the three facilities. The Hanover Street and Cabot Street facilities are permitted for 12 rooms. Brewster Street is currently permitted for 39 rooms. The Hanover Street and Cabot Street facilities are permitted through March 6 of 2013, while the Brewster Street facility is permitted through March 20th of this year. Applications for 2013 permits for all three facilities have been received. It should be noted that the Brewster Street application is for 34 rooms, down from the 39 rooms permitted this year.

The 21 Brewster Street Boarding House has had well documented issues that have required the involvement of a number of City Departments. The first section of this report begins with a memo from Robert Sullivan that outlines the history of legal actions between the City and the owner of 21 Brewster Street, Brian Hogan. That memo is followed by reports from the Code Enforcement officer, the Health Officer, and Building Inspector of activities during calendar year 2012. Those reports are followed by the police logs for 2012 for the site along with a statistical break down of the types of those calls and finally a report of the fire calls to the facility.

The City Attorney's memorandum best summarizes the actions of City staff saying

"It is probably accurate to say that since 2006 the City's Code Enforcement and related efforts with regard to 21 Brewster Street have been constant, ongoing and have exceeded similar efforts required by the remainder of the City in total.

The City staff, in particular, the Health Officer, and the Code Enforcement official have spent significant hours both performing annual inspections and follow-up inspections as well as inspections based on complaints or other incidents."

As stated in Attorney Sullivan's memorandum, the physical condition of 21 Brewster Street has improved significantly over the last several years as a result of the City suit against the owner resulting in a consent degree with the property owner.

In compiling this report, I accompanied Kim McNamara, Health Officer, and Jason Page, Code Enforcement Officer on their annual inspections of all three of the boarding houses. The owners or their representatives were cooperative at all three sites. 350-352 Hanover Street and 21 Brewster Street are both dormitory style buildings that were originally constructed as boarding houses. 278 Cabot is a Victorian era house that has been converted into a boarding house. All three sites had what could be characterized relatively minor issues that would need to be addressed prior to staff recommending permit reissuance. While there are differences between the physical conditions, code compliance and health issues between the three facilities, it is difficult to say that any of the three are in better condition than the other.

That being stated what is different is the history of issues associated with police calls for service. In 2012, 21 Brewster Street had 44 calls for service. 350-352 Hanover Street had two calls for service and 278 Cabot Street had no calls for service. Again, the Cabot Street and Hanover Street boarding houses have only 12 units each while 21 Brewster Street has 34 units.

In order to address outstanding issues at Brewster Street, City Staff have recommended conditions that could be included on a future permit;

1. Extend the current permit for only 3 months with an inspection and report back on progress made at the facility
2. Require fulltime professional management of the facility; such management firm having the ability to respond to municipal inquires and requests 24/7.
3. Integrated Pest Management (IMP) to be maintained on monthly basis or more often if needed with monthly reports submitted to Health Department
4. Require all common floors to remain non-porous and non-absorbent with cleanable surfaces.
5. Soiled or infested bedding shall be disposed of and not reused.

Staff believes that improved management offers the greatest potential for reducing police service calls and neighborhood nuisance issues. The other recommendations contained would reduce the potential for health related issues in the facility.



278 Cabot Street

21 Brewster Street

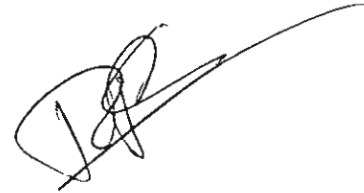
350-352 Hanover Street



Portsmouth Boarding Houses

**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: February 4, 2013
TO: DAVID ALLEN, DEPUTY CITY MANAGER
FROM: ROBERT P. SULLIVAN, CITY ATTORNEY
RE: 21 BREWSTER STREET



This will respond to your request for a brief historical overview of the City's enforcement efforts with regard to the property at 21 Brewster Street.

The building itself is approximately 100 years old. It is a three story structure that was purpose built to serve as a rooming or boarding house. It was probably constructed to serve Navy yard workers or employees of the nearby factories located along the railroad tracts, such as the Morley Button Factory. Each floor consists of a long centrally located corridor with rooms on either side. There are common bathroom facilities. The total number of rooms varies between a high of approximately 38 rooms and a low of approximately 33 rooms.

According to registry records the current owner came into possession of the property on September 27, 2005. Legal Department files show that complaints concerning the facility commenced in early 2006. This led to a joint inspection of the property by all relevant City departments on January 23, 2006. That inspection led to a lengthy list of building improvements which were mandated by the City to be performed by the property owner. These included corrections of health related issues, fire safety requirements, building code violations, electrical code violations, plumbing and mechanical issues and zoning violations. In all, the list of improvements mandated by the City constituted 89 items. Although the building owner performed some work, the 89 items were not fully addressed in a timely manner. Accordingly, by Petition dated June 15, 2006 the City sued the property owner seeking a Court order that all improvements be completed. On July 7, 2006 the Superior Court approved a Consent Decree under which the property owner agreed to a schedule under which all 89 violations would be corrected. By March of 2007 the property owner had substantially completed the list of required improvements to the property. Our information is that this was done at an approximate cost of \$200,000.00.

Since March of 2007 there have been numerous, but relatively minor, building related problems with the property. In all instances, except for those currently pending, the City was able to prevail upon the property owner to make the necessary corrections. In general, the property has been safe and habitable from that time to the present, although there are frequently issues requiring further City attention.

Since the improvements to the property were completed many of the issues which have arisen concern not the building itself, but rather the conduct of a certain minority of its tenants. The problems have included recently institutionalized tenants who have violated social norms as well as tenants apparently engaged in drug or alcohol abuse with antisocial repercussions.

On several occasions since September 13, 2012 I have met with neighborhood representatives to discuss the nature of the current problems created by the facility. With the assistance of the neighborhood I have compiled a list of issues created by the manner in which the building is operated. The police department has become involved. Chief DuBois appointed Sgt. Kuffer Kaltborn to be the Police Department liaison for the neighborhood. The property owner hired attorney Dan Hoefle to deal with the City's concerns. Discussion and negotiations with Attorney Hoefle have been ongoing.

It is probably accurate to say that since 2006 the City's Code Enforcement and related efforts with regard to 21 Brewster Street have been constant and have exceeded similar efforts required by the remainder of the City in total.

cc: Daniel C. Hoefle, Esq.

City of Portsmouth

Legal Department

Memorandum

Date: January 10, 2013

To: David Allen, Deputy City Manager
cc: Robert P. Sullivan, City Attorney

From: Jason C. Page, Zoning Officer

Re: Brewster Rooms, 2013

The following is a brief synopsis of my 2012 activity with 21 Brewster Street, AKA, Brewster Rooms

January 20, I received a concern on from one tenant, (who I had prior knowledge of), about no heat in his third floor unit and drafty windows.

I talked to Bob, (the Rooming House Manager, he informed me that new boilers were being installed and the plumber was working on it. Note* The heat was working on the other floors and some of the other rooms and the hallway on the third floor had heat. I confirmed this with the plumber, Jim Golter. As far as the "Drafty windows" are concerned, Brewster Rooms had recently installed new vinyl replacement windows, added insulation and installed vinyl siding with trim. I had already scheduled a whole building inspection for January 23. With all that info, I opted to stick with the scheduled inspection.

On January 23, 2012, I conducted an inspection at Brewster Rooms along with Kim McNamara of the Health Department. The radiators in 4 rooms were cold to the touch. I contacted the Plumber and he was working on bleeding the system. There were other items that needed to be addressed to satisfy the Housing code. A copy of the list was hand delivered to the Rooming House Manager. There were no, issues that would be "critical". There were items like a leaky sink, an improper bathroom vent, and some outlets that were not secured properly.

The Manager of the rooming house contacted me to let me know when the items were completed. I verified this. However, I was informed, Mr. Hogan was not going to hire a Plumber or, an Electrician to do the repairs needed.

I have assisted the Health Department, on several occasions by accompanying them during their inspections.

On March 7, 2012, I again sent Mr. Hogan a letter informing him that cooking was not allowed in any room, not approved by the Health Officer. The letter also included another copy of the list of items to address. A copy was hand delivered to the rooming house.

I continued to get nasty e-mails from the tenant about no heat. I went to inspect the room but, the tenant was not home. The manager opened the door so I could check the room and found both his windows were open.

On March 16, informed by Bob, the Manager, Mr. Hogan had instructed all microwave ovens be removed from the rooms.

March 20, Rooming House Permit issued.

Follow-up inspections continued.

In May during a follow up inspection I came across a posting that Mr. Hogan was re-issuing the microwaves. Bob, informed me that he was losing tenants and it was hard to replace them without the ability to cook in their room.

Friday, July 20, late in the day, I received a call when I was on Vacation about a possible Health concern from a hazmat clean-up company I've worked with in the past. I was told that there had been an unattended death found at Brewster Rooms and Mr. Hogan was planning on having Bob, the Manager clean up after it. I had him text me the number to Brewster Rooms and I called and talked to Bob, told him to stay out of the room. I called P.P.D. to see if they had informed the Health Department, they had not. I then tried to call Kim, no answer. I then called Kristin and informed her of the situation.

Jim Golter, Plumber hired to repair plumbing issues.

August 9, mailed Mr. Hogan an updated list of things that still needed to be done.

Letter was returned.

August 14, Certified letter re-sent.

August 20, after learning more about the "alleged bomb" attempt at Brewster Rooms, I accompanied Scott Young to check out the hallway outlet. While there, a tenant informed us of a room outlet that keeps shorting out. Scott ordered the outlet fixed by a licensed electrician.

Informed by Scott, the electrical work was done.

Accompanied Health Department on their follow-up inspections.

Sept 4, All my items complete.

In early December, Bob, the Manager informed me, he was no longer to talk to anyone from the City. All communication must go through Mr. Hogan or his attorney.

2012 Annual Inspection

21 Brewster St.

1B - Bottom of toilet is unable to be cleaned due to uneven/old seal at base

4 - Ceiling in closet is missing and wall holes in corner by heater need to be repaired. Replace plastic box spring cover with hypo-allergenic fully enclosed zippered cover.

All bathrooms throughout must be cleaned to remove all traces of mold, hair, build-up.

12 - Closet wall needs repair at bottom (horsehair and plaster exposed)

2S - Shower head taped to wall

2B - base of toilet needs to have dirty caulking removed and have base resealed in a cleanable manner.

2B reported as the bathroom with bloody urine as a consistent problem

21- Leaking kitchen sink, pipe conduit in floor needs to be capped/fixed

Windowsills throughout are worn, lead paint exposed, must be painted.

Rm ? Outlet masking-taped to wall

Rm 20 Cap plumbing in walls

Rm 29 masking taped cable outlet to wall, duct taped wall seams.

3B - Replace uncleanable sink (cracked), cabinet broken, needs replacement.

3rd floor hallway carpeting in corner doesn't meet wall, no coving, collects dirt.

Rm 33 no light

Dryer vent disconnected

Bathroom vented to crawl space creating mold

***Note.** It has been determined, that due to the increase of meal preparation and utensil cleaning in the bathroom sinks, that common kitchen facilities or kitchenettes approved by the Health Officer must be provided for the tenants.



CITY OF PORTSMOUTH

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
(603) 431-2000

January 23, 2013

BACH Realty
21 Brewster St.
Portsmouth, NH 03801

HAND DELIVERED

RE: Boarding House Inspection

Mr. Hogan,

As a follow up to the Boarding House Inspection performed on Tuesday, January 22, 2013, below is a list of items that need to be corrected along with a time line for completion.

First, I would like to clarify that the Boarding House Permit for 21 Brewster Street is for 34 rentable rooms, 1 owners unit, 2 - ¾ bathrooms, 4 - ½ baths, 3 shower rooms, and 2 dish/mop sink rooms, and 1 laundry area. Also, included are the common areas to include hallways, fire escapes, entrance, and exterior property, as well as restricted areas to include storage rooms and the basement.

The following items need to be corrected before renewal of the Boarding House Permit;

Mattress and Box spring covers rated for bedbug use need to be in installed in rooms: 3, 7, 9, 14, 20, 21, 31, and 33.

Rooms 4, 8, and 25C need to be checked for pests by a licensed pest control company.

Smoke detectors need to be repaired/replaced in rooms: 8, 13, 14, 15, 19, 22B, 23, and 28.

Screens need to be installed/replaced/repared in rooms 3, 15, and 33.

Door knobs need to be installed for the closets in rooms 6, and 15, and the doorknob needs to be replaced on ½ bathroom 3B.

Holes in the walls need to be repaired in rooms 7, 9, 21, 31, also around the pipe in 9, and under the sink in 21 and 22.

Replace the sinks in 22 and 26.

Replace the doors on 7 and 21.

Repair the door closer on 18.

Repair vents in 1B, 1S and 2B.

Install light bulbs and globes in 12, 22B and 25.

Re-caulk tile and floor drain in 2S.

Paint/seal floors in 17 and 22B.

Paint/seal inner window sills in 26 and 34.

Install window shade in 30.

Replace tile floor in 3S.

Remove screw from the electric panel door in the hallway on the second floor.

In 24, the ceiling needs to be replaced/repared, baseboard heat registers need covers, and the cable outlet needs to be repaired.

The fire escape needs to have the mold removed and the leak repaired.

All discontinued pipes need to be removed from the basement.

Thermostats must be relocated to a common area other than bathrooms.

Remove the door on dish sink/mop room on the 2cd floor.

Based on these items, it is reasonable for these corrections to be completed within thirty (30) days of the date of this letter with the **EXCEPTION of the SMOKE DETECTORS. They must be repaired/replaced IMMEDIATELY!**

The basement pipe removal can be completed within four (4) months of this letter.

If you have any questions about the items on this list, you can call me at 610-7279.

Respectfully,



Jason C. Page
Zoning Officer/ Housing Code Inspector

cc: David Allen, Deputy City Manager
Robert P. Sullivan, City Attorney
Kim McNamara, Health Officer
Patricia Weathersby, Hoefle, Phoenix, Gormley & Roberts, P.A.

Summary of Health Department Activities at 21 Brewster Street in 2012

In 2012, the Health Department responded to 21 Brewster Street for various reasons.

On January 23, the Health Officer performed an annual joint inspection with Housing Code Officer Jason Page, and identified several items requiring remedy. These items were included in Mr. Page's report and follow up. The items identified were unclean bathrooms and uncleanable bathroom surfaces, such as broken or poorly repaired toilet seals, cracked and leaky sinks, broken vanities, general grime, mold, and hair buildup. Facilities that are used by numerous people must be maintained in a sanitary manner and in good condition to avoid transmitting illness. Toilet seals that are unprofessionally installed leaving uneven, rough surfaces and pockets will collect waste. Sinks that have cracked bowls cannot be adequately sanitized. Additionally, electrical tape was used for shower head repair in place of shower tiles, which is also an uncleanable surface, and allows for the buildup of mold and scum behind and around the tape. Additional items noted were improper bathroom ventilation, exposed lead paint, and uncapped abandoned plumbing which provides safe haven and pathways for cockroaches, bedbugs and rodents; which have previously been present in this facility. Improper bedding materials that do not comply with pest control in controlling bedbug infestations were also found as well as a disconnected dryer vent resulting in mold growth. Although it had previously been stated that food preparation was not allowed onsite, numerous rooms contained microwaves, food, dishware and utensils. The only facilities where a resident could draw water for cooking and drinking, and wash their plates, bowls and utensils were the already overburdened and unclean shared bathroom sinks. This presented a hazard for the transmission of disease. As a result, a minimum of a common kitchen sink with a separate mop sink on each floor was requested as an immediate measure that could offer some protection against the spread of pathogens in compliance with City Ordinance Section 14.107: (E) "Cooking on the premise shall be done in kitchens or kitchenettes approved by the Health Officer". However, compliance to this request was slow and is still incomplete as of the writing of this report.

On Friday, July 20, this department also responded to a report of human remains and biohazardous materials. A gentleman died in Room 22 several days prior. Although the body had been removed, the scalp, blood and body fluids remained. The Manager reported that a bioremediation company had originally been called, however Mr. Hogan directed the Manager to clean up the remains after receiving the estimate. Mr. Hogan reportedly felt it was too expensive. However the Manager did not have the appropriate vaccinations, training, material, facilities or disposal options to conduct such cleaning in a safe and appropriate manner. The Health Officer explained the requirements to do such work to Mr. Hogan and he then contacted an appropriate company.

On Saturday, July 21, the Health Officer met a certified bioremediation company to verify that remediation was underway.

On July 23, the room was inspected post-remediation and although all contaminated surfaces had been removed or disinfected, a strong, foul odor remained. The Manager reported that Mr. Hogan did not want to pay the remediation company for the deodorizing, and would not approve the purchase of paint for the walls and floors (which can absorb odor), so the room remained closed, with a window open for ventilation until August 3, when it was reinspected.

On August 2 a letter was sent via Certified Mail to Mr. Hogan and hand delivered to the 21 Brewster Street office informing Mr. Hogan of the need to install kitchen sinks to be made available so that residents may have access to "a safe supply of water separate from the toilet facilities, for drinking, cooking and cleaning their utensils, tableware and cookware" in response to the increased presence of food preparation noted in the facility.

On August 3 Room 22 was reinspected and at this visit, it was discovered that a trail of stains to the shared bathroom was feces that the building manager had attempted to clean. He was instructed to immediately close off the hallway and remove the carpeting. This led to further discussions regarding the carpeting throughout. The Manager reported that residents routinely vomit in the hallways, and there were several areas of staining and an overall odor that supported this statement.

On August 21 the Health Department attended an onsite meeting to discuss the installation of kitchens and removal of carpeting throughout the facility by September 3rd. Mr. Hogan indicated that he had gotten a late start on this and asked for additional time. The Health Officer required at least one kitchen sink be installed by the original date of September 3, and under that condition allowed an additional 30 days to complete the installation of the additional two sinks. The revised completion date was October 3, at Mr. Hogan's request.

On August 22 and 23 the Health Officer conferred with the Licensed Plumber who was hired to install the kitchen sinks.

On Sept. 4, the Health Inspector conducted the reinspection on the first kitchenette and the bathroom cleaning and repairs. Both items were incomplete, but the kitchen sink was functional so an additional reinspection was scheduled for Sept. 10.

On September 10 an additional reinspection found the sink room acceptable and an additional room was evaluated for suitability for a second sink. An additional 30 days was given to complete the installation of the second sink. (October 30):

On September 26, the Health Officer reviewed a set of plans for a second proposed kitchenette layout. It was not approved and the Building Manager was notified.

On October 1, the Health Department met with the Building, Fire and Planning Departments to determine what definition Brewster Street fit into for national codes.

On October 15 the Health Officer attended a meeting on site with Mr. Hogan's attorneys and plumber to discuss installation of the second kitchenette area.

On October 16 at the request of Mr. Hogan's attorney, a file review was completed and materials provided for correspondence with Mr. Hogan's attorney.

On October 17 floor plans for the second kitchenette area were reviewed and approved, and the plumber was notified.

On December 17 the plumber came in to get a plumbing permit for the second kitchenette and mop sink, 78 days after the revised completion date, a full 108 days later than the original compliance date of September 3.

On December 26 the Health Officer exchanged email with Mr. Hogan's attorneys regarding the installation of the second kitchenette sink that had been due for completion October 3. On January 3 a reinspection occurred on the installation of the second kitchenette sink. The installation was complete and passed inspection. At the time of this inspection, a posting on the wall of the hallway at Brewster Street was noted; dated 11/20/12 that there had been a new infestation of unspecified bugs in the building and pest control had been contacted. This facility is required to have ongoing monthly Integrated Pest Management (IPM) by a Licensed Pest Control Operator (LPCO). Bordeaux Pest Control, Inc. of Exeter, NH is the LPCO of record for the property. I have requested an update on the status of pest control for 2012 to submit with the annual report. However, I have not yet received any information.



City of Portsmouth New Hampshire
Department of Inspection

InterOffice Memo

To: David S. Allen, Deputy City Manager
From: Richard A. Hopley, Chief Building Inspector
Date: 4 Feb 2013
Subject: 21 Brewster St, 2012-2013

Dave,

We have issued two building permits and two plumbing permits to this address in 2012. All permits were in support of health requirements for additional kitchen type sanitation areas. The work includes using dedicated areas on both the second and third floors to install kitchen style sinks with drain boards. All work is complete and successfully inspected.

On Jan 18, 2013, building and plumbing permits were issued to install kitchen style sinks in five first floor units. On Feb. 1, 2013 inspections were conducted on those installations and all work passed. In addition, two new fire doors that were stipulated on the 2012 building permit were installed. Additional work to connect the door closing devices to smoke detectors is ongoing as special order parts have yet to arrive. The owner hopes to be ready for a final fire door operational inspection by Feb. 15, 2013.

All in all, the building was very clean and orderly on my Feb. 1st inspection.

Robert Sullivan, City Attorney
Carl Roediger, Deputy Fire Chief

Breakdown of CFS at 21 Brewster St. 2012

Breakdown of 44 Police CFS at 21 Brewster (2012)	Total	% of Total Calls @ 21 Brewster St.
LEGAL PAPERWORK SERVICE	4	9%
NOISE COMPLAINT	5	11.36%
DOMESTIC	5	11.36%
WANTED PERSON / FUGITIVE	2	4.54%
DISORDERLY CONDUCT	4	9%
DELIVER MESSAGE	3	6.82%
INTOX/SAFEKEEP/PROT CUST	2	4.54%
CIVIL STAND-BY	1	2.27%
ASSIST FIRE DEPARTMENT	1	2.27%
HARRASSMENT	3	6.82%
FOLLOW UP	1	2.27%
FIGHT	1	2.27%
UNWANTED	1	2.27%
SIMPLE ASSAULT	1	2.27%
RECOVERED PROPERTY	3	6.82%
ANIMAL CALL	1	2.27%
UNATTENDED DEATH	1	2.27%
RECKLESS CONDUCT	1	2.27%
SUSPICIOUS ACTIVITY	1	2.27%
PARK AND WALK	1	2.27%
THEFT	1	2.27%
LOITERING	1	2.27%
	44	

There were 72 calls for service (police activity) for the entire street in 2012. 21 Brewster St. accounted for 44 of those calls or 61.11%

For Date: 01/03/2012 - Tuesday

Call Number	Time	Call Reason	Action
12-209	0049	NOISE COMPLAINT	NO REPORT TAKEN
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #19	
Post:		305	
		Disp-00:53:51	Arvd-00:56:05 Clrd-01:05:12
Post:		302	
		Disp-00:53:55	Arvd-00:59:48 Clrd-01:05:12

For Date: 01/26/2012 - Thursday

12-2504	0721	HARASSMENT	REPORT TAKEN
Primary Id:		PATROL OFFICER MICHAEL D KOTSONIS	
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST	
Post:		105	
		Disp-07:23:19	Arvd-07:40:43 Clrd-08:34:40
Refer To Incident:		<u>12-2504-OF</u>	

For Date: 01/27/2012 - Friday

12-2610	1319	FOLLOW UP	COMPLETED
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST	
Post:		105	
			Arvd-13:19:00 Clrd-13:21:23

For Date: 01/30/2012 - Monday

12-2866	1907	DELIVER MESSAGE	COMPLETED
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #21	
Post:		205	
		Disp-19:38:25	Arvd-19:43:47 Clrd-19:47:53

For Date: 02/10/2012 - Friday

12-3794	1203	LEGAL PAPERWORK SERVICE	SERVED
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST	
Post:		105	
			Arvd-12:03:00 Clrd-12:19:00
Post:		105	
		Disp-12:26:00	Arvd-12:31:03 Clrd-12:31:31

For Date: 02/15/2012 - Wednesday

12-4310	0438	NOISE COMPLAINT	NO REPORT TAKEN
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #19	
Post:		305	
		Disp-04:40:14	Arvd-04:42:24 Clrd-04:54:24
Post:		307	
		Disp-04:40:30	Arvd-04:45:52 Clrd-04:54:27

For Date: 02/26/2012 - Sunday

12-5514	1855	FIGHT	NO REPORT TAKEN
Location/Address:		[PO 1247] MOBIL ISLINGTON OIL CORP / MOBIL ON THE RUN - 201 ISLINGTON ST	
Post:		203	
		Disp-18:56:29	Arvd-19:02:09 Clrd-19:19:55
Post:		201	
		Disp-18:56:29	Arvd-19:00:09 Clrd-19:19:59

For Date: 02/28/2012 - Tuesday

2-5706 2139 UNWANTED NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 203
 Disp-21:40:52 Arvd-21:45:11 Clrd-21:56:29
 Post: 201
 Disp-21:40:52 Arvd-21:43:24 Clrd-21:56:28

or Date: 03/04/2012 - Sunday

2-6107 0226 NOISE COMPLAINT VERBAL WARNING
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #34
 Post: 303
 Disp-02:29:26 Arvd-02:32:55 Clrd-02:37:18

or Date: 04/23/2012 - Monday

2-11525 1436 DOMESTIC REPORT TAKEN
 Primary Id: PATROL OFFICER BRIAN J HOUDE
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 205
 Disp-14:38:14 Clrd-14:43:52
 Post: 105
 Disp-14:38:14 Arvd-14:38:53 Clrd-14:43:55
 Post: 101
 Disp-14:39:36 Clrd-14:43:51
 Refer To Incident: 12-11525-OF

or Date: 04/26/2012 - Thursday

2-11773 0530 CIVIL STAND-BY (KEEP PEACE) NO REPORT TAKEN
 Location/Address: [PO 1431] WALMART - 2460 LAFAYETTE RD
 Post: 303
 Disp-05:31:57 Arvd-05:42:48 Clrd-06:42:02
 Post: 302
 Disp-05:32:18 Arvd-05:42:48 Clrd-06:32:15
 Post: 302
 Disp-06:32:25 Arvd-06:32:28 Clrd-06:41:59

or Date: 04/28/2012 - Saturday

2-12011 0908 ASSAULT - SIMPLE NO ACTION TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #30
 Post: 105
 Disp-09:08:52 Clrd-09:09:36
 Post: 101
 Disp-09:09:05 Clrd-09:09:37

or Date: 05/14/2012 - Monday

2-13475 1423 DOMESTIC ARREST
 Primary Id: PATROL OFFICER ERIC R BENSON
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #28
 Post: 205
 Disp-14:24:48 Arvd-14:27:37 Clrd-15:06:18
 Post: 103
 Disp-14:24:54 Arvd-14:27:23 Clrd-15:09:24
 Post: 101
 Disp-14:26:50 Clrd-14:26:56
 Post: 207
 Disp-15:06:12 Arvd-15:06:13 Clrd-15:56:13
 Refer To Arrest: 12-13475-AR

or Date: 05/21/2012 - Monday

12-14168 1919 LEGAL PAPERWORK SERVICE ARREST
 Primary Id: PATROL OFFICER CHRISTINA J MEYER
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #18
 Post: 206
 Disp-19:19:20 Arvd-19:24:25 Clrd-19:51:24
 Post: 205
 Disp-19:19:20 Arvd-19:24:24 Clrd-20:09:06
 Refer To Arrest: 12-14168-AR

For Date: 05/25/2012 - Friday

12-14578 1958 DOMESTIC REPORT TAKEN
 Primary Id: PATROL OFFICER TIMOTHY J MCCAIN
 Location/Address: [PO 1203] DUNKIN DONUTS D/B/A ISLINGTON DONUTS - 531 ISLINGTON ST
 Post: 205
 Disp-20:02:29 Clrd-20:05:22
 Post: 205
 Disp-20:15:04 Arvd-20:15:21 Clrd-20:22:26
 Refer To Incident: 12-14578-OF

For Date: 06/04/2012 - Monday

12-15613 1929 DOMESTIC ARREST
 Primary Id: PATROL OFFICER TIMOTHY J MCCAIN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #5
 Post: 205
 Disp-19:35:40 Arvd-19:44:43 Clrd-21:37:03
 Post: 206
 Disp-19:43:41 Arvd-19:45:09 Clrd-20:08:41
 Refer To Arrest: 12-15613-AR

For Date: 07/01/2012 - Sunday

12-18706 0410 RECOVERED PROPERTY REPORT TAKEN
 Primary Id: PATROL OFFICER BRIAN J HOUDE
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 305
 Disp-04:12:55 Arvd-04:15:39 Clrd-04:27:16
 Refer To Incident: 12-18706-OF

For Date: 07/10/2012 - Tuesday

12-19659 0847 DELIVER MESSAGE NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #6
 Post: 105
 Disp-08:50:09 Arvd-08:50:11 Clrd-08:50:12

For Date: 07/17/2012 - Tuesday

12-20464 1350 ANIMAL CALL REPORT TAKEN
 Primary Id: Animal Control Officer COURTNEY S BACON
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #15
 Post: 1ACO
 Disp-13:53:26 Arvd-14:13:39 Clrd-15:19:30

For Date: 07/20/2012 - Friday

12-20779 1015 UNATTENDED DEATH REPORT TAKEN
 Primary Id: PATROL OFFICER STEVEN M BLANDING
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #22
 Post: 105
 Disp-10:16:08 Arvd-10:19:30 Clrd-12:52:28
 Post: 102

Portsmouth Police Department

Selective Search From: 01/01/2012 Thru: 12/31/2012 0000 - 2359 Printed: 01/10/2013

		Arvd-10:17:48	Clrd-10:27:02
Post:	100		
	Disp-10:18:04	Arvd-10:24:17	Clrd-11:01:48
Post:	1DB1		
	Disp-10:46:17	Arvd-10:57:25	Clrd-12:57:46
Post:	1DB2		
	Disp-10:46:22	Arvd-10:57:24	Clrd-12:57:49
Post:	1DC		
	Disp-10:49:06	Arvd-10:49:18	Clrd-11:19:56
Post:	1DB3		
	Disp-11:13:39	Arvd-11:13:42	Clrd-12:36:07
Refer To Incident:	<u>12-20779-OF</u>		

For Date: 07/31/2012 - Tuesday

12-22021	1035	ASSIST FIRE DEPARTMENT	ASSISTANCE RENDERED
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST	
Post:	105		
	Disp-10:36:11	Arvd-10:36:13	Clrd-10:43:27

For Date: 08/05/2012 - Sunday

12-22626	0135	RECKLESS CONDUCT	REPORT TAKEN
Primary Id:		PATROL OFFICER BRIAN J HOUDE	
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST	
Post:	300		
	Disp-01:37:22	Arvd-01:37:25	Clrd-07:26:26
Post:	305		
	Disp-01:50:38	Arvd-01:50:39	Clrd-08:02:00
Post:	3DB		
	Disp-02:16:40	Arvd-02:16:42	Clrd-08:01:39
Post:	307		
	Disp-02:35:49	Arvd-02:35:55	Clrd-08:33:15
Post:	204		
	Disp-02:36:05	Arvd-02:38:58	Clrd-06:43:16
Post:	206		
	Disp-02:36:11	Arvd-02:39:00	Clrd-08:33:12
Post:	303		
	Disp-02:48:17	Arvd-02:48:19	Clrd-02:49:09
Post:	301		
	Disp-02:48:43	Arvd-02:48:44	Clrd-03:12:25
Post:	3DB1		
	Disp-02:53:06	Arvd-02:53:47	Clrd-08:33:17
Post:	1CHIEF		
	Disp-03:15:28	Arvd-03:15:34	Clrd-08:32:34
Post:	320		
		Arvd-03:29:37	Clrd-07:26:30
Post:	102		
		Arvd-07:18:26	Clrd-08:10:25
Post:	122		
	Disp-07:41:13	Arvd-08:01:16	Clrd-08:51:48
Post:	105		
	Disp-08:08:12	Arvd-08:28:11	Clrd-08:51:59
Refer To Arrest:	<u>12-22626-AR</u>		
Refer To Incident:	<u>12-22626-OF</u>		

12-22636	0305	PUBLIC WORKS CALLOUT	NOTIFIED PUBLIC WORKS
Location/Address:		[PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST	

For Date: 08/07/2012 - Tuesday

12-22924	1748	RECOVERED PROPERTY	NO REPORT TAKEN
Location/Address:		MCDONOUGH ST	
Post:	205		
		Arvd-17:48:00	Clrd-17:51:24

For Date: 08/08/2012 - Wednesday

12-22971 0945 LEGAL PAPERWORK SERVICE SERVED
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #5
 Post: 105 Arvd-09:45:00 Clrd-09:46:00
 Post: 105 Disp-09:54:07 Clrd-09:54:15

12-22972 0946 LEGAL PAPERWORK SERVICE SERVED
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #7
 Post: 105 Arvd-09:46:00 Clrd-09:54:07

For Date: 08/10/2012 - Friday

12-23285 1848 SUSPICIOUS ACTIVITY UNFOUNDED CALL
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #31
 Post: 205 Arvd-19:09:02 Clrd-19:20:18
 Disp-19:03:58

For Date: 08/22/2012 - Wednesday

12-24644 2130 DOMESTIC REPORT TAKEN
 Primary Id: PATROL OFFICER CHARLES A RAIZES
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 205 Arvd-21:35:56 Clrd-21:48:06
 Post: 206 Disp-21:33:35 Arvd-21:37:53 Clrd-21:48:17
 Post: 204 Disp-21:34:11 Arvd-21:36:04 Clrd-21:48:10
 Disp-21:36:01
 Refer To Incident: 12-24644-OF

12-24651 2240 INTOX/SAFEKEEP/PROT CUST ARREST
 Primary Id: PATROL OFFICER KEVIN S MCCARTHY
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 206 Arvd-22:48:52 Clrd-23:25:38
 Post: 204 Disp-22:45:08 Arvd-22:46:21 Clrd-08/23/2012 @ 00:11:47
 Disp-22:45:08
 Refer To P/C: 12-24651-AR

For Date: 08/23/2012 - Thursday

12-24745 1959 NOISE COMPLAINT NO REPORT TAKEN
 Location/Address: (cell: 350 HANOVER ST) - 350 HANOVER ST
 Post: 206 Arvd-20:04:12 Clrd-20:12:57
 Post: 201 Disp-20:00:00 Arvd-20:02:58 Clrd-20:13:47
 Disp-20:00:00

For Date: 08/24/2012 - Friday

12-24846 2005 WANTED PERSON / FUGITIVE NOT SERVED
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #5
 Post: 203 Arvd-20:05:00 Clrd-20:18:51
 Post: 206 Disp-20:05:58 Arvd-20:06:01 Clrd-20:49:11
 Post: 203 Disp-20:19:05 Arvd-20:26:46 Clrd-20:49:07
 Post: 205 Disp-20:19:09 Arvd-20:26:47 Clrd-20:49:08

Selective Search From: 01/01/2012 Thru: 12/31/2012 0000 - 2359 Printed: 01/10/2013

For Date: 08/25/2012 - Saturday

2-24929 1000 PARK AND WALK COMPLETED
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 105
 Arvd-10:00:00 Clrd-10:03:22

For Date: 09/07/2012 - Friday

2-26510 1044 THEFT REPORT TAKEN
 Primary Id: PATROL OFFICER ANDRE S WASSOUF
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #9
 Post: 101
 Disp-10:48:06 Arvd-11:17:33 Clrd-12:31:18
 Post: 105
 Disp-11:13:47 Arvd-11:17:30 Clrd-12:01:21
 Refer To Incident: 12-26510-OF

For Date: 10/27/2012 - Saturday

2-31875 1312 LOITERING COMPLAINT UNABLE TO LOCATE
 Location/Address: [PO 1247] MOBIL ISLINGTON OIL CORP / MOBIL ON THE RUN - 201 ISLINGTON ST
 Post: 104
 Disp-13:18:23 Arvd-13:22:00 Clrd-14:09:33
 Post: 105
 Disp-13:18:23 Arvd-13:21:59 Clrd-13:59:50

2-31878 1359 WANTED PERSON / FUGITIVE ARREST
 Primary Id: PATROL OFFICER AARON J STACY
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 105
 Disp-14:00:44 Arvd-14:00:45 Clrd-15:00:16
 Refer To Arrest: 12-31878-AR

For Date: 10/31/2012 - Wednesday

2-32376 2340 DISORDERLY CONDUCT VERBAL WARNING
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #14
 Post: 206
 Disp-23:44:11 Arvd-23:49:16 Clrd-23:57:10
 Post: 305
 Disp-23:44:11 Arvd-23:48:44 Clrd-23:57:12

For Date: 11/04/2012 - Sunday

2-32776 1805 DISORDERLY CONDUCT VERBAL WARNING
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 201
 Disp-18:07:44 Arvd-18:12:11 Clrd-18:15:42
 Post: 205
 Disp-18:07:44 Arvd-18:08:11 Clrd-18:15:41

For Date: 11/06/2012 - Tuesday

2-32973 1654 HARASSMENT UNFOUNDED CALL
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #31
 Post: 205
 Disp-17:07:59 Arvd-17:14:39 Clrd-17:23:49

2-32980 1737 HARASSMENT UNFOUNDED CALL
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #31
 Post: 205
 Disp-17:42:06 Arvd-17:57:10 Clrd-18:02:28

For Date: 11/10/2012 - Saturday

12-33459 2316 DISORDERLY CONDUCT VERBAL WARNING
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #14
 Post: 206
 Disp-23:28:45 Arvd-23:35:10 Clrd-23:42:39
 Post: 305
 Disp-23:28:45 Arvd-23:35:08 Clrd-23:42:41

For Date: 11/16/2012 - Friday

12-33997 0208 NOISE COMPLAINT NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #14
 Post: 206B
 Disp-02:11:43 Arvd-02:15:50 Clrd-02:23:25
 Post: 305
 Disp-02:11:43 Arvd-02:15:42 Clrd-02:23:22

For Date: 12/01/2012 - Saturday

12-35413 0910 RECOVERED PROPERTY REPORT TAKEN
 Primary Id: DETECTIVE ROBERT J MUNSON
 Location/Address: [PO 1136] HANNAFORD - 800 ISLINGTON ST
 Post: 105
 Disp-09:12:00 Arvd-09:24:39 Clrd-09:32:05
 Post: 105
 Disp-09:36:09 Arvd-09:36:11 Clrd-09:42:08
 Refer To Incident: 12-35413-OF

For Date: 12/02/2012 - Sunday

12-35504 0854 ERRAND NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 105
 Arvd-08:54:00 Clrd-08:57:14

12-35511 1001 ERRAND NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 105
 Arvd-10:01:00 Clrd-10:08:49

12-35574 2239 INTOX/SAFEKEEP/PROT CUST NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST
 Post: 206B
 Disp-22:45:07 Arvd-22:46:29 Clrd-22:51:54
 Post: 206
 Disp-22:45:07 Arvd-22:47:01 Clrd-22:51:55
 Post: 200
 Disp-22:46:20 Arvd-22:46:22 Clrd-22:51:57

For Date: 12/03/2012 - Monday

12-35577 0048 DISORDERLY CONDUCT NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #14
 Post: 206B
 Disp-00:50:36 Arvd-00:56:18 Clrd-01:05:31
 Post: 305
 Disp-00:50:36 Arvd-00:53:38 Clrd-01:05:30

For Date: 12/14/2012 - Friday

12-3765 0240 NOISE COMPLAINT NO REPORT TAKEN
 Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #14
 Post: 206
 Arvd-02:40:00 Clrd-02:45:53

Portsmouth Police Department

Selective Search From: 01/01/2012 Thru: 12/31/2012 0000 - 2359 Printed: 01/10/2013

Post: 206B
Disp-02:41:05 Arvd-02:42:02 Clrd-02:45:57
Post: 305
Disp-02:44:32 Arvd-02:44:33 Clrd-02:45:55

or Date: 12/27/2012 - Thursday

2-38030 1111 DELIVER MESSAGE NO REPORT TAKEN
Location/Address: [PO 181] BREWSTER STREET APARTMENTS - 21 BREWSTER ST Apt. #20
Post: 101
Disp-11:17:18 Arvd-11:24:45 Clrd-11:24:48



Portsmouth Fire Department

Fire Prevention Bureau

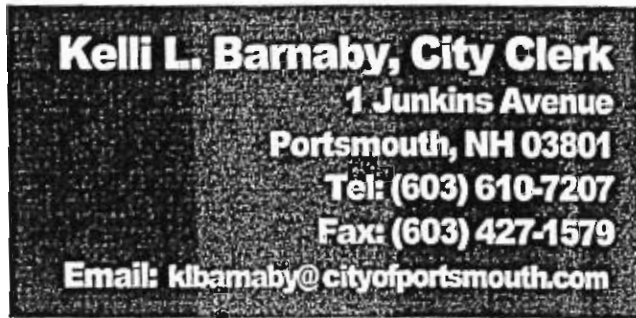
To: City Manager
From: Deputy Chief Roediger
Date: 11 January 2013
Re: Call For Service To 21 Brewster St. in CY2012

Fire Department responses to 21 Brewster St. during 2012:

11 Ambulance Calls (Assists from Engine 1 on 2 of those calls)

2 Fire Calls

Both Fire calls dealt with a suspicious package device. The device was deemed harmless after investigation.



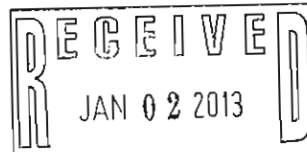
Memo

To: Jason Page, Code Enforcement Officer
From: Kelli L. Barnaby, City Clerk
Date: January 2, 2013
Re: Boarding House Permit

Attached for your review is the Boarding House permit renewal request for 278 Cabot St.

Please review and return with your written recommendation for approval or rejection which will then be forwarded to the City Council in accordance with Chapter 9, Article VIII of the City Ordinance.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with my request.



CITY OF PORTSMOUTH, NEW HAMPSHIRE
OFFICE OF THE CITY CLERK

BOARDING HOUSE PERMIT APPLICATION

INSTRUCTIONS: Please print or type clearly and complete all information accurately. Incomplete applications will not be accepted.

APPLICANT INFORMATION

Applicant Name: Paul White Telephone: 207 439 4894

Address: PO Box 1325 City/State/Zip: Portsmouth, NH 03802-1325

Boarding House Location: 278 Cabot St.

Number of Rooms 12

CERTIFICATION

I, the undersigned, have completed this application accurately, in accordance with Chapter 9, Article VIII of the Boarding House Ordinance:

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

Administrative Use Only

Approved by the Zoning Officer:

_____ Date _____

Approved by the City Council: _____

Kelli L. Barnaby, City Clerk

1 Junkins Avenue

Portsmouth, NH 03801

Tel: (603) 610-7207

Fax: (603) 427-1579

Email: klbarnaby@cityofportsmouth.com

Memo

To: Jason Page, Code Enforcement Officer

From: Kelli L. Barnaby, City Clerk

Date: December 11, 2012

Re: Boarding House Permit

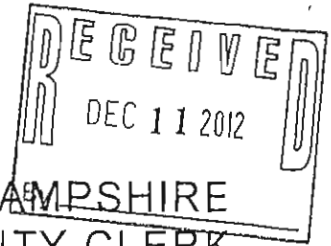
Attached for your review is the Boarding House permit renewal request for 350-352 Hanover Street.

Please review and return with your written recommendation for approval or rejection which will then be forwarded to the City Council in accordance with Chapter 9, Article VIII of the City Ordinance.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with my request.



CITY OF PORTSMOUTH, NEW HAMPSHIRE
OFFICE OF THE CITY CLERK



BOARDING HOUSE PERMIT APPLICATION

INSTRUCTIONS: Please print or type clearly and complete all information accurately. Incomplete applications will not be accepted.

APPLICANT INFORMATION

Applicant Name: G Edward Gowen Jr Telephone: 603-867-9260

Address: 355 Great Bay Rd City/State/Zip: Greenland NH 03040

Boarding House Location: 350-352 Hanover St Portsmouth NH 03801

Number of Rooms 12

CERTIFICATION

I, the undersigned, have completed this application accurately, in accordance with Chapter 9, Article VIII of the Boarding House Ordinance:

Signature: G Edward Gowen Jr Date: 12-7-12

Administrative Use Only

Approved by the Zoning Officer:

_____ Date _____

Approved by the City Council: _____

Kelli L. Barnaby, City Clerk
1 Junkins Avenue
Portsmouth, NH 03801
Tel: (603) 610-7207
Fax: (603) 427-1579
Email: kbarnaby@cityofportsmouth.com

Memo

To: Jason Page, Code Enforcement Officer
From: Kelli L. Barnaby, City Clerk
Date: December 28, 2012
Re: Boarding House Permit

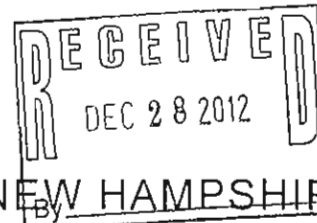
Attached for your review is the Boarding House permit renewal request for 21 Brewster Street.

Please review and return with your written recommendation for approval or rejection which will then be forwarded to the City Council in accordance with Chapter 9, Article VIII of the City Ordinance.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with my request.



CITY OF PORTSMOUTH, NEW HAMPSHIRE
OFFICE OF THE CITY CLERK



BOARDING HOUSE PERMIT APPLICATION

INSTRUCTIONS: Please print or type clearly and complete all information accurately. Incomplete applications will not be accepted.

APPLICANT INFORMATION

Applicant Name: BACH REALTY Telephone: 436 6926

Address: 21 BREWSTER ST City/State/Zip: PORTS NH 03801

Boarding House Location: SAME

Number of Rooms 38 34 dec

CERTIFICATION

I, the undersigned, have completed this application accurately, in accordance with Chapter 9, Article VIII of the Boarding House Ordinance:

Signature: [Signature] Date: 12/26/12

Administrative Use Only

Approved by the Zoning Officer:

_____ Date _____

Approved by the City Council: _____

Article VIII: BOARDING HOUSES (Adopted 09-17-2007)

Section 9.801: DEFINITION

The term Boarding House shall apply to any residential structure in which more than 3 rooms are rented, leased or otherwise made available to tenants where such rooms do not contain separate bathroom facilities.

Section 9.802: PERMIT REQUIRED

Commencing January 1, 2008 every Boarding House in the City shall operate only on the issuance of a Boarding House permit issued by the City Council. Each such permit issued by the City Council shall be for a one year period commencing from the date of issuance and must be renewed annually by the owner of the property on which the Boarding House is located by application to the City Council. The Boarding House permit shall not be transferable.

Section 9.803: TERMS AND CONDITIONS

The terms and conditions under which the holder of any such Board House permit shall operate are as follows:

- A. The permit holder must maintain compliance with all City and State laws regarding such facilities including but not limited to the zoning ordinance, fire code and health regulations of the City.
- B. There must be posted at all times at the front entrance of the facility a sign indicating 24 hour, seven days a week, valid and effective contact information for the management of the facility.
- C. The permit holder must maintain the facility in such a manner so as not to cause unreasonable interference with the use and occupancy of other properties in the vicinity of the facility.

Section 9.804: PERMIT RENEWAL

Prior to renewing the Boarding House permit for any facility, the City may conduct such investigations as it deems appropriate to determine compliance with this ordinance. Failure of the owner of the facility to comply with the provision of this ordinance shall be cause for non-renewal of the permit.

Section 9.805: ENFORCEMENT

The provisions of this ordinance may be enforced by the municipal administration utilizing any or all of the following:

- A. Suspension, revocation or termination of the Boarding House permit.
- B. By filing an appropriate action in a court of competent jurisdiction seeking specific performance by the permittee or property owner of the terms of this ordinance.
- C. By the filing of a complaint in the Portsmouth District Court against the permittee seeking such penalties as may be allowed under state law in the case of conviction of a violation level offense.

DRAFT
**BOARDING HOUSE
PERMIT**

CITY OF PORTSMOUTH, NEW HAMPSHIRE

Permit Number: 2013-01

Date: March 4, 2013

BE KNOWN, that G. Edward Gowen, Jr., 355 Great Bay Road Greenland, NH 03840 is licensed to operate a boarding house located at 350-352 Hanover Street within the City of Portsmouth, NH for the following number of rooms:

Number of Rooms: 12

The boarding house complies with City Ordinance Chapter 9, Article VIII, Sections 9.801 – 9.805 at the date of issuance of permit.

The following condition shall be met:

1. Correction of all deficiencies from the annual inspection prior to permit issuance.

This permit will expire: March 4, 2014

Attest:

Kelli L. Barnaby, City Clerk
OFFICE OF THE CITY CLERK

DRAFT
**BOARDING HOUSE
PERMIT**

CITY OF PORTSMOUTH, NEW HAMPSHIRE

Permit Number: 2013-02

Date: March 4, 2013

BE KNOWN, that Janet L. White-Nay and Paul H. White, Trustee, P.O. Box 1325 Portsmouth, NH 03802-1325 is licensed to operate a boarding house located at 278 Cabot Street within the City of Portsmouth, NH for the following number of rooms:

Number of Rooms: 12

The boarding house complies with City Ordinance Chapter 9, Article VIII, Sections 9.801 – 9.805 at the date of issuance of permit.

The following condition shall be met:

1. Correction of all deficiencies from the annual inspection prior to permit issuance.

This permit will expire: March 4, 2014

Attest:

Kelli L. Barnaby, City Clerk
OFFICE OF THE CITY CLERK

DRAFT
**BOARDING HOUSE
PERMIT**

CITY OF PORTSMOUTH, NEW HAMPSHIRE

Permit Number: 2013-03

Date: March 4, 2013

BE KNOWN, that Brian D. Hogan, 21 Brewster Street Portsmouth, NH 03801 is licensed to operate a boarding house located at 21 Brewster Street within the City of Portsmouth, NH for the following number of rooms:

Number of Rooms: 34

The boarding house complies with City Ordinance Chapter 9, Article VIII, Sections 9.801 – 9.805 at the date of issuance of permit.

The following conditions shall be met:

1. Extend the current permit for 3 months with an inspection and report back on progress made at the facility.
2. Require full time professional management of the facility; such management firm having the ability to respond to municipal inquiries and requests 24/7.
3. Integrated pest management (IPM) to be maintained on monthly basis or more often if needed with monthly reports submitted to the Health Department.
4. Require all common floors to remain non-porous and non-absorbent with cleanable surfaces.
5. Soiled or infested bedding shall be disposed of and not re-used.
6. Correction of all deficiencies from the annual inspection prior to permit issuance.

This permit will expire: June 4, 2013*

**(3 month extension granted by City Council March 4, 2013)*

Attest:

Kelli L. Barnaby, City Clerk
OFFICE OF THE CITY CLERK

Event Listing by Date

Starting Date: 2/ 4/2013

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-Miller	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 Maloney Memorial	12/ 3/2012
5/ 5/2013 5/ 5/2013	BIKE TOUR Gale Auclair, Senior Development Manager is the contact for this event. This event begins at Little Harbour School, at 7:00 a.m.	Little Harbour School - begins and ends	Gale Auclair	2/ 4/2013
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.	Strawbery Banke	Susan G. Komen for the Cure	10/22/2012
5/18/2013 5/19/2013	BIKE TOUR	Pease International Tradeport	Breathe New Hampshire	1 /
5/18/2013 5/19/2013	BIKE TOUR Kelly Sicard is the contact for this event.	Pease Tradeport	Breathe New Hampshire	2/ 4/2013
5/19/2013 5/19/2013	ROAD RACE Kristen Lyons is the contact for this event. It begins at 11:00 a.m. at Pease Tradeport.	Pease Tradeport	Sexual Assault Support Service	2/ 4/2013

Event Listing by Date

Starting Date: 2/ 4/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
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
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

Event Listing by Date

Starting Date: 2/ 4/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
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/ 8/2013 9/ 8/2013	ROAD RACE Thomas Martin is the contact for this event. This event begins and ends in downtown.	Downtown	Portsmouth Criterium	2/ 4/2013
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 9/29/2013	FESTIVAL David Hallowell is the contact for this event. This event is from Noon to 6:00 p.m. in front of the RiRa Pub and Breaking New Grounds.	Pleasant Street	Portsmouth Maritime Folk Festi	2/ 4/2013
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
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, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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



Committee: PLANNING BOARD

Name: Colby Gamester Telephone: 603-401-0500

Could you be contacted at work? YES NO If so, telephone # 603-401-0500

Street address: 176 Thaxter Rd.

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 28 years

Occupational background:

Please see attached

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

Please see attached



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

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

Reasons for wishing to serve: Please see attached

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

Please see attached

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

1) Please see attached

Name, address, telephone number

2) _____

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: Colby James

Date: 2/8/13

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

COLBY T. GAMESTER

176 Thaxter Rd. Portsmouth, NH | colbygunh@yahoo.com | 603-401-0500

OBJECTIVE | Lifelong Portsmouth resident seeking to serve on the Planning Board with the intent of contributing to the continued growth and change of the City.

PROFESSIONAL EXPERIENCE | **OWNER/OPERATOR--D/B/A COLBY GAMESTER, CONTRACTOR**
1999-PRESENT

Responsible for the planning and execution of projects in the areas of landscaping, hardscaping, carpentry, painting and light construction

RESEARCH ASSISTANT--PETER J. LOUGHLIN, ATTORNEY AT LAW
2010-PRESENT

Research New Hampshire statutes and case law; organize evidence and develop court records; update New Hampshire practice materials for local government law, planning, and municipal taxation

STUDENT PROSECUTOR—Chelsea, MA District Attorney's Office
JANUARY 2012 –MAY 2012

Handled Arraignments; Case Management; Arguing of Motions; Trials; Negotiating Plea Deals

ADDITIONAL EXPERIENCE | **SECRETARY, BOARD OF DIRECTORS—LEADERSHIP SEACOAST**
2006-2008

As Secretary, recorded meeting minutes and constructed the agenda for each meeting; Also served as member of the Governance and Admissions Committees; participated in policy objectives, programming coordination and fundraising

CERTIFICATIONS /MEMBERSHIPS | **NEW HAMPSHIRE STATE BAR ASSOCIATION (*Expected, March 2013*)**
LEADERSHIP SEACOAST (2001-present)

EDUCATION | **NEW ENGLAND LAW SCHOOL, BOSTON, MA—2009-2012**
JURIS DOCTORATE

UNIVERSITY OF NEW HAMPSHIRE, DURHAM, NH—2002-2006
BACHELOR OF SCIENCE, ECONOMICS
BACHELOR OF ARTS, POLITICAL SCIENCE

REFERENCES | **MICHAEL SINGER**
PROPRIETOR
MICHAEL SINGER INSURANCE
Office: 603-431-2103

ERIC WEINRIEB, P.E.
PRESIDENT, CONSULTING ENGINEER
ALTUS ENGINEERING
Office: 603-433-2335

RESPONSES FOR APPOINTMENT APPLICATION

Colby Gamester

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

While being a research assistant for Peter Loughlin I dealt with issues related to land use and zoning. The majority of my project-work with Attorney Loughlin related to large scale development projects in several towns and cities, including Portsmouth. Over the years, I have helped edit and update Attorney Loughlin's New Hampshire Practice Series volumes regarding Local Government Law, Land Use, and Municipal Taxation.

In law school, I participated in an experimental land use course. This course was experimental because of its small class size and the structure of the course. Our class studied various zoning ordinances, as well as, the policies and theories behind city planning. We examined actual ordinances from around the country and analyzed the various state and federal constitutional issues related to them. For the final project I conducted a 'soup to nuts' presentation of the Service Credit Union's building on Lafayette Road, focusing primarily on the Gateway District and its advantages and disadvantages.

Reasons for wishing to serve

I have been a resident of Portsmouth my whole life and have a close relationship with this City and its residents. Portsmouth is in a unique situation. We are all but guaranteed growth by and from our positioning between Boston, Portland, the ocean, the mountains, the port and the traffic circle. People want to move here and/or remain here. Growth is always accompanied by costs and challenges. The Planning Board fields many of these challenges as they involve the character of neighborhoods, districts, and overall development change in relation to the environment, density and use and desires of the citizens, both residential and commercial. I would like to serve on the Planning Board in order to enable and ensure measured growth of Portsmouth where a delicate balance must be struck between progress and conservation of the character of this City.

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

I am currently not involved with any other organization, groups or committees. I, however, will soon be involved in many NH Bar activities and organizations as I expect to receive my license to practice law in late March.

Portsmouth Housing Authority

245 Middle St. , Portsmouth, New Hampshire 03801-5196



603-436-4310

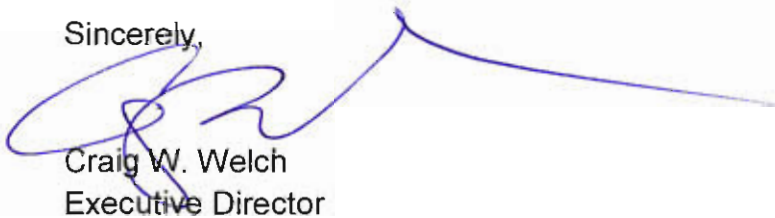
January 29, 2013

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

Dear Mayor Spear:

Attached is my Appointment Application for the Portsmouth Housing Investment Fund Board. Thank you for considering me for this position.

Sincerely,



Craig W. Welch
Executive Director



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: Portsmouth Housing Endowment Fund Initial applicant

Name: Craig W. Welch Telephone: 603-436-4310 x118

Could you be contacted at work? YES NO If so, telephone# _____
work *Home*

Street address: 245 Middle St. / 77 South St.

Mailing address (if different): _____

Email address (for clerk's office communication): craigwelch@nh-pha.com

How long have you been a resident of Portsmouth? 6 years.

Occupational background:

Non-profit management, public policy,
real estate brokerage & development,
single family finance, Office of the Governor,
Blue Water Mortgage, Craig Welch Group LLC, NH
Community Loan Fund,

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

- Commercial Real Estate - Broker
- Single Family Finance. Loan Officer
- Housing - Community Development Finance.
- Executive Director, Portsmouth Housing Authority



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO Staff - David Moore.

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

Reasons for wishing to serve: As Executive Director of Portsmouth Housing Authority, my membership on this committee is provided for per City ordinance.

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

- State Housing Authority Executive Directors Assoc.
- Former member of School Facilities Study Committee
- Former Chairman, LCHIP (state)
- Member of Community Development Advisory Council of Boston Fed.

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

1) Maria Sillari - John's Ave. 305-0422
Name, address, telephone number

2) Ruth Griffin - Richards Ave. 436-5272
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: [Signature] Date: 1/20/13

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

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

CRAIG WYATT WELCH

77 South Street
Portsmouth, NH 03801

Phone: 603-817-9739
craigwelchgroup@gmail.com

HIGHLIGHTS:

- Experienced housing executive with a diverse experience in real estate development, finance, public policy, education and management.
- Demonstrated leadership abilities in the public and private sectors.
- Extensive communications background including public, media, board and member relations.
- Hard working and persistent in pursuit of organizational goals.
- Passionate about improving the quality of life in Portsmouth and the surrounding region.

RELEVANT EXPERIENCE:

Portsmouth Housing Authority, Executive Director

Jan 2013 – Present

- Oversee 580 owned and managed affordable housing units in the City of Portsmouth, a Housing Choice voucher program that serves more than 400 seniors and families in the region, and a variety of youth services and support programs.

New Hampshire Community Loan Fund Inc., Vice President of Housing

May 2009 – Present

- Manage \$55 million lending portfolio of single family and multifamily low-income housing.
- Create and manage new lending, education and energy efficiency programs for low-income homeowners.
- Represent the organization with local and national partners including industry associations.
- Work with philanthropy staff to raise investments and permanent capital.

Craig Welch Group, LLC., Owner and Managing Director

2006 - 2009

- Established firm to specialize in commercial property acquisition and tenant representation throughout New England.
- Represented North America's largest provider of Senior Congregate Housing throughout New England.
- Performed site acquisition, contract negotiation and coordination of all aspects of the planning and development process.
- Brokerage activity with developers to add more than \$100 million in new real estate value.
- Licensed in New Hampshire, Maine, Massachusetts, and Connecticut.

Grubb & Ellis | Coldstream Real Estate Advisors, Broker/Advisor

2002 - 2005

- Maintained \$5 million property brokerage portfolio, including buying, selling, leasing, and consulting services for owners, developers, investment groups, and Fortune 500 companies.
- Worked with owners, developers and municipalities on projects that required large scale infrastructure planning and development.

Wunderkind Studios, Principal and Vice President of Business Development

1998 - 2001

- Created and executed an aggressive growth strategy as an owner and member of the senior management team.
- Proposed and developed Internet-based communication strategies for emerging high technology, healthcare, financial services, and education organizations.
- Served as chief spokesperson for the firm and achieved monthly earned-media throughout New England.
- Led the establishment of business/education partnerships throughout New Hampshire.
- Played a key role in branding and promoting the "eCoast" region as a high-technology center.
- Achieved 960% first year growth and 450% second year growth. FY2000 revenue over \$3 million.

Whittemore School of Business and Economics, University of NH, Instructor

2001 – 2004

- Taught *Introduction to Business* and *Organizational Behavior* courses.
- Responsible for preparing class sessions, grading student performance, leading discussions and writing assistance.

Office of Governor Jeanne Shaheen, Special Assistant

1997-1999

- Served as the first-ever Governor's advisor for telecommunications policy.
- Interpreted state role in telecommunications competition resulting from the Federal Telecommunications Act of 1996.
- Coordinated monthly technology roundtables.
- Restructured and directed the *Governor's Council on Volunteerism*.
- Served as a Commissioner for the *NH Commission for National and Community Service*.
- Established the *Governor's Anti-Violence Youth Advisory Task Force*.
- Established the *New Hampshire Council on Literacy*.

AmeriCorps USA, Corporation for National Service, National Leader

1995-1996

- Served as an advocate, ambassador, and liaison to 130 AmeriCorps Members in New Hampshire.
- Published guide of academic service-learning resources.
- Promoted national and community service in schools and universities throughout New Hampshire.
- Implemented quality improvement projects.
- Designed and conducted leadership, career development, service-learning, and other educational seminars.

EDUCATION:

Master of Education, Organization and Management

May 1996

Antioch New England Graduate School.

Bachelor of Arts, Political Science

December 1993

College of Liberal Arts, University of New Hampshire.

Rotary Foundation International Exchange Student

September 1988 - August 1989

Ikuno Senior High School, Matsubara-Shi, Osaka, Japan.

OTHER EXPERIENCE:

Federal Reserve Bank of Boston, Community Development Advisory Council

March 2010 – Present

NH Land and Community Heritage Investment Program, Chairman, Board of Directors

2005-2009

Union Leader's "40 Under 40"

2008

Leadership New Hampshire, Class of 2008

2008

University of New Hampshire Inter-Fraternity Council, President

1992

Served as Chief Executive Officer for 700-member organization.

University of New Hampshire Disaster Relief Organization, Crew Leader

1992

Organized 60 student volunteers to reconstruct hurricane damaged housing in Southern Florida.

Southwestern Publishing Company, Student Manager

1991

Top 10% nationwide in first year sales.

Oyster River High School and NH Junior Olympic Elite Team, Girls Volleyball Coach

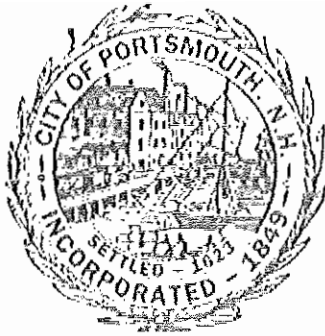
1990- 1994

1991, 1993 & 1994 State Champions and 1993 New England All-State Champions.

New Hampshire Association of Student Councils, President

1988

Led statewide student organization providing leadership development opportunities for over 10,000 New Hampshire students.



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

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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

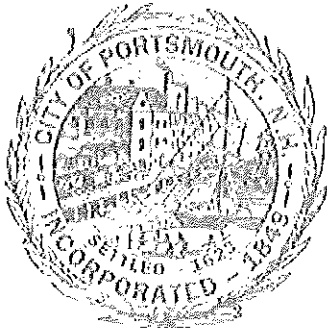
2) Sarah and Shawn McLaughlin Thornton Street 208-720-7984
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

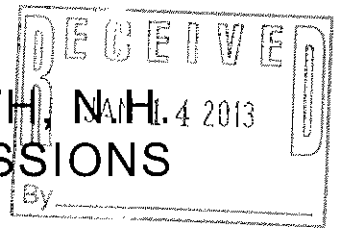
1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to 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): Lisagle@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:

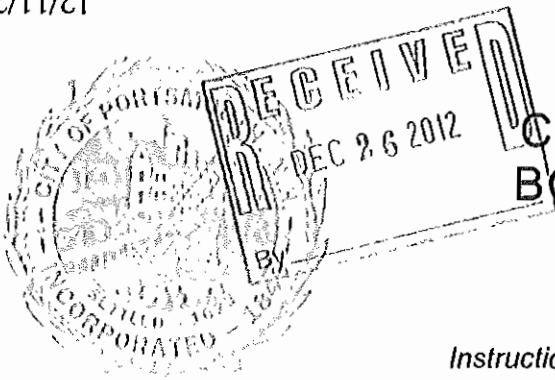
1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to 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: 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 / OR 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>SEC.</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
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: [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 No

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

Information From GLAD:

As you may know, there are two gay rights cases going up to the Supreme Court in the next term: Perry, which challenging California's proposition 8, which amended the state constitution to prohibit same-sex couples from marry, and Windsor, which challenges DOMA, which defines marriage as between one man and one woman for all of federal law.

We are only working on the amicus briefs for the Windsor case, and this ask is be limited to the Windsor case. In other words, if the Windsor case is successful, the federal government would have to go back to recognizing valid marriages conferred by states, which is what it has always done, but no other state would be required to actually license marriages for same-sex couples.

A coalition of leading businesses and employers is forming to advise the United States Supreme Court on the ways in which DOMA harms businesses and employers. The brief will make the following broad points. Under DOMA, legally married same-sex couples are not recognized as "married" for the purposes of federal laws and programs. As a result, an employer in a state that now or has licensed same-sex couples to marry must:

- Discriminate among its own employees in the benefits provided, because employees married to same-sex spouses are ineligible for numerous federal benefits that depend on marriage status (such as FMLA leave, COBRA, flexible savings accounts, and HIPPA protections), or else incur costly workarounds;
- Bear costs and administrative burdens imposed by the dual treatment of married persons;
- Administer two sets of benefit policies, and incur the direct costs of "grossing up" salaries to compensate for tax disadvantages; and
- Bear the burden of explaining to employees why some are being discriminated against.

In sum, DOMA imposes on employers enormous costs in time, money, and morale. With over 100,000 same-sex couples legally married in the United States, DOMA's burden is growing. This is a business issue for employers.

I'm attaching the version of the brief that was filed in the Ninth Circuit in the *Golinski* case. Please see the "Business Case Against DOMA" document attached to this email for more detail.

We are asking signers to commit by **February 14, 2013**. As you can see from the list below, we have had a total of 93 signers in the circuit court cases below, including Cambridge, Boston, Los Angeles, and New York City as well as many Fortune 500 companies, on board. We expect almost all of these signatories will return for the Supreme Court brief.

Abt Associates
Aetna Inc.
Akamai Technologies
Alere
AppNexus
Arnold & Porter
Baker & McKenzie
Biogen Idec Inc.
Blue Cross/Blue Shield of Mass.
BNY Mellon

Boston Community Capital
Boston Foundation
Boston Medical Center
Bright Horizons Family Solutions, Inc.
Broadcom
Burns & Levinson LLP
Calvert Foundation
Calvert Investments
CBS
Chubb
City and County of San Francisco
City of Boston
City of Cambridge
City of Los Angeles
City of New York
City of Santa Monica
City of Seattle
City of West Hollywood
Clean Yield Asset Management
Communispace
Constellation Energy Group, Inc.
Diageo
Eastern Bank
eBay
Edwards Wildman Palmer LLP
Electronic Arts
Exelon Corporation
Fitcorp
Foley Hoag LLP
Futterman Dupree Dodd Croley Maier LLP
Gammelgård
Gap
Goodwin Procter LLP
Google, Inc.
Goulston & Storrs, P.C.
Greater Boston Chamber of Commerce
Integrated Archive Systems (IAS)
Jazz Pharmaceutical
Kimpton Hotel & Restaurant Group, LLC
Kramer Levin Naftalis & Frankel
Lafayette & Kumagai LLP
Levi Strauss & Co.
Lief Cabraser Heimann & Bernstein
Loring, Wolcott & Coolidge Trust, LLC
Mass Envelope Co., d/b/a Grossman Marketing
Mass Financial Services Co.
Mass Mutual
Massachusetts Association of Health Plans (MAHP)
Massachusetts Biotechnology Council
McGraw Hill
Microsoft
National Fire Protection Association
National Grid USA
Nationwide
New Balance
New England Cryogenic Center
Nike
Nixon Peabody LLP
Ogiliv & Mather
Onyx
Out & Equal

Parthenon Group
Partners HealthCare
Reproductive Science Center of New England
Retailers Association of Massachusetts (RAM)
Ropes & Gray LLP
Salera Consulting
Seattle Metro Chamber of Commerce
Seyfarth Shaw LLP
Skyworks Solutions Inc.
Starbucks
State Street Corp.
Stonyfield Farm
Sullivan & Worcester LLP
Sun Life
Time Warner Cable
Trillium Asset Management Corp.
Valdez Noor Todd & Doyle LLP
Viacom
W/S Development Associates LLC
Xerox
ZipCar
Zynga

We are reaching out to these employers for this Supreme Court stage as well as additional prospects.

If you have any questions, or anyone needs information, feel free to contact me. Ultimately, to join this brief, Portsmouth would need to indicate its assent to participate to Bingham McCutchen. For more information or questions about the amicus brief, please contact Vickie Henry at 617-778-6957 or vhenry@glad.org.

February 6th, 2013

Portsmouth City Council
City of Portsmouth, NH

Dear Fellow Councilors:

Re: CAPITAL IMPROVEMENT PLAN (CIP)

The CIP is before us for consideration leading up to the more general budget discussions. It is appropriate to approve the plan first so that the budget can take into account the staffing and resources needed to support the plan. What this means is that adjustments to the plan have a direct effect on the budget beyond the costs within the plan itself. So, it is important that the CIP be as close as possible to a final plan, and that we make our adjustments early in the budget process.

For this reason, I will bring a motion or motions to adjust the CIP at our next Council meeting on February 18th for your consideration and approval.

I would like to ask that each of you consider joining me in making your own motions to adjust the CIP as you see fit.

It is my sincere belief that the Council should seek to reduce the CIP's impact on the general fund, from \$1.5 million to under \$1.1 million.


The CIP that we approve is a plan, not a final commitment as the City Manager often points out, so adjustments are likely to occur during the budget process as well. Any item dropped or pushed into a subsequent year can, with good reasoning, be brought back into the plan later in the process, so now is the time to be aggressive.

Thank you for your kind consideration.

Sincerely,

Jack Thorsen
Councilor, City of Portsmouth

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Liz Good, Planning Department 
SUBJECT: Historic District Commission Minutes
DATE: February 7, 2013

Please be advised that the approved minutes from the September 12, 2012 Historic District Commission meeting are now available on the City's website for your review.

MEMORANDUM

TO: City Council Members
FROM: Jane Shouse, Planning Department *JMS*
SUBJECT: Site Review Technical Advisory Committee Minutes
DATE: February 5, 2013

Please be advised that the approved minutes from the February 5, 2013 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.

**OFFICE OF THE CITY CLERK
CITY OF PORTSMOUTH, N.H.**

Kelli L. Barnaby, CMC/CNHMC
City Clerk
1 Junkins Avenue
Portsmouth, NH 03801
603-610-7207
Fax: 603-427-1579
klbarnaby@cityofportsmouth.com

Memo

To: Mayor Eric Spear and City Council
From: Kelli L. Barnaby, City Clerk *KLb*
Date: February 19, 2013
Re: 2012 Board and Commission Attendance Records

Please find attached the 2012 attendance records for all Boards and Commissions as requested by the Mayor and City Council.

If you should have any questions, please do not hesitate to contact me directly or via e-mail at klbarnaby@cityofportsmouth.com.

cc: John P. Bohenko, City Manager

2012 - Board and Commission Meeting Attendance Records

African Burlal Ground (<u>4</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bailey, Mary	3	1		75%
Cunningham, Valerie	2	2		50%
Edwards, Kelvin	4			100%
Jackson, Vernis	3	1		75%
Council Rep. Dwyer, Crhistine	4			100%
Building Code Appeal - THERE WERE NO MEETINGS HELD IN 2012				
Cable & Communicatlon(<u>1</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Beach, Nancy	-			
Gregg, Brian	-			
Citizens Advisory (<u>8</u> Meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bailey, Algene	8			100%
Carmody, Constance	7	1		87%
Emerson, Nancy	7	1		87%
Langley, Lynne	7	1		87%
Layton, Robert	6	2		75%
Pecunies, Jean	8			100%
Rooney, Dani	4	4		50%
Conservation Commission (<u>12</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
(Appt. 7/16/12) Ambrose, Paul (Alt)	2	3		40%
Blanchard, MaryAnn	12	0		100%
DiPentima, Rich	6	5	1	50%
McMillan, Barbara	10	2		83%
Miller, Steven	11	1		92%
(Appt. 7/16/12) Saunders, Shelley (Alt)	3	2		60%
Stone, Elissa Hill	12	0		100%
Tanner, Allison	9	3		75%
Vandermark, Peter	12	0		100%
Economic Development Com (<u>10</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
(Appt. 12/3/12) Bosen, John	1			100%
Carmer, Nancy, Ex-Officio	10			100%
City Manager, Ex-officio	8	2		80%
Cohen, Philip	8	2		80%
Cyr, Joshua	8		2	80%
Dwyer, Chris, Council Rep.	10			100%
Eaton, Everett, Chair	10			100%
Gregg, Eric	6	2	2	60%
Levenson, Dana	10			100%
Marchewka, Robert	10			100%
Mayor, Ex-Officio				
(Appt. 1/17/2012) Thorsen, Jack, Council Rep.	8	1		88%
Zolla, Ron	10			100%

Historic Distirct Com. (<u>19</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Almeida, Joseph	17	2		89%
Gladhill, William, Plan Brd. Rep	19	0		100%
Katz, Richard J. (Vice Chair)	19	0		100%
(Appt. 6/11/12) Kennedy, Esther, Council Rep.	6	4		60%
Kozak, Tracy	18	1		95%
Melchior, George	13	4	2	68%
(Appt. 3/5/12) Rawling, Daniel (Alt)	16	1		94%
(term ended 6/1/12) Whittaker, Elena	6	1	1	75%
Wycoff, Jonathan	18	1		95%
Vacancy, Alternate Member				

Housing Endowment THERE WERE NO MEETINGS HELD IN 2012

Library Brd. of Trustees (<u>9</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Abelson, Elias	6	3		67%
Crist, John	8	1		88%
(Appt. 12/3/12) Ernestine Greenslade	1	0		100%
Kressley, Kate Gill, vice chair	3	6		33%
Lessner, Grace	8	1		88%
(Appt. 2/2012) Olea, Mary, School Brd. Rep	3	3	1	43%
O'Leary, John	8	1		88%
Record, Jody, Chair	9	0		100%
(term ended 10/2012) Tehan, Megan	3	5		37%
Weaver, John	7	2		78%

Parking & Traffic Safety (<u>9</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
City Manager (or Designee)	8	1		88%
Cypher, Ronald	9	0		100%
(Appt. 9/17/12) Donnermeyer, Shari	2	0		100%
Fire Dept. Rep.	8	1		88%
Gray Jr, Frederick	8	1		88%
Police Dept. Rep.	9	0		100%
Parkinson, Steve, PW Director	9	0		100%
Smith, Kenneth, Council Rep.	9	0		100%
Whitehouse, Harold	9	0		100%

PEDLP - THERE WERE NO MEETINGS HELD IN 2012

Peirce Island Committee (<u>8</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
(Appt. 10/22/12) Fernald, Francesca Marconi	1			100%
Hubbard, Chris	5	3		62%
Kennedy, Esther, Council Rep.	3	4	1	37%
Marison, Steve, Co-Chair	7	1		87%
McVay, John	7	1		87%
Philp, Stephen	6	2		75%
Pollard, Robert	6	2		75%
Simon, John	5	1	2	62%
Smith, Richard, Co-Chair	7	1		87%
(Appt. 12/3/12) Stettner, Marc	-	-		n/a
Whitehouse, Harold	7	1		87%

Planning Board (<u>15</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Blenkinsop, Anthony	12	3		80%
Geffert, MaryLiz	9	6		60%
Gladhill, William	15	0		100%
(Appt. 11/13/12) Quintans, Karina (Alt)	1	0		100%
Ricci, John	13	2		86%
Rice, John	12	3		80%
Roberts, Paige, Vice Chair	15	0		100%
Novelline Clayburgh, Nancy, Council Rep	15	0		100%
City Manager, Ex. Officio	15	0		100%
Building Inspector, Ex. Officio	13	2		86%
Vacancy (Alternate)				

Ports Housing Authority(<u>14</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bradley, Charles	14	0		100%
Griffin, Ruth, Chair	10	4		71%
Heany, Thomas J.	9	5		64%
Leith, John F.	10	4		71%
McCarthy, T. Stephen	14	0		100%
Schwartz, Amy	10	4		71%

Recreation Board (<u>5</u> meetings held)				
	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Cali-Pitts, Jacqueline	4	1		80%
DelValle, Eduardo	2	3		40%
Diemer, Carl	5	0		100%
Henley, Todd	4	1		80%
Seigel, Kathy Birse	5	0		100%
Sirmaian, Kory	5	0		100%
Syracusa, Elaine	4	1		80%
School Board Rep. LaPage, Kent	4	1		80%
(Appt. 2/2012) Council Rep Novelline Clayburgh, Nancy	3	1		75%

Sustainable Practices (<u>11</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
INFORMATION NOT PROVIDED				

Taxi Commission (<u>10</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bresciano, Peter	10			100%
Ford, Paul, Taxi Co. Rep	10			100%
(Appt. 7/16/12) Lawson, Aaron	4			100%
(Appt. 2/20/12) Lown, Brad, Council Rep.	7	2		78%
Police Representative	10			100%
Vacancy (2)				

Trees/Public Greenery (<u>12</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Adams, Richard	12	0		100%
Dupere, A.J., State Forester	10	2		83%
Loughlin, Peter, Chair	11	1		92%
Parkinson, Steve, PW Director	8	4		66%
(Appt. 9/4/12) Souto, Dennis	4	0		100%
Stevens, Leslie	11	1		92%
(appt. 11/2012) Croteau, Todd PW Gen. Foreman	2	0		100%

Trustees of Trust Funds (<u>23</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Eldridge, Phyllis	22	1		95%
(Apptd. 09/2011) Levenson, Dana	21	2		91%
Lown, Brad	23	0		100%

Zoning Brd Adjustment (<u>17</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Chamberlin, Susan	15	2		88%
Durbin, Derek	13	4		76%
LeMay, Charles	14	3		82%
Moretti, Patrick (Alt)	15	2		88%
(Appt. 3/19/12) Mulligan, Christopher	12	1		70%
Parrott, Arthur	17	0		100%
(Appt. 4/2/12) Rheaume, David	11	2		84%
Rousseau, Robin, (Alt)	8*	9*		47%
Witham, David, Chair	13	4		76%

*Present for Call to Order, Left and returned only for one case on which sitting/voting.