

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: TUESDAY, FEBRUARY 18, 2014 TIME: 6:00PM

AGENDA

- 6:00PM – WORK SESSION RE: GENERAL SERVICES ADMINISTRATION (GSA) – FEDERAL MCINTYRE BUILDING AND PROPERTY

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

- V. ACCEPTANCE OF MINUTES – NOVEMBER 18, 2013 AND DECEMBER 2, 2013

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARINGS

- A. RESOLUTION INCREASING THE MAXIMUM INCOME LIMIT FOR INDIVIDUALS QUALIFYING FOR THE ELDERLY REAL ESTATE TAX EXEMPTION:

PROPOSED INCREASE OF ELDERLY EXEMPTION BY 1.5%

SINGLE	\$35,704.00 INCREASE OF \$528.00
MARRIED	\$44,044.00 INCREASE OF \$651.00
ASSET LIMIT OF	\$119,016.00 INCREASE OF \$1,759.00

- B. RESOLUTION INCREASING THE MAXIMUM INCOME LIMIT FOR INDIVIDUALS QUALIFYING FOR THE DISABLED REAL ESTATE TAX EXEMPTION:

PROPOSED INCREASE OF DISABLED EXEMPTION BY 1.5%

SINGLE	\$35,704.00 INCREASE OF \$528.00
MARRIED	\$44,044.00 INCREASE OF \$651.00
ASSET LIMIT OF	\$119,016.00 INCREASE OF \$1,759.00

- C. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM UNASSIGNED FUND BALANCE FOR NECESSARY EXPENDITURES RELATED TO THE ANTICIPATED APPROVAL OF CONTRACTUAL OBLIGATIONS IDENTIFIED IN THE FIRE DEPARTMENT CONTRACTS OF UP TO NINETY-SEVEN THOUSAND (\$97,000.00) DOLLARS

- VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Resolution Authorizing a Bond Issue of up to Three Million Five Hundred Thousand Dollars (\$3,500,000.00) related to the Design and Construction of the Hobbs Hill Landing Water Tank Replacement (***Sample motion – move to pass first reading and authorize the City Manager to bring back for public hearing and adoption of the proposed Resolution at the March 3, 2014 City Council meeting***)

- B. Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption:

Proposed increase of Elderly Exemption by 1.5%

Single	\$35,704.00 increase of \$528.00
Married	\$44,044.00 increase of \$651.00
Asset Limit of	\$119,016.00 increase of \$1,759.00

(Sample motion – move to adopt the Resolution, as presented)

- C. Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption:

Proposed increase of Disabled Exemption by 1.5%

Single	\$35,704.00 increase of \$528.00
Married	\$44,044.00 increase of \$651.00
Asset Limit of	\$119,016.00 increase of \$1,759.00

(Sample motion – move to adopt the Resolution, as presented)

- D. Adoption of Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance for necessary expenditures related to the anticipated Approval of Contractual Obligations Identified in the Fire Department Contracts of up to Ninety-Seven Thousand (\$97,000.00) Dollars ***(Sample motion – move to adopt the Resolution, as presented) Please note: The adoption of a Supplemental Appropriation from Unassigned Fund Balance Resolution requires a two-thirds vote of the City Council.***

IX. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Holly Davis and Melissa Mikulski, Bottomline Technologies, requesting permission to hold an annual 4 mile Road Race to raise money and awareness in support of local charities on Saturday, September 20, 2014 at 8:30 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- B. Request for License from Aaron Smith, owner of The Fresh Press for property located at 90 Fleet Street for a projecting sign on an existing bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Aaron Smith, owner of The Fresh Press for a projecting sign at property located at 90 Fleet Street and, further, authorize the City Manager to execute License Agreements for this request)***

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***

- *Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and*
- *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Ralph and Linda DiBernardo regarding the Islington Street project
- B. Letter from Katharine Muth, New Hampshire Art Association (NHAA) requesting permission for the NHAA to host an En Plein Air event, “Hanging Out To Dry” where artists paint scenes in the open air on Saturday, July 19, 2014 from 9:00 a.m. – 3:00 p.m. at various locations throughout the City

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

- 1. First Reading of Proposed Resolution and Ordinance Amendments:
 - 1.1 Resolution Authorizing a Bond Issue of up to Three Million Five Hundred Thousand Dollars (\$3,500,000.00) related to the Design and Construction of the Hobbs Hill Landing Water Tank Replacement ***(Action on this item should take place under Section VIII of the agenda)***
- 2. Public Hearing/Adoption of Proposed Resolution and Ordinance Amendments:
 - 2.1 Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption: ***(Action on this item should take place under Section VIII of the agenda)***

Proposed increase of Elderly Exemption by 1.5%

Single	\$35,704.00 increase of \$528.00
Married	\$44,044.00 increase of \$651.00
Asset Limit of	\$119,016.00 increase of \$1,759.00

- 2.2 Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption: ***(Action on this item should take place under Section VIII of the agenda)***

Proposed increase of Disabled Exemption by 1.5%

Single	\$35,704.00 increase of \$528.00
Married	\$44,044.00 increase of \$651.00
Asset Limit of	\$119,016.00 increase of \$1,759.00

- 2.3 Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance for necessary expenditures related to the anticipated Approval of Contractual Obligations Identified in the Fire Department Contracts of up to Ninety-Seven Thousand (\$97,000.00) Dollars (***Action on this item should take place under Section VIII of the agenda and will require a 2/3 vote for passage***)

City Manager's Items Which Require Action

1. Proposed Action on Firefighters' and Fire Officers' Collective Bargaining Agreements
2. Adoption of Capital Improvement Plan (CIP) FY2015-2020
3. Request to Renew Lease Agreement for Sons of Italy
4. Proposed License Request from Wright Avenue, LLC RE: 67, 73, 77 State Street

Informational Items

1. Events Listing
2. SEA-3 Update

B. MAYOR LISTER

1. Appointments to be Considered:
 - Dana Levenson reappointment to Economic Development Commission
 - Francesca Marconi Fernald reappointment to Peirce Island Committee
 - Chris Hubbard reappointment to Peirce Island Committee
 - Lisa Louttit reappointment to Peirce Island Committee
 - Steve Marison reappointment to Peirce Island Committee
 - John McVay reappointment to Peirce Island Committee
 - Robert Pollard reappointment to Peirce Island Committee
 - Richard Smith reappointment to Peirce Island Committee
 - Marc Stettner reappointment to Peirce Island Committee
 - Harold Whitehouse reappointment to Peirce Island Committee
 - Peter Bresciano reappointment to Taxi Commission
 - John Palreiro reappointment to Taxi Commission
 - Dana Levenson reappointment to Trustees of the Trust Fund
 - Cliff Lazenby appointment to Citywide Neighborhood Steering Committee
 - Shelley Saunders (current alt) appointment to Conservation Commission
 - R. Bruce Boley appointment to Library Trustee Board
 - Jack Jamison appointment to Library Trustee Board
 - Josh Denton appointment to Sustainable Practices Blue Ribbon Committee

2. Appointments to be Voted:
 - Justin Finn to the Planning Board, Alternate
 - Gibson “Mike” Kennedy to the Portsmouth Housing Authority
3. *Appointment of Ken Smith to Chair Mayor’s Blue Ribbon Committee for the 2023 Quadri-centennial Celebration (*Appointment of committee members to be determined*)

C. ASSISTANT MAYOR SPLAINE

1. *Resident Parking Review

D. COUNCILOR KENNEDY

1. *Transportation Center (***Sample motion – move to ask the Economic Development Commission and the Parking Traffic & Safety Committee to locate a place for a Transportation Center that will support the Community of Portsmouth***)
2. *Establish Transportation Committee (Discussion Purposes Only)

E. COUNCILOR THORSEN

1. Request to Establish a Mayoral Blue Ribbon Committee to Research Conflict of Interest Reporting Requirements as prescribed by City Charter, and Report Back with Findings and Recommendations for further action

XII. MISCELLANEOUS/UNFINISHED BUSINESS

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

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. 2013 Board and Commission Attendance Records
2. Notification that the Site Review Technical Advisory Committee Minutes of the January 7, 2014 meeting is available on the City’s website for your review

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

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, NOVEMBER 18, 2013

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

At 6:00PM, An Anticipated "Non-Meeting" with Counsel was held Re: Personnel Matters – RSA: 91-A:2, I (b-c)

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT: Mayor Spear, Assistant Mayor Lister, Councilors Coviello, Kennedy (via conference call until 9:45 p.m.), Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen

III. INVOCATION

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

IV. PLEDGE OF ALLEGIANCE

Councilor Thorsen led in the Pledge of Allegiance to the Flag.

V. ACCEPTANCE OF MINUTES *(There are no minutes on for acceptance this meeting)*

VI. PUBLIC COMMENT SESSION

Mayor Spear announced that he will be withdrawing the applications for consideration of appointment for Lisa Comack as an Alternate to the Zoning Board of Adjustment and Gibson "Mike" Kennedy as an Alternate to the Planning Board.

Tom Carroll thanked the City Council for responding to the issues relating to the Port of NH. He stated that the Port is not self supporting and that they have been losing money for years. Mr. Carroll advised the Council and residents that he has created a website regarding the Port and urged people to view it. The website address is as follows:
www.PortofNewHampshire.org.

Rick Horowitz spoke opposed to Mayor Spear's last minute appointment requests and that he is pleased that he has withdrawn them for consideration by the City Council.

Nicole LaPierre spoke regarding the mismanagement of 21 Brewster Street Boarding House. She said improvements have never been made, and what is done is the minimum. She stated things are not going well and are causing issues for the businesses in the area. She urged the City Council to take action regarding the issues at the Boarding House.

Julie Ross said the Brewster Street Boarding House units are still not compliant and reported that there have been 43 calls to 21 Brewster Street through October 31st. She spoke to the current management set up and urged the Council to make sure the requirements for the Boarding House License are being met.

Jay Dennett requested the City Council to do what is necessary for full time management of 21 Brewster Street. He spoke to some of the calls that have taken place at 21 Brewster Street and said baby steps are no longer acceptable.

Brianna Martin read a proposal on behalf of the Islington Creek Neighborhood. She stated that the owner of 21 Brewster Street has been given a number of extensions and there is a need for full time management and there needs to be something done to address the issues at the boarding house.

George Freeman stated he has lived at 21 Brewster Street for the last two years. He said there is a need for proper management at the boarding house and the owner does not want to address the problems at the site. Mr. Freeman also stated it is dangerous to live at the boarding house and urged the City Council to take whatever action is necessary to ensure the safety of those residing at 21 Brewster Street.

Rick Becksted thanked Mayor Spear for withdrawing the appointments. He feels it is the right decision for the new City Council. He further stated that the form-based zoning should also be withdrawn and discussed with the new Council.

Duncan MacCallum asked why the building height with form-based zoning will change to 60ft versus 45 ft limit. He said he heard there have been changes to the ordinance at the recommendation of the Historic District Commission.

Dick Bagley said he was going to speak to board appointments but now that Mayor Spear has withdrawn them it is no longer necessary. He further stated that the City Councilor sitting on the Planning Board should be the one making the recommendations for appointments.

Claire Kittredge spoke opposed to putting the form-based zoning forward before the new City Council is seated. She said she is opposed to the 60ft height limit and that it should be 45ft. She feels that this ordinance would tie the hands of the new Council and the tools for the Historic District Commission should not be paid by taxpayers.

Joe Caldarola thanked the City Council for their dedicated service. He stated form-based zoning needs to slow down and urged the Council to use caution.

Dan Freund spoke to the tools and guidelines for the Historic District Commission. He said applicants need a frame of reference for presenting proposals.

Joshua DeMarco spoke in support of the funding request for the Historic District Commission. He views the land use boards as insurance on his investment in the City. The Historic District Commission protects the character of the City.

VII. PUBLIC HEARING

- A. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF UP TO ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00) FROM UNASSIGNED FUND BALANCE FOR NECESSARY EXPENDITURES WITHIN THE PLANNING DEPARTMENT FOR DESIGN REVIEW TOOLS

Principal Planner Cracknell made a brief presentation and spoke to the last six months of work on the design review tools for the Historic District Commission. He indicated that the tools won't solve all the problems but will provide a framework to assist the Historic District Commission in its design review responsibilities:

1. 3-D Model for Building in Downtown Portsmouth: The Historic District Commission (HDC) proposed to engage an outside consultant to develop an electronic three-dimensional model of existing buildings in the core commercial areas of the downtown area, using the City's Geographic Information System and extensive database as the foundation.
2. Building Design Guidelines: The HDC is proposing to develop a set of detailed Design Guidelines to assist in the preservation of Portsmouth's historic buildings by providing technical guidance to residents and their contractors in planning changes and additions to their homes.
3. Update the Historic Survey of the Historic District: The HDC is proposing that an historic survey comparable to the 1982 survey be conducted for approximately 200 properties: the 170 properties that have been added to the Historic District since 1982, and about 30 additional properties that are currently being considered for inclusion in the District along Richards Avenue, Summer Street and Austin Street. A detailed historic district survey forms would be developed for each structure, documenting its age, historic name, rating, architectural style, materials and any specific features.

Joe Almeida, Chair of HDC, thanked Principal Planner Cracknell for the presentation. He said in February the HDC put together a list of goals and things to improve upon.

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

Dawn Pantelakos spoke in support of the funding and stated that the HDC does a great deal of hard work. She indicated that these tools are much needed.

Kerry Vautrot, Chair of Portsmouth Advocates, spoke in support of the funding for HDC tool guide and that this will streamline the certificate of appropriateness.

Dan Rawling spoke in support of the need for guidelines for the HDC and stated until there are clear guidelines for people there will be longer discussions.

Reagan Rudig HDC member, spoke in support of the presentation and the need for guidelines for the HDC. The model will take the guess work out of proposals and thanked the City Council for their support.

Gerry Zelin said models are needed to gauge the impact to the City with developments for the HDC. He said guidelines are needed for applicants and said this is an excellent proposal and would allow the HDC to do their jobs correctly.

Joe Caldarola spoke in favor of the tool kit but is not in agreement to fund it out of the general fund. He suggested funding it through raising applicant fees.

Christine Davidson applauded the suggestions and presentation for tools to be used for the HDC. She said we need to remember what the HDC is charged with in the zoning ordinance. She said appropriate review of plans is required by the HDC.

Dan Freund said he is a property owner and there are no guidelines for him and what he would like to do with his property. He urged the City Council to adopt the Resolution for the tools needed for the HDC.

Dick Bagley said going through the HDC is a difficult process and he strongly supports the funding for the HDC tools. He stated that Principal Planner Cracknell does a great job and is very technical.

After three calls and no further speakers, Mayor Spear declared the public hearing closed.

Assistant Mayor Lister moved to suspend the rules to move up Item XII. A.2. – Boarding House License Extension Re: 21 Brewster Street. Seconded by Councilor Smith. On a roll call 8-0, voted to suspend the rules in order to take up Item XII. A.2. – Boarding House License Extension Re: 21 Brewster Street. Councilor Lown abstained from voting on this matter.

XII. A.2. Boarding House License Extension Re: 21 Brewster Street

Councilor Coviello moved to extend the Boarding House Permit for 21 Brewster Street with stipulations as requested by the City Council, to March 4, 2014 to put it on the annual permit cycle with the other two boarding house permits. Seconded by Assistant Mayor Lister for discussion purposes.

Councilor Coviello asked if the current property manager has left or will be leaving.

Councilor Coviello moved to suspend the rules in order to allow Attorney Hoefle who is representing Mr. Hogan to address the City Council on the Boarding House License Extension regarding 21 Brewster Street. Seconded by Councilor Dwyer.

On a roll call 8-0, voted to suspend the rules in order to allow Attorney Hoefle who is representing Mr. Hogan to address the City Council on the Boarding House License Extension regarding 21 Brewster Street. Councilor Lown abstained from voting on this matter.

Attorney Hoefle stated that Mr. Brabazon is not intending to leave as manager. He informed the Council that Mr. Hogan has medical issues and was advised by his physicians not to attend this meeting due to his stress issues. Attorney Hoefle reported that the last inspection of the premises only saw issues with 3 rooms which contained bed bugs. He stated that Mr. Brabazon has only received 3 calls to the premises and 2 calls from the Islington Creek Neighborhood.

Assistant Mayor Lister stated there has been some progress with the facility but his concern is with there being no full time professional management company. He asked City Attorney Sullivan how far the City can go with this. City Attorney Sullivan said if the Council does not extend the permit the building will continue to operate without a permit and added either the City would need to file suit against Mr. Hogan or Mr. Hogan could file suit against the City for not renewing the permit. He further indicated that he does not feel the City or judge would evict the tenants. Assistant Mayor Lister said basically the Council needs to vote to avoid any lawsuits.

Attorney Hoefle said things are getting better and dialogue is important. He would meet with the City Council, City staff or the public on this matter.

Councilor Coivello said the City Council wants full time management for the site. He said with forty plus calls to the Police Department this year the neighborhoods want to see full time professional management. He said there are many companies that could provide full time professional management.

Councilor Novelline Clayburgh said one of the stipulations in the permit is for full time professional management. She thought it would be implemented and feels the stipulation has not been met.

Councilor Dwyer said the issue is what the meaning of full time professional management is. She said with the evidence provided by Attorney Hoefle having Mr. Brabazon being on call was in Mr. Hogan's opinion, meeting the stipulation. Councilor Dwyer said the Council needs to decide the definition of full time professional management.

Attorney Hoefle said if Councilor Coviello has a list of companies that could provide full time professional management he would like to be sent a copy of the list.

Councilor Smith said if the situation changes with Mr. Brabazon, Attorney Hoefle would address the issue as soon as possible. He said there is a lack of communication between the boarding house, tenants and the Islington Creek Neighborhood. He feels that the sign outside should be changed to say if there are concerns they should contact Mr. Brabazon. A meeting with City Attorney Sullivan, Deputy City Manager Allen, Attorney Hoefle needs to occur and include the Islington Creek Neighborhood.

Councilor Thorsen asked if there are issues with tenants, who should they call. Attorney Hoefle said Mr. Brabazon or himself. Councilor Thorsen asked for a list of all calls made to the Police Department regarding the premises.

Councilor Coviello said he feels it is a passive system right now and he would like an active system where a log is kept of items.

Attorney Hoefle suggested the Council direct the City Attorney to develop a definition for full time professional management which can be agreed upon by Mr. Hogan, Islington Creek Neighborhood and the City.

Mayor Spear asked if the maker of the motion would withdraw and extend the permit for 1 month.

Councilor Coviello withdrew the motion and Assistant Mayor Lister withdrew his second to the motion.

City Manager Bohenko said if the Council wants to weigh in on this matter the permit should expire on December 17, 2013.

Councilor Coviello moved to extend the Boarding Housing Permit for 21 Brewster Street with stipulations as requested by the City Council, to December 17, 2013. Seconded by Assistant Mayor Lister.

Assistant Mayor Lister said the Islington Creek Neighborhood should have a representative at the meeting with the City Attorney and Attorney Hoefle.

On a roll call 8-0, voted to extend the Boarding House Permit for 21 Brewster Street with stipulations as requested by the City Council, to December 17, 2013. Councilor Lown abstained from voting on this matter.

Stipulations are as follows:

- *Extend the current permit through December 17, 2013 with an inspection and report back prior to further extension*
- *Maintain full time professional management of the facility; such management firm having the ability to respond to municipal inquiries and requests 24/7*
- *Integrated pest management (IPM) to be maintained on monthly basis with follow-up inspection and applicable treatment in accordance with applicable treatment protocol in the event of pest detection. Monthly reports and follow-ups shall be delivered to the Health Department*
- *Require all common floors to remain non-porous and non-absorbent with cleanable surfaces*
- *Soiled or infested bedding shall be disposed of and not re-used*
- *Correction of all deficiencies from the annual inspection prior to permit issuance*
- *Permitee agrees to allow unannounced inspections of all common areas of the property and to allow similar inspections of tenant rooms with the permission of the tenants*
- *Permitee agrees that any failure to comply with these conditions, after a reasonable cure period, is adequate grounds for termination of the permit*

- *The professional management described in the second bullet above shall have the full authority of the permittee to take those actions necessary to maintain compliance with the permit*
- *The professional management described in the second bullet above shall be provided with the complete authority to maintain open communications with the neighborhood, the tenants of the property and the City with regard to all issues concerning the property*

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article IV, Section 7.402 – Areas Established, Designated and Described, Off-Street Parking Areas, Add Leary Field Parking Area, not to exceed 72 hours at one time

Councilor Novelline Clayburgh moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the December 2, 2013 City Council meeting. Seconded by Councilor Coviello.

On a unanimous roll call 9-0, voted to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the December 2, 2013 City Council meeting.

- B. First Reading on Proposed Amendments to the Zoning Ordinance, Article 6 – Overlay District, Section 10.630 – Historic District

Councilor Coviello moved to pass first reading and schedule a public hearing and second reading of the proposed zoning ordinance as presented, at the December 2, 2013 City Council meeting. Seconded by Councilor Novelline Clayburgh.

On a unanimous roll call 9-0, voted to pass first reading and schedule a public hearing and second reading of the proposed zoning ordinance as presented, at the December 2, 2013 City Council meeting.

- C. First Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance, Inserting a New Article 5A – Character Districts (aka Form-Based Zoning)

Councilor Thorsen moved to postpone the ordinance until January, 2014. Seconded by Councilor Kennedy.

Councilor Thorsen said he is in favor of Character Based Zoning if it is done correctly. He said we need to go through the process and stated having public comment at public hearing will be sufficient. He said people do not understand the ordinance and we need to have an open forum prior to the public hearing to explain the ordinance.

Councilor Dwyer said the process in the City is at public hearing and second reading we provide a detailed presentation. She does not feel the ordinance is that complicated but it takes time to work through it. She stated there needs to be more questions and answers at second reading. Councilor Dwyer said we may need a different opportunity maybe a work session for people to ask questions but we need to move forward with the process.

Councilor Lown asked when third and final reading would take place and what kind of presentation would be done at second reading.

City Manager Bohenko said we would take direction from the Council on what you would like for a presentation. He said the Planning Department would provide a long detailed presentation at second reading prior to the public hearing. He also indicated that third reading would be on December 16, 2013.

Councilor Lown said he agrees with Councilor Dwyer's comments. This is what many people in the City have been asking for and we should not put it off.

City Manager Bohenko said at the public hearing you would need to suspend the rules to allow back and forth discussion and questions and answers with the public. He further stated it would be different from how other public hearings are held.

Councilor Coviello stated he agrees with the motion on the floor because he was involved in the ordinance re-write. He understands why we should move forward but he also hears reason for delaying.

City Attorney Sullivan stated the safer course of action is to delay first reading until January.

Councilor Novelline Clayburgh said she would not support the motion. She feels this Council should make the decision on Character Based Zoning. She said the public has had many opportunities to express their opinions. She said the Planning Board has looked at this for several months and the Historic District Commission has also look at this.

Councilor Dwyer said a problem will be people will put forth a patchwork ordinance. We need to collect what the questions and concerns are.

Councilor Smith said he would not support the motion. He feels the ordinance should go to second reading and public hearing. He asked the City Attorney if the ordinance did not pass would we need to start the process over. City Attorney Sullivan said the process would need to start over.

Councilor Thorsen said moving ahead gives the public more time to speak and review the ordinance.

Councilor Kennedy said she would support the motion because she has heard from the public. She said we started with the Charettes and working around the table and we should end with a Charette. Councilor Kennedy said she would like the City Manager to set up a Friday – Saturday or Sunday to allow for a public forum with staff available.

Assistant Mayor Lister said we need as much public input as possible. He said people have had opportunities to provide input on the ordinance and he would vote to postpone.

Councilor Lown said we could pick a day where Planner Nick Cracknell and Planning Director Rick Taintor provide a presentation publically and provide for public input. He does not feel we are rushing through the ordinance. He said the ordinance is thorough, thoughtful and detailed.

City Manager Bohenko said we could start the December 2, 2013 meeting with a presentation at 6:00 p.m. and we do not have to start the Council meeting at 7:00 p.m.

Councilor Dwyer said based on questions raised at the meeting we could vote at second reading whether to move forward or not.

On a roll call 5-4, voted to postpone the ordinance until January, 2014. Assistant Mayor Lister, Councilors Coviello, Kennedy, Thorsen and Mayor Spear voted in favor. Councilors Novelline Clayburgh, Lown, Dwyer and Smith voted opposed.

- D. First Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance - Miscellaneous Conforming Amendments

Councilor Thorsen moved to postpone the ordinance until January, 2014. Seconded by Councilor Coviello.

On a roll call 7-2, voted to postpone the ordinance until January, 2014. Assistant Mayor Lister, Councilors Coviello, Kennedy, Lown, Smith, Thorsen and Mayor Spear voted in favor. Councilors Novelline Clayburgh and Dwyer voted opposed.

Councilor Dwyer said if we really want the public to be involved and part of the process, we should think about a work session or presentation at the Library on the ordinance.

Mayor Spear said in the next couple months we can work on holding a work session or public presentation.

- E. Adoption of Resolution Authorizing a Supplemental Appropriation of up to One Hundred and Fifty Thousand Dollars (\$150,000.00) from Unassigned Fund Balance for necessary Expenditures within the Planning Department for Design Review Tools

Councilor Novelline Clayburgh moved to adopt the proposed Resolution Authorizing a Supplemental Appropriation of up to One Hundred and Fifty Thousand Dollars (\$150,000.00) from Unassigned Fund Balance for necessary Expenditures within the Planning Department for Design Review Tools. Seconded by Assistant Mayor Lister.

Mayor Spear advised the Council that a two-thirds vote is required for adoption of the Resolution.

Councilor Dwyer asked if the funding includes training because we need to make sure there is training. City Manager Bohenko said he would make sure that funds would include training.

Councilor Thorsen asked if we would need more staff once this is put in place. City Manager Bohenko said he would need to look at that once the tools are put in place.

Discussion followed between the Council and Planner Nick Cracknell on the tools and how they would work.

Councilor Smith said he is concerned that the guidelines for the Historic District Commission indicate that they're guidelines and not rules.

Councilor Kennedy urged the Council to adopt the Resolution and move forward with the tools for the Historic District Commission.

On a unanimous roll call 9-0, voted to adopt the proposed Resolution Authorizing a Supplemental Appropriation of up to One Hundred and Fifty Thousand Dollars (\$150,000.00) from Unassigned Fund Balance for necessary Expenditures within the Planning Department for Design Review Tools.

Councilor Kennedy left the conference call at 9:45 p.m.

At 9:45 p.m., Mayor Spear called a brief recess. At 9:50 p.m., Mayor Spear called the meeting back to order.

X. CONSENT AGENDA

- A. Letter from Zachary Taylor and Alex Marshall, Co-Founders, Santa Ski NE requesting permission to hold Santa Ski New England 2013 on November 30, 2013 on the premises of the Isles of Shoals Steam Ship Company ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Doug Bates, President Portsmouth Chamber of Commerce, requesting permission to hold the following races for the 2014 Portsmouth Community Road Race Series:
- Great Bay Services – Resolution 5K - January 1, 2014
 - Easter Seals Veteran's Count, Pack & Boots 5K – May 17, 2014
 - Sex Assault Support Services – 5k to Keep Kids Safe – June 8, 2014
 - Portsmouth Rotary Club – Thunder Chicken – August 23, 2014
 - Breast Cancer Stories – Celebrate Pink – September 13, 2014
 - Prescott Park Arts Festival/Community Child Care Child – ISM Memorial 5k – October 11, 2014
 - Seacoast Rotary Club – Turkey Trot – November 27, 2014
- (Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Tracey Tucker, Executive Director, New Heights, requesting permission to hold 5th annual St. Paddy's 5 Miler on Sunday, March 16, 2014 at Pease Tradeport ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Kim Blanchard, Development Coordinator, National Multiple Sclerosis Society, Greater New England Chapter, requesting permission to hold 2014 Walk MS Portsmouth on Saturday, April 12, 2014 ***(Anticipated action – move to refer to the City Manager with power)***

- E. Letter from Karen Butz Webb, Executive Director, Project Safety Association, requesting permission to hold 3rd Annual Project Safety 5K Road Race on Saturday, September 29, 2014 (***Anticipated action – move to refer to the City Manager with power***)
- F. Acceptance of Donations for Art-Speak
- Robin Albert - \$175.00
- (***Anticipated action – move to accept and approve the donations to Art-Speak for the General Administration line item, as presented***)
- G. Acceptance of Donation to the Coalition Legal Fund
- Town of Bridgewater - \$1,000.00
- (***Anticipated action – move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund***)
- H. Request for License from Barbara Newton, President of The Player's Ring, for property located at 105 Marcy Street for a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Barbara Newton, President of the Player's Ring, for a projecting sign at property located at 105 Marcy Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***
 - ***Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and***
 - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- I. Request for License from Enrico's Management, LLC, owner of Enrico's Deli for property located at 41 Congress Street for a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Enrico's Management, LLC, owner of Enrico's Deli for a projecting sign at property located at 41 Congress Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***

- **Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and**
- **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**

J. Request for License from John Bajoras, owner of Village Silversmith, for property located at 75 Congress Street for a projecting sign on an existing bracket (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of John Bajoras, owner of Village Silversmith for a projecting sign at property located at 75 Congress Street and, further, authorize the City Manager to execute License Agreements for this request**)

Planning Director's Stipulations:

- **The licenses shall be approved by the Legal Department as to content and form;**
- **Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and**
- **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**

K. Request for License from Dave Campbell, owner of Ceres Street Wine for property located at 39 Ceres Street for a projecting sign on a new bracket (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Dave Campbell, owner of Ceres Street Wine for a projecting sign at property located at 39 Ceres Street and, further, authorize the City Manager to execute License Agreements for this request**)

Planning Director's Stipulations:

- **The licenses shall be approved by the Legal Department as to content and form;**
- **Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and**

- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

- L. Request for License from Jessica Roy, owner of Pawtsmouth Grooming Salon for property located at 85 Daniel Street for a projecting sign on an existing bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Jessica Roy, owner of Pawtsmouth Grooming Salon for a projecting sign at property located at 85 Daniel Street and, further, authorize the City Manager to execute License Agreements for this request)***

Planning Director's Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

- M. Request for License from Karen Hayes and Betsy Montgomery, owner of Pretty Poppy for property located at 45 Market Street for a projecting sign on a new bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Karen Hayes and Betsy Montgomery, owner of Pretty Poppy for a projecting sign at property located at 45 Market Street and, further, authorize the City Manager to execute License Agreements for this request)***

Planning Director's Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

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

XI. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Letter from Steven Wilson Re: 143 Daniel Street – Exchange of Easements

Councilor Lown moved to refer to the Planning Board for a report back. Seconded by Councilor Coviello and voted.

- B. Letter from James G. Boyle, Trustee, 150 Greenleaf Realty Trust Re: Sewer Line

Councilor Coviello moved to accept and place the letter on file. Seconded by Councilor Novelline Clayburgh and voted.

- C. Letter and Petition from Islington Creek Neighborhood Association Re: Full-time Professional Management – 21 Brewster Street

Councilor Coviello moved to accept and place the letter on file. Seconded by Assistant Mayor Lister and voted.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. License Request Re: Insurcomm, 30-32 Daniel Street

City Manager Bohenko reported that Insurcomm is requesting a license through January 17, 2014 to encumber the sidewalk in front of 30-32 Daniel Street to complete restoration work following the fire at that location. The restoration work is currently being completed under an encumbrance permit which is due to expire December 5, 2013. He indicated that staff has no objection to the granting of a license provided that it includes terms and conditions similar to those already contained in the encumbrance permit. He also indicated there is anticipated to be intermittent use of metered parking spaces which will be handled by purchasing meter bags.

Councilor Novelline Clayburgh moved to authorize the City Manager to negotiate and enter into a license with Insurcomm to facilitate restoration activities at 30-32 Daniel Street. Seconded by Councilor Coviello and voted.

Councilor Smith requested that snow removal be part of Insurcomm's responsibilities and not the City's.

B. MAYOR SPEAR

1. Appointments to be Considered

Mayor Spear withdrew the applications for consideration of appointment for Lisa Comack as an Alternate to the Zoning Board of Adjustment and Gibson "Mike" Kennedy as an Alternate to the Planning Board.

2. Resignation – Richard DiPentima from the Conversation Commission

Councilor Smith moved to accept with regret the resignation of Richard DiPentima from the Conservation Commission. Seconded by Assistant Mayor Lister and voted.

Councilor Smith requested that a letter of thanks and appreciation be sent to Mr. DiPentima for his service to the City.

C. COUNCILOR LOWN

1. Letter from Bert Cohen, Chairperson of the Mayor's Blue Ribbon Committee on Sustainability Re: Septic Sludge Treatment

Councilor Lown moved to refer to the City Manager for a report back. Seconded by Councilor Novelline Clayburgh and voted.

D. COUNCILOR SMITH

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the October 10, 2013 meeting

Councilor Smith moved to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of October 10, 2013. Seconded by Councilor Novelline Clayburgh.

Councilor Smith reported that there are no items which require an ordinance change.

Motion passed.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT

At 10:00 p.m., Councilor Smith moved to adjourn. Seconded by Councilor Coviello and voted.



Kelli L. Barnaby, CMC/CNHMC
City Clerk

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, DECEMBER 2, 2013

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

At 6:30PM, An Anticipated "Non-Meeting" with Counsel was held Re: Personnel Matters – RSA: 91-A:2, I (b-c)

I. CALL TO ORDER

Mayor Spear called the meeting to order at 7:15 p.m.

II. ROLL CALL

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

ABSENT: Councilor Smith

III. INVOCATION

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

IV. PLEDGE OF ALLEGIANCE

Councilor Novelline Clayburgh led in the Pledge of Allegiance to the Flag.

V. ACCEPTANCE OF MINUTES – OCTOBER 7, 2013 AND OCTOBER 21, 2013

Councilor Lown moved to approve and accept the minutes of the October 7, 2013 and October 21, 2013 City Council meetings. Seconded by Councilor Thorsen and voted.

Assistant Mayor Lister moved to suspend the rules in order to take up Item XII. C.1. – Recommendation of City Council Evaluation Committee Re: Proposed Amendment to City Manger's Employment Agreement. Seconded by Councilor Lown and voted.

XII. C.1. Recommendation of City Council Evaluation Committee Re: Proposed Amendment to City Manger's Employment Agreement

Assistant Mayor Lister moved at the request of the City Manager to withdraw the Evaluation Committee's recommendation for an amendment to the City Manager's Employment Agreement as listed under Assistant Mayor Lister's name on the agenda. Seconded by Councilor Novelline Clayburgh.

Assistant Mayor Lister said this is something to give City Manager Bohenko for his excellence over the last 17 years of work for the City. He said this was to provide an incentive for the City Manager to stay in the City. The Committee has given the City Manager extraordinary marks and the City has received a Triple A bond rating in the last year.

Also, there have been 5 increases in our bond rating over the last 17 years since City Manager Bohenko has been here which has resulted in the City saving \$4.7 million dollars with the bonding for a new wastewater treatment plant. He said the Committee will reconvene and meet on this matter further.

On a roll call 7-1, voted at the request of the City Manager to withdraw the Evaluation Committee's recommendation for an amendment to the City Manager's Employment Agreement as listed under Assistant Mayor Lister's name on the agenda. Assistant Mayor Lister, Councilors Kennedy, Novelline Clayburgh, Lown, Dwyer, Thorsen and Mayor Spear voted in favor. Councilor Coviello voted opposed.

Assistant Mayor Lister voted to suspend the rules in order to take up Item XII. A.1. – Approval of Proposed Employment Agreement for Deputy Fire Chief James B. Heinz. Seconded by Councilor Kennedy and voted.

XII. A.1. Approval of Proposed Employment Agreement for Deputy Fire Chief
James B. Heinz

Assistant Mayor Lister moved that the City Council approve the Employment Agreement between James Heinz and the Portsmouth Fire Commission for a 5-year term expiring on June 30, 2018. Seconded by Councilor Kennedy and voted.

VI. PUBLIC COMMENT SESSION

Mark Brighton thanked City Manager Bohenko and Assistant Mayor Lister for withdrawing the amendment to the City Manager's Employment Agreement.

Marylou McElwain said the public needs to be more informed and the process more transparent with the amendment to the City Manager's Employment Agreement. She stated the timing for this amendment is not good with taxes due this week.

Dick Bagley thanked City Manager Bohenko for the extraordinary things he has done for the City over the last 17 years. He understands the importance of retention of good employees but the City Manager has a severance package that would make him eligible for 1 year of salary for every year of service and his health and dental benefits.

City Manager Bohenko explained the process for the payment of the severance package.

Arthur Clough spoke regarding the leave and termination fund and spoke to the difficulty getting union contracts approved. He said the City Manager should be honored like people have in the past maybe naming an appropriate building after him. He stated the City Manager is very well paid.

James Boyle said he just received his tax bill and it should not include lavish contract increases and also stated that staffing levels at the City are bloated. He feels the amendment to the City Manager's Employment Agreement should be placed on file and not set aside for a time.

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDMENT CHAPTER 7, ARTICLE IV, SECTION 7.402 – AREAS ESTABLISHED, DESIGNATED AND DESCRIBED, OFF-STREET PARKING AREAS, ADD LEARY FIELD PARKING AREA, NOT TO EXCEED 72 HOURS AT ONE TIME

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

City Manager Bohenko stated that this is a procedural item to bring it under parking lots in the City.

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

- B. ORDINANCE AMENDMENTS TO THE ZONING ORDINANCE, ARTICLE 6 – OVERLAY DISTRICT, SECTION 10.630 – HISTORIC DISTRICT

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

Planner Nick Cracknell provided a brief presentation and overview of the Historic District including the ordinance. He stated this ordinance is to streamline the process and reported that 75% of minor projects have people sitting in this room for hours. He said we are looking to limit items on the agenda to 1 or 2 projects. He spoke to electronic plan submissions and scale drawings. He also stated the Historic District Commission would be creating a consent agenda for the approval of minor projects.

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

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Ordinance amending Chapter 7, Article IV, Section 7.402 – Areas Established, Designated and Described, Off-Street Parking Areas, Add Leary Field Parking Area, not to exceed 72 hours at one time

Councilor Kennedy moved to pass second reading and schedule a third and final reading of the proposed Ordinance, as presented, at the December 16, 2013 City Council meeting. Seconded by Assistant Mayor Lister.

City Attorney Sullivan requested that the ordinance be amended by removing the word “dirt” lot and replacing it with “paved” lot.

Councilor Lown moved to amend the Ordinance by removing the word “dirt” lot and replacing it with “paved” lot. Seconded by Councilor Coviello and voted.

Main motion passed as amended.

- B. Second Reading on Proposed Amendments to the Zoning Ordinance, Article 6
– Overlay District, Section 10.630 – Historic District

Councilor Kennedy moved to pass second reading and schedule a third and final reading at the December 16, 2013 City Council meeting. Seconded by Councilor Novelline Clayburgh.

Councilor Kennedy moved to amend the ordinance to include the Planning Board recommended changes as outlined in the green document provided in the City Council packet. Seconded by Councilor Novelline Clayburgh and voted.

Planning Board Recommended Changes:

- Section 10.634.20 – Application Contents

*By the Addition of Language as Follows: **Such plans shall clearly state the overall height, width and depth of the proposed building.***

- Section 10.634.23

*By the Addition of Language as Follows: **Said model shall include the proposed building and all existing and approved building within 250 feet of the proposed building on every street which the proposed building abuts.***

Section 10.635.35

*By the Addition of Language to Item (3) as Follows: **during the public hearing on the Consent Agenda or, if the application is removed from the consent agenda as provided in paragraph (5) below, during the hearing on that matter.***

Councilor Thorsen moved to amend Section 10.633.30 – Administrative Approval by the addition of words in terms of the Administrative Approvals as follows: *subject to Historic District Commission approval at the next meeting of the Historic District Commission that a list of the administrative approvals be submitted to the Historic District Commission prior to the meeting and that the administrative approvals be automatically ratified unless rejected specifically by the Historic District Commission at that meeting.* Seconded by Councilor Kennedy and voted.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear said reviewing the workload with the Historic District Commission and breaking down projects over 10,000 square feet he would like to receive feed back on having two separate independent boards for projects in the downtown for commercial and residential in the overlay. He asked if that kind of approach has been looked at. Planner Nick Cracknell asked who the second board would be. Mayor Spear said the two boards would need to be created by the City Council. Planner Cracknell stated that these amendments will not solve all the problems but create a good distance to address some of the large projects and the 4-5 hour meetings taking place 3 times per month.

He said with all of these coming together the applicants would not see an improvement with the process. He feels there will be significant improvement with this ordinance and we need to evaluate this ordinance to see how these improve and change.

Assistant Mayor Lister returned the gavel to Mayor Spear.

Main motion passed as amended.

X. CONSENT AGENDA

- A. Request for License from Kim Lively, owner of Lively Kids for property located at 133 Market Street for a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Kim Lively, owner of Lively Kids for a projecting sign at property located at 133 Market Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

Councilor Kennedy moved to adopt the Consent Agenda. Seconded by Councilor Dwyer and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

(There are no items under this section of the Agenda)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

2. Lease of Greenleaf Recreation Center Re: Operation Blessing

City Manager Bohenko spoke to the lease of the Greenleaf Recreation Center and indicated that the Portsmouth Housing Authority (PHA) does not want to renew its lease.

He said Operation Blessing is a 501 C 3 and would become the new leasee of the building and have stated they're committed to working with other social service non-profits to ensure the recreation center is not duplicative of existing services and plans to retain the services currently offered by the PHA to its residents at the adjacent Wamesit Place family housing development.

In addition, Operation Blessing has committed to making the facility available to the existing users. He further stated he would work closely with the Recreation Board and the Recreation Director on this matter.

Assistant Mayor Lister moved to authorize the City Manager to further explore a potential concession agreement (Lease agreement) for the Greenleaf Recreation Facility with Operation Blessing, Inc. in close coordination with the Recreation Board and report back at a future meeting. Seconded by Councilor Novelline Clayburgh.

Councilor Lown asked what percentage of activities have to be devoted to recreation and was the Greenleaf building considered by the Senior Committee and if the Committee would comply with the requirements. Assistant Mayor Lister said the site was looked at but it is not being pursued by the Senior Committee.

Councilor Novelline Clayburgh asked if maintenance is handled by Operation Blessing or the City. City Manager Bohenko stated we will be discussing that and it may be more efficient for us to supply some of the maintenance. Councilor Novelline Clayburgh asked if this includes the skate board park. City Manager Bohenko said we need to evaluate the skate board park and its needs and utilization.

Assistant Mayor Lister said he would support the proposal for further communication and thanked Operation Blessing for its services provided to the City.

Motion passed.

City Manager's Informational Items

City Manager Bohenko announced the Holiday Parade and Tree Lighting Ceremony will be held on Saturday, December 7, 2013.

B. MAYOR SPEAR

1. Resignation – Bob Shouse from the Blue Ribbon Committee on Sustainable Practices

Mayor Spear notified the Council that he has received the resignation of Bob Shouse from the Blue Ribbon Committee on Sustainable Practices. No formal action taken by the City Council.

D. COUNCILOR SMITH

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the November 14, 2013 meeting

Assistant Mayor Lister moved to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of November 14, 2013. Seconded by Councilor Dwyer and voted.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

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

At 8:00 p.m., Councilor Novelline Clayburgh moved to adjourn. Seconded by Assistant Mayor Lister and voted.



Kelli L. Barnaby, CMC/CNHMC
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Tuesday, February 18, 2014 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution amending 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 \$35,704.00 for a single taxpayer or \$44,044.00 for married taxpayers, inclusive of social security payments and total assets may not exceed \$119,016.00 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

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Tuesday, February 18, 2014 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution amending 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 \$35,704.00 for a single taxpayer or \$44,044.00 for married taxpayers, inclusive of social security payments and total assets may not exceed \$119,016.00 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
11P2/6

#12517

THE CITY OF PORTSMOUTH
TWO THOUSAND FOURTEEN
PORTSMOUTH, NEW HAMPSHIRE

RESOLUTION # - 2014

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 \$35,704 for a single taxpayer or \$44,044 for married taxpayers, inclusive of social security payments and total assets may not exceed \$119,016 whether single or married The elderly exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

ROBERT J. LISTER, MAYOR

ADOPTED BY THE CITY COUNCIL:
, 2014

KELLI L. BARNABY, CMC
CITY CLERK

NOTE: This exemption becomes effective for the tax year April 1, 2014.

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.

Elderly & Disabled Exemption Impact

Exemption Type	Exemption Amount	Number Currently Receiving Exemption	Value Loss	Revenue Loss
65 through 74	\$ 125,000.00	44	\$ 5,500,000.00	\$ 93,390.00
75 through 79	\$ 175,000.00	34	\$ 5,950,000.00	\$101,031.00
80 and over	\$ 225,000.00	64	\$ 14,400,000.00	\$244,512.00
Disabled	\$ 100,000.00	9	\$ 900,000.00	\$ 15,282.00
Totals		151	\$ 26,750,000.00	\$454,215.00

Note: The current tax rate of \$17.91 would be decreased to \$17.80 a difference of 11 cents on the current tax rate if the elderly and disabled exemptions were not granted.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Tuesday, February 18, 2014 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution amending 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 \$35,704.00 for a single taxpayer or \$44,044.00 for married taxpayers, inclusive of social security payments and total assets may not exceed \$119,016.00 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

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Tuesday, February 18, 2014 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution amending 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 \$35,704.00 for a single taxpayer or \$44,044.00 for married taxpayers, inclusive of social security payments and total assets may not exceed \$119,016.00 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

#12517 11P2/5

THE CITY OF PORTSMOUTH
TWO THOUSAND FOURTEEN
PORTSMOUTH, NEW HAMPSHIRE

RESOLUTION # - 2014

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 \$35,704 for a single taxpayer or \$44,044 for married taxpayers, inclusive of social security payments and total assets may not exceed \$119,016 whether single or married. The disabled exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

ROBERT J. LISTER, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2014**

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

NOTE: This exemption becomes effective for the tax year April 1, 2014.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Property Taxes

Section 72:37-b

72:37-b Exemption for the Disabled. –

I. Upon its adoption by a city or town as provided in RSA 72:27-a, any person who is eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled shall receive a yearly exemption in an amount to be chosen by the town or city.

I-a. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, a person who is eligible under Title II or Title XVI of the federal Social Security Act on his or her sixty-fifth birthday shall remain eligible for a yearly exemption either in the amount of the exemption applicable under paragraph I or the amount of the elderly exemption granted to the person under RSA 72:39-b, whichever is greater.

I-b. Upon the adoption of this paragraph by a city or town as provided in RSA 72:27-a, any person who at any time previously was eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled, but who is no longer eligible for such federal benefits due to reasons other than the status of that person's disability, shall be eligible for the exemption under paragraph I or I-a, or both as may be applicable, provided that the person submits an affidavit from a physician licensed in New Hampshire that attests to the fact that the person continues to meet the criteria for disability that are used under Title II or Title XVI of the federal Social Security Act.

II. The exemptions in paragraph I and I-a may be applied only to property which is occupied as the principal place of abode by the disabled person. The exemption may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode. Nothing in this section shall preclude a qualified applicant from earning an income.

III. No exemption shall be allowed under paragraph I or I-a unless the person applying for an exemption:

(a) Had, in the calendar year preceding said April 1, a net income from all sources, or if married, a combined net income from all sources, of not more than the respective amount determined by the city or town for purposes of paragraph I or I-a. Under no circumstances shall the amount determined by the city or town be less than \$13,400 for a single person or \$20,400 for married persons. The net income shall be determined by deducting from all moneys received, from any source including social security or pension payments, the amount of any of the following or the sum thereof:

- (1) Life insurance paid on the death of an insured.
- (2) Expenses and costs incurred in the course of conducting a business enterprise.
- (3) Proceeds from the sale of assets.

(b) Owns net assets not in excess of the amount determined by the city or town for purposes of paragraph I, excluding the value of the person's actual residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The amount determined by the city or town shall not be less than \$35,000 or, if

married, combined net assets in such greater amount as may be determined by the town or city. "Net assets" means the value of all assets, tangible and intangible, minus the value of any good faith encumbrances. "Residence" means the housing unit, and related structures such as an unattached garage or woodshed, which is the person's principal home, and which the person in good faith regards as home to the exclusion of any other places where the person may temporarily live. "Residence" shall exclude attached dwelling units and unattached structures used or intended for commercial or other nonresidential purposes.

(c) Has been a New Hampshire resident for at least 5 years.

IV. Additional requirements for an exemption under paragraph I or I-a shall be that the property is:

(a) Owned by the resident;

(b) Owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirements for the exemption claimed;

(c) Owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable requirements for the exemption claimed; or

(d) Owned by a resident, or the resident's spouse, either of whom meets the requirements for the exemption claimed, and when they have been married to each other for at least 5 consecutive years.

Source. 1993, 212:1. 1997, 87:1. 2003, 299:11. 2004, 238:2. 2008, 307:1, eff. April 1, 2008.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Tuesday, February 18, 2014 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance for necessary expenditures related to the anticipated Approval of Contractual Obligations Identified in the Fire Department Contracts of up to Ninety-Seven Thousand (\$97,000.00) Dollars. To meet this appropriation, the City Manager is authorized to transfer these funds from the June 30, 2013 Unassigned Fund Balance. 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 11P2/6

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
SUPPLEMENTAL APPROPRIATION
FOR THE FISCAL YEAR ENDING JUNE 30, 2014**

RESOLUTION # -

A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM UNASSIGNED FUND BALANCE FOR NECESSARY EXPENDITURES RELATED TO THE ANTICIPATED APPROVAL OF CONTRACTUAL OBLIGATIONS IDENTIFIED IN THE FIRE DEPARTMENT CONTRACTS.

RESOLVED:

BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:

THAT, the City Council has determined that the sum of up to **Ninety-Seven Thousand (\$97,000) Dollars** is to be appropriated from Unassigned Fund Balance upon the approval of the Fire Department contracts to defray the expenditures related to contractual obligations for the Fiscal Year ending June 30, 2014.

THAT, to meet this appropriation, the City Manager is authorized to transfer these funds from the June 30, 2013 Unassigned Fund Balance.

APPROVED BY:

ROBERT J. LISTER, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CITY CLERK

SECTION 7.14-AMENDMENTS TO BUDGET AFTER ADOPTION

No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds (2/3) majority of the Council after a public hearing held to discuss said appropriation. The Council shall, by resolution, designate the source of any money so appropriated.

**CITY OF PORTSMOUTH
TWO THOUSAND FOURTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # –

A RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) RELATED TO THE DESIGN AND CONSTRUCTION OF THE HOBBS HILL LANDING WATER TANK REPLACEMENT.

RESOLVED:

THAT, the sum of up to **Three Million Five Hundred Thousand Dollars (\$3,500,000)** is appropriated for the design and construction of the Hobbs Hill Landing Water Tank replacement, demolishing the existing water tank, and for the payment of all other costs incidental and related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Three Million Five Hundred Thousand Dollars (\$3,500,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT That the expected useful life of this project is determined to be at least twenty (20) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

ROBERT J. LISTER, MAYOR

ADOPTED BY CITY COUNCIL

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

February 3, 2014

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

FEB - 5 2014

Dear Mr. Bohenko –

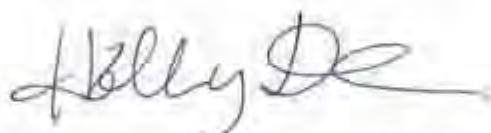
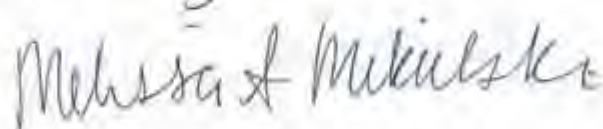
We are writing today on behalf of Bottomline Technologies, located at 325 Corporate Drive, Portsmouth. The Company would like to host an annual 4 mile road race in September, to raise money and awareness in support of local charities. We have made a change to our original date requested and would like to request Saturday, September 20, 2014 at 8:30am, with the route on Pease to be determined. As one of the primary resources offering to coordinate the event, we were referred to you and your office by Holly's step father, Tom Sedoric and Former Mayor Tom Ferrini, to start the process, seek permission by the City and discuss overall logistics. We would be more than happy to set up a meeting at your convenience to discuss this further.

Thank you in advance for your consideration and we look forward to hearing from you soon.

We can be reached via email/phone
mmikulski@bottomline.com or 603-501-5335
hdavis@bottomlne.com or 603-501-6653

Kind regards,

Holly Davis and Melissa Mikulski

FEB 17 2014

MEMORANDUM

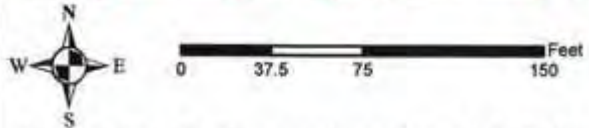
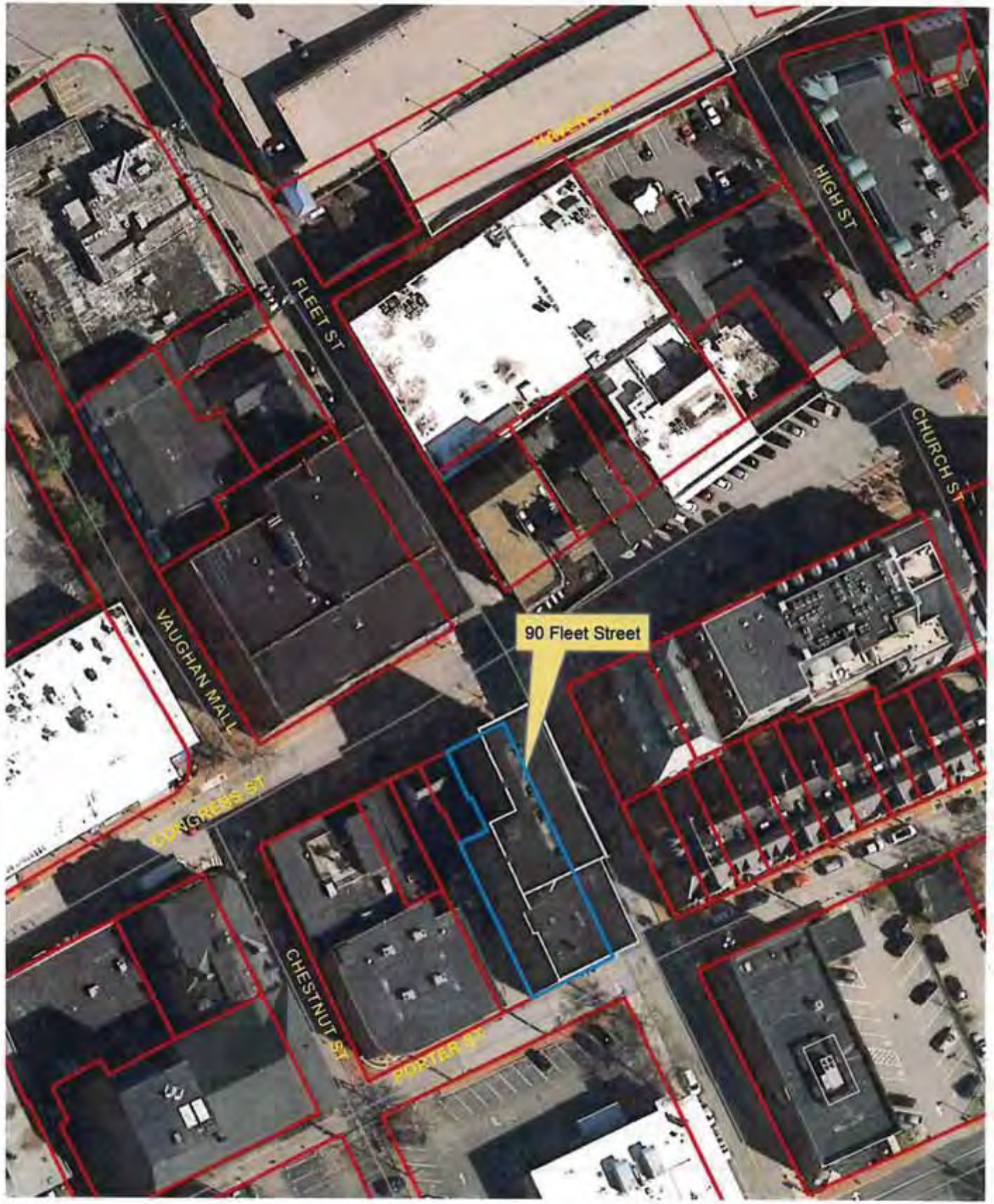
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: February 10, 2014
RE: City Council Referral – Projecting Sign
Address: 90 Fleet Street
Business Name: The Fresh Press
Business Owner: Aaron Smith

Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 36" x 48"
Sign area: 12 sq. ft.
Height from sidewalk to bottom of sign: 13'0"
Maximum protrusion from building: 42 in.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

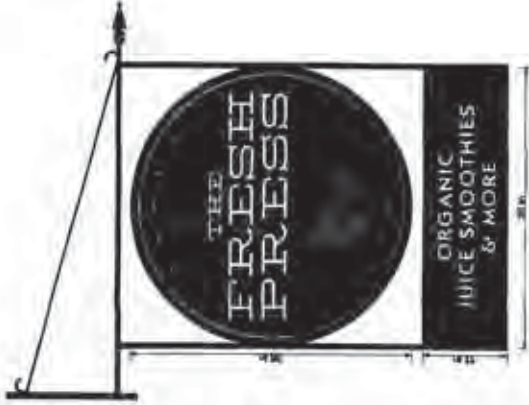


Map produced by Planning Department 2-10-2014

Request for Projecting Sign License 90 Fleet Street

The Fresh Press
90B Fleet Street
1 Projecting Sign





Qty:

SS/DS:

Materials:

Background Color:

Vinyl Color: HP Int Other:



Phone: 603-436-0047
 email: service@portsmouthsign.com

All designs and custom artwork remain the property of Portsmouth Sign Company until the order is complete and paid in full.

NOTE: Designs are NOT actual size

REVISION:

All orders under \$250 include 1 revision only. All orders over \$250 include 3 revisions only. Additional revisions will be charged at \$25 per revision.

1/30/14

I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order exactly. I authorize fabrication according to this approval.

SIGNATURE: _____

Date: _____

RETURN SIGNED TO: service@portsmouthsign.com



February 3, 2014

Dear John Bohenko, City Manager
City Hall
Junkins Avenue
Portsmouth, NH 03801

Dear John:

With the Islington Street/Route 1 Bypass Bridge closed for reconstruction, we are anticipating the resurfacing of upper Islington Street and the installation of sidewalks and curbs. This would connect the sidewalk that ends at Essex Avenue to the little league ball field and new children's playground at the Portsmouth Plains. We were made aware of this potential project and the capital funds to accomplish it early last year.

Having lived at 1374 Islington Street for over 45 years, we have long hoped for the completion of the sidewalk on this street. It is more urgent than ever as since the completion of the children's playground at the ball field we have seen a surge of mothers pushing strollers and children walking in the travel lane of upper Islington Street on their way to the playground. This is a serious safety concern and invites a potentially tragic accident. Islington Street is a heavily travelled roadway that often sees cars moving at excessive speed.

We are concerned that we recently heard that the Islington Street project may be in competition with the Sagamore Avenue project for available capital funds. We would be very disappointed to lose this project. Sagamore Bridge will not be open for at least a year after the Islington Bridge is complete. Further, Sagamore Avenue does presently have sidewalks, although they are in real need for repair, they do provide a safe alternative to walking in the street which upper Islington Street does not. Obviously, completing the Islington Street project before the new bridge is open would provide significant savings.

Please let us know if we can expect the Islington Street project to proceed before the completion of its bridge replacement. Thank you for your consideration.

Respectfully,

Ralph DiBernardo
Linda DiBernardo

Ralph & Linda DiBernardo

1374 Islington Street

Portsmouth, NH 03801

603-436-6895

Cc: Portsmouth City Council ✓

Portsmouth Public Works Director

Portsmouth Traffic & Safety Committee



CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
jpb@cityofportsmouth.com
(603) 610-7201

John P. Bohenko
City Manager

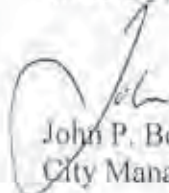
February 6, 2014

Ralph & Linda DiBernardo
1374 Islington Street
Portsmouth, NH 03801

Dear Ralph and Linda:

Thank you for your letter of February 3, 2014 regarding the resurfacing of Islington Street and the installation of sidewalks and curbs. I have requested that Peter Rice, Public Works Director, provide me with a report regarding this project which I will send to you once I have received it.

Sincerely,



John P. Bohenko
City Manager

JPB/ams

c.: Honorable Mayor Lister and City Council Members
Peter Rice, Public Works Director



received
2/6/14

January 30, 2014

Mayor John Lister, City of Portsmouth
Town Council
Mayor's Office
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor Lister and Town Council Members,

Please let me introduce myself. My name is Katharine Muth and I am the Executive Director of the New Hampshire Art Association (NHAA) located at 135 State Street, Portsmouth, NH.

I am writing to ask permission for the NHAA to host an En Plein Air event, "Hanging Out To Dry". A plein air event is a gathering of artists who paint scenes on location in the open air. Artists painting in a Plein Air Event gather in a specified area and paint the locale such as a landscape, or seascape, or cityscape.

The New Hampshire Art Association is a non-profit art association founded in 1940, it is one of the oldest statewide art associations in the country. Currently there are over 400 juried members of painters, photographers, watercolorists, printmakers, sculptors, and other fine artists living and working primarily in New Hampshire, Massachusetts, Maine, and Vermont.

Twenty-five thousand people per year participate with and/or visit the NHAA Robert Lincoln Levy Gallery as well as off site exhibitions. Although visitation is primarily from New England the NHAA has a significant international audience.

The Robert Lincoln Levy Gallery in Portsmouth hosts shows throughout the year, opening new shows as part of the monthly Art Around Town. NHAA artists exhibit their work at the Prescott Park Arts Festival, the Sunapee Craft Fair, Seacoast Repertory Theatre, the SMILE Building in Concord, NH as well as Pop Up Galleries that host flash exhibits in vacant buildings. Many events are linked to activities in local schools.

We support artists.

NHAA artists reach out to communities throughout New Hampshire. We are working with the New Hampshire Association of the Blind, the Seacoast Mental Health Center, and the New Hampshire Children's Museum, among others to bring artists together with non-traditional audiences, and to give these special audiences access to art and artists.

For many years the NHAA has hosted a summer long art exhibition at the Sheafe Warehouse in Prescott Park. The exhibition has approximately 6,000 visitors each year. In 2012, with Prescott Park approval the NHAA began hosting the En Plein Air event as a component of that exhibition. For the first two years artists were restricted to Prescott Park. We are hoping to increase the scope of the event this year by allowing artists to paint throughout the downtown and waterfront area of Portsmouth.

The event is open to all artists and media with the exhibition of photographers.

All participants will sign a City of Portsmouth Indemnification Form for Artists.

Artists will spend the day painting at various locations throughout the city. The artists provide their own compact easels and paints. They will have a small NHAA sign to hang on their easels identifying them as participants of the event. All work will be returned to the Robert Lincoln Levy gallery where it will be exhibited and offered for sale during the month of August.

Please see below for details of the event.

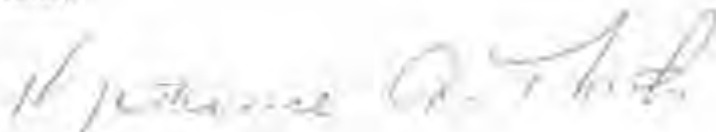
Date: Saturday, July 19
Rain Date: Saturday, July 26
Time: 9:00 am – 3:00 pm
Location: Various locations throughout the City of Portsmouth
Parking: Participants will utilize Portsmouth's off-street and on-street public parking spaces. Information on the parking sites (www.parkportsmouth.com) will be provided to participants.
of Participants: ~ 30 artists
Event Scope: Participants will meet at the NHAA's Robert Lincoln Levy gallery located at 136 State Street for registration and receive instructions.

Instructions will include:
NHAA rules & regulations for the En Plein Air event.
Participants must remain within the City of Portsmouth downtown and waterfront area.
They must not obstruct any sidewalks or rights of way.
They will not go on any private property.
No more than two artists may paint together.
Artists will clean up their area at the end of the day and take all trash with them.

Please feel free to contact me with questions.

We appreciate your consideration.

Sincerely,



Katharine A. Muth, Executive Director
New Hampshire Art Association

CC: John P. Bohenko, City Manager
Enc.: City of Portsmouth Indemnification Form for Artists

New Hampshire Art Association · Robert Lincoln Levy Gallery
136 State Street · Portsmouth, NH 03801
603-431-4230 · nhartassociation@gmail.com



CITY OF PORTSMOUTH

INDEMNIFICATION FORM FOR ARTISTS


I, the undersigned, agree to indemnify and hold the City of Portsmouth and its employees, agents, and volunteers including the City Cultural Commission and property owners, harmless from any loss, theft or damage to my artwork. I have read and understand the specifications and requirements for the sites. I take responsibility for installation and removal of my artwork. I grant permission to the City of Portsmouth to photograph any entry for publicity purposes.

Artist Signature

Date

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: February 14, 2014
To: Honorable Mayor Robert J. Lister and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on February 18, 2014 City Council Agenda

Work Session:

6:00 p.m.

1. **Work Session with General Services Administration (GSA) Re: McIntyre Federal Building and Property.** On Tuesday evening at 6:00 p.m., Robert Zarnetske, Regional Administrator, for General Services Administration (GSA) and his staff will meet in a Work Session with the City Council regarding the long-term utilization of the T.J. McIntyre Federal Building located at 80 Daniel Street and the adjacent parking lot. In addition, our Federal Delegation (Senator Shaheen, Senator Ayotte and Congresswoman Shea-Porter), will have representatives in attendance for this work session.

For your information, on January 23, 2004, as a result of the efforts of Senator Judd Gregg, Congress authorized, and the President signed legislation to transfer the 2.16-acre federal McIntyre property on Daniel Street to the City of Portsmouth for nominal cost for "economic development purposes." The legislation authorized and reprogrammed \$11,149,000 originally planned for renovations to the McIntyre Building for site acquisition, design, construction and relocation of the federal agencies in the McIntyre Building to a new building on a 27-acre parcel of land at 234 Corporate Drive at Pease International Tradeport. An additional \$13,669,000 (bringing the project total to \$24.8 million) was deposited into the Federal Buildings Fund for any "additional costs of construction, management, and inspection of the new facility." The federal government acquired the building lot at Pease in November 2006 and began designing a structure for the tenants in the McIntyre Building.

For the past ten years, the City has had several meetings with the GSA and Congressional Delegation representatives regarding the progress of the design and construction of the new building at Pease International Tradeport and of the intended relocation of the federal agencies to the new office and the conveyance of the McIntyre property to the City as outlined in the legislation.

To better understand the progression of events related to the McIntyre Building, I have prepared and attached a chronology of the City's interactions with the GSA on the McIntyre Building from 2004-2014. It includes supportive attachments starting with the Public Law 108-199 Sec. 408 for the purchase of land and construction of a new federal building at Pease International Tradeport and the transfer of the McIntyre Building to the City. Also, attached is an agenda for the work session.

Items Which Require Action Under Other Sections of the Agenda:

I. First Reading of Proposed Resolution and Ordinances.

- 1.1 **First Reading of Proposed Resolution for a Bond Authorization of up to Three Million Five Hundred Thousand (\$3,500,000) Dollars for the Design and Construction of the Hobbs Hill Landing Water Tank Replacement.** As a result of the February 3rd City Council meeting, under Section VIII of the Agenda, I am bringing back for first reading a proposed Resolution authorizing a bond issue of up to Three Million Five Hundred Thousand (\$3,500,000) related to the design and construction of the Hobbs Hill Landing Water Tank Replacement. The following is a description of a proposed Resolution from the water enterprise fund:

This project was identified in the Phase I Water System Master Plan and confirmed again as part of the Water Supply Update performed in 2012. The Hobbs Hill Landing Water Tank was constructed in the 1950's in conjunction with the building of the Pease Air Force Base and has reached the end of its useful life and requires a replacement tank.

This project had been slated as a FY15 project in the current CIP with design anticipated in fall-winter 2014 and construction commencing in the summer of 2015. However, due to ongoing construction of new buildings adjacent to the existing water tank and a potential business relocating its corporate offices into one of the new buildings, we are proposing to bring this before City Council for bond authorization now. This will enable design to commence this winter in anticipation of bidding the project in a few months so that it can begin construction this summer. We will be bidding and selecting the contractor based on price, tank style and proposed construction timeline. Demolition of the existing Hobbs Hill tank will occur after the new tank is completed and in service (see attached Resolution and attachments).

I would recommend the City Council move to pass first reading of a Bond Resolution up to Three Million Five Hundred Thousand (\$3,500,000) Dollars for the replacement of the Hobbs Hill Landing Water Tank, as presented, and further, schedule a public hearing and adoption at the March 3, 2014 City Council meeting. (Please note that Bonding Resolutions require two readings and a public hearing and two-thirds vote of the City Council.) Action on this item should take place under Section VIII of the Agenda.

2. **Public Hearing and Adoption of Proposed Resolutions.**

- 2.1 **Public Hearing and Adoption of Proposed Resolutions Amending Elderly and Disabled Exemptions Income and Asset Limits.** As requested by the City Council at the February 3rd 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 Statutes) and RSA 72:37-b and makes recommendations as to these levels.

Last year, the City Council adopted resolutions #2-2013 and #3-2013 which increased the income and asset levels for both the elderly and disabled exemptions by November to November CPI of 2.0% from the previous year. The current elderly and disabled exemption income levels are \$35,176 for a single taxpayer, \$43,393 for married taxpayers, and an asset limit of \$117,257.

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

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

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

This year the City Council requested that both the Elderly and Disabled Exemptions, income and asset limits, be adjusted based on the 1.5% increase to SSI payments effective January 2014 as follows:

Elderly Income and Assets Limits at 1.5% Increase

- Single \$ 35,704 increase of \$528
- Married \$ 44,044 increase of \$651
- Asset Limit of \$119,016 increase of \$1,759

Disabled Income and Asset Limits at 1.5% Increase

- Single \$ 35,704 increase of \$528
- Married \$ 44,044 increase of \$651
- Asset Limit of \$119,016 increase of \$1,759

On Tuesday evening, I am requesting that the City Council act on the following Resolutions:

- a) *I would recommend the City Council move to adopt the proposed Resolution, increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption by 1.5% as follows:*
- Single \$ 35,704 increase of \$528
 - Married \$ 44,044 increase of \$651
 - Asset Limit of \$119,016 increase of \$1,759
- b) *I would recommend the City Council move to adopt the proposed Resolution, increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption by 1.5% as follows:*
- Single \$ 35,704 increase of \$528
 - Married \$ 44,044 increase of \$651
 - Asset Limit of \$119,016 increase of \$1,759

Action on this matter should take place under Section VIII of the Agenda.

- 2.2 **Public Hearing and Adoption for a Proposed Resolution for Supplemental Appropriation of up to Ninety-Seven Thousand (\$97,000) Dollars to Fund the FY14 Settlement of the Firefighters and Fire Officers Collective Bargaining Agreements.** As a result of the February 3rd City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the attached proposed Resolution authorizing a Supplemental Appropriation from Unassigned Fund Balance of up to Ninety-Seven Thousand (\$97,000) Dollars for necessary expenditures related to the anticipated approval of contractual obligations identified in the Fire Department contracts.

On Tuesday, January 28, 2014, the Fire Commission approved a tentative settlement for the Firefighters and Fire Officers Collective Bargaining Agreement. Funding for this settlement agreement was not appropriated by the City Council in the FY14 Budget. The estimated cost for this settlement for both the Firefighters' and Fire Officers' Agreements are estimated at \$97,000 for FY14. Prior to the City Council acting on these agreements, it would be necessary to appropriate funds to implement the proposed changes. Funding for this supplemental appropriation would come from the Unassigned Fund Balance. In accordance with Section 7.14 of the City Charter, a supplemental appropriation requires a public hearing and a two-thirds majority vote of the City Council.

I would recommend the City Council move to adopt the proposed Resolution authorizing a supplemental appropriation of up to Ninety-Seven Thousand (\$97,000) from Unassigned Fund Balance for necessary expenditures related to the anticipated approval of contractual obligations identified in the Fire Department contracts. (Please note that a Resolution authorizing a supplemental appropriation requires a public hearing and two-thirds vote of the City Council.) Action on this item should take place under Section VIII of the Agenda.

Consent Agenda:

1. **Request for License to Install Projecting Sign.** Attached under Section IX of the Agenda is a request for a projecting sign license (see attached memorandum from Rick Taintor, Planning Director):

➤ Aaron Smith, Owner of The Fresh Press for property located at 90 Fleet Street.

I would recommend the City Council move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute the License Agreement for this request. Action on this matter should take place under Section IX of the Agenda.

City Manager's Items Which Require Action:

1. **Proposed Action on Firefighters' and Fire Officers' Collective Bargaining Agreements.** On Tuesday evening, the Fire Commission is requesting that the City Council vote on the Firefighters Association Portsmouth, NH Council #1313 contract and the Portsmouth Professional Officers' contracts. I have attached a copy of City Negotiator Thomas Closson's letter outlining the highlights of the two tentative agreements along with the cost analysis to implement these contracts.

A copy of the insertions and deletions showing the changes in the contract if approved can be found on <http://www.cityofportsmouth.com/HR/contracts-fire.htm>.

Prior to the approval of these contracts, the City Council will need to take action on a supplemental appropriation of \$97,000, which needs City Council approval in order to adopt these contracts. The supplemental appropriation needs a two-thirds vote of City Council.

Action is required by the City Council regarding this matter.

2. **Adoption of Capital Improvement Plan (CIP) FY2015-2020.** In accordance with Section 7.7 of the City Charter, the City Council conducted a public hearing on Monday, February 3, 2014, regarding the proposed Capital Improvement Plan for FY2015-2020. In addition to the public hearing, the City Council held a work session on January 27, 2014. At the work session, 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 FY2015-2020 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 FY2015 budget to you on or about May 1, 2014. Given that projected date, I am suggesting the City Council adopt the proposed Capital Improvement Plan at this evening's meeting.

I would recommend the City Council adopt the Capital Improvement Plan for FY 2015– FY 2020.

3. **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, 2014 through March 31, 2015. 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, 2014 through March 31, 2015.

4. **Proposed License Request from Wright Avenue, LLC Re: 67, 73, 77 State Street.** Attached is a letter from Stephen Kelm, Managing Partner, Wright Avenue, LLC regarding a request for a license for the aforementioned locations. For your information, the proposed redevelopment at 77 State Street received Planning Board approval. Attached is a memorandum from the City Attorney's Office describing in detail the four license areas that will be encumbered.

The fee for the License will be for 8 parking spaces. The charge per space will be the construction permit meter bag daily fee as set forth in Chapter 7, Article 1, Section 7.114A of the City Ordinance. The cost for each space will be \$30.00 per day for the duration of the license. Anticipated monthly license fee revenue will be \$7,200 per month.

I would recommend the City Council move to authorize the City Manager to negotiate and enter into a license with Wright Avenue, LLC to facilitate construction activities at 77 State Street, which includes a license fee of \$30 per parking space per day.

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 3, 2014. In addition, this now can be found on the City's website.
2. **SEA-3 Update.** As you will recall, at the City Council meeting of February 3rd, it was requested that City staff report back activities related to the SEA-3 liquid petroleum gas rail shipments due to the expansion that is proposed for the 190 Shattuck Way facility in Newington. At the City Council's request, on February 5th, City staff added a webpage to our website entitled "Expanded Rail Operations for Proposed SEA-3 Terminal Expansion"(<http://www.cityofportsmouth.com/SEA-3>). The page includes information pertinent to this project, as well as contact information for state and federal legislators.

In addition to the posting of this website, Environmental Planner Peter Britz, Deputy City Manager Dave Allen, and I attended a public hearing in the Town of Newington on Monday, February 10th regarding the expansion of the SEA-3 plant. Mayor Lister read a letter into the record and provided the Newington Planning Board with the letter, which raised concerns regarding the public safety implications of increased rail traffic carrying hazardous materials close to neighbors and businesses (see attached letter). In addition, I presented testimony highlighting our concerns that the trains with tank cars in Portsmouth will traverse 6 at grade crossings on City streets, 6 underpass or overpass crossings, as well as a number of private property crossings (see attached comments).

Also, for your information, City staff met with Town Administrators of Greenland and Stratham, Town Planner of Newington, and including Melodie Esterberg, Chief of Design Services and John Robinson, Railroad Inspector/Investigator from the Department of Transportation to discuss how to coordinate efforts regarding rail safety in each of our respective municipalities. Discussions also included review of rail crossings and their conditions as well as what would need to be done to promote safe passage of the increased rail volume. I will provide you with a copy of the meeting notes when they are available.

For your information, the Town Planning Board in Newington is requesting that the Federal Railroad Administration become an active participant in the ongoing review of the expansion of the SEA-3 facility. The Town of Newington has also made contact with Senator Shaheen's Office and Congresswoman Shea-Porter's Office to engage the Congressional Delegation to assist with the Town's request for information from the Federal Railroad Administration.

I will recommend to the Mayor that we send letters to our Congressional Delegation, as well, asking for the Federal Railroad Administration's most recent inspection reports of the rail lines. I will keep you advised on this matter as we have more information.

Representing Management Exclusively in Workplace Law and Related Litigation

jackson lewis
Attorneys at Law

Jackson Lewis P.C.
100 International Drive
Suite 303
Portsmouth, NH 03801
Tel 603 559-2700
Fax 603 559-2701
www.jacksonlewis.com

ALBANY, NY	GRAND RAPIDS, MI	NEW ORLEANS, LA	RALEIGH-DURHAM, NC
ALBUQUERQUE, NM	GREENVILLE, SC	NEW YORK, NY	RAPID CITY, SD
ATLANTA, GA	HARTFORD, CT	NAPA, CA	RICHMOND, VA
AUSTIN, TX	HOUSTON, TX	NORFOLK, VA	SACRAMENTO, CA
BALTIMORE, MD	INDIANAPOLIS, IN	ORLANDO, FL	ST. LOUIS, MO
BIRMINGHAM, AL	JACKSONVILLE, FL	ORANGE COUNTY, CA	SAN DIEGO, CA
BOSTON, MA	LAS VEGAS, NV	ORLANDO, FL	SAN FRANCISCO, CA
CHICAGO, IL	LONG BEACH, NY	PHILADELPHIA, PA	SAN JUAN, PUERTO RICO
CINCINNATI, OH	LOS ANGELES, CA	PHOENIX, AZ	SEATTLE, WA
CLEVELAND, OH	MEMPHIS, TN	PITTSBURGH, PA	STAMFORD, CT
DALLAS, TX	MIAMI, FL	PORTLAND, OR	TAMPA, FL
DAYTON, OH	MILWAUKEE, WI	PORTSMOUTH, NH	WASHINGTON DC REGION
DENVER, CO	MINNEAPOLIS, MN	PROVIDENCE, RI	WHITE PLAINS, NY
DETROIT, MI	MORRISTOWN, NJ		

THOMAS M. CLOSSON
DIRECT DIAL: 603.559.2729
THOMAS.CLOSSON@JACKSONLEWIS.COM

January 28, 2014

Honorable Mayor Robert Lister and City Council
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: Settlement with Local #1313, Firefighters and Local #4039 Fire Officers

Dear Mayor Lister and Members of the City Council:

I am pleased to recommend for your consideration the terms of a tentative agreement with both the Firefighters and Fire Officers. The major items in the contract are as follows:

Term:

- Six year agreement to expire June 30, 2014.
- The CBAs will expressly provide that only cost items specifically identified as retroactive and approved as such by the Fire Commission and the City Council will be paid retroactively.

Health Insurance:

- Effective date of City Council approval, the City will pay up to a maximum of 84.5% of the premium of cost of a Matthew Thornton Plan.
- Local #1313 and Local #4039 will serve on the City-wide committee to study health insurance options.
- SchoolCare will be added as a coverage option if either unit in its entirety, decides to make a change in coverage.

Wages:

- No COLA increases for 2008-09, 2009-10, 2010-11, 2011-12 and 2012-13.
- 10 year rolling COLA average (2.24%) increase effective September 1, 2013 – **retroactive cost items.**
- 10 year rolling COLA average (2.24%) increase effective March 1, 2014.
- Effective upon City Council approval, the wage schedule will be reconfigured to include the following two categories: EMT Basic (base rate of compensation); EMT – Intermediate/Advanced EMT (3% above the base rate of compensation). This will eliminate the current EMT-1 stipend. Paramedics will continue to receive an additional 5% stipend.

Uniform:

- Applicable to Local #1313 only – the City will provide one Class A uniform to new firefighters at the end of their probationary period of employment.

Overtime:

- Eliminate the ability to use leave in 1/3 shift increments.
- Reduce recall minimum from 4 hours to 2 hours in both emergencies and non-emergencies and provide that call-back pay will not be compounded, pyramided or added to compensation for any purpose.

Longevity:

- Upon City Council approval, the next regularly scheduled longevity payment will be increased consistent with the COLA increases to wages referenced above.
- Upon City Council approval, the next regularly scheduled longevity payment for eligible employees will include additional years added for years 26, 27, 28, 29 and 30. A “catch-up” payment will be made when the next longevity payment is due to put employees on their proper step on the schedule.

If you have any questions or comments, please do not hesitate to let me know.

Sincerely yours,

/s/ Thomas M. Closson

Thomas M. Closson
Attorney at Law
Jackson Lewis LLP

Order Sons of Italy in America

Seacoast Area Lodge No. 2303

P O Box 132

Portsmouth, NH 03802-0132

JAN 06 2014

January 6, 2014

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

Dear Mr. Bohenko and City Council:

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,

A handwritten signature in black ink, appearing to read 'David Wolf', written in a cursive style.

David Wolf

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, 2014 and shall end MARCH 31, 2015.

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, 2014 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

_____ 2014,

CITY OF PORTSMOUTH

WITNESS

John P. Bohenko, City Manager

Pursuant to vote of the City Council on
_____, 2014.

SONS OF ITALY

WITNESS

John Semprini, President

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: February 11, 2014

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: JANE FERRINI, STAFF ATTORNEY

RE: AGENDA ITEM FOR CITY COUNCIL – LICENSE REQUEST FROM WRIGHT AVENUE, LLC FOR 67, 73, 77 STATE STREET

Wright Avenue, LLC ("Owner") requests a license to encumber the sidewalks and certain City owned property abutting 67, 73, 77 State Street (hereinafter 77 State Street), Tax Map 105, Lot 18, to construct a four and one half story mixed use building. See attached letter from Stephen Kelm, Managing Partner, Wright Avenue, LLC.

Owner's license request is for four separate License Areas. Each License Area differs in its use, duration and public access. Attached are three Exhibits showing the License Areas: Appendix G, a Plan entitled "Redevelopment Plan Wright Avenue, LLC 67, 73, & 77 State Street, Portsmouth, NH, City License Plan C1" depicting the four License Areas; Appendix F depicting the relocation of the ADA parking spaces in the Wright Avenue Parking Lot; and an aerial photograph of the project site showing the License Areas generally.

License Areas 1 and 2 are located on the sidewalk on State Street and will be closed to pedestrian access until June 25, 2014. After June 25, 2014, License Area 1 will remain in use but the pedestrian sidewalk will be open with walk through scaffolding.

License Area 3 will be used for staging from the start of construction through completion of the project in May 2015. License Area 3 encumbers 4 parking spaces, 2 of which are required ADA spaces. One additional parking space in the Wright Avenue parking lot will be removed in order to provide for the access aisle between the relocated ADA spaces. This parking space is not included in License Area 3 shown on Appendix G but is depicted in Appendix F.

License Area 4 is 3 parking spaces and the existing driveway entrance on State Street. This License Area will be used for deliveries and will be inaccessible to the public for the duration of the project.

The fee for the License will be for 8 parking spaces (the 3 spaces in License Area 4 plus the 4 spaces in License Area 3 plus the space in the Wright Avenue Parking Lot for the required ADA access aisle). The charge per space will be the construction permit meter bag daily fee pursuant to Chapter 7, Article 1, Section 7.114A of the City Ordinance. Anticipated monthly license fee revenue will be \$7,200 per month.

License Area 3 is subject to a separate agreement between the City and Owner whereby the Owner has paid the City \$20,000 to hold in escrow to finish the brick sidewalk area as a condition of the City's agreeing to defer completion of the Wright Avenue Parking Lot.

Proposed Motion: Move to authorize the City Manager to negotiate and enter into a license with Wright Avenue, LLC to facilitate construction activities at 77 State Street, which includes a license fee of \$30 per parking space per day.

Attachments

cc: David Allen, Deputy City Manager
Rick Taintor, Planning Director
Peter Rice, Director of Public Works

h/jferrini/citymanager/memolicensewrightavenuelc.

10 February, 2014

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

RE: Request for License for property located at 77 State Street

Dear Mr. Bohenko:

The proposed redevelopment at 77 State Street received Planning Board approval for the construction of a 4.5 story mixed use building. The work will be adjacent to the city sidewalk on State Street as well as the city parking lot near the Memorial Bridge. The construction will require that we utilize city property in order to provide for construction and deliveries during the project. We understand the need to obtain City Council approval in the form of a license for the areas that we need to use for the construction of the project. Attached is a plan showing the proposed license areas. Understanding the need to maintain pedestrian access along state Street during the summer season, the license areas have been broken into four segments labeled as 1, 2, 3 and 4. The specific duration and conditions of each license area are:

1. Sidewalk closure for construction of foundation, steel erection, and exterior first floor brick. Once completed scaffolding will be erected to allow pedestrian access at grade level while work progresses above the first floor. Sidewalk projected to be open June 25, 2014.
2. Sidewalk closure from start of construction through steel erection. Sidewalk will be opened by June 25th, 2014.
3. Sidewalk and parking space closure from start of construction to completion of project in May of 2015.
4. Parking space closure from start of construction thru June 25, 2014.

Approval of the licenses is hereby requested.

Sincerely,



Stephen Kelm,
Managing Partner, Wright Avenue, LLC;
Owner - 603-502-0250 (skelm@sommastudios.com)

CC: Rick Taintor, City of Portsmouth
David Allen, PE, City of Portsmouth
John Chagnon, PE, Ambit Engineering
Jane Ferrini, City of Portsmouth

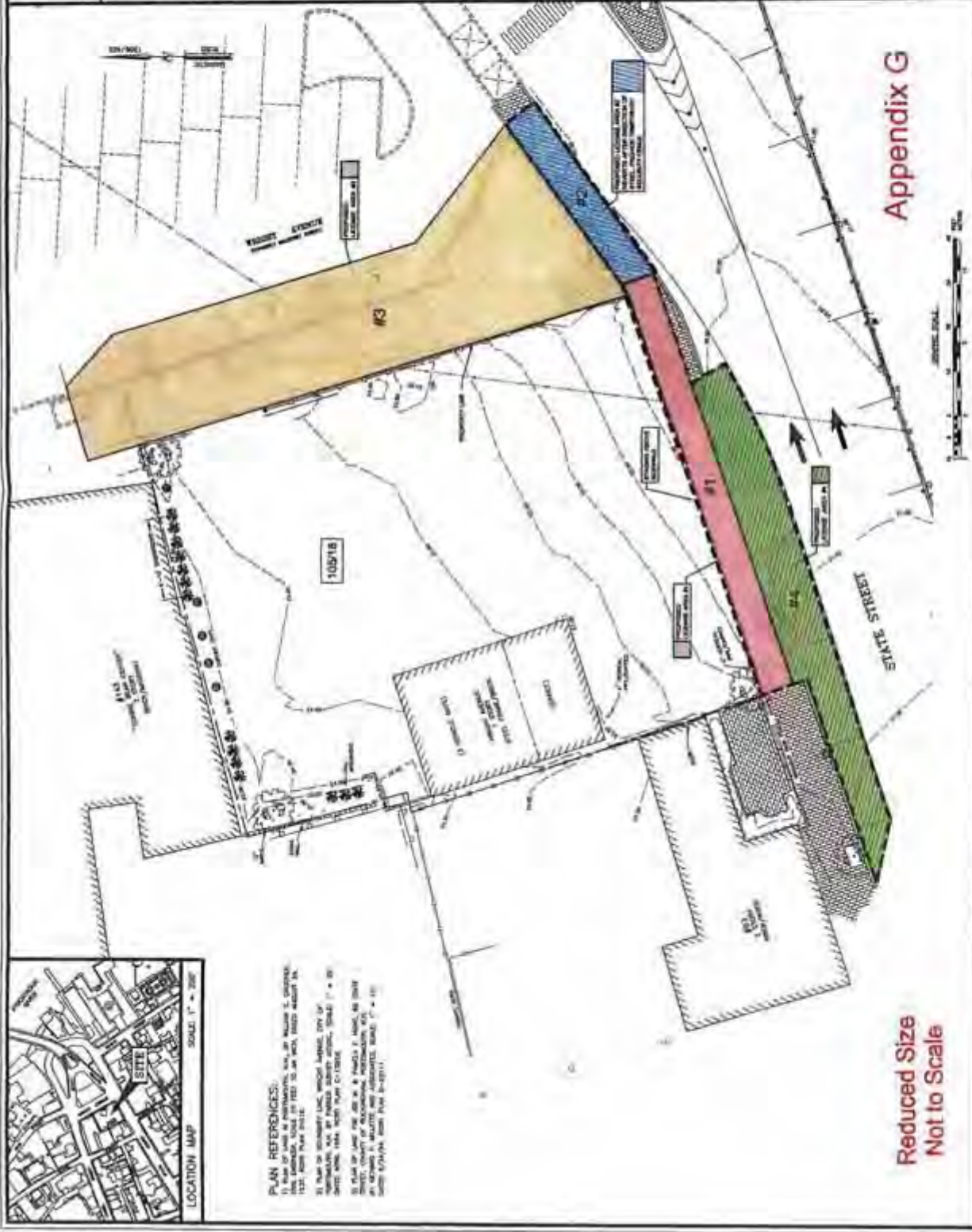
- NOTES:**
- 1) Project is shown on the City of Portsmouth Assessor's Map for 2012 as Lot 16.
 - 2) Owner of Record: Wright Avenue, LLC, 112 Oak Street, Suite 40, Portsmouth, NH 03801, 603-430-1114
 - 3) Project is not in a Flood Hazard Zone as shown on the Flood Hazard Map, 11/11/08.
 - 4) Easement for Utility Lines is shown on the Assessor's Map.
 - 5) Project is located in the Central Business & Retail District.
 - 6) Information, measurements, and dimensions are shown for reference only.
 - 7) All dimensions are in feet.
 - 8) All dimensions are to the centerline of the street.
 - 9) All dimensions are to the centerline of the street.
 - 10) All dimensions are to the centerline of the street.

REDEVELOPMENT PLAN
WRIGHT AVENUE, LLC
67, 73, & 77 STATE STREET
PORTSMOUTH, N.H.

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	1/20/14
2	FINAL PLAN	1/20/14
3	REVISIONS	1/20/14
4	REVISIONS	1/20/14
5	REVISIONS	1/20/14



SCALE: 1" = 10'
 DECEMBER 2013
 CITY LICENSE PLAN **C1**

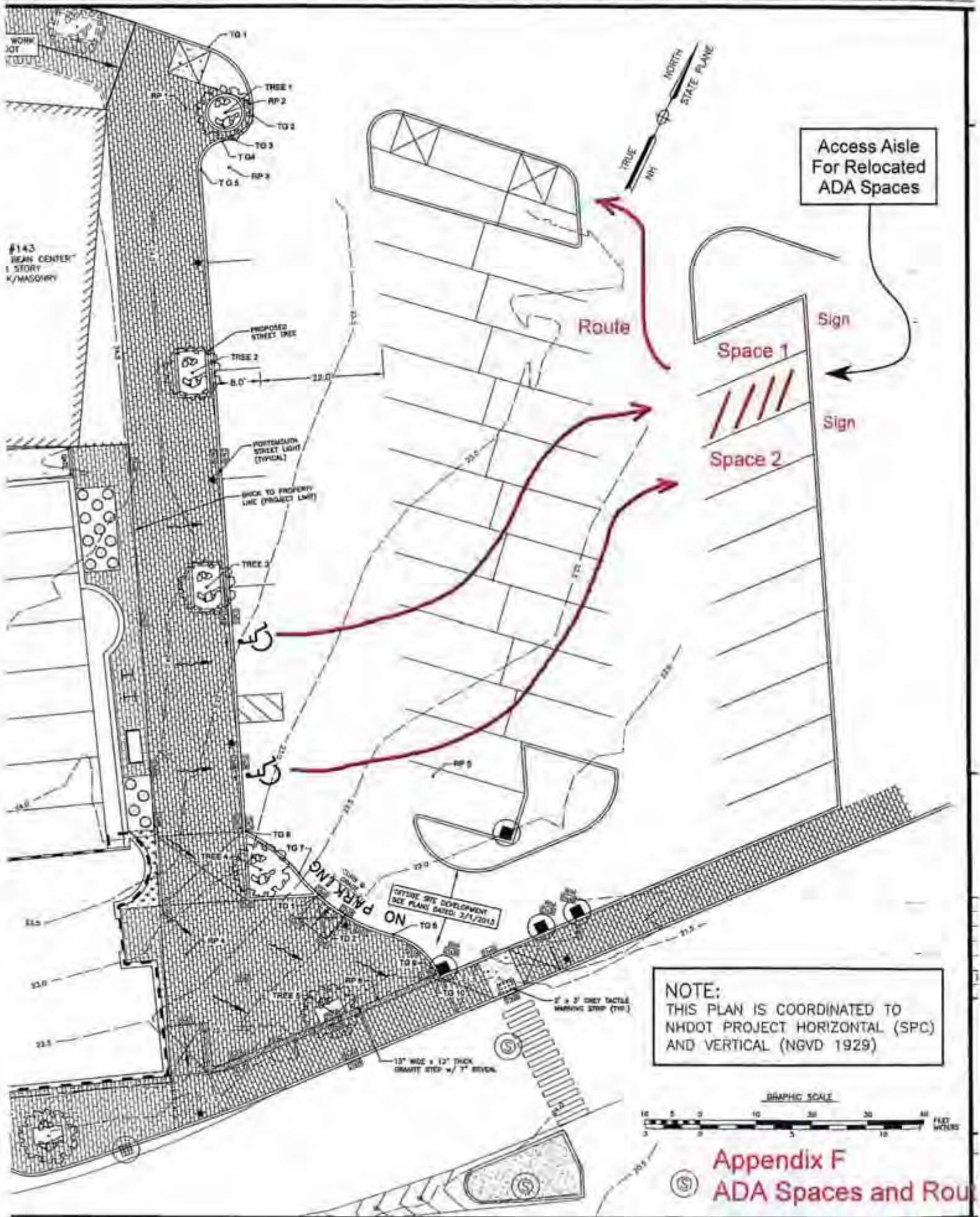


Appendix G

**Reduced Size
 Not to Scale**



- PLAN REFERENCES:**
- 1) Assessor's Map for 2012, 11/11/08.
 - 2) Assessor's Map for 2012, 11/11/08.
 - 3) Assessor's Map for 2012, 11/11/08.
 - 4) Assessor's Map for 2012, 11/11/08.
 - 5) Assessor's Map for 2012, 11/11/08.
 - 6) Assessor's Map for 2012, 11/11/08.
 - 7) Assessor's Map for 2012, 11/11/08.
 - 8) Assessor's Map for 2012, 11/11/08.
 - 9) Assessor's Map for 2012, 11/11/08.
 - 10) Assessor's Map for 2012, 11/11/08.



Access Aisle
For Relocated
ADA Spaces

Route

Space 1

Space 2

Sign

Sign

NOTE:
THIS PLAN IS COORDINATED TO
NHDOT PROJECT HORIZONTAL (SPC)
AND VERTICAL (NGVD 1929)

GRAPHIC SCALE



Appendix F
ADA Spaces and Routes

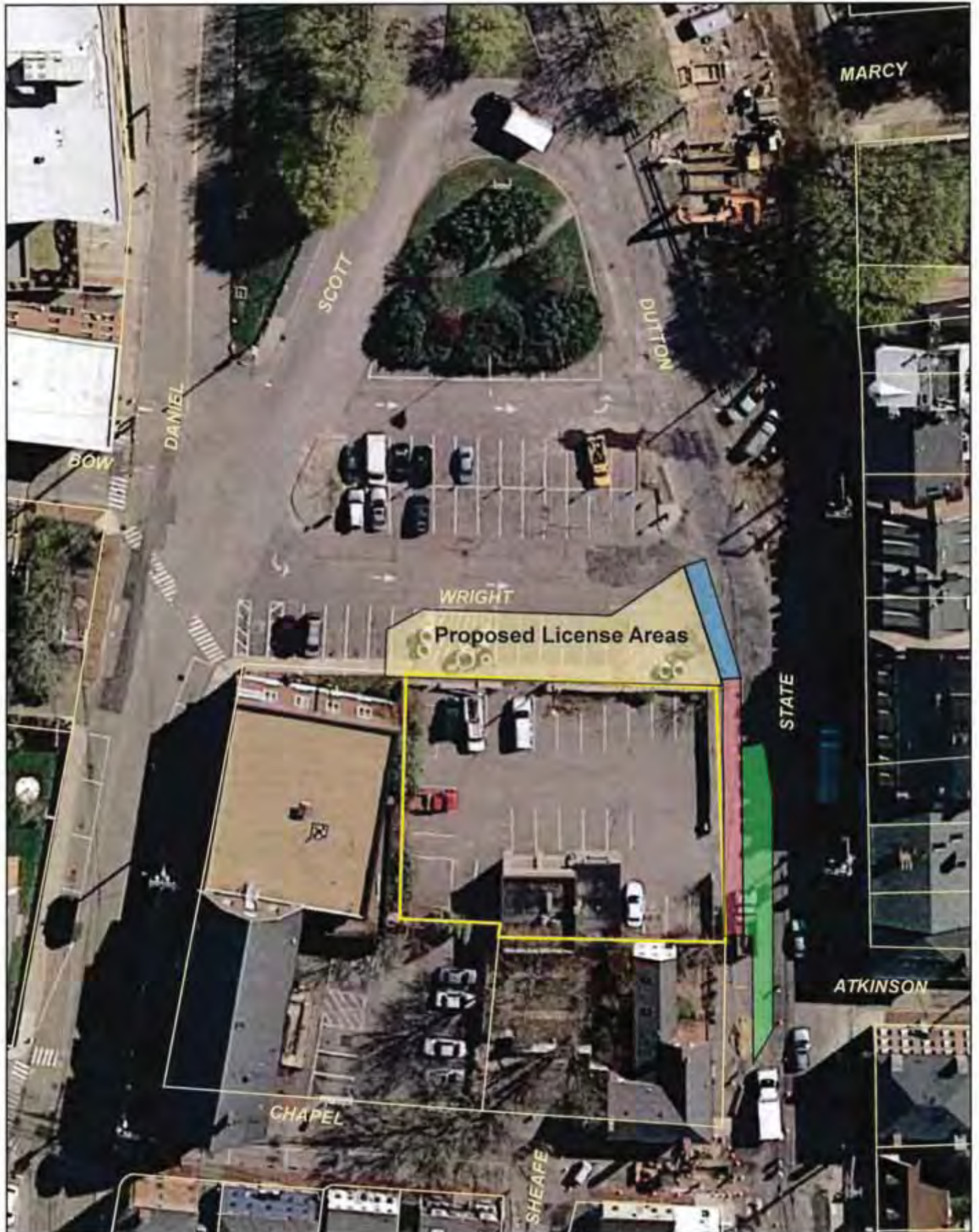
WORK JOT
#143
BEAR CENTER
1 STORY
K/MASONRY

PROPOSED STREET TREE
TREE 2
8.0' 22.0'
PORTSMOUTH STREET LIGHT (TYPICAL)
BACK TO PROPERTY LINE (PROJECT LIMIT)

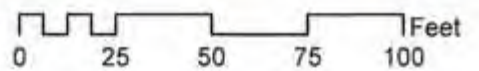
PARKING
NO OFF-DIRTY SITE DEVELOPMENT
SEE PLANS DATED 2/1/2013

13" WIDE x 12" THICK
GRAVEL STEP w/ 1" BEVEL

2' x 3' GREY TACTILE
WARNING STOP (TYP.)



67-73-77 State Street



Run: 2/11/14
10:35AM

Event Listing by Date

Page: 1

Starting Date: 2/ 3/2014
Ending Date: 12/31/2014

Start End	Type Description	Location	Requestor	Vote Date
2/13/2014 2/17/2014	FESTIVAL The contact for this event is: Cailyn Hassett Event Coordinator at Portsmouth Gas Light Co. (603) 969-8637 or functions@portsouthgaslight.com	North Church	Fire and Ice Festival for Pres	1/21/2014
3/15/2014 3/15/2014	ROAD RACE Jill McFarland is the contact for this event. Telephone contact number: 501-9029.	125 Austin Street	St. Patrick School	8/ 5/2013
3/31/2014 3/31/2014	ROAD RACE Donald Allison is the contact for this event. This event begins at the Portsmouth High School. His number: 617-835-2378	Starts at Portsmouth High School	Eastern States 20 Mile	10/21/2013
4/12/2014 4/12/2014	WALK Kim Blanchard is the contact for this event. She can be reached at 836-4758. This event begins at 10:00 a.m.	Little Harbour School	National Multiple Sclerosis So	11/18/2013
5/ 4/2014 5/ 4/2014	BIKE TOUR Christina O'Grady is the contact for this event. This event begins and ends at Redhook Brewery. This race has three different routes and length.	Begins and ends at Redhook Brewery	American Lung Association	12/16/2013
5/ 4/2014 5/ 4/2014	FESTIVAL Barbara Massar is the contact for this event. This event begins at Noon to 4:00 p.m. Street closure - Pleasant Street - State Street to Market Square No Parking on Market Street-Bow Street to Isle of Shoals Steamship Company entrance.	Downtown	Pro Portsmouth - Children's Da	9/ 3/2013
5/ 4/2014 5/ 4/2014	WALK Richard B. Wagner, Executive Director is the contact for this event. This event is from 10:00 a.m. to 5:00 p.m. The walk will begin at 2:00 p.m. and end around 5:00 p.m. in the lower parking lot of Portsmouth Municipal Complex.	Portsmouth Municipal Complex - Lower Lot	AIDS Response Seacoast	2/ 3/2014
5/10/2014 5/10/2014	ROAD RACE Allison Brownell, Race Co-Chair is one of the contacts for this race. Her cell number is 845-430-9351 The race begins at 8:30 a.m.	Marcy Street	Susan G. Komen New Hampshire R	8/19/2013
5/17/2014 5/18/2014	BIKE TOUR Contact: Kelly Sicard, Director of Special Events and Volunteers	Will begin and end at Pease Tradeport includes Mem	Breathe New Hampshire	12/16/2013
5/17/2014 5/17/2014	RACE Pack & Boots 5K Community Road Race Series Contact: Doug Bates, Portsmouth Chamber - President@portsmouthchamber.org		Easter Seals Veteran's Count	11/18/2013
5/25/2014 5/25/2014	RACE Contact: Jeanine Sylvester, Proprietor, Runner's Alley, LLC (603) 430-1212. This is a 5K start and finish at Redhook Brewery.	Pease	Runner's Alley/Redhook Brewery	1/21/2014

Event Listing by Date

Starting Date: 2/3/2014

Ending Date: 12/31/2014

Start End	Type Description	Location	Requestor	Vote Date
6/7/2014 6/7/2014	ROAD RACE Jennifer Hubbell, Executive Director is the contact for this event. She can be reached at (603) 512-2799 The road race would being at 9:00 a.m.	Pease Tradeport	Girls on the Run New Hampshire	2/3/2014
6/8/2014 6/8/2014	BIKE TOUR Mary M. Condella, is the organizer of this event. This event begins and ends at Little Harbour School. Reigstration is from 7:30 to 8:00 a.m. Start time of the ride is 8:30 a.m.	Little Harbour School	Seacoast Ride for PKD	2/3/2014
6/8/2014 6/8/2014	RACE 5K to Keep Kids Safe Community Road Race Series Contact: Christiana Amesquita (603) 437-4107 or Cristiana@sassnh.org	Pease Tradeport	Sexual Assault Support Service	11/18/2013
6/14/2014 6/14/2014	FAIR This is the 37th Annual Market Square Day from 4:00 a.m. to 6:00 p.m. Barbara Massar is the contact for this event.	Market Square	Pro Portsmouth	9/3/2013
6/14/2014 6/14/2014	ROAD RACE This is the 37th Annual 10K Road Race. The race begins at 9:00 a.m. in Market Square.	Market Square	Pro Portsmouth	9/3/2013
6/21/2014 6/21/2014	RACE Alyssa Salmon is the contact on this event. She can be reached at 430-1140 ex. 14 The event is from 3:00 p.m. to 6:00 p.m. Rain date of June 22, 2014.	Pleasant Street	Big Brother Big Sister	9/3/2013
6/28/2014 6/28/2014	MUSIC This is Summer in the Street event. It begins at 5:00 p.m. to 9:30 p.m. Street closures - Pleasant Street - Porter Street to Market Square.	Market Square	Pro Portsmouth	9/3/2013
7/5/2014 7/5/2014	MUSIC This is Summer in the Street event. This event is from 5:00 p.m. to 9:30 p.m. Street Closures - Pleasant Street - Porter Street to Market Square.	Market Square	Pro Portsmouth	9/3/2013
7/12/2014 7/12/2014	MUSIC This is a Summer in the Street event. The event is from 5:00 p.m. to 9:30 p.m. Street Closures - Pleasant Street - Porter Street to Market Square	Market Square	Pro Portsmouth	9/3/2013
7/19/2014 7/19/2014	MUSIC This is the Summer in the Street event. This event is from 5:00 p.m. to 9:30 p.m. Street Closures - Pleasant Street - Porter Street to Market Square	Market Square	Pro Portsmouth	9/3/2013
7/26/2014 7/26/2014	MUSIC This is the Summer in the Street event. This event is from 5:00 to 9:30 p.m. Street Closures - Pleasant Street - Porter Street to Market Square	Market Square	Pro Portsmouth	9/3/2013

Event Listing by Date

Starting Date: 2/ 3/2014
Ending Date: 12/31/2014

Start End	Type Description	Location	Requestor	Vote Date
8/ 2/2014 8/ 2/2014	MUSIC This is a Summer in the Street event. The event is from 5:00 p.m. to 9:30 p.m. Street closures - Pleasant Street - Porter Street to Market Square	Market Square	Pro Portsmouth	9/ 3/2013
8/23/2014 8/23/2014	ROAD RACE Thunder Chicken Community Road Race Series Contact: Justin Finn		Portsmouth Rotary Club	11/18/2013
9/ 7/2014 9/ 7/2014	BIKE TOUR Contact: Thomas Martin, Race Director	Downtown Portsmouth	Portsmouth Criterium	12/16/2013
9/13/2014 9/13/2014	ROAD RACE Celebrate Pink Community Road Race Series Contact: Wendy McCoolle		My Breast Cancer Support	11/18/2013
9/27/2014 9/27/2014	ROAD RACE Karen Butz Webb is the contact for this event. She can be reached at projectsafetyassociation@gmail.com. This race begins and ends at Portsmouth High School at 8:30 a.m.	Portsmouth High School	Project Safety Association	11/18/2013
9/28/2014 9/28/2014	WALK Becky Coliandris, Development Officer is the contact for this event. This event begins and ends at Strawberry Banke. Walk site opens at 8:30 a.m., the walk kicks off at 10:00 a.m.	Strawbery Banke	Alzheimer's Association	1/21/2014
10/11/2014 10/11/2014	RACE Contacts: Catherine Edison, Community Child Care Center (603) 422-8223 Ben Anderson and Hannah Comeau, Prescott Park Arts Festival (603) 436-2848 or hannah@prescottpark.org Community Road Race Series		Prescott PAF/Community Child C	11/18/2013
11/27/2014 11/27/2014	ROAD RACE Contact: Matt Junkin		Seacoast Rotary Club	11/18/2013



CITY OF PORTSMOUTH

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

Robert J. Lister
Mayor

February 10, 2014

Denis Hebert, Chair
Newington Planning Board
205 Nimble Hill Road
Newington, NH 03801

Subject: Sea-3 Expansion Proposal at 190 Shattuck Way

Dear Planning Board Members:

Thank you for including the City of Portsmouth as an abutter in the land use review process now before you by Sea-3 of 190 Shattuck Way. Their proposal to reconfigure their terminal in order to accommodate Liquefied Petroleum Gas (LPG) shipments via rail and export of same via ocean-going ships has been the subject of a great deal of interest and concern by the Portsmouth City Council and residents of the City.

We appreciate the determination by the Newington Planning Board that this project has potential regional impacts beyond Newington's municipal boundaries and the rights that have been granted to the City of Portsmouth as abutters in this process. The City has created a webpage to provide information about the process (<http://cityofportsmouth.com/Sea-3.html>) and City Manager, John P. Bohenko has designated the City's Environmental Planner, Peter Britz to coordinate the City's interest in this project.

The City is primarily concerned about the public safety implications of increased rail traffic carrying hazardous materials close to neighborhoods and business areas. There are two components to this issue. First, we are concerned that this rail corridor has not been maintained adequately to support the level and type of rail use proposed for this project, as reflected by the current limitations on travel speed. Given the lack of rail traffic volume on the corridor to date, it is understandable that the corridor has not been maintained to a higher level. However, the proposed increase in volume of rail traffic combined with the hazardous nature of the cargo warrants a higher standard of maintenance.

The second aspect of our safety concern has to do with the equipment that will be used to transport LPG through the City. It is our understanding that the majority of tank cars carrying propane are not built to the latest industry safety standards.

February 10, 2014
Page 2

We understand that the land use review process is typically focused on the site and immediate surroundings rather than on impacts to other communities, and we also understand the federal preemption of local oversight with respect to railroads. To that end, as you know, Portsmouth and the communities in the region including Newington, have requested assistance from both the Federal Rail Administration and the New Hampshire Department of Transportation. However, we request that the Newington Planning Board do all it can within its authority to ensure that the rail operations necessary for the proposed expansion of the Sea-3 terminal does not threaten public safety.

We are pleased to be working together with the Town of Newington, in addition to the other towns along the rail corridor and the State and Federal Agencies to craft a solution that will meet the needs of the applicant while not compromising the safety of those living and working in the corridor. If you have any questions or need additional information please do not hesitate to contact Peter Britz, Environmental Planner/Sustainability Coordinator for the City at (603) 610-7215 or plbritz@cityofportsmouth.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Lister". The signature is fluid and cursive, with a large initial "R" and "L".

Robert Lister
Mayor of Portsmouth

Good Evening Mr. Chairman and members of the Board.

My name is John Bohenko and I am the City Manager of the City of Portsmouth. As you have previously heard from our Mayor Robert Lister, the City has concerns on the impact that the Sea-3 terminal expansion will have on the City of Portsmouth and its citizens. Those concerns are not due the site plan itself but to the operational changes that will be implemented as a result of the site improvements.

It is our understanding that the upgraded facility will be receiving propane deliveries by rail 6 days per week, with each delivery consisting of up to 16 rail cars. In the City of Portsmouth, each rail trip to or from the Sea-3 terminal will require those trains with tank cars to traverse six (6) at grade crossings of City streets, six (6) underpass or overpass crossings in the City as well as another number of private property drive crossings. It goes without saying that the safety of the Citizens of Portsmouth and our infrastructure facilities are paramount.

As previously mentioned by Mayor Lister, the City has created a webpage on the City of Portsmouth website provide information as it becomes available. I have also designated Peter Britz, our Environmental Planner to coordinate our efforts on this issue. We are aware that jurisdiction for railroad operations lay with Federal Railroad Administration and the New

Hampshire Department of Transportation and to that end have contacted both agencies expressing concerns about railroad infrastructure in Portsmouth and our neighboring communities. The City will be meeting with the Department of Transportation in the near future to develop a better understanding of our rail crossings and their conditions as well as what would need to be done to promote safe passage of the increased rail volume. We will also be coordinating our efforts on this matter with the surrounding towns.

Thank you for your time.

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: Economic Development Commission Renewing applicant

Name: Dana S. Levenson Telephone: 603/431-8261

Could you be contacted at work? YES/ NO - If so, telephone # 603/498-9261

Street address: 6 Currier Cove, Portsmouth, NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): dstevenson@aol.com

How long have you been a resident of Portsmouth? 55 years

Occupational background:

Owner/Operator and President: Arden Apparel Group,
a 35 store specialty apparel retail chain.
1976 - 1996

TD Bank Director: 1993 to present

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

Reasons for wishing to continue serving: As a long time Portsmouth resident
and former business owner, I am committed to insuring
Portsmouth retains its leadership role as the cultural,
economic, + historical center of our region. Preservation

and Progress are not mutually exclusive. I look forward
to continuing to work with the EDC on
parking solutions, bringing a conference center
to Portsmouth, and promoting affordable housing
and live/work space if appropriate.

6/27/2012

OVER

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

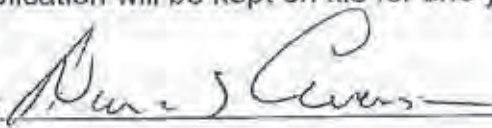
Temple Israel; Rabbi Search Committee co-chair
Portsmouth Rotary
Trustee; Portsmouth Trust Funds

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

- 1) Tim Allison 180 Grant Ave, Portsmouth 502-4450 (603)
Name, address, telephone number
- 2) Bill Schefer South St, Portsmouth 828-8605 (603)
Name, address, telephone number

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

Signature:  Date: 10/4/13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 10-1-2017

Annual Number of Meetings: 10 Number of Meetings Absent: 0

Date of Original Appointment: 10-2-2000

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

Dana S. Levenson
6 Currier Cove
Portsmouth, NH 03801
603.431.8261
danaslevenson@gmail.com

Interest Retail management and consumer products distribution

Experience 1976-1996 Artisan Apparel Group Portsmouth, NH

President

- Responsible for performance of a 35 store apparel retail operation
- Actively engaged in all aspects of merchandising and administration
- Directed all marketing and advertising functions
- Successfully negotiated sale of company in October, 1996

General Merchandise Manager

- Responsible for selection of 10 buyers and merchandise planners
- Developed merchandise plans and budgets to achieve sales objectives
- Initiated successful private label programs to improve gross margins

Operations Manager

- Responsible for selection of all computer systems
- Developed employee handbook and human resource policies
- Upgraded capacity and productivity of distribution center

Buyer

- Developed and planned expansion into menswear
- Selected appropriate vendors to maximize performance.
- Responsible for pricing and allocation decisions.

2000-Present Portsmouth High School Boys Tennis Coach

- Responsible for team administration and team supervision.
- Two time state finalist, one time champion.

Board Service 1993-Present TD Bank and its predecessors. Cherry Hill, NJ

- Risk Committee Chair and Audit Committee member.
- Served on Independent Director Committee.

Community Service

Portsmouth Rotary Club Member

Chair of the Portsmouth Economic Development Commission

Volunteer Soccer and Basketball Coach

Education 1972-1976 Dartmouth College Hanover, NH

- B.S., Government and Economics major.
- Graduated Magna Cum Laude

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: Peirce Island Renewing applicant

Name: FRANCESCA MARCONI FERNANDEZ Telephone: 603 930 9700

Could you be contacted at work? YES / NO - If so, telephone # 429-2070

Street address: 1000 Maplewood Ave Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): francesca177@comcast.net

How long have you been a resident of Portsmouth? 49 years

Occupational background:

owner/operator Geno's Chowder & Sandwich Shop 25 yrs

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

Reasons for wishing to continue serving: just started getting my feet wet. Want to continue to keep the island going in the direction it's headed.

OVER
➔

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

Italian American Heritage Association - Portsmouth

Friends of the South FWP - Past board member

Please list two character references not related to you or city staff members:

(Portsmouth references preferred)

1) Ruth Griffen, 479 Richard Ave, Portsmouth 436-5272
Name, address, telephone number

2) Tracy R. Shattuck 2 Boyan, Portsmouth 436-0947
Name, address, telephone number

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Signature: Francesca Marconi Fenard Date: 1/6/14

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 3
(2013)

Date of Original Appointment: 10/22/2012

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Peirce Island **Renewing applicant**

Name: Christopher Hubbard Telephone: 603-738-3332

Could you be contacted at work? YES/NO - If so, telephone # 978-936-4205

Street address: 139 D South Street

Mailing address (if different): _____

Email address (for clerk's office communication): chrishub@cisco.com

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

Occupational background:

Supply chain management

Manufacturing logistics

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

Reasons for wishing to continue serving: Continue with progress

made thus far.



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

Friends of the South End

NH Food Bank

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

1) David Ronka, 21 South St., Portsmouth, NH 03801 603-501-0016
Name, address, telephone number

2) Michael Lannon, 139 A South St., Portsmouth, NH 03801 603-373-0944
Name, address, telephone number

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Signature: _____

Date: 12/20/13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 2
2013

Date of Original Appointment: 9/6/2011

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Peirce Island Renewing applicant

Name: LISA LOUITT IT Telephone: 501-0278

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

Street address: 113 3A BAW ST PORTSMOUTH NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): Lisaglecomcast.net

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

Occupational background:

Real Estate Sales

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

Reasons for wishing to continue serving: _____

looking forward to new challenges with water treatment plant
and improving facilities at park

OVER
➔

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

CASA

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

1) Pat Bertrand 427-2413
Name, address, telephone number

2) Suzanne Danforth 674-4026
Name, address, telephone number

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Signature: Woe Louette Date: 12/30/13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 3
2013

Date of Original Appointment: 2/9/13

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: PEIRCE ISLAND COM Renewing applicant

Name: STEVEN MARISON Telephone: 603-969-6446

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

Street address: 38 PICKERING ST.

Mailing address (if different): _____

Email address (for clerk's office communication): KURTIEKASH@COMCAST.NET

How long have you been a resident of Portsmouth? 35 YEARS

Occupational background:

CIVIL ENGR / ARCH DESIGNER

MASTER CARPENTER & ARBORIST

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

Reasons for wishing to continue serving: WANT TO SEE

COMPLISCON OF WATSE WATER'S

SEWER UPGRADES



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) TONY PARKER, AAVEN ST 661-7428
Name, address, telephone number
- 2) DAVE GREGG, DANIEL ST 433-7031
Name, address, telephone number

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Signature: [Signature] Date: 12/17/13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15
 Annual Number of Meetings: 6 Number of Meetings Absent: 0
2013
 Date of Original Appointment: 3/3/2008

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Peirce Island Renewing applicant

Name: JOHN F McVAY Telephone: 603-430-9888

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

Street address: 42 Hunking St Portsmouth NH 03801

Mailing address (if different): _____

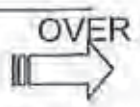
Email address (for clerk's office communication): McVAYJF@comcast.net

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

Occupational background:
31 years Travelers Ins Co Senior Vice President

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

Reasons for wishing to continue serving: Enjoy the work + helping the city



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

Ducks Unlimited.

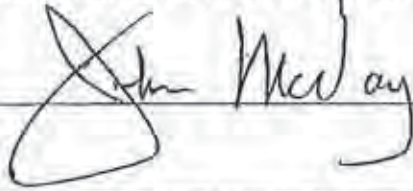
Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) Bob Pollard
Name, address, telephone number

2) Joe C
Name, address, telephone number

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Signature:  Date: 12/18/13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 2
2013

Date of Original Appointment: 11/16/2009

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Peirce Island Renewing applicant

Name: Robert POLLARD Telephone: 373-9477

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

Street address: 294 Nancy St Portsmouth NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): Pol9515@comcast.net

How long have you been a resident of Portsmouth? 9 years

Occupational background:

Ins Agency Owner
Real Estate comm & res

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

Reasons for wishing to continue serving: _____

I want to protect one of
the city's best Assets which
bring joy and visitors to
the city!



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

UW H Marina Records
Great Bay Instruction (Colerain)

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

1) David Ewing 603-433-6278
Name, address, telephone number

2) John M'Vay 603-430-9888
Name, address, telephone number

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Signature: Robert A. Collier Date: 12/30

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 3
₂₀₁₃

Date of Original Appointment: 7/20/2009

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Pierce Island **Renewing applicant**

502-0570 cell
436-8895 home

Name: RICHARD A. SMITH Telephone: 436-8895

Could you be contacted at work? YES NO - If so, telephone # 436-8596 x102

Street address: 93 Hill St #1 Portsmouth NH

Mailing address (if different): _____

Email address (for clerk's office communication): RICHARD @ CIZIN RICHARD @ COM

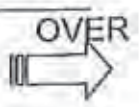
How long have you been a resident of Portsmouth? 1976

Occupational background:

1976 - present Chief Richard Entertainment Associates
2010 - present SWS Teacher Portsmouth, exeter, Hampton
Schools

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

Reasons for wishing to continue serving: I love Pierce Island & Portsmouth



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

SIERRA Club

NH Folk Festival

NH Jazz + Blues Festival

HARBOR ARTS museum

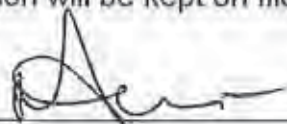
Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) BOB MARSHALL 327 Seagrave Ave Portsmouth NH 03801
Name, address, telephone number 436-9222

2) HAROLD Whitehouse Humphreys Ct Portsmouth NH 03801
Name, address, telephone number 436-8485

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

Signature:  Date: 12-17-13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 1
2013

Date of Original Appointment: 1/22/2007

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

CITY OF PORTSMOUTH CONSIDERATION
BOARDS AND COMMITTEES XI. B. 1.

APPOINTMENT APPLICATION

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

Committee: Peirce Island Committee **Renewing applicant**

Name: Marc Stettner Telephone: 605-431-2577

Could you be contacted at work? YES/ NO - If so, telephone # 207-458-3989

Street address: 91 Fairview Ave

Mailing address (if different): _____

Email address (for clerk's office communication): IFISCOP@mindspring.com

How long have you been a resident of Portsmouth? 14 yrs

Occupational background:

Senior Naval Architect, Portsmouth Naval
Shipyard

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

Reasons for wishing to continue serving: I care about preservation
& maintaining Peirce Island for the residents
and other visitors who wish to visit this
Island.

OVER
➔

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) MIKE RUSSO, 445 Shipleigh Rd Lebanon ME 04027 (207) 651-0987
Name, address, telephone number
- 2) Kamila Zlotosch, Fairview Ave, Portsmouth (603) 373-0831
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
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- 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: *Marie Helme* Date: 11/26/2013

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15
 Annual Number of Meetings: 6 Number of Meetings Absent: 2
 Date of Original Appointment: 12/3/12

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: PEIRCE ISLAND COMMITTEE Renewing applicant

Name: HAROLD WHITEHOUSE Telephone: 436-8485

Could you be contacted at work? YES/NO - If so, telephone # (RETIRED) 436-8485

Street address: 50 HUMPHREY CT.

Mailing address (if different): (SAME)

Email address (for clerk's office communication): (NONE)

How long have you been a resident of Portsmouth? LIFE

Occupational background:

RETIRED PORTSMOUTH NAVAL SHIPYARD

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

Reasons for wishing to continue serving: TO CONTINUE OUR MISSION

WHICH IS TO ARTICULATE OUR VISION TO THE CITIZENS
OF PORTSMOUTH AND TO THE CITY OFFICIALS, SUCH AS THE
RECREATION BOARD, WHO ARE RESPONSIBLE FOR
IMPLEMENTING PUBLIC POLICY - SW.

OVER
➔

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

MANY (TOO NUMEROUS TO MENTION)

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

1) JOHN RUSSO - WALKER BUNGOCOW RD, 436-8290
Name, address, telephone number PORTSMOUTH, N.H.

2) RICHARD SMITH P.O. BOX 4585 PORTSMOUTH, N.H. 436-8546
Name, address, telephone number

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

Signature: Harold Whitehouse Date: 12/18/13

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 6 Number of Meetings Absent: 0
2013

Date of Original Appointment: 3/3/2008

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

JAN 6 2014

Committee: TAXI

Renewing applicant

Name: PETER P BRESCIANO Telephone: 603 498 3122

Could you be contacted at work? YES/NO - If so, telephone # N/A

Street address: 101 O'LEARY PL PORTSMOUTH, NH

Mailing address (if different): _____

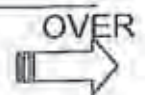
Email address (for clerk's office communication): PPBCHIEF@YAHOO.COM

How long have you been a resident of Portsmouth? 33 years

Occupational background: USMC/USAF 30 years

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

Reasons for wishing to continue serving: CONTINUE TO SERVE
OUR COMMUNITY.



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

PEASE NOISE COMMITTEE


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

1) JOE WILKER 9 FAIRVIEW DR PORTSMOUTH 603 427 1380
Name, address, telephone number

2) DIANE MCGEE 303 O'LEARY PL PORTSMOUTH 603 431 6667
Name, address, telephone number

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Signature:  Date: 1 JAN 2014

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12-31-2015

Annual Number of Meetings: 9 Number of Meetings Absent: Ø
2013

Date of Original Appointment: 2/23/1998

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: TAXI COMMISSION Renewing applicant

Name: John W. Palermo Telephone: 603-952-0138

Could you be contacted at work? YES NO - If so, telephone # 603-326-8294

Street address: 100-6 Ledgewood Dr.

Mailing address (if different): 1465 Woodbury Ave., PMB 360

Email address (for clerk's office communication): JOHN@GREATBAYTAXI.COM

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

Occupational background:

Taxi Driver, Taxi Company Owner, Transportation Company Owner,
Truck Driver Long Haul. CDL Examiner

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

Reasons for wishing to continue serving: Continue strengthening Taxi

Commission objectives

OVER
➔

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

Portsmouth Independent Taxis: "founding member"

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

1) DAVID Campbell, 65 Ceres St., Portsmouth, NH 603-431-2640
Name, address, telephone number

2) Douglas Comier, 1465 WOODBURY AVE. # 441, Portsmouth, NH 603-271-1888
Name, address, telephone number

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Signature:  Date: 12/23/2013

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/15

Annual Number of Meetings: 5 Number of Meetings Absent: 0

Date of Original Appointment: ^{beginning} 7/15/13

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

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Trustee of The Trust Funds Renewing applicant

Name: Dana S. Levenson Telephone: 603/498-9261

Could you be contacted at work? YES/ NO - If so, telephone # 603/431-8261 or 498-9261

Street address: 6 Currier Cove, Portsmouth, N.H.

Mailing address (if different): _____

Email address (for clerk's office communication): dslevenson@aol.com

How long have you been a resident of Portsmouth? 55 years

Occupational background:

President - Artisan Apparel Group, a 35 store
apparel retail specialty chain

Director - TD Bank, NA since 1996

PHS Tennis Coach - 2005 - 2012

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

Reasons for wishing to continue serving: _____

See attached



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

Portsmouth Rotary Club
Dartmouth Club of The Seacoast
Temple Israel Rabbi Search Committee Co-Chair
EDC

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

- 1) Everett Eaton 155 Pinhurst Rd, Portsmouth 431-6205
Name, address, telephone number
- 2) Shari Donnermeyer 113 Gosport Rd, Portsmouth 498-5788
Name, address, telephone number

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Signature: Diana Stevens Date: 1/30/14

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 1-1-2017
Annual Number of Meetings: 23 Number of Meetings Absent: 1
Date of Original Appointment: 9/6/2011

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

January 30, 2014

Reasons for wishing to continue serving:

I very much value the opportunity to serve the Portsmouth community in a capacity that matches well with my interests and skill set. I have found during my first term as a Trustee of the Trust Funds that the role is not only more encompassing than I originally thought, but it is also much more complex and involved than I ever imagined.

I am comfortable with the role as a Trustee of the Trust Funds and the related fiduciary responsibility. The Trustees are currently in the process of reviewing RFP's from an array of investment managers to assess the best available talent to work with us going forward. I would like to continue to serve so that I can assist in finalizing our investment advisor selection. My prior work experience and current role as a Director at TD Bank has helped me develop a certain comfort and familiarity with investment managers, their role, performance metrics, and asset allocations.....all important to responsible management of the many endowed funds entrusted to the City.

During my first term, I have learned a great deal about the breadth of responsibility the Trustees are charged with relative to the operational management of Prescott Park, development of an annual budget, and managing the myriad of Park uses and requests. Of particular note is the annual oversight of the annual operating agreement with the Prescott Park Arts Festival. My hope is to continue my service as a Trustee to work toward having a successful Arts Festival while at the same time recognizing the needs and demands of the only waterfront public access park. I have come to appreciate the community jewel that is Prescott Park. I want to work with the Trustees and the City to insure the long term viability of the Park so that future generations may benefit from this wonderful community asset just as we do today.

Thank you for your consideration.

Dana S. Levenson
603-498-9261



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: CITYWIDE NEIGHBORHOOD STEERING Initial applicant

Name: CLIFF LAZENBY Telephone: 603-978-4725

Could you be contacted at work? YES NO If so, telephone# ~~603-559-2295~~
(BUT PREFER CELL #)

Street address: 303 MCKINLEY RD, PORTSMOUTH, NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): cliff.lazenby@gmail.com

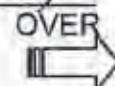
How long have you been a resident of Portsmouth? 12 YEARS

Occupational background:

IT DIRECTOR AT OCEAN PROPERTIES (HOTEL INDUSTRY)
WORKED IN IT FOR 15 YEARS; PRIOR TO THAT
IN MUSIC INDUSTRY (MANAGER).

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

I HAVE ATTENDED NEIGHBORHOOD COMM. MTGS FOR
3-4 YEARS, AS REPRESENTATIVE OF ELWYN PARK.
I HAVE ALSO BEEN ACTIVE IN OTHER COMMITTEES IN
PORTSMOUTH, AS WELL AS OTHER ENDEAVORS INVOLVING
GRASSROOTS ORGANIZING. (POLITICAL, DONDERO PTA VP, ETC)



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 SEE A NEED FOR OUTREACH TO, AND PARTICIPATION WITH THE NEIGHBORHOODS, I HAVE SOME IDEAS ON HOW TO ENGAGE WITH THE NEIGHBORHOODS AND LIKE THE IDEA OF HELPING FACILITATE MORE INVOLMENT WITH CITY GOVERNMENT,

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

EXEC. COMMITTEE - WENTWORTH CHARITIES (ENTERTAINMENT CHAIR FOR ANNUAL GOLF TOURNNEY; RELATED TO CLEAN PROPERTIES) FORMERLY (NOT ACTIVE CURRENTLY); TECHNOLOGY ADVISORY COMM., PORTSMOUTH SCHOOLS; ELEMENTARY EDUCATIONAL FACILITIES COMM, V.P. DONORO PTA 2011-13

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

1) TOM FERRENI, TAFT RD, PORTSMOUTH 603-312-5882
Name, address, telephone number

2) RANDY HOLT, FW HARTFORD DR, PORTSMOUTH 603-436-8899
Name, address, telephone number

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

Signature: [Signature] Date: 2/6/14

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes X No PERHAPS, DEPENDS ON WHAT
Please submit application to the City Clerks Office, 1 Jenkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Conservation Commission Renewing applican

Name: Shelley Saunders Telephone: 603-812-3335

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

Street address: 15 Oak st Portsmouth, NH 03801

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 17 years

Occupational background:

Regional Sales Manager - Consumer good.
15 months sitting as Alt #1 on conservation
commission

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

Reasons for wishing to continue serving: I have loved sitting
on the conservation commission for 15 months
and now that Rich DiPietro would like
to resign, I would like to take his
seat and open up my Alt #1 seat

OVER
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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) Brenna Cavanaugh 603-501-9920
Name, address, telephone number

2) Shaine Murphy 603-475-3165
Name, address, telephone number

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Signature:  Date: 11-19-20

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____

Annual Number of Meetings: _____ Number of Meetings Absent: _____

Date of Original Appointment: _____

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



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.

JAN 16 2014

Initial applicant

Committee: Board of Library Trustees

Name: B Bruce Boley Telephone: 603-431-8471

Could you be contacted at work? YES/NO If so, telephone# 603-431-8471

Street address: 88 Newcastle Avenue

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? About 45 years

Occupational background:

Portsmouth School Dept, special Education Director

Harvard School of Public Health Research Administrator

Kuwait - Dasman Institute: project manager, cohort study

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

I am a long time user of the Library from its days
on Islington St. to the current new building. I have
appreciated the skilled help that is available. I think
it has a good collection for the size of our city.

OVER
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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 am semi-retired, I do most of my work from my home office with rare business trips abroad. Most meetings are via video conference or in Boston, so, I am available most of the time. I really appreciate the city's efforts to provide this very good library, I wish to support it.

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

I am not involved in any local organization at this time

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

- 1) Margaret Evans, One Lookout Lane, Portsmouth, NH, 603-433-3218
Name, address, telephone number
- 2) Tom Bolko, Newcastle Avenue, Portsmouth, NH
Name, address, telephone number

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

Signature:  Date: 1-14-2014

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

DEC 17 2013



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: LIBRARY Initial applicant

Name: JACK JANISON Telephone: 431-6313

Could you be contacted at work? YES/NO If so, telephone# RETIRED 431-6313

Street address: 7 FREEDOM CIR #21

Mailing address (if different): _____

Email address (for clerk's office communication): JJJINK@COMCAST.NET

How long have you been a resident of Portsmouth? 9 1/2 YEARS (JULY 2004)

Occupational background:

IBM

US PUBLIC HEALTH SERVICE

HONEYWELL

DATA GENERAL - DIRECTOR SOFTWARE DEVELOPMENT

COMPUTER CONSULTANT (INDEPENDENT)

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

COMPUTER SOFTWARE EXECUTIVE

LIBRARY CONSUMER AND ADVOCATE



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 LOVE MY LIBRARY, I USE IT CONTINUOUSLY,
AND I WANT TO BE AN ACTIVE SUPPORTER OF IT.

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

FAMILIES FIRST BOARD OF DIRECTORS, VOLUNTEER - CHILDCARE

PRESENT PARK BIRTH FESTIVAL BOARD OF ADVISORS

MAYOR'S BLUE BIRD SENIOR ^{COMMUNITY} CENTER

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

1) HELEN TART FAMILIES FIRST

Name, address, telephone number

422-8208 x120

KARIN BARN DOLLAR

2) 120 RIDGETS COURT PORTSMOUTH

Name, address, telephone number

431-8341

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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Signature: [Signature]

Date: 12/7/2013

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

John J. (Jack) Jamison Substitute Resume

I have been retired since 2002 and my resume went to the dump with an old computer here is a synopsis of my education and work history.

Education

NJ Institute of Technology 1961 BSME
Xavier University Graduate work in Mathematics
Northeastern University Graduate work in Management

Professional

IBM, Newark Branch Office in NJ

System Engineer. I provided technical support for Engineering Firms in Northern New Jersey and for NJ Institute of Technology

US Public Health Service, Taft Sanitary Engineering Center in Cincinnati

I received a direct Commission in the USPHS, one of our 7 uniformed services. I worked primarily as a programmer and as a statistician.

Honeywell, Computer Division Headquarters in Wellesley Hill, MA

Initially I was a programmer and systems analyst developing manufacturing applications. Then I managed that group and finally was a manager of managers for 6 industry groups.

Data General Corporation, Corporate Headquarters in Westborough, MA

I was Director of Software Development responsible for Operating Systems, Word Processing, and Accounting Application Software Development and Technical Writing and Publishing for that software.

JJJ Corporation, Alton, NH

I was an independent computer consultant. My major client was General Electric in Somersworth, NH. I successfully completed a number of major engagements often multi-year projects. I co-authored 2 patents involving the automated testing of electric meter firmware.

Volunteering

Framingham United

Girls Soccer Coach intramural and traveling teams

First Parish UU Church, Framingham, MA

Taught Our Bodies Ourselves A Human Sexuality Course for young teens

Alton, NH Public Library

Story Time

Children's Museum

Entertained Kids at exhibits

Families First

Childcare

Grandparents Class

Facilitator Grandparents Group

Board of Directors, Executive Committee

Prescott Park Arts Festival

Board of Directors, Executive Committee

Portsmouth Listens

Facilitator –Middle School

Hospice

Patient volunteer

Mayor's Blue Ribbon Senior Committee

Develop recommendations for a Senior Center



DEC 02 2011

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: COMMITTED ON SUSTAINABLE PRACTICES Initial applicant

Name: JOSH DENON Telephone: (603) 553-1810

Could you be contacted at work? YES/NO If so, telephone# (603) 851-3594

Street address: 116 MIDDLE ST

Mailing address (if different): _____

Email address (for clerk's office communication): JOSHUADENON@HOTMAIL.COM

How long have you been a resident of Portsmouth? 4 + YEARS

Occupational background:

AFTER SERVING FOUR PLUS YEARS AS AN ARMY OFFICER, I
WENT ON TO GET MY MPA AND THEN BECAME AN ATTORNEY.
I AM NOW SERVING AS THE CONGRESSIONAL DISTRICTS OVERALL
COORDINATOR WHERE I AM RESPONSIBLE FOR INTERACTING WITH
NUMEROUS ORGANIZATIONS ON NUMEROUS ISSUE AREAS.

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

HAVING FOUGHT IN IRAQ, ENERGY INDEPENDENCE IS
VERY IMPORTANT TO ME. ON THE LOCAL LEVEL, ONE
OF THE BEST WAYS TO ACHIEVE ENERGY INDEPENDENCE
IS TO PROMOTE SUSTAINABLE PRACTICES. I HAVE
LEARNED OF MANY SUCH PRACTICES AT MY CURRENT JOB
AND WOULD LIKE TO SEE THEM IMPLEMENTED

OVER
➔

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 ALWAYS BELIEVED IN PUBLIC SERVICE AND WANT TO SERVE THE COMMUNITY THAT I LOVE.

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

PORTSMOUTH DEMOCRATS

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

1) JOE PLAIN, 93 SPINNAKER WAY, (603) 498-0459
Name, address, telephone number

2) JUSTIN NADRAW, 507 STATE ST, (603) 498-2324
Name, address, telephone number

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

Signature: [Handwritten Signature] Date: 11/25/13

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

Josh Denton

116 Middle Street, Apartment 2, Portsmouth, NH 03801
(603) 553 - 1810 ~ Joshuaddenton@hotmail.com

EDUCATION

University of New Hampshire School of Law, Concord, NH
Juris Doctor, May 2012; GPA 3.11

University of New Hampshire, Manchester, NH
Master of Public Administration, May 2009; GPA 3.66

University of New Hampshire, Durham, NH
Bachelor of Arts, with a dual major in History and Political Science, May 2003; GPA 3.05

WORK EXPERIENCE

United States Congress, Manchester, NH

Outreach Coordinator / Veterans Liaison, September 2013 - Present

- Managed the district office's participation with the military, veterans, disaster relief, transportation, energy, and housing
- Oversaw military academy nomination process

Veterans Liaison / Constituent Services, January - September 2013

- Coordinated the district office's involvement with the military and veterans
- Assisted constituents seeking relief with federal administrative agencies

Office of the Strafford County Attorney, Dover, NH

Rule 36 Student Attorney, January 2012 - April 2012

- As co-counsel at four jury trials did jury selections, an opening statement, three direct examinations and jury instructions
- Did a probable cause hearing, video and in-person arraignments, bail hearings and diversion agreements in District Court
- Presented indictments to a grand jury, did a restitution hearing, participated in sentencings, reviewed numerous cases and wrote numerous motions

University of New Hampshire School of Law, Criminal Practice Clinic, Concord, NH

Rule 36 Student Attorney, May - December 2011

- As co-counsel at two jury trials did jury selections, an opening statement, four cross-examinations, a motion to dismiss, jury instructions and a closing
- Did plea negotiations and plea and sentencings in both District and Superior Court and argued two capped pleas in Superior Court
- Conducted initial interviews with and advised clients

Office of the Merrimack County Attorney, Concord, NH

Intern, May - August 2010

- Wrote numerous indictments, informations, plea letters and motions
- Attended multiple hearings and trials

United States Army

Captain, Combat Advisor, Baghdad, Iraq 2006 - 2007

- Advised Iraqi intelligence officer and his fully combat operational eight hundred-man mechanized Iraqi infantry battalion
- Established effective intelligence driven counter insurgency operations, Improvised Explosive Device predictive analysis and detainee tactical questioning
- Awarded Bronze Star Award and Combat Action Badge

First Lieutenant, Executive Officer, Fort Bragg, NC, 2005 - 2006

- Second in command of an eighty-person airborne artillery battery
- Administered human resource management, developed long-term training schedules and supervised a multimillion-dollar budget

Second Lieutenant, Platoon Leader, Fort Bragg, NC, 2003 - 2005

- Led twenty-four noncommissioned officers and enlisted soldiers
- First Platoon Leader in Battalion to certify a High Mobility Artillery Rocket System (HIMARS) Platoon

OTHER EXPERIENCE

Portsmouth City Council Election, Portsmouth, NH

Candidate, May - November 2013

- Became educated on issues, knocked on almost two thousand doors, authored numerous letters to the editor, and made arguments at public forums
- Developed a strategy, raised funds and executed the campaign plan

"Welcome Home" End of the Iraq War Parade Steering Committee, Portsmouth, NH

President, March - June 2012

- Organized New England's first such parade that featured over three hundred participants including the Governor, Gold Star Families, dozens of veterans organizations and three bands
- Organized a Jobs and Service Fair for returning veterans that coincided with the parade



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

Initial applicant

Name: Justin Finn

Telephone: 603-433-5515 / 603-828-1011
cell

Could you be contacted at work? YES NO If so, telephone# 603-433-5515

Street address: 100 Ledgewood Dr. #11 Portsmouth, NH 03801

Mailing address (if different): 42 middle street Portsmouth, NH 03801 - Busine.

Email address (for clerk's office communication): JustinF@secureplanninginc.com

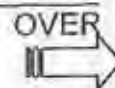
How long have you been a resident of Portsmouth? 32 years - born in Portsmouth

Occupational background:

Investment Advisor - Secure Planning
Investment firm founded in Portsmouth, NH 1990
we are located downtown 42 middle street.

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

I have never served on this board, so my
experience is none.



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: Portsmouth is in my blood
and to have the opportunity to serve this community
is a great honor. Also, the planning of the Ten year
vision excites me and to be part of a great
team already in place.

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

Portsmouth Rotary club
Salvation Army Advisory Board - Portsmouth, current
Chair.
Portsmouth Little League - Volunteer Umpire

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

- 1) Fred Dolman - 136 Hill Street Unit 2 - Portsmouth - 603-828-363
Name, address, telephone number
- 2) Lisa Dugan - 1 Princeton Street - Portsmouth - 603-502-0516
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: 9-26-13

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

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

JAN - 6 2014



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 Authority Initial applicant

Name: Gibson "Mike" Kennedy Telephone: (347) 276-6542

Could you be contacted at work? YES/NO If so, telephone# N/A retired

Street address: 247 Marcy St

Mailing address (if different): _____

Email address (for clerk's office communication): tz250e5335@msn.com

How long have you been a resident of Portsmouth? 2 1/2 yrs

Occupational background:

V.P. Chief Information Officer at BAE Systems North America. During my 30 year tenure I also served as Director of IT Strategic Plans and Programs in Lockheed Martin Enterprise Information Systems.

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

Strategic Information Systems planning, NH IT Strategic Planning Commission (see attached letter from Governor Seaborn) General business management. Productivity analysis & improvement. Service with United Way of Greater Nashua.

OVER
➔

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: As a retired executive I want to serve my community.

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

none at this time

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

1) Peter Kerin, 49 Pickering St, Portsmouth (605) 433-7070
Name, address, telephone number

2) Kathy Logan, 21 Blossom St Portsmouth (603) 591-2624
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: 1-14-14

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



JEANNE SHAHEEN
GOVERNOR

STATE OF NEW HAMPSHIRE

OFFICE OF THE GOVERNOR

March 19, 2001

Mike Kennedy
Director of Internal Information Systems
BAE Systems
PO Box 868, MER 15-1206
Nashua, NH 03061

Dear Mike:

Thank you so much for taking the time to serve as a member of the Information Technology Strategic Planning Commission. The Commission's work and its findings will play a vital role in helping New Hampshire State government use information technology to be more efficient and improve services for its citizens.

I am also pleased that Eric Herr has agreed to help oversee implementation of the Commission's findings as my Senior Advisor for Digital Government. I have also asked several members of the Commission to serve as members of the revitalized Division of Information Technology Management Advisory Council. I am confident that with the commitment of our state agency heads and the input of business and municipal officials, the goals of the commission can be realized.

Again, thank you for your dedication and service to this important initiative. I look forward to working closely with you as we continue to improve the way we do business for our state's citizens.

Very truly yours,

A handwritten signature in cursive script that reads "Jeanne Shaheen".

Jeanne Shaheen

Gibson "Mike" Kennedy

Professional Experience Summary:

Twenty-five years supervisory and management experience. The past six have been spent exclusively in the Information Technology field in a succession of staff and line positions at both Company and Corporate levels. Equally adept at creating strategic direction and directing day-to-day operations. Particular strengths: leading cross-organizational and cross-functional technical and management teams, energizing and motivating personnel, reducing internal costs while maintaining or improving service delivered, strong focus on meeting internal customer needs within the context of the larger business' overall objectives.

Work Experience Summary (Last five positions starting with current position):

Title: Director, Internal Information Systems	Company: Sanders, a Lockheed Martin Company - Nashua, NH	From: August 1997
		To: Present

Responsibilities:

Managed annual \$40M expense and \$9M capital budgets and 175 personnel to provide complete Information Technology (IT) service to a \$1B defense electronics business. Activity includes all mainframe, midframe, UNIX workstation, PC desktop, LAN, WAN, and telecommunications (both voice and data) operation and support for an engineering intensive business.

Significant accomplishments include:

- Improved service/support delivery by 50% with no added expense
- Integrated three geographically dispersed (Lexington, MA; Pomona, CA; Yonkers, NY) companies into Sanders business systems and infrastructure (700 employees)
- Implemented comprehensive IT performance metrics program for fact-based management of resources
- Benchmarked Sanders IT costs and service delivery against like functions in industry. Found to be delivering exceptional service with profile of a low cost provider (Gartner Group)
- Migrated 5,000 employees from Novell/Win 3.1 to NT server/NT workstation environment
- Introduced defined-scope service/support delivery model with emphasis on standard tools
- Implemented Peoplesoft HR Benefits/Payroll system
- Managed migration to new Corporate messaging system (MS Exchange/Outlook)
- Directed successful Year 2000 compliance effort
- Reduced annual maintenance/licensing expense by \$2M
- Mitigated severe IT staff morale/attrition problem associated with rebadging personnel from Sanders to "insource" provider.

Title: Director, Sector Initiatives and IT Planning, Space & Missiles Sector	Company: Lockheed Martin Internal Information Services - Sunnyvale, CA	From: March 1996
		To: August 1997

Responsibilities:

Produced IT Strategic Plan for Lockheed Martin Space and Strategic Missiles Sector (S&SM). This plan guides IT investment and operational expenditures approaching \$600M per year with a view towards enabling business-to-business integration and systems interoperation. Provided leadership and direction to Sector Companies in producing Company level plans and technical architecture specifications.

Directed Network Capacity Planning effort drawing on both Lockheed Martin Enterprise Information Services (EIS) technical and Sector business unit personnel to scope future requirements and develop strategies for dealing with explosive growth in demand for Intra- and Inter-business information flow.

Initiated and led S&SM Sector Business Process and Systems Integration effort. This project involved bringing together functional process owners and IT professionals from across the Sector to define the operational concept for designing and manufacturing space and missiles products across multiple business boundaries; the systems architecture to facilitate engineering, manufacturing, and program management information flow.

Developed comprehensive Customer Satisfaction program across Sector Companies and EIS functional organizations to assess value and quality of IT services in supporting the business.

Represented the Sector's interests on the EIS Information Architecture Board, LM Electronic Commerce Council, and Information Technology Acquisition Council.

Experience with Enterprise Resource Planning (ERP) systems, Product Data Management (PDM) systems, Collaborative Computing technologies, and Web-enabled Program Information integration architectures.

Title: Information Resource Manager **Company:** Sanders, a Lockheed martin Company - Nashua, NH **From-** May 1995
To: March 1996

Responsibilities:

Produced Sanders IT Strategic Plan

Managed data and systems migration project in support of LM Electronics Sector restructuring; responsible for ensuring that technical and business information as well as applicable workstations and software licenses were transferred between businesses in Nashua, Utica, Syracuse, and Baltimore.

Title: Manager, Office Systems **Company:** Sanders, a Lockheed martin Company - Nashua, NH **From-** July 1994
To: May 1995

Responsibilities:

Managed operations of a 9 person applications integration group focused on development of systems supporting marketing, manufacturing, and communications departments as well as general office automation tools (e-mail, e-forms, EDI.)

Evaluated, procured, and monitored operation of systems for client-server applications including real-time satellite based data feeds.

Title: Manager, Media Services **Company:** Sanders, a Lockheed martin Company - Nashua, NH **From-** August 1990
To: July 1994

Responsibilities:

Managed 60 person department providing computer and conventional graphic arts, printing and reproduction, photography, inter-office mail, and technical library services to the Sanders business.

Developed and managed capital, manpower, and operating budgets of up to \$4M/year.

Planned and implemented restructuring and consolidation of this group during defense industry business downturn - staff and budgets reduced 30% over a two-year period while improving service levels and customer satisfaction.

Education:

<u>Program Title</u>	<u>Institution</u>	<u>Year Completed</u>
Master of Business Administration	Rivier College, Nashua, NH	1984
BS, Communications	Boston University, Boston, MA	1972

February 11th, 2014

Mayor Robert Lister
City of Portsmouth, NH

Request to Establish a Mayoral Blue Ribbon Committee to Research Conflict of Interest Reporting Requirements as Prescribed by City Charter, and Report Back with Findings and Recommendations for Further Action.

Purpose: To bring the Ordinances in compliance with the City Charter.

Amendment C of the City Charter provides that the

...City Council shall establish Conflict of Interest Ordinance for City Departments, including police and school boards and commissions. At a minimum, this is to include, but is not limited to:

- A. *Mandatory financial disclosure by all police, school, municipal officials, whether appointed or elected, of current personal sources of income and all capital assets including, but not limited to, stock and real estate holdings and interests, in a sworn statement before the City Clerk at least biannually or before assuming office.*
- B. *Mandatory review boards and procedures to determine violation of the ordinance.*
- C. *Mandatory penalties for violations of the ordinance.*
- D. *Comprehensive definitions of such violations, and procedures to be used in reporting, investigating, and correcting the results of violations.*

Formation: The Committee shall be composed of no less than two City Councilors, one to be Chairman, and no less than two residents of Portsmouth. The City Manager may assign city staff to the Committee as he deems appropriate.

Charter: The Committee shall supervise

Research

1. Research the appropriate sections of the City Charter and Ordinances.
2. Research applicable state and federal law that might preempt or affect the interpretation or application of the City Charter or Ordinances.
3. Research city documents in regard to the enactment of Amendment C of the City Charter c. 1987, and relevant parts of the Ordinances and subsequent changes to the Ordinances, documents to include, but are not limited to, minutes of the City Council and correspondence and reports of city staff, in order to determine original intent of the City Council.
4. Research community sentiment contemporaneous to the adoption of Amendment C by reviewing press releases and other sources in order to determine the original intent of citizens who approved the amendment by vote.

Technical Analysis

1. Determine the absolute minimum requirements of Amendment C in light of its language, the original intent of the City Council and citizenry at the time, and any other pertinent factors.
2. Determine whether the Ordinances comply with Amendment C, and if not, what is missing or incorrect.

Policy Analysis

1. Should the City Charter be further amended to improve the language or scope of its Conflict of Interest provisions?
2. Should the Ordinances include additional Conflict of Interest provisions not specifically required by the City Charter?

Report Back to the City Council

1. Findings of the research and analysis tasks.
2. Recommendation for amendments to the Ordinances as required for compliance with the City Charter.
3. Recommendation for further amendments to the Ordinances based on policy needs, if needed.
4. Recommendation for further amendment to the City Charter, if needed.
5. Present to the City Council in a work session.

Duration and milestones: To be determined at the first meeting of the Committee.

Thus, submitted for your consideration.

Sincerely,

Jack Thorsen
Portsmouth City Councilor

**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 Robert J. Lister and City Council
From: Kelli L. Barnaby, City Clerk
Date: February 18, 2014
Re: 2013 Board and Commission Attendance Records

Please find attached the 2013 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

2013 - Board and Commission Meeting Attendance Records

African Burial Ground (<u>3</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bailey, Mary	3			100%
Cunningham, Valerie	3			100%
Edwards, Kelvin	3			100%
Jackson, Vernis	3			100%
Council Rep. Dwyer, Crhistine	3			100%

Building Code Appeal - THERE WERE NO MEETINGS HELD IN 2013

Cable & Communication(<u>1</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Beach, Nancy	1			100%
Gregg, Brian	1			100%
(Appt. 06/17/13) Poulin, Ronald	1			100%

Citizens Advisory (<u>6</u> Meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bailey, Algene	5	1		83%
Carmody, Constance	6			100%
Emerson, Nancy	5	1		83%
Hamilton, Alison	5	1		83%
Langley, Lynne	5	1		83%
Rooney, Dani	3	3		50%
Weaver, Alicia	6			100%

Conservation Commission (<u>10</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Ambrose, Paul (Alt)	4	1	5	40%
Blanchard, MaryAnn	9	1		90%
McMillan, Barbara	8	2		80%
Miller, Steven	10			100%
Saunders, Shelley (Alt)	6	4		60%
Stone, Elissa Hill	10			100%
Tanner, Allison	10			100%
Vandermark, Peter	8	2		80%
Vacancy				

Economic Development Com (<u>11</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bosen, John	8	3		72%
Carmer, Nancy, Ex-Officio	10	1		90%
City Manager, Ex-officio	9	2		81%
Cohen, Philip	7	4		63%
Cyr, Joshua	7	3	1	63%
Dwyer, Chris, Council Rep.	11			100%
Eaton, Everett, Chair	11			100%
Gregg, Eric	8	1	2	72%
Levenson, Dana	11			100%
Marchewka, Robert	11			100%
Mayor, Ex-Officio				n/a
Pratt, John	9	2		81%
Thorsen, Jack, Council Rep.	8	1	2	72%
Zolla, Ron	10	1		90%

Historic Distirct Com. (<u>28</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Almeida, Joseph	27	1		96%
Gladhill, William, Plan Brd. Rep	27	1		96%
Katz, Richard J. (Vice Chair)	21	7		75%
Kennedy, Esther, Council Rep.	26	2		92%
Kozak, Tracy	26	2		92%
Melchior, George	20	8		71%
Rawling, Daniel (Alt)	27	1		96%
Ruedig, Reagan (Alt)	27	1		96%
Wycoff, Jonathan	27	1		96%

Housing Endowment (<u>1</u> meeting held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Berg, Steven	1			100%
Community Development Dir., Ex Officio	1			100%
Legal Department, Ex Officio	1			100%
Lukacz, Christine	1			100%
Mountjoy, Jeffrey	1			100%
Welch, Craig - PHA Director	1			100%

Library Brd. of Trustees (<u>10</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Crist, John	8	2		80%
Ernestine Greenslade	8	2		80%
Lessner, Grace	9	1		90%
Olea, Mary, School Brd. Rep	7	3		70%
O'Leary, John	10			100%
Record, Jody, Chair	10			100%
Weaver, John	8	2		80%
2 Vacancies				

Parking & Traffic Safety (<u>11</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
City Manager (or Designee)	11			100%
Cypher, Ronald	11			100%
Donnermeyer, Shari	8	3		72%
Fire Dept. Rep.	9	2		81%
Gray Jr, Frederick	11			100%
Police Dept. Rep.	10	1		90%
PW Director	11			100%
Smith, Kenneth, Council Rep.	11			100%
Whitehouse, Harold	10	1		90%

PEDLP - There were No meetings held in 2013

Peirce Island Committee (<u>6</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Fernald, Francesca Marconi	3	2	1	50%
Hubbard, Chris	4	2		66%
Kennedy, Esther, Council Rep.	3	3		50%
(Appt. 02/19/13) Louttit, Lisa	3	3		50%
Marison, Steve, Co-Chair	6			100%
McVay, John	4	2		66%
Philp, Stephen	6			100%
Pollard, Robert	3	3		50%
Simon, John	5	1		83%
Smith, Richard, Co-Chair	5	1		83%
Stettner, Marc	4	1	1	66%
Whitehouse, Harold	6			100%

Planning Board (<u>21</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
(Appt. 10/21/13) Barker, Michael	4			100%
(Appt. 03/04/13) Gamester, Colby	16	2		88%
Gladhill, William	21			100%
(Appt. 05/06/13) Leduc, Jay (Alternate)	12	1		92%
Moreau, Elizabeth	21			100%
Ricci, John	18	3		85%
Rice, John	15	6		71%
Novelline Clayburgh, Nancy, Council Rep	18	3		85%
Vacancy (Alternate)				

Ports Housing Authority(<u>13</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bradley, Charles	12	1		92%
Griffin, Ruth, Chair	13			100%
Heany, Thomas J.	9	4		69%
Leith, John F.	11	2		84%
Schwartz, Amy	12	1		92%
Vacancy				

Recreation Board (<u>4</u> meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Cali-Pitts, Jacqueline	4			100%
Diemer, Carl	4			100%
Henley, Todd	4			100%
Seigel, Kathy Birse	3	1		75%
Sirmaian, Kory	3	1		75%
Syracusa, Elaine	3	1		75%
School Board Rep. LaPage, Kent	4			100%
Council Rep Novelline Clayburgh, Nancy	2	2		50%
Vacancy				

Sustainable Practices (11 meetings held) Attended Excused Unexcused Attendance %
 INFORMATION NOT PROVIDED

Taxi Commission (9 meetings held) Attended Excused Unexcused Attendance %

Bresciano, Peter	9			100%
Lown, Brad, Council Rep.	7	2		77%
(Appt. 07/15/2013) Palreiro, John	5			100%
Police Representative	9			100%
Vacant, Taxi Co. Rep				
Vacancy (2)				

Trees/Public Greenery (12 meetings held) Attended Excused Unexcused Attendance %

Adams, Richard	12			100%
Dupere, A.J., State Forester	12			100%
Loughlin, Peter, Chair	11	1		91%
PW Director	12			100%
Souto, Dennis	10	2		83%
Stevens, Leslie	12			100%
Croteau, Todd PW Gen. Foreman	12			100%

Trustees of Trust Funds (23 meetings held) Attended Excused Unexcused Attendance %

Eldridge, Phyllis	21	2		91%
Levenson, Dana	22	1		95%
Watson, Thomas	23	0		100%

Zoning Board of Adjustment (16 meetings held) Attended Excused Unexcused Attendance %

Chamberlin, Susan	13	3		81%
Durbin, Derek	10	6		62%
LeMay, Charles	15	1		93%
Moretti, Patrick (Alt)	12	4		75%
Mulligan, Christopher	13	3		81%
Parrott, Arthur	16			100%
Rheaume, David	16			100%
Witham, David, Chair	15	1		93%
Vacancy (Alt)				

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Jane Shouse, Planning Department *JMS*
SUBJECT: Site Review Technical Advisory Committee Minutes
DATE: January 28, 2014

Please be advised that the approved minutes from the January 7, 2014 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.