

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, NOVEMBER 8, 2010 TIME: 7:00PM

AGENDA

6:00PM – ANTICIPATED “NON-MEETING” WITH COUNSEL REGARDING NEGOTIATIONS –
RSA 91-A:2, I (b-c)

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE – Posting of Colors by The Webelos I of Pack 164

PRESENTATION

1. Wastewater Master Plan Final Report to Environmental Protection Agency (EPA) – David Allen, Deputy Public Works Director (**Action to take place under Item XII A.5. of the agenda**)

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

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. RESOLUTION OF UP TO SIX MILLION FOUR HUNDRED THOUSAND DOLLARS (\$6,400,000.00) FOR CAPITAL IMPROVEMENTS PROJECTS IDENTIFIED IN FY 2011 BUDGET
- B. RESOLUTION FOR THE SUM OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FOR LEASE PURCHASE TO REPLACE FIRE ENGINE NUMBER 6
- C. ORDINANCE AMENDING CHAPTER 1, ARTICLE IV, SECTION 1.404(A)(1) – COMMISSIONS AND AUTHORITIES, HISTORIC DISTRICT COMMISSION MEMBERSHIP

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation from Jay and Jean Smith to the USS Virginia Picnic - \$200.00 (**Sample motion – move to approve and accept the donation for the USS Virginia picnic, as listed**)
- B. Acceptance of \$10,000.00 Grant from State of NH for Creative Communities Network “pass through” Funds (**Sample motion – move to accept and approve the grant, as submitted**)
- C. Acceptance of Donations to the Fire Department from Siegel Limited Partnership for the Restoration of 1950 Mack Fire Truck - \$1,000.00 (**Sample motion – move to approve and accept the donation to the Fire Department for the restoration of the 1950 Mack Fire Truck, as listed**)

- D. Extension of New Hampshire Public Health Network Grant H1N1 Funds (**Sample motion – move to authorize the City Manager to apply for, accept and expend additional grant funds from the NH Department of Health and Human Services for the purpose of increasing equipment and supplies, receive additional training, and providing additional public health nursing as necessary**)
- E. Acceptance of Grant to the Police Department from The Bureau of Justice Assistance for Bulletproof Vest Partnership FY 2010 - \$9,325.00 (**Sample motion – move to approve and accept the grant to the Portsmouth Police Department, as listed**)
- F. Acceptance of Grant to the Police Department from the Police Standards & Training Council - \$2,000.00 (**Sample motion – move to approve and accept the grant to the Portsmouth Police Department, as listed**)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 10, Article 5, Section 10.517 – Rooftop Appurtenances and Other Rooftop Features (**Sample motion – move to accept the Planning Board’s recommendation and pass first reading and schedule a public hearing and second reading on the proposed Ordinance amendment, as presented, at the November 22, 2010 City Council meeting**)
- B. Second reading and Adoption of Proposed Bonding Resolution of up to Six Million Four Hundred Thousand Dollars (\$6,400,000) Re: Capital Improvement Projects Identified in FY 2011 Budget (**Sample motion – move to adopt the proposed Bonding Resolution, as presented**)
- C. Second reading and Adoption of Proposed Bonding Resolution for the sum of Five Hundred Thousand Dollars (\$500,000) for Lease Purchase to Replace Fire Engine Number 6 (**Sample motion – move to adopt the proposed Resolution, as presented**)
- D. Second reading of Proposed Ordinance amending the City Ordinances, Chapter 1, Article IV, Section 1.404(A)(1) – Commissions and Authorities, Historic District Membership (**Sample motion – move to pass second reading and schedule a third and final reading on the proposed Ordinance, as presented, at the November 22, 2010 City Council meeting**)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Jill Etori, Cystic Fibrosis Foundation, requesting permission to hold the Seacoast Safari: CF Cycle for Life on Saturday, July 16, 2011 through Sunday, July 17, 2011 (**Anticipated action – move to refer to the City Manager with power**)
- B. Letter from Kathryn Libby, American Lung Association, requesting permission to hold the second annual Cycle the Seacoast event on Sunday, May 1, 2011 (**Anticipated action – move to refer to the City Manager with power**)

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Mali Welch, Redhook Brewery, requesting permission to assign a street name to Redhook Brewery's driveway and change the brewery's address to "1 Redhook Way" **(Sample motion – move to refer to the Planning Board for report back)**
- B. Letter from William Lambert, The Cedars, requesting the installation of a controlled crosswalk at the intersection of White Cedar Blvd. and Lafayette Road **(Sample motion – move to refer to the Traffic & Safety Committee for report back)**
- C. Letter from Rick Horowitz requesting the City Council support the elimination of fluoride from our water supply **(Sample motion – move to refer to the City Manager for report back)**
- D. Letter from Karen Anderson, Town Administrator, Town of Greenland, requesting that the City of Portsmouth provide paramedic intercept service beginning in 2011 **(Sample motion – move to refer to the Fire Commission for report back)**

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action Under Other Sections of the Agenda

- 1. Consideration of First Reading of Proposed Ordinance Amendments:
 - 1.1 First Reading of Proposed Ordinance amending the City Ordinances, Chapter 10 – Zoning Ordinance, Section 10.517 – Rooftop Appurtenances and Other Rooftop Features **(Action on this Item should take place under Section IX of the Agenda)**
- 2. Public Hearing and Adoption of Proposed Bonding Resolutions:
 - 2.1 Public Hearing/Adoption of Proposed Bonding Resolution of up to Six Million Four Hundred Thousand Dollars (\$6,400,000) for Capital Improvement Projects Identified in FY 2011 Budget **(Action on this Item should take place under Section IX of the Agenda)**
 - 2.2 Public Hearing/Adoption of Proposed Bonding Resolution for the sum of Five Hundred Thousand Dollars (\$500,000) for Lease Purchase to Replace Fire Engine Number 6. **(Action on this Item should take place under Section IX of the Agenda)**

3. Public Hearing/Second Reading of Proposed Ordinance Amendment:

- 3.1 Public Hearing and Second Reading of Proposed Ordinance amending the City Ordinances, Chapter 1, Article IV, Section 1.404(A)(1) – Commissions and Authorities, Historic District Membership. **(Action on this Item should take place under Section IX of the Agenda)**

City Manager's Items Which Require Action

1. Establish City Council Schedule for 2011 **(Sample motion – move to approve this schedule)**
2. Request for a License from Daniel LaCava, owner of Foobar for property located at 21 Congress Street to install a projecting sign **(Sample motion – move to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Daniel LaCava, owner of Foobar to install a projecting sign on a new bracket at 21 Congress Street and further authorize the City Manager to execute a License Agreement for this request)**

Planning Board Conditions:

- *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, 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*
3. Request for a License from Mombo, LLC, owner of Mombo for property located at 66 Marcy Street to install a projecting sign **(Sample motion – move to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Mombo, LLC owner of Mombo to install a projecting sign on a new bracket at 66 Marcy Street and further authorize the City Manager to execute a License Agreement for this request)**

Planning Board Conditions:

- *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, 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*
4. Request for Approval of Pole License #63-0494 **(Sample motion – move to approve the request from PSNH for pole license agreement, #63-0494, as recommended by the Public Works Department)**

5. Wastewater Master Plan Final Report to Environmental Protection Agency (EPA) ***(Sample motion – move to authorize the City Manager to submit its final Wastewater Master Plan to EPA as outlined in the attached memorandum dated November 2, 2010)***

Informational Items

1. Events Listing
2. Reminder of Veterans Day Parade and Services
3. City's Public Art Acquisition Standing Committee Members
4. Response to Information Request by Councilor Esther Kennedy Re: Assessments

B. MAYOR FERRINI

1. Appointments to be Considered:
 - Eric Gregg – Economic Development Commission
 - Kory Sirmaian – Recreation Board
 - Todd Henley – Recreation Board
2. Appointments to be Voted:
 - Paul Ford – Taxi Commission (Taxi Company representative)
 - Lisa Destefano - Economic Development Commission (Reappointment)
 - Dana Levenson – Economic Development Commission (Reappointment)
 - Joshua Cyr – Economic Development Commission (Reappointment)
3. Acceptance of Resignation from Charles LeBlanc from the Zoning Board of Adjustment effective December 1, 2010

C. COUNCILOR SPEAR

1. Report to City Council Re: European Green Conference

D. COUNCILOR KENNEDY

1. *Assessments
2. *Budget

E. COUNCILOR SMITH

1. Traffic & Safety Committee Action Sheet and Minutes of the October 14, 2010 meeting ***(Sample motion – move to approve and accept the action sheet and minutes of the October 14, 2010 Traffic & Safety Committee meeting)***
2. Parking Committee Action Sheet and Minutes of the October 14, 2010 meeting ***(Sample motion – move to approve and accept the action sheet and minutes of the October 14, 2010 Parking Committee meeting)***

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

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

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. Notification that the Planning Board Minutes of the August 19, 2010 and September 16, 2010 meetings are available on the City's website for your review
2. Notification that the Site Review Technical Advisory Committee Minutes of the October 5, 2010 meeting are available on the City's website for your review
3. Notification that the Zoning Board of Adjustment Minutes of the June 22, 2010 meeting are available on the City's Website for your review

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

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: November 4, 2010
To: Honorable Mayor Thomas G. Ferrini and City Council Members
From: John P. Bohenko, City Manager
Re: City Manager's Comments on November 8, 2010 City Council Agenda

6:00 p.m. – Non-meeting with counsel.

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

Presentation:

1. **Wastewater Master Plan Final Report to Environmental Protection Agency (EPA).** On Monday evening, David Allen, Deputy Public Works Director will make a presentation to the City Council, regarding the Wastewater Master Plan which will be submitted as required to EPA ([see attached memorandum](#)).

Acceptance of Grants/Donations:

1. **Acceptance of Donation for USS Virginia Picnic.** The City of Portsmouth has received a donation from Jay S. and Jean L. Smith, on behalf of CACI, Inc., in the amount of \$200.00 for the USS Virginia picnic.

I would recommend that the City Council move to approve and accept the donation for the USS Virginia picnic, as listed. Action on this matter should take place under Section VIII of the Agenda.

2. **Acceptance of \$10,000.00 Grant from State of New Hampshire for Creative Communities Network “pass through” Funds.** This \$10,000.00 grant supports the statewide Creative Communities Network (CCN) of which Art-Speak is a member and is acting as the pass through entity for receipt of New Hampshire State Council on the Arts grant funds. The grant includes \$9,500 for contract costs of Judy Rigmont, the network coordinator, to assist

the CCN members in capacity building of community arts organizations. The grant also includes \$500 in funds to Art-Speak for its pass through administrative services.

I would recommend the City Council move to accept and approve the grant, as submitted. Action on this matter should take place under Section VIII of the Agenda.

3. **Acceptance of Donation to the Fire Department.** The Fire Department has received a donation from Siegel Limited Partnership in the amount of \$1,000.00 for the restoration of the 1950 Mack Fire Truck.

I would recommend that the City Council move to approve and accept the donation to the Fire Department for the restoration of the 1950 Mack Fire Truck, as listed. Action on this matter should take place under Section VIII of the Agenda.

4. **Extension of New Hampshire Public Health Network Grant H1N1 Funds.** In 2005, the City began to receive grant funding from the NH Department of Health and Human Services (DHHS) to develop the Greater Portsmouth Public Health Network (GPPHN). The network was formed to improve emergency response capability and planning for large-scale emergencies and pandemics, natural disasters, and chemical/biological emergencies.

These funds enable the City to work with its regional partner towns of Greenland, Rye, Newington, North Hampton, and New Castle on various emergency response planning activities including drafting emergency response plans/annexes, coordinating emergency planning meetings with the Portsmouth Area Emergency Planning Team, developing and recruiting medical volunteers for the Greater Portsmouth Medical Reserve Corps Unit, emergency planning outreach to special needs communities, and administering various emergency response grants.

Currently, there are additional federal funds that the City can apply for. These are federal funds appropriated for the 2009/2010 H1N1 pandemic, which have been extended to allow states and their partners to close out H1N1 activities and address areas of needed improvement. The program is funded through June 30, 2011. This grant would provide \$26,646 in funding for equipment, supplies, additional training, and additional public health nurse hours if required. No local match is required.

I would recommend that the City Council move to authorize the City Manager to apply for, accept and expend additional grant funds from the NH Department of Health and Human Services for the purpose of increasing equipment and supplies, receive additional training, and providing additional public health nursing as necessary. Action on this matter should take place under Section VIII of the Agenda.

5. **Acceptance of Police Department Grants.** Attached under Section VIII of the Agenda is a memorandum, dated October 27, 2010, from Gerald W. Howe, Chairman of the Portsmouth Police Commissioners, and Police Chief David J. Ferland, requesting that the City Council approve the following grants:

- a. Bulletproof Vest Partnership FY 2010 Award – An award in the amount of \$9,325.00 has been received from The Bureau of Justice Assistance for bulletproof vests. Note: This is a matching grant from BJA. The City of Portsmouth matches these monies with an in-kind grant for \$9,325.00. Bulletproof vests have a shelf life. This grant allows the Police Department to replace old vests and outfit new officers with this life-saving protection.
- b. A training grant in the amount of \$2,000.00 was received from the Police Standards & Training Council to enable two new sergeants to attend the Command Training Series: First Line Supervisor Course at Roger Williams University in January, 2011.

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

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

Items Which Require Action Under Other Sections of the Agenda:

1. Consideration of First Reading of Proposed Ordinance Amendments:

- 1.1 **First Reading of Proposed Ordinance Amending the City Ordinances, Chapter 10 – Zoning Ordinance, Article 5, Section 10.517 – Rooftop Appurtenances and Other Rooftop Features.** As you may recall, at the October 4, 2010 City Council meeting, the Council referred the attached request from Peter J. Loughlin, Esquire, on behalf of Service Credit Union, regarding a proposed ordinance amendment to Chapter 10, Section 10.517, Roof Appurtenances and other Rooftop Features, to the Planning Board for report back to the City Council. Attached is a memorandum from Rick Taintor, Planning Director, regarding this matter. At the October 21, 2010 Planning Board meeting, the Board voted unanimously to recommend that the City Council enact the proposed Zoning Ordinance Amendment as presented. Also, attached is a copy of the proposed Ordinance Amendment under Section IX of the Agenda.

I would recommend the City Council move to accept the Planning Board's recommendation and pass first reading and schedule a public hearing and second reading on the proposed Ordinance amendment, as presented, at the November 22, 2010 City Council meeting.

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

2.1 **Public Hearing and Adoption of Proposed Bonding Resolution of up to Six Million Four Hundred Thousand Dollars (\$6,400,000) Re: Capital Improvement Projects Identified in FY 2011 Budget.** As a result of the October 18th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the [attached proposed Bonding Resolution](#) of up to Six Million Four Hundred Thousand Dollars (\$6,400,000) for Fiscal Year 2011 Citywide Facilities, Street, Sidewalks and Storm Water Drain System Improvements. These projects are as follows and are identified in the FY11 Capital Improvement Program ([see attached element sheets and memorandum](#) from Steve Parkinson, Public Works Director):

- 1) BI-PW-29: Citywide Facilities' Capital Improvements (Pages 81 and 82) – (\$1,000,000).
- 2) TSM-CITY-09: BIKE/PED: Citywide Sidewalk Reconstruction Program (Pages 102 and 103) – (\$600,000).
- 3) TSM-CITY-27: ROADWAY: Street Paving, Management and Rehabilitation (Pages 121 and 122) – (\$2,500,000).
- 4) BI-PW-28: Maple Haven Storm Water Drain System (Page 80) – (\$1,000,000).
- 5) TSM-CITY-08 : BIKE/PED : State Street Sidewalk Replacement (Page 101) – (\$400,000).
- 6) TSM-CITY-12: BIKE/PED: Middle Road New Sidewalk Construction (Page 106) – (\$500,000).
- 7) TSM-CITY-20: ROADWAY: McDonough Street Area Improvements Project (Page 114) – (\$400,000).

As you are aware during the CIP process, the City Council approved a Capital Plan that identified the aforementioned projects but requires separate vote of the City Council on items that need to be bonded. The bonding requires two readings and a public hearing with two-thirds vote of the City Council.

I would recommend the City Council move to adopt the proposed Bonding Resolution, as presented. Action on this matter will take place under Section IX of the Agenda.

2.2 **Public Hearing and Adoption on Proposed Bonding Resolution for the sum of Five Hundred Thousand Dollars (\$500,000) for Lease Purchase to Replace Fire Engine Number 6.** As a result of the October 18th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the [attached proposed](#)

[Bonding Resolution](#) for the sum of Five Hundred Thousand Dollars (\$500,000) through the issue of bonds and notes or the execution of lease purchase agreements for the acquisition of one fire apparatus to replace Fire Engine Number 6. A new engine for District 1 is in the CIP for FY11. See [attached element sheet VE-FD-02: Vehicle Replacement Fire Engine Number 6 \(Page 39\)](#) and a memorandum from Fire Chief Christopher LeClaire.

As you are aware, bonding resolutions require a public hearing, two readings and a two-thirds vote is required of the City Council for passage.

I would recommend the City Council move to adopt the proposed Resolution, as presented. Action on this matter will take place under Section IX of the Agenda.

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

- 3.1 **Public Hearing and Second Reading on Proposed Ordinance Amending the City Ordinances, Chapter 1, Article IV (Section 1:404(A)(1) – Commissions and Authorities, Historic District Membership.** As a result of the October 18th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed Ordinance Amendment](#) to the City Ordinances, Chapter 1, Article IV (Section 1:404(A)(1) – Commission and Authorities, Historic District Membership. The membership of the Commission is defined in Section 1.404(A)(1) which states in part,

One of the members shall be a City Council member and another shall be a Planning Board member as provided by State Law.

However, the applicable State statute (RSA 673:4, II) actually provides as follows:

One commission member shall be a member of the local governing body and one commission member may be a member of the planning board. [emphasis added]

In Portsmouth, both the Planning Board and the Historic District Commission have heavy workloads, frequently requiring special meetings. As a result, it has been difficult to fill the Planning Board seat on the HDC.

The HDC ordinance also requires that “At least two members shall be residents of the Historic District and at least one member shall be a person owning or being employed in a business within the Historic District.” This requirement supports the requirement that members “have demonstrated interest in and commitment to promote the purposes” of the Historic District. However, it also means that individual members must often recuse themselves from acting on particular cases where they may be abutters to a proposed project or participants in an application.

As a result of the lack of a Planning Board representative combined with recusals of other members, the Commission often hears applications with less than a full complement of members, which may be detrimental to the applicant. After considering this issue for several months, the Planning Board voted at its meeting on September 16, 2010, to recommend that the City Council amend the City Ordinance to reflect the State statute on Historic District Commissions. The specific change would be as follows:

Amend the City of Portsmouth Ordinances, Chapter 1 – Administrative Code, Article IV – Commissions and Authorities, Section 1.404(A)(1), second sentence, by changing the words “shall be a Planning Board member” to “may be a Planning Board member.”

This change would free up the HDC seat reserved for Planning Board members, and allow it to be filled by another qualified member, thereby increasing the number of members potentially available to sit on a particular case.

I would recommend that the City Council move to pass second reading and schedule a third and final reading on the proposed Ordinance, as presented, at the November 22nd City Council meeting. Action on this matter will take place under Section IX of the Agenda.

City Manager’s Items Which Require Action:

1. **Establish City Council Schedule for 2011.** Attached for your review and approval is a [proposed schedule](#) for City Council meetings for calendar year 2011. The schedule reflects a change of date for the Capital Improvement Plan Work Session to February 14, 2011 instead of January 31, 2011 as indicated on the previous draft. Please note that wherever there is a holiday, the meeting goes to Tuesday. *May I have your approval on this schedule.*
2. **Request for a License from Daniel LaCava, Owner of FooBar for Property Located at 21 Congress Street to Install a Projecting Sign.** Attached is a [copy of a memorandum](#) from Rick Taintor, Planning Director, outlining the Planning Board’s recommendation regarding a request from Daniel LaCava owner of FooBar for property located at 21 Congress Street, to install a projecting sign on a new bracket ([see attached photographs](#)).

This request was received by the Planning Department on October 14, 2010, and reviewed by the Planning Board on October 21, 2010. The Board voted to 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, will 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.

I would recommend the City Council move to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Daniel LaCava, owner of Foobar to install a projecting sign on a new bracket at 21 Congress Street and further authorize the City Manager to execute a License Agreement for this request.

3. **Request for a License from Mombo, LLC, owner of Mombo for Property Located at 66 Marcy Street to Install a Projecting Sign.** Attached is a copy of a memorandum from Rick Taintor, Planning Director, outlining the Planning Board's recommendation regarding a request from Mombo, LLC, owner of Mombo for property located at 66 Marcy Street, to install a projecting sign on a new bracket (see attached photographs).

This request was received by the Planning Department on October 12, 2010, and reviewed by the Planning Board on October 21, 2010. The Board voted to 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, will 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.

I would recommend the City Council move to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Mombo, LLC owner of Mombo to install a projecting sign on a new bracket at 66 Marcy Street and further authorize the City Manager to execute a License Agreement for this request.

4. **Request for Approval of Pole License #63-0494.** Attached is a request for a Pole License Agreement from PSNH, License 63-0494. The old pole had been severely impacted as a result of an automobile accident and utility crews had to erect a new pole in the old location and attach all wires. PSNH reports that they could find no existing license for this pole and they are requesting one with this petition. This pole poses no impact to existing City infrastructure and the Public Works Department recommends approval of this license. Attached is a photograph of the pole.

I would recommend that the City Council approve the request from PSNH for pole license agreement, #63-0494, as recommended by the Public Works Department.

5. **Wastewater Master Plan Final Report to Environmental Protection Agency (EPA).** Subsequent to the aforementioned presentation, I would recommend the City Council authorize City staff to submit the final Wastewater Master Plan as outlined in the memorandum from Suzanne Woodland, Assistant City Attorney; David Allen, Deputy Public Works Director, and Peter Rice, Water/Sewer Engineer.

Move to authorize the City Manager to submit its final Wastewater Master Plan to EPA as outlined in the attached memorandum dated November 2, 2010.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on October 18, 2010. In addition, this now can be found on the City's website.
2. **Reminder of Veterans Day Parade and Services.** This is a reminder that the Veterans Day parade and services are on Thursday, November 11, 2010. The parade will step off from the V.F.W. on Deer Street and continue to Goodwin Park for the ceremonies at 11:00 a.m. At 12:30 p.m., there will be a rededication of the World War I monuments at the Plains Field. [Attached is a copy of a letter](#) from Richard Brooks of the Central Veterans Council for your information.
3. **City's Public Art Acquisition Standing Committee Members.** As you may remember, the Portsmouth City Council approved the City's Public Art Acquisition Policy, developed by Art-Speak, in December of 2009 ([see attached](#)). Through this policy, Art-Speak is charged with the formation of a standing committee whose role is to oversee the acquisition and de-accession (removal) of public art for all City departments with the exception of the Portsmouth Public Library, which has its own acquisition policy. Per the Art Acquisition Policy, the Committee will consist of between 7 and 11 members and will consist of Art-Speak Board members (minimum of 2), City staff, and community members. [Attached is a list](#) of the members of Portsmouth's Public Art Acquisition Committee.
4. **Response to Information Request by Councilor Esther Kennedy Re: Assessments.** [Attached is a memorandum](#) from Judie Belanger, Finance Director, regarding an inquiry made by Councilor Esther Kennedy at the October 18th City Council meeting.