

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: TUESDAY, SEPTEMBER 6, 2011 TIME: 7:00PM

## **AGENDA**

- 5:45PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NEGOTIATIONS AND PERSONNEL MATTERS RSA: 91-A:2, I (b-c)

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

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. ACCEPTANCE OF MINUTES – AUGUST 15, 2011

VI. PUBLIC COMMENT SESSION

VII. APPROVAL OF GRANTS/DONATIONS

- A. \*Approval of Additional Energy Grant Funds for the Discover Portsmouth Center  
*(Sample motion – move to authorize the City Manager to accept and expend an additional \$23,100.00 in grant funds from the TRC Environmental Corporation for energy upgrades to the former Library Building at 10-30 Middle Street)*

VIII. CONSENT AGENDA

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

- A. Letter from Barbara Massar, Executive Director, Pro Portsmouth, Inc., requesting permission to hold First Night Portsmouth 2012 on Saturday, December 31, 2011  
*(Anticipated action – move to refer to the City Manager with power)*
- B. Request for a License from Joanne Wiren, owner of Art with a Splash for property located at 222 State Street to install a projecting sign *(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Joanne Wiren, owner of Art with a Splash to install a projecting sign at 222 State Street and, further, authorize the City Manager to execute a License Agreement 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, 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**

- C. Request for a License from Sorassa Soeur, owner of Salonista for property located at 90 Fleet Street to install a projecting sign (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Sorassa Soeur, owner of Salonista to install a projecting sign at 90 Fleet Street and, further, authorize the City Manager to execute a License Agreement 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, 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**

- D. Request for a License from Kerry Lajoie, owner of Hazel Boutique for property located at 7 Commercial Alley to install a projecting sign (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Kerry Lajoie, owner of Hazel Boutique to install a projecting sign at 7 Commercial Alley and, further, authorize the City Manager to execute a License Agreement 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, 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**

- E. Request for Approval of Pole License – Underground Conduit System for Comcast – 161 Deer Street (**Anticipated action – move to approve the license with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes**)

- F. Request for Approval of Pole License – Underground Conduit System for the NH Department of Transportation – Corner of Sapphire Street and Rockingham Avenue onto the Right of Way for Interstate 95 (***Anticipated action – move to approve the license with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
- G. Request for Approval of Pole License – Installation of 1 pole located on Cutts Avenue for PSNH (***Anticipated action – move to approve the license with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
- H. Request for Approval of Pole License – Installation of 1 pole located on McKinley Road for PSNH (***Anticipated action – move to approve the license with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
- I. Acceptance of Donation to Fire Department from Mary E. Golomb - \$100.00 (***Anticipated action – move to approve and accept the donation to the Fire Department for the gift and donation account***)

#### **IX. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Ellen Stockmayer, The Pan Massachusetts Challenge, requesting permission to hold the 6<sup>th</sup> annual PMC New Castle-Seacoast Kids Ride on Sunday, September 25, 2011
- B. Letter from Sorassa Soeur, Salonista, requesting permission to hold a fashion show in Market Square the Pleasant Street side of North Church on Wednesday, September 14, 2011 from 6:00 p.m. – 8:00 p.m. (*rain date September 15, 2011*)
- C. Letter from Leanne Stella and Shanna Argyros, Arts In Reach (AIR), requesting permission to hold a fundraising walk on Saturday, October 22, 2011 from 9:00 a.m. – 11:00 a.m.
- D. Letter from Doug Bates, Greater Portsmouth Chamber of Commerce, requesting permission to hold a farewell event for the Memorial Bridge on Saturday, October 1, 2011 from 3:00 p.m. – 8:00 p.m. and further, request that Scott Avenue be closed for the event hours to create a flow between Harbour Place and Prescott Park surrounding the bridge

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

### **A. CITY MANAGER**

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

1. Acceptance of Donation to the Fire Department (***Action on this matter should take place under Section VIII of the Agenda***)
2. Requests for Projecting Sign Licenses (***Action on this matter should take place under Section VIII of the Agenda***)
3. Requests for Approval of Pole Licenses (***Action on this matter should take place under Section VIII of the Agenda***)

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

1. Proposed Transfer of Funds Re: Retirement
2. Report Back Re: Request from Worth Development Condominium Association for Expansion of Dumpster Area in Worth Lot
3. Report Back Re: iPark
4. Proposed Purchase of LaCava Property Re: 95 Mechanic Street
5. Report Back Re: 99 Bow Street Martingale Wharf Encroachments
6. Report Back Re: Request for Rezoning of land on Bartlett Street/Cate Street Assessors Map 165 Lot 1 (30 Cate Street)
7. Report Back Re: Request from Joseph R. Baroni Family, LLC, regarding the Acquisition of City Owned Land on Constitution Avenue
8. New Hampshire Department of Transportation (DOT) Request for License to Affix Telecommunication Equipment to Pease Water Tower
9. Report Back Re: On-street Parking at 233 Vaughan Street
10. Request for License Agreement Re: 104 Congress Street

#### **Informational Items**

1. Events Listing
2. Update Re: Pro Portsmouth
3. Comprehensive Annual Financial Report (CAFR) Award
4. Utility of the Year Award
5. Report Back Re: Request for Rezoning of 1900 Lafayette Road

6. African Burying Ground Trust Donations
7. Economic Development Commission Meeting Agenda and Draft Minutes
8. Atlantic Heights Emergency Access Project
9. Reminder of City Council Work Session – September 12, 2011

**B. MAYOR FERRINI**

1. Appointments to be Considered:
  - William Gladhill – Appointment as Regular member to the Planning Board (*currently serves as an Alternate member*)
  - John Crist – Appointment to the Board of Library Trustees
2. Appointments to be Voted:
  - Chris Hubbard – Appointment to the Peirce Island Committee
  - Dana Levenson – Appointment to the Board of Trustees of Trust Fund

**C. ASSISTANT MAYOR NOVELLINE CLAYBURGH**

1. \*City Manager's Evaluation Report

**D. COUNCILOR DWYER**

1. Artwork for 9/11 Memorial (***Sample motion – move to authorize the Trustees of the Trust to expend \$15,000.00 from the Public Art Trust at the direction of the City Manager to acquire the artwork known as "The Button Project a 9/11 Memorial"***)

**E. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the August 11, 2011 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the August 11, 2011 Traffic & Safety Committee meeting***)
2. Parking Committee Action Sheet and Minutes of the August 11, 2011 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the August 11, 2011 Parking Committee meeting***)

**XI. MISCELLANEOUS/UNFINISHED BUSINESS**

**XII. 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 May 19, 2011 and June 16, 2011 meetings are available on the City's website for your review
2. Notification that the Zoning Board of Adjustment Minutes of the May 17, 2011 and excerpt of minutes of June 21, 2011 meetings are available on the City's website for your review
3. Notification that the Conservation Commission Minutes of the July 13, 2011 meeting is available on the City's website for your review
4. Governor and Executive Council District Three Report of meeting held on August 10, 2011

**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:** September 2, 2011  
**To:** Honorable Mayor Thomas G. Ferrini and City Council Members  
**From:** John P. Bohenko, City Manager  
**Re:** City Manager's Comments on September 6, 2011 City Council Agenda

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***5:45 p.m. – Non-meeting with counsel.***

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

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***Acceptance of Grants/Donations:***

1. **Approval of Additional Energy Grant Funds for the Discover Portsmouth Center.** As you may recall, the City was awarded \$140,000 through the NH Office of Energy and Planning (OEP) Energy Efficiency and Conservation Block Grant (EECBG) program. These funds will be used to improve the energy efficiency of the Discover Portsmouth Center. Specifically, this grant will fund replacement of the central air distribution and hot water systems and be part of a larger energy upgrade planned by the Portsmouth Historical Society. Both systems are approximately 34 years old and their replacement will result in substantial yearly savings in utility costs.

The City has been notified by the state's grant administrator, TRC Environmental Corporation that an additional \$23,100 will be granted to the City of Portsmouth as a result of increased costs associated with performing the planned improvements covered under the EECBG grant. This will bring the total amount of assistance through this grant program to \$163,100.

*I would recommend that the City Council move to authorize the City Manager to accept and expend an additional \$23,100 in grant funds from the TRC Environmental Corporation for energy upgrades to the former Library Building at 10-30 Middle Street. Action on this matter should take place under Section VII of the Agenda.*

## ***Consent Agenda:***

1. **Acceptance of Donation to the Fire Department.** Attached is a copy of a letter from [Mary Elizabeth Golomb](#) donating \$100.00 to the Fire Department for the gift and donation account.

*I would recommend that the City Council move to approve and accept the donation to the Fire Department for the gift and donation account. Action on this matter should take place under Section VIII of the Agenda.*

2. **Requests for Projecting Sign Licenses.** Attached under Section VIII of the Agenda are the following requests for Projecting Sign Licenses (see memorandums from [Rick Taintor, Planning Director](#)):

- a) Joanne Wiren, owner of Art with a Splash for property located at 222 State Street.
- b) Sorassa Soeur, owner of Salonista for property located at 90 Fleet Street.
- c) Kerry Lajoier, owner of Hazel Boutique for property located at 7 Commercial Alley.

*I would recommend the City Council move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director. Action on this matter should take place under Section VIII of the Agenda.*

3. **Requests for Approval of Pole Licenses.** Attached under Section VIII of the Agenda are the following requests for Pole Licenses (see attached memorandums from [Tom Richter, Engineering Technician, Public Works Department](#)):

- a) Underground Conduit System for Comcast – 161 Deer Street.
- b) Underground Conduit System for the NH Department of Transportation – Corner of Sapphire Street and Rockingham Avenue onto the Right of Way for Interstate 95.
- c) Installation of 1 pole located on Cutts Avenues for Public Service of New Hampshire.
- d) Installation of 1 pole located on McKinley Road for Public Service of New Hampshire.

*I would recommend the City Council move to approve the aforementioned pole licenses as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes. Action on this matter should take place under Section VIII of the Agenda.*



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

1. **Proposed Transfer of Funds Re: Retirement.** Attached is an announcement from the [New Hampshire Retirement System](#) regarding the employer contribution rates that were re-certified pursuant to House Bill 2, effective August 1, 2011 through June 30, 2013. The additional cost over and above what has been budgeted for FY12 for each group is as follows:

<b>RETIREMENT APPROPRIATION</b>			
	<b>FY12 budget</b>	<b>Additional Appropriation</b>	<b>FY12 Adjusted Budget</b>
Police Department	795,660.00	117,700.00	913,360.00
Fire Department	822,019.00	101,405.00	923,424.00
School Department	1,900,258.00	302,584.00	2,202,842.00
	<b>3,517,937.00</b>	<b>521,689.00</b>	<b>4,039,626.00</b>

The shortfall can be made up through a transfer of \$521,689 from the FY12 collective bargaining and pension contingency, in accordance with Section 7.16 of the City Charter, which allows for transfer with the approval of the City Council. Councilor Esther Kennedy requested what other cities are doing. The Human Resources Department surveyed twelve cities and heard back from six. Manchester will be using contingency funds; Somersworth will use fund balance; Dover will try to absorb the amount in their budget; and Franklin, Laconia and Concord have budgeted sufficient funds for FY12 to cover their costs.

*I would recommend the City Council move to authorize the transfer of funds in the amount of \$521,689 from the FY12 Collective Bargaining and Pension Contingency for the retirement shortfall, in accordance with Section 7.16 of the City Charter to the following departments:*

Police	\$117,700
Fire	\$101,405
Schools	<u>\$302,584</u>
Total	\$521,689

2. **Report Back Re: Request from Worth Development Condominium Association for Expansion of Dumpster Area in Worth Lot .** As you will recall, at the August 1, 2011 City Council meeting, the Council referred the [attached request from the Worth Development Condominium Association](#), to the Parking Committee for report back to the City Council. The Worth Development Condominium Association requested the expansion of its dumpster space in the Worth Lot to accommodate four restaurants and twelve office retail tenants. There is currently four feet of open space between the right fence of the dumpster area and the adjacent parking space. Moving the fence three feet would provide the necessary dumpster space and provide enough space for car doors opening in the parking space ([see attached photograph](#)).

The Worth Development Condominium Association will pay to move the bollards and the fencing in order to expand the area to the right.

*I would recommend the City Council move to accept the recommendation of the Parking Committee and approve the Worth Development Condominium Association's request to move the fence three feet to the right as shown in the attached photograph at their expense.*

3. **Report Back Re: iPark.** Per Councilor Eric Spear's request to evaluate the City absorbing customer service fees for purchasing parking credits on iPark devices, I am providing the City Council with the following information:

The City pays a fee for every parking credit purchase on the following schedule – 10% for \$25 purchases, 7% for \$50 purchases and 5% for \$100 purchases;

- The customer also pays a service fee based on the same schedule;
- The City paid \$2,751.88 in credit card and service fees on the \$22,700 in parking credits purchased by our customers in FY11;
- We currently have 485 iPark users.

In FY11, the City would have paid an additional \$1,654 to subsidize the iPark customer service fee, bringing the total fees for the City up to \$4,405.88.

The fee schedule is set up to incentivize larger purchases. If we absorb the fee for the customer, thereby removing the incentive for larger purchases, we could expect our fees to be an additional \$600 higher, or \$5,000 total per year, due to smaller increment purchases. Absorbing the fee for only the \$100 increment keeps the incentive for higher purchases in place and cost to the City at \$370 annually (in FY11 terms).

*I would recommend the City Council move to accept the Parking Committee's recommendation and approve the elimination of the iPark customer service fee for parking credit purchases of \$100.*

4. **Proposed Purchase of LaCava Property Re: 95 Mechanic Street.** Through correspondence and meetings with Attorney Michael Chubrich, representing Tony LaCava, the City has been informed that Mr. LaCava is interested in selling his property located at 95 Mechanic Street (see attached letter). This property, which sits between two City owned parcels (see attached map and property card) would be of value to the City.

The subject property is located to the north and directly abutting the Mechanic Street pump station. That pump station currently pumps all of the Portsmouth flow over to the Peirce Island Wastewater Treatment Facility. The existing pump station parcel is only 0.14 acres and with the current building footprint and underground piping system there are limited options to improve or modify the pump station. Through the purchase of the property, the City would gain control of the 95 Mechanic Street property which would be of significant value to the City as it proceeds with the implementation of the Wastewater Masterplan. The ability to upgrade the Mechanic Street pump station will prove critical at some point in the future, whether to redirect flows or to deal with stormwater flows at that location.

The Sewer Division of the Public Works Department would be in favor of exploring the option of purchasing this property.

*I would recommend the City Council move to refer this matter to the Planning Board for report back to the City Council.*

5. **Report Back Re: 99 Bow Street Martingale Wharf Encroachments.** As you will recall, at the July 18<sup>th</sup> City Council meeting, the Council referred the attached letter from Martingale Wharf Limited Partnership regarding Martingale Wharf encroachments at 99 Bow Street, to the Planning Board for report back to the City Council. Attached is a memorandum from Rick Taintor, Planning Director, regarding this matter. The Planning Board at its August 18, 2011 meeting, voted unanimously to recommend that the City grant the requested easements.

*Therefore, I would recommend the City Council move to accept the recommendation of the Planning Board, as presented, and authorize the City Manager to execute the necessary documents.*

6. **Report Back Re: Request for Rezoning of land on Bartlett Street/Cate Street Assessors Map 165 Lot 1 (30 Cate Street).** As you will recall, at the July 18<sup>th</sup> City Council meeting, the Council referred the attached letter from Attorney Brian DeVellis, on behalf of Merton Allan Investments LLC, requesting that a 2.38-acre parcel at the intersection of Bartlett and Cate Streets be rezoned from Industrial (I) to Mixed Residential Business (B), to the Planning Board for report back to the City Council. Attached is a memorandum from Rick Taintor, Planning Director, regarding this matter. As you will see, in reviewing this rezoning request, the Planning Department analyzed the dimensional and intensity requirements of the Zoning Ordinance for three zoning districts:

- the existing Industrial (I) zoning district,
- the Mixed Residential Business (MRB) zoning requested by the applicant, and

- the Business (B) district that applies to the Islington Street corridor on the opposite side of the railroad line.

The Planning Board at its August 18, 2011 meeting voted unanimously to recommend that this parcel (Assessors Map 165 Lot 1) be rezoned from the Industrial District (I) to the Business (B) District.

*I would recommend the City Council move to accept the Planning Board's recommendation, as presented and to bring back for first reading a zoning amendment to reflect this proposed change at the September 19, 2011 City Council meeting.*

7. **Report Back Re: Request from Joseph R. Baroni Family, LLC, regarding the Acquisition of City Owned Land on Constitution Avenue.** As you will recall, at the July 18<sup>th</sup> City Council meeting, the Council referred the [attached letter from Joseph R. Baroni Family, LLC](#), regarding the acquisition of City Owned Land on Constitution Avenue, to the Planning Board for report back to the City Council. [Attached is a memorandum from Rick Taintor](#), Planning Director, regarding this matter. The Planning Board voted unanimously to recommend that the City Council approve the sale of the requested parcel on such terms as it deems acceptable.

*Therefore, I would recommend the City Council move to accept the Planning Board's recommendation to approve the sale of the requested parcel on such terms as it deems acceptable, and further, authorize the City Manager to negotiate the sale of this parcel with final approval of purchase price to be made by the City Council.*

8. **New Hampshire Department of Transportation (DOT) Request for License to Affix Telecommunication Equipment to Pease Water Tower.** The New Hampshire Department of Transportation (NHDOT) is requesting use of the Water Tower licensed by the Pease Development Authority (PDA) to the City located off International Drive at Oak Avenue on the Tradeport. NHDOT proposes to deploy an Advanced Traffic Management System (ATMS) on the southern corridor of Route I-95. The wireless communication network will involve three (3) antennas on the railing of the water tank with support structure on the land near the tank. [Attached please find a diagram showing the tank with the proposed changes.](#)

In order to proceed with the project, NHDOT requires a license from the City to allow the antennas to be attached to the water tank. PDA will also be involved as the owner of the property.

Although the License Agreement is not in final form, its salient features will be that NHDOT pays the City \$250.00 a month and all design, construction, maintenance and risk associated with the antennas will be the responsibility of NHDOT. NHDOT desires that the license be for a term of five (5) years with three (3) automatic five (5) year renewal periods.

In order to maintain compliance with NHDOT's project schedule, that agency is requesting that at the September 6, 2011 City Council meeting, the Council provide the City Manager with authority to negotiate and execute an agreement with NHDOT to allow use of the International Drive Water Storage Tank by NHDOT and adjoining property for the purpose of installing

telecommunication equipment for the purpose of creating and operating an Advanced Traffic Management System kept on the southern corridor of Route I-95.

*Therefore, I would recommend the City Council move to authorize the City Manager to negotiate and execute an agreement with NHDOT to allow use of the International Drive Water Storage Tank by NHDOT and adjoining property for the purpose of installing telecommunication equipment for the purpose of creating and operating an Advance Traffic Management System kept on the southern corridor of Route I-95.*

9. **Report Back Re: On-street Parking at 233 Vaughan Street.** The Technical Advisory Committee referred John Chagnon of Ambit Engineering to the Parking Committee in regard to establishing metered parking in support of site redevelopment at 233 Vaughan Street. The property is proposed to have first floor retail and second and third floor residential units and current parking conditions on Vaughan Street would not properly support retail businesses, as parking is unmetered and no short-term time limits exist.

An ordinance change would be necessary to establish metered and timed parking on Vaughan Street as no ordinance is currently in place for that area. Additionally, the width of the street would not support parking on both sides and two-way traffic flow ([see attached aerial](#)).

*I would recommend the City Council move to accept the Parking Committee's recommendation to approve the recommendation of TAC to initiate the necessary ordinance amendments (two-hour metered parking on the south side of Vaughan Street and no parking on the north side) and further, schedule a first reading on the proposed amendments for the September 19<sup>th</sup> City Council meeting.*

10. **Request for License Agreement Re: 104 Congress Street.** Peter Middleton, President of Martini Northern, LLC, has contacted the Legal Department and Public Works Department to discuss and request a license to allow use of a portion of the municipal sidewalk on Congress Street and Chestnut Street adjacent to the Kearsarge Building at 104 Congress Street for scaffolding and related construction purposes ([see attached proposed license area](#)). According to Mr. Middleton, the roof of the Kearsarge Building is in need of repair. The project is anticipated to take two months.

The license would have special terms relative to live loading of construction debris, pedestrian passage and special coordination with upcoming City events and Music Hall events. No parking impact is anticipated. The license would also contain the usual terms and conditions related to limitation of use, restoration of any damage and insurance requirements. The license term would be for a period of two months with the option for the City Manager to extend the license term for no more than six months at his discretion should there be unavoidable construction or weather delays.

*I would recommend the City Council move to authorize the City Manager to negotiate and enter into a License Agreement with Martini Northern to facilitate construction activities at 104 Congress Street.*

## ***Informational Items:***

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on August 15, 2011. In addition, this now can be found on the City's website.
2. **Update Re: Pro Portsmouth.** For your information, as requested by the Mayor, I am providing the City Council with an update as to the status of the repayment by Pro Portsmouth of its past debt to the City and its compliance with the obligation to stay current with new debt:
  1. Pro Portsmouth is current on past debt, but still owes \$28,573.60 which is being paid at the amount of \$200.00 per month as per agreement.
  2. Pro Portsmouth is current on new debt, except for \$6,938.25 billed from the 2011 Market Square Day event, but this item was only billed on August 8, 2011. I have talked to Barbara Massar, Executive Director, and she is in the process of paying the bill for Market Square Day. We should be receiving a check in September.

In summary, other than the slightly late payment for this year's Market Square Day, Pro Portsmouth seems to be in compliance with its contractual obligations to the City.

3. **Comprehensive Annual Financial Report (CAFR) Award.** I am pleased to report the City of Portsmouth recently was awarded its 18<sup>th</sup> "Certificate of Achievement for Excellence in Financial Reporting" for the annual Comprehensive Annual Financial Report (CAFR), which is prepared following the end of each fiscal year.

This award covers the fiscal year ending June 30, 2010, for the CAFR, which is prepared annually by staff under the guidance of Finance Director Judie Belanger.

In order to receive a Certificate of Achievement from the Government Finance Officers Association (GFOA), government units must publish an easily readable and efficiently organized Comprehensive Annual Financial Report that conforms to program standards and applicable legal requirements. Our goal is not only to meet, but exceed, national reporting standards in keeping Portsmouth citizens informed about the City's financial health. This award is yet another welcome recognition of success in this area.

The CAFR and Annual Budget documents are on the Finance Department's web page.

4. **Utility of the Year Award.** The New England Water Works Association (NEWWA) has awarded the Portsmouth Water Division the Utility of the Year award. The award recognizes Portsmouth Water Division for its "significant improvements to the water system infrastructure, customer service, staff training and operations to further protect public health of the customers it serves."



One of the original water systems in the State, the Portsmouth system now services over 8,000 customers in 7 communities. Over the last ten years, through the support of the City Council, the City of Portsmouth's management and operations staff have been proactively upgrading the water system. The efforts have included master planning studies, piloting programs and capital planning that has resulted in significant capital and operational improvements to the system. Specific improvements cited in the award include:

- Piloting, design and construction of a new 4 million gallon per day LEED certified water treatment plant.
- Construction of the Spinney Road water tank.
- Installation of a 24" water main from the Lafayette Road water tank to the Central Business District that improved both water quality and fire flows to that area.
- Implementation of an annual water line replacement program in coordination with other utility and roadway capital projects.
- Implementation of water conservation measures including conservation retrofit kit program for residential customers, a low cost rain barrel program, and a comprehensive leak detection program throughout the distribution system.
- Rehabilitation of the formerly abandoned Harrison Well on the Pease Tradeport through the construction of the new 260 gallon per minute replacement well.
- Upgrading the customer meter reading system to a fixed radio read system to enable the conversion to monthly billing.
- Implementation of the Geographic Information System and integration of an asset management program for inventory tracking, work orders and billable services.

The award will be presented at the NEWWA Annual Conference on Tuesday, September 27, 2011, in Newport, Rhode Island.

The New England Water Works Association is a section of the American Water Works Association. NEWWA consists of over 500 utility members and over 1100 total members. NEWWA was established in 1882, and is the leading authority on education, training opportunities, and public outreach to protect and improve drinking water and water utility operations.

5. **Report Back Re: Request for Rezoning of 1900 Lafayette Road.** As you will recall, at the July 18<sup>th</sup> City Council meeting, the Council [referred the attached letter from Attorney Paul McEachern, on behalf of Aphrodite Georgopolous, Trustee of the Georgopolous Revocable Trust](#), regarding the rezoning of 1900 Lafayette Road, to the Planning Board for report back to the City Council. [Attached is a memorandum from Rick Taintor](#), Planning Director, regarding this matter. As outlined in the memorandum, the Planning Board voted unanimously at its

August 18, 2011 meeting to schedule a public hearing on the proposed rezoning request for the Board's meeting on September 15, 2011. Following the hearing, the Planning Board will report back to the City Council with a recommendation.

6. **African Burying Ground Trust Donations.** The African Burying Ground Committee has received the following donations to the African Burying Ground Trust since its August 10, 2011 memo to City Council. The total donated to the trust, by individuals, to date is \$15,020.04.

➤ Robert I. Baker Family	\$5,000
➤ Scott Purswell, Dovetailed Kitchens, Inc.	\$100
➤ Abbie & Chris Hackett	\$100
➤ Katherine Kane	\$250
➤ Sean Mahoney	\$250
➤ Carol McCabe, in memory of Rose M. Lavery	\$250
➤ Robert & Charlotte Philbrook	\$100
➤ Kenneth & Judith Santarelli	\$ 30
➤ Seacoast Board of Realtors	\$100
➤ Maureen & Kevin Semprini	\$ 50
➤ William Zeliff, Jr.	\$ 50
➤ Cash donations	\$261

7. **Economic Development Commission Meeting Agenda and Draft Minutes.** [Attached are a copy of the Economic Development Commission Agenda](#) for the Friday, September 9, 2011 meeting at 7:30 a.m., in Conference Room A and [the draft meeting minutes](#) of June 3, 2011.
8. **Atlantic Heights Emergency Access Project.** As you may recall, on August 1, 2011 the City Council voted to authorize me to secure the services of an engineering consultant to work with the Traffic and Safety Committee in preparation of its report back on the Atlantic Heights Emergency Access issue. Since that time, the City has solicited proposals from selected firms and staff has recommended moving forward with Appledore Engineering, a division of Tighe&Bond, to serve as the engineering consultant on this project. The cost for the work outlined in the project scope is \$13,220 and will be funded through Capital Contingency.
9. **Reminder of City Council Work Session – September 12, 2011.** This is a reminder that on Monday, September 12, 2011, the City Council will hold a work session at 6:30 p.m., regarding senior transportation following with a work session at 7:30 p.m., regarding the indoor pool.