

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, FEBRUARY 6, 2012 TIME: 6:30PM

## AGENDA

- 5:30PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NEGOTIATIONS RSA: 91-A:2, I (b-c)
- 6:30PM - WORK SESSION RE: FY13 BUDGET DISCUSSION

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

### PRESENTATION

1. Comprehensive Annual Financial Report (CAFR) – Scott McIntyre of Melanson, Heath & Company, P.C. Auditors' Financial Report for the Year Ending June 30, 2011 (Annual Audit)

{Full Presentation on [www.Cityofportsmouth.com](http://www.Cityofportsmouth.com)}

- V. ACCEPTANCE OF MINUTES – DECEMBER 19, 2011; JANUARY 3, 2012 AND JANUARY 17, 2012

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDMENTS TO CHAPTER 7 – VEHICLES, TRAFFIC PARKING OMNIBUS ORDINANCES, SECTION 7A.406 – HORSE DRAWN CARRIAGES SPACES ON PLEASANT STREET AND SECTION 7.330 – BY ELIMINATING THE NO PARKING AREA ON STATE STREET BETWEEN COURT PLACE AND CHURCH STREET TO INSTALL 4 NEW METER SPACES AND ORDINANCE CLEANUP MEASURES
- B. ORDINANCE AMENDMENT TO CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – JUNKINS AVENUE BOTH SIDES
- C. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF UP TO \$150,000.00 FROM UNASSIGNED FUND BALANCE (F.K.A. UNDESIGNATED FUND BALANCE) FOR THE OPERATION OF THE FIRE DEPARTMENT

- VIII. APPROVAL OF GRANTS/DONATIONS

- A. \*Acceptance of Wellness Grant - \$2,500.00 (***Sample motion – move to accept and approve the Wellness Grant, as presented***)

- B. Acceptance of Re-allocation Grant for Sagamore Island Purchase - \$12,500.00  
***(Sample motion – move to authorize the City Manager to accept and expend a NH Coastal Program grant in the amount of \$12,500.00 to purchase the Island in Sagamore Creek as presented)***

**IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

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

**Elderly Exemption at 2.9%**

Single	\$34,486.00 increase of \$972.00
Married	\$42,542.00 increase of \$1,199.00
Asset Limit of	\$114,958.00 increase of \$3,240.00

***(Sample motion – move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the proposed Resolution at the February 21, 2012 City Council meeting)***

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

**Disabled Exemption at 2.9%**

Single	\$34,486.00 increase of \$972.00
Married	\$42,542.00 increase of \$1,199.00
Asset Limit of	\$114,958.00 increase of \$3,240.00

***(Sample motion – moved to pass first reading and authorize the City Manager to bring back for public hearing and adoption the proposed Resolution at the February 21, 2012 City Council meeting)***

- C. Second reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances, Section 7A.406 – Horse Drawn Carriages spaces on Pleasant Street and Section 7.330 – by eliminating the No Parking Area on State Street between Court Place and Church Street to install 4 new meter spaces and Ordinance cleanup measures ***(Sample motion – move to pass second reading for the proposed changes to Chapter 7 of the Vehicles, Traffic Parking Omnibus Ordinances, as recommended by the Parking Committee, and schedule a third and final reading at the February 21, 2012 City Council meeting)***

- D. Second reading of Amendment to Chapter 7, Article III, Section 7.330 – No Parking – Junkins Avenue both sides ***(Sample motion – move to pass second reading for the proposed changes to Chapter 7 of the Vehicles, Traffic Parking Omnibus Ordinances, as recommended by the Parking Committee, and schedule a third and final reading at the February 21, 2012 City Council meeting)***

- E. Adoption of Resolution Authorizing a Supplemental Appropriation of up to \$150,000.00 from Unassigned Fund Balance (F.K.A. Undesignated Fund Balance) for the Operation of the Fire Department (**Action is required on this matter**)

## X. CONSENT AGENDA

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

- A. \*Acceptance of Funds for Art-Speak – Betty LaBranche Real Estate - \$50.00 (**Anticipated action – move to accept and approve the donation to Art-Speak to support Art-Speak’s Art & Economic Prosperity Survey, as presented**)
- B. Request for Approval of Pole License to install/replace one pole located on Mendum Avenue (**Anticipated action – move to approve the aforementioned pole license 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**)
- C. Letter from Olivia Kopri, Sexual Assault Support Services, requesting permission to hold the 5<sup>th</sup> Annual 5K to Keep Kids SAFE on Pease International Tradeport on Sunday, April 15, 2012 at 11:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)
- D. Letter from Jeanine Sylvester, Runner’s Alley, LLC, requesting permission to hold the 15th Annual Runner’s Alley/Redhook Brewery Memorial 5K on Sunday, May 27, 2012 at 11:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)
- E. Letter from Robert Sutherland, Jr., St. John’s Lodge, requesting permission to hold the 5K “Out of Hibernation” Road Race on Saturday, April 14, 2012 at 9:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)
- F. Letter from Caroline Amport and Nancy Pollard, Friends of the South End, requesting permission to hold the Annual Fairy House Tour on Saturday, September 15, 2012 from 9:00 a.m. – 1:00 p.m. and Sunday, September 16, 2012 from 11:00 a.m. – 3:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)
- G. Letter from Eli Sokorelis, State Street Saloon, requesting the renewal of license for 2 dumpsters located on Church Street (**Anticipated action – move to refer to the City Manager with power**)

## XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Dennett Street residents requesting that the Parking and Traffic Safety Committee reconsider the parking plan for the intersection of Dennett and Kane Streets (**Sample motion –move to refer to the Parking and Traffic Safety Committee for reconsideration**)

- B. Letter from the Greater Chamber of Commerce regarding UDAG Loan Request for Tourism Website ***(Sample motion – move to bring back for action at the February 21, 2012 City Council meeting)***
- C. Letter from Julie Bokat and Jeanne Carter, Fuel Training Studio, requesting permission to hold outdoor fitness classes on Peirce Island 2 evenings and 2 mornings starting in April through September ***(Sample motion – move to refer to the Recreation Board and Peirce Island Committee for report back)***
- D. Letter from David Choate, III, Grubb & Ellis Northern New England, requesting that the Planning Board consider amending Section 10.836.20 of the Zoning Ordinance regarding drive-through lanes for retail/commercial buildings outside of the Central Business District ***(Sample motion – move to refer to the Planning Board for report back)***
- E. Letter from John Golumb, Chairman of Portsmouth Police Commission requesting amendments to the Pawn Shop Ordinance ***(Sample motion – move to refer to the City Attorney to draft an ordinance for first reading)***

## XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

#### Items Which Require Action Under Other Sections of the Agenda

- 1. Consideration of First Reading of Proposed Resolutions and Ordinance Amendments:
  - 1.1 First Reading of Resolution Amending Elderly & Disabled Exemptions Income Asset Limits ***(Action on this item should take place under Section IX of the Agenda)***
- 2. Public Hearing/Second Reading of Proposed Ordinance Amendments:
  - 2.1 Public Hearing/Second Reading of Ordinance Amendment to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances ***(Action on this matter should take place under Section IX of the Agenda)***
  - 2.2 Public Hearing/Second Reading of Amendment to Chapter 7 – Section 7.330 – No Parking – Junkins Avenue ***(Action on this matter should take place under Section IX of the Agenda)***
- 3. Public Hearing:
  - 3.1 Public Hearing Re: Resolution Authorizing a Supplemental Appropriation of up to \$150,000.00 from Unassigned Fund Balance (F.K.A. Undesignated Fund Balance) for the Operation of the Fire Department ***(Action is required on this matter)***

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

1. Various Approvals Requested by NHDOT Re: Construction of Memorial and Scott Avenue Bridges
  - 1.1 License for Temporary Construction Laydown Area and Temporary Traffic Pattern
  - 1.2 License for Use of City Property Under Scott Avenue Bridge for Bridge Maintenance Staff Parking
  - 1.3 Easement for Use of City Property Under Scott Avenue Bridge for Backup Generator and Utility Transformer Cabinets
2. Sunday Parking Enforcement
3. Proposed Zoning Ordinance Amendments – Office Research District

### **Informational Items**

1. Events Listing
2. Economic Development Commission Agenda and Minutes
3. Next Steps Resulting from City Council Retreat

### **B. MAYOR SPEAR**

1. Appointments to be Considered:
  - Appointment of Sherry-Lea Bloodworth Botop as an Alternate to the Planning Board
  - Reappointment of Phyllis Eldridge to the Trustee of the Trust Funds
2. Resignations
  - Jennifer Wilhelm as an Alternate to the Conservation Commission
  - Brett Pasinella of the Sustainable Practices Blue Ribbon Committee
3. \*Appointment of City Council Representatives
  - African Burying Ground Blue Ribbon Committee – Councilor Dwyer
  - Chamber of Commerce Liaison – Councilor Thorsen
  - Fee Schedule Study Committee – Councilor Coviello
  - Legislative Subcommittee – Councilor Dwyer, Councilor Novelline Clayburgh and Assistant Mayor Lister
  - Pease Development Authority Liaison – Assistant Mayor Lister
  - Pease Development Authority – Port Subcommittee – Councilor Kennedy
  - Recreation Board – Councilor Thorsen
  - Rockingham Planning Commission – Councilor Smith
  - Sustainable Practices Blue Ribbon Committee – Councilor Lown and Councilor Kennedy
  - Veteran Organization – Assistant Mayor Lister and Councilor Smith

4. \*Reactivate the following Mayor's Blue Ribbon Committees (*No action required*)
  - African Burying Ground Blue Ribbon Committee
  - Citywide Neighborhood Steering Blue Ribbon Committee
  - Sustainable Practices Blue Ribbon Committee
  - Transportation Policy Blue Ribbon Committee
  - Trees & Public Greenery Blue Ribbon Committee

**C. COUNCILOR KENNEDY**

1. Advisory Committee for Wastewater Treatment Facility Improvements
2. \*Update on Senior Services

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

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

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

*\*Indicates Verbal Report*

**INFORMATIONAL ITEMS**

1. 2011 Board and Commission Attendance Records
2. Notification that the Board of Adjustment Minutes of November 15, 2011 meeting is available on the City's website for your review
3. Notification that the Conservation Commission Minutes of the December 14, 2011 meeting is available on the City's website for your review
4. Notification that the Planning Board Minutes of the September 22, 2011 meeting is available on the City's website for your review
5. Notification that the Site Review Technical Advisory Committee Minutes of the January 10, 2012 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, DECEMBER 19, 2011

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

### **I. CALL TO ORDER [7:00 p.m. or thereafter]**

Mayor Ferrini called the meeting to order at 7:05 p.m.

### **II. ROLL CALL**

Present: Mayor Ferrini, Assistant Mayor Novelline Clayburgh, Councilors Lister, Spear, Dwyer, Coviello, Kennedy and Smith

Absent: Councilor Hejtmanek

### **III. INVOCATION**

Mayor Ferrini asked everyone to join in a moment of silent prayer in memory of Sarah Fox former Portsmouth firefighter who recently passed away.

### **IV. PLEDGE OF ALLEGIANCE**

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

### **MAYOR'S AWARDS**

1. Firefighter Russell Osgood (not on agenda)

Mayor Ferrini presented a Mayor's Award to Russell Osgood for his dedication to and support of the late Sarah Fox and her family. Russell accepted the Mayor's Award with appreciation and thanks.

2. Ralph Cresta (not on agenda)

Mayor Ferrini presented a Mayor's Award to Ralph Cresta in recognition of his support to the Portsmouth Holiday Parade. Ralph accepted the Mayor's Award with appreciation and thanks.

3. Portsmouth High School Football Team

Mayor Ferrini presented Mayor's Awards to the Portsmouth High School Football Team in recognition of winning the Division III State Championship for 2011. The players and coaches accepted the Mayor's Awards with appreciation and thanks.



## **PRESENTATIONS**

1. Portsmouth High School Holiday Ensemble

The Musical Interlude for Mayor Ferrini's Farewell Ceremony was provided by the Portsmouth High School Holiday Ensemble. Mayor Ferrini played his trombone with the Holiday Ensemble for the City Council.

2. African Burying Ground Memorial Park, *We Stand in Honor of Those Forgotten* –  
Cindy Hayden, Deputy City Manager

Deputy City Manager Hayden provided an update on the accomplishments of the African Burying Ground Memorial Park. She also announced that the Committee will be sponsoring a visibility and awareness event on the evening of February 13, 2012 and the world famous Soweto Gospel Choir will perform at Chestnut Street.

3. \*Farewell Address by Mayor Ferrini

In my last meeting with this City Council, I appreciate the opportunity to speak for a few moments to thank some people and to offer some thoughts on the direction of the City of Portsmouth.

I must first and foremost thank my wife, Jane, for her years of patient and kind support, as I have been absent from our home for many hours in my work on behalf of the citizens of Portsmouth. I must thank my children, Eddy and Lucy, who were patient and understanding about their father not always being there.

I also thank all of the good people at my law office, Wyskiel, Boc, Tillinghast & Bolduc. Without their understanding and support, I would not have been able to do my job as Mayor. My firm has been committed to public service for many years and for that I am thankful.

I thank the citizens of Portsmouth for giving me the opportunity to serve and for making that opportunity better by their constant participation in our vibrant city government. I am thankful to City staffers, Joanna Diemer and Ann Sharpe, for helping me execute the Office of Mayor and making sure that I was where I was supposed to be on time. I would like to thank City Clerk Kelli Barnaby for her many hours of assistance in ensuring that our committee process and our meetings were orderly and well managed. I also thank City Attorney, Bob Sullivan, for his assistance and wise counsel. I thank my good friend and the fine City Manager of Portsmouth, John Bohenko, as well as all city staff, our Police, Fire and School Departments for their hard work on behalf of the citizens of Portsmouth.



The quality services we enjoy are a direct result of our fine management and staff and a City government that truly believes in working with its citizens to achieve a common good with responsive government. I offer my heartfelt thanks to all of the City Councilors, Assistant Mayors, Jack Blalock and Nancy Novelline Clayburgh, and all other elected officials with whom I have served over the years. I want to recognize my friend, Jerry Hejtmanek, who cannot be with us tonight, for his years of service to the City. And finally, I particularly want to thank my good friend Chris Dwyer for encouraging me to run for City Council years ago.

The City of Portsmouth continues to face challenges as a result of a difficult economy and particular pressures on the public sector arising out of State retirement obligations and other stressors on all levels of government. In the past four years, this City Council has been able to constructively engage all of the constituencies involved in managing government's obligations under these difficult pressures with some grace and dignity. We have had many people in the conversation.

This is one of the great things about Portsmouth. Many people are involved in our democracy and as I move on, new people will refresh our democracy. That is how the founding fathers of our country envisioned it and it is the healthiest way for a democratic government to proceed. An elective government without constant and new participation by its citizenry becomes stale and ineffective. It becomes unresponsive to new ideas.

Years ago when I ran for City Council it was my belief that we should have many people involved in our government, both to help run our government and comment on how it might operate better. I believe that is now a strong tradition in the City and it is my sincere belief that it will continue into the future.

We really have no choice. With pressures on local, state and federal governments, we will have to continue to be creative at the local level to deliver services that our citizens want at a price they can afford. I believe that we have continually achieved this and our city finances are strong. In fact, they are more than strong. The City's AA+ bond rating, as well as its significant recognition as a leader amongst municipalities for having a quality financial position is absolutely essential as we continue to rebuild our infrastructure, our schools and maintain our City in a manner that the citizens have come to expect. We need to continually improve our community. From the fine Middle School under construction to the outstanding efforts of our community to create the African Burying Ground memorial, I am proud our community sees the value of such important improvements.

When a City fails to reinvest in itself, it starts to atrophy, and if the trend is not reversed, it can wither and die. Real estate values drop. Economic development slows down and people no longer want to come to the community. We do not want this to happen.

We are fortunate to have substantial economic development, as well as a diverse and interesting citizenry that makes our community such a pleasant place in which to live and work. We have unique economic development opportunities, even in this difficult economy. We must remember that most communities are not so fortunate.

While we must be careful with economic development from a land use and zoning prospective to ensure that development conforms to our ideas about Portsmouth, we must remember that tax rates have gone up significantly in surrounding communities because of an inability to sustain an economic base. Economic development is crucial in keeping residential taxes down.

Last year we were able to reduce taxes and over the last four years, our tax rates have increased at an average of less than 1.5% per year. This is far below the rate of inflation and it is far below the rate of tax increase in most communities. Have we done this by cutting services? Well, we have not reduced services significantly yet, but we have reduced a significant amount of the city's work force. Over the last three years, we have reduced our city work force by 9%. I am concerned that further travel down this path will erode our services. The discussion about Fire Station Three is, I fear, just the beginning.

Our recent tax policy has been difficult to sustain in a poor economy. As we go forward, I believe we will have to cut services to sustain minimal tax increases. I don't know if that is the best thing for our community, but it is where we will trend in the immediate near future. We need to keep our community engaged and involved in these decisions about the direction of our City.

Going forward, our community needs a civil and well informed public conversation more than ever. We have a culture of civility, with discussions based on ideas and data, as opposed to the politics of personal attack, which we see unfold so unfortunately on the national stage. We typically do better than that in Portsmouth and we need to keep doing better than that in order to strengthen the quality community in which we wish to live. I have no doubt that we would not have been as effective as we have been in managing recent difficult financial concerns without the continual involvement of our citizenry in a civil and productive discussion. If our community conversation devolves into name calling and personal attacks, we will not enjoy the well informed governing process which citizens have seen in recent years.

I wish the new City Council, Mayor-elect Spear and Assistant Mayor-elect Lister the best of luck in facing these challenges. I am confident that you will continue the best of what we see in Portsmouth government to ensure that the community receives quality government services at a reasonable price. Even though I know this is a tall order, I have confidence that the community, the council and all of our elected officials understand that the only way to proceed and to make our community better is to stay engaged and work together.

In closing, my campaign slogan was: "We're in this together!", and indeed we are. We must trust each other, we must respect each other and we must all work as hard as we can for the City of Portsmouth to continue to make this one of the best small cities in which to live in the United States of America.

Thank you all for the opportunity to serve with you and I wish you all a happy Holiday Season. God bless you and your families.

## **V. ACCEPTANCE OF MINUTES – DECEMBER 5, 2011**

**Councilor Smith moved to approve and accept the minutes of the December 5, 2011 City Council meeting. Seconded by Councilor Lister and voted.**

## **VI. PUBLIC COMMENT SESSION**

Robin Normandeau spoke regarding the seawall construction on the corner of Pickering Street and Mechanic Street. She expressed her concern regarding the design and its elimination to access the water. She provided the City Council with 39 responses from the neighborhood opposed to the elimination to access the water.

Peter Somssich spoke regarding the upgrades to the wastewater treatment plant. He said there is a need for a time line and cost factors. Mr. Somssich expressed concern with the City challenging the Environment Protection Agency.

## **VII. PUBLIC HEARING**

- A. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF UP TO \$600,000.00 FROM UNDESIGNATED FUND BALANCE FOR NECESSARY EXPENDITURES FOR MUNICIPAL COMPLEX RENOVATIONS

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

Superintendent McDonough and Public Works Director Parkinson spoke on the appropriation for the renovations to the Municipal Complex for the relocation of the School Administrative Offices. Superintendent McDonough said that this is an investment with long term benefits. He spoke to the operational efficiency that will occur from this relocation. Public Works Director Parkinson reviewed the renovations to the 4<sup>th</sup> floor of the Municipal Complex. He said the project is anticipated to be completed by June which is an ambitious time line but he feels can be achieved.

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

## **VIII. APPROVAL OF GRANTS/DONATIONS**

- A. Acceptance of Grant from Northeast Utilities - \$1,500.00

**Councilor Smith moved to accept and approve the grant, as submitted. Seconded by Councilor Lister and voted.**

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Ordinance Amending Chapter 7, Article IV - Off-Street Parking, Section 7.402 - Areas Established and Described by the addition of Middle School – Library Parking Lot Off-Street Parking Area. The Proposed Ordinance sets Hourly Limits on Parking in the Lot, Delineates certain Parking Spaces for Library Use and Prohibits Overnight Parking in the Lot (***Postponed from December 5, 2011 City Council meeting***)

City Manager Bohenko said that City Attorney Sullivan has put together a set of motions to allow for the City Council to create 24 parking spaces directly abutting Parrott Avenue.

City Attorney Sullivan explained that the ordinance as originally presented is before the City Council at this time. He said the City Council could amend the Ordinance or move forward without any changes. He further stated that the City Council will need to suspend the rules to allow third and final reading this evening to adopt the Ordinance before the end of this Council term.

**Councilor Smith moved that Section 7.402 (I) (3) be amended to read as follows: No parking shall be allowed in the lot between the hours of 11:00 p.m. and 7:00 a.m. at any time, except for the 24 parking spaces directly abutting Parrott Avenue, which spaces shall be vacated no later than 7:00 a.m. Seconded by Assistant Mayor Novelline Clayburgh and voted. Councilor Coviello voted opposed.**

**Councilor Smith moved to pass second reading as amended. Seconded by Assistant Mayor Novelline Clayburgh and voted. Councilor Coviello voted opposed.**

**Councilor Smith moved to suspend the rules in order to take up third and final reading. Seconded by Councilor Lister and voted.**

**Councilor Smith moved to pass third and final reading. Seconded by Councilor Lister and voted. Councilor Coviello voted opposed.**

- B. Adoption of Resolution Authorizing a Supplemental Appropriation of up to \$600,000.00 from Undesignated Fund Balance for Necessary Expenditures for Municipal Complex Renovations

**Councilor Smith move to adopt the proposed Resolution appropriating a sum of up to \$600,000.00 from undesignated fund balance for the renovations to the Municipal Complex for the relocation of the School Administrative Offices. Seconded by Councilor Dwyer.**

City Manager Bohenko reported that funding for this supplemental appropriation would come from undesignated fund balance. He said that this would be a good use of fund balance given that it is a non-recurring expense and it implements a major initiative outlined in the City Council's Operational Efficiency Blue Ribbon Committee report.

Superintendent McDonough reported that 13 people will be relocated to the Municipal Complex and there is a potential to grow in the building.

Councilor Coviello asked about savings with the consolidation of employees with the move to the Municipal Complex. City Manager Bohenko said that the School Department's move here will have a savings and that amount will be brought forward in the future. He said over time there will be things done to create efficiencies. He further stated right now we have direct savings and believe it will be better from an operational stand point. City Manager Bohenko also reported that Conference Room B will be converted to the Board Room for the School Board. He said we will share the conference room as we do with all other rooms in the Municipal Complex.

Councilor Kennedy asked about the use of the \$2.2 million dollar bond premium and using it to lessen the burden to the taxpayers. City Manager Bohenko said we can discuss that during our review of the Capital Improvement Plan and use of additional fund balances. He said the one criteria is that it is a non-recurring expense.

Councilor Kennedy asked how long we have to spend the money. Finance Director Belanger responded 2 years.

Councilor Dwyer said she wants to make sure that the Resolution includes for the Board Room recording. City Manager Bohenko said yes.

**On a roll call 8-0 voted to adopt the proposed Resolution appropriating a sum of up to \$600,000.00 from undesignated fund balance for the renovations to the Municipal Complex for the relocation of the School Administrative Offices.**

## **X. CONSENT AGENDA**

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

- A. Letter from Heidi Roy, National Multiple Sclerosis requesting permission to hold the 2012 Walk MS Portsmouth on Saturday, April 14, 2012 from 10:00 a.m. until 2:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)

- B. Letter from Doug Bates, President of Greater Portsmouth Chamber of Commerce requesting permission to hold the Portsmouth Community Road Race Series 5K Races for 2012 and January of 2013:
- Sunday, January 1<sup>st</sup> – Great Bay Services – Little Harbour School Course
  - Saturday, May 19<sup>th</sup> at 9:00 a.m. – YMCA – YMCA Peverly Hill Road Course
  - Saturday, July 7<sup>th</sup> at 9:00 a.m. – Harbour Trail Road Race - Little Harbour School Course
  - Thursday, August 2<sup>nd</sup> at 6:00 p.m. – Portsmouth Rotary Club Thunder Chicken – Peirce Island - Prescott Park Course
  - Saturday, September 15<sup>th</sup> at 9:00 a.m. – BreastCancerStories.org – Little Harbour School Course
  - Saturday, October 13<sup>th</sup> at 9:00 a.m. – Community Child Care – Little Harbour School
  - Thursday, November 22<sup>nd</sup> at 8:30 a.m. – Seacoast Rotary Club Turkey Trot – Peirce Island – Prescott Park Course
  - Tuesday, January 1, 2013 – Great Bay Services – Little Harbour School Course
- (Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Todd Hanson, New Heights requesting permission to hold the 3<sup>rd</sup> annual St. Paddy's Five Miler on Sunday, March 11, 2012 ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Kathryn M. Libby, American Lung Association requesting permission for the 3<sup>rd</sup> Annual Cycle the Seacoast Ride on Sunday, May 6, 2012 ***(Anticipated action – move to refer to the City Manager with power)***
- E. Request for a License from Mari Woods owner of Mari Woods Kitchen Bath Home for property located at 11 Ladd Street to install a projecting sign on an existing bracket ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute a License Agreement for this request)***

**Planning Director 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***

- F. Request for a License from Sorassa Soeur owner of Salonista for property located at 90 Fleet Street to install a projecting sign on an existing bracket ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute a License Agreement for this request)***

**Planning Director 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***

- G. Request for a License from Judit Vano-Tydemman owner of Portsmouth Salt Cellar for property located at 7 Commercial Alley to install a projecting sign on an existing bracket ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute a License Agreement for this request)***

**Planning Director Stipulations:**

- ***The license shall be approve 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***



**Councilor Smith moved to adopt the Consent Agenda. Seconded by Councilor Lister.**

Councilor Kennedy requested to remove two events from Greater Portsmouth Chamber of Commerce letter - Thursday, August 2<sup>nd</sup> at 6:00 p.m. – Portsmouth Rotary Club Thunder Chicken – Peirce Island - Prescott Park Course and Thursday, November 22<sup>nd</sup> at 8:30 a.m. – Seacoast Rotary Club Turkey Trot – Peirce Island – Prescott Park Course.

**Motion passed.**

Letter from Doug Bates, President of Greater Portsmouth Chamber of Commerce requesting permission to hold the Portsmouth Community Road Race Series 5K Races for 2012

- Thursday, August 2<sup>nd</sup> at 6:00 p.m. – Portsmouth Rotary Club Thunder Chicken – Peirce Island - Prescott Park Course
- Thursday, November 22<sup>nd</sup> at 8:30 a.m. – Seacoast Rotary Club Turkey Trot – Peirce Island – Prescott Park Course

**Councilor Kennedy moved to refer to the City Manager with power and to provide a copy of the letter to the Peirce Island Committee. Seconded by Councilor Coviello and voted.**

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

- A. Letter from Vernis Jackson, Chair, African Burying Ground Committee requesting permission to hold a Visibility and Awareness Event the evening of Monday, February 13, 2012

**Councilor Smith moved to refer to the City Manager with power. Seconded by Councilor Lister and voted.**

- B. Letter and petition from Nancy Brown and Macy Morse, For Seacoast Peace Response requesting Portsmouth joins the Mayors for Peace

**Councilor Coviello moved to accept and place the letter on file. Seconded by Councilor Lister.**

Councilor Smith said he feels this matter should be brought forward to the new City Council.

Mayor-Elect Spear advised the City Council that he would have this request placed on a future City Council agenda.

**Motion passed.**

- C. Letter from Randy Eaton requesting permission to hold a 5K "My Walk for Faith" on Sunday, April 15, 2012, at 1:00 p.m.

**Councilor Smith moved to refer to the City Manager with power and to provide a copy of the letter to the Prescott Park Arts Festival. Seconded by Councilor Kennedy and voted.**

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

### **A. CITY MANAGER**

1. Approval of Superintendent of Schools Contract

City Manager Bohenko said he would recommend that the City Council approve the Superintendent of Schools Contract.

**Councilor Lister moved to approve the Employment Agreement to expire on June 30, 2016 with Edward McDonough, Superintendent of Schools. Seconded by Assistant Mayor Novelline Clayburgh.**

Councilor Smith said he would support the contract but would have liked discussion on the Superintendent moving into the district.

Assistant Mayor Novelline Clayburgh thanked Superintendent McDonough for his service to the School Department. She said when he first came here he took a 3% reduction because of the financial conditions we faced.

Councilor Kennedy thanked Superintendent McDonough for taking status quo in the first year of the new contract.

Councilor Coviello said he appreciates the work of Superintendent McDonough and said that he is pleased with the changes in health insurance and retirement that are contained within the new contract.

**Motion passed.**

2. Request for Approval of Inter-Municipal Sewer Agreement Re: Town of Rye to extend to Foyes Corner

City Manager Bohenko asked Deputy Public Works Director Allen to speak on this matter.

Deputy Public Works Director Allen said that this agreement will allow the City sewer to extend into Rye from Odiorne Point Road to Foyes Corner. He said an agreement has been worked out with the Town of Rye and the City of Portsmouth and any improvements will be at the expense of the Town of Rye. He further stated that this agreement is in line with our Waste Water Master Plan and the State will look upon this favorably.

**Councilor Smith moved to approve the aforementioned Inter-Municipal Sewer Agreement, and further, authorize the City Manager to execute the document. Seconded by Councilor Coviello and voted.**

3. Wastewater Regulatory Impasse

City Manager Bohenko spoke to the extensive memorandum which is before the Council on this matter. He requested that City Engineer Rice come forward and address this matter.

City Engineer Rice said we all value and make sure that the environment is protected. He stated that we have worked with the Great Bay Coalition for a number of years and we are disappointed that the DES has rejected the items brought forward and with the cost requirements of the regulatory process. He discussed the adaptive plan permits the communities are following to upgrade their waste water facilities in the next 5 years. City Engineer Rice said that these levels they're requesting bring us back to our 1990 levels and will be of significant cost to the communities and its residents. He stated that we want a fully transparent review of the science to show what the appropriate levels should be.

City Manager Bohenko said the area of costs is significant and if we go to 3 mg/L it will have to include storm water. He said that this issue needs to be addressed as a group regionally.

Councilor Dwyer asked that the formal rule making process be reviewed. Assistant City Attorney Woodland reviewed the process and discussed the need for a public hearing. She stated that this is the process we have been looking for all along to get all the information out there.

City Engineer Rice said the number of nitrogen limits is a huge issue and we need to challenge the rule now.

Mayor Ferrini stated that we need answers to the following questions:

- What is the cost of a plant at 8 mg/L
- What is the cost of a plant at 3 mg/L
- What is the difference to the rate payers between an 8 mg/L and 3 mg/L

City Engineer Rice said it would be \$40,000,000.00 for a plant at 8 mg/L and \$80,000,000.00 at 3 mg/L. The cost to the rate payer is two and half times. He said it would be approximately a 20% increase.

City Manager Bohenko said we need to look at our commercial and hospitality expenses. City Engineer Rice stated that this could cause businesses not to choose to locate here in the City.

**Councilor Kennedy moved to set up a meeting with Commissioner Thomas Burack of the New Hampshire Department of Environmental Services and the City Council and request a peer review on behalf of the City with the Commissioner and his associates. Seconded by Councilor Smith for discussion purposes.**

Councilor Lister asked what the alternative is to a meeting. City Manager Bohenko said we would just keep waiting. He said we want them to go through the rule making as required by State law.

Councilor Coviello said he would not support the motion. He appreciates tonight is to give staff direction as a policy making board.

Councilor Kennedy said she feels it is important to push for the peer review.

Councilor Dwyer said she understands the intent and it is a political intent around a scientific approach.

**On a roll call 1-7, motion failed. Councilor Kennedy voted in favor. Assistant Mayor Novelline Clayburgh, Councilors Lister, Spear, Dwyer, Coviello, Smith and Mayor Ferrini voted opposed.**

**Councilor Coviello moved to authorize the City Manager to continue working with the Great Bay Coalition through our legislative delegation and other means to: (1) ensure the DES is required to conduct a formal rulemaking proceeding which complies with state law to develop a sound scientific basis for permit limits; (2) agree to go to a secondary treatment plant with the ability to treat to 8 mg/L total nitrogen; and (3) pursue an adaptive management approach to Great Bay Estuary health. Seconded by Councilor Lister.**

Councilor Kennedy said that she would opposed the motion.

Councilor Dwyer said the commitment to design a facility to 8 mg/L is a logical approach.

**Councilor Coviello moved to amend the motion to authorize the City Manager to continue working with the Great Bay coalition through our legislative delegation and other means to: (1) ensure the DES is required to conduct a formal rulemaking proceeding which complies with state law to develop a sound scientific basis for permit limits; (2) commit to pursue a design for the Portsmouth wastewater treatment plant that can achieve 8 mg/L total nitrogen; and (3) pursue an adaptive management approach to Great Bay Estuary health. Seconded by Councilor Smith.**

Discussion followed regarding the footprint of the facility and the fence line. Councilor Coviello said that the fence line does not drive our decision.

**On a roll call 7-1, voted to pass the amendment. Assistant Mayor Novelline Clayburgh, Councilors Lister, Spear, Dwyer, Coviello, Smith and Mayor Ferrini voted in favor. Councilor Kennedy voted opposed.**

Councilor Spear spoke regarding his trip last October to Stockholm which won the title of greenest capital in Europe. He explained how their waste water treatment plant works. He said that they would not go below 10 mg/L because it is too costly.

**On a roll call 7-1, voted to pass the motion as amended. Assistant Mayor Novelline Clayburgh, Councilors Lister, Spear, Dwyer, Coviello, Smith and Mayor Ferrini voted in favor. Councilor Kennedy voted opposed.**

***Motion as adopted reads as follows: Voted to authorize the City Manager to continue working with the Great Bay coalition through our legislative delegation and other means to: (1) ensure the DES is required to conduct a formal rulemaking proceeding which complies with state law to develop a sound scientific basis for permit limits; (2) commit to pursue a design for the Portsmouth wastewater treatment plant that can achieve 8 mg/L total nitrogen; and (3) pursue an adaptive management approach to Great Bay Estuary health.***

**B. MAYOR FERRINI**

1. Appointments to be Voted:
  - Rich DiPentima – Appointment to the Conservation Commission
  - Ronald Cypher – Appointment to the Parking & Traffic Safety Committee
  - Frederick (Ted) Gray – Appointment to the Parking & Traffic Safety Committee
  - Harold Whitehouse – Appointment to the Parking & Traffic Safety Committee
  - Thomas R. Watson – Appointment to the Trustees of the Trust Funds

**Councilor Smith moved to appoint Rich DiPentima to the Conservation Commission until April 1, 2012. Mr. DiPentima is filling the unexpired term of Catherine Ennis; appointed Ronald Cypher, Frederick (Ted) Gray and Harold Whitehouse to the Parking and Traffic Safety Committee; appointed Thomas Watson to the Board of Trustees of the Trust Funds until January 1, 2013. Mr. Watson is filling the unexpired term of Brad Lown. Seconded by Councilor Lister and voted.**

2. Appointment of Joseph Almeida (not on agenda)

**Councilor Smith moved to suspend the rules in order to act on the appointment of Joseph Almeida to the Historic District Commission. Seconded by Councilor Lister and voted.**

**Councilor Smith moved to appoint Joseph Almeida as a regular member to the Historic District Commission until June 1, 2013. Mr. Almeida is filling the unexpired term of Sandra Dika. Seconded by Councilor Coviello and voted.**

3. Resignation of Sandra Dika, Historic District Commission (not on agenda)

**Councilor Smith moved to accept with regret the resignation of Sandra Dika from the Historic District Commission. Seconded by Councilor Lister and voted.**

Councilor Smith requested that a letter of thanks be sent to Ms. Dika for her years of service to the City of Portsmouth.

**C. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the December 8, 2011 meeting

**Councilor Smith moved to approve and accept the action sheet and minutes of the December 8, 2011 Traffic & Safety Committee meeting. Seconded by Councilor Dwyer.**

Councilor Smith reported that Traffic & Safety is still awaiting recommendations from the Police, Fire and Public Works Departments regarding the Atlantic Heights emergency route. He said he would like to have another emergency route to come out of Michael Succi Drive.

Councilor Coviello asked about the citizen request to reconsider a four way stop at Thornton Street and Burkett Street. Councilor Smith said that this has been reviewed several times. He further stated that we can't meet the warrants required and you cannot use a stop sign to control speed.

**Motion passed with Councilor Kennedy voting opposed.**

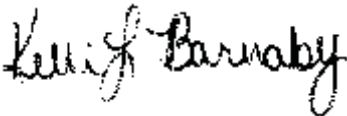
2. Parking Committee Action Sheet and Minutes of the December 8, 2011 meeting

**Councilor Smith moved to approve and accept the action sheet and minutes of the December 8, 2011 Parking Committee meeting. Seconded by Councilor Coviello and voted. Councilor Kennedy voted opposed.**

### **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

### **XIV. ADJOURNMENT [AT 10:00PM OR EARLIER**

**At 9:45 p.m., Assistant Mayor Novelline Clayburgh moved to adjourn. Seconded by Councilor Lister and voted.**



Kelli L. Barnaby, CMC/CNHMC  
City Clerk



## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: TUESDAY, JANUARY 3, 2012

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

### **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, Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen

### **III. INVOCATION BY REVEREND DAWN SHIPPEE, THE NORTH CHURCH**

Reverend Shippee of The North Church conducted the Invocation. Members of the Portsmouth Police Department Honor Guard held a procession and posted the colors.

### **IV. PLEDGE OF ALLEGIANCE**

Portsmouth Police Department Honor Guard led in the Pledge of Allegiance to the Flag.

#### **STAR-SPANGLED BANNER**

Wendell Purrington sang the Star Spangled Banner.

#### **OATH OF OFFICE**

City Clerk Barnaby administered the Oath of Office to the following officials who were elected at the November 8, 2011 Municipal Election.

#### **A. FIRE COMMISSION**

Commissioner Michael Hughes

#### **B. POLICE COMMISSION**

Commissioner John Golumb

#### **C. SCHOOL BOARD**

Ann Walker, Patrick Ellis and Dexter Legg. City Clerk Barnaby announced that Mary Olea was unable to attend this evening's ceremony due to a prior commitment.

**D. CITY COUNCIL**

Councilors Anthony Coviello, Esther Kennedy, Nancy Novelline Clayburgh, Brad Lown, M. Christine Dwyer, Kenneth Smith and Jack Thorsen.

1. Assistant Mayor Robert Lister
2. Mayor Eric Spear

**V. ADDRESS BY MAYOR ERIC SPEAR**

Thank you very much. Welcome School Board members, Fire and Police Commissioners, City Councilors, Department Heads, family, and friends. Thank you City Clerk Kelli Barnaby, Rev Archon, Rev Shippee, and the Police Department Honor Guard for making this a special night for everyone.

Before I get into the meat of my speech, I'd like to acknowledge two outgoing councilors I've worked with over the past four years. First, I've had the good luck to sit next to Jerry Hejtmanek for four straight years. Unless you've been on the council, you probably don't realize how important your seatmate is. Good advice, needed encouragement, and most of all, the straight truth has been Jerry's gift to me, and I think it certainly has made me a better councilor.

Second, I'll miss Mayor Tom Ferrini. My working relationship with Tom began years ago when he was a freshman councilor and I was agitating to improve the city's commissions and boards. Over the years, as I moved into the council and Tom moved into the mayor's position, he has been an advocate for civil debate. The issues and policies we have to address and formulate are not simple or easy. They are often contentious, emotional, and complex. Tom has shown how the council can engage in a civil debate without questioning anyone's motives or resorting to personal attacks. I hope to continue that model going forward.

Portsmouth has been very fortunate. The rest of the country and most of the world remains mired in recession and uncertainty, and yet we move forward with confidence. Yes, we've made substantial cutbacks. In fact, we've recently reduced city staff by nine percent, closed a fire station, and lost police and teachers. However, through prudent fiscal management by our city manager and conservative budgeting policies set forth by the city council, we can address our coming challenges from a position of strength.

During the downturn, the public continued to make investments in school buildings, water plants, roads, sewer lines, and neighborhoods. We have made a public statement that we are excited about the future and we are prepared for its opportunities. Likewise, even during this recession we've seen dramatic private investment in Portsmouth. Whether it's a homeowner building an addition or a developer spending tens of millions of dollars on a new project, they both are making a statement about the future. They are excited to be in Portsmouth.

I strongly support these public and private investments. But let me now whisper a word of caution. I've heard a lot of concern about the direction of the recent projects in the downtown.

I've heard concerns about style, size, traffic, parking, and accessibility. We, the council, the city, our planners, architects, and developers, need to address these concerns head on if we are going to have continued public support as we go forward.

We know what the public wants. Under the leadership of councilor Smith back when he was chairman of the Planning Board, Portsmouth residents described their vision on page 3 of the Master Plan. The very first sentence reads "Portsmouth should be a liveable, walkable city." I'd like to distill this down further and say that we want Portsmouth to be a Welcoming Place. Let me describe my idea of a Welcoming Place:

A Welcoming Place has human scaled architecture. When I'm walking along a sidewalk and I look up and around a new building, I want the sense that the building is approachable and inviting. The number of doors, the types of establishments, and the presence of fountains, benches, tables, and sculpture all help make our new developments friendly to passers by. Human scaled architecture also balances building height, setbacks, and street width with the surrounding built environment. Each new building should feel at home with its neighbors. A Welcoming Place has pedestrian friendly streets. These streets are convenient, comfortable, and safe for walkers, bikers, and cars. Too often we've given priority to cars when we design traffic signals, street widths, and parking spaces. Rather than something that is used to travel through, we need to reclaim our streets as destinations.

A Welcoming Place has accessible parking. This is achieved in three ways. First, we need to increase the parking supply by building another garage. While the details regarding location and size might take time to iron out, the need is demonstrable. Second, pricing curbside parking to meet demand increases accessibility for our retail businesses. Demand pricing without time limits creates available spaces where they are needed most, and allows people to stay and visit, dine, and shop as long as they want. Finally, as our population ages, we need to ensure that we have enough accessible parking for those who truly need it.

Let me leave the downtown and say that a Welcoming Place has attractive and functional infrastructure in all of its neighborhoods. The transformation of Atlantic Heights in the past few years has been remarkable. Following on a federally funded public investment in streets and sidewalks, homeowners are now making their own improvements. Other parts of the city can benefit in a similar way, and while we can't depend on federal funding, we need to continue to make capital improvements in all our neighborhoods.

I'm not reciting anything new tonight. Most of these ideas are detailed in the Master Plan and have been discussed before. So, this isn't my vision, but rather it's your vision. When I think about our volunteer boards -- the historic district commission, the planning board, the economic development commission, the sustainability committee, and the parking and traffic committee -- I see that all of them have a hand in making our vision a reality. We have the talent and the resources and the passion to proactively chart our own course and make Portsmouth a Welcoming Place.

I want to thank my wife Jeannie and my three kids Acadia, Colleen, and Rebecca who saw very little of me this past fall while I was campaigning. I want to thank everyone coming out tonight for this inauguration.

Thank you, God bless you, and have a happy New Year.

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

### **A. MAYOR SPEAR**

#### 1. Acceptance of Rules and Orders of the City Council

Councilor Dwyer moved to table this item until a time certain on January 10, 2012. Seconded by Councilor Novelline Clayburgh.

Councilor Dwyer said that there have been discussions to change some of the City Council Rules and Orders and feels it would be best to schedule a special meeting for further discussions.

Councilor Kennedy said it is important that the meeting is attended by all City Councilors.

Councilor Novelline Clayburgh said she would like this taken care of in one meeting.

City Clerk Barnaby advised the City Council that she and her staff would be unavailable on January 10, 2012 due to the Presidential Primary Election.

Councilor Novelline Clayburgh suggested meeting earlier at the Council's regular meeting on January 17, 2012. Councilor Dwyer agreed to the change of date.

**Motion passed to table the Acceptance of the Rules and Orders of the City Council until the January 17, 2012 City Council meeting.**

#### 2. Committee Assignments for City Councilors

Mayor Spear announced that the City Council Committee Assignments will take place after the Rules and Orders of the Council have been adopted.

#### 3. Appointment of Voluntary Code of Conduct Committee

- Assistant Mayor Lister, Chair
- Councilor Novelline Clayburgh
- Councilor Smith
- John O'Leary
- Joanne Grasso

Mayor Spear announced that he has appointed the above referenced individuals to serve on the Voluntary Code of Conduct Committee.

**Informational Items**

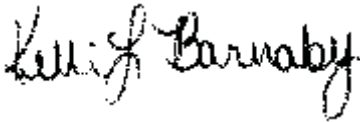
1. Meetings for January
  - January 17, 2012 – Regular City Council Meeting – *Tuesday*
  - January 28, 2012 – City Council Retreat – *Saturday at the Library in the Levenson Room*

**VII. BENEDICTION BY FATHER ARCHON, SAINT NICHOLAS GREEK CHURCH**

Father Archon performed the Benediction.

**VIII. ADJOURNMENT**

At 7:45 p.m., Assistant Mayor Lister moved to adjourn. Seconded by Councilor Novelline Clayburgh and voted.



Kelli L. Barnaby, CMC/CNHMC  
City Clerk

## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: TUESDAY, JANUARY 17, 2012

PORTSMOUTH, NH  
TIME: 6:00 PM [or thereafter]

At 6:00 p.m. a Work Session was held regarding City Council Rules and Orders.

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

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

### **II. ROLL CALL**

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

### **III. INVOCATION**

A moment of silence was held in memory of City Negotiator Tom Flygare who had passed away earlier in the day.

### **IV. PLEDGE OF ALLEGIANCE**

Councilor Smith led the Pledge of Allegiance.

### **PRESENTATIONS**

#### **1. Presentation to former City Councilor Jerry Hejtmanek**

Mayor Spear presented former City Councilor Jerry Hejtmanek with a City of Portsmouth Chair in recognition of his service on the City Council and to the citizens of Portsmouth.

Mr. Hejtmanek accepted the gift with appreciation and thanked the Mayor and City Council, previous Mayor and City Council, city staff and all of the citizens who had voted for him in his previous elections.

#### **2. Chamber of Commerce Re: Annual Dinner Downtown Location**

Chamber of Commerce President Doug Bates and Committee member Renee Plummer gave a brief presentation explaining their request to hold the Annual Chamber of Commerce Dinner on Pleasant Street. Mr. Bates explained the idea is to celebrate the many great things about the City of Portsmouth by holding it on "One of the Top Ten Green Streets in America" according to the American Planning Association. The dinner is to be held on August 8, 2012 from 5:00 – 9:00 p.m. and will host 400 people at 2 very long tables. He stated that there will be no music or entertainment other than the event itself which will be catered by Foster's Clam Bake.

Discussion ensued regarding who will be invited to attend as Mr. Bates explained that it is a Chamber of Commerce event with the ticket costing \$85.00 a piece and is open to the public. At Councilor Coviello's suggestion that the venue be widened to both sides of the street, not including the sidewalk, Mr. Bates stated that they would like the additional room but the idea is not to be disruptive to the businesses in the area.

**Councilor Coviello moved to suspend the rules in order to take up Item X.D. of the agenda. Seconded by Councilor Dwyer and voted.**

- D. Letter from Doug Bates, Greater Portsmouth Chamber of Commerce, requesting permission to close Pleasant Street from State Street to Congress Street on Wednesday, August 8, 2012 for conducting the 2012 Greater Portsmouth Chamber of Commerce Annual Dinner

**Councilor Coviello moved to refer to the City Manager with power. Seconded by Councilor Novelline Clayburgh and voted.**

**V. ACCEPTANCE OF MINUTES** (*There were no minutes for acceptance*)

**VI. PUBLIC COMMENT SESSION**

Mayor Spear opened the public Comment Session:

Shaun Rafferty – discussed making appointments to committees stating that it is necessary for an open government to represent diverse views and feels that if the Mayor is solely responsible for choosing committee appointments then those chosen may be more sympathetic to the Mayor's views on issues. He stated that it is also important to have different Council representatives on the various committees in order to get new views and ideas. Finally he asked that when a Councilor abstains from voting due to a "conflict of interest" he would like that conflict stated publicly for full disclosure.

Norm Olsen – began by congratulating the new council on their election and stated that he would like them to continue the tradition of the last Council to ask the City Manager to present a zero increase budget as well as to continue taking a stand against union positions that are not good for the citizens. He stated that there is a lack of communication during the negotiation process and feels that the department heads are perceived as being union defenders and should take measures to not be perceived as such, even if they are. He concluded by stating that whenever the discussion of raises comes up, COLA is represented as not being a raise, but a raise is a raise.

John Fairbairn – Discussed the City debt levels stating that according to the CAFRA reports, the debt is \$10,000 for every man, woman and child.

Seeing no one else wishing to speak, Mayor Spear closed the public comment session.



- **ADOPTION OF CITY COUNCIL RULES AND ORDERS**

**Councilor Lown moved to adopt existing rules 1-46 with the exception of Rule 23 to be acted upon separately, seconded by Councilor Coviello.**

Councilor Lown stated that the Council needs rules and without them it falls back to Rule 40, Roberts Rules of Order, but many of the rules are specific to this Council and most don't seem to have any issues

Councilor Thorsen asked what happens to Rule 23 if it isn't adopted. City Attorney Sullivan stated that Rule 23 will disappear.

Councilor Kennedy stated she will vote against this motion if Rule 23 disappears as this is what governs our boards and commissions appointments.

Councilor Dwyer stated as a friendly clarification of the motion, she feels it is the intention to still vote on Rule 23, but separately. Councilor Lown stated that is his intention.

**Motion to adopt Rules 1-46 with the exception of Rule 23 passed unanimously.**

**Councilor Lown moved to adopt existing Rule 23 as follows, seconded by Councilor Coviello.**

*Rule 23, Committee Nomination – “The Mayor shall nominate all committees, subject to the approval of the Council. All nominations shall be laid on the table until the next regularly scheduled Council meeting.”*

Councilor Lown explained that with this existing rule, the Council has veto power of any of the nominations so he doesn't understand why this needs to be changed and add another layer of the process.

Assistant Mayor Lister stated he is not in favor of the existing Rule 23 and explained that other Councils have discussed changing this in the past. He stated that it allows more diversity in the membership when other people are involved in the decision process.

Councilor Dwyer stated she has served on many committees and feels that there is a benefit to having a broader appointment process.

Councilor Smith stated he is also against existing Rule 23 stating that it is important to remember that the City of Portsmouth does not have a strong Mayor form of government so there should be more input from the Council and a more open process. He stated that this would introduce fresher ideas and more citizen participation. He also feels that the Councilors who sit on the committees have a better understanding of the qualifications needed for those committee appointments.

Councilor Novelline Clayburgh stated that there are 41 committees on the list with the exception of the Fire and Police Commissions and feels this needs to be a more democratic process with more involvement in the process.

Councilor Coviello stated he will vote in favor of existing Rule 23 in order to move the process along but with the understanding that we can continue to work on how the process can be changed in the future.

Councilor Lown stated he feels there will be more problems created with the new rule 23 i.e. more deadlocks, more secrecy, and will be less workable.

**Motion to adopt existing Rule 23 FAILED on a 4-5 roll call vote. Councilors Coviello, Lown, Thorsen and Mayor Spear voted in favor. Assistant Mayor Lister, Councilors Kennedy, Novelline Clayburgh, Dwyer and Smith voted against.**

**Councilor Novelline Clayburgh moved to amend Rule 23, as stated below, seconded by Councilor Kennedy.**

*Rule 23 – Committee Nomination – “At the first Council meeting of the year, Councilors will bring forward their requests for committees. If there is a multiple request for a committee, a one-minute explanation of why a councilor would like to sit on that committee will be given. A closed vote will be taken by the Council, and the votes will be counted by the City Clerk.*

*The Councilor on a committee will bring forward the names of citizens who are interested in being on said committee. Those individuals must have completed the application process through the City Clerk’s office. The Council will vote on the recommendation at the next regularly scheduled Council meeting.”*

Councilor Coviello asked what happens if there is a 3-way tie for Councilor appointments, or if no one wanted the position. Councilor Novelline Clayburgh stated that this did happen when she was on the School Board, which this process is based upon, and there was discussion held to come to a conclusion. She stated the same would go if no one volunteered to be appointed.

Councilor Kennedy stated that she seconded this motion and is in favor because she feels that the appointment process needs to be faster as she has seen citizen volunteers wait for months to be appointed, specifically to the Peirce Island Committee. She stated that this process will be more open and in the public view. She urged people to fill out applications for board appointments.

Councilor Thorsen stated he opposed the motion because the Mayor should have the power of appointment in order to have the Mayor who is the highest vote getter to guide the process. He stated he feels the Mayor would develop a consensus with the other Councilors as well as continue to take suggestions. He stated we are stripping the Mayor of any power of appointment except for his one vote on the Council and he does not agree with that. He stated it is also important to note that this procedure would set up an ad-hoc appointment

process and would be haphazard without prior discussion and voting at a meeting on the spot.

City Attorney Sullivan clarified that the proposed Rule 23 would not affect those Mayor appointments as directed by State RSA nor those that have no Council representative on a particular board or commission per the presented Matrix. He stated the default would be the normal Roberts Rules of Orders which would mean the Mayor would make the nomination and the Council would then vote to approve that nomination. He stated that the Mayor would basically have to agree to go along with the Rule so that the recommendation produced by the rule would be the recommendation that he would make.

Councilor Dwyer stated that the Mayor could also question the recommendation and therefore makes it a more public process.

Councilor Novelline Clayburgh clarified that her thought process when drafting this amendment she was thinking of the committees listed on the Matrix that referred to Rule 23, and the others would go through the normal ordinance process of 3 readings and a public hearing.

Discussion ensued.

**Motion passed on a 5-4 roll call vote, Assistant Mayor Lister, Councilors Kennedy, Novelline Clayburgh, Dwyer and Smith voted in favor. Councilors Coviello, Lown, Thorsen and Mayor Spear voted opposed.**

## **VII. APPROVAL OF GRANTS/DONATIONS**

- A. \*2012 New Hampshire Coastal Program – Grant Proposal

**Councilor Dwyer moved to authorize the City Manager to apply for, accept and expend funds up to \$30,000.00 from the Department of Environmental Services, Coastal Program to conduct a working waterfront study. Seconded by Assistant Mayor Lister and voted.**

- B. \*Acceptance of Grant Funds from the Gulf of Maine Council on the Marine Environment and the Northeast Regional Ocean Council Re: Coastal Resilience

**Councilor Dwyer moved to accept grant funds up to \$30,000.00 from the U.S. Gulf of Maine Association and give authority to the City Manager to expend funds and execute all necessary documents in conjunction with the proposed Portsmouth Coastal Resilience Initiative, seconded by Councilor Novelline Clayburgh.**

Councilor Kennedy asked if there are matching funds required of the City of Portsmouth. City Manager Bohenko stated yes, \$2,500.00 matching funds will be set aside for City Master Planning and \$3,500 for in-kind services for a total of \$6,000.00 At the request of Councilor Kennedy, he asked Environmental Planner Peter Britz, to further explain the purpose of the grant.

Peter Britz, Environmental Planner, explained that this grant will allow the City to analyze the potential impacts of climate change-induced storm surges and sea-level rise on municipal facilities and sensitive areas within Portsmouth's coastal areas. He further stated that this work will enable Portsmouth to develop specific recommendations for inclusion in the citywide Master Plan and revise our local regulations to better address the potential coastal hazards associated with climate change.

**Motion passed.**

**Councilor Coviello moved to suspend the rules in order to take up City Manager Action Item 2. Seconded by Councilor Novelline Clayburgh and voted.**

2. Proposed Water and Sewer Lines Re: Strawberry Banke

Deputy Public Works Director Dave Allen explained that Strawberry Banke approached the City to work with the City on an arrangement that would allow for the upgrades to the water and sewer lines within the museum area based on the desire of their Board to develop certain buildings within their property to become rental income properties. He explained that the plan includes the replacement of approximately 860 linear feet of water main and 200 linear feet of sewer main which were originally part of the City's system and had come under the ownership and operation of Strawberry Banke when the area became the museum. He continued that the estimated cost is \$45,000.00 which would be paid back by Strawberry Banke over a 10 year period.

City Manager Bohenko stated that this arrangement has been made with other entities in the city in the past and this will result in improvements to the City's infrastructure, acquire easements for the City, and put some of this property back on the tax rolls.

Councilor Dwyer asked if this will be coordinated with other sewer work. Deputy Public Works Director Allen stated this will be done in the spring with our in-house workforce prior to other projects.

Councilor Kennedy stated she supports this as it will help Strawberry Banke stay afloat in these economic times by being able to rent out living space.

**Councilor Smith moved to authorize the City Manager to proceed with negotiating an agreement with Strawberry Banke for the purposes of the installation of new water and sewer lines with Strawberry Banke and to authorize the City Manager to execute the agreement, seconded by Councilor Novelline Clayburgh.**

Councilor Novelline Clayburgh stated that this is a brilliant idea and is glad we are working with a non-profit. She stated she is proud of Strawberry Banke being in our City and feels this is a win/win situation.

Councilor Thorsen stated that the economic benefit alone is worth doing this.

**Motion passed.**

### **VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. First reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances, Section 7A.406 – Horse Drawn Carriages spaces on Pleasant Street and Section 7.330 – by eliminating the No Parking Area on State Street between Court Place and Church Street to install 4 new meter spaces and Ordinance cleanup measures

**Councilor Coviello moved to pass first reading for the proposed changes to Chapter 7 of the Vehicles, Traffic Parking Omnibus Ordinances, as recommended by the Parking Committee, and schedule a public hearing and second reading at the February 6, 2012 City Council meeting, seconded by Assistant Mayor Lister.**

Mayor Spear asked the City Manager to explain the term “omnibus” for the new Councilors and others who may be unfamiliar with the term.

City Manager Bohenko explained that in order to help businesses out with various parking issues, the Parking Committee can vote to implement pilot programs to see if the issues can be resolved without going through the codification process, which takes time. He stated if it is found not to work out, then the Parking Committee can reverse the pilot program, but if it works then it will be forwarded to the Council to become a part of the ordinance. He stated that he feels this has been very successful and has helped make the process smoother.

Councilor Smith stated he agrees with the City Manager that this has sped up the process and made it smoother, for instance in this case of the horse drawn carriage spaces being able to be implemented for the business more quickly than waiting for the ordinance process.

**Motion passed.**

- B. First reading of Amendment to Chapter 7, Article III, Section 7.330 – No Parking – Junkins Avenue both sides

**Councilor Smith moved to pass first reading for the proposed Ordinance amendment, as recommended by the Parking Committee, and schedule a public hearing and second reading at the February 6, 2012 City Council meeting, seconded by Councilor Novelline Clayburgh.**

Councilor Kennedy asked why it is necessary to prohibit parking along all of Junkins Avenue.

Parking and Transportation Manager Jon Frederick explained that it is a width issue as the widest part of Junkins Avenue is 27’9” and it doesn’t allow the required 8.5’ parallel parking space and 10’ travel lane required each way.

Councilor Coviello asked if we eliminate the sidewalks will it meet the requirements. Mr. Frederick stated that would require the area to be redesigned and he can't speak to that at this time.

Councilor Lown stated he hasn't seen anyone park there before and wonders why it is an issue. Mr. Frederick explained that when the Farmer's Market is open, it becomes a problem.

Discussion continued regarding other configurations that may still allow parking, with Mr. Frederick explaining that any variation of the recommended footage requirements would need discussion.

Councilor Dwyer stated that this is a water view and pedestrian area so she doesn't want to see cars parked along either side.

Councilor Lown asked if there will need to be signage erected to enforce the no parking. Mr. Frederick stated yes. Councilor Lown stated he will vote in favor of moving this forward to a public hearing but doesn't want a bunch of "No Parking" signs put up.

**Motion passed.**

## **IX. CONSENT AGENDA**

**Councilor Lown moved to adopt the Consent Agenda Items A-H as presented. Seconded by Assistant Mayor Lister and voted.**

- A. Acceptance of Donations to the Coalition Legal Fund
  - Town of Carroll - \$1,000.00
  - Town of Waterville Valley - \$1,000.00
  - Town of Sugar Hill - \$500.00

***(Anticipated action – move to approve and accept the donations, as listed, to be placed in the Coalition Legal Fund)***
  
- B. Acceptance of Police Department Donations
  - Donation from Mr. M. Foye to the Portsmouth Police Explorers - \$200.00
  - Donation from the Friends of the South End neighborhood group to the Portsmouth Police Explorers - \$300.00

***(Anticipated action – move to approve and accept the donations to the Portsmouth Police Department, as listed)***
  
- C. Letter from Peter Floros, PNF Realty, Inc., requesting to extend the license to keep the dumpster currently in place on Church Street ***(Anticipated action – move to refer to the City Manager with power)***



- D. Request for a License from Scott and Michelle Massida, owner of Michelle's on Market Square for property located at 10 Market 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 Scott and Michelle Massida, owner of Michelle's on Market Square to install a projecting sign at 10 Market 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**

- E. Request for a License from Carolyn and Christopher Erickson, The Aland Realty Group and Eport Antiques and Furnishings for property located at 175 Market Street to install 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 Carolyn and Christopher Erickson, owner of The Aland Realty Group and Eport Antiques and Furnishings to install a projecting sign at 175 Market 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**



- F. Letter from Donald Allison, Eastern States 20 Mile, requesting permission to hold the Eastern State 20 Mile Road Race on Sunday, March 25, 2012 **(Anticipated action – move to refer to the City Manager with power)**
- G. Letter from Barbara Kautz, AIDS Response Seacoast, requesting to hold the 16<sup>th</sup> Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 6, 2012 from 10:00 a.m. to 5:00 p.m. **(Anticipated action – move to refer to the City Manager with power)**
- H. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold the following events in 2012:
- Children’s Day, Sunday, May 6<sup>th</sup> from Noon – 4:00 p.m.
  - The 35<sup>th</sup> Annual Market Square Day Festival & 10K Road Race, Saturday, June 9<sup>th</sup>
  - The 10<sup>th</sup> Annual Summer in the Street Music Series, Saturday evenings from 5:00 p.m. – 9:30 p.m. on June 23<sup>rd</sup>, June 30<sup>th</sup>, July 7<sup>th</sup>, July 14<sup>th</sup>, July 21<sup>st</sup>, July 28<sup>th</sup> (rain date August 4<sup>th</sup>)
- (Sample motion – move to refer to the City Manager with power)**

**X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Jennifer Fecteau, Port City Nissan, requesting the installation of an electric vehicle charging station at the High Hanover parking garage for electric vehicles

**Councilor Novelline Clayburgh moved to suspend the rules to allow Jennifer Fecteau to address the Council. Seconded by Councilor Kennedy and voted.**

Jennifer Fecteau of Port City Nissan and Nissan Motor Corp. explained that they are requesting the installation of an electric vehicle charging station at the High Hanover parking garage for electric vehicles, including the Nissan LEAF which is powered by a Lithium-Ion battery, much the same way as a cellular phone and therefore, requires periodic charging. She stated that the LEAF was designed to have an effective range of 100 miles under ideal conditions i.e., flat roads, 70 degrees, with colder temperatures and uneven roads eroding this range. She stated that when a customer wants to purchase a Nissan LEAF, Nissan requires first that the customer have an outside company called Aerovironment survey their house and give them an estimate for the cost of installation of the home charging station. The cost is estimated to be approximately \$2000 and a federal tax credit compensates eligible LEAF owners for half of the cost. She concluded by stating that charging stations will also be available at participating Nissan dealerships.

Councilor Dwyer asked how many cars the charging station will accommodate at a time. Ms. Fecteau stated that it will charge one car at a time, but there will be 2 spaces made available for the station.

Councilor Thorsen asked how long it will take to charge. Ms. Fecteau stated that a full charge takes approximately 7 hours, but the idea of the charging station is to allow people to stop and eat at a restaurant and/or shop for a few hours and then go on their way. Councilor Thorsen stated that it sounds like the station would be tied up for most of the day.

City Manager Bohenko stated that this is a gift and if there is more demand for this service, then the City can install more as a part of our continued sustainability efforts.

Assistant Mayor Lister asked if there is a lot of maintenance required for this recharging station and also, will there be advertising allowed on it. City Manager Bohenko stated there will be no advertisement allowed as is our policy.

Ms. Fecteau addressed the maintenance issue stating that these stations are all over the State of California and have so far been virtually maintenance free.

Councilor Kennedy clarified that there will also be a charging station at the Nissan Dealership and wonders if there could be a sign directing people there if the one at the parking garage is being used.

Councilor Smith asked what the operating costs will be, how will this be paid for by the customer, and is there potential for them to pay with a credit card at some point.

City Manager Bohenko stated that we will be looking at the power usage and adding it to the fee for those spaces.

Jon Frederick stated that regarding the credit card payments, some units do allow for that but they are more costly and this one is a single unit that does not have that capability.

Councilor Thorsen stated that this is a great idea and feels that the Parking and Traffic Safety Committee will determine the charge in order to be profitable or at least break even.

**Councilor Coviello moved to accept the gift of a charging station from Port City Nissan. Seconded by Assistant Mayor Lister and voted.**

- B. Letter from John Dussi, Northern Tier Real Estate Acquisition & Development, LLC, request to appear before the City Council regarding renovations to the exterior of the property located at 172 Hanover Street, to remove the glass atrium located on the Vaughan Mall side of property

**Councilor Kennedy moved to refer to the Planning Board for report back. Seconded by Councilor Novelline Clayburgh and voted.**

- C. Letter from Portsmouth Fire Commissioners requesting a supplemental appropriation to the FY12 Fire Department Budget in the amount of \$150,000.00

**Councilor Novelline Clayburgh moved to refer to a public hearing on February 6, 2012 the request for a supplemental appropriation to the FY12 Fire Department Budget in the amount of \$150,000.00 with funds to be drawn from Undesignated Fund Balance, seconded by Assistant Mayor Lister.**

City Manager Bohenko explained that if it is specified to come from undesignated fund balance, it must be referred to a public hearing and then receive a 2/3 vote. He continued that if it comes out of the Contingency Fund, the City Manager technically can spend the money without Council action but because this is a hot-button issue, he would put it to a Council vote anyway. It would not require a public hearing and would only require a majority vote.

Discussion ensued regarding the funds being tied to a particular funding source and other potential sources.

Councilor Smith stated he supports Station 3 being open but he would also like to ask that the Fire Chief and Fire Commission come back with some creative fees such as charging for false alarms as the Police Department does. He stated it is important to let the public speak on this.

Councilor Thorsen stated that he is confused with this being an emergency request because it has gone through the budget process previously so it was known that the amount of money allocated at the time was not going to carry through the year.

Assistant Mayor Lister stated that this is a very controversial issue and has heard from citizens that are concerned with the response times. He commended the Fire Department for their outreach to the neighborhoods to teach CPR and safety classes. He stated that we need both short-term and long-term solutions and need to hear ideas from the Fire Chief so they don't have to come back to the Council.

Councilor Coviello asked if the Bond Rating Agencies look at the City using undesignated fund balance negatively. City Manager Bohenko stated that if it happens on a regular basis then yes. He continued that if it is used on recurring expenses, it would create a budget gap with no property tax to offset it.

Discussion ensued regarding the motion and whether it should be amended or not.

Councilor Lown asked what types of demands may be made on the contingency fund and what is the likelihood of needing to use it. City Manager Bohenko stated the Contingency Fund amount has decreased over the years from \$400,000.00 to \$250,000.00 so if we use \$150,000.00 for the Fire Department, then that will leave \$100,000 through then end of FY12, so it would be cutting it close.

Councilor Smith reviewed the background of the Station 3 issue for Councilor Thorsen stating the Chief was very clear that this could happen and when it came back for a supplemental request, the Council at the time decided to wait and see how long we could keep it open, but it is not a surprise that this is back again.

Councilor Kennedy stated she would like to know three things; first, how much money has been saved with the fireman putting the earned time disability in their contract. Secondly, from Chief LeClaire, she would like a written opinion regarding a volunteer unit and why or why it won't work or an auxiliary fire unit as she has had many people ask about that possibility. Finally, she would like a written, professional opinion from Chief LeClaire as to why or why not to keep open Station 3.

Councilor Coviello stated he disagrees with Councilor Smith's statements as to Fire Station 3 stating that Chief LeClaire was clear and the Council gave them the budget that they could manage. He stated he agrees with Councilor Kennedy and would also like the Chief to clear up some of the misconceptions out there.

Councilor Dwyer stated that her feeling was that some Councilors did feel that the Fire Department needed to be funded at a higher level with the understanding that we would need to establish long term solutions as well. She stated that another issue that she feels is being confused is the buildings versus the crews available to staff them.

Councilor Thorsen stated he attended an information session held by the Fire Department and found it to be very informative. He stated he will support the motion to refer the issue to a public hearing.

**Motion passed.**

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

### **A. CITY MANAGER**

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

##### **1. Elderly & Disabled Exemptions**

City Manager Bohenko stated he has presented 2 options for the Council to choose from with Option A being a 2.9% adjustment and Option B being a 3.6% adjustment. He stated whichever the Council wished to move forward with will come back for a first reading on February 6<sup>th</sup> and then a public hearing and adoption on February 21<sup>st</sup>.

**Councilor Coviello moved to authorize the City Manager to bring back a Resolution for "Option A" for a first reading on February 6, 2012, seconded by Assistant Mayor Lister.**

Councilor Lown stated that currently 139 people receive the exemption and when he was out campaigning he saw a lot of people that were hurting and this gives some people a little break so that they can stay in their homes and allows our population to remain diverse.

Councilor Dwyer stated that our aging population is going to continue to be an issue and wants to point out that the revenue we are losing on these exemptions is 3 times more than the Fire Department is asking for and to remember that these issues are related.

Councilor Smith agrees with Councilor Dwyer that the aging population needs to be looked at and to keep in mind that this tax burden gets spread to the rest of the taxpayers.

Councilor Coviello clarified that this 2.9% increase would be based on the CPI which is the same one used for our labor agreements.

Councilor Kennedy stated she is in favor of supporting seniors since we spent 35 million on the middle school so we need to keep that in perspective. She continued that a lot of the calls she has gotten regarding Fire Station 3 have been from seniors so agrees that these issues are connected.

Councilor Novelline Clayburgh stated that the disabled population is also getting older and we need to keep in mind that they will need housing in the future as well especially with State funding dwindling more and more.

Councilor Thorsen stated he is in favor of tax breaks for the elderly and disabled, but also is in favor of reducing the burden of all taxpayers.

**Motion passed.**

3. Ratification of City Council Policies

**Councilor Kennedy moved to ratify the list of Council Policies as presented, seconded by Councilor Lown.**

Councilor Smith stated that his vote is abstained for the policy regarding flags as his store participates in that policy.

**Councilor Coviello moved to divide the question by removing policy 2010-02 – Brick Sidewalks, seconded by Councilor Dwyer.**

Councilor Coviello explained that he was the initiator of the policy back when the Historic District was expanded and it was the policy that brick sidewalks were to be installed in any Historic District designated area. He stated that since that time it has been brought to the attention of the HDC that brick sidewalks are impractical for certain well traveled areas and are very costly to maintain as well, so he would like to revert back to the original area.

Discussion ensued regarding the need to do this and it was determined that it was already the policy.

**Motion to divide the question FAILED on a 4-5 roll call vote. Councilors Coviello, Lown, Dwyer and Thorsen voted in favor. Assistant Mayor Lister, Councilors Kennedy, Novelline Clayburgh, Smith and Mayor Spear voted opposed.**

**Motion to ratify Council Policies as presented passed.**

4. Request to Renew Lease Agreement for Sons of Italy

**Councilor Kennedy moved to extend the Lease Agreement with the Sons of Italy at One Plains Avenue, for a period of one year from April 1, 2012 through March 31, 2013, seconded by Councilor Smith.**

**Motion passed on a 7-0 vote, Councilors Coviello and Novelline Clayburgh abstained as they are members.**

#### **Informational Items**

1. Events Listing
2. Retreat Agenda
3. \*Web Video Playback

***Mayor Spear declared a recess at 9:20 p.m. and resumed the meeting at 9:30 p.m.***

#### **B. MAYOR SPEAR**

1. Resignation of Gary Lowe from the Sustainability Committee

**Councilor Smith moved to accept the resignation of Gary Low from the Sustainability Committee with regret and appreciation of service. Seconded by Councilor Kennedy and voted.**

2. \*Appointment of City Council Representatives:

In accordance with newly adopted Rule 23, the following appointments were made:

- Taxi Commission – Councilor Lown
- Peirce Island Committee – Councilor Kennedy
- Parking & Traffic Safety Committee – Councilor Smith
- Historic District Commission – Councilor Jack Thorsen
- Planning Board – Nancy Clayburgh received 5 votes, Councilor Coviello received 4 votes.
- Joint Building Committee – Councilors Novelline Clayburgh and Smith
- Economic Development Commission – Councilors Dwyer and Thorsen

After some discussion regarding procedure for appointments to remaining committees, Mayor Spear stated he will meet with the City Attorney to determine the best course of action and address it at the next Council meeting.

Councilor Smith asked for clarification on the Transportation Policy Committee which was appointed by the previous Mayor and City Council with a sunset date of April 15, 2012. City Attorney Sullivan stated that this committee would remain in effect until the sunset date without further Council action.

Councilor Kennedy asked for clarification if Councilors should continue to attend meetings they previously were appointed to until new appointments are made. Mayor Spear stated yes.

**C. ASSISTANT MAYOR LISTER**

1. \*Sunday Parking

**Assistant Mayor Lister moved to request the City Attorney to come back with an Ordinance at the February 6, 2012 City Council meeting to amend the enforcement of Sunday Parking to take place from Memorial Day through Labor Day only, seconded by Councilor Lown.**

Councilor Coviello asked if we should wait until the parking study is presented. Councilor Dwyer clarified that the study is scheduled to be presented on January 23, 2012.

Councilor Lown would like to know the impact on revenue that this change will have and Councilor Thorsen asked to have the impact of eliminating Sunday parking totally.

**Motion voted.**

**D. COUNCILOR KENNEDY**

1. \*Senior Citizen Center

Councilor Kennedy stated that she has received calls from senior citizens who are upset with the closing of the Senior Center and wants to know what the City will do for them to replace these activities.

City Manager Bohenko stated there has been a group formed to look at this issue with representatives from the Mark Wentworth Home, the Portsmouth Regional Hospital, Friends of the South End and Councilor Novelline Clayburgh was asked to serve by Mayor Spear as well as himself. He stated this group has met several times and have begun to gather information which will be reviewed by a nationally known consultant on this issue. They are taking inventory of what is available for seniors and the locations in regards to health and wellness and transportation issues. He stated that it is an impressive group of people.



Councilor Novelline Clayburgh agreed that it is an impressive group of people who have the passion, experience and expertise to address this community issue. She stated that the Beacon Hill Project in Boston is an example of the outcome of such an effort.

Councilor Kennedy asked what the time frame is as people are looking for somewhere to go. She also would like to know what is happening with the building that previously held the senior center.

City Manager Bohenko stated an initial report is due in early March and it is intended to be a model for Portsmouth and surrounding towns. He stated that the Mark Wentworth Home owns the Parrott Avenue building and is putting it on the market and will utilize the money to back into services.

Councilor Dwyer stated that Living Innovations have stepped up to try and fill in the gaps in the mean time and believes that they have a list of the people who previously participated at the Senior Center. She stated that there are various facilities throughout the city that anyone is welcome to visit. She stated that State and Federal funds are going away so things will be changing and municipalities will need to get together to provide these services.

**Councilor Coviello moved to suspend the rules to continue the meeting past 10:00 p.m. Seconded by Councilor Dwyer and voted.**

2. \*Request to Establish a Wastewater Treatment Plant Building Committee

Councilor Kennedy moved to request the City Attorney to come back with an ordinance to establish a Wastewater Treatment Plant Building Committee to consist of 2 citizens and 2 City Councilors.

City Attorney Sullivan explained that the expenditure of funds is up to the City Manager with the only exception being a State Law establishing Joint Building Committees when the School Board and City are co-terminus. He stated there could be a sub-committee formed in an advisory capacity but would not require an ordinance change.

City Manager Bohenko stated that there have been other similar advisory committees for the Fire Station, Library, etc. but it is the City Manager who is responsible to expending the funds. He stated he does welcome an advisory committee with a good cross-section of representation to get the information out to the public.

Mayor Spear stated that no motion is necessary and the City Attorney will bring back a recommendation for the advisory committee.

## **XII. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Dwyer stated that she has attended the upcoming Elected Officials Workshop in the past and urged people to attend if possible as it is very informative.

Councilor Novelline Clayburgh stated she saw that the City Manager has directed the Department Heads to present a 2.9% budget and asked when the Council will get involved in the discussion.

City Manager Bohenko stated that he will discuss this at the upcoming Council Retreat and explained that the process begins with the City Manager and Department Heads and then the budget is presented to the Council in April.

Councilor Kennedy clarified that the City Manager's direction to the Department heads is a guideline.

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

**Councilor Coviello moved to adjourn at 10:18 p.m. Seconded by Councilor Kennedy and voted.**

Respectfully submitted:

Valerie A. French,  
Deputy City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, February 6, 2012 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Proposed Ordinance amending Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances, Section 7A.406 – Horse Drawn Carriages spaces on Pleasant Street and Section 7.330 – by eliminating the No Parking Area on State Street between Court Place and Church Street to install 4 new meter spaces and Ordinance cleanup measures. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, CMC/CNHMC  
CITY CLERK

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, VEHICLES, TRAFFIC PARKING of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

*[Introductory note, (not part of ordinance). The following changes to the parking ordinance were either implemented by the Parking Committee for testing during the last year or are part of ongoing improvements to the parking ordinance and are forwarded to the City Council for approval. Each ordinance change is as shown on diagrams attached hereto.]*

**Section 7A.406: HORSE DRAWN CARRIAGES**

**There is hereby established an area comprised of two parking spaces on the westerly side of Pleasant Street directly adjacent to Congress Street to be marked “Reserved for Horse and Carriage”, Monday through Friday, 6 p.m. to 10 p.m., Saturday and Sunday, 12 p.m. to 10 p.m. In addition to any other parking prohibiting law, vehicles parking in that location in contravention of this limitation shall be subject to towing by the City with the costs to be borne by the owner of the vehicle.**

**BE IT FURTHER ORDAINED THAT:**

Section 7.330: NO PARKING

A. Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:

116. State Street:
  - a. northerly side, from the point of intersection of the easterly street line of Middle Street and the northerly curb line of State Street ~~432~~ **85** feet easterly.
  - b. ~~northerly side from Wright Avenue a distance of 105 feet in a westerly direction.~~
  - c. southerly side from Middle Street ~~52~~ **90** feet easterly.
  - d. ~~southerly side from Court Place a distance of 370 feet in a westerly direction.~~
  - e. ~~southerly side beginning at a point 227 feet from the intersection of Pleasant Street and State Street running 85 feet in an easterly direction.~~

- f. northerly side ~~starting at the junction of Church and State Streets; thence running in a westerly direction 60 feet more or less, from Fleet Street to Pleasant Street.~~
- g. southerly side, beginning at the intersection of Pleasant Street, westerly to the intersection of Church Street.
- h. northerly side, ~~between the New England Telephone Company parking lot and~~ **from 507 State Street, westerly 67 feet.**
- i. ~~southerly side from the intersection with Middle Street easterly to the end of the building currently occupied by the Baptist Church.~~

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

\_\_\_\_\_  
Eric Spear, Mayor

ADOPTED BY COUNCIL:

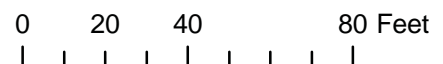
\_\_\_\_\_  
Kelli L. Barnaby, City Clerk

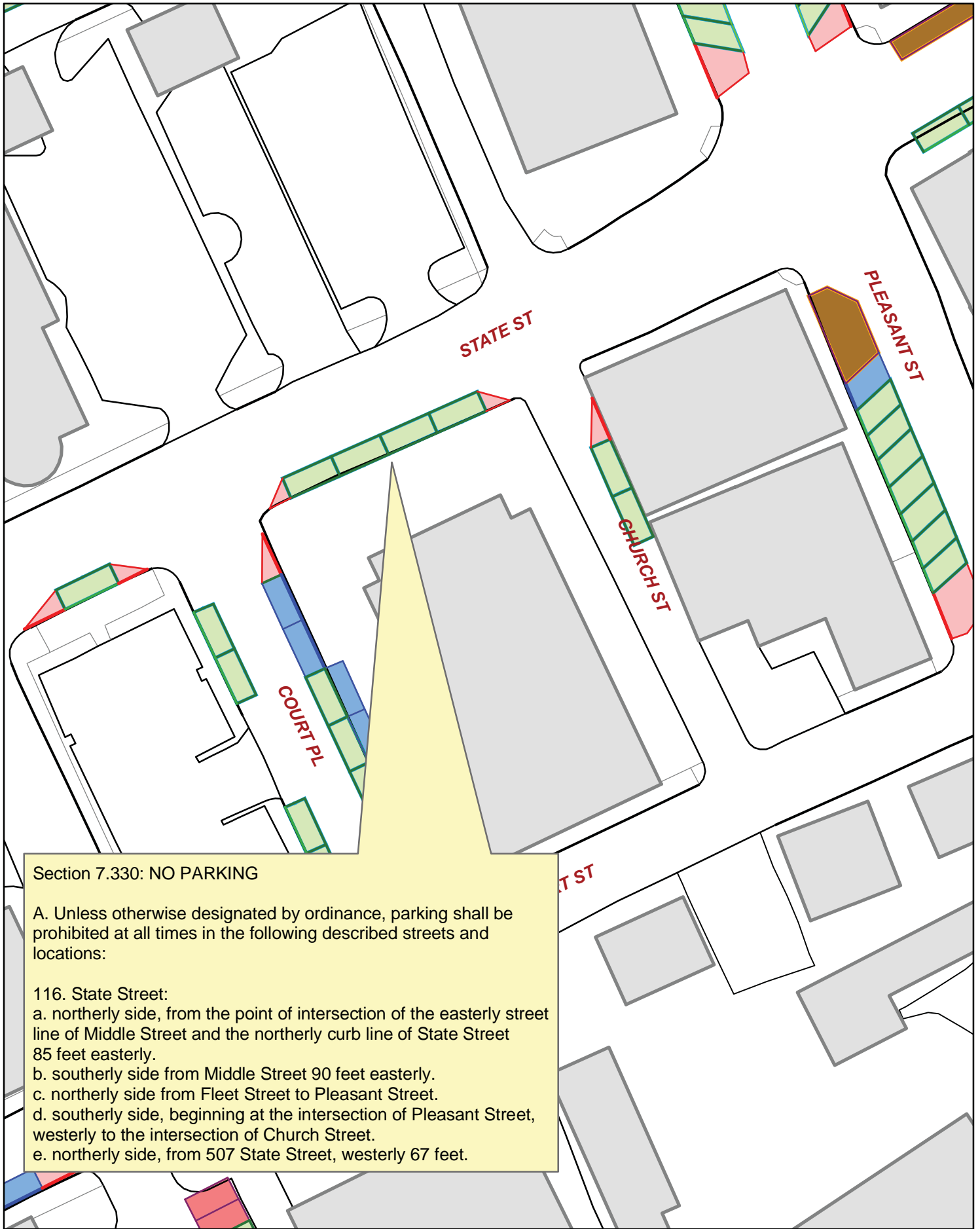
**Section 7A406: HORSE DRAWN CARRIAGES**

There is hereby established an area comprised of two parking spaces on the westerly side of Pleasant Street directly adjacent to Congress Street to be marked "Reserved for Horse and Carriage", Monday through Friday, 6 p.m. to 10 p.m., Saturday and Sunday, 12 p.m. to 10 p.m. In addition to any other parking prohibiting law, vehicles parking in that location in contravention of this limitation shall be subject to towing by the City with the costs to be borne by the owner of the vehicle.



City of Portsmouth  
Proposed - 2 Horse and Carriage Spaces  
Pleasant Street at Market Square





**Section 7.330: NO PARKING**

A. Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:

**116. State Street:**

- a. northerly side, from the point of intersection of the easterly street line of Middle Street and the northerly curb line of State Street 85 feet easterly.
- b. southerly side from Middle Street 90 feet easterly.
- c. northerly side from Fleet Street to Pleasant Street.
- d. southerly side, beginning at the intersection of Pleasant Street, westerly to the intersection of Church Street.
- e. northerly side, from 507 State Street, westerly 67 feet.



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, February 6, 2012 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Proposed Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Junkins Avenue both sides. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, CMC/CNHMC  
CITY CLERK

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article III, Section 7.330 – **NO PARKING** sub-section A of the Ordinances of the City of Portsmouth which shall read as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

**Section 7.330: NO PARKING**

A. Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:

61. Junkins Avenue: both sides, ~~from Pleasant Street to Parrott Avenue.~~

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

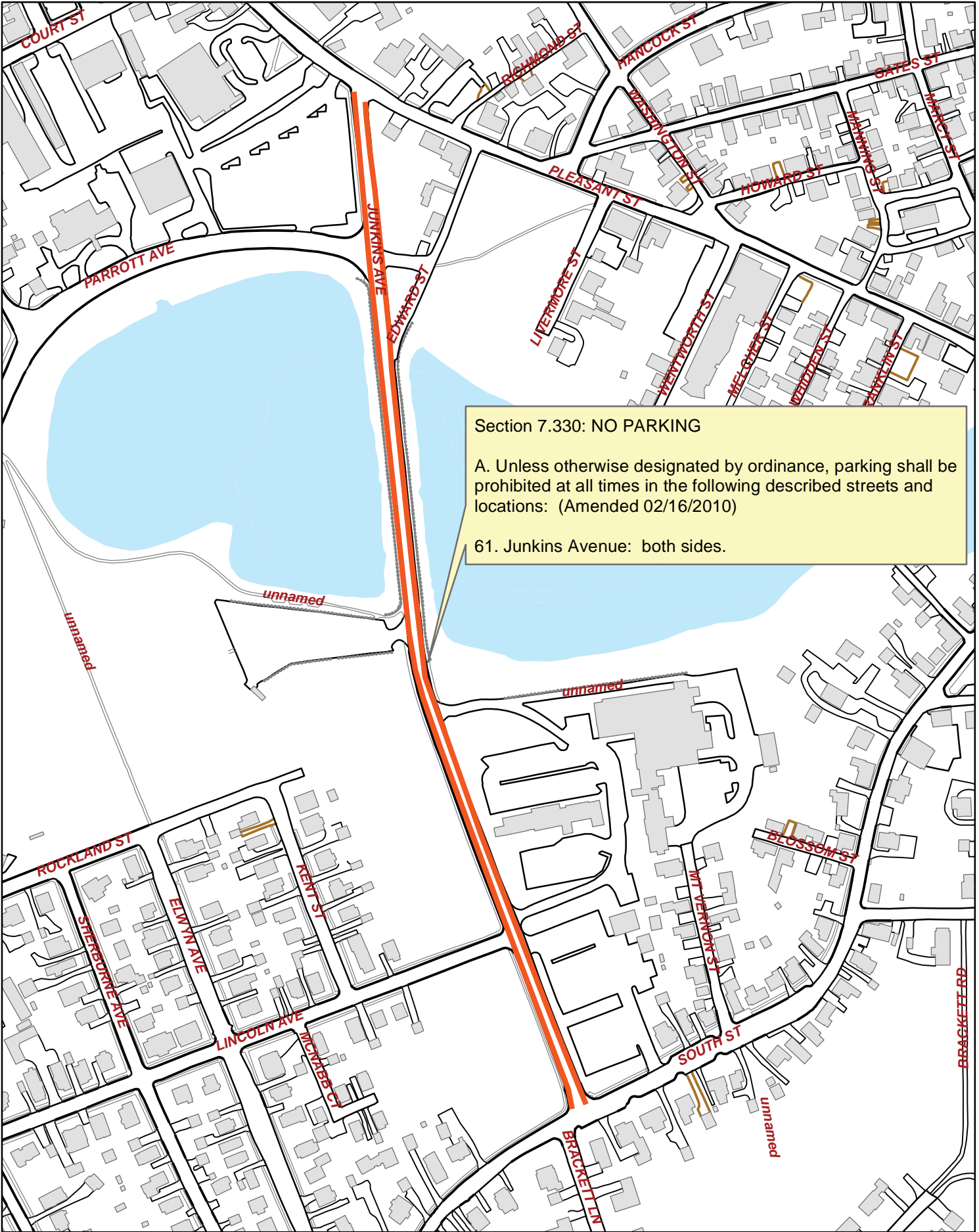
This ordinance shall take effect upon its passage.

APPROVED:

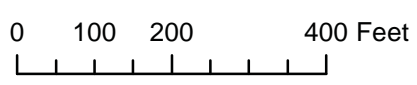
\_\_\_\_\_  
Eric Spear, Mayor

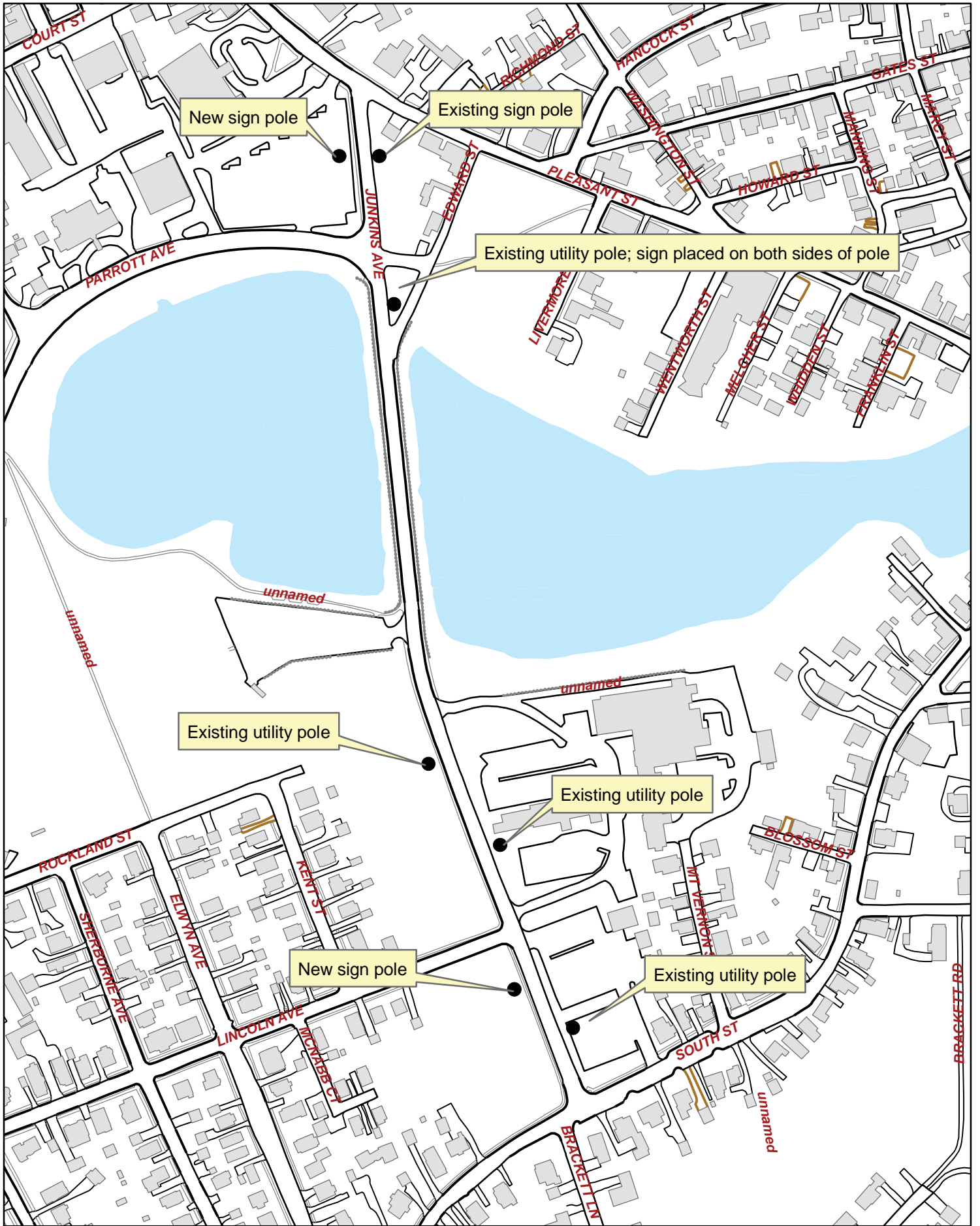
ADOPTED BY COUNCIL:

\_\_\_\_\_  
Kelli L. Barnaby, City Clerk

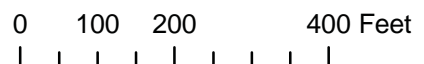


City of Portsmouth  
 No Parking Both Sides  
 Junkins Avenue





City of Portsmouth  
 Placement of No Parking Signs  
 Junkins Avenue





**CITY OF PORTSMOUTH  
PUBLIC WORKS DEPARTMENT**

**MEMORANDUM**

**TO:** John P. Bohenko, City Manager  
**FROM:** Jon Frederick, Director of Parking & Transportation  
**DATE:** January 30, 2012  
**SUBJECT:** Junkins Avenue “No Parking” Sign Placement

---

The enclosed map depicts the placement of “No Parking” signs on Junkins Avenue. Only two new sign poles will have to be erected, one adjacent to the Parrott Avenue parking lot and another south of Lincoln Avenue. Six other signs will be placed on existing utility poles or sign poles. This strategy will enable us to adequately post the entire street at all through-traffic access points while preventing sign clutter in vicinity of the South Mill Pond.

Enclosure: Map of Junkins Avenue – Placement of No Parking Signs

## LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, February 6, 2012 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution Authorizing a Supplemental Appropriation of up to \$150,000.00 from Unassigned Fund Balance (F.K.A. Undesignated Fund Balance) for the Operation of the Fire Department. 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

**CITY OF PORTSMOUTH, NEW HAMPSHIRE  
SUPPLEMENTAL APPROPRIATION  
FOR THE FISCAL YEAR ENDING JUNE 30, 2012**

**RESOLUTION # -**

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL  
APPROPRIATION FOR NECESSARY EXPENDITURES FOR  
THE OPERATION OF THE FIRE DEPARTMENT.**

**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 **One Hundred and Fifty Thousand (\$150,000) Dollars** is to be appropriated from Unassigned Fund Balance to defray the current Fire Department expenditures for the Fiscal Year ending June 30, 2012.

**THAT**, to meet this appropriation, the City Manager is authorized to transfer these funds from the June 30, 2011 Unassigned Fund Balance.

**APPROVED BY:**

\_\_\_\_\_  
**ERIC SPEAR, 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.





# Portsmouth Fire Department

---

## *Board of Fire Commissioners*

**To:** Mayor Spear and the Portsmouth City Council

**From:** Richard Gamester, Chair

**Date:** 1/3/2012

**Re:** **Request for Supplemental Appropriation – Fiscal Year 2012**

---

The Portsmouth Fire Commissioner hereby officially requests a supplemental appropriation to the FY 12 fire department budget in the amount of \$150,000.00.

This supplemental appropriation is due to the underfunding of the fire department budget, and made worse by several long-term vacancies due to illness, injury and other vacancies. The line items budgeted for personnel replacements are projected to be overspent, and there are no funds to replace personnel, either through overtime or permanent hires.

Please schedule this request at the earliest time possible as Station 3 is now closed and the administration is formulating the Fiscal Year 13 budget for the January 25, 2012 public hearing and planning for next year. .

*Department Memorandum*



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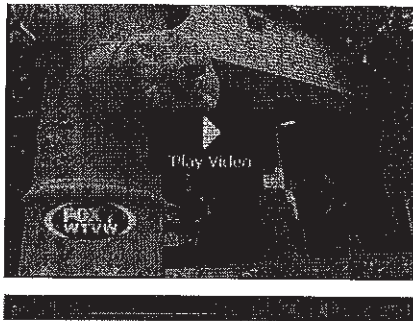
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### Multiple Insurers Say ISO Rating Has Little Effect on Premiums

By: Michael Chesney Updated: December 3, 2009

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No matter what the city of Evansville decides to do about fire protection, it might not end up affecting how much you pay for homeowners insurance. Fire Chief Keith Jarboe announced back in October the department would shutdown hose houses 10 and 14 and reallocate those resources to other parts of the city. A part of the reasoning - without changes Evansvilles insurance rating for fire protection would drop. Its called an ISO rating. On a scale from one to ten, it rates a citys ability to respond to fire emergencies. And, officials said a drop in Evansvilles rating would cause homeowners insurance premiums to go up, but the insurance companies FOX 7 talked to dont agree. Most of the time during Tuesday nights Evansville Fire Advisory Committee meeting was spent working through the citys ISO rating information. Committee members were looking ways to ensure Evansvilles rating doesnt drop from three to four - perhaps without closing 10 and 14. Then, during the public comment portion of the meeting, the question came up: does ISO rating actually even matter for insurance prices? So, FOX 7 went to some of Evansvilles biggest insurers to find out what would happen to their premiums if the citys ISO rating fell. State Farm, Allstate and American Family are three of the four largest - covering combined more than one-third of Evansville homes. ISO rating has the smallest impact at State Farm - none. "We here at State Farm do not use ISO ratings to figure out a homeowners rate that they pay on the insurance policy. We base our rates mainly on claim history," said Missy Lundberg, with State Farm. State Farms statistics people have determined the rating just doesnt matter for them. "We have looked at the data and found that using ISO ratings is not a huge factor in what we need to figure out insurance rates." Over at Allstate, ISO rating is a factor in setting premiums. But as far as Evansvilles potential rating drop - "From Allstates standpoint a three or a four rating would not make a difference in how we would risk a policy," said Karen Spica, with Allstate. Spica said only a drastic drop down to seven or lower would have any significant impact on prices. And, the situation at American Family is pretty much the same as it is at Allstate - three to four isnt a big deal. Still, Chief Jarboe said after the committee meeting the station closings arent just about ISO. "By

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fixing the ISO, just accumulating points, [that] doesnt mean that were fixing our deficiencies." FOX 7 explained what we found to Fire Advisory Committee Co-Chair Wendy Bredhold. She said its definitely worth consideration. But, she wants the committee to continue to plug ahead with examining Evansvilles ISO rating. She said its useful to put look for places to improve fire service and to do this all out in the public arena.

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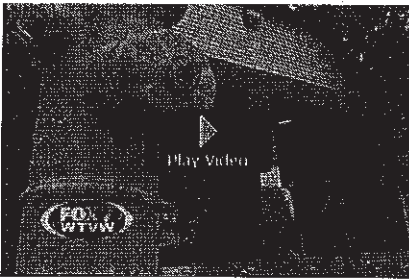
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## Smoke but no fire where State Farm abandons standard fire ratings

By Insure.com

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• Last updated: Feb. 13, 2003

State Farm is phasing out its use of an industry standard fire-protection ratings system.

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At issue is the Public Protection Classification (PPC), provided by the Insurance Services Office (ISO). The PPC rates a community's fire-fighting ability by examining factors including the local fire department's staffing, training programs, resources, and even the time it takes for a fire engine to get to your house.

"It's not always about fire."

These fire ratings have been used by every insurance company to set rates for home insurance policies.

State Farm has decided to use its own fire rating system, where allowed by law. The new system uses State Farm's home insurance claims data to rate a community's fire-fighting ability. According to Kip Diggs, a spokesman for State Farm, relying on its own claims data gives State Farm a more accurate rating.

"It's not always about fire. This isn't about ISO doing a bad job," says Diggs. "Seventy percent of what we pay in claims comes from loss other than fire — things like theft, water damage, hail, windstorms, and liability."

Diggs says the new system will allow State Farm to charge premiums that reflect the true cost of claims in a given area, and be more responsive to claims trends.

Critics of the State Farm switch argue the ISO rating has been a powerful tool to help local fire departments raise money for new equipment. Previously, fire departments could show homeowners if they invested more money in the department, the lower ISO rating would justify the initial cost through lower homeowners insurance premiums.



Christopher Guidette, assistant vice president of corporate communications for ISO, says although ISO's PPC rating "remains a viable, reliable, and accurate tool," he does have concerns about the financial impact on fire department budgets.

"Firefighters have come to depend on our ratings for a source of support when they go to their town leadership to request funding," says Guidette.

According to an ISO survey of more than 500 fire officials across the country, 92 percent found the PPC rating important when "planning for, budgeting, or justifying improvements" in their communities' public fire protection. Ninety-six percent also said they found the program important in helping the community save money on fire insurance.

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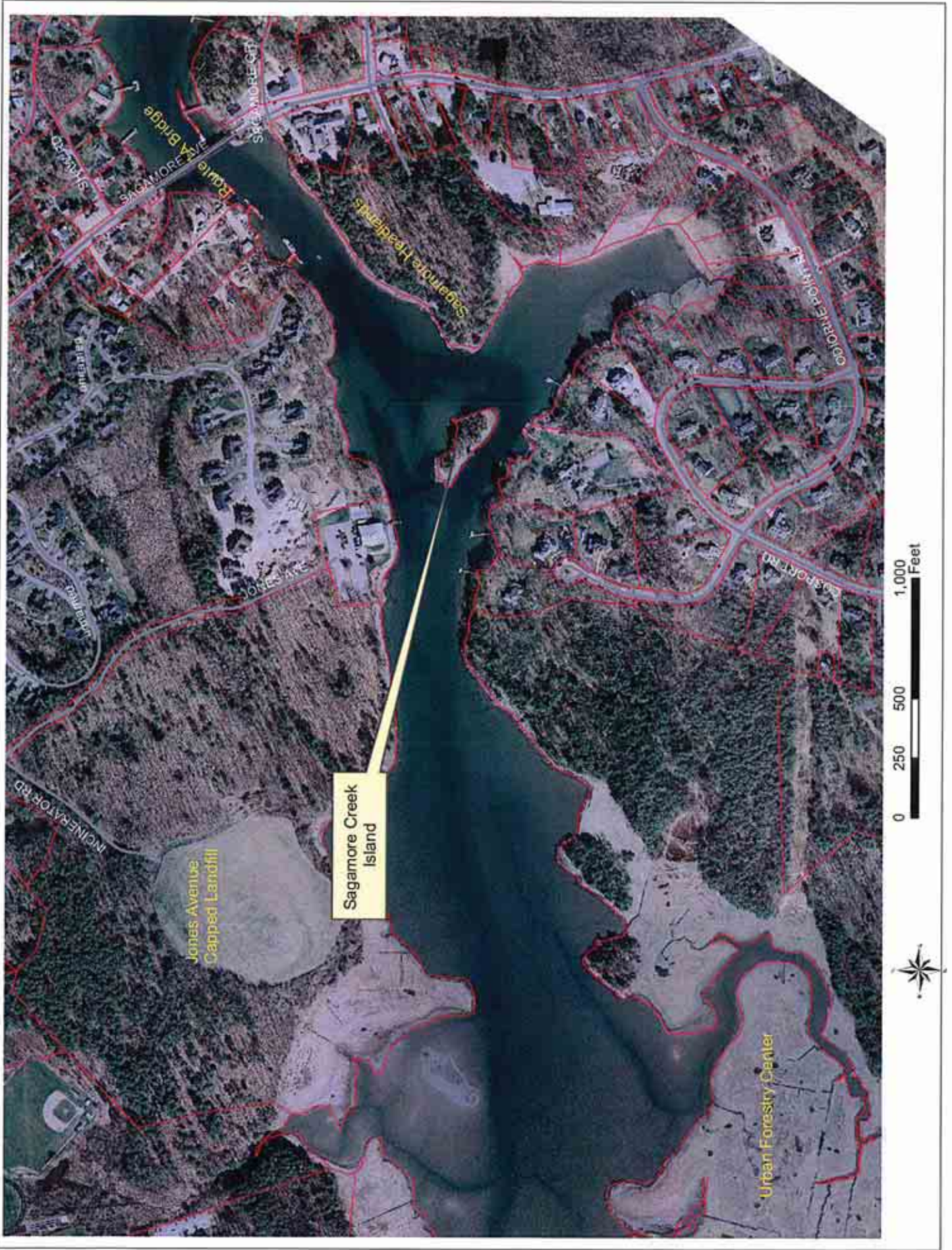
A:

You have to strike a balance, which can be a bit tricky. On the one hand, you want to resist the urge to clean up everything right away. Whether a fire gutted the kitchen, a tornado tore off a section of roof or a water pipe burst in the basement, you'... [read more...](#)

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**Elderly & Disabled Exemption Impact**

<b>Exemption Type</b>	<b>Exemption Amount</b>	<b>Number Currently Receiving Exemption</b>	<b>Value Loss</b>	<b>Revenue Loss</b>
65 through 74	\$ 125,000.00	41	\$ 5,125,000.00	\$ 88,508.75
75 through 79	\$ 175,000.00	23	\$ 4,025,000.00	\$ 69,511.75
80 and over	\$ 225,000.00	64	\$ 14,400,000.00	\$248,688.00
Disabled	\$ 100,000.00	11	\$ 1,100,000.00	\$ 18,997.00
Totals		139	\$ 24,650,000.00	\$425,705.50

Note: The current tax rate of \$17.27 would be decreased to \$17.16 a difference of 11 cents on the current tax rate if the elderly and disabled exemptions were not granted.

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

**RESOLUTION # - 2012**

**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 \$34,486 for a single taxpayer or \$42,542 for married taxpayers, inclusive of social security payments and total assets may not exceed \$114,958 whether single or married The elderly exemption shall remain unchanged except as amended hereby.

**THAT** this Resolution shall take effect upon its passage.

**APPROVED:**

\_\_\_\_\_  
**ERIC SPEAR, MAYOR**

**ADOPTED BY THE CITY COUNCIL:  
, 2012**

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

**NOTE: This exemption becomes effective for the tax year April 1, 2012.**

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

**RESOLUTION # - 2012**

**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 \$34,486 for a single taxpayer or \$42,542 for married taxpayers, inclusive of social security payments and total assets may not exceed \$114,958 whether single or married. The disabled exemption shall remain unchanged except as amended hereby.

**THAT** this Resolution shall take effect upon its passage.

**APPROVED:**

---

**ERIC SPEAR, MAYOR**

**ADOPTED BY THE CITY COUNCIL:  
, 2012**

---

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

**NOTE: This exemption becomes effective for the tax year April 1, 2012.**

**InterOffice Memo**

**To:** John P. Bohenko, City Manager  
**From:** Tom Richter, Engineering Technician  
**Date:** January 5, 2012  
**Subject:** PSNH License Agreement #63-0518

---

I have reviewed the pole location information provided by PSNH for Petition and Pole License #63-0518.

This request is to license one pole located on Mendum Avenue. This pole had no existing license and PSNH is requesting one now. The location of the new pole poses no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

Attached is a picture of the pole. Please call with any questions you may have.

cc: David Allen, P.E. Deputy Director of Public Works   
Kelli Barnaby, City Clerk





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of New Hampshire**

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Public Service Company of New Hampshire  
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Manchester, NH 03105-0330  
(603) 669-4000

The Northeast Utilities System

November 7, 2011

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

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace poles located in the City of Portsmouth. Enclosed for your review is pole license petition 63-0518 for pole(s) located in the City of Portsmouth.

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

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

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

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

Respectfully,

*Lisa-Marie Pinkes*

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

Enclosure(s)

**PETITION AND POLE LICENSE**

PETITION

Manchester, New Hampshire

October 25, 2011

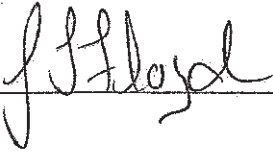
To the City Council of the City of Portsmouth New Hampshire.

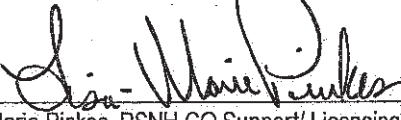
PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such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

License one ( 1) pole(s), 118/3 located on Mendum Avenue in the City of Portsmouth.

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

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 

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

LICENSE

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

ORDERED

This 25th day of October, 2011, that, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked "PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE No. 63-0518, dated 9/8/2011, attached hereto and made a part hereof.

City of Portsmouth, New Hampshire

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

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

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Town Clerk





12/05/2011



January 13<sup>th</sup>, 2012

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



Dear Mr. Bohenko,

On behalf of the staff and board of directors at Sexual Assault Support Services (SASS), I am asking for permission to hold our 5th annual 5K to Keep Kids SAFE on Pease International Tradeport on Sunday, April 15<sup>th</sup>, 2012 at approximately 11:00 am. The start/finish of the race will be held at Martin's Point Health Care in Pease 161 Corporate Drive Portsmouth, NH. Last year, the 5k was a very successful family event that included over 230 runners and walkers. We are looking forward to having the event again this year and, as always, we will be working with Pease Development Authority in the planning and running of the event.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Olivia Kopri".

Olivia Kopri  
Community Outreach Coordinator  
Sexual Assault Support Services

Cc: Chief Dave "Lou" Ferland  
Portsmouth Police Department

January 13<sup>th</sup> 2012

Chief Dave "Lou" Ferland  
Portsmouth Police Department  
3 Junkins Ave.  
Portsmouth, NH 03801

Dear Chief Ferland,

Sexual Assault Support Services (SASS) is in the process of seeking approval for our **5<sup>th</sup> Annual 5K to Keep Kids Safe** on Pease Tradeport. We are writing to inquire the availability of your department to work with us at this event. The event will be held on Sunday, April 15<sup>th</sup>, 2012 at approximately 11:00 am. The start /end of the race will be at Martins Point Health Care on Pease Tradeport 161 Corporate Drive Portsmouth, NH. Enclosed please find information regarding the route of the race and the letter that has been sent to the City Manager's Office for his approval.

Feel free to call me should you have any questions or if you require further information. Thank you for your attention in this regard.

Sincerely,



Olivia Korpi  
Community Outreach Coordinator  
Sexual Assault Support Services

Enclosure

Cc: Mr. John Bohenko  
Portsmouth City Manager



www.runnersalley.com

## RUNNER'S ALLEY

104 Congress Street, Suite 101  
Portsmouth, NH 03801

603-430-1212

36 Hanover Street  
Manchester, NH 03101

603-606-6949

4 Coliseum Ave. Unit 2  
Nashua, NH 03063

603-598-1500

received  
1/25/12

January 23, 2012

Dear Mayor Spear/City Council,

Plans for the 15th Annual Runner's Alley/Redhook Brewery Memorial 5k are beginning to take shape and once again we look for your approval to hold the race. This year's race is scheduled for May 27, 2012 at 11:00AM. All the logistics remain the same with the start and finish continuing to be at the Redhook Brewery. One hundred percent of the proceeds from the race will be donated to The Krempels Center, based out of the Community Campus here in Portsmouth. If you are not familiar with The Krempels Center, I urge you to visit their website for a truly moving picture of what they are all about ([www.krempelscenter.org](http://www.krempelscenter.org)).

We look forward to your support once more, with over 2000 runners last year as well as thousands of supporters and volunteers, we're very excited for an even better year! Voted as 1 of New England's top 100 races by New England Runner Magazine this race attracts runners and visitors from all over New England making it a wonderful asset to the entire Portsmouth community. Please consider granting us your permission to conduct another successful event, while raising seriously needed funds for an incredibly inspiring nonprofit organization, The Krempels Center. As always we will work with closely with the police department and the PDA to ensure we are abiding by all necessary rules and regulations.

Thank you for your time and consideration,

Jeanne Sylvester  
Proprietor  
Runner's Alley, LLC

N.H.'s Only Running *Only* Store





**St. John's Lodge, No. 1, F. & A.M.**

351 Middle Street

Portsmouth, New Hampshire 03801-5009



January 12, 2012  
John P. Bohenko  
City Manager  
1 Junkins Ave.  
Portsmouth, NH 03801



Dear Mr. Bohenko,

St. John's Lodge is sponsoring a charitable 5K "Out of Hibernation" Road Race to be held on Saturday, April 14, 2012. All proceeds from this race will be donated to local charities.

Please issue a permit for this race and let us know how to obtain police services. The proposed race route follows:

Race starts promptly at 9:00 AM

The course will take the race from the Miller St. Baptist Church across from the Masonic Temple,

Start on Miller

Right onto Middle

Right onto Church

To the end and then a right onto Marcy

Right onto School

Left onto South

Right onto Middle

Back to Masonic Temple

Expect that, even with the slowest runners, the race will be over by 10:30AM.

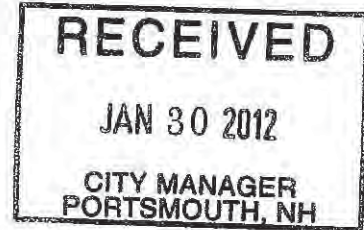
Thank you for your assistance in this matter.

Sincerely,

*Robert L. Sutherland, Jr.*

Robert L. Sutherland, Jr.  
280 Bayside Rd.  
Greenland, NH 03840-2162  
603-436-1095

Friends of the South End  
PO Box 443  
Portsmouth, NH 03802



January 27, 2012

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

Dear John,

On behalf of the Friends of the South End and our annual Fairy House Tour event, we would like to ask once again for the city's permission to host our event on Saturday, Sept. 15, 2012 from 9:00-1:00 pm and Sunday, Sept. 16, 2012 from 11:00-3:00 pm, as well as to help clear our area from conflicting events.

The Tour will encompass the usual route within the South End and we are asking the city for permission to use Peirce Island for parking and fairy house building, as well as the use of Prescott Park.

We will once again supply crossing guards at the Prescott Park side of the Peirce Island Bridge and anticipate hiring a police officer to aid in the public's crossing over Marcy Street at the Prescott Park flag pole.

We look forward to working once again with the city to create one of our areas most beloved events. Please let us know if you need more detailed information at this time and we look forward to meeting with the city departments at a date set at your convenience.

Thank you for always helping us create a wonder in our neighborhood.

Two handwritten signatures in cursive. The first signature is "Caroline Ampert" and the second is "Nancy Pollard".

Caroline Ampert  
2012 Fairy House Tour Coordinator  
caroline@canoeharbor.com  
(603) 686-4338

Nancy Pollard  
Past President  
Friends of the South End.

JAN-31-2012 01:34P FROM: 10:4271526 P.1  
Attention City Manager 1/31/12

State Street Saloon

Please renew our  
Dumpster Permits for 2012

We have two Dumpsters  
on Church Street

Thank You  
E. Sakonelis



Rec'd.  
JAN 1 8 2012

January 5, 2012

Portsmouth City Council

Re: Dennett Street Parking Proposal

Dear Councilors,

We are writing to request a reconsideration by the Traffic and Safety Committee of the parking plan for the intersection of Dennett and Kane Streets.

The plan before you is the result of a process that began with concerns we expressed about the parking in the intersection to the Traffic and Safety Committee last August. DPW prepared the plan before you at the request of the Committee.

When we saw the plan shortly before the meeting, it was clear to us that our request had been misunderstood. We expressed this at the meeting. Steve Parkinson, realizing there had been a misunderstanding, voted against the plan, but the plan passed three to two.

If reconsideration is granted, we will discuss the problem with DPW as well as with the committee to avoid any future misunderstandings.

Sincerely,

Tylene Jousse, 197 Dennett Street

Alain Jousse, 197 Dennett Street

Mildred Grady, <sup>36 Kane St</sup> ~~197 Dennett Street~~

Paula Taylor, 23 Kane Street

Lee Rubin, 1 Kane Street

Lucy <sup>Salyer</sup> ~~Salyer~~, 1 Kane Street

Joseph Caldarola, 170 Dennett Street #2

Barbara Bowlus, 170 Dennett Street #2

Anne Sears, 170 Dennett Street #1

Jim Sears, 170 Dennett Street #1

Phillipe Favet, 155 C Dennett Street

*Tylene Jousse*

*Alain Jousse*

*Mildred J. Grady*

*Paula Taylor*

*Lee Rubin*

*Lucy Salyer*

*Joseph Caldarola*

*Barbara Bowlus*

*Anne Sears*

*Jim Sears*


*Phillipe Favet*

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

*Office of the City Manager*

**DATE:** January 31, 2012

**TO:** Honorable Mayor Eric Spear and City Council Members

**FROM:** John P. Bohenko, City Manager 

**RE:** **Greater Portsmouth Chamber of Commerce UDAG Loan Request**

---

Attached is a letter from Economic Development Commission Chair Everett Eaton regarding a request from the Greater Portsmouth Chamber of Commerce for an Urban Development Action Grant (UDAG) loan to develop a dedicated tourism website. I recommend that this request be acted upon at the February 21, 2012 City Council meeting.





# CITY OF PORTSMOUTH

Economic Development Department  
(603) 610-7220

January 31, 2012

Honorable Mayor Eric Spear and City Council Members  
City Hall  
1 Junkins Ave.  
Portsmouth, NH 03801

Dear Mayor Spear and City Council Members:

Attached is a request from the Greater Portsmouth Chamber of Commerce for funding to develop a dedicated tourism website. This request was made to the Economic Development Commission (EDC) during the Chamber's April 2011 quarterly tourism report and the EDC has been working with the Chamber on refining the proposal in the ensuing months. Below is a summary of the EDC's response to the proposal and a recommendation to the City Council.

As you are aware, for the past 11 years the City has had a successful partnership with the Greater Portsmouth Chamber of Commerce for promotion of Portsmouth as a cultural tourist destination. The City has provided an annual grant of \$40,000 from UDAG funds in exchange for services such as attending trade shows, hosting travel writers and promoting Portsmouth as a travel destination nationally and internationally through collateral such as *The Guide to the Seacoast*, *The Harbor Guide* and various seasonal lure brochures. It also organizes Restaurant Week and Retail Week as a means to entice visitors and residents to local restaurants and retailers during the slower tourist months. The Chamber collects and reports to the EDC on a series of visitation metrics including web, phone and kiosk inquiries, Harbor Trail tours, Hampton Toll traffic, lodging occupancy, and cruise ship visits. The EDC believes this partnership leverages the city's competencies and adds value to our mutual goal of maintaining the vitality and success of our business community without duplication of effort.

Recent quarterly tourism reports by the Chamber have demonstrated that visitors are more frequently accessing visitor information via the internet rather than via traditional methods which has precipitated the funding request to develop a Greater Chamber of Commerce website dedicated to tourism. At its November, 2011 meeting the EDC heard a presentation from Doug Bates, Chamber President, and Valerie Rochon, Chamber of Commerce Tourism Manager on the need for a tourism website. The presentation provided examples of both business to business websites and tourism websites. Ms. Rochon made the distinction between private commercial websites and a non-profit Chamber of Commerce or a Visitor and Convention Bureau website. The EDC sees this as an opportunity to have a one-stop website location for all Portsmouth tourism destination information versus the fragmented information that is available currently. The estimated cost to develop the website is \$22,000-\$30,000.

Following the presentation, the EDC determined that the tourism website request has merit. However, the consensus was to loan rather than grant the funds to the Chamber to create the website. The loan would be made from UDAG funds and would be used to leverage private funding from tourism business stakeholders. The terms that were proposed are included in as an attachment to this memorandum.

The EDC recommends that the City Council approve the use of UDAG funds for the loan as proposed.

Sincerely,  


Everett Eaton, Chair  
Portsmouth Economic Development Commission

CC: John P. Bohenko, City Manager  
EDC

1 Junkins Avenue  
Portsmouth, New Hampshire 03801  
Fax (603) 427-1593

**Terms and Conditions of Potential Loan to Greater Portsmouth  
Chamber of Commerce for Tourism Website**

Purpose of Loan: To create and launch a tourism-focused destination website aimed at visitors to the greater Portsmouth area.

Loan Amount: Up to \$30,000

Loan Term: 5 years (60 months)

Rate: 75% of the Prime Rate fixed as advertised in the *Wall Street Journal* on the date of closing.

Repayment: Year 1 Monthly interest only  
Years 2-5 Monthly principal and interest

Financial Reporting: Submission of Chamber annual financial statement.

Other Conditions: Evidence of progressive action on solicitation of funds from stakeholders served by the website.



GREATER  
**PORTSMOUTH**  
CHAMBER OF COMMERCE

05 July 2011

Mr. Everett Eaton, Chair, Economic Development Commission  
c/o Nancy Carmer  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

Dear Everett:

Thank you for the opportunity to present our proposal for funding of a new tourism website to promote Portsmouth and the Seacoast area, as a continuation of the economic development partnership between the City of Portsmouth and the Greater Portsmouth Chamber of Commerce.

The internet has been a great equalizer for the tourism industry. Years ago, only the larger hotel groups and destinations could afford to advertise in their target markets. Portsmouth, for example, will never have the budget Las Vegas does to market the destination. However, with the advent of the internet, websites and search engines, even the smallest destinations have the opportunity for a presence in the marketplace.

In 2010, Rockingham County generated \$68.5 million dollars in rooms and meals tax revenue for the State of New Hampshire, contributing 30% of the State's entire R&M revenue. Portsmouth and the Seacoast are significant contributors to these revenue dollars. To remain competitive, a tourism-based website is critical to our success.

As with any marketing, identifying your customer is a key step. The current Greater Portsmouth Chamber of Commerce website was built as a business to business site, and serves that purpose well. It is not targeted to the visitor. If Portsmouth is to compete in the global tourism marketplace, we must have a website that entices the visitor to come, enjoy all that we have to offer, stay for multiple days, and return home as an Ambassador for the Seacoast.

I encourage you to visit these sites which highlight the difference between a B to B vs. a tourism website. (Also see examples attached.)

Examples of tourism sites:

[disneyworld.disney.go.com](http://disneyworld.disney.go.com)

[visitmyrtlebeach.com](http://visitmyrtlebeach.com)

[gonewport.com](http://gonewport.com)

Examples of B to B sites:

[newburyportchamber.org](http://newburyportchamber.org)

[portsmouthchamber.org](http://portsmouthchamber.org)

[napleschamber.org](http://napleschamber.org)

The GPCC seeks to create a website that will fully support our current destination marketing initiatives. We will seek community partners to collaborate in an effort to get the best of Portsmouth on one site. Portsmouth has some great existing sites and we will seek to collaborate (as we did with Big Brown Books on the Harbor Guide: The Official Guide to Portsmouth & the Seacoast) to create the "official" Destination Portsmouth Website. This can be accomplished in two ways:

We can build it gradually over three years or we can build it in one year. The cost in dollars is essentially the same in our request: \$30,000. However the continued loss of increased visitor revenue by waiting three years to have full functionality could be substantial. We request a one-time grant of \$30,000 from the City for fiscal year 2012. This represents the best value.

Sincerely,



Doug Bates, President



Valerie Rochon, Tourism Manager



http://www.gonewport.com/

Greater Portsmouth Chamb... | M Megs Loope

Opunquit.org - Opunquit, m...

Welcome to Go Newport...

MEETINGS

GROUP TOURS

MEDIA

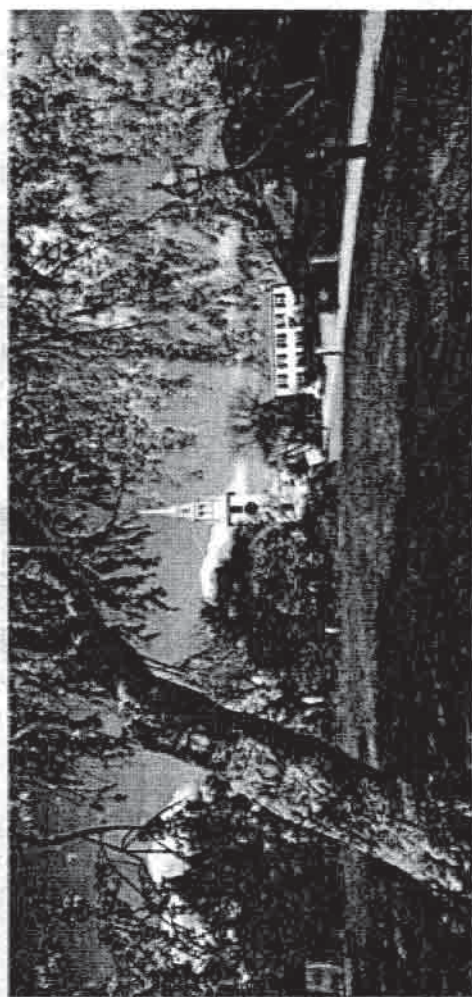
WEDDINGS

Facebook icon

GO



- WHERE TO STAY
- WHERE TO DINE
- WHERE TO SHOP
- THINGS TO DO
- VISITOR CENTER
- TRAVEL TOOLS



Barrington | Bristol | Jamestown | Little Compton | Middletown | Newport | Portsmouth | Thurston | Warren

EMAIL NEWSLETTER

SIGNUP



**Spring Packages**

Home to spectacular coastal scenery, awe-inspiring architecture, a thriving waterfront downtown, and welcoming hospitality, Newport, Rhode Island is considered by many to be a driving gem in the coastal crown of New England. From seahound getaways spent touring the famed Gilded Age mansions that once were the summer playground for socialites (many with names like Astor and Vanderbilt) to an afternoon of wine tasting through Newport's three scenic vineyards, the options for interesting activities, distinctive stories, and enticing photo opportunities are countless!

EVENTS

TRAVEL PACKAGES

LAST MINUTE DEALS

TRAVEL GUIDE

- What's New*
- JULY 1 AIR NATIONAL GUARD BAHAD OF THE ROER THEAST CONCERT
  - JULY 2-3 FEDERAL CLASSIC REGATTA
  - JULY 2 BRANFORD SHREER COMEDY SERIES - JOHN PINE III
  - JULY 3-10 CAMPBELL'S HALL OF FAIRIE TERNIS CHAMPIONSHIPS
  - JULY 4 226TH BRISTOL FOURTH OF JULY CELEBRATION
  - 2011/2012 TRAVEL GUIDE CLICK HERE TO ORDER
  - ON THE GO? CHECK OUT OUR FIBRILE SITE! GONENPORT.HDEI

Done

start Portsmouth, PA

Welcome to Go Newport...

RACK CARUS - Micros...

Microsoft Excel - FR

Microsoft Word

Internet

100%







STAY PLAY  
 DINE GOLF  
 SAVE MAP  
 GROUPS VIDEOS

Current Weather Conditions: Smoke, 84.0 F (29.0 C) More >>

**Welcome to the Official Destination Website for the Myrtle Beach Area of South Carolina  
 Find Unlimited Activities, Myrtle Beach Hotels, Resorts, Additional Accommodations  
 and More In Our Myrtle Beach Vacation Guide**

Welcome to Myrtle Beach, SC and the area's official online vacation guide which offers everything you need to plan a perfect vacation to the Myrtle Beach area. Plan your stay online and choose from a wide assortment of accommodation options including Myrtle Beach hotels, resorts, motels, condos, beach homes and additional types of vacation rentals. From oceanfront resorts along the entire Grand Strand, to cozy beach homes and vacation rentals in North and South Myrtle Beach, including Surfside Beach and Garden City, find the amenities and location perfect for you. Once you have decided on your place to call home, create unforgettable memories in this South Coast paradise, which offers:

- o 60 miles of white, soft sand beaches
- o Savory restaurants and family-friendly dining
- o Amusement and water parks
- o Live entertainment theaters and exciting nightlife
- o Thrilling water sports
- o The best golf courses in the south
- o Cultural activities and historic sites
- o Outlet malls, specialty boutiques, flea markets and specialty stores
- o Freshwater, ocean and deep sea saltwater fishing

**Summer Vacation Deals**

- Getaway Packages
- Stay or Eat Specials
- Attraction Tickets
- Additional Savings

**Myrtle Beach Area Visitor Survey**

Complete the visitor survey for a chance to win a \$10 American Express Gift Card

**LIVE Web Cam**

A Great View of the Beach and See the New 3M Wheel





Walt Disney World

Sign In or Create an account My Disney Vacation My Reservations Possibilities: FREE Vacation Planning DVD Search DisneyWorld.com

Price Your Vacation My Reservations

I am looking for:

Packages  Hotels  Dining  Tickets

Check In: 7/14/2011 Check Out: 7/16/2011

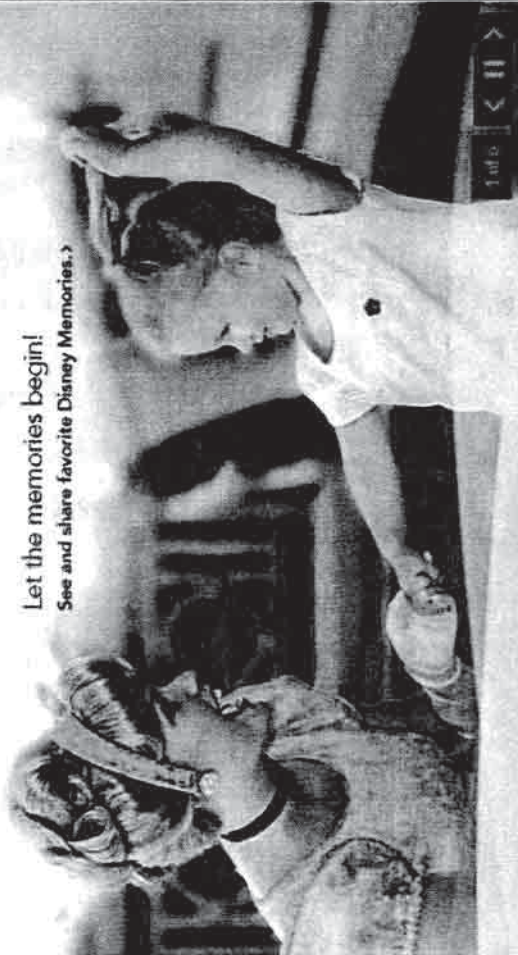
Adults: 2 Children: 0 Non-room booking?

Resort Hotel:  No Preference

Include Dining Plan

All prices in US dollars. Need special accommodations for guests with disabilities? Please only getting started? Try The Vacation Package Guide >

Let the memories begin!  
See and share favorite Disney Memories.>



Walt Disney World News 2012 Disney Cruise Line Reservations



**FREE Vacation Planning DVD**  
Get tips, guides and tours of the Parks and Resorts. Order Now >



**Fit Your Family & Budget**  
\$69/week - \$170 vacation pkg. Select Value Resort (family of 4). Your Disney Memory is Waiting >



**Vacation Package Guide**  
Get personalized recommendations on the right Magic Your Way package. Get Your Recommendation >



**FREE Customized Maps**  
Create keepsake maps of all Walt Disney World theme parks. Design your map now! >





Visitors Information Center

CenturyLink Business

Get CenturyLink™ Business-Class High-Speed Internet \$14.95 a month for 1 year

Upcoming Events

**DOWN TOWN NAPLES**

ANNUAL GUIDE TO THE BEST OF DOWNTOWN NAPLES

SHOPPING  
DINING  
ARTS



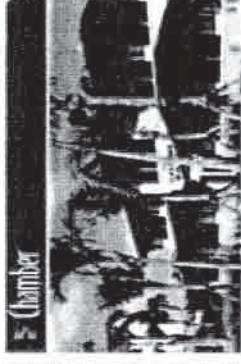
No matter what your age or stage, there's always something interesting to do in Naples. Click here for information on everything from fine dining and shopping to nature adventures and golfing.

- Accommodations
- Restaurants
- Real Estate
- Arts and Culture
- Relocation Guide



Whether you're looking for key demographics or expert advice on starting your business, our Business section is an endless source of information. Get better connected with what's happening in our thriving business community.

- Naples Business Directory
- Relocating / Starting a Business
- Growing Your Business
- Business Resources & Contacts
- "Best Business Practices" Educational Videos



The Naples Chamber works for a healthy economic climate that includes good jobs, capital creation and honest, efficient government. The Chamber's strength lies in the number and diversity of its membership.

- About the Greater Naples Chamber
- Member Area
- Join the Chamber
- Leadership Programs
- Naples Young Professionals

Visit our Facebook page

Events

August

News and Press



GREATER  
**PORTSMOUTH**  
 CHAMBER OF COMMERCE



Your business community.  
 Your business resource.

- > BUSINESS DIRECTORY
- > MEMBER DISCOUNTS
- > NETWORKING EVENTS
- > PROMOTE YOUR BUSINESS



**FREE PARKING!**  
 PORTSMOUTH EXIT 3A  
*Every hour from 3:00 AM*

**BOSTON & LOGAN AIRPORT**

Visit the Seacoast:

- View our Guide to the Seacoast online!
- Request a free Guide to the Seacoast
- Seacoast Events
- The Boston Portsmouth Air Show, Aug. 13th & 14th
- Have you heard of the Portsmouth Fall?
- Sign up for our Seasonal Alerts
- Seasonal Videos

Chamber Events:

66 July 2011 77

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Member News:

- View Pictures From Past Events!
- Business After Hours, June 23
- Mid-Day Meet, July 1
- Harbour Trail Road Race, July 9
- Seacoast Mobile Summit & eCourse, July 14





Your business community.  
 Your business resource.

- > BUSINESS DIRECTORY
- > MEMBER DISCOUNTS
- > NETWORKING EVENTS
- > PROMOTE YOUR BUSINESS



**FREE PARKING!**  
**PORTSMOUTH EXIT 3A**  
*Every hour from 3:00 AM*

**BOSTON & LOGAN AIRPORT**

**Visit the Seacoast:**

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- Seasonal Videos

**Chamber Events:**

66 July 2011 77

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**Member News:**

- View Pictures From Past Events!
- Business After Hours, June 23
- Mid-Day Meet, July 1
- Harbour Trail Road Race, July 9
- Seacoast Mobile Summit & eCourse, July 14

## Outdoor Boot Camp Proposal

We are interested in the possibility of holding an Outdoor Fitness Class on Pierce Island two evenings and possibly two early mornings a week starting in April and continuing through September.

The class would start at 5:45-6:30 am and 6:30 -7:15 pm possibly on Mondays and Wednesdays. There would be approximately 5-30 people in the class at any given time. The first session would begin April 2nd-May 9th. If the interest is there we will continue six week sessions throughout the summer.

Class format consists of a stationary 5 minute warm-up at the beginning and the end of class. During class we do a variety of exercises that include push-ups, sit-ups, jumping jacks as well as many other types of drills. We try to move around as much as possible and try not to stay in one area the entire time. If there are already existing activities going on we try to move to other locations in order not to interfere.

We presently hold a Boot Camp class on the waterfront in Newburyport and have done so for the past five years. It's a great way to start your day and we have many followers who love to exercise while watching the sunrise and set. To learn more about us you can go to our website, [fueltrainingstudio.com](http://fueltrainingstudio.com).

We look forward to hearing from you.

Julie Bokat and Jeanne Carter  
Owners, Fuel Training Studio

January 27, 2012

**received**  
1/30/12

Honorable Mayor and City Council  
City Hall  
1 Junkins Avenue  
Portsmouth, NH 03801

Re: Zoning Ordinance Section 10.836.20

Dear Mayor and City Council:

I would like to request that the Planning Board consider amending this section regarding drive-through lanes for retail/commercial buildings outside of the Central Business District. As currently worded, the section limits drive-throughs to a maximum of two lanes and each drive-through lane requires 5,000 square feet of gross floor area. This section of the ordinance is not realistic or appropriate for the following reasons:

1. Banks need at least 3 drive-through lanes (1 teller lane, 1 ATM lane and 1 bypass lane) for customer convenience and retail traffic flow.
2. Retail or commercial establishments that require more than 1 drive-through lane will usually not be 10,000 s.f. in size. Most will likely be under 5,000 s.f. and, although the Planning Director has interpreted this section to read "up to 5,000 s.f. of gross floor area is permitted one drive-through", the language in the ordinance is not clear in this regard.

Thank you for your consideration of this request and I look forward to further discussion on this issue with the Planning Board.

Sincerely yours,

GRUBB & ELLIS|NORTHERN NEW ENGLAND



David F. Choate, III

DFC/ps



**10.836.20 Size of Facilities**

- 10.836.21 No **drive-through facility** shall have more than two **drive-through lanes**.
- 10.836.22 No **drive-through facility** shall have more than one **drive-through lane** for each 5,000 square feet of **gross floor area** of the **principal use** that it serves.

**10.836.30 Setbacks**

- 10.836.31 All outdoor service facilities (including transaction windows, menu boards, speakers, etc.) shall be located a minimum of 100 feet from any residential zoning district, and 50 feet from any **lot line**.
- 10.836.32 All **drive-through lanes**, **bypass lanes**, and **stacking lanes** shall be located a minimum of 50 feet from any residential zoning district, and 30 feet from any lot line.
- 10.836.33 Menu boards shall be shielded from public **streets** and residential properties.

**10.836.40 Traffic Capacity and Safety**

- 10.836.41 In addition to the standards and conditions for special exceptions set forth in Section 10.233, the Zoning Board of Adjustment may grant a special exception for a **drive-through facility** under this section only if it determines that the level of service and traffic safety conditions of all **streets** and intersections to be impacted by the project will be the same as, or better than, predevelopment conditions.
- 10.836.42 In making its determination, the Board shall consider the traffic impact analysis and additional available information, including review by independent consultants if deemed necessary.

10.837 Lodging

**10.837.10 Hotels and Motels in Office Research District**

- 10.837.11 Access to and egress from the **lot** shall be on an arterial **street** and located within one mile of either Interstate 95 or NH Route 16.

10.838 Marine Related Uses

**10.838.10 Fishing Boat Landings in Residential Districts**

- 10.838.11 No **fish processing** or **fish preparation** or sales of sea-related products shall take place in a residential district.



P = Permitted S = Special Exception C(1) = Conditional Use Permit N = Prohibited

Use	R	SRA	GRA	GRC	GA/	MRO	MRR	CHA	CHB	GB	GW	B	WR	OR	T	WI	Supplemental Regulations
	SRB	GRB	(A)	MH													
19.40 <b>Drive-through facility</b> , as necessary use to a permitted <b>principal use</b>	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	N	10.8.30 (accessory drive-through uses)
<b>20. Accessory Storage</b>																	
20.10 Indoor storage of motor vehicles or boats as an accessory use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.20 <b>Outdoor storage</b> of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one <b>commercial vehicle</b> , which shall be limited to no more than 2 axles and 6 wheels.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.30 <b>Outdoor storage</b> for not more than 9 consecutive months of boats owned by residents of the property.																	
20.31 Not more than one motorboat or sailboat longer than 12 feet	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.32 Any number of (a) motorboats or sailboats up to 12 feet in length, or (b) hand-powered craft (canoes and kayaks) without restriction as to length	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.40 <b>Outdoor storage</b> of lobster traps, lobster buoys, and associated rope	P	P	P	P	P	P	P	N	N	P	P	P	P	P	N	P	10.8.11.20



# Board of Police Commissioners

of the

City of Portsmouth, N.H.

30 January, 2012



The Honorable Eric Spear &  
The Portsmouth City Council  
1 Junkins Avenue  
Portsmouth, NH 03801

**RE: Pawn Shops**

Dear Mayor and Council:

The commission is writing to enlist the aid of the city council in addressing a deficiency in the current city ordinance regulating pawn shops. As written, the current ordinance covers the issuing of licenses only. It does not address record keeping requirements, the importance of which has been highlighted by recent burglary investigations.

In more than one instance, detectives traced stolen items to a particular pawn shop, only to find that because there are no record keeping requirements and no stipulation on how long items must be held in the shop, they were not able to recover the stolen property. In one case, the detectives were not able to match any of the stolen items up with what was in the shop even though they knew the stolen items were there, because the record keeping descriptions were so poor; in another case, though they tracked the stolen items to one of the pawn shops within a very short time, the shop had already sent all the jewelry out to be melted down and the items were lost. As currently written, none of these actions violate the existing ordinance.

The commission is concerned that with the present holes in our ordinance, Portsmouth will become a haven for people selling stolen coins and jewelry, once the word gets around the criminal community. Our investigators learned that one suspect had received \$10,000 for jewelry and coins pawned in a Portsmouth shop.

TO: The Honorable Mayor & Council  
RE: Pawn Shop Ordinance  
26 January, 2012  
Page 2 of 2

We would like to see regulations on hold times and record keeping requirements for these businesses. The commission is requesting an expanded ordinance be drafted by the legal department and brought to the council for a first reading.

We appreciate your considering these changes, and are ready to work with you to remedy this developing situation.

Very truly yours,



---

John F. Golumb, CHAIRMAN  
PORTSMOUTH POLICE COMMISSION

JFG:kml

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

**Office of the City Manager**

**Date:** February 2, 2012  
**To:** Honorable Mayor Eric Spear and City Council Members  
**From:** John P. Bohenko, City Manager  
**Re:** City Manager's Comments on February 6, 2012 City Council Agenda

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*5:30 p.m. – Non-meeting with counsel.*

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

.....  
***Work Session:***

**6:30 p.m. – Work Session Re: FY13 Budget Discussion.** On Monday evening, the Mayor has requested a Work Session at 6:30 p.m. to discuss the FY13 Budget.

***Presentation:***

1. **Comprehensive Annual Financial Report (CAFR) – Scott McIntyre of Melanson, Heath & Company, P.C. Auditors' Financial Report for the Year Ending June 30, 2011 (Annual Audit).** On the inside cover of your packet, I am providing you with a copy of the City's Comprehensive Annual Financial Report (CAFR), which includes the financial statements for the fiscal year ending June 30, 2011 (Annual Audit). The Fiscal Year 2011 Audit was prepared by the firm of Melanson, Heath & Company, P.C. Also, **enclosed on the inside cover of your packet is the Management Letter** for the year ending June 30, 2011, prepared by our auditor. On Monday evening, Scott McIntyre from Melanson, Heath & Company will be in attendance to make a presentation on the aforementioned report.



## ***Acceptance of Grants and Donations:***

1. **Acceptance of Wellness Grant.** I am pleased to inform you that the City of Portsmouth has been awarded a \$2,500 grant from the HealthTrust's Health Promotion WELLDollars Health and Safety Grant Program to be used towards the City's wellness efforts.

By offering a wellness program for City employees, it is our goal to reduce health risk factors and create a healthier lifestyle for our employees. To realize this goal, the City, through its Wellness Program, will provide health and safety programs to its employees in an effort to improve the quality of their lives.

The City also feels that, with the rising cost of health care, as well as the financial implications to the Community of lost time on the job, a comprehensive wellness program is our best chance of reducing cost to the Community and having a physically fit work force through proactive injury prevention.

*I would recommend the City Council move to accept and approve the Wellness Grant, as presented. Action on this item should take place under Section VIII of the Agenda.*

2. **Acceptance of Re-allocation of Grant for the Sagamore Island Purchase.** On January 19, 2010, the City Council authorized acceptance of a \$40,000 NH Coastal Program (NHCP) grant to go towards a conservation/recreation project, which included acquiring the Stokel property on Peverly Hill Road. To date, there is no willing seller for that property. NHCP is under time constraints by which its grant funds must be expended. NHCP has agreed to allow the City to re-allocate \$12,500 to be used for the purchase of the Island in Sagamore Creek. For your information, the original purchase price is \$21,900. [See attached map for location of the island.](#)

*I would recommend the City Council move to authorize the City Manager to accept and expend a NH Coastal Program grant in the amount of \$12,500 to purchase the Island in Sagamore Creek as presented. Action on this item should take place under Section VIII of the Agenda.*

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

1. **Consideration of First Reading of Proposed Resolution and Ordinance Amendments:**
  - 1.1 **First Reading of Resolution Amending Elderly & Disabled Exemptions Income Asset Limits.** As requested by the City Council at the January 17<sup>th</sup> City Council meeting, under Section IX of the Agenda, I am bringing back for first reading the [attached proposed Resolutions amending Elderly and Disabled Exemption Income and Asset Limits](#). Annually, the City of Portsmouth reviews income and asset levels for both the Elderly and Disabled Exemptions pursuant to RSA 72:39-b and RSA 72.37-b and makes recommendations as to these levels.

Last year, the City Council adopted resolutions # 2-2011 and # 3-2011 which increased the income and asset levels for both the elderly and disabled exemptions by 1.00% from the previous year. The current elderly and disabled exemption income levels are \$33,514 for a single taxpayer, \$41,343 for married taxpayers, and an asset limit of \$111,718.

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 November to November CPI of the Boston-Brockton-Nashua November consumer price index (CPI) is 2.9%. If the City Council wishes to adjust the income and asset levels for both the elderly and disabled taxpayers by the November to November CPI of 2.9%, this would increase the limits (rounded up) as follows:

- Single                    \$34,486    increase of \$972
- Married                  \$42,542    increase of \$1,199
- Asset Limit of          \$114,958   increase of \$3,240

Any adjustment if approved would be for assessments as of April 1, 2012 for the 2012 tax year or FY13.

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

I have [attached for your information the tax impact](#) of the elderly and disabled exemptions for FY12.

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

- 1) *Move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the Resolution for Elderly Exemptions, as submitted, at the February 21, 2012 City Council meeting. (Resolution requires two readings and a majority vote.)*

2) *Move to pass first reading and authorize the City Manager to bring back for public hearing and adoption the Resolution for Disabled Exemptions, as submitted, at the February 21, 2012 City Council meeting. (Resolution requires two readings and a majority vote.)*

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

2. **Public Hearing/Second Reading of Proposed Ordinance Amendments:**

2.1. **Public Hearing/Second Reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances.** As a result of the January 17<sup>th</sup> City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the proposed Omnibus Ordinance Amendment to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances, Section 7A.406 – Horse Drawn Carriages spaces on Pleasant Street and Section 7.330 – by eliminating the No Parking area on State Street, between Court Place and Church Street; installing four new metered spaces; and undertaking ordinance cleanup measures (see attached aerial maps and explanation). At its October 13, 2011 meeting, the Parking Committee recommended forwarding the aforementioned Chapter 7 Omnibus Ordinance Amendment to the City Council for approval. The City Council approved the minutes at the November 21, 2011 City Council meeting.

*I would recommend that the City Council move to pass second reading for the proposed changes to Chapter 7 of the Vehicles, Traffic Parking Omnibus Ordinances, as recommended by the Parking Committee, and schedule a third and final reading at the February 21, 2012 City Council meeting. Action on this item should take place under Section IX of the Agenda.*

2.2. **Public Hearing/Second Reading of Amendment to Chapter 7, Section III – Section 7.330: No Parking – Junkins Avenue.** As a result of the January 17<sup>th</sup> City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the proposed Ordinance Amendment to Chapter 7, Article III, Section 7.330 (see attached map):

Section 7.330: No Parking

A. Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:

61. Junkins Avenue: both sides, ~~from Pleasant Street to Parrott Avenue.~~

The attached map depicts the placement of “No Parking” signs on Junkins Avenue. Only two new sign poles will have to be erected, one adjacent to the Parrott Avenue parking lot and another south of Lincoln Avenue. Six other signs will be placed on existing utility poles or sign poles. This strategy will enable us to adequately post the entire street at all through-traffic access points while preventing sign clutter in the

vicinity of the South Mill Pond. We will try to limit the signs, and there will be no signs on the causeway.

At its October 13, 2011 meeting, the Parking Committee recommended forwarding the aforementioned proposed Ordinance Amendment to the City Council for approval. The City Council approved the minutes at the November 21, 2011 City Council meeting.

*I would recommend that the City Council move to pass second reading for the proposed changes to Chapter 7 of the Vehicles, Traffic Parking Omnibus Ordinances, as recommended by the Parking Committee, and schedule a third and final reading at the February 21, 2012 City Council meeting. Action on this item should take place under Section IX of the Agenda.*

3. **Public Hearing:**

- 3.1 **Public Hearing Re: Resolution Authorizing a Supplemental Appropriation of up to \$150,000 from Unassigned Fund Balance (F.K.A. Undesignated Fund Balance) for the Operation of the Fire Department.** As you are aware, at the January 17<sup>th</sup> City Council meeting, the City Council voted to conduct a public hearing on Monday evening regarding the request ([see attached letter](#)) from the Fire Commission for a supplemental appropriation of \$150,000 for FY12.

In accordance with the City Charter, a supplemental appropriation requires a public hearing and 2/3's vote of the City Council. The funding for this supplemental appropriation would come from the City's unassigned fund balance.

The other option for the City Council to fund the shortfall is to authorize the City Manager to expend these funds from the contingency line for the FY12 Budget. Using money from contingency would not require a public hearing and would require a simple majority vote of the City Council.

It should be noted if the City Council authorizes the \$150,000, the contingency line would be depleted by 60%, and it would leave only \$100,000 remaining for the rest of the year for all City departments.

Also, Councilor Anthony Coviello requested that the [attached information regarding the Insurance Services Office \(ISO\)](#) be included in the packet.

*Action is required on this matter.*





side of State Street, with traffic exiting Prescott Park parking lot detoured to Marcy Street and Court Street during the construction phase.

As you know, for similar construction projects we have addressed such requests via a license agreement and staff recommends a similar process here with the exception that the State not be charged for the meters during the construction period, due to the significant public benefit derived from the replacement of the Memorial Bridge and the fact that this work is being carried out by NHDOT in partnership with the City.

*I would recommend the City Council move to authorize the City Manager to enter a license agreement with NHDOT for the Memorial Bridge construction laydown area and to authorize the temporary traffic pattern as presented, and further authorize the City Manager to take any other actions necessary to implement the provisions of that license agreement.*

- 1.2 License for Use of City Property Under Scott Avenue Bridge for Bridge Maintenance Staff Parking. As part of the Memorial Bridge Replacement Project DOT is requesting that they be allowed a license for staff parking for the Memorial Bridge lift operators. The proposed staff parking license zone under the Scott Avenue Bridge is as shown on the [attached plan titled "Pavement Marking/NHDOT Maintenance Parking/Generator Area"](#). The Council should note that the City issued a Revocable Parking Agreement to DOT in December 2003 for bridge operator parking in this area.

*I would recommend the City Council move to authorize the City Manager to enter a license agreement with NHDOT for staff parking for the Memorial Bridge lift operators on City land under the Scott Avenue Bridge as presented, and further authorize the City Manager to take any other actions necessary to implement the provisions of that license agreement.*

- 1.3 Easement for Use of City Property Under Scott Avenue Bridge for Backup Generator and Utility Transformer Cabinets. As part of the Memorial Bridge Replacement Project DOT is requesting that they be allowed to install a permanent backup generator and utility transformer cabinets on City property. The proposed easement area under the Scott Avenue Bridge is as shown on the [attached plan titled "Pavement Marking/NHDOT Maintenance Parking/Generator Area"](#). It should be noted that DOT is exploring the possibility of locating the utility transformer cabinets on the easterly side of the Scott Avenue Bridge alongside the generator. The generator will be powered by natural gas, will be tested during daytime weekday hours, will be visually screened with black vinyl fencing, and will have a sound shroud to mitigate noise impacts.

*I would recommend the City Council move to refer the NHDOT's request for an easement to locate a backup generator and utility transformer cabinets on City land under the Scott Avenue Bridge as part of the Memorial Bridge replacement project to the Planning Board for a report back.*

2. **Sunday Parking Enforcement.** As requested by Assistant Mayor Lister, [attached is a proposed ordinance change](#) which would charge Sunday parking from Memorial Day to Labor Day only. I have also [attached a memorandum from Jon Frederick, Director of Parking and Transportation](#), regarding the cost impacts instituting this ordinance.

*If the City Council wanted to proceed with this matter, I would recommend that the proposed ordinance be placed on the February 21<sup>st</sup> City Council meeting for first reading.*

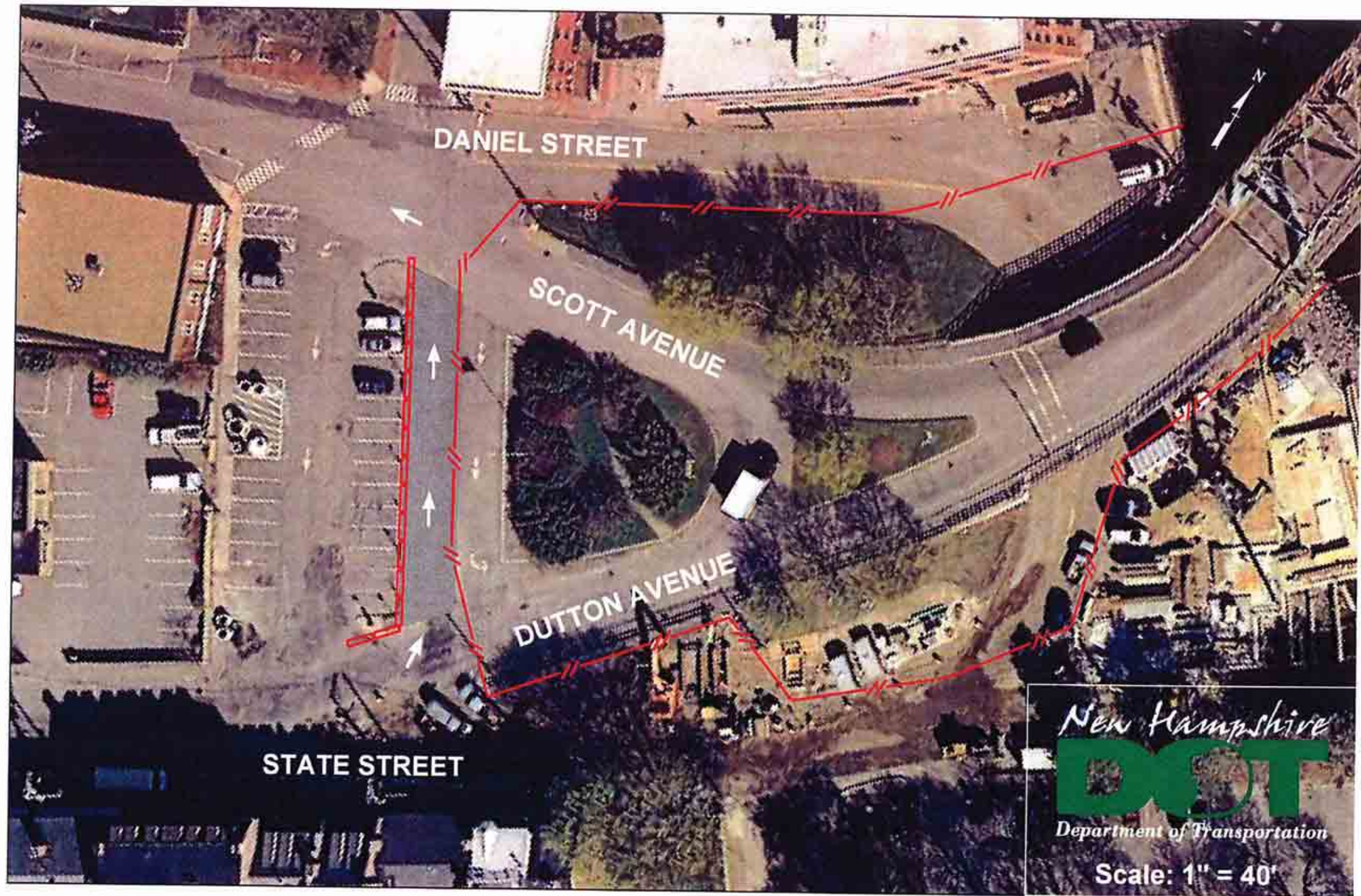
3. **Proposed Zoning Ordinance Amendments – Office Research District.** [Attached is a memorandum from Rick Taintor, Planning Director](#), regarding a proposed zoning ordinance amendment in the Office Research District. At the December 5, 2011 City Council meeting, the Council voted to postpone the ordinance changes for the new City Council. The Planning Board voted unanimously on October 20, 2011 to recommend that the Zoning Ordinance be amended as outlined in the memorandum.

*I would recommend the City Council move to accept the Planning Board's recommendation and, further, authorize the City Manager to bring back for first reading the proposed ordinance amendment, as presented, at the February 21<sup>st</sup> City Council meeting.*

### ***Informational Items:***

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on January 17, 2012. In addition, this now can be found on the City's website.
2. **Economic Development Commission Agenda and Draft Minutes.** For your information, [attached are the Economic Development Commission Agenda](#) for Friday, February 10, 2012 and [the draft minutes](#) of the January 6, 2012 meeting.
3. **Next Steps Resulting from City Council Retreat.** For your information, I have [attached a draft of the Next Steps Resulting from the City Council Retreat](#) on January 28, 2012. If there are any additional items for follow-up, please let me know.



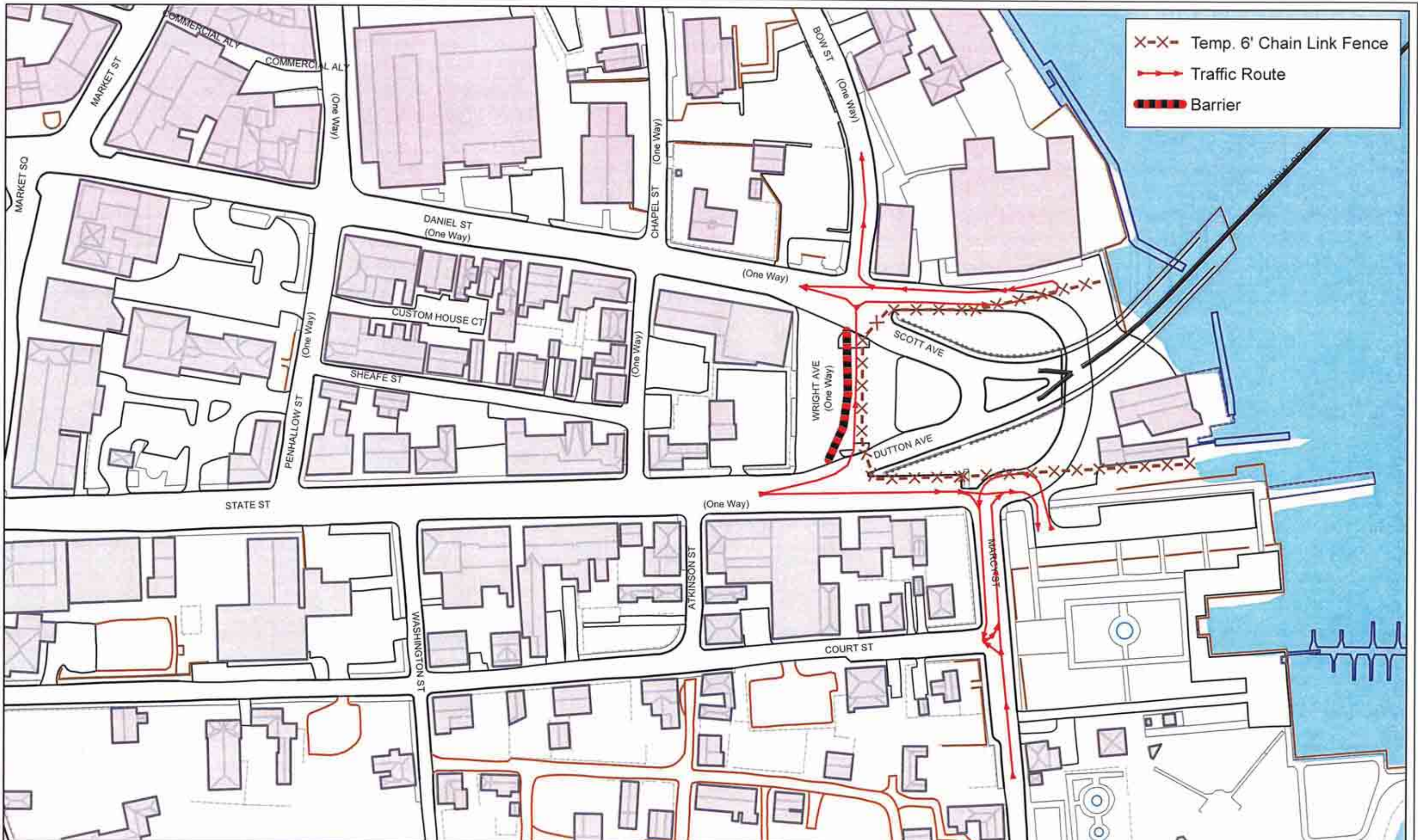


JANUARY 26, 2012  
(REVISED FEBRUARY 1, 2012)

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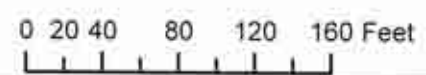
SCOTT AVENUE AND MEMORIAL BRIDGE  
PROPOSED LAY DOWN AREA





Map prepared by Portsmouth Department of Public Works

Map Document: U:\Projects\0498 Memorial Bridge US Route 1\Traffic Control Plan\Traffic Control Plan  
 Printed: February 2, 2012



1 inch = 100 feet









CITY OF PORTSMOUTH  
PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: John P. Bohenko, City Manager  
FROM: Jon Frederick, Director of Parking & Transportation  
DATE: January 19, 2012  
SUBJECT: Sunday Parking Enforcement

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Sunday parking enforcement was implemented on May 8, 2011. We projected \$204,225 in annual revenue from parking meters and violations with this change. Actual revenue received from July – December 2011 was \$106,969 and we project to receive \$101,621 from January – June 2012, for a total of \$208,590 in FY 2012.

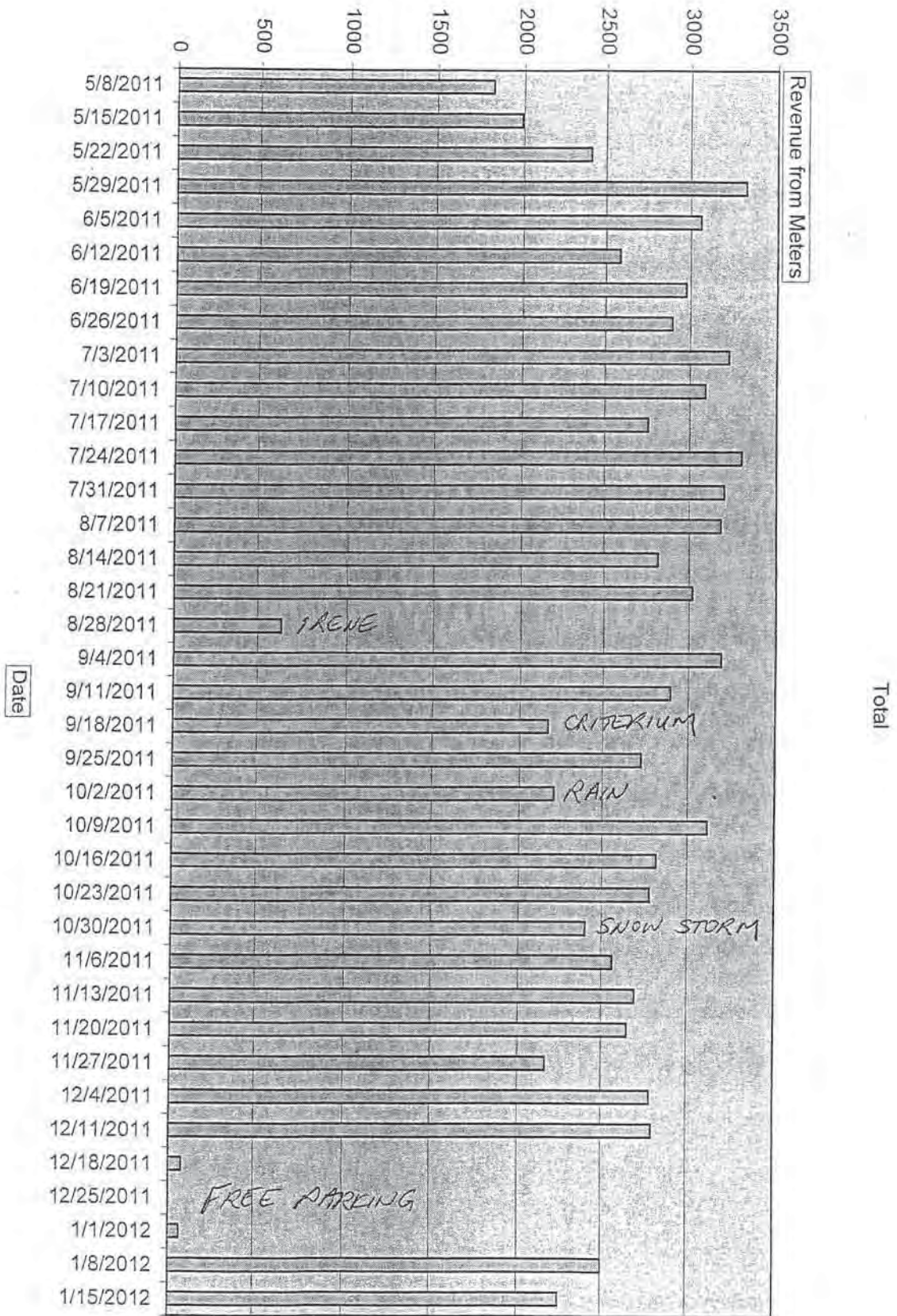
From Memorial Day through Labor Day of 2011, our revenue from parking meters and violations was \$64,000, accounting for approximately 30% of the annual Sunday revenue. There are 49 metered parking Sundays throughout the year (3 weeks lost due to free parking in December), with 14 weeks from Memorial Day to Labor Day. Therefore, this period represents 29% of the "metered parking year".

Since we receive 30% of our Sunday parking revenue during 29% of the year, one can infer that Sunday parking activity is fairly consistent throughout the year. The enclosed graph shows parking meter revenue from every Sunday since May and depicts the consistency of Sunday activity. From a parking management perspective, this consistent level of parking activity justifies the need for enforcement on Sundays.

If Sunday parking enforcement were only enforced from Memorial Day to Labor Day, the City would lose approximately \$145,000 in annual parking revenue. This change would require the parking signs and meter stickers to be changed twice per year to properly display the proper enforcement period. We would have to construct 255 additional parking signs (\$50 per sign) at a one-time cost of \$12,750 and meter stickers would have to be produced annually at a cost of \$1200 per year. Additionally, the on-street changeover would require two people approximately 40 hours to implement.

The process of educating the public and implementing Sunday parking enforcement was not insignificant. I am extremely proud of how hard everyone in the Parking Division worked to make the changes as quickly as they were made in May. Additionally, we all continue to be very considerate of our customers' learning curve. If we institute seasonal Sunday enforcement, staff will do what is necessary to effect those changes. However, we risk extending the customers' learning curve due to constantly changing enforcement periods. If we eliminate Sunday parking enforcement for a portion of the year, I recommend that we eliminate it for the entire year to avoid aggravating the parking public.





Total



ORDINANCE #  
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7 of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Section 7.105        PARKING

B. All on-street metered parking shall be at the rate of \$1.00 per hour for a maximum of two hours. This rate shall be enforceable Monday through Saturday, from 9:00 a.m. to 7:00 p.m., and Sunday **(from Memorial Day to Labor Day only)** from 12:00 p.m. to 7:00 p.m., holidays excepted.

Section 7.324        LIMITED PARKING – ONE HOUR

A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than one hour at any time between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday **(from Memorial Day to Labor Day only)**, Holidays not included, on the following streets and locations:

Section 7.325        LIMITED PARKING – THIRTY MINUTES

A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than thirty minutes at any time between the hours of 8:00 a.m. - 6:00 p.m. and on Friday 8:00 a.m. - 9:00 p.m., Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday **(from Memorial Day to Labor Day only)**, Holidays not included, on the following streets and locations:

Section 7.326        LIMITED PARKING – FIFTEEN MINUTES

A. No person having control or custody of any vehicle shall cause the same to stop or park for longer than 15 minutes at any time between 8:00 a.m. and 6:00 p.m., Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday **(from Memorial Day to Labor Day only)**, Holidays not including, on the following streets and locations:

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

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Eric Spear, Mayor

ADOPTED BY COUNCIL:

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Kelli L. Barnaby, City Clerk

Ordinances 7.324, 325 & 326 (Sundays from Memorial Day to Labor Day)

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# M E M O R A N D U M

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**TO:** John P. Bohenko, City Manager  
**FROM:** Rick Taintor, Planning Director  
**DATE:** January 27, 2012  
**RE:** Proposed Zoning Ordinance Amendments – Office Research District

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As you will recall, on December 5, 2011, a set of proposed amendments to the Zoning Ordinance relating to use and dimensional standards in the Office Research district was presented to the City Council for first reading. After discussion, the Council voted to postpone the ordinance changes for the new City Council.

Accordingly, I am resubmitting the attached proposed ordinance changes for consideration by the City Council. For the benefit of new Council members, this memorandum reviews the background of the proposal and summarizes the proposed changes.

## Request and Recommendations

Attorney Paul McEachern submitted a letter to the City Council on July 12, 2011, requesting that seven parcels on the westerly side of Lafayette Road be rezoned from the Office Research (OR) district to the Gateway district. The City Council referred this request to the Planning Board for a recommendation, and the Planning Board held public hearings on this request on September 15 and October 20, 2011.

After considering the original request and comments at the public hearings, the Planning Board determined that rezoning the subject parcels to Gateway would not be advisable. Instead, following the Planning Department's analysis and recommendations, the Planning Board voted unanimously on October 20, 2011, to recommend that the Zoning Ordinance be amended as follows:

1. Amend Section 10.531, Table of Dimensional Standards – Business and Industrial Districts, as follows (deletions from existing language ~~stricken~~; additions to existing language **underlined bold**):

	OR
Minimum Lot Dimensions	
Lot Area	<del>3</del> <b><u>2</u></b> acres <sup>1</sup>
Continuous street frontage	<del>300'</del> <b><u>200'</u></b> <sup>1</sup>
Depth	<del>300'</del> <b><u>200'</u></b> <sup>1</sup>

	OR
Minimum Yard Dimensions	
Front	50' <sup>1,3</sup>
Side	<del>75'</del> <u>50'</u> <sup>1</sup>
Rear	50'

NA = Not Applicable      NR = No Requirement

Notes:

1. See Section 10.532.10 for requirements for lots adjacent to North Mill Pond.

3. See Section 10.533 for special requirements on Lafayette Road.

2. Amend Section 10.440, Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, as follows:

Use	OR
2.10 Assisted living facility	
2.11 Assisted living center	<del>N</del> <u>P</u>
3.70 Club, fraternal or service organization	<del>N</del> <u>S</u>

Background and Analysis

Attorney Paul McEachern has requested that the City Council vote to rezone seven parcels on the westerly side of Lafayette Road from the Office Research (OR) district to the Gateway district. The request was made on behalf of Aphrodite Georgopolous, Trustee of the Georgopolous Revocable Trust, owner of the parcel at 1900 Lafayette Road. The parcels for which the rezoning was requested are between the Public Service of New Hampshire property and West Road, and include the following:

- 1700 Lafayette Road – Public Service Company of New Hampshire
- \_\_\_\_\_ Lafayette Road – Michael R. Iafolla (future Armed Forces Reserve Center)
- 1900 Lafayette Road – Georgopolous Revocable Trust
- 1950 Lafayette Road – Portsmouth Casey Home Association
- 2000 Lafayette Road – NH Department of Employment Security
- 2010 Lafayette Road – Service Federal Credit Union
- 2032 Lafayette Road – Service Federal Credit Union

These parcels are shown on the attached map titled “Requested Rezoning from OR to Gateway – Lafayette Road.”

All but two of the parcels in this OR district are already developed, and one of the two undeveloped parcels is planned to be developed as a new Armed Forces Reserve Center next year. This federal project will be designed and constructed with no City control, and the project is not consistent with either the Gateway District or the City’s goals for the corridor.



Construction of the Reserve Center will leave the applicant's parcel as the only undeveloped parcel in this Office Research district, and will make it more difficult to develop under the existing zoning regulations.

These parcels were identified in the 2005 Master Plan as an area to be considered for zoning changes, and were proposed to be included in the Gateway District as part of the comprehensive revision of the Zoning Ordinance in 2009. Thus, the requested rezoning is consistent with the Planning Board's vote of two years ago.

The Planning Board held a public hearing on this request at its meeting on September 15, 2011. Following the public hearing, Board members felt that the existing Office Research district was too restrictive in this area, but that rezoning these parcels to the Gateway district would not be appropriate because of the wide range of retail uses that are allowed in that district, with potential impacts on the residential district in terms of light, noise, traffic and aesthetics. The Board voted to postpone consideration of the request to the October meeting and requested the Planning Department staff to look at changes to the Office Research or Gateway districts that could enhance the development potential of the existing OR parcels while still protecting the residential neighborhood.

The Planning Department considered three options: (1) rezoning to a different existing zoning district; (2) rezoning to a modified Gateway district; and (3) amending the Office Research district to provide more flexibility for development. After reviewing the options, the Department recommended that the dimensional standards for the Office Research district be amended as follows:

- Reduce the required lot area from 3 acres to 2 acres;
- Reduce the required street frontage from 300 feet to 200 feet;
- Reduce the required lot depth from 300 feet to 200 feet; and
- Reduce the required side yard (i.e., building setback) from 75 feet to 50 feet.

These changes would make the required lot and yard dimensions for the Office Research district identical to those for the Industrial district except for the required front yard, which is 70 feet in the Industrial district and 50 feet in the OR district.

The recommended changes would apply to all Office Research districts. In addition to the parcels on Lafayette Road, there are four other Office Research districts of varying size throughout the City:

Borthwick Avenue	19 lots	Largely developed (hospital, offices, financial services); remaining undeveloped land (including proposed CCRC site) is constrained by wetlands or has difficult access
Commerce Way / Portsmouth Blvd.	16 lots	Mostly developed (office park)

North Mill Pond / Bartlett Street / Cate Street	14 lots	Includes railroad land adjacent to North Mill Pond and commercial uses on Bartlett and Cate Streets. This area is highly constrained by the Pond and the railroad tracks, and most lots and uses do not conform to the OR zoning requirements. The Planning Department is working to develop a proposal for more appropriate zoning in this area.
Market Street (adjacent to I-95)	1 lot	Fully developed (hotel and offices)

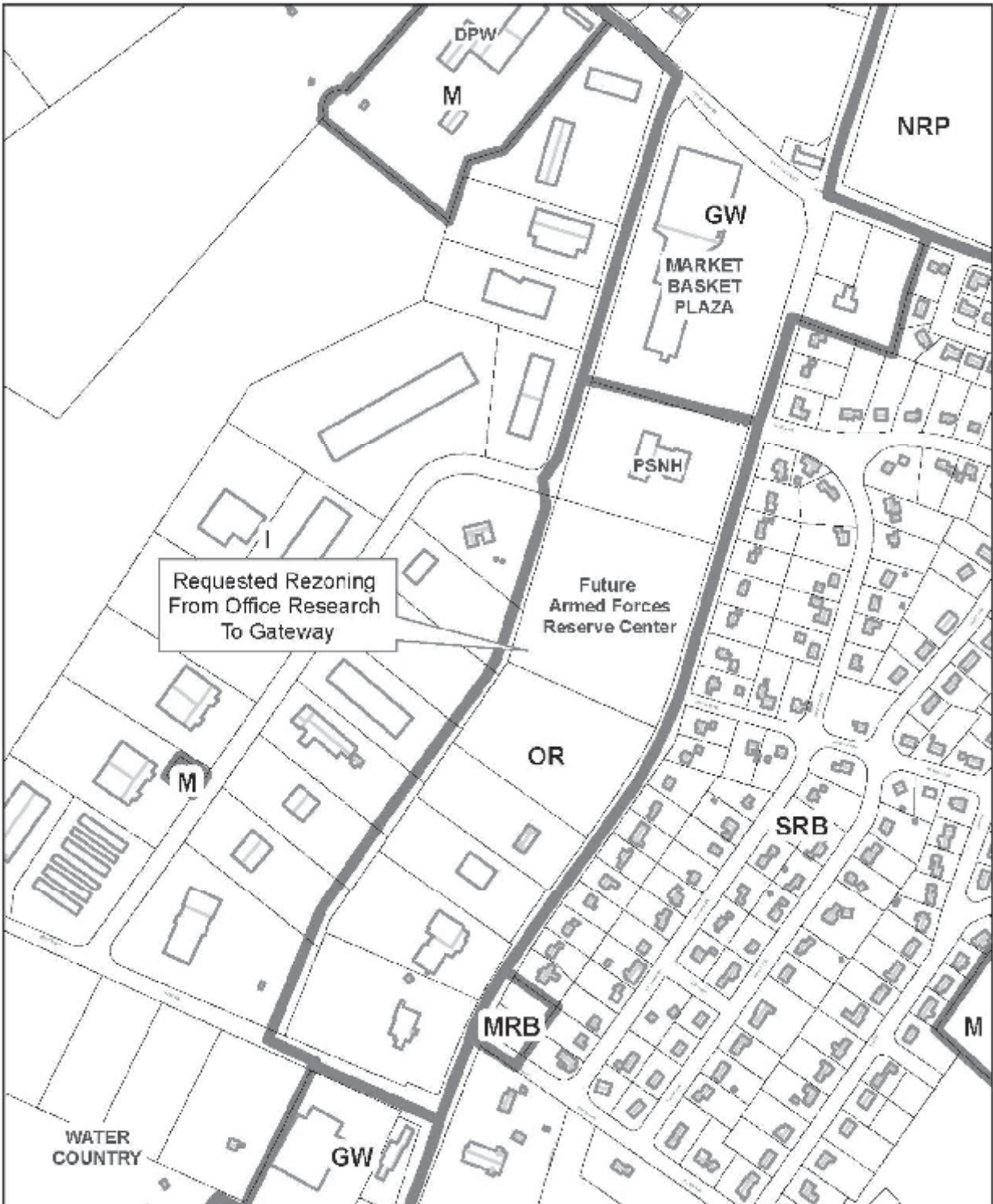
The Office Research districts are shown on the attached map titled “Office Research Districts.”

Modifying the dimensional standards for the OR District will have relatively little impact on OR districts overall, but will enhance the development potential of specific lots. The proposed reductions in required lot area and frontage will make a small number of lots conforming that are currently nonconforming (two lots on Lafayette Road, six lots on Commerce Way, one lot on Bartlett Street, and none in the Borthwick Avenue or Market Street OR districts). More importantly, the proposed reduction in required side yard setback will increase the flexibility for site planning on all lots.

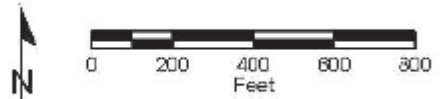
In addition to the recommended changes in dimensional standards, the Department recommended that two minor changes be made to the Table of Uses:

- Allow Assisted Living Center (currently prohibited in OR but allowed in the B and GB districts, and in the Gateway district by conditional use permit;
- Allow Club, Fraternal or Service Organization by special exception (currently prohibited in OR but allowed in B, GB and Gateway by special exception, and in CBB without a special exception).

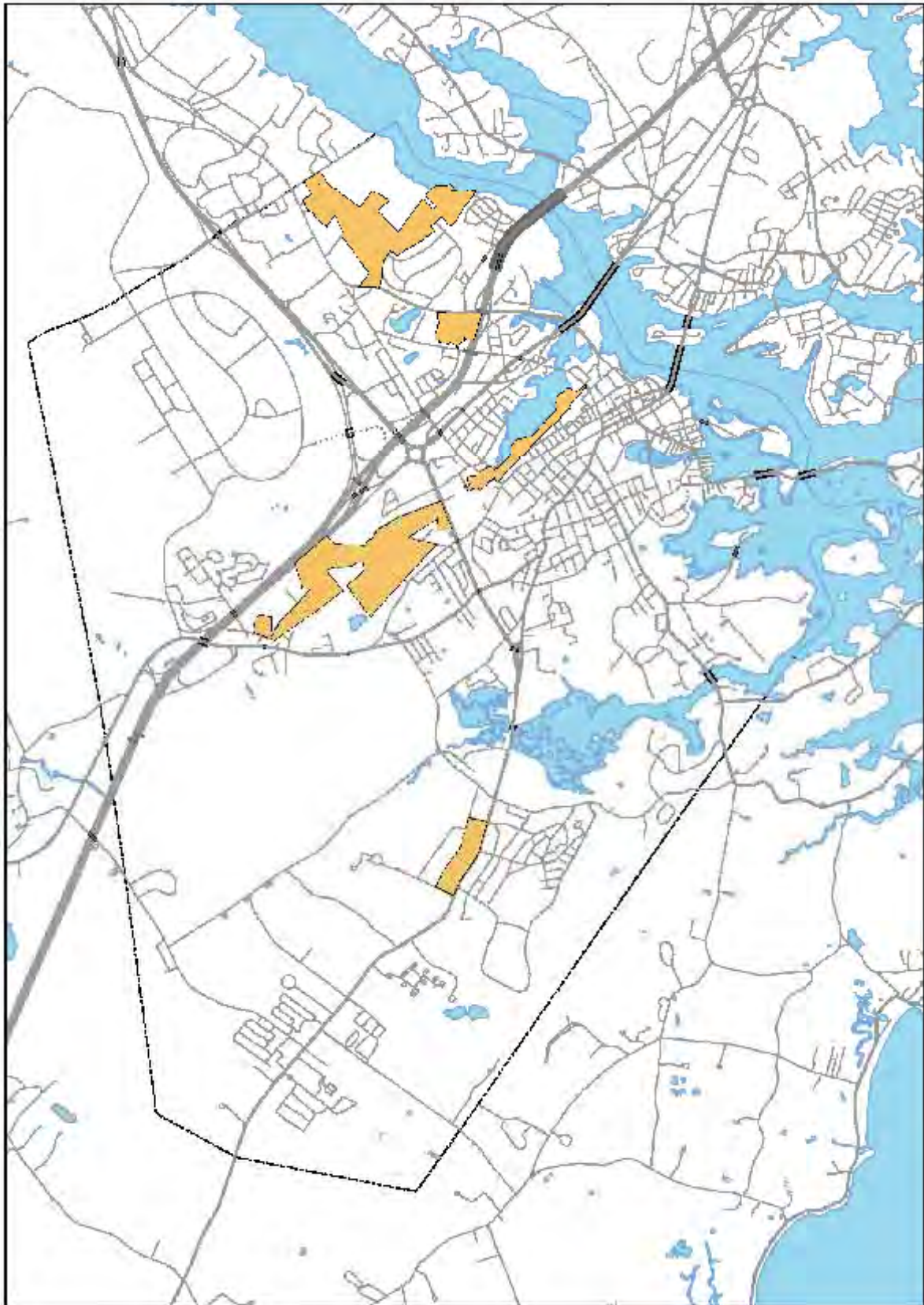
The Planning Board held a public hearing on the above recommendations at its meeting on October 20, 2011. Following the public hearing, the Planning Board voted unanimously to recommend that the Zoning Ordinance be amended as set forth at the beginning of this memorandum.



Requested Rezoning From OR to Gateway  
Lafayette Road







Office Research U stracts

DATE: 01/27/12



2,000 0 2,000 4,000 6,000 Feet



ORDINANCE #  
THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, are hereby amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

1. Amend Article 4 – Zoning Districts and Use Regulations, Section 10.440 – Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, as follows:

Use	OR
2.10 Assisted living facility	
2.11 Assisted living center	<del>N</del> <b>P</b>
3.70 Club, fraternal or service organization	<del>N</del> <b>S</b>

1. Amend Article 5 – Dimensional and Intensity Standards, Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, as follows:

	<b>OR</b>
Minimum Lot Dimensions	
Lot Area	<del>3</del> <b>2</b> acres <sup>1</sup>
Continuous street frontage	<del>300'</del> <b>200'</b> <sup>1</sup>
Depth	<del>300'</del> <b>200'</b> <sup>1</sup>
Minimum Yard Dimensions	
Front	50' <sup>1, 3</sup>
Side	<del>75'</del> <b>50'</b> <sup>1</sup>
Rear	50'

NA = Not Applicable      NR = No Requirement

Notes:

1. See Section 10.532.10 for requirements for lots adjacent to North Mill Pond.
3. See Section 10.533 for special requirements on Lafayette Road.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

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Eric Spear, Mayor

ADOPTED BY COUNCIL:

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Kelli L. Barnaby, City Clerk

Publish Date / Time:  
2/02/12 11:21AM

Published Event Listing by Date

Page: 1

Starting Date: 1/01/2012

Ending Date: 12/02/2012

Event Type	Location	Requestor	Phone Number
<b>1/01/2012 Events</b>			
ROAD RACE	Little Harbour School	Great Bay Services	
Stu Simon, Director of Development is the contact for this event. (603) 436-2012 This event begins and ends at Little Harbour School. This race is part of the Portsmouth Community Road Race Series.		Start: 1/01/2012	End: 1/01/2012 (603) 436-2012
<b>2/13/2012 Events</b>			
ST CLOSURE	Chestnut Street	African Burying Ground	
Vernis Jackson, Chair is the contact for this event. This event will be on the evening of February 13, 2012 after the Choir's performance at The Music Hall.		Start: 2/13/2012	End: 2/13/2012
<b>3/11/2012 Events</b>			
ROAD RACE	Pease Tradeport	St. Paddy's 5 Miler	
Todd Hanson is the contact for this event. He can be reached at 436-2551.		Start: 3/11/2012	End: 3/11/2012
<b>3/25/2012 Events</b>			
ROAD RACE	Through Portsmouth	Eastern States 20 Mile	
		Start: 3/25/2012	End: 3/25/2012 (617) 835-2378
<b>4/14/2012 Events</b>			
WALK	Little Harbour School	National Multiple Sclerosis So	
Heidi Roy, Development Manager is the contact for this event. The event begins at 10:00 a.m. and ends at 2:00 p.m. at Little Harbour School.		Start: 4/14/2012	End: 4/14/2012 (603) 623-3502
<b>4/15/2012 Events</b>			
WALK	City Hall	My Walk for Faith	
Randy Eaton is the coordinator of this event. This event begins at City Hall in the lower parking lot and ends at Prescott Park.		Start: 4/15/2012	End: 4/15/2012 (207) 337-2912
<b>5/06/2012 Events</b>			
BIKE RIDE	Little Harbour School	American Lung Association	
Kathryn Libby, Development Director is the contact for this event. The event begins and ends at Little Harbour School. It begins at 7:00 a.m.		Start: 5/06/2012	End: 5/06/2012
DOG WALK	Lower Parking Lot of City Hall	AIDS Response Seacoast	
Barbara Kautz is the Co-Chair of this event. This event begins at 2:00 p.m. and ends at approximately 5:00 p.m.		Start: 5/06/2012	End: 5/06/2012 (207) 363-5833
FESTIVAL	Pleasant Street, State Street and the Square	Children's Day	
Barbara Massar is the contact for this event. It begins at Noon and ends at 4:00 p.m. - throughout downtown Portsmouth.		Start: 5/06/2012	End: 5/06/2012
<b>5/12/2012 Events</b>			

# Published Event Listing by Date

Starting Date: 1/01/2012

Ending Date: 12/02/2012

Event Type	Location	Requestor	Phone Number
<b>WALK</b>	Strawbery Banke	Susan G. Komen for the Cure	
Deborah Peretz, President is the contact of this event. This event begins and ends at Strawbery Banke. It begins at 9:00 a.m. and is a 5k race.		Start: 5/12/2012	End: 5/12/2012
<b>5/19/2012 Events</b>			
<b>5K RACE</b>	Peverly Hill Road	YMCA	
This road race is part of the Portsmouth Community Road Race Series. See the Peverly Hill Road Course.		Start: 5/19/2012	End: 5/19/2012
<b>6/09/2012 Events</b>			
<b>FESTIVAL</b>	Market Square	Market Square Day	
Barbara Massar is the contact for this event. This event begins with a road race at 9:00 a.m. in Market Square. The festival ends at 4:00 p.m.		Start: 6/09/2012	End: 6/09/2012
<b>6/23/2012 Events</b>			
<b>ST. CLOSUR</b>	Porter Street to Pleasant to Market Square	Summer in the Streets	
Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.		Start: 6/23/2012	End: 6/23/2012
<b>6/30/2012 Events</b>			
<b>ST. CLOSUR</b>	Porter Street to Pleasant to Market Square	Summer in the Streets	
Barbara Massar is the contact for this event. This is street music series that begin at 5:00 p.m. to 9:30 p.m.		Start: 6/30/2012	End: 6/30/2012
<b>7/07/2012 Events</b>			
<b>5K RACE</b>	Little Harbour School	Harbour Trail Road Race	
This is part of the Portsmouth Community road Race Series.		Start: 7/07/2012	End: 7/07/2012
<b>ST. CLOSUR</b>	Pleasant from Porter to Market Square	Summer in the Streets	
Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.		Start: 7/07/2012	End: 7/07/2012
<b>7/14/2012 Events</b>			
<b>ST. CLOSUR</b>	Porter Street to Pleasant to Market Square	Summer in the Streets	
Barbara Massar is the contact on this event. This event begins at 5:00 p.m. to 9:30 p.m.		Start: 7/14/2012	End: 7/14/2012
<b>7/21/2012 Events</b>			
<b>ST. CLOSUR</b>	Porter Street to Pleasant Street to Market Square	Summer in the Streets	
Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.		Start: 7/21/2012	End: 7/21/2012
<b>7/28/2012 Events</b>			
<b>ST. CLOSUR</b>	Porter Street to Pleasant Street to Market Square	Summer in the Streets	
Barbara Massar is the contact for this event. This event begins at 5:00 to 9:30 p.m.		Start: 7/28/2012	End: 7/28/2012
<b>8/02/2012 Events</b>			



# Published Event Listing by Date

Starting Date: 1/01/2012

Ending Date: 12/02/2012

Event Type	Location	Requestor	Phone Number
<b>5K RACE</b> This is a part of the Portsmouth Community Road Race Series.	Peirce Island - Prescott Park	Portsmouth Rotary Club Thunder	Start: 8/02/2012 End: 8/02/2012
<b>8/04/2012 Events</b>			
<b>ST. CLOSUR</b> Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Porter Street to Pleasant to Market Square	Summer in the Streets (RAINDA	Start: 8/04/2012 End: 8/04/2012
<b>8/08/2012 Events</b>			
<b>ST CLOSURE</b> Doug Bates is the contact for this event. His number is 610-5513. Pleasant Street from State Street to Congress Street will be closed for one day for conducting the 2012 Greater Portsmouth Chamber of commerce Annual Dinner.	Pleasant Street	Greater Portsmouth Chamber of	Start: 8/08/2012 End: 8/08/2012
<b>9/15/2012 Events</b>			
<b>5K RACE</b> This is part of the Portsmouth Community Road Race Series.	Little Harbour School	BreastCancerStories.org.	Start: 9/15/2012 End: 9/15/2012
<b>10/13/2012 Events</b>			
<b>5K RACE</b> This is part of the Portsmouth Community Road Race Series.	Little Harbour School	Community Child Care	Start: 10/13/2012 End: 10/13/2012
<b>11/22/2012 Events</b>			
<b>5K RACE</b> This event is part of the Portsmouth Community Road Race series.	Peirce Island - Prescott Park	Seacoast Rotary Club Turkey Tr	Start: 11/22/2012 End: 11/22/2012

MEMORANDUM

**DATE: FEBRUARY 3, 2012**  
**TO: ECONOMIC DEVELOPMENT COMMISSION**  
**FROM: EVERETT EATON, CHAIRMAN**  
**RE: UPCOMING MEETING FRIDAY, FEBRUARY 10, 2012**

The next EDC meeting is on February 10, 2012 from 7:30-9 am. in City Hall Conference Room A. If you are unable to attend the meeting, please contact Nancy Carmer at 610-7220.

2/10/12	7:30 A.M.	CITY HALL	CONFERENCE ROOM A
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- 1) Welcome to new City Council EDC representative Jack Thorsen
- 2) Approval of draft meeting minutes of January 6, 2012 (enclosed)
- 3) TIF Discussion with Matthew Walsh, Assistant for Special Projects, Mayor's Office, City of Concord, NH
- 4) Old Business
  - a) Parking Supply and Demand Analysis Study - Next Steps
  - b) Update Chamber of Commerce Website Loan Terms (EDC letter enclosed)
  - c) Update on Memorial Bridge Replacement
  - d) 2012 EDC Action Plan
- 5) New Business
  - a) Potential new Economic Revitalization Zones
- 6) Public Comment
- 7) Confirm Next Meeting: Friday, March 2, 2012/Adjourn

Informational Items:

- a) NH Employment Security Economic and Labor Market Reports:
  - NH/ Portsmouth Unemployment Report December 2011
  - December 2011 *NH Economic Conditions Report*
- b) Grubb & Ellis 4<sup>th</sup> Quarter 2011 Office and Industrial Trends Report

CC: City Council  
Matthew Walsh

**DRAFT  
MEETING MINUTES  
PORTSMOUTH ECONOMIC DEVELOPMENT COMMISSION**

January 6, 2012

Conference Room A City Hall

7:30 a.m.

Members Present: Everett Eaton, Chairman, Lisa DeStefano, Vice-Chairman, Tim Allison; Dana Levenson, Nancy Novelline Clayburgh, Ron Zolla, Robert Marchewka, Philip Cohen, Christine Dwyer, Josh Cyr

Excused: Eric Gregg

Chairman Eaton opened the meeting at 7:37 a.m.

**Approval of draft meeting minutes of December 2, 2011**

Following a motion by Commissioner Allison and a second by Commissioner, the draft meeting minutes of December 2, 2011 were unanimously approved as written.

**Presentation on economic impacts of potential federal and state nutrient limits on the City and local businesses – David Allen, Deputy Public Works Director and Peter Rice, City Engineer**

Mr. Rice gave an overview of the City's wastewater treatment system and the regulatory status for its sewer treatment discharge permits with the State of NH and the US EPA. He described the costs of compliance with new EPA nitrogen regulation of 3 mg/L for sewage at the municipal level. Currently there is a discrepancy between the water quality and habitat impacts of the 3 mg/L regulation to be imposed on the municipalities by the State and EPA and an 8 mg/L limit that the city and other municipalities have suggested and proven using sound science. He described the regional efforts of the Great Bay Municipal Coalition to demonstrate through sound science that demonstrates that a 3 mg/l nitrogen level imposed on municipalities will be insignificant in reversing the negative impacts on Great Bay water quality and eelgrass beds because the major contributor to the Bay is non-point source or indirect runoff from the surrounding watershed.

The City is currently conducting pilot treatments at the Peirce Island treatment plant to explore methods levels for nitrogen reduction in the wastewater discharge. These methods will hopefully allow the City to reduce the levels within the existing footprint of the treatment facility and not encroach on recreation property at Peirce Island. The City continues to work with the Great Bay Municipal Coalition to resolve the nitrogen level dispute with the US EPA and the State using a proposed process called Adaptive Management Plan which allows new information to be incorporated a watershed management plan. This method allows for scientific research, monitoring and implementation and incorporates building and measurement of water quality. It also involves a commitment to eelgrass and shellfish restoration and non-point source reduction through best land use practices. Currently the Coalition communities are committed to a total nitrogen limit of 8 mg/L. The Plan is presently being reviewed by regulators.

After a Q&A period regarding the regulations, the costs associated with the pilot project, the input from UNH on the topic and the cost to long term costs to municipalities and businesses, the EDC discussed what the EDC can do to educate and advocate for the 8mg/L limit and state authority over limits. The City Manager suggested raising awareness among the community such as at Rockingham Economic Development Corporation, professional groups such as real estate associations and other business groups. Commissioner Zolla asked about using litigation to counter the dispute. The City Manager responded that the City is not opposed to doing its part to improve wastewater discharge quality and the ecosystem of Great Bay. But, with the majority of the problem stemming from non-point sources, the municipalities do



not want to shoulder the majority of the burden while raising sewer rates exponentially and crippling economic growth. For several years the City has engaged in litigation. One opposing party is The Conservation Law Foundation which supports the US EPA and the State's position. For now the City is planning to upgrade the wastewater system to meet a nitrogen level of 8mg/L.

Chairman Eaton thanked Mr. Rice and Mr. Allen and suggested to the EDC that an advocacy item be added to the 2012 Action Plan.

### **New Business**

*Election of EDC Chair* – Chairman Eaton passed the meeting facilitation to Vice Chair DeStefano who asked for nominations for EDC Chair. Commissioner Allison moved the nomination of Everett Eaton as EDC Chair for 2012. The motion was seconded by Commissioner Levenson. Hearing no other nominations a vote was called and the motion passed unanimously.

*Election of EDC Vice –Chair* – Vice-Chair DeStefano passed the meeting facilitation to Chairman Eaton who asked for EDC Vice-Chair nominations. Commissioner Eaton moved the nomination of Commissioner Destefano as EDC Vice-Chair for 2012. The motion was seconded by Commissioner Zolla. Hearing no other nominations a vote was called and the motion passed unanimously.

*2011 EDC Year in Review* - Ms. Carmer summarized the EDC activities of the accomplishments of 2011 and thanked the Commissioners for their efforts. A copy will be transmitted to the City Council.

*2012 EDC Action Plan* - Ms. Carmer explained the Action Plan process for members new to the EDC this year. She distributed copies of the EDC Guiding Principles used in developing the EDC Action Plan and suggestions for Actions that were made for 2012. The EDC reviewed and edited the suggestions and two new items were added. The first is review of the impact of utility costs on local businesses and the second is monitoring and participation in the Memorial Bridge replacement project as it relates to businesses, logistics and local quality of life. Ms. Carmer will make the edits and bring the Plan back for EDC approval at the February meeting.

### **Other Business**

*Update on Memorial Bridge Replacement* – Ms. Carmer distributed copies of a recent news release regarding a NHDOT open house scheduled for January 12<sup>th</sup> at City Hall to give residents and business owners an opportunity to ask questions about the project and meet NH DOT representatives. At the event there will be stations for the public to learn about various aspects of the bridge replacement project such as the design, the construction schedule, public outreach, environmental impacts and alternate transportation routes during bridge replacement. There will be no formal presentations.

The bridge will close January 9<sup>th</sup> to bicyclists and pedestrians and the schedule is to remove the center span of the bridge on January 30<sup>th</sup>. A webcam will be set up to view the process. A hotline and website have been established to provide further information about the project.

*Relocation of River Run Bookstore* – Commissioner Allison recognized “citizen” Cyr for his assistance to River Run bookstore in securing its future downtown and in the recent book brigade move of the store to its new location in the Franklin Block. Josh Cyr said the move will allow the store to stay in business while saving \$50,000 annually.



### **Public Comment**

David Choate offered four comments:

- 1) The company Novocure recently moved to newly renovated space at 195 Commerce Way. The firm develops techniques and devices for brain cancer treatment. He believes the company would be receptive to an onsite visit from EDC.
- 2) He re-iterated his concerns regarding the issue of the building size required for drive-through lanes in Portsmouth. He recently raised the matter with the Planning Director and feels that the matter needs to be revisited instead of relying on special exceptions for approval. The City Manager noted that there are several pressing matters that the Planning Department is working on and this is not an "A list" priority. Nonetheless, the Manager will have a conversation with the Planning Director.
- 3) With regard to the topic of wastewater regulations, he suggested inviting the Conservation Law Foundation to attend a meeting and hear the economic concerns related to the proposed nutrient level requirements.
- 4) With regard to the cost of electricity in NH. Most larger companies do not purchase power from Public Service of NH (PSNH). Most purchase from a third party and receive lower rates. City Manager Bohenko said this is what the city does. However, despite the lower rate, PSNH charges significant transmission fees.

### **Confirm Next Meeting: Friday, January 6, 2012**

With no further business the meeting adjourned at 9:12 a.m.

Respectfully submitted,  
Nancy Carmer  
Economic Development Program Manager

NEXT STEPS RESULTING FROM CITY COUNCIL RETREAT  
JANUARY 28, 2012

FY 2013 BUDGET PROCESS		
<i>Next Step</i>	<i>Timeline</i>	<i>Status</i>
Schedule Work Session to discuss <b>Budget Discussions FY 13</b>	February 6, 2012 6:30 p.m.	Scheduled
Bring forward Fund Balance Ordinance		

PARKING ISSUES		
<i>Next Step</i>	<i>Timeline</i>	<i>Status</i>
Schedule Work Session to discuss <b>Parking Principles and Policies</b>		

WASTEWATER ISSUES		
<i>Next Step</i>	<i>Timeline</i>	<i>Status</i>
Wastewater (Non-meeting) to be held	February 21, 2012	Scheduled
Schedule Work Session to discuss <b>Stormwater Utility Phase 2 Status</b>		

LAND USE ISSUES		
<i>Next Step</i>	<i>Timeline</i>	<i>Status</i>
Schedule quarterly meeting with City Council, Planning Board, HDC and EDC	March 2012	Scheduling in progress

MISCELLANEOUS ITEMS FOR FUTURE WORK SESSIONS		
<i>Next Step</i>	<i>Timeline</i>	<i>Status</i>
Schedule Work Session on Sale of Connie Bean Center		
Schedule Work Session on Status of Senior Services		

COLLECTIVE BARGAINING		
<i>Next Step</i>	<i>Timeline</i>	<i>Status</i>
Schedule Work Session on Collective Bargaining - New Contracts (Non-meeting)		

**Additional Items:**

1. Councilor Dwyer - request to establish City Council policy re: CIP.
2. Councilor Kennedy - request for a chart showing decline in revenues from the State over time.
3. General - Idea/request to make more clear which departments are funded by the General Fund. Also, more clearly identify which departments come under the category of *Municipal Departments* or *General Governmental Services*.





CONSIDERATION

XII. B.1.

**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 or Historic District Comm Initial applicant

Name: Sherry-Lea Bloodworth Botop Telephone: (603) 828-1685

Could you be contacted at work?  YES  NO If so, telephone # (above)

Street address: 55 Elwyn Avenue, Portsmouth 03801

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): slb@nhct.org

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

Occupational background:

My background is in community development, philanthropy, design, planning and architecture. Please see resume for details.

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

I have organized, participated in and/or been affiliated with dozens of planning and re-development projects beginning in the 1990's when I served on a panel for the re-urbanization of downtown Birmingham to multiple, large scale, city and county-wide projects following Hurricane Katrina. I've facilitated

OVER

and organized community outreach initiatives in relation to this work and worked with local mayors, councils, state government including emergency commissions, and governors, federal officials (FEMA) for profit and non-profit architects, engineers, planners and developers. Raised over \$30M in funds for rebuilding efforts from for profit, non-profit and government entities.

This summer I served on a panel of Loeb fellows from Harvard at the invitation of the mayor we revisited the re-urbanization project and looked at new districts, parks, civil rights trails, business districts and entertainment districts as well as greenways and walk/bike paths.



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO we've communicated via email.

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

Reasons for wishing to serve: Planning is essential to ensuring and maintaining a high quality of life. I would love to use my experience serving the residents of Portsmouth and our city and continue to work with planners, architects, developers, engineers, city officials and others to ensure that Portsmouth continues to maintain the high quality of life it offers now -- the reason we moved here.

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

Through my work I am involved with many organizations, however I have been very slow to accept any board appts. before finding out if I will serve on this board. I am a Rotarian.

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

1) Michael Grote, New Orleans, LA (334) 354-0516  
Name, address, telephone number

2) Celina Adams, 416 Market St. (603) 430-9182 ext 1272  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: [Signature] Date: 12-12-11

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



# SHERRY-LEA BLOODWORTH

## HIGHLIGHTS:

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2008 – Present    Advocacy & Development                      Alabama

*Vice President, Mercy Medical*

- Developed, raised funding for and in process of implementing a federal pilot program (PACE) to serve low-income elderly;
- Exceeded all fundraising goals;
- Coordinated focus groups and visioning processes with community stakeholders including mayors, councils, nonprofit leaders and other civic and community leaders throughout the state;
- Developed program for pediatric hospice patients tracking outcomes to their care at home versus in hospital settings in order to provide pediatric hospice charity care;
- Worked with federal, state representatives and local government leaders to advocate on behalf of healthcare needs in low-income communities.
- Formed Development Advisory Council and subcommittees;
- Managed 50+ volunteers to coordinate special events and outreach.

2005 - 2008    Gulf Coast Reconstruction                      Gulf Coast, USA

*Founder/Executive Director of Housing Resource Centers*

- Raised over \$4 million for program implementation and reconstruction for low-income communities in Biloxi, Mississippi;
- Raised over \$35 million from Federal and State programs (HUD, CDBG and others) and national foundations and created criteria and standards for how funds were dispersed;
- Merged and restructured multiple organizations to form a regional Housing Resource Center Association (GCAHRC);
- Testified before 110<sup>th</sup> Congress to identify impediments to recovery and lessons learned following Hurricane Katrina and how federal program efficiency;
- Successfully interviewed with dozens of radio and TV programs, including appearances on *Oprah's Dr. Robin*, *Today Show*, *CNN*, *NBC Nightly News*, *NPR* and *Good Morning America*;
- Organized national and international publicity for projects;
- Managed access to over \$40 million in donor funds;
- Coordinated programs with 50+ nongovernmental organizations (NGOs);
- Advised on policy issues related to programs, housing and planning for low-income communities to state, local and federal government agencies.

**POSITIONS PRIOR TO  
2005 INCLUDE:**

**Sidewalk Film Festival**

**Birmingham, AL**

*Executive Director*

- Arranged for Disney to premiere *Sweet Home Alabama* at the Alabama Theater, their first "out of town" premiere;
- Promoted the Festival throughout the state and country, raised corporate sponsorship, and fostered a liason with the Governor's office;
- Celebrated nearly triple attendance and highest funding in the Festival's six year history.

**Regions (AmSouth) Bank**

**Birmingham, AL**

*Corporate Contributions/Community Relations*

- Founded Charitable Foundation for bank managing \$16M in grant funds;
- Created criteria for review and selection process for grant-making;
- Identified, created and supported programs serving communities throughout the Southeast in civic, health, education, civil rights and other areas;
- Worked directly with CEO and Board of Directors in grant-making process.

**Hartford Seminary**

**Hartford, CT**

*Capital Campaign/Development Director*

- Formed and recruited Capital Campaign Committee including recruiting the CEO of Aetna as chair;
- Managed all media and events related to development.

**Education:**

**Louisiana State Univeristy**

**Continuing education at Samford University, University of Alabama**

**Multiple philanthropy education courses over 15-20 years.**

**Professional Associations:**

**Member of the Association of Fundraising Professionals (15+ years)**

**Advisory Board's Philanthropy Leadership Council member**

**Rotary International**

**Excellent references furnished upon request.**

**OTHER INTERESTS/ACCOMPLISHMENTS:**

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Trained at San Francisco Ballet and performed professionally across the country for 15 years.

Served on Board of Directors for Young Audiences of America with Yo-Yo Ma, Quincy Jones and Gregory Hines

Actively involved in committees or Boards to form the following:

- Christmas in April/Rebuilding Together (Birmingham & Hartford)
- BRAVO ( Birmingham's Regional Arts Volunteer Organization) co-founder
- Vision 2020 – Planning Committee for low-income communities of Birmingham, Alabama
- Started corporate foundation for large bank; managed \$18M; funded and advised community programs
- City Dance
- HeadStart for Literacy
- Alabama Ballet
- Hartford Ballet
- Education Spectrum for Autism
- Region 2020's Reurbanization Plan for Birmingham
- Founding member Housing Resource Center Association of the Gulf Coast
- Chair of 100<sup>th</sup> KaBOOM! playground build – June 2008
- Guest speaker/Oprah guest at Superdome V-Day 10<sup>th</sup> Anniversary





**Warnke Community Consulting**  
*Partners to Nonprofits*

Sherry-Lea Bloodworth is one of my heroes. I met Sherry-Lea in the early months after Hurricane Katrina, in East Biloxi, Mississippi, a low-income, African- and Vietnamese- American neighborhood that had been destroyed by the storm. By the time I first visited East Biloxi in December, 2005, Sherry-Lea was already a legend there. Acting as an unaffiliated volunteer, she had played a pivotal role in coordinating the relief and recovery effort. She had negotiated with trucking firms in Georgia and Florida for the delivery of donated emergency supplies; secured food and water through cold calls to corporations and relief organizations; arranged personally for emergency evacuations of elderly and other fragile residents; directed activities on the ground with community and nonprofit leaders; and interacted effectively with all levels of city, state and Federal governments. She knew the Mayor; she knew everyone at FEMA worth knowing; she knew the pastors of the local churches; she knew everybody.

My company, Warnke Community Consulting ([www.warnkecc.com](http://www.warnkecc.com)), works with local neighborhood-based organizations and neighborhood leaders to design and implement innovative community development programs and plans. Through our affiliate, Alembic Development Company, we build affordable and supportive housing projects. In East Biloxi, collaborating with Sherry-Lea, we helped Bill Stallworth, the local Biloxi City Councilman, create a neighborhood-based nonprofit redevelopment organization, now called the Hope Community Development Agency, and we completed, with the assistance of Sherry-Lea and the Gulf Coast Community Design Studio, a comprehensive community plan that outlined residents' vision for the recovery and rebuilding of East Biloxi. Later, my colleagues and I worked with Sherry-Lea while she was directing Architecture for Humanity's efforts in the three coastal counties of Mississippi. We could have accomplished little of our work without Sherry-Lea's extensive help and guidance.

Sherry-Lea would be a significant asset to any community of committed, intelligent professionals. She is a wonderful leader and collaborator, at ease with people from all walks of life, animated, articulate, both passionate and patient. She listens happily and well. She is fearless.

A native of New Orleans and coastal Louisiana, Sherry-Lea has an instinctive feel for the vernacular of the place, and she cares deeply about communities. She has a strong sense of all of the elements that contribute to intelligent community development, from community participation to zoning considerations to financing. In East Biloxi, she was instrumental in bringing many of these elements together. She was able to secure over \$3 million in funding from Oprah's Angels Network for Architecture for Humanity's Model Home project in East Biloxi, and she shepherded the project, with different architects and builders all on the ground simultaneously, building to a new code, with a city administration that was not always friendly towards the initiative, through to a successful conclusion. Sherry-Lea also acted as a liaison

between the Hope Community Development Agency and the Gulf Coast Community Design Studio in their development work together, helping each organization to understand the priorities and personalities of the other, with a steady and informed insistence on quality design and construction.

In addition to a sure aesthetic, Sherry-Lea brings a clear sense of justice to her development work. She understands the importance of discerning a community's aspirations for its future, of identifying and recruiting first-rate professionals to help advance those aspirations when necessary and of ensuring that the work of these professionals remains true to the community's own vision. She believes that all neighborhoods can and should have affordable housing built to high standards of craftsmanship and safety and designed in a manner that honors the community's traditions and history. She has substantial experience creating and implementing processes that allow for the early, consistent and robust involvement of community residents.

I have been engaged in community development work over the past twenty years as a staff member at national housing intermediaries, as consultant, as a board member and as a developer and I can think of no one in my experience who would be a better fit any philanthropic endeavor.

Benjamin Warnke, Principal/Founder  
Warnke Community Consultants  
37 West 20<sup>th</sup> Street  
Suite 603  
New York, NY 10011





## THE NEW YORK *Says Thank You* FOUNDATION

Jeff Parness  
Founder & Chairman  
New York Says Thank You  
Foundation  
275 West 56 Street 8F  
New York, NY 10025  
917-806-8881  
NewYorkSaysThankYou.org

National 9/11 Flag Tour  
Honorary Co-Chairmen  
Robert F. Arling  
William C. Rude  
Jonathan M. Tusch

Advisory Counsel  
Michael Adams  
Steven DiSalvo  
George Lonca  
Kevin Martinez  
Cristyne Nicholas  
Jeff Stevan

New York Says Thank You  
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Erik Krapfen  
Jessica Lammont  
FP Patrick McElvoney  
Leslie McHale  
FDNY Battalion Chief  
Michael McPartland  
John Millitt  
Debra Orzco  
Jeremy Paul  
Mary Rand  
Dixie Road  
Don Robey  
ii Samuels  
Immie Shedy  
Pastor Mike Sheehan  
David Surka  
Charlie Vickers  
Dana Woodlame

October 7, 2010

Dear Ladies and Gentlemen:

I have known Sherry-Lea since November 2005 when we met in Biloxi, Mississippi following the devastation of Hurricane Katrina. Of the thousands of people I have been privileged to meet in disaster relief and community rebuilding efforts nationwide, I have never met anyone with the unique combination of passion, intelligence, thoughtfulness, strategic foresight, and hands-on energy and enthusiasm as Sherry-Lea Bloodworth. I have often thought of her as a "General in the trenches" equally as comfortable with a hammer and shovel on the front lines leading by example as in a boardroom fighting for the resources to rebuild entire communities and regions.

Sherry-Lea is truly one of America's unsung heroes, having taken the initiative to personally rescue hundreds of residents of Mississippi in the days following Katrina and translating and building on that experience to lead various community rebuilding organizations across the Gulf Coast over the long-term. This ability to "fight the fight" from the initial days of national tragedy and carry that dedication and hard work through the long-term aftermath of disasters is what truly distinguishes Sherry Lea as one of America's great leaders in tackling our country's most difficult challenges.

Any opportunity for Sherry Lea to continue to give to this Nation, and the world, will only add to the reputation and measurable outputs of anyone fortunate to learn with and work alongside Sherry-Lea Bloodworth.

Simply stated: "Get her." You'd be lucky to have her.

Sincerely,

Jeff Parness, Founder & Chairman  
The New York Says Thank You Foundation

### The New York Says Thank You Foundation

The mission of The New York Says Thank You Foundation is to commemorate the generosity extended to New Yorkers by Americans from all across the country in the days, weeks, and months following September 11, by sending volunteers from New York City each year on the 9/11 Anniversary to help rebuild communities around the United States affected by disasters. The New York Says Thank You Foundation is proud to be the national custodian for The National 9/11 Flag. For more info, see [www.NewYorkSaysThankYou.org](http://www.NewYorkSaysThankYou.org) or [www.National911Flag.org](http://www.National911Flag.org)

  
*The* NATIONAL 9/11 FLAG  
RESTORE EMPOWER INSPIRE



Thank you for giving me the opportunity to recommend Sherry-Lea Bloodworth. I've known Ms. Bloodworth since 2005, when she was working tirelessly on the hurricane recovery and rebuilding effort in East Biloxi, Mississippi. From the moment I first met her, I knew instantly that she was someone with whom I wanted to work. She has a unique ability to bring people from all sectors together, and an unrelenting commitment to do whatever necessary to provide hope, dignity and inspiration to people in need of support. Whether she's testifying to a congressional committee on Capital Hill about road blocks in the provision of FEMA funds, or helping the low-income elderly and families of pediatric patients navigate through a labyrinth of bureaucracy to access health care funding, Ms. Bloodworth carries herself with infectious enthusiasm and the utmost professionalism.

Her positive impact on communities all along of the Gulf Coast will be felt for years to come. Parks and community organizations now stand as a testament of her commitment to the region. More than one thousand families in East Biloxi, Bay St. Louis, and Gulfport received support and pro bono design services from the local design studios that she was instrumental in creating. When meeting these families, one can't help but notice their incredible sense of pride, gratitude, and sense of ownership due to the empowering approach Ms. Bloodworth and her colleagues in these community design studios implemented when they engaged these families and took them through the design process. This is also what differentiates Ms. Bloodworth's projects from those of other development agencies, which often leave many homeowners out of the process in the rush to meet donor targets and get projects delivered in the wake of major disasters.

Of all of Ms. Bloodworth's assets, her greatest is her ability to engage stakeholders at all levels and facilitate open, non-threatening conversations about building better communities. I have worked in many regions throughout the United States and around the world and know how critical it is to have someone like Ms. Bloodworth to create cohesion and alignment in order to bring a project to life, and to give it life.

Thank you for your thoughtful consideration.

Very truly yours,



Gregg Sherkin, Program Officer  
Harpo Productions, Inc.

10 W. Carpenter Street Chicago, IL 60607





CONSIDERATION

XII. B.1.

CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

DEC 27 2011

APPOINTMENT APPLICATION

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

DEC 27 2011

Committee: Trustee of The Trust Funds Renewing applicant

Name: Phyllis Eldridge Telephone: 431-1293

Could you be contacted at work? YES/NO - If so, telephone # 431-7100 x 2924

Street address: 50 South School Street, #6

Mailing address (if different): —

Email address (for clerk's office communication): phyllis917@gmail.com

How long have you been a resident of Portsmouth? 3

Occupational background:

I've worked as a teacher, bookstore clerk,  
but more recently I have been a  
program manager for non-profit agencies.  
Currently, I am the coordinator of Futures a  
PHS.

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

Reasons for wishing to continue serving: The board continues  
to be interesting & challenging. Also -  
The other 2 trustees are very new -  
someone needs to be the 'elder  
statesman.'

OVER  
➔



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

Currently, no other groups.  
In the past, Library Trustee,  
HDC member, Planning Board,  
City Council, and a few non-  
profit boards.

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

1) Jerry Howe 45 Heller Ave. 431-4101  
Name, address, telephone number

2) Bill Mortimer 235 Hillside Dr. 436-7866  
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
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: Phyllis Eldridge Date: December 15, 2011

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 1/1/2015

Annual Number of Meetings: 29 Number of Meetings Absent: 2

Date of Original Appointment: 9/1/2007

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

**Phyllis Eldridge**  
**50 South School Street, Unit 6**  
**Portsmouth, NH 03801**  
**(603) 431-1293    phyllis917@gmail.com**

### **Education**

Boston University, Master of Business Administration, 1981

SUNY Cortland, Master of Education, 1974

Syracuse University, Bachelor of Science, 1970

### **Experience**

2006-Present

Futures— Coordinator of Futures at Portsmouth High School. This is a mentoring and financial assistance program for indigent, first generation college bound students.

1997-2006

Lamprey Health Care, Newmarket, NH Ancillary Services Manager  
Administer InfoLink, an Information & Referral Program, which provides social service referrals in three counties; Medical Financial Assistance, a free short-term prescription assistance program; Portsmouth Regional Prescription Assistance Program, which connects eligible people to free ongoing prescriptions drugs directly from pharmaceutical companies; and Lamprey Senior Transportation which enables seniors and the disabled to remain independent in their own homes by providing rides to essential services. Research and write grants to support each program. Grants have been received from the United Way of the Greater Seacoast, NH Department of Transportation, Bureau of Elderly and Adult Services, Foundation for Seacoast Health, City of Portsmouth, Community Development Block Grant, Endowment for Health, and 29 local towns and cities.

Collaborate and coordinate with other groups seeking similar outcomes: Transportation Collaborative, NH 211, Dental Coalition, Alliance for Community Health, Elder Wrap, etc.

Promote programs to groups, potential donors and the public

1993-1997

Stroudwater Books and Cafe, Portsmouth, NH Duties included general sales, producing monthly newsletter, book discussion groups, and special orders.

1990-1993

Children's Garden Pre-school Teacher, working with 3-4 year olds.

1972-1975

Public school teacher at Kiernan School, Utica, NY 2nd Grade

Public School teacher in Rochester, NY Multi-grade 4-6 and 1st grade

### **Civic and Non-Profit Experience**

1984-Present

Trustee of the Trust Funds for the city of Portsmouth

Current Chairman, Co-Chair Portsmouth Library Capital Campaign

Current Member, New Library Building Committee

Current Member, COAST Board of Directors

Current Member, ServiceLink Advisory Board (non-profit agency that assists seniors, adults with disabilities and their families)

Chair, Portsmouth Library Trustees

City Councilor, Portsmouth, NH, two terms

Member, Vice Chair, Portsmouth Planning Board

Member, Vice Chair, Chair, Portsmouth Historic District Commission

Board Member, President, Families First Health and Support Center

Board Member, Chair, Portsmouth Children's Museum



December 11, 2011

Mayor Thomas Ferrini  
City Hall  
1 Junkins Avenue  
Portsmouth, NH 03801

**JAN 13 2012**

Dear Mayor Ferrini,

I am sorry to inform you of my need to decline the offer to serve as an alternate committee member on Portsmouth's Conservation Commission. Since I applied for the position I have subsequently been granted a Graduate Assistantship in a doctoral program at University of New Hampshire. Unfortunately, this has left me without the time necessary to effectively attend to the duties and requirements of the Committee.

Thank you for considering me as an alternate member for the Committee. I hope to be considered again in the future, when time allows.

Sincerely,

Jennifer Wilhelm  
284 Richards Ave  
Portsmouth, NH 03801

# Brett Pasinella

171 Blue Heron Drive  
Portsmouth, NH 03801

T (603) 617-6482

bnp1223@gmail.com  
<http://web.me.com/bpasinella>

January 30, 2012

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

Dear Mayor Spear,

Please accept my resignation from the Sustainable Practices Blue Ribbon Committee. I will be taking a job in Boston this February and moving out of Portsmouth sometime soon thereafter.

Thank you so much for allowing me to serve on the committee. It was a pleasure to work with you and the rest of the group. I hope the city keeps up all of the great work it is doing in sustainability.

Sincerely yours,

A handwritten signature in black ink that reads "Brett N. Pasinella". The signature is written in a cursive style with a large, stylized initial "B".

Brett Pasinella

cc: Peter Britz

MOTION TO CREATE A CITY COUNCIL ADVISORY COMMITTEE  
FOR WASTEWATER TREATMENT FACILITY IMPROVEMENTS

I move that the City Council create an Advisory Committee to facilitate communication between the citizens of the City, the City Council, consultants and municipal staff during the anticipated process of designing and constructing a new Wastewater Treatment Facility on Peirce Island. The role of the Committee will be to facilitate communications from the community at-large and the City Council to municipal staff during the design and construction process. The Committee shall also assist in the dissemination of the information to the community at-large and the City Council from municipal staff in the design and construction process. The Committee shall consist of the following persons appointed by the City Council following the submission of written applications:

1. Two members of the City Council
2. Two members of the municipal staff appointed by the City Manager;
3. One member of the Economic Development Commission;
4. One member of the Friends of the South End;
5. One member of the Peirce Island Committee; and
6. Two community members at-large.

The Committee shall assume its functions at the time that the borrowing resolution to fund the design and construction of the Wastewater Treatment Facility is adopted by the City Council.

The Committee shall continue in existence and operation until final acceptance by the City of the new Wastewater Treatment Facility.

Submitted by: Councilor Esther Kennedy



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

# Memo

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

**To:** Mayor Eric Spear and City Council  
**From:** Kelli L. Barnaby, City Clerk  
**Date:** February 6, 2012  
**Re:** 2011 Board and Commission Attendance Records

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Please find attached the 2011 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](mailto:klbarnaby@cityofportsmouth.com).

cc: John P. Bohenko, City Manager

## 2011 - Board and Commission Meeting Attendance Records

<b>African Burial Ground ( <u>4</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bailey, Mary	4			100%
Cunningham, Valerie	3	1		75%
Edwards, Kelvin	3	1		75%
Jackson, Vernis	4			100%
Council Rep. Dwyer, Crhistine	4			100%

### **Building Code Appeal - THERE WERE NO MEETINGS HELD IN 2011**

<b>Cable &amp; Communication( <u>4</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Beach, Nancy	3	1		75%
Gregg, Brian	4			100%
Gregg, John	4			100%
Southworth, Bill	1	3		25%

<b>Citizens Advisory ( <u>8</u> Meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bailey, Algene	8			100%
Carmody, Constance	8			100%
Emerson, Nancy	7	1		87%
Langley, Lynne	8			100%
Layton, Robert	8			100%
Pecunies, Jean	6	2		75%

<b>Conservation Commission ( <u>13</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Blanchard, MaryAnn	13	0		100%
(Resigned 11/2011) Ennis, Catherine	9	3		75%
(Resigned 12/2011) Hill Stone, Elissa	12	1		92%
McMillan, Barbara	12	1		92%
Miller, Steven	11	2		85%
Tanner, Allison	12	1		92%
(Appt. 11/2011) Vandermark, Peter (Alt)	2	0		100%

<b>Economic Dev. Com ( <u>11</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Allison, Tim	7	4		63%
(Apptd., 05/02/11) Cohen, Philip	8	0		100%
Cyr, Joshua	10	1		90%
Destafano, Lisa	10	1		90%
Eaton, Everett	9	2		81%
Gregg, Eric	9	2		81%
Levenson, Dana	8	3		72%
Marchewka, Robert	11	0		100%
Zolla, Ron	11	0		100%
Council Rep, Asst. Mayor Nancy Novelline Clayburgh	9	2		81%
Council Rep, Chris Dwyer	8	3		72%

<b>Historic Distirct Com. ( 18 meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Almeida, Joseph	14	4		78%
Dika, Sandra	18	0		100%
Katz, Richard	17	1		94%
Kozak, Tracy	16	2		89%
Melchoir, George	12	5	1	67%
Whittaker, Elena	12	6	2	67%
Wyckoff, Jonathan	16	2		89%
Plan Brd Rep, Gladhill, William	18			100%
Council Rep Coviello, Anthony	9	7	2	50%

<b>Housing Endowment - ( 1 meeting held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Berg, Steven	1			100%
Couch, Calvin		1		0%
Lukacz, Christine	1			100%
Mountjoy, Jeffrey	1			100%
Couture, Joseph (PHA Rep)	1			100%

<b>Library Brd. of Trustees ( 9 meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Abelson, Elias	9	0		100%
(Appt. 10/2011) Crist, John	2	0		100%
(Appt.02/2011) Kressly, Kate Gill	8	0		100%
Lessner, Grace	7	2		78%
O'Leary, John	8	1		89%
Record, Jody	8	1		89%
Tehan, Megan	8	1		89%
(Appt 10/2011) Weaver, John	2	0		100%
School Board Rep, Chellman, Carol	4	5		44%

<b>Neighborhood Com. ( meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
<b>Unavailable</b>				

**PEDLP - THERE WERE NO MEETINGS HELD IN 2011**

<b>Peirce Island Com (10 meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Hubbard, Chris	5	2	3	50%
Marison, Steve	10			100%
McVay, John	7	1	2	70%
Philp, Steven	6	1	3	60%
Pollard, Robert	7		3	70%
Russ, James	8		2	80%
Simon, John	6		4	60%
Smith, Richard	7	3		70%
Whitehouse, Harold	7		3	70%
Council Rep Kennedy, Esther	6	1	3	60%



<b>Planning Board ( <u>16</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Blenkinsop, Anthony	15	1		94%
Geffert, MaryLiz	11	5		69%
Gladhill, William	15	1		94%
(Appt 10/2011) Groth, Brian (Alt)	2	2		100%
Patenaude, Norman	10	5		63%
Ricci, John	15	1		94%
Rice, John	14	2		88%
Roberts, Paige	15	1		94%
Council Rep Spear, Eric	12	4		75%
<b>Ports Housing Authority( <u>12</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bradley, Charles	12	0		100%
Griffin, Ruth	11	1		92%
Heany, Thomas	7	5		58%
Leith, John	10	2		83%
(Appt. 11/21/11) McCarthy, Stephen	0	0		
(appt. 09/2010) Schwartz, Amy	7	5		58%
<b>Recreation Board ( <u>7</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Cali-Pitts, Jacqueline	4	3		57%
DelValle, Eduardo	6	1		86%
Diemer, Carl	5	2		71%
Henley, Todd	5	2		71%
Seigel, Kathy	4	3		57%
Sirmaian, Kory	6	1		86%
Syracusa, Elaine	7	0		100%
School Board Rep. LaPage, Kent	3	4		43%
Council Rep Coviello, Tony	6	1		86%
<b>Safe Routes to School ( meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
<b>Unavailable</b>	-	-	-	-
<b>Sustainable Practices ( <u>9</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
(Appt. 12/2011) Blaisdell, Betsy	1	-		100%
Britz, Peter, Ex-Officio	6	3		67%
Cohen, Bert	8	1		89%
Epler, Gary	1	8		11%
Maher, Skye	7	2		78%
Martin, Drew	3	6		33%
Pasinella, Brett	1	8		11%
Walker, Ann, School Brd. Rep	8	1		89%
<b>Taxi Commission ( <u>10</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bresciano, Peter P.	9	1		90%
Daggett, Frank	10			100%
Ford, Paul	10			100%
Feehley, James	10			100%
Council Rep. Lister, Bob	9	1		90%

<b>Traffic &amp; Safety ( <u>10</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Cypher, Ronald	10			100%
Gray, Ted	10			100%
Whitehouse, Harold	10			100%
Council Rep. Smith, Ken	10			100%

<b>Trees/Public Greenery ( <u>12</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Adams, Richard	12			100%
Loughlin, Peter	12			100%
Rogers, June	11	1		92%
(Appt. 07/2011) Stevens, Leslie	5			100%
State Forester Dupre, A.J.	9	3		75%

<b>Trustees of Trust Funds ( <u>24</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Eldridge, Phyllis	22	2		92%
(Apptd. 09/2011) Levenson, Dana	6	0		100%
Lown, Brad	22	1		96%

<b>Zoning Brd Adjustment ( <u>14</u> meetings held)</b>	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
(Appt. 09/2011) Chamberlin, Susan	3	1		75%
Durbin, Derek	12	2		86%
(Resigned 08/2011) Eaton, Carol	8	2		80%
(Resigned 11/2011) Grasso, Thomas	12	1		92%
(Resigned 12/2011) Jousse, Alain	12	1		92%
LeMay, Charles	12	2		86%
(Appt. 09/2011) Moretti, Patrick	3	1		75%
Parrott, Arthur	14	0		100%
Rousseau, Robin (Alt)	9	4	1	67%
Witham, David	13	1		93%

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**MEMORANDUM**

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**TO:** City Council Members  
**FROM:** Mary E. Koepenick, Planning Department  
**SUBJECT:** Board of Adjustment Minutes  
**DATE:** January 18, 2012

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

November 15, 2011



## MEMORANDUM

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**TO:** City Council Members  
**FROM:** Liz Good, Planning Department  
**SUBJECT:** Conservation Commission Minutes  
**DATE:** January 12, 2012

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Please be advised that the approved minutes from the December 14, 2011 Conservation Commission meeting are now available on the City's website for your review.

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**MEMORANDUM**

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**TO:** City Council Members  
**FROM:** Jane Shouse, Planning Department *gms*  
**SUBJECT:** Planning Board Minutes  
**DATE:** January 24, 2012

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Please be advised that the approved minutes from the September 22, 2011 Planning Board meeting are now available on the City's website for your review.

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## MEMORANDUM

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**TO:** City Council Members  
**FROM:** Jane Shouse, Planning Department  
**SUBJECT:** Site Review Technical Advisory Committee Minutes  
**DATE:** January 25, 2012

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Please be advised that the approved minutes from the January 10, 2012 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.