

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, APRIL 16, 2012 TIME: 7:00 PM

AGENDA

- 6:15 PM – ANTICIPATED “NON-MEETING” WITH COUNSEL: RSA 91-A:2 I (b)

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

PROCLAMATIONS

1. Arbor Day
2. Earth Day 2012

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

- VI. PUBLIC COMMENT SESSION

- VII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Port Security Analysis Grant

- VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E entitled Compliance with State and Federal Law ***(Sample Motion – move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the May 7th City Council meeting.)***
- B. First reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance regarding Accessory Drive-through Facilities. ***(Sample Motion – move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the May 7th City Council meeting.)***
- C. First reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 – Terms of General Applicability relative to the Definition of Museum ***(Sample Motion – move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the May 7th City Council meeting.)***
- D. Third and final reading of Proposed Ordinance Amendment to Chapter 6, Article XVI, Section 6.16 – Magazine Subscription Solicitors by amending Section 6.1604 – License Fee ***(Sample Motion – move to pass third and final reading on the proposed Ordinance amendment.)***

- E. Third and final reading of Proposed Ordinance Amendment to Chapter 5, Article VIII, Section 5.8 – Alarm Systems Monitored by the City by amending Section 5.802: Service Fee and Section 5.803: Permissible Unfounded Emergency Calls (**Sample Motion – move to pass third and final reading on the proposed Ordinance amendment**)
- F. Third and final Reading of Proposed Ordinance Amendment to Chapter 6, Article VII, Section 6.7 – Dogs and Other Pets by amending Section 6.708: License (**Sample Motion – move to pass third and final reading on the proposed Ordinance amendment**)

IX. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Request for approval of Pole License to install/replace one (1) pole located on Holiday Drive (**Anticipated action – move to approve the aforementioned Pole License Agreement 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**)
- B. Request for approval of Pole License to install/replace one (1) pole located on Jones Avenue (**Anticipated action – move to approve the aforementioned Pole License Agreement 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. Request for approval of Pole License to install/replace eight (8) poles located on Marcy Street (**Anticipated action – move to approve the aforementioned Pole License Agreement 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**)
- D. Request for approval of Pole License to install/replace two (2) poles located on Woodbury Avenue (**Anticipated action – move to approve the aforementioned Pole License Agreement 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**)
- E. Request for Licenses from Keith Prince, owner of Rudi’s Restaurant for property located at 20 High Street and 5 Congress Street for 2 projecting signs. (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Keith Prince, owner of Rudi’s Restaurant, for 2 projecting signs at property located at 20 High Street and 5 Congress Street and, further, authorize the City Manager to execute License Agreements for this request**)

Planning Director's Stipulations:

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

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Nicole LaPierre requesting Rock Street Park to be closed between the hours of 11 p.m. and 5:00 a.m.
- B. Letter from John Semprini, President of Sons of Italy, regarding Portsmouth Owned Building at 1 Plains Avenue (***Sample Motion – move to refer to the City Manager for report back***)

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

- 1. First Reading of Proposed Resolution and Ordinance Amendments:
 - 1.1 First reading of Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E entitled Compliance with State and Federal Law (***Action on this matter should take place under Section VIII of the Agenda***)
 - 1.2 First reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance regarding Accessory Drive-through Facilities. (***Action on this matter should take place under Section VIII of the Agenda***)
 - 1.3 First reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Section 10.1530 – Terms of General Applicability relative to the Definition of a Museum (***Action on this matter should take place under Section VIII of the Agenda***)

2. Third and Final Reading of Proposed Ordinance Amendments:
 - 2.1 Third and final reading of Proposed Ordinance Amendment to Chapter 6, Article XVI, Section 6.16 – Magazine Subscription Solicitors by amending Section 6.1604 – License Fee **(Action on this matter should take place under Section VIII of the Agenda)**
 - 2.2 Third and final reading of Proposed Ordinance Amendment to Chapter 5, Article VIII, Section 5.8 – Alarm Systems Monitored by the City by amending Section 5.802: Service Fee and Section 5.803: Permissible Unfounded Emergency Calls **(Action on this matter should take place under Section VIII of the Agenda)**
 - 2.3 Third and final Reading of Proposed Ordinance Amendment to Chapter 6, Article VII, Section 6.7 – Dogs and Other Pets by amending Section 6.708: License **(Action on this matter should take place under Section VIII of the Agenda)**

City Manager’s Items Which Require Action

1. Proposed Adoption of the Portsmouth City Employees Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) Tentative Agreement.
2. Report Back Re: Request of Northern Tier Real Estate Acquisition and Development, LLC, for Property Located at 172 Hanover Street to Remove the Glass Atrium on the Vaughan Mall Side of the Property
3. Modification of Consent Decree

Informational Items

1. Events Listing
2. African Burying Ground Trust Donations
3. Report Back Re: Public Art Requests - Red Eft Project and Kit Clews Interactive Sculpture)
4. Special City Council Meeting Agenda Re: Proposed FY13 Budget.

B. MAYOR SPEAR

1. Appointments to be Considered:
 - Reappointment of Kathleen Bergeron to Citywide Neighborhood Steering Committee
 - Reappointment of John Leith to Portsmouth Housing Authority
 - Reappointment of Ed DeValle to Recreation Board
2. Appointments to be Voted:
 - Reappointment of Rich DiPentima to the Conservation Commission
 - Reappointment of Peter Vandermark to the Conservation Commission
 - Reappointment of Laura Montville to the Portsmouth Economic Development Loan Program (PEDLP)
 - Reappointment of Steve Berg to the Portsmouth Economic Development Loan Program (PEDLP)

- Appointment of Robert Cook to the Blue Ribbon Committee on Sustainable Practices
- Appointment of Shelley Saunders to the Parking & Traffic Safety Committee

C. COUNCILOR NOVELLINE CLAYBURGH

1. *Update on Senior Citizens Programs

D. COUNCILOR DWYER

1. *Update on Middle School

XII. MISCELLANEOUS/UNFINISHED BUSINESS

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

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. Notification that the Site Review Technical Advisory Committee Minutes of February 28, 2012 meeting are available on the City's website for your review
2. Notification that the Historic District Commission Minutes of January 4, 2012 meeting are available on the City's website for your review

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

The Council Chambers
City Hall
Portsmouth, New Hampshire

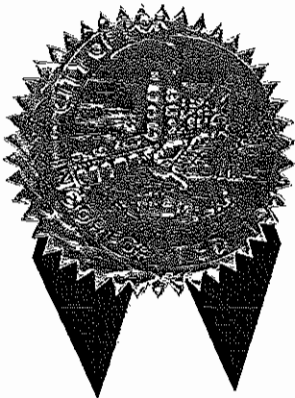
A Proclamation

- WHEREAS:** The City of Portsmouth has a strong commitment to the physical beauty and heritage of our community and established a Mayor's Blue Ribbon Committee on Trees and Greenery as a way to support that commitment; and
- Whereas:* Trees provide many community and natural benefits that improve the quality of life, restore our environment, and provide a habitat for wildlife; and
- Whereas:* In recent years, the City has put a strong focus on street trees and the use of native species in public parks and public rights-of-way in several locations throughout our community; and
- Whereas:* Portsmouth has been recognized as a Tree City USA community for the past thirteen years; and
- Whereas:* Arbor Day is a nationally celebrated observance occurring on the last Friday in April that encourages tree planting and care.

Now, therefore, I, Eric Spear, Mayor of the City of Portsmouth, on behalf of the City Council and all of our citizens, do hereby proclaim Friday, April 27, 2012, as

Arbor Day in the City of Portsmouth

and urge all citizens to support the efforts to care for our trees and woodlands.



Given with my hand and the
Seal of the City of Portsmouth,
on this 16th day of April, 2012.

Mayor Eric Spear

The Council Chambers
City Hall
Portsmouth, New Hampshire

A Proclamation

Whereas:

As we prepare to observe Earth Day 2012 on April 22, the global community continues to face extraordinary challenges, such as health issues, food and water shortages, and economic struggles; and

Whereas:

All people, regardless of race, gender, income or geography, have a right to a healthy, sustainable environment with economic growth; and

Whereas:

It is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges; and

Whereas:

A green economy can be achieved on the individual level through educational efforts, public policy and consumer activism campaigns; and

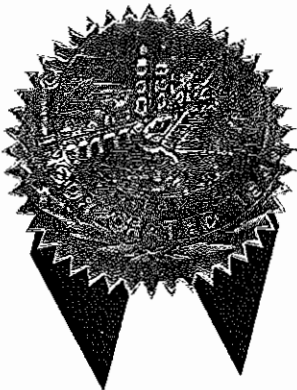
Whereas:

Portsmouth, as the first eco-municipality on the East Coast, is mindful of these connections and continues to support such initiatives, including annual events to promote sustainability in our community.

Now, therefore, I, Eric Spear, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby encourage residents, businesses and institutions to use the occasion of

Earth Day 2012

to celebrate the Earth and commit to building a sustainable and green economy, to urge others to undertake similar actions, and to participate in Portsmouth's Sustainability Day on May 12.



Given with my hand and the
Seal of the City of Portsmouth,
on this 16th day of April, 2012.

Eric Spear, Mayor of Portsmouth



Portsmouth Fire Department

Office of the Fire Chief

To: John Bohenko

From: Chief LeClaire

Date: 4/11/2012

Re: Acceptance of Port Security Analysis Grant

The fire department has been asked, once again, to take the lead on behalf of the Department of Safety and the State of New Hampshire on an important Homeland Security project known as a Port Security Analysis. This analysis will be performed by qualified consultants supervised by a city oversight team, and funded through a grant provided by the US Department of Homeland Security and administered by the Grants Management Unit of the NH Department of Safety. The city will serve as the fiscal agent for this no-match grant.

This project will bring together emergency plans, surveys and other available data into one useable format to identify and prioritize security weaknesses along the shoreline, from the mouth of the harbor to Great Bay. This research will bring community leaders and other stakeholders together to discuss concerns, weaknesses and strengths in our river and port, and identify strategies to improve the security of our waterfront and marine environment. This project may identify needs that may be eligible for future grant funding awards.

I have enclosed the award letter from Commissioner Barthelmes, which indicates that this grant award is not to exceed \$300,161.00 and that these funds must be expended by February 28, 2013, at the latest. The city council needs to take action to accept this grant. I am the program manager for this project, and I will be available to answer any questions or concerns that the city council may have.

Department Memorandum

State of New Hampshire



JOHN J. BARTHELMES
COMMISSIONER OF SAFETY

DEPARTMENT OF SAFETY
JAMES H. HAYES SAFETY BUILDING
33 HAZEN DRIVE, CONCORD, N.H. 03305
TDD Access: Relay NH 1-800-735-2964

EARL M. SWEENEY
ASSISTANT COMMISSIONER

March 28, 2012

Chief Christopher J. LeClaire
Portsmouth Fire Department
170 Court Street
Portsmouth, NH 03801

Re: 2008 Homeland Security Grant Program Award – Port Security Grant

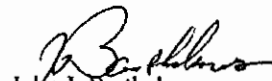
Dear Chief LeClaire:

It is my pleasure to inform you that upon review of your 2008 Homeland Security Grant Application, the City of Portsmouth, with your Department as the lead agency, has been awarded a grant not to exceed \$300,161.00. A FINAL grant amount will be determined upon the results of the RFP. The timeframe for this grant award CANNOT exceed the federal grant expiration date. Currently, the 2008 Homeland Security Grant expires on August 31, 2012 and is not expected to exceed February 28, 2013. These funds are awarded under the State Homeland Security Program (SHSP) portion of the 2008 Homeland Security Grant Program (HSGP) for the purpose of completing a Port Security Analysis.

These grant awards are subject to federal program requirements and special conditions. Enclosed are your federal grant terms and conditions, special conditions requirements, lobbying certification and acceptance of audit requirement forms. All signature forms must be returned to the Grants Management Unit within fifteen (15) days of the date of this letter. Special conditions requirements must be responded to within thirty (30) days of the date of this letter. In addition, purchase orders or other documented proofs of purchase must be submitted within 180 days of the date of this letter. Failure to meet these requirements will result in a delay in reimbursement or cancellation of your grant award.

Additional information is also available at <http://www.nh.gov/safety/homeland/index.html>. We, at the Department of Safety, look forward to this opportunity to work diligently with local first responders, public safety officials, and other local and state officials and agencies to prepare and protect our citizens. It is our hope that we will never have to apply these skills, or use this equipment; however, we will work together to ensure that our ability to do so will be keen.

Sincerely,


John J. Barthelmes
Commissioner

RECEIVED
APR 02 2012

BY:

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article II, Section 7.229 – **GENERAL PROVISIONS** 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 7.229: GENERAL PROVISIONS

E. COMPLIANCE WITH STATE AND FEDERAL LAW

Every owner and holder of a taxi medallion shall operate at all times in compliance with all applicable state and federal law, including but not limited to provisions relating to the proper designation of employees as compared to independent contractors, worker's compensation, federal income tax withholding, and social security. The business records of each owner or medallion holder demonstrating compliance with this provision shall be made available on demand for review by City officials engaged in the enforcement of this ordinance.

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

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

Use	GB	GW	B	WB	OR
19.40 Drive-through facility, as accessory use to a permitted principal use	S CU	S CU	S CU	N	S CU

- (2) Amend Section 10.836, Accessory Drive-Through Uses, as follows:

~~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.~~

10.836.20 Performance Standards

10.836.21 A drive-through canopy shall not project more than 26 feet from the principal building and shall be consistent with the architectural style of the building.

10.836.22 Illuminated menu boards or other signs associated with the drive-through facility shall be shielded from public streets and residential properties.

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.~~

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

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 15, Section 10.1530 – Terms of General Applicability, are hereby amended by changing the definition of “museum” as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Museum

A non-profit permanent institution, open to the public, which acquires, conserves, researches, exhibits, and interprets objects having scientific, historical or artistic value. Museums may include exhibit and display areas, libraries and research areas, administrative offices, areas for constructing exhibits, and storage areas for museum materials, artifacts and objects. Accessory uses may include retail sales (~~but not including the regular sale of objects collected or displayed~~), food services for museum visitors or others, manufacturing for museum purposes, and events such as craft demonstrations, receptions, and periodic celebrations, **provided that all such accessory uses are incidental and subordinate to the primary non-profit museum use.** ~~Museums include galleries for the display of works of art, but do not include commercial galleries for the sale of art work.~~

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

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 6, Article XVI, Section 6.16 – **MAGAZINE SUBSCRIPTION SOLICITORS** 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 6.1604 – LICENSE FEE

The fee for such license shall be determined on an annual basis by the City during its budget process.

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

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 5, Article VIII, Section 5.8 –**ALARM SYSTEMS MONITORED BY THE CITY** 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 5.802: SERVICE FEE

The owner of any premises served by an alarm system shall be obligated to pay a service ~~fee charge~~ to the City of Portsmouth for all unfounded emergency calls to that premises in excess of the number of such calls permitted by this Article. This service ~~fee charge~~ shall be in **such amounts as may be determined on an annual basis by the City during its budget process. The service fee may be graduated to increase based upon an increasing number of unfounded emergency calls.** ~~the amount of \$20.00 per unfounded emergency call to the police for the 6th through 9th call per calendar year and \$50.00 per call in excess of 9 calls. The service charge for unfounded emergency calls to fire officials shall be \$50.00. Said service charge is to be paid within 30 days of billing, payment to be made to the department issuing the bill.~~

Section 5.803: PERMISSIBLE UNFOUNDED EMERGENCY CALLS

The owner of any premises served by an alarm system shall be permitted the following number of unfounded emergency calls prior to the imposition of a service ~~fee charge~~:

- A. Unfounded Emergency Calls to Police **Department Offices**
Five calls per calendar year (Amended 1/25/88)
- B. Unfounded Emergency Calls to Fire **Department Officials**
Two calls per six calendar month period (January to June inclusive or July to December inclusive)

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

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 6, Article VII, Section 6.7 – **DOGS AND OTHER PETS** 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 6.708: LICENSE

Every owner of a dog more than four (4) months old shall be required to license such dog within 30 days of ownership and annually thereafter with the City Clerk in the manner proscribed by RSA 466 as it may be from time to time amended. **The fee for this license shall be set at the maximum amount permitted by state law.** Failure to license any dog as provided in this section shall be a violation and the penalty shall be \$25.00 and not those penalties set forth in Section 6.710.

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

InterOffice Memo

To: John P. Bohenko, City Manager
From: Tom Richter, Engineering Technician
Date: March 23, 2012
Subject: PSNH License Agreement 63-0530

I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0530.

This request is to license one pole located on Holiday Drive that was in need of replacement. The old pole currently had no license and PSNH is requesting one with this petition.

This 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



**Public Service
of New Hampshire**

A Northeast Utilities Company

PSNH Energy Park
780 North Commercial Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000
www.psnh.com

March 19, 2012

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 63-0530 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

March 9, 2012

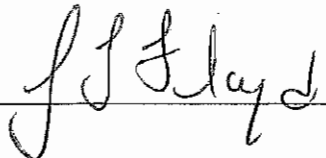
To the City Council of the City of Portsmouth New Hampshire.

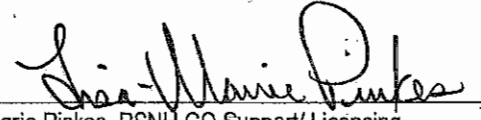
PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such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

License one (1) pole(s), 307/3 located on Holiday Drive 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 9th day of March, 2012, 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 Electrical 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. 63-0530, dated 3/8/2012, 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

ADDENDUM PER RSA 231:163

- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Approved by City Council:



InterOffice Memo

To: John P. Bohenko, City Manager
From: Tom Richter, Engineering Technician
Date: April 6, 2012
Subject: PSNH License Agreement 63-0532

I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0532.

This request is to license one pole located on Jones Avenue that was in need of replacement. The old pole currently had no license and PSNH is requesting one with this petition.

This 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



**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System

March 26, 2012

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

MAR 27 2012

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 63-0532 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

March 19, 2012

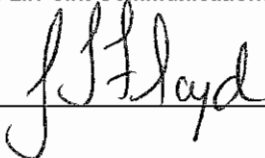
To the City Council of the **City of Portsmouth** New Hampshire.

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), 137/13 located on Jones 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 19th day of March, 2012, 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 Electrical 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. 63-0532, dated 3/19/2012, 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

ADDENDUM PER RSA 231:163

- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Approved by City Council:



04/05/2012

InterOffice Memo

To: John P. Bohenko, City Manager
From: Tom Richter, Engineering Technician
Date: April 6, 2012
Subject: PSNH License Agreement 63-0533

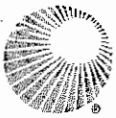
I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0533.

This request is to license eight poles located on Marcy Street. The existing poles were in need of replacement and also needed to be moved to accommodate new sidewalks as a part of the Marcy Street Area Paving and Sidewalk Project slated for this fall.

These new poles pose no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

Attached are pictures of the poles. Please call with any questions you may have.

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



**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System

March 30, 2012

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 63-0533 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

March 23, 2012

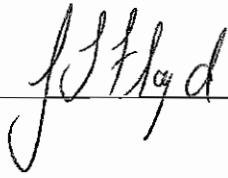
To the City Council of **the City of Portsmouth** New Hampshire.

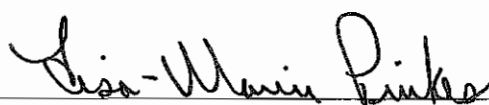
PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such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

License eight (8) pole(s), 3/1, 59/2, 59/5, 59/6, 59/8S, 59/9, 59/10, 59/18 located on Marcy Street 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 23rd day of March, 2012, 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 Electrical 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. 63-0533, dated 3/23/2012, 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

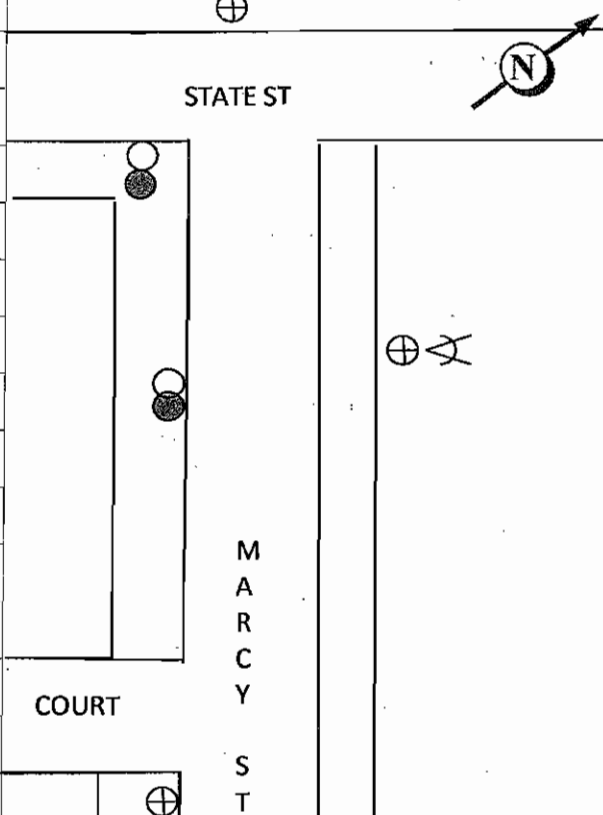
POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and

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

DATE	<u>03/23/2012</u>	LICENSE NO.	<u>63-0533</u>
MUNICIPALITY:	<u>Portsmouth</u>	STATE HWY. DIV. NO.	<u>6</u>
STREET / ROAD:	<u>Marcy Street</u>	STATE LICENSE NO.	
PSNH OFFICE:	<u>Portsmouth</u>	WORK REQUEST#	<u>1864572</u>
PSNH ENGINEER:	<u>Sonny Lemire</u>	WORK FINANCIAL #	<u>9P220102</u>
TELCO ENGINEER:	<u>Joe Considine</u>	TELCO PROJECT #	<u>255048</u>

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL POLE PB	REMOVE	REF	100% LTS	J/O	100% TEL	Span	DIST. FROM	Remarks	DOC REQ
LTS	TEL												
<u>3</u> 1S						⊕						EXISTING STUB POLE/ANC	
<u>3</u> 1	<u>97</u> 1	45'2 40' 1953	Y									REPLACE POLE	M
<u>59</u> 2S												EXISTING STUB POLE/ANC	
<u>59</u> 2	<u>72</u> 1	45'2 40' 1940	Y									REPLACE POLE	M
<u>59</u> 3	<u>72</u> 3	50' 1980										EXISTING POLE	
<u>59</u> 4	<u>72</u> 4											REPLACED ON #1824249	



ADDENDUM PER RSA 231:163

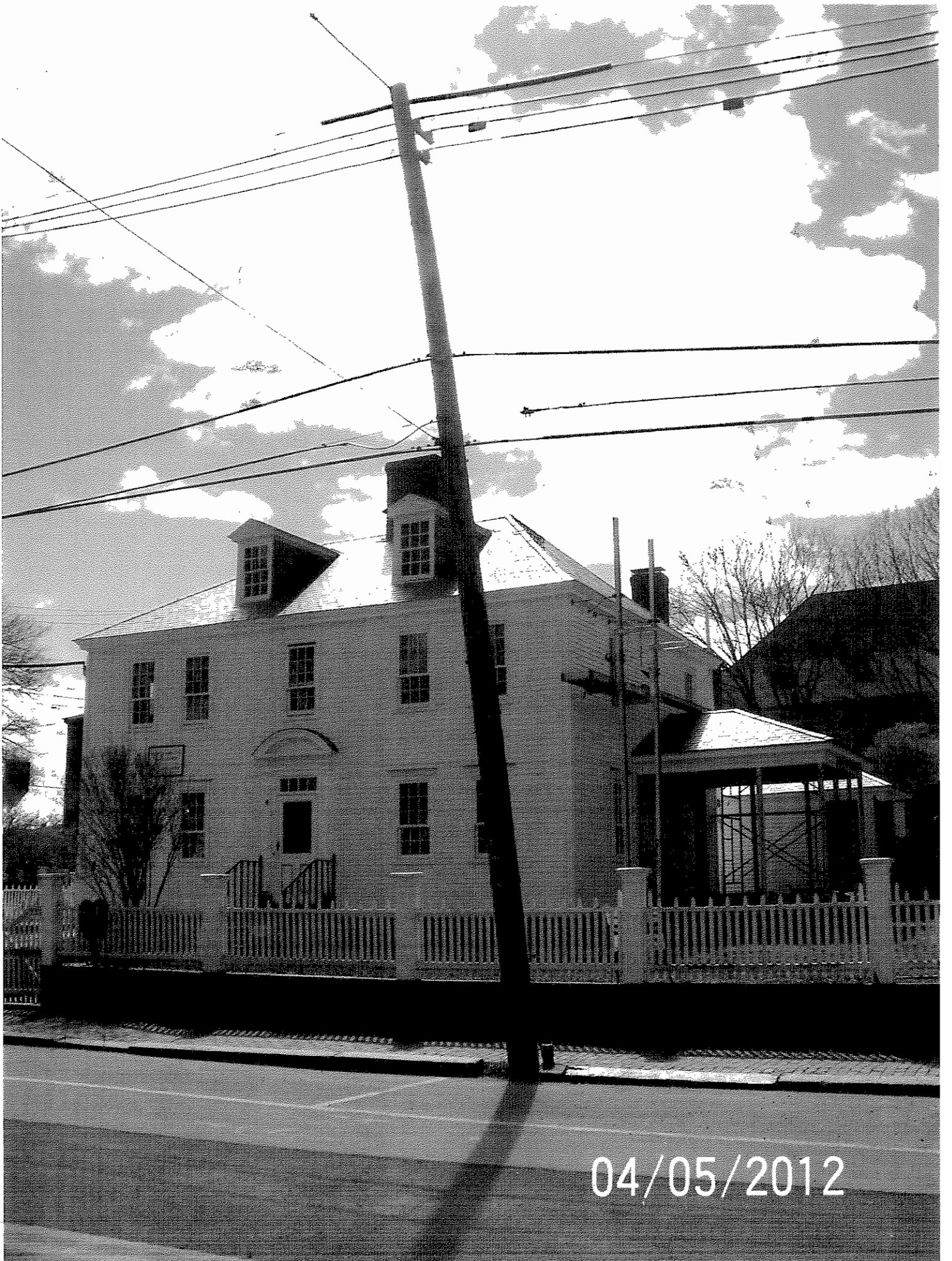
- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Approved by City Council:



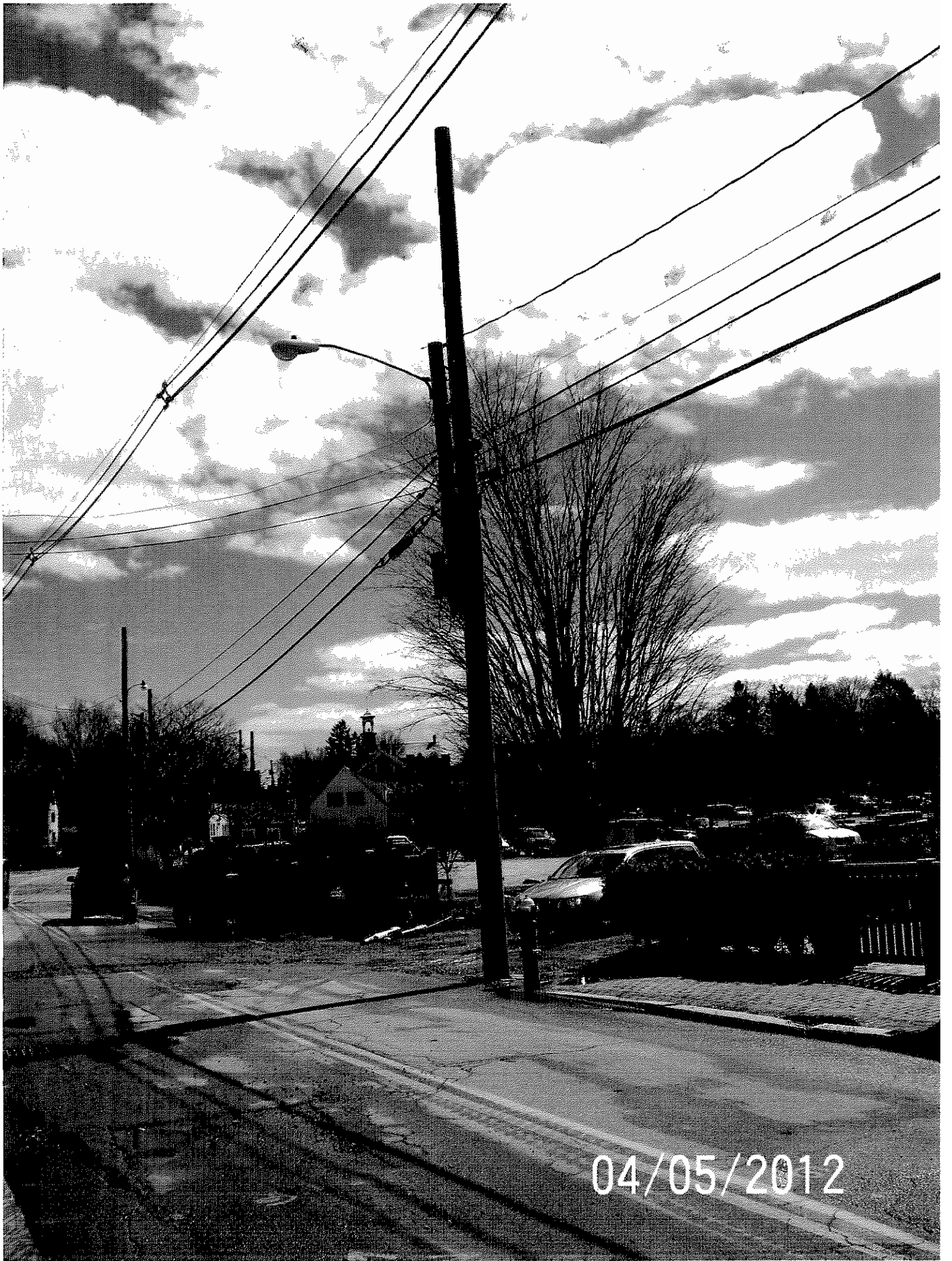
04/05/2012



04/05/2012



04/05/2012



04/05/2012



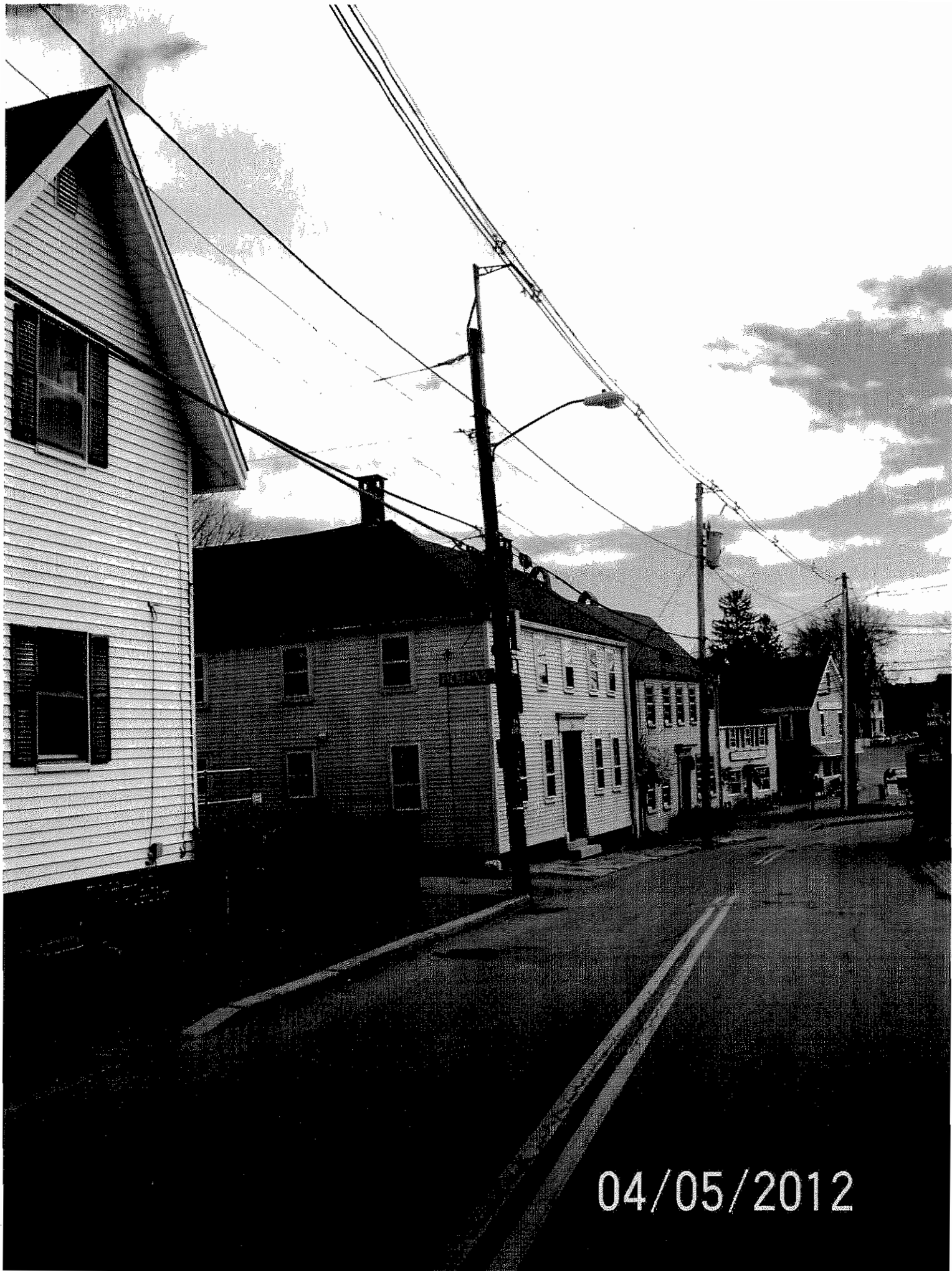
04/05/2012



04/05/2012



04/05/2012



04/05/2012

InterOffice Memo

To: John P. Bohenko, City Manager
From: Tom Richter, Engineering Technician
Date: April 6, 2012
Subject: PSNH License Agreement 63-0534

I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0534.

This request is to license two poles located on Woodbury Avenue. The existing poles needed to be moved to accommodate a new turning land onto Durgin Lane.

These new poles pose no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

Attached are pictures of the poles. Please call with any questions you may have.

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



**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System

March 30, 2012

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 63-0534 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

March 23, 2012


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

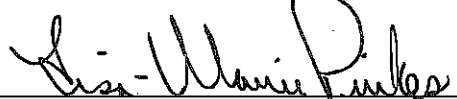
PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such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

License two (2) pole(s), 177176, 177177 located on Woodbury 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 23rd day of March, 2012, 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 Electrical 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. 63-0534, dated 3/23/2012, 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

ADDENDUM PER RSA 231:163

- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Approved by City Council:

POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and

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

DATE	03/23/2012	LICENSE NO.	63-0534
MUNICIPALITY:	Portsmouth	STATE HWY. DIV. NO.	6
STREET / ROAD:	Woodbury Avenue	STATE LICENSE NO.	
PSNH OFFICE:	Portsmouth	WORK REQUEST#	1878328
PSNH ENGINEER:	Sonny Lemire	WORK FINANCIAL #	9P220183
TELCO ENGINEER:	Joe Considine	TELCO PROJECT #	

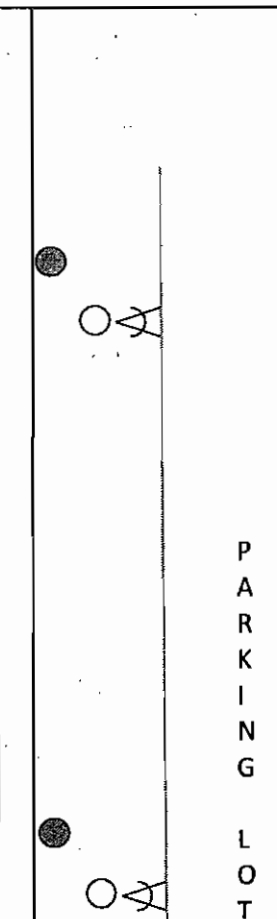
Pole Numbers		Pole Sz-CI	Eq BH	INSTALL		REMOVE	REF	100% LTS	J/O	100% TEL	Span	DIST. FROM	Remarks	DOC REQ
LTS	TEL			POLE	PB									
													EXISTIG URD SVC TO BANK	
177 75													EXISTING POLE	
177 76	920 16	50' 1992											RELOCATE POLE, INST ANC PHASE SECONDAR' SVC TO BANK W/ XFMR @ P77 TO LEAVE THEM HOT	M
		50'2	Y											
177 77	920 17	45' 1992											RELOCATE POLE, INST ANC XFER OH LINE MATERIALS	M
		45'2												

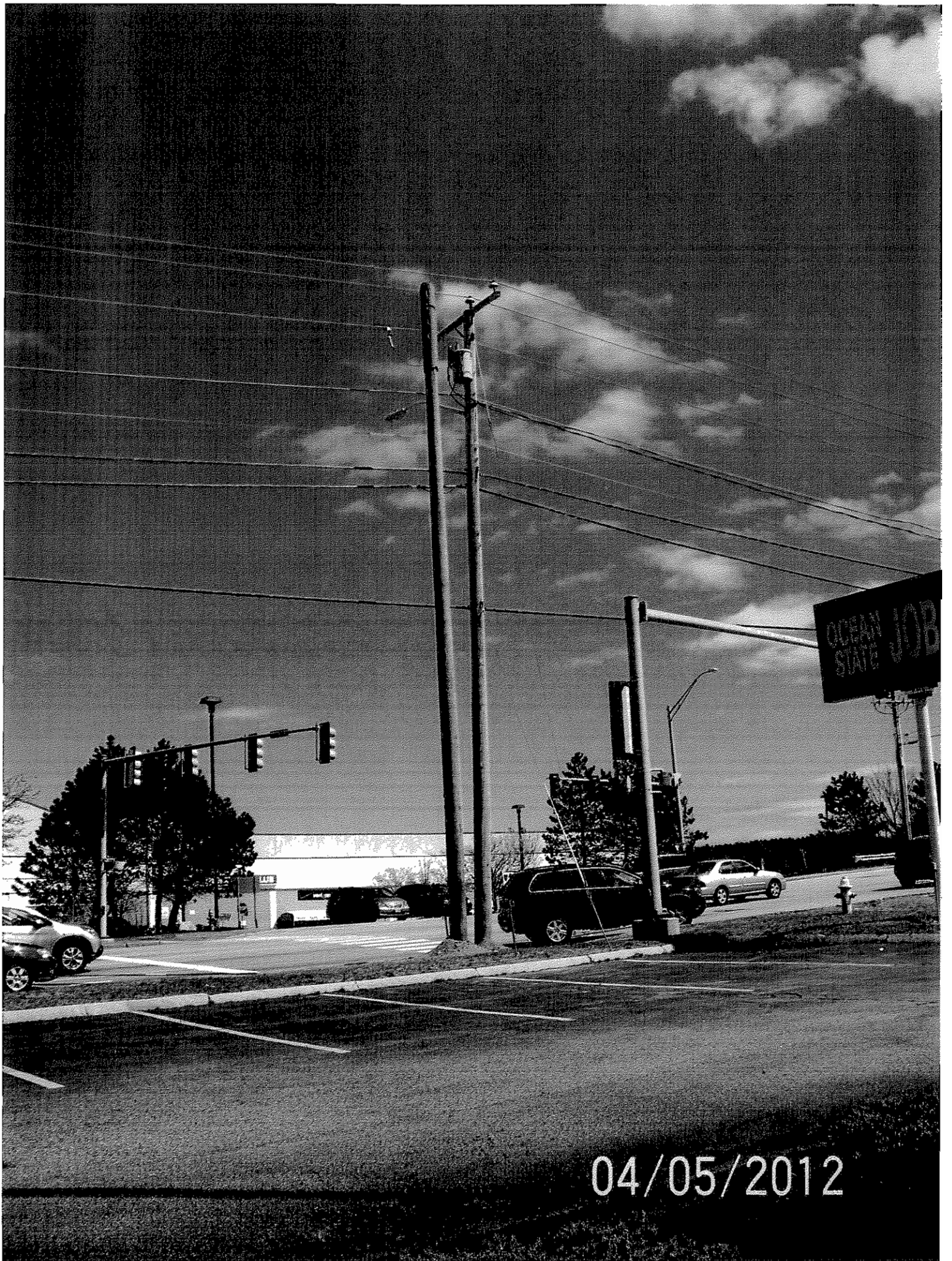


WOODBURY AVE

DURGIN RD

PARKING LOT





04/05/2012



04/05/2012

M E M O R A N D U M

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT*
DATE: April 10, 2012
RE: City Council Referral – Projecting Sign
Address: 20 High Street
Business Name: Rudi's Restaurant
Business Owner: Keith Prince

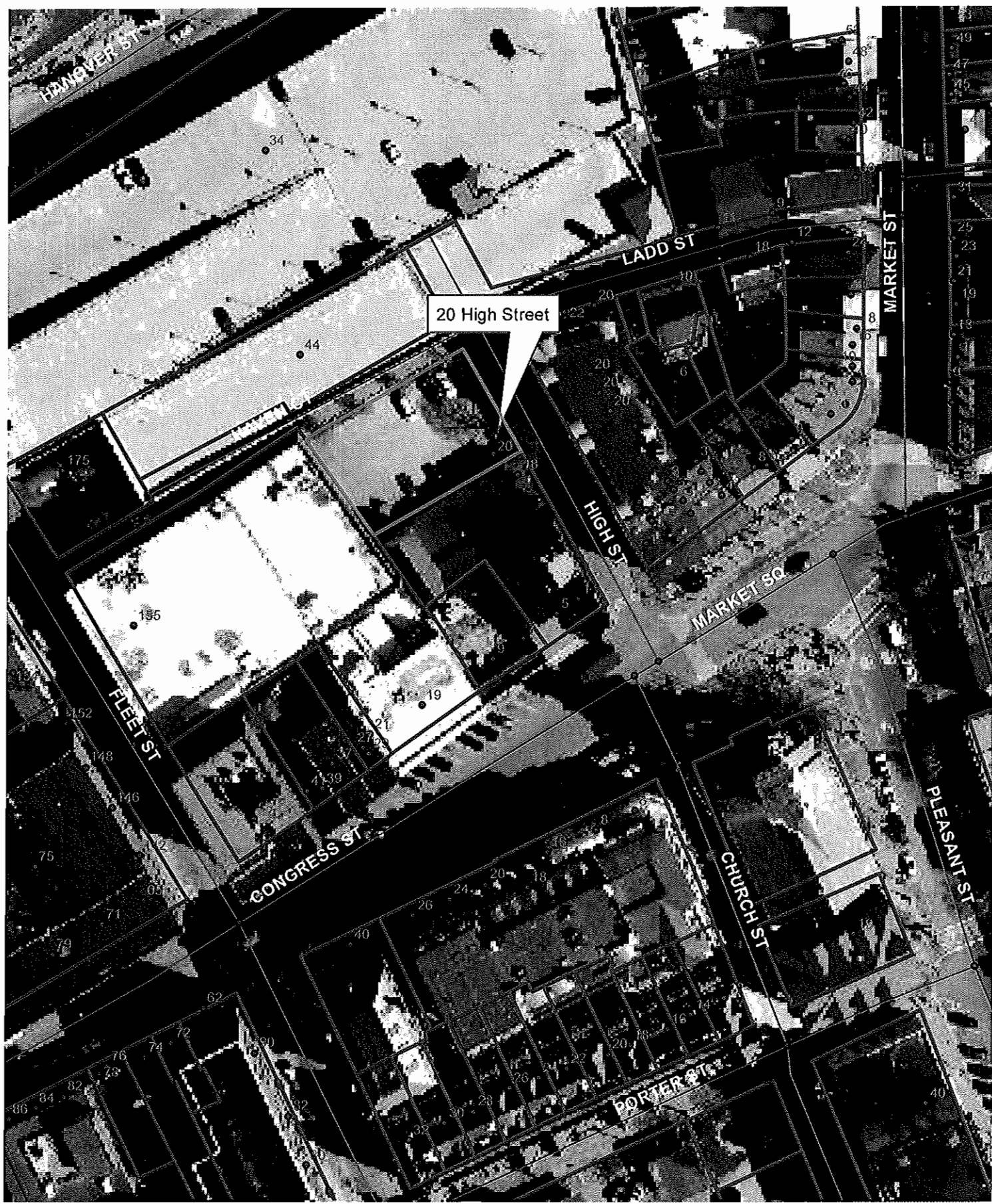
Permission is being sought to maintain an existing projecting sign, as follows:

Sign dimensions: 30" x 36"
Sign area: 5.9 sq. ft. (oval)
Height from sidewalk to bottom of sign: 8'0"
Maximum protrusion from building: 36 in.

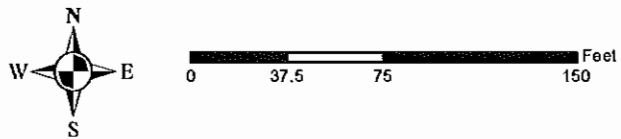
This sign has been in place for several years, but does not have a license. This situation was discovered in connection with the business owner's application for a new projecting sign on the Congress Street frontage of the same business.

I recommend approval of a revocable municipal license, subject to the following conditions:

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

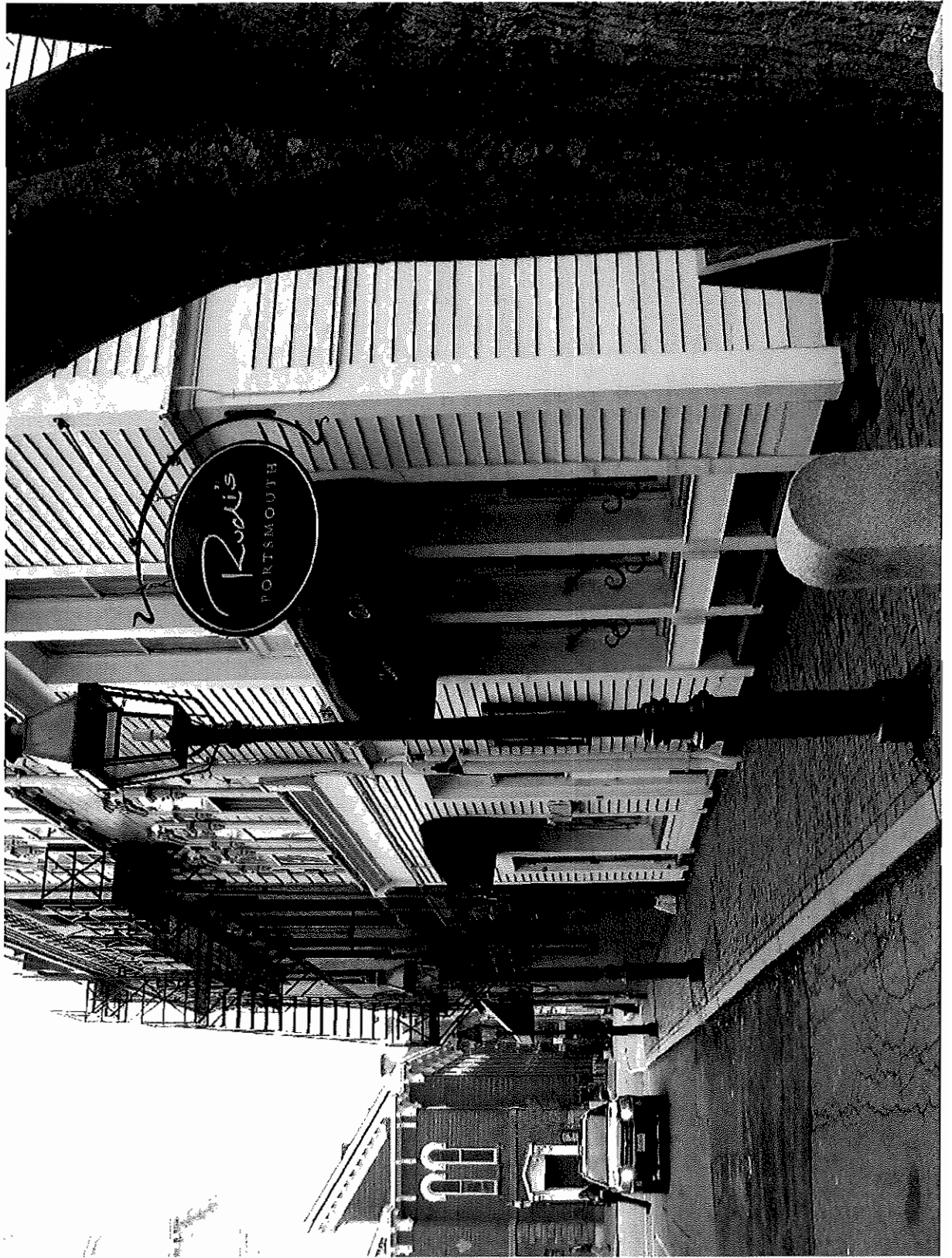


20 High Street




Request for Projecting Sign License 20 High Street

Rudi's
20 High Street
Existing Sign



M E M O R A N D U M

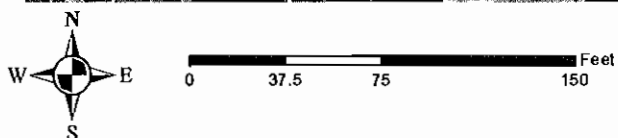
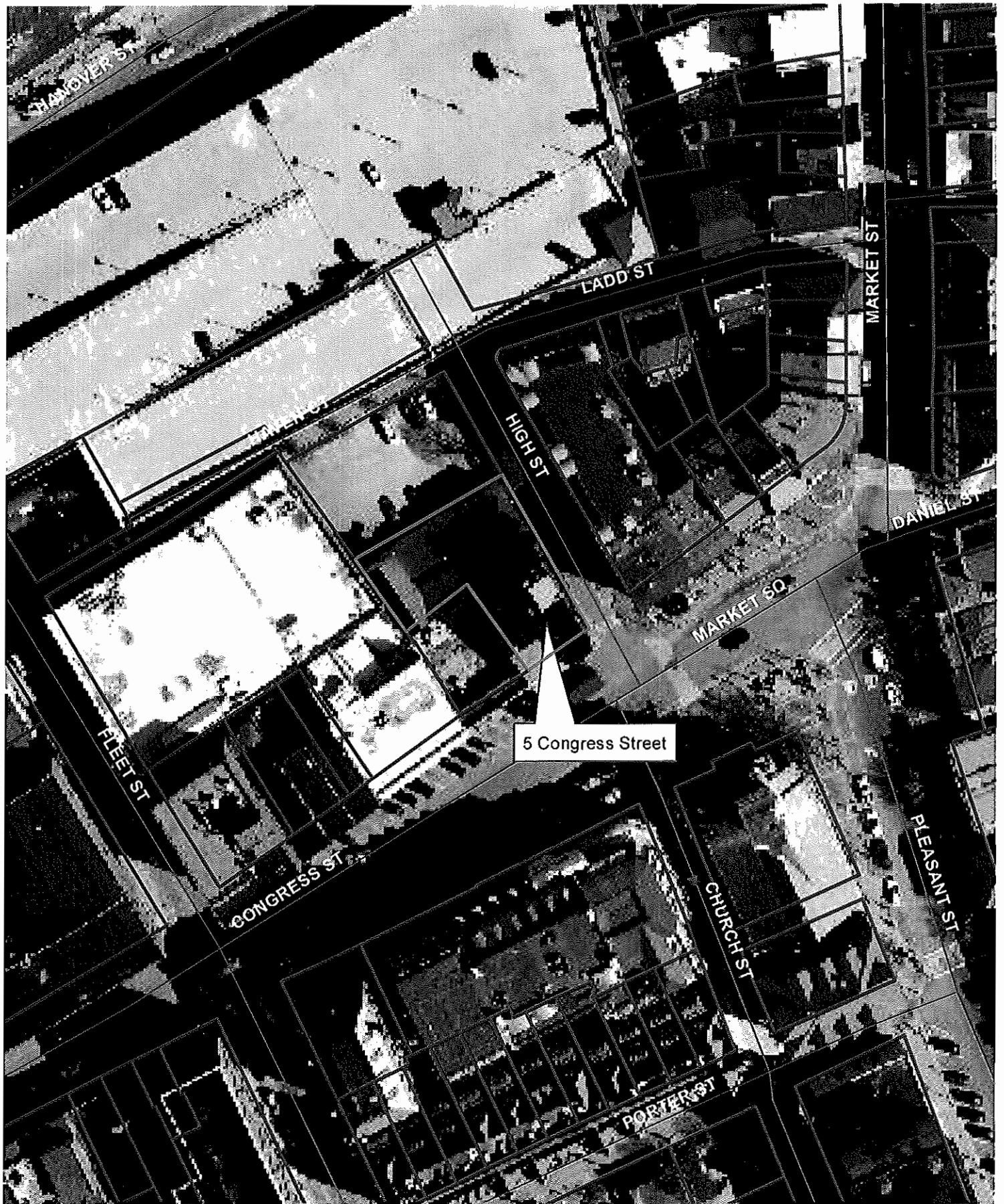
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director 
DATE: April 10, 2012
RE: City Council Referral – Projecting Sign
Address: 5 Congress Street
Business Name: Rudi's Restaurant
Business Owner: Keith Prince

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

Sign dimensions: 30" x 36"
Sign area: 5.9 sq. ft. (oval)
Height from sidewalk to bottom of sign: 10'5"
Maximum protrusion from building: 36 in.

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

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



Request for Projecting Sign License 5 Congress Street

Rudi's
5 Congress Street
1 Projecting Sign





5 (TBR) ✓



(9) # 11 Proposed new sign

SIDE WALK WIDTH = 13'-2" ✓

NEW

Nicole LaPierre
44 Rock Street
Portsmouth, NH 03801

received
3-26-12

March 22, 2012

Portsmouth City Hall
1 Junkins Ave.
Portsmouth, NH 03801

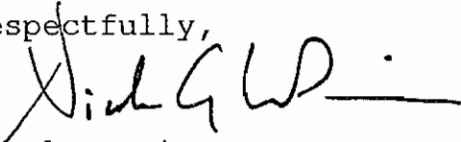
Dear Mayor Spear:

Last night Chief of Police Lou Ferland met with 17 members of the Islington Creek neighborhood. Zone 5 officers: Lieutenant Mark Newport and Josh McCain were also in attendance. I am appreciative of the outreach efforts they are making in our community. At the meeting Chief Ferland presented the idea of an ordinance that would **close Rock Street Park between the hours of 11pm and 5 am**. He was asking for neighborhood feedback prior to presenting it to the council. The ordinance would empower officers to remove trespassers from the park between these hours. After previous warnings, individuals could be arrested for trespassing. The Chief stated he felt this would be an effective deterrent for the current individuals engaging in devious and illegal activities during stated hours. Rock Street Park has a very turbulent history that many of you are well acquainted with from your own meetings with the police and residents of the Islington Creek neighborhood. It has served as a haven for violence and substance abuse due in large part to its' geographical disadvantage by the railroad tracks. Police blogs and personal accounts paint a very clear picture of a park in need of assistance. **I am grateful for Chief Ferland's suggestion of such an ordinance.**

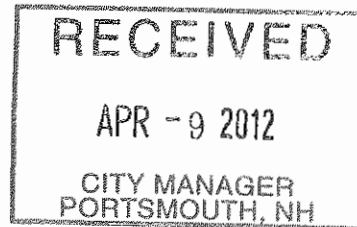
At the meeting there was minimal opposition to the proposal. One individual stated his desire to see the park remain open so he could "meditate at 3 am if he wanted to". I am outraged at the absurdity of this. One individual's selfishness and/or blissful ignorance should not supersede the safety of our neighborhood and children. My son and other children sleep within yards of Rock Street Park. I shudder to think of the things that have happened and continue to happen in our park. Chief Ferland very

diplomatically ended the discussion by stating he would recommend the council put the matter to public hearing. I know I speak for many other residents when I ask: **please pass this ordinance!** And please do it sooner than later. Summer is often a hotbed of activity at Rock Street Park: The park was intended to be used by children, people on their lunch break, families, performers, people playing basket ball not criminals and drug addicts. **Please empower our police officers to better serve our community!**

Respectfully,

A handwritten signature in black ink, appearing to read "Nicole LaPierre", with a horizontal line extending to the right.

Nicole LaPierre



*John Semprini ; President Sons Of Italy
10 Cammett Drive
Raymond, New Hampshire
Tele# (603)244-1319 03077*

April 5,2012

*John Bohenko ; Portsmouth City Manager
Robert Sullivan; Portsmouth City Attorney
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, New Hampshire
Tele.# (603)610-7202 03801*

Reference: Portsmouth Owned Building 1 Plains Avenue

To the city manager, city attorney and city council,

My name is John Semprini and I am the President of the Sons Of Italy lodge # 2303 located in Portsmouth, New Hampshire. We occupy a city owned building located at 1 Plains Avenue with an agreement of \$ 2.00 sum per year. The stipulations set forth are we must hold an insurance policy for the sum of \$1,000,000 and responsible for all upkeep to the building inside and out.

In the past five years we have replaced the roof, two bathrooms and the front doors. There have been windows replaced from vandals, and also the whole building sealed to keep bats from entering. All of the wiring has been changed to conform with the safety codes. We at present are faced with a problem of some concern. The floor over the years has started to weaken towards the center of the room. We have had two of our members, reputable contractors examine the flooring. They have concluded that the floor needs to be replaced with new beams as well as new flooring to make it safe. The cost is almost \$10,000 to complete this work.

We are presently looking into availability to grants hoping they can help defray some of the cost. It would be greatly appreciated if you have any knowledge of such grants be made for a project of this type. The contract we now have with the

city is for a term of one year. I would request that if we fix the floor, replacing all the needed flooring material, plus remove one of the two bathrooms. Making a unisex bathroom and using the space to extend the kitchen area.

In consideration of this project going forward, I would ask the city of Portsmouth to reconsider their terms of our lease. We would ask if the terms could be changed to read, at present (1)one year to read a term of (5)five year. All other conditions set forth in the contract will apply to the lessee: Sons Of Italy, John Semprini.


Thank you in advance of any disc ion made. I wait to hear your response to this request.

Respectfully,

President John Semprini

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: April 12, 2012
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on April 16, 2012 City Council Agenda

6:15 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.

.....

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 Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section Entitled Compliance with State and Federal Law.** As you will recall, at the April 2nd City Council meeting, under Councilor Brad Lown's name, the Council voted to establish first reading at this meeting of the attached aforementioned Ordinance amendment.

I would recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the May 7th City Council meeting. Action on this matter should take place under Section VIII of the Agenda.

1.2 **First Reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance Regarding Accessory Drive-through Facilities.** As a result of the April 2nd City Council meeting, under Section VIII of the Agenda, I am bringing back for first reading the attached aforementioned Ordinance amendment.

As you will recall, at the February 6, 2012 City Council meeting, the Council referred this request to the Planning Board for report back to the City Council. Mr. Choate's request that the City consider amending the Zoning Ordinance with respect to the number of drive-through lanes allowed. The Planning Board considered this request at its meeting on March 15, 2012 and voted to recommend the changes to the Zoning Ordinance as outlined in the attached memorandum from Rick Taintor, Planning Director.

I would recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the May 7th City Council meeting. Action on this matter should take place under Section VIII of the Agenda.

- 1.3 **First Reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 - Terms of General Applicability relative to the Definition of Museum.** As a result of the April 2nd City Council meeting, under Section VIII of the Agenda, I am bringing back for first reading the attached aforementioned Ordinance.

Attached is a memorandum from Rick Taintor, Planning Director, regarding a request from Strawberry Banke Museum for an amendment to the definition of "museum" in the Zoning Ordinance. Specifically, it is requested that the provision excluding "commercial galleries for the sale of art" be removed from the definition. At its meeting on March 15, 2012, the Planning Board voted unanimously to recommend that the City Council amend the definition of "museum" as follows:

A non-profit permanent institution, open to the public, which acquires, conserves, researches, exhibits, and interprets objects having scientific, historical or artistic value. Museums may include exhibit and display areas, libraries and research areas, administrative offices, areas for constructing exhibits, and storage areas for museum materials, artifacts and objects. Accessory uses may include retail sales (~~but not including the regular sale of objects collected or Displayed~~), food services for museum visitors or others, manufacturing for museum purposes, and events such as craft demonstrations, receptions, and periodic celebrations, **provided that all such accessory uses are incidental and subordinate to the primary non-profit museum use.**

~~Museums include galleries for the display of works of art, but do not include Commercial galleries for the sale of art work.~~

I would recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the May 7th City Council meeting. Action on this matter should take place under Section VIII of the Agenda.

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

- 2.1 **Third and Final Reading of Proposed Ordinance Amendment to Chapter 6, Article XVI, Section 6.16 – Magazine Subscription Solicitors by amending Section 6.1604: License Fee.** As a result of the April 2nd City Council meeting, under Section VIII of the Agenda, I am bringing back for third and final reading the aforementioned Ordinance amendment (see attached).

The Ordinance amendment reflects the following additional language:

“The fee for such license shall be determined on an annual basis by the City during its budget process.”

There is no reference to a License fee in the current Ordinance so the City is unable to charge a fee, which is currently listed in the Fee Resolution for \$50.00 per license. This is a housekeeping issue to bring the ordinance in line with the Fee Resolution and allow for the collection of the fee.

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

- 2.2 **Third and Final Reading of Proposed Ordinance Amendment to Chapter 5, Article VIII, Section 5.8 – Alarm Systems Monitored by the City by amending Section 5.802: Service Fee and Section 5.803: Permissible Unfounded Emergency Calls.** As a result of the April 2nd City Council meeting, under Section VIII of the Agenda, I am bringing back for third and final reading the aforementioned Ordinance amendment (see attached).

The current ordinance needs to be amended to reference the fee for false alarms. The fees are adopted each year during the budget adoption process through the Fee Resolution. This is a housekeeping issue.

As requested, the Police Department will make a short presentation regarding this matter.

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

- 2.3 **Third and Final Reading of Proposed Ordinance Amendment to Chapter 6, Article VII, Section 6.7 – Dogs and Other Pets by amending Section 6.708: License.** As a result of the April 2nd City Council meeting, under Section VIII of the Agenda, I am bringing back for third and final reading the aforementioned Ordinance amendment (see attached).

The license and fee are in accordance with New Hampshire RSA 466. The Ordinance amendment reflects the following additional language:

“The fee for this license shall be set at the maximum amount permitted by state law.”

This allows for the local governing body to charge an additional \$1.00 for dog licenses, which will not be effective until the April 2013 licensing season. In addition, this allows ample time for notification to residents of the additional charge.

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

Consent Agenda:

1. **Request for Approval of Pole Licenses.** Attached under Section IX of the Agenda are the following requests for a PSNH Pole License Agreements (see attached memorandum from Tom Richter, Engineering Technician, Public Works Department):
- a) #63-0530 - install/replace one (1) pole located on Holiday Drive
 - b) #63-0532 - install/replace one (1) pole at Jones Avenue
 - c) #63-0533 - install/replace and relocate eight (8) poles at Marcy Street
 - d) #63-0534 - install/replace and relocate two (2) poles at Woodbury Avenue

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

2. **Request for Licenses to install Projecting Signs.** Attached under Section IX of the Agenda are two requests for projecting sign licenses from Keith Prince, owner of Rudi's Restaurant for property located at 5 Congress Street and 20 High Street (see memorandums from Rick Taintor, Planning Director):

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

City Manager's Items Which Require Action:

1. **Proposed Adoption of the Portsmouth City Employees Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) Tentative Agreement.**

As you are aware, the Portsmouth City Employees Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) has approved a Tentative Agreement for a six-year contract to expire June 30, 2014. (As you are aware, their contract expired on June 30, 2008.) Attached are the following documents:

- 1) A letter from Thomas Closson, Interim City Negotiator, outlining the principle elements of the Tentative Agreement.
- 2) A break down of the cost items, if the Tentative Agreement is approved.

Please bring your copy of the collective bargaining agreement from the last meeting. If you do not have it, please let me know and I will provide another one. All this information is online on the City's Website.

It is important to note that this contract meets the guidelines that were established by the City Council. The recommendations of the Matrix Study have been incorporated into the contract. Vacation, sick leave, personal leave, bereavement, and military leave will no longer count as hours worked for overtime calculation purposes.

In addition, all language regarding work schedules has been eliminated. Management may now change the work schedule by providing any affected employee/positions and the union with a minimum of sixty (60) calendar day notice of the intent to change including the rationale for the change and afford the Union the opportunity to impact bargain and present alternatives.

Dianna Fogarty, Human Resources Director will be available on Monday evening to answer any questions you may have regarding the Tentative Agreement.

I would recommend the City Council move to approve the Agreement between the Portsmouth City Employees Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) and the City of Portsmouth to expire June 30, 2014.

2. **Report Back Re: Request of Northern Tier Real Estate Acquisition and Development, LLC, for Property Located at 172 Hanover Street to Remove the Glass Atrium on the Vaughan Mall Side of the Property.** On the agenda this evening is the attached memorandum from Planning Director Rick Taintor conveying the Planning Board recommendation that the City Council approve the removal of the Vaughan Mall atrium from The Page restaurant as requested by Northern Tier Real Estate Acquisition and Development, LLC in their attached letter. Mr. Taintor has made it clear that if the Council approves the removal of the atrium the owners of the Page should be advised:

1. That Council approval of the removal of the atrium should not be construed as City concurrence with any of the other types of approval

required for the completion of the project or future use of the atrium area (Planning Board, HDC, et cetera).

2. If the atrium is removed alcohol service may not occur in the City portion of the atrium area without approval by the City Council.

Move to approve the request to remove the atrium subject to the property owner securing all necessary municipal approvals for its replacement prior to its removal.

3. **Modification of Consent Decree.** For the City Council's consideration at its April 16th meeting is a proposed modification to the existing Consent Decree among the City, the Environmental Protection Agency and the New Hampshire Department of Environmental Services. See attached draft Consent Decree Modification ("Modification"). The Modification will set May 1, 2017, as the compliance date for the upgrade to achieve secondary treatment at the Peirce Island Wastewater Treatment Plant.

The Modification reflects a compliance date that is about 5 months longer than that initially approved by the City Council at its November 10, 2010 meeting. The May 1, 2017 date more accurately reflects the time needed to permit, fund and bid this significant wastewater upgrade project as well as the time needed to start-up a biological process. See the attached communication from AECOM, the City's consulting engineers, relative to the piloting effort and the impact of these biological processes on the schedule. In addition, AECOM recommended additional time be added to the schedule between the completion of final design of the upgraded facility and the commencement of construction.

The Modification will also adjust the completion dates for several of the City's remaining Long Term Control Plan (LTCP) sewer separation projects.

EPA has indicated its concurrence with the schedule shown in the Consent Decree Modification attached.

I would recommend the City Council move to approve the Consent Decree Modification, as presented.

Informational Items:

1. **Events Listing.** For your information, attached is a copy of the Events Listing updated after the last City Council meeting on April 2, 2012. In addition, this now can be found on the City's website.

2. **African Burying Ground Trust Donations.** For your information, the African Burying Ground Committee has received the following donations to the African Burying Ground Trust since its March 19, 2012 memo to City Council. The total donated to the Trust to date from individuals is \$80,321.04:

➤ TD Charitable Foundation	\$10,000
➤ State Rep. Robin Read	\$50
➤ Molly & Jeff Bolster	\$500
➤ Valerie Fagin	\$50
➤ Strategic Leadership Consult.	\$100
➤ Haley Brown	\$5
➤ Rob Carrigg, Jr.	\$500
➤ David & Kathleen Rushford	
Murray Charitable Fund	\$5,000
➤ Winebaum Fund	\$250

3. **Report Back Re: Public Art Requests – Red Eft Project and Kit Clews Interactive Sculpture.** Attached is a report back from Art-Speak regarding a request from Red Eft Project to locate three temporary art sculptures on City property as part of an exhibit of environmental art from May 11-13, 2012. Red Eft has withdrawn its request due to the lack of proposals.

Also, attached is a report back regarding a request from Kit Clews about his proposal to place an interactive sculpture in Market Square. After reviewing the proposal, it was concluded that there are too many concerns with the piece to recommend its placement in Market Square at this time.

4. **Special City Council Meeting Agenda Re: Proposed FY13 Budget.** The Special City Council Meeting regarding the proposed FY13 Budget is on Wednesday, April 18, 2012 at 7:00 p.m., in the Eileen Dondero Foley Council Chambers (see attached agenda).

AFSCME Local #1386

COLA Retirement
 Note: Health Insurance contribution- not included

	FY08 Base year						Total for 6 year
	FY09	FY10	FY11	FY12	FY13	FY14	
Current Agreement							
Salaries	3,332,891.00	3,318,673.00	3,264,903.00	3,257,276.00	3,205,599.00	3,210,887.00	19,567,111.00
Overline							
Sub Total	3,332,891.00	3,318,673.00	3,264,903.00	3,257,276.00	3,205,599.00	3,210,887.00	19,567,111.00
Medicare Retirement	254,966.16	253,878.48	249,705.08	249,191.61	245,228.32	245,632.86	1,496,424.99
	2.26,959.88	290,052.02	288,719.76	299,065.11	298,366.48	282,092.11	1,740,884.14
Sub Total	481,936.04	543,930.50	541,888.39	547,548.10	527,321.04	528,190.91	3,237,309.14
Boot Allowance	4,050.00	4,050.00	3,975.00	3,900.00	3,900.00	3,900.00	23,700.00
Cost of Current Contract	3,818,877.04	3,866,653.50	3,817,708.19	3,808,724.10	3,736,820.04	3,742,977.91	22,822,120.14
	3,818,877.04	47,776.47	(17,477.11)	(8,984.10)	(71,904.06)	6,157.88	(75,899.13)
	1.25%	-0.45%	-0.82%	-0.24%	-1.89%	0.16%	-1.99%
							From FY08-FY14
							-0.33% Avg % Change

Additional Cost Proposed from TA

COLA on base				19,357.12	158,013.34	235,764.70	413,135.15
Reclassification				792.00	3,930.65	4,017.13	8,739.78
Overline Concessions				(582.00)	(10,853.93)	(11,118.77)	(22,554.70)
				19,567.12	151,090.06	228,663.06	399,320.23
Medicare Retirement				1,508.32	11,559.39	17,492.72	30,559.43
				1,458.21	13,894.95	20,122.35	35,475.51
				2,906.53	25,453.34	37,615.07	66,034.94
Boot Allowance					1,275.00	1,275.00	2,550.00
Total Cost Rollout of Tentative Agreement over FY08				22,533.65	177,818.40	267,553.13	467,905.18
							From FY08-FY14
							1.17% Avg % Change
Budget to Budget Change per Tentative Agreement Only				22,533.65	155,284.75	69,734.74	267,553.13
				0.59%	4.13%	2.29%	7.01%
							From FY08-FY14
							1.17% Avg % Change
Proposed Current Annual Budget & Tentative Agreement	3,866,653.50	3,849,236.39	3,817,708.19	3,831,257.75	3,914,638.43	4,010,531.04	23,290,025.31
	47,776.47	(17,417.11)	(31,528.20)	13,549.55	63,380.69	95,892.61	191,654.00
Combined Annual Change	1.25%	-0.45%	-0.82%	0.35%	2.18%	2.45%	5.02%
							From FY08-FY14
							0.84% Avg % Change



Representing Management Exclusively in Workplace Law and Related Litigation

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	DENVER, CO	MIAMI, FL	PHOENIX, AZ	WASHINGTON, DC REGION
			PITTSBURGH, PA	WHITE PLAINS, NY

March 26, 2012

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

RE: Settlement with AFSCME Local #1386

Dear Mayor Spear and Members of the City Council:

I am pleased to recommend for your consideration the terms of a tentative agreement with AFSCME Local #1386. The major items in the contract are as follows:

- Term: 6-Year agreement, expiring on June 30, 2014.
- Salaries: No COLA adjustment for contract years 2008-09, 2009-10, or 2010-11. 10-year rolling COLA average (2.43%) adjustment, effective date of City Council approval or April 16, 2012, whichever occurs first. 10 year rolling COLA each July 1 through July 1, 2013.
- Health Insurance
 - Employee contribution to Comp100 and Blue Choice will increase to 20% effective date of City Council approval or April 16, 2012 whichever occurs first.
 - Employee contribution to Matthew Thornton will increase to 15.5% effective date of City Council approval or April 16, 2012 whichever occurs first.
 - City may offer 2 new plans under Blue Choice and Matthew Thornton with \$5 co-pay for office visits; \$25 for emergency room; and \$10/\$20/\$45 for prescriptions.
 - AFSCME will serve on City-wide committee to study health insurance options.
 - In the event that AFSCME decides to change to SchoolCare during the term of this contract, employees will contribute 14% of the premiums. They will also be eligible for CIGNA dental insurance with an annual limit of \$1,500.

- Vacation:
 - Effective the date of city Council approval, the amount of annual leave an employee can carry over into the next year has been increased from (45) days to (50) days.
- Reclassification: Effective the date of City Council approval, the Recycling Truck Driver position will be upgraded for Grade 6 to Grade 7.
- Holiday pay:
 - Holiday pay shall be granted if an employee reports for work on the last regularly scheduled work day prior to holiday and the first regularly scheduled work day after the holiday, except in the case of an approved annual day, personal day or a sick day supported by a doctor's note.
 - The language stating employees will be paid time and one-half for the hours worked on a holiday has been deleted.
- Discipline
 - Warnings shall remain in the employee's personnel file. Said discipline will not be considered after one (1) year provided no subsequent infraction of the same type occurs.
 - Suspension shall remain in the employee's personnel file. Said discipline will not be considered after two (2) years provided no subsequent infraction of the same type occurs.
- Jury/Witness Duty Pay
 - Language has been added so employees will only be paid when they are called as a witness for the City.
- Boot Allowance
 - Effective July 1, 2012, the boot allowance will increase from \$75 a year to \$100.
- Hours of Work and Overtime
 - Current work schedules shall remain unchanged until Management provides any affected employee/position and the union with a minimum of sixty (60) calendar day notice of the intent to change including the rationale for the change and afford the Union the opportunity to impact bargain and present alternatives.

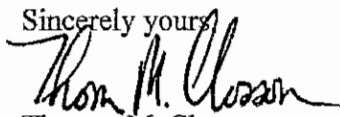
- All language regarding days of the week and hours a day have been eliminated.
- Employees will be eligible for overtime after they have worked 40 hours in any given week. Holidays and 6 hours for medical appointments will be considered hours worked for the purpose of calculating overtime. Vacation, sick leave, personal leave, bereavement and military leave will not count as hour worked for overtime calculation purposes.

The only exceptions to the above are as follows:

- Employees who use comp time or annual time during the next scheduled day of work following a night event (working beyond midnight) will be used in the overtime calculation. Any available comp time must be used prior to the use of annual time.
- Hours paid/worked for being on call (required to carry the City's electronic notification device) will be counted as hours worked for overtime purposes.
- Library Parking
 - The parties shall establish a joint labor management committee composed of two library employees from the bargaining unit and two representatives for the City to discuss parking options for library employees.
- Stand by Pay
 - Stand by pay will increase from \$2.25 an hour to \$2.30 an hour on June 30, 2014.

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

Sincerely yours



Thomas M. Closson
Attorney at Law
Jackson Lewis LLP

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT*
DATE: March 27, 2012
RE: Request of Northern Tier Real Estate Acquisition and Development, LLC, for property located at 172 Hanover Street to remove the glass atrium on the Vaughan Mall side of the property

The attached letter dated November 30, 2011, from John J. Dussi was referred by the City Council to the Planning Board on January 17, 2012, for report back. Mr. Dussi requests that the City Council approve the removal of the glass atrium on the Vaughan Mall side of the building located at 172 Hanover Street (The Page restaurant). The atrium is located partially on the Vaughan Mall right-of-way pursuant to a license agreement entered into with a prior owner of the property in 1982 (see attached).

This request raises a number of questions which will require consideration by several City departments. Accordingly, a staff meeting was held at the site on February 16, 2012, to review this request and identify any issues and concerns. At that meeting, Ted Mountzuris, on behalf of John Dussi, stated that Northern Tier Real Estate Acquisition & Development, LLC., would like to remove the atrium but retain the brick base for use as an outside dining area with alcohol service. It should be noted, however, that the request to the City Council does not refer to any future use, and therefore the potential reuse of the brick base was not within the Council's referral to the Planning Board.

Any redevelopment of the structure will require reviews by various boards and departments, including site plan review by the Planning Board and review by the Historic District Commission. A new use or change in the existing use will also require a new license agreement for use of City property, as well as consideration with respect to the new City Council policy on outdoor alcohol service on City property.

The request made to the City Council and referred to the Planning Board is limited to the removal of the atrium. Staff believe that the removal of the atrium would improve the general appearance of the Vaughan Mall.

At its meeting on March 15, 2012, the Planning Board voted unanimously to recommend that the City Council approve the removal of the atrium as requested.

LICENSE AGREEMENT

AGREEMENT, made this 12 day of MARCH, 1982, between the CITY OF PORTSMOUTH, hereinafter called Licensor, and LUKA'S, INC., a corporation organized under the laws of the State of New Hampshire and having its principal place of business at 172 Hanover Street in Portsmouth, New Hampshire, and PETER LUKAS of 45 Rollingwood, Eliot, Maine, hereinafter called Licensee.

WITNESSETH: Licensor, in consideration of the agreements hereinafter mentioned to be kept and performed by Licensee, and on conditions hereinafter set out, hereby grants license to LUKA'S, INC., to use and occupy a certain area of THE VAUGHAN STREET MALL, consisting of approximately 278 square feet, and shown as the shaded area in the attached "Sketch of Proposed Addition to Luka's...", prepared by Durgin Associates, Inc., dated December 16, 1981.

IT IS AGREED, that this license will take effect on the day of signing and continue indefinitely until terminated by either party, provided that this license may be terminated by the City at any time after the first two (2) years with sixty (60) days notice, if it is found by the City Council that the continuation of the License is not in the best interest of the City.

LICENSEE SHALL:

- 1) Pay as rent for said space the sum of FIVE HUNDRED DOLLARS (\$500.00) per year during the first two years, payable in advance upon the signing of this Agreement and on the first anniversary date. Thereafter, the rent shall be determined by the City Council, or its designee, and shall be payable annually in arrears, or prorata upon termination, if the License is terminated before the anniversary date.
- 2) Hold the City of Portsmouth harmless from any liability which might arise from injury to person or property on this licensed property, or as the result of the operations carried on at this property.
- 3) Carry liability insurance in the amount of THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) for each occurrence and a total liability protection of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) to cover whatever liability, if any, the City might incur through the lease of this property. The Licensee shall file with the City a certificate of insurance which shall name the City as an additional insured and provide that the City be notified at least fifteen (15) days in advance should the policy be canceled.
- 4) Use the premises during the term of the License for purposes of a restaurant and glass enclosed patio cafe, and for no other purpose.

- 5) Permit Licensor to have free access to the premises to examine same.
- 6) Leave premises, on termination of the License, in as good repair as the same shall be at the commencement of the term, removing all buildings and appurtenances and restoring the area to its original condition.
- 7) Not assign this License, nor sub-license the premises, or any part thereof, without written consent of the Licensor, said consent not to be unreasonably withheld.
- 8) Relocate the existing plantings, and replace them to the extent possible and as directed by the Planning Director of the City of Portsmouth outside of the proposed glass-enclosed patio structure. These plantings shall be maintained, and replaced if necessary, by the Licensee at its own expense.
- 9) Post a bond in the amount of FIVE THOUSAND DOLLARS (\$5,000.00) guaranteeing the restoration of the area as required by Paragraph 6 above. Said bond shall remain in effect during the term of this License, and for one (1) year thereafter.
- 10) Pay the normal city property tax on the value of the structure that will be constructed on the licensed premises, said tax not to include the value of the land.

In addition to the foregoing, the Licensee acknowledges that the design of and construction of said proposed structure and appurtenances shall be subject to all applicable codes and ordinances, including but not limited to the approval of the Historic District Commission, and Site Review Committee.

IN WITNESS WHEREOF, we have hereunto set our hands and corporate seals this 12 day of MARCH, 1982.

WITNESS:

LUKA'S, INC.
By Its President

[Signature]

[Signature]
Peter Lukas

THE CITY OF PORTSMOUTH
By Its Manager

[Signature]

[Signature]
Calvin A. Canney

**Northern Tier Real Estate
Acquisition & Development, LLC**

172 HANOVER STREET
PORTSMOUTH, NEW HAMPSHIRE 03801

DEC - 6 2011

November 30, 2011

John P. Bohenko
City Manager
City of Portsmouth
One Junkins Avenue
Portsmouth, New Hampshire 03801

RE: Request for Appearance at City Council Meeting/Plans to Renovate/Removal of Glass
Atrium

Dear Mr. Bohenko:

This letter is intended to serve as our request to appear before the Portsmouth City Council regarding our interest in renovating the exterior of the property located at 172 Hanover Street, Portsmouth, NH. Specifically, we are seeking to remove the glass atrium located on the Vaughn Mall side of the property.

Please advise whether you can provide us with an opportunity to appear to present our request at the next City Council meeting.

Thank you for your consideration.

Very truly yours,


John J. Duss

JJD:kar

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
STATE OF NEW HAMPSHIRE,)	
)	CIVIL ACTION NO.
Plaintiff-Intervenor,)	
)	
v.)	
)	
CITY OF PORTSMOUTH, NEW HAMPSHIRE,)	
)	
Defendant.)	
)	

CONSENT DECREE MODIFICATION

WHEREAS, Plaintiff, the United States of America, on behalf of the United States Environmental Protection Agency (“EPA”), has filed a Complaint in this action alleging that Defendant, the City of Portsmouth, New Hampshire (“the City”) violated Section 301(a) of the Clean Water Act (“CWA”), 33 U.S.C. § 1301(a).

WHEREAS, Plaintiff-Intervenor, the State of New Hampshire (“State”), has filed a Complaint-in-Intervention alleging that the City violated the New Hampshire Water Pollution and Waste Disposal Act, NH RSA 485-A (“New Hampshire Act”);

WHEREAS, The Complaint and Complaint-in-Intervention allege that the City is violating its National Pollutant Discharge Elimination System (“NPDES”) permit effluent limitations for discharges from the City’s wastewater treatment plant and permit

conditions applicable to discharges from overflow points in the City's combined wastewater collection system;

WHEREAS, the Court entered the Consent Decree in this matter on September 24, 2009, requiring combined sewer overflow ("CSO") mitigation and construction of secondary treatment facilities;

WHEREAS, the City encountered unexpected geological conditions that impaired the City's ability to meet the previously-accepted CSO mitigation construction schedule;

WHEREAS, the City identified necessary work related to constructing secondary treatment facilities that warranted a change in the CSO mitigation construction schedule;

WHEREAS, the City has proposed a detailed schedule for constructing secondary treatment facilities in accordance with this Consent Decree, and

WHEREAS, the parties agree, without adjudication of facts or law, that entry of this Consent Decree Modification without further litigation is in the public interest and the parties consent to the entry of this Consent Decree Modification;

NOW, THEREFORE, it is hereby Ordered, Adjudged, and Decreed that:

The following table is hereby substituted for the Table in Paragraph 10 of the Consent Decree:

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date
Lincoln 3	Phase I	In Progress	6/1/2012
Lincoln 3	Phase II	In Progress	10/1/2014
Lincoln 3	Phase III	In Progress	10/1/2013
Islington	Islington #2	Under Design	6/1/2013

Paragraph 20.a. of Appendix the Consent Decree shall be replaced with the following paragraph:

Within 30 days after the end of each calendar quarter (i.e., by April 30, July 30, October 30, and January 30) after the Effective Date of this Consent Decree, until termination of this Decree pursuant to Section XVI, the City shall submit a written report for the preceding calendar quarter that shall include a description of the following: i) the status of any construction or compliance measures, including whether any such construction or compliance measure could be completed prior relevant milestones contained herein consistent with sound engineering practice and normal construction practices; ii) the status of all Consent Decree milestones, including whether any have been achieved prior to the date for doing so; iii) any problems encountered or anticipated, together with the proposed or implemented solutions; iv) the status of permit applications; v) operation and maintenance operations; and vi) reports to State agencies.

Paragraph 1 of Appendix B.1 to the Consent Decree is hereby modified by adding the following subparagraphs:

g. By June 30, 2012, the City shall complete pilot testing of potential treatment technologies for achieving secondary treatment, including, but not necessarily limited to: Biologically Aerated Filters (BAF), BioMag, Moving Bed Biofilm Reactors (MBBR) w/Balasted Settlement, and Membrane Biological Reactor (MBR). By July 1, 2012, the City shall complete a data summary relative to the pilot testing.

h. By October 1, 2012, the City shall submit a Piloting Technical Memorandum that includes data from piloting and a recommendation on the design and capacity of secondary treatment facilities.

i. By July 1, 2013, the City shall commence final design of secondary treatment facilities.

j. By August 31, 2014, the City shall complete design of secondary treatment facilities.

k. By March 1, 2015, the City shall commence construction of secondary treatment facilities.

l. By March 1, 2017, the City shall complete construction of secondary treatment facilities.

m. By May 1, 2017, the City shall achieve compliance with secondary treatment limits in the Permit.

n. Whenever feasible, the City shall commence work in advance of milestones and complete such work as expeditiously as practicable consistent with sound engineering practice and normal construction practices.

The Court finds that this Consent Decree Modification is a reasonable and fair settlement and adequately protects the public interest in accordance with the CWA and the New Hampshire Act.

Dated and entered this _____ day of _____, 2012.

UNITED STATES DISTRICT JUDGE
District of New Hampshire



AECOM
276 Abby Road
Manchester, NH 03103
www.aecom.com

603 622 6150 tel
603 622 6480 fax

J-60223731

February 21, 2012

Mr. Peter Rice, P.E.
City Engineer
Department of Public Works
680 Peverly Hill Road
Portsmouth, NH 03801

Subject: Wastewater Master Plan (WWMP) Phase 2 Initial Piloting
Peirce Island Wastewater Treatment Facility (WWTF) Upgrade
Schedule Revisions.

Dear Mr. Rice:

In response to your request, we have prepared the narrative below that outlines the evolution of the overall schedule for the upgrade of the Peirce Island WWTF (PI WWTF) from the schedule contained in the Final Wastewater Master Plan to the current schedule for the project.

November 15, 2010 Final Wastewater Master Plan

In the November 15, 2010 Wastewater Master Plan (WWMP), an implementation schedule was presented for the subsequent phases of the project. As noted in the report, this schedule was significantly revised from the Draft WWMP based on input from the regulatory agencies, and was focused on achieving secondary treatment at the PI WWTF as expeditiously as practicable consistent with sound engineering practice and normal construction practices. The schedule milestones and dates contained in the Final WWMP are presented in Table 1.

Table 1. November 15, 2010 Final Wastewater Master Plan Schedule Milestones and Dates

Milestone	Projected Completion Date
Select Engineer for Piloting	January 1, 2011
Pilot Coordination	April 30, 2011
Pilots Online	July 1, 2011
Pilot Study & Report Preparation	September 30, 2012
Review & Approval by EPA and NHDES	January 31, 2013
Permitting	April 1, 2013
Preliminary Design/Vendor Selection	June 30, 2013
Final Design	August 31, 2014
Bidding	October 31, 2014
Construction	May 30, 2016
Startup	August 31, 2016
Compliance	November 30, 2016



Mr. Peter Rica, P.E.
February 21, 2012
Page 2

As the WWMP Piloting project has been implemented, this schedule has evolved as new information and needed changes were identified as described below.

WWMP Phase 1 Piloting Evaluation

The City initiated the WWMP Piloting project with efforts to select the Engineer for the WWMP Piloting project in September 2010. AECOM was selected for this work following submission of qualifications statements and interviews of short listed firms by the City. The City executed an Agreement for engineering services for the Phase 1 WWMP Piloting effort with AECOM on March 30, 2011, somewhat later than planned when the Final WWMP schedule was prepared. As the City moved forward with the piloting work, it was unclear which of the many potential technologies were going to be piloted. AECOM identified 8 potential processes that could be piloted. Since it was impractical to evaluate 8 processes at the pilot scale, the City wanted to limit the number of technologies to be piloted to the 2 or 3 that appeared to be the most promising approaches to best meet the City's needs to provide secondary treatment at the PI WWTF.

The City submitted the June 2010 Draft WWMP which presented estimated capital and operations and maintenance costs for a number of alternatives to provide secondary treatment and nitrogen removal for the City's wastewater. The Draft WWMP identified the phased expansion and upgrade of the Pease WWTF as the preferred alternative. Following submission of the Draft WWMP, EPA rejected the approach recommended in the Draft WWMP and directed the City to pursue a revised compliance strategy focused on implementing expedited achievement of secondary treatment at the PI WWTF. A comprehensive evaluation of potential processes to achieve secondary treatment was needed. To provide this information, and allow the City to determine which technologies were to be piloted, the WWMP Phase 1 Piloting Evaluation was undertaken.

In this effort, 8 potential technologies for upgrading the PI WWTF to provide secondary treatment were developed and evaluated. The evaluation was based on maximizing the reuse of the existing Filter Building at the PI WWTF. The approximate site layout and process configurations for each technology were determined. Preliminary opinions of probable construction costs, operation and maintenance costs and life cycle costs were developed for the secondary treatment level. Each technology was objectively compared to one another using a weighted evaluation matrix to rank the technologies. A technical memorandum was prepared that presented the findings of the evaluation. This information was initially submitted to the City as a preliminary draft Technical Memorandum. The draft memorandum was followed by a workshop with City staff to review the results of the evaluation, obtain input on the evaluation criteria and ranking, and select the technologies for piloting in Phase 2. At the workshop on August 25, 2011, the following processes were selected for piloting:

- Conventional Activated Sludge with BioMag and Conventional Clarification
- Moving Bed Bioreactor (MBBR) and Dissolved Air Flotation (DAF)
- Biological Aerated Filter (BAF)

In order to support the technology evaluation and Phase 2 piloting, the Phase 1 Piloting Evaluation also included a wastewater characterization program and a conceptual architectural, structural and electrical review of the constraints to the reuse of the existing Filter Building. The Final Technical Memorandum for the Phase 1 Technology Evaluation was submitted on September 26, 2011. This



Mr. Peter Rice, P.E.
February 21, 2012
Page 3

phase of the pilot project was originally intended to take a 4 month period, and the selection of the technologies for piloting was completed in a 5 month period.

WWMP Phase 2 Initial Piloting

With the potential technologies to achieve secondary treatment at the PI WWTF selected, the City initiated the next phase of the piloting work, and the City executed Amendment No. 1 to the Agreement for engineering services with AECOM on August 17, 2011. With the selection of the 3 technologies to be piloted, AECOM initiated efforts to secure and schedule vendor pilot units. Preparation of the piloting protocol was initiated, and sizing and design of the components that were to be fabricated, rather than rented, was begun. A number of factors arose during the period of mobilizing the pilot systems that affected the schedule. Some of the more significant factors encountered are discussed below.

Rented Versus Fabricated Pilot Units. Of the 3 technologies being piloted, only the BAF and DAF were available from vendors in prefabricated pilot units. For the BioMag reactor and clarifiers, and the MBBR reactor, pilot units for these technologies needed to be designed and fabricated onsite. In addition, with the upgrade to secondary treatment, the normal dry weather operation for the Pelroe Island WWTF would no longer involve the current chemically enhanced primary treatment (CEPT). The influent to the proposed secondary treatment process would be conventional primary effluent. To provide the pilot secondary treatment processes with non-CEPT primary effluent, a pilot scale primary clarifier that mimics the dimensions of the existing PI WWTF primary clarifiers was required. No prefabricated pilot scale clarifier with the necessary configuration that could be rented could be located. As a result, the pilot scale primary clarifier was also designed and constructed as part of the Phase 2 pilot mobilization. These constraints were not recognized or accounted for in the original Final WWMP schedule as the Final WWMP schedule was based on vendor trailer pilot units. This change extended the mobilization and fabrication period for the piloting effort.

Increased Pilot Complexity. The design of the pilot facilities was initiated promptly once the technologies to be piloted were selected, and involved extensive coordination with the various vendors. The piloting effort was more complex than originally envisioned because the pilot unit sizing and design evolved as discussions with the different vendor's pilot technologies occurred and site specific issues were raised and addressed. For example, for the BioMag process, the original pilot concept involved the use of a single secondary clarifier following the BioMag reactor. After extensive discussions with the vendor of this technology, Cambridge Water Technologies, about clarifier loading rates and sizing, it was determined that to allow the pilot process to push the hydraulic loading on the pilot scale clarifier, two parallel clarifier would be needed, each with independent feed piping, and independent return sludge pumps. This complicated the layout and fabrication of the pilot process for these elements.

Additional Media Release Safety Precautions. AECOM's piloting subcontractor, Blueleaf, mobilized and began work on the site of the pilot units in early October, 2011. During discussions with the City about the configuration of the MBBR and BAF processes, concern was expressed about incorporating multiple layers of protection to prevent the release of any media from either process in light of the recent Hooksett NH problems with release of media from their Integrated Fixed Film Activated Sludge (IFAS) secondary treatment process. AECOM was requested to revise the plant

design to incorporate online effluent tanks where treated effluent flows in by gravity but is pumped out from the bottom of these tanks, so that if the buoyant media were to escape, it would be captured in these tanks. In addition, multiple in-line screens were added on the discharge from these processes to provide a further layer of protection against media release. Similarly, an online float tank was provided for the discharge from the DAF after the MBBR, again to provide a point to capture any floating media that may inadvertently be released from the MBBR reactor. These efforts affected the ability to get the pilot units in operation for these processes.

DAF Pilot Unit Availability. AECOM had discussed obtaining a rental DAF unit from World Water Works for use with the MBBR process. World Water Works had indicated that they had a pilot scale DAF unit available during the conceptual evaluation phase of this work. The pilot team then finalized loading rates for the proposed full scale DAF unit. Once the decision was made to move ahead with the pilot project, AECOM looked closer into scaled down reactor flow rates. It was determined at that time the available DAF unit would not mimic the proposed full scale design loading rates at the pilot scale reactor flow rates. World Water Works could, however, build a new DAF unit for this pilot system. The DAF unit would not be available until the middle of January 2012. The timeframe was unacceptable, so the piloting team looked for alternatives. There were very few alternatives available and the earliest timeframe that a previously constructed pilot DAF unit could be received was mid-December. The pilot team negotiated with World Water Works to meet the same time schedule. The benefit of using the original DAF vendor was that the vendor has paired MBBR and DAF system currently in operation. The delay in receiving the DAF equipment affected the completion of the piloting enclosure and associated piping.

BAF Pilot Unit Availability. Once the decision to include the BAF technology in the piloting was made, AECOM had contacted the two vendors of the BAF process to secure pilot units for this project. Based on site visits to operating BAF installations during the Phase 1 Piloting evaluation phase, the City had indicated a preference for the Kruger arrangement of the process components over the other vendor, Infilco Degremont. Kruger initially indicated that their pilot unit was available and could be onsite by mid-November 2011. Following execution of a purchase order for the rental of this pilot unit, Kruger determined that the amount of work needed to make the pilot system functional was more extensive than originally believed, and there were significant delays in the delivery of the Kruger BAF system that affected the overall schedule. While the BAF pilot columns arrived onsite in mid-November, many of the other components needed for operation of the BAF units including control valves, and the prewired structure that houses the control system, did not arrive onsite until well into December, and the final components did not arrive until early January. A letter from Kruger regarding this delay is attached for reference. This delay affected the ability to get the process in operation.

Cold Weather Biomass Development. The original schedule contained in the Final WWMP envisioned that the pilot unit biomass development would be occurring in the late spring to early summer period. In contrast, the actual schedule required that this effort be undertaken in the cold winter months. As all three processes involve the use of biological organisms to provide secondary treatment, and that the rate of biological activity decreases with temperature, this has impacted the piloting schedule.



Mr. Peter Rice, P.E.
February 21, 2012
Page 5

In summary, as the WWMP Piloting project has been implemented the project schedule has evolved as a result of a number of factors. Many of these factors have already provided information to the City's piloting team regarding the constraints and limitations of the technologies being piloted. The nature of the piloting evaluation is that unanticipated problems are encountered, analyzed, and overcome, which can affect the piloting schedule. However, the understanding and insight into the fundamental causes and effects of the problems are exactly the information the City needs to better understand the implications of using these technologies at full scale.

Current Schedule

The Phase 2 piloting effort commenced in January and will continue through the end of June. At this time, we cannot predict with certainty that the different experimental trials to be conducted as part of the piloting effort can be completed by the end of June. Much of the time to conduct each experimental trial during the piloting evaluation is dependent upon the response of the biological system to changes in operation. The duration of each pilot systems response to a change in operating configuration is unpredictable due to the nature of operating a biological treatment system. Consequently, the current schedule allows for an extended piloting period of 3 additional months through September 2012. In our opinion, it is more important for the piloting evaluation to collect the right data and information to allow the City to select the process for secondary treatment at the PI WWTF, than it is to finish the piloting evaluation within a preset time frame.

We would be pleased to review these comments with you at your convenience. If you should have any questions, please feel free to contact us.

Very truly yours,

Jon R. Pearson
Vice President
AECOM

JRP/jrp

cc: D. Allen, Deputy Director of Public Works
P. Anania, Chief Plant Operator

Run: 4/10/12
11:46AM

Event Listing by Date

Page: 1

Starting Date: 1/ 1/2012
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
1/ 1/2012 1/ 1/2012	ROAD RACE Stu Simon is the contact for this event - 436-2014. This event begins at 11:00 a.m.	Little Harbour School	Great Bay Services	4/ 4/2011
2/13/2012 2/13/2012	CONCERT Vernis Jackson is the contact for this event.	Chestnut Street	African Burying Ground Committ	12/19/2011
3/11/2012 3/11/2012	ROAD RACE Todd Hanson is the contact for this event. He can be reached at 436-2551. This event starts at 10:30 a.m.	Pease Tradeport	St. Paddy's 5 Miller	3/15/2012
3/25/2012 3/25/2012	ROAD RACE Donald Allison is the contact for this event. This event begins at Portsmouth High School to Route 1A South. The event begins at 11:00 a.m.	Portsmouth High School	Eastern States 20 Mile	1/17/2012
4/14/2012 4/14/2012	ROAD RACE Robert Sutherland, Jr. is the contact for this event. This event begins and ends at the Baptist Church on Miller Avenue. Race starts at 9:00 a.m.	Baptist Church - Miller Avenue	St. John's Lodge - Out of Hibe	2/ 6/2012
4/14/2012 4/14/2012	WALK Heidi R. Roy, Development Manager is the contact for this event. This event begins and ends at Little Harbour School, from 10:00 a.m. to 2:00 p.m.	Little Harbour School	National Multiple Sclerosis So	12/19/2011
4/15/2012 4/15/2012	ROAD RACE Olivia Kopri is the contact for this event. This event begins at approximately 11:00 a.m. This event starts and finishes at Martin's Point Health Care.	Pease Tradeport	Sexual Assault Support Service	2/ 6/2012
4/15/2012 4/15/2012	WALK Randy Eaton is the contact of this event. The event beings at City Hall and ends at Prescott Park, starting at 1:00 p.m.	City Hall	Walk for Faith	12/19/2011
5/ 6/2012 1/ 3/2012	BIKE TOUR Kathryn M. Libby is the contact for this event. This event begins at 7:00 a.m. and ends at approximately 4:00 p.m.	Little Harbour School	American Lung Association	12/19/2011
5/ 6/2012 5/ 6/2012	FESTIVAL Barbara Massar is the contact for this event. This event begins at Noon until 4:00 p.m.	Downtown Portsmouth	Pro Portsmouth - Children's Da	1/18/2012
5/ 6/2012 5/ 6/2012	WALK Barbara Kautz is the contact for this event (207-363-5833). This event begins at 10:00 a.m. and the walk starts at 2:00 p.m. and ends around 5:00 p.m.	Lower Parking Lot of City Hall	AIDS Response Seacoast	1/17/2012
5/12/2012 5/12/2012	ROAD RACE Kimberly McGlinchey and Deirdre Barrett are the ECO Club Advisors and they are the contacts for this event. The time of this event is 1:00 p.m. to 3:00 p.m.	Pease Tradeport	Portsmouth High School ECO Clu	2/21/2012

Run: 4/10/12
11:46AM

Event Listing by Date

Page: 2

Starting Date: 1/ 1/2012
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
5/12/2012 5/12/2012	ROAD RACE Deborah Peretz is the contact for this event. This event begins at 9:00 a.m.	Strawberry Banke	Susan G. Komen for the Cure	10/ 3/2011
5/19/2012 5/20/2012	BIKE TOUR Kelly Sicard is the contact for this event. Tel. (603)669-2411 ex. 120	Pease International Tradeport	Breathe New Hampshire	3/ 5/2012
5/19/2012 5/19/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Greater Portsmouth Chamber of Commerce Road Race series. This event begins and ends at the YMCA on Peverly Hill Road.	YMCA - Peverly Hill Road	GPCC - YMCA	12/19/2011
5/27/2012 5/27/2012	ROAD RACE Jeanine Sylvester is the contact for this event. This event begins at 11:00 a.m.	Redhook Ale Brewery	Runner's Alley	2/ 6/2012
6/ 9/2012 6/ 9/2012	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Downtown Portsmouth	Pro Portsmouth - Market Square	1/17/2012
6/ 9/2012 6/ 9/2012	ROAD RACE Barbara Massar is the contact for this event. This is the Market Square Day Road Race that starts at 9:00 a.m. in Market Square.	Starts in Market Square	Pro Portsmouth - Market Square	2/17/2012
6/23/2012 6/23/2012	FESTIVAL This is a Summer in the Street Music Series. It begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - summer in the	1/17/2012
6/30/2012 6/30/2012	FESTIVAL Barbara Massar is the contact for this event. This is Summer in the Streets event beginning at 5:00 p.m. to 9:00 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/17/2012
7/ 7/2012 7/ 7/2012	FESTIVAL Barbara Massar is the contact for this event. This is a part of the Summer in the Streets series that begins at 5:00 p.m. and ends at 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/17/2012
7/ 7/2012 7/ 7/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race Series. It begins and ends at Little Harbour School at 9:00 a.m.	Little Harbour School	GPCC - Harbour Trail	12/19/2011
7/ 8/2012 7/ 8/2012	PARADE Contacts: Peter Somssich and Josh Denton		Welcome Home, Iraq Veterans Pa	3/19/2012
7/14/2012 7/14/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in Street Series. It begins at 5:00 to 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/18/2012

Event Listing by Date

Starting Date: 1/ 1/2012
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
7/15/2012 7/15/2012	ROAD RACE Brenda M. Blonigen is the contact for this event. Her cell number is (603) 475-4080	Pease Tradeport - Great Bay Community College	The Minuteman Fund	3/ 5/2012
7/21/2012 7/21/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	1/17/2012
7/28/2012 7/28/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series that begins at 5:00 p.m. and ends at 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	1/17/2012
8/ 2/2012 8/ 2/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race series. It begins and ends at Peirce Island at 6:00 p.m.	Peirce Island	GPCC - Portsmouth Rotary Club	12/19/2011
8/ 4/2012 8/ 4/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Street series which begins at 5:00 p.m. and ends at 9:30 p.m.	(Raindate)Downtown - Pleasant Street/State and Squ	Pro Portsmouth - Summer in the	1/17/2012
8/ 8/2012 8/ 8/2012	FESTIVAL Doug Bates is the contact for this event. This is the 2012 Greater Portsmouth Chamber of Commerce Annual Dinner "Celebrating Portsmouth Business".	Pleasant Street from State to Congress Street	Greater Portsmouth Chamber of	2/17/2012
8/11/2012 8/11/2012	BIKE TOUR Heidi R. Roy, Development Manager is the contact for this event. Her contact number: 623-3502. This is a use of roads from Strawberry Banke onto Marcy Street, onto Route 1B south to Odiome State Park (Route 1A) for a rest stop.	Thru South End	National Multiple Sclerosis So	4/ 2/2012
9/ 9/2012 9/ 9/2012	BIKE TOUR Susanne Delaney or Catherine Keenan are the contacts for this event. This event begins and ends at Market Square.	Downtown	Portsmouth Criterium	12/ 6/2011
9/15/2012 9/15/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race series - it begins at 9:00 a.m.	Little Harbour School	GPCC - BreastCancerStories.org	12/19/2011
9/15/2012 9/16/2012	TOUR Caroline Amport (686-4338) and Nancy Pollard are the contacts for this event. This event begins on Saturday, September 15th from 9:00 a.m. to 1:00 p.m. and Sunday, September 16th - 11:00 a.m. to 3:00 p.m.	South End	Friends of the South End	2/ 6/2012
9/29/2012 9/29/2012	ROAD RACE Karen Butz Webb is the contact for this event. This event begins and ends at Portsmouth High School. the course starts at Portsmouth High School, left onto South Street, right onto Middle Street, bear right to Court Street, right onto Marcy Street back to South and finishing at the PHS.	Portsmouth High School	Project Safety	2/21/2012

Run: 4/10/12
11:46AM

Event Listing by Date

Page: 4

Starting Date: 1/ 1/2012

Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
9/29/2012 9/29/2012	WALK Ken La Valley is the contact for this event - 603-862-4343. Registration for this event begins at 8:00 a.m. and the walk duration is 10:00 a.m. to Noon. The walk would begin and end on Peirce Island near the outdoor pool. Walkers would make a 2.6 mile loop starting from Peirce Island to March Street, continuing onto South Street, Miller Avenue, Middle Street, State Street and finishing at Peirce Island.	Peirce Island	American Foundation for Suicid	4/ 2/2012
10/13/2012 10/13/2012	ROAD RACE Doug Bates is the contact for this event. This event is the for the Community Child Care and it is part of the Road Race series. This event begins at 9:00 a.m.	Little Harbour School	GPCC - Community Child Care	12/19/2011
11/11/2012 11/11/2012	ROAD RACE Jay Diener, Co-Race Director is the contact for this event. This race begins and ends at Portsmouth High School.	Portsmouth High School	Seacoast Half Maranthon	3/20/2012
11/22/2012 11/22/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race Series. The event begins at 8:30 a.m.	Prescott Park	GPCC - Seacoast Rotary Club -	12/19/2011



MEMORANDUM

DATE: APRIL 10, 2012
TO: HONORABLE MAYOR SPEAR AND MEMBERS OF THE CITY COUNCIL
FROM: ART-SPEAK
RE: CITY COUNCIL REFERRALS ON TWO PUBLIC ART REQUESTS

Per the City Council's referral at the March 19th meeting, an Art-Speak board member met with City staff and two Red Eft Project representatives regarding their request to locate three (3) temporary art sculptures on city property as part of an exhibit of environmental art from May 11-13, 2012. Although there were several artist inquiries during the submittal period which ended April 6, 2012, Red Eft has withdrawn its request due to the lack of proposals.

Per the City Council's second public art referral at the March 19th meeting, our Board representative also participated with City staff in a teleconference with Kit Clews regarding his proposal to place an interactive sculpture, *Glad-hand Sam the Straw Poll Man*, in Market Square. After reviewing the proposal, it was concluded that there are too many concerns with the piece to recommend its placement in Market Square at this time. Specifically, the height and weight of the piece as proposed raised concerns about anchoring it in Market Square. Also, the sculpture has a moving flywheel that could be a danger if people were to stick hands into the wheel. Thirdly, as designed, the sculpture is not vandal-proof. Finally, the location that is proposed for the sculpture is the site of the City's flower bed in which there is an agreement with a private landscape company to plant flowers.

SPECIAL CITY COUNCIL MEETING

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

MUNICIPAL COMPLEX
DATE: WEDNESDAY, APRIL 18, 2012

PORTSMOUTH, NH
TIME 7:00 PM

AGENDA

- I. CALL TO ORDER [7:00 p.m. or thereafter]**
- II. ROLL CALL**
- III. PUBLIC HEARING**
 - A. PROPOSED FY JULY 1, 2012 THROUGH JUNE 30, 2013 BUDGET
- IV. PRESENTATIONS**
 - Budget Summary – City Manager Bohenko
 - General Government – City Manager Bohenko
 - Library – Mary Ann List, Director
 - Public Works Department – Steve Parkinson, Director
 - Recreation Department – Rus Wilson, Director
 - General Administration – Judie Belanger, Finance Director
 - School Department – Superintendent of Schools McDonough
 - Police Department – Police Chief Ferland
 - Fire Department – Fire Chief LeClaire
 - Conclusion – City Manager Bohenko
- V. PUBLIC COMMENT/INPUT**
- VI. RECESS PUBLIC HEARING UNTIL MAY 14, 2012 AT 7:00 P.M.**
- VII. ADJOURNMENT**

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

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED

If you wish to attend City Council meetings and need assistance, please contact Human Resources Director Dianna Fogarty at 610-7274 one week prior to the meeting.



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

MAR 29 2012

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

Committee: Citywide Neighborhood Steering Committee **Renewing applicant**

Name: Kathleen Bergeron Telephone: 603 433 3261

Could you be contacted at work? YES NO - If so, telephone # 603 436 3009

Street address: 199 Wilbird Street

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 16 years

Occupational background:

Commercial Real Estate Appraiser

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

Reasons for wishing to continue serving: I feel this

Committee is very important in strengthening communication within & between neighborhoods within the city.

OVER
➔

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

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

- 1) Karen Boisvert 603-781-4774
Name, address, telephone number
- 2) Sharm Dubois Carney 603-828-1312
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: Kathleen Bergern Date: 3/28/12

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____

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

Date of Original Appointment: _____

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



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

MAR 27 2012

Committee: PORTSMOUTH HOUSING AUTHORITY Renewing applicant

Name: JOHN F. LEITH Telephone: 436 0336

Could you be contacted at work? YES/NO - If so, telephone # 436 5418

Street address: 83 WOODBURY AVE

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 58 yrs

Occupational background:

UNDERTAKER

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

Reasons for wishing to continue serving: TO TRY AND HELP MAINTAIN
THE PHA'S HIGH STANDARDS OF AFFORDABLE HOUSING
FOR CITY RESIDENTS.

OVER
➔

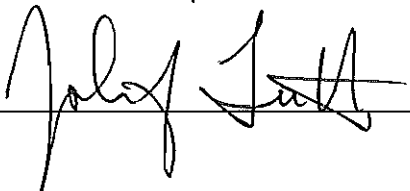
Please list any organizations, groups, or other committees you are involved in:

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

- 1) MARIL GRAY 140 SUMMER ST PORTS 235-2152
Name, address, telephone number
- 2) JANET MITCHELL 90 COAKLEY RD PORTS 431-1458
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
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5. Application will be kept on file for one year from date of receipt.

Signature:  Date: 3/26/12

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 7/1/17

Annual Number of Meetings: 12 Number of Meetings Absent: 2

Date of Original Appointment: 7/6/92

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



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

APR 04 2012

Committee: Recreation Board

Renewing applicant

Name: Ed DeValle Telephone: 603 436 1213

Could you be contacted at work? YES NO - If so, telephone # 603 617 2111

Street address: 166 Buckminster Way Portsmouth NH 03801

Mailing address (if different): same

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

How long have you been a resident of Portsmouth? 42

Occupational background:

SALES

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

Reasons for wishing to continue serving: _____

I want to give back to the community which I have been a part for many many years.

OVER
➔

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

LITTLE League Baseball
Bobo Ruth Baseball
Library Trustee

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

- 1) Carl Diemen 427 4517
Name, address, telephone number
- 2) Mark Barentyne 427-6111
Name, address, telephone number

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Signature: [Signature] Date: 4/4/12

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____
Annual Number of Meetings: _____ Number of Meetings Absent: _____
Date of Original Appointment: _____

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



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: CONSERVATION Commission

MAR 0 6 2012
Renewing applicant

Name: Rich DiPentima Telephone: 603-559-9765

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

Street address: 16 DUNLIN WAY

Mailing address (if different): _____

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

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

Occupational background:

- Deputy Public Health Director, Manchester (NH) Health Dept. 1998-2006
- Chief Epidemiology NH Div. Public Health Services, 1994-1998
- Chief Environmental Health, Manchester (NH) Health Dept. 1991-1994
- Asst. Dir. Public Health, NH Div. Public Health Services, 1984-1991

Would you be able to commit to attending all meetings? YES NO after my legislative tenure is complete.

Reasons for wishing to continue serving: I AM VERY INTERESTED AND CONCERNED ABOUT PROTECTING PORTSMOUTH'S UNIQUE QUALITY OF LIFE. I SUPPORT RESPONSIBLE AND RESPECTFUL GROWTH IN OUR COMMUNITY. GOOD STEWARDSHIP IS NECESSARY TO PRESERVE THE BEST OF PORTSMOUTH FOR FUTURE GENERATIONS.



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

NH Legislature
South Church
Kittery Point Yacht Club

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

- 1) John Sutherland, 8 Dunlin Way, Portsmouth, NH 03801 431-2494
Name, address, telephone number
- 2) John Gregg, 69 Hunking St, Portsmouth, NH 03801 433-3304
Name, address, telephone number

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Signature: [Signature] Date: 3/6/12

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 4-1-2015
Annual Number of Meetings: N/A Number of Meetings Absent: N/A
Date of Original Appointment: 12/19/01

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



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

MAR 1 6 2012

Committee: CONSERVATION COMMISSION Renewing applicant

Name: PETER VANDER MARK Telephone: 603 498 0942

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

Street address: 86 RIDGES CT PORTSMOUTH NH

Mailing address (if different): _____

Email address (for clerk's office communication): Pvdmark@bu.edu

How long have you been a resident of Portsmouth? 24 YEARS

Occupational background:

JOURNALIST + TEACHER

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

Reasons for wishing to continue serving: _____

FIRST TERM WAS LESS THAN A YEAR, WOULD LIKE TO CONTINUE.

OVER
➔

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

SOUTH EAST LAND TRUST

SEACOAST LOCAL

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

1) DAVID KREMPFELS 603 422 0731
Name, address, telephone number

2) JAMISON FRENCH 603 436 8154
Name, address, telephone number

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Signature: Peter Vawter Date: 3-14-12

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 7/1/15

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

Date of Original Appointment: 10/3/11

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



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: PEO LP

MAR 1 4 2012
Renewing applicant

Name: Laura Montville Telephone: 603 433-2284

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

Street address: 40 Brackett Rd, Ports,

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 20 years

Occupational background:

Business/Organization Development Consultant

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

Reasons for wishing to continue serving: I like the mission to support small business

OVER
➔

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

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

- 1) Jody Gittell 498-1305
Name, address, telephone number
- 2) Laurie McCray 817-1903
Name, address, telephone number

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Signature: J. J. Minicelli Date: 3/14/12

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____

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

Date of Original Appointment: 3/18/2002

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



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.

MAR 1 6 2012

Committee: Portsmouth Economic Development Loan Program **Renewing applicant**

Name: Steven H. Berg Telephone: 509 433 7461

Could you be contacted at work? YES NO If so, telephone # 603-433-4494

Street address: Ten Ashland Street, Portsmouth, NH 03801-3515

Mailing address (if different): Same

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

How long have you been a resident of Portsmouth? 24 Years

How long do you plan to reside in Portsmouth? Forever

Occupational background (attach resume if there is not enough space provided):

Real Estate Appraiser and Consultant since 1986.

Real Estate Sales 1985

Bank Commercial Credit Analyst 1984

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

Reasons for wishing to continue serving: I believe that I contribute positively and

wish to continue to do so.

OVER

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

Past Chair, New Hampshire Real Estate Appraiser Board

Affiliate Member, Strafford County Board of Realtors

City of Portsmouth Zoning Board of Appeals (Former Member)

Associate Instructor, Appraisal Institute

Portsmouth Housing Endowment Fund Advisory Committee (Member)

Workforce Housing Coalition (Past Member)

Portsmouth Economic Development Loan Committee (Member)

Commercial and Investment Board of Realtors (Member)

Please list two character references not related to you:

1) Nancy Carmer

Name, address, telephone number

2) David Moore

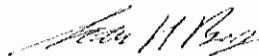
Name, address, telephone number

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***Note: You will be removed from the Board/Commission if you miss three meetings in a calendar year.*

Signature: _____



Date: March 7, 2012

(nb 1/1805)

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____

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



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.

EdS

JAN 20 2012

Committee: HDC (AIDE WISE) Sustainability Initial applicant

Name: ROBERT COOK Telephone: 828 1311

Could you be contacted at work? YES NO If so, telephone # 603 828 1311

Street address: 117 BURLINGHAM Portsmouth NH 03801

Mailing address (if different): SAME AS ABOVE

Email address (for clerk's office communication): NGISEDAC@GMAIL.COM

How long have you been a resident of Portsmouth? 11 YEARS

Occupational background:

TRAINED AS AN ARCHITECT

BEFORE ARCHITECTURE I STUDIED HISTORY

LONG EXPERIENCE IN CITY PLANNING & PRESERVATION

DESIGNED AND APPROVED ARCHITECTURAL STUDIOS P.L.C.

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

PRESENTED PROPOSAL FOR IMPROVEMENT 2011 - 534 STATE
PORTSMOUTH, NH



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

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

Reasons for wishing to serve: TO ASSIST IN THOUGHTFUL DEVELOPMENT WITH THE DEVELOPMENT OF THE CITY OF PORTSMOUTH & ITS HISTORIC CONTEXT

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

WARREN HOUSE
SPRAW BEN BANKS PROPERTIES COMMITTEE

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

1) CHARLES LASSEN PORTSMOUTH NH 603 479 1510
Name, address, telephone number

2) INNAVA CLARK PORTSMOUTH NH 603 498 6936
Name, address, telephone number

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Signature: Robert A Leuker Date: 18 JUN 2012

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

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

Robert A. Cook

ARCHITECTURAL EXPERIENCE

Adapt Design, Portsmouth, NH 2009-Present
Principal of a small design firm that focusing in design for sustained living. Focus on residential and small commercial; responsibilities include all aspects of running a small firm including marketing, project design and construction administration.

JSA Architects Portsmouth, NH 2000- 2008
Performed work that included production and coordination of construction documents, research and development of design ideas and technologies, material research, construction administration and client management. Managed and supervised junior office employees in the production of drawing sets and various other tasks.

BMA Architectural Group Amherst, NH 1999-2000
Performed work that included construction documentation, presentation drawings and construction administration

Robert F. Jackson & Associate Architects, Amherst, NH 1989-1995
Residential and small commercial design, construction documentation, presentation drawings and construction administration

TEACHING EXPERIENCE

Guest Lecturer, Isles of Shoals Historic and Research Association Conference, Star Island, NH 2010-2011
Presented original research and led a walking tour, with island curator, on the history and evolution of Star Island Architecture. Star Island is one of the nine Isles of Shoals in both New Hampshire and Maine.

Wentworth Institute of Technology, Boston, MA Fall 2009
Adjunct Faculty in Architecture teaching architectural drawing

Boston Architectural College, Boston, MA 2006 – 2009 2011
Adjunct Faculty in both graduate and undergraduate Architecture in studio, drawing, thesis , and theory lecture classes

Guest Lecturer, Boston Public Library- Seminar for teachers on the arts, Boston, Mass Summers 2005-07
Prepared and lectured on Architectural history for Baron Educational Consulting.

CULTURAL EXPERIENCE

Currier Art Museum Manchester, NH 1991 – Present
Tour Guide of the Frank Lloyd Wright designed Zimmerman House

Historic New England, Lincoln and Newbury, Ma 1994-2008 & 2010
Tour Guide at the Gropius House, Spencer Pierce Little Farm and Coffin House

ORGANIZATIONAL EXPERIENCE

Portsmouth Historic Society, Portsmouth, NH, 2003-2008
Trustee, Building Committee Chair, Building Committee Member and Committee Member to develop old Portsmouth City Library into Discover Portsmouth Center

Warner House Association, Portsmouth, NH 2011
Board of trustees and building and ground committee

Strawbery Banke Building Committee, Portsmouth, NH 2011
Assists with diverse aspects associated with the buildings and grounds of Strawbery Banke.

EDUCATION

Boston Architectural College, Boston, MA 2008-Present
Enrolled in Sustainable Building Design & Construction Certificate Program

Savannah College of Art and Design, Savannah, GA 1998
Master of Architecture

University of New Hampshire, Durham NH, 1991-1995
Various Continuing Education classes in Architecture, sculpture and art history

Harvard GSD- Career Discovery Program, Cambridge MA, Summer 1990

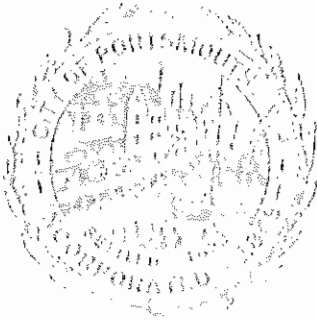
Plymouth State College, Plymouth, NH 1988
Bachelor of Arts – History, Minors in Geography, Art History and Political Science

PERSONAL

Skills: Hand drawing, AutoCAD, SketchUp, Photoshop, Excel, and other Microsoft based programs

Awards: Eagle Scout, Alpha Rho Chi Award, and Honorable Mention in “The Emerging Professionals”- Guest House/Studio Design Competition, 2004

117 Burkitt Street Portsmouth, NH 03801 (603) 828-1311 Email:ngiseda@gmail.com



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.

NOV 02 2011

Committee: Traffic + safety Committee

Initial applicant

Name: Shelley Saunders

Telephone: 603-957-8880

Could you be contacted at work? YES/ NO If so, telephone # above ↑

Street address: 15 Oak St Portsmouth, NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): ssaunders11@myfairpoint.net

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

Occupational background:

Wine Sales - New England - over 10 years
Current → Snyders pretzel / Cape Cod chip
Supplier rep - sales
Covering - NH ME VT

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

- outside sales, Traveling for over 15 years in NH
- Portsmouth resident for 17 years + many more
to me, I have a 5 year old Daughter

Resume Attached .



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

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

Reasons for wishing to serve: Longtime Portsmouth resident
that would like to get more involved
in my community.

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

None -

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

- 1) Jason Fernald, 17 Oak St, Portsmouth, NH # 603-591-6853
Name, address, telephone number
- 2) Mark Sabina, current manager -
Hyannis, MA # 774-487-0415
Name, address, telephone number

See
Back for
more
references

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

Signature: [Signature] Date: 10-21-11

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

Shelley Saunders

15 Oak Street, Portsmouth, New Hampshire 03801
603-957-8880 ssaunders11@myfairpoint.net

Dedicated, enthusiastic, and goal-oriented professional, interested in pursuing advancement within the consumer products industry, to continue the promotion of skills, knowledge, and leadership in consumer product sales and marketing. Demonstrate strong record of success in meeting and exceeding sales objectives by applying effective professional sales techniques; as well as by developing strategies and solutions that generate revenue growth.

Core competencies include:

- ♦ Relationship-building skills with customers, team members, and high-level personnel; with established reputation in successful account dealings through persuasive communication and strong deal-closing abilities
- ♦ Excellent verbal and interpersonal skills; works well as individual producer or team member to achieve sales objectives
- ♦ High motivation with dynamic background, wine supplier and key account manager, as well as in-depth negotiating experience across multiple channels.

<i>Key Account Management</i>	<i>Budget Development and Management</i>	<i>National Accounts, ad activity</i>
<i>Inventory Control</i>	<i>Communication and Interpersonal Skills</i>	<i>Chain Grocery Buyer calls</i>
<i>Control and Sales Analysis</i>	<i>Pricing and Incentive writing</i>	<i>Technically proficient</i>

PROFESSIONAL EXPERIENCE-NEW

Snyders-Lance Inc-July 2011 to Current

Field Sales Manager, Mass Accounts NH ME VT

Wal-Mart/Target's/Military

-Manage Michaud Distributors and their 7 District Manager

-Manager all Wal-Mart/Target/Military business, from promotions, maintaining pricing and helping Michaud sales force sell in secondary and mandatory displays

7/12/11 to Present

NEWMAN WINE & SPIRITS ▪ West Conshohocken, PA

Regional Sales Manager-New England and NY

- 2010-2011

- ♦ Assumed full responsibility in defining strategies and developing business plans for New England and New York
- ♦ Demonstrated exceptional performance in exceeding company objectives with an average of more than 500 cases of wine sold per month (from a previous cold territory)
- ♦ Executed expertise in developing, initiating, and managing key account programs, resulting to profit increases
- ♦ Vastly contributed in producing the first-ever sale of Newman Wines in Maine through a partnership with Hannaford Grocery

FOSTERS WINE ESTATES ▪ Napa, CA

Regional Sales Manager—NH, ME, VT

2006-2010

- ♦ Utilized outstanding managerial skills in overseeing 3 states and 6 distributors with more than 125,000 cases of wine generated per year
- ♦ Acquired 2,100 cases of wine sold into Whole Foods in Portland, Maine in 12 month time frame, that established new revenue streams
- ♦ Produced and increased 45% sales in the chain grocery sector by partnering with Hannaford Grocery, Shaw's Grocery, Price Choppers and Market Basket NH grocery stores.

BAREFOOT WINERY ▪ Santa Rosa, CA

New England Regional Sales Manager

2000-2005

- ♦ Gained recognition as the top-selling salesperson of Barefoot Reserve wines for five years in a row

App- for board of Traffic + Safety Shelley Saunders

To whom it may concern:

For the past four years it has been my great pleasure to work with Shelley Saunders. In that period of time, Shelley was instrumental in our achievement of Marvin Shanken's *Impact Magazine* Hot Brand award for growth in 2004 over 2003. During that time period Barefoot saw 58% growth and finished the year just under 600 thousand cases. Barefoot's stellar growth was recognized by E&J Gallo when they acquired the brand in January 2005. We simply could not have done it without Shelley's skyrocketing sales. Her ability to grow the brand in her territory significantly influenced our success.

Shelley single-handedly developed the brand from an unknown to a major player in New England. Sales were on a downward trend in Maine, New Hampshire, Rhode Island and Vermont; had leveled off in Connecticut and Massachusetts was had three Trader Joe accounts when Shelley took over the New England territory. Shelley turned that all around. We now have major authorizations and region-wide growth. She sells more Barefoot Reserve wine than any other territory in the country. She did it by building great relationships, putting in tons of travel, solicitation and building of big displays, rides with distributor's reps, and many tasting events.

Shelley used the latest technologies to stay on top of the reorder patterns of his retailers. This vigilance resulted in a very high rate of retention. She parlayed her superior customer service to expand the line and achieve quantity buys.

Shelley demonstrated tireless tenacity and got the job done. She demonstrated an impeccable work ethic. Shelley works long hours and does what it takes to get the job done. She is a creative and imaginative sales professional of the highest degree. Shelley has done it all from kick offs to chain presentations. She has the proven ability to initiate change and stimulate growth in the marketplace.

Shelley was well liked and developed a reputation for success, achievement and customer service within the industry. She showed herself to be an enthusiastic, effective, respectful, team player. I will miss Shelley professionally and personally and would hire her again in an instant!

Sincerely,

Michael Houlihan

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Jane Shouse, Panning Department *JMS*
SUBJECT: Site Review Technical Advisory Committee Minutes
DATE: March 28, 2012

Please be advised that the approved minutes from the February 28, 2012 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Liz Good, Planning Department
SUBJECT: Historic District Commission Minutes
DATE: April 5, 2012

Please be advised that the approved minutes from the January 4, 2012 Historic District Commission meeting are now available on the City's website for your review.