

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MARCH 7, 2016 TIME: 7:00PM

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- III. PLEDGE OF ALLEGIANCE

PRESENTATIONS

- 1. Seacoast Family Food Pantry, Deb Anthony, Executive Director
- 2. Trees and Public Greenery Committee Annual Report, Peter Loughlin, Chair

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

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO SEVENTY FIVE MILLION DOLLARS (\$75,000,000.00) FOR COSTS RELATED FOR THE CONSTRUCTION OF THE PEIRCE ISLAND WASTEWATER TREATMENT FACILITY
- B. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM UNASSIGNED FUND BALANCE FOR NECESSARY EXPENDITURES RELATED TO MIDDLE SCHOOL CONSTRUCTION OF UP TO SIX HUNDRED FIFTY THOUSAND (\$650,000.00) DOLLARS

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Police Department Grant in the amount of \$30,000.00 from the NH Department of Justice for the 2016 Violence Against Women Grant Program ***(Sample motion – move to approve and accept the grant to the Portsmouth Police Department)***
- B. Approval and Acceptance of Donation Re: Bench from Richard and Janice Trafton in memory of their daughter Catherine Trafton in the amount of \$2,000.00 ***(Sample motion – move to approve and accept the donation for a bench, as presented)***

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seventy Five Million Dollars (\$75,000,000.00) for Costs related for the Construction of the Peirce Island Wastewater Treatment Facility ***(Sample motion – move to adopt a Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seventy-Five Million (\$75,000,000) Dollars for Costs Related for the Construction of the Peirce Island Wastewater Treatment Facility, as presented. (Roll Call Vote Required)***
- B. Adoption of Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance for Necessary Expenditures related to Middle School Construction of up to Six Hundred Fifty Thousand (\$650,000.00) Dollars ***(Sample motion – move to adopt a Resolution authorizing a supplemental appropriation from Unassigned Fund Balance the sum of up to Six Hundred Fifty Thousand (\$650,000.00) Dollars for Necessary Expenditures Related to the Middle School Construction, as presented. (Roll Call Vote Required)***

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Deidre Reynolds, NH Chapter Leader for Moms Demand Action requesting permission to hold a Mother's Day week Bridge Walk for Gun Sense and to honor victims of gun violence on May 14, 2016 ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Molly Bolster, Executive Director and Matt Glenn, Captain, Gundalow Company requesting the use of Peirce Island launch ramp and related parking area for the Round Island Regatta on July 30, 2016 ***(Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Richard B. Wagner, Executive Director of AIDS Response Seacoast requesting permission to conduct the 20th Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 1, 2016 ***(Anticipated action – move to refer to the City Manager with power)***
- D. Request for Approval of Pole License to install 2 replacement poles located on Market and Bow Street intersection ***(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 Approval of Pole License to install 1 replacement pole with guy-wire located on Sagamore 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)***

- F. Request for Approval of Pole License to install 1 replacement pole and guy-wire located on Sherburne Avenue approximately 120' from Elwyn Avenue intersection (***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***)

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Joseph R. Russell, Attorney for Maplewood Ridge LLC, Re: Request for Zoning Amendment – 678 Maplewood Avenue Parcel One (Tax Map 220, Lot 89) Parcel Two (Tax Map 220, Lot 90) (***Sample motion – move to refer to the Planning Board for report back***)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Peirce Island Consent Decree Second Modification with Environmental Protection Agency (EPA) et al.
2. Adoption of the Capital Improvement Plan (CIP) FY2017-2022
<http://planportsmouth.com/2017-2022CapitalImprovementPlan.pdf>
3. Request for Approval of Tapping Maple Trees Re: City-owned Property on Lang Road

Informational items

1. Events Listing
2. Report Back Re: Riverbrook Condos–Water and Sewer Billing and Trash Removal Costs
3. City Council Retreat Agenda

B. MAYOR BLALOCK

1. Appointments to be Considered:
 - Richard Winstanley reappointment to the Cable Television & Communications Commission
 - Colby Gamester reappointment to the Planning Board
 - Todd Henley reappointment to the Recreation Board
 - Tristan Law reappointment to the Transportation Service Commission
 - Mike Merando appointment to the Transportation Service Commission
2. *Working Group Re: Deer Street Property Negotiations
 - Councilor Perkins
 - Councilor Lown
 - Councilor Spear

C. ASSISTANT MAYOR SPLAINE

1. *Request for an updated appraisal of the land considered for purchase for the parking garage

D. COUNCILOR LOWN

1. Parking & Traffic Safety Action Sheet and Minutes of the February 4, 2016 meeting
(Sample motion – move to approve and accept the action sheet and minutes of the February 4, 2016 Parking & Traffic Safety Committee meeting)

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. 2015 Board and Commission Attendance Records
2. Notification that the minutes of the January 21, 2016 meeting of the Planning Board are now available on the City's website
3. Notification that the minutes of the January 5, 2016 meeting of the Site Review Technical Advisory Committee are now available on the City's website
4. Notification that the minutes of the January 19, 2016 and January 26, 2016 of the Zoning Board of Adjustment are now available on the City's website

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, March 7, 2016 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a Proposed Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seventy Five Million Dollars (\$75,000,000.00) for Costs related for the Construction of the Peirce Island Wastewater Treatment Facility. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

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Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

FM.00178479

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

RESOLUTION # – 2016

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO SEVENTY FIVE MILLION DOLLARS (\$75,000,000) FOR COSTS RELATED FOR THE CONSTRUCTION OF THE PEIRCE ISLAND WASTEWATER TREATMENT FACILITY.

RESOLVED:

THAT the sum of up to Seventy Five Million Dollars (\$75,000,000) is appropriated for the construction of the Peirce Island Wastewater Treatment Facility;

To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to Seventy Five Million Dollars (\$75,000,000) through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan, such borrowing to be effected by the issuance of bonds and/or notes of the City under the Municipal Finance Act in connection with the Peirce Island Wastewater Treatment Facility;

That the expected useful life of the project is determined to be at least thirty (30) years, and;

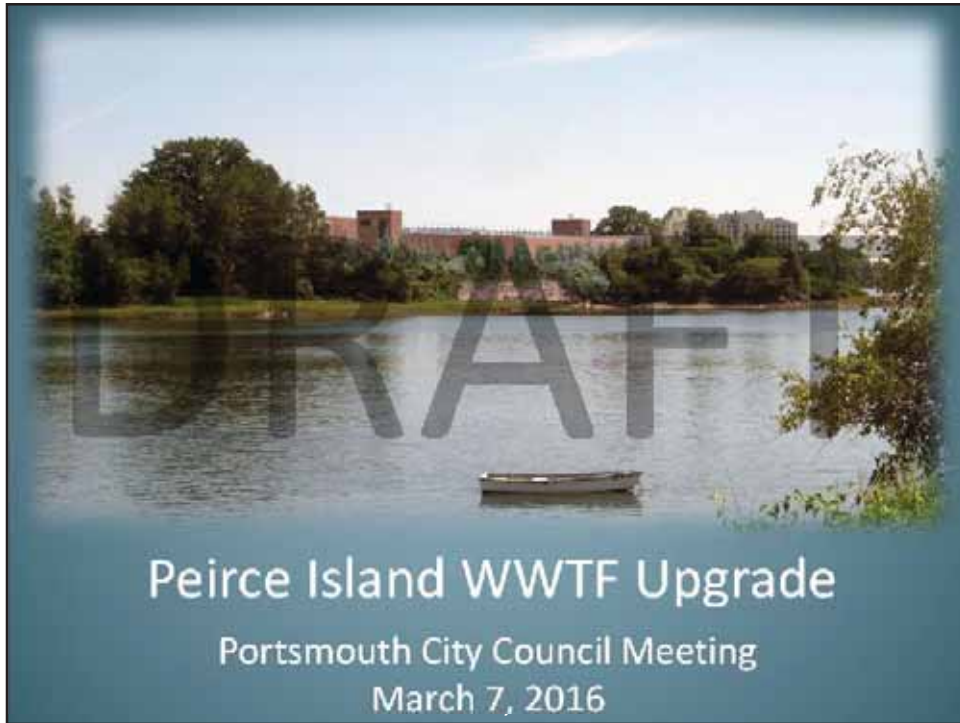
That this Resolution shall take effect upon its passage.

APPROVED:

JACK BLALOCK, MAYOR


ADOPTED BY THE CITY COUNCIL

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



Introductions

- Terry Desmarais, City Engineer
 - History of Council Votes
 - History of Technical Decisions
 - Schedule
- Jon Pearson, AECOM
 - BAF Technology
 - Remedial Action Plan

March 7, 2016  Peirce Island WWTF Upgrade 1

Public Meetings on Wastewater

DRAFT

March 7, 2016



Peirce Island WWTF Upgrade

3

Conditions: ~1961

- No Wastewater Treatment
 - Many Raw Sewage Discharges to Local Water Bodies
- Recognition of Need for Sewage Control
- City Council Decision to Build at Peirce Island
 - Defines Footprint of Facility
 - Establishes Layout of Entire Collection System

March 7, 2016



Peirce Island WWTF Upgrade

4

City Council Vote: June 5, 1961

Following the discussion by various members of the Council, the motion passed 5-4 on a roll call vote. Following the vote, Mayor Shaines said that he would now suggest that the City Council consult the City Attorney for a ruling on whatever action is necessary.

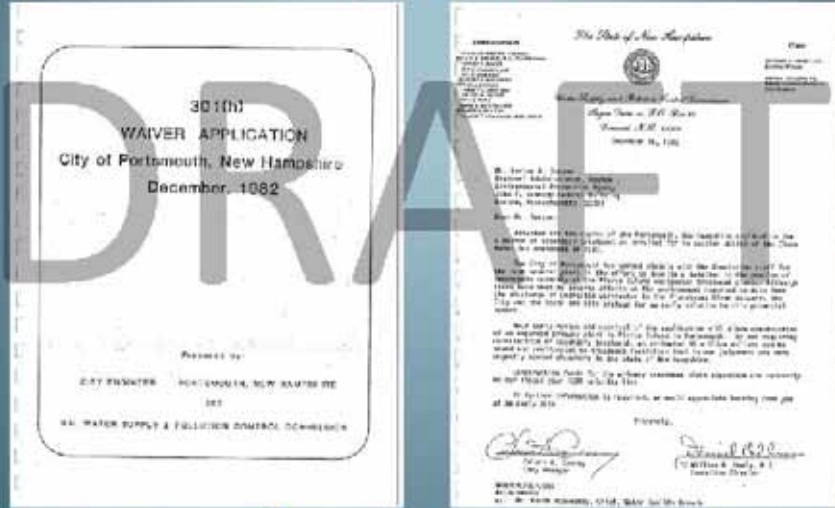


Conditions: Pre 1985

- One Wastewater Treatment Facility
 - Primary Treatment Facility at Peirce Island
 - City Had Plans to Construct Secondary Upgrade at Peirce Island
 - Pease WWTF Owned and Operated by US Air Force
- State Applied to EPA to Obtain 301(h) Waiver for Portsmouth
- Secondary WWTF Not Constructed



Conditions: Pre 1985 301(h) Waiver

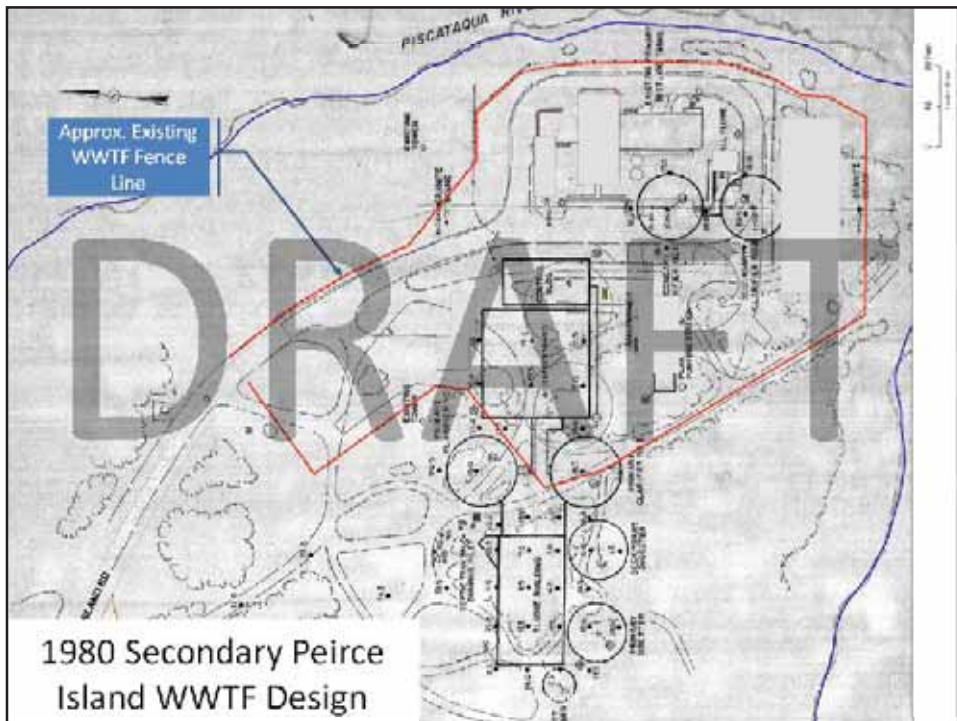


March 7, 2016



Peirce Island WWTF Upgrade

7



Conditions: 2007

- Aging Wastewater Treatment Facilities
 - Enhanced Primary WWTF at Peirce Island
 - Secondary WWTF at Pease
- Regulatory Concerns with Nitrogen
 - Peirce Island WWTF Permit Appealed
- Consent Decree to Perform Wastewater Facilities Master Plan
 - Comprehensive Evaluation of Two WWTFs, 20 Pumping Stations and CSO LTCP

March 7, 2010



Peirce Island WWTF Upgrade

9

Conditions: 2010

- Wastewater Master Plan Complete (\$1.7M)
- Recommended Phased Buildout at Pease WWTF to Minimize Sewer User Rate Impacts
- Regulators Disagree with Implementation Timeframe
 - Require City to Move Forward and Expedite Secondary Upgrade at Peirce Island (5 to 7 Years)

March 7, 2010



Peirce Island WWTF Upgrade

10

City Council Vote: Nov 8, 2010

Voted to authorize the City Manager to submit its final Wastewater Master Plan to the EPA which included upgrading Peirce Island to a Secondary Treatment Facility as outlined in the memorandum dated November 2, 2010.

March 7, 2010



Peirce Island WWTF Upgrade

11



Conditions: 2013

- Completed Wastewater Technology Piloting (\$1.8M)
 - Focus on High Rate Small Footprint Technologies
 - Weighted Evaluation Matrix
 - Cost Estimates
 - Technology Options
- Recommended Options for City Council Consideration
- Some Regulatory Uncertainty Over Potential Nitrogen Effluent Level

March 7, 2016



Polk County WWTP Upgrade

13

Conditions: 2013 (Cont'd)

- Activated Sludge
 - Conventional – Not High Rate System
 - Would not Fit in Fence Line
 - Phased Upgrades for Lowest Nitrogen Limits
- Biological Aerated Filter
 - High Rate Treatment System
 - Fits within Fence Line
 - Allows for Treating Lowest Nitrogen Limits

March 7, 2016



Polk County WWTP Upgrade

14



Conventional Secondary

Originally Presented to City Council January 12, 2006

An aerial photograph of a wastewater treatment plant, similar to the one above, but with a large, semi-transparent 'DRAFT' watermark overlaid across the center. The plant is situated on a peninsula or island surrounded by water.

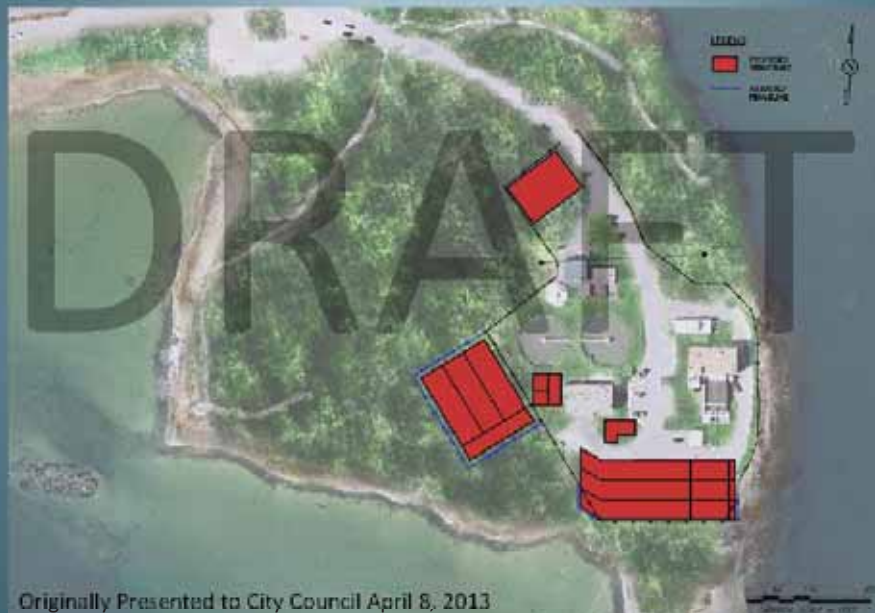
Department of Public Works

Conventional Secondary

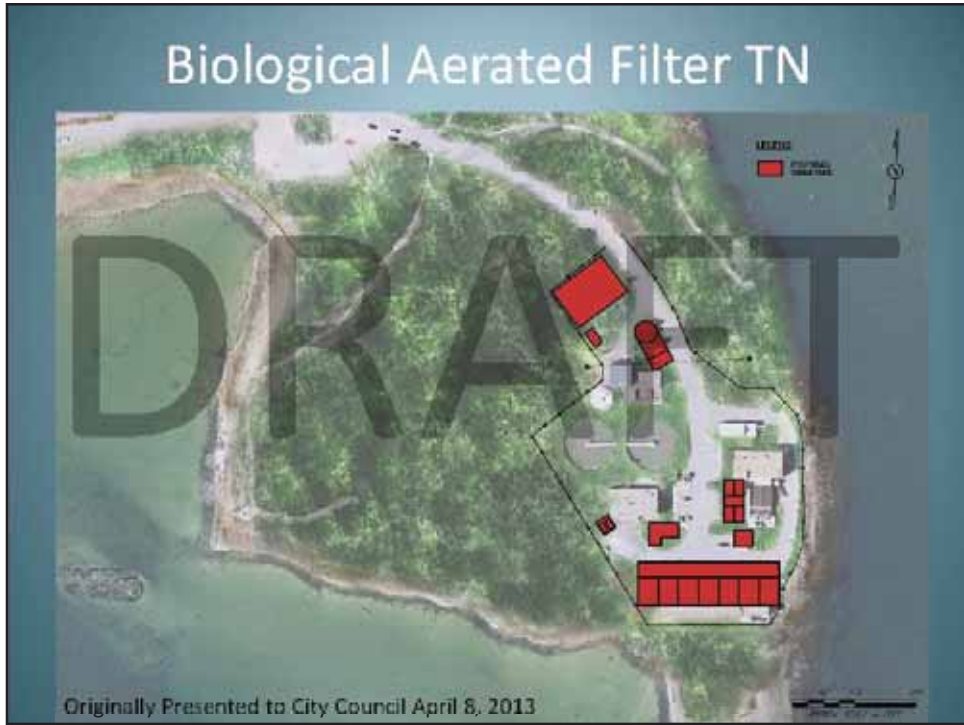
Originally Presented to City Council January 12, 2006



Conventional Activated Sludge TN




Originally Presented to City Council April 8, 2013



City Council Vote: April 8, 2013

Move to comply with EPA mandate to meet secondary treatment at the Peirce Island Wastewater Treatment Plant with the ability to treat a total nitrogen limit 8 milligrams per liter on a seasonal rolling average basis, stay within the current fence line, and to support of the Biological Aerated Filter (BAF) technology.

March 7, 2016  Peirce Island WWTF Upgrade 20

Engineer Selection

- AECOM
 - Global Firm Specializing in Wastewater and Water Treatment
 - Ranked #1 Engineering Design Firm in World (ENR, 2009-current)
 - Focus on Innovative/Alternative Nutrient Removal Systems
 - Experience with High Rate Treatment Systems

March 7, 2016



Polina Island WWTF Upgrade

21

BAF Technology

- Small Footprint – Fits within WWTF Fence
- State of Art Technology – Initially Developed in Europe
- Piloting Demonstrated Ability to Meet BAF Effluent Total Nitrogen of 8 mg/l and 3 mg/l
- No Additional Capital Costs to Achieve BAF Effluent of 3 mg/l Total Nitrogen



March 7, 2016



Polina Island WWTF Upgrade

22

BAF Technology

- Over 300 Operating Installations Worldwide
- Over 30 Installations in the US including:
 - ✓ West Warwick, RI
 - ✓ Cheshire, CT
 - ✓ Southington, CT
 - ✓ Syracuse, NY (2 WWTFs)
 - ✓ New Rochelle, NY
- New Rochelle Recipient of Recent Award



City Council Vote: August 5, 2013

Public Hearing - Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades – Held a public hearing. Voted to adopt a Bond Resolution for Peirce Island Wastewater Treatment Plant Upgrades in the amount of \$10,000,000.00.



Conditions: 2014 Pease Wastewater Option Revisited

- Design of WWTF Ongoing
 - Costs Increased from \$65M to \$80M
- Peer Review of NHDES Numeric Nutrient Criteria for Great Bay Estuary
- Iowa League of Cities Challenge of EPA's Interpretation of Bypass and Blending
- Request from Exeter and Stratham for Regional Treatment at Pease WWTF

March 7, 2016



Pease Inland WWTF Upgrade

25

City Council Vote: October 20, 2014

Proposed Request to Proceed with Life Cycle Cost Estimates for Pease Wastewater Treatment Facility Alternative – Voted to authorize the City Manager to proceed with expending up to \$300,000.00 from the Pease bond proceeds for the Pease Wastewater Treatment alternative as described in the City Manager's memorandum dated October 16, 2014 and that a report back be made to the City Council following Phase I.

March 7, 2016



Pease Inland WWTF Upgrade

26

Conditions: 2015

- Design of Peirce Island WWTF Ongoing but Slowed
- Completion of Pease Wastewater Option Evaluation (\$290k)
 - Option 1: Peirce Upgrade BAF and Pease Upgrade for TN
 - Option 2: Pease Upgrade (All Sanitary Flow) for TN and Peirce Conversion for Wet Weather

March 7, 2016



Peirce Island WWTF Upgrade

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Originally Presented to City Council April 27, 2015

March 7, 2016



Peirce Island WWTF Upgrade

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Cost Estimates for TN 8 (\$Millions)

	Option 1 Upgrade Peirce Island WWTF and Pease WWTF		Option 2 Upgrade Pease WWTF (Deer St Outfall)	
	Capital	Life Cycle	Capital	Life Cycle
Immediate Costs	90.1 <small>(Peirce Island ~\$79.8M) (Pease ~\$10.3M)</small>	164.9	131.4 137.9*	188.9
Potential Future Costs	43.6 ? <small>(Pease ~\$9.4M)</small>	---	7.4 ?	---

*Additional \$6.5M of Capital Costs to extend the outfall from Deer Street to Peirce Island

Originally Presented to City Council April 27, 2015

March 7, 2016
Peirce Island WWTF Upgrade
30

City Council Vote: May 18, 2015

DRAFT

Voted to reaffirm the City Council's vote of April 8, 2013 to move forward with the Peirce Island Wastewater Treatment Facility Upgrade.



Conditions: Now

- Final Design of WWTF Complete (\$5.0M)
 - Phase One Construction Complete (\$1.7M)
 - Five Contractors Prequalified
 - Joint Work Session Regarding Traffic Impacts to be Scheduled
 - Peirce Island Road Bridge Maintenance
- DRAFT**



Conditions: Now

- Consent Decree Second Modification Drafted
 - Defined Nitrogen Treatment Level
 - Minimize Second Shift Work
 - Defined Implementation Timeframe
 - Concessions for Delay
- Sewer User Rate Stabilization Reserve Policy to Minimize Rate Impact
- SRF Low Interest Loan

March 7, 2016



Pocono Island WWTF Upgrade

33





Remedial Action Plan (RAP)

- Original WWTF Building Found to Have PCBs in Paint and Caulk
 - Common in Buildings This Age
 - PCBs Leached into Concrete

DRAFT

Labels: PRIMARY CLARIFIERS, CHLORINE CONTACT BASIN, PARSHALL FLUME, FILTER BUILDING, GARAGE, ADMINISTRATION BUILDING, PRIMARY CLARIFIERS, GRAVITY THICKENER, GRIT BUILDING, AERATED GRIT CHAMBER.

Scale: 1" = 40' SCALE

March 7, 2016 Polk Inland WWTF Upgrade 36

Remedial Action Plan (RAP)

- Requires EPA Approved RAP
 - Special Handling
 - Contained Transport
 - Licensed Disposal Facility
 - Encapsulation
 - Long Term Monitoring of Encapsulation



March 7, 2016



Police Island WWTF Upgrade

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Project Cost Estimate

Items	Cost (Million Dollars)
Primary Clarifier Project (Eng, Const, etc.)	\$1.7
Treatment Upgrade Design Phase	\$5.0
Construction & Contingency	\$70.4
Construction Admin & Oversight	\$6.7
Total Project Cost	\$83.8



Next Steps

- Council Bond Authorization
- Bid Period (March 10 to May 2016)
- Contract Award/NTP (July 1, 2016)
- Public Meetings
- Public Outreach
- Peirce Island Road Bridge Maintenance





A presentation slide with a dark blue background. The word "DRAFT" is written in large, bold, grey letters across the center. The word "Questions" is written in a smaller, white font, overlapping the "A" in "DRAFT". At the bottom left, the date "March 7, 2016" is displayed. In the bottom center is a circular logo for the City of Pelee Island, featuring a landscape with a sun, water, and trees. To the right of the logo, the text "Pelee Island WWTF Upgrade" is written. At the bottom right, the number "41" is displayed.

DRAFT Questions

March 7, 2016  Pelee Island WWTF Upgrade 41



Peirce Island WWTF Upgrade Bond/SRF Funding

DRAFT

Portsmouth City Council Meeting
 March 7, 2016
 Peter Rice – Director of Public Works
 Judie Belanger – Finance Director
 David Hyder – Burton & Associates

Project Cost Estimate

Items	Cost (Million Dollars)
Primary Clarifier Project (Eng, Const, etc.)	\$1.7
Treatment Upgrade Final Design Phase	\$5.0
Construction & Contingency	\$70.4
Construction Admin & Oversight	\$6.7
Total Project Cost	\$83.8

March 7, 2016



Peirce Island WWTF SRF/Bond Funding

2

Proposed SRF/Bond Authorization

Items	Cost (Million Dollars)
Total Project Cost	\$83.8
Previous Bond Authorization 8/5/13	\$10.0
Proposed Authorization (Up To)	\$75.0

March 7, 2016



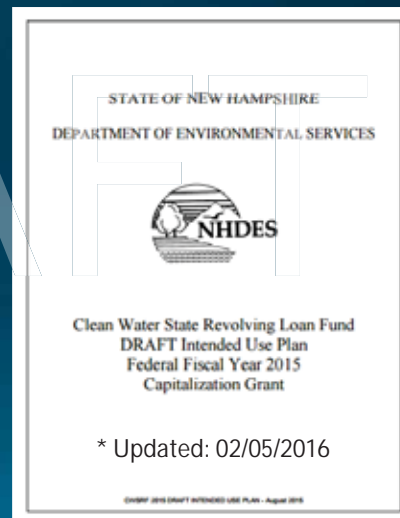
Peirce Island WWTF SRF/Bond Funding

3

Clean Water SRF

Benefits:

- Draw down funds as the City needs them to pay invoices
- Loan payments begin one year following substantial completion (FY21)
- Principal Forgiveness of 5% (up to \$3.75M)
- Lock in Interest Rate 2.55% for a 20-Year Loan Term



March 7, 2016

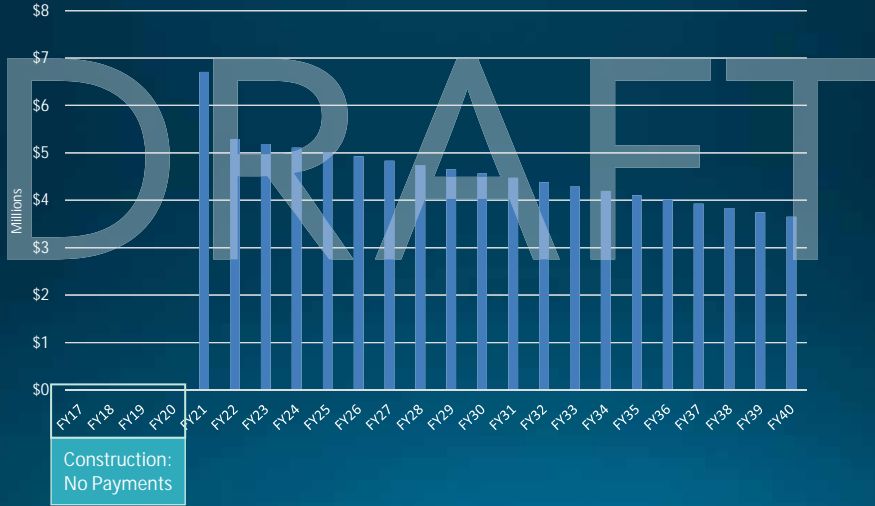


Peirce Island WWTF SRF/Bond Funding

4

City of Portsmouth Debt Use SRF

SRF Annual Debt Service Schedule



March 7, 2016



Peirce Island WWTF SRF/Bond Funding

5

Utility Rate Model

The rate model serves as the key tool to assist in long-term planning:

- Allowing for prudent financial planning which results in predictable rate increases
- Allowing for funding of significant capital projects
- Allowing for proactive management of the systems which results in lowest rates over time



March 7, 2016



Peirce Island WWTF SRF/Bond Funding

Utility Rate Model

- City has been using the rate model since 2012.
- It is updated annually to include budget and actual operating expenses and the detailed 6-year capital improvements plan.
- Model forecasts system expenditures and revenues over a ten-year period
- The model has allowed for prudent financial planning within the Water and Sewer Enterprise Fund.

March 7, 2016



Peirce Island WWTF SRF/Bond Funding

Rate Stabilization Reserve Policy

- Established Rate Stabilization policy in FY14 as part of ongoing rate modeling.
- Increase net position or utilize net position to stabilize user rates from year to year
- Goal of policy has been to establish a glide path of predictable and stable rate adjustments.

March 7, 2016



Peirce Island WWTF SRF/Bond Funding

10

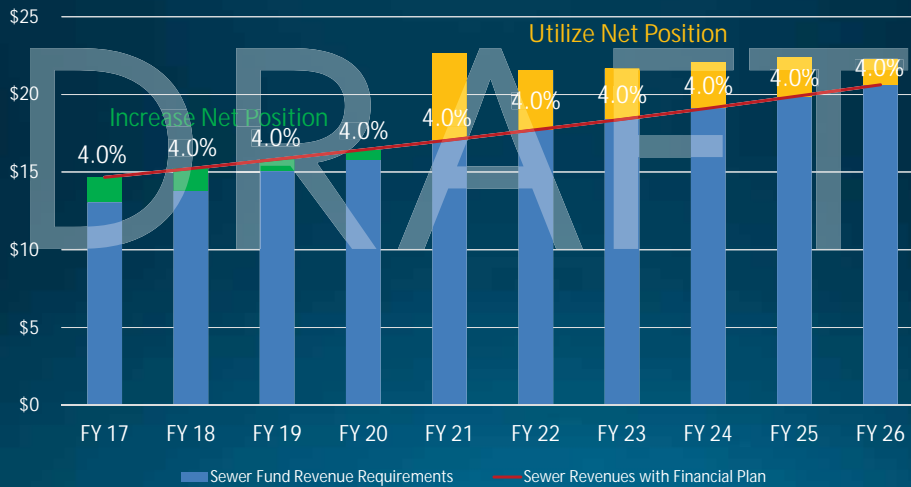
Sewer Fund Rate Stabilization – Contribution to Net Position

	FY 14	FY 15	FY 16
Annual Contribution to Net Position	\$1,834,826	\$1,545,000	\$2,400,000*
End of Year Net Position	\$1,834,826	\$3,379,826	\$5,779,826

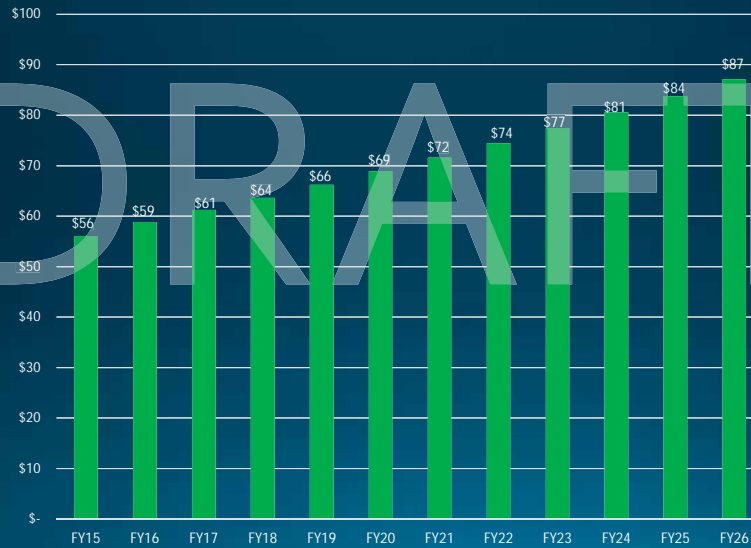
*FY16 budget



Financial Plan with Debt Service Repayment



Single Family Residential Estimated Average Monthly Sewer Bill (5 units)



March 7, 2016



Peirce Island WWTF Upgrade Update

11

The City's approach to funding the WWTP can be considered an industry best practice for several reasons:

- Use of proactive long-term planning
- Establishment of a rate stabilization policy – Allowing glide path of predictable and stable rate increases
- Use of low interest rate SRF Program
 - Minimizes borrowing costs
 - Locks in interest

March 7, 2016



Peirce Island WWTF SRF/Bond Funding

12

National Perspective

Water and Sewer Utilities are facing significant financial challenges:

- Tremendous reinvestment needs due to aging infrastructure
- Increasing regulatory requirements / associated capital investments
- Economic downturn
- More efficient water use
- Disappearance of grant funds

To meet these financial challenges rates have increased substantially

March 7, 2016



Peirce Island WWTF SRF/Bond Funding

9

Ellsworth, ME

Completed construction of \$21 million wastewater treatment plant in 2012 (replaced 1978 WWTP)

- Since completion City has used General Fund dollars to help meet funding gap
- City recently (2/8/16) voted to increase sewer rates 43%
- Yearly sewer bill increase of \$165 for average residential customer



March 7, 2016



Peirce Island WWTF SRF/Bond Funding

9

Nashua, NH

Undertaking significant sanitary sewer line replacement program (5,000 linear feet per year)

- Estimate state aid reductions have reduced revenues by over \$20 million over last decade
- Taking a phased approach to increasing rates:

2014	2015	2016	2017	2018	2019
15%	10%	10%	10%	5%	5%



March 7, 2016



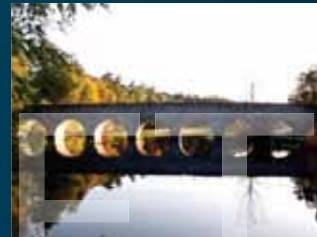
Peirce Island WWTF SRF/Bond Funding

9

Northborough, MA

Wastewater treatment upgrade and expansion (portion of \$30 million)

- Adopted a quarterly fixed sewer charge and increased rates by 20% in 2013 in anticipation of debt service
- Anticipate required increases of 20% per year over next three to four years



March 7, 2016



Peirce Island WWTF SRF/Bond Funding

9

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City Clerk

PM00178483

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
SUPPLEMENTAL APPROPRIATION
FOR THE FISCAL YEAR ENDING JUNE 30, 2016**

RESOLUTION # -

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL
APPROPRIATION FROM UNASSIGNED FUND BALANCE
FOR NECESSARY EXPENDITURES RELATED TO MIDDLE
SCHOOL CONSTRUCTION.**

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

THAT, the City Council has determined that the sum of up to **Six
Hundred Fifty Thousand (\$650,000) Dollars** is to be
appropriated from Unassigned Fund Balance for necessary
expenditures related to the Middle School construction.

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

APPROVED BY:

JACK BLALOCK, MAYOR

ADOPTED BY THE CITY COUNCIL

KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK

SECTION 7.14-AMENDMENTS TO BUDGET AFTER ADOPTION

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

PORTSMOUTH POLICE DEPARTMENT

MEMORANDUM

RECEIVED
FEB 18 2016
CITY OF PORTSMOUTH

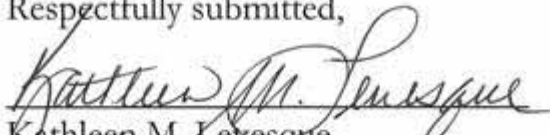
DATE: FEBRUARY 17, 2016
TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KATHLEEN LEVESQUE, OFFICE OF THE CHIEF
RE: GRANT SUBMITTED FOR THE NEXT CITY COUNCIL MEETING AGENDA

At the February 16, 2016 monthly Police Commission meeting, the Board of Police Commissioners approved and accepted the following grant:

1. A grant in the amount of \$30,000 from the NH Department of Justice for the 2016 Violence Against Women Grant Program. This grant funds the victim witness advocate position in our court office.

We submit the information to you pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at their next meeting.

Respectfully submitted,


Kathleen M. Levesque
Office of the Chief

kml/attachments

copies: Board of Police Commissioners
Finance Director Judie Belanger
Admin. Mgr. Karen Senecal
Business Assistant Tammie Perez

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

January 22, 2016

David Mara, Interim Chief
Portsmouth Police Department
3 Junkins Drive
Portsmouth, New Hampshire 03801

REC'D FEB 3 - 2016

Re: 2016 Violence Against Women Grant program

Dear Interim Chief Mara:

I am pleased to inform you that grant funding in the amount of \$30,000 has been approved to your agency. The time period for this funding is from January 1, 2016 through December 31, 2016.

Enclosed please find your grant award. Please sign and return the original document to Susan Dearborn at this office. We have also enclosed a copy of your expenditure report for your review and initial financial expenditure filing. Should you choose an electronic Microsoft Excel spreadsheet version of the expenditure report, it is available from this office, per your request. Expenditure reports must be submitted to this office on a quarterly basis, with a due date of 15 days beyond the previous quarter's end. For example, with an award that begins on January 1 – your first quarterly report is due on April 15th or 15 days after the close of the first quarter on March 31.

Should you have any questions concerning your grant project, please contact Susan Dearborn of the NH Department of Justice-Grants Management Unit by email at susan.dearborn@doj.nh.gov or by phone at 603-271-8091.



Congratulations again on your new 2016 VAWA award, and thank you for your efforts on behalf of victims of violence crimes in New Hampshire.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Foster".

Joseph A. Foster
Attorney General

JAF/shd
enclosures

STATE OF NEW HAMPSHIRE DEPARTMENT OF JUSTICE GRANT AWARD		
Agency Name:	Portsmouth Police Department	Vendor No.: 159594-B001
Program Name:	PD Victim Assistant	Amount: \$ 30,000.00
Grant Start Date:	01/01/2016	State Grant Number: 2016W087
Grant End Date:	12/31/2016	Federal Grant Number: 2014-WF-AX-0047
Appropriation No.:	02-20-20-201510-5017-072-500574	
Head of Agency	Project Director	Fiscal Officer
David Mara Portsmouth Police Interim Chief 3 Junkins Drive Portsmouth, NH 03801 603-610-7572	Kristin Maki V/W Advocate 3 Junkins Drive Portsmouth, NH 03801 603-610-7464	Karen Senecal 3 Junkins Ave. Portsmouth, NH 03801 603-610-7416 Tammie Perez
Federal Grant Name:	Violence Against Women Act	
Federal Agency:	United States Department of Justice	
Bureau/Office:	Office on Violence Against Women	
CFDA Number:	16.588	
Purpose of Grant:	DV/SA Victim Advocate	
Program Requirements:	See signed Program Guidelines and Special Conditions.	
Match Requirements:	Match must be spent on program allowable activities.	
Program income Requirements:	Program Income must be reported and spent on program allowable activities.	
Reporting Requirements:	Monthly or quarterly Financial reports. Required Performance reports and audit. Adherence to Program Conditions and Guidelines. Completion of Monitoring forms and processes.	
Approval	Program Agency	NH Department of Justice
Name	David Mara 	 Kathleen B. Carr
Title	Portsmouth Police Interim Chief	Director of Administration
Date	2/4/16	1-25-16
All terms of this grant award are not valid unless signed by both authorized parties.		

TO: Portsmouth City Council

FROM: Richard & Janice Trafton

REF: Memorial Park Bench Request

DATE: 2/22/2016

FEB 23 2016

Please find attached a request form and check for a memorial bench in memory of our daughter, Catherine. Catherine died unexpectedly at 38 years old leaving a 6 year old daughter and a husband. Catherine attended 12 years of school in Portsmouth and graduated from Portsmouth High School in 1992.

After college and law school, Catherine returned home to Portsmouth often and enjoyed each visit. We have suggested the West End as a preference for the bench because that is where Catherine grew up, but recognize that may not work. However, we look forward to working with city staff to identify an alternative location.

Sincerely,



Richard & Janice Trafton

100 Fields Rd., Portsmouth, NH

From: dede40@comcast.net [mailto:dede40@comcast.net]
Sent: Sunday, February 14, 2016 1:39 PM
To: John P. Bohenko <jpbohenko@cityofportsmouth.com>
Cc: Amy Bradley <abradley@momsdemandaction.org>
Subject: Request to hold event May 14,2016 - Moms Demand Action-NH Bridge Walk

Hi,

I am the NH Chapter Leader for Moms Demand Action. I am writing to request permission to hold a Mother's Day week Bridge Walk for Gun Sense and to also honor victims of gun violence on May 14, 2016.

We hope to gather at Prescott Park at 11:00am. There would be 1 to 2 speakers at the park and then we would walk across Memorial Bridge and back. We estimate approximately 100 people. I have sent an email request for the date with Prescott Park.

The event will be completely over by 1:30pm.

If you have any questions please don't hesitate to email me at dede40@comcast or call **236-9616**.

Best regards,

Deidre Reynolds



Gundalow COMPANY

Protecting the Piscataqua region's
maritime heritage and environment
through education and action

FEB 22 2016

Wednesday February 17, 2016

TO: Mr. Rus Wilson, Recreation Director
CC: Mr. John Bohenko, City Manager

SUBJECT: Proposed date for Round Island Regatta, Saturday July 30th, 2016

Gundalow Company plans to run the sixth Round Island Regatta on July 30th, 2016. We respectfully request the use of the Peirce Island launch ramp and related parking area to facilitate this event. The enclosed timeline outlines the scope of the event and its impact on Peirce Island.

Please call 603-433-9505 or email mbolster@gundalow.org if there are any issues that need to be resolved.

We look forward to confirmation and approval of this date from you.

Sincerely,

Molly Bolster
Executive Director
Gundalow Company

Matt Glenn
Captain
Gundalow Company

603-433-9505

info@gundalow.org

TEL (603) 433-9505

FAX (603) 433-6403

60 MARCY STREET

PORTSMOUTH

NEW HAMPSHIRE 03801

2016 ROUND ISLAND REGATTA Preliminary Timeline

High Water 9:01 am
Saturday July 30th
(Rain Date Sunday July 31st)

4:30-7:00pm (Friday): Bracelet pick up and liability sign off	@ Gundalow Co
9:15-12:30pm (Saturday): Bracelets Desk	@Peirce Ramp
After 12:30pm: Bracelets desk transfers to gate	@W/Lear
9:15am onwards: Cars, boats & trailers arrive and launch**	@Peirce Ramp
9:30am: Skippers Meeting, Class 1 Sail	@Peirce Ramp
10:00am: Class 1 Sail start off Esther's Marina	on water
10:30am: Skippers Meeting, Paddlers (2, 3, 4)	@Peirce Ramp
11:00am: Paddlers (2) "Le Mans" start	on water
11:15am: Paddlers (3) "Le Mans" start	on water
11:30am: Paddlers (4) on water start	on water
12:00pm: Picnic begins	@W/Lear
1:30pm: Prize Giving	@W/Lear
3:00pm: Regatta ends, cars and boats depart	@Peirce Island

**Note 1: Total number of participants: 250 by foot, water, and car.
25 car and trailer combos for transporting and launching boats at Peirce,
30 cars with participants and spectators parking on Peirce Ramp car park,
Up to 75 kayaks and paddleboards for "Le Mans" start on Peirce,
Up to 20 double paddlers launching from Peirce ramp for water start,
Spectators mainly on the South End shore facilities.

Note 2: Facilities on Peirce: Parking, Ramp Access, Space for two pop up Tents, Toilets, Free launch to participants with bracelets.

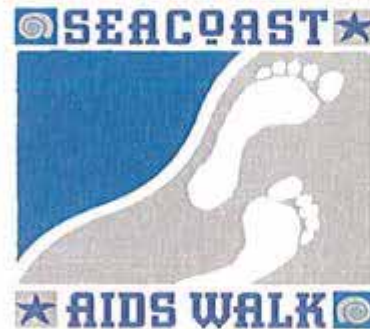
MHG Feb 2 2016

AIDS RESPONSE
Seacoast
Care and Prevention

FEB 29 2016

February 23, 2016

John Bohenko, Portsmouth City Manager
Portsmouth City Council
1 Junkins Ave.
Portsmouth, NH 03801



Dear Mr. Bohenko and Portsmouth City Council:

The purpose of this letter is to seek permission from the Portsmouth City Council to conduct our 20th Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 1st, 2016 from 10:00 AM to 5:00 PM. The walk will begin at 2PM and end around 5PM in the lower parking lot at the Portsmouth Municipal Complex. Approximately 150 persons will be in attendance. In addition, we would like permission to place 5 temporary 2' by 4' a-frame signs to mark the route. The route will be the same as last year – a map has been enclosed for your review.

AIDS Response Seacoast greatly appreciates the City of Portsmouth's support in past years. The Annual Seacoast AIDS Walk has become an increasingly popular and successful event for ARS and we rely upon it to increase awareness about HIV/AIDS and our mission in the Seacoast communities we serve.

If you have any questions please do not hesitate to contact me. Thank you for your consideration.

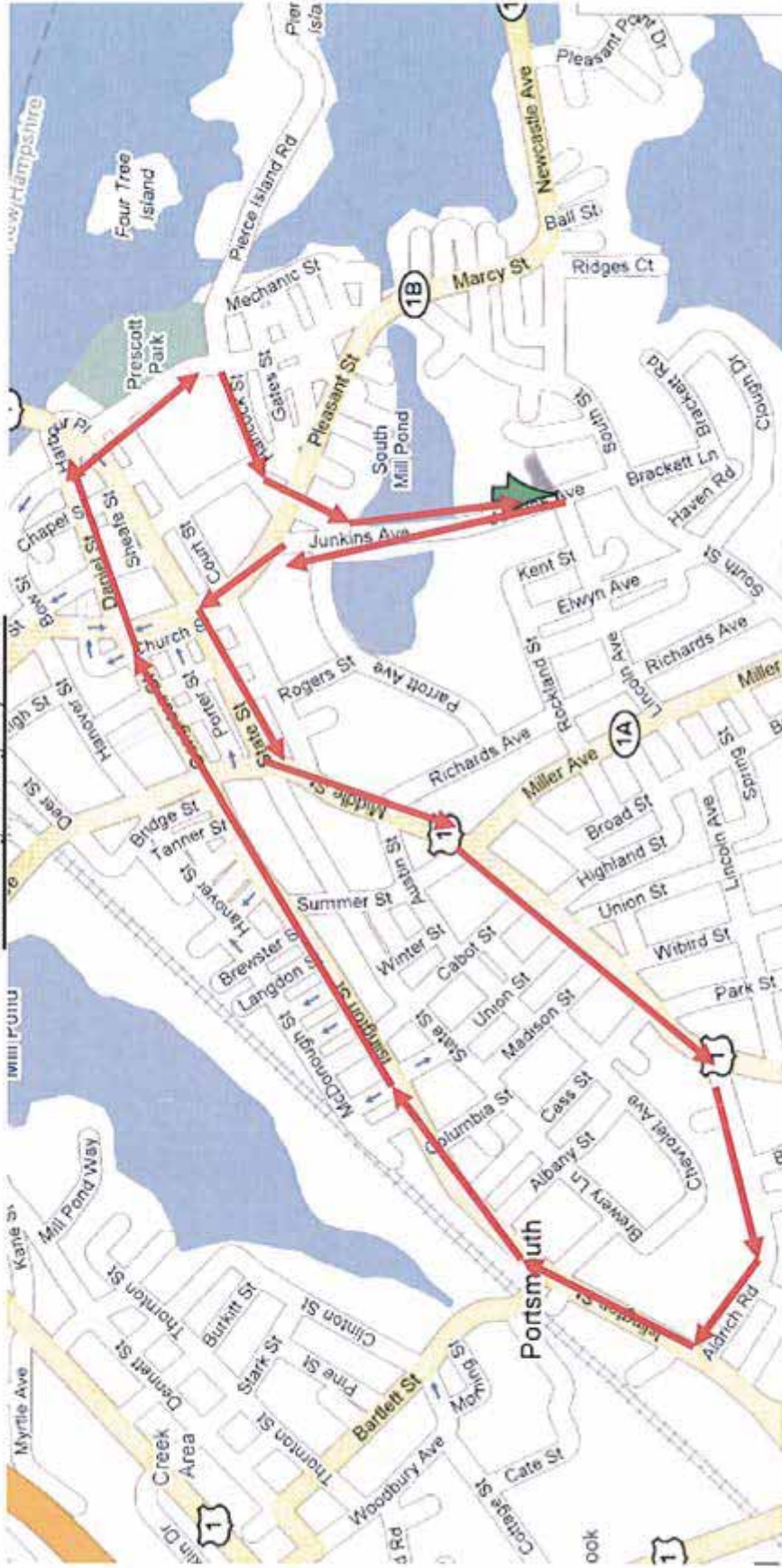
Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard B. Wagner'.

Richard B. Wagner
Executive Director

2016 Seacoast AIDS Walk

Sunday May 1, 2016



The 2016 Seacoast AIDS Walk begins and ends at the Portsmouth Municipal Complex on Junkins Avenue, Portsmouth NH. Doggie Bags will be provided prior to departure and there will be refuse and water stops along the way.

The walk in a nutshell:

Right on Junkins, left on Pleasant, left on State, left on Middle, cross Middle at cross walk, right on Aldrich, right on Islington, straight through Congress and Daniel, through parking lot and through center island, down stairs, cross State St. onto Marcy, walk along the sidewalk beside Strawberry Banke, right on Hancock, through the park, then left on Junkins.

Please use Caution, Stay on the Sidewalks, and use the Cross-Walks. Be Safe and Have Fun

City of
Portsmouth
Department of Public Works



MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Ryan Flynn, Construction Project Coordinator *RAF*
DATE: February 29, 2016
SUBJECT: PSNH License Agreement 63-0450 *RF*

I have reviewed the pole location information provided by Eversource for Petition and Pole License 63-0450.

This request is to license two (2) replacement poles on Market Street at the Bow Street intersection. This work is part of a multi-phase upgrade of poles in this area which include poles on Ceres Street, Penhallow Street, and Market Street.

One of these poles, on the south corner of Market and Bow, has already been replaced as seen in the attached photo. The other pole, on the north corner of Market and Bow, is scheduled for replacement this April. The proposed location of this pole is shown on the attached photo of the existing pole.

Public Works is working closely with Eversource to ensure that the installation of this replacement pole does not impact nearby underground utilities, and to minimize traffic and business impacts during the work. The work will require temporary rerouting of traffic away from this intersection and uniformed officers for traffic control.

With these things in mind, the Public Works Department recommends approval of this license. I will forward you the finalized schedule and traffic control plan once they have been submitted by Eversource and approved by Public Works.

Please call with any questions you may have.

cc: Peter Rice, P.E. Director of Public Works
Kelli Barnaby, City Clerk

JAN 11 2016

January 8, 2016

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

Dear City Clerk,

Public Service Company of New Hampshire, dba Eversource Energy is hereby requesting permission to install/replace pole(s) located in City of Portsmouth, New Hampshire.

Enclosed for your review find two copies of PSNH Petition and Pole License number 63-0450 for City of Portsmouth review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Portsmouth**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Customer Operations Support - Licensing
Public Service Company of New Hampshire, dba Eversource Energy
PO Box 330
Manchester, NH 03105-9989
Tel. 603-634-2218
E-Mail: lisa-marie.pinkes@nu.com

Enclosure(s)

**PETITION AND POLE LICENSE
PETITION**

Manchester, New Hampshire

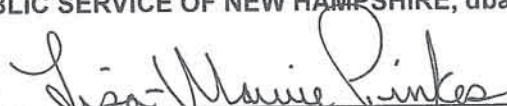
January 8, 2016

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

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, dba EVERSOURCE ENERGY requests 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), 10/X, 10/XA on Market Street in the City of Portsmouth.

PUBLIC SERVICE OF NEW HAMPSHIRE, dba EVERSOURCE ENERGY

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 8th day of January, 2016, that, PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, dba EVERSOURCE ENERGY be 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 EVERSOURCE No. 63-0450, dated 2/11/2008, attached to and made a part hereof.

Town of Portsmouth, New Hampshire

Town of Portsmouth, New Hampshire

BY: _____

BY: _____

BY: _____

BY: _____

BY: _____

BY: _____

Received and entered in the records of the Town of Portsmouth, New Hampshire, Book _____, Page _____

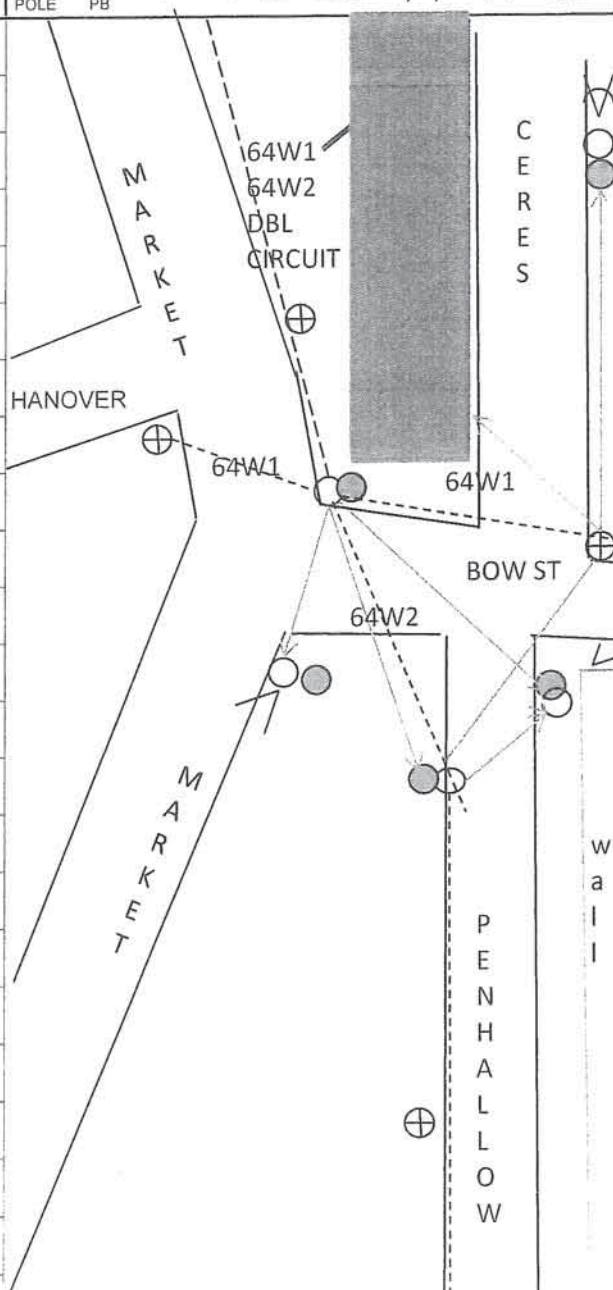
Date: _____

ATTEST: _____
Town Clerk

POLE LOCATION PLAN EVERSOURCE

DATE	02/11/2008	LICENSE NO.	63-0450
MUNICIPALITY:	Portsmouth	STATE HWY. DIV. NO.	6
STREET / ROAD:	Market Street	STATE LICENSE NO.	
PSNH OFFICE:	Portsmouth	WORK REQUEST#	2268463
PSNH ENGINEER:	Sonny Lemire	WORK FINANCIAL #	9P810065
TELCO ENGINEER:		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									
7 10B	1380 1	45'2 40'	Y										Rpl pole, De pri/sec, i rem (1) 100kva, Inst (3) 100kva--20T <i>LIC. #1105</i>	
10 Y	133 1S	45'											Existing pole	
23 1	133 1	45'												
10 X		45' 55'1											Replace pole, xfer oh lines Install (3) guyspans Existing pole, rem. Sec from 14/10, retap onto 4/0 tpx	S/R
10 XA		40'2 35'	N										Replace pole/anchor 100% LTS	S/R
14 10S		30' 40'2	N										Repl pole/anc. need bricks removed	S/R
14 10	173 1	40' 50'1	Y										Repl pole, move forward to street	S/R



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 #:

10
X

**FAT
BELLY'S**

**FAT
BELLY'S**



Restaurant
Technology, Inc.

SMART SAFE GREEN
SOLUTIONS FOR THE HOODSIDE INDUSTRY



Five Post & Drink

RESTAURANT
LUST





REPLACEMENT POLE
TO BE INSTALLED HERE.

City of
Portsmouth
Department of Public Works



MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Ryan Flynn, Construction Project Coordinator *RAF*
DATE: February 29, 2016
SUBJECT: PSNH License Agreement 63-0606 *RAF*

I have reviewed the pole location information provided by Eversource for Petition and Pole License 63-0606.

This request is to license one (1) replacement pole with guy-wire on Sagamore Avenue across from #389.

After examining the location of this installation, I have determined that it poses no impact to existing infrastructure, sight distances, or other City interests. The Public Works Department recommends approval of this license.

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

cc: Peter Rice, P.E. Director of Public Works
Kelli Barnaby, City Clerk

January 25, 2016

JAN 27 2016

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

Dear City Clerk,

Public Service Company of New Hampshire, dba Eversource Energy is hereby requesting permission to install/replace pole(s) located in City of Portsmouth, New Hampshire.

Enclosed for your review find three copies of PSNH Petition and Pole License number 63-0606 for City of Portsmouth review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Portsmouth**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Customer Operations Support - Licensing
Public Service Company of New Hampshire, dba Eversource Energy
PO Box 330
Manchester, NH 03105-9989
Tel. 603-634-2218
E-Mail: lisa-marie.pinkes@nu.com

Enclosure(s)

PETITION AND POLE LICENSE

PETITION

Manchester, New Hampshire

January 14, 2016

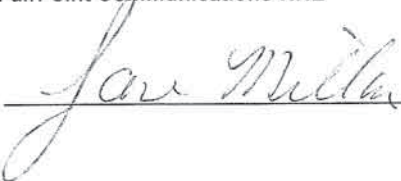
To the City Council of the City of Portsmouth New Hampshire.

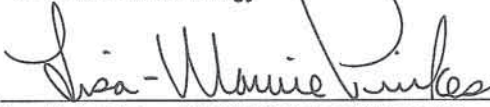
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, dba EVERSOURCE EVERGY and Northern New England Telephone Operations LLC, dba FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices 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), 136/21S located on Sagamore Avenue in the City of Portsmouth.

Northern New England Telephone Operations LLC
dba FairPoint Communications-NNE

Public Service Company of New Hampshire,
dba Eversource Energy

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 14th day of January, 2016, that, PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, dba EVERSOURCE ENERGY and Northern New England Telephone Operations LLC, dba 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 EVERSOURCE and Northern New England Telephone Operations LLC, dba FairPoint Communications-NNE No. 63-0606, dated 1/14/2016, 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: _____

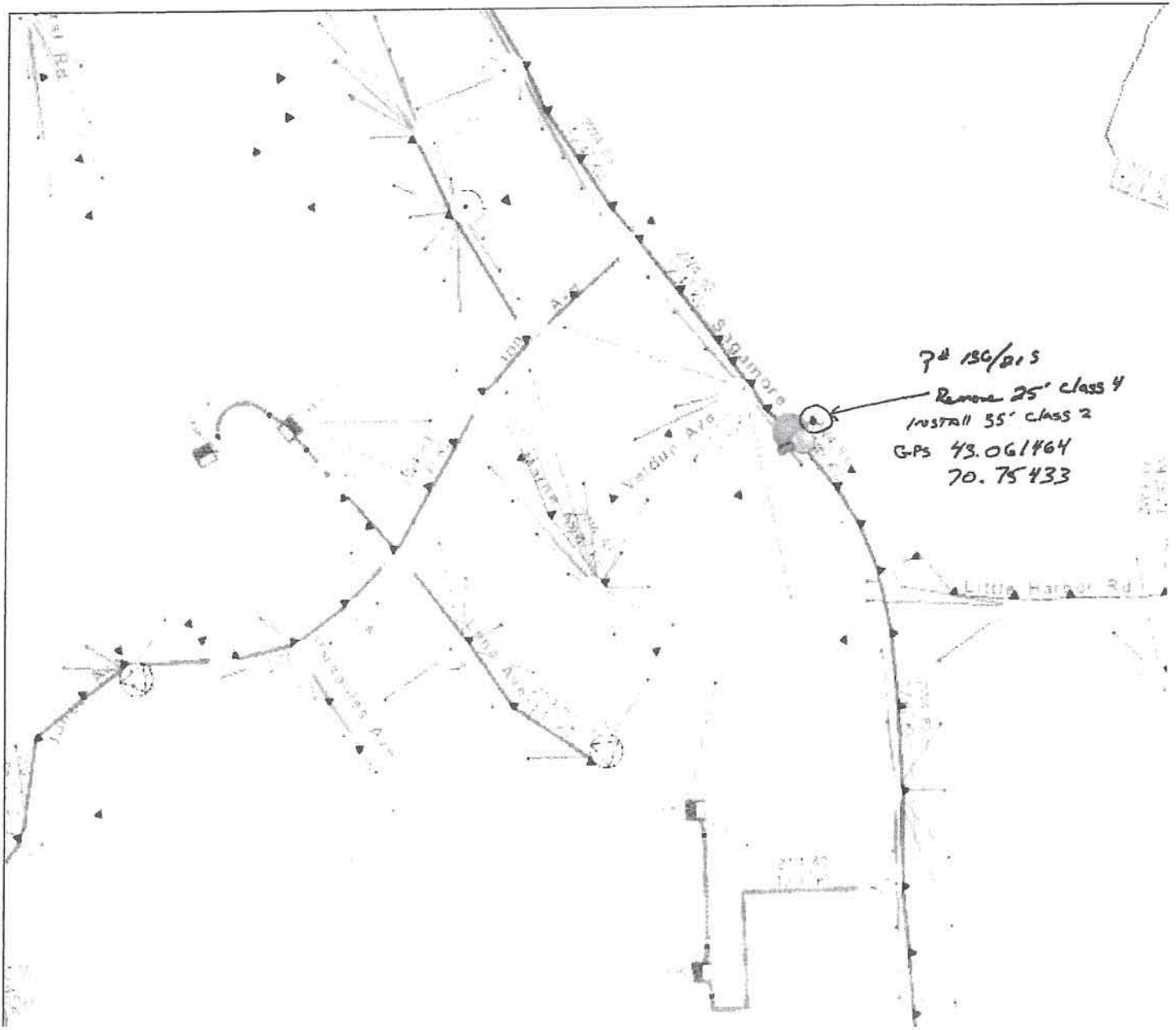
ATTEST: _____
Town Clerk

POLE LOCATION PLAN

EVERSOURCE and

Northern New England Telephone Operations LLC, dba FairPoint Communications-NNE

DATE	<u>01/14/2016</u>	LICENSE NO.	<u>63-0606</u>
MUNICIPALITY:	<u>Portsmouth</u>	STATE HWY. DIV. NO.	<u>6</u>
STREET / ROAD:	<u>Sagamore Avenue</u>	STATE LICENSE NO.	<u></u>
PSNH OFFICE:	<u>Portsmouth</u>	WORK REQUEST#	<u>2536606</u>
PSNH ENGINEER:	<u>Richard St Cyr</u>	WORK FINANCIAL #	<u>9P520406</u>
TELCO ENGINEER:	<u>Joe Considine</u>	TELCO PROJECT #	<u></u>



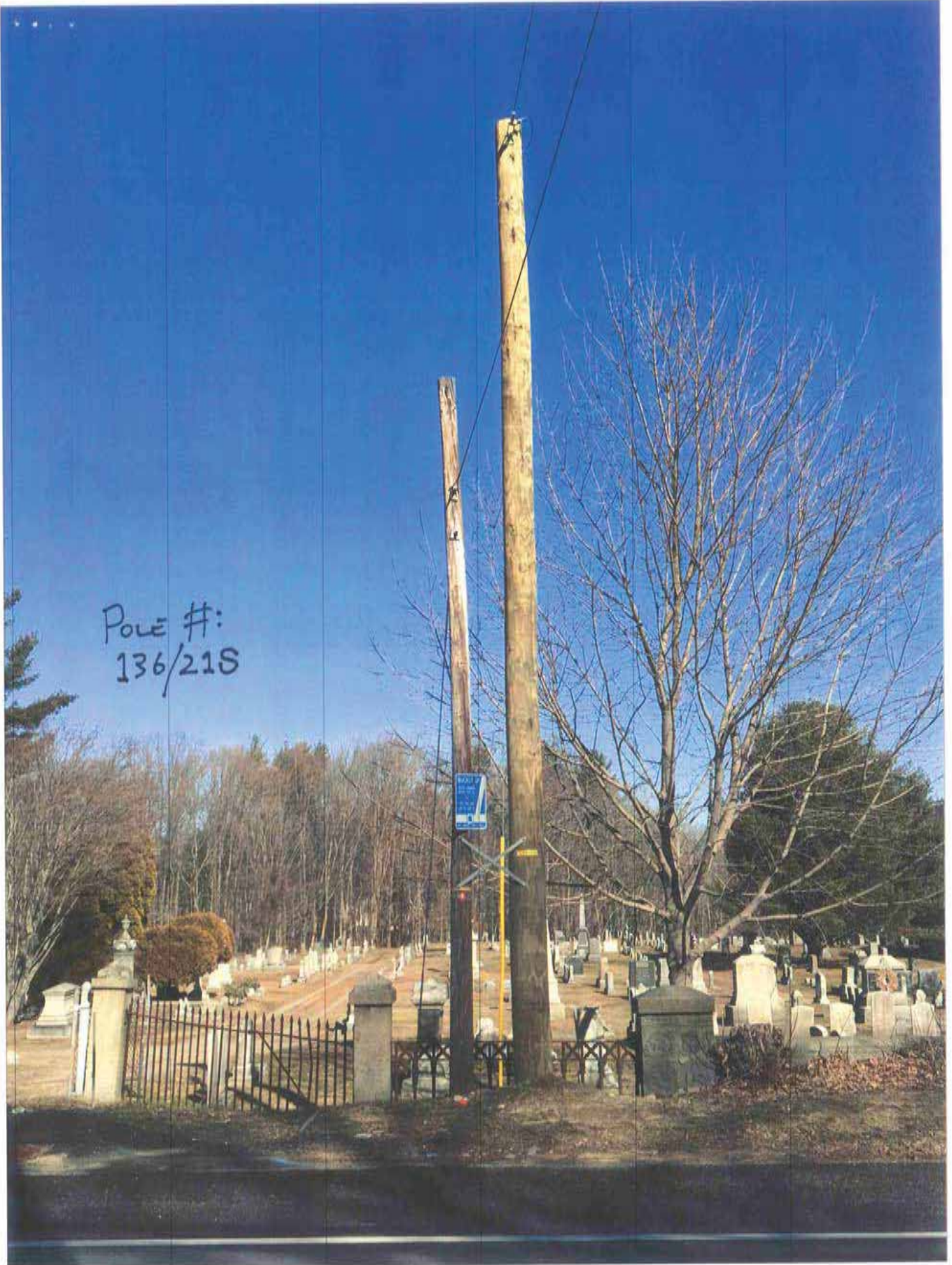
ADDENDUM PER RSA 231:163

- 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 #:
136/21S



City of
Portsmouth
Department of Public Works



MEMORANDUM

TO: John P. Bohenko, City Manager

FROM: Ryan Flynn, Construction Project Coordinator *RAF*

DATE: February 29, 2016

SUBJECT: PSNH License Agreement 63-0609 *RAF*

I have reviewed the pole location information provided by Eversource for Petition and Pole License 63-0609.

This request is to license one (1) replacement pole with guy-wire on Sherburne Avenue approximatey one hundred and twenty (120) feet from the Elwyn Avenue intersection.

After examining the location of this installation, I have determined that it poses no impact to existing infrastructure, sight distances, or other City interests. The Public Works Department recommends approval of this license.

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

cc: Peter Rice, P.E. Director of Public Works
Kelli Barnaby, City Clerk

141 3 313

January 27, 2016

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

Dear City Clerk,

Public Service Company of New Hampshire, dba Eversource Energy is hereby requesting permission to install/replace pole(s) located in City of Portsmouth, New Hampshire.

Enclosed for your review find three copies of PSNH Petition and Pole License number 63-0609 for City of Portsmouth review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Portsmouth**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Customer Operations Support - Licensing
Public Service Company of New Hampshire, dba Eversource Energy
PO Box 330
Manchester, NH 03105-9989
Tel. 603-634-2218
E-Mail: lisa-marie.pinkes@nu.com

Enclosure(s)

PETITION AND POLE LICENSE

PETITION

Manchester, New Hampshire

January 21, 2016

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

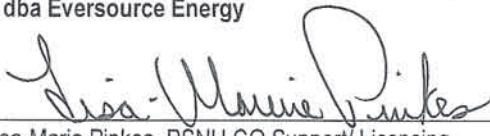
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, dba EVERSOURCE EVERGY and Northern New England Telephone Operations LLC, dba FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices 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), 88/8S located on Sherburne Avenue in the City of Portsmouth.

Northern New England Telephone Operations LLC
dba FairPoint Communications-NNE

Public Service Company of New Hampshire,
dba Eversource Energy

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 21st day of January, 2016, that, PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, dba EVERSOURCE ENERGY and Northern New England Telephone Operations LLC, dba 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 EVERSOURCE and Northern New England Telephone Operations LLC, dba FairPoint Communications-NNE No. 63-0609, dated 1/21/2016, 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: _____

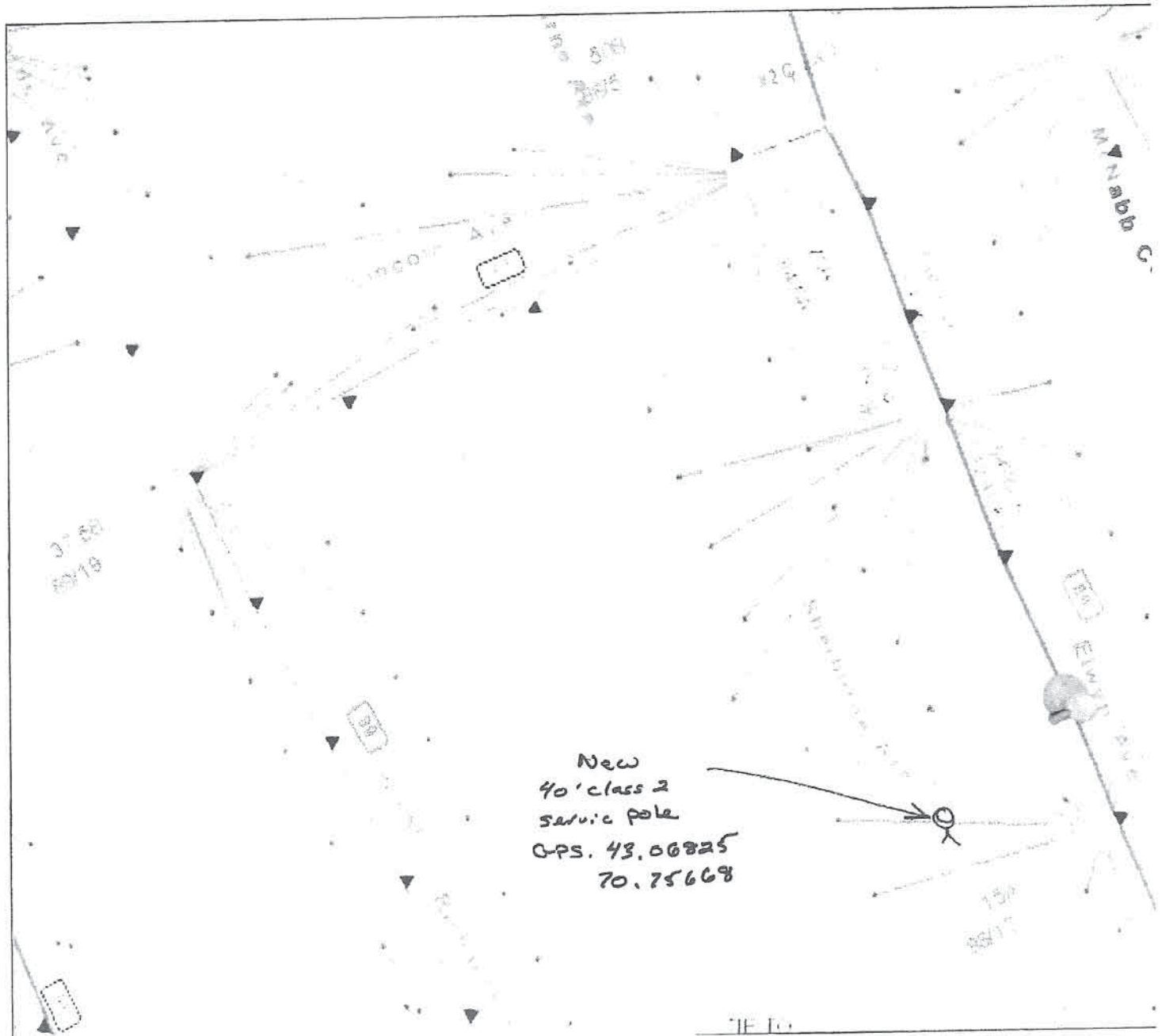
Town Clerk

POLE LOCATION PLAN

EVERSOURCE and

Northern New England Telephone Operations LLC, dba FairPoint Communications-NNE

DATE	<u>01/21/2016</u>	LICENSE NO.	<u>63-0609</u>
MUNICIPALITY:	<u>Portsmouth</u>	STATE HWY. DIV. NO.	<u>6</u>
STREET / ROAD:	<u>Sherburne Avenue</u>	STATE LICENSE NO.	<u></u>
PSNH OFFICE:	<u>Portsmouth</u>	WORK REQUEST#	<u>2485396</u>
PSNH ENGINEER:	<u>Richard St Cyr</u>	WORK FINANCIAL #	<u>9P520481</u>
TELCO ENGINEER:	<u>Joe Considine</u>	TELCO PROJECT #	<u></u>



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 #:
88-85

KALIL & LaCOUNT
ATTORNEYS AND COUNSELORS AT LAW

681 Wallis Road • Rye, NH 03870

Earl L. Kalil, Jr.
Michelle LaCount

Jillian E. Colby
Joseph R. Russell
Katherine E. Hedges

(603) 964-1414
(603) 964-7717 FAX
ryelaw@comcast.net

February 29, 2016



FEB 29 2016

Hand Delivered

Hon. Jack Blalock, Mayor
c/o John P. Bohenko, City Manager
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Request for Zoning Amendment

Applicant: Maplewood Ridge, LLC
Parcel One: 678 Maplewood Ave (Tax Map 220 Lot 89)
Parcel Two: Tax Map 220 Lot 90

Dear Mayor Blalock:

On behalf of our client, Maplewood Ridge, LLC (the "Petitioner"), we respectfully petition the City Council to amend the Zoning Ordinance to 678 Maplewood Avenue a/k/a Tax Map 220 Lot 89 ("Parcel One") and Tax Map 220 Lot 90 ("Parcel Two" and together with Parcel One, the "Property") in the "B" zone which they each currently abut. The Petitioner is the holder of valid purchase and sale agreements for both parcels which are currently zoned "SRB". We believe that extending the boundary of the "B" zone is in the best interests of the City and is consistent with the Master Plan.

Parcel One is currently used for single family residential rental units. Both the main house and the garage apartment are rented on a month-to-month basis. Parcel One is non-conforming as it has two (2) dwelling units where only one is allowed. It is further non-conforming as the lot area is only 7,459 square feet while 15,000 square feet of lot area is required per the Zoning Ordinance. Parcel One is 0.17 acres.

Parcel Two is a vacant lot with a history of vagrancy. Like Parcel One, Parcel Two is non-conforming as it has only 49.31 feet of road frontage, while Section 10.521 of the City of Portsmouth Zoning Ordinance requires frontage of not less than 100 feet. Parcel Two is 1.44 acres.

The purpose and intent of the proposed zoning amendment is to extend the "B" zone westerly to Interstate 95. Currently the "B" zone runs along the southerly side of Maplewood Avenue from the Route 1 Bypass to the Property. The proposal extends the "B" zone a mere 133.97 feet westward to the I-95 corridor. This would allow the Property to be developed to its highest and best use. Moreover, the current proposal would consist of affordable housing in the form of town houses and apartments, including micro-units and designated (deed restricted) workforce housing units. Affordable housing, and in particular workforce housing, has been identified as a major need in the City. The Property represents one of just a handful of locations in the City able to support such a development.

Recently, the Petitioner sought relief to pursue the proposed development by variance and applied to the Board of Adjustment for relief. While the relief was not granted, the general consensus of the Board was that the proposed use was a good one and that workforce and affordable housing are sorely needed in the City. In fact, Chairman Witham spoke strongly in favor of the Property's inclusion in the "B" zone and further stated that he agreed that the Property represented both one of only a few parcels in the City on which workforce housing units could be placed.

The proposed zoning amendment is consistent with the Master Plan and would help the City achieve its housing goals identified therein by addressing the shortage of workforce and affordable housing in the City. This shortage is well documented and is also noted in the report of existing housing conditions in the City done in connection with the 2015 Master Plan, i.e. "43 percent of Portsmouth's renter households are paying more than 30 percent of their income on housing costs..." See Page 30 of the Housing Existing Conditions Report, June 2014. This development will directly address this need by providing workforce housing units, micro units and otherwise affordable housing stock close to downtown and on existing transit lines.

The effect on municipal services should be minimal. The existing traffic engineering is sufficient to support the anticipated increase in traffic from the proposed development. Similarly, the water/sewer impact of the proposed development will be nominal.

Maplewood Avenue between I-95 and the Route 1 Bypass is a busy road with a variety of residential uses on the northerly side, including single family, multifamily and condominiums. The southerly side is entirely businesses but for the subject Property. The proposed development therefore will not have an adverse impact on the character of the locality which is essentially mixed use. Moreover, the Property is surrounded by buffers on all sides. To the North is Maplewood Avenue, a major thoroughfare. To the East is the I-95 corridor. To the South is a 45' Eversource transmission line easement. To the West is the "B" Zone in which it would be included. This acts to further minimize any impact on the neighborhood.

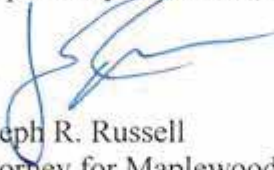
Amending the zoning ordinance to include the Property in the "B" zone would also have a positive impact on the City's fiscal resources. Development of the Property, and in particular Parcel Two, which is now undeveloped, will result in increased tax revenues.

For these reasons, we respectfully request that the City Council amend the Zoning Ordinance to include the Property in the "B" zone.

Enclosed herewith are the following materials in support of the requested amendment:

1. Current Zoning Map showing area to be rezoned;
2. Proposed New Zoning Map showing Property;
3. Aerial Photos; and
4. Context Photos.

Respectfully submitted,



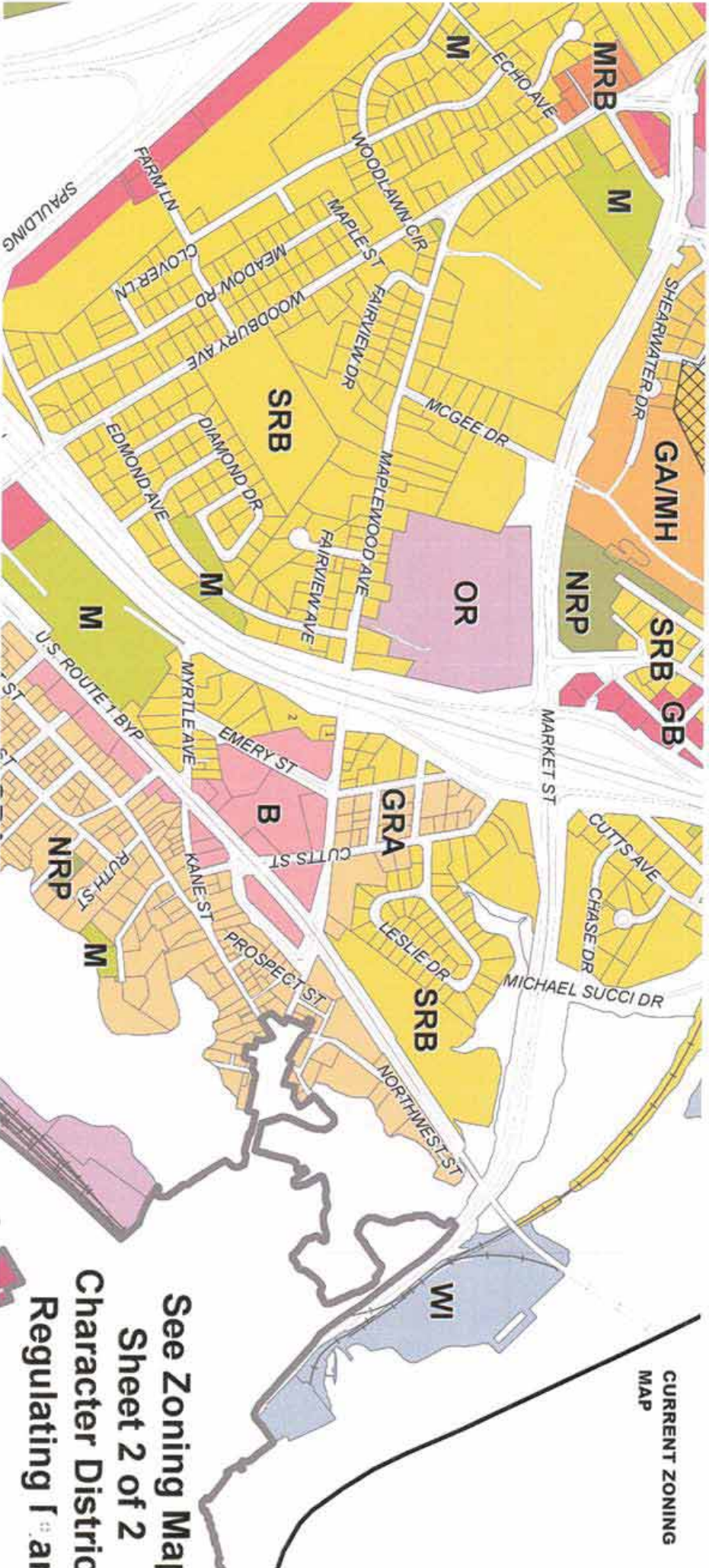
Joseph R. Russell
Attorney for Maplewood Ridge, LLC

/JRR

Enclosures

cc: Maplewood Ridge, LLC

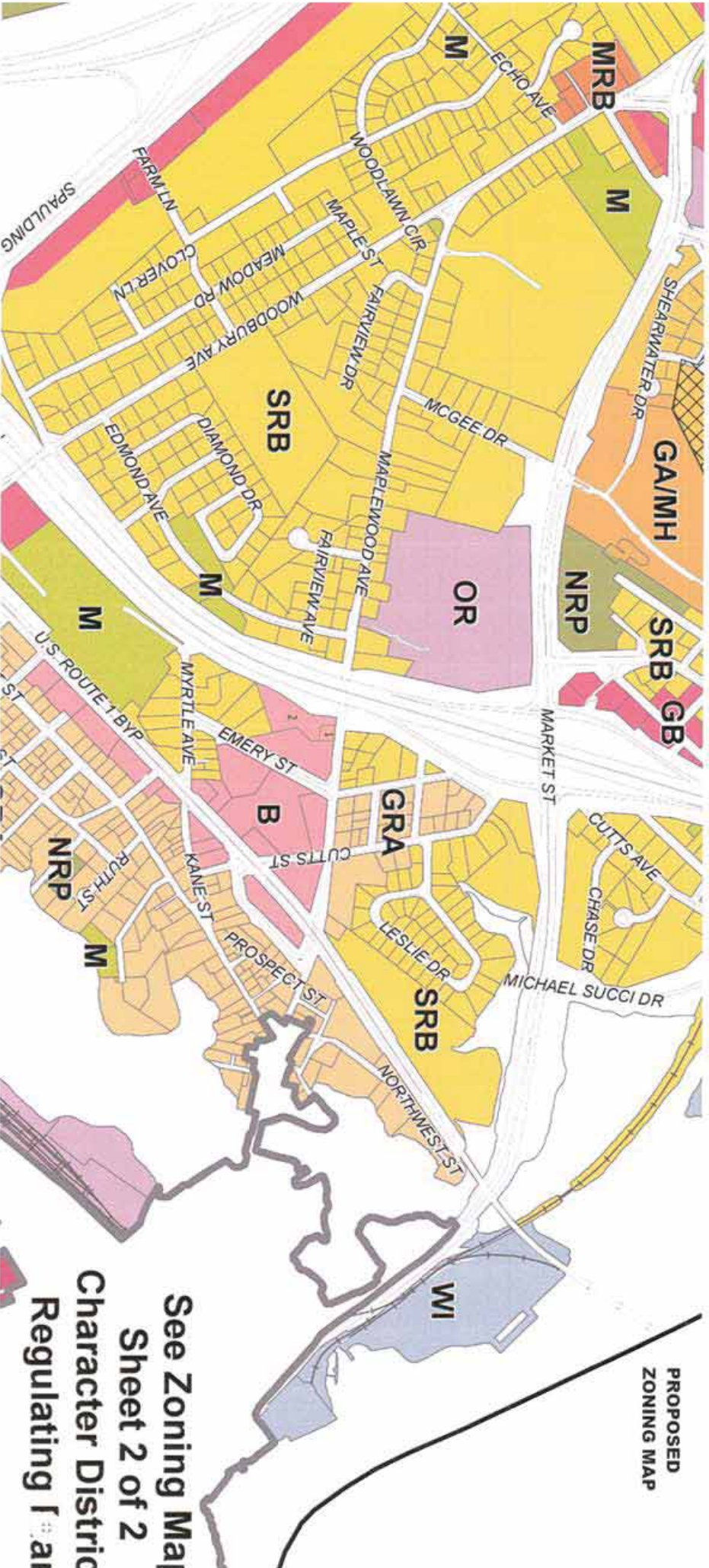
EXHIBIT 1



CURRENT ZONING
MAP

See Zoning Map
Sheet 2 of 2
Character District
Regulating Fair

EXHIBIT 2



**PROPOSED
ZONING MAP**

**See Zoning Map
Sheet 2 of 2
Character District
Regulating Plan**

EXHIBIT 3



Tight & Bond
www.tightandbond.com

**Maplewood
Ridge, LLC**

Maplewood Ave

**Portsmouth,
New Hampshire**

GRAPHIC SCALE

1" = 100' 0"
1" = 200' 0"
1" = 400' 0"
1" = 800' 0"
1" = 1600' 0"

January 26, 2016

DATE	1/26/2016	BY	KA
PROJECT NO.	00000000	ISSUED FOR	CONCEPT PLAN
CLIENT	Maplewood Ridge, LLC	SCALE	AS SHOWN
DESIGNER	Tight & Bond	DATE	1/26/2016
CHECKER	KA	PROJECT	Maplewood Ridge, LLC
APPROVER	KA	SCALE	AS SHOWN
DESIGNER	KA	DATE	1/26/2016
PROJECT	Maplewood Ridge, LLC	SCALE	AS SHOWN
SCALE	AS SHOWN	DATE	1/26/2016
SCALE	AS SHOWN	DATE	1/26/2016
SCALE	AS SHOWN	DATE	1/26/2016
SCALE	AS SHOWN	DATE	1/26/2016

EXHIBIT 4

Existing Conditions Photos

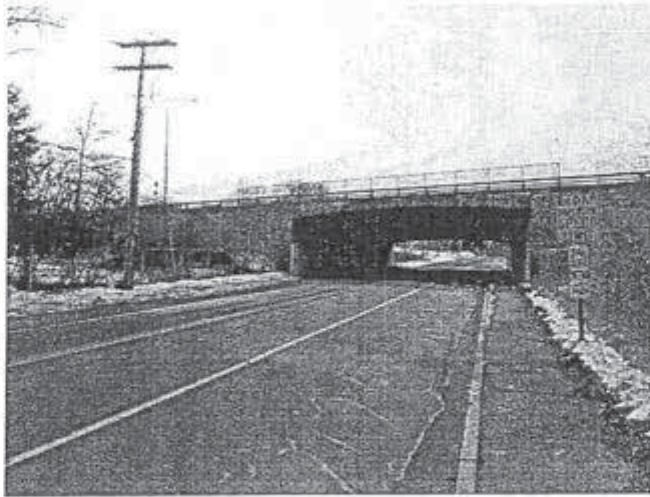
678 Maplewood Avenue, Portsmouth, NH



Existing Home and Garage with apartment above



Second lot driveway (proposed driveway location)



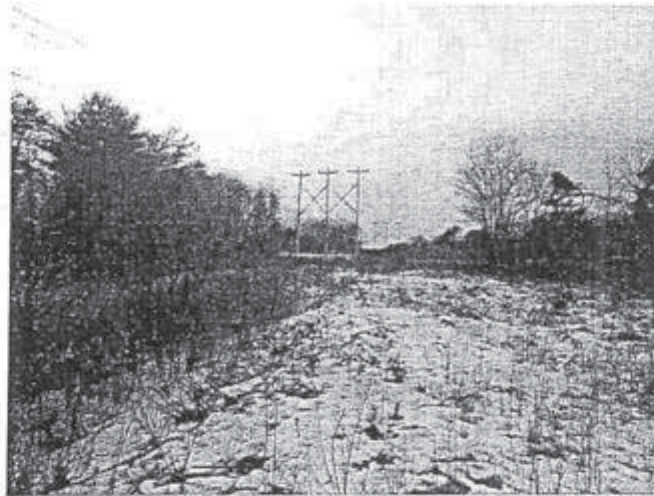
View looking West on Maplewood Ave to 95 Bridge (Bus stop at sidewalk heading west)



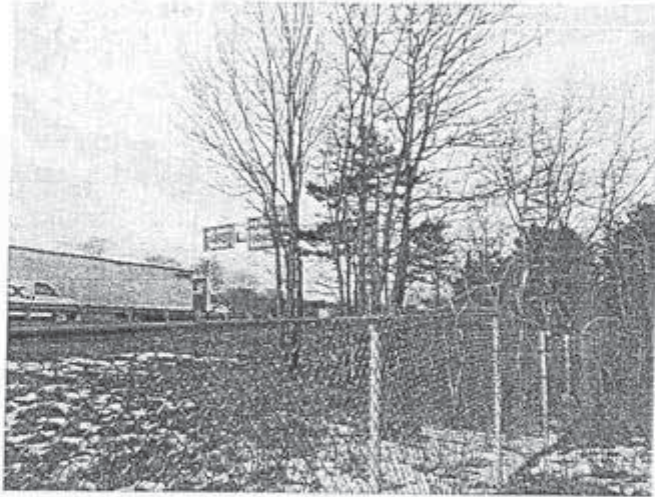
View looking east on Maplewood to downtown over new Maplewood Bridge



Existing Bus Stop at the Driveway to the Property for students and other daily riders



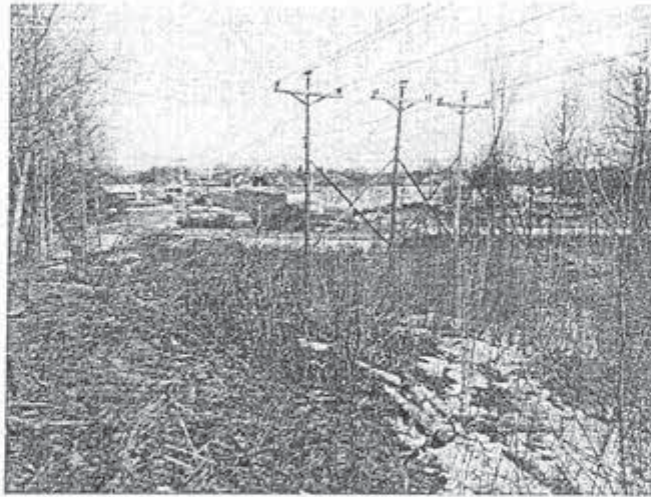
Power lines across the southern boundary of the property crossing I-95



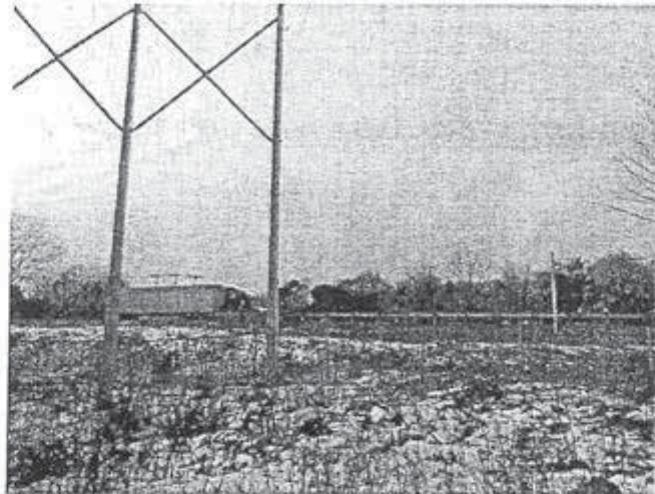
Interstate 95 frontage



View from the southerly boundary looking back north



Power lines off site in Business Zone abutting the subject parcels




Interstate 95 frontage

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: March 3, 2016

To: Honorable Mayor Jack Blalock and City Council Members

From: John P. Bohenko, City Manager 

Re: City Manager's Comments on March 7, 2016 City Council Agenda

Presentations:

1. **Seacoast Family Food Pantry.** On Monday evening, Deb Anthony, Executive Director of the Seacoast Family Food Pantry, will make a presentation to the City Council regarding an overview of challenges facing the food pantry.
2. **Trees and Public Greenery Committee Annual Report.** Peter Loughlin, Chair of the Trees and Public Greenery Committee, will give an annual report regarding the Committee's activities.

Acceptance of Grants and Donations:

1. **Acceptance of Police Department Grant.** [Attached under Section VIII of the Agenda is a memorandum](#), dated February 17, 2016, from Kathleen M. Levesque, Office of the Chief. At the February 16, 2016 Police Commission meeting, the Board of Police Commissioners approved and accepted the following grant:
 - a) A grant in the amount of \$30,000 from the NH Department of Justice for the 2016 Violence Against Women Grant Program. This grant funds the victim witness advocate position in their court office.

The Police Commission requests the City Council approve the grant.

I recommend the City Council move to approve and accept the grant to the Portsmouth Police Department. Action of this matter should take place under Section VIII of the Agenda.

2. **Approval and Acceptance of Donation Re: Bench.** The City of Portsmouth has received a donation from Richard and Janice Trafton in the amount of \$2,000 for the purchase and installation of a bench in the West End in memory of their daughter Catherine Trafton.

I recommend the City Council move to approve and accept the donation for a memorial bench, as presented. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. **Public Hearing/Adoption of Proposed Resolutions.**
 - 1.1 **Public Hearing and Adoption of a Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seventy-Five Million (\$75,000,000) Dollars for Costs Related for the Construction of the Peirce Island Wastewater Treatment Facility.** As a result of the February 16, 2016 City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the [attached Resolution](#) Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seventy-Five Million (\$75,000,000) Dollars for Costs Related for the Construction of the Peirce Island Wastewater Treatment Facility.

A list of frequently asked questions regarding the construction of the Peirce Island Wastewater Treatment Plant can be found on the City's webpage <http://www.portsmouthwastewater.com>.

The City is also recommending a review of the materials on the resources page <http://www.portsmouthwastewater.com/resources.html>.

On Monday evening, Terry Desmarais, City Engineer for Water/Sewer Divisions, and Suzanne Woodland, Deputy City Attorney, will be making a presentation that includes an overview of the history of the Peirce Island Wastewater Treatment Plant, which will include the studies and City Council actions to date ([see attached presentation by Terry Desmarais](#)). In addition, David Hyder, the City's consultant, will be reviewing the rate model for financing the project.

I recommend the City Council move to adopt a Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seventy-Five Million (\$75,000,000) Dollars for Costs Related for the Construction of the Peirce Island Wastewater Treatment Facility, as presented. Action on this matter should take place under Section IX of the Agenda. (6 votes for approval, roll call vote required)

1.2 **Public Hearing and Adoption of a Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance the sum of up to Six Hundred Fifty Thousand (\$650,000) Dollars for Necessary Expenditures Related to Middle School Construction.** As a result of the February 16th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the [attached Resolution](#) Authorizing a Supplemental Appropriation from Unassigned Fund Balance the sum of up to Six Hundred Fifty Thousand (\$650,000) Dollars for Necessary Expenditures Related to Middle School Construction.

As you are aware, Joint Building Committee Co-Chairs Christine Dwyer and Dexter Legg seek approval from the City Council to appropriate up to \$650,000 from fund balance for necessary expenditures related to the Middle School Construction.

When funds for the permanent shoring effort are obtained through negotiated resolution or litigation, recovered amounts would be returned to the City. As reported last year to the City Council, the Portsmouth Middle School, a 1930s building has been experiencing differential settlement due to apparent design and construction activities associated with its expansion and renovation. The City has undertaken expert review and consultation about the reasons for the settlement and the proposed mitigation. The City has put various firms involved in the design and construction on notice of potential claims during the investigation, provided them with information from the investigation, and sought resolution through mediation.

The co-chairs seek this commitment of funds now so that permanent repairs can be undertaken during the school summer break. The differential settlement has slowed sufficiently that it would be most expeditious and cost effective to undertake the permanent repairs this year. Temporary shoring and regular inspection have been used during this interim period to ensure safe use and occupancy. The schedule for bidding and ordering of steel requires timely attention.

Any funds received by the City from settlement or litigation will be put back into fund balance.

I recommend the City Council move to adopt a Resolution authorizing a Supplemental Appropriation from Unassigned Fund Balance the sum of up to Six Hundred Fifty Thousand (\$650,000) Dollars for Necessary Expenditures Related to the Middle School Construction, as presented. Action on this matter should take place under Section IX of the Agenda. (6 votes for approval, roll call vote required)

City Manager's Items Which Require Action:

1. **Peirce Island Consent Decree Second Modification with Environmental Protection Agency (EPA) et al.** For the City Council's consideration is a proposed agreement to extend the existing compliance deadlines to upgrade the Peirce Island Wastewater Treatment Facility (WWTF). The City of Portsmouth has been engaged in negotiations with the Environmental Protection Agency (EPA), the United States Department of Justice (DOJ), the New Hampshire Department of Environmental Services (NH DES), the New Hampshire Attorney General's Office, and the Conservation Law Foundation ("CLF"), following the City's filing of its Statement of Position on December 10, 2015 as part of a formal dispute resolution process. This agreement incorporates a schedule appropriate for this project.

Attached is a memorandum from Deputy City Attorney Suzanne M. Woodland and City Engineer Terry Desmarais that provides a summary of the key components of the agreement and staff comment. A complete copy of the proposed Consent Decree Second Modification is also attached.

With such an agreement, the risk of substantial penalties, as well as the costs of litigation, are avoided. Also avoided are the extraordinary remedies that could be imposed by the Court, such as a moratorium on new construction

On Monday evening, Suzanne Woodland, Deputy City Attorney, will make a presentation regarding this matter (see attached presentation).

I recommend the City Council move to authorize the City Manager to execute the Consent Decree Second Modification relative to the Peirce Island Wastewater Treatment Facility Upgrade, as presented.

2. **Adoption of Capital Improvement Plan (CIP) FY2017-2022.** In accordance with Section 7.7 of the City Charter, the City Council conducted a public hearing on Monday, February 16, 2016, regarding the proposed Capital Improvement Plan for FY2017-2022. In addition to the public hearing, the City Council held a work session on February 8, 2016. At the work session, a presentation of the proposed Capital Plan was made by the City staff. Also, copies of the Plan were made available to the public, as well as put on file with the City Clerk's Office and the Public Library. Further, the CIP for FY2017-2022 is available on the City's website <http://planportsmouth.com/2017-2022CapitalImprovementPlan.pdf>.

As I indicated at the public hearing, the City Council is required, in accordance with Section 7.8 of the City Charter, to adopt the Capital Plan subsequent to the Public Hearing and before the City Manager submits the budget to the City Council. I anticipate that I will be transmitting my proposed FY2017 budget to you on or about April 29, 2016.

Given that projected date, I am suggesting the City Council adopt the proposed Capital Improvement Plan at Monday evening's meeting.

I would recommend the City Council adopt the Capital Improvement Plan for FY 2017–FY 2022.

3. **Request for Approval of Tapping Maple Trees Re: City-owned Property on Lang Road.** Attached is an e-mail from Chris Olsen of Syrup by the Sea, requesting the tapping of maple trees on City-owned property off Lang Road (formerly the old Stetson property). This 40 acre city-owned land is in an agricultural use agreement with the Stetson family. Also, attached is a letter from David Stetson supporting this activity as a good use of the land. City staff and I have met with Chris Olsen to discuss this matter and action on this matter would require the City Council to authorize the City Manager to negotiate an agreement with Mr. Olsen.

Therefore, I recommend the City Council move to approve the use of the city-owned property off Lang Road for the tapping of maple trees, and further, authorize the City Manager to negotiate and execute an agreement.

Informational Items:

1. **Events Listing.** For your information, attached is a copy of the Events Listing updated after the last City Council meeting on February 16, 2016. In addition, this can be found on the City's website.
2. **Report Back Re: Riverbrook Condos - Water and Sewer Billing and Trash Removal Costs.** As you will recall at the February 1, 2016 City Council meeting, the Council referred the attached letter from Roy W. Helsel, President of Riverbrook Condo Association to the City Manager with power and a report back to the City Council. Attached is a letter from Brian Goetz, Deputy Director of Public Works and a memorandum from Jacob Levenson, Solid Waste & Sustainability Coordinator, regarding the Condo Association's request for an annual abatement on their water/sewer and trash removal costs.
3. **City Council Retreat Agenda.** As you are aware, the City Council Retreat is scheduled for Saturday, March 12, 2016 from 8:30 a.m. to 4:00 p.m., in the Levenson Room at the Portsmouth Public Library (see attached Agenda).

**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: March 3, 2016
TO: JOHN P. BOHENKO
FROM: SUZANNE M. WOODLAND, DEPUTY CITY ATTORNEY
TERRY DESMARAIS, CITY ENGINEER
RE: CONSENT DECREE SECOND MODIFICATION
PEIRCE ISLAND WASTEWATER TREATMENT FACILITY UPGRADE

Introduction: For the City Council’s consideration on March 7, 2016 is a proposed agreement to extend the existing compliance deadlines to upgrade the Peirce Island Wastewater Treatment Facility (WWTF). The City of Portsmouth has been engaged in negotiations with the Environmental Protection Agency (EPA), the United States Department of Justice (DOJ), the New Hampshire Department of Environmental Services (NH DES), the New Hampshire Attorney General’s Office, and the Conservation Law Foundation (“CLF”), following the City’s filing of its Statement of Position on December 10, 2015 as part of a formal dispute resolution process. This agreement incorporates a schedule appropriate for this project.

This memorandum includes below a summary of the key components of the agreement and staff comment. The EPA and DOJ requested that these settlement terms remain confidential until all EPA and DOJ approvals were received. Consequently, these terms were unable to be discussed publicly until this time. All other parties approve of this agreement, only City Council approval remains.

The terms of this proposed agreement are incorporated into a document entitled “Consent Decree Second Modification;” a complete copy is attached. If the City Council approves this agreement, the Consent Decree Second Modification will be executed by all parties and lodged with the United States District Court, District of New Hampshire. Thereafter the agreement will be published in the Federal Register to allow for a 30-day public comment period. Assuming the parties do not alter the agreement after the comment period, the parties will likely file a motion asking for the Court’s expedited consideration of the Consent Decree Second Modification.

With such an agreement, the risk of substantial penalties, as well as the costs of litigation, are avoided. Also avoided are the extraordinary remedies that could be imposed by the Court, such as a moratorium on new construction.

Summary of Key Terms and Staff Comment

1. Milestones and Construction Schedule and Consequences for Delays

Commitment: The parties have agreed to following milestones and schedule to complete the work:

- First Milestone: Execute Construction Contract/Issue Notice to Proceed by July 1, 2016. The City intends to award a single project contract.
- Second and Third Milestone: Two additional milestones to be recommended for approval by EPA based upon the detailed schedule to be provided by the City's selected contractor.
- Fourth Milestone: Substantial completion of construction of the BAF and all facilities necessary to allow its startup by December 1, 2019.
- Fifth Milestone: The City will achieve compliance with NPDES permit limits by April 1, 2020.

If a milestone is missed, the City is obligated to use its contractual remedies to maintain schedule compliance. Stipulated penalties for missed milestones range from \$500 to \$1,000 per day depending on the duration of the violation.

Staff Comment: The City requested 47 months (to May 2020) to achieve substantial completion of this extensive project in order to avoid the need for frequent evening and night work. This City has achieved the schedule it desired to complete the entire project. The EPA and other parties were most concerned with the startup of the BAF unit, the workhouse of the upgrade. The City was able to identify a means to shorten the time to bring the BAF unit online sooner. This will be accomplished by using second shift work for certain interior work of the BAF unit that will be minimally impactful to the neighborhood and the current wastewater treatment operations. The contractor selected to complete the project will be contractually bound to meet the milestones.

2. Reporting and Communication

Commitment: The City will provide to the parties and post online monthly construction progress reports. The City will also participate in quarterly conference calls with the parties to review construction progress.

Staff Comment: Staff anticipates a high level of communication relative to the upgrade and sees this reporting requirement as not particularly burdensome.

3. Mitigation

As mitigation for the continued discharges of biochemical oxygen demand (BOD₅), and total suspended solids (TSS) resulting from the delayed implementation of secondary treatment, the City will undertake the following efforts.

a. Interim Enhanced Primary Treatment

Commitment: The City will engage a qualified engineer to perform an optimization study on the primary clarifiers for the chemically enhanced primary treatment system. If clarifier performance can be materially increased, the City will implement the recommendations of the study report within 90 days and continue until the BAF unit is operational.

Staff Comment: Underwood Engineers conducted the original study recommending chemically enhanced primary treatment over ten years ago. The City will engage Underwood to review the original study's conclusions and perform a pilot study to determine whether additional enhanced treatment opportunities exist (changing the dosing of certain chemicals for example). Depending on the findings this may improve operational efficiencies.

b. Nitrogen Removal

Commitment: For the five year period commencing June 1, 2020, the City will operate the upgraded Peirce Island Wastewater Treatment Facility to achieve (a) a seasonal average total nitrogen effluent concentration level no greater than 8 mg/l from May 1st through October 31st of each year; and (b) a monthly average total nitrogen effluent concentration level no greater than 8 mg/l from June 1st through October 31st of each year. During this period, the City will monitor and report the performance.

Staff Comment: Although the current science which the City has developed with the Great Bay Municipal Coalition suggests that nitrogen removal at the Peirce Island WWTF is not needed at this time to protect water quality, federal regulators and CLF disagree. Consequently, and consistent with previous City Council direction, the City staff supports this commitment to provide a modest level of nitrogen removal for a five year period as part of this negotiated resolution and as part of an adaptive management approach to measure outcomes. Both Dover and Rochester have reduced nitrogen contributions from their facilities by modest levels as part of an approach to make some improvements and to measure results. The language in this commitment has been specifically developed to refer to "levels" and not "limits" and any party may appeal any part of any future NPDES permit.

c. Stormwater Projects

Commitment: The City will provide funding in the amount of \$500,000 to implement a green infrastructure project or projects using innovative low-impact development approaches to reduce stormwater pollution from one or more existing sites in Portsmouth. The City will coordinate with the parties in identifying a site (or sites), with an emphasis on retrofitting sites with significant impervious cover and

associated pollutant loads, and in developing an overall design. The project(s) will be completed no later than three years after Court approval of the Consent Decree Second Modification.

Staff Comment: The City has been a leader in green infrastructure and prior to these negotiations was identifying areas of the City that could benefit from infrastructure improvements of the type described.

d. Sagamore Avenue Sewer Extension Project

Commitment: The City will implement, at an estimated project cost of \$2.5 million, a sewer extension project primarily to provide public sewer service north and south of Sagamore Creek as depicted on the attached, with the intent to improve water quality in Sagamore Creek. Planning, design and other pre-construction activities for the project would be completed prior to substantial completion of the Peirce Island WWTF upgrade project. Construction of the sewer extension project would begin no later than June 30, 2020 and be substantially completed on or before June 30, 2022.

Staff Comment: Staff has long identified the potential benefit of extending the public sewer to this area of Portsmouth. It is one of the few areas of the City that remain without access to public sewer, and a public sewer option is preferred over septic near a water body such as Sagamore Creek. This project will be similar to other sewer extension projects such as Pleasant Point; property owners tying in as needed/necessary.

e. Water Quality and Ecosystem Health Projects

Commitment: Provide funding in the amount \$500,000 over five years to support activities that are part of the Great Bay 2020 vision. Such activities will be identified with the concurrence of the City and may include, but not be limited to, restoration, science and monitoring, public education and outreach, strategic land protections and other projects and activities that advance efforts to improve water quality and/or ecosystem health with benefits for Portsmouth. The first payment would be made no later than sixty (60) days following Court approval of the Consent Decree Second Modification.

Staff Comment: The City has regularly participated with other communities in the development of good science and has a demonstrated commitment to the health of the Great Bay Estuary which includes the Piscataqua River and the local water bodies. The Great Bay 2020 vision is a recent effort by multiple organizations including NH DES and CLF to coordinate fund raising and investments in Great Bay Estuary related projects. See attached excerpts of the Great Bay 2020 vision overview.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
STATE OF NEW HAMPSHIRE,)	
)	CIVIL ACTION
Plaintiff-Intervenor,)	
)	NO. 09-cv-283-PB
CONSERVATION LAW FOUNDATION,)	
)	
Plaintiff-Intervenor)	
)	
v.)	
)	
CITY OF PORTSMOUTH, NEW HAMPSHIRE,)	
)	
Defendant.)	
)	

CONSENT DECREE SECOND MODIFICATION

WHEREAS, Plaintiff, the United States of America ("United States"), on behalf of the United States Environmental Protection Agency ("EPA"), filed a Complaint in this action alleging that Defendant, the City of Portsmouth, New Hampshire ("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"), 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 United States Complaint and State Complaint-in-Intervention allege that the City is violating its April 10, 2007 National Pollutant Discharge Elimination System ("NPDES") permit effluent limitations for discharges from the City's Peirce Island Wastewater

Treatment Facility ("Peirce Island WWTF") and permit conditions applicable to discharges from overflow points in the City's combined wastewater collection system;

WHEREAS, the April 10, 2007 NPDES permit does not contain monitoring or effluent limits for total nitrogen;

WHEREAS, the Court entered the Consent Decree ("Consent Decree") in this matter on September 24, 2009, requiring combined sewer overflow ("CSO") mitigation and achieving secondary treatment limits in accordance with the schedule set forth in the WWTF Work Plan to be submitted to EPA by September 1, 2010;

WHEREAS, the Court granted the motion by Conservation Law Foundation, Inc. ("CLF") to intervene as a plaintiff on October 9, 2012;

WHEREAS, the original Consent Decree was modified by agreement of the United States, State, and City, and approved by Order of this Court on February 15, 2013 ("First Modification");

WHEREAS, the First Modification required the City to complete construction of the secondary treatment facilities by March 1, 2017 and achieve compliance with treatment limits in its NPDES permit by May 1, 2017;

WHEREAS, all parties agree that the City will not complete construction of secondary treatment facilities or achieve compliance with treatment limits by the dates set forth in the First Modification;

WHEREAS, the United States, State, City, and CLF (collectively, the "Parties") participated in settlement negotiations related to City's anticipated failure to complete construction of the Peirce Island WWTF and achieve secondary treatment by the dates set forth in the First Modification, and have agreed to the terms of this Consent Decree Second

Modification (“Second Modification”) that sets forth a revised construction and compliance schedule, mitigation measures related to the failure to comply with the First Modification, and related provisions;

WHEREAS, unless explicitly revised by the terms of this Second Modification, all provisions of the Consent Decree and First Modification, shall remain in effect; and

WHEREAS, the Parties agree, and the Court by entering this Second Modification finds, that this Second Modification is fair, reasonable, and in the public interest.

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

I. JURISDICTION

1. The Court has jurisdiction over the subject matter of this action and over the Parties to this Second Modification pursuant to Paragraphs 1 and 65 of the Consent Decree.
2. Pursuant to Paragraph 66 of the Consent Decree material modifications of the Consent Decree may be made by written agreement of the Parties, and shall be effective only upon approval of the Court.

II. OBJECTIVES

3. It is the express purpose of the Parties entering this Second Modification to: effectuate the City’s compliance with the CWA, 33 U.S.C. § 1251, *et seq.*; set forth an expeditious, reasonable, and binding schedule for achieving secondary treatment at the Peirce Island WWTF; and establish mitigation requirements related to City’s failure to achieve secondary treatment in accordance with the schedule set forth in the First Modification.
4. To this end, it is the further objective of the Parties that: the City substantially complete construction of the Biologically Aerated Filters (“BAF”) and all facilities necessary to allow startup by December 1, 2019; and the City achieve compliance with all NPDES permit limits

contained in the permit dated April 10, 2007, or any subsequently issued NPDES permit that is final and in effect after any appeals, by April 1, 2020.

III. MODIFICATION OF EXISTING PROVISIONS

5. Milestones and Schedules. Paragraph 1 of Appendix B.1 to the Consent Decree is hereby modified by revising paragraphs 5 k. through m. of the First Modification, which are hereby replaced with the following:

a. By July 1, 2016, the City shall execute a contract to construct a secondary treatment facilities with a capacity of 6.13 million gallons per day (“MGD”) average, and 9.06 MGD maximum day flow (not including recycle flows), including BAF, and issue a Notice to Proceed on such construction.

b. By December 1, 2016, the City shall submit two additional construction milestones to EPA for approval based upon the detailed schedule to be provided to the City by the City’s selected contractor. The City shall provide EPA with a copy of its contractor’s detailed schedule along with its recommended milestones. Each such milestone shall be the completion of a substantial critical path activity, and neither can be substantial completion of BAF construction. By the dates set forth in each EPA approved milestone, the City shall complete all related construction work to achieve the applicable substantial critical path activity.

c. By December 1, 2019, the City shall substantially complete construction of the secondary treatment facilities, including the BAF, and all facilities necessary to allow startup.

d. By April 1, 2020, the City shall achieve compliance with NPDES permit limits contained in the permit dated April 10, 2007, or any subsequently issued NPDES permit that is final and in effect after any appeals.

6. Reporting. Paragraph 20.a. to the Consent Decree is hereby replaced with the following:

a. Monthly Reports on Compliance. Within 30 days after the end of each month, the City shall submit a written report to EPA, the State, and CLF for the preceding month that shall include a description or reporting of the following:

- i) status of required construction, including major work items completed in the preceding month;
- ii) projected work items to be undertaken in the next month;
- iii) project percent complete based on payments to contractor for work completed;
- iv) project percent complete based on time elapsed;

- v) status of all required permit applications;
- vi) status of Consent Decree milestones including identifying any problems encountered or anticipated, together with the proposed or implemented solutions; and
- vii) the monthly average discharge concentrations of total nitrogen for the preceding month, as required in Paragraph 8.b.ii of the Second Modification.

The Consent Decree, First Modification, and Second Modification along with such Monthly Reports on Compliance shall be posted on the City's internet site, and maintained accessible to the public online until termination of the Consent Decree. In addition to the submission of Reports on Compliance, the Parties will participate in quarterly meetings or conference calls, if scheduled by EPA, to review the City's compliance with the terms of the Consent Decree.

IV. ADDITIONAL PROVISIONS

7. Schedule Recovery Program. If the City fails to achieve any of the construction milestones by the dates set forth in or determined in accordance with Section III (Modification of Existing Provisions), the City shall use its contractual remedies, including without limitation, Part 2.01.F (Recovery Schedule) of Section 01311 (Construction Progress Schedules) of the City's contract for construction of the project, to maintain schedule compliance. At the discretion of the City, the schedule recovery program may include the application of extended shifts, second shifts, work on weekends, extra labor, or other atypical construction efforts and measures to return the project to schedule and meet required milestones. However, if implementing extended shifts, second shifts, work on weekends, or/and extra labor is the only means capable of achieving compliance, the schedule recovery program shall employ one or more of these methods.
8. Mitigation. The City agrees to implement the following initiatives as mitigation for the continued discharges of biochemical oxygen demand ("BOD₅") and total suspended solids ("TSS") resulting from the delayed implementation of secondary treatment.

a. Interim Enhanced Primary Treatment. The City shall engage a qualified engineer to perform an optimization study on the primary clarifiers for the chemically enhanced primary treatment system. The study work plan shall be submitted to the State and CLF for review, and to EPA for review and approval, within 60 days following Court approval of this Second Modification. The study shall be completed according to the work plan and the results shall be submitted to the State and CLF for review, and to EPA for review and approval. The review and approval process shall be in accordance with Paragraphs 14 through 19 of the Consent Decree. If clarifier performance for TSS can be improved by at least 10%, the City shall implement the recommendations of the approved study report within 90 days of EPA's approval and continue such implementation until the secondary treatment is operational. The percentage improvement shall be based upon the reduction in primary effluent average TSS concentration during testing of clarifier performance both with currently utilized chemical dosages and types, and with alternate/enhanced chemical addition, under as similar as possible operational conditions. If the approved study report finds that an increase of at least 10% cannot be achieved, the City will not be required to implement a chemical dosage optimization plan.

b. Nitrogen Removal.

i. For the five year period commencing June 1, 2020, the City shall operate the upgraded Peirce Island WWTF to achieve: (a) a seasonal average total nitrogen effluent concentration level no greater than 8 mg/l from May 1st through October 31st of each year; and (b) a monthly average total nitrogen effluent concentration level no greater than 8 mg/l from June 1st through October 31st of each year. This seasonal and monthly standard shall be referred to as the "8 mg/l TN Effluent Level."

ii. During this period, the City shall monitor and report to EPA, the State, and CLF in its Monthly Reports on Compliance the monthly average discharge

concentrations of total nitrogen for each month of each year. Such monitoring shall be conducted a minimum of twice per week using 24-hour composite samples.

iii. In the event an NPDES permit containing a total nitrogen effluent limit becomes final and takes effect that sets forth a total nitrogen effluent limit that is equal to or more stringent than the 8mg/l TN Effluent Level, the 8 mg/l TN Effluent Level and nitrogen monitoring requirements set forth in this Second Modification shall terminate.

iv. In the event an NPDES permit containing a total nitrogen effluent limit becomes final and takes effect that sets forth a total nitrogen effluent limit that is less stringent than the 8 mg/l TN Effluent Level, the City shall achieve the 8 mg/l TN Effluent Level and monitor as set forth in this Second Modification until June 1, 2025.

v. Nothing herein shall prevent any Party from appealing any part of any future NPDES permit.

vi. CLF reserves its rights to advocate lower total nitrogen limits in future NPDES permit processes.

c. Stormwater Project. The City shall commit funding in the amount of \$500,000 to implement a green infrastructure project(s) using innovative low-impact development approaches to significantly reduce stormwater pollution from one or more existing sites in the City of Portsmouth. The City agrees to coordinate with the other Parties in identifying site(s) and project(s), with an emphasis on retrofitting sites with significant impervious cover and associated pollutant loads, and in developing an overall design. Planning and coordination efforts for the project(s) shall commence no later than 90 days after Court approval of this Second Modification. The project shall be completed no later than three years after Court approval of this Second Modification.

d. Sagamore Avenue Sewer Extension Project. The City shall implement, at an estimated project cost of \$2.5 million, a sewer extension project to provide public sewer service to approximately 83 existing parcels adjacent to or near Sagamore Avenue, as depicted in the February 2011 Wright-Pierce Fig. 2 titled “Town [sic.] of Portsmouth, New Hampshire Sagamore Ave South Sewer Extension Study, Low Pressure Sewer,” with the intent to improve water quality in Sagamore Creek. Planning, design and other pre-construction activities for the project shall be completed prior to substantial completion of the Peirce Island WWTF upgrade project. Construction of the sewer extension project shall begin no later than June 30, 2020 and shall be substantially completed on or before June 30, 2022.

e. Water Quality and Ecosystem Health Project. The City shall provide funding in the amount of \$500,000 to support activities that advance the Great Bay 2020 vision as described in Great Bay 2020: A Five-Year Vision for Collective Investment, Action, and a Healthy Watershed dated July 27, 2015. Such activities will be identified and selected collectively by the entities currently comprising the Great Bay 2020 Steering Committee (Piscataqua Region Estuaries Partnership, Great Bay National Estuarine Research Reserve, New Hampshire Department of Environmental Services, The Nature Conservancy, and CLF) with input and concurrence of the City and may include, but not be limited to, restoration, public outreach and education, science and monitoring, strategic land protections, and other projects and activities that advance efforts to improve water quality and/or ecosystem health in the Great Bay estuary with direct or indirect benefits for Portsmouth. Funding shall be provided in five annual installments of \$100,000, paid to an agreed upon fiscal agent and/or, by agreement by the Great Bay 2020 Steering Committee and the City, directly to implementing entities. The first payment shall be made no later than 60 days following Court approval of this Consent Decree Second

Modification, with subsequent annual payments occurring no later than the anniversary date of the prior year's payment due date. The first payment shall be directed in part, or in whole if necessary, to (1) the development and implementation of a water quality sampling plan for Sagamore Creek following QA/QC protocols, and including the participation of the City, the Great Bay-Piscataqua Waterkeeper, and New Hampshire Department of Environmental Services, with public engagement where appropriate, and (2) a regional symposium to educate and engage the public in sustainable lawn care / landscaping practices that reduce water pollution. The City's staff's participation shall not be counted as an offset or match toward the above-stated funding commitment, nor shall the City be reimbursed or otherwise compensated from such funds.

IV. STIPULATED PENALTIES

9. The City shall be liable to the United States and the State for stipulated penalties for failing to complete any requirement of this Second Modification by the dates specified herein. Such stipulated penalties shall accrue per violation per day as follows:

<u>Penalty Per Violation Per Day</u>	<u>Period of Noncompliance</u>
\$500	1 st through 14 th Day
\$750	15 th through 30 th Day
\$1,000	31 st and beyond

10. Stipulated penalties shall be paid in accordance with Section VI of the Consent Decree.

V. PUBLIC PARTICIPATION

11. This Second Modification shall be lodged with the Court for a period of not less than 30 days for public notice and comment in accordance with 28 C.F.R. Section 50.7. The United States reserves the right to withdraw or withhold its consent if the comments regarding the Second Modification disclose facts or considerations indicating that the Second Modification is

inappropriate, improper, or inadequate. The City consents to entry of this Second Modification without further notice and agrees not to withdraw from or oppose entry of this Second Modification by the Court or to challenge any provision of the Second Modification, unless the United States has notified the City in writing that it no longer supports entry of this Second Modification.

VI. EFFECTIVE DATE

12. The Effective Date of this Second Modification shall be the date upon which this Second Modification is entered by the Court or a motion to enter the Second Modification is granted, whichever occurs first, as recorded on the Court's docket.

Dated and entered this _____ day of _____, 2016.

UNITED STATES DISTRICT JUDGE
District of New Hampshire

FOR PLAINTIFF THE UNITED STATES OF AMERICA

Respectfully submitted,

JOHN C. CRUDEN
Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice
Washington, D.C. 20530

Date: _____

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Environmental Enforcement Section
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EMILY RICE
United States Attorney District
of New Hampshire

T. DAVID PLOURDE
New Hampshire Bar # 2044
Assistant United States Attorney
District of New Hampshire
53 Pleasant Street, 4th Floor
Concord, NH 03301-3904
(603) 225-1552
david.plourde@usdoj.gov

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Date: _____

MARK POLLINS
Director
Water Enforcement Division
Office of Enforcement and Compliance Assurance
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION I

Date: _____

SUSAN STUHLIEN
Director, Office of Environmental Stewardship
United States Environmental Protection Agency
Region I
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
stuhlien.susan@epa.gov

FOR PLAINTIFF-INTERVENOR THE STATE OF NEW HAMPSHIRE

State of New Hampshire
Department of Environmental Services

By its attorney,

JOSEPH A. FOSTER
New Hampshire Attorney General

Date: _____

K. ALLEN BROOKS, NH Bar No. 16424
Senior Assistant Attorney General
Environmental Protection Bureau 33 Capitol Street
Concord, NH 03301
(603) 271-3679

FOR THE DEFENDANT, THE CITY OF PORTSMOUTH, NEW HAMPSHIRE

By: _____
JOHN P. BOHENKO, City Manager
Pursuant to vote of the City Council

Of _____, 2016

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: _____

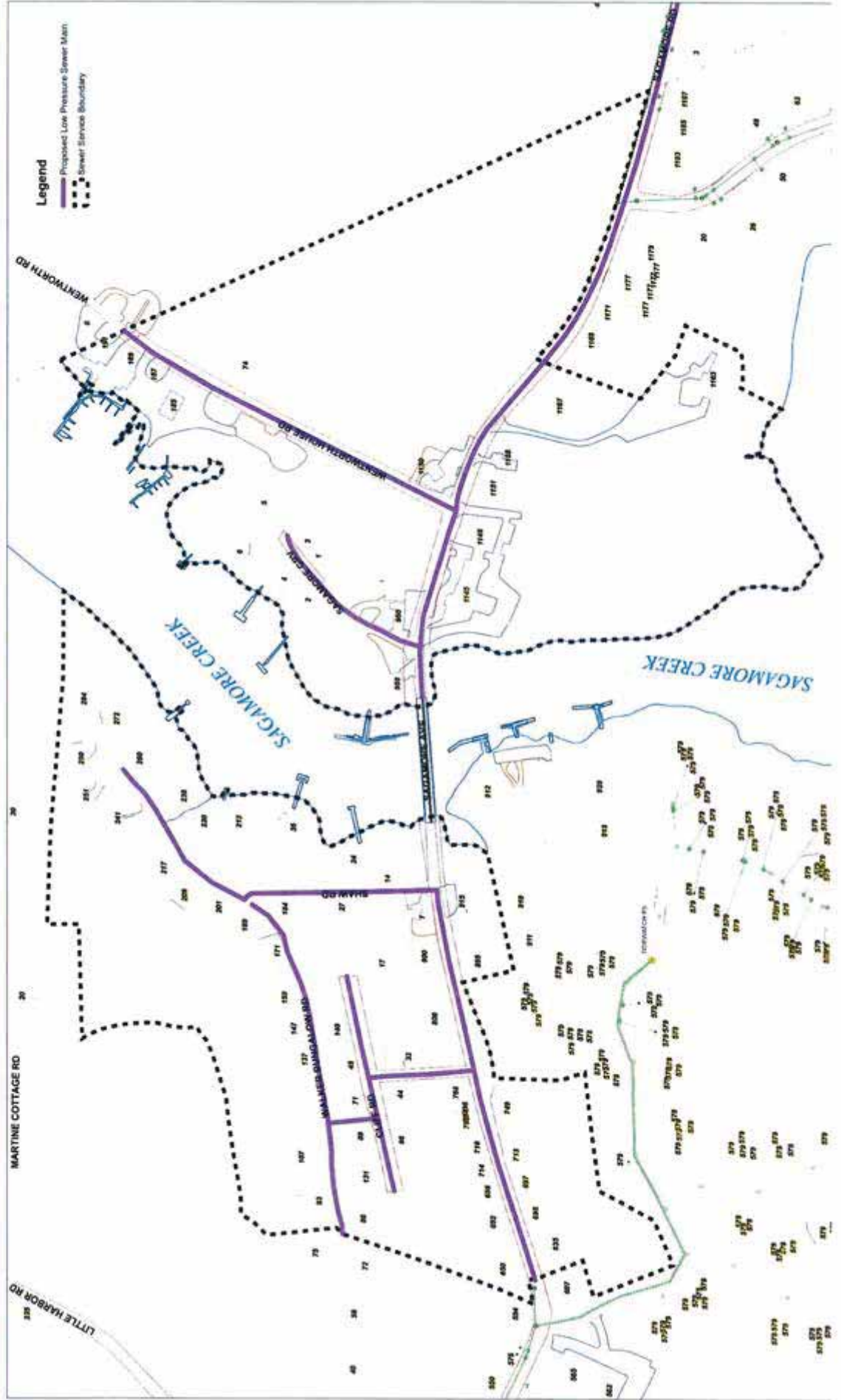
BRUCE W. FELMLY, NH Bar No. 787
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
(603) 625-6464

FOR PLAINTIFF-INTERVENOR CONSERVATION LAW FOUNDATION

Date: _____

THOMAS F. IRWIN, NH Bar No. 11302
Conservation Law Foundation
27 North Main Street
Concord, NH 03301
(603) 225-3060
tirwin@clf.org

Sagamore Creek Area Low Pressure Sewer System



An invitation to collaborate

The “cross-grained and wily waters” of Great Bay hold the history of our region. In them you can see how people have been drawn to live and work in this area for hundreds of years. When we look into these waters, we also see a vision for the future, one centered around a healthy Great Bay Estuary, distinguished by clean water, accessible land for recreation and education, habitat for fish and wildlife, resilience in the face of a changing climate, and engaged communities that are committed to supporting this estuary for generations to come.

We invite you to help us realize this future by becoming a sponsor of *Great Bay 2020*, a five-year vision for investment and action to protect water quality in the estuary and its watershed. *Great Bay 2020* sets ambitious goals for collective action and culture change, and for good reason. Complex, ever-changing, and involving everyone living in this watershed—the challenges to water quality we face will not be met if we take small steps and work in isolation. They demand that we come together to define problems and develop solutions that lead to real change.

As a sponsor of *Great Bay 2020*, you will be in a uniquely powerful position to catalyze the change needed to protect the precious resource that is the heart of our region. Your support is essential, not only to fill critical gaps in current efforts to improve and protect water quality, but also to enhance collaboration among the many organizations and stakeholders with a vested interest in the estuary’s environmental health.

In this document, you will find a five-year framework with goals, strategies, and a range of opportunities for investment. Developed through many conversations with local and regional organizations throughout the watershed, it is by no means complete. Rather, it is a “living” plan that will evolve and improve as the circle of partners we engage widens and the work begins. As conveners of the conversations that led to this framework, we hope you will be one of those partners. Please join us as we work to bring a “2020” vision into focus for Great Bay.

Respectfully,

Ted Diers,
New Hampshire Department of Environmental Services, Watershed Bureau

Tom Irwin,
Conservation Law Foundation

Cory Riley,
Great Bay National Estuarine Research Reserve

Rachel Rouillard
Piscataqua Region Estuaries Partnership

Mark Zankel,
The Nature Conservancy in New Hampshire

Introduction

In 1974, “the most important thing that happened in Seacoast New Hampshire was what did not happen.”¹

An oil refinery was not built on Great Bay. Were it not for an extraordinary coalition of citizens, the estuary would have been changed forever, and along with it, countless memories and experiences shared by generations of residents and visitors.

Instead, because of their efforts, we can claim thousands of acres of open water, wetlands, forests, and fields as our common “backyard.” We can float with the long arm of the Atlantic as it reaches 15 miles inland to mix with a vast network of creeks and tidal rivers that have been the life’s blood of our communities for hundreds of years. We can take satisfaction in the rich diversity of fish and wildlife that, like us, depend on Great Bay for their existence in this place. Above all, we can take pride in the knowledge that when we band together for a common purpose, we can accomplish great things.

Now Great Bay is calling for us to work together again. The ecological health of this unique estuary is in jeopardy. Protecting it will be more difficult than it was 40 years ago, primarily because today’s threats come from not one, but many quarters. Sewage treatment plant discharge, increased stormwater runoff, faulty septic systems, dwindling and fragmented natural habitats—how we live and work is slowly, but surely, changing the estuary that is the cornerstone of our region’s cultural, economic, and ecological heritage.

These threats are subtler than the prospect of a refinery processing hundreds of thousands of gallons of crude oil each day, but already we are seeing their impact. There is concern that eelgrass beds—those bellwethers of estuarine health and nurseries for flounder, cod, and so many other fish—are shrinking. Invasive macroalgae are flourishing, and migratory fish counts are in decline. As these and other impacts intensify, so does the fear that we are ushering Great Bay, like so many estuaries before it, toward an ecological tipping point that, once crossed, will make recovery extremely challenging and costly.

However, the future need not be one of pollution and degradation. We know from firsthand experience that, by banding together, we can effect great change. With the right motivation and support, the bay’s many stakeholders and advocates—its philanthropists, citizens, community leaders, scientists, educators, activists, resource managers, and businesses—can take action to “turn the tide” in Great Bay. Together, we can build on the work of the dozens of nongovernmental organizations, nonprofits, watershed groups, academic institutions, state agencies, and businesses that conduct research on water quality, provide technical assistance to municipalities and land owners, mobilize public support for environmental issues, and educate teachers, students, and the public about water quality.

With many groups focused on protecting Great Bay in targeted and complementary ways, it may not always be apparent to stakeholders where to go for the right kind of support and for philanthropists to understand where their investments can effect the greatest change. Fortunately, there has been a trend of increasing collaboration, and we believe *Great Bay 2020* will enable us to accelerate and improve upon this trend. Today, we better understand how our work is different, how we complement each other, and as a result, what additional resources and strategies are needed to improve water quality. In the process of coming together, we’ve also learned that the most successful, enduring collaborations occur around place-based, stakeholder-articulated problems. These make it easier for us to understand how our individual missions and capacities align, and help us to set common goals for working more effectively together.

¹ Robinson, Dennis, J. *Seacoast New Hampshire*. Volume 6, No. 1, January 6, 2012.

Yet, to reduce the pervasive threats to water quality around Great Bay, a common goal will not be enough. We also need a framework to help guide our investments and actions, one that is shaped by collective agreement among the numerous organizations playing an active role in environmental issues and one that engages the many stakeholders with a vested interest in the watershed.

In this need, we are not alone. Many places around the country face environmental problems that can only be addressed through broad, cross-sector coordination and large-scale social change. This has led to a surge of “collective impact” initiatives, designed to rally diverse organizations and funders in developing a shared vision for change, one that includes a common understanding of the problem and a joint approach for solving it. Successful collective impact initiatives also include resources to support joint decision making, measure progress and impact, and ensure continuous and effective communications among participants.

Inspired by successful collective impact efforts in other regions, five organizations came together in 2014 to develop the vision and goals in *Great Bay 2020*: the New Hampshire Department of Environmental Services, Great Bay National Estuarine Research Reserve, Piscataqua Region Estuaries Partnership, Conservation Law Foundation, and The Nature Conservancy in New Hampshire. Our intent was to use the principles of collective impact to galvanize the many stakeholders active in the understanding, management, and protection of Great Bay around a vision for clean water, a healthy watershed, and thriving communities.

Great Bay 2020 is our first step in this direction. Its vision, goals, and strategies build on long-standing conversations about what’s needed to protect and maintain the Great Bay Estuary and its surrounding watershed. Shaped by the input of dozens of partners over the last year, it considers how the priorities, resources, and programs of our organizations and others align and how they could be leveraged to enact a suite of near-term, high impact activities; which methods could be used to track and measure the impact of these activities; and what resources we need to implement them fully.

We already have begun to use the ideas in this framework to guide how we allocate our own programmatic resources and to seek additional funding for the strategies it lays out. We are eager to begin the process of sharing it with a wider circle of partners and sponsors, to see it take root and grow.

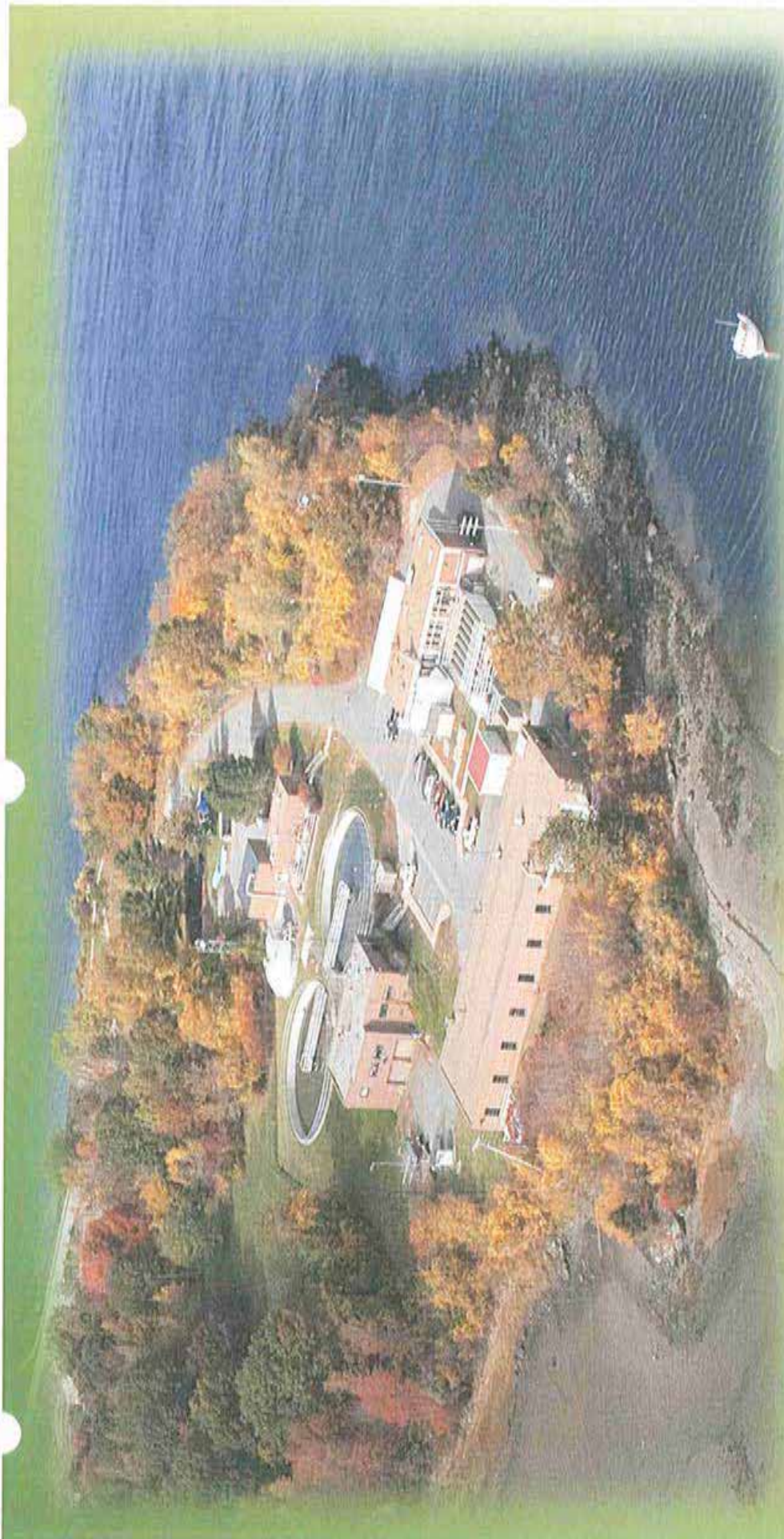
Great Bay 2020 overview

Vision: A healthy Great Bay Estuary that is distinguished by clean water, accessible lands for recreation and education, habitat for fish and wildlife, resilience in the face of a changing climate, and engaged communities that are committed to supporting the Estuary and its watershed for generations to come.

To reach this vision, we have set four interrelated, complementary goals that emphasize collaboration and collective action:

- **Goal 1:** Build a culture of environmental stewardship: Residents of communities in the Great Bay watershed will embrace a culture of stewardship that is focused on appreciating the values that a healthy estuary provides and protecting those values through individual and collective actions in support of improved water quality.
- **Goal 2:** Collaborate to reduce pollution: Municipalities, regulators, advocacy groups, and technical support organizations will collaborate to strategically address the major sources of water pollution in the Great Bay watershed.
- **Goal 3:** Connect action to results through collaborative science: Community leaders, resource managers, regulators, large landholders, and others will collaborate with the science and environmental monitoring community to better understand the health of Great Bay and how that health is impacted by our individual and collective actions.
- **Goal 4:** Protect and restore critical lands and habitats: Municipalities, nongovernmental organizations, public agencies, and land managers support and advance the protection and restoration of critical lands and key habitats that are necessary to improve the health and resilience of Great Bay Estuary.

In the following pages, you will find an overview of each goal that describes why we set it, the strategies we intend to use to reach it, the partners we will engage, the associated budget, and the changes we anticipate as a result of our collective actions.



PEIRCE ISLAND CONSENT DECREE SECOND MODIFICATION

Portsmouth City Council Meeting
March 7, 2016

Consent Decree Schedule Modification

- City Required to Upgrade to Meet Clean Water Act Requirements
- Requirement Incorporated into Consent Decree
- Consent Decree has Outdated Schedule
- City Needs Schedule Appropriate to Project



The Dispute

Task Name per Consent Decree	Consent Decree Date	Requested Date (Statement of Position)
Commence Construction	March 1, 2015	July 1, 2016
Complete BAF Construction Secondary Treatment Facilities	March 1, 2017	May 2020
Achieve Compliance with Permit Limits	May 1, 2017	Sept 2020



The Resolution Process

- Informal Dispute Resolution Process
- Formal Dispute Resolution Process
- December 10, 2015 Statement of Position
- Period of Negotiation (tour, technical sessions, meetings)



The Outcome

- Agreement Among All Parties
 - Subject to City Council Approval
- Terms Captured in Consent Decree Second Modification
- Intersection of Interests



Approve or Reject

- Approve
 - Process of Lodging
 - Public Comment
 - Court Approval
- Reject
 - Litigation
 - Additional Attorneys' Fees
 - Risk of Penalties and other action



Summary of Terms

- Schedule Appropriate for Project
- Mitigation Measures
 - Interim Enhanced Primary Treatment
 - Nitrogen Removal
 - Stormwater Project(s)
 - Sagamore Avenue Low Pressure Sewer Project
 - Water Quality/Ecosystem Health Projects



Schedule Detail

Task Name	Requested Date (Statement of Position)	Second Modification Date
Commence Construction	July 1, 2016	July 1, 2016
Identify Interim Milestones	N/A	Dec 1, 2016
Complete BAF Construction Secondary Treatment Facilities	May 2020	Dec 1, 2019
Achieve Compliance with Permit Limits	Sept 2020	April 1, 2020
Project Substantial Completion	May 2020	N/A

Reporting Detail

- Reporting
 - Monthly Construction Reports
 - Nitrogen Removal Performance
- Schedule Recovery Program
- Chemically Enhanced Settling Performance Study



Nitrogen Detail

- TN 8 mg/L Seasonal Average May to October
- TN 8 mg/L Monthly Average June to October
- 5 Year Period Following Startup
- “Level” not a NPDES “Limit”
- Continuing Disagreement on Role of Nitrogen



Stormwater Project Detail

- Green Infrastructure Project(s)
- \$500,000 Investment
- Completed within 3 Years of Court Approval



February 1, 2016



Peirce Island WWTF Upgrade

11

Sewer Extension Project Detail

- Sagamore Avenue Low Pressure Sewer System
 - North and South of Sagamore Creek
- Area Previously Studied and Identified Need
- Some Failed Septic Systems and Challenging Subsurface Conditions
- Public Connections Similar to Pleasant Point
- Estimated Cost of \$2.5 Million
- Start Construction by June 2020 and Complete June 2022



Sagamore Creek Area Low Pressure Sewer System



Water Quality/Ecosystem Health Projects

- Great Bay 2020 Vision
 - Partners: NH DES, PREP, Nature Conservancy, Great Bay National Estuarine Research Reserve, Conservation Law Foundation
 - Goals:
 - Environmental Stewardship
 - Reduce Pollution
 - Collaborative Science
 - Habitat Protection
- \$500,000 Investment Over 5 Years (\$100k/yr)



Water Quality/Ecosystem Health Projects

- Projects to be Identified With City Input and Concurrence
- Fiscal Agent to be Identified with City to Maximize Fund Efficiency
- Projects to Have Portsmouth Benefit
 - Sagamore Creek Water Quality Sampling
 - Support Symposium on Sustainable Lawn Care and Landscaping Practices



Summary and Action

- Negotiated Agreement for Appropriate Schedule
- Includes Mitigation Components
- To Be Incorporated Into Consent Decree Second Modification
- Vote of City Council Under City Manager Items to Accept or Reject



-----Original Message-----

From: Chris Olsen [mailto:chris@syrupbythesea.com]
Sent: Tuesday, December 22, 2015 6:36 AM
To: webmaster <webmaster@cityofportsmouth.com>
Subject: Tapping Trees

Below is the result of your feedback form. It was submitted by Chris Olsen (chris@syrupbythesea.com) on Tuesday, December 22, 2015 at 05:36:13

company: Syrup by the Sea

address: 372 lang road

city: portsmouth

state: NH

zip: 03801

comments: Mr. Bohenko,

I live on Lang road in Portsmouth, NH and like to make Pure Maple Syrup in a traditional method. The city owns a 40 acre piece of land across from me that is in an agricultural use agreement with the Stetson family. I have permission from the stetson's to tap maple trees in the upcoming season but also wanted to clear it with the city. We would only be using a gravity collection system during Feb through April and Mike Stetson would be assisting me with his tractor for collection. What do I need to do with the city for permission (or not) to tap those trees over there seasonally?

Happy to discuss more in person if you would like.

All the best and thank you for your consideration.

Chris Olsen
6039886174

Engage: Submit

REMOTE_ADDR: 76.118.87.167

David Stetson
418 Lang Road
Portsmouth, NH 03801
2/10/2016

FEB 19 2016

John Bohenko
City Manager
City of Portsmouth
1 Junkins Ave
Portsmouth, NH 03801

Dear John Bohenko:

I've recently learned that Chris Olsen and Mike Stetson of Syrup by the Sea are interested in tapping maple trees on the old Stetson property across Lang Road (now owned by city of Portsmouth). I fully support this activity as a good use of the land. They've been tapping some of my sugar maples for years now on my property. Please advise if there is anything you need from me to allow them to tap the trees across the road.

Sincerely,



David Stetson

Event Listing by Date

Starting Date: 2/16/2016

Ending Date: 1/ 3/2017

Start End	Type Description	Location	Requestor	Vote Date
3/12/2016 3/12/2016	ROAD RACE Matthew A. McFarland is the contact for this event. He can be reached at 498-5778. This event begins at 10:30 a.m. Starting at Peirce Island and ends at Strawberry Banke	Peirce Island and Strawberry Banke - start and fini	St. Patrick School Road Race	11/16/2015
3/26/2016 3/26/2016	ROAD RACE Donald Allison is the contact for this event. He can be reached at (617) 835-2378. This race begins at Traip Academy in Kittery and travels through Portsmouth.	Through Portsmouth	Eastern States 20 Mile	11/16/2015
4/ 3/2016 4/ 3/2016	RACE Contact: Todd Hanson, Race Director	Pease Tradeport	St. Paddy's 5 Miler	12/21/2015
4/ 9/2016 4/ 9/2016	RACE Robert L. Sutherland, Jr. is the contact for this event. This event begins at 8:00 a.m.	St. John's Lodge	St. John's Lodge	1/25/2016
4/16/2016 4/16/2016	WALK Emily Christian, Development Manager is the contact for this event. Telephone number 781-693-5154	Little Harbour School - start and finish	National Multiple Sclerosis So	4/16/2016
4/30/2016 4/30/2016	WALK Jenelle Dolan, Community Director is the contact. jdolan@marchofdimes.com Tel. 978-729-5849 Time: 6:00 am. to 12:00 p.m.	Little Harbour School	March of Dimes	10/ 5/2015
5/ 1/2016 5/ 1/2016	FAIR Barbara Massar, Executive Director is the contact for this event. This event is Pleasant Street - State Street to Market Square; no parking on Market Street - Bow Street to Isle Shoals Steam Co. entrance. This event is from Noon to 4:00 p.m.	Downtown	Children's Day	8/ 3/2015
5/ 1/2016 5/ 1/2016	RIDE Contact: Melissa Walden, Associate of Development 207-624-0306 Cycle the Seacoast - First riders leaving Redhook Brewery at 7:00 a.m. and the last rider will be in around 3:00 p.m.		American Lung Association	8/17/2015
5/ 7/2016 5/ 7/2016	ROAD RACE Carolyn Ostrom, NH Community Relations Specialist is the contact for this event. The event begins on Peirce Island and ends at Strawberry Banke Starting time is 9:00 a.m.	Peirce Island	Susan G. Koman	8/17/2015
5/29/2016 5/29/2016	RACE Jeanine Sylvester is the contact for this event. This event is at Pease Tradeport. Event begins at 11:00 a.m.	Pease Tradeport	Runner's Alley	1/25/2016
6/11/2016 6/11/2016	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Market Square Day - 39th	Pro Portsmouth	8/ 3/2015

Event Listing by Date

Starting Date: 2/16/2016

Ending Date: 1/3/2017

Start End	Type Description	Location	Requestor	Vote Date
6/11/2016 6/11/2016	RACE Barbara Massar, Executive Director is the contact for this event. This is 5K Road Race that begins in Market Square.	Market Square Road Race	Pro Portsmouth	8/3/2015
6/18/2016 6/18/2016	RACE Nicole McShane is the contact for this event. Her contact number is 430-1140 ex. 2407 Raindate for this event is Sunday, June 19th.	Pleasant Street	Big Brother Big Sisters of New	10/19/2015
6/25/2016 6/25/2016	MUSIC Barbara Massar, Executive Director is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/3/2015
7/2/2016 7/2/2016	MUSIC Barbara Massar, Executive Director is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/3/2015
7/4/2016 7/4/2016	RACE David Hampson is the contact for this event. Telephone No. 334-3032 Race Start: 9:00 a.m. Registration: 7:30 a.m.	Strawbery Banke, Marcy Street	Easter Seals Veteran's Count	12/7/2015
7/16/2016 7/16/2016	BIKE TOUR Contact: Chris Vlangas 1-800-757-0203 Event begins at 7:30 a.m. from Shapleigh Middle School in Kittery.	From Kittery, ME to Route 1B to Rye back to Kitter	Cystic Fibrosis Foundation	1/25/2016
7/16/2016 7/16/2016	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/3/2015
7/23/2016 7/23/2016	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/3/2015
7/30/2016 7/30/2016	MUSIC Barbara Massar, Executive Director This event is from 5:00 to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/3/2015
8/4/2016 8/4/2016	RACE Justin Finn is the contact for this event. Race Start: 6:00 p.m. Registration: 4:30 p.m.	Portsmouth High School Cross Country Track	Portsmouth Rotary Club	12/7/2015
9/17/2016 9/17/2016	WALK Contact: Ken La Valley, Chair - Out of Darkness Walk on Saturday, September 17, 2016 Registration: 8:30 a.m. Walk Duration 10:00 a.m. - Noon Peirce Island - Begin and end. Proposed Walk route 2.3 miles	Peirce Island	American Foundation for Suicid	1/11/2016

Event Listing by Date

Starting Date: 2/16/2016

Ending Date: 1/3/2017

Start End	Type Description	Location	Requestor	Vote Date
9/18/2016 9/18/2016	RACE Wendy McCoolle is the contact for this event. Telephone #603-759-5640 Race Start: 9:00 a.m. Registration: 7:30 a.m.	Portsmouth Middle School	Celebrate Pink	12/7/2015
9/24/2016 9/25/2016	BIKE TOUR Donna Hepp is the contact for this event. Tel. 414-258-3287	Through Portsmouth	Grante State Wheelmen	12/7/2015
9/24/2016 9/25/2016	FESTIVAL David Hallowell is the contact for this event. This is a 2-day event starting at 8:00 a.m. to 6:00 p.m.	Pleasant Street	Portsmouth Maritime Folk Festi	1/25/2016
9/24/2016 9/25/2016	TOUR Caroline Amport Piper is the contact. Tel. (603) 686-4338 Location of this event is to be determined. This event begins each day at 11:00 a.m. to 3:00 p.m.	To Be Determined	Friends of the South End	12/7/2015
10/9/2016 10/9/2016	ROAD RACE Contacts: Catherine Edison at CEEdison@communitycampus.org (Date changed to October 9, 2016 instead of October 8th) Ben Anderson - ben@prescottpark.org Angela Greene - angela@prescottpark.org Race Start: 10:00 a.m. Registration: 8:00 a.m.	Memorial Bridge Portsmouth	Memorial Bridge Road Race	12/7/2015
11/24/2016 11/24/2016	ROAD RACE Matt Junkin, Race Director is the contact for this event. This is the Thanksgiving Day Turkey Trot which begins at Peirce Island and ends at Strawberry Banke. Registration begins at 7:00 a.m. Race commences at 8:30 a.m.	Peirce Island is the start - Strawberry Banke is th	Seacoast Rotary Turkey Trot 5K	11/16/2015
12/11/2016 12/11/2016	ROAD RACE Thomas M. Bringle is the contact for this event. Tel. 603-724-6080 tbringle@arthritis.org. Registration begins at 9:00 a.m. Race start time: 10:00 a.m.	Little Harbour School	Arthritis Foundation - Jingle	1/25/2016
1/1/2017 1/1/2017	RACE Michael Rennebu is the contact for this event. Cell #603-969-9783 Race Start: 11:00 a.m. Registration: 9:00 a.m.	Portsmouth Middle School	Great Bay Services	12/7/2015

SUPERINTENDANT PORTSMOUTH PUBLIC WORKS

19 Jan 2016

CC: CITY MANGER, John Bohenko

MAYOR, Jack Blalock

CITY COUNCIL:

JAN 22 2016

We at Riverbrook Condominium Association are requesting an annual abatement on our water/sewer and trash removal costs.

We are a 73 Unit, Condo Association that pays annual property taxes as do all property owners of Portsmouth for these services. However, the Portsmouth Public Works Division does not provide us with Water/Sewer and trash removal as it does to the rest of the city. We pay approximately \$43,500.00 annually for water/sewer services at the highest rate and approximately \$7,950.00 for trash removal. In addition property taxes paid by the 73 unit owners to the city.

Currently, we have 73 units which are billed on 13 meters(one meter per building) and do not get billed at the lower tier rate since the meter reads the total for all units in the specific building which automatically reads at the higher tier rate. This means that 73 condos pay the maximum tier rate per unit of water used each pay period.

We believe that we are entitled to receive a rate reasonable with the lower tier rate for the first 10 units for all condo units which we do not. We feel the Association would be fairly compensated by providing us an abatement due to paying the higher tier rate over the past 10 years.

Our association approached the City Public Works Division a few years ago about installing remote sub-meters for each unit which would be installed at our expense. However, Public Works advised us that the city "would not" read these meters so it would be of no value to the association to take this step.

We are aware that the city already has a garden and lawn meter compensation for some home owners and we, as tax payers, feel that this abatement would only be fair to our Association.

THANK YOU;

A handwritten signature in blue ink that reads "Roy W. Helsel". The signature is written in a cursive style with a large initial 'R'.

Roy W. Helsel President, Riverbrook Condo Association

777 Middle Rd Unit 22

Portsmouth, N.H. 03801

603-433-4134



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

February 18, 2016

Roy W. Helsel, President, Riverbrook Condo Association
777 Middle Road Unit 22
Portsmouth, NH 03801

RE: Water/Sewer Billing

Dear Mr. Helsel;

This letter is in response to our February 18, 2016 meeting regarding your January 19, 2016 letter about how water and sewer is billed for the Riverbrook Condo Association.

As I stated in the meeting, individual metering of each living unit instead of just the 13 buildings would require that the Condo Association re-plumb each living unit with its own shutoff valve, independent plumbing and a new meter. The cost of this work would be the responsibility of the Condo Association. Then, each meter would require a responsible party to pay for the service and the water/sewer consumption.

The attached data is based on the average metered water usage for all 13 buildings as billed in 2015. The data shows the current charges for Riverbrook as well as the projected charges if each of the 73 living units were to have their own meter. What it shows is that, while the consumption charges would be reduced because of more water being billed at the lowered tier rate, the monthly service fees would go up. The table below provides a summary of this information:

Item	Current Billing	Alternate Billing	Difference
Service Fees	\$175.75	\$346.75	\$171.00
Water Use Charge	\$937.90	\$867.35	(\$70.55)
Sewer Use Charge	\$2,557.87	\$2,459.93	(\$97.94)
TOTAL Monthly	\$3,671.52	\$3,674.03	\$2.51
TOTAL Annually	\$44,058.24	\$44,088.36	\$30.12

Thank you again for your time today. Please feel free to contact me if you need additional information.

Sincerely,

Brian Goetz, Deputy Director of Public Works

Cc: John P. Bohenko, City Manager

Riverbrook Condos - Water and Sewer Billing Estimate

Current Metering - One Metered Service per Building			
Service Size	1"	1.5"	TOTAL
Service Fee	1	12	13
Monthly Service Fee	\$4.75	\$14.25	
Total Service Fee	\$4.75	\$171.00	\$175.75
Consumption (Use)	1st Tier	2nd Tier	
Monthly Use	126	83	
Water Use Fee	\$4.15	\$5.00	
Sub Total Use Fee	\$522.90	\$415.00	\$937.90
Consumption (Use)	1st Tier	2nd Tier	
Monthly Use	126	83	
Sewer Use Fee	\$11.77	\$12.95	
Sub Total Use Fee	\$1,483.02	\$1,074.85	\$2,557.87

TOTAL Monthly Estimated Bills	\$3,671.52
TOTAL Annual Estimated Bills	\$44,058.24

Separate Metering - One Metered Service per Service			
Service Size	1"	1.5"	TOTAL
Service Fee	73	0	73
Monthly Service Fee	\$4.75	\$14.25	
Total Service Fee	\$346.75	\$0.00	\$346.75
Consumption (Use)	1st Tier	2nd Tier	
Monthly Use	209	0	
Water Use Fee	\$4.15	\$5.00	
Sub Total Use Fee	\$867.35	\$0.00	\$867.35
Consumption (Use)	1st Tier	2nd Tier	
Monthly Use	209	0	
Sewer Use Fee	\$11.77	\$12.95	
Sub Total Use Fee	\$2,459.93	\$0.00	\$2,459.93

TOTAL Monthly Estimated Bills	\$3,674.03
TOTAL Annual Estimated Bills	\$44,088.36

Annual Differential	\$30.12
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City of
Portsmouth
Department of Public Works



MEMORANDUM

TO: Peter Rice
Director of Public Works

FROM: Jacob Levenson
Solid Waste & Sustainability Coordinator

DATE: 3/1/16

SUBJECT: Riverbrook Condo Solid Waste Collection

The City of Portsmouth Solid Waste Ordinance states that the Department of Public Works is responsible for providing curbside collection of solid waste and recycling for residential properties defined as *"any property the predominate use of which is a residential structure containing at least one (1) dwelling unit but not more than four (4) dwelling units."* The Ordinance (see attached ordinance) specifically defines condominiums as a commercial property. The only exception for commercial property pickup by DPW is in the downtown business district outlined in the ordinance.

Because the Riverbrook Condominiums are defined as a commercial property and located outside of the designated Business District, the City does not provide curbside pickup of waste or recyclables. This is true of all similar properties in the City. Residents of condominiums in Portsmouth are always welcome to bring their waste and recyclables to the DPW recycling center on Peverly Hill Road for disposal and processing; however, the ordinance states collection pickup at a commercial property is the responsibility of the property owner.

Jacob Levenson

ARTICLE II: SOLID WASTE, YARD WASTE AND RECYCLING

Section 3.201: PURPOSE

The City of Portsmouth recognizes that a comprehensive municipal program for the disposal of solid waste and yard waste, as well as the recycling of materials is necessary for the convenience of its citizens and the protection of the environment of the municipality. The City further recognizes that such program must be developed and administered in the most cost efficient manner consistent with the goals of the program.

Section 3.202: DEFINITIONS

For the purposes of this ordinance, the following definitions apply:

Bulky Waste: any items whose large size or weight precludes or complicates their handling by normal collection, processing or disposal methods.

Business District: For the purposes of this section, the Business District shall mean the following areas:

Congress Street from Bridge Street to Market Square;
High Street from Congress Street to Ladd Street;
Ladd Street from High Street to Market Street;
Market Street from Market Square to Hanover Street;
Daniel Street from Wright Avenue to Market Square;
Wright Avenue from Daniel Street to State Street;
State Street from Wright Avenue to Pleasant Street;
Pleasant Street from Court Street to Market Square;
Chapel Street from Daniel Street to State Street;
Porter Street from Middle Street to Pleasant Street

Non-Business Districts: For the purposes of this section, the Non-Business Districts shall mean all areas other than those designated as being within the Business District.

Commercial Property: any property the predominate use of which is a structure used for commercial or business purposes including, but not limited to, the following:

- Properties containing five (5) or more dwelling units;
- Hotels, restaurants, warehouses;
- Trailer Parks containing five (5) or more dwelling units;
- Markets, bakeries, grocery stores, fruit stands;
- Manufacturing or industrial;
- Business offices;
- **Condominiums;** and
- Any non-residential use

Construction and Demolition (C&D): waste from the building, tearing down or destruction of a structure or part of a structure.

Garbage: All putrescible waste material including, but not limited to wastes resulting from the handling, preparation, cooking and consumption of food. Garbage shall not include yard, industrial, hazardous and/or radioactive waste.

Hazardous Waste: A solid, semi-solid, liquid or contained gaseous waste, or combination of, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious or

CITY COUNCIL RETREAT

SATURDAY, MARCH 12, 2016

8:30 A.M. TO 4:00 P.M.

**PORTSMOUTH PUBLIC LIBRARY
LEVENSON ROOM**

Agenda

8:30 a.m. – 9:00 a.m.

Coffee

9:00 a.m. – 9:05 a.m.

Introduction

*Mayor Jack Blalock
John P. Bohenko, City Manager*

9:05 a.m. – 9:50 a.m.

Master Plan Update & Housing Topics

*20 min. – Staff Presentation
25 min. – Council Discussion*

Rick Taintor, Planning Director

9:50 a.m. – 10:10 a.m.

McIntyre Building and Next Steps

*10 min. – Staff Presentation
10 min. – Council Discussion*

Dave Allen, Deputy City Manager

10:10 a.m. – 11:00 a.m.

City Hall Space Needs and Facilities Upgrades

*20 min. – Staff Presentation
30 min. – Council Discussion*

Peter Rice, Director of Public Works

11:00 a.m. – 11:10 a.m.

Break

11:10 a.m. – 11:40 a.m.

Haven Well & Water Resources Management

*20 min. – Staff Presentation
10 min. – Council Discussion*

*Peter Rice, Director of Public Works
Brian Goetz, Deputy Director of Public Works*

11:40 a.m. – 1:00 p.m.

Working Lunch

*15 min. – Staff Presentation
15 min. – Council Discussion*

Right-to Know Law Presentation and Discussion

Robert P. Sullivan, City Attorney

30 min. – Council Discussion

Charter Commission/Council Rules and Orders Amendments proposed by Councilor Denton

1:00 p.m. – 1:30 p.m.

Recreation Fields Update

*10 min. – Staff Presentation
20 min. – Council Discussion*

*David Moore, Assistant City Manager
Rus Wilson, Recreation Director
Peter Rice, Public Works Director*

1:30 p.m. – 2:00 p.m.

Senior Center Update & Next Steps

*10 min. – Staff Presentation
20 min. – Council Discussion*

*David Moore, Assistant City Manager
Rus Wilson, Recreation Director
Brinn Chute, Senior Service Supervisor*

2:00 p.m. – 3:00 p.m.

City Council Discussion on Various Issues of Interest

Mayor Jack Blalock

3:00 p.m. – 4:00 p.m.

**Non-meeting with counsel – RSA 91-A:2, I
Collective Bargaining**

*Dianna Fogarty, Director of Human Resources
Thomas M. Closson, City Negotiator
Robert Sullivan, City Attorney*

4:00 p.m.

Adjournment



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: Cable Television + Communications **Renewing applicant**

Name: Richard L Winstanley Telephone: (508) 542-7787

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

Street address: 211 Hillside Drive Portsmouth, NH 03801

Mailing address (if different): _____

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

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

Occupational background:

English teacher, computer college instructor, English Department
chair, network instructor and administrator, IT department
chair, Assistant Provost for Institutional Effectiveness - academic
(college) administrator

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

Reasons for wishing to continue serving: continue to serve the citizens of
Portsmouth to support + help provide the best possible
cable environment



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

Beacon Hospice

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

1) Cheryl Cary 12-B Central Avenue, Portsmouth (781)-640-5806
Name, address, telephone number

2) Jean Henry 12-A Central Avenue, Portsmouth (954) 290-4238
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: Richard G. Winstanley Date: 2/18/16

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 4-1-2019

Annual Number of Meetings: 5 Number of Meetings Absent: 0
2015

Date of Original Appointment: 9-21-2015

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: Planning Board

FEB 24 2016
Renewing applicant

Name: Colby Gamester Telephone: 603-401-0500

Could you be contacted at work? YES / NO - If so, telephone # 603-427-0000

Street address: 1207 South Street

Mailing address (if different): _____

Email address (for clerk's office communication): colbyunh@yahoo.com

How long have you been a resident of Portsmouth? 31 years

Occupational background:

Lawyer - solo practice - Consultant

Landscaping - self employed - Farmer

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

Reasons for wishing to continue serving: to be involved w/ The City
and local community

OVER
➔

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

Regional Council - United Way of the Greater Seacoast

Board of Directors - United Way Boston/Region

Board of Directors - Post Landfill Action Network


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

1) Peter Weeks PO Box 673 603-674-5264
Name, address, telephone number

2) Michael Singer 53 McNabb Court 603-430-8571
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:  Date: 2/17/16

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2018

Annual Number of Meetings: 20 Number of Meetings Absent: 3
2015

Date of Original Appointment: 3/4/2013

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

FEB 29 2016

Committee: Recreation Renewing applicant

Name: Todd Henley Telephone: 603.498.4358

Could you be contacted at work? YES/ NO - If so, telephone# 207.439.3800

Street address: 255 Buckminster Way

Mailing address (if different): _____

Email address (for clerk's office communication): todd@mysocialsports.com

How long have you been a resident of Portsmouth? 15 years

Occupational background:

I am the Recreation Supervisor for the Kittery Community Center and the Seacoast Manager for the NH Sports & Social Club. I have worked in Recreation for 17 years.

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

Reasons for wishing to continue serving: I have a passion for recreation for all ages and it is what my career is in. I am familiar with national trends in programming and facilities and have a young son who will benefit from Portsmouth's recreational opportunities.

OVER
➔

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

- Senior Sub-committee of the Recreation Board (2014-present)
- NH Sports & Social Club - Seacoast Division
- Kittery Community Center Arts & Culture Committee

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

- 1) John White, 74 Congress St. #3, 207.432.3158
Name, address, telephone number
- 2) Adriana Goff, 31 Staysail Way, 603.969.7576
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: Todd Hardy Date: 2/26/16

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 4-1-2019
Annual Number of Meetings: 3 (2015) Number of Meetings Absent: 0
Date of Original Appointment: 11/22/2010

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: Transportation

FEB 17 2016
Renewing applicant

Name: Tristan K Law Telephone: 603-996-6232

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

Street address: 55 ATKINSON ST

Mailing address (if different): PO Box 374

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

How long have you been a resident of Portsmouth? 10 years or so. - time flies!

recently... Occupational background:

WAS A BARTENDER AT THE PRESS LOUNGE FOR A WHILE, THEN I TRIED TO BUY THE PLACE,
BUT... THAT DIDN'T WORK OUT SO WELL. THESE DAYS I MAINLY BOOK MUSICAL ACTS
FOR A FEW VENUES AROUND TOWN.

Would you be able to commit to attending all meetings? YES/NO i'll try my darndest.

Reasons for wishing to continue serving: Gosh, I'd miss MERLE.

OVER
➔

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

Used to be in a book club, that was kinda neat.

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

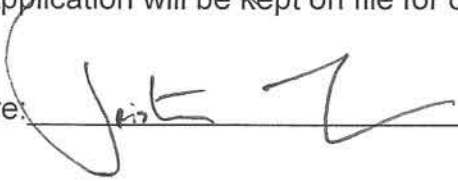
1) CHRISTOPHER HISLOP
Name, address, telephone number

2) MICHAEL WINTERS
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: _____



Date: _____

FEB 18 2016

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/17

Annual Number of Meetings: 13 Number of Meetings Absent: 6
2015

Date of Original Appointment: 6/2/2015

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



received
6/19/12

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: Transportation Services Panel Initial applicant

Name: Mike Merando Telephone: (603)-508-0347

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

Street address: 725 Islington st Portsmouth, NH 03801

Mailing address (if different): _____

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

How long have you been a resident of Portsmouth? 7 years

Occupational background:

I work in the service industry in Downtown Portsmouth.

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

Working in the Service Industry Around Portsmouth for several years has given me insight into many of the issues that plague Portsmouth related to transportation. While I have no prior experience working in government I feel the insight I could provide of both residents and tourist's could be valuable

OVER
➔

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

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

Reasons for wishing to serve: I wish to get involved in local government and ensure that all members of our community get a chance to voice their opinions, and have them heard.

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

None Currently

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

1) Bill Thibeault 725 Islington St Portsmouth, NH 03801 (603) 502-7434
Name, address, telephone number

2) Alden Finver 32A Elm Court Portsmouth, NH 03801 (931) 801-0985
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature: [Handwritten Signature] Date: JANUARY 7th 2016

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

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

ACTION ITEMS AND MINUTES
PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – February 4, 2016

City Hall – Eileen Dondero Foley Council Chambers

Action Items requiring an immediate ordinance during the next Council meeting: none
Temporary Action Items requiring an ordinance during the annual omnibus: none

ACTIONS:

- [1] Accepted and placed on file the minutes of the Parking and Traffic Safety Committee Meeting held on January 7, 2016.
- [2] Accepted and placed on file the Financial Report dated December 31, 2015.
- [3 (V.A.)] **Action Item:** STOP sign request on Aldrich Road at Boss Avenue - **VOTED** to acknowledge the all-way STOP request and place it on file. Also, **VOTED** to direct staff to present examples and ideas regarding residential roundabouts and other traffic calming treatments at next month's meeting.
- [4 (VI.A.)] **Action Item:** NO PARKING restriction on east side of Summit Avenue - **VOTED** to accept staff recommendation to relocate the center line to create a 12-foot travel lane and a 20-foot travel lane.
- [5 (VI.B.)] **Action Item:** Woodbury Avenue/Franklin Drive corridor study – **VOTED** to approve the recommendations, except for the traffic signal at Woodbury Avenue and Route 1 Bypass northbound ramp, and the traffic patterns (right turns onto Woodbury Avenue) on the Route 1 Bypass southbound ramp.

ACTION ITEMS AND MINUTES
PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – February 4, 2016

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- [5 (VI.B.)] **Action Item:** Woodbury Avenue/Franklin Drive corridor study – **VOTED** to approve the recommendations, except for the traffic signal at Woodbury Avenue and Route 1 Bypass northbound ramp, and the traffic patterns (right turns onto Woodbury Avenue) on the Route 1 Bypass southbound ramp.

I. CALL TO ORDER:

Chairman Lown called the meeting to order at 8:00 a.m.

II. ROLL CALL:

Members Present:

Councilor, Brad Lown
City Manager, John Bohenko
Public Works Director, Peter Rice
Deputy Fire Chief, James Heinz
Acting Deputy Police Chief, Frank Warchol
Member, Ted Gray
Member, Ron Cypher
Member, Harold Whitehouse
Alternate Member, Mary Lou McElwain

Staff Advisors Present:

Parking Manager, Joey Giordano
Parking and Transportation Engineer, Eric Eby
Transportation Planner, Juliet Walker

Absent:

Member, Shari Donnermeyer

III. ACCEPTANCE OF THE MINUTES:

Ron Cypher motioned to accept January 7, 2016, meeting minutes.
Harold Whitehouse seconded.

Motion passed 9-0.

IV. FINANCIAL REPORT:

In response to a question from Mary Lou McElwain, City Manager Bohenko stated that a memorandum regarding the downtown parking shuttle service would be distributed to City Council and Parking and Traffic Safety Committee (PTS).

Committee accepted the December 31, 2015, Financial Report.

City Manager Bohenko motioned to suspend the rules to allow for public comments. Public Works Director Rice seconded. **Voted 9-0, to suspend the rules.**

Cynthia and Michael Hart, 213 Aldrich Road, presented a petition signed by fifteen Aldrich Road property owners expressing concern regarding vehicle speeds on the roadway. Additionally, Mrs. Hart provided a *Portsmouth Herald* article dated June 1988, in which her son, Thomas Hart, wrote to Portsmouth Police Chief Burke about speeding vehicles. In the past, she and others have expressed concerns to the City Council and Police Department. Mrs. Hart stated that she observed a 3-way STOP sign in Durham and sent the information to DPW. She requested Aldrich Road at Boss Avenue be reviewed for a 3-way STOP sign, installation of additional speed limit signs, parking enforcement, police monitoring, and visual speed monitoring of the area.

Rick Becksted, 1395 Islington Street, discussed the Woodbury Avenue/Franklin Drive Corridor Study. He supported adding a traffic signal at Franklin Drive and Woodbury Avenue. He expressed concern about the proposed traffic signal at Route 1 Bypass northbound ramp because he thinks it will impede traffic at the Dennett Street and Woodbury Avenue intersection. He recommended closing the Route 1 Bypass southbound ramp and/or the I-95 off-ramp for 48 hours to evaluate traffic patterns.

Peter Weeks, 677 Dennett Street, supported a traffic signal at Franklin Drive but not at Dennett Street.

City Manager Bohenko recommended creating a 15-minute public comment section on the agenda after the Financial Report, with additional comments to be heard at the end of the meeting. The March 2016 agenda will reflect this agenda change.

V. NEW BUSINESS:

A. STOP sign request on Aldrich Road at Boss Avenue – An on-site visit was conducted on February 2nd. Eric Eby stated certain factors and criteria must be met to warrant an all-way STOP sign controlled intersection. The warrants are set by federal and state guidelines. Eric Eby stated that there should be nearly equal volumes of traffic in an 8-hour period on both streets. For example, 200-300 vehicles on the main street and 200 vehicles on the side street. Eric Eby stated a traffic counter was placed at Aldrich Road. Less than 100 vehicles per hour were counted. He stated that none of the warrants for an all-way STOP are met at this location.

City Manager Bohenko motioned to direct staff to present examples and ideas regarding residential roundabouts and other traffic calming treatments at next month's meeting. Ron Cypher seconded. **Vote 9-0, to direct staff to present examples and ideas regarding residential roundabouts and other traffic calming treatments at next month's meeting.**

Harold Whitehouse motioned to acknowledge the all-way STOP request and place it on file. Public Works Director Rice seconded. **Vote 9-0, to acknowledge the all-way STOP request and place it on file.**

VI. OLD BUSINESS:

A. NO PARKING restriction on east side of Summit Avenue – Public Works Director Rice motioned to reconsider this action item from the January 7, 2016, meeting for discussion purposes. Mary Lou McElwain seconded. **Vote 9-0, to reconsider the action item for discussion purposes.**

Public Works Director Rice stated that a site visit was not conducted before the January 7th meeting. In order to fully address the issue, a site visit was conducted on February 2nd. Eric Eby stated the recommendation was to shift the center line on Summit Avenue to provide a 12-foot wide northbound lane and a 20-foot wide southbound lane. The center line would be shifted approximately 5 feet to the east. The 20-foot wide lane would provide room for an 8-foot lane for parking and 12-foot travel lane. Mary Lou McElwain stated that she asked for the reconsideration so that a site visit could be conducted and to address pedestrian and bicycle safety. She reiterated that this action item was presented to the Committee as a request for parking on the east side of Summit Avenue, but had evolved to the school bus issue. She also noticed an old sign at the gate on Summit Avenue that indicated no parking on both sides of the roadway. She stated she would not support the motion to shift the center line.

Public Works Director Rice stated that the site visit demonstrated that the adjustment would not create an impact. He stated he would support the previous vote to move the center line. Public Works Director Rice reiterated that the original request for parking was denied.

Harold Whitehouse motioned to accept staff recommendation. Public Works Director Rice seconded. **Vote 8-1, to accept staff recommendation to relocate the center line to create a 12-foot travel lane and a 20-foot travel lane.** Mary Lou McElwain voted opposed.

B. Woodbury Avenue/Franklin Drive corridor study- Eric Eby reminded the Committee that TEC, Inc. conducted a traffic study of the Woodbury Avenue corridor between Rockingham Avenue and Dennett Street. The findings and recommendations of the study were presented to the Committee at the December 2015 meeting. A public meeting was held on January 13, 2016. Public comments and feedback were provided at the meeting. He stated the request for a sidewalk along Rockingham Avenue between the bike path and Woodbury Avenue had been added to the plan.

Reference the diagram shown in the packet for a complete list of recommendations by TEC, Inc.

Harold Whitehouse requested staff meet with Peter Weeks and Rick Becksted regarding their concerns.

After discussing the recommendations, the Committee agreed to table two of the recommendations. The tabled recommendations were the traffic signal recommendation at Woodbury Avenue and Route 1 Bypass northbound ramp, and the traffic patterns (right-turns onto Woodbury Avenue) on the Route 1 Bypass southbound ramp.

City Manager Bohenko motioned to approve all recommendations except the two tabled recommendations. Public Works Director Rice seconded. **Vote 9-0, to approve the recommendations, except for the traffic signal at Woodbury Avenue and Route 1 Bypass northbound ramp, and the traffic patterns (right turns onto Woodbury Avenue) on the Route 1 Bypass southbound ramp.**

Public Works Director Rice reminded the Committee that this is not the final design. Future public input opportunities will be available before a final design is approved.

City Manager Bohenko recommended that staff address the two tabled recommendations with the public and report back at the next meeting. Chairman Lown requested more information on installing a traffic signal at Franklin Drive and Woodbury Avenue, and closing the I-95 northbound ramp onto Woodbury Avenue.

VII. PUBLIC COMMENT

Rick Becksted, 1395 Islington Street, requested the review of the ramps onto Woodbury Avenue and inquired about truck routes and Cate Street. He commented on the Aldrich Road roadway narrowing and his concerns for safety. He identified a 3-way STOP on West Road and inquired about the traffic counts to warrant it. Mr. Becksted commented on roundabouts and requested radar speed signs be installed on Islington Street.

Kate Mallen, 140 Woodlawn Circle, commented on the decorum of the PTS meeting.

Paul Mannle, 1490 Islington Street, commented on roundabouts, raised speed tables, and requested radar speed signs with strobes.

David Palumbo, 181 Echo Avenue, requested signage on Spaulding Turnpike to direct traffic to Exit 2 for the business and mall districts. He requested signage indicating Echo Avenue is a residential street.

VIII. INFORMATIONAL

A. Banfield Road Improvements Project – Public Works Director Rice informed the Committee of the public meeting at 6:30 PM at DPW to discuss the culvert replacements and Master Planning process for Banfield Road.

Juliet Walker, Transportation Planner, summarized the memorandum that would be provided to the Committee and City Council on the downtown parking shuttle service.

Mary Lou McElwain requested that staff investigate signage that would divert mall traffic from Woodbury Avenue and speed radar signs. Staff was directed to report back.

Ron Cypher recalled that the Committee voted to eliminate two STOP signs on West Road near Campus Drive. Staff was directed to report back.

Harold Whitehouse commented on his action plan for obeying speed limits.

City Manager Bohenko notified the Committee that there would be a future joint work session with the City Council to discuss a residential parking program and the impacts of construction traffic for the wastewater treatment facility on Peirce Island.

IX. ADJOURNMENT – At 9:03 a.m., voted to adjourn.

Respectfully submitted by:

Amy Chastain
Secretary of the Committee

OFFICE OF THE CITY CLERK
CITY OF PORTSMOUTH, N.H.

Memo

Kelli L. Barnaby, CMC/CNHMC
City Clerk
1 Junkins Avenue
Portsmouth, NH 03801
603-610-7207
Fax: 603-427-1579
klbarnaby@cityofportsmouth.com

To: Mayor Jack Blalock and City Council
From: Kelli L. Barnaby, City Clerk
Date: March 3, 2016
Re: 2015 Board and Commission Attendance Records

Please find attached the 2015 attendance records for all Boards and Commissions as requested by the Mayor and City Council.

If you should have any questions, please do not hesitate to contact me directly or via e-mail at klbarnaby@cityofportsmouth.com.

cc: John P. Bohenko, City Manager

2015 - Board and Commission Meeting Attendance Records

	Attended	Excused	Unexcused	Attendance %
African Burial Ground (9 meetings held)				
Bailey, Mary		9		0%
Cunningham, Valerie	7	2		77%
Edwards, Kelvin	9			100%
Jackson, Vernis	9			100%
Council Rep. Dwyer, Crhistine	9			100%
Building Code Appeal - THERE WERE NO MEETINGS HELD IN 2015				
Cable & Communication - (5 meetings held)				
Burns, Amy	5			100%
Capone, Robert	5			100%
Poulin, Ronald	5			100%
Winstanley, Richard (Appt. 09/2015)	1			100%
Citizens Advisory (9 Meetings held)				
Baker, Jamie (Appt. 12/2015)	0			n/a
Bunnell, Judith	8	1		88%
Dahlgren, Hannah (Appt. 11/2015)	0			n/a
Emerson, Nancy	5	4		55%
Hamilton, Alison	8	1		88%
Langley, Lynne	8	1		88%
Rooney, Dani	8	1		88%
Sandberg, Jonathan (Appt. 10/2015)	0			n/a
Conservation Commission (12 meetings held)				
Blanchard, MaryAnn	11	1		91%
Cardin, Matthew	7	5		58%
Harrison, Adrienne (Alt) (Appt. 05/2015)	5	2		71%
McMillan, Barbara	11	1		91%
Miller, Steven	12			100%
Meuse, Kimberly	8	4		66%
Tanner, Allison	11	1		91%
Wright, Samantha (Alt) (Appt. 05/2015)	6	1		85%
Zamarchi, Kate (Appt. 05/2015)	7			100%
Economic Development Com (9 meetings held)				
Bosen, John	6	3		66%
Carmer, Nancy, Ex-Officio	9			100%
City Manager, Ex-officio	8	1		88%
Cohen, Philip	6	2	1	66%
Cyr, Joshua	8	1		88%
Eaton, Everett, Chair	9			100%
Levenson, Dana	8	1		88%
Marchewka, Robert	9			100%
Pratt, John	9			100%
Shaheen, Stefany, Council Rep.	6	2	1	66%
Spear, Eric, Council Rep.	6	3		66%
Zolla, Ron	9			100%
Zorn, Jennifer	7	1	1	77%
Prepared by City Clerk	3/1/2016			

Historic Distirct Com. (25 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Almeida, Joseph, Chair	23	2		92%
Gladhill, William, Plan Brd. Rep	25			100%
Kennedy, Esther, Council Rep.	19	6		76%
Lombardi, Vincent	24	1		96%
John Mayer, Alt. (Appt. 08/2015)	7	1		87%
Melchior, George (resigned 06/2015)	6	6		50%
Rawling, Daniel	22	3		88%
Ruedig, Reagan	23	2		92%
Richard Shea Alt. (Appt. 02/2015)	21	2		91%
Wycoff, Jonathan	23	2		92%
Housing Endowment Fund- (2 meetings held)				
Housing Endowment Fund- (2 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Berg, Steven	1	1		50%
Community Development Dir., Ex Officio	2			100%
Legal Department, Ex Officio	2			100%
Lukacz, Christine	2			100%
Mountjoy, Jeffrey	2			100%
Poubeau, Anne (Appt. 11/2015)	1			100%
Welch, Craig - PHA Director	2			100%
Library Brd. of Trustees (10 meetings held)				
Library Brd. of Trustees (10 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Boley, Bruce	8	2		80%
Crist, John	9	1		90%
Fannin, Jolanda (Appt. 9/2015)	2			100%
Greenslade, Ernestine	9	1		90%
Hausman, Stephanie	9	1		90%
Jamison, Jack	7	3		70%
Landry, Jeff, School Brd. Rep	3			30%
Levenson, Shaula	7	3		70%
Margeson, Donald	10			100%
Record, Jody, Chair (Term ended 10/2015)	5			n/a
Neighborhood (Citywide) BRC (6 meetings held)				
Neighborhood (Citywide) BRC (6 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bergeron, Kathleen	5	1		83%
Cardoso, Cristy	6			100%
Kelleher, Marie (Appt. 08/2015)	2			100%
Lazenby, Cliff	5	1		83%
Mannle, Paul	6			100%
Morgan, Zelita (Council Rep)	2		4	33%
Parking & Traffic Safety (12 meetings held)				
Parking & Traffic Safety (12 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
City Manager (or Designee)	9	3		75%
Cypher, Ronald	11	1		91%
Donnermeyer, Shari	9	2	1	75%
Fire Dept. Rep.	12			100%
Gray Jr, Frederick	11		1	91%
McElwain, Mary Lou (Alt)	12			100%
Police Dept. Rep.	12			100%
PW Director	11	1		91%
Lown, Brad, Council Rep.	12			100%
Prepared by City Clerk Whitehouse, Harold	3/1/2016	1		91%

PEDLP - There were No meetings held in 2015				
Peirce Island Committee (5 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Fernald, Francesca Marconi	3	2		60%
Kennedy, Esther, Council Rep.	2		3	40%
Louttit, Lisa	4	1		80%
Marison, Steve, Co-Chair	5			100%
McVay, John	3	2		60%
Olson, Sylvia (ApPt. 08/2015)	1			100%
Philp, Stephen	5			100%
Pollard, Robert	5			100%
Simon, John	5			100%
Smith, Richard, Co-Chair	4		1	80%
Stettner, Marc	4		1	80%
Townsend, William (Appt. 08/2015)	1			100%
Whitehouse, Harold	4	1		80%
Planning Board (20 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Barker, Michael	16	4		80%
Finn, Justin (Alt)	13	7		65%
Gamester, Colby	17	3		85%
Gladhill, William	19	1		95%
Leduc, Jay	13	7		65%
Moreau, Elizabeth	20			100%
Ricci, John	17	3		85%
Vacancy (Alt)	N/A			N/A
Thorsen, Jack, Council Rep	17	3		85%
Building Inspector, Ex-Officio	13	7		65%
Deputy City Manager, Ex-Officio	19	1		95%
Ports Housing Authority(12 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Griffin, Ruth, Chair	11	1		91%
Kennedy, Gibson "Mike"	12			100%
Leith, John F.	8	4		66%
Pyke, Jennifer (Res. Rep), (Appt. 10/2015)	2			100%
Perkins, Rebecca	9	3		75%
Schwartz, Amy	11	1		91%
Welch, Craig, PHA Director	12			100%
Recreation Board (3 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Becksted Jr., Rick	3			100%
Cali-Pitts, Jacqueline	2	1		66%
Diemer, Carl	3			100%
Henley, Todd	3			100%
Louttit, Lisa	2	1		66%
Lynch, Kathy	2	1		66%
Sirmaian, Kory	3			100%
Council Liaison, Spear, Eric	2	1		66%
School Brd.Rep Novelline Clayburgh, Nancy	1	2		33%

Sustainable Practices (9 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Britz, Peter, Ex-Officio	8	1		88%
Cohen, Bert	9			100%
Cook, Robert	4	5		44%
Denton, Josh	9			100%
Ellis, Patrick, School Board Rep.	8	1		88%
Lariviere, Lawrence (Apt. 10/2015)	3			100%
Morgan, Zelita (Council Rep)	3	6		33%
Stadterman, Drew	4	5		44%
Tator, Samuel (Wes)	7	2		77%
Taxi Commission (13 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Bresciano, Peter	13			100%
Cataldo, Lawrence	10	3		76%
Dunfey, Steven	12	1		92%
Law, Tristan	7	6		53%
Police Representative	13			100%
Splaine, James, Council Rep.	11	2		84%
Vacant, Taxi Co. Rep	n/a	n/a		n/a
Trees/Public Greenery (11 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Adams, Richard	11			100%
Dupere, A.J., State Forester	7	4		63%
Loughlin, Peter, Chair	9	2		81%
Peter Rice, PW Director	10	1		90%
Souto, Dennis	9	2		81%
Stevens, Leslie	10	1		90%
Croteau, Todd PW Gen. Foreman	9	2		81%
Trustees of Trust Funds (20 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Eldridge, Phyllis	18	2		90%
Levenson, Dana	20			100%
Watson, Thomas	20			100%
Zoning Board of Adjustment (16 meetings held)	<u>Attended</u>	<u>Excused</u>	<u>Unexcused</u>	<u>Attendance %</u>
Durbin, Derek (Term Ended 12/01/15)	9	6		56%
Johnson, Jeremiah, (Alt)	15	1		93%
LeMay, Charles	14	2		87%
Moretti, Patrick	14	2		87%
Mulligan, Christopher	13	3		81%
Parrott, Arthur	15	1		93%
Rheaume, David	15	1		93%
Witham, David, Chair	14	2		87%
Vacancy (Alternate)	n/a	n/a		n/a