

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, MAY 6, 2019 TIME: 6:15 PM

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- 6:15PM – PUBLIC DIALOGUE SESSION
- 6:50PM – PORTSMOUTH CITY COUNCIL PHOTOGRAPH

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

## PROCLAMATIONS

1. Honoring the Civic Service of Nancy Beck
2. Police Week – Peace Officers’ Memorial Day – May 15, 2019
3. Small Business Week – May 5<sup>th</sup> – May 11<sup>th</sup>, 2019
4. National Bike Month
5. 100<sup>th</sup> Anniversary of Atlantic Heights Neighborhood

## PRESENTATION

1. Senior Activity Center Re: Cottage Street Location f/k/a Paul A. Doble Army Reserve Center – Brinn Sullivan (***Sample motions – (1) move to authorize the City Manager to request from the Trustees of the Trust Fund, \$1,525,200.00 from the Daniel Street Trust to be used for senior center construction costs (2) move to establish a public hearing for May 20<sup>th</sup> to consider and recommend \$2.5 M bond to be used for senior center construction costs***)

## V. ACCEPTANCE OF MINUTES – APRIL 15, 2019

## VI. PUBLIC DIALOGUE SUMMARY

## VII. PUBLIC HEARINGS AND VOTES ON ORDINANCES AND/OR RESOLUTIONS

- A. Public Hearing and Second Reading of Ordinance amending Chapter 10 – Zoning Map 10.5A21A by changing the property with the address of 15 Middle Street from Civic District to Character District 4 and amending Zoning Map 10.5A21B by changing the height requirement area for the property’s street frontages on Porter Street and Maplewood Avenue to 2-3 stories (40’)
- B. First Reading of Ordinance amending Chapter 6, Article II, Section 6.202 – BILLIARDS AND BOWLING HOURS

## VIII. APPROVAL OF GRANTS/DONATIONS

- A. \*Acceptance of Community Development Block Grant Funds (***Sample motion – move to accept and expend a Community Development Block Grant (CDBG) in the amount of \$526,934.00 from the U.S. Department of Housing and Urban Development***)

## IX. CONSENT AGENDA

### ***(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)***

- A. Letter from Donna Hepp, Granite State Wheelmen, Inc., requesting permission to hold the 46<sup>th</sup> annual Seacoast Century Bicycle Ride on Saturday, September 21, 2019 and Sunday, September 22, 2019 (***Anticipated action – move to refer to the City Manager with power***)
- B. 2019 Omnibus Sidewalk Obstruction Renewals (See attached list) (***Anticipated action – move to approve and accept the 2019 Omnibus Sidewalk Obstruction Renewals***)
- C. Request for License to Install Projecting Sign for Simchik-McGovern III, LLC, Corene McGovern & Michael Simchik owner of The Chamfered Corner for property located at 140 Penhallow Street (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

#### **Planning Director's Stipulations**

- ***The license shall be approved by the Legal Department as to content and form;***
  - ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***
  - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- D. Request for License to Install Projecting Sign for Albert Fleury owner of The Green Room for property located at 41 Vaughan Mall (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

#### **Planning Director's Stipulations**

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***

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

- A. Email Correspondence (***Sample motion – move to accept and place on file***)
- B. Letter from Margaret L Riffe regarding Carey Cottage
- C. Letter from Debra Oliver, The Clip Joint Barbershop thanking the City Council for reconsidering date of the Pedestrian Zone Events (***Sample motion – move to accept and place on file***)

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

**A. CITY MANAGER**

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

- 1. Approval of AFSCME Local A-1386 Re: Collective Bargaining Agreement
- 2. Proposed Longmeadow Road Extension Project
- 3. CIP Request Re: New Franklin Elementary School Facility Improvements
- 4. Request to Establish a Work Session for May 20, 2019 Re: Update on Coakley Landfill
- 5. Source Water Protection Project Re: Acquisition of 3.11 of Undeveloped Proposed Adjacent to the Greenland Well
- 6. 150 Route 1 Bypass Water Access Easement

**City Manager's Informational Items:**

- 1. Upcoming FY20 Budget Work Sessions
- 2. Report Back Re: Parking Principles
- 3. Portsmouth Receives Silver Walk Friendly Community Designation – April 16, 2019

**B. MAYOR BLALOCK**

- 1. Appointments to be Considered:
  - Appointment of Jeffrey Mattson as an Alternate to the Building Code Board of Appeals
  - Reappointment of Margot Doering to the Historic District Commission
  - Reappointment of Reagan Ruedig to the Historic District Commission
  - Reappointment of Jonathan Wyckoff to the Historic District Commission
  - Reappointment of Kory Sirmaian to the Recreation Board

2. Appointment to be Voted:
  - \*Reappointment of Robert Capone to the Cable Television & Communications Commission
3. Resignation of Kelly Weinstein from the Citywide Neighborhood Committee
4. The City Manager Search Subcommittee Report / RFP
5. \*Bike Ride with the Mayor – May 8<sup>th</sup> at Noon

**C. COUNCILOR ROBERTS, COUNCILOR DWYER & COUNCILOR PERKINS**

1. \*McIntyre Subcommittee Request to Establish Work Session with Financial Consultant

**D. COUNCILOR PEARSON**

1. Letter regarding The Society for the Protection of New Hampshire Forests

**E. COUNCILOR DENTON**

1. Proposed Rule Change – Rule 7 Order of Business

**F. COUNCILOR RAYNOLDS**

1. \*Our Working Port and Renewable Energy in New Hampshire

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIII. ADJOURNMENT**

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

*\* Indicates verbal report*



**The Council Chambers  
City Hall  
Portsmouth, New Hampshire**

**A Proclamation**

- Whereas:** Today we honor longtime Portsmouth resident Nancy Beck for her dynamic leadership throughout the years and sustained commitment to enrich a high quality of life in our City; and
- Whereas:** In her sixty years of residency, Nancy's work has resulted in a profound cultural impact to this community that many would not realize; and
- Whereas:** This began with her work chairing Rockingham County's March of Dimes Drive, to then serving as a President of the Theatre of the Sea, Portsmouth Public Library – where she helped increase charitable contributions from \$2.2 million to \$5.6 million within a two year period – Strawberry Banke Museum and Portsmouth Preservation Inc.; and
- Whereas:** Nancy continued to serve on the Greater Portsmouth Community Foundation, Greater Piscataqua Community Foundation, the Community Development Committee, Portsmouth Hospital Building Fund Campaign and the Board of the Warner House; and
- Whereas:** Nancy also maintains long-standing commitments in giving back to local institutions such as Strawberry Banke, Portsmouth Historical Society and the Shoals Marine Lab; and
- Whereas:** Therefore, it is no shock that Nancy has received numerous awards and recognitions, such as Portsmouth Advocate's Arthur Gerrier Award for her commitment to preserve the houses at Strawberry Banke – proceeds which she then donated to further rehabilitate Strawberry Banke buildings;
- Whereas:** Nancy's efforts to instill longstanding traditions and preserve our history has resulted in meaningful impacts for our City, and I hope it inspires us all to reflect on how we can play our part in giving back to our community and being a passionate, active citizen.

Now, therefore, I, Jack Blalock, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim on the sixth day of May 2019 that we honor the civic service of

***Nancy Beck***

Given with my hand and the  
Seal of the City of Portsmouth,  
on this 6<sup>th</sup> day of May 2019

  
Jack Blalock, Mayor of Portsmouth



**The Council Chambers  
City Hall  
Portsmouth, New Hampshire**

**A Proclamation**

**Whereas:**

Congress and the President of the United States have designated May 15th as Peace Officers' Memorial Day and the week in which it falls as National Police Week; and

**Whereas:**

The members of the Portsmouth Police Department play an essential role in safeguarding the rights and freedoms of Portsmouth and the State of New Hampshire; and

**Whereas:**

It is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their Police Department; and

**Whereas:**

The members of our Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**Whereas:**

The men and women of the Portsmouth Police Department unceasingly provide a vital public service.

Now, therefore, I, Jack Blalock, Mayor of the City of Portsmouth, on behalf of the members of the City Council, do hereby call upon all citizens of Portsmouth and upon all patriotic, civic, and educational organizations to observe the week of May 12 to May 18, 2019, as

***Police Week in Portsmouth***

with appropriate ceremonies and observances in which all of our people may join in commemorating all law enforcement officers past and present who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of Portsmouth to observe May 15, 2019, as

***Peace Officers' Memorial Day***

in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community, or have become disabled in the performance of duty. Let us recognize and pay respect to the survivors of our fallen heroes by lowering all City, State and American flags in Portsmouth to half-staff on Wednesday, May 15, 2019.

Given with my hand and the  
Seal of the City of Portsmouth,  
on this 6th day of May, 2019.



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Jack Blalock, Mayor of Portsmouth

**The Council Chambers  
City Hall  
Portsmouth, New Hampshire**

**A Proclamation**

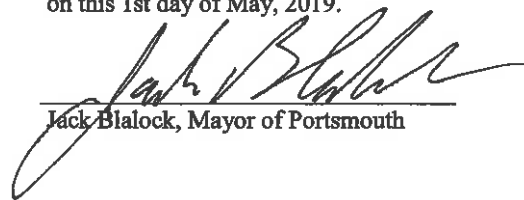
- Whereas:** Much of America's and Portsmouth's progress has been driven by small business owners and entrepreneurs who take risks and work hard; and
- Whereas:** according to the NH Employment Security Information Bureau, 90% of Portsmouth's small businesses employ less than 50 employees; and
- Whereas:** the City of Portsmouth, New Hampshire celebrates the extraordinary energy and passion of its local small businesses and their contributions to our economy, neighborhoods and community; and
- Whereas:** by supporting small businesses, two out of three jobs nationwide are created and communities preserve their unique culture; and
- Whereas:** the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs; and
- Whereas:** Portsmouth, NH supports this national effort to help small businesses grow their business, create jobs, and keep our communities vibrant.

Now, therefore, I, Jack Blalock, Mayor of the City of Portsmouth, on behalf of the City Council and the residents of Portsmouth, do hereby proclaim May 5-11, 2019 as

***Small Business Week in Portsmouth***

and urge the residents of our community, and communities across the country, to continue to support small businesses and merchants this week and throughout the year.

Given with my hand and the  
Seal of the City of Portsmouth,  
on this 1st day of May, 2019.



Jack Blalock, Mayor of Portsmouth



**The Council Chambers  
City Hall  
Portsmouth, New Hampshire**

**A Proclamation**

- Whereas:** May is National Bike Month and bicycling is an integral part of Portsmouth's multi-modal transportation system; and
- Whereas:** the League of American Cyclists recognizes Portsmouth as a Bronze Level Bike Friendly Community for its commitment to improving conditions for bicycling through investment in bicycling promotion, education programs, infrastructure and pro-bicycling policies; and
- Whereas:** the City follows important guidelines within its Safe Routes to School Program, Wayfinding Program, Bike Friendly Community Policy and Complete Streets Policy to responsibly steer ongoing initiatives; and
- Whereas:** Portsmouth continues to grow its bicycle culture with its fleet of ten Zagster bike share stations, enhanced bicycle lanes along the Middle Street and Market Street corridors, and future plans for the North Mill Pond and New Hampshire Seacoast Greenways; and
- Whereas:** by strengthening our bicycle infrastructure, the City will further encourage Portsmouth residents, visitors and employees to use biking as a preferred, alternative form of transportation to benefit one's personal health and our shared environment; and
- Whereas:** I urge our community to take advantage of the City's bicycle amenities, partake in this month's local competitions hosted by commuteSMARTseacoast and embrace the benefits of leaving their motor vehicles at home.

Now, therefore, I, Jack Blalock, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim May 2019 as

***Bike Month***

Given with my hand and the  
Seal of the City of Portsmouth,  
on this 6<sup>th</sup> day of May 2019.

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Jack Blalock, Mayor of Portsmouth



The Council Chambers  
City Hall  
Portsmouth, New Hampshire

100<sup>th</sup> Anniversary of Atlantic Heights

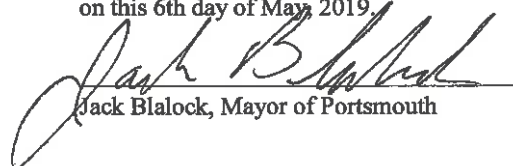
A Proclamation

- Whereas:* Atlantic Heights was opened for rental to the public on May 3, 1919; and
- Whereas:* This unique historic development has contributed to Portsmouth's distinct architectural character; and
- Whereas:* It was designed as a self-sufficient community to house shipyard workers for the Atlantic Corporation Shipyard; and
- Whereas:* The Atlantic Corporation shipyard contributed to the World War I shipping effort by providing ten ships, (Kisnop, Babbasasic, Portsmouth, Nipmuk, Norumbega, Brookline, Springfield, Tolosa, Pachet, and Pagasset), for cargo services; and
- Whereas:* As described by Richard Candee in his book on Atlantic Heights, it is "Portsmouth's most complete and least changed relic of the first World War. It is just as important for architectural and town planning ideas of the early twentieth century as the City's South End or Market Square sections are for the eighteenth and early nineteenth centuries. Like other historic neighborhoods of Portsmouth, it remains a living and changing community."
- Whereas:* For one hundred years Atlantic Heights has provided a place to live for many of Portsmouth's residents. A place to call home.

NOW, THEREFORE, I, Jack Blalock, Mayor of Portsmouth, New Hampshire, do hereby join with all of the Members of the City Council and all of the residents of the entire City in wishing Happy 100<sup>th</sup> Anniversary to the Atlantic Heights. The Heights is truly a real neighborhood community which has shared together its happy times and times of sorrow. May this area of the City continue to work together to make their neighborhood the wonderful area of this City for elderly as well as family living. Thank you for all that you do to create a great image for this fine City of Portsmouth.



Given with my hand and the  
Seal of the City of Portsmouth,  
on this 6th day of May, 2019.

  
Jack Blalock, Mayor of Portsmouth

**New Senior Activity Center at Former Doble Army Reserve Center  
Project Budget: Expenses and Revenues to Complete**

<b>\$4,562,925</b>	<b>Total Project Cost</b>
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<b>Expenses to Date</b>	<b>Revenue Source</b>
\$367,822	HUD CDBG Grant & other Non-Federal - Design and Engineering
\$21,339	HUD CDBG Grant - Acquisition & other Administrative Fees
\$75,398	HUD CDBG Grant - Asbestos Removal
<b>\$464,560</b>	<b>Subtotal of Total Project Cost</b>

<b>Budget to Complete</b>	<b>Budget Item</b>
\$3,487,537	Construction – General (per Harvey Construction estimate, 4/4/19)
\$58,500	Asbestos Removal
\$153,200	Construction Administration (per AECm proposal, rev. 4/1/19)
\$244,128	7% Owner Contingency
\$100,000	FFE (furnishings/fixtures/equipment)
\$55,000	Tel./Data/Security
<b>\$4,098,365</b>	<b>Subtotal of Total Project Cost</b>

<b>Revenue Available to Complete</b>	<b>Source</b>
\$1,525,200	Daniel Street Trust
\$75,088	General Fund FY16 & FY 17-CIP Doble
<b>\$1,600,288</b>	<b>Total</b>

<b>\$2,498,077</b>	<b>Amount to be Bonded</b>
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## AMORTIZATION AND PAYMENT SCHEDULE-20 YEAR

BOND                   \$2,500,000  
 YEARS                    20  
 RATE                    3.75%

Year	Beginning Balance	Principal	Interest	Total Payment	Ending Balance	FY	Tax Rate Effect
					2,500,000		
1	2,500,000	125,000	93,750	<b>218,750</b>	2,375,000	<b>2020</b>	<b>\$0.04</b>
2	2,375,000	125,000	89,063	<b>214,063</b>	2,250,000	<b>2021</b>	<b>\$0.04</b>
3	2,250,000	125,000	84,375	<b>209,375</b>	2,125,000	<b>2022</b>	<b>\$0.04</b>
4	2,125,000	125,000	79,688	<b>204,688</b>	2,000,000	<b>2023</b>	<b>\$0.04</b>
5	2,000,000	125,000	75,000	<b>200,000</b>	1,875,000	<b>2024</b>	<b>\$0.04</b>
6	1,875,000	125,000	70,313	<b>195,313</b>	1,750,000	<b>2025</b>	<b>\$0.03</b>
7	1,750,000	125,000	65,625	<b>190,625</b>	1,625,000	<b>2026</b>	<b>\$0.03</b>
8	1,625,000	125,000	60,938	<b>185,938</b>	1,500,000	<b>2027</b>	<b>\$0.03</b>
9	1,500,000	125,000	56,250	<b>181,250</b>	1,375,000	<b>2028</b>	<b>\$0.03</b>
10	1,375,000	125,000	51,563	<b>176,563</b>	1,250,000	<b>2029</b>	<b>\$0.03</b>
11	1,250,000	125,000	46,875	<b>171,875</b>	1,125,000	<b>2030</b>	<b>\$0.03</b>
12	1,125,000	125,000	42,188	<b>167,188</b>	1,000,000	<b>2031</b>	<b>\$0.03</b>
13	1,000,000	125,000	37,500	<b>162,500</b>	875,000	<b>2032</b>	<b>\$0.03</b>
14	875,000	125,000	32,813	<b>157,813</b>	750,000	<b>2033</b>	<b>\$0.03</b>
15	750,000	125,000	28,125	<b>153,125</b>	625,000	<b>2034</b>	<b>\$0.02</b>
16	625,000	125,000	23,438	<b>148,438</b>	500,000	<b>2035</b>	<b>\$0.02</b>
17	500,000	125,000	18,750	<b>143,750</b>	375,000	<b>2036</b>	<b>\$0.02</b>
18	375,000	125,000	14,063	<b>139,063</b>	250,000	<b>2037</b>	<b>\$0.02</b>
19	250,000	125,000	9,375	<b>134,375</b>	125,000	<b>2038</b>	<b>\$0.02</b>
20	125,000	125,000	4,688	<b>129,688</b>	-	<b>2039</b>	<b>\$0.02</b>
Totals 20 Years		2,500,000	984,375	<b>3,484,375</b>			
			Average Payment	197,656			



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

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## **Future Senior Activity Center**

Presentation to City Council

May 6, 2019



# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

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## Senior Sub Committee of the Recreation Board:

January 2014 - Present

Meets quarterly or more as needed

Met 22 times in 4 years (Average 5 meetings/year)

- Carl Deimer, Chair
- Judith Bunnell
- Todd Henley
- Nancy Novelline-Clayburg
- Cyndi Shanley
- Diane Share
- Kory Sirmaian
- Maureen O'Leary (*Portsmouth Resident & Coordinator for the National Institute of Senior Centers through the National Council on Aging*)
- Joshua Cyr, City Council Rep 2016/2017
- Ron Poulin – retired spring 2018

# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

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## Community Input:

- December 2013:** Mayor's Blue Ribbon Senior Committee Report recommends the reuse of the Doble property as the future senior activity center.
- January 2014:** Senior Subcommittee formed & starts meeting.
- May 2015:** Recreation Board's Senior Subcommittee recommends Doble property as future senior activity center.
- September 2017:** Community Input Session on future senior center
- October 2018:** Abutters Meeting of 125 Cottage Street
- January 2019:** City Website created to provide information on future center

# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT



## Community Input Session

September 2017:  
Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

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# Future Senior Activity Center





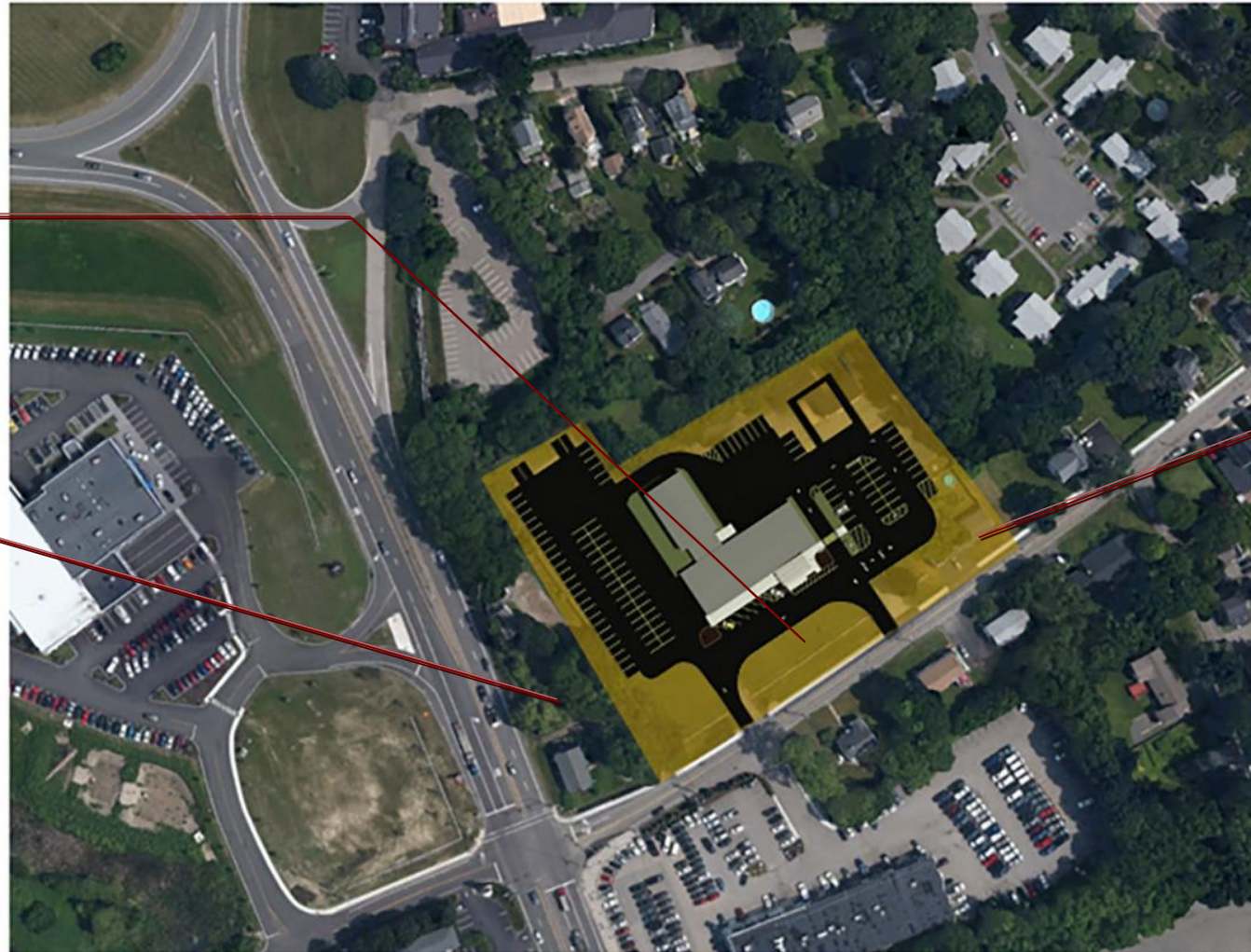
# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

125 Cottage Street

185 Cottage Street  
(New Medical/Dental  
Complex)

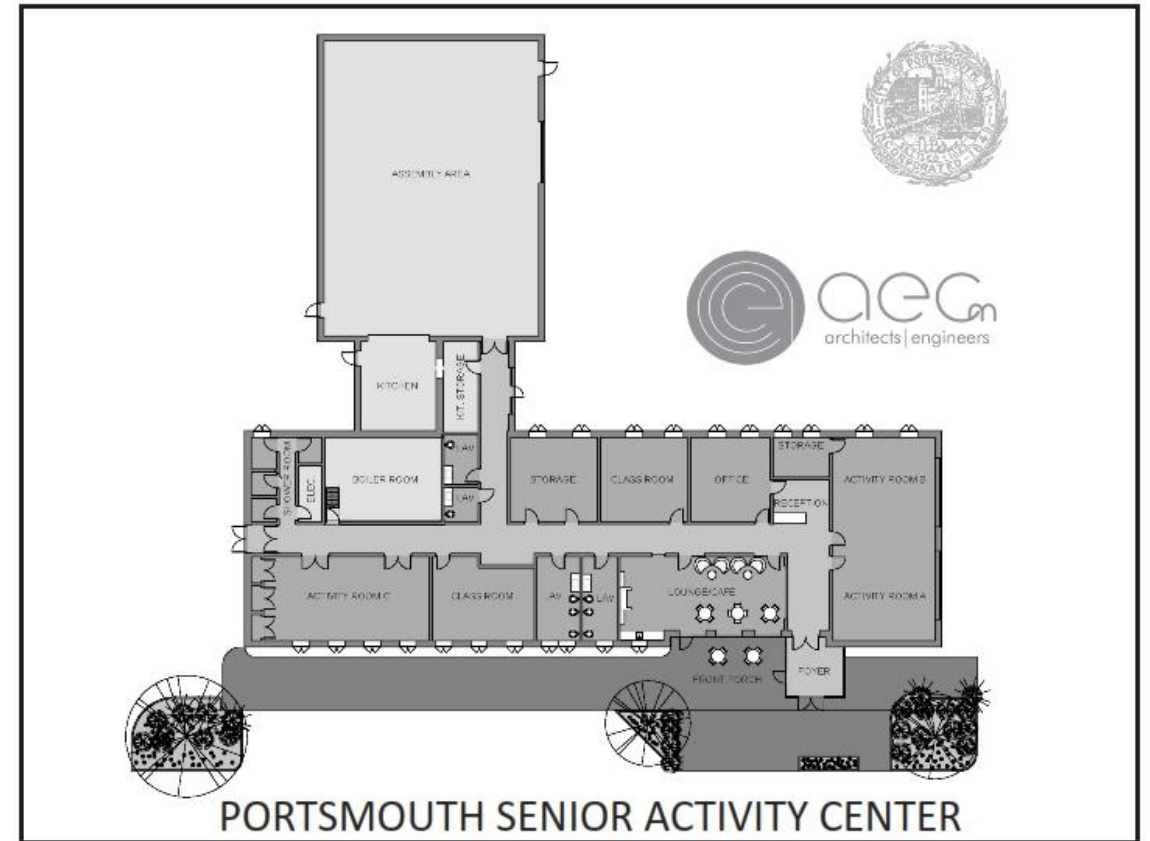


113 Cottage  
(City Owned)

# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT





# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT



## Front View



Outdoor Seating

Drop Off Zone



# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

Climate Controlled Entryway



# Front Foyer



Welcoming Area



# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

Sound Control, lighting +  
design element



## Drop In Lounge

Doors to outside patio +  
natural light

Coffee Station

# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

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## Senior Activity Center Goals: *Present & Future*

- Inviting, inclusive & comfortable **drop-in space** for informal gathering
- Extensive array of programs for **all interests and abilities**
- **Safe**, well organized, fun space for activities both **indoors + outside**
- Programming to include **Arts & Culture, Health & Fitness, Diversity, Educational, & Social**
- **Vibrant, modern hub** for seniors and the community to gather
- The senior subcommittee supports a vision for a 50+ activity center serving both the current senior population and the soon-to-be senior. To continue to build membership and **serve 5 decades of older adults**. This innovative and **inclusive philosophy** encourages a multigenerational environment which offers layers of support and creates a dynamic atmosphere.

# Future Senior Activity Center



City of Portsmouth  
SENIOR SERVICES DEPARTMENT

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## Timeline Moving Forward:

February 2019:	Acquisition of 125 Cottage Street property
April 2019:	Asbestos Abatement completed
Spring 2019:	Bid documents publically noticed by the City
Summer 2019:	Commence construction
Spring/Summer 2020:	Completed construction

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, APRIL 15, 2019

PORTSMOUTH, NH  
TIME: 7:00 PM

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At 6:15 p.m. a Non-Public Session was held in accordance with RSA 91-A:2, I (a) regarding Strategy or Negotiations with respect to Collective Bargaining – AFSCME Local 1386.

### **CALL TO ORDER**

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

### **I. ROLL CALL**

**PRESENT:** Mayor Blalock, Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Perkins, Raynolds and Becksted

### **II. INVOCATION**

Mayor Blalock asked everyone to join in a moment of silence.

### **III. PLEDGE OF ALLEGIANCE**

Mayor Blalock led the Pledge of Allegiance.

### **PRESENTATIONS**

1. Arbor Day – Growth Award – Corin Hallowell, Arborist & Charles Baxter, Arborist

Mayor Blalock announced and presented Portsmouth's Parks and Greenery Department, led by arborists Corin Hallowell and Charles Baxter, with the Tree Growth Award. Corin accepted the award with thanks and appreciation for the support of the City Council and City Manager Bohenko.

2. McIntyre Presentation Introduction of David Eaton from Colliers International

Mr. Eaton provided a brief presentation on the financial analysis that Colliers International will be conducting on the McIntyre project. He spoke to his 30 years of experience and diverse skill set encompassing the sale, development, management and finance of residential, commercial, retail and industrial properties. He said that the McIntyre is an important piece of land in the City. Councilor Dwyer asked what kinds of information will be provided to the City. Mr. Eaton said they will put things into financial exhibits, provide sharing and participation programs. He said the exhibits will be presented to the City Council as part of the application going to the Federal government.

Councilor Becksted asked if Colliers International has ever been hired by the City. Mr. Eaton said Mr. David Choate is his partner and he may have done some work for the City. Mr. Eaton also indicated that he had been hired once in December but it was not related to this project. Councilor Becksted asked if Mr. Eaton had done work with the Kane's before. Mr. Eaton said no.

Councilor Raynolds asked if the company considers themselves experts in their field. Mr. Eaton said they work with development cases and are not appraisers. Councilor Raynolds asked if they would provide an estimate of the expected real estate value for the development and rental income that will result and the profitability of the developer. He also asked about expected income on ground leases and real estate taxes and making a recommended estimate as to the proposed perimeters of the financial deal. Mr. Eaton said they will either support the project or not and will look at the rents, occupancy rates and proposed expenses. He indicated the City will see an exhibit projected out several years with equity, capital and estimated returns.

Councilor Roberts asked how profitability, risks and expenses are reviewed. Mr. Eaton said they have marketing information, operating pro formas, market studies on rental structures. He said matrix's to apply as operating expenses is a return on equity estimate, confirm vacancy rates and make sure that the project can prove to be profitable.

#### **V. ACCEPTANCE OF MINUTES – APRIL 1, 2019**

**Councilor Perkins moved to accept and approve the minutes of the April 1, 2019 City Council meeting. Seconded by Councilor Dwyer and voted.**

#### **VI. PUBLIC COMMENT SESSION**

Roy Helse asked if the development on Rockingham Avenue and Woodbury Avenue will be required to install sound barriers. He also spoke to the rezoning request of 15 Middle Street.

Edward Richards said he is a petitioner that lives in the neighborhood of Chase Drive. He said they have been confronted with a change to the development of the church. He said the neighborhood is concerned and feels spot zoning has occurred. Mr. Richards said they do not want a housing development of over 200 homes when most of the neighborhood are single family homes. He stated that the zoning should revert back to SRB zone.

Tim MacDonald spoke in opposition to the proposed downtown street closures. He would like to learn more on the cost benefit of the closures and the time spent by staff on this proposal. He said there will be a loss of 92 parking spaces during the events and suggested that other areas that are less impactful be considered.

Esther Kennedy spoke to a public dialogue session when she brought forward the issues of parking, the creation of a park and the post office regarding the McIntyre project. She spoke to parking being a great deal of the conversation by the City in June, 2017. She feels that the City has not listened to the public input outlining concerns relative to the McIntyre project.

David Allen representing Seacoast Area Bicycle Riders Board, extended their best to the City on the upcoming Portsmouth Mayor's Ride on Wednesday, May 8<sup>th</sup> at Noon. He said there will be a bicycle tour of recent and planned bicycle and pedestrian improvements. He thanked the staff and Planning and Public Works Department for the work they do. He announced that the ride will start at City Hall and invited the City Council to attend or participate in the event.

Mayor Blalock passed the gavel to Assistant Mayor Lazenby.



**Mayor Blalock moved to suspend the rules in order to take up City Manager’s Informational Item XI. A.1. – Presentation Re: Per and Polyfluoroalkyl Substances (PFAS) in the Pease Public Water System Update – Captain Gary D. Perlman & Dr. Gregory V. Ulirsch. Seconded by Councilor Becksted and voted.**

Assistant Mayor Lazenby returned the gavel to Mayor Blalock

XI. A.1. Presentation Re: Per and Polyfluoroalkyl Substances (PFAS) in the Pease Public Water System Update – Captain Gary D. Perlman & Dr. Gregory V. Ulirsch

Dr. Ulirsch provided a detailed update on the Pease Public Water System and evaluation of exposure to Per- and Polyfluoroalkyl Substances (PFAS). He said the Agency for Toxic Substances and Disease Registry (ATSDR) is a public health agency that evaluates environmental exposures for public health risks. He informed the Council that ATSDR has released a health consultation on drinking water contamination at the Pease Tradeport PWS. He advised the Council the health consultation evaluated whether water containing PFAS posed a health threat to people who drank it any time since 1993. He indicated those people included workers at the Pease International Tradeport and children at the two childcare centers at the Pease International Tradeport. He announced the full report is titled “Per- and Polyfluoroalkyl Substances (PFAS) in the Pease Tradeport Public Water System (PWS). Dr. Ulirsch said you can find the report at <https://www.atsdr.cdc.gov/HAC/PHA/HCPHA.asp?State=NH>.

Dr. Ulirsch reported the health consultation concluded that Pease International Tradeport workers and children who attended the childcare centers were exposed to PFAS by drinking contaminated water. He stated the water was supplied to the Pease International Tradeport before the Haven well was shut down in May 2014. He said drinking water from the Pease Tradeport PWS during this time might have increased the risk for some harmful health effects. He stated the cancer risk from past exposure to all PFAS in the Pease Tradeport PWS is uncertain.

Dr. Ulirsch stated though the Haven well has shut down, there are still low levels of PFAS in the water serving the Pease Tradeport PWS. He said ATSDR does not expect that consuming water or consuming low levels of PFAS from the Pease Tradeport PWS (after May 2014) will harm people. He stated however, persons who were exposed to PFAS from the Pease Tradeport Water System in the past should be aware of ways to reduce future PFAS exposures. He said information on ways to reduce exposures to all sources of PFAS is available at <https://www.atsdr.cdc.gov/pfas-exposure.html>.

Dr. Ulirsch reported based on available scientific information, ATSDR concludes that the health and nutritional benefits of breastfeeding outweigh the risks associated with PFAS in breast milk. He also reported that exposure to perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and perfluorohexane sulfonic acid (PFHxS) can depress the immune response, increase cholesterol, slow growth and development, and cause liver damage. He stated ATSDR is available to consult with any health care provider, as needed.

Councilor Becksted requested that Dr. Ulirsch get this information out to the Pease Development Authority for their meeting scheduled on Thursday, April 18, 2019. He also indicated that there is a public comment session at the meeting which begins at 8:00 a.m.

Deputy Public Works Director Goetz said since May 2014 the Haven well has been shut down. He also stated since 2016 there has been carbon filtration on the other wells.

Assistant Mayor Lazenby asked if children that have been exposed, is the need for avoidance important. Dr. Ulirsch said yes it is.

Councilor Dwyer asked about the effects to development and the need for more information on contacting a health care provider. Dr. Ulirsch said that they would get more information out and work in conjunction with the CAP. Councilor Dwyer spoke to the long term effects and asked if Dr. Ulirsch would come back over time to alert individuals to the long term effects. Dr. Ulirsch said he and Capt. Perlman will be around for a while. He said they look at testing procedures and have been conducting health studies for over 30 years.

Councilor Roberts asked about the state of research. Dr. Ulirsch said research continues. Councilor Roberts asked about the health effects and how long will the process take for a conclusion to come forward. Dr. Ulirsch stated a few years and announced that they will have an office in the area.

## **VII. VOTES ON ORDINANCES AND/OR RESOLUTIONS**

- A. First reading of Ordinance amending Chapter 10 – Zoning Map 10.5A21A by changing the property with the address of 15 Middle Street from Civic District to Character District 4 and amending Zoning Map 10.5A21B by changing the height requirement area for the property street frontages on Porter Street and Maplewood Avenue to 2-3 stories (40')

**Councilor Roberts moved to pass first reading and schedule second reading and a public hearing for the May 6, 2019 City Council meeting. Seconded by Councilor Dwyer.**

Councilor Becksted spoke to the last meeting and the confusion regarding the current zoning. Planner Peter Stith said the property has been zoned civic and was presented that way at the Planning Board. He said civic properties are owned by non-profits.

Councilor Roberts asked about the height and said he thought it would be lower. Planner Stith said the height extends around the building to the similar height of the surrounding buildings.

Councilor Becksted asked why we are being asked to rezone this property to something other than civic. He said the property has always been zone civic, maybe there are others in the community that would like to look at this property. Councilor Becksted also stated under the plan coming before us a hotel has the highest requirement for parking spaces.

Councilor Dwyer said she would like a comparison with other properties that are zoned civic. She said it would be helpful to understand other civic designations and issues.

**Motion passed. Councilor Becksted voted opposed.**

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

- A. Acceptance of Donation from Poco Diablo, Inc., Restaurant – John Golumb & Marlisa Geroulo for Light Forms art installation on Ceres Street by Pandora LaCasse Designs - \$2,250.00

Councilor Reynolds moved to accept the first installment donation of \$2,250.00 from Poco Diablo's Restaurant for the purchase of light forms on Ceres Street from Pandora LaCasse Designs. Seconded by Councilor Perkins and voted.

B. Acceptance of Wellness Award – Health Trust Wellness Program - \$2,000.00

Assistant Mayor Lazenby moved to accept the \$2,000.00 Wellness Grant from Health Trust to be used toward wellness initiatives in 2019. Seconded by Councilor Perkins and voted.

## IX. CONSENT AGENDA

A. Request for License to Install Projecting Sign for Joe Faro/Tuscan Brands owner of Tuscan Market for property located at 14 Market Square (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

### **Planning Director's Stipulations**

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

B. Request for License to Install Projecting Sign for Scott Rafferty owner of Open Concepts Realty for property located at 371 Islington Street, Unit A (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

### **Planning Director's Stipulations**

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



- C. Letter from Cole Gove, Seacoast Growers Association requesting permission to include Squamscott Vineyard & Winery, LLC in the 2019 Portsmouth Farmers' Market for the sale and tasting of their product (***Anticipated action – move to refer to the City Manager with power***)
- D. Petition and Underground Utility License for 100 Pinehurst Road - Request to install 3 conduits in 1 four (4) foot wide trench from the utility pole, 48 feet across Pinehurst Road to their property (***Anticipated action – move to refer to the City Manager with power***)

**Councilor Denton moved to adopt the Consent Agenda. Seconded by Councilor Roberts.**

Councilor Becksted said the sign request for Tuscan Market looks larger than what we normally approve. City Manager Bohenko said Planning Director Walker has reviewed the request and the sign is in conformance with City requirements.

Councilor Roberts said if the sign is too big the Planning Department can make the owners remove the sign.

City Attorney Sullivan stated that the sign is in conformance with the Zoning Ordinance.

**Motion passed.**

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

- A. Email Correspondence

**Assistant Mayor Lazenby moved to accept and place on file. Seconded by Councilor Dwyer and voted.**

- B. Petition from The Clip Joint Barbershop against making the downtown a Pedestrian Zone

**Councilor Reynolds moved to accept and place on file. Seconded by Assistant Mayor Lazenby.**

Councilor Pearson said the report back explains that the closing of the streets will be held on Sunday and The Clip Joint is closed on Sunday's.

**Motion passed.**

- C. Letter from Russell Prescott, Executive Councilor, District 3, sharing information regarding the Executive Council

**Assistant Mayor Lazenby moved to accept and place on file. Seconded by Councilor Roberts and voted.**

- D. Letter from Attorney Paul McEachern regarding Petition to rezone the Federal Building property on Daniel Street

**Councilor Dwyer moved to refer to the Planning Board for a report back. Seconded by Councilor Denton and voted.**

- E. Letter and Petition for Rezoning of 200 Chase Drive (CC Church)

**Councilor Becksted moved to refer to the Planning Board for a report back. Seconded by Councilor Roberts.**

Councilor Dwyer said there maybe a little difference and this was handled by the Planning Board in the last six months.

City Manager Bohenko said the Planning Board may say they looked at the property and recommend the rezoning.

**Motion passed.**

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

### **A. CITY MANAGER**

1. Renewal of Boarding House Permits
  - 278 Cabot Street
  - 350-352 Hanover Street

City Manager Bohenko said the permits will expire tomorrow and there are corrective measures that need to be taken care of. He said that the corrective measures will be part of the permit.

**Councilor Perkins moved to renew the Boarding House permits subject to specific corrective measures and upgrades to be completed upon a schedule to be incorporated into the permit, pursuant to Section 9.805 of the ordinance. Seconded by Assistant Mayor Lazenby.**

Councilor Becksted said that these are the last two boarding houses in the City. If a fire apparatus needs to be made part of this, the owners cannot afford that expense.

City Manager Bohenko said we are granting the permits with stipulations. Councilor Becksted said he would like staff or City Manager Bohenko to try and look at a way to incentivize the property owners. City Manager Bohenko said he would look at what can be done and will work with the owners on the corrective measures. He said if it appears that the owners cannot make the upgrades and are contemplating selling the buildings he would let the Council know.

**Motion passed.**

2. Purchase and Sale Agreement for Property Identified as Map 232, Lot 8 Off of Lois Street

City Manager Bohenko said to purchase this property is in the best interest of the City. He said the property has value, there are storm water management opportunities, both through the preservation of existing wetlands and the potential to construct storm water infrastructure at the end of Lois Street. He also said there is potential to create a turnaround at the end of Lois Street for municipal vehicles. City Manager Bohenko said the City's public sewer line runs in and along the boundary of the property in the "paper street" portion of Lois Street. He informed the City Council to purchase the property it will need to go to the Conservation Commission to authorize the expenditure from Conservation Funds and to the Planning Board for a recommendation back. He further reported that \$30,000.00 will come from Conservation Funds and the remaining \$30,000.00 would come from funds set aside for open space.

**Councilor Perkins moved to refer this potential acquisition of property located on Lois Street to the Conservation Commission for action and to the Planning Board for recommendation. Seconded by Councilor Roberts.**

Councilor Becksted asked if we will be referring this to the City Attorney because it abuts the Toyota Dealership. City Manager Bohenko said City Attorney Sullivan has reviewed this matter. Councilor Becksted would like to receive a recommendation from our outside counsel regarding this request. City Attorney Sullivan said we will make sure that this is discussed with outside legal counsel.

**Motion passed. Councilor Becksted voted opposed.**

3. Request for First Reading to amend Chapter 6, Article II, Section 6.202C – Billiards and Bowling

City Manager Bohenko said the ordinance would need to be adjusted to allow bowling before 1:00 p.m. on a Sunday.

**Assistant Mayor Lazenby moved to authorize the City Manager to bring back Ordinance Chapter 6, Article II, Section 6.202C for first reading at the May 6, 2019 City Council meeting, in accordance with the request made by Mr. Maderios of Bowl-O-Rama Family Fun Center. Seconded by Councilor Raynolds and voted.**

4. Request for License – Property Located at 35 Congress Street

City Manager Bohenko recommended to enter into a temporary construction license.

**Councilor Dwyer moved to authorize the City Manager to negotiate and enter into a temporary construction license with 29-41 Congress Street, LLC as submitted to facilitate construction activities at 35 Congress Street. Seconded by Assistant Mayor Lazenby and voted.**

5. Extension of Connect Community Church License Agreement with Public Parking

City Manager Bohenko advised the City Council that this is an extension for the Connect Community Church parking lot. He said the terms of the agreement are through February 29, 2020 and gives the City Manager the authority to renegotiate the terms of future agreements without further action of the City Council.

**Councilor Roberts moved to authorize the City Manager to negotiate and enter into this Third Amendment to extend the terms of the Agreement with the Connect Community Church (“CCC”) to allow the public to use 124 parking spaces in its parking lot. This motion gives the City Manager the authority to renegotiate the terms of the Agreement in future years without further action of the City Council. Seconded by Councilor Reynolds and voted.**

6. Request to move the October 21, 2019 City Council meeting to October 28, 2019

City Manager Bohenko said he is requesting the Council move the October 21<sup>st</sup> City Council meeting to October 28<sup>th</sup>, due to both the Deputy City Manager and he will be out of town.

**Assistant Mayor Lazenby moved to change the October 21, 2019 City Council meeting to October 28, 2019. Seconded by Councilor Dwyer and voted.**

City Manager’s Informational Items

4. Report Back Re: Downtown Street Closures

Councilor Pearson said staff has reviewed the request and have come back with a recommendation on what is feasible. She said an Open Streets program has been suggested for two consecutive Sunday afternoons in the fall, September 29<sup>th</sup> and October 6<sup>th</sup>, from noon to 5:00 p.m. She reported the streets to be limited to non-vehicular traffic include:

- Daniel Street from Penhallow to Market Square; Market St. from Bow to Market Square; Congress St. from Market Square to High St.; and Pleasant St. from Porter St. to Market Square.
- Congress St. will be converted to accept two-way traffic from Fleet St. to High St., and both High St. and Ladd St. will also be two-way. The portion of Porter from Pleasant St. to Church St. will reverse in direction. No changes to Bow St. are recommended.

Councilor Pearson reported that the cost is a work in progress and there is a working title because the intent is to have community enjoy the downtown. The proposed title is “Share the Square.” She said what happens next is she and Councilor Reynolds will review the report and should have a report back to the Council the first meeting in June.

Councilor Reynolds said from the beginning the idea that was put forward was framed as an experiment on what we could do downtown to give people the opportunity to see Market Square differently. He thanked the staff for their work on this proposal.

Mayor Blalock said it is important that we do not deny uses for property owners to access their property.

Councilor Becksted said it is important that we work with the public on this and business owners. He would also like a media event held to include community, advertising the event, and the street closures to make people aware that this will be taking place.

### 3. EDC Report Back to City Council on Review of Land Use/Inspections Process

Councilor Perkins spoke on the recommendation from the Economic Development Commission and requested a report back from City staff on the recommendations, permit procedure, and project liaison / development coordinator.

## **B. MAYOR BLALOCK**

### 1. Appointment to be Considered:

- Reappointment of Robert Capone to the Cable Television & Communications Commission

The City Council considered the reappointment of Robert Capone to the Cable Television & Communications Commission which will be voted upon at the May 6, 2019 City Council meeting.

### 2. Appointment to be Voted:

- Appointment of Carrie Mayo to the Blue Ribbon Committee on Sustainable Practices

Councilor Denton spoke to Ms. Mayo's qualifications and said she is doing good work. He said it would be great if more City residents attended the meetings and wanted to serve on the Committee.

Mayor Blalock said being a resident is not a requirement to serve on a Blue Ribbon Committee.

Councilor Becksted would like to have a position on the Committee for a non-resident. He asked if we have had any non-residents serve on any other Blue Ribbon Committee's. City Clerk Barnaby reported a non-resident has served on the African Burial Ground Blue Ribbon Committee and in the past on the Peirce Island Committee when it was a Blue Ribbon Committee.

**Councilor Denton moved to appoint Carrie Mayo to the Blue Ribbon Committee on Sustainable Practices until December 31, 2019. Seconded by Assistant Mayor Lazenby.**

Assistant Mayor Lazenby said we are not displacing residents from joining the Committee.

Mayor Blalock said this is a Blue Ribbon Committee and he does not need the approval by the Council for appointments to such committees but he has brought it to the Council for a vote. He also stated that the Blue Ribbon Committee on Sustainable Practices outreaches regionally.

**Motion passed. Councilor Becksted voted opposed.**

### 3. Establish Sub-committee of the City Council Re: McIntyre Project

Mayor Blalock said he would like to establish a Sub-committee on the McIntyre Project.

**Assistant Mayor Lazenby moved to establish a Sub-committee regarding the McIntyre Project and appoint Councilor Doug Roberts, Councilor Chris Dwyer and Councilor Rebecca Perkins to the Sub-committee. Seconded by Councilor Raynolds.**

Councilor Becksted asked if the Sub-committee would be following the right-to-know requirements. Mayor Blalock said the Sub-committee would comply with the right-to-know law.

Councilor Roberts said the financial negotiations are subject to be held in non-public session.

Assistant Mayor Lazenby asked if this has a shelf life or mission. City Attorney Sullivan said that there will be no shelf life.

**Motion passed.**

**C. COUNCILOR ROBERTS**

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the April 4, 2019 meeting

Councilor Roberts informed the Council that the Committee passed an update to the loading zone ordinance for clarity. He stated the ordinance will come back in conjunction with the omnibus ordinance.

**Councilor Roberts moved to accept and approve the action sheet and minutes of the April 4, 2019 Parking & Traffic Safety Committee meeting. Seconded by Assistant Mayor Lazenby and voted.**

2. Vaughan Mall

Councilor Roberts said an extensive planning process will need to take place for the Vaughan Mall. He said that this project would look at underground parking and the creation of a park but this would all happen far into the future. He would like to refer this to staff to review and report back.

Councilor Dwyer said to have a refresh of the Vaughan Mall is needed. She said the City needs to look at whether it is feasible to start with the Vaughan Mall.

Mayor Blalock said we have done some work on the Vaughan Mall and it is much better but would like to start a process that would look at the area. He said he does not want to see a loss in parking.

Councilor Perkins spoke to the revitalization plan for the Vaughan-Worth-Bridge lots and suggested reviewing the plan again.

Councilor Roberts said the changes to the Vaughan Mall were done by PS21. He wants to see something more permanent and to move the project along.

Councilor Pearson said she agrees with Councilor Perkins and reviewing the revitalization plan that was voted on by the last City Council. She said a conceptual design is needed for the plan to move forward.

City Manager Bohenko said he would pull the files on the plan and review the report.

Councilor Roberts said he wants to turn this into an action plan.

City Manager Bohenko suggested adding the Pandora lights but we need to proceed with caution because of the infrastructure below. He said we will look at what can be put in the capital plan for this. He said he wants to receive input from the community and bring something to the City Council that has been vetted by people living downtown and the businesses.

Councilor Roberts requested a review of the Vaughan-Worth-Bridge Revitalization Report with the possibility of an action plan for updates to Vaughan Mall.

#### **D. COUNCILOR DENTON**

##### **1. Proposed Rule Change – Rule 7 Order of Business**

Councilor Denton reviewed his suggested changes to the Order of Business for the Agenda. He said the change would move the Mayor and City Councilor items under the public hearings and allow to move forward any item under the City Manager. He said the reason is the important items take place later in the meeting currently, and it would make sense to have a section for City Council to speak and bring something forward something they are waiting to hear a report back on.

Councilor Dwyer said maybe we should be more actively bringing matters forward with the suspension of the rules. She said many of the things under the City Manager have a short time line and she is reluctant to make the changes, maybe the Council needs to be more alert to that.

Councilor Perkins said she agrees with Councilor Dwyer's comments. She said the City Council items are the policy issues but they take place at the end of the agenda.

Councilor Becksted said that he agrees with Councilor Dwyer's comments. He said the Council does suspend the rules to bring items forward if they're made aware of it.

Assistant Mayor Lazenby said he appreciates the effort for movement of Volunteer Committee Reports but it does not make sense.

Councilor Denton said the presentations are not listed and would like them to be placed under the Mayor.

Mayor Blalock said he conceptually likes the idea of the setup of the agenda. He stated many times the City Council wants to bring items to the table and we always have the option to move things around by a suspension of the rules.

Councilor Becksted said the Council could try this format at the next City Council meeting. City Manager Bohenko said you need one meeting clear before you can vote of any changes. Councilor Becksted said he would like the Council to try it at a meeting.

City Manager Bohenko this would be on notice at the May 6<sup>th</sup> meeting with a vote at the May 20<sup>th</sup> meeting, and the change in format at a June meeting.



Councilor Pearson said it would take a few meetings to see if this will work.

Councilor Dwyer said she would like to treat more things as consent agenda items. She stated if the meeting goes long everything would be approved at 10:00 p.m.

City Manager Bohenko said keep in mind the first meeting in June is adoption of the budget.

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

Councilor Pearson said she has provided a copy of a letter to The Society for the Protection of New Hampshire Forests regarding the demolition of Creek Farm, also known as Carey Cottage. She said if the Council would like to make edits they can be made at the next City Council meeting when she would like to formerly send the letter.

Councilor Dwyer spoke to Mr. Savage and The Society for the Protection of New Hampshire Forests and would like to have Mr. Savage speak at the next City Council meeting due to there being such a difference of opinion. She wonders if that will be a useful tool and would like it advertised. Councilor Dwyer said she questions whether this is the correct forum for this conversation. She stated we need to know what the goal is regarding this matter.

City Manager Bohenko asked if the City Council wants the City to reach out to The Society for the Protection of New Hampshire Forests. Councilor Dwyer said she would like them to reconsider their immediate plans and clarify the options available.

Councilor Roberts said he spoke to Mr. Savage and the building is historic and it would be ashamed to have it taken down. He said he would also like Mr. Thoresen to come and speak to the City Council on this matter.

Mayor Blalock said in the mean time we could set up a meeting with staff and Mr. Savage. He said there would need to be a balance. City Manager Bohenko said that would be a good first step.

Councilor Pearson said you need to reach out to Portsmouth Advocates as well.

Councilor Perkins expressed her hesitation on this matter and the need for the Council to remember that this is private property.

Councilor Dwyer said that this would be an example of civic property having a particular meaning to the community.

Councilor Roberts said he agrees with Councilor Dwyer's comments, there are buildings where there is a public interest in preserving.

City Manager Bohenko said there are things that would be good to hear from the forester side.

Councilor Pearson said the letter could be redrafted to explain that the City Council is demonstrating care and concern on another historic building.

Councilor Roberts said Mr. Thoresen has a more expansive view.



Mayor Blalock said the letter will be edited and come back at the May 6<sup>th</sup> City Council meeting.

Councilor Denton said the single-use disposable ordinance will be a topic of discussion at next Friday's Greater Chamber of Commerce Collaborative meeting regarding public policy.

Councilor Roberts said the Council received an email on open carry. Councilor Dwyer said we do not have the authority to do anything until there is a law in place and the bills are in process.

Councilor Reynolds said at the Port Authority Committee meeting last week he learned there will be two arrivals at the Port. He said the first will be on April 25<sup>th</sup> where components of a wave energy buoy will arrive. He stated the second arrival will be May 1<sup>st</sup> when the hub and tower components of the Antrim, NH Wind Farm will come through the Port.

### **XIII. ADJOURNMENT**

At 9:20 a.m., Assistant Mayor Lazenby moved to adjourn. Seconded by Councilor Reynolds and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, May 6, 2019 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 10 – Zoning Map 10.5A21A by changing the property with the address of 15 Middle Street (Assessor Map 126 Lot 12) from Civic District to Character District 4 and amending the Zoning Map 10.5A21B by changing the height requirement area for the property's street frontages on Porter Street and Maplewood Avenue to 2-3 stories (40'). The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

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

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

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 — Zoning Ordinance, be amended as follows:

- 
- A. Amend the Zoning Map 10.5A21A by changing the property with the address of 15 Middle Street (Assessor Map 126 Lot 12) from Civic District to Character District 4.
  - B. Amend the Zoning Map 10.5A21B by changing the height requirement area for the property's street frontages on Porter Street and Maplewood Avenue to 2-3 stories (40').

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

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

This ordinance shall take effect upon its passage.

APPROVED:

\_\_\_\_\_  
Jack Blalock, Mayor

ADOPTED BY COUNCIL:

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

**Property Information**  
 Property ID 0126-0012-0000  
 Location 15 MIDDLE ST  
 Owner SALVATION ARMY



**MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/30/2018  
 Data updated 11/19/2018



ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 6, Article II, Section 6.202 – **BILLIARDS AND BOWLING, HOURS** of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

**ARTICLE II: BILLIARDS AND BOWLING**

**Section 6.201: LICENSE REQUIRED**

No person shall open, keep, maintain, or continue any billiard room or place where the game of billiards is played or any bowling alley in this City or place wherein the game of nine pins or ten pins is played or keep any billiard table or bowling alley in this City for public use unless the City License Officer shall have granted a license therefor and said license is endorsed by the Chief of Police.

Such license is valid only until May 1 following the date of issue, and the fee to be determined in accordance with Chapter 1, Article XVI or similar wording. The penalty for keeping a billiard room and bowling alley without a license is \$20.00 for each billiard table, pool table, or bowling alley. (Amended 4/1/96) (Amended 3/18/2002).

**Section 6.202: HOURS**

A. Any person who keeps a billiard room or billiard table as aforesaid or has the care or control thereof shall not allow or permit the same to be kept open or used between the hours of 1:00 a.m. and 5:00 a.m. (Adopted 9/25/89)

B. Any person who keeps a bowling alley as aforesaid or has the care or control thereof shall not allow or permit the same to be kept or used between the hours of 1:00 a.m. and 5:00 a.m. (Adopted 9/25/89)

~~C. Billiards and bowling shall be permitted on Sunday, but not before the hour of 1:00 p.m.~~

**Section 6.203: PENALTY FOR VIOLATION BY LICENSE**

If the holder of such a license violates the provisions of Section 6.202 of this Ordinance, he shall be fined not less than \$1.00 nor more than \$100.00 for each offense.

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

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

This ordinance shall take effect upon its passage.

APPROVED:

\_\_\_\_\_  
Jack Blalock, Mayor

ADOPTED BY COUNCIL:

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



# Granite State Wheelmen, Inc.

181 Leavitt Road  
Belmont, NH 03220

April 15, 2019

RECEIVED

APR 18 2019

CITY MANAGER  
PORTSMOUTH, NH

Portsmouth Mayor Blalock and City Council  
1 Jenkins Avenue  
Portsmouth, NH 03801

To: Mayor Blalock and Portsmouth City Council

On behalf of the Granite State Wheelmen bicycle club, please accept our thanks for the support provided for the 2018 Seacoast Century Bicycle Ride. Our 46<sup>th</sup> annual Seacoast Century weekend is September 21-22, 2019.

We request approval to travel through Portsmouth on the same route as 2018. Since the Fairy Castle event at Strawberry Bank is the same weekend, what we worked out last year was to use Marcy Street as the riders head north early in the morning and then route them off Marcy onto Court and Pleasant Street to avoid congestion in the afternoon. This was problematic last year as construction was underway on the alternate route but shouldn't be an issue this year.

This is a bicycle ride not a race. There are no road closures. Riders will be traveling 25, 50, 63 and 100 mile routes starting at Hampton Beach and then cycle into Massachusetts and Maine. Over the weekend approximately 1300 participating cyclists will ride through Portsmouth. Riders will be traveling individually or in small groups since starts are staggered and they travel at different speeds. We draw experienced cyclists with most doing the full distance and returning year after year. Rider fees are used for event expenses and as a fund-raiser for bicycle safety and advocacy in New Hampshire. **I have enclosed a check for the license for our event.**

Enclosed are a draft map and cue sheet for our proposed Seacoast Century route and a copy of the insurance rider covering Portsmouth. As in the past, we will work closely with your City Manager, Police Department and others to coordinate this event. We have worked with the Maritime Festival organizers and see no conflict with their event which is north of where our riders will be traveling. We will work with the Police Department on police detail requests. Based on our 2018 records only about 250 riders rode on Sunday last year. This may be a factor in determining if we need both police details on Sunday. Both are needed for Saturday.

Again, our thanks for your support and assistance in making the Seacoast Century a safe and successful event. I have sent a separate letter to your Police Chief to thank them for the assistance, and request police details. Let me know if you need any additional information.

Sincerely yours,

Donna L. Hepp

Seacoast Century Team 414-837-8976

dhepp3@gmail.com

cc: John Bohlenko, City Manager

*A New Hampshire club for men and women enthused with bicycling*



# 2018 SCC Metric Century

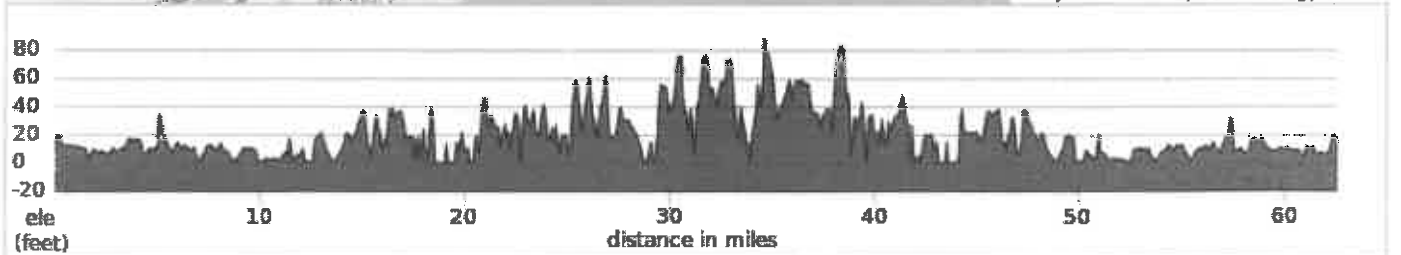
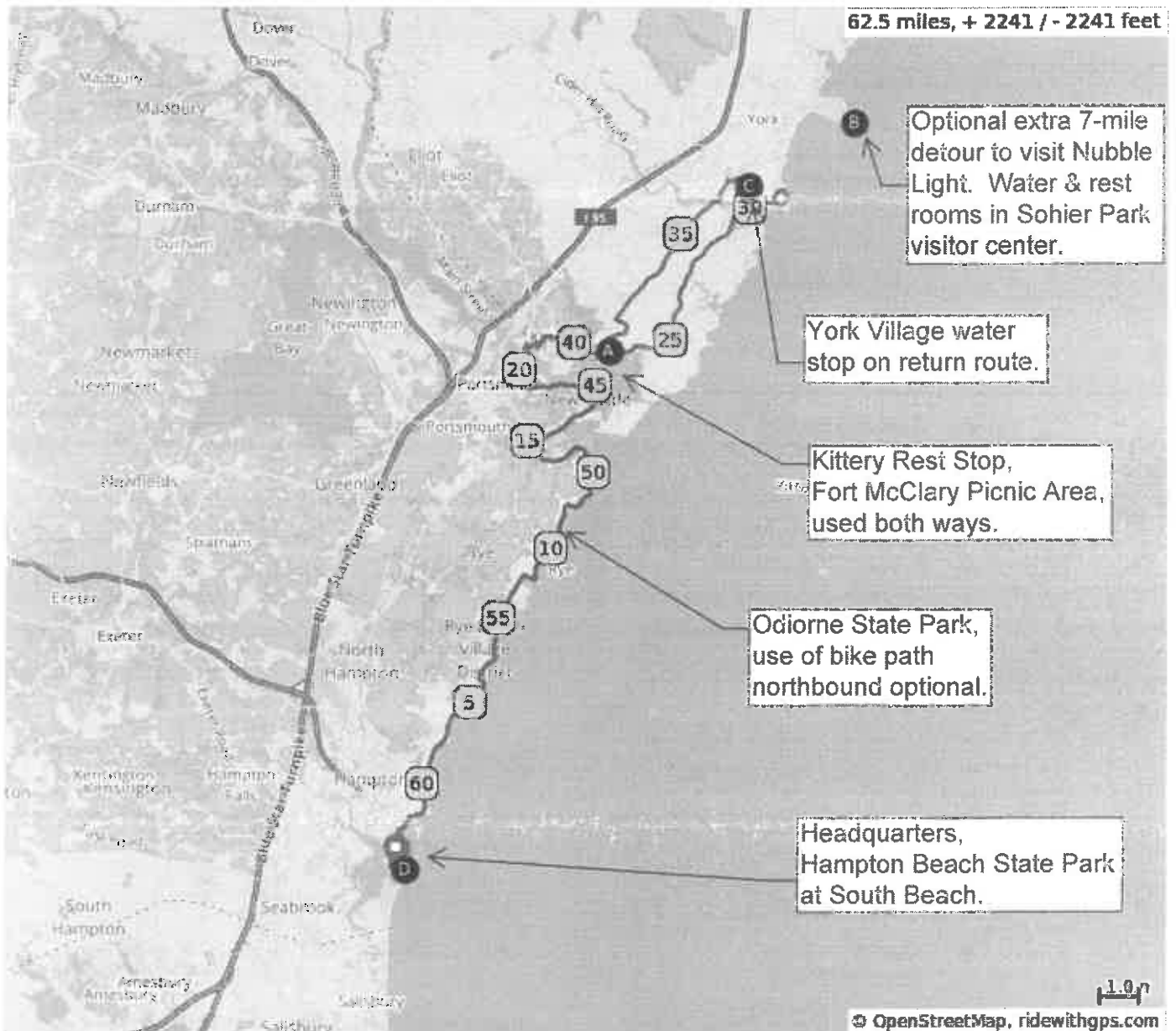


A. Fort McClary Picnic Area rest stop

C. York Village water stop and light snacks

B. Nubble Light and Sohier Park

D. Headquarters, Hampton Beach State Park



2018 SCC Metric Century

1.	0.0	▣	Start of route
2.	0.0	↑	Headquarters, Hampton Beach State Park
3.	0.1	→	R onto NH-1A N
4.	0.2	→	R to stay on NH-1A N
5.	12.6	↑	Recommend using the road, not the bike path.
6.	12.6	→	Slight R onto Odiorne Point sp
7.	13.6	↑	Continue onto NH-1A N
8.	14.7	→	At the traffic circle, 1st exit onto NH-1A N/Sagamore Ave
9.	15.1	→	R onto NH-1B N/Wentworth Rd
10.	16.1	↑	Caution! Metal decked bridge -- walk your bike.

16.1 miles. +255/-258 feet

23.	20.1	→	R onto Atkinson St
24.	20.2	→	R onto State Street
25.	20.3	↑	Continue onto Memorial Bridge into Maine.
26.	20.7	→	R onto Water St
27.	20.8	←	Water St turns L and becomes Pleasant St
28.	20.9	→	R onto Government St
29.	21.1	←	Government St turns slightly L and becomes Wallingford Square
30.	21.2	↑	Continue onto Wentworth St
31.	21.4	→	R onto Whipple Rd
32.	21.6	→	R to stay on Whipple Rd
33.	22.7	↑	Continue onto Pepperrell Rd

2.7 miles. +159/-169 feet

11.	17.4	→	R onto Wentworth Rd
12.	17.5	←	Wentworth Rd turns slightly L and becomes Walbach St
13.	17.6	→	R onto Piscataqua St
14.	17.9	↑	Continue onto Cranfield St
15.	17.9	→	Caution! Sharp R onto a busy two-lane road, Route 1-B.
16.	18.0	→	R onto NH-1B N
17.	18.0	→	R onto River Rd
18.	18.2	←	L onto Oliver St
19.	18.3	→	R onto NH-1B N
20.	19.8	→	R onto NH-1B/Marcy St
21.	20.0	↑	Caution! Congestion in downtown Portsmouth.
22.	20.1	←	L onto Court St

3.9 miles. +121/-137 feet

34.	23.3	←	Fort McClary Picnic Area rest stop on L of Route 103. Do not enter the Fort on the waterfront.
35.	23.3	←	Continue north on Route 103 when leaving the rest stop.
36.	24.3	→	Slight R onto Chauncy Creek Rd
37.	24.8	↑	Continue onto Chauncey Creek Rd
38.	25.1	←	L onto Cutts Island Ln
39.	25.4	→	R onto ME-103 E/Brave Boat Harbor Rd
40.	29.5	→	R onto York St, Route 1-A
41.	30.6	→	R onto Norwood Farms Rd

7.8 miles. +350/-311 feet

42.	30.9	←	L to stay on Norwood Farms Rd
43.	31.3	←	Slight L onto Roaring Rock Rd
44.	31.4	→	Optional 7-mile detour if wanted to visit Nubble Light. Water and rest rooms in Sohler Park.
45.	31.4	←	L onto York St
46.	31.8	→	R onto Woodbridge Rd
47.	32.5	→	York Village water stop and light snacks
48.	32.9	←	L onto Long Sands Rd
49.	33.0	↑	Continue onto York St
50.	33.1	←	L onto Lindsay Rd
51.	33.9	←	Slight L onto Organug Rd
52.	33.9	↑	Continue onto Seabury Rd

3.4 miles. +143/-171 feet

65.	41.5	←	L onto Newmarch St
66.	41.7	↑	Cross Memorial Bridge into New Hampshire.
67.	42.1	→	R onto Scott Ave
68.	42.2	→	Caution! Sharp R, "U" turn, to go under bridge.
69.	42.2	→	R onto Daniel St
70.	42.3	←	L onto Marcy St
71.	42.3	→	R onto Court St
72.	42.5	←	L onto Pleasant St
73.	42.9	↑	Continue onto Marcy St
74.	43.1	↑	Continue onto New Castle Ave
75.	46.2	↑	Caution! Metal decked bridge – walk your bike.
76.	47.3	←	L onto Sagamore Ave

6.0 miles. +218/-217 feet

53.	34.0	→	R onto Southside Rd
54.	34.4	↑	Continue onto Bartlett Rd
55.	37.7	←	L onto Haley Rd
56.	38.2	→	R onto Crockett Neck Rd
57.	39.0	←	Use side entrance for Fort McClary rest stop on your return trip.
58.	39.0	→	R onto Pepperrell Rd (Route 103) to head back.
59.	39.6	↑	Continue onto Whipple Rd
60.	40.7	←	L to stay on Whipple Rd
61.	40.9	←	L onto Wentworth St
62.	41.1	→	R onto Walker St
63.	41.3	←	L onto Otis Ave
64.	41.3	→	R onto Government St

7.4 miles. +379/-347 feet

77.	47.8	←	Third exit from traffic circle onto NH-1A. Stay on 1-A back to Headquarters.
78.	62.2	↑	Almost back! L just before the bridge.
79.	62.4	←	L into Hampton Beach State Park. Congratulations!
80.	62.5	☒	End of route

15.2 miles. +200/-203 feet



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/10/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> American Specialty Insurance & Risk Services, Inc.  7609 W. Jefferson Blvd., Suite 100 Fort Wayne IN 46804	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 260-969-5203		FAX (A/C, No): 260-969-4729																				
	<b>E-MAIL ADDRESS:</b> <table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A : Arch Insurance Company</td> <td></td> <td>11150</td> </tr> <tr> <td>INSURER B :</td> <td></td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> <td></td> </tr> </table>			INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A : Arch Insurance Company		11150	INSURER B :			INSURER C :			INSURER D :			INSURER E :			INSURER F :	
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INSURER D :																							
INSURER E :																							
INSURER F :																							
<b>INSURED</b> League of American Wheelmen dba League of American Bicyclists 1612 K Street NW, Suite 1102  Washington DC 20006																							

**COVERAGES**

CERTIFICATE NUMBER: 1001644983

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: CLUB	Y	SBCGL0054502	02/01/2019	02/01/2020	EACH OCCURRENCE	\$ 1,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident)	\$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$					EACH OCCURRENCE	\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE	OTH-ER
						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 - Coverage applies to GRANITE STATE WHEELMEN, 2 TOWNSEND AVE, SALEM, NH 03079.

- The certificateholder shall be an additional insured, but only with respect to the operations of the Named Insured, and subject to the provisions and limitations of Form CG 2026 - Additional Insured - Designated Person or Organization, but only with respect to 2019 SEACOAST CENTURY WEEKEND from September 20, 2019 through September 22, 2019.

**CERTIFICATE HOLDER**

City of Portsmouth

City Hall, One Junkins Avenue

Portsmouth

NH 03801

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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

Kelli L. Barnaby, MMC/CMC/CNHMC  
City Clerk  
1 Junkins Avenue  
Portsmouth, NH 03801  
603-610-7207  
Fax: 603-610-4158  
[Klbarnaby@cityofportsmouth.com](mailto:Klbarnaby@cityofportsmouth.com)

# Memo

**To:** Mayor Jack Blalock and City Council  
**From:** Kelli L. Barnaby, City Clerk  
**Date:** May 2, 2019  
**Re:** 2019 Omnibus Sidewalk Obstruction Renewals

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Please find attached the final listing of 2019 Omnibus sidewalk obstruction renewal applications without changes, submitted thus far and that have met the appropriate insurance and fee requirements.

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

cc: John P. Bohenko, City Manager

2019 RENEWALS  
SIDEWALK OBSTRUCTION OMNIBUS

<b>Business</b>	<b>Location</b>	<b># Tables</b>	<b># Chairs</b>	<b># Bench</b>	<b># Signs</b>
Agave Mexican Bistro (Dos)	111 State St.	0	0	0	1
Art with a Splash	222 State St.	0	0	0	1
Astrology by Valerie f/k/a Helen Marks	42 Market St.	0	0	0	1
B&M Wharf	70-80 State St.	0	0	3	0
Bagel Works	9 Congress St.	4	12	0	0
Bennetts Store	41 Congress St.	2	4	0	1
Bull Moose Music	82-86 Congress St.	0	0	0	1
Canine Cupboard	220 State St.	0	0	0	1
Ceres Bakery	51 Penhallow St.	2	10	0	0
Chamber of Commerce	Daniel/Pleasant/Congress	0	0	0	1
Clay's	19 Market St., Unit A	0	0	0	1
Clipper Tavern	75 Pleasant St.	0	0	0	1
Colby's Breakfast & Lunch	105 Daniel St.	0	0	0	1
Diversions Puzzles & Games	123 Congress St.	0	0	0	1
Elephantine Bakery	10 Commercial Alley, Suite 2	5	10	0	0
Friends of the Music Hall	131 Congress St.	0	0	0	1
Fringe Hair Studio	3H Market Sq.	0	0	0	1
FUKI	2 Bow. St.	0	0	0	1
Geno's Chowder and Sandwich Shop Inc.	177 Mechanic St.	0	0	0	1
Izzy's Frozen Yogurt	Bow St.	0	0	1	0
Jumpin' Jay's Fish Café	150 Congress St.	0	0	1	0
Kaffee VolSolln	79 Daniel St.	2	4	0	0
LeRoux Kitchen	23 Market St.	0	0	0	1
Lit Boutique	19 Congress St.	0	0	0	1
Market Square Jewelry	12 Market Sq.	0	0	0	1
Martingale LLC	99 Bow St.	0	0	2	0
Martingale Wharf LP	99 Bow St.	0	0	0	2
Moxy	106 Penhallow St.	0	0	2	0
Napoli Market	261 South St.	2	4	0	1
North Church of Portsmouth	Market Square/Pleasant St.	0	0	0	2
Olde Port Properties	26 Congress St.	0	0	0	1
Poco's	37 Bow St.	0	0	0	1
Port City Bike Tours	43 Middle St.	0	0	0	1
Portsmouth Athenaeum	9 Market Sq.	0	0	0	1
Portsmouth Brewery	56 Market St.	0	0	0	1
Portsmouth Gas Light	64 Market St.	0	0	0	2
Portsmouth Salt Cellar	7 Commercial Alley	0	0	0	1
Portsmouth Team Building	10 Vaughan Mall, Suite 215	0	0	0	1
Pretty Little Things	21 Vaughan Mall	0	0	0	1
Raleigh Wine Bar & Market	67 State St.	0	0	0	2
RiRa Irish Pub and Restaurant	22 Market Sq.	0	0	0	1
River House, The	53 Bow St.	0	0	2	0
Rudi's	20 High St./5 Congress St.	0	0	0	2
Scallops	65 Daniel St.	0	0	0	1
Sea Bags	129 Market St.	0	0	0	1
Serendipity	41 Pleasant St.	0	0	0	1

2019 RENEWALS  
SIDEWALK OBSTRUCTION OMNIBUS

<b>Six Dregrees Salon</b>	47 Bow St.	0	0	0	1
<b>Starbucks Coffee</b>	One Market Sq.	4	8	0	0
<b>Summer Sessions Surf Shop</b>	15 Vaughan Mall	0	0	0	1
<b>Surf Portsmouth</b>	99 Bow St.	0	0	0	1
<b>Ten Thousand Villages</b>	87 Congress St.	0	0	0	1
<b>The Kitchen on Islington</b>	171 Islington St.	0	0	0	1
<b>Village Silversmith</b>	71 Congress St.	0	0	0	1
<b>Wear House</b>	101 Market St.	0	0	0	1
<b>White Heron Tea &amp; Café</b>	601 Islington St.	0	0	0	1
<b>The Works Bakery Café</b>	9 Congress St.	0	0	0	1
<b>Xcelerated Orthondics</b>	59 Deer St.	0	0	0	1
<b>Works Bakery Café, The</b>	9 Congress St.	0	0	0	1



---

# M E M O R A N D U M

---

**TO:** John Bohenko, City Manager

**FROM:** Juliet T. H. Walker, Planning Director *JTW*

**DATE:** April 26, 2019

**RE:** City Council Referral – Projecting Sign  
Address: 140 Penhallow Street  
Location Name: The Chamfered Corner at 140 Penhallow Street  
Property Owner: Simchik-McGovern III LLC, Corene McGovern & Michael Simchik

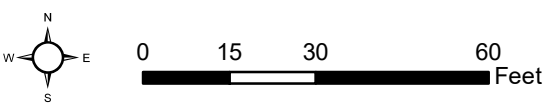
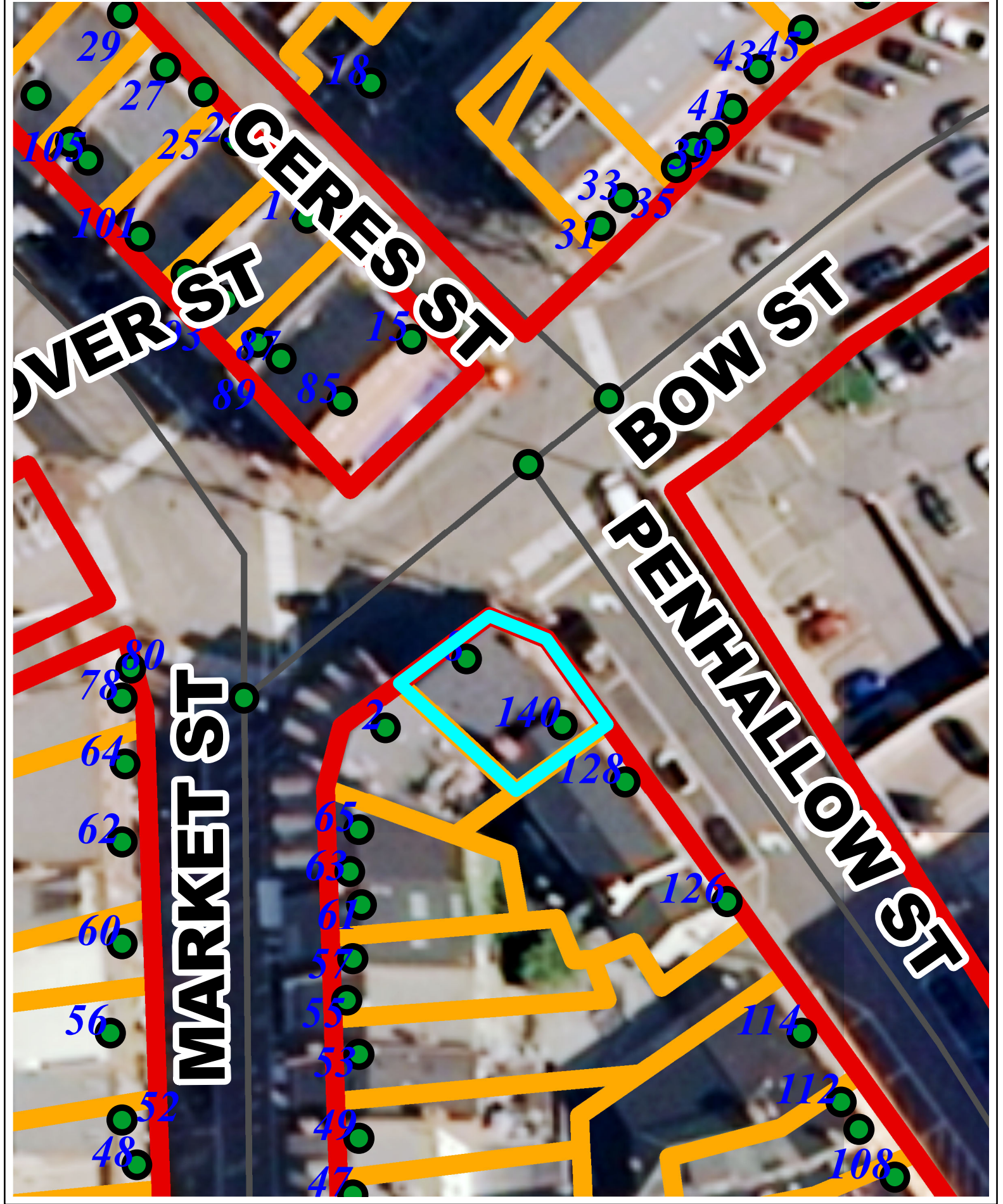
---

Permission is being sought to install a projecting sign that extends over the public right of way, as follows:

Sign dimensions: 43" x 39"  
Sign area: 11.6 sq. ft.

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

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

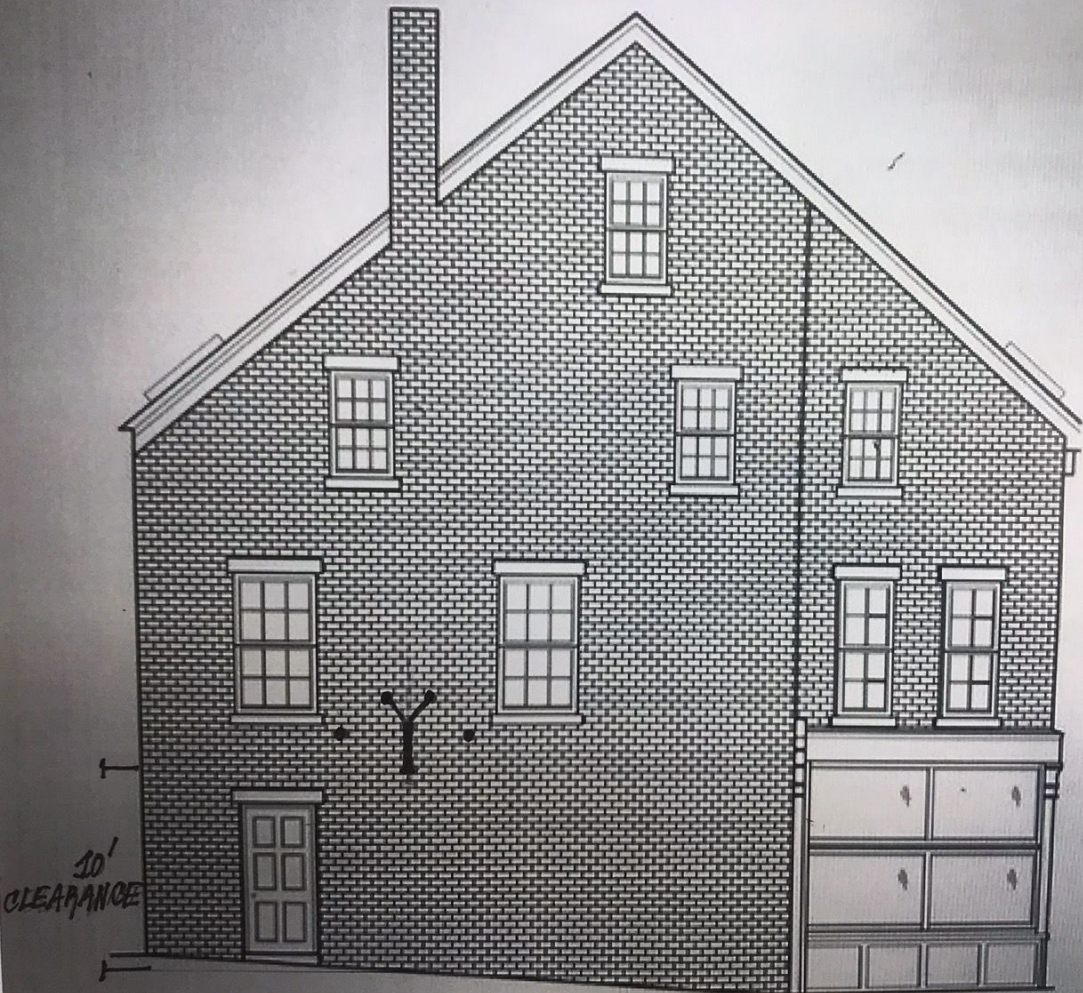


**Request for license  
140 Penhallow Street**





CHAMFERED  
CORNER  
140  
PENHALLOW



PENHALLOW ELEVATION

SCALE:  $3/16" = 1'-0"$

A101

2

---

# M E M O R A N D U M

---

**TO:** John Bohenko, City Manager

**FROM:** Juliet T. H. Walker, Planning Director *JTW*

**DATE:** April 26, 2019

**RE:** City Council Referral – Projecting Sign  
Address: 41 Vaughan Mall  
Business Name: The Green Room  
Business Owner: Albert Fleury

---

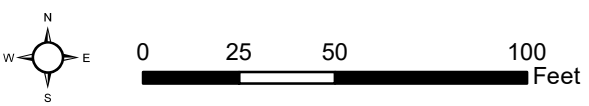
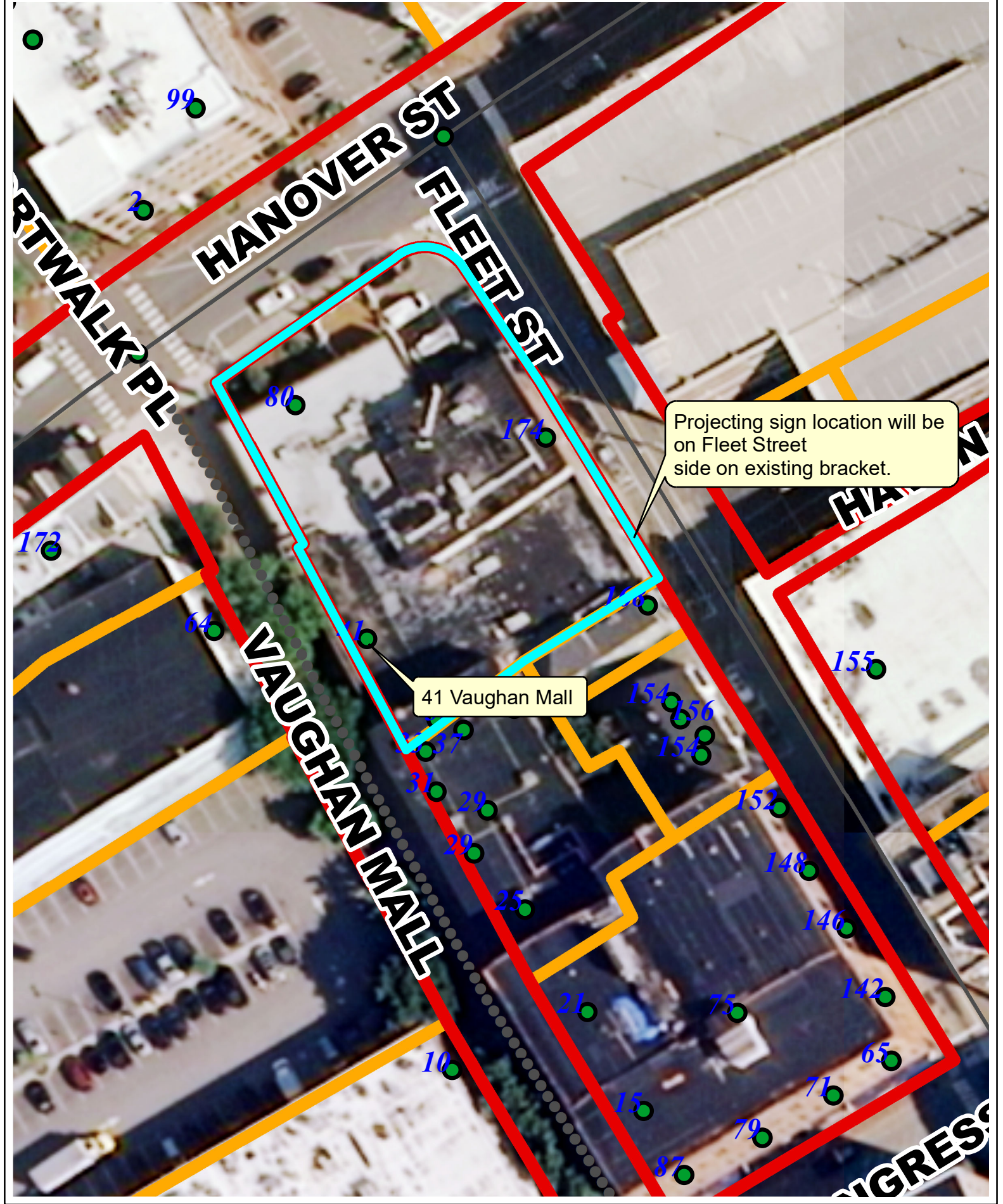
Permission is being sought to install a projecting sign that extends over the public right of way, as follows:

Sign dimensions: 41" x 42"  
Sign area: 12 sq. ft.

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

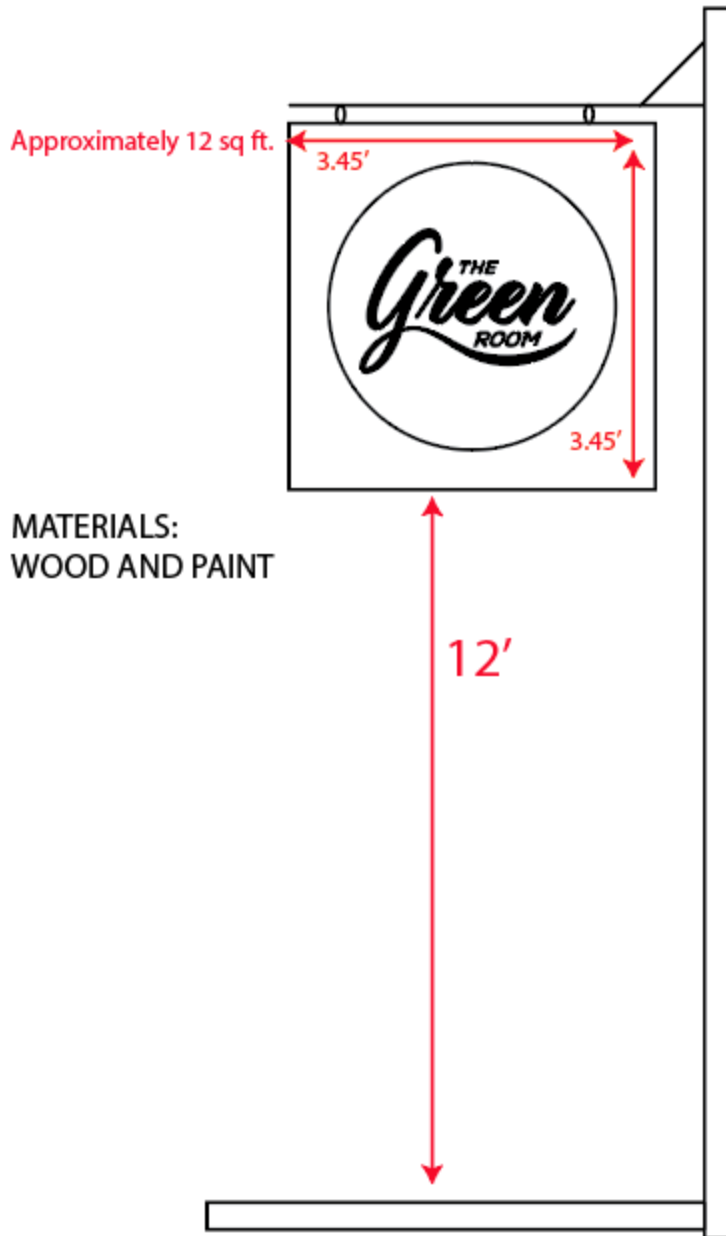
1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal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





**Request for license  
41 Vaughan Mall**

# PROPOSED PROJECTION SIGN 41 VAUGHAN MALL. PORTSMOUTH, NH



\* ALL CURRENT MEASUREMENTS ARE APPROXIMATE.





CITY COUNCIL E-MAILS

April 16, 2019 – May 2, 2019 (9:00 a.m.)

MAY 6, 2019 CITY COUNCIL MEETING

Below is the result of your feedback form. It was submitted by Barbara Rita Jenny ([brienny@comcast.net](mailto:brienny@comcast.net)) on Tuesday, April 16, 2019 at 07:41:49

-----  
address: 81 Lincoln Ave

comments: Hi, Councilors:

Just checking in to see what's the next step forward to addressing STR's in the city. A court decision last year allowed the general definition of the term "transient" to be used to prohibit STRs in the GRA, but at the same time did not allow the planning department's use of an administrative memo to define STRs (despite Atty Sullivan's reference to their 'policy' in your STR work session). In fact, the judge clearly stated that the department's administrative memo "is not ordinance." So the current zoning ordinance cannot be left as-is to adequately or fairly address STRs. In fact, the current vague definition of "transient" currently prohibits transient use of any length—which could arguably include 30 days, 90 days, and even 180 which is the maximum length of an STR according to the state.

Which could mean neighbors start complaining about month-to-month rentals, summer rentals, etc.. I hope the council will move forward on addressing STRs in the city with reason and fairness.

includeInRecords: on  
Engage: Submit

-----  
Below is the result of your feedback form. It was submitted by Nancy and David MacDonald ([nanmac28@gmail.com](mailto:nanmac28@gmail.com)) on Tuesday, April 16, 2019 at 11:31:50

-----  
address: 28 Ball Street

comments: As a resident and tax payer for nearly 30 years I know this street closure plan should not be implemented. It is a disgraceful and selfish benefit for a few (mainly tourists) and a disservice to the residents and taxpayers.

includeInRecords: on  
Engage: Submit

-----  
Below is the result of your feedback form. It was submitted by Jonathan Sandberg ([jfsandberg@yahoo.com](mailto:jfsandberg@yahoo.com)) on Thursday, April 25, 2019 at 04:02:45

-----  
address: 160 Bartlett Street

comments: I am writing to express my support for the proposed street closure pilot program. Portsmouth's downtown was not designed for cars and this modest demonstration project will show just how much more enjoyable Market Square can be if we eliminate motor traffic.

This really isn't a very radical idea. All of the most successful cities in the world limit car access in their downtowns. In 2008 NYC experimented with pedestrianizing Times Square as a pilot project. Even though it faced virulent opposition at the time by those who feared increased traffic and loss of parking, once the pilot proved its success, permanent pedestrianization followed. As a result, Times Square has become one of the most successful commercial spaces in the world. Since then NYC has created over 70 pedestrian plazas.

Market Square- or at least Pleasant Street is already closed to traffic many times every year. There's the Holiday Parade, Market Square Day, Childrens' Day, the Halloween Parade, First Night, the filming of the food

truck show for the Food Network, the Pride March, the Criterium (previously), and that's just off the top of my head. Is there major opposition to those events, too?

Some have argued that we need to keep the streets open to cars to accommodate added thru-traffic from the 95 bridge lane closures this summer. Do we really want to encourage all that extra Massachusetts to Maine traffic through our dense city streets? I don't. Our downtown should be a destination- not a conduit. I'm not sure that many of the people opposed to this idea are aware of just how limited in scope the pilot (as recommended by city staff) aims to be. We're just talking about two Sunday afternoons in the Fall. It should be a nice opportunity for residents to calmly enjoy Market Square without having to dodge loud speeding cars or inhale exhaust. Is that really too much to ask?

PS. Most places call this sort of program Open Streets rather than Street Closures. Sure, it's closed to motor traffic, but open to people traffic.

includeInRecords: on

Engage: Submit

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Below is the result of your feedback form. It was submitted by Chase Hagaman ([chase.hagaman@gmail.com](mailto:chase.hagaman@gmail.com)) on Thursday, April 25, 2019 at 06:11:06

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address: 17 Staysail Way, Portsmouth, NH

comments: Good morning, Councilors:

I am writing to suggest some changes to the proposed single-use plastics regulation ordinance.

Protecting and preserving our natural environment is important to me. Thus, I am not opposed to regulating or banning single-use plastics, but I do feel this proposed ordinance can be improved upon in a manner that better reflects efforts already made by the community, helps avoid overly burdensome regulations and continues to encourage progress.

You may have noticed that I have already written on the subject in a recent op-ed, which you can find here: <https://www.seacoastonline.com/news/20190407/bans-on-plastics-must-be-carefully-crafted>.

Most of the people I have interacted with concerning the article and ordinance support the idea of a single-use plastics ban, or at least stricter regulation. But many found the proposed terms untenable.

As a result, I would suggest making the changes outlined below to the proposed ordinance.

\*\*References to specific sections are citations to those under the "Distribution of Single-Use Disposables" ordinance as proposed in the March 18, 2019 City Council meeting packet, which begins on page 67 of that packet.

1) Remove the mandated charge or fee for paper bags and single-use cups; Sections 3.X03(B)2 and 3.X04(B)2.

If a ban on single-use plastic bags occurs, other types of bags will be needed to fill the void, including paper bags. As an aside, most of the paper bags used in the market are already made from recycled materials, can be recycled again, are biodegradable or could perhaps be composted.

If it costs more for stores to provide paper bags, they should be permitted to determine whether a fee is necessary as a business decision.

The mandated charge, which is pitched as a minimum, could also become overly burdensome to middle- and lower-income individuals and families. The current, potential exception for SNAP enrollees is merely

permissive, written as a "may" instead of a "shall," which does not guarantee relief (See Sections 3.X03(C)1 and 3.X04(C)2).

Moreover, if a plastic bag ban occurs under the ordinance as proposed, there is effectively no free alternative for consumers that do not arrive at a store with their own previously purchased bags in tow. Reusable cloth bags, larger and thicker plastic reusable bags and now paper bags will have a cost associated with them.

For consistency sake, if the mandated fee is eliminated for recycled-paper bags, and one does not exist for containers or straws, then there should not be a required fee for single-use cups.

2) Remove the requirement that stores track every fee they collect or single-use product they provide, which also means removing the requirement that they report said information to the city; Sections 3.X03(B)3, 3.X04(B)3, 3.X05(B)2 and 3.X06(B)2.

There is no real benefit to this requirement. The city does not receive the revenue from the fee. It only places an extra burden on businesses that are already being required to make a likely significant change in their business practices. If it is meant to "hold a store's feet to the fire," I am sure our active and engaged community is capable of doing just that. There is also a penalty section for failing to abide by the ordinance (See Section 3.X07).

3) Reduce the number of carve-outs (exemptions/exclusions) in the proposed ordinance; Sections 3.X03(C), 3.X04(C), 3.X05(C), 3.X06(C).

The number of exemptions or exclusions greatly reduce the effectiveness of the ordinance, especially the single-use plastic bag exemption for businesses like restaurants that do carry-out.

Applying the single-use plastic bag ban even to stores or restaurants that do carry-out for prepared foods could encourage those businesses to use alternative products like paper bags or small, cardboard to-go boxes. Several in the area already use such products of their own volition.

In addition, because of the exclusions and exemptions, the ordinance comes across as very targeted. Whether intended or not, it essentially favors some industries over others.

4) Eliminate the inventory loophole; Sections 3.X03(B)4, 3.X04(B)4, 3.X05(B)2, 3.X06(B)2 and "Effective Date" on page 11, line 27-29.

Instead of enabling stores to acquire new single-use plastics inventory by permitting the exhaustion of their 2019 inventory before the ordinance would apply to them, simply permit stores to deplete their inventory over the course of 12 months by making the ordinance effective one year after passage, without an inventory exception.

5) Consider an exception, at a cost, for stores that may require plastic to protect consumer products.

For stores that sell products that can become damaged by rain, snow and other elements, consider providing an exception that permits the sale of single-use plastic bags for protection of those products. This would be similar to the concept, currently permitted in the proposed ordinance, that consumers can still be provided plastic straws, if requested (See Section 3.X06(C)1).

Perhaps, in such an instance, a minimum fee would be appropriate to ensure this does not become its own loophole.

6) Consider simplifying the entire ordinance.

The current structure and content of the ordinance comes across as unnecessarily complex and could likely be simplified. If a package of the above amendments is applied, a simplified version would effectively be the



result. However, I would also suggest streamlining or reducing the definitions section and breaking down the ordinance with broader sections, instead of by each single-use product. It could be structured as follows:

Purpose; Definitions; General ban of single-use cups, straws, containers and bags; General outline of permitted replacement products; Limited exceptions; Penalties; and then Effective Date.

Thank you for your time and consideration.

Best,  
Chase Hagaman

includeInRecords: on  
Engage: Submit

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Below is the result of your feedback form. It was submitted by julia Smist ([dartor@vermontel.net](mailto:dartor@vermontel.net)) on Friday, April 26, 2019 at 20:16:04

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address: PO Box 273

comments: Dear Council members,  
I was visiting family in your city yesterday and decided to take a walk because it was such a beautiful day. I started out from the Edgewood Commons and walked towards Miller Ave. I was immediately dismayed at the horrific level of noise in the area that was being produced by two separate landscaping companies using high powered leaf blowers. The noise was so deafening that I decided to end my walk and retreat to the inside where the noise was stifled but still very apparent. How can such a beautiful city allow such an environmentally horrible practice. I say either ban the blowers or force the companies to use less powerful models in your otherwise quiet residential neighborhoods.

includeInRecords: on  
Engage: Submit

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Below is the result of your feedback form. It was submitted by Zelita Morgan ([zelita.morgan@gmail.com](mailto:zelita.morgan@gmail.com)) on Wednesday, May 1, 2019 at 10:37:04

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address: 39 Richards Ave

comments: Good morning, Councilors

There seems to be a mistake on tonight's agenda, specifically on the order of "Public Hearing" and "Public Comments", as they seem reversed. I would assume and expect to hold a hearing AFTER the presentation, not before.

Still on the budget presentation and the public engagement subject, I take this opportunity to comment that not making the presentation and data available to residents at least 2 business days in advance of the hearing, in many ways defeats the purpose of knowledgeable and thoughtful public comments and input.

Thanks for your service,  
Zelita Morgan

includeInRecords: on  
Engage: Submit

April 10, 2019  
The Carey Cottage "Creek Farm"  
was the first home we lived in when  
we moved to New Hampshire in 1959.  
We had a 9 mo old baby & Billie & Pat  
were just like grandparents. Even  
after we married Billie & Pat were  
like long friends & remained as till their  
deaths.

I spent so much time with Billie  
and know how much she loved the house.  
I never heard her say she ever  
thought of leaving the home destroyed.

I think she was pressured into signing  
the contract with the Forest people.  
Also Pat had died and Billie was  
getting up in years. I found she  
was a little forgetful & wasn't able  
able to reason as she had in the past.

I think she would be satisfied by  
the debate going on.

She would want the best for the  
Property she loved & save the  
Carey Cottage. Sincerely  
Margaret Roffe



April 19, 2019



Dear Portsmouth City Council,

I am writing on behalf of The Clip Joint Barbershop, we would like to "Thank you" for re considering about the dates of the Pedestrian Zone. This action is much appreciated by all of us at the shop.

Sincerely,


Debra Ann Oliver

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

**Office of the City Manager**

**Date:** May 2, 2019

**To:** Honorable Mayor Jack Blalock and City Council Members

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

**Re:** City Manager's Comments on May 6, 2019 City Council Agenda

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***Presentations***

1. **Senior Activity Center Re: Cottage Street Location f/k/a Paul A. Doble Army Reserve Center** In February, 2019 the deed to the Paul A. Doble U.S. Army Reserve Center located at 125 Cottage Street was transferred to the City of Portsmouth after numerous years and efforts to acquire this property for the purpose of a new senior activity center.

Per the recommendations of the Mayor's Blue Ribbon Senior Committee Report in December, 2013 and Recreation Board's Senior Sub-Committee in May, 2015, City staff have been making plans for an adaptive reuse and renovation of the property into the future home of the Portsmouth Senior Activity Center. With funding support from the City's U.S. HUD Community Development Block Grant program, design and engineer plans have been completed by AECm from Newmarket, and architects, Mannypenny & Murphy from Portsmouth. Additionally, asbestos abatement was completed in April.

As the next phase of this project advances, the City is preparing to go out to bid for a construction contractor. The total project cost is \$4.5 M. Of this total, approximately \$400,000 has been expended to date and there is \$1.6 M currently available to spend. Those available funding sources are from the Daniel Street Trust and the FY 16 & FY 17 General Fund-CIP. Additional funds of \$2.5 M are needed to complete the new senior center as designed and envisioned.

*I recommend the City Council:*

1. *Authorize the City Manager to request from the Trustees of the Trust Fund, \$1,525,200 from the Daniel Street Trust to be used for senior center construction.*
2. *Establish a public hearing for May 20<sup>th</sup> to consider and recommend \$2.5 M bond to be used for senior center construction.*

Attached is a project budget spreadsheet, a 20-year amortization schedule for a \$2.5 M bond, and a Power Point presentation.

## ***Public Hearings & Votes on Ordinances &/or Resolutions***

1. **Public Hearing and Second Reading of Ordinance amending Chapter 10 – Zoning Map 10.5A21A by changing the property with the address of 15 Middle Street from Civic District to Character District 4 and amending Zoning Map 10.5A21B by changing the height requirement area for the property’s street frontages on Porter Street and Maplewood Avenue to 2-3 stories (40’):** On February 4, 2019, Attorney Phoenix submitted a letter to the City Council on behalf of his client, James McSharry, requesting that this property be re-zoned from CIVIC to Character District 4 (CD-4). At the February 19, 2019 City Council meeting, the Council voted to refer this request to the Planning Board for a recommendation.

The Planning Board held a public hearing on this request at the March 21, 2019 meeting and voted 6 to 1 to recommend to the City Council that this property be re-zoned as follows:

1. From CIVIC District to Character District 4 (CD4)
2. From no height standard to 2-3 stories (40’)

At the April 26, 2019 City Council meeting, the Council voted to pass first reading and schedule second reading and a public hearing for May 6<sup>th</sup>.

A presentation by the Planning Director will be made at the May 6<sup>th</sup> meeting.

*I recommend the City Council move to pass second reading and schedule third and final reading for the May 20, 2019 City Council meeting.*

2. **First Reading of Ordinance Amending Chapter 6, Article II, Section 6.202 – Billiards and Bowling Hours** At the City Council meeting on April 15, 2019, the Council voted **unanimously with a 9-0 vote** to authorize the City Manager to bring back ordinance **Chapter 6, Article II Billiards and Bowling**, as amended, for a first reading. [Attached is the referenced ordinance.](#)

*I recommend the City Council move to pass first reading and schedule second reading and a public hearing for the May 20, 2019 City Council meeting.*



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

1. **Acceptance of Community Development Block Grant Funds** The U.S. Department of Housing and Urban Development (HUD) has informed the City that a Community Development Block Grant (CDBG) in the amount of \$526,934 will be made available to Portsmouth for FY 2020. This amount represents a decrease of \$18,274 or 3% from last year. These funds are used to carry out a variety of housing rehabilitation and accessibility projects and other CDBG-eligible community development and public improvements, as well as assistance to public service agencies. The vast majority of CDBG grantees saw changes within +/- 3% of last year's grant amount. According to HUD, this occurred due to new entitlements entering the program and the annual update of the formula data.

The Community Development Department, working in conjunction with the City's Citizens Advisory Committee, held a series of public hearings and meetings in the spring to solicit input and prioritize projects with regard to the expenditure of these FY 2020 funds.

*I recommend the City Council move to accept and expend a Community Development Block Grant in the amount of \$526,934 from the U.S. Department of Housing and Urban Development.*

## ***Consent Agenda:***

1. **Request for License to Install Projecting Sign – The Chamfered Corner at 140 Penhallow Street** Attached is a request for permission to install a projecting sign that extends over the public right of way at 140 Penhallow Street, as follows:

Sign dimensions: 43" x 39"

Sign area: 11.6 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed.

*I recommend the City Council move to approve the aforementioned Projecting Sign License, subject to the following conditions:*

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

2. **Request for License to Install Projecting Sign - 41 Vaughan Mall** Attached is a request for permission to install a projecting sign that extends over the public right of way at 41 Vaughan Mall, as follows:

Sign dimensions: 41” x 42”

Sign area: 12 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed.

*I recommend the City Council move to approve the aforementioned Projecting Sign License, subject to the following conditions:*

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

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

1. **Approval of AFSCME – Local A-1386 Re: Collective Bargaining Agreement** The City’s negotiating team has reached a tentative agreement with the Portsmouth City Employees – Local A-1386 on a new three (3) year collective bargaining agreement. (See attached cost charts and tentative agreement.) Material terms of the tentative agreement are summarized below.

3 year duration “until June 30, 2022.”
Increase employee premium cost share on health insurance to 12.5% on 7/1/2020 and 15% on 7/1/2021.
COLAs on July 1, 2019, July 1, 2020, and July 1, 2021 based on the 10-year rolling CPI-U average for Boston-Cambridge-Newton (no less than 2% and no more than 5%) for all members of the bargaining unit. On July 1, 2019, an additional .50% salary adjustment for Highway employees, Parking employees, and Equipment Mechanics in the bargaining unit.
Increase all steps on the current longevity schedule by \$100.00 on 7/1/2019, and then increase by COLA based on 10-year rolling CPI-U average on 7/1/2020 and 7/1/2021.
Provide hourly wage enhancements of up to \$.50/hour to employees possessing certain professional licenses specified by management.
Clarify bereavement leave language.
Clarify language regarding wage adjustment after promotion within the bargaining unit.
Remove all agency fee language from the CBA.
Change name of COLA CPI-U measure to “Boston-Cambridge-Newton” to reflect name change by BLS.
Allow probationary employees to participate in boot allowance program after six (6) months employment, and clarify language specifying type(s) of qualifying boots.
Allow qualified probationary employees to participate in on-call rotation.
Adopt MOA to set terms by which properly trained bargaining unit employees may operate heavy equipment on DPW property as part of normal operations.

*I recommend the City Council vote to approve the tentative three year collective bargaining agreement with the Portsmouth City Employees – Local A-1386 (to expire on June 30, 2022).*

2. **Proposed Longmeadow Road Extension Project** In a combined federal, state and municipal initiative, the Department of Public Works proposes to extend Longmeadow Road to intersect with Lang Road near Route 1/Lafayette Road, as reflected in the [attached plan, Exhibit A](#). This proposed extension would pass over two lots owned by Service Credit Union. This is part of a multi-phase process for State administration of Federal funding for infrastructure improvements. These Federal funds will finance the majority of this initiative. This proposal comes to the City Council following a road safety audit, completed in partnership with New Hampshire Department of Transportation.

This study found the extension necessary to safely reduce and redirect traffic from the busy intersection of Lang Road and Route 1. The Planning Board approved this project at the February 21, 2019 meeting. The Department of Public Works plans to begin the bid process in September, 2019, and begin construction in the winter of 2019/2020. Pursuant to Planning Board approval, we now request authority to negotiate, execute, deliver and record certain deeds to secure the property needed to complete this project.

In order to accomplish the above-described initiative, the City must acquire rights to property owned by Service Credit Union, both through easements and in fee simple ownership. Service Credit Union has agreed in principle to cooperate with the City. The City must acquire ownership of the land over which the final road will travel. Further, certain easements are needed to maintain the safety and quality of the road. These transactions are described in detail below. Funding timelines for the project require that City Council approval of the property transfers be acquired as soon as possible.

This project will require eight separate conveyances from Service Credit Union as shown on the [attached plan, Exhibit A](#). For the purposes of these conveyances, Lot 1 will refer to the lot at the corner of Lang Road and Route 1 containing the Service Credit Union offices, and Lot 2 refers to the adjacent, undeveloped lot. These conveyances are as follows:

#### Quitclaim Deeds

#1 Quitclaim Deed from Lot 1 (brown): This deed transfers 1.65 acres of land from Lot 1 to the City. This conveyance transfers the majority of the underlying road. This conveyance will be in fee simple, and will provide the City with ownership of the new Longmeadow Road extension.

#2 Quitclaim Deed from Lot 2 (tan): This deed transfers 15,499 square feet of land from Lot 2 to the City. This will convey the remainder of the property needed to contain the Longmeadow Road extension. Together with #1, the property conveyed via these quitclaim deeds will contain the new Lang Road extension.

### Permanent Easements

#3 Sight Distance Easement (pink): This easement is over Lot 2, contains 2,756 square feet of land, and it is to benefit the City of Portsmouth. The purpose of this easement is to ensure that no object restricts the view of the driver of any vehicle attempting to see around this turn. The easement specifically prohibits any object within this area to exceed 30” above the ground, and allows the City to enter onto this property to maintain this safety requirement.

#4 Drainage Easement (blue): This easement is over Lot 2, contains 8,871 square feet of land, and is to benefit the City. The purpose of this easement is to allow proper drainage from the road into a drainage ditch, which will pass under the road and empty into the retention pond described below.

#5 Drainage Easement (green): This easement is over Lot 1, contains 10,805 square feet of land, and is to benefit the City. Like easement #4, the purpose of this easements is to construct and maintain a drainage ditch along Longmeadow Road. This drainage ditch will travel along and then pass under Longmeadow Road, and empty into the retention pond described below.

#6 Drainage Easement (yellow): This easement is over Lot 1, contains 1.7 acres, and is to benefit the City. There is an existing retention pond on this piece of land. The purpose of this easement is to allow the City to empty runoff from the road and drainage ditches described above as #4 and #5 into this pond. The easement will also allow the City to enter onto and maintain this area, and ensure proper drainage into the adjacent, existing drainage easement owned by the State of New Hampshire.

### Temporary Easements

There will be two temporary construction easements, one on each side of Longmeadow Road extension. There will be one temporary grading easement on Lot 1 to benefit the City, and it will be 8,158 square feet. There will be one temporary grading easement on Lot 2 to benefit the City, and it will be 14,416 square feet. These are indicated on the exhibit in purple and dark blue. They will allow the City to enter onto areas of Service Credit Union property in order to construct the Longmeadow Road extension.

In addition to obtaining property and easements, the City must also secure the discharge of certain easements and a restrictive covenant on these properties. In 2004, Lang and Longmeadow Development, Inc. proposed to construct an apartment complex on the wooded, undeveloped lot behind Service Credit Union. Lang and Longmeadow owned that undeveloped lot, and Siegel LP and Ocean Castle LP owned the lot now containing Service Credit Union. As a part of the approval process for that development, Siegel LP and Ocean Castle LP granted certain easements and covenants to Lang and Longmeadow and to the City for a driveway, landscaping and a buffer area between the lots. Although the project was never completed, those easements and the covenant still exist, and may



encumber the land upon which the City now seeks to construct the Longmeadow Road extension. Thus, we request the authority to discharge and extinguish these easements and the covenant prior to acquiring this property.

*I recommend the City Council move to authorize the City Manager to negotiate, execute, deliver and record any necessary documents required to complete the extension of Longmeadow Road in accordance with the plans approved by the Planning Board; and further, that the City Manager be authorized to negotiate, discharge and extinguish any outstanding easements and covenants, which may interfere with the extension of Longmeadow Road.*

3. **CIP Request Re: New Franklin Elementary School Facility Improvements** Attached is a letter from Superintendent Stephen Zdravec requesting that the City Council establish a public hearing for May 20, 2019 regarding the authorization to bond Two Million Dollars (\$2,000,000) for facility improvements of the New Franklin Elementary School. This item has been identified in the FY2020 Capital Improvement Plan. Superintendent Stephen Zdravec would like to receive authorization on this expenditure in order to begin the improvements this summer while the students are on break.

*I recommend the City Council move to establish a public hearing on Monday, May 20, 2019 for bonding of Two Million Dollars (\$2,000,000) for New Franklin Elementary School Improvements.*

4. **Request to Establish a Work Session for May 20, 2019 Re: Update on Coakley Landfill** Eric Spear, Chairman of the Coakley Landfill Executive Committee, is requesting a work session be scheduled for the May 20, 2019 City Council meeting to update the City Council on various items relating to C.L.G.

*I recommend the City Council move to schedule a work session for a report back presentation regarding Coakley Landfill at the May 20, 2019 City Council meeting at 6:00 p.m..*

5. **Source Water Protection Project Re: Acquisition of 3.11 Acres of Undeveloped Proposed Adjacent to the Greenland Well** The City's Water Division has negotiated the purchase of a 3.11 acre parcel of undeveloped land that is located within the sanitary protective area (SPA) of the Greenland Well (see attached map). The SPA is defined by the NH Department of Environmental Services as the area within a 400 foot radius from the well that should be maintained in natural conditions and under the control of the water system for the purpose of protecting the source water quality. The parcel was subdivided in 2003 and approved by the Town of Greenland as a buildable lot. If a house was built on this lot, water quality of the Greenland Well would be threatened by potential septic system contamination or failure, impervious runoff loading, and land use activities such as vehicle maintenance and lawn treatments.

Since the Greenland Well was improved with a replacement well and new building in 2016, negotiations with the nearby property owner, Mr. John Chick, Jr., have been ongoing. A purchase and sale agreement between the property owner and the City of Portsmouth has been signed by the property owner. The proposed purchase price is \$220,000 for the parcel.

Grant funds from the New Hampshire Drinking Water & Groundwater Trust Fund have been awarded by the Governor and Council for this purchase. The amount of 48% of the purchase cost, up to a maximum of \$90,000 has been awarded. [A copy of that award letter is attached.](#) Acceptance of these funds requires the addition of deed restrictions to prevent uses that could affect the groundwater quality. The parcel will also need to be surveyed and appraised, and a baseline report of the parcel conditions will need to be prepared.

A separate two-thirds vote of the City Council following a public hearing will be needed in order to utilize water enterprise fund net position for this purchase (\$130,000 + \$90,000 = \$220,000). ([See attached Resolution](#))

*I recommend the City Council move to approve the following:*

1. *Authorize the City Manager to execute a Purchase and Sale Agreement for the subject parcel for the total cost of \$220,000, with the understanding that reimbursement for up to \$90,000 from the New Hampshire Drinking Water & Groundwater Trust Fund will be requested;*
  2. *Establish a public hearing for May 20, 2019 to fund the purchase of land through a use of water enterprise fund net position;*
  3. *Enter into a Grant Agreement with the State of New Hampshire's Drinking Water and Groundwater Trust Fund to receive up to \$90,000 to partially reimburse costs of the purchase; and*
  4. *Refer this matter to the Planning Board for a report back.*
6. **150 Route 1 Bypass Water Access Easement** On November 17, 2016, the Planning Board approved an application from Seacoast Trust, LLP, Inc. for property located at 150 Route 1 Bypass to build a 3-story multi-family building.

As approved, the Site Plan includes a water access easement to provide municipal access to the City to maintain and control water supply on the property. [See attached map and Easement Deed, including Attachment A.](#)

All of the foregoing has been approved by the Planning Board and is recommended by the Planning and Legal Departments.

*I recommend the City Council move to accept an access easement to 150 Route 1 Bypass as presented.*

## **Informational Items:**

1. **Upcoming FY20 Budget Work Sessions** Next week's FY 2020 Department Budget Work/Listening Sessions will be held on Wednesday, May 8<sup>th</sup> at 6:30 p.m. for the School Department, and Thursday, May 9<sup>th</sup> at 6:30 p.m. for the Public Safety/Police & Fire Departments.
2. **Report Back Re: Parking Principles** On March 25, 2019, the City Council held a joint session with members of the Planning Board, Parking & Traffic Safety Committee and Zoning Board of Adjustment. The purpose of the work session was to provide an opportunity for elected and appointed officials who are involved with parking and transportation regulations and related policy decisions to have an opportunity to review and discuss the City's Guiding Parking Principles adopted by the Council in March, 2012.

After a presentation from City staff, the attendees broke out into small groups to review the guiding parking principles and discuss proposed modifications. [A summary of the small group discussions is attached.](#) In addition, staff have prepared a [draft of modifications to the Guiding Parking Principles based on these discussions, attached as a red-lined document.](#)

3. **Portsmouth Receives Silver Walk Friendly Community Designation – April 16, 2019** Portsmouth was awarded the Silver Level Walk Friendly accreditation from The Walk Friendly Communities program (WFC) on April 16, 2019 due to the City's work in prioritizing pedestrians and creating safer, comfortable and inviting places to walk. With a population of just under 22,000 people, Portsmouth is the smallest Silver Level Walk Friendly Community Designee in the nation, devoting more energy and staff time to pedestrian issues than many other larger communities. [Attached is information about WFC, award guidelines and quotes from WFC Program Manager, Dan Gelinne, and Portsmouth Planning Director, Juliet Walker.](#)

AFSME Local #1386

**General Fund Only (43.75 FTEs):**

Current Agreement:	FY 20	FY 21	FY 22	Total 3 Year Agreement
Salaries/Steps	1,884,492	1,929,567	1,943,071	5,757,131
Longevity	11,813	13,258	14,258	39,328
On Call Monitoring	-	-	-	-
Tools	1,400	1,400	1,400	4,200
Benefits				
Ret/Social Security/ Medicare	356,885	365,640	368,369	1,090,893
<b>Total General Fund-Public Works Current Agreement</b>	<b>2,254,589</b>	<b>2,309,864</b>	<b>2,327,098</b>	<b>6,891,551</b>
		55,275	17,234	72,509 Increase from FY20
		2.45%	0.75%	3.22% % chg from FY20 - FY22
<b>Changes Proposed from TA:</b>				
COLA	47,112	87,795	129,039	263,947
Longevity	1,388	2,349	3,278	7,014
On Call Monitoring	-	-	-	-
Tools	400	400	400	1,200
Benefits				
Ret/Social Security/ Medicare	9,128	16,965	24,902	50,995
<b>Total Cost of Rollout of Tentative Agreement</b>	<b>58,027</b>	<b>107,509</b>	<b>157,619</b>	<b>323,156</b> Total 3 years
<b>Total General Fund-Public Works with TA</b>	<b>2,312,617</b>	<b>2,417,373</b>	<b>2,484,718</b>	<b>7,214,707</b>
<b>Budget to Budget Change per TA</b>	<b>2.6%</b>	<b>4.5%</b>	<b>2.8%</b>	<b>10.2%</b> % chg from FY20-FY22 <b>3.4%</b> Avg % Change per year
<b>Health Insurance:</b>				
Before Tentative Agreement				
City Cost of Health Insurance [NO PREMIUM ADJUSTMENT]	833,013	833,013	833,013	2,499,040
Employee Contribution rate Change	@ 10%	@ 12.5%	@ 15%	
<b>Employee contribution Change</b>	<b>-</b>	<b>(23,139)</b>	<b>(46,279)</b>	<b>(69,418)</b>
General Fund Cost of Health Insurance	833,013	809,874	786,735	2,429,622
<b>Budget to Budget Change per TA</b>				
General Fund - Health Insurance	0.0%	-2.8%	-2.9%	-5.6% % chg

**Parking, Stormwater, Prescott Park, Water and Sewer (55.5 FTEs)**

Current Agreement:	FY 20	FY 21	FY 22	Total 3 Year Agreement
Salaries/Steps	2,463,951	2,509,495	2,538,428	7,511,874
Longevity	14,788	15,743	17,018	47,548
On Call Monitoring	63,200	63,200	63,200	189,600
Tools	-	-	-	-
Benefits				
Ret/Social Security/ Medicare	462,187	470,939	476,624	1,409,750
<b>Parking, Stormwater, Prescott Park, Water and Sewer</b>				
<b>Total Current Agreement</b>	<b>3,004,126</b>	<b>3,059,377</b>	<b>3,095,269</b>	<b>9,158,771</b>
		55,251	35,892	91,143 Increase from FY20
		1.84%	1.17%	3.03% % chg from FY20-FY22
<b>Changes Proposed from TA:</b>				
COLA	79,206	125,457	168,849	373,512
Longevity	2,188	1,011	1,497	4,696
On Call Monitoring	12,640	18,935	25,251	56,826
Tools	-	-	-	-
Benefits				
Ret/Social Security/ Medicare	17,047	26,627	35,735	79,410
<b>Total Cost of Rollout of Tentative Agreement</b>	<b>111,081</b>	<b>172,030</b>	<b>231,332</b>	<b>514,444 Total 3 years</b>
<b>Parking, Stormwater, Prescott Park, Water and Sewer</b>				
<b>Total With TA</b>	<b>3,115,207</b>	<b>3,231,407</b>	<b>3,326,601</b>	<b>9,673,215</b>
<b>Budget to Budget Change per TA</b>	<b>3.7%</b>	<b>3.7%</b>	<b>2.9%</b>	<b>10.7% % chg from FY20-FY22</b>
				<b>3.6% Avg % Change per year</b>
<b>Health Insurance:</b>				
Before Tentative Agreement				
City Cost of Health Insurance [NO PREMIUM ADJUSTMENT]	989,623	989,623	989,623	2,968,869
Employee Contribution rate Change	@ 10%	@ 12.5%	@ 15%	
<b>Employee contribution Change</b>	<b>-</b>	<b>(27,490)</b>	<b>(54,979)</b>	<b>(82,469)</b>
<b>Parking, Stormwater, Prescott Park, Water and Sewer</b>				
<b>Cost of Health Insurance</b>	<b>989,623</b>	<b>962,134</b>	<b>934,644</b>	<b>2,886,401</b>
<b>Budget to Budget Change per TA</b>				
<b>Health Insurance Change</b>	<b>0.0%</b>	<b>-2.8%</b>	<b>-2.9%</b>	<b>-5.6% % chg</b>



**All Funds : General Fund, Stormwater, Prescott Park, Water and Sewer (99.25 FTEs):**

<b>Current Agreement:</b>	<b>FY 20</b>	<b>FY 21</b>	<b>FY 22</b>	<b>Total 3 Year Agreement</b>
Salaries/Steps	4,348,443	4,439,062	4,481,499	13,269,004
Longevity	26,600	29,000	31,275	86,875
On Call Monitoring	63,200	63,200	63,200	189,600
Tools	1,400	1,400	1,400	4,200
Benefits				
Ret/Social Security/ Medicare	819,072	836,578	844,993	2,500,643
<b>Total Citywide Current Agreement</b>	<b>5,258,715</b>	<b>5,369,241</b>	<b>5,422,367</b>	<b>16,050,323</b>
		<b>110,526</b>	<b>53,127</b>	<b>163,652</b> Increase from FY20
		2.10%	0.99%	<b>3.11%</b> % chg from FY20-FY22
<b>Changes Proposed from TA:</b>				
COLA	126,318	213,252	297,889	637,459
Longevity	3,576	3,360	4,775	11,710
On Call Monitoring	12,640	18,935	25,251	56,826
Tools	400	400	400	1,200
Benefits				
Ret/Social Security/ Medicare	26,175	43,592	60,637	130,405
<b>Total Cost of Rollout of Tentative Agreement</b>	<b>169,109</b>	<b>279,539</b>	<b>388,952</b>	<b>837,599</b>
<b>Total Citywide With TA</b>	<b>5,427,824</b>	<b>5,648,779</b>	<b>5,811,319</b>	<b>16,887,922</b>
<b>Budget to Budget Change per TA</b>	<b>3.2%</b>	<b>4.1%</b>	<b>2.9%</b>	<b>10.5%</b> % chg from FY20-FY22 <b>3.5%</b> Avg % Change per year
<b>Health Insurance:</b>				
Before Tentative Agreement				
City Cost of Health Insurance [NO PREMIUM ADJUSTMENT]	1,822,637	1,822,637	1,822,637	5,467,910
Employee Contribution rate Change	@ 10%	@ 12.5%	@ 15%	
<b>Employee contribution Change</b>		<b>(50,628.79)</b>	<b>(101,257.59)</b>	<b>(151,886)</b>
<b>City Cost of Health Insurance</b>	<b>1,822,637</b>	<b>1,772,008</b>	<b>1,721,379</b>	<b>5,316,023</b>
<b>Budget to Budget Change per TA</b>				
<b>Citywide Health Insurance Change</b>	<b>0.0%</b>	<b>-2.8%</b>	<b>-2.9%</b>	<b>-5.6%</b> % Chg

WORKING AGREEMENT

BETWEEN THE

CITY OF PORTSMOUTH, NEW HAMPSHIRE

PORTSMOUTH CITY EMPLOYEES LOCAL #1386

OF THE

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES

AFL-CIO

July 1, ~~2014~~2019 to June 30, ~~2019~~2022

Article 1  
WORKING AGREEMENT

The City of Portsmouth, hereafter referred to as the City, and the Portsmouth City employees, Local #1386 of the American Federation of State, County and Municipal Employees, hereinafter referred to as the Union, in order to maintain the existing harmonious relationship between the City Manager, who is the Chief Executive Officer, as set forth in the City Charter, as amended, and its employees join in the Agreement to promote the morale, equal rights, well-being and security of the Portsmouth City Employees, the City Manager, representing the City Council and the Union hereby agree as follows:

Article 2  
NON-GENDER CLAUSE

Within the Collective Bargaining Agreement where the male or female gender is exclusively used, it shall be understood that it does not limit the benefits to just the gender that was mentioned.

Article 3  
RECOGNITION

3.1 Employees covered by the Agreement are those who are ~~members of the Union who are~~ employees of the City of Portsmouth within the jurisdiction of the American federation of State, County and Municipal Employees in the positions defined in 3 .4 below.

~~3.2 It shall be a condition of employment with the City that all permanent employees covered by the Agreement, specifically, designated non supervisory employees in positions defined in Section 3.4 (below), who have completed their probationary period shall:~~

~~A. Become and remain members of the Union in good standing to the extent of paying the uniform union membership dues, initiation or reinstatement fees, or~~

~~B. In the alternative, an employee shall tender an agency or service fee to the Union in an amount which shall not exceed the monthly membership dues of Union members.~~

~~3.2 In December of each calendar year the Union shall notify the City of the amount of its dues and/or service fees.~~

~~Evidence of good faith of the employee complying with the above provisions will be considered to be his/her duly signed check off dues deduction card as presented to the City Accounting~~

~~Department or an appropriate authorization for agency fee deductions.~~

~~The Union will notify its members of the window period when they can change to agency service fee (last two (2) weeks in June).~~

- 3.3 Evidence of the good faith of the employee in joining the Union will be considered to be his/her duly signed check-off dues deduction card as presented to the City Accounting Department.
- 3.4 The following position classifications come under the provisions of Union membership set forth in the contract:

Cashier/Attendant	<u>Master Carpenter</u>
Chemist	Custodian
Custodian Lead Man	Dispatcher <u>I</u>
Electrician	<u>Dispatcher II</u>
Equipment Mechanic	Engineering Technician
Laborer	Equipment Operator, I, II
Lifeguard	Lab Technician
Meter Repairman	Meter Reader
Plant Operator I, II	Parking Garage Attendant
Pool/ Spa Technician	Plant Operator Trainee
Truck Driver I, II	Sanitary Laborer
Utility Mechanic	Watchman*

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\*Salary Schedule to be changed to accurately set forth title.

- 3.5 The City hereby recognizes that the Union is the sole and exclusive representative of all permanent employees of the City who are members of the Union for the purpose of bargaining with respect to wages, hours of work and working conditions and the Union unreservedly accepts and recognizes the necessity of the City to operate within its budget, as set forth by the City Charter as amended.
- 3.6 The City agrees for itself and any of its authorized agents that it will not bargain with any individual employee on matters pertaining to wages, hours of work, working conditions, transfers or promotions covered by this contract.
- 3.7 The Union agrees for itself and its members that no member will bargain with the City or any of its authorized agents on matters pertaining to wages, hours of work, working conditions, transfers or promotions covered by this contract.

Article 4A  
MANAGEMENT RIGHTS

4A. Management Rights: It is understood that the City shall have the exclusive control of the operation of the City. Nothing in this agreement shall be deemed to limit the City in any way in the exercise of the regular and customary functions of management, including those protected by the NH Public Employee Labor Relations Act, the direction of the working forces, the establishment or methods of operation, the establishment of plans for efficiency, the adoption and maintenance of engineering standards, and the right to select or employ supervisory employees and their assistants, except as specifically and expressly limited by any of the provisions of this agreement.

Article 4B  
PROBATIONARY PERIOD AND CLASSIFICATION

4B.1 Probationary Period: All new employees shall serve a probationary period of six (6) months. Effective January 1, 2017, all new employees shall serve a probationary period of twelve (12) months, and during this period shall be classified as probationary employees.

Probationary Period and Extension of: All appointments will be made for a working test period subject to close review as to his/her competency to carry out work assignments. Probationary employees are considered at will and may be terminated with or without cause.

4B.2 Classification: Each employee shall be assigned a distinct classification (probationary or permanent):

A. Probationary: Probationary employees are those employees hired to fill regular positions, but who are serving their probationary period of six months and twelve months for those employees hired after January 1, 2017. Probationary employees shall be allowed to earn sick leave and vacation during their probationary period, but shall not be entitled to be paid for unless and until they successfully completed six months of employment. Qualified probationary employees will be allowed to participate in the on-call rotation after the completion of six months of employment. Probationary employees shall be entitled to holiday pay in the same manner as other employees. Probationary employees shall not be entitled to other benefits of permanent



employees. Health and Dental insurance will become effective the first of the month following first day of employment.

- B. Permanent: Permanent employees are those employees hired to fill regular full-time positions who have completed their probationary period.

Article 5  
EMPLOYMENT AND TERMINATION

- 5.1 Union Dues: Upon receiving an individually written authorization card signed by the employee and approved by the Union, the City agrees to deduct from each employee's wages a sum for the Union dues to be collected from the first paycheck of each month.

5.1.a PEOPLE Contributions

The employer agrees to deduct from the wages of any employee who is a member of the Union a PEOPLE deduction as provided for in a written authorization. Such authorization must be executed by the employee and may be revoked by the employee at any time by giving written notice to both the employer and the Union. The employer agrees to remit any deductions made pursuant to this provision promptly to the Union together with an itemized statement showing the name of each employee from whose pay such deductions have been made and the amount deducted during the period covered by the remittance. This deduction is authorized by NH RSA 275:48 I. (e).

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- 5.2 Posting Jobs and Vacancies: All new jobs and vacancies within the bargaining unit shall be posted on the Union Bulletin Boards within ten (10) working days after the vacancy occurs, for Local #1386 members to bid only for a period of seven (7) working days prior to the filling of the position. The name of the successful candidate for the position shall be posted for five (5) days after the filling of the position.

- 5.3 Trial Period: When bidding a new job, via promotion or transfer the permanent employee shall have a trial period of three (3) months in which he/she may request to be reinstated to his/her previous position, and if there is no disruption in the

productivity of the department, the department head may grant the request.

- 5.4 Bidding Restriction: No employee who has successfully bid a job shall be allowed to exercise the right to bid another job within twelve (12) months of being assigned to a newly bid job unless bidding for a higher rate of pay in another job.
- 5.5 Anti-discrimination: The City agrees that it will not discriminate against, intimidate, or coerce any employee in the exercise of his/her rights to bargain collectively through the Union because of his/her membership herein or his/her activities on behalf of the Union. The City and union reaffirm and maintain the policy not to discriminate against any person because of race, creed, color, national origin, sex, age, marital status, Vietnam era veteran status, sexual orientation, and persons with disabilities as defined by the Americans with Disabilities Act.
- 5.6 Competitive Examination: The relative fitness of the applicants for -appointment, or promotion within the employment of the City will be determined by competitive examination, which will include the consideration and rating of any or all of the following qualification factors: education, experience, general adaptability, special aptitudes, physical fitness, knowledge , skills, personality, character, and such other qualifications as may be deemed necessary for the satisfactory performance of the duties of the respective position. All factors being equal , seniority shall determine appointment .
- 5.7 Absenteeism Without Notification: An absence of three (3) consecutive working days without notifying the immediate supervisor concerned shall serve as basis for immediate dismissal.
- 5.8 Working Days: For the purposes of this Article, working days are Monday through Friday, not including holidays.

Article 6  
SENIORITY

- 6.1 Definition: An employee's seniority shall commence with his/her hiring day provided the employee is not discharged and is in the City's continuous employ beyond the probationary period. All employees who are not permanent shall be deemed to have no seniority status and may be discharged.

- 6.2 Forfeiture: Seniority is forfeited only by discharge for just cause, resignation or retirement. In no case will seniority be interrupted or forfeited by illness, layoff, military duty, or approved leave of absence.
- 6.3 Layoffs: When it is necessary to reduce the number of employees on the City payroll because of the lack of work or funds the City Manager shall decide which employees shall be laid off in accordance with the following provisions:
- a. Layoffs shall be by job classification within each department, and;
  - b. All temporary employees within the job classification in which the layoff is to occur shall be laid off before any other employees in the job classification.
  - c. Probationary part-time employees shall be laid off before [any other] permanent part-time employees, and;
  - d. Part-time employees shall be laid off before any full-time employees are laid off, and;
  - e. Probationary full-time employees shall be laid off before any non-probationary full-time employees are laid off, and;
  - f. Among each group of employees eligible to be laid off, the City Manager shall select the least senior employee to be laid off.
- 6.4 A. Re-employment List: Employees separated from the service of the City through no fault of their own shall be placed on a re-employment list.
- B. The City agrees to maintain employees on this re-employment list for twenty-four (24) months following the employee 's date of lay-off. This list will be kept for each job classification within each department.
- C. An employee re-hired under these circumstances shall be credited with full seniority.
- 6.5 Reduction in Classification: When an employee is involuntarily transferred (demoted) to a lower class position or the employee's position is reduced in pay classification, if the employee s present salary is higher than the maximum for the new class, his/her present salary shall be frozen until general pay increases bring the salary within the range for the new position. When an employee voluntarily seeks a transfer (demotion) to a lower class position, the employee's salary

shall not exceed the maximum salary for the position in the employee's new class.

Article 7  
WAGES

- 7.1 Employees shall be paid in accordance with the following schedule, the rate of pay to be established in accordance with the position classifications and rates which are attached to this Agreement and marked Appendix A the rate of pay for bargaining unit members shall be increased as follows:

Effective on the date of City Council approval, employee's wages will be adjusted by 2%. Effective July 1, 2017, a COLA adjustment percentage increase shall be computed which shall not be less than 2% nor more than 5%. Effective July 1, 2018, a COLA adjustment percentage increase shall be computed which shall not be less than nor more than 5%.

Effective July 1, 2005, a new 2.75% step for 10 years of service (step F) shall be established for all classifications

Effective July 1, 2006, a new 2.75% step for 20 years of service (Step G) shall be established for all classifications.

Effective July 1, 2019 all employees working in Highway, Parking, and Equipment Mechanics will have an adjustment to their base wages in the amount of -2.50%.

~~All other employees shall receive an adjustment to their base wage at a percentage rate determined by the rolling ten (10) year average in the CPI-U for the Boston Cambridge Newton all items index, but no less than two percent (2%) and no greater than five percent (5%).~~

COLA Adjustments

- 7.2 Effective July 1, of each year from July 1, ~~2017-20~~2019 through June 30, ~~2019~~2022 a COLA adjustment percentage increase shall be computed which shall not be less than 2% nor more than 5.0%

The COLA Adjustment percentage shall be determined by the rolling ten (10) year average in the CPI-U for the ~~Boston-Brockton-Nashua-MA-NH-ME-CT~~ Boston-Cambridge-Newton all items index as computed by the Bureau of Labor Statistics of the U.S. Department of Labor for the most recent calendar year preceding the July 1 adjustment. BLS's calendar year for this index is

November through November, it is not published on a December to December basis. The reference base is 1982-1984 equals 100 until BLS updates the reference base at which time the parties agree to adopt the official reference based as used by BLS.

Thus if the rolling ten (10) average of the CPI-U for the Boston SMSA (Nov. -Nov.) is 1.5% the applicable COLA adjustment would be 2.0%; if it is 3.5% the applicable COLA adjustment would be 3.5%; if it is 5.5% the applicable COLA adjustment would be 5.0%.

Applicability After Contract Expires It is clearly understood that in the event that the ~~five-three~~ year Working Agreement expires without a successor Working Agreement being settled prior to July 1, 20~~19~~<sup>22</sup> that no further COLA adjustments after July 1, 20~~19~~<sup>22</sup> will be generated under the Working Agreement even if the Working Agreement has an evergreen clause. It is further agreed that continuation of COLA adjustments are not to be deemed "status quo" as the term has been used by the PELRB in the event that successor agreement has not been settled by July 1, 20~~19~~<sup>22</sup>.

7.3 Hourly Three (3) Step Employees ~~(except Laborers)~~:

First six (6) months	Step C
After six (6) months	Step D
After fifteen (15) months	Step E
After ten (10) years	Step F (eff. 7/1/05)
After twenty (20) years	Step G (eff. 7/1/06)

For Employees hired on or after January 1, 2017, the Hourly Three (3) Step Employees ~~(except Laborers)~~:

First twelve (12) months	Step C
Next twelve (12) months	Step D
At twenty-four (24) months	Step E
After ten (10) years	Step F
After twenty (20) years	Step G



7.4 The Three Step Employees subject to Section 7.4 wage progression are:

Parking Garage Attendant, Custodian, Plant Operator Trainee, Dispatcher I, Dispatcher II, Meter Reader, Sanitary Laborer, Truck Driver I, Truck Driver II, Utility Mechanic, Equipment Operator I, Plant Operator I, Equipment Mechanic, and Equipment Operator II, Pool/ Spa Tech, and Laborers.

~~7.5 Laborers~~

<del>First six (6) months</del>	<del>Step A</del>
<del>Six (6) to nine (9) months</del>	<del>Step B</del>
<del>Nine (9) to twelve (12) months</del>	<del>Step C</del>
<del>Twelve (12) to fifteen (15) months</del>	<del>Step D</del>
<del>After fifteen (15) months</del>	<del>Step E</del>
<del>After ten (10) years</del>	<del>Step F</del>
	<del>(eff. 7/1/05)</del>
<del>After twenty (20) years</del>	<del>Step G</del>
	<del>(eff. 7/1/06)</del>

~~For Employees hired as Laborers on or after January 1, 2017, the following schedule will apply.~~

~~7.6-5 Salaried and Laborers~~ Five (5) Step Employees:

First six (6) months	Step A
After six (6) months	Step B
After eighteen (18) months	Step C
After thirty (30) months	Step D
After forty-two (42) months	Step E
After ten (10) years	Step F
	(eff. 7/1/05)
After twenty (20) years	Step G
	(eff. 7/1/06)

~~7.7-6~~ It is agreed that the general Salary Ordinance for any year shall be presented to the President of the Union at least

fourteen (14) working days prior to its presentation to the City Council.

~~7.8-7~~ A. An employee reclassified, promoted or acting in a position which has a higher maximum hourly rate shall receive a pay raise of one step over his/her present rate upon promotion or to the minimum of the new position, whichever is greater, but not less than 4.5%, and such increases as are set forth in the Salary Plan thereafter, based upon date of promotion. ~~Employees promoted with ten (10) or more years of service must wait twelve (12) (amended 1/23/17) months between Steps E and F. Employees promoted with twenty (20) or more years of service must wait twelve months between Steps E and F and another twelve (12) (amended 1/23/17) between Steps F and G.~~

B. Temporary "plus rate assignments" shall be made on the basis of Department seniority among qualified employees who bid on the assignment. Qualifications shall be determined by the City.

C. In no case shall an employee be paid less than his/her regular rate of pay.

~~7.9-8~~ The City shall: (1) Provide an equal opportunity for training and (2) any employee who has trained on any equipment may request and the City shall provide a written evaluation of the employees performance on said piece of equipment.

~~7.10-9~~ All cost of living increases shall be in addition to the step increases to which the employees are entitled.

~~7.11-10~~ The City shall, upon written request and authorization from the employee, forward said employee's paycheck as a direct deposit to the banks or credit unions with direct deposit compatible with the computer programs utilized by the City. The City shall not be held responsible for any delay experienced by employee due to the transfer of funds to the bank or credit union.

~~7.12-11~~ Effective date of City Council approval, the Custodial Lead position will be upgraded from Grade 7 to Grade 8, the Electrician position will be upgraded from a Grade 8 to a Grade 9 and the Water Sewer Camera Operator will be upgraded from a Grade 7 to a Grade 9.

Effective July 1, 2019, a Dispatcher II position will be created at a Grade 9. Employees who fill in for the Dispatcher II will be paid at the Dispatcher I Grade 7 rate.

7.12 Employees required to have State of New Hampshire Licensing for in the area of Collections, Distribution, or Treatment shall have added to their hourly base rate an amount as follows:

- A. \$0.50 Per/Hour for Grade 1 Distribution License
- B. \$0.50 Per/Hour for Grade 1 Sewer Collections License
- C. \$0.50 Per/Hour for Grade 3 Operator's License, provided that the employee assumes commensurate additional responsibilities, mutually agreed to by Management and the Union. If agreement is not reached, the increase will not occur.
- D. \$0.50 Per/Hour for Grade 4 Operator's License, provided that the employee assumes commensurate additional responsibilities, mutually agreed to by Management and the Union. If agreement is not reached, the increase will not occur.

**Article 8  
LONGEVITY**

8.1 All bargaining unit employees shall receive longevity compensation. Longevity compensation shall commence on the first week in December following said five (5) years of service. Longevity compensation shall be distributed to the employees before the fifteenth of December in a separate check.

8.2 Longevity compensation shall be distributed according to the following schedule.

Length of Service	<del>12/1/2004</del>	<del>12/01/17</del>	07-01-19
5 years	<del>\$ 150.00</del>	<del>\$200.00</del>	\$300.00
10 years	<del>\$ 300.00</del>	<del>\$350.00</del>	\$450.00
15 years	<del>\$ 450.00</del>	<del>\$500.00</del>	\$600.00
20 years	<del>\$ 600.00</del>	<del>\$650.00</del>	\$750.00
25 years	<del>\$ 750.00</del>	<del>\$800.00</del>	\$900.00
30 years	<del>\$ 900.00</del>	<del>\$950.00</del>	\$1,050.00
35 years	<del>\$1,050.00</del>	<del>\$1,100.00</del>	\$1,200.00

8.3 Longevity shall begin to accrue upon date of hire.

8.4 Effective July 1, 2020 the amounts specified in the longevity schedule in Article 8.2 shall be adjusted a percentage rate determined by the rolling ten (10) year average in the CPI-U for

the Boston-Cambridge-Newton all items index, but no less than two percent (2%) and no greater than five percent (5%).

Effective July 1, 2021 the amounts specified in the longevity schedule in Article 8.2 shall be adjusted a percentage rate determined by the rolling ten (10) year average in the CPI-U for the Boston-Cambridge-Newton all items index, but no less than two percent (2%) and no greater than five percent (5%).

## Article 9 INSURANCE

### 9.1 Medical Insurance:

Effective July 1, 2014 through March 31, 2017, the employee' s cost for Matthew Thornton will be 15. of the Premium and the City will pay eight-four and one-half percent (84.5%)

Effective July 1, 2014 through March 31, 2017, the employee' s cost for BlueChoice will be twenty percent (20%) of the Premium and the City will pay eighty percent (80%) .

Effective April 1, 2017, the City will provide employees with coverage under the AB 20 10/20/45 plan with mail-in prescription coverage. The employee's cost for AB 20 coverage will be ten percent (10%) of the premium and the City will pay ninety percent (90%) of the premium.

Effective April 1, 2017, the City will also continue to provide employees with BlueChoice only, provided that the City' s payment toward this benefit will be capped at ninety percent (90%) of the premium of the AB 20 10/20/45 with mail-in prescription coverage plan. The employee will be solely responsible for any the additional cost for this coverage.

Effective July 1, 2020, the City will provide employees with coverage under the AB 20 10/20/45 plan with mail-in prescription coverage. The employee's cost for AB 20 coverage will be twelve and one-half percent (12.5%) of the premium and the City will pay eighty-seven and one-half percent (87.5%) of the premium.

Effective July 1, 2021, the City will provide employees with coverage under the AB 20 10/20/45 plan with mail-in prescription coverage. The employee's cost for AB 20 coverage will be fifteen percent (15%) of the premium and the City will pay eighty-five percent (85%) of the premium.

If at any time the total premium cost for any of the plans offered by the City to Union members exceeds the threshold levels for assessment of the Affordable Care Act's ("the ACA") Cadillac Tax (\$10,200 for single person coverage and \$27,500 for two person of family coverage), the parties will immediately re-open the contract on the issue of health insurance only, for the purpose of considering alternative plans (which may include School Care's Consumer Driven Health Plan) and choosing an alternative plan that does not exceed the threshold levels for assessment of the ACA's Cadillac Tax.

The Union agrees to participate in a City-wide committee exploring health insurance options.

- 9.2 The City agrees to implement an IRS Section 125 Plan so employees may take advantage of the IRS code provision allowing payment of insurance premiums with pre-tax dollars.
- 9.3 The City will continue to offer the lens and frame discounts offered by EyeMed which from time to time may be unilaterally changed by EyeMed. It is understood that EyeMed may withdraw, modify or amend the program and the City will not be under an obligation to provide any additional program. The City will also continue to offer the generic maintenance prescription drug rider which has been issued by Blue Cross/ Blue Shield and is currently in effect. The City will include explanations of these programs once a year with the employee s paychecks.
- 9.4 The parties agree that employees shall receive a waiver stipend in lieu of health insurance coverage in the amount equal to fifty percent (50.0%) of the City's cost of a single person premium Blue Choice plan upon presentation by the employee of proof of alternative, employer sponsored health insurance coverage that does not subject the City to any fees/ taxes/penalties/ assessments under the provisions of the ACA. Effective April 1, 2017, the health insurance stipend will equal fifty (50%) percent of the AB 20 plan upon presentation by the employee of proof of alternative, employer sponsored health insurance coverage that does not subject the City to any fees/ taxes/penalties/assessments under the provision of the ACA. The stipends shall be paid quarterly. No additional employees shall receive such stipends when both spouses work for the City. Further the City will not provide Health and/or Dental Coverage if an employee is already covered by the same or similar health and/or dental plan. If the employee is found to have dual coverage, the employee must pay back to the City an amount equal

to the premiums paid by the City during the time of dual coverage.

- 9.5 Dental Insurance: The City agrees to pay for single, two-person or family membership in the Delta Dental Plan as required.
- 9.6 Short-term Disability: The City shall make available through payroll deduction Disability Income insurance for members of the bargaining unit.
- 9.7 Long Term Disability: Within sixty (60) days after this Agreement is approved the City shall obtain Disability Income Insurance for members of the Association equal to two-thirds, (2/3) of the monthly base salary not to exceed five thousand (\$5,000) dollars per month. Said insurance shall be effective after the 61st day of disability with benefits payable to age 65 and shall be coordinated with Social Security benefits. Only regular full-time employees working 25 hours or more a week shall be eligible for Disability Income Insurance.
- 9.8 Workman s Compensation Insurance: In case of accidental personal injury to any employee arising out of any accident in the course of his employment, the City shall pay to the employee the difference between the amount received from the insurance company or Workman's Compensation carrier and the employee' s regular pay check. Said payments to be made by the City until the employee is able to return to work, but in no event shall such payments by the City exceed twenty-six (26) weeks.
- 9.9 Life Insurance: The City shall provide a group life insurance policy for eligible members of the Association in the amount of the current annual salary of the individual employee (rounded up to the nearest one thousand dollar), in accordance with the conditions set forth in the insurance policy. Only regular fulltime employees working 25 hours or more a week shall be eligible for Life Insurance.
- 9.10 NHRS Death Benefit: The following is an explanation of death benefits employees will receive under the New Hampshire Retirement System. These benefits are governed by NHRS and may be subject to change by NHRS.

If you die while you are in service, and your death is not job related, a death benefit will be payable to your designated beneficiary (ies). You must be in service when you die in order for the ordinary death benefit to be payable; otherwise, only a refund of your accumulated contributions will be payable to your designated beneficiary (ies).



If you are eligible for service retirement when you die and your spouse is your only designated beneficiary, your spouse will be eligible for a pension earned to the date of your death. This pension will continue until your spouse remarries or dies. Or, if your spouse prefers, he/she can receive a lump sum payment equal to your annual earnable compensation plus a refund of your accumulated contributions.

Accidental Death Benefit: If you die while you are in service and your death is the natural and proximate result of an on-the-job accident, an accidental death benefit will be payable. You must be in service when you die in order for the accidental death benefit to be payable; otherwise, only a refund of your accumulated contributions will be payable to your designated beneficiary(ies).

If you are married, your spouse will be entitled to an annual pension until he/she remarries or dies, equal to of your AFC.

If you leave no surviving spouse, or if your surviving spouse remarries or dies, any of your dependent children under age 18 will be entitled to an annual pension equal to of your AFC. If you leave no dependent children under age 18, your dependent mother or dependent father will be entitled to an annual pension for life equal to of your AFC.

If you leave no surviving spouse, no dependent children, or no dependent parents who are eligible for the pension described above, a lump sum payment equal to your base salary, any of your accrued benefits not paid at the time of death, and your accumulated contributions will be payable to your designated beneficiary(ies).

**Note:** In addition to an accidental death pension a refund of your accumulated contributions is also payable to your designated beneficiary(ies).

Article 10  
SICK LEAVE

- 10.1 All employees shall be entitled to thirteen (13) days sick leave per year.
- 10.1 Accumulation of sick leave shall be unlimited.
- 10.3 Employees hired after January 1, 1990 shall have a maximum accumulation of 150 days.
- 10.4 Upon death of an employee while in the employment of the City , the City shall pay to his/her estate an amount equal to one hundred percent (100%) of his accumulated sick leave .

- 10.5 Upon retirement from employment, or upon termination of his/her employment, voluntary or involuntary, the City shall pay to the employee an amount equal to seventy-five percent (75%) of his/her accumulated sick leave at the date of the termination of his/her employment.
- 10.6 Employees hired after July 1, 1996 shall earn and accumulate sick days as set forth in Section 10.1, 10.2, 10.3, and 10.4 but shall receive no payout for accumulated sick leave upon termination, retirement or death.
- 10.7 To be entitled to payment as set forth above, the employee must give the City notice by February prior to the fiscal year in which payment is to be made. If such notice is not given and the employee retires or voluntarily terminates employment, the employee will not be entitled to be paid for his or her accumulated sick leave until the first pay period of July following his or her retirement or termination or 120 days after his or her retirement or termination whichever is later. If the employee is involuntarily terminated by the City or leaves under one of the following exceptions notice will be waived and then the employee will be paid for his or her accumulated sick leave within seventy-five (75) days of termination:
1. Resignation at the request of the City Manager.
  2. Disability retirement.
  3. Retirement caused by serious illness or injury which otherwise does not qualify for disability retirement.
  4. Retirement caused by a serious family illness where the employee is needed to attend to the family member in need.
  5. Other circumstances which arise precipitously which make it impossible for an employee to meet the notice requirements of this section, only if the City Manager approves in advance of the payment without the required notice.

Article 11  
MEDICAL APPOINTMENTS

- 11.1 The City shall allow each permanent employee time off with pay for a doctor, dentist, hospital or other medical related appointments not lasting over two (2) hours per appointment. Employees may take time off in half hour increments but will not exceed a total of 6 hours per contract year.

11.2 Employees shall request such time off at least forty-eight (48) hours in advance, unless in cases of emergency.

Article 12  
MATERNITY/ADOPTION LEAVE

- 12.1 Upon application of the employee and approval by the City Manager, a maternity leave of absence shall be granted to permanent full-time employees who have been employed at least one (1) year before said application.
- 12.2 It will be the responsibility of the employee to notify the City Manager one (1) month prior to returning to work.
- 12.3 An employee shall use accumulated sick leave benefits during the disability period as determined by her physician before being eligible for maternity benefits, except leave without pay may be granted before all such leave is expended based on approval by the City Manager. It is understood that employees on approved unpaid leave must pay their own health and dental premiums, once FMLA is exhausted (if applicable).
- 12.4 An employee shall not forfeit seniority during this leave of absence.
- 12.5 Adoption: Any bargaining unit employee adopting an infant shall be granted a leave of absence not to exceed three (3) months without pay.
- 12.6 Such leave shall commence upon her receiving defacto custody of said infant, or up to two (2) months earlier if necessary to fulfill the requirements of adoption.
- 12.7 Employee may keep benefits in force while on leave by paying group rate premiums to the City.
- 12.8 Family Medical Leave Act Policy: The union and the employer agree that the Interim Policy as implemented by the City of Portsmouth regarding the Family Medical Leave Act shall be applicable to the employees covered by this agreement. It is further agreed that should management initiate a change to said policy that it will be negotiated with the union and subject to all appropriate approvals.

Article 13  
VACATIONS

13.1 All permanent full-time employees shall be paid for actual time worked, all approved leaves and all approved holidays.

13.2 The City shall endeavor to keep the permanent full-time employees continuously at work insofar as practicable during the calendar year.

13.3 All full-time permanent employees shall receive a paid vacation as follows:

A. If he/she has worked one (1) full year, he/she shall be entitled to two (2) weeks vacation or ten (10) working days with pay.

This is to be computed to the nearest half-month period by multiplying the time worked by the factor of .833 which represents the vacation time earned per month. Once an employee has completed six months of employment, he or she may take earned annual leave.

B. The vacation schedule shall be as follows completing one (1) full year's service for the City of Portsmouth:

Years of Service	Days	Per Month
One to five inclusive	10	0.833
six	11	0.917
seven	12	1.000
eight	13	1.083
nine	14	1.167
ten	15	1.250
eleven	16	1.333
twelve	16	1.333
thirteen	17	1.417
fourteen	17	1.417
fifteen	18	1.500
sixteen	18	1.500
seventeen	19	1.583
eighteen	19	1.583
nineteen	20	1.667
twenty	20	1.667

13.4 Employees on a five (5) day work week shall be allowed to accumulate no more than fifty (50) days as of December 31 for the purpose of carrying over to the next year.

13.5 All leave time shall be applied for in advance, if possible, to the immediate Supervisor or Department Head.

13.6 All permanent employees, upon termination whether voluntary or involuntary, shall be paid one hundred percent (100%) for all earned, unused vacation leave at the present rate of pay.

- 13.7 A. Personal Days: Each full-time permanent employee shall be allotted two (2) personal days each year to tend to matters which cannot be taken care of during the employee's regular time off. Upon death of an employee while in the employment of the City, the City shall pay to his/her estate an amount equal to one hundred percent (100%) of any unused personal days
- B. The employee can take such personal day as a whole day or one-half day at a time.
- C. The employee shall be required to give a twenty-four (24) hour verbal notice to his/her Supervisor prior to the requested leave. In the event of an emergency, making such notice impractical, such notice shall be waived. In such cases, the Department Head may require the employee to submit a written explanation of the circumstances for not providing the twenty-four (24) notice.

#### Article 14

##### LEAVE OF ABSENCE WITHOUT PAY

- 14.1 Written leaves of absence without pay may be granted by the City Manager in writing specifying the commencement and expiration date for the leave. Such leave may be for a period not to exceed twelve (12) months when medically necessary. Non-medical leaves may be for a period not to exceed six (6) months.
- 14.2 Upon expiration of the leave, the employee shall be reinstated to the position held before the leave was granted.
- 14.3 Failure of the employee to report promptly at the expiration of the leave shall be cause for disciplinary action up to and including discharge.

#### Article 15

##### BEREAVEMENT LEAVE

- 15.1 All employees shall be entitled to Bereavement leave up to three (3) days with pay for a death in the family.
- 15.2 An additional two (2) days may be granted by the Department Head, at his discretion, for a death in the immediate family.
- 15.3 Immediate family shall be defined as follows: Spouse, Child, Adopted Child, Parent, Parent by adoption, Brother, Sister.
- 15.4 Family shall be defined as — Aunt, Uncle, Grandparent, Grandchild, Mother-in-law, Father-in-law, Brother-in-law, Sister-in-law, Grandparent-in-law, Niece, and Nephew.

~~15.4 Extensions may be granted by application to the Department Head.~~

15.5 Additionally, with department head approval, three (3) days of bereavement leave may be granted for the death of a member of the Employee's household.

15.6 In the event an employee entitled to bereavement leave experiences a significant delay between the date of the death and the date of the funeral, the employee may hold one of their bereavement days for use at a later time for the purpose of attending the funeral.

Article 16  
HOLIDAYS

16.1 All permanent full-time employees shall be paid at their regular rate for the following named legal holidays:

New Year's Day  
Dr. Martin Luther King, Jr. Day  
Presidents Day  
1/2 day Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Columbus Day  
Veteran' s Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Day  
The preceding Monday if Christmas is on a Tuesday  
The following Friday if Christmas is on a Thursday

16.2 In addition to above paid holidays, all permanent full-time employees shall be paid at their regular rate for any holiday designated as such by the laws of the State of New Hampshire.

16.3 Holiday pay shall be granted if an employee reports for work on the last regularly scheduled work day prior to the holiday and the first regularly scheduled work day after the holiday, except in the case of an approved annual day, personal day, compensatory day or a sick day supported by a doctor's note.

16.4 When a holiday falls on a Saturday, the preceding day shall be considered a holiday for City employees. If a holiday falls on a Sunday, the following Monday shall be considered a holiday.



16.5 Any holiday shall be considered part of the regular work week.

Article 17

UNION CONVENTION LEAVE

17.1 The City shall allow one (1) union member five (5) days leave of absence with pay, to attend the A.F.S.C.M.E. International Convention once every two years.

17.2 The City shall allow two (2) Union members one and one-half (1 ½ ) days leave of absence with pay, to attend either the New Hampshire State Labor Council Convention or the A.F.S.C.M.E. Council #93 Convention each year.

17.3 Such leave must be requested at least one week in advance.

Article 18

MILITARY LEAVE OF ABSENCE

Any member who is ordered for active military service as a member of the Armed Forces of the United States of America, or who is engaged in activities in the Reserve Forces of the United States of America, or State National Guard, shall be granted a leave of absence to perform such military duties with the City paying the difference in salary between the employee's base pay and his/her military base pay for said duty and without loss of leave time. Such leave shall be considered Military Leave and shall not exceed twenty (20) working days in a calendar year. (Amended 1/23/2017.)

Article 19

SAFETY

19.1 The City and the Union shall cooperate fully in matters of safety, health and sanitation affecting the employees.

19.2 The City shall have the right to make regulations for the safety and health of its employees during their hours of employment. Representatives of the City and the Unions shall meet one every 30 days at the request of either party to discuss safety or such relations. The Union will appoint their representatives to the Safety and Health Committee.

19.3 Employees cooperation in detecting hazards and eliminating or controlling them is a condition of their employment. Employees shall inform their supervisors immediately of a situation beyond their authority to correct on an appropriate form to be supplied by the City.

19.4 Protective equipment shall be furnished to all employees performing work which requires the use of such protective equipment.

- 19.5 The employees agree to exercise due care in the use and storage of such items.
- 19.6 All replacements of previous issue shall be made only when an article is turned in or exchanged for one issued.
- 19.7 The Union agrees that its members who are employees of the City shall comply with the City's rules and regulations relating to safety, economy, continuity and efficiency of the service to the City and the Public.

Article 20  
GRIEVANCES

- 20.1 In recognition of the fact that the City and its employees, represented by the Union, have a mutual responsibility to the Public which requires that substantial disagreements arising between the employees and the management be settled in an orderly way without undue delay, it is agreed that fundamental differences which may arise between the employee and the management of the nature mentioned in the following paragraphs shall be adjusted in accordance with the provisions herein set out.
- 20.2 Should any substantial difference arise between the City and the Union, or its members, as to the meaning and interpretation of this Agreement, including wages or changes in wage rates, procedure of a settlement shall be by private conference in the following manner and order:
- A. An employee who has a grievance shall discuss the grievance with his/her Union Steward or an officer of the Union.
  - B. An employee who has a grievance shall discuss the grievance with his/her Supervisor.
  - C. If the employee is dissatisfied then the grievance shall be submitted to the Department Head within seven (7) working days of the meeting in (A) for further review and possible solution. This shall be known as Step 1.
  - D. The Department Head shall submit his/her written decision to the Union within seven (7) working days after receipt of the notice of grievance or of the hearing to discuss said grievance whichever is later.
  - E. If no agreement has been reached, then the Union may submit the grievance to the City Manager within ten (10) working days after the decision from the Department Head. The City Manager shall render his/her written decision within ten

(10) working days after receipt of the grievance. This shall be known as Step 2.

- F. Should the City Manager's decision be unsatisfactory, any dispute, claim or grievance arising out of or relating to the interpretation or the application of this Agreement may be submitted to arbitration under the voluntary labor arbitration rules of the American Arbitration Association. The parties further agree to accept the arbitrator's award as final and binding upon them. This shall be known as Step 3.
  - G. All demands for arbitration shall be submitted to the PELRB within thirty (30) work days of the Union's receipt of the City's Step 2 answer. Any grievance for which a demand for arbitration is not submitted to the PELRB within thirty (30) work days shall be deemed dropped. This section shall be effective on or after the date of signing.
  - H. Notwithstanding the foregoing or any other section of this contract, a grievance must be filed in writing with management within ten (10) working days of the event giving rise to the grievance or within ten (10) working days of when the employee knew or should have known of the occurrence of said event. If the grievance is not filed in writing within the aforementioned time limit, it shall be untimely and therefore shall be denied.
  - I. The time limits set forth in Items B, C, D, and F may be extended by mutual agreement of the parties. It is understood that if the union wishes expedited treatment of a grievance it should so notify management so that hearings and decisions will be handled quickly.
- 20.3 Cost of said arbitrator shall be shared equally by the City and the Union. Any arbitrator ruling on a cause pursuant to this article shall have no authority to change, alter or amend in any way the provisions of this contract. RSA 542 shall be applicable to appeals of arbitrator's decisions.
- 20.4 Working Days: For the purposes of this article, working days shall be defined as Monday through Friday, not including holidays.

#### Article 21 DISCIPLINARY PROCEDURES

- 21.1 All disciplinary action shall be in a fair manner and shall be consistent with the infraction for which disciplinary action is being taken.

21.2 All suspensions and discharges must be stated in writing and the reasons stated and a copy given to the employee (s) and the Union at the time of suspension or discharge

21.3 A. Disciplinary action will normally be taken in the following order:

- (1) Verbal warning;
- (2) Written warning;
- (3) Suspension without pay;
- (4) Discharge.

21.3 B. An employee may be suspended or discharged for the following reasons:

- (1) Misconduct during employment;
- (2) Incompetency or inefficiency;
- (3) Failure to perform assigned duties;
- (4) Disobedience of his superior;
- (5) Intoxication while on duty;
- (6) Conviction of a felony;
- (7) Failure to observe rules and regulations;
- (8) Unauthorized absence from duty;
- (9) Incompatibility with other employees.

21.4 No employee shall be penalized, disciplined, suspended or discharged without just cause.

21.5 The length of time between disciplinary actions shall be considered in determining the appropriate level of discipline or in considering an employee for a promotion.

21.6 A. In the event an employee receives a written or verbal discipline, the warning shall remain in the employee's personnel file. However, said discipline will not be considered after one (1) year provided no subsequent infraction of the same type as classified in Section 21.3 B occurs.

B. In the event an employee is suspended, the suspension shall remain in the employee's personnel file. However, said discipline will not be considered after three (3) years provided no subsequent infraction of the same type as classified in Section 21.3 B. occurs.

C. Disciplinary action, taken by the City, against an employee due to illegal or criminal offenses shall be exempt from the provision of A. and B. of this Section.

21.7 The City shall not engage in random drug testing unless required to do so under Federal or State Law or Regulation.

Article 22  
JURY/WITNESS DUTY PAY

An employee called as a juror or witness for the City shall be paid the difference between the fee received for such service and the amount of straight time earnings lost by the employee by reason of such service. Satisfactory evidence must be submitted to the employee's immediate supervisor. Payment of meals and/or mileage shall not be considered as part of the fee for the purpose of this Agreement.

Article 23  
EMPLOYEE INDEMNIFICATION

The City shall defend all employees against any claims made against them arising out of an act or omission by the employee while acting in good faith within the scope of his/her employment. The City shall indemnify all employees for any judgments entered against them arising out of an act or omission by the employee acting in good faith within the scope of his/her employment, to the extent that the claim is within the scope of coverage of any insurance policy maintained by the City

Article 24  
EDUCATIONAL EXPENSES

- 24.1 The following educational reimbursement policy will apply to members of the bargaining unit covered by this policy.
- 24.2 The City agrees to provide reimbursement to employees who complete approved courses relating to their current responsibilities or as part of an approved career development program based upon the following standards: payment up to one hundred percent (100. of the cost of such courses, but not to exceed Fifteen hundred dollars (\$1500.00) per employee in a calendar year and not to exceed the total budgeted amount.
- 24.3 Courses must be approved in advance by the Department Head concerned as meeting the requirement that the course is related to the employee's job or is part of a career development program. Approval must be obtained through the Personnel Department for payment of the course. A procedure will be established to effectuate payment.

24.4 Once a course has been approved as meeting the requirements, up to one hundred percent (100%) will be paid to the employee upon presentation of a certificate of satisfactory completion of the course.

24.5 Approval for courses will be considered on the basis of relevancy of the course, number of employees applying and funds available.

24.6 If a course is paid for in whole or in part through Federal or State Program (s), then the City will not reimburse for such course, it being the intent of this Section to eliminate double payment for any course.

- A. The City shall pay for required certification of minimum education required by the Federal, State, Local or City governments.
- B. Education expenses shall include, but not be limited to the following: tuition, registration, books, supplies, course material, travel and meals.
- C. If the employee has to attend any school or course during the regular work day, the employee shall be compensated at his regular rate of pay for all time related to the education including but not limited to: travel and actual classroom time, up to eight (8) hours in any one day.

Article 25  
BULLETIN BOARDS

The City shall provide a space for a Union bulletin board in each building where space is available, that a Union member is employed. Only notices that are approved by the Union Executive Board or President shall be posted on said bulletin board.

Article 26  
EQUIPMENT

26.1 The City agrees to furnish raincoats and boots for all employees for whom such issue is necessary.

26.2 The City shall furnish rubber and/or leather gloves for all work on existing sewer lines.

26.3 The City shall furnish all necessary tools and equipment for the employees to carry out their jobs or assignments including, but not limited to, leather gloves.



- 26.4 The employees shall exercise due care in the use and storage of all tools and equipment assigned to them.
- 26.5 All replacement of previous issue shall be made only when an article is turned in and exchanged for one issued.
- 26.6 The City shall continue to provide uniforms for those employees currently receiving them, as well as to the laborers and truck drivers on the refuse crew.
- 26.7 The Union and its members agree to exercise proper care and to be responsible for all City property issued or entrusted to them.
- 26.8 Upon City Council approval, all Public Works non-office employees will be required to wear steel-enforced leather work boots, or equivalent, while working. Protective footwear must comply with ASTM International Standards or equivalent standards. The City agrees to pay said employee up to One hundred twenty-five (\$125. 00) dollars twice a year for work boots. Receipts will be required. The City reserves the right to establish the specification for boots for jobs to ensure safety. (Amended 1/23/17)

Effective July 1, 2019 the City shall provide the boot allowance under this provision to probationary employees after completion of six (6) months of employment.

- ~~26.9 Effective January 1, 2005, the City shall provide an annual tool allowance for mechanics payable thereafter on July 1st annually in the following amounts:~~

~~Effective July 1, 2005 — \$350.00~~

Effective July 1, ~~2012~~ 2019, the City agrees to reimburse mechanics up to ~~\$350.00~~ 450.00 a year for the purchase of tools. Receipts will be required.

#### Article 27 CALLOUTS

- 27.1 Employees within the bargaining unit called in for emergency work shall be paid a minimum of four (4) hours at the time and one half rate.
- 27.2 Any employee recalled during his original call-out minimum shall not be entitled to additional compensation.
- 27.3 Any member of the bargaining unit who is required to be on call for a week at a time, will receive 4 hours of pay, at time and one half in addition to any callout pay. If the member is called in but is unable to be reached, they will forfeit the minimum 4-

hour payment. This call out time will not apply to Madbury, Pierce Island or Pease employees.

Article 28  
MILEAGE

28.1 Employees required or requested to use their personal vehicles in the course of their duty for City business shall be reimbursed at the current applicable IRS allowable rate.

Article 29A  
COMP-TIME IN LIEU OF OVERTIME

The parties agree that in lieu of overtime, a department head (totally within his or her discretion) may grant comp-time if the employee agrees to accept it, subject to City Manager approval. Comp-time, if granted, must be granted in accordance with FLSA requirements.

Article 29  
HOURS OF WORK AND OVERTIME

29.1 Current work schedules shall remain unchanged until Management provides any affected employee/positions and the union with a minimum of sixty (60) calendar day notice of the intent to change including the rationale for the change and afford the Union the opportunity to impact bargain and present alternatives. The current work schedules as of the signing of this agreement shall be listed in Appendix B and considered as part of this agreement.

29.2 Schedule changes: Daily and weekly scheduled work hours may be changed by mutual consent between the employees and the department head. The parties understand employees are needed to work the hours when services to the citizens and community can most efficiently be performed.

New positions or vacancies in the Recycling Area only may have hours and/or days of work that vary from the provisions below. Hours of work shall be forty (40) hours in a week. The daily and weekly schedule shall be established by management. This provision will remain in place until a successor agreement is effective.

29.3 Lunch: Lunch time will be considered non-work time except where specifically stated otherwise.

29.4 Pay Period: The normal pay period shall begin Sunday at 12:01 a.m. and end Saturday at midnight.

29.5 Overtime: Overtime assignments shall be made on a rotating basis by classification seniority within the division in which the overtime occurs. Overtime shall be offered to employees within a division prior to out of division employees within the same classification. If there are not enough employees available for overtime work, the supervisor needing to fill such assignment shall, at his/her discretion, determine to go outside the division within the same classification to seek employees within the same division but of another classification to fill such overtime work requirements. Any employee performing such overtime assignments shall be placed at the bottom of the rotation list and not called again until proper rotation has been followed. Any employee refusing overtime shall be placed at the bottom of the rotation list. The purpose of this section is to divide overtime as equitable as possible. Overtime work required to complete a job in progress shall be handled as per current practice. If in the judgment of the foreman a true emergency situation exists, the above procedure may be waived.

29.6 Daily Overtime Waivers: It is understood where mutually agreed between the employee and the department head, daily overtime requirements may be waived, however the time off must be given off within the same week.

29.7 Holidays: All holidays for which an employee receives pay shall be considered part of his/her basic work week, as specified in the sections on hours of work, for overtime purposes and employees shall be paid for all time worked over this basic work week as specified in the sections on hours of work. [Settlement Agreement dated September 24, 1994 continues in effect].

29.8 Employees will be eligible for overtime after they have worked 40 hours in any given week. Military Leave, Bereavement Leave, Holidays and 6 hours for medical appointments will be considered hours worked for the purpose of calculating overtime. Vacation, sick leave, and personal leave will not count as hours worked for overtime calculation purposes. (Amended 1/23/17) .

The only exceptions to the above are as follows:

- o Employees who use comp time or annual time during the next scheduled day of work following a night event (working beyond midnight) will be used in the overtime calculation. Any available comp time must be used prior to the use of annual time.
- o Hours paid/ worked for being on call (required to carry the city's electronic notification device) will be counted as hours worked for overtime purposes.

PUBLIC WORKS

- 29.9 Public Works: The following provisions apply to employees of the Public Works Departments. However, if a new subdivision is formed, then the hours of work and overtime shall be an item subject to negotiations.
- 29.10 City Yard, and Other Non-Specified Public Works Employees:
- A. Employees will receive two fifteen minute breaks - one in the morning and one in the afternoon in accordance with Public Works Policy #6. There will be no break from work for lunch. Lunch may be eaten "on the fly"; work in progress will not stop while lunch is eaten.
  - B. The work week shall consist of forty (40) hours per week.
- 29.11 Custodial Personnel: Hours of work shall be forty (40) hours in a week. The daily and weekly schedules shall be established by management. Employees will receive two fifteen minute breaks --one in the first half of the shift and one in the second half of the shift in accordance with Public Works Policy #6. There will be no break from work for lunch. Lunch may be eaten "on the fly"; work in progress will not stop while lunch is eaten.
- 29.12 Madbury Water Treatment Plant:
- A. The Madbury Plant Operations shall be seven days a week rotating schedule. Plant operating employees shall work forty hours a week.
  - B. Employees will receive two fifteen minute breaks - one in the morning and one in the afternoon in accordance with Public Works Policy #6. There will be no break from work for lunch. Lunch may be eaten "on the fly"; work in progress will not stop while lunch is eaten.
  - C. Employees who are scheduled off on a holiday as observed by other Public Works employees will receive the next schedule work day as the holiday or the day prior to their regular days off as the holiday as appropriate. Management shall have the discretion in determining the number of employees it requires to work on a holiday.
- 29.13 Waste Water Treatment Plant:

- A. The work week shall consist of forty (40) hours per week. Employees will receive two fifteen minute breaks one in the morning and one in the afternoon in accordance with Public Works Policy #6. There will be no break from work for lunch. Lunch may be eaten "on the fly" work in progress will not stop while lunch is eaten.

29.14 Municipal Parking Garage Employees:

- A. Employees are required to work an average of not more than forty (40) hours in any week over a month period.
- B. Management specifically can utilize a 4-on/4-off schedule of ten (10) hour days, in which case lunch will be eaten on the job during paid time. SAID employees shall be paid overtime at time and one-half (1-1/2) for hours worked in excess of forty (40) hours in a week.
- C. The Parking Garage Utility Mechanic shall work forty hours in a week.

Article 30

UNIFORMS

30.1 Uniforms will continue to be provided to Mechanics, Sanitary Laborers, Truck Driver 11, Waste Water Plant Personnel and Sewer Division Personnel in accordance with policies set by the Public Works Department.

- A. Highway Department employees will be provided uniforms in accordance with the policies set by the Public Works Department effective July 1, 1990.
- B. Water Distribution employees will be provided uniforms in accordance with the policies set by the Public Works Department effective July 1, 1991.
- C. Employees who are provided uniforms shall wear the uniforms during all working hours. Uniforms shall not be worn during non-working hours, except when an employee is engaged in reasonable travel to and from work and shall not be worn in bars, restaurants, saloons, or other drinking establishments.
- D. Effective January 23, 2017, uniforms will be provided to the dispatch position.

~~30.2 The Fire Department will provide its clerical and administrative staff \$250 annual uniform allowance. This allowance will be provided to employees who have completed their probationary period.~~

Article 31  
SUBCONTRACTING

- 31.1 The City and the Union agree that in any subcontracting proposal where the City anticipates eliminating the jobs for any members of the Union, the City shall give notice to the Union in anticipation of such action.
- 31.2 Any bargaining unit employee, whose job is eliminated because of subcontracting, shall be given due consideration for transfer to any vacancies which exist.

Article 32  
AMENDMENT

- 32.1 The signing of this Agreement by the authorized representatives of the Union and the City shall constitute the effective date of this Agreement. No cost item will be retroactive unless specifically described as such and approved as a retroactive cost by the City Council.
- 32.2 This Agreement will remain in effect until June 30, ~~2019~~ 2022.
- 32.3 Should neither party to this Agreement initiate negotiations as required by State Law, this Agreement shall be considered to have been automatically renewed for another year.
- 32.4 In no case shall a termination notice be sent less than thirty (30) days prior to the notice day for intent to bargain as set forth by State Law. Such notice shall be in writing.
- 32.5 To promote peace and harmony, meetings between the Union and the City shall be conducted in accordance with New Hampshire RSA 273-A

Article 33  
LIMITATIONS

Nothing in this Agreement, either by inclusion or exclusion, shall be so interpreted as to limit any benefit now enjoyed by City employees.

Article 34  
CONFLICT



In the event of a conflict between the provisions of this Agreement and existing policies and procedures of the City of Portsmouth regarding wages, hours of work, and working conditions, it is agreed that this Agreement shall govern the relationship between the parties.

Article 35  
COPIES

All employees, including new employees upon successful completion of their probation, shall be provided with a copy of this Agreement and all appendices at the expense of the City of Portsmouth. The Union Steward shall comply with the provision not later than thirty (30) calendar days after the signing of this Agreement for the contract year.

Article 36  
BARGAINING AGREEMENT

The Union and the City agree that the issue of the effective date of the contract including the issue of retroactivity is a negotiable subject of bargaining. The City and the Union recognize that the timely negotiation of future collective bargaining agreements is an important matter of great concern to the City in order for it to complete its budgeting process within the legal time limits.

Toward this end, the City and the Union agree that every effort will be made to negotiate all future agreements prior to the expiration date of such agreements including this Agreement. The retroactivity of future agreements shall be specifically bargaining and shall not be automatic.

Article 37  
JOB DESCRIPTIONS

The City will provide #1386 with copies of the job descriptions for their members, as well as job descriptions as they are revised.

ARTICLE 38  
STAND BY PAY FOR OFF-SITE MONITORING OF PORTSMOUTH WATER & WASTE  
WATER TREATMENT SYSTEM DURING NON-WORKING HOURS

1. These provisions are applicable only to the Water Treatment Plant (Madbury) and Wastewater Treatment Plants (Pease and Pierce Island).
2. All Operator Is and Operator IIS shall be trained on the use of the stand-by monitoring equipment.

3. Operator Is and Operator IIS desiring to work on the standby monitoring rotation shall sign up with the Chief Plant Operator. Management shall use the sign up list for standby monitoring except in cases of emergency. If the number of people on the list falls below 4, the union and management will meet to work out details for providing appropriate coverage for stand-by monitoring. It is understood that the Chief Plant Operator may be included in the stand-by monitoring rotation.
4. The sign-up list set forth in item #3 above shall be effective for six months at a time. The list will open each January 1, and each July 1. Employees choosing to come off the list shall give management notice by December 1 or June 1 as appropriate. Swaps will be allowed, with notice to the Chief Plant Operator and subject to his/her approval. The employee who performs the monitoring will be the employee who gets paid.
5. An employee required to be on stand-by to monitor and control the water and waste water systems during non-working hours will be compensated as follows:
  - A. ~~\$2.25-\$3.00~~ per hour while on stand-by to monitor and control including responses to beeper alarms, computer trouble shooting, etc. and payable whether or not any alarms go off. Stand by pay will increase to ~~\$2.30-\$3.25~~ on ~~June 30~~ July 1, 20142020. ~~Upon execution of the CBA, the Stand By- pay will increase to \$2.50 per hour. Stand by pay will increase to \$3.50 on June 30~~ July 1, 2021.
  - B. When an employee who is on stand-by to monitor the system must come in to correct the problem, the employee will receive a three-hour minimum at overtime rate. [As opposed to a 4-hour emergency call-in set forth in the AFSCME Local #1386 Contracts, Article 27.] Employees who are called in due to a fire will receive a 4-hour minimum at overtime rate.
  - C. It is understood that an employee who is on standby to monitor the system will not be paid for mileage or travel time if he/she must return to the plant to correct a problem.
  - D. It is understood the City will pay for the long distance phone calls to Water or Waste Water Treatment Plant computer when an employee is on stand-by monitoring.
6. The compensation system set forth in Section 5, #B, #C and #D above shall be subject to revision if necessary to efficiently deal with operating conditions . Such revisions would have to be

negotiated although interim adjustments could be put into effect pending negotiations.

SIGNATURES

Executed this \_\_\_\_\_ Day of \_\_\_\_\_, 2019.

City of Portsmouth  
New Hampshire

American Federation of State,  
County, and Municipal Employees,  
Local # 1386

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
President

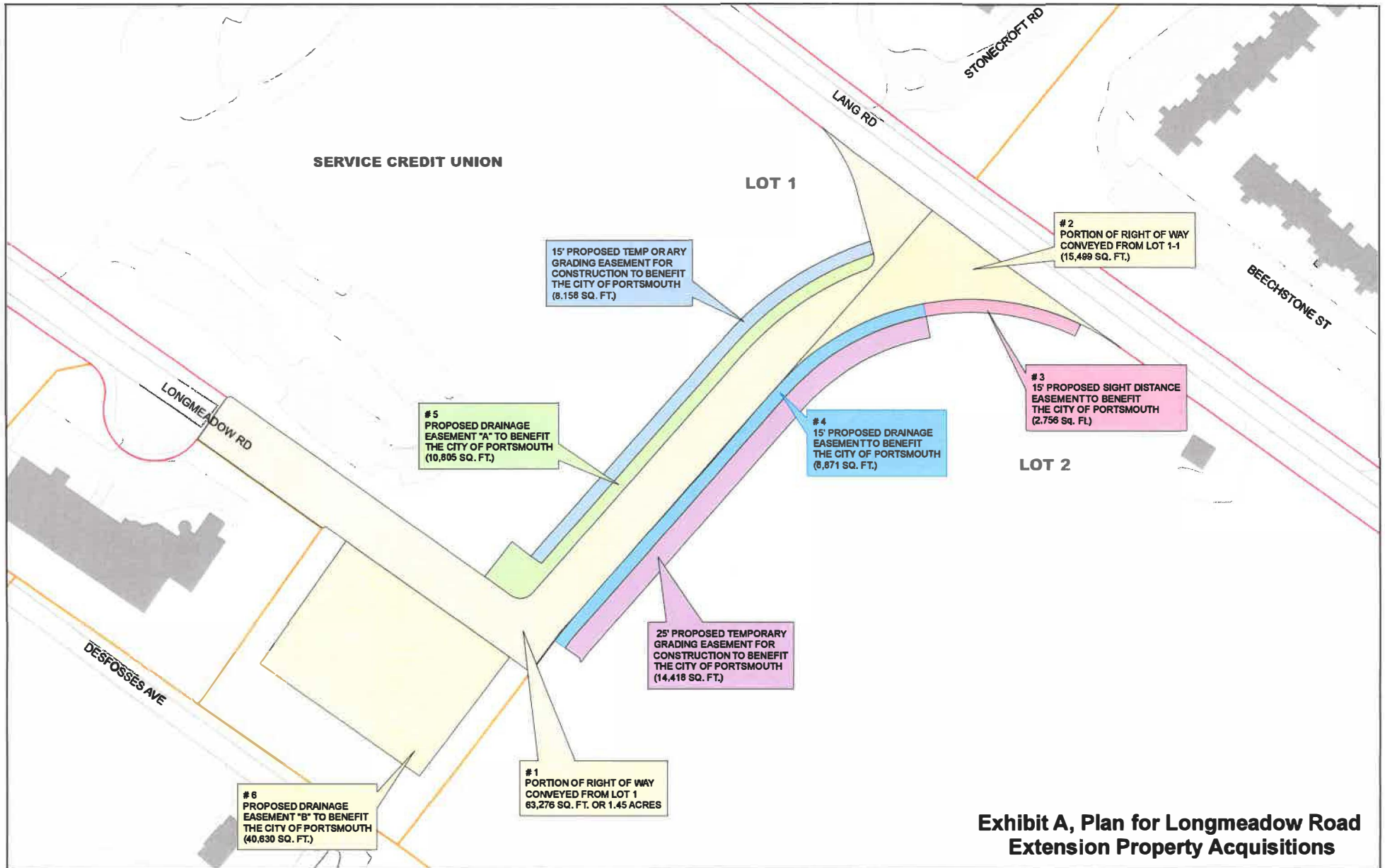
\_\_\_\_\_  
City Negotiator

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Public Works Director

\_\_\_\_\_  
Negotiating Committee

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Exhibit A, Plan for Longmeadow Road Extension Property Acquisitions**



# PORTSMOUTH SCHOOL DEPARTMENT

## OFFICE OF THE SUPERINTENDENT OF SCHOOLS

STEPHEN ZADRAVEC  
SUPERINTENDENT OF SCHOOLS

GEORGE SHEA  
ASSISTANT SUPERINTENDENT

STEPHEN T. BARTLETT  
BUSINESS ADMINISTRATOR

April 19, 2019

Portsmouth City Hall  
Attention: Mr. John P. Bohenko, City Manager  
1 Junkins Avenue  
Portsmouth, New Hampshire 03801

Subject: Elementary School Upgrades

Dear John,

The Portsmouth School Board's Elementary Facilities Committee has reviewed the plans and scope for the facility improvements at New Franklin Elementary School scheduled to begin this summer. These plans include asbestos removal, the instillation of a new HVAC system, and other minor improvements.

The School Board is requesting approval from the City Council for the \$2,000,000 scheduled for FY 20 in the Capital Improvement Plan. I would be happy to provide any other information necessary to complete this request. We thank you and the City Council, in advance, for your support of this capital project.

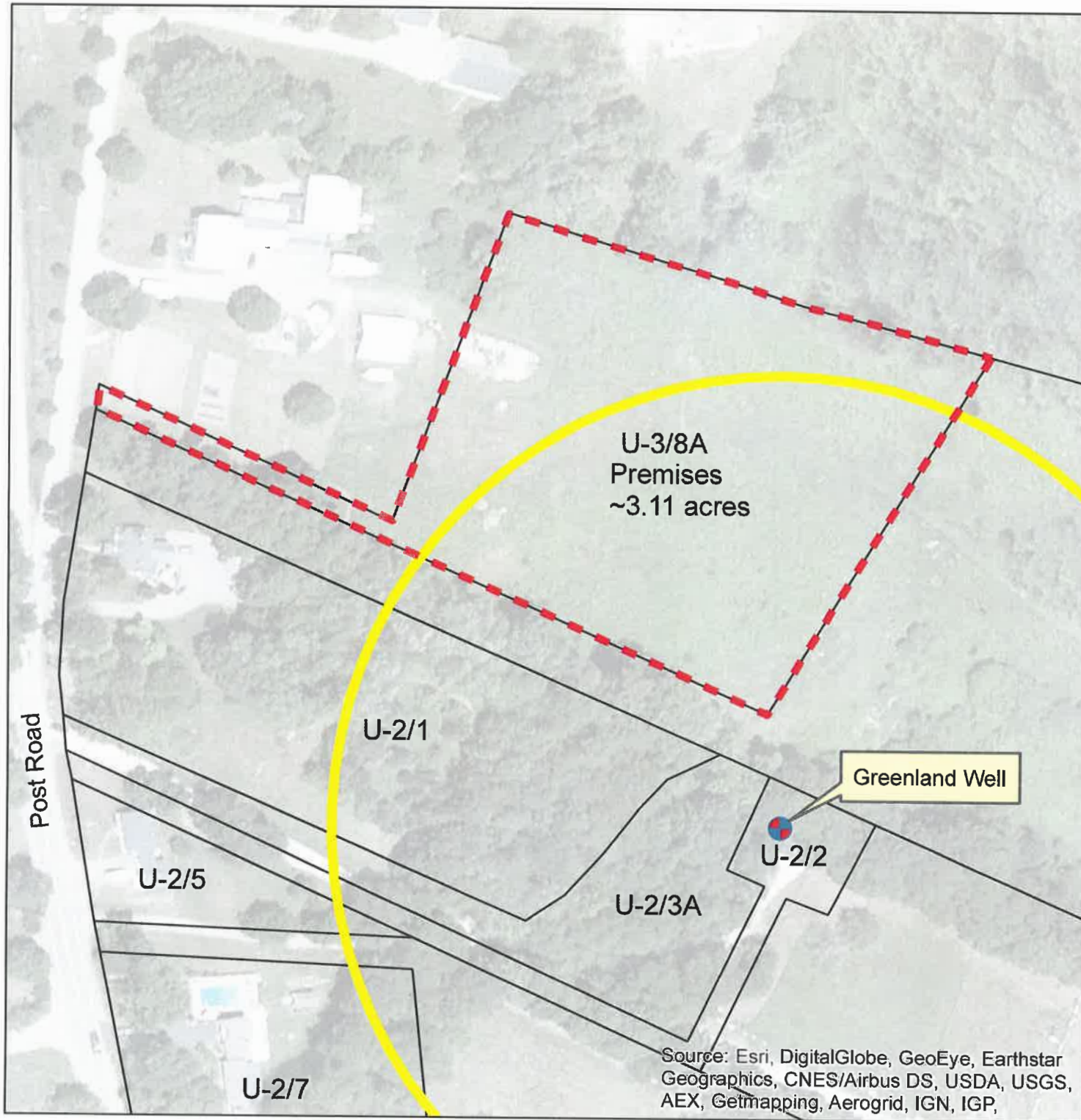
Sincerely,

Stephen Zdravec  
Superintendent of Schools





Cc: Ms. Judie Belanger, Finance Director  
Mr. Stephen Bartlett, Business Administrator

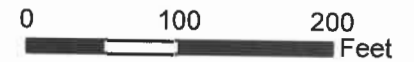
**"THE PURPOSE OF THE PORTSMOUTH SCHOOLS IS TO EDUCATE ALL STUDENTS BY CHALLENGING THEM TO BECOME THINKING, RESPONSIBLE, CONTRIBUTING CITIZENS WHO CONTINUE TO LEARN THROUGHOUT THEIR LIVES."**

CM Action 5a  
 Meeting 05-06-19  
**Greenland Well  
 Sanitary Protection Area**



**Legend**

-  Public Supply Well
-  Premises (Subject Parcel)
-  Sanitary Protective Area (400 ft Radius)
-  Lot Lines (Approximate\*)



\* Parcel boundaries digitized from Town Tax Maps. Presented for reference only. Refer to parcel deed for property boundary locations.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP,





## NEW HAMPSHIRE DRINKING WATER & GROUNDWATER TRUST FUND



### Commission Members

**Senator Chuck Morse, Chair**

**Rep. Chris Christensen, Vice Chair**

**Senator Daniel Feltes, Clerk**

**Rodney Bartlett, Public Member**

**William W. Boyd, III, Town Council Member**

**Bruce Bretton, Town Selectman**

**Clark B. Freise, Governor's Designee**

**Andrea Kenter, P.G., Public Member**

**Dorothy Kurtz, Public Member**

**Rachel Miller, NH State Treasury**

**Lisa Morris, Division of Public Health**

**David Paris, NH Water Works Association**

**Rick Russman, State or Regional Land Trust Member**

**Paul Sanderson, NH Fish and Game Department**

**Bernie Rousseau, Public Member**

**Robert R. Scott, NH Department of Environmental Services**

**Suzanne Smith, House of Representatives**

**Tim Vadney, P.E., NH Water Pollution Control Association**

**Christopher S. Way, NH Economic Development**

October 15, 2018

Albert Pratt, Water Supply Operations Manager  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

Subject: 2018 Drinking Water Groundwater Trust Fund for City of Portsmouth's application for the Chick Property – Greenland Well SPA Land Purchase project

Dear Mr. Pratt:

Congratulations on the City of Portsmouth's successful application for a grant from the Drinking Water and Groundwater Trust Fund. The Drinking Water and Groundwater Advisory Commission (Advisory Commission) intends to award up to \$90,000 toward the cost of purchasing land in order to further the protection of the Greenland Well, a source of drinking water for the City of Portsmouth.

To award the funds NH Department of Environmental Services (NHDES) must enter into a grant agreement with the City of Portsmouth, subject to approval by Governor and Council. Enclosed is a grant agreement and certificate of authority. The following items also must be submitted prior to finalizing the grant for this project:

1. A survey of the property;
2. An appraisal of the property;
3. A title examination;
4. The conservation easement or deed restrictions language;
5. An acceptable stewardship plan for the properties to ensure that the provisions of the conservation easement or deed restrictions are upheld;
6. Baseline documentation, which indicates the current condition of the properties; and
7. Documentation to support the match provided by the City of Portsmouth.

One condition of the grant is that allowed uses of the property include development of community water supply sources. Any requests for exception(s) to this condition would need to be approved by the Advisory Commission. Please note, the next Advisory Commission meeting is on November 5, 2018 and future Advisory Commission meetings have not been scheduled at this time. NHDES recommends that any requests for exceptions to this condition be submitted to NHDES no later than October 29, 2018.





NEW HAMPSHIRE DRINKING WATER  
& GROUNDWATER TRUST FUND



Please contact Holly Green at [holly.green@des.nh.gov](mailto:holly.green@des.nh.gov) or 603-271-3114 if you have any question regarding this grant.

Sincerely,

Erin Holmes  
DWG Trust Fund Administrator  
MtBE Remediation Bureau  
Tel: (603) 271-8321  
Email: [Erin.Holmes@des.nh.gov](mailto:Erin.Holmes@des.nh.gov)

Enclosures: Grant Agreement  
Certificate of Authority

cc: Paul Susca, NHDES  
Holly Green, NHDES

**CITY OF PORTSMOUTH, NEW HAMPSHIRE  
SUPPLEMENTAL APPROPRIATION  
FOR THE FISCAL YEAR ENDING JUNE 30, 2019**

**RESOLUTION # -**

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR GREENLAND WELL SOURCE WATER PROTECTION LAND PURCHASE.**

**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 **Two Hundred Twenty Thousand (\$220,000) Dollars** is to be appropriated using up to Ninety Thousand (\$90,000) Dollars from a New Hampshire Drinking Water & Groundwater Trust Fund grant with the remaining balance funded from Water Fund Unrestricted Net Position to defray the expenditures related to purchase of the Greenland Well Source Water Protection Land purchase for the Fiscal Year ending in June 30, 2019.

**THAT**, to meet this appropriation, the City Manager is authorized to transfer these funds from the Water Fund Unrestricted Net Position.

**APPROVED BY:**

**JACK BLALOCK, MAYOR**

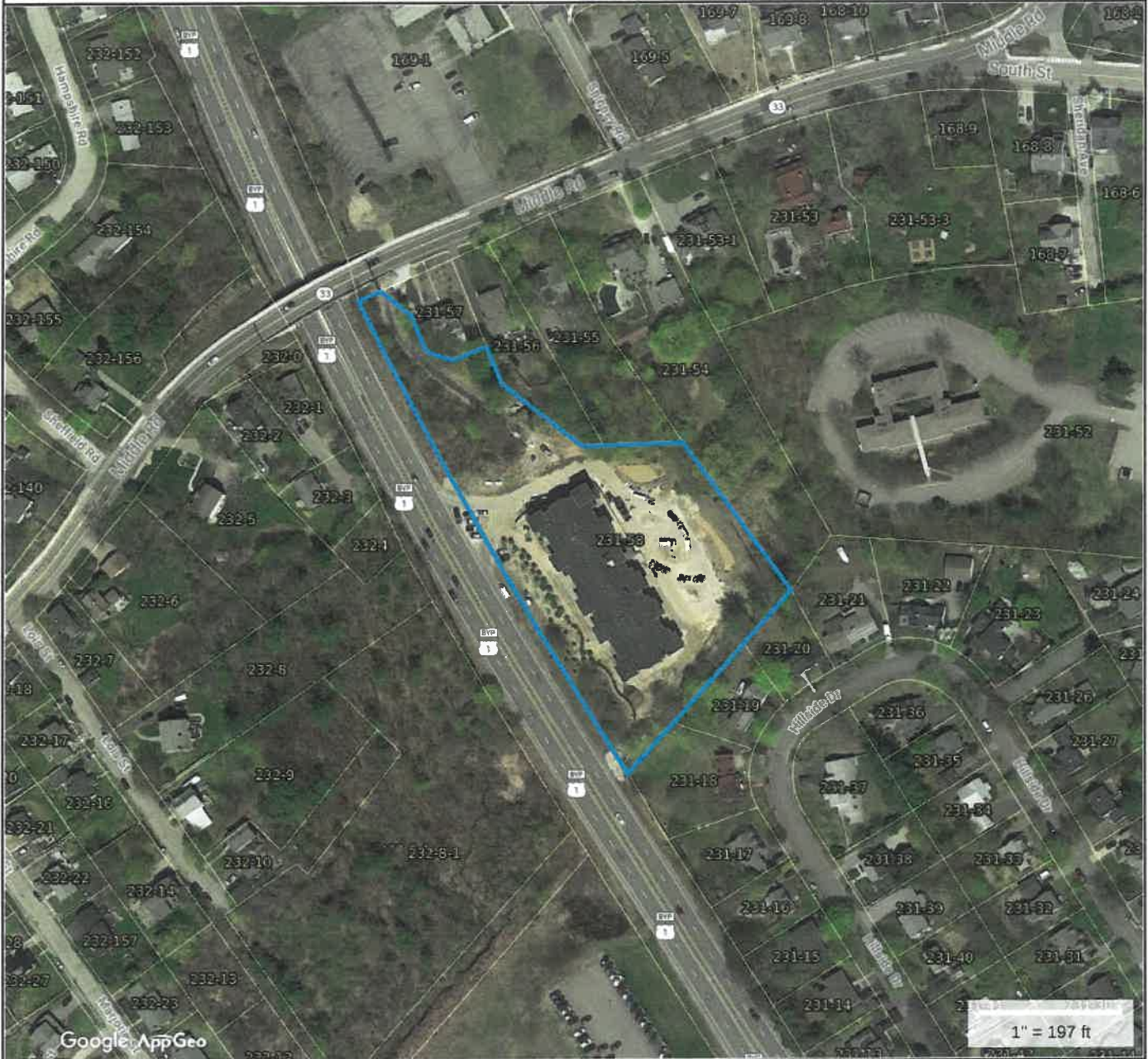
**ADOPTED BY CITY COUNCIL  
DATE**

**KELLI BARNABY, 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.



**Property Information**

Property ID 0231-0058-0000  
Location 150 US ROUTE 1 BYP  
Owner MIDDLE HILL DEVELOPMENT LLC



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/30/2018  
Data updated 11/19/2018

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that Middle Hill Development, LLC with an address of 273 Corporate Drive, #150, Portsmouth, County of Rockingham, State of New Hampshire, for consideration paid, grants to the City of Portsmouth, a municipal corporation having a place of business at 1 Junkins Avenue, Portsmouth, New Hampshire, 03801, an access easement as follows:

The Grantor hereby grants to the Grantee, its successors and assigns, a permanent access easement across the land identified as City of Portsmouth Tax Assessor's Parcel 231-58, located at 150 Route 1 ByPass, Portsmouth, New Hampshire, all as depicted on a plan entitled "Utility Plan, Residences at Middle Hill, 150 Route 1 ByPass , Portsmouth, New Hampshire" dated December 20, 2016, prepared by Altus Engineering Inc., said easement being referred to in Note 7 on said plan, and described in Exhibit A attached hereto:

The grantor grants to the City of Portsmouth an easement to allow unlimited access to the site for the purpose of maintaining/controlling municipal water supply. In the event of nonpayment, the City of Portsmouth will have the right to shut off the municipal water supply curb stop.

Meaning and intending to describe a permanent access easement for the purpose stated above.

Meaning and intending to convey an easement across a portion of the land conveyed to Middle Hill Development, LLC by deed recorded at Rockingham County Registry of Deeds at Book 5792, Page 699.

This is a conveyance to a municipality and no revenue stamps are required.

Dated this \_\_\_ day of \_\_\_\_\_, 2019.

Middle Hill Development, LLC

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Witness

---

Eric S. Katz, Manager

State of New Hampshire  
Rockingham, ss

Personally appeared Eric S. Katz, the duly authorized manager of Middle Hill Development, LLC and acknowledged that he executed the above Easement Deed as his free act and deed on behalf of the limited liability company, before me, this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

## Exhibit A

A certain parcel of land together with the buildings and improvements located thereon, situated in the City of Portsmouth, Rockingham County, New Hampshire, shown as Proposed Lot Area (R-31/58 and 59) on a plan entitled "LOT CONSOLIDATION PLAN FOR SEACOAST TRUST, 150 ROUTE ONE BY-PASS, COUNTY OF ROCKINGHAM, PORTSMOUTH, N.H." prepared by Millette, Sprague & Colwell, Inc. dated September 15, 1997 and recorded as Plan #D-25810, more particularly bounded and described as follows:

Beginning at the southernmost point of said parcel, on the eastern side of Route 1 By-Pass, said point beginning 207.00 feet N 31° 43' 23" W from an iron pipe; then

- (1) N 32° 06' 00" W, along Route 1 By-Pass a distance of 128.82 feet; then
- (2) Along a curve to the right of radius 5679.60 feet along Route 1 By-Pass, a length of 583 feet; then
- (3) N 66° 16' 30" E along Middle Road, a distance of 31.16 feet; then
- (4) S 51° 47' 18" E along Lots R-31/57 and R-31/56, a distance of 335.00 feet to an iron pipe; then
- (5) N 86° 08' 50" E along Lots R-31/56 and R-31/55, a distance of 130.00 feet to an iron pipe; then
- (6) S 36° 23' 04" E along Lot R-31/54, a distance of 102.82 feet to an iron pipe; then
- (7) S 36° 05' 07" E containing along Lot R-31/54, a distance of 135.95 feet to an iron pipe; then
- (8) S 41° 15' 57" W along Lots R-31/19, and R-31/18, a distance of 318.57 feet to the point of beginning

Containing 130,175 square feet, according to said Plan.

Subject to any encroachments from buildings on abutting property as well as a right of way in favor of abutters to the north and east for access to their properties along a dirt driveway running along the northeasterly side of the property as specified in Rockingham County Superior Court proceeding E-2908, consent Decree, dated March 30, 1972, recorded in the Rockingham County Registry of Deeds in Book 2129, Page 261.

Together with a certain easement right to install and maintain gas, sewer and water lines in land adjacent to the above described premises as granted to Crotched Mountain Foundation by Guile H. Ford and Irene E. Ford by deed dated May 17, 1961, and recorded at Book 1583, Page 273.

Excepting that portion conveyed from Middle Hill Development, LLC to Linda-Marie K. Jones and William L. Jones dated January 10, 2017 and recorded at the Rockingham County Registry of Deeds Bok 5831, Page 844.

Together with that portion of the property conveyed to Middle Hill Development, LLC by Warranty Deed of Linda-Marie K. Jones and William L. Jones dated January 10, 2017 and recorded at the Rockingham County Registry of Deeds Book 5831, Page 846.

Meaning and intending to convey a portion of the same premises conveyed to Middle Hill Development, LLC by Warranty Deed of Seacoast Trust, LLP dated January 16, 2017 and recorded at the Rockingham County Registry of Deeds, Book 5792, Page 699, and the property conveyed to Middle Hill Development by Warranty Deed of Linda-Marie K. Jones and William L. Jones dated January 10, 2017 and recorded at the Rockingham County Registry of Deeds Book 5831, Page 846.



## Summary of Small Group Discussions from Joint Work Session on Parking Principles March 25, 2019

### Small Group Instructions

- I. Review List of Suggested Modifications / Updates provided
- II. Discuss Each Proposed Modification with the Group -- Indicate if You Agree, Disagree, don't have an opinion, or want more information
- III. Note any additional changes or updates to the Principles not listed below on the Worksheet Provided

### Summary of Small Group Discussions

**Group 1 – Phyllis Eldridge, Arthur Parrott, Jack Blalock, Jody Record, John Bohenko, Ralph DiBernardo, Harold Whitehouse, Rebecca Perkins, Ned Reynolds, Juliet Walker (staff facilitator)**

Group 1 was generally in agreement with the suggested modifications unless otherwise noted below.

1) *Add principles for areas outside the downtown*

Discussion:

- Neighborhoods in proximity to downtown are most impacted by parking congestion
- Are we diluting the principles by adding this?
- Wait to see how the Neighborhood Parking Program goes, will get information and guidance from that
- Outside of downtown large surface parking lots have stormwater management impacts
- Undecided -- need more specifics about what would be proposed for principles outside of downtown

2) *Include time horizon for the principles (e.g. next ten years)*

Discussion:

- General agreement, but prefer 3-5 years

3) *Indicate provision of parking for non-residential uses in the downtown is a shared responsibility between employers and the City*

4) *Re-affirm access to transportation options is a key to managing parking demand*

Discussion:

- Providing regular and reliable transportation between downtown and remote parking lots and residential areas is important
- City needs to be continuing to collect data on and consider how ride sharing and other emerging transportation trends may impact parking demand and public transportation usage

5) *Re-affirm pricing strategies as a key to managing parking demand*

6) *Indicate that pricing strategies should be optimized to manage occupancy*

Discussion:

- Optimum occupancy should be explained – is it 85%?

7) *Incorporate strategies that support “park once” practices*

8) *Address resident-specific needs*

Discussion:

- Needs AND concerns
- Should also address mis-perceptions about availability of parking supply and costs
- Messaging to residents is important

9) *Shift focus from increasing public supply to optimizing what we have, encouraging shared parking, expanding public-private partnerships, and improving access*

Discussion:

- Need to discuss this more to determine if we want to do this
- Should be in addition to not instead of

10) *Be more inclusive of all workforce needs (not just hospitality industry)*

11) *Recognize transportation needs / preferences of different demographic groups (i.e. 2+ household vs no-car household)*

Discussion:

- Not in agreement this should be added as a principle
- Need more discussion

12) *Incorporate transportation demand management requirements for certain sized employers*

13) *Revisit whether parking strategies should be “revenue neutral”*

Other Group suggestions for consideration

- Consider dynamic pricing, incorporating new technology
- New development should be contributing to parking resources, fees should be considered

**Group 2 – David Rheaume, Polly Henkel, Steve Pesci, Doug Roberts, Bob Marchewka, Dexter Legg, Ray Pezzullo, Rick Becksted, Nancy Carmer and Nancy Colbert Puff (staff facilitators)**

1) *Add principles for areas outside the downtown*

Discussion:

- General agreement, particularly for neighborhoods adjacent to downtown
- Neighborhood parking program

2) *Include time horizon for the principles (e.g. next ten years)*

Discussion:

- Suggested off-setting from Master Plan updates by 1 to 2 years

3) *Indicate provision of parking for non-residential uses in the downtown is a shared responsibility between employers and the City*

Discussion:

- Might need to revisit parking zoning requirements

- Consider having employers participate in providing infrastructure for parking
  - Should be applied for broadly to mobility as well
- 4) *Re-affirm access to transportation options is a key to managing parking demand*  
Discussion:
- General agreement
- 5) *Re-affirm pricing strategies as a key to managing parking demand*  
Discussion:
- General agreement
- 6) *Indicate that pricing strategies should be optimized to manage occupancy*  
Discussion:
- General agreement
- 7) *Incorporate strategies that support “park once” practices*  
Discussion:
- Amplify the message for visitors and residents that Portsmouth is a walking city working toward best practices that include a variety of strategies to keep cars off the street.
- 8) *Address resident-specific needs*  
Discussion:
- Residents should get a deeper discount
  - Neighborhood Parking Program
- 9) *Shift focus from increasing public supply to optimizing what we have, encouraging shared parking, expanding public-private partnerships, and improving access*  
Discussion:
- General agreement
- 10) *Be more inclusive of all workforce needs (not just hospitality industry)*  
Discussion:
- General agreement
- 11) *Recognize transportation needs / preferences of different demographic groups (i.e. 2+ household vs no-car household)*  
Discussion:
- Need more information about this, but generally disagree with proposed modification
- 12) *Incorporate transportation demand management requirements for certain sized employers*  
Discussion:
- General agreement
- 13) *Revisit whether parking strategies should be “revenue neutral”*  
Discussion:
- Agree ad support developing a marketing budget for improved messaging
  - Strive for market-based pricing

**Group 3 – Chase Hagaman, Chris Dwyer, Alan Gold, Elizabeth Moreau, Jeffrey Kisiel, Mary Lou McElwain, Cliff Lazenby, Nancy Pearson, Ben Fletcher (staff facilitator)**

Group 3 focused primarily on proposed modifications 3, 4 and 5 (also 12) was generally in agreement with the suggested modifications unless otherwise noted below.

*3) Indicate provision of parking for non-residential uses in the downtown is a shared responsibility between employers and the City*

Discussion:

- Suggestion 3 (employee parking is joint responsibility for City and Business) was a primary discussion point during Group 3 session. Emphasized the importance of enabling/providing affordable parking for employees and encouraging/requiring employers to have more 'skin in the game'. Ideas included:
  - Using Hotel Tax revenue (if passed) to subsidize either parking at the Foundry Garage or an off-site Parking Shuttle on a large scale
    - This was suggested for 'low paid' workers, a definition that would need to be established
  - 'Shaming' businesses to partner for solutions
  - Sponsorships for a Shuttle Program with advertising on busses and at stops
  - Sponsorships for Micro-transit program aimed at first/last mile
  - Requiring a Traffic/Parking Demand plan from 'larger' businesses employing a yet-to-be-established number of employees (also Suggestion 12)
- With regard to partnering with businesses to alleviate employee parking challenges, a coordinated marketing effort (with a budget) was suggested

*4) Re-affirm access to transportation options is a key to managing parking demand*

Discussion:

- Emphasized the importance of consistent/predictable public transportation and explored unique locations for shuttle points (Fox Run Mall, for example)

*5) Re-affirm pricing strategies as a key to managing parking demand*

Discussion:

- The group was amenable to demand-based pricing, so long as it took into account seasonal demand changes and continued to permit short term parking (15-30 minutes)

*12) Incorporate transportation demand management requirements for certain sized employers*

## REVISED DRAFT FOR DISCUSSION PURPOSES

Proposed changes are shown in red – additions are underlined, deletions are ~~stricken~~

### GUIDING PARKING PRINCIPLES ~~FOR CENTRAL BUSINESS DISTRICTS~~

~~(Approved by the Portsmouth City Council on March 19, 2012)~~

Time Frame: 2019-2024

#### Overall Principles:

-A balanced mix of retail/restaurant, office, and residential uses is key to downtown and commercial center vitality.

A ~~downtown~~ parking supply that is convenient, viable and central to downtown and commercial center destinations is key to the short-term and long-term health of the City's retail, restaurant and office economy.

1. ~~Ensuring~~ an adequate supply of parking for retail/restaurant and office users in the downtown / mixed use centers is ~~primarily a shared City responsibility~~ between the City and employers. New development should incorporate transportation demand management strategies to decrease demand for parking.

2. Parking for ~~new residential development in~~ downtown and mixed use centers residential development is primarily a private responsibility with residents wanting convenient parking right where they live.

3. We need to plan for future reuse, redevelopment and full occupancy of buildings in the ~~Central Business Districts~~ downtown and other mixed use centers. If it is too difficult, expensive or unpleasant to find parking, retail/restaurant/cultural destination customers may prefer to visit elsewhere and offices may prefer to locate elsewhere.

4. The City should ~~strive to~~ play a lead role in developing and managing parking facilities:

- Parking management and supply decisions are interconnected and a comprehensive, unified approach to decision-making is needed.
- The value of private parking facilities should be recognized as a resource. These resources are not part of the public parking supply under the City's long-term control and opportunities to manage private lots are limited.
- Existing parking supply should be optimized by encouraging shared parking, expanding public-private partnerships, and improving access.

5. Address peak parking demand needs in order to avoid perfect Friday/Saturday night storm when residents/customers can't find parking:

- Manage parking at the garage (for example, flat rate pricing for special events).
- Continue to expand access to ~~Increase the~~ supply of convenient public parking.

6. Parking should support economic development including businesses (office, retail, restaurant) and visitors/customers.

7. The City's parking ~~resources~~ ~~garage~~ should be priced and managed ~~so that it has high occupancy more frequently (improve utilization of what we've got)~~ to support 85% occupancy rates.

8. The primary reasons for parking revenues is ~~are~~ to be able to provide an adequate supply of safe, convenient parking. access to transportation options, and other parking and transportation related activities to support the vitality of the City. Pricing structures should be simple and easy for customers to understand.

9. Parking management strategies should recognize that there is a difference between the needs of long-term parkers who may be more likely to use a parking ~~the~~ garage or use parking immediately adjacent to downtown and other mixed use centers, and short-term parkers running a quick errand.

10. Price and manage more desirable on street parking spaces to favor users who are highly motivated to use them. Give customers and residents the option to stay and pay.

11. Information on parking options should be easily accessible to parking users, including through technology options.

12. Parking planning should take a comprehensive, sustainable and big picture approach by taking a broad range of costs and benefits into account when making decisions.

13. All parking resources should place value on aesthetics, security, accessibility and user information.

14. ~~Consider ways to~~ ~~incentivize use of~~ “remote parking” off-street public parking located more than ½ mile from destinations in the downtown and other mixed use centers by providing reliable public transportation options to allow people to park once and connect easily their final destinations.

15. Surface parking lots should be located at the periphery of the downtown/mixed use centers and should not be allowed to create a “dead zone” barrier to comfortable pedestrian movement.

16. Parking management programs should take into consideration ~~hospitality industry~~ the different needs of workers in the hospitality, retail, and office industries.

17. Incentives for residents should be provided at the parking garages, but shouldn't compromise best practices.

18. Parking resources should be provided to support downtown / mixed use center activity (streets are for people as well as cars) and should therefore be designed and located in such a manner that recognizes the following:

- Parking resources should enhance – not detract from – downtown and mixed use center vitality, walkability and the pedestrian experience;

- Parking resources should accommodate pedestrians (bump-outs, plazas), bicycles (bike parking) and transit (space to pull over);
- Parking structures should be incorporated into the commercial streetscape; and
- The needs of an aging population should be taken into account when it comes to parking.

19. Parking revenues should be used to fund the operation of the City's parking program and related parking and transportation strategies. ~~Parking strategies should be revenue neutral.~~

20. Parking management plans should recognize the short-term parking needs of retail and hospitality industry for loading zones.

21. Encourage public transit and other transportation modes, but recognize strong customer/resident preference for personal vehicle use as well as very limited regional public transit infrastructure.

22. On-street parking located in residential neighborhoods should primarily serve residential demand for the immediate neighborhood. Parking for other users should only be considered when and where there is excess supply and capacity.



## Portsmouth receives Silver Walk Friendly Community designation April 16, 2019

[The Walk Friendly Communities program \(WFC\)](#) has awarded Portsmouth with its Silver Level Walk Friendly accreditation due to the City's work in prioritizing pedestrians and creating safer, comfortable and inviting places to walk. Other communities recognized this year by WFC include San Francisco, California, who received Platinum Level, and Cedar Rapids, Iowa and Lakeland, Florida, who received Bronze Level.

WFC is a national recognition program developed to encourage cities and towns across the United States to develop and support walking environments with an emphasis on safety, mobility, access and comfort. Sponsored by FedEx and managed by the University of North Carolina Highway Safety Research Center (HSRC), the program distinguishes communities leading the way in walkability and seeks to share their stories to inspire other communities to move towards their own innovative solutions. In the ten years since the program began, it has recognized 73 cities across 32 States with Walk Friendly designations.



“We’re thrilled to celebrate ten years of Walk Friendly Communities by welcoming new cities and towns to the program,” said Dan Gelinne, WFC program manager. “It is especially encouraging to see such impressive programs from a wide range of community sizes.”

With a population of just under 22,000 people, Portsmouth is the smallest Silver Level Walk Friendly Community, devoting more energy and staff time to pedestrian issues than many other larger communities. This includes a wide scope of policies, plans and infrastructure improvements that include the:

- [Walk Friendly Community Policy](#);
- [Bicycle and Pedestrian Plan](#);
- [Complete Streets Program](#); and
- [Safe Routes to School Program](#).

“Receiving this designation by WFC validates the success of implementing our various plans and guidelines over the past several years,” said Planning Director Juliet Walker. “We’re proud of our work in increasing nonmotorized safety and access, and encouraging more active transportation overall. Our team is excited to build on this momentum with future projects such as the [North Mill Pond Greenway](#), ongoing [Market Street gateway](#) improvements and much more.”

### About the WFC Program

Walk Friendly Communities awards designations from bronze to platinum to participating communities with a commitment to improving and sustaining walkability and pedestrian safety through comprehensive programs, plans, and policies. Modeled after the League of American Bicyclists’ “Bicycle Friendly Communities,” WFC is the first program to highlight walkability initiatives and programs. At the core of the WFC program is a comprehensive web-based assessment tool that evaluates community walkability and pedestrian safety related to engineering, education, encouragement, enforcement, evaluation, and planning. The assessment tool is intended to both evaluate conditions for walking and

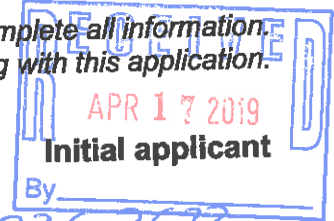
provide communities with specific feedback and ideas for improving walkability. WFC is sponsored by FedEx and maintained by the UNC Highway Safety Research Center. It is supported by the Pedestrian and Bicycle Information Center (PBIC), which is funded by the U.S. Department of Transportation.



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION <sup>Alternate</sup>

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



Committee: Building Code Board of Appeals

Name: Jeffrey Mattson Telephone: 603-336-3633

Could you be contacted at work?  YES/NO If so, telephone # 603-336-3633

Street address: 86 Emery Street

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

Email address (for clerk's office communication): jeffrey.m.mattson@gmail.com

How long have you been a resident of Portsmouth? my whole life (31 years)

Occupational background:

Mechanical Engineer, Phd

Building Trades

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

I self-designed and built a barn conversion  
into a 2-family home and know the IRC code.  
I also know Portsmouth's Zoning Ordinance.

OVER  
➔

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO Spoke with David Rheaume about serving on a Board  
Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: I am willing and able to give back to my community in this capacity and I find the land use process fascinating.

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

Port City Makerspace

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

1) Alec McEachern, 81 Cottage St, 436-3110  
Name, address, telephone number

2) Iain Moodie, 62 Portsmouth Ave, 969-2115  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature: [Signature] Date: 4/17/19

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

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801  
6/27/2012

**Jeffrey M. Mattson**  
jeffrey.m.mattson@gmail.com

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**Education**

Ph.D., Mechanical Engineering - Boston University, Boston, Massachusetts: GPA 3.77/4.0	Summer 2017
M.S., Biomechanics - University of Delaware, Newark, Delaware: GPA 4.0/4.0	Fall 2011
B.S., Biomedical Engineering - Rensselaer Polytechnic Institute, Troy, New York: GPA 3.46/4.0	Spring 2009
Victoria University, Melbourne, Australia - Engineering Semester Abroad	Fall 2007

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**Experience**

**Boston University, Boston, Massachusetts**

Ph.D. Dissertation: "Mechanical and Structural Contributions of Extracellular Matrix Constituents to Vascular Mechanics" Fall 2012 – Summer 2017

Graduate Teaching Fellow - Mentored 46 groups of students with semester-long projects that demonstrated the engineering design process Fall 2012 – Spring 2013

**University of Delaware, Newark, Delaware**

Research Engineer - Assisted in establishing and maintaining a laboratory via protocols, inventory, equipment/data management, and overseeing the laboratory website Fall 2011 – Fall 2012

M.S. Thesis: "Identification of Scapular Kinematics Using Surface Mapping" Summer 2009 – Fall 2011

**Rensselaer Polytechnic Institute, Troy, New York**

Senior Design Project - Led a six member team to develop an anterior multi-level cervical fixation plate that resulted in a provisional patent submission via 501(k) clearance Spring 2009

**Normandeau Associates Inc., Portsmouth, New Hampshire**

Biotechnician - Analyzed gas chromatography-mass spectrometry of fish tissue samples for mercury toxicity levels following laboratory SOPs and QC/QA protocols Summer 2008

**Birse Construction, Portsmouth, New Hampshire**

Laborer – Learned hardscaping and landscape improvement Summer 2007

**Urban Forestry Center, Portsmouth, New Hampshire**

Laborer - Restored and maintained historical buildings and grounds Summers 2005-2006

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**Professional Activities**

**Boston University, Boston, Massachusetts**

Lab Safety Officer 2013 – 2017

Mentor for a Research in Science & Engineering (RISE) high school student Summer 2016

Host of Summer Pathways Program for young women and minorities considering STEM Summers 2013 – 15

**University of Delaware, Newark, Delaware**

Supervised summer scholars in the Human Performance Lab Summers 2010 – 11

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**Awards**

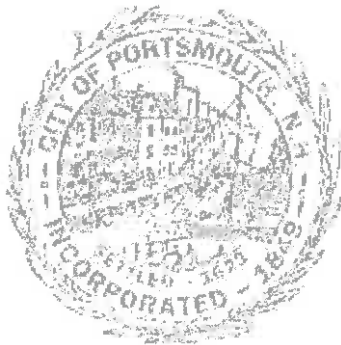
National Institutes of Health T32 Cardiovascular Training Program 2015 – 2017

SB<sup>3</sup>C PhD Student Paper Competition Finalist 2016

Dean's List for all completed semesters 2005 – 2014

Rensselaer Leadership Award 2005 – 2009

Portsmouth Creek Athletic Club Scholarship 2005



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

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

APR 17 2019  
Renewing applicant  
By \_\_\_\_\_

Committee: Historic Distric Commission  
Alternate

Name: Margot Doering Telephone: 603-828-4477

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

Street address: 300 Jones Ave, Portsmouth, NH 03801

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

Email address (for clerk's office communication): consultant@cerulean-nh.com

How long have you been a resident of Portsmouth? ~~14~~ 14.5 yrs

Occupational background:

Freelance CFO and business management advisor

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

Reasons for wishing to continue serving: \_\_\_\_\_

My first four months of service have been very interesting and educational. I feel my continued service will only improve with time.

OVER  
➔

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

see prior application  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

1) See prior application  
Name, address, telephone number  
2) \_\_\_\_\_  
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: April 16, 2019

**CITY CLERK INFORMATION ONLY:**

New Term Expiration Date: 6-1-2022  
Annual Number of Meetings: 2019 not available Number of Meetings Absent: 1  
Date of Original Appointment: 1-9-19 (was filling unexpired term)

**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: Historic District Commission

Name: Reagan Ruedig Telephone: 603-373-8391

Could you be contacted at work?  YES  NO - If so, telephone# 646-342-9275 (cell)

Street address: 70 Highland St

Mailing address (if different): -

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

How long have you been a resident of Portsmouth? 9 years

Occupational background:

Historic preservation. Work for a Consulting office  
as a historic preservationist, doing survey work  
of historic properties and environmental permitting

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

Reasons for wishing to continue serving: I continue to enjoy  
contributing to the preservation of historic  
resources in our city and helping to guide  
new construction.



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

Portsmouth Historical Society - Board of Trustees

Portsmouth Athenaeum - proprietor

Portsmouth Women's City Club - member

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

1) Vince Lombardi, Aldrich Rd, Portsmouth 603-828-2324  
Name, address, telephone number

2) Erika Beer, Mt. Vernon St. Portsmouth 607-821-5938  
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
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5. Application will be kept on file for one year from date of receipt.

Signature: Reagan M. Cuddy Date: 4/12/19

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 6-1-2022

Annual Number of Meetings: 20 (2019) Number of Meetings Absent: 1

Date of Original Appointment: 12/17/2012

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: Historic District Commission

Name: Jonathan Wyckoff Telephone: 436-4863

Could you be contacted at work? YES/NO - If so, telephone# cell 603 235-9224

Street address: 135 Sparhawk

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

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

How long have you been a resident of Portsmouth? 60 +/- years

Occupational background:  
Construction Superintendant - Dover / Rollinsford projects  
Multi unit (23) owner - manager  
OWNER Wyckoff Construction 30 +/- years

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

Reasons for wishing to continue serving: After serving 13 +/- yrs, I believe I have the institutional knowledge necessary to continue thru these busy + trying times. As a lifelong citizen, going back many generations, my love for this city is great and pushes me to do the homework!



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

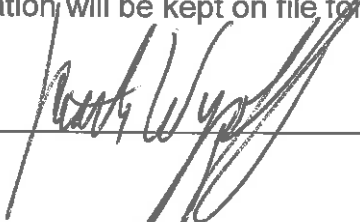
- Creek Citywide neighborhood chairman
- Vice Chair - Advocates for the North Mill Pond
- Athenaeum - building committee
- Portsmouth Historical Society - building maintenance
- N.H. Historical Society - Historic New England

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

- 1) Dawn Przychodzien 111 Sparhawk St. 969-1866  
Name, address, telephone number
- 2) Joan Walker 295 Thornton St (781) 999-0988  
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: 4-16-19

**CITY CLERK INFORMATION ONLY:**

New Term Expiration Date: 6-1-2022  
 Annual Number of Meetings: 20 (2018) Number of Meetings Absent: 1  
 Date of Original Appointment: 7/11/2005

**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: RECREATION BOARD

Name: KORY SIRMAIAN Telephone: 603-828-2253

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

Street address: 1133 WOODBURY AVENUE

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

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

How long have you been a resident of Portsmouth? 19 YEARS

Occupational background:  
CERTIFIED PUBLIC ACCOUNTANT (CPA)  
RETAIL DISTRICT MANAGER

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

Reasons for wishing to continue serving: OUR RECREATION BOARD HAS SPENT THE PAST FEW YEARS LAYING THE GROUNDWORK FOR 3 IMPORTANT AND NECESSARY RECREATION PROJECTS (DOBLE SENIOR CENTER, MULTI-PURPOSE FIELDS, AND NEW OUTDOOR POOL FACILITY) I WOULD LIKE TO REMAIN ON THE BOARD <sup>OVER</sup> TO SEE THESE THROUGH TO COMPLETION. I HAVE ENJOYED MY TIME ON THE BOARD.

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

PORTSMOUTH SENIOR SERVICES COMMITTEE

PORTSMOUTH COUNTRY CLUB

PORTSMOUTH ELKS

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

1) CARL DIEMER 603-427-4517

Name, address, telephone number

2) RUS WILSON 603-817-9480

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
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3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
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5. Application will be kept on file for one year from date of receipt.

Signature: Nory Arman Date: 3/31/19

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 4-1-2022

Annual Number of Meetings: 4 (2018) 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

April 16, 2019

Dear Mayor Blalock, Ms. Barnaby, Kathy, Chase, Cliff, Kathleen, Rick, Paul, and Larry,

Unfortunately, (yet at the same time, fortunately), my daughter is moving up a level in gymnastics. This now puts me at the gym 4 nights a week, post 7pm two nights and with an 8:20pm pick up on Wednesday's. This, in addition to club field hockey in Epping and North Hampton, commits me to a hectic sports schedule 6-7 days a week.

My husband works in Boston daily and travels quite frequently, which makes me the sole transportation provider. I am not comfortable paying someone else to transport the kids at night or on route 101.

For the aforementioned reasons, I have to step down from the committee. I'm frustrated because I thought I was in a position to return to the Citywide Neighborhood Committee, but I am not. I feel like I have to leave before I've had time to make any substantial contributions to the committee, and this schedule just doesn't allow for me to participate in the civic duties I'd like to. At the same time, I am obligated to facilitate participation in the sports they love and excel in.

Thank you for understanding this was a difficult but necessary decision. I truly appreciate all that you do for our community.

Thank you,  
Kelly Weinstein





**REQUEST FOR PROPOSALS**  
**EXECUTIVE RECRUITMENT CONSULTING SERVICES FOR**  
**THE CITY OF PORTSMOUTH**

**Sealed submissions responsive to this Request for Proposals, plainly marked "RFP ## City of Portsmouth " on the outside of the mailing envelope, addressed to the Finance/Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 will be accepted until 3:00 p.m. on, Thursday, May 23, 2019.**

The City is interested in receiving proposals from experienced executive search firms to assist in recruiting applicants for the position of City Manager.

The firm shall provide a comprehensive scope of recruitment and hiring services, and is charged with conducting a national search. Services include: conducting a robust community engagement process with the City (Council, staff, citizens) to clarify expected qualifications, skills, experience and leadership seeking in a City Manager; preparation of a job announcement and recruitment materials; conduct preliminary interviews on selected candidates; coordinate any travel arrangements; conduct actual recruitment including scheduling, reviewing, and checking qualifications and references of candidates; conducting background checks; and assisting in all aspects of selection and hiring.

This Request for Proposals may be obtained by visiting the Finance/Purchasing Department section of the City of Portsmouth website at [www.cityofportsmouth.com](http://www.cityofportsmouth.com). Addenda to this request, if any, including written answers to questions, will be posted on the City of Portsmouth website under the project heading. If you have any questions please contact the Finance/Purchasing Department at: (603) 610-7227.

The City of Portsmouth reserves the right to reject any or all submissions, to waive technical or legal deficiencies, to proceed or not with any proposal or process, and to negotiate such terms and conditions of any proposal, agreement, lease or other contract that may be in the best interest of the City.

The City reserves the right to terminate or amend this process at any time.

## 1. BACKGROUND INFORMATION

Portsmouth City Manager John P. Bohenko has announced his retirement after twenty-two years (22) as City Manager. As a result, the City Council seeks assistance in recruiting and hiring the next City Manager. The search process is anticipated to take place over the next six months.

The City of Portsmouth (population: 21,463) is a seaport community on the Piscataqua River, which divides New Hampshire and Maine. It is a regional economic and cultural hub for seacoast New Hampshire and lies 57 miles north of Boston, Massachusetts, and 51 miles south of Portland, Maine. Settled in 1623, Portsmouth is a compact community (16 square miles) that has established itself as a highly desirable place to live and work.

The City operates pursuant to a [municipal charter](#), under a Council-Manager form of government. The City Council is a 9-member body, elected at-large every two years. The candidate who receives the largest number of votes becomes Mayor, and is chair of the Council. The City Manager is the Chief Executive and Administrative Officer of the City, who is responsible for the day-to-day management of all municipal departments, and is authorized to carry out the policies of the City Council. The School, Police, and Fire Departments operate pursuant to Charter under separate authority, guided by elected policy-making bodies of the School Board, and Police and Fire Commissions. The City employs approximately 800 full time employees.

The City has a AAA bond rating, and its taxable valuation is approximately \$5.7 billion. The FY 2019 General Fund Budget was approximately \$115 million. Water and Sewer Enterprise funds, and a special revenue account dedicated to Parking and Transportation, appropriated another \$27.5 million combined.

The City Manager is appointed by the vote of two-thirds (2/3) of the City Council, to be selected solely on the basis of executive and administrative merit. Pursuant to City Charter, the City Manager must establish residence within the City within one year of appointment.

## 2. SCOPE OF SERVICES

The City is seeking proposals from experienced executive search firms to assist in all aspects of the recruitment process for its next City Manager. Preferred firms will demonstrate familiarity with qualifications required of local government executives, and will propose a plan for scheduling and conducting a national search; the selected firm will work closely with the City Council to assess the Council's goals and objectives for the recruitment process. The selected

firm will work closely with the City's Deputy City Manager in coordinating all aspects of the search

The scope of services is presented for reference – the final scope of work will be developed in consult with the City. Services to be provided by the firm include but are not limited to:

1. **Schedule:** Create a schedule of recruitment with a timeline of development of recruitment materials, screening, interviews,
2. **Candidate Profile:** Develop a candidate profile for the City Manager by meeting with City Council, staff, and community members to obtain information regarding specific issues and opportunities facing the City; the desirable education, experience and background of the candidates; and identification of the management skills and style that are appropriate for the position. For the purpose of calculating a fee proposal, firms should assume a minimum of three (3) meetings may be required by this task.
3. **Advertising & Attraction of Candidate Pool:** Develop an inclusive plan for implementing the City Manager recruitment (print, web, social media, targeted calls, etc.), and identify specific strategies to encourage applicants from diverse backgrounds to apply.
4. **Preliminary Screening:** Review resumes for background and qualifications followed by interviews to clarify each applicant's experience and credentials and to prepare a written summary of preliminary candidates (10-15), for the position, outlining relative qualifications of each.
5. **Recommendation of a Short List:** Evaluate candidates for serious consideration by conducting in-depth reference checks with individuals who are or have been in the position to evaluate the candidates' performance on the job. A short list of candidates shall be presented to the City Council.
6. **Finalist Interviews:** Recommend and finalize a process with the City Council for interviews and coordinating candidates' participation in interviews.
7. **Background Check:** Verify selected candidates educational and employment background, financial/credit check, and performing background, criminal and civil litigation checks.
8. **Offer:** Assist City Council in structuring the job offer (including a recommendation on compensation), the employment package and relocation (if applicable) with the finalist.

9. **Record Maintenance:** Maintain all correspondence and record-keeping throughout the process. Notify all applicants of final decision.
10. **Warranty:** Reinitiate additional search and screening activities, at no/reduced fee to the City, if the first search effort is unsuccessful or successful candidates leave (via resignation or termination with or without cause) the employment of the City within one (1) year of placement.

### 3. SUBMITTAL CONTENT REQUIREMENTS

Submittal requirements are intended to enable the City to make an objective comparison of each proposal, and to select a partner that best meets the City's stated objectives.

The selected partner will be expected to execute a consulting services agreement with the City immediately following selection.

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#### A. COVER LETTER

The cover letter is the proposer's official letter transmitting the complete proposal to the City. The cover letter must include:

- the full name and address of the proposer's organization(s);
- the state of incorporation or in which it is licensed to operate; and
- the form of business, and the name and contact information for your organization.

The cover letter should identify who will be the lead consultant responsible for all aspects of the recruitment and be signed by an individual who is authorized to commit the proposer to the obligations contained in the proposal.

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#### B. FIRM NARRATIVE & RECRUITMENT APPROACH

Provide a detailed description of your proposal, describing your approach to the scope of services and schedule. Include examples of successful community outreach processes you have incorporated into recruitments, noting approaches to keeping both the community and prospective candidates well informed as to the methodology and progress of the recruitment.

Information to be provided includes but is not limited to:

- Samples of recruitment materials used in past searches;
- A proposed timetable for this search;
- Five (5) references of chairs of past search committees of comparable communities, conducted within the last 3 years, with full contact information; for each client,

please provide the scope of work performed and size of the client's organization.

- Calculation of total, not-to-exceed proposed consulting fee, broken down by task categories (e.g. leadership profile development; preliminary screening; final screening and interviews; etc.) Travel costs and expenses for the firm should be itemized separately. Air travel and hotel expenses for candidates will be paid by the City directly. Include an hourly rate for services performed beyond those originally contemplated by the agreement. ***Fee proposals should be submitted in a separately sealed envelope, marked "City Manager Search – Fee Proposal." For emailed submittals, a separate fee proposal file should be attached.***

Two paper (2) copies of the Proposals must be submitted. Proposers are encouraged to avoid the use of synthetic report covers and partitions. A single, electronic PDF copy of their proposal shall also be included. Electronic copies may be received by flash drive or email – the City has no responsibility for emails that are undeliverable or delayed; it is the responsibility of the proposer to confirm delivery in a timely manner.

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#### C. FIRM EXPERIENCE AND PERSONNEL

Please include a brief history of your firm, and provide details such as number of clients served (including number of local government clients), number of staff, services typically offered, and resumes, and respective roles, of individuals expected to provide consulting services.

**Submission Deadline:** Two (2) copies, plus one electronic copy, of all proposals should be clearly marked: **"RFP ## , City Manager Search, City of Portsmouth "** on the outside of the **mailing envelope**, addressed to:

City of Portsmouth  
Finance/Purchasing Department  
City Hall  
1 Junkins Avenue  
Portsmouth, NH 03801

Proposals will be accepted until **3:00 p.m. on Thursday, May 23, 2019.**

**Electronic Submission via email:** Email subject heading shall read **"RFP ## , City Manager Search, City of Portsmouth"** sent to [lemacginnis@cityofportsmouth.com](mailto:lemacginnis@cityofportsmouth.com) . Proposals will be accepted until **3:00 p.m. on, Thursday, May 23, 2019.** *Fee proposals should be transmitted as a separate attachment from the narrative proposal, and titled "City Manager Search - Fee Proposal."*

## 4. SELECTION PROCESS

The City will choose a firm that will, in its judgement, provide the highest quality of recruitment consulting services for a competitive price. Proposals will be evaluated on the firm's qualifications, experience, and approach.

The selection process may include interviews where proposers will be asked to make presentations of their recruitment approach and services.

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### 1. SCHEDULE

<b>Task</b>	<b>Date</b>
Release RFP	May 7, 2019
Questions Due	May 14, 2019
Responses Issued	May 16, 2019
Proposals Due	May 23, 2019
Search Firm Interviews	June 3 or 4, 2019
Selection of Search Firm	June 4, 2019
Recruitment	June – October, 2019
New City Manager Start	January, 2020

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### 2. EVALUATION CRITERIA

Proposals will be evaluated according to the following:

- Experience in recruiting City Managers or other similar chief executive positions;
- Capacity of firm to generate the necessary outreach materials professional networking, social media and other outreach and candidate evaluation and to fulfill the project schedule;
- Evidence of having completed successful community engagement components of a city manager search process;
- Recruitment strategy and search plan;
- Strength of key personnel/completeness of the team;
- References;
- Competitive fee proposal;
- Interview;
- The extent to which the overall proposal meets or is likely to meet the City's objectives.

### 3. SELECTION PROCESS

Proposals will be reviewed and evaluated by the City for responsiveness to this RFP.

- The City may select one or more entities to invite to be interviewed, which will involve a presentation of the proposal and introduction to key staff. Additional questions regarding specific proposals may be asked at this time. Interviews will factor in the overall qualitative evaluation of Proposals. While the City places priority on a quality-based selection, the proposed fee for services may also factor in evaluation and selection.
- Based upon all of the evaluation criteria and interview, the City may select a preferred firm. The City reserves the right to negotiate with selected proposers to further refine the proposal(s).
- If the City is unable to reach agreement with its preferred firm, the City may enter into negotiations with the firm whose proposal was deemed to be next most advantageous to the City.

### 5. ADDITIONAL INFORMATION

Contract documents will include a standard City agreement, this RFP, and the proposal. Upon receipt, all proposals become the property of the City. In general, materials submitted in response to this RFP will become public records, subject to disclosure.

All requests for additional information and/or questions should be directed, in writing, to Deputy City Manager, Nancy Colbert Puff, at [ncolbertpuff@cityofportsmouth.com](mailto:ncolbertpuff@cityofportsmouth.com), no later than May 16, 2019. All responses, if applicable, will be posted to [Purchasing](#) web page by May 17, 2019.

### 6. RESERVATION OF RIGHTS

The City reserves the right to undertake such investigation as it deems necessary to evaluate the proposals.

The City reserves the right to request additional information as part of this selection process. The City of Portsmouth also reserves the right to reject any or all submissions, to waive technical or legal deficiencies, to proceed or not with any proposal or process, and to negotiate such terms and conditions of any proposal or contract that may be in the best interest of the City. The City reserves the right to terminate or amend this process at any time.





Jack Blalock  
Mayor

## CITY OF PORTSMOUTH

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Municipal Complex  
1 Junkins Avenue  
Portsmouth, New Hampshire 03801  
(603) 610-7200  
Fax (603) 427-1526

May 6, 2019

Jane Difley, President/Forester  
The Society for the Protection of New Hampshire Forests  
54 Portsmouth Street  
Concord, NH 03301

Re: Proposed Demolition of Carey Cottage

Dear Ms. Difley,

As the elected representatives of the City of Portsmouth, we write to strongly encourage the Society of the Protection of New Hampshire Forests to reconsider its decision to proceed with the demolition of Carey Cottage at Creek Farm. The City's success is attributable in large part to the draw of its history and historic architecture, which has been preserved over the centuries by private and public entities.

Accordingly, we have grave concerns regarding the prospect of losing this significant feature of the City's architectural, social, and political heritage. Designed by Alexander Wadsworth Longfellow, Jr. (1854-1934), Carey Cottage is recognized as one of the most ambitious examples of shingle style architecture in the State of New Hampshire. In addition, the role Creek Farm and the Carey family played during the informal negotiations associated with the 1905 Treaty of Portsmouth strongly suggests the property has national significance.

We understand the Society has made past efforts, over a number of years, to identify a tenant who could assist in the permanent preservation and maintenance of the historic structure, which anchors the 35-acre reservation. In light of recent offers of assistance made by various individuals and community organizations, we urge you to redouble your efforts to work in partnership to develop a solution that meets the Society's needs, returns the cottage to active use, and ensures its preservation for the benefit of generations to come.

Jane Difley, President/Forester  
May 6, 2019  
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We make this request with the utmost regard for the Society and its mission; we remain hopeful that additional collaborative dialogue may result in a “win-win” for all involved. **As a gesture of good faith, the Council urges the Society to postpone its demolition application while there are discussions concerning potential tenants.** Carey Cottage is such an important resource – it deserves our best efforts.

Sincerely,

Jack Blalock, Mayor  
On behalf of the Members of the Portsmouth City Council  
Cliff Lazenby, Assistant Mayor  
Doug Roberts, Councilor  
Nancy Pearson, Councilor  
M. Christine Dwyer, Councilor  
Josh Denton, Councilor  
Rebecca E. Perkins, Councilor  
Ned Reynolds, Councilor  
Rick Becksted, Councilor

## RULE 7. ORDER OF BUSINESS

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council by vote of at least two-thirds of the members present, shall suspend the rules and change the order:

- I. Work Session
- II. Call to Order [7:00 p.m. or thereafter]
- III. Roll Call
- IV. Invocation
- V. Pledge of Allegiance
- ~~VI. Volunteer Committee Reports~~
- ~~VII.~~ VI. Acceptance of Minutes
- VII. Recognitions and Volunteer Committee Reports
- ~~VIII.~~ VIII. Public Comment Session
- ~~IX.~~ IX. Public Hearings and Votes on Ordinances and/or Resolutions
- X. Mayor
- XI. City Council Members  
(~~A single item of business per Council member unless further items are approved in advance by the Mayor~~ A City Councilor Member may either speak to their item(s) previously placed on the agenda in accordance with Rule 4 or bring a single item that appears later on the meeting's agenda forward to be acted upon at this point.)
- ~~X.~~ XII. Approval of Grants/Donations
- ~~XI.~~ XIII. Consent Agenda
- ~~XII.~~ XIV. Presentation and Consideration of Written Communications and Petitions
- ~~XIII.~~ ~~Reports and Communications from City Officials~~
  - ~~A.~~ ~~CITY MANAGER~~  
~~Items Which Require Action Under Other Sections of the Agenda~~  
~~City Manager's Items Which Require Action~~

~~B. — MAYOR~~

~~C. — CITY COUNCIL MEMBERS~~

~~(A single item of business per Council member unless further items are approved in advance by the Mayor.)~~

XV. City Manager

~~XIV.~~ XVI. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting

~~XV.~~ XVII. Adjournment [at 10:00 p.m. or earlier]

(ADOPTED NEW ORDER OF BUSINESS 1/9/06; AMENDED 1/25/2016; AMENDED 08/21/2017)

#### **RULE 4. COUNCIL MEETING AGENDA**

All reports, communications, ordinances, resolutions, or other matters to be submitted to the Council shall, by 12:00 noon on Wednesday prior to each Council meeting be delivered to the City Clerk whereupon the City Clerk shall immediately arrange or cause to be arranged a list of such matters according to the Order of Business. Each member of the Council may place a single item of business under the name of that Councilor unless further items are approved in advance by the Mayor. The City Clerk shall furnish each member of the Council, City Manager, and City Attorney with a copy of the Agenda by 5:00 p.m. on Thursday prior to each Council meeting, and shall make copies of the Agenda available in the Office of City Clerk for the public by that time. (AMENDED 1/5/98) (AMENDED 1/25/2016)