

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
 DATE: MONDAY, JULY 12, 2021 TIME: 6:00PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:

https://zoom.us/webinar/register/WN_V89y5_KMRj6euwS4aG9mGA

6:00PM – ANTICIPATED NON-PUBLIC SESSIONS:

1. ACQUISITION OF REAL ESTATE – RSA 91-A:3, I (d)
2. DEER STREET ASSOCIATES – RSA 91-A:3, II (I)
3. BOYLE – LEGAL ADVICE – RSA 91-A:3, II (I)

AGENDA

- I. WORK SESSION – THERE IS NO WORK SESSION THIS EVENING
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] – **N/A**
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE
- VII. ACCEPTANCE OF MINUTES – MAY 10, 2021 & JUNE 21, 2021 (*Sample motion – move to accept and approve the minutes of the May 10, 2021 and June 21, 2021 City Council meetings*)
- VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS
 1. Mayor’s Blue Ribbon Committee to Reopen Portsmouth 2021 Final Report
- IX. PUBLIC COMMENT SESSION – (*Via Zoom*)
- X. PUBLIC DIALOGUE SUMMARY [when applicable] – **N/A**
- XI. PUBLIC HEARING AND VOTE ON ORDINANCE AND/OR RESOLUTION

Public Hearing and Second Reading:

- A. ORDINANCE AMENDING CHAPTER 1, ARTICLE IV – COMMISSIONS AND AUTHORITIES, SECTION 1.414 AUDIT COMMITTEE
 - PRESENTATION
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS

(Sample motion – move to pass second reading and hold third and final reading at the August 2, 2021 City Council meeting)

XII. MAYOR BECKSTED

(There are no items under this section of the agenda)

XIII. CITY COUNCIL MEMBERS

A. COUNCILOR WHELAN

1. Request to Renew Valet Parking License Agreement for The 100 Club ***(Sample motion – move to recommend renewal of valet parking license agreement for The 100 Club for a term of one year contingent upon staff working out the details with the property owners)***
2. *Report Back on Aldrich Road Traffic Calming Recommendations ***(Sample motion – move to recommend a raised intersection at Boss Avenue be added to the CIP and two more on Aldrich Road with locations to be determined)***
3. Parking & Traffic Safety Committee Action Sheets and Minutes of the May 6, 2021 and June 3, 2021 meetings ***(Sample motion – move to accept and approve the May 6, 2021 and June 3, 2021 Parking & Traffic Safety Committee actions and minutes as presented)***
4. *Request for Approval of a Neighborhood Parking Program for the Islington Creek Area

B. COUNCILOR KENNEDY

1. *Requested Charter Change for the November 2, 2021 Municipal Election ***(Sample motion – move to place the following question on the November 2, 2021 Municipal Election – The budget shall be finally adopted not later than the last day of the fiscal year currently ending. Should the Council take no further action on or prior to such day, the budget of the currently ending fiscal year shall be renewed and shall be deemed to have been finally adopted by the Council as the budget for the next fiscal year)***
2. Waterfront and Building Siting ***(Sample motion – move to refer the attached memo to the Planning Board for review with a report back to the City Council at the August 2, 2021 meeting. At the August 2, 2021 City Council meeting the Council can consider any zoning changes that should be made based on the outcome of the Planning Board’s discussion on the memo)***

C. COUNCILOR HUDA

1. Status of Requests regarding Peverly Hill Road Project ***(Sample motion – move for a report back from the City Manager ASAP on the status of request by numerous residents at the June 28th meeting on Peverly Hill Road Project for a 8ft. multi-use path only. No separate sidewalk on the opposite side of the street. This report should be included as an optional plan with all of the details the other 3 City presented plans had included for comparison by the residents)***

D. COUNCILOR TRACE

1. *Peverly Hill Road Complete Streets Public Input Meeting (***Sample motion – move to request a report back from City Manager Conard on the Peverly Hill Road Complete Streets Public Input Meeting held on Monday evening June 28, 2021 at One Junkins Avenue in City Council Chambers. Specifically as to attendance by Council Members and what will be done in the future to assure that the City Council will be welcome to attend and those in attendance will be announced when a member of the public asks. Also from a standpoint of transparency, a list of which City Councilors were in attendance at that meeting***)
2. *Creation of a Public Facebook Page (***Sample motion – move to have City Manager Conard report back at the next meeting on the possible creation of a public Facebook Page for the City of Portsmouth so that all residents of Portsmouth might be included. That the “administrators” to include City staff. The Facebook Page to be used to quickly disseminate appropriate information/explanations pertaining to current City Projects and issues involving all City of Portsmouth neighborhoods. That the page promote inclusively to all and civility during conversations***)

XIV. APPROVAL OF GRANTS/DONATIONS

- A. *ARPA Grant for Library – \$3,450.00 (***Sample motion – move to approve and accept the grant in the amount of \$3,450.00***)

XV. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager’s Items Which Require Action:

1. Resolution for the Authorization for Transfer of Balance of Bond Proceeds After Completion of Various Projects
2. Request for Public Hearing Regarding Various Bonding Resolutions for Projects to Begin in FY22
3. *Request to Schedule a Work Session Regarding the Building of a New Police Department Facility
4. Approval of 1386B Collective Bargaining Agreement
5. Naming of Private Subdivision Road to Watson’s Landing
6. Tooley License and Easement
7. Acceptance of Dedicated Way on Walker Bungalow Road

XVI. CONSENT AGENDA

(Proper Motion for Adoption of Consent Agenda - move to adopt the Consent Agenda)

- A. Letter from Maria Bernarda Salguero, New Generation, requesting permission to hold a 5K Walk/Run on Saturday, October 23, 2021 from 8:00 a.m. to Noon ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Request for License to Install Projecting Sign for owner Carrie Jose of CJ Physical Therapy for property located at 25 Maplewood Avenue Unit 102 ***(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. Request for License to Install Projecting Sign for owner Peter T. Henry of Market Square Jewelers, Inc. for property located at 124 Congress 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. Letter from Allan Scholtz, Portsmouth Professional Firefighters Local 1313, requesting permission to hold a Boot Drive on Saturday, August 14, 2021 in Market Square from 8:00 a.m. to 4:00 p.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- E. Letter from Maria Leach, North Church of Portsmouth, requesting permission to hold the Seacoast Area Crop Walk on Sunday, October 17, 2021 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

XVII. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. *Peeverly Hill Road Improvement Project: Presentation following Neighborhood Meeting on June 28, 2021 – Peter Rice, Public Works Director, Suzanne Woodland, Deputy City Attorney (***Sample motion – move to schedule a public necessity hearing to allow the project to move to final design***)
- B. Email Correspondence (***Sample motion – move to accept and place on file***)
- C. Letter from Nancy and Kearn Knowles regarding Neighborhood Parking Program Pilot

VIII. CITY MANAGER’S INFORMATIONAL ITEMS

- 1. Report Back on Portsmouth Workforce Housing Trust Fund and Housing Needs Assessment
- 2. Withdrawal of Unmerger Request for 635 Lincoln Avenue
- 3. Memorandum from City Attorney Sullivan Regarding Keno
- 4. Memorandum from Deputy City Attorney Woodland Regarding Peeverly Hill Road Improvement Project, Public Necessity and Eminent Domain
- 5. Dual Pole Settlement Agreement

XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XX. ADJOURNMENT [at 10:30 p.m. or earlier]

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

**Indicates verbal report*

SPECIAL CITY COUNCIL MEETING
PROPOSED FY 22 BUDGET PUBLIC HEARING

MUNICIPAL COMPLEX
DATE: MONDAY, MAY 10, 2021

PORTSMOUTH, NH
TIME: 6:30 PM

Mayor Becksted recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-25 and Emergency Order #12, Section 3. Members location. All votes will be by roll call.

I. CALL TO ORDER

Mayor Becksted call the Special City Council meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace

III. PRESENTATION – Karen Conard, City Manager and Judie Belanger, Director of Finance and Administration

City Manager Conard gave a brief opening statement explaining this is officially kicking off the FY22 Budget season and further stated that the City's response to COVID-19 has shown our operational and financial resilience. She stated she is working with Department Heads on how to come out of COVID carefully and thoughtfully to bring back programs, equipment needed, etc. and to build a budget around goals and objectives.

Finance Director Belanger gave a brief slide presentation regarding the FY22 budget proposal.

IV. PUBLIC HEARING

A. PROPOSED FY JULY 1, 2021 THROUGH JUNE 30, 2022 BUDGET

Mayor Becksted opened the public hearing:

Jackie Cali-Pitts – discussed recreation needs for the city stating that the Indoor Pool, Spinnaker Point and the fields program need to be funded and feels there is federal money that is available for these purposes that should be pursued.

Mary Lou McElwain – requested a separate line item be created under the Dept. of Public Works for pedestrian safety as this is a frequent concern and request from citizens. She explained that the Parking and Traffic Safety Committee deals with requests regarding crosswalks, sidewalks, signage, lights etc. monthly and feels that these need to be coordinated with the Safe Routes to School and have a way to fund the upgrades of our antiquated intersections. etc.

Kelly Cioe – spoke regarding the School budget asking the City Council to support the budget as presented or even a 3% increase as the school cannot reduce their budget any further without impacting staff and services. She stated that our schools make Portsmouth a desirable place to live and need to be prioritized.

Andrew Bagley – spoke in support of the School budget stating he picked Portsmouth to live due to the schools and they need to be funded.

Seeing no one else wishing to speak at the public hearing, Mayor Becksted ended the public hearing at 7:15 p.m.

Councilor Kennedy moved to keep the public hearing open until June 7, 2021, seconded by Councilor Huda. Motion passed on a unanimous 9-0 roll call vote.

Mayor Becksted stated that there will also be public comment opportunities at all of the upcoming budget work sessions.

Mayor Becksted asked if there are any guidelines yet on the COVID federal money usage as he is hoping that this can be used to fill the gaps of what was cut last year so that our citizens don't have to make it all up in one year.

City Manager Conard stated that the Treasury released guidelines today and she and staff are trying to get a handle on it at this point.

V. ADJOURNMENT

At 7:24 p.m., Councilor Huda moved to adjourn. Seconded by Councilor McEachern.

Motion passed on a unanimous 9-0 roll call vote.

Valerie A. French,
Deputy City Clerk

MUNICIPAL COMPLEX
DATE: MONDAY, JUNE 21, 2021

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

III. CALL TO ORDER

Mayor Becksted called the meeting to order at 7:15 p.m.

IV. ROLL CALL

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace

V. INVOCATION

Mayor Becksted asked everyone to join in a moment of silent prayer in memory of Mark Stebbins who recently passed away.

VI. PLEDGE OF ALLEGINANCE

Mayor Becksted led in the Pledge of Allegiance to the Flag.

VII. ACCEPTANCE OF MINUTES – JUNE 7, 2021; OCTOBER 5, 2020; OCTOBER 19, 2020 & OCTOBER 26, 2020

Assistant Mayor Splaine moved to accept and approve the minutes of the June 7, 2021; October 5, 2020; October 19, 2020 and October 26, 2020 City Council meetings. Seconded by Councilor McEachern and voted.

VIII. RECOGNITION AND VOLUNTEER COMMITTEE REPORTS

A. 2021 Division II NHIAA Girls Lacrosse Champions – Portsmouth High School Clippers

Tom Kozikowski introduced the players and called them forward to receive a plaque from Mayor Becksted recognizing their 2021 Division II Championship.

B. 2021 Division II NHIAA Boys Lacrosse Champions – Portsmouth High School Clippers

Tom Kozikowski announced and requested each member of the team to come forward and receive a plaque from Mayor Becksted recognizing their 2021 Division II Championship.

IX. PUBLIC COMMENT SESSION – (Via Zoom)

Josh Denton spoke in support of his request as Commander of the VFW to hold a parade on September 11th to acknowledge the end of the Afghanistan War. He said that this is a non-political parade and he would work with city staff and recommended this be referred to the City Manager with authority to act.

Andrew Bagley spoke in support of the funding request under Councilor Kennedy for a skateboard park. He also spoke in support of Columbus Day and Indigenous Peoples' Day. He also expressed concern with the elimination of seven teachers because the School Department did not receive the appropriate funding it needed to maintain the positions.

Fawn Gaudet, Coalition for Indigenous Peoples' Day, spoke in support of the change of Columbus Day to Indigenous Peoples' Day. She said injustice was done to indigenous people and Columbus Day is a day of mourning for them.

Denise (Inaudible), Alton, NH, spoke in support of Indigenous Peoples' Day and asked the City to approve the request.

Councilor Kennedy moved to suspend the rules to take up Item XIII. B.1. – Resolution – Appropriation for Funds. Seconded by Councilor Huda and voted.

XIII. CITY COUNCIL MEMBERS

B. COUNCILOR HUDA

1. Resolution – Appropriation for Funds

Councilor Huda explained the Resolution and the reason for bringing it forward.

Councilor McEachern asked if this is something we need to have in order to accept funds. City Attorney Sullivan said because of the amount of funds, Councilor Huda felt we should have a public hearing before accepting the funds.

Councilor Trace asked the City Attorney how he feels regarding this matter as well as City Manager Conard. City Attorney Sullivan said that this is requirement for towns, not cities and Councilors Kennedy and Huda felt there should be a public hearing to determine the acceptance of funds. City Manager Conard said as part of the adoption of the budget one of the resolutions was for accepting grants and donations and does not specifically call for a public hearing.

Assistant Mayor Splaine said the City Council decides to put an item to a public hearing which then allows the public an opportunity to respond.

Councilor Whelan said in Councilor Huda's motion it indicates any funds over \$10,000.00 and he doesn't want to be holding public hearings for smaller amounts.

Councilor Lazenby asked how many public hearings we are anticipating if Councilor Huda's proposed motion passes. City Manager Conard said she would speak with Finance Director and the City Clerk to find out how many we have voted on this year for grants and donations.

Councilor Kennedy said that we could lower the tax rate by 12 cents and would like to get that information out to the public. She asked if the City Council is responsible for accepting and approving School Department grants and donations.

Councilor McEachern said he feels the amount is too low to hold a public hearing.

Councilor Tabor said the City Manager explained that we passed a resolution for approval of grants and donations during our budget adoption process. He further stated that this resolution is for towns and not cities. This is a process used during town meetings.

Councilor Trace said she agrees the amount is small and that we need to have trust for the City staff and what they do.

Councilor Kennedy said she would like to change the amount to \$100,000.00.

Councilor Huda moved to adopt a Resolution relative to NH RSA 31:95-B, Appropriation for funds made available during the year. (Unanticipated Moneys – I.E. ARP Funds). Seconded by Councilor Kennedy with a friendly amendment to change the amount from \$10,000.00 to \$100,000.00.

Councilor Huda said these funds are COVID related and it is a large amount.

Councilor Kennedy said the local money comes in after the adoption of the budget. She said allowing a public hearing we offer the public the opportunity to understand the funds. She feels there would only be a few public hearings a year.

On a roll call vote 4-5, motion failed to pass. Assistant Mayor Splaine, Councilors Kennedy, Huda and Mayor Becksted voted in favor. Councilors McEachern, Whelan, Lazenby, Tabor and Trace voted opposed.

XI. PUBLIC HEARING AND VOTES ON ORDINANCES AND/OR RESOLUTIONS

Public Hearing:

- A. AUTHORIZE THE CITY MANAGER TO APPLY FOR, ACCEPT AND EXPEND THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS THROUGH THE AMERICAN RESCUE PLAN ACT OF 2021 IN THE AMOUNT OF \$6,441,140.00

- **PRESENTATION**

City Manager Conard said we are looking for a vote this evening with the understanding that the funds would appear on the agenda for acceptance and approval.

- **CITY COUNCIL QUESTIONS**

Councilor Kennedy said she would like it in the motion that this come back to the City Council. Mayor Becksted said the City Manager has stated that this will come back to the City Council for acceptance and approval.

Councilor Huda asked how this encompasses the School Department. City Manager Conard said the School Department has a different process and the School Board directs the expenditures of funds.

City Attorney Sullivan said there is no clear statute to follow and he would recommend accepting the funds.

Councilor Huda said the School Department does not have the authority as well as the back of the document requires the City Manager to accept the funds. City Attorney Sullivan stated the School Department is a department of City government and the Charter states that all powers and authority belong to the City Council.

- **PUBLIC HEARING SPEAKERS**

Mayor Becksted read the legal notice, declared public hearing open and called for speakers. With no speakers, Mayor Becksted closed the public hearing.

- **ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS**

Councilor Kennedy moved to authorize the City Manager to apply for, accept and expend the Coronavirus State and Local Fiscal Recovery Funds through the American Rescue Plan Act of 2021 in the amount of \$6,441,140.00, with the final approval of the plan for expenditures by the City Council and subject to the attached terms and conditions of the offer and the rules and regulations pertaining thereto. Seconded by Councilor Huda and voted.

First Reading of Ordinance:

- B. First Reading of Ordinance amending Chapter 1, Article IV – COMMISSIONS AND AUTHORITIES, Section 1.414 AUDIT COMMITTEE

Councilor Kennedy moved to pass first reading and schedule a public hearing and second reading at the July 12, 2021 City Council meeting. Seconded by Councilor Huda and voted.

Third and Final Reading of Ordinance:

- C. Third and Final Reading of Ordinance amending Chapter 7, Article VII, Section 7.702 – Truck Traffic Prohibited

Councilor McEachern moved to pass third and final reading of the ordinance. Seconded by Councilor Whelan and voted.

XII. MAYOR BECKSTED

1. Clarification Regarding Indigenous Peoples' Day Vote on 6/7/2021

Councilor McEachern moved to reconsider the action taken by the Council on June 7, 2021, with respect to Indigenous Peoples' Day under suspension of the rules. Seconded by Councilor Trace and voted.

Councilor Trace moved to pass the motion regarding Indigenous Peoples' Day, as amended, so that in the City of Portsmouth the state holiday of Columbus Day shall be known as Columbus and Indigenous Peoples' Day. Seconded by Councilor Kennedy.

City Attorney Sullivan spoke to the complexity of the parliamentary process that took place during the June 7th City Council meeting. He said he and the City Clerk reviewed the motion and nothing had happened which was not the intention of the City Council.

On a unanimous roll call 9-0 vote, motion passed.

2. Resignation of Steven Gray from the Cable Television & Communications Commission

Councilor Kennedy moved to accept with regret the resignation of Steven Gray from the Cable Television & Communications Commission with a letter of thanks and appreciation for his service to the City. Seconded by Councilor Huda and voted.

3. Appointments to be Voted:
 - Appointment of Henry Mellynychuck to the Conservation Commission
 - Appointment of Beth Margeson to the Zoning Board of Adjustment

Councilor Trace moved to appoint Henry Mellynychuck to the Conservation Commission until April 1, 2024. Seconded by Councilor Huda and voted. Councilor Kennedy abstained from voting on this appointment.

Councilor Trace moved to appoint Beth Margeson to the Zoning Board of Adjustment until December 1, 2024 filling the unexpired term of John Formella. Seconded by Councilor Huda and voted.

XIII. CITY COUNCIL MEMBERS

A. COUNCILOR McEACHERN

1. Request Presentation on Creating a Community Housing Trust

Councilor McEachern requested a Presentation on Creating a Community Housing Trust at a future City Council meeting.

B. COUNCILOR HUDA

2. Final Report regarding MBRC to Reopen Portsmouth

Councilor Huda moved for a Final Report Back from the Blue Ribbon Committee Chair James Petersen. Seconded by Councilor Kennedy.

Councilor Huda said she would like to know the final numbers for permits and barriers.

Motion passed.

XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Renewal of Boarding House Permits

City Manager Conard said this is a request to approve the renewal of Boarding House Permits.

Assistant Mayor Splaine asked for an outline on how to apply for a Boarding House Permit. Mayor Becksted said a report could come back at a future meeting.

Councilor Kennedy moved to renew the Boarding House Permits for 278 Cabot Street and 350-352 Hanover Street as presented. Seconded by Councilor Huda and voted.

2. Request to Schedule Work Session Regarding Community Power

Assistant Mayor Splaine moved to schedule a work session on Monday, August 9, 2021 at 7:00 p.m. regarding this topic. Seconded by Councilor McEachern and voted.

XVI. CONSENT AGENDA

(Proper Motion for Adoption of Consent Agenda - move to adopt the Consent Agenda)

- A. Letter from Richard Mason, Veterans Count, requesting permission to hold the 8th Salute-Our-Soldiers on Friday, September 10, 2021 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Ken LaValley, Out of the Darkness, requesting permission to hold Out of the Darkness Community Walk on Saturday, October 2, 2021 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Letter from Josh Denton, Commander of V.F.W. Post 168, requesting permission to hold an End of the Afghanistan War Parade on Saturday, September 25, 2021 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

Councilor Kennedy moved to adopt the Consent Agenda. Seconded by Councilor McEachern and voted.

XVII. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

A. Email Correspondence

Councilor Trace moved to accept and place on file. Seconded by Councilor Kennedy and voted.

B. Letter from Michael Griffin, Portsmouth Lodge of Elks, requesting the City Council approval to place a referendum question on the Municipal Election ballot to allow KENO to be offered in Portsmouth

C. Letter from George Remick requesting a referendum question to be placed on the Municipal Election ballot to allow KENO to be offered in Portsmouth

Councilor Kennedy moved to refer to the City Attorney with a report back at the July City Council meeting. Seconded by Assistant Mayor Splaine and voted.

D. Letter from Derek Nadeau regarding providing enhanced Public Safety and continual commerce of high traffic city area and provide law enforcement with video footage (no audio), for monitoring and follow up investigation purposes for a period of 2 weeks (not traffic enforcement)

Councilor Kennedy moved to refer to the Parking and Traffic Safety Committee for report back to the City Council. Seconded by Assistant Mayor Splaine.

Assistant Mayor Splaine said there is a great deal of enthusiasm by Mr. Nadeau as well as demand so let's try and make this work.

Motion passed.

E. Letter from Attorney Timothy Phoenix on behalf of Bluestone Properties of Rye, LLC, requesting the City Council to authorize City Manager Conard to execute the Parking Agreement confirming the 20 year term for 5 parking space in the Worth Lot behind 135 Congress Street

Councilor Lazenby moved to suspend the rules to allow representatives of Bluestone Properties of Rye, LLC., to address the City Council. Seconded by Councilor Trace and voted.

Attorney Phoenix outlined the issue before the City Council and spoke to his memorandum for 5 parking spaces with a 20 year agreement. He stated Bluestone would have the use of the spaces in the Worth Lot behind 135 Congress Street. He said the draft parking agreement submitted by Bluestone is \$3,750.00 per space/year, totaling \$18,750.00 per year for the first 5 years. He stated following the 5 years it would be at the going rate for the spots. He indicated Bluestone believes that the 5 spaces run with the land and should not have been taken by the city for public use. Attorney Phoenix spoke to the primary uses of 135 Congress Street upon completion of construction would be an art museum and a jazz/blues club, each open to the public, featuring world-class artists and musicians. He said these uses will bring significant interests to the public for which Bluestone estimates that the operation will bring as much as \$20,000,000.00 into the City on an annual basis. He noted that 2 spaces will be used on an essentially full-time basis to park 2 electric shuttle vehicles, which will be used to shuttle visitors to and from municipal parking. Further, the other spaces are also needed for loading and unloading of artists and their artwork, musicians and their instruments and gear as well as general deliveries. In conclusion, he stated that this would be a win/win scenario for both parties.

Councilor Trace moved to authorize the City Manager to execute the Parking Agreement with Bluestone Properties of Rye, LLC, as stated in their prospectus as described by Attorney Phoenix. Seconded by Assistant Mayor Splaine.

Councilor Trace spoke in favor of the request and to the architecture and design of the building.

Assistant Mayor Splaine said we need to renew, restore and revitalize downtown and a commitment to make it work. He feels it is a good agreement and the Council should move forward with approval.

Councilor Kennedy spoke to the amount of the agreement and to the parking spaces.

Mr. Michael Labrie said it is not in his business model to use valet parking as a revenue. He said electric vehicle parking would be a free service to make it easier for people to park. He said they do not plan on making any money on the spots.

Councilor Tabor said the intention was to find a way to make the 5 spaces available. He said it is practical to have the parking with the venue and it does not set a precedent, it will enhance the downtown.

Councilor Huda said that this is a great thing for the City and she supports the position of the City Manager to reach an agreement.

Councilor McEachern said he would support the request and motion. He said the City Manager is requesting direction from the City Council. He does not feel we are setting a precedent and this Council needs to listen to the intent of a previous City Council.

Councilor Kennedy moved to amend the motion to include: *for the first 5 years, 3 out of 5 spots will be guaranteed to be used for valet or electronic vehicle to move people.* Seconded by Councilor Huda.

Attorney Phoenix requested the Council not amend the agreement and to remember that this is a labor of love for the Labrie family.

Mr. Labrie said the intended use of the spaces has been outlined, there are other things associated for the use of the building and the Council should not micromanage the spaces.

City Attorney Sullivan said it would have to be sold to a similar use for the parking to go with the sale of the building.

Councilor Lazenby asked if the amendment refers to Section V of Attorney Phoenix memorandum for the 5 spaces. Councilor Kennedy said she would agree to the language as part of the motion.

Councilor Trace said she is mindful of what the Labrie's have done with the building and it is an issue of trust and not trying to manage someone else's business.

Councilor Whelan said he supports the original motion by Councilor Trace. She said he does not feel the Council should determine what the parking is used for. He stated this is a big benefit for the City, it is a gift to the City and all businesses will benefit from this.

Mayor Becksted said if an adjustment needs to be made, the Labrie's will address it.

On a roll call vote 2-7, motion to amend failed to pass. Councilors Kennedy and Huda voted in favor. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted opposed.

On a unanimous roll call 9-0, voted to adopt the main motion.

XVIII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Report Back on Assistant Mayor's Request from 6/7/2021 Regarding Extension to 60 Days for Parking Payment Citations Increases
2. Report Back on Assistant Mayor's Request from 6/7/2021 Regarding PFAS in Playing Fields

Assistant Mayor Splaine stated he would like to know that future playing fields do not have PFAS.

XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Kennedy moved to refer information received from Mr. David Ecker to the City Manager and the Conservation Commission for report back. Seconded by Councilor Huda and voted.

Councilor Kennedy thanked those that attended the skateboard park for the event earlier this evening.

XX. ADJOURNMENT

At 9:30 p.m., Councilor Kennedy moved to adjourn. Seconded by Councilor Huda 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/CNHMC
CITY CLERK



**Blue Ribbon Committee to Reopen
Portsmouth 2021**

James Petersen, Petersen Engineering,
Co-Chair

Mark Stebbins, ProCon Construction,
Co-Chair

Karen Conard, City Manager

Kim I. McNamara, City Health Officer

Councilor Petra Huda, City Council
Representative

John Akar, Cava Tapas & Wine Bar

Deb Anthony, GATHER

Ann Birner, Pharm D

Karen Bouffard, real estate & Kaffee
VonSolln

Martha Fuller Clark, citizen at-large

Rich DiPentima, BSN, MPH

Alan Gold, EDC, strategy consultant,
nonprofit board member

John Golumb, Poco's

Jeffrey Goss, Clipper Tavern

Jim Lee, real estate

Kathryn Lynch, RN

Valerie Rochon, Chamber Collaborative

Anne Weidman, JSA Inc.

June 7, 2021

The Honorable Mayor Becksted

City Hall

One Junkins Avenue

Portsmouth NH 03801

Dear Mayor Becksted,

At its Wednesday, May 26, 2021 meeting, the Blue Ribbon Committee to Reopen Portsmouth voted to shift operations to an Ad Hoc basis, having fulfilled the charge set in January: to develop a plan to include all Portsmouth businesses in the 2021 Reopening, to create ways to support businesses by using Portsmouth resources, to encourage collaboration and to reach out to businesses to ensure inclusivity in the Reopening Plans.

The highlights of the Committee's efforts over the past six months include:

- 1. Encouraging the City to place accessible picnic tables in prominent spots** (North Church, Pleasant Street, Market Square and Vaughan Mall) for late winter outdoor dining.
- 2. ReOpening outdoor dining "in the streets" -- "better than ever" --** through streamlined permitting by the Planning and Health Departments and placing concrete barriers to ensure the safety of diners. Having purchased the 69 barriers that were used last year, the City joined the Committee in making them a more attractive feature in the downtown streetscape. Collaborating with three Portsmouth advisors, the Department of Public Works painted the barriers in a complementary grey-blue suggested by Mary Jo Brown of Brown & Company and placed barriers and designated 15-minute takeout parking spaces to allow outdoor dining for 49 restaurants. The BRC also turned to the resources of the Career Tech Education (CTE) program at Portsmouth High School. Working with CTE instructor Steve Jones and 15 of the program students, local architect Brian Murphy of Placework coached the students to design and build 42 mahogany planters (and secured discounted materials from Ricci Lumber). Once completed and placed by a team of volunteers and trucks from Gather, McNabb Properties and Clipper Tavern, another group of PHS Eco-Club students filled the planters with flowers and herbs chosen for their suitability by Jacquelyn Nooney of Jacquelyn Nooney Landscape. The planters are reusable and will be removed and stored for the winter when the barriers are removed.
- 3. Meeting with and facilitating discussions with restaurants and small businesses throughout the City** to ensure their voices were heard and interests served.

The Blue Ribbon Committee to Reopen Portsmouth remains at your service should a need (or pandemic concern) arise that the members of this team can help you address. We all continue to serve at your pleasure.

Sincerely,

James Petersen
Co-Chair

Mark Stebbins
Co-Chair









LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 12, 2021 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on the proposed Ordinance amending Chapter 1, Article IV – COMMISSIONS AND AUTHORITIES, Section 1.414 – Audit Committee. 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/CNHMC
CITY CLERK**

LEGAL NOTICE
NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, July 12, 2021 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on a proposed Ordinance amending Chapter 1, Article IV – COMMISSIONS AND AUTHORITIES, Section 1.414 – Audit Committee. 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/CNHMC
CITY CLERK**

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

Chapter 1, Article IV COMMISSIONS AND AUTHORITIES

Section 1.414 AUDIT COMMITTEE

There shall be a permanent Audit Committee established and maintained for the purpose of advising the City Council on the adherence to the City Charter – Section 7.4 INDEPENDENT AUDIT.

- A. **Membership and Term:** The Audit Committee shall have five (5) members who shall be appointed by the Mayor and confirmed by the City Council, of which one member shall be a City Councilor. Audit Committee members shall possess experience in finance, accounting, auditing, and/or financial management and reporting. All members shall be independent of both City management and any auditing firm which may be under contract with the City. In order to enhance the integrity of the financial reporting, the independence of each member will be maintained throughout the duration of their term on the Audit Committee. In the event of a vacancy in a member position on the Audit Committee, a qualifying individual shall be appointed to fill the remainder of the term of the vacant member. The initial terms of the members of the Committee shall be for three (3) year terms except that the length of the initial terms to be staggered as follows: In year of initial appointment: three (3) members shall be 3-year terms and two (2) members shall be 2-year terms. Thereafter, all members shall serve a term of three (3) years. All members shall be residents of the City of Portsmouth throughout their term on the Audit Committee.
- B. **Duties and Powers:** The primary purpose of the Audit Committee is to procure, liaise and oversee the work of the City's external Auditor. The Audit Committee shall provide oversight of the financial reporting process, audit process, risk management, governance and the City's internal controls in compliance with laws and regulations. As such, the Committee will be directly responsible for the solicitation of proposals, selection of and recommendation to the City Council for appointment and retention of the external auditing firm. The Audit Committee is authorized to engage the services of financial experts, legal counsel, and other appropriate specialists as necessary to fulfill its responsibilities, subject to funding provided by the City Council.

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

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

This ordinance shall take effect upon its passage.

APPROVED:

Rick Becksted, Mayor

ADOPTED BY COUNCIL ON _____, 2021

Kelli L. Barnaby, City Clerk

LICENSE AGREEMENT
FOR THE ONE HUNDRED CLUB

The City of Portsmouth (hereinafter "City"), a municipal corporation with a principal place of business of 1 Junkins Avenue, Portsmouth, New Hampshire 03801, for good and valuable consideration as set forth herein, hereby grants this non-exclusive, revocable license to The One Hundred Club with a principal place of business at 100 Market Street, Portsmouth, NH 03801 (hereinafter "Licensee") pursuant to the following terms and conditions:

1. **Area of License:** The City authorizes Licensee to use the loading zone on Hanover Street as shown on the attached Exhibit 1.
2. **Use:** Licensee may make use of the Licensed Area for the purpose of Licensee's parking valet service activities. Such activities are subject to the following conditions:
 - The hours of operation of the valet service are 5:00 p.m. to 12:00 a.m. Monday through Sunday.
 - No vehicles receiving valet services may be parked in municipal spaces (metered, garage or otherwise).
 - There shall be no stacking of vehicles in adjacent parking spaces.
 - This license is non-exclusive and the loading zone will remain available for commercial loading purposes and for such additional purposes as the City may authorize or license.
 - Licensee will represent clearly and consistently that it is a private company and that the municipality is not responsible for any damage or loss to vehicles or property.
3. **Signage:** This License Agreement also authorizes Licensee's use of the existing signage in place on Hanover Street as shown in Exhibit 1.
4. **Term:** This license shall commence upon the execution of this Agreement and terminate on June 30, 2022. This License may be renewed for an additional term upon the joint approval of the Parking and Traffic Safety Committee and the City Manager.
5. **Payment Terms:** Licensee will make payment of an annual fee to the City in the amount of \$500.00 which represents the cost of the valet parking permit fee. No other payment is required. Payment is due upon the execution of this Agreement and shall be made to the City of

Portsmouth and directed to the City Parking Clerk at 1 Junkins Avenue, Portsmouth, NH. Failure to make the required payment when due may result in the termination of this Agreement at the City's option.

6. **Indemnification:** Licensee agrees to indemnify and hold harmless the City of Portsmouth for any and all property damage, bodily injury or personal injury which arises as a result of its use of the Licensed Area. This obligation survives termination or revocation of this Agreement.
7. **Insurance:** At all times during the use and exercise of this license, Licensee agrees to maintain comprehensive general liability insurance covering its operation under this license in an amount not less than \$1,000,000 per occurrence and \$2,000,000 general aggregate. Such insurance shall name the City of Portsmouth as an additional insured. Licensee agrees to maintain Garage Keepers insurance in the amount of \$100,000 per occurrence for the term of this Agreement. Certificates indicating the existence of these insurances shall be maintained on file at all times during the license period with the Parking and Transportation Division of the City of Portsmouth Public Works Department.
8. **Maintenance of Area:** Licensee will maintain the Licensed Area in neat and orderly fashion during Licensee's hours of use. The Licensee shall take such measures as may be necessary to maintain pedestrian and vehicular safety during use of the Licensed Areas for its valet service.
9. **Damage:** Licensee agrees to take reasonable steps to remedy promptly any damage to the Licensed Area caused by the Licensee's activities. The City may elect to accept reasonable reimbursement from the Licensee in lieu of remedy.
10. **Compliance With Other Laws:** This Agreement does not relieve Licensee from compliance with any other local, state or federal laws or regulations or conditions imposed by any local board. Failure to abide by any local, state or federal laws or regulations may, at the City's discretion, result in revocation.
11. **Revocation:** The City may terminate this Agreement or any provision contained in this Agreement on 72 hours written notice provided to Licensee if the public interest requires such termination, in which case all fees paid by Licensee shall be returned on a pro-rata basis. This Agreement may be revoked or suspended immediately without notice by the City for cause, e.g. violation of the terms of this license, in which case, all fees paid by Licensee shall remain the property of the City.

Dated this _____ day of _____, 2021.

City of Portsmouth

By: _____

Karen Conard
City Manager

Pursuant to vote of the City Council
of _____.

Dated this _____ day of _____, 2021.

The One Hundred Club

By: _____

Print Name: _____

Its Duly Authorized: _____

LOADING
ZONE
30 MINUTE
LIMIT
MON - SAT
6AM - 7PM

\$25 FINE

COMMERCIAL
OR
PERMITTED
VEHICLES ONLY

VALET
PARKING
5PM - MIDNIGHT
SUN - SAT



**PARKING and TRAFFIC SAFETY COMMITTEE
ACTION SHEET**

8:00 A.M. – May 6, 2021
Remote Meeting via Zoom

PRESENT: City Councilor/Chairman Peter Whelan, City Manager Karen Conard,
Public Works Director Peter Rice, Fire Chief Todd Germain,
Police Captain Mike Maloney
Members: Mary Lou McElwain, Steve Pesci, Jonathan Sandberg,
Harold Whitehouse and Erica Wygonik (Alternate)

CITY STAFF: Parking and Transportation Engineer Eric Eby
Parking Director Ben Fletcher
Assistant City Attorney Jane Ferrini

ACTION ITEMS FOR CITY COUNCIL

- | |
|---|
| <ul style="list-style-type: none">• <u>Request to renew valet parking license agreement for The 100 Club, by Dana Wergen.</u> On unanimous roll call 9-0, voted to recommend renewal of valet parking license agreement for the 100 Club for a term of one year contingent upon staff working out the details with the property owner.
• <u>Report back on Aldrich Road traffic calming recommendations.</u> On unanimous roll call 8-0, voted to recommend a raised intersection at Boss Avenue be added to the CIP and two more on Aldrich Road with locations to be determined. |
|---|

1. Chairman Peter Whelan recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor’s Executive Order 2020-04, Section 8, as extended by Executive Order 2020-20, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

2. Financial Report – **On unanimous roll call 9-0, voted** to accept and approve the financial report dated March 31, 2021 as presented.

3. Public Comment Session – There were 15 speakers: Ken Goldman (Islington Creek Neighborhood Parking Program), Michelle Wirth (Islington Creek Neighborhood Parking Program), Trisha Anderson (Aldrich Road traffic calming measures), Nicole LaPierre (Islington Creek Neighborhood Parking Program), Ollire Lane (Islington Creek Neighborhood Parking Program), Sarah Lynch (Aldrich Road traffic calming measures), Dan Umbro (Islington Creek Neighborhood Parking Program and Islington detour plan), David Higgins (Aldrich Road traffic calming measures), Kathleen Larney (Aldrich Road

traffic calming measures), John Mayer (Aldrich Road traffic calming measures), Iris Estabrook (Islington Creek Neighborhood Parking Program), Elizabeth Bratter (Islington Creek Neighborhood Parking Program), Stan Ketchel (Aldrich Road traffic calming measures), Carl Diemer (Aldrich Road traffic calming measures), and Robert Swan (Aldrich Road traffic calming measures).

4. Discussion of penalty schedule for safety related parking violations, requested by City Council, by Parking Director Ben Fletcher. On roll call 8-0-1, voted to recommend to the City Council that the parking fine rate be increased on the following fine schedule items.

Description	Recommended Fine	Recommended Fine After 30 Days
Parked within 15 ft of Fire Station	\$25.00	\$50.00
Obstructing Traffic During Construction	\$25.00	\$50.00
Double Parking	\$25.00	\$50.00
Parked in Wrong Direction	\$25.00	\$50.00
Back to Curb	\$25.00	\$50.00
Distance from Curb	\$25.00	\$50.00
Parked Too Close to Intersection	\$25.00	\$50.00
Emergency Snow Ban	\$50.00	\$100.00

5. Policy discussion regarding handling of repeat parking ticket offenders and frequency of same day ticketing, by Parking Director Ben Fletcher. The Committee discussed the history of the policy of issuing multiple same day tickets when the City had time restricted parking and discussed the difficulties of such a policy under the Stay and Pay Program. The Committee confirmed that any same day ticketing policy under Stay and Pay would need to be codified by ordinance. The Committee also discussed long term repeat parking ticket offenders and agreed to discuss this agenda item in more detail at a future meeting.
6. Discussion of need for additional EV charging stations, requested by City Council, by Parking Director Ben Fletcher. EV station usage is four transactions on average per day across the entire system.
7. Discussion of policy regarding prepaid parking garage vouchers for private businesses, by Parking Director Ben Fletcher. Parking Director Fletcher and Assistant City Attorney Ferrini explained the policy and will report back to the Committee at a future meeting.
8. Request to renew valet parking license agreement for The 100 Club, by Dana Wergen. On unanimous roll call 9-0, voted to recommend renewal of valet parking license agreement for the 100 Club for a term of one year contingent upon staff working out the details with the property owner.
9. Request for all-way stop at intersection of Court Street and Atkinson Street, by Doug Johnson. On unanimous roll call 9-0, voted to recommend all-way stop control at the intersection of Court Street and Atkinson Street.
10. Report back and discussion of Islington Creek Neighborhood Parking Program public meeting, by Parking Director Ben Fletcher. On unanimous roll call 8-0, voted to schedule next public meeting on Neighborhood Parking Program to address concerns.

Due to technical issues, Jonathan Sandberg and Steve Pesci were unable to attend the remainder of the meeting.

11. Report back on Aldrich Road traffic calming recommendations. **On unanimous roll call 8-0, voted** to recommend a raised intersection at Boss Avenue be added to the CIP and two more on Aldrich Road with locations to be determined.
12. Request for crosswalk on Greenleaf Avenue at Hillside Drive. **On unanimous roll call 8-0, voted** to schedule public work session for June 3, 2021 to discuss intersection improvement project at Greenleaf Avenue and Lafayette Road.
13. Monthly accident report from Police Department. *Informational item with no action required.*
14. **On unanimous roll call 8-0, voted** to table Agenda Items VII.B. through VII.E. to the June meeting.
15. Adjournment – At 11:00 a.m., **on unanimous roll call 8-0, voted to adjourn.**

Respectfully submitted by:
Amy Chastain, Department of Public Works

MEETING MINUTES

PARKING and TRAFFIC SAFETY COMMITTEE

8:00 A.M. – May 6, 2021

Remote Meeting via Zoom

I. CALL TO ORDER:

Chairman Peter Whelan called the meeting to order at 8:15 a.m.

II. ATTENDANCE BY ROLL CALL:

Members Present:

City Councilor/Chairman Peter Whelan
City Manager Karen Conard
Public Works Director Peter Rice
Fire Chief Todd Germain
Police Captain Mike Maloney
Mary Lou McElwain
Steve Pesci
Jonathan Sandberg
Harold Whitehouse
Erica Wygonik (Alternate)

City Staff Present:

Parking and Transportation Engineer Eric Eby
Parking Director Ben Fletcher
Assistant City Attorney Jane Ferrini

III. FINANCIAL REPORT:

Harold Whitehouse moved to accept and approve the financial report dated March 31, 2021 as presented, seconded by Mary Lou McElwain. **On unanimous roll call, motion passed 9-0.**

IV. PUBLIC COMMENT:

Ken Goldman commented on the Islington Creek Neighborhood Parking Program. The program should include all residents of the neighborhood regardless of the street they live on. It should be fair. If this moves forward it should be with the 2019 proposal and include all residents, including those on Islington Street. If the 2019 proposal is not used then the 2021 program should provide free parking permits to the whole neighborhood. The residents on Islington Street requested to be included in the original plan. The 2021 proposal does not define which residents qualify. If input is not solicited from everyone, then the program does not represent the residents of Islington Creek.

Michelle Wirth commented on the Islington Creek Neighborhood Parking Program. There are not enough parking spaces on the street for the local homeowners' demand. This program would be a burden. Residents should not have to pay to park in front of their homes. If a resident in the neighborhood has a driveway, then they should be parking in it. The ordinance already says that only residents can park in this area from 6 p.m. to 6 a.m. Those signs have been removed because of all of the construction. They should be

reinstalled and enforced. Residents get a sticker to the transfer station to prove their residency. The neighborhood can call in if someone is parking out of place. If someone is ticketed who shouldn't be, then they can go through the appeal process. This plan should not be a burden on the residents.

Trisha Anderson commented that cars are speeding by her home on Aldrich Road. The agenda has a proposal to include a raised intersection on the corner of Boss Avenue. Speed bumps should be installed in multiple locations on Aldrich Road. Ms. Anderson lives on the opposite side of the street from the proposed raised speed bump. If they are put in at multiple locations, then they would slow traffic on the entire street. Everyone on the street is hoping for equal safety. It would be better if these meetings could be later in the day and abutters received more advance notice.

Nicole LaPierre sent a letter to the Committee and asked that it become public record. When the Steering Committee began to work on this, they were instructed by the City to not include Islington Street because they already had parking parameters in place. Islington Street has to be dealt with separately. Trying to get a parking program in the neighborhood predates 2019. The item on the agenda is to move this to an evening public session and that should happen. This should go to a public session to continue the discussion.

Ollire Lane commented on the Islington Creek Neighborhood Parking Program. An evening meeting would be helpful. A lot of people didn't realize a parking program may go into place. The program will not give a guaranteed space, but it would give the residents the opportunity to have a parking permit. The demand has increased and surpassed the number of spaces. Some spaces have been removed from Hanover Street. Ms. Lane questioned what was happening with the Heinemann Building parking lot. If that becomes public parking, then it would impact the program.

Sarah Lynch commented on the speeding on Aldrich Road. The neighborhood is filled with kids. Traffic needs to slow down on Aldrich Road. It is a residential street and drivers aren't acting like it is.

Dan Umbro commented on the Islington Creek Neighborhood Parking Program. The parking data presented by the City indicated that they are not at capacity in the neighborhood. The Committee should look into how many homes in the neighborhood have driveways. Many residents already have off-street parking. Mr. Umbro requested to be involved in the process. He is a resident of Portsmouth and works on Islington Street. If the program does not involve everyone, then it will turn into something nasty like it did two years ago. Businesses in the neighborhood like the auto shop have a dedicated loading zone. Mr. Umbro questioned if that was being considered and if other businesses on the street would have dedicated parking. This does not need another public session. This was all discussed two years ago. It is getting the same push back. Mr. Umbro also commented on the detour on Islington Street. There is parking on both sides of the road, so cars are driving in the middle. Painting a line in the middle of the road may help drivers stay on their side.

David Higgins commented that speed tables should be considered in multiple locations on Aldrich Road. It is very difficult for a car to go 20 mph. The speed tracker was tracking walkers and bikers as well. If those were not considered in the stats, then the numbers

would be outrageous. 78% of cars go over 18 mph. A lot of cars going through here go over the speed limit. They need to slow down. Both sides of the street are dangerous. There should be a bump on both sides.

Kathleen Larney echoed the concerns of her neighbors. Speeding has been a concern in this neighborhood for a long time. They have asked the City to address this on multiple occasions. Ms. Larney was thrilled with the proposal that had 3 speed tables. The current proposal only has one speed table on the Middle St. side. It would be good to understand the process that went into determining that. Drivers treat this road as a cut through. There is a blind bend in the road near Sewell Rd. that impedes the ability to see traffic coming from the Middle St. end. The Committee needs to do something to address the whole street.

John Mayer agreed with the neighbors' concerns about Aldrich Road. The Islington Street side is just as problematic as the Middle Street end. He urged the Committee to put in the raised speed table in multiple locations on Aldrich Road. Right now, the speeding is of great concern to the residents in the neighborhood.

Iris Estabrook commented that the closest neighborhood to her house was the Islington Creek Neighborhood. She was concerned about the speaker who commented that Islington Street should have its own plan. They can't have a plan if they are not part of the neighborhood. Islington Street has 2-hour designated parking for businesses. There should not be losers here. They should not all pay the same taxes and have restrictions to street access.

Elizabeth Bratter commented that they should stop calling it a parking program because that is causing a lot of problems. This is just another parking management tactic like building another parking garage or offering reduced parking rates for residents. This should move forward with more streets included, changed hours, and better monitoring to assess if the program is working. The program is only for 6 months and funding for it has been set aside. This is about trying to balance the lack of parking inventory and meeting the needs of the residents. This should move forward for further discussion.

Stan Ketchel commented that he lived on the west end of Aldrich Road. It is good there is a speed bump proposed on the Middle Street end. However, the west end is just as dangerous. It is narrow and street parking is allowed. Cars on this end weave in and out of traffic and cars. Side mirrors have been knocked off parked cars. They should put in another raised bump and a speed indicator sign on this side of Aldrich Road.

Carl Diemer commented on the traffic calming measures on Aldrich Road. There is a lot of neighborhood concern about this end of the road. The recommendation on the agenda is appreciated, but the previous proposal included more speed tables. If there is only one speed table at one end, then it will not be as effective. Aldrich Road sees over 1,000 vehicles a day and 1/3 of them are going over the speed limit. The data from the speed monitoring in front of 311 Aldrich Road has not been included in the report provided in the packet. He stated there should be a second speed table.

Robert Swan echoed his neighbors' concerns about traffic calming on Aldrich Road. The most dangerous spot is the blind curve at Sewall Road. The data from the most recent speed tracker is not out yet, and it would be good to review it.

V. NEW BUSINESS:

A. Discussion of penalty schedule for safety related parking violations, requested by City Council, by Parking Director Ben Fletcher. Public Works Director Peter Rice requested clarification on this agenda item. Chairman Peter Whelan responded that Council requested that the Committee look at the safety related fines. There was a separate request from the Council to get more information about issuing multiple tickets under the current program.

Parking Director Ben Fletcher commented that they used to have a 3-hour time limit so they could write up to 3 citations. The Stay and Pay Program does not have any time limits. There is nothing specifically codified about how many tickets could be written. Without a time limit, they can put forward what the Committee thinks is fair and send it to City Council. They are currently operating with a reduced staff, so enforcement is difficult.

Public Works Director Peter Rice commented there are concerns about the multiple ticket approach. Sometimes people do not understand they are being ticketed more than once. It would be simpler to have a one-time fine.

Parking Director Ben Fletcher commented that the Council is in the process of adjusting the fines for the top 4 tickets issued. This called into question if the rest of the fines were too low. He modified the rest of the parking fine schedule, which included changes to the safety citations.

Assistant City Attorney Jane Ferrini commented that there are provisions on how to deal with people who continually violate parking tickets. The ordinance needs housekeeping, and they can expand on that discussion at a later date.

Mary Lou McElwain questioned if they could keep the line items for handicap placards and veterans time zones the same and not increase the fines. Parking Director Ben Fletcher responded that this was the perfect forum to have that discussion.

Steve Pesci commented that the schedule presented was very reasonable. It is important for Portsmouth to stay within the realm of surrounding towns. These are people who are misusing or lack the appropriate license to park in the ADA or veteran spaces. It is important to protect those spaces and increase the fine to dissuade people from misusing them.

Erica Wygonik commented that there was a line item for "parked in ADA" that has a sizeable fine. Then there are two line items for handicap time zone and veteran time zone violations. She requested clarification on those. Parking Director Ben Fletcher stated the larger fine comes as a recommendation from the State. The other two are rarely enforced. They do not charge for parking. However, in areas with time limits, they are allowed to use enforcement. There is nothing in the ordinance for veteran parking. They need to discuss that further to codify it. Erica Wygonik questioned how that related to the Stay and Pay Program. Parking Director Ben Fletcher responded that they need to discuss that further and codify the time limits. Assistant City Attorney Jane Ferrini commented that the ordinance has evolved over decades. The Stay and Pay Program does change the time limit on handicap parking. Towns are allowed to put in reasonable time limit enforcement. They need to further discuss how it relates to the Stay and Pay Program.

Chairman Peter Whelan questioned if they should recommend this schedule to the Fee Committee or the City Council. Assistant City Attorney Jane Ferrini commented that City Council is responsible for setting fines. Last time they elected to send it to the Fee Committee, but the City Council is responsible for the final vote to increase fines.

Public Works Director Peter Rice moved to recommend to the City Council that the parking fine rate be increased on the fine schedule items, seconded by Steve Pesci.

Mary Lou McElwain commented that the ADA time zone fine and veteran time zone fine should remain the same.

Chairman Peter Whelan questioned if that amendment could be made to the motion.

Public Works Director Peter Rice responded that parking violations make up \$24,000 out of a \$5 million budget. There are unintended consequences in giving blanket permission for ADA and veterans to stay without a mechanism to control turnover. People would camp out in preferred spots. They need to balance relief in this category but give a mechanism to justify turn over. Public Works Director Peter Rice was not against the amendment but wanted to give context.

Parking Director Ben Fletcher commented that 33,000 citations written in 2020. Ten were for those violations. Mary Lou McElwain commented that she did not object to the existing handicap and veterans time zone fines, but did not approve of increasing them.

Public Works Director Peter Rice commented that he did not feel strongly about raising or lowering those fines. Erica Wygonik questioned how this would relate to Stay and Pay Program. If cars can stay as long as they want, then there is no way to implement the fines. They need to address reasonable time limits.

Public Works Director Peter Rice moved to amend the original motion to remove the HC time zone and the veteran time zone fines and that they remain as is. This was seconded by Mary Lou McElwain.

Harold Whitehouse stated he would abstain from voting because he fell under the ADA and veteran category.

Chairman Peter Whelan noted that Erica Wygonik would vote in Harold Whitehouse's place and requested a roll call vote on the motion that included the amendment.

On roll call 8-0-1, voted to recommend to the City Council that the parking fine rate be increased on the following fine schedule items. Harold Whitehouse abstained.

Description	Recommended Fine	Recommended Fine After 30 Days
Parked within 15 ft of Fire Station	\$25.00	\$50.00
Obstructing Traffic During Construction	\$25.00	\$50.00
Double Parking	\$25.00	\$50.00
Parked in Wrong Direction	\$25.00	\$50.00
Back to Curb	\$25.00	\$50.00
Distance from Curb	\$25.00	\$50.00
Parked Too Close to Intersection	\$25.00	\$50.00
Emergency Snow Ban	\$50.00	\$100.00

B. Policy discussion regarding handling of repeat parking ticket offenders and frequency of same day ticketing, by Parking Director Ben Fletcher. Parking Director Ben Fletcher commented that the boot program is operational. When a plate number is processed on the device, it will display if there are multiple violations. This program is effective.

Assistant City Attorney Jane Ferrini commented that the parking ordinance is not a model of clarity in some sections. There is a provision that addresses a person receiving more than 10 violations in a year. This was the second part of the question from City Council. They want clarity on how the department is addressing repeat offenders. The provision on repeat offenders has not been amended and Council was interested in exploring that.

Parking Director Ben Fletcher commented that there were fines for people with 10 or more violations. The Council is close to passing the third and final reading on the citation fines. After that, they should look at the advanced fine for 10 or more violations. The boot program is for people with \$125 or more of outstanding tickets and that could also be reviewed.

Chairman Peter Whelan commented that they could add this to a future agenda.

Steve Pesci questioned if they should wait to address this until after all the other proposed fine changes have passed. Parking Director Ben Fletcher concurred.

C. Discussion of need for additional EV Charging stations, requested by City Council, by Parking Director Ben Fletcher. Parking Director Ben Fletcher shared EV charging station data. On average there are 4 transactions per day and people are spending about \$4 per transaction. People are leaving after just over 3 hours, which is about the same as any other paid parking. The price is structured to encourage turnover after the 4th hour. People have alluded to adding more stations to the Hanover and Foundry Garages. It takes a lot to install and provide power to spaces like that. The garages are not equipped to supply more power at this time. The current data is not showing that the City is short of inventory.

Harold Whitehouse commented that the financial report looked good when it came to EV stations. It is over 100%. Parking Director Ben Fletcher responded that they are priced to cover the cost and maintenance on those spaces.

Public Works Director Peter Rice appreciated the attention to the monies being generated by the EV charging stations, however, that line item is \$4,300 out of a \$5 million budget. These spaces are more of an amenity the City is providing to the residents. They are priced to break even.

Eric Eby questioned if it was an average of 4 transactions at each of the 7 spaces or total. Parking Director Ben Fletcher responded that was the total average.

Erica Wygonik commented that the Committee should be aware of the growing adoption of EV spaces and how that impacts policy. The demand will grow over time and they should not be caught behind. The Hanover Garage and City Hall Lot are the spaces that are used the most. They should plan for the cost involved in adding more to the existing.

Steve Pesci commented that it is not a cheap venture to charge a car now. It is not free electricity. It is discouraging to hear that the Foundry Garage wasn't built with more electrical capacity to accommodate more EV spaces. Steve Pesci agreed that they should start setting aside funds to plan for more spaces.

Public Works Director Peter Rice commented that the City buys electricity in bulk to get lower rates. Part of determining the rate is looking at the peak demand and peak output. The peaking factor rates on the EV stations are very high. Adding more will impact the City's overall bulk purchasing. It's appreciated that the Committee wants to provide more, but they need to be cognizant of what that means in a larger context.

Chairman Peter Whelan noted that the new administration in Washington may make more funds available for infrastructure. They may be able to take advantage of that for the EV upgrades at no cost to the residents.

Erica Wygonik noted that right now the City is providing the stations to residents as an amenity. As EVs become more prevalent there will be more of a social demand. Public Works Director Peter Rice responded that it would impact the DPW budget. Right now, most of the electrical is budgeted through the DPW. It is fine if the increase is part of the DPW budget as long as they are not penalized to cut other services or programs. Historically fuel for vehicles has been provided by private amenities. There may be opportunity to use federal money and have a private-public partnership.

Jonathan Sandberg agreed that the government does not provide fuel, but they do provide parking. That is the overlap. He questioned if they could offer different rates for non-peak times. Parking Director Ben Fletcher responded that the devices could be programmed to change pricing at certain times, but it would not change the cost of electricity.

D. Discussion of policy regarding prepaid parking garage vouchers for private businesses, by Parking Director Ben Fletcher. Parking Director Ben Fletcher commented that this was common practice in the industry. The policy would allow a business or customer to pre-purchase transient parking vouchers. For example, if someone is having a wedding at a nearby hotel, they could pre-purchase the vouchers to hand out to guests. There would not be a special allocation of spaces. Patrons would utilize whatever space was available in the garage. If the garage is full, then they would be turned away. This allows a business or party the opportunity to provide guests with an already paid parking voucher. If guests stay longer than the amount of time on the voucher, then they would be responsible for the remaining balance. This is simply a mechanism for a business or party to pay in advance. This change only effects the time of payment and it provides convenience to the customers. This should move forward.

Assistant City Attorney Jane Ferrini commented that she reached out to the bond counsel. The bond prohibits using public money for private benefit. If that is violated, then the tax-exempt status of the bond gets taken away. City Council can create a voucher program, but it needs to have parameters and restrictions in place to make sure they still qualify for the tax-exempt status. The vouchers can only be for short durations and the program needs to be reviewed on a yearly basis. It needs to be a small program with parameters. Bond counsel needs to review the policy in advance and then it can move forward.

Erica Wygonik questioned if there was any incentive to bulk purchase prepaid vouchers. Parking Director Ben Fletcher responded there was not.

E. Request to renew valet parking license agreement for The 100 Club, by Dana Wergen. Harold Whitehouse moved to recommend renewal of valet parking license agreement for the 100 Club for a term of one year, seconded by Mary Lou McElwain.

Public Works Director Peter Rice requested clarification from Eric Eby. There may be an issue with the property owner requesting to use the space for construction parking. Eric Eby responded that they have not received a completed application for the encumbrance permit. Public Works Director Peter Rice was concerned the two entities were asking for the same space. The approval should be contingent upon staff working out the details about a potential conflict with the property owner.

Public Works Director Peter Rice moved to amend the motion to recommend renewal of valet parking license agreement for the 100 Club for a term of one year contingent upon staff working out the details with the property owner, seconded by Harold Whitehouse.

On unanimous roll call 9-0, voted to recommend renewal of valet parking license agreement for the 100 Club for a term of one year contingent upon staff working out the details with the property owner.

VI. OLD BUSINESS:

A. Request for all-way stop at intersection of Court Street and Atkinson Street, by Doug Johnson. Eric Eby commented that the traffic volumes did not support an all-way stop, but the limited sightlines do. The recommendation is to install an all-way stop.

Public Works Director Peter Rice moved to recommend all-way stop control at the intersection of Court Street and Atkinson Street, seconded by Harold Whitehouse.

Mary Lou McElwain commented that she would vote against the motion because they should have looked at the State Street and Atkinson Street intersection at the same time. This should encompass both streets between State Street and Court Street. Mary Lou McElwain questioned if this was requested because of speed or visibility issues. Eric Eby responded that it was requested for both reasons.

Harold Whitehouse moved to table this item and have staff report back on the whole street, seconded by Mary Lou McElwain.

Public Works Director Peter Rice appreciated the desire to address the whole area. However, this was a specific request for this specific street. It has been reviewed this year and in years past. The Committee should not delay or discount the work that has been done to identify a solution. There has been discussion on making the street one-way, but it provides an outlet for traffic when the Memorial Bridge is up. The volume and speeds are manageable. The big issue is people turning onto Atkinson Street from Court Street. A stop sign would encourage safety. Public Works Director Peter Rice commented that he would not support the motion to table to a later date.

Jonathan Sandberg commented that adding stop signs would not hurt anything. They should install the stop signs and then address the other issues at a later time.

Chairman Peter Whelan commented that he was not going to support the motion to table. The sightlines at this intersection are terrible. An all-way stop would help the intersection tremendously.

Harold Whitehouse withdrew the motion to table. Mary Lou McElwain withdrew her second.

On unanimous roll call 9-0, voted to recommend all-way stop control at the intersection of Court Street and Atkinson Street.

B. Report back and discussion of Islington Creek Neighborhood Parking Program public meeting, by Parking Director Ben Fletcher. Parking Director Ben Fletcher stated this agenda item is at the point where they need to schedule an evening meeting to allow those impacted to be heard.

Harold Whitehouse moved to schedule next public meeting on Neighborhood Parking Program to address concerns, seconded by Mary Lou McElwain.

Chairman Peter Whelan commented that the Heinnemann lot just closed off parking, which will put more cars on the street. This is a pilot program, so they can get a lot of feedback from it. The proposal gives the City Manager a lot of latitude to make changes to make it work.

Erica Wygonik questioned what the next steps in this process are. Chairman Peter Whelan commented that they would go back to the neighborhood to update the proposal. Then it would go to City Council for a vote on the 6-month pilot program.

At this point, there were technical issues with the online meeting. When the meeting resumed Jonathan Sandberg and Steve Pesci were unable to rejoin the meeting. Alternate Erica Wygonik acted as a voting member for the rest of the meeting.

On unanimous roll call 8-0, voted to schedule next public meeting on Neighborhood Parking Program to address concerns.

C. Report back on Aldrich Road traffic calming recommendations. Eric Eby commented that at the last public meeting there were concerns about the speeding on each end of Aldrich Road. There were also concerns that the speed recordings were tracking pedestrians and bicyclists. Eric Eby put out another stealth recorder on the Islington Street end. The Boss Avenue end of the street showed average speeds of 24 mph and the 85th percentile was 29 mph. The Islington Street side showed average speeds of 23 mph and the 85th percentile was 28 mph. The speeds are very similar on both ends of Aldrich Road. There is a blind corner at Sewall Street. The average speeds are in the low 20s, so it is above the speed limit of 20 mph.

At the public meeting Eric Eby recommended several speed tables on Aldrich Road. However, after looking at the drainage characteristics of the road it is really only possible to put in one. The speed tables will act as a dam in the middle of the street. Boss Avenue is the only location where there is proper drainage. The catch basins are already there. The other locations do not have catch basins and would be creating a dam with water and

ice issues. Without road reconstruction, the best place to put in a speed table is Boss Avenue. They would raise the entire intersection. They can put a speed feedback sign on the other end to help with speeding concerns.

Public Works Director Peter Rice noted that it was clear the residents wanted multiple speed tables, but to achieve that requires a significant investment. Public Works Director Peter Rice recommended making this part of the CIP. This is an appropriate item to identify as a traffic calming project. If it is a CIP request, then they can program it accordingly. In the short term, they can look at installing speed feedback signs. This should go through the CIP process and include the additional tables requested.

Harold Whitehouse questioned if they could put in a roundabout anywhere between Islington Street and Middle Street. Public Works Director Peter Rice responded that was not possible without investment, but it could be proposed as an alternate in the CIP design.

Mary Lou McElwain commented that they needed to maximize the safety on this road. This has been a consistent complaint within the City. She questioned why they could not install temporary speed bumps like the ones in the Feaster parking lot. They should put in the three speed bumps and get it done.

Eric Eby commented that they do make larger temporary speed bumps. They are expensive and have to be removed for plowing. Reports from other communities are that they can come loose and require a lot of maintenance. Staff can look into possibly purchasing those. Public Works Director Peter Rice commented that historically they do not entertain temporary methods because they can be dangerous. He stated they need to reconfigure the roadway to do it right. If the Committee wants to vote to try something and City Council approves it, then they will implement it.

Mary Lou McElwain commented that they should do something that is part of the resident request. Public Works Director Peter Rice responded that they could put in the speed indicator signs. In 2016 they did a traffic calming project with the Aldrich Road neighborhood. The roadway design as it is now is what the neighborhood asked for.

Chairman Peter Whelan requested that staff report back on trying the temporary bumps in the warmer months before the speed table is installed. Fire Chief Todd Germain commented that they would prefer the speed table over multiple speed bumps. The speed bumps are more impactful to the vehicle suspension system.

Erica Wygonik was in favor of expanding the CIP project to include all the speed tables requested by residents. She questioned if it would make sense to implement them as two separate projects. The first could be the Boss Avenue speed table and the second could include the additional tables. Public Works Director Peter Rice responded that was a possibility. Funding is still needed to do the project. It would be better to request it once, get approval and move forward. Erica Wygonik questioned if it would be more efficient to split the project. Public Works Director Peter Rice responded that they needed to be cognizant of the many other neighborhoods asking for treatments. Erica Wygonik commented that they should also be cognizant about if the project is too big then it is pushed out by years.

Harold Whitehouse moved to recommend a raised intersection at Boss Avenue be added to the CIP, seconded Public Works Director Peter Rice.

Harold Whitehouse questioned what the timeline for implementation would be. Public Works Director Peter Rice responded that the timing would be dictated by the Planning Board and City Council. Staff is already acknowledging Middle Road and South Street traffic calming. This could be added to the list. There are three traffic calming projects that could potentially be designed and bid as one project. Staff would recommend putting them in the same timeframe. Erica Wygonik questioned if they would still advocate trying to do all three speed tables. Public Works Director Peter Rice confirmed that was correct.

Mary Lou McElwain commented that this would take a long time and the neighborhood has been requesting changes for a long time. She questioned if the speed feedback signs could be reinstalled in the area.

Public Works Director Peter Rice responded that they have a limited number of speed feedback signs, but could look at moving one. They can also look to see if there are any funds toward the end of the year and potentially buy more. Eric Eby commented that they have 10 signs and can move one to Aldrich Road.

Mary Lou McElwain commented that the City should have something in the budget for safety aspects, which include speed feedback signage. Public Works Director Peter Rice noted that there was a budget public hearing coming up and she could voice her request to the Council.

Erica Wygonik moved to amend the original motion and recommend putting in a CIP request for a raised intersection at Boss Avenue, and two more on Aldrich Road with locations to be determined, seconded by Harold Whitehouse.

On unanimous roll call 8-0, voted to recommend a raised intersection at Boss Avenue be added to the CIP and two more on Aldrich Road with locations to be determined.

D. Request for crosswalk on Greenleaf Avenue at Hillside Drive. Public Works Director Peter Rice moved to schedule a public work session for June 3, 2021 to discuss the intersection improvement project at Greenleaf Avenue and Lafayette Road, seconded by Mary Lou McElwain.

On unanimous roll call 8-0, voted to schedule public work session for June 3, 2021 to discuss the intersection improvement project at Greenleaf Avenue and Lafayette Road.

VII. INFORMATIONAL:

A. Monthly accident report from Police Department. Police Chief Mike Maloney noted that it was hard to compare the 2020 data with the 2021 data because the City was basically in lockdown last year. In March there was a total of 94 crashes and of those 37 were reportable. They will be implementing the highway safety grant funds for the months of May through August. There will be extra patrols focusing on enforcement of pedestrian and bikes, distracted driving, seatbelt compliance and DWI. There will be 4 patrols a week focusing on those items for the next four months.

Mary Lou McElwain moved to postpone Informational items B-E to the June meeting, seconded by Harold Whitehouse.

On unanimous roll call 8-0, voted to table Agenda Items VII.B. through VII.E. to the June meeting.

VIII. MISCELLANEOUS:

Harold Whitehouse commented on the lengthy packet of materials. Eric Eby noted that they were just trying to be transparent and provide all of the data that was presented. Mary Lou McElwain added that the majority of the Committee moved to the electronic option two years ago.

IX. ADJOURNMENT:

Public Works Director Peter Rice moved to adjourn the meeting at 11:00 a.m., seconded by Fire Chief Todd Germain. **On unanimous roll call 8-0, voted to adjourn.**

Respectfully submitted by:
Becky Frey
PTS Recording Secretary

**PARKING and TRAFFIC SAFETY COMMITTEE
ACTION SHEET**

3:00 P.M. – June 3, 2021
Remote Meeting via Zoom

PRESENT: City Councilor/Chairman Peter Whelan, City Manager Karen Conard,
Public Works Director Peter Rice, Fire Chief Todd Germain,
Police Captain Mike Maloney
Members: Mary Lou McElwain, Steve Pesci, Jonathan Sandberg,
Harold Whitehouse

ABSENT: Erica Wygonik, Member

CITY STAFF: Parking and Transportation Engineer Eric Eby
Parking Director Ben Fletcher

1. Chairman Peter Whelan recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-20, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.
2. Financial Report – **On unanimous roll call 9-0, voted** to accept and approve the financial report as presented.
3. Public Comment Session – There were 4 speakers: Judy Miller (Pedestrian crosswalk at Maplewood & Hanover/Congress, City Hall crosswalk, and noise of motorcycles in town), Andrew Bagley (Intersection at Maplewood & Hanover/Congress), Jason Combs (Inquiring on results of bollard installation at Middle Road), Evan Mullen (To commend DPW for efforts toward safeness and pedestrian friendly city).
4. Request to post NO PARKING HERE TO CORNER sign on end of McNabb Court, by resident. – **On unanimous roll call 9-0, voted** to approve placement of sign 20 feet from corner at end of McNabb Court.
5. Proposed parking safety violation fine increases.
On unanimous roll call 9-0, voted to approve increases in fines for parking safety violations as presented, and forward to City Council for request for First Reading.

Description	Recommended Fine	Recommended Fine After 30 Days
Parked within 15 ft of Fire Station	\$25.00	\$50.00
Obstructing Traffic During Construction	\$25.00	\$50.00
Double Parking	\$25.00	\$50.00
Parked in Wrong Direction	\$25.00	\$50.00
Back to Curb	\$25.00	\$50.00
Distance from Curb	\$25.00	\$50.00
Parked Too Close to Intersection	\$25.00	\$50.00

6. Request for traffic calming measures on Sherburne Road, by residents of Sherburne Road.
On a unanimous roll call 9-0 voted to refer to staff for report back.
7. Request for two 1-hour limit spaces on Portwalk Place, by Seacoast Spine & Sports Injuries.
On unanimous roll call 9-0, voted to refer to staff for report back and recommendation.
8. Discussion of time limit for handicap vehicles in downtown on-street parking spaces.
On unanimous roll call 9-0, voted to refer to staff for report back and proposed ordinance.
9. Public input session to kickoff intersection improvement project at Greenleaf Avenue and Lafayette Road on June 3, 2021 at 6:30 p.m. – Informational item with no action required.
10. Islington Creek Neighborhood Parking Program public meeting on June 10, 2021 at 6:30 p.m. – Informational item with no action required.
11. Monthly accident report from Police Department – Informational item with no action required.
12. Status of Chevrolet Avenue sidewalk – Informational item with no action required.
13. Status of Chevrolet Avenue/Brewery Lane area traffic study – Informational item with no action required.
14. Locations of speed feedback signs and pedestrian RRFBs– Informational item with no action required.
15. Bike and vehicular traffic volume data – Informational item with no action required.
16. Middle Street bike lane status update – Informational item with no action required.
17. Aldrich Road traffic calming update – Informational item with no action required.
18. PTS Open Action Items – Informational item with no action required.
19. Moped parking do's and don'ts, public outreach forthcoming – Committee discussion about public outreach.
20. PTS meeting times for July, August, and September at 3:00 p.m. – The July meeting will be held on July 8, 2021 at 3:00 p.m.

21. Adjournment – At 4:08 p.m., **on unanimous roll call 9-0, voted to adjourn.**

Respectfully submitted by:

Kathryn Chodor and Shanleigh McGonagle, Department of Public Works

MEETING MINUTES

PARKING and TRAFFIC SAFETY COMMITTEE

3:00 PM – June 3, 2021
Remote Meeting via Zoom

I. CALL TO ORDER:

Chairman Peter Whelan called the meeting to order at 3:00 p.m.

II. ATTENDANCE BY ROLL CALL:

Members Present:

City Councilor/Chairman Peter Whelan
City Manager Karen Conard
Public Works Director Peter Rice
Fire Chief Todd Germain
Police Captain Mike Maloney
Mary Lou McElwain
Steve Pesci
Jonathan Sandberg
Harold Whitehouse

Member Absent:

Erica Wygonik (Alternate)

City Staff Present:

Parking and Transportation Engineer Eric Eby
Parking Director Ben Fletcher

III. FINANCIAL REPORT:

Harold Whitehouse moved to accept and approve the financial report as presented, seconded by Mary Lou McElwain. **On unanimous roll call, motion passed 9-0.**

IV. PUBLIC COMMENT:

Judy Miller commented on the pedestrian crossings on Maplewood Avenue, at Deer Street, Hanover Street and Congress Street (into Islington Street). She believes signal changes to be problematic. Also has a concern about the decibel level of motorcycles in the downtown, she has noticed motorcycles revving engines, would like better monitoring of this. When she went to City Hall noted there is no longer a crosswalk from the parking lot to City Hall entry, recommends it be repainted. Spoke at Police Commission meeting on May 25th on both issues.

Andrew Bagley commented on Congress Street /Middle Street /Islington Street intersections. Feels pedestrian cross signal is dangerous. Wants to see safety data.

Jason Combs commented on speed testing since installing bollards and additional measures put in place on Middle Road, says that placement of crosswalk flashers has been helpful.

Evan Mullen filed an online traffic calming request application so they can have a discussion in the future. He commended and thanked the Committee and DPW staff for significant effort towards making the City safer and more pedestrian oriented.

V. NEW BUSINESS:

A. Request to post NO PARKING HERE TO CORNER sign on end of McNabb Court, by resident. Eric Eby provided an aerial view of McNabb Court showing the residence, garage, and street. Eric Eby commented that McNabb Court is only a 240-foot wide street, and it is difficult to get out of the garage at the residence. He noted that the end of the street is an intersection, and there is technically no parking within 20-feet of an intersection.

Harold Whitehouse commented that he did a site visit of the area. Harold Whitehouse moved to approve the installation of a sign 20-feet from the corner at the end of McNabb Court, seconded by Mary Lou McElwain.

Chairman Whelan questioned if installing the sign was within the Committee authority. Eric Eby confirmed that it was and stated this can be done without further approval.

On unanimous roll call 9-0, voted to approve placement of sign 20-feet from corner at end of McNabb Court.

B. Proposed parking safety violation fine increases, by Parking Director Ben Fletcher. Parking Director Ben Fletcher clarified all changes approved by City Council on May 17th, 2021 were for the selected categories to move from \$15 to \$35, and increase to \$55 at 30 calendar days. The Snow Ban fine was approved at \$35/55, not \$50/100 as originally proposed in early discussions. The adjustments approved on May 17th for emergency snow ban violations are correct, and require no further adjustment, motion is to approve the other fines (noted in table below). All items listed are recommended to go from the \$15 to \$25 and then to the \$50.00 after 30 days.

Description	Recommended Fine	Recommended Fine After 30 Days
Parked within 15 ft of Fire Station	\$25.00	\$50.00
Obstructing Traffic During Construction	\$25.00	\$50.00
Double Parking	\$25.00	\$50.00
Parked in Wrong Direction	\$25.00	\$50.00
Back to Curb	\$25.00	\$50.00
Distance from Curb	\$25.00	\$50.00
Parked Too Close to Intersection	\$25.00	\$50.00

Public Works Director Peter Rice moved to approve fine adjustments as presented, seconded by Steve Pesci.

Public Works Director Peter Rice stated this was something the City Council was concerned about and referred back to the PTS Committee. He wants to be sure there is consensus.

Parking Director Ben Fletcher commented the fines presented previously and that were approved by the City Council represented about 90% of the citations written. Chairman Peter Whelan asked if the violations presented here are approximately 5% of the fine revenue. Parking Director Ben Fletcher clarified it is actually 2% to 3%.

On unanimous roll call 9-0, voted to approve increases in fines for parking safety violations as presented, and forward to City Council for request for First Reading.

C. Request for traffic calming measures on Sherburne Road, by residents of Sherburne Road. Eric Eby commented this request was submitted online. He monitored the vehicle traffic and averages speeds were well over the posted speed limit of 20 mph. The fastest speed recorded was 63 mph and the average speed was 29 mph, with 85th percentile speeds of 34 mph. He stated this is a legitimate concern.

He stated the next step is for the applicants to gather signatures from at least 50% of the neighborhood showing support for the request. Eric Eby has been in contact with the applicants, and they are aware of the process. He commented it should be noted that Sherburne Road is a dead-end street and the excessive speeds are coming from the residents.

Chairman Peter Whelan stated he received a phone call about this agenda item and there was an accident involving a car that rolled on its side.

Mary Lou McElwain stated that one ticket to a resident would change the behavior in the neighborhood.

Public Works Director Peter Rice moved to refer to staff, seconded by Harold Whitehouse. **On a unanimous roll call 9-0 voted** to refer to staff for report back.

D. Request for two 1-hour limit spaces on Portwalk Place, by Seacoast Spine & Sports Injuries. Eric Eby stated the request was submitted by Seacoast Spine and Sports Injuries. They have requested two spaces in front of their office be designated as 1-hour for patients. Currently these are Stay and Pay spaces, so vehicles can stay as long as they want while feeding the meter. Eric Eby commented that there is not a lot of information at this time, and therefore he does not have a recommendation for the Committee.

Eric Eby noted that while this request may help this business, it has potential to harm other businesses in the area. Chairman Peter Whelan questioned if the road is private. Eric Eby stated the road is private, but is administered as public. Parking rules and regulations apply to the street. It's a matter of how the revenues are collected and distributed back to the property owner.

Harold Whitehouse questioned if this is approved, would a person/patient need to show a handicap placard to occupy the space. Parking Director Ben Fletcher stated not as currently proposed. A separate handicap space exists nearby already. He stated there are no other 1-hour limit spaces in the City. These spaces represent about 40% of the parking inventory on this street. It would only be fair to reach out to the other businesses and property owners to get their thoughts on this requested change.

Mary Lou McElwain moved to refer to staff to report back with recommendations, seconded by Steve Pesci.

Steve Pesci commented on the precedence that could be set by allowing a business to have its own 1-hour limited parking spaces, and concerns on the practicality of enforcement. If the Committee starts receiving more of these requests, it could defeat the purpose of the Stay and Pay program. He recommended moving forward cautiously.

On unanimous roll call 9-0, voted to refer to staff for report back and recommendation.

E. Discussion of time limit for handicap vehicles in downtown on-street parking spaces. Parking Director Ben Fletcher stated the State RSA does not allow the City to charge for handicap parking, but the City can enforce the time limits. Stay and Pay allows for the time limit to be a maximum of one day. There have been complaints that people with handicap placard are taking advantage and parking in a space all day.

Parking Director Ben Fletcher stated Attorney Jane Ferrini has been in conversation with the State. They understand what the City has done with the pricing and are looking into what is the best way to move forward. He stated he wants to be sure to get it right and that it is fair.

Harold Whitehouse asked if the handicap license plate is different than a handicap placard. Parking Director Ben Fletcher clarified they are treated the same in regards to enforcement. Harold Whitehouse commented he would like to see what other communities are doing in this scenario. Chairman Peter Whelan questioned if this should be tabled until Attorney Jane Ferrini gets more information. Members confirm.

Steve Pesci moved to table and bring back when Attorney Jane Ferrini has done more research, seconded by City Manager Karen Conard.

On unanimous roll call 9-0, voted to refer to staff for report back and proposed ordinance.

VI. OLD BUSINESS:

No agenda items.

VII. INFORMATIONAL:

A. Public input session to kickoff intersection improvement project at Greenleaf Avenue and Lafayette Road on June 3, 2021 at 6:30 p.m. No Committee discussion.

B. Islington Creek Neighborhood Parking Program public meeting on June 10, 2021 at 6:30 p.m. The meeting will be held in the Council Chambers and public participation will be via Zoom and in person.

C. Monthly accident report from Police Department. Police Captain Mike Maloney stated there were 53 total crashes in April. This is about double from last year during COVID, which is not surprising since people are out and about again. He stated there was one motor vehicle crash involving a bicyclist, and one involving a pedestrian. In the bicycle accident, the operator of the vehicle was summonsed for failing to yield. The pedestrian accident occurred on Bridge Street in a parking lot and is part of a criminal case.

He stated that additional patrols will be present in May, June, July, and August. They will

be specifically targeting everything from distracted driving, speed, pedestrian / bike safety, and DWI patrols.

Mary Lou McElwain commented about distracted driving. She stated the law has been on the books since July 2015. She is seeing so many distracted drivers. She asked if the Police Department was ticketing or just giving verbal warnings. Police Captain Mike Maloney agreed and stated they are issuing tickets and giving verbal warnings.

Mary Lou McElwain questioned if verbal warnings could be eliminated. Police Captain Mike Mahoney explained why they could not eliminate verbal warnings.

D. Status of Chevrolet Avenue sidewalk. Public Works Director Peter Rice stated staff met with property owners in the area. The City Council has approved the transfer of the property. Staff has secured enough easements to be able to construct the project. Construction is anticipated to begin in September.

E. Status of Chevrolet Avenue/Brewery Lane area traffic study. Eric Eby stated the traffic study has been submitted by the consulting firm. They have recommendations and staff want to meet to discuss before presenting to the Committee. A couple things being considered are; making a 4-way stop at Brewery Lane and Jewel Court that was in place during construction last year, a 4-way stop at the intersection of Cass Street, Chevrolet Avenue, and Lovell Street, and a one-way traffic pattern in the area.

Harold Whitehouse questioned if there was a need for another stop sign at Cass Street, coming out of Brewery Lane. This is a well-traveled street. Eric Eby confirmed that was a recommendation.

Steve Pesci questioned if Jewell Court at Islington Street was part of this study. He is concerned about Jewell Court at Islington Street. It is a right turn only and he is concerned about safety. Eric Eby said that the intersection was not part of the study, but Jewell Court at Brewery Lane was reviewed. He stated that having "Do Not Block" markings at the intersection would be beneficial.

F. Locations of speed feedback signs and pedestrian RRFBs. Eric Eby presented the updated map. Staff added RRFBs at Foundry Garage at the corner of Deer Street and Bridge Street. One was added at Middle Street and Aldrich Road. Jonathan Sandberg commented there looks like there are two new ones on Cate Street. Eric Eby stated they were installed by the developer. He stated that more speed feedback signs have been ordered.

G. Bike and vehicular traffic volume data. Eric Eby presented the bicycle volumes at Lafayette Road at South Street. Activity has picked up in May due to the good weather. He presented traffic volumes at Lafayette Road at South Street as compared to 2019. He stated traffic volumes are coming back and were about 90-95% of pre-pandemic levels.

Jonathan Sandberg questioned if this was the only vehicular and bicycle monitoring signal in the city. Eric Eby stated there is another one at Market Street and Nobles Island at the Port Authority signal. We also have a new one at Islington Street and Bartlett Street. Bicycle and vehicular data at Islington Street and Bartlett Street has been collected for the last 6 months, but construction traffic has been a factor.

H. Middle Street bike lane status update. Eric Eby stated the bike lane section with parking between Cabot Street and Lincoln Street was blacked out and parking was put back to the curb. Staff have been monitoring speeds and volumes regularly and the data is in the packet. Vehicular speeds have increased slightly in that section. Bicycle activity is about same as last year. There isn't a permanent counter installed so data is collected periodically. Middle Street speed data shows an increase in April when parking was placed back at the curb.

Eric Eby stated they are in a 6 month process working with NHDOT. Staff will be bringing on a consultant to do some public process work and they will be looking for input on a permanent solution for the bike lane, as well as other alternatives to meet the requirements of the federal grant funding.

Jonathan Sandberg asked when the 6 month period started. Eric Eby stated April 1st was when the parking was moved back to the curb. He stated they are in discussions with NHDOT about specifics.

Harold Whitehouse commented that he's heard nothing but good reports about the changes. He stated people are worried about the funding being returned to NHDOT. Eric Eby stated that it is part of the 6 month process, they are hoping to find an alternative to satisfy everyone.

I. Aldrich Road traffic calming update. Public Works Director Peter Rice stated staff are having discussions with the residents of Aldrich Road. Discussions included explaining the proposed traffic calming approach, which was to add 3 speed tables as part of the CIP process. However, there is an area in the roadway at Boss Avenue where a speed table could be installed. The problem with installing speed tables is having drainage in the appropriate places. He stated the Boss Avenue location has the appropriate drainage, and as a pilot effort, the DPW staff will be installing speed table.

Public Works Director Peter Rice stated the other 2 locations would need to be included in the CIP due to the additional drainage work required.

Chairman Peter Whelan questioned when the Boss Avenue speed table would be installed. Public Works Director Peter Rice commented that he anticipates it would be installed this summer.

Fire Chief Todd Germain confirmed that the Fire Department prefers speed tables over a series of speed bumps.

J. PTS Open Action Items. Mary Lou McElwain commented that some of the action items on the list go back to 2017, and she would like to review the entire list at the next meeting. She specifically spoke to the stop sign at Marcy Street and Mechanic Street. She stated it is not effective. She asked if the stop sign could be installed in the street. The existing one is placed too far back and people ignore it. Chairman Peter Whelan agreed.

The Committee will review the entire PTS open action items list at the next meeting.

VIII. MISCELLANEOUS:

A. Moped parking dos and don't's, public outreach forthcoming. Chairman Peter Whelan commented that he has been getting calls about mopeds and scooters parked on sidewalks and in front of stores. He asked about public outreach to educate the owners. Public Works Director Peter Rice stated that any outreach needs to clearly state that mopeds and scooters cannot obstruct the sidewalk. The enforcement officers are ticketing mopeds and scooters when they are improperly parked. He stated outreach is needed and he will discuss it with the Public Information Officer. Jonathan Sandberg suggested reaching out to scooter shops. The Committee discussed several public outreach ideas.

Steve Pesci commented as a scooter owner, he supports moped and scooter parking restrictions. He believes some polite enforcement is needed, and suggested tracking the plate numbers for scofflaws and repeat offenders.

B. PTS meeting times for July, August, and September at 3:00 p.m. Harold Whitehouse requested the July meeting be scheduled on July 8th. Chairman Peter Whelan concurred.

Harold Whitehouse requested DPW look into the crosswalk at City Hall mentioned in public comment. Eric Eby commented it was not restriped because it didn't meet ADA standard; it did not have tip downs, and grades were not compliant. It would need work done to do it. Public Works Director Peter Rice said staff will look at it again.

Chairman Peter Whelan spoke to the concerns expressed in public comment about the pedestrian signals on Maplewood Avenue, at Deer Street, Hanover Street and Congress Street. Eric Eby stated the signals are working properly and it is a matter of public education. Mary Lou McElwain requested the signals be discussed in-depth at the next meeting. Chairman Peter Whelan stated it would be on the agenda under old business for the next meeting.

Mary Lou McElwain provided an update on speed signage to be created by school children. It is moving forward and funding options are being looked at.

Mary Lou McElwain commented that she saw people pay for parking on Memorial Day because there was no signage. Public Works Director Peter Rice comments the ordinance does not say free parking on Holidays, the ordinance says no enforcement on Holidays. Chairman Peter Whelan stated the issue will be put on the July meeting agenda.

IX. ADJOURNMENT:

Harold Whitehouse moved to adjourn. Mary Lou McElwain seconded. **On a unanimous roll call 9-0, voted to adjourn.**

Respectfully submitted by:

Kathryn Chodor and Shanleigh McGonagle, Department of Public Works

To: Planning Board
From: Rick Chellman

June 15, 2021

Re: Waterfront and building siting

I have perceived some confusion in the interpretation of the City's zoning as pertains to waterfront parcels and the related relationships between buildings and the waterfront. Since formal meetings obviously deal with particular applications and are times in which our focus must necessarily be on the applications at hand, I thought it might be helpful to prepare this discussion document outlining how I think the zoning applies in different and theoretical circumstances.

There is no particular "scale" to the diagrams that follow, they are shown simply to illustrate the topics being discussed. This memo is also only focused on the waterfront buffer, so the myriad other criteria that impact development such as setbacks, building orientation, parking supply and other important aspects are NOT a part of this discussion.

Terminology is, in my opinion, very important, especially when reviewing a zoning ordinance with defined terms as is the case here. To somewhat simplify this discussion, I will focus on a theoretical parcel on the "tidal wetland" (a defined term) adjacent to North Mill Pond.

Beginning with a simple example, a parcel fronting the North Mill pond without any manmade improvements could appear as below- the waterfront at the high tide line in blue, the lot lines outlined in dashed black. Parallel with the high tide line, I have added 3 lines described in the zoning, with references to those areas. The most important one of these, as relates to buildings, is the "wetland buffer" (a defined term) 100' from the high tide. The vegetated and limited cut buffers are also shown for reference, but the wetland buffer is the important line as relates to buildings.

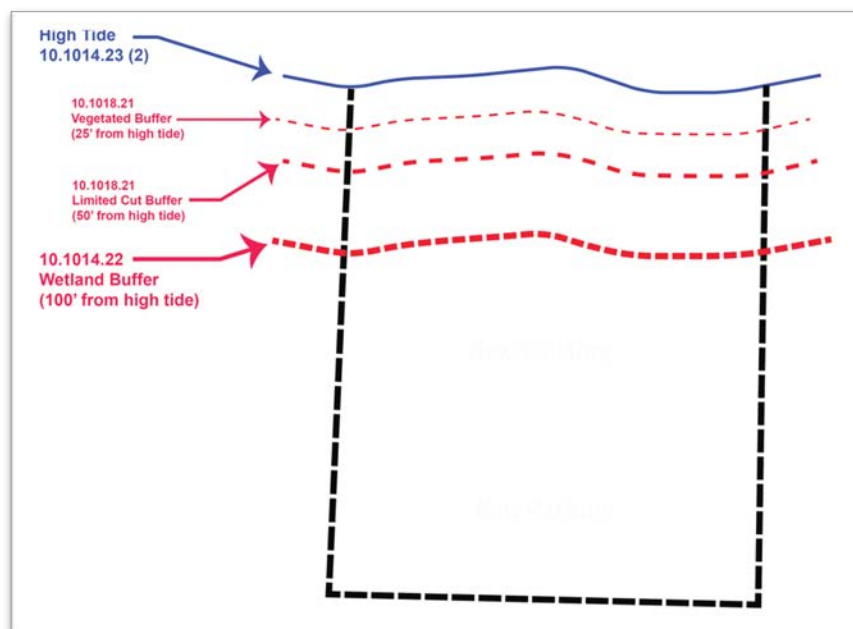


Figure 1: Theoretical vacant Lot on North Mill Pond

For this theoretical vacant lot, the general permitted uses are listed elsewhere in the zoning ordinance, but as relates to the **wetland buffer**, 10.1016.10 sets forth the permitted uses within

the **wetland buffer** area itself. These permitted uses are few and exclude any structure or impervious surface unless related to a minor expansion of a lawfully pre-existing one or two-family dwelling. Other uses are also listed, but these restrictions I believe establish the intent of the ordinance which is to preserve the **wetland buffer** area. In fact, 10.1016.20 prohibits other uses without a conditional use permit.

Returning to Figure 1's theoretical vacant lot, a proposed building and parking area (an impervious surface) could be sited as shown in Figure 2¹, since the proposal is outside the **wetland buffer** area.

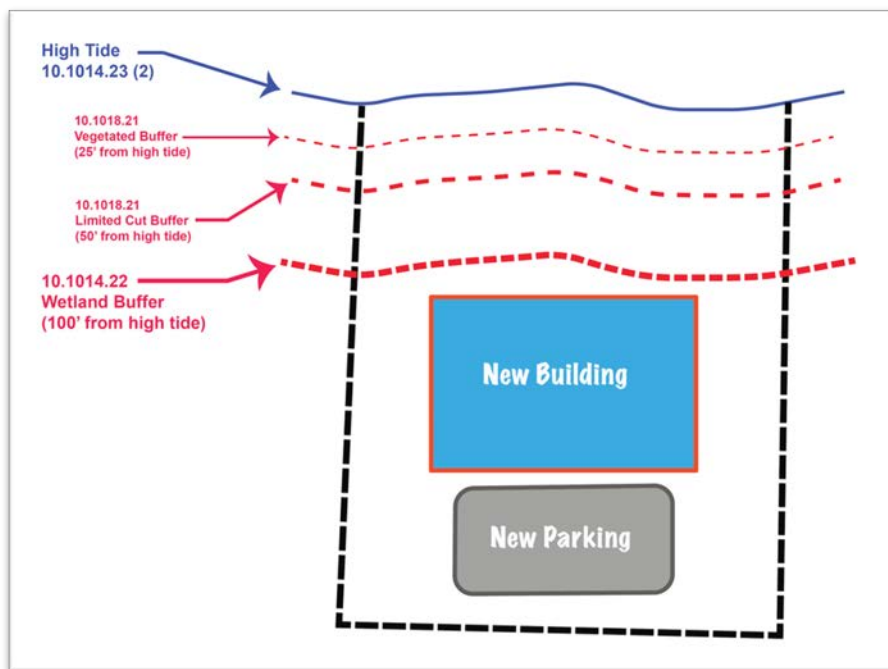


Figure 2: Possible Building on Previously Vacant Lot

Any other use proposed to impact the **wetland buffer** area not specifically listed as permitted requires a conditional use permit from the Planning Board under 10.1017.

Below, for discussion, I have moved the possible new commercial building in Figure 3 closer to the high tide line so it would partially extend into the **wetland buffer** area.

This then results in a theoretical proposal that would require a conditional use permit (CUP) application.

I know everyone has the zoning ordinance, but I have added relevant sections of it to this memo for ease of reference. Where I have done that, I have used images of the ordinance to avoid typos in transposing from one to the other.

Following under Figure 3, the general provisions for a CUP process are listed.

¹ Again, ONLY as relates to the wetland buffer being discussed in this memo. The proposal may have other problems with other sections of the ordinance.

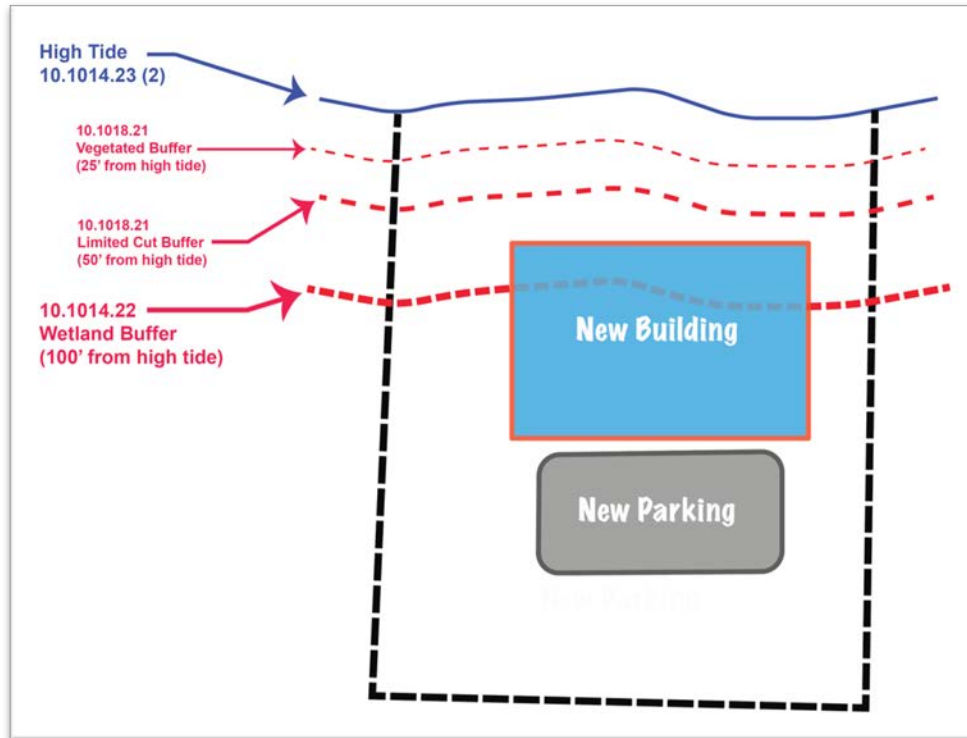


Figure 3: Possible Commercial Building Partially in Wetland Buffer

10.1017.40 Conditional Use Approval

- 10.1017.41 The Planning Board shall grant a conditional use permit provided that it finds that all other restrictions of this Ordinance are met and that proposed **development** meets all the criteria set forth in section 10.1017.50 or 10.1017.60, as applicable.
- 10.1017.42 The Planning Board shall evaluate an application for a conditional use permit in accordance with *The Highway Methodology Workbook Supplement – Wetland Functions and Values: A Descriptive Approach*, NAEPP-360-1-30a, US Army Corps of Engineers, New England Division, September 1999, as amended.
- 10.1017.43 The burden of proof that the criteria required for approval of the conditional use permit exist or are met shall be the responsibility of the applicant.
- 10.1017.44 Economic considerations alone are not sufficient reason for granting a conditional use permit.
- 10.1017.45 Where new **impervious surface** is proposed in a **wetland** or **wetland buffer**, the submission of a plan to compensate for such new **impervious surface** does not guarantee that a conditional use permit will be granted.

Note that 10.1017.41 requires a proposal to meet “all the criteria” of 10.1017.50 but in turn obligates the Planning Board to grant a CUP if it does.

10.1017.44 states explicitly that economic considerations alone are **not** sufficient to grant a CUP and 10.1017.45 states that a proposal to compensate for impervious surface in a **wetland buffer** does **not** guarantee the granting of a CUP.

The criteria used to determine compliance with the ordinance are listed under 10.1017.50 (10.1017.60 pertains to utilities).

10.1017.50 Criteria for Approval

Any proposed **development**, other than installation of utilities within a right-of-way, shall comply with all of the following criteria:

- (1) The land is reasonably suited to the **use**, activity or **alteration**.
- (2) There is no alternative location outside the **wetland buffer** that is feasible and reasonable for the proposed **use**, activity or **alteration**.
- (3) There will be no adverse impact on the **wetland** functional values of the site or surrounding properties;
- (4) **Alteration** of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals; and
- (5) The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this Section.
- (6) Any area within the **vegetated buffer strip** will be returned to a natural state to the extent feasible.

Returning to the example in Figure 3, above, I think that simple example would likely fail to satisfy 10.1017.50 (2) as Figure 2 shows that the simple proposal could fit outside of the **wetland buffer**. This is not to minimize any other possible problems with a proposal such as Figure 3: such a proposal would also likely fail to meet the criteria of 10.1017.50 (3) and/or 10.1017.50 (4) and possibly other criteria depending on details not relevant to this memo.

A “Figure 3 proposal”, in my opinion, should therefore fail in a request to have a CUP granted based on the plain language of the ordinance.

Since there are many parcels around the North Mill Pond that are improved in various ways, this then raises the related question of how the ordinance pertains to a previously improved parcel.

Figure 4 shows such a possibility, with an existing commercial building and some of its parking inside the **wetland buffer** area.

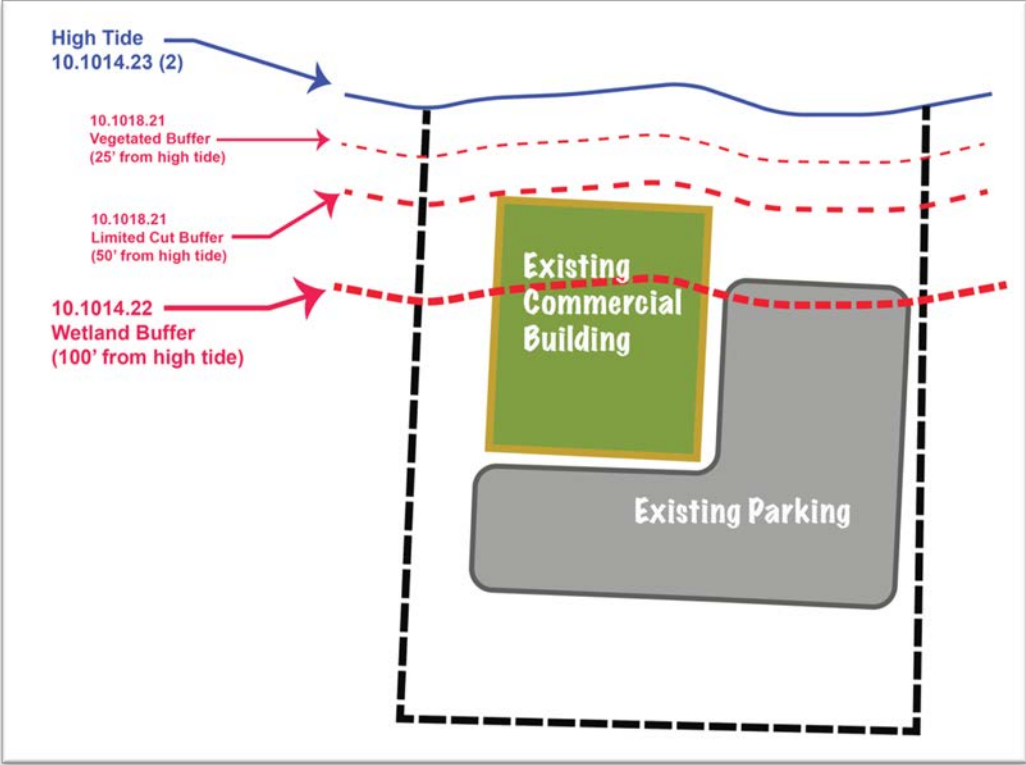


Figure 4: Theoretical Existing Improved Parcel on North Mill Pond

Using the same base in Figure 4, Figure 5 depicts a possible proposal to redevelop the site with new construction in a way that reduces wetland buffer impacts.

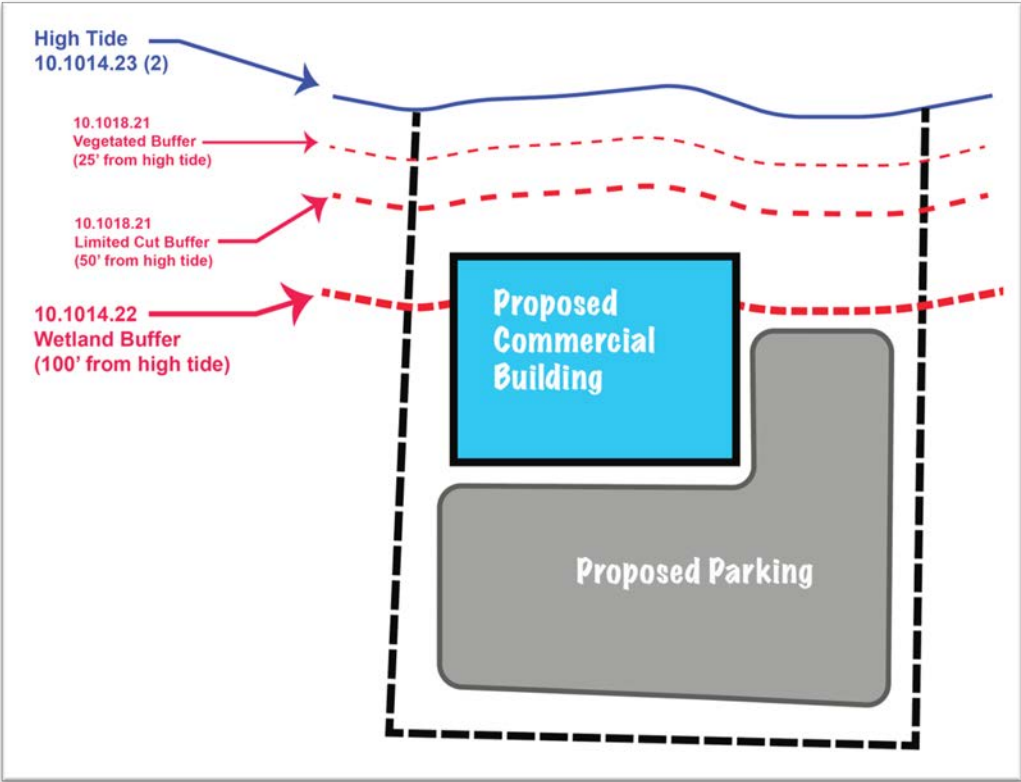


Figure 5: Possible New Project on Figure 4 Base

To further detail Figure 5, I have made it into an overlay onto Figure 4 (the pre-existing condition) and added some transparency to make Figure 6. This shows, and for sake of this discussion we may assume, an overall reduction in impact to the wetland buffer (reductions in blue), with 2 new areas of impact to the wetland buffer (in red). As noted above, the uses permitted in 10.1016.10 do not include commercial uses and there are

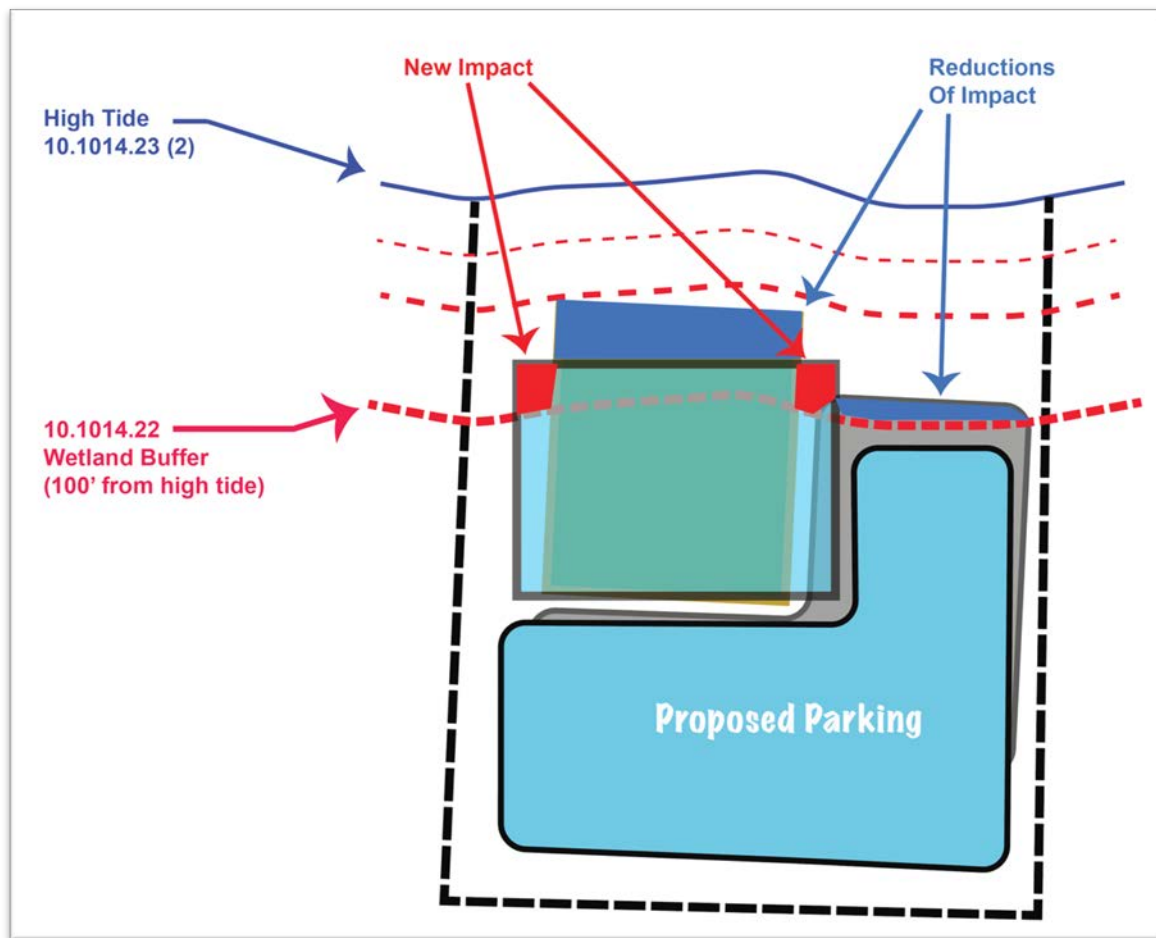


Figure 6: Figure 5 Overlay onto Figure 4

no provisions to change or extend a pre-existing commercial building or use. This is to distinguish such a proposal from the limited extension or expansion of certain one and two-family dwellings which is a permitted use.

This leads back to 10.1016.20 which states:

10.1016.20 Any **use**, activity or **alteration** not specifically permitted by Section 10.1016.10 above is prohibited unless authorized by the Planning Board through the grant of a conditional use permit.

Figure 7: 10.1016.20

Therefore, without a CUP, the proposal of Figure 5 is prohibited.

The same general provisions and criteria of 10.1017.40 and 10.1017.50, respectively, noted above pertain to a review of Figure 5.

From what I have seen in my limited time on this Board, it seems some are under the impression that the ordinance allows a proposal such as shown in Figure 5 specifically because it proposes a reduction in impact to the **wetland buffer**.

I believe this idea flows from section 10.1017.24 of the ordinance:

10.1017.24 Where feasible, the application shall include removal of **impervious surfaces** at least equal in area to the area of **impervious surface** impact. The intent of this provision is that the project will not result in a net loss of pervious surface within a jurisdictional wetland buffer. If it is not feasible to remove **impervious surfaces** from the wetland buffer at least equal in area to the area of new **impervious surface** impact, the application shall include a **wetland buffer** enhancement plan that describes how the wetland functions and values will be enhanced to offset the proposed impact.

However, that section of the ordinance is not a part of the criteria which are used to evaluate a CUP application- rather, it is under the application requirements. In addition, the prior section notes (below) as additional application requirements:

10.1017.23 The application shall describe the impact of the proposed project with specific reference to the criteria for approval set forth in Section 10.1017.50 (or Section 10.1017.60 in the case of utility installation in a right-of-way), and shall demonstrate that the proposed site **alteration** is the alternative with the least adverse impact to areas and environments under the jurisdiction of this Ordinance.

Again, the application requirements: direct applicants to the “criteria for approval” in 10.1017.50; and, require them to demonstrate that the proposal is “the alternative with the least impact”. The “least adverse impact” is a recurrent phrase in the ordinance.

For 10.1017.24 to come under consideration, a proposal must therefore first satisfy the criteria of 10.1017.50 and only then, would the provisions of demonstrating a reduction in impervious area under 10.1017.24 become relevant. For a previously vacant lot proposal, 10.1017.24 of course would also not be relevant.

Note too that the requirements of 10.1017.45 (above) which are specifically under the provisions relating to CUPs note that any plan to compensate for new impervious surfaces in a **wetland buffer** does not guarantee the granting of a CUP.

CUP Criteria

The criteria under 10.1017.50 establish relatively high thresholds to allow **any** development within the **wetland buffer**. This is evident in the criteria themselves and in the very limited uses allowed without a CUP.

None of the six criteria for approval of a CUP relate to a reduction in impervious area nor do they establish any criteria by which to judge such a proposal. The ordinance does not even acknowledge previously existing buildings except certain residential ones. Structures and impervious surfaces are not allowed in the wetland buffer (10.1016.10 (1)) unless all six criteria for approval of a CUP are met.

This may first be viewed an oversight in the ordinance, but actually this is consistent with the prohibitions throughout the ordinance of allowing development in the wetland buffer.

For new development and redevelopment of sites, two of the review criteria provisions impose especially high or strict standards, and extracting those from 10.1017.50 (2) and (5), they state (emphasis added):

- There is **no alternative location outside the wetland buffer**; and
- The proposal is the alternative with the **least adverse impact** to areas...under jurisdiction.

Clearly, and much like the first simple example above, a proposal for development in the **wetland buffer** is likely required to move outside the **wetland buffer** unless it can be shown that the six criteria for approval have been satisfied. Returning to the hypothetical diagram in Figures 5 and 6, it would likely need to be modified as below to satisfy the ordinance.

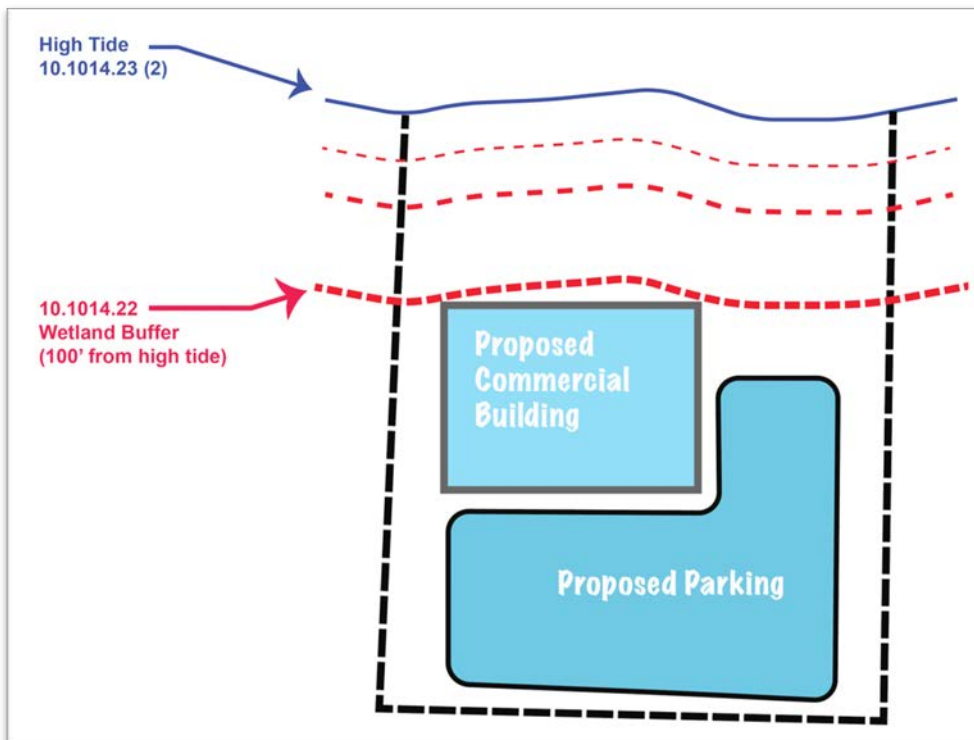


Figure 8: Revised Proposal Outside wetland buffer

Figure 8 represents a reduction of approximately 10% in the footprint of the building shown in Figures 5 and 6. It seems apparent that a reduction in the scale of development is effectively required as the alternative to have the least adverse impact and to stay outside the wetland buffer.

A possible counter argument to this is perhaps that smaller buildings, which are perhaps less costly to build, generate less income potential for the developer. However, such considerations are not sufficient to justify granting a CUP and this is explicit in the ordinance.

10.1017.44 Economic considerations alone are not sufficient reason for granting a conditional use permit.

10.1017.44, like 10.1017.45, is within the specific CUP section of the Ordinance.

Related to this discussion of the **wetland buffer** section of the ordinance are the Article 3 provisions pertaining to nonconforming buildings, such as an existing building encroaching on the wetland buffer. 10.321 is quite specific in not allowing the example building changes depicted in Figure 6 in the **wetland buffer** area because they would not conform with the **wetland buffer** requirements.

10.321 A **lawful nonconforming building** or **structure** may continue and be maintained or repaired, but may not be extended, reconstructed or enlarged unless such extension, reconstruction or enlargement conforms to all the regulations of the district in which it is located.

Allowing new development that simply reduces impervious impact without specifically satisfying all of the other six CUP criteria would allow new development or reinvestment/reconstruction and new construction of buildings and other improvements into the protected **wetland buffer** area. This interpretation essentially guarantees the ongoing and possibly perpetual encroachment into the **wetland buffer**. That defeats the purpose of the **wetland buffer**.

This also cannot be an essentially circular argument such as “this is the least adverse impact because it reduces the existing impervious coverages”.

I welcome discussion on this important topic.

DATE: JULY 6, 2021

TO: CITY CLERK KELLI BARNABY
MAYOR BECKSTED
CITY MANAGER CONARD

FROM: COUNCILOR HUDA

SUBJECT: JULY 12TH 2021 CITY COUNCIL MEETING AGENDA REQUEST
PLEASE PUT THIS UNDER MY NAME. THANK YOU

- > I MAKE A MOTION FOR A REPORT BACK FROM THE CITY MANAGER ASAP ON THE STATUS OF REQUESTS BY NUMEROUS RESIDENTS AT THE JUNE 28TH MEETING ON PEVERLY HILL RD PROJECT FOR A 8FT. MULTI USE PATH ONLY, NO SEPARATE SIDEWALK ON THE OPPOSITE SIDE OF THE STREET.
THIS REPORT SHOULD BE INCLUDED AS AN OPTIONAL PLAN WITH ALL OF THE DETAILS THE OTHER 3 CITY PRESENTED PLANS HAD INCLUDED FOR COMPARISON BY THE RESIDENTS.



Karen S. Conard
City Manager

CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@cityofportsmouth.com
(603) 610-7201

Date: July 8, 2021

To: Honorable Mayor Rick Becksted and City Council Members

From: Karen S. Conard, City Manager *KSC*

Re: City Manager's Comments on City Council Agenda of July 12, 2021

XI. Public Hearings and Votes on Ordinances and/or Resolutions:

A. **Public Hearing and Second Reading of Ordinance Amending Chapter 1, Article IV – Commissions and Authorities, Section 1.414 Audit Committee:**

At this evening's meeting, there will be a public hearing and second reading of a **proposed ordinance** brought forward by Councilor Huda at the June 21st City Council meeting. This was drafted for the purpose of fulfilling the City Council's obligation to oversee external auditing per the City Charter.

XIV. Approval of Grants/Donations:

A. **ARPA Grant for the Library - \$3,450:**

The Portsmouth Public Library has been named a recipient of ARPA (American Rescue Plan Act 2021) grant monies given to every New Hampshire library based on population from the Institute for Museum and Library Services (IMLS) in the amount of \$3,450.

According to IMLS, this grant program, received through the New Hampshire State Library for the benefit of New Hampshire's public libraries, "supports museum and library services in addressing community needs created or exacerbated by the COVID-19 pandemic and in assisting with recovery."

The Library has chosen to address two accessibility needs made more obvious over the course of the past year, namely inequities in access to pre-literacy and early literacy materials via high-speed internet and the demand to continue offering virtual/hybrid programming options for those unable to come to the library for programs. The money will be spent over the next two months and integrated into services. Purchases include reading and activity materials for young readers as well as a technology assisting with better on-site/online programming.

I recommend that the City Council move to approve and accept the grant in the amount of \$3,450.

XV. City Manager’s Items which Require Action:

1. Resolution for the Authorization for Transfer of Balance of Bond Proceeds After Completion of Various Projects:

I am requesting that the City Council authorize the transfer of Bond Proceeds that are no longer needed for the projects for which they were initially borrowed to pay the costs of other capital projects in accordance with RSA 33:3-a (II). Please note the projects noted in the **resolution** are also listed below. Please note a 2/3 vote is required to authorize this transfer of bond proceeds.

<u>Original Project Description</u>	<u>Original Borrowing Amount</u>	<u>Approval Date</u>	<u>Unexpended Balance</u>	<u>Allocate to Project</u>
Lafayette Pump Station	\$ 3,500,000.00	08/17/2015	\$196,560.07	Islington Street Phase 2
Goose Bay Drive Sewerline	\$ 500,000.00	07/11/2016	\$141,285.17	Islington Street Phase 2
Fire Apparatus	\$ 600,000.00	08/06/2018	\$ 26,392.06	Fire Apparatus
Foundry Parking Garage	\$ 3,000,000.00	08/07/2017	\$203,938.72	Hanover Parking Garage
Total			\$568,176.02	

I recommend that the City Council move to adopt the resolution as presented.

2. Request for Public Hearing Regarding Various Bonding Resolutions for Projects to Begin in FY22:

I am requesting that the City Council establish a public hearing on each of the proposed Bonding Resolutions at the August 2, 2021 City Council meeting for projects identified to begin in FY22. **Resolutions and element sheets are attached.**

GENERAL FUND

Police Facility Improvements - \$400,000:

- a) Address storage and lock room issues
- b) IT and Communication Infrastructure upgrades/fixes
- c) Upgrades/Renovations to the facility

Elementary School Upgrade - \$1,100,000:

- a) Address identified building safety concerns and complete air handling upgrades at New Franklin Elementary School

Prescott Park Master Plan Implementation and City Facility Street and Sidewalk Upgrades - \$13,300,000:

- a) Implementation of the Prescott Park Master Plan – \$1,750,000
 - Plan for climate change, preserve antique historic structures, accommodate performances and event space and ensure iconic Portsmouth places continue to serve the public;
- b) Banfield Road Pedestrian Accommodations and Traffic Calming – \$500,000
 - Traffic calming measures and pedestrian accommodations as requested by residents;
- c) Citywide Sidewalk Reconstruction Program – \$800,000
 - Reconstruction work coordinated with other street and utility improvement projects as well as those identified based on condition per the Sidewalk Condition Index;
- d) Street Paving, Management and Rehabilitation – \$4,000,000
 - Implementation of recommended projects based on the City’s Pavement Condition Management Index;
- e) Pease International Tradeport Roadway Rehabilitation – \$750,000
 - Provide Public Works services including repairs to roads, streets, bridges and sidewalks to the non-airfield area of the Pease International Tradeport;
- f) Maplewood Avenue Bridge Rehabilitation - \$1,000,000
 - Resurfacing of the roadway, resetting the curb and reconstruction of the sidewalks;
- g) Islington Street Improvements Phase 2 - \$2,300,000
- h) Willard Avenue Upgrades - \$1,200,000
- i) Union Street Reconstruction - \$1,000,000

PARKING FUND

Hanover Parking Facility – Capital Improvements - \$6,300,000:

- a) Capital Improvements to the Parking Facility

WATER FUND

FY22 Water Projects - \$12,000,000

- a) Annual Water Line Replacement - \$1,000,000
- b) Water Transmission Main Replacement - \$5,400,000
- c) Islington Street Improvements Phase 2 - \$2,300,000
- d) Willard Avenue Upgrades - \$1,800,000
- e) Union Street Reconstruction - \$1,500,000

SEWER FUND

FY22 Sewer Projects - \$12,450,000

- a) Annual Sewer Line Replacement - \$500,000
- b) Pease Wastewater Treatment Facility - \$1,500,000
- c) Wastewater Pumping Station Improvements - \$750,000
- d) Mechanic Street Pumping Station Upgrade - \$2,000,000
- e) Marjorie Street Wastewater Pumping Station - \$1,000,000
- f) Sewer Service Funding for Sagamore Avenue Area Sewer Extension - \$300,000
- g) Islington Street Improvements - \$2,300,000
- h) Willard Avenue Upgrades - \$3,000,000
- i) Union Street Reconstruction - \$1,100,000

I recommend the City Council move to authorize the city manager to bring back for public hearing and adoption, the various proposed CIP projects, as presented, for the August 2, 2021 City Council meeting.

3. Request to Schedule a Work Session Regarding the Building of a New Police Department Facility:

Based off of the City Council's feedback at the March 15, 2021 City Council meeting at which the FY22 – FY27 Capital Improvement Plan was adopted, I would like to schedule a work session in order to begin the discussion regarding a new police facility to both move the project forward as well as provide ample opportunity for Council and resident discussion.

I recommend that the City Council move to schedule a work session on September 7, 2021 at 6:00 p.m.

4. Approval of 1386B Collective Bargaining Agreement:

The City's negotiating team has reached a tentative agreement with the Portsmouth City Employees, Local #1386B, on a new one (1) year collective bargaining agreement. **Attached** is a draft version of that tentative agreement.

I recommend that the City Council move to ratify the agreement as presented with the Portsmouth City Employees, Local #1386B.

5. Naming of Private Subdivision Road to Watson's Landing:

At the March 18, 2021 Planning Board meeting, the Board granted subdivision approval for a four-lot subdivision off of Clark Drive located on a **newly private road called Watson's Landing**. The applicant's engineer has indicated that the name was chosen because Watson is the current owner's last name and his father lived on the property. The Landing part was a nod to the fact that this is waterfront property.

When public roads are requested to be named or renamed, the Planning Board and City Council would typically consult a list of potential road names developed by the City in 2007/2008.

When private roads are considered, the naming of the road is typically left up to the applicant, subject to final approval by the Council.

The primary purpose for the Council to approve the naming of private roads is to ensure there is no conflict with existing road names in the city that would present a challenge for emergency responders.

The requested name has been approved by the Planning Department, Fire Department, Police Department, and Public Works Department along with confirmation that there is no known conflict with any existing road names in the City.

I recommend that the City Council vote to approve naming the private road as Watson's Landing.

6. Tooley License and Easement:

By license dated September 23, 2010, the City Council had granted David and Vasilia Tooley of 166 New Castle Avenue the right to improve certain City property at the intersection of New Castle Avenue and Marcy Street in front of their home as an extension of their front yard. In the Council's packet is a **letter from Attorney Thomas Watson** requesting on behalf of the Tooleys that:

- a) The earlier license be amended to allow for a further expansion of the license to allow a stone wall, a brick drive and other improvements as described in an **attached amendment to the license**; and
- b) An easement to allow a small deck encroachment as shown on the **attached easement plan** as the "Deck Easement Detail" to remain in place. That **proposed easement** is also in the packet.

An appropriate motion might be:

- *To authorize the City Manager to execute and deliver the First Amendment to the License Agreement dated September 23, 2010 to David and Vasilia Tooley, as presented; and*
- *Refer the easement request of David and Vasilia Tooley to the Planning Board for a report back.*

7. Acceptance of Dedicated Way on Walker Bungalow Road:

During the course of the City's preparation of bid documents for the Sagamore Area Sewer Extension Project, the Legal Department discovered that the City Council has never formally accepted the roadway improvements at the end of Walker Bungalow Road (the cul-de-sac area). When the Sagamore Landing Condominium Association was formed in 1993, it obtained Portsmouth Planning Board site plan approval for a dedicated cul-de-sac. That cul-de-sac was to be dedicated to the City pursuant to RSA 674:41, I(b)(3). Since its construction, the City has treated the cul-de-sac as a public way, however this area was never formally accepted by vote of the City Council, as required by RSA 674:41, I(b)(4). In order to ensure clean title to the cul-de-sac at the end of Walker Bungalow Road prior to construction of the new sewer line, the City Council should formally accept the dedication made in 1993.

The plan page, recorded at the Rockingham County Registry of Deeds as D-22410, showing the cul-de-sac to be conveyed to the City is **attached for reference**. Also **attached is a proposed City Council Resolution**.

I recommend that the City Council adopt the proposed resolution, attached, to resolve this title issue.

XVI. Consent Agenda:

B. Projecting Sign License – 25 Maplewood Avenue Unit 102:

Permission is being sought to install a projecting sign at **25 Maplewood Avenue Unit 102** that extends over the public right of way, as follows:

Sign dimensions: 46” x 36”

Sign area: 11.5 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 signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

C. Projecting Sign License – 124 Congress Street:

Permission is being sought to install a projecting sign at **124 Congress Street** that extends over the public right of way, as follows:

Sign dimensions: 48” x 25.75”

Sign area: 8.5 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 signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

XVII. Presentations and Consideration of Written Communications and Petitions:

A. Peverly Hill Road Improvement Project: Presentation Following Neighborhood Meeting on June 28, 2021:

As follow-up to the June 28, 2021 Public Input meeting for the Peverly Hill Road Complete Streets Project, Deputy City Attorney Suzanne Woodland, Public Works Director Peter Rice, and the City's Design Consultant, Brian Colburn, will provide a brief presentation and answer Council questions on the status of the project. The report back will focus on input received at the June 28th Public Input meeting, and will include review of the recommended option as well as a single multiuse path alternative.

I recommend that the City Council move to schedule a public necessity hearing to allow the project to move to final design.

XVIII. City Manager's Informational Items:

1. Report Back on Portsmouth Workforce Housing Trust Fund and Housing Needs Assessment:

At the June 7th and June 21st Council meetings, Councilor McEachern requested information from staff related to updating the City's Housing Needs Assessment and creation of a Community Housing Trust Fund.

Housing Needs Assessment Update

A comprehensive Housing Study that included a Housing Needs Assessment was completed in 2014 in preparation for the update to the City's Master Plan. That housing report, (completed by a planning consulting firm which specializes in housing) was broader in scope and used locally verifiable data regarding housing inventory, costs, and needs. In order to complete an update to the 2014 report, the Planning Department estimates an outside consultant would cost about \$10,000 to \$15,000. Staff is discussing potential collaboration with the Portsmouth Housing Authority and/or Regional Planning Commissions.

Housing Trust Fund

The City has an existing **Workforce Housing Trust Fund**, created by Council in 2009. The trust fund was established by the Council at the recommendation of the 2008 Blue Ribbon Committee on Housing and may be used to receive and hold property and funds in trust for the construction/rehabilitation and retention of affordable housing units. The fund has no money in it presently and no dedicated source of funding.

In order to utilize the fund, the City would need to secure a source of dedicated funding such as one or more of the following:

- **Dedicated Housing Fees.** Many jurisdictions have established commercial linkage fees or housing impact fees on commercial or residential development projects that generate new jobs. The fees are used to support the development of housing affordable to employees living in or attracted to the community. Condominium conversion fees for converting rental units to ownership are another example;
- **Inclusionary housing programs** that require new developments meeting certain criteria to provide a percentage of affordable housing as a condition of development. These programs generally allow in-lieu fees to be paid as an alternative to direct construction of the required housing;
- **Discretionary Local Revenues.** In some cases, local jurisdictions contribute directly to the housing trust fund from discretionary local revenues. These can include general fund appropriations or a designated portion of existing local revenue sources, such as a share of the local sales tax or transient occupancy tax;
- **Grant and Charitable Contribution Funds.** Some funds accept grants, charitable contributions, or other non-recurring sources of funding that are dedicated to affordable housing. These can include revenues from capital campaigns organized by private sector organizations or ongoing contributions by major employers. These housing trust funds may be operated by a single jurisdiction, a consortium of several local agencies, or even an independent nonprofit agency;
- **Loan Repayments and Commercial Development Loans.** Often housing trust funds lend money to private or nonprofit developers for affordable housing projects. Loan repayments are then used to create a revolving fund that allows the trust fund to make additional investments. Housing Trust Funds can also be used to convey bank commercial development loans, such as investments made to receive credits under the Community Reinvestment Act (CRA); and
- **State-Funded Local Housing Trust Funds.** The state may have funds (allocated to NHHFA) to contribute to a local trust fund, particularly from funds recently received in ARPA.

Further, staff recognize that administrative processes for allocating these trust funds would need to be developed. Community Development staff would be a logical fit to administer grant programs funded by the Portsmouth Workforce Housing Trust Fund, particularly because of their experience managing similar housing programs. There are numerous models for housing trust program administration, including the National Affordable Housing Trust, as well as fairly extensive guidance through HUD’s Community Development Programs.

2. **Withdrawal of Unmerger Request for 635 Lincoln Avenue:**

At its meeting on May 3, 2021, the City Council considered a request from Bradley M. Lown, Esq. of Rainboth, Murphy & Lown, PA, on behalf of the property owner Marcie Shearman, requesting the restoration of involuntarily merged lots at 635 Lincoln Avenue to their pre-merger status pursuant to NH RSA 674:39-aa. The Council voted to refer this request to the Planning Board and the City Assessor for a report back.

In May, Attorney Lown submitted a letter indicating that the property owner has decided to withdraw the request. No further action is required.

3. **Memorandum from City Attorney Sullivan Regarding Keno:**

Per the City Council's request at the June 21st meeting, attached please find a memorandum from City Attorney Sullivan regarding Keno.

4. **Memorandum from Deputy City Attorney Woodland Regarding Peverly Hill Road Improvement Project, Public Necessity and Eminent Domain:**

Deputy City Attorney Woodland has prepared a memorandum addressing permanent and temporary easements as it relates to the Peverly Hill Road Improvement Project.

5. **Dual Pole Settlement Agreement:**

In July 2020, the Town of Durham, City of Dover, City of Portsmouth, City of Somersworth, Town of Newmarket, Town of Newington, and Town of Exeter sent a letter to the Public Utilities Commission complaining about the untimeliness of Consolidated Communications in removing its equipment and utility poles through the seacoast communities. This delay in Consolidated Communications' action has resulted in the communities experiencing so-called double or dual poles. In Portsmouth, Eversource is the pole setting utility. Eversource provides notice to the other utilities to move their equipment from the old pole to the new pole, but Consolidated is often untimely in taking action resulting in both an old pole and new pole remaining in place for an extended period of time, frequently over a year.

The PUC opened a docket to investigate the complaint filed by the communities. After some facilitated discussion it became evident that it was in the interest of the complaining seacoast communities to reach an agreement directly with Consolidated to resolve the large backlog of dual poles. That Settlement Agreement is attached and will be on file in the City Clerk's office. This Settlement Agreement requires Consolidated to resolve, over an approximately three-year period, outstanding double poles within the City of Portsmouth and the other seacoast communities listed above.

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION #__ – 2021

A RESOLUTION AUTHORIZING THE TRANSFER OF BOND PROCEEDS THAT ARE NO LONGER NEEDED TO PAY COSTS OF THE PROJECTS FOR WHICH THEY WERE INITIALLY BORROWED, TO PAY COSTS OF OTHER CAPITAL PROJECTS IN ACCORDANCE WITH RSA 33:3-a (II)

RESOLVED: That in accordance with RSA 33:3-a (II), the unexpended balances of funds borrowed to pay costs of the projects set forth below, which amounts are no longer needed to complete the projects for which they were initially borrowed, are hereby appropriated by this Council to pay costs of Islington Street Phase 2, Fire Apparatus and Hanover Parking Garage.

<u>Original Project Description</u>	<u>Original Borrowing Amount</u>	<u>Approval Date</u>	<u>Unexpended Balance</u>	<u>Allocate to Project:</u>
Lafayette Pump Station	3,500,000.00	8/17/2015	196,560.07	Islington Street Phase 2
Goose Bay Drive Sewerline	500,000.00	7/11/2016	141,285.17	Islington Street Phase 2
Fire Apparatus	600,000.00	8/6/2018	26,392.06	Fire Apparatus
Foundry Parking Garage	3,000,000.00	8/7/2017	203,938.72	Hanover Parking Garage
Total			568,176.02	

APPROVED:

**_____
RICK BECKSTED, MAYOR**

ADOPTED BY CITY COUNCIL

**_____
KELLI BARNABY, CMC/CNHMC
CITY CLERK**

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY ONE
PORTSMOUTH, NH**

RESOLUTION # XX - 2021

A RESOLUTION AUTHORIZING A BOND ISSUE, AND/OR NOTES OF UP TO FOUR HUNDRED THOUSAND (\$400,000) DOLLARS FOR COSTS RELATED TO THE UPGRADE OF THE POLICE FACILITY.

BE IT RESOLVED:

THAT the sum of **Four Hundred Thousand (\$400,000) Dollars** be and is hereby appropriated for costs related to the upgrade of the police facility.

THAT in order to meet said appropriation the City Treasurer, with approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Four Hundred Thousand (\$400,000) Dollars** through the issue of bonds and/or notes of the City under the Municipal Finance Act.

THAT the expected useful life of the police facility upgrades is determined to be at least 20 years.

THAT this resolution shall take effect upon its passage.

APPROVED BY:

RICK BECKSTED, MAYOR

ADOPTED BY CITY COUNCIL

KELLI BARNABY, CMC/CNHMC

CITY CLERK

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2021

**A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR
NOTES OF UP TO ONE MILLION ONE HUNDRED THOUSAND
DOLLARS (\$1,100,000) FOR COSTS RELATED TO SCHOOL
FACILITIES IMPROVEMENTS.**

RESOLVED:

THAT, the sum of up to **One Million One Hundred Thousand Dollars (\$1,100,000)** is appropriated for School Facilities Improvements, including the payment of costs incidental or related thereto.

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **One Million One Hundred Thousand Dollars (\$1,100,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT, the expected useful life of the projects is determined to be at least twenty (20) years, and;

THAT, this Resolution shall take effect upon its passage.

APPROVED:

RICK BECKSTED, MAYOR

ADOPTED BY CITY COUNCIL

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

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2021

**A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR
NOTES OF UP TO THIRTEEN MILLION THREE HUNDRED
THOUSAND DOLLARS (\$13,300,000) FOR COSTS RELATED TO
PRESCOTT PARK MASTER PLAN IMPLMENETATION,
STREET AND SIDEWALK UPGRADES.**

RESOLVED:

THAT, the sum of up to **Thirteen Million Three Hundred Thousand Dollars (\$13,300,000)** is appropriated for Prescott Park Master Plan Implementation, City Street and Sidewalk Upgrades, including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Thirteen Million Three Hundred Thousand Dollars (\$13,300,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT, the expected useful life of the projects is determined to be at least twenty (20) years, and;

THAT, this Resolution shall take effect upon its passage.

APPROVED:

RICK BECKSTED, MAYOR

ADOPTED BY CITY COUNCIL

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

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX – 2021

A RESOLUTION AUTHORIZING THE BORROWING OF UP TO SIX MILLION THREE HUNDRED THOUSAND DOLLARS (\$6,300,000) THROUGH THE ISSUE OF BONDS AND/OR NOTES FOR COSTS RELATED TO THE UPGRADE OF THE HANOVER PARKING FACILITY.

RESOLVED:

THAT, the sum of up to **Six Million Three Hundred Thousand Dollars (\$6,300,000)** is appropriated for costs associated with the upgrade of the Hanover Parking Facility, including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Six Million Three Hundred Thousand Dollars (\$6,300,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT the expected useful life of the project is determined to be at least 20 years, and;

That this Resolution shall take effect upon its passage.

APPROVED:

RICK BECKSTED, MAYOR

ADOPTED BY CITY COUNCIL

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

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # XX-2021

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO TWELVE MILLION DOLLARS (\$12,000,000) RELATED TO WATER LINE UPGRADES, WATER TRANSMISSION MAIN REPLACEMENT, ISLINGTON STREET IMPROVEMENTS PHASE 2, WILLARD AVENUE UPGRADES AND UNION STREET RECONSTRUCTION.

RESOLVED:

THAT, the sum of up to **Twelve Million Dollars (\$12,000,000)** is appropriated for Water Line Upgrades, Water Transmission Main Replacements, Islington Street Improvements Phase 2, Willard Avenue Upgrades and Union Street Reconstruction, including the payment of costs incidental or related thereto;

To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to **Twelve Million Dollars (\$12,000,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan.

THAT the expected useful life of this project is determined to be at least twenty (20) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

RICK BECKSTED, MAYOR

ADOPTED BY CITY COUNCIL

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

**CITY OF PORTSMOUTH
TWO THOUSAND TWENTY ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION# - 2021

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO TWELVE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$12,450,000) FOR COSTS RELATED TO SEWERLINE UPGRADES, PEASE WASTEWATER TREATMENT FACILITY, WASTEWATER PUMPING STATIONS, MECHANIC STREET PUMPING STATION, MARJORIE STREET WASTEWATER PUMPING STATION, SEWER SERVICE FUNDING FOR A SAGAMORE AVENUE AREA SEWER EXTENSION, ISLINGTON IMPROVEMENT PHASE 2, WILLARD AVENUE UPGRADES AND UNION STREET RECONSTRUCTION.

RESOLVED:

THAT that the sum of up to **Twelve Million Four Hundred Fifty Thousand Dollars (\$12,450,000)** is appropriated for Sewerline Upgrades, Pease Wastewater Treatment Facility, Wastewater Pumping Station, Mechanic Street Pumping Station, Marjorie Street Wastewater Pumping Station, Sewer Service Funding for Sagamore Avenue Area Sewer Extension, Islington Street Improvement Phase 2, Willard Avenue Upgrades, and Union Street Reconstruction, including the payment of costs incidental or related thereto;

To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to **Twelve Million Four Hundred Fifty Thousand Dollars (\$12,450,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan.

THAT the expected useful life of the project is determined to be at least twenty (20) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

RICK BECKSTED, MAYOR

ADOPTED BY CITY COUNCIL

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

GENERAL FUND



BI-21-PD-09: POLICE FACILITY DEFICIENCIES & REPAIR PROJECT

Department	Police Department
Project Location	Police Department
Project Type	Rehabilitation of a Facility
Commence FY	2021
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Description: A 2014 space needs study of the police facility identified deficiencies in space allocated to the police department as well as deficiencies in function. In addition, a 2018 public presentation provided insight into some of the unique needs and requirements of a police facility. Although a funding request for a new facility has been included in the CIP plan since the space needs study was completed, citywide costs have to be prioritized. A new police facility is still on the list. Over the years, the current facility has fallen into disrepair, and the space needed for staff and police functions is overcrowded, insufficient, and inefficient. Major overhauls of multiple areas are needed including, but not limited to: security, ADA compliance, IT infrastructure and control room, evidence processing and submittal areas, restructure and renovation of detectives, restructure and renovation of all locker rooms, temperature and humidity control in specified areas, equipment storage, archive space upgrades, additional garage/vehicle evidence bays, upgrades to walls, lighting and flooring-to include asbestos abatement and paint, electrical, and plumbing upgrades. Although facility, space and operational efficiencies will still be a major issue after this project, as defined in the space needs study, this project addresses immediate facility deficiencies until a new police facility is approved. The 400K allocated in FY21 was used to upgrade the security in the parking lot (approx.: 150K) and the balance was used on the municipal complex HVAC upgrade.

Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Portsmouth Police Department Homepage](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 21-26	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000		\$2,000,000	\$400,000	\$2,400,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$0	\$2,000,000	\$400,000	\$2,400,000

BI-08-SC-11: ELEMENTARY SCHOOLS UPGRADE

Department	School Department
Project Location	Elementary Schools
Project Type	Rehabilitation of an Existing Facilities
Commence FY	2016
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Minimal (\$5,002 to \$50,000)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	Y
Eligible for Matching Funds with Limited Availability	



Description: This appropriation continues upgrading of the infrastructure of our Elementary Schools. Work in 2022 will address identified building safety concerns and complete air handling upgrades at New Franklin Elementary School. Planned projects for 2023 will be repair and replacement of exterior windows at Dondero and Little Harbour Elementary Schools. Renovation of the New Franklin interior is projected for 2026.

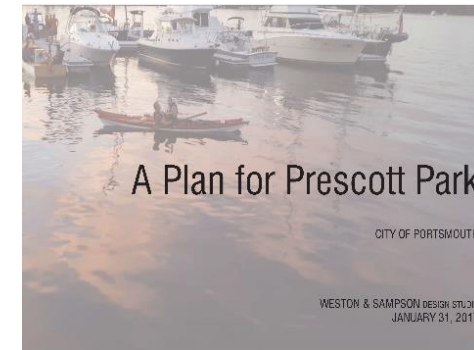
Useful Website Links:

- [Portsmouth School Department Homepage](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 21-26	6 PY's Funding	Totals
GF	1%							\$0	\$200,000	\$200,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	99%	\$1,100,000	\$1,500,000			\$5,000,000		\$7,600,000	\$22,000,000	\$29,600,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$1,100,000	\$1,500,000	\$0	\$0	\$5,000,000	\$0	\$7,600,000	\$22,200,000	\$29,800,000

BI-19-PW-31: PRESCOTT PARK MASTER PLAN IMPLEMENTATION

Department	Public Works Department
Project Location	Prescott Park
Project Type	Rehabilitation of an Existing Facilities
Commence FY	Ongoing
Priority	O (Ongoing or Programmatic)
Impact on Operating Budget	High (\$100,001 or more)



Description: The City Council adopted [the Prescott Park Master Plan](#) in 2017. The Master Plan calls for extensive park-wide reconfiguration, restructuring services and developing new park policies. Renovation to the park presents opportunities to plan for climate adaptation, preserve antique historic structures, accommodate performances and event space, and ensure iconic Portsmouth places continue to serve the public. The Master Plan will likely be funded through fundraising, donations, grant support programs and special funding.

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Prescott Park Master Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Project Page](#)
- [Prescott Park Homepage](#)
- [Prescott Park Advisory Committee](#)
- [Department of Public Works Projects Page](#)
 - [Public Works Homepage](#)
 - [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	5%	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000		\$625,000	\$0	\$625,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	64%	\$1,750,000		\$1,750,000		\$1,750,000		\$5,250,000	\$2,325,000	\$7,575,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	30%	\$1,050,000	\$750,000	\$900,000	\$850,000			\$3,550,000	\$0	\$3,550,000
	Totals	\$2,925,000	\$875,000	\$2,775,000	\$975,000	\$1,875,000	\$0	\$9,425,000	\$2,325,000	\$11,750,000

TSM-18-PW-64: BANFIELD ROAD PEDESTRIAN ACCOMMODATIONS AND TRAFFIC CALMING

Department	Public Works Department
Project Location	Banfield Road
Project Type	Construction or Expansion of a Public Facility, Street or Utility
Commence FY	2022
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study – Banfield Road Conceptual Design & Master Plan Summary 2016	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: This phased project includes traffic calming measures and pedestrian accommodations on Banfield Road, from Ocean Road to Peverly Hill Road. These improvements were identified in the [2015 Banfield Road Master Plan](#).

The Banfield Road culvert project is currently underway and allows for the future construction of sidewalks from Ocean Road to the Hampton Branch Rail Trail. Traffic calming has been identified as a priority by residents.

Useful Website Links:
<ul style="list-style-type: none"> • Banfield Road Improvements Project • Public Works Homepage • FY21-26 CIP page

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$500,000		\$500,000				\$1,000,000	\$0	\$1,000,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$500,000	\$0	\$500,000	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000

TSM-95-PW-65: CITYWIDE SIDEWALK RECONSTRUCTION PROGRAM

Department	Public Works
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Sidewalk Condition Index 2018	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The Public Works Department completed a conditional sidewalk assessment of City maintained sidewalks. The assessment contains detailed information on 77 miles of sidewalk. These sidewalks are not included in parks, fields and other City maintained facilities. The results give staff a clear depiction of the overall conditions. This project consists of sidewalks identified as poor to fair condition. Reconstruction work is based on need. Reconstruction work is coordinated with other street and utility improvement projects.

Useful Website Links:
<ul style="list-style-type: none"> • Roads & Sidewalks Project Page • Public Works Homepage • FY21-26 CIP page

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$800,000		\$800,000		\$800,000		\$2,400,000	\$2,400,000	\$4,800,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$800,000	\$0	\$800,000	\$0	\$800,000	\$0	\$2,400,000	\$2,400,000	\$4,800,000

TSM-95-PW-65: Citywide Sidewalk Reconstruction Program

PROPOSED CAPITAL IMPROVEMENTS FOR FISCAL YEAR 2022

PROPOSED CAPITAL IMPROVEMENTS ON EXISTING SIDEWALKS:

- Bartlett St
- Kensington Rd
- Lawrence St
- Maple Haven Area
- Mendum Avenue
- Pannaway Area
- State St
- Summit Ave
- Willard Ave
- Miscellaneous

The list above represents a backlog of high priority sidewalk projects as identified by the Conditional Sidewalk Assessment and other capital projects. The amount of work completed depends on available funds and construction bid prices.

TSM-94-PW-73: STREET PAVING, MANAGEMENT AND REHABILITATION

Department	Public Works Department
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Pavement Management Index 2020 (draft)	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The City began a Pavement Condition Management Program in 1993. An annual report updating the City’s pavement management system is completed as part of this program. City road conditions are evaluated, the road network conditions and budget requirements are analyzed, and road-paving programs are developed. The report provides recommended funding to maintain street conditions at current levels. These are capital costs. They are implemented over a two-year period with an expected life of 20 years. The Public Works operational budget includes maintenance costs with an expected life of 10 years.

Useful Website Links:

- [Department of Public Works Projects Page](#)
 - [Roads & Sidewalks Project Page](#)
 - [Public Works Homepage](#)
 - [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$4,000,000		\$4,000,000		\$4,000,000		\$12,000,000	\$10,000,000	\$22,000,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$4,000,000	\$0	\$4,000,000	\$0	\$4,000,000	\$0	\$12,000,000	\$10,000,000	\$22,000,000

TSM-94-PW-73: ROADWAY: Street Paving, Management and Rehabilitation

PROPOSED CAPITAL IMPROVEMENTS FISCAL YEAR 2022

STREETS LISTING:

- Bartlett St (Islington St to Dennett St)
- Chapel St (Daniel St to Bow St)
- Clough Dr
- Edmond Ave
- High St
- Ladd St
- Marcy St (South St to New Castle Ave)
- Michael Succi Dr
- Morning St
- New Castle Ave
- Union St (Middle St to Islington St)
- Miscellaneous

The list above represents a backlog of high priority pavement projects as identified by the Pavement Management Index and other capital projects. The amount of work completed depends on available funds and construction bid prices.

TSM-11-PW-74: PEASE INTERNATIONAL TRADEPORT ROADWAY REHABILITATION

Department	Public Works Department
Project Location	Pease International Tradeport
Project Type	Rehabilitation of a Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Pavement Management Index 2020 (draft)	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: Per the Municipal Service Agreement between the City of Portsmouth and Pease Development Authority, the City will provide public work services in the non-airfield area of the Pease International Tradeport. Services include maintaining and repairing roads, streets, bridges and sidewalks. On the following page are the streets and roads that need improvements.

Useful Website Links:

- [Department of Public Works Projects Page](#)
 - [Roads & Sidewalks Project Page](#)
 - [Public Works Homepage](#)
 - [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 21-26	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$750,000		\$750,000		\$1,000,000		\$2,500,000	\$3,750,000	\$6,250,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$750,000	\$0	\$750,000	\$0	\$1,000,000	\$0	\$2,500,000	\$3,750,000	\$6,250,000

TSM-11-PW-74: ROADWAY: Pease International Tradeport Roadway Rehabilitation

PEASE INTERNATIONAL TRADEPORT FOR FISCAL YEAR 2022

STREETS LISTING:

- Arboretum Dr
- Airline Ave
- Durham St
- New Hampshire Ave
- Newfields St
- Pease Blvd
- Rochester Ave
- Rye St
- Miscellaneous

The list above represents a backlog of high priority pavement projects in the Pease International Tradeport as identified by the Pavement Management Index and other capital projects. The amount of work completed depends on available funds and construction bid prices.

COM-10-PW-96

Department	Public Works Department
Project Location	Maplewood Avenue
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Citywide Bridge Evaluation 2018	Y
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)

MAPLEWOOD AVENUE BRIDGE

Combined: General Fund-Water Fund-Sewer Fund



Description: This project is for the rehabilitation of the Maplewood Avenue Bridge at North Mill Pond. After a recent evaluation it was determined that a rehabilitation of the arch with an adhered lining system will allow the City to extend the lifespan of the bridge without the cost of a full replacement. The work will include resurfacing of the roadway, resetting the curb and reconstruction of the sidewalks, but will not address the sea walls or utilities. Extending the timeframe for full replacement will improve the City's chance of obtaining the 80% NHDOT State Bridge Aid Program funds for this work.

When the bridge is replaced, work will include the sea walls and reconstruction of the water, sewer, and aerial utilities.

Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	83%	\$1,000,000						\$1,000,000	\$500,000	\$1,500,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	6%							\$0	\$100,000	\$100,000
	Bond/Lease	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	11%	\$100,000						\$100,000	\$100,000	\$200,000
	Bond/Lease	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0

Total General Fund	83%	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$500,000	\$1,500,000
Total Water Fund	6%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000
Total Sewer Fund	11%	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	\$100,000	\$200,000

Totals		\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100,000	\$700,000	\$1,800,000
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COM-03-PW-94

ISLINGTON STREET IMPROVEMENTS PHASE 2 Combined: General Fund-Water Fund-Sewer Fund

Department	Public Works Department
Project Location	Islington Street from Albany Street to Congress Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010 ; CSO Supplemental Compliance Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	Y
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)



Description: This project funds work related to reconstruction on Islington Street. It will be completed in phases. Phase 1A is from the Route 1 Bypass to Albany Street and was previously funded. Phase 1B is from Albany Street to Dover Street and funding was identified in FY21. Phase 2 is from Dover Street to Congress Street and is estimated to cost an additional \$6.9 million in FY27.

The project includes water, sewer, drainage and streetscape modifications. Funding for this work will come from the water and sewer enterprise funds and the general fund (property taxes).

Phases 1A and 1B are required by the City's Supplemental Compliance Plan for sewer separation.

ISLINGTON STREET IMPROVEMENTS PHASE 2
Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	1%							\$0	\$200,000	\$200,000
	GF-Bond/ Lease	37%	\$2,300,000						\$2,300,000	\$4,640,000	\$6,940,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	29%	\$2,300,000						\$2,300,000	\$3,150,000	\$5,450,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	32%	\$2,300,000						\$2,300,000	\$3,650,000	\$5,950,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	39%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$4,840,000	\$7,140,000
Total Water Fund	29%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$3,150,000	\$5,450,000
Total Sewer Fund	32%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$3,650,000	\$5,950,000

Totals		\$6,900,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,900,000	\$11,640,000	\$18,540,000
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COM-19-PW-98

WILLARD AVENUE

Combined: General Fund-Water Fund-Sewer Fund

Department	Public Works Department
Project Location	Willard Avenue, Orchard Street, Ash Street (Willard to Orchard)
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	Y
Eligible for Matching Funds with Limited Availability	

Description: This project funds work related to the City's ongoing combined sewer separation program. The project includes water, sewer and drainage upgrades along with streetscape modifications on Willard Avenue, Orchard Street, and a portion of Ash Street. A portion of Willard Avenue has already been reconstructed following sewer separation in 2015. This project will also complete this area of the Lincoln Avenue area drainage basin to Middle Street.

Permitting and design were funded previously. FY22 funds will be used for construction.

Funding for this work will come from the water and sewer enterprise funds. Road restoration and sidewalks will be completed using available general funds allocated for annual paving and sidewalks.

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)

Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	19%	\$1,200,000						\$1,200,000	\$0	\$1,200,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	2%							\$0	\$150,000	\$150,000
	Bond/Lease	29%	\$1,800,000						\$1,800,000	\$0	\$1,800,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	2%							\$0	\$150,000	\$150,000
	Bond/Lease	48%	\$3,000,000						\$3,000,000	\$0	\$3,000,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	19%	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,200,000	\$0	\$1,200,000
Total Water Fund	31%	\$1,800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,800,000	\$150,000	\$1,950,000
Total Sewer Fund	50%	\$3,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$3,000,000	\$150,000	\$3,150,000

Totals		\$6,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000,000	\$300,000	\$6,300,000
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COM-17-PW-100

Department	Public Works Department
Project Location	Union Street from Middle Street to State Street
Project Type	Rehabilitation of Existing Facilities
Commence FY	2017
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010: CSO Supplemental Compliance Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Wastewater & Sewer Projects Page](#)
 - [Public Works Department](#)
 - [Sewer Department](#)

UNION STREET RECONSTRUCTION

Combined: General Fund-Water Fund-Sewer Fund



Description: This project is part of the City's Long Term Control Plan in accordance with the EPA Supplemental Compliance Plan. The project includes water, sewer, drainage and streetscape modifications on Union Street from Middle Street to State Street. The project will also address side streets, including Coffins Court and sections of Austin Street. Additional sewer funding will be used from the previous CIP sewer project (EF-17-SD-95 Union Street Reconstruction).

Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	22%	\$1,000,000						\$1,000,000	\$0	\$1,000,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	34%	\$1,500,000						\$1,500,000	\$0	\$1,500,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	3%							\$0	\$150,000	\$150,000
	Bond/Lease	40%	\$1,100,000						\$1,100,000	\$700,000	\$1,800,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	22%	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Total Water Fund	34%	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,500,000	\$0	\$1,500,000
Total Sewer Fund	44%	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100,000	\$850,000	\$1,950,000

Totals		\$3,600,000	\$0	\$0	\$0	\$0	\$0	\$0	\$3,600,000	\$850,000	\$4,450,000
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PARKING FUND



BI-95-PW-42: HANOVER PARKING FACILITY – CAPITAL IMPROVEMENTS

Department	Public Works – Parking and Transportation Division
Project Location	Hanover Street
Project Type	Rehabilitation of a facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Moderate (\$50,001 to \$100,000)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Structural Evaluation 2015 ; Hanover Street Parking Facility Condition Appraisal Update 2018	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



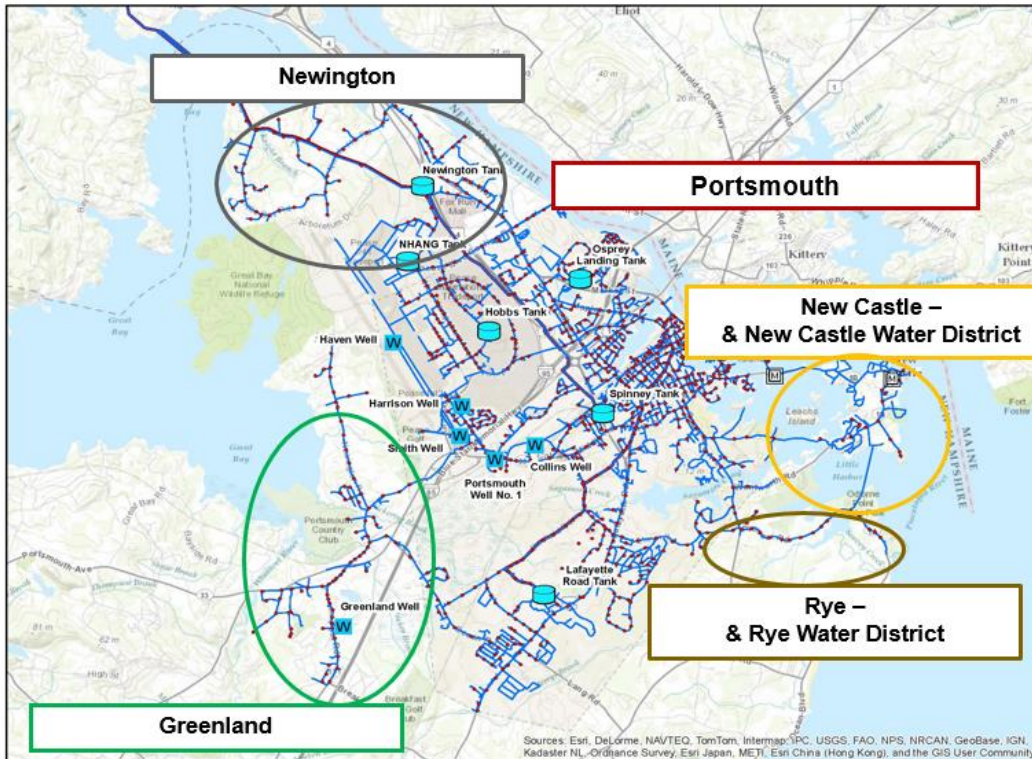
Description: This project provides funding for maintenance at the Hanover Parking Garage. Funding is allocated on a scheduled basis for renovation needs to the original structure. A structural evaluation was completed in 2015 and updated in 2018 by Walker Consultants, identifying the upgrades necessary to continue using the facility.

Useful Website Links:

- [Public Works Homepage](#)
 - [Park Portsmouth](#)
- [Hanover Parking Garage](#)
 - [FY21-26 CIP page](#)

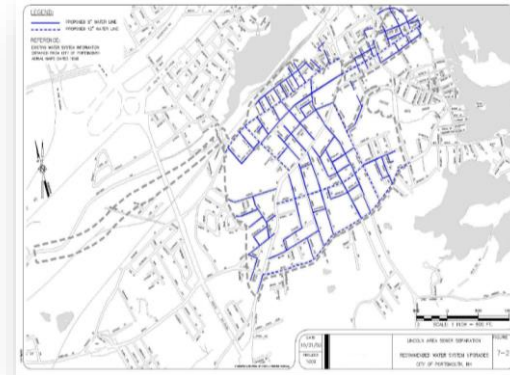
		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease (Parking)	93%	\$6,300,000						\$6,300,000	\$0	\$6,300,000
Other	0%							\$0	\$0	\$0
Revenues (Parking)	7%							\$0	\$450,000	\$450,000
PPP	0%							\$0	\$0	\$0
	Totals	\$6,300,000	\$0	\$0	\$0	\$0	\$0	\$6,300,000	\$450,000	\$6,750,000

WATER FUND



EF-02-WD-78: ANNUAL WATER LINE REPLACEMENT

Department	Public Works – Water Division
Project Location	Citywide
Project Type	Upgrade of a Facility
Commence FY	Ongoing
Priority	O (Ongoing)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study – Water System Master Plan 2013	Y
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The water distribution system consists of more than 150 miles of pipe. Many of the older pipes are 50 to 100 years old, undersized and at the end of their design life. Pipes are replaced programmatically as part of water specific capital projects, roadway reconstruction and prior to annual paving. This item will fund the purchase of pipe, valves and associated materials used to replace those pipes. Bond funds for large full road reconstruction projects.

Useful Website Links:

- [Public Works Homepage](#)
- [Water Department](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	85%	\$1,000,000		\$1,000,000		\$1,000,000		\$3,000,000	\$5,500,000	\$8,500,000
Other	0%							\$0	\$0	\$0
Revenues	15%							\$0	\$1,500,000	\$1,500,000
PPP	0%							\$0	\$0	\$0
	Totals	\$1,000,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$3,000,000	\$7,000,000	\$10,000,000

EF-18-WD-82: WATER TRANSMISSION MAIN REPLACEMENT

Department	Public Works – Water Division
Project Location	Citywide
Project Type	Rehabilitation of a Facility
Commence FY	2015
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study – Newington Transmission Main Alternative Report 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	Y
Eligible for Matching Funds with Limited Availability	

Description: This project consists of design and construction of water transmission mains beneath Little Bay to replace existing mains, which are over 60 years old. Preliminary investigations of the existing water mains and valves have identified degraded conditions. Due to the importance of this water main, this project is necessary to ensure water is continuously supplied from Madbury to Portsmouth and service is not disrupted. Previous funding was used for permitting and design, and FY22 funds will be used for construction.

Useful Website Links:

- [Water Projects Page](#)
- [Water Department](#)
- [Public Works Homepage](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	96%	\$5,400,000						\$5,400,000	\$850,000	\$6,250,000
Other	0%							\$0	\$0	\$0
Revenues	4%							\$0	\$250,000	\$250,000
PPP	0%							\$0	\$0	\$0
	Totals	\$5,400,000	\$0	\$0	\$0	\$0	\$0	\$5,400,000	\$1,100,000	\$6,500,000

COM-03-PW-94

ISLINGTON STREET IMPROVEMENTS PHASE 2 Combined: General Fund-Water Fund-Sewer Fund

Department	Public Works Department
Project Location	Islington Street from Albany Street to Congress Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010 ; CSO Supplemental Compliance Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	Y
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)



Description: This project funds work related to reconstruction on Islington Street. It will be completed in phases. Phase 1A is from the Route 1 Bypass to Albany Street and was previously funded. Phase 1B is from Albany Street to Dover Street and funding was identified in FY21. Phase 2 is from Dover Street to Congress Street and is estimated to cost an additional \$6.9 million in FY27.

The project includes water, sewer, drainage and streetscape modifications. Funding for this work will come from the water and sewer enterprise funds and the general fund (property taxes).

Phases 1A and 1B are required by the City's Supplemental Compliance Plan for sewer separation.

ISLINGTON STREET IMPROVEMENTS PHASE 2
Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	1%							\$0	\$200,000	\$200,000
	GF-Bond/ Lease	37%	\$2,300,000						\$2,300,000	\$4,640,000	\$6,940,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	29%	\$2,300,000						\$2,300,000	\$3,150,000	\$5,450,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	32%	\$2,300,000						\$2,300,000	\$3,650,000	\$5,950,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	39%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$4,840,000	\$7,140,000
Total Water Fund	29%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$3,150,000	\$5,450,000
Total Sewer Fund	32%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$3,650,000	\$5,950,000

Totals		\$6,900,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,900,000	\$11,640,000	\$18,540,000
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COM-19-PW-98

WILLARD AVENUE

Combined: General Fund-Water Fund-Sewer Fund

Department	Public Works Department
Project Location	Willard Avenue, Orchard Street, Ash Street (Willard to Orchard)
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	Y
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)

Description: This project funds work related to the City's ongoing combined sewer separation program. The project includes water, sewer and drainage upgrades along with streetscape modifications on Willard Avenue, Orchard Street, and a portion of Ash Street. A portion of Willard Avenue has already been reconstructed following sewer separation in 2015. This project will also complete this area of the Lincoln Avenue area drainage basin to Middle Street.

Permitting and design were funded previously. FY22 funds will be used for construction.

Funding for this work will come from the water and sewer enterprise funds. Road restoration and sidewalks will be completed using available general funds allocated for annual paving and sidewalks.

Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	19%	\$1,200,000						\$1,200,000	\$0	\$1,200,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	2%							\$0	\$150,000	\$150,000
	Bond/Lease	29%	\$1,800,000						\$1,800,000	\$0	\$1,800,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	2%							\$0	\$150,000	\$150,000
	Bond/Lease	48%	\$3,000,000						\$3,000,000	\$0	\$3,000,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	19%	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,200,000	\$0	\$1,200,000
Total Water Fund	31%	\$1,800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,800,000	\$150,000	\$1,950,000
Total Sewer Fund	50%	\$3,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$3,000,000	\$150,000	\$3,150,000

Totals		\$6,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000,000	\$300,000	\$6,300,000
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COM-17-PW-100

Department	Public Works Department
Project Location	Union Street from Middle Street to State Street
Project Type	Rehabilitation of Existing Facilities
Commence FY	2017
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010: CSO Supplemental Compliance Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Wastewater & Sewer Projects Page](#)
 - [Public Works Department](#)
 - [Sewer Department](#)

UNION STREET RECONSTRUCTION

Combined: General Fund-Water Fund-Sewer Fund



Description: This project is part of the City's Long Term Control Plan in accordance with the EPA Supplemental Compliance Plan. The project includes water, sewer, drainage and streetscape modifications on Union Street from Middle Street to State Street. The project will also address side streets, including Coffins Court and sections of Austin Street. Additional sewer funding will be used from the previous CIP sewer project (EF-17-SD-95 Union Street Reconstruction).

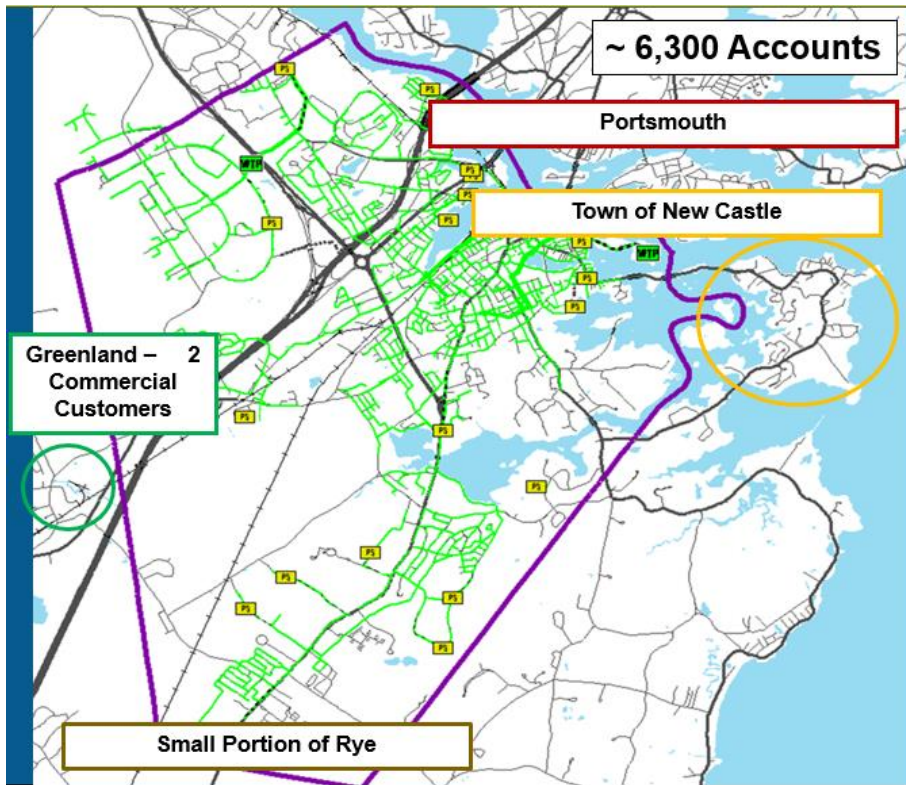
Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	22%	\$1,000,000						\$1,000,000	\$0	\$1,000,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	34%	\$1,500,000						\$1,500,000	\$0	\$1,500,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	3%							\$0	\$150,000	\$150,000
	Bond/Lease	40%	\$1,100,000						\$1,100,000	\$700,000	\$1,800,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	22%	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Total Water Fund	34%	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,500,000	\$0	\$1,500,000
Total Sewer Fund	44%	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100,000	\$850,000	\$1,950,000

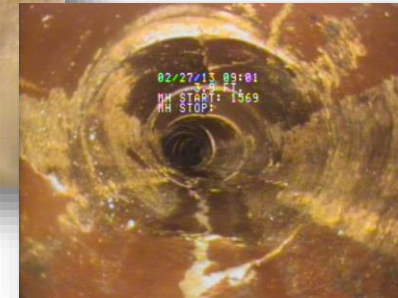
Totals		\$3,600,000	\$0	\$0	\$0	\$0	\$0	\$0	\$3,600,000	\$850,000	\$4,450,000
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SEWER FUND



EF-12-SD-86: ANNUAL SEWER LINE REPLACEMENT

Department	Public Works – Sewer Division
Project Location	Citywide
Project Type	Upgrade of Existing Facilities
Commence FY	Ongoing
Priority	O (Ongoing or Programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The wastewater collection system consists of more than 115 miles of pipe. Many of the older pipes are 50 to 100 years old, undersized and at the end of their design life. Pipes are replaced programmatically as part of sewer specific capital projects, roadway reconstruction and prior to annual paving. This item will fund the purchase of pipes and associated materials used to replace those pipes.

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	81%	\$500,000		\$500,000		\$500,000		\$1,500,000	\$7,000,000	\$8,500,000
Other	0%							\$0	\$0	\$0
Revenues	19%							\$0	\$2,000,000	\$2,000,000
PPP	0%							\$0	\$0	\$0
	Totals	\$500,000	\$0	\$500,000	\$0	\$500,000	\$0	\$1,500,000	\$9,000,000	\$10,500,000

EF-12-SD-87: PEASE WASTEWATER TREATMENT FACILITY

Department	Public Works – Sewer Division
Project Location	Pease WWTF at Corporate Dr
Project Type	Upgrade of Existing Facilities
Commence FY	2022
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	High (\$100,000 or more)



Description: In 2019 the City submitted a wastewater permit renewal application to the Environmental Protection Agency (EPA) requesting an increase in design flow rate from 1.2 million gallons per day to 1.7 million gallons per day. This increase in flow rate at the treatment facility will support the build out of the Pease International Tradeport and provide capacity at the treatment facility for Lonza Biologics intended expansion. Planning for this upgrade has begun but full design and construction will not take place until the full details of an updated permit are provided by the EPA. The costs and timing of this work is dependent upon the issuance of that permit, which is anticipated in FY22. Replacement of aged equipment is underway with previous funding.

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Pease Wastewater Facility NPDES Permit Renewal 2019	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

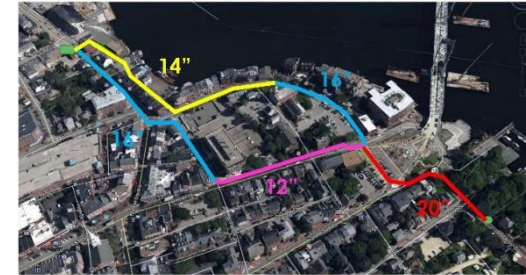
Useful Website Links:

- [Pease Wastewater Treatment Facility](#)
 - [Sewer Department](#)
 - [Public Works Department](#)
 - [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	42%	\$1,500,000						\$1,500,000	\$7,750,000	\$9,250,000
Other	0%							\$0	\$0	\$0
Revenues	4%							\$0	\$850,000	\$850,000
PPP	54%		\$12,000,000					\$12,000,000	\$0	\$12,000,000
	Totals	\$1,500,000	\$12,000,000	\$0	\$0	\$0	\$0	\$13,500,000	\$8,600,000	\$22,100,000

EF-17-SD-89: WASTEWATER PUMPING STATION IMPROVEMENTS

Department	Public Works – Sewer Division
Project Location	Citywide
Project Type	Rehabilitation of Existing Facility
Commence FY	Ongoing
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible (<\$5,001)



Description: The City owns and operates twenty (20) wastewater pumping stations. The projected life span of a pumping station is twenty (20) years. This project plans for the replacement or major rehabilitation of pumping stations and/or force mains that have not been included as separate projects in the CIP. The work will follow the recommendations detailed in the Wastewater Pumping Station Master Plan dated 2019. The City anticipates using FY22 funding to evaluate the Deer Street pumping station force mains.

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Wastewater Pump Station Master Plan 2019	Y
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Projects Page – Department of Public Works](#)
 - [Sewer Department](#)
 - [Public Works Department](#)
 - [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	96%	\$750,000		\$1,000,000		\$500,000		\$2,250,000	\$4,600,000	\$6,850,000
Other	0%							\$0	\$0	\$0
Revenues	4%							\$0	\$250,000	\$250,000
PPP	0%							\$0	\$0	\$0
	Totals	\$750,000	\$0	\$1,000,000	\$0	\$500,000	\$0	\$2,250,000	\$4,850,000	\$7,100,000

EF-13-SD-90: MECHANIC STREET PUMPING STATION UPGRADE

Department	Public Works – Sewer Division
Project Location	113 Mechanic Street
Project Type	Upgrade of Existing Facilities
Commence FY	2022
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Reduce (will reduce Operating Costs)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Wastewater Pump Station Master Plan 2019 , Lifespan Evaluation (ongoing)	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The Mechanic Street Wastewater Pumping Station is the largest in the City and is in need of a comprehensive upgrade. In order to delay the cost of this significant project there is an ongoing study to determine if the life span of the station can be extended for up to 10 years with a less costly interim project. Funding for the comprehensive upgrade is not shown. Replacement of this station will include consideration for a site master plan to address the park, adjacent property (95 Mechanic St), and water access.

Useful Website Links:

- [Public Works Department](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	98%	\$2,000,000						\$2,000,000	\$500,000	\$2,500,000
Other	0%							\$0	\$0	\$0
Revenues	2%							\$0	\$50,000	\$50,000
PPP	0%							\$0	\$0	\$0
	Totals	\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$2,000,000	\$550,000	\$2,550,000

EF-22-SD-92: MARJORIE STREET WASTEWATER PUMPING STATION

Department	Public Works – Sewer Division
Project Location	Majorie Street
Project Type	Construction or Expansion of A Public Facility, Street or Utility
Commence FY	2022
Priority	A
Impact on Operating Budget	Minimal (\$5,001 to \$50,000)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: Construction of a new wastewater pumping station at the end of Marjorie Street will allow the City to abandon an existing gravity sewer pipeline that crosses the property at 150 Greenleaf Avenue. The City has been unable to secure the necessary rights to allow the existing gravity pipeline to remain in place. The total cost of this work is estimated to be \$1.65 million. Additional funding will be used from previous funding for the [EF-17-SD-96 \(CIP FY 21-26\)](#) Wastewater Pumping Station Improvements that were originally set aside for a different project.

Useful Website Links:

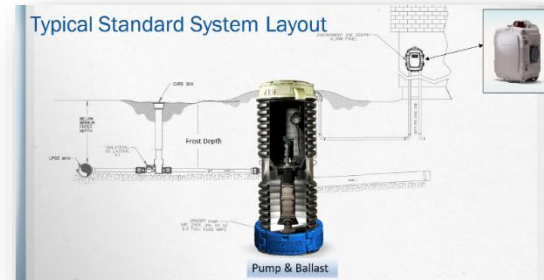
- [Sewer Department](#)
- [Public Works Department](#)
- [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$1,000,000						\$1,000,000	\$0	\$1,000,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000

EF-22-SD-93: SEWER SERVICE FUNDING FOR SAGAMORE AVENUE AREA SEWER EXTENSION

Department	Public Works – Sewer Division
Project Location	Portions of Sagamore Ave and Wentworth House Rd; Cliff Rd, Walker Bungalow Rd and Sagamore Grove
Project Type	Construction or Expansion of A Public Facility, Street or Utility
Commence FY	2022
Priority	A
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	Y
Eligible for Matching Funds with Limited Availability	



Description: The City has approached this project in order to obtain pricing for the private side work for converting existing septic systems to a pumped sewer connection. The costs for this work will become available once the project bids are received and the City Council concludes on the final cost proposal. This item sets aside funds in anticipation of City Council action. The City Council previously authorized \$4.4M under previous CIP Item ([EF-16-SD-94 from FY20-25 Consent Decree Mitigation](#)) for installation of sewer lines in the roadway and some private side work.

Useful Website Links:

- [Sagamore Ave Sewer Extension Project Page](#)
 - [Sewer Department](#)
 - [Public Works Department](#)
 - [FY21-26 CIP page](#)

		FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$200,000	\$1,700,000	\$0	\$1,700,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$200,000	\$1,700,000	\$0	\$1,700,000

COM-03-PW-94

ISLINGTON STREET IMPROVEMENTS PHASE 2
Combined: General Fund-Water Fund-Sewer Fund

Department	Public Works Department
Project Location	Islington Street from Albany Street to Congress Street
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010 ; CSO Supplemental Compliance Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	Y
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	Y
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:
<ul style="list-style-type: none"> • Public Works Department • Sewer Department • FY21-26 CIP page



Description: This project funds work related to reconstruction on Islington Street. It will be completed in phases. Phase 1A is from the Route 1 Bypass to Albany Street and was previously funded. Phase 1B is from Albany Street to Dover Street and funding was identified in FY21. Phase 2 is from Dover Street to Congress Street and is estimated to cost an additional \$6.9 million in FY27.

The project includes water, sewer, drainage and streetscape modifications. Funding for this work will come from the water and sewer enterprise funds and the general fund (property taxes).

Phases 1A and 1B are required by the City’s Supplemental Compliance Plan for sewer separation.

ISLINGTON STREET IMPROVEMENTS PHASE 2
Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	1%							\$0	\$200,000	\$200,000
	GF-Bond/ Lease	37%	\$2,300,000						\$2,300,000	\$4,640,000	\$6,940,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	29%	\$2,300,000						\$2,300,000	\$3,150,000	\$5,450,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	32%	\$2,300,000						\$2,300,000	\$3,650,000	\$5,950,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	39%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$4,840,000	\$7,140,000
Total Water Fund	29%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$3,150,000	\$5,450,000
Total Sewer Fund	32%	\$2,300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$2,300,000	\$3,650,000	\$5,950,000

Totals		\$6,900,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,900,000	\$11,640,000	\$18,540,000
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COM-19-PW-98

WILLARD AVENUE

Combined: General Fund-Water Fund-Sewer Fund

Department	Public Works Department
Project Location	Willard Avenue, Orchard Street, Ash Street (Willard to Orchard)
Project Type	Rehabilitation of a Facility
Commence FY	2020
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	Y
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Public Works Department](#)
- [Sewer Department](#)
- [FY21-26 CIP page](#)

Description: This project funds work related to the City's ongoing combined sewer separation program. The project includes water, sewer and drainage upgrades along with streetscape modifications on Willard Avenue, Orchard Street, and a portion of Ash Street. A portion of Willard Avenue has already been reconstructed following sewer separation in 2015. This project will also complete this area of the Lincoln Avenue area drainage basin to Middle Street.

Permitting and design were funded previously. FY22 funds will be used for construction.

Funding for this work will come from the water and sewer enterprise funds. Road restoration and sidewalks will be completed using available general funds allocated for annual paving and sidewalks.

Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	19%	\$1,200,000						\$1,200,000	\$0	\$1,200,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	2%							\$0	\$150,000	\$150,000
	Bond/Lease	29%	\$1,800,000						\$1,800,000	\$0	\$1,800,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	2%							\$0	\$150,000	\$150,000
	Bond/Lease	48%	\$3,000,000						\$3,000,000	\$0	\$3,000,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	19%	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,200,000	\$0	\$1,200,000
Total Water Fund	31%	\$1,800,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,800,000	\$150,000	\$1,950,000
Total Sewer Fund	50%	\$3,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$3,000,000	\$150,000	\$3,150,000

Totals		\$6,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000,000	\$300,000	\$6,300,000
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COM-17-PW-100

Department	Public Works Department
Project Location	Union Street from Middle Street to State Street
Project Type	Rehabilitation of Existing Facilities
Commence FY	2017
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible (<\$5,001)

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Long Term Control Plan Update 2010: CSO Supplemental Compliance Plan 2017	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	Y
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Useful Website Links:

- [Wastewater & Sewer Projects Page](#)
 - [Public Works Department](#)
 - [Sewer Department](#)

UNION STREET RECONSTRUCTION

Combined: General Fund-Water Fund-Sewer Fund



Description: This project is part of the City's Long Term Control Plan in accordance with the EPA Supplemental Compliance Plan. The project includes water, sewer, drainage and streetscape modifications on Union Street from Middle Street to State Street. The project will also address side streets, including Coffins Court and sections of Austin Street. Additional sewer funding will be used from the previous CIP sewer project (EF-17-SD-95 Union Street Reconstruction).

Combined: General Fund-Water Fund-Sewer Fund

			FY22	FY23	FY24	FY25	FY26	FY27	Totals 22-27	6 PY's Funding	Totals
General Fund	Fed/ State	0%							\$0	\$0	\$0
	GF-Capital Outlay	0%							\$0	\$0	\$0
	GF-Bond/ Lease	22%	\$1,000,000						\$1,000,000	\$0	\$1,000,000
	Other	0%							\$0	\$0	\$0
	PPP	0%							\$0	\$0	\$0
Water	Revenues	0%							\$0	\$0	\$0
	Bond/Lease	34%	\$1,500,000						\$1,500,000	\$0	\$1,500,000
	PPP	0%							\$0	\$0	\$0
Sewer	Revenues	3%							\$0	\$150,000	\$150,000
	Bond/Lease	40%	\$1,100,000						\$1,100,000	\$700,000	\$1,800,000
	PPP	0%							\$0	\$0	\$0

Total General Fund	22%	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Total Water Fund	34%	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,500,000	\$0	\$1,500,000
Total Sewer Fund	44%	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100,000	\$850,000	\$1,950,000

Totals		\$3,600,000	\$0	\$0	\$0	\$0	\$0	\$0	\$3,600,000	\$850,000	\$4,450,000
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WORKING AGREEMENT

BETWEEN THE

CITY OF PORTSMOUTH, NEW HAMPSHIRE

AND

PORTSMOUTH CITY EMPLOYEES LOCAL #1386 B

OF THE

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES

AFL-CIO



July 1, 2021 to June 30, 2022

CONTENTS

Article 1	Working Agreement
Article 2	Non-Gender Clause
Article 3	Recognition
Article 4A	Management Rights
Article 4B	Probationary Period
Article 5	Employment and Termination
Article 6	Seniority
Article 7	Wages
Article 8	Longevity
Article 9	Insurance
Article 10	Sick Leave
Article 11	Medical Appointments
Article 12	Parental/Adoption Leave
Article 13	Vacations
Article 14	Leave Without Pay
Article 15	Bereavement Leave
Article 16	Holidays
Article 17	Union convention Leave
Article 18	Military Leave of Absence
Article 19	Safety
Article 20	Grievances
Article 21	Disciplinary Procedures
Article 22	Jury/Witness Duty Pay
Article 23	Employee Indemnification
Article 24	Educational Expenses
Article 25	Bulletin Boards
Article 26	Equipment
Article 27	Call Outs
Article 28	Mileage
Article 29	Hours of Work and Overtime
Article 30	Library Parking
Article 31	Subcontracting
Article 32	Amendment
Article 33	Limitations
Article 34	Conflict
Article 35	Copies
Article 36	Bargaining Agreement
Article 37	Articles
Article 39	Policies
Signature Page	
Appendix A	
Appendix B	

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, wellbeing 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

The provisions of this document are considered gender neutral, and where possible shall reflect gender neutral language. 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
- A. Upon receipt of signed authorization from employees who are subject to this agreement, the employer shall deduct from the employee's pay dues payable by such employees to the Union. Such authorization shall be for the life of the Contract and shall be continued thereafter if a contract exists between the City and the Union. The deductions shall be remitted to the Union no later than ten (10) days from the date on which the deduction was made. The City shall furnish the Union with a record of each deduction showing the amount and the employees from whom such deduction was made. [As authorized by NH RSA 275:48 (b) (1)]
 - B. Employees who decline membership in the Union will be required to declare, in writing, their rejection using the "Membership Rejection Statement" attached to this document in appendix "X", which outlines certain benefits that will not be available to the non-member, as well as costs and fees the non-member may be required to pay for access to Union representation.

The exclusive representative may require a non-member to pay for the reasonable costs and fees, including arbitrator fees and related attorney fees for grieving or arbitrating a matter arising under an agreement negotiated pursuant to this section and brought at the non-member's request. The exclusive representative may require non-members to pay any anticipated proportional costs and fees prior to a grievance or arbitration hearing. Failure to pay costs and fees shall relieve the exclusive representative of further responsibility to the non-member regarding the matter.

An exclusive representative's duty of fair representation to a public employee who is in the bargaining unit shall be limited to the negotiation and enforcement of the terms of agreements with the public employer.

- C. 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)]
- D. The employee shall provide the opportunity for Union officials to meet with newly hired employees, without charge to the pay or leave time of the employees, for a minimum of 30 minutes, not later than 10 calendar days after the date of hire.

3.3 Evidence of the good faith of the employee in joining the Union will be considered to be the employee's duly signed check-off dues deduction card as presented to the City Accounting Department or an appropriate authorization for agency fee deductions.

3.4 The following position classifications come under the provisions of Union membership set forth in the contract:

Account Clerk	Accountant, Junior
Accountant, Assistant*	Accounting Assistant
Administration Assistant	Administrative Clerk*
CAD Technician	Deputy Tax Collector I
Collection Clerk	Switchboard Operator/ Typist
Clerk Typist	Secretary
Deputy City Clerk I	Violations Clerk
Lead Water/ Sewer Billing Clerk	Department Clerk
Librarian I,	

Library Assistant I, II, III

*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. Effective August, 1983, permanent, part-time Library employees working a regular work week of at least 20 hours are included in this Section.
- 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, 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 the employee's 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, permanent part—time library employees or permanent) :

- A. Probationary: Probationary employees are those employees hired to fill regular positions, but who are serving their probationary period of six (6) months. Probationary employees shall be allowed to earn sick leave and vacation during their probationary period, but shall not be entitled to be paid for or to take such leave unless and until they successfully complete 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. Specifically, probationary employees shall not be entitled to health and dental insurance coverage until the first of the month following their date of hire.

- B. Permanent Part-time Library Employees: Library employees working a regular work week of at least 20 hours .
- C. Permanent : Permanent employees are those employees hired to fill regular full-time positions who have completed their six (6) month probationary period.

Article 5 EMPLOYMENT AND TERMINATION

- 5.1 Union Dues: Upon 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.
- 5.2 Posting Jobs and Vacancies: All new jobs and vacancies within the bargaining unit shall be posted on City's Web Site within ten (10) working days after the vacancy occurs. All internal candidates may apply, and will be interviewed.
- 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 they may request to be reinstated to their 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 The parties agree that members of the bargaining unit are subject to the City's Harassment/Discrimination Policy.
- 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 their 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. Seniority for part-time Library Employees shall be dated from August 11, 1983.
- 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, their 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.

7.2 The rate of pay for bargaining unit members shall be increased as follows:

July 1, 2021 a COLA adjustment percentage increase shall be computed which shall not be less than 2% nor more than 5%.

COLA Adjustments

Effective July 1, of each year from July 1, 2017 through June 30 ,2020 a COLA adjustment percentage increase shall be computed which shall not be less than nor more than 5%.

The COLA Adjustment percentage shall be determined by the rolling ten (10) year average in the CPI-U for the Boston-Cambridge-Newton- -MA-NH-ME-CT 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 CPT-U for the Boston SMSA (Nov. - Nov.) is 1.5% the applicable COLA adjustment would be 2%; 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 three year Working Agreement expires without a successor Working Agreement being settled prior to July 1, 2020 that no further COLA adjustments after July 1, 2019 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 a successor agreement has not been settled by July 1, 2020

- 7.3 The wage rate for part-time Library Employees shall be based on Grade 2, Step A of the current Local Union #1386 Salary Schedule figured on an hourly basis, . Effective September 28, 2004 ,

Permanent part—time library employees with five years or more consecutive employment in the library shall be eligible to move on the step schedule annually, but shall not advance more than one (1) step in any year.

- 7.4 Salaried Five (5) Step Employees:

First twelve (12) months	Step A
After twelve (12) months	Step B
After twenty four (24) months	Step C
After thirty six (36) months	Step D
After forty—eight (48) months	Step E
After seven and half (7.5) years	Step F (eff. 1/1/19)
After ten (10) years	Step G (eff. 7/1/05)
After fifteen (15) years	Step H (eff 01/01/2024) (1.35%)
After twenty (20) years	Step I (eff. 7/1/06)

- 7.5 A. An employee promoted or acting in a position which has a higher maximum hourly rate shall receive a pay raise of one step over their present rate upon promotion or to the minimum of the new position, whichever is greater, 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) 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) 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 their regular rate of pay.
- 7.6 All cost of living increases shall be in addition to the step increases to which the employees are entitled.
- 7.7 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.
- 7.8 Effective October 1, 2015, the Library Assistant II will be upgraded from a Grade 3 to a Grade 4 and the Library Assistant III will be upgraded from a Grade 5 to Grade 6.

**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. These longevity bonuses will increase by the 10 year rolling each July 1 of this contract.

Length of Service	12/1/2021
5 years	\$ 216.49
10 Years	\$ 378.85
15 Years	\$ 541.22
20 Years	\$ 703.58
25 Years	\$ 865.95
30 Years	\$ 1,028.31
35 Years	\$ 1,190.68

- 8.3 Longevity shall begin to accrue upon date of hire or no earlier than August 11, 1983 for permanent part-time Library Employees.
- 8.4 Effective December 1, 2004, part-time Library employees shall receive this benefit on a pro-rated basis as follows:

Length of Service 12/1/2021

	30 Hours	25 Hours	20 Hours
5 Years	\$ 165.61	\$ 138.01	\$ 110.41
10 Years	\$ 289.82	\$ 241.52	\$ 193.21
15 Years	\$ 414.03	\$ 345.03	\$ 276.02
20 Years	\$538.24	\$ 448.53	\$ 358.83
25 Years	\$662.45	\$ 552.04	\$ 441.63
30 Years	\$786.66	\$ 655.55	\$524.44
35 Years	\$910.87	\$ 759.06	\$ 607.24

Article 9
INSURANCE

- 9.1 Medical Insurance: Effective August 1, 1996 the City agrees to provide Health Insurance to full—time permanent employees and part—time Library employees working thirty (30) hours or more each week.

The employee's cost for health insurance will be ten (10.0%) percent of the premium for the AB 20 plan with a \$10/\$20/\$45 prescription plan and the City will pay ninety (90%) percent . Effective July 1, 2019, the employee's contribution will be fifteen (15%) percent of the premium for the AB 20 plan and the City will pay eighty—five (85%) percent.”

Should the parties agree in writing to establish a cafeteria style plan dealing in insurance issues during the course of the three (3) year agreement - such plan would only become effective if ratified by the Union, approved by the City Manager and approved by the City Council.

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

- 9.2 A. 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.
- B. The City may, at its discretion, offer an additional optional health plan (AccessBlue 15/40IPDED) at a 90% employer/10% employee premium cost share. Employees participation in the plan shall optional, and not compulsory.
- 9.3 The parties agree that employees shall receive a waiver stipend in lieu of health insurance coverage in the amount equal to fifty percent (50%) of the City's lowest cost of a single person premium plan. 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.

- 9.4 Dental Insurance: The City agrees to pay for single, two-person or family membership in the Delta Dental Plan as required. Dental Insurance shall be paid for part-time Library Employees working thirty (30) hours or more each week.
- 9.5 Short—term Disability: The City shall make available through payroll deduction Disability Income insurance for members of the bargaining unit.
- 9.6 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 too exceed ten thousand (\$10,000) dollars per month. Said insurance shall be effective after the 61st day of disability with benefits payable to normal retirement age 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.
- 9.7 Worker' s Compensation Insurance: In case of accidental personal injury to any employee arising out of any accident in the course of their employment, the City shall pay to the employee the difference between the amount received from the insurance company or Worker'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 .
- 9.8 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.
- 9.9 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, they 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—j 0b 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 they remarry or die, equal to 50% 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 50% 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 50% 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 except part-time Library employees shall be entitled to thirteen (13) days sick leave per year or ninety seven and one half hours (97.5) .
- 10.2 Permanent part-time library employees will be eligible for pro-rated sick leave accrual for all hours actually worked. This calculation shall occur no less frequently than quarterly. Part-time Library employees' sick leave shall be based upon the following schedule:
- | | | | |
|------|-------------|---------------------|------------------|
| 100% | 37.25 hours | 97.5 hours per year | 8.125(/ month) |
| 80% | 30 hours | 75.0 hours per year | 6.25 (/ month) |
| 68% | 25 hours | 67.5 hours per year | 5. 625 (/month) |
| 53% | 20 hours | 52.5 hours per year | 4.375 (/month) |
- 10.3 For employees hired prior to 1/1/1990, accumulation of sick leave shall be unlimited.
- 10.4 Employees hired after January 1, 1990 shall have a maximum accumulation of 150 days or 1125 hours.

- 10.5 Upon death of an employee while in the employment of the City, the City shall pay to their estate an amount equal to one hundred percent (100%) of their accumulated sick leave.
- 10.6 Upon retirement from employment, or upon termination of their employment, voluntary or involuntary, the City shall pay to an employee hired prior to 7/1/1996 an amount equal to seventy-five percent (75%) of their accumulated sick leave at the date of the termination of their employment.
- 10.7 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.
- 10.8 Employees of the Bargaining Unit shall be eligible to enroll in the city-wide sick bank, subject to the participation and usage rules established by the Sick Bank Committee. Supplemental sick leave requests should be made for only emergent, serious, or life threatening illnesses, injuries, impairments, or mental or physical conditions that have caused, or are likely to cause, the employee to take leave without pay, provided appropriate medical information is provided. Requests for supplemental sick leave shall be made to the Human Resources Department after all accrued sick leave is exhausted, and approval of use of said leave shall be made by the City Manager. An employee is considered to be on active status when on supplemental sick leave (as opposed to a leave of absence without pay) and is entitled to accrue annual leave, sick leave, and personal days. Pooling of sick leave, to act as supplemental sick leave, shall be allowed by the membership of 1386B. 1386B members may voluntarily donate up to 5 days (37.5 hours) of accrued sick leave annually on May 30th of each year of this contract. The use of this time is administered by the conditions described above. The pool will be capped at 150 days, and may be rolled over annually. The withdrawal of supplemental sick leave is capped at 60 days per individual per year.

Article 11
MEDICAL APPOINTMENTS

- 11.1 The City shall allow each full-time 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 . Permanent part-time Library employees shall make medical appointments on personal time .
- 11.2 Employees shall request such time off at least seventy-two (72) hours in advance, unless in cases of emergency.

Article 12
Parental/ADOPTION LEAVE

- 12.1 Upon application of the employee and approval by the City Manager, a parental leave of absence shall be granted to permanent full-time employees who have been employed at least one (1) year before said application. Leave for six (6) months is granted after two (2) years of permanent part -time Library employment.
- 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 their accumulated sick leave benefits during the disability period as determined by their 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 welfare and dental premiums.
- 12.4 An employee shall not forfeit seniority during this leave of absence.
- 12.5 Adoption: Any bargaining unit employee adopting a child shall be granted a leave of absence not to exceed three (3) months without pay.
- 12.6 Such leave shall commence upon the employee receiving defacto custody of said infant, or up to two (2) months earlier if necessary to fulfill the requirements of adoption.
- 12.7 Said employee may keep benefits in force while on said leave by paying group rate premiums to the City.
- 12.8 Family Medical Leave Act Policy: The union and the employer agree that the Policy as implemented by the City of Portsmouth regarding the Family Medical Leave Act shall be applicable to the employees covered by this agreement .

**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:

Once an employee has completed their probationary period, they may take earned annual leave during the first year of service.

The vacation schedule shall be accrued as follows:

Years of Service	Hours	Per Month
One to five inclusive	75	6.25
six	82.5	6.875

seven	90	7.5
eight	97.5	8.125
nine	105	8.75
ten	112.5	9.375
eleven	120	10
twelve	120	10
thirteen	127.5	10.625
fourteen	127.5	10.625
fifteen	135	11.25
sixteen	135	11.25
seventeen	142.5	11.875
eighteen	142.5	11.875
nineteen	150	12.5
twenty	150	12.5

13.4 Employees on a five (5) day work week shall be allowed to accumulate no more than 375 hours as of December 31 for the purposes of carrying over the next year.

13.5 Permanent part-time library employees who work an average of at least 20 hours per week will be eligible for pro-rated vacation accrual for all hours actually worked. This calculation shall occur no less frequently than quarterly. All permanent part-time Library employees working 20 hours per week or more receive vacation as follows:

	30 hrs week	25 hrs week	20 hrs week
1—5 yrs	60 Hours	48.75 Hours	37.5 Hours
6 years	67.5 Hours	52.50 Hours	45 Hours
7 years	75 Hours	60 Hours	45 Hours
8 years	75 Hours	67.5 Hours	52.5 Hours
9 years	82.50	67.5 Hours	52.55 Hours
10 years	90 Hours	75 Hours	60 Hours
11 years	97.5 Hours	82.50 Hours	60 Hours
12 years	105 Hours	82.50 Hours	60 Hours
13 years	105 Hours	82.50 Hours	67.50 Hours
14 years	105 Hours	82.50 Hours	67.50 Hours
15 years	105 Hours	90 Hours	71.25 hours
16 years	105 Hours	90 Hours	71.25 Hours

17 years	112. 0 Hours	97.50 Hours	75 Hours
18 years	112.50 Hours	97.50 Hours	75 Hours
19 •years	120 Hours	97.50 Hours	78.75 Hours
20 years	120 Hours	97.50 Hours	78.75 Hours

For the purpose of this Article a “Permanent Part Time” employee is defined as those employees who average at least twenty (20) hours per week.

- 13.6 Accumulated days: The number of days allowed for permanent part—time Library employees to accumulate within one calendar year is as follows:

Hours per week	Accumulation of hours
30	210
25	172 . 50
20	150

- 13.7 All leave time shall be applied for in advance, if possible, to the immediate Supervisor or Department Head.
- 13.8 All employees, upon termination whether voluntary or involuntary shall be paid for one hundred percent (100%) for all earned, unused vacation leave at the present rate of pay.
- 13.9 A. Personal Days: Each full-time permanent employee shall be allotted fifteen personal hours each year to tend to matters which cannot be taken care of during the employee's regular time off. Part-time permanent Library Employees are not entitled to personal days. Upon death of an employee while in the employment of the City, the City shall pay to their estate an amount equal to one hundred percent (100%) of any unused personal days. Accruals will be reflected on July 1 each year following the probationary period.
- B. The employee shall be required to give a twenty-four (24) hour verbal notice to their 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 immediate family.
- 15.2 An additional two (2) days may be granted by the Department Head, at their 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, 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 **Bereavement Leave may be extended to and employee following the death of any other person living in the same household as the employee, at the discretion of the employee’s supervisor.**

**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	Labor Day
Dr. Martin Luther King, Jr.	Columbus Day/Indigenous People Day
Day Presidents Day	Veteran's Day
1/2 day Good Friday	Thanksgiving Day
Memorial Day	Friday after Thanksgiving

Independence Day

Christmas Day

The preceding Monday if Christmas is on a Tuesday

The following Friday if Christmas is on a Thursday

In the event the city eliminates ½ day on Good Friday from the AFSCME Local 1386A contract in exchange for ½ day on Christmas Eve (December 24th only) and ½ day on New Year's Eve (December 31st only) , 1386B will adopt the same schedule regarding these holidays.

- 16.2 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.
- 16.3 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. This language does not apply to Christmas Eve or New Year's Eve. Only December 24th and December 31st will be closed for the holiday.
- 16.4 Any holiday shall be considered part of the regular work week.
- 16.5 Permanent part-time Library employees are paid only for scheduled hours of work. On days when the building is normally scheduled to be opened, but is "closed" permanent, part-time employees receive pay only for their scheduled hours of work.

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 (1-1/2) 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 their military base pay for said duty and without loss of leave time. Such leave shall be considered Military Leave and shall not exceed fifteen (15) working days in a calendar year.

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 once every quarter at the request of either party to discuss safety or such relations. The Union will appoint their representatives to the Joint Loss Management 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 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 .
- 20.1 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 their Union Steward or an officer of the Union.

- B. 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.
- C. The Department Head shall submit their 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.
- D. 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 their written decision within ten (10) working days after receipt of the grievance . This shall be known as Step 2.
- E. 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.
- F. 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.
- G. 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.
- H. 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.

Although discipline will normally be taken in this order, Management reserves the right to advance discipline to an appropriate level for the infraction alleged.

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 two (2) 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. This section applies to scheduled work hours of permanent part-time Library employees.

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 their 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 their 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 (100.0%) 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 (100.0%) 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.
- 24.7 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 their 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

The Union and its members agree to exercise proper care and to be responsible for all City property issued or entrusted to them.

Article 27
CALL OUTS

- 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 the original call—out minimum shall not be entitled to additional compensation.

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 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 twelve (12) work days' 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.
- 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 their 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 The parties agree that in lieu of overtime, a department head (totally within their 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.
- 29.7 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.
- 29.8 Holidays: All holidays for which an employee receives pay shall be considered part of their 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].

29.9 Employees will be eligible for overtime after they have worked 40 hours in any given week. Holidays, bereavement, military leave and 6 hours for medical appointments will be considered hours worked for the purpose of calculating overtime. Vacation, sick leave, personal leave, will not count as hours worked for overtime calculation purposes.

The only exceptions to the above are as follows:

- Employees who use comp time or annual time during the next scheduled day of work following a night event (working beyond midnight) will be used in the overtime calculation. Any available comp time must be used prior to the use of annual time.

PUBLIC WORKS

- 29.10. A. Public Works Office Personnel: Hours of work shall be thirty-seven and one-half (37 1/2) per week.
- B. All work performed over forty (40) hours in any one (1) week shall be at the rate of time and one-half (1 1/2) .

CITY HALL

29.11 City Hall & Fire Department:

- A. The work week for City hall employees shall be thirty-seven and one-half (37 1/2) hours per week.
- B. All work performed over forty (40) hours in any one (1) week shall be at the rate of time and one-half (1 1/2).

LIBRARY

29.12 Library:

- A. The Library full-time permanent employees shall work seven and one-half (7 1/2) hours per day, to total thirty-seven and one-half (37 1/2) hours in one (1) week.
- B. Current practices of scheduling do not permit the Library to schedule employees, other than custodians, for work on Sunday, before 8:00 a.m. on any day, after 5:30 p.m. on Friday and after 5:00 p.m. on Saturday. In order to facilitate special events, work may be scheduled outside the specific contract hours upon mutual agreement of the employer and employee (s) involved. This Article shall be silent on the hours of work for part-time permanent Library employees covered by this Agreement, with the exclusion of working

Sundays, before 8:00 a.m. on any day, after 5:30 p.m. on Fridays and after 5:00 p.m. on Saturday.

- C. The City may establish Sundays hours from the Sunday after Labor Day through the Sunday before Memorial Day ("Winter Schedule") . From the Sunday after Memorial Day to the Sunday before Labor Day ("Summer Schedule") the Library hours shall be limited to six (6) days per week, Monday through Saturday. For employees working the schedule including Sunday hours, the work week shall be Sunday through Thursday during the Winter Schedule and Monday through Friday during the Summer Schedule. The Library will be closed on holidays that fall on a Sunday, including Easter. Employees regularly scheduled to work the Sunday schedule will have the day off but will be required to make the hours up during the week.
1. Employees hired prior to November 1, 2007 , shall not be required to work Sunday hours, but may voluntarily bid on schedules including Sunday shifts or swap for Sunday shifts .
 2. Before the City hires employees to work schedules involving Sunday hours,. current employees may bid on said schedules. Sunday schedules shall be filled on the basis of job qualifications. If more than one employee qualified for a Sunday shift position applies for the Sunday schedule, then seniority shall govern.
 3. In the event of budget cuts leading to a reduction in Library staffing, the City agrees to eliminate the Sunday shifts before affecting other shifts.
 4. Full-time employees shall be credited with seven and one half hours work for all purposes, including compensation and benefits, for working the five-hour Sunday shift .
- D. All work performed over forty (40) hours in any one (1) week shall be the rate of time and one-half (1 1/2) .
- E. Full-time Library employees whose regular day off falls on a designated holiday shall have said holiday added to their annual leave.

29.13 Office Closures:

In the event the city obtains the following language from the SMA and PMA contracts, AFSCME Local 1386B will adopt the following language:

In the event the City offices are closed the following procedure shall be used.

- A. In the first instance of an office closure due to inclement weather in a fiscal year (July 1, through June 30th) Employees shall use an accrued benefit (Sick or Vacation) of their choosing to cover the hours they would have worked the day of the closure.

- B. In all other instances of office closure in the same fiscal year the City shall compensate the employees for all hours they would have worked the day of the closure without the use of accrued benefits, unless the employee was on an approved day of leave (sick, annual or personal, then they will be charged the appropriate leave .

Article 30
LIBRARY PARKING

The City will provide up to twelve (12) parking spaces for Library employees during their respective working hours.

The parties shall establish a joint labor management committee composed of two library employees from the bargaining unit and two representatives for the City to discuss parking options for library employees.

Article 31
SUBCONTRACTING

- 32.1 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.
- 32.2 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

- 33.1 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.
- 33.2 This Agreement will remain in effect until June 30, 2022.
- 33.3 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.
- 33.4 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.

33.5 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
POLICIES

The City will provide copies of all personnel policies and updates to the Union President and Unit Vice President on a regular, periodic basis.

Article 39
Duration

This Agreement shall be in full force and effect from July 1, 2021 to and including June 30, 2022 and shall continue from year to year thereafter unless written notice of desire to cancel or terminate the Agreement is served by either party upon the other at least one hundred twenty (120) days prior to the budget submission date. Where no such cancellation or termination notice is served, and the parties desire to continue this Agreement but also desire to negotiate changes and/or revisions in this Agreement, either party may serve upon the other a notice at least one hundred twenty (120) days prior to budget submission date of February 2, advising that such party desires to revise or change terms and conditions of such Agreement. This Agreement shall remain in full force and effect until such changes and/or revisions have been agreed upon.

SIGNATURES:

Executed this _____ day of _____, 2021.

City Manager

President, Local 1386

City Negotiator

Vice President, 1386-B

Staff Representative
AFSCME Council 93

APPENDIX A
WAGE SCHEDULE
AFSCME LOCAL 1386 B

These rates are based on a full work year and in no way guarantees the number of daily, weekly or annual work hours for any position.

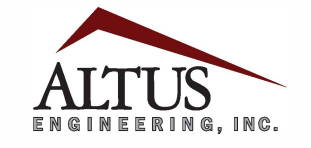
PROPOSED CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C8	34.44'	25.00'	78°55'33"
C9	102.80'	63.00'	93°29'17"
C10	100.00'	63.00'	90°56'33"
C11	89.06'	63.00'	80°59'39"
C12	10.94'	700.00'	0°53'43"
C13	20.33'	63.00'	18°29'23"
C14	10.00'	63.00'	9°05'41"
C15	56.04'	63.00'	50°57'51"
C16	68.91'	55.00'	71°50'59"
C17	94.05'	75.00'	71°50'59"
C18	45.01'	157.00'	16°25'37"
C19	53.45'	184.00'	16°38'43"
C20	51.39'	209.00'	14°05'14"

PERIMETER CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	31.94'	25.00'	73°12'04"
C2	66.34'	50.00'	76°01'12"
C3	28.81'	750.00'	2°12'03"
C4	106.40'	180.00'	33°52'00"
C5	39.27'	25.00'	90°00'01"
C6	135.95'	230.00'	33°52'00"
C7	95.35'	700.00'	7°48'16"

PERIMETER LINE TABLE		
LINE	LENGTH	BEARING
L1	12.71'	N25°29'20"W
L2	17.51'	S35°38'52"W
L3	42.51'	N35°38'52"E
L4	7.86'	N69°30'52"E
L5	7.86'	S69°30'52"W

PROPOSED LINE TABLE		
LINE	LENGTH	BEARING
L6	4.20'	N51°48'32"E
L7	84.93'	S50°22'44"E
L8	98.89'	S50°22'44"E
L9	10.08'	S32°22'09"W
L10	100.16'	N50°22'44"W
L11	10.00'	N39°37'15"E
L12	10.08'	S32°22'09"W
L13	31.50'	S50°22'44"E
L14	10.00'	N39°37'15"E
L15	9.04'	N79°01'34"E
L16	206.39'	S50°22'44"E
L17	10.08'	S32°22'09"W
L18	136.39'	N50°22'44"W
L19	9.41'	S79°01'34"W
L20	10.08'	S32°22'09"W
L21	146.57'	S50°22'44"E
L22	12.94'	N79°01'34"E
L23	53.59'	S78°55'54"E
L24	8.10'	N11°04'05"E
L25	24.70'	N66°41'02"W
L26	10.03'	S18°55'08"W
L27	55.25'	N66°41'02"W
L28	47.14'	S78°55'54"E
L29	60.83'	S66°41'02"W
L30	10.03'	S18°55'08"E
L31	54.69'	S66°41'02"E
L32	20.00'	N23°18'57"E
L33	10.65'	S80°27'15"W
L34	5.86'	S01°18'19"E
L35	98.72'	S72°09'18"E
L36	20.00'	N18°55'08"E
L37	98.34'	N72°09'18"W
L38	2.61'	N01°18'19"W
L39	20.26'	N80°27'15"E
L40	21.75'	S72°09'18"E
L41	60.20'	N44°16'30"E
L42	37.65'	N21°42'25"E
L43	81.09'	N21°42'25"E
L44	15.03'	S72°09'18"E
L45	30.07'	S21°42'25"W
L46	12.03'	S72°09'18"E
L47	53.60'	S21°42'25"E
L48	24.43'	S66°41'03"E
L49	25.40'	N66°41'02"E
L50	36.89'	S21°42'25"W
L51	23.33'	S50°22'44"E
L52	26.51'	N50°22'44"W
L53	60.20'	S44°16'30"W
L54	39.03'	S50°22'44"E
L55	7.00'	N63°47'19"W
L56	10.26'	N401°4'38"W
L57	51.91'	N38°09'39"E

CM Action Item #5



133 Court Street
(603) 433-2335
Portsmouth, NH 03801
www.altus-eng.com



NOT FOR CONSTRUCTION
ISSUED FOR: **PLANNING BOARD**
ISSUE DATE: **MARCH 5, 2021**

REVISIONS		
NO.	DESCRIPTION	BY DATE
0	TAC WORK SESSION	EBS 12/01/20
1	TAC	EBS 01/18/21
2	TAC	EBS 02/16/21
3	PLANNING BOARD	EBS 03/05/21

DRAWN BY: EBS
APPROVED BY: EDW
DRAWING FILE: 5090-SITE.dwg

SCALE:
22" x 34" 1" = 30'
11" x 17" 1" = 60'

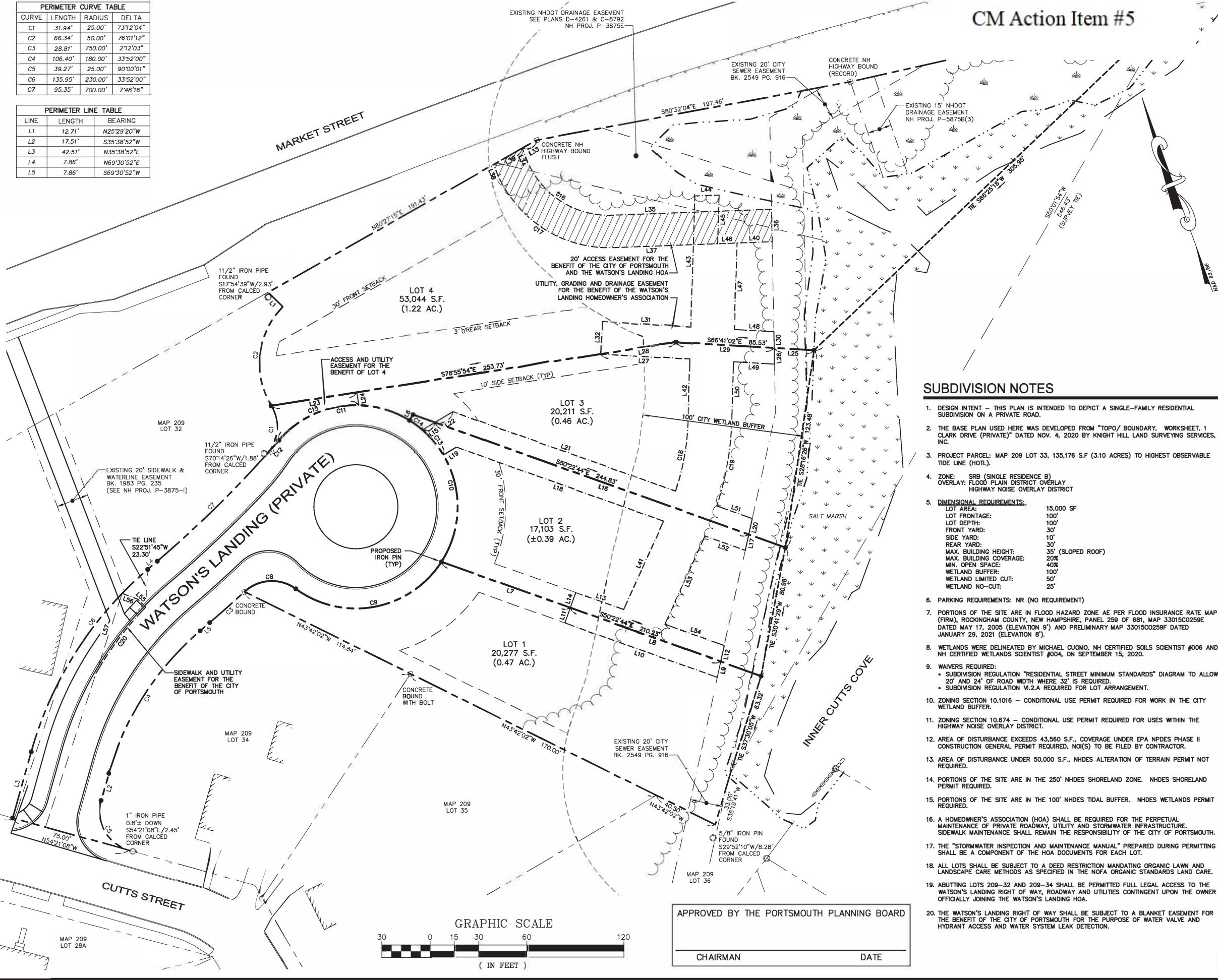
OWNER:
**FREDERICK W. WATSON
REVOCABLE TRUST,
ROBERT D. WATSON,
TRUSTEE**
53 SLEEPY HOLLOW DRIVE
GREENLAND, NH 03840

APPLICANT:
**FREDERICK W. WATSON
REVOCABLE TRUST,
ROBERT D. WATSON,
TRUSTEE**
53 SLEEPY HOLLOW DRIVE
GREENLAND, NH 03840

PROJECT:
**WATSON'S LANDING
TAX MAP 209, LOT 33
1 CLARK DRIVE
PORTSMOUTH, NH 03801**

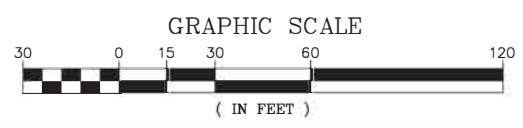
TITLE:
SUBDIVISION PLAN

SHEET NUMBER:
C-2



SUBDIVISION NOTES

- DESIGN INTENT - THIS PLAN IS INTENDED TO DEPICT A SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON A PRIVATE ROAD.
- THE BASE PLAN USED HERE WAS DEVELOPED FROM "TOPO/ BOUNDARY, WORKSHEET, 1 CLARK DRIVE (PRIVATE)" DATED NOV. 4, 2020 BY KNIGHT HILL LAND SURVEYING SERVICES, INC.
- PROJECT PARCEL: MAP 209 LOT 33, 135,176 S.F. (3.10 ACRES) TO HIGHEST OBSERVABLE TIDE LINE (HOTL).
- ZONE: SRB (SINGLE RESIDENCE B)
OVERLAY: FLOOD PLAIN DISTRICT OVERLAY
HIGHWAY NOISE OVERLAY DISTRICT
- DIMENSIONAL REQUIREMENTS:
LOT AREA: 15,000 SF
LOT FRONTAGE: 100'
LOT DEPTH: 100'
FRONT YARD: 30'
SIDE YARD: 10'
REAR YARD: 30'
MAX. BUILDING HEIGHT: 35' (SLOPED ROOF)
MAX. BUILDING COVERAGE: 20%
MIN. OPEN SPACE: 40%
WETLAND BUFFER: 100'
WETLAND LIMITED CUT: 50'
WETLAND NO-CUT: 25'
- PARKING REQUIREMENTS: NR (NO REQUIREMENT)
- PORTIONS OF THE SITE ARE IN FLOOD HAZARD ZONE AE PER FLOOD INSURANCE RATE MAP (FIRM), ROCKINGHAM COUNTY, NEW HAMPSHIRE, PANEL 258 OF 881, MAP 33015C0259E DATED MAY 17, 2005 (ELEVATION 9') AND PRELIMINARY MAP 33015C0259F DATED JANUARY 29, 2021 (ELEVATION 8').
- WETLANDS WERE DELINEATED BY MICHAEL CUOMO, NH CERTIFIED SOILS SCIENTIST #004, ON SEPTEMBER 15, 2020.
- WAIVERS REQUIRED:
• SUBDIVISION REGULATION "RESIDENTIAL STREET MINIMUM STANDARDS" DIAGRAM TO ALLOW 20' AND 24' OF ROAD WIDTH WHERE 32' IS REQUIRED.
• SUBDIVISION REGULATION VI.2.A REQUIRED FOR LOT ARRANGEMENT.
- ZONING SECTION 10.1016 - CONDITIONAL USE PERMIT REQUIRED FOR WORK IN THE CITY WETLAND BUFFER.
- ZONING SECTION 10.674 - CONDITIONAL USE PERMIT REQUIRED FOR USES WITHIN THE HIGHWAY NOISE OVERLAY DISTRICT.
- AREA OF DISTURBANCE EXCEEDS 43,560 S.F., COVERAGE UNDER EPA NPDES PHASE II CONSTRUCTION GENERAL PERMIT REQUIRED, NO(S) TO BE FILED BY CONTRACTOR.
- AREA OF DISTURBANCE UNDER 50,000 S.F., NPDES ALTERATION OF TERRAIN PERMIT NOT REQUIRED.
- PORTIONS OF THE SITE ARE IN THE 250' NHDES SHORELAND ZONE. NHDES SHORELAND PERMIT REQUIRED.
- PORTIONS OF THE SITE ARE IN THE 100' NHDES TIDAL BUFFER. NHDES WETLANDS PERMIT REQUIRED.
- A HOMEOWNER'S ASSOCIATION (HOA) SHALL BE REQUIRED FOR THE PERPETUAL MAINTENANCE OF PRIVATE ROADWAY, UTILITY AND STORMWATER INFRASTRUCTURE. SIDEWALK MAINTENANCE SHALL REMAIN THE RESPONSIBILITY OF THE CITY OF PORTSMOUTH.
- THE "STORMWATER INSPECTION AND MAINTENANCE MANUAL" PREPARED DURING PERMITTING SHALL BE A COMPONENT OF THE HOA DOCUMENTS FOR EACH LOT.
- ALL LOTS SHALL BE SUBJECT TO A DEED RESTRICTION MANDATING ORGANIC LAWN AND LANDSCAPE CARE METHODS AS SPECIFIED IN THE NOFA ORGANIC STANDARDS LAND CARE.
- ABUTTING LOTS 209-32 AND 209-34 SHALL BE PERMITTED FULL LEGAL ACCESS TO THE WATSON'S LANDING RIGHT OF WAY, ROADWAY AND UTILITIES CONTINGENT UPON THE OWNER OFFICIALLY JOINING THE WATSON'S LANDING HOA.
- THE WATSON'S LANDING RIGHT OF WAY SHALL BE SUBJECT TO A BLANKET EASEMENT FOR THE BENEFIT OF THE CITY OF PORTSMOUTH FOR THE PURPOSE OF WATER VALVE AND HYDRANT ACCESS AND WATER SYSTEM LEAK DETECTION.



APPROVED BY THE PORTSMOUTH PLANNING BOARD
CHAIRMAN _____ DATE _____

P5090



Thomas R. Watson
Admitted in ME, NH

603.792.7406
twatson@dwmlaw.com

501 Islington Street, Suite 2C
Portsmouth, NH 03801
603.433.3317 Main
603.433.5384 Fax

July 6, 2021

Rick Becksted, Mayor
and Portsmouth City Council
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

**RE: 166 New Castle Avenue, Portsmouth, NH
Property of David J. & Vasilia S. Tooley
Tax Map #101 Lot #24**

Dear Mayor and Councilors:

Please be advised that this office represents David and Vasilia Tooley of Portsmouth. Mr. and Ms. Tooley own and occupy a home located at the intersection of New Castle Avenue and Fernald Court known as 166 New Castle Avenue and identified on the City's tax maps as Map 101, Lot 24. The Tooleys acquired their home on August 15, 2003.

I am writing on behalf of the Tooleys to request that the Council approve certain changes to a revocable license granted to them by the City in 2010 and grant to them an easement covering a portion of a deck adjacent to the front entrance to their home that lies within the public right-of-way of New Castle Avenue.

Subsequent to purchasing their home in 2003, the Tooleys learned that certain of the improvements on their property lie outside of their boundaries and in the public rights-of-way of Fernald Court and New Castle Avenue. These encroachments were not and are not ascertainable upon visible inspection of the property due to the fact that the traveled portions of each street do not fully utilize the public rights-of-way.

In September, 2010, the City granted a revocable license to the Tooleys allowing for the continued existence and maintenance of these encroachments within the municipal rights-of-way. The License is dated September 23, 2010 and is recorded in the Rockingham Registry of Deeds at Book 5147, Page 1655. A copy of the License is attached.

The License describes the encroachments as including a wooden fence, gravel drive, granite steps, brick patio and a deck as depicted on a plan entitled "License Plan: Owner: David J. & Vasilia Tooley" dated April 1, 2010 that was to be recorded in the Rockingham Registry. However, for reasons that are unclear, the plan was not recorded, resulting in some ambiguity as to the exact location and dimensions of the encroachments. Moreover, certain conditions, such as a granite bench and landscaping, although in place in 2010, are not listed in the License.

July 6, 2021

Page 2

In 2020, the Tooleys suffered damage to their wood fence running along Fernald Court requiring either extensive repair or its replacement. In lieu of replacing the fence in kind and in order to improve its durability, the Tooleys propose to replace the 5' wood fence with a combination stone wall and wood fence. The stone wall will generally rise to three feet with some variation toward the New Castle Avenue end due to the slope of the ground. The wooden fence will be two feet in height and will sit on top of the stone wall, bringing the total height to approximately five feet with some variation due to slope. This change triggered a review by the Historic District Commission and the proposal is presently included in the list of administrative approvals scheduled for the July 7, 2021 HDC meeting.

The Tooleys have also worked with City Attorney Robert Sullivan in crafting a simple First Amendment to the Revocable License (the "Amendment") to reflect the change in fencing and to incorporate encroachments not previously addressed in the License. The Tooleys also retained John Chagnon of Ambit Engineering, Inc. to prepare an updated plan for recording with the Amendment. A copy of the proposed Amendment, approved by Attorney Sullivan, and the plan entitled "Easement & License Plan, Tax Map 101, Lot 24" (the "Plan") are attached.

Please note that the Amendment does not change the provision of the License that allows the City to revoke the license and cause the encroachments to be removed upon 120 days written notice if, for instance, the City should decide to expand the traveled portions of the rights-of-way.

In addition to the ground based encroachments discussed above, a small triangular portion of the existing elevated wooden deck that serves as the platform at the front entrance to the Tooleys' home lies within the public right-of-way. As shown on the Plan, the area of the encroachment is only 9.67 sq. ft. Because the deck is actually a part of the structure that is the Tooleys' home, we believe that it is more appropriately a subject for an easement than for a license. Unlike a fence or walkway or landscaping that can be readily removed with suitable notice, the removal of the deck would affect the functioning of the home and raise fire and other safety concerns.

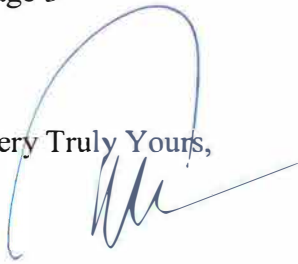
Attached is a draft of a proposed easement prepared by Attorney Sullivan and approved by the Tooleys. Of note, none of the encroachments nor that portion of the deck that is the subject of the proposed easement lie within the traveled portions of either street.

We understand that the request for an easement will be referred to the Planning Board for review and recommendation. We ask that the license amendment and easement be bifurcated and that the Council approve the First Amendment to the Revocable License at its next meeting and, subsequently, after the Planning Board has weighed in, grant the easement for the continued existence of the deck in accordance with the attached documents.

Should you have any questions or require any additional information with respect to these requests, please do not hesitate to contact me. Thank you in advance for your consideration.

July 6, 2021
Page 3

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Thomas R. Watson', with a large, sweeping initial 'T'.

Thomas R. Watson

Enclosures

cc: David J. & Vasilina S. Tooley
Robert P. Sullivan, Esq.
John R. Chagnon P.E.

Return to:
City of Portsmouth
Attn: Legal Department
1 Junkins Avenue
Portsmouth, NH 03801

FIRST AMENDMENT TO REVOCABLE LICENSE

FOR VALUED RECEIVED and in consideration of the mutual obligations contained herein, the **CITY OF PORTSMOUTH**, a municipal corporation with a principal place of business at 1 Junkins Avenue, Portsmouth, New Hampshire 03801 (the “City”) and **DAVID J. TOOLEY** and **VASILIA TOOLEY** of 166 New Castle Avenue, Portsmouth, New Hampshire 03801 (the “Owners”) hereby enter into this First Amendment to Revocable License on behalf of themselves and their successors and assigns.

WHEREAS, the City and Owners entered into a certain Revocable License dated September 23, 2010 and recorded in the Rockingham County Registry of Deeds at Book 5147, Page 1655 (the “License Agreement”), whereby the City granted to the Owners, a revocable license allowing for the continued placement of certain improvements within the municipal rights-of-way of Fernald Court and New Castle Avenue, in the City of Portsmouth, County of Rockingham and State of New Hampshire; and

WHEREAS, the City and the Owners are desirous of modifying the terms of the License Agreement and do, by execution of this Amendment, hereby amend the License as follows:

1. “Encroachments” as used in the License Agreement is hereby amended to include a stone wall with wooden fence, a portion of the brick drive, a portion of a brick patio, crushed stone, granite step, stone markers, granite bench, fieldstone walkway, a portion of a deck on the northern façade of the house and various plantings and landscaping which lie within the Fernald Court and New Castle Avenue rights-of-way and are more particularly shown on a Plan entitled “License & Easement Plan, Tax Map 101 – Lot 24 City of Portsmouth to benefit David J.& Vasilias Tooley, 166 New Castle Avenue, City of Portsmouth, County of Rockingham, State of New Hampshire” prepared by Ambit Engineering, Inc. dated November 2020, as amended through June 16, 2021 and to be recorded herewith.

2. The City hereby grants to the Owners and their successors and assigns, a revocable license allowing for the continued placement of the Encroachments, as herein above defined, within the municipal rights-of-way of Fernald Court and New Castle Avenue.

3. Pursuant to RSA 72:23 I (b), Owners shall be responsible for the payment of any properly assessed real and personal property taxes attributable to the Owners' Encroachments in the municipal rights-of way of New Castle Avenue and Fernald Court.

4. All other terms and conditions of the License Agreement, not modified herein, shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment to Revocable License has been executed by the parties this _____ day of _____ 2021.

CITY OF PORTSMOUTH

By: _____
Karen S. Conard, City Manager

David J. Tooley

Vasilia Tooley

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

_____, 2021

Then, personally, appeared the above-named Karen S. Conard, City Manager of the City of Portsmouth, known to me or satisfactorily proven to be the person who executed the foregoing instrument and acknowledged that she did so of her own free act and deed and the free act and deed of the City on whose behalf she is duly authorized to act and for the purposes therein contained.

Notary Public/Justice of the Peace
Print Name:
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

_____, 2021

Then, personally, appeared before me the above-named David J. Tooley and acknowledged that he executed the within instrument as his free act and deed.

Notary Public/Justice of the Peace
Print Name:
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

_____, 2021

Then, personally, appeared before me the above-named Vasilia Tooley and acknowledged that she executed the within instrument as her free act and deed.

Notary Public/Justice of the Peace
Print Name:
My commission expires:

P0068279.DOC

Return To:
Legal Department
City Hall
1 Junkins Ave.
Portsmouth, NH 03801

DECK EASEMENT DEED

The **CITY OF PORTSMOUTH**, a municipal corporation with a principal place of business at 1 Junkins Avenue, Portsmouth, Rockingham County, New Hampshire 03801, hereinafter, "City," hereby grants to DAVID J. TOOLEY and VASILIA TOOLEY, of 166 New Castle Avenue, Portsmouth, Rockingham County, New Hampshire 03801 ("Grantees") as joint tenants with rights of survivorship, with QUITCLAIM COVENANTS, the following easement and rights associated therewith over property of the City of Portsmouth located in Portsmouth, Rockingham County, New Hampshire, described as follows:

A triangular shaped parcel described as "Deck Easement Detail" on a certain "License & Easement Plan, Tax Map 101 – Lot 24 City of Portsmouth to benefit David J. & Vasilia Tooley" prepared by Ambit Engineering, Inc. of 200 Griffin Road, Portsmouth, New Hampshire, dated November, 2020 with a revision date of June 16, 2021, executed by John R. Chagnon, LLS on June 16, 2021, and recorded in the Rockingham Registry of Deeds as Plan _____.

The purpose of this easement is to allow the portion of a certain deck which has been constructed on property of the City to remain in place and to be occupied, constructed, reconstructed, maintained and repaired by the Grantees as necessary.

Grantees and their successor and assigns agree to indemnify and hold harmless City of Portsmouth for any claims of any nature which might arise as the result of the existence or use of this easement. Provided, however, no Grantee or successor or assignee shall be required to indemnify and hold harmless the City for any claim, expense or liability that arises out of an incident that occurs before or after the period of ownership of the appurtenant property at Tax Map 101, Lot 24 by the said Grantee, successor or assignee.

The easement granted herein is appurtenant to the premises at Tax Map 101, Lot 24 and shall run with the land and be binding upon and inure to the benefit of the owners of the area of the easement and Tax Map 101, Lot 24 and their successors and assigns.

Pursuant to RSA 72:23 I (b), Grantees shall be responsible for the payment of any properly assessed real and personal property taxes attributable to the easement area.

DATED this _____ day of _____, 2021.

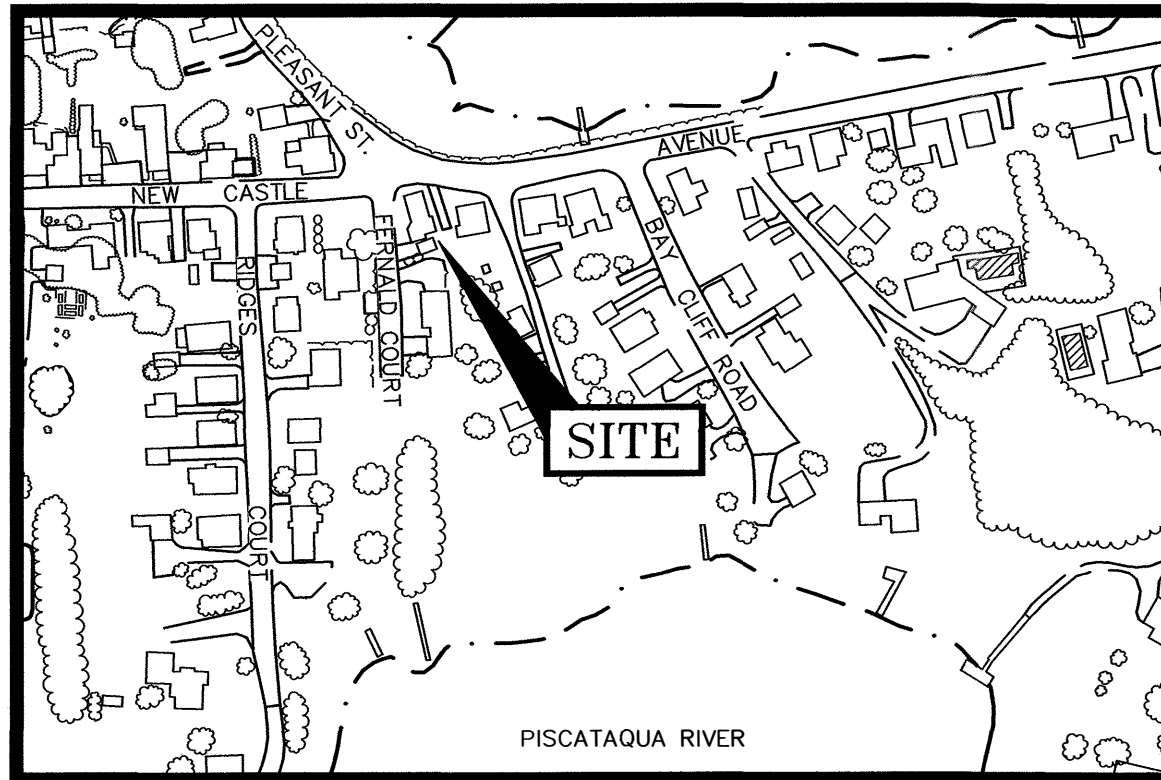
City of Portsmouth, New Hampshire

By: _____
Karen S. Conard, City Manager
By vote of the Portsmouth City Council
dated _____, 2021

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

The foregoing instrument was acknowledged before me this _____ day of _____, 2021.

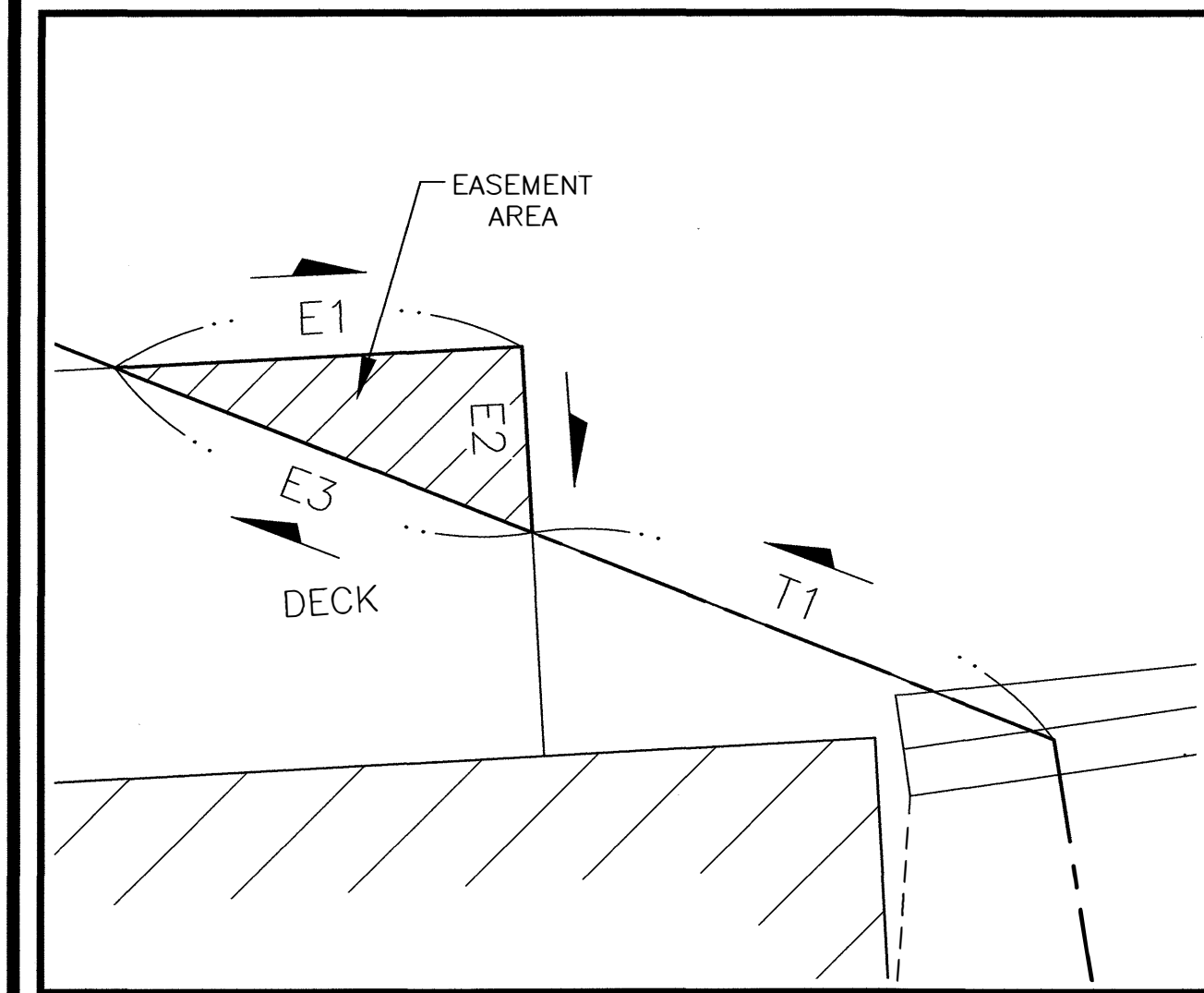
Justice of the Peace/Notary Public
Printed Name:
My Commission Expires:



LOCATION MAP SCALE: 1"=200'

PLAN REFERENCES:

- 1) PLAN OF LOTS BELONGING TO RIENZI RIDGE, PORTSMOUTH, N.H. SCALE 1"=30' DATED MARCH 24, 1914. RCRD #D-0188.
- 2) STANDARD BOUNDARY SURVEY, MAP 101 - LOT 24, DAVID J. & VASILIA TOOLEY, 166 NEW CASTLE AVENUE, PORTSMOUTH, NH. DATED 4/27/04 BY AMBIT ENGINEERING, INC.



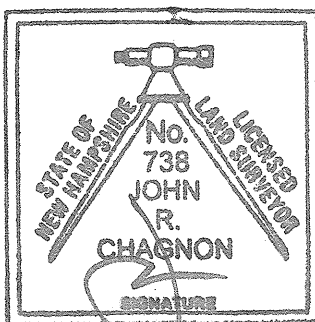
DECK EASEMENT DETAIL NTS

LINE	BEARING	DISTANCE
E1	N 87°05'38" E	6.51'
E2	S 03°08'16" E	2.97'
E3	N 68°23'51" W	7.17'
T1	N 68°23'51" W	8.95'

I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000.

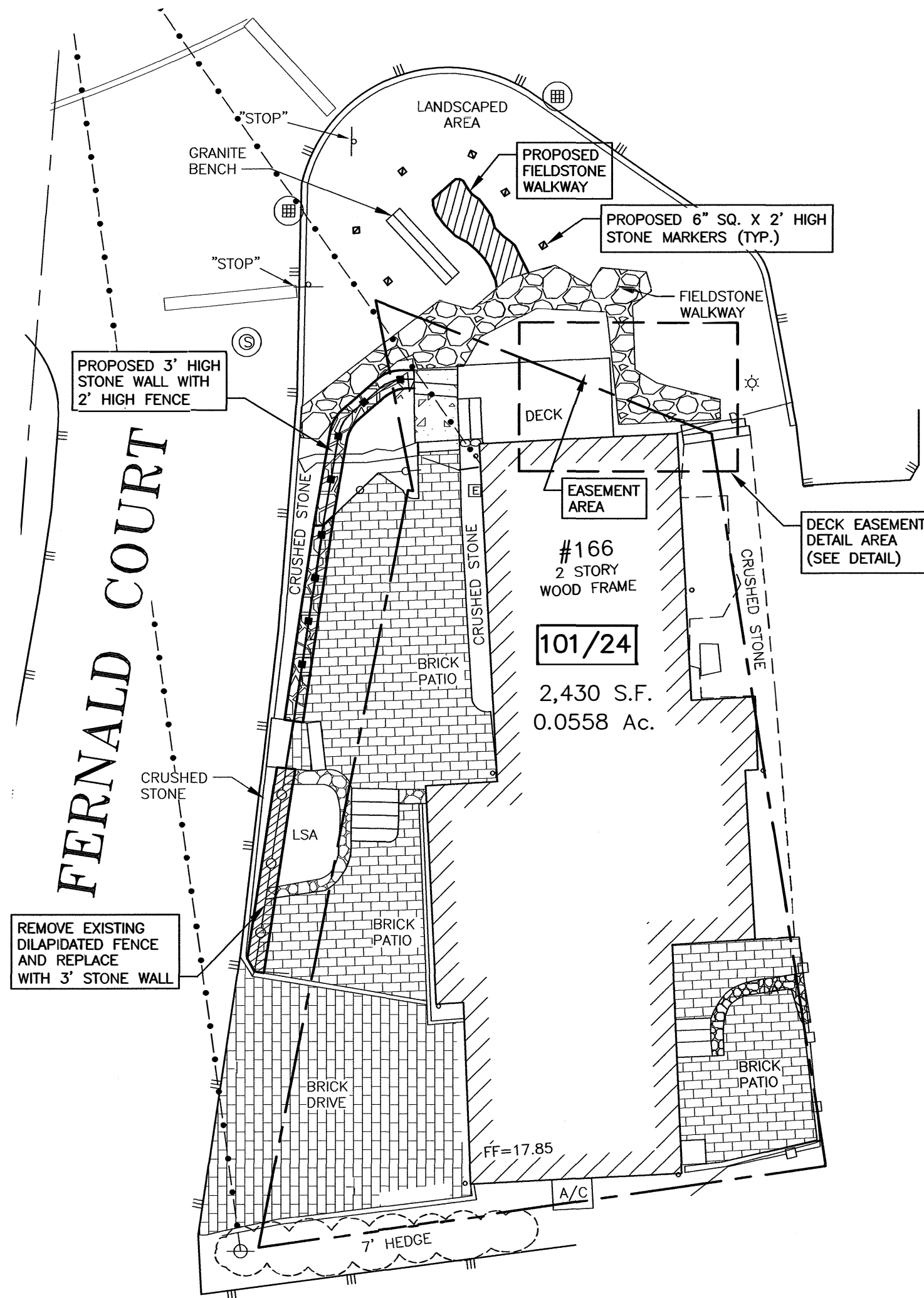
I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

JOHN R. CHAGNON, LLS 738
DATE 6/16/21

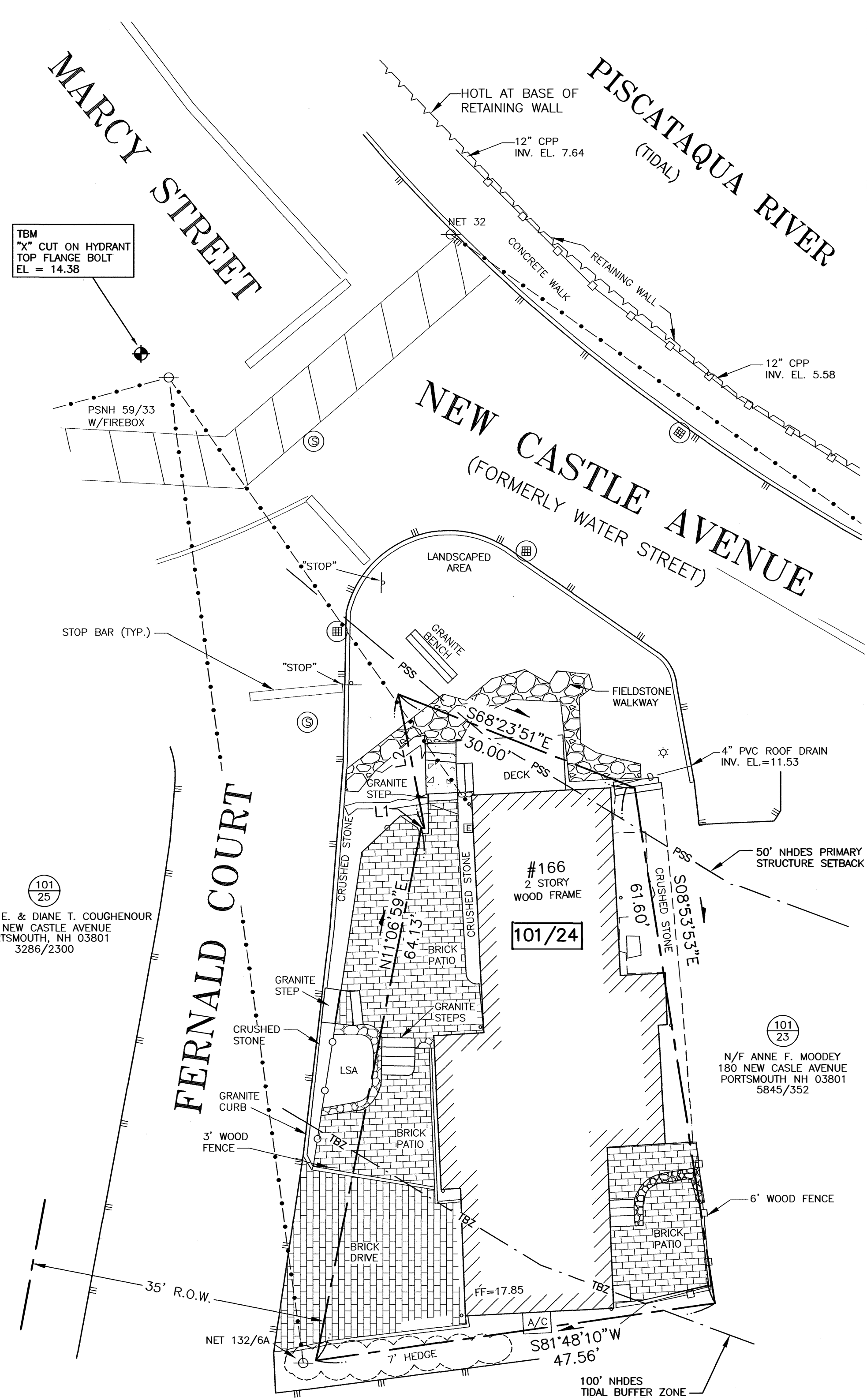
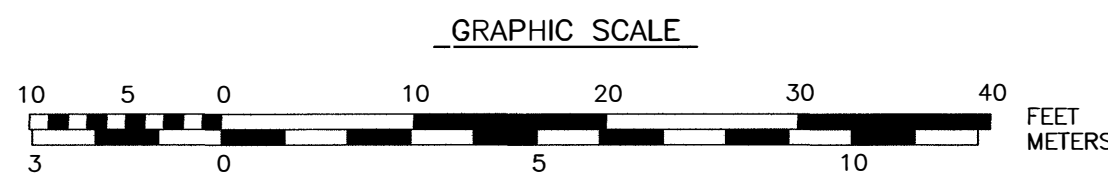


LEGEND:

- | | | | |
|-------|---|-------|-----------------|
| N/F | NOW OR FORMERLY | ⊕ | UTILITY POLE |
| RP | RECORD OF PROBATE | ⊗ | CATCH BASIN |
| RCRD | ROCKINGHAM COUNTY REGISTRY OF DEEDS MAP 11/LOT 21 | ⊙ | SEWER MANHOLE |
| ⊖ | STORM DRAIN | ⊙ | DRAIN MANHOLE |
| —•—•— | OVERHEAD ELECTRIC/WIRES | — — | SIGN |
| — — — | EDGE OF PAVEMENT (EP) | — — — | LANDSCAPED AREA |



EASEMENT AREA



LENGTH TABLE

No.	Bearing	Distance
L1	S79°15'07"E	0.40'
L2	N11°05'28"W	16.14'

PROPERTY BOUNDARY

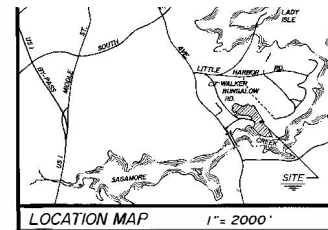
NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 101 AS LOT 24.
- 2) OWNERS OF RECORD:
DAVID J. & VASILIA TOOLEY
166 NEW CASTLE AVENUE
PORTSMOUTH, NH 03801
4128/888
- 3) PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 33015C00278E. EFFECTIVE MAY 17, 2005.
- 4) EXISTING LOT AREA:
2,430 S.F.
0.0558 ACRES
- 5) PARCEL IS LOCATED IN THE SINGLE RESIDENCE B (SRB) DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 15,000 S.F.
FRONTAGE: 100'
SETBACKS:
FRONT 30'
SIDE 10'
REAR 30'
MINIMUM DEPTH: 100'
MAXIMUM STRUCTURE HEIGHT: 35'
MAXIMUM STRUCTURE COVERAGE: 20%
MINIMUM OPEN SPACE: 40%
- 7) PARCEL IS SERVED BY MUNICIPAL SEWER AND WATER.
- 8) THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF A PROPOSED LICENSE AND EASEMENT APPURTENANT TO TAX MAP 101 LOT 24 IN THE CITY OF PORTSMOUTH.
- 9) DATUM: 1929 MEAN SEA LEVEL.
BENCHMARK: HYDRANT AT MARCY & MECHANIC STREETS. (FEMA MAP) ELEV. 11.60.
- 10) SEE EXISTING LICENSE RECORDED AT RCRD 5147/1655.

NO.	DESCRIPTION	DATE
1	ISSUED FOR APPROVAL	06/16/21
0	ISSUED FOR COMMENT	11/20/20

REVISIONS

LICENSE & EASEMENT PLAN
TAX MAP 101 - LOT 24
CITY OF PORTSMOUTH
TO BENEFIT
DAVID J. TOOLEY & VASILIA TOOLEY
166 NEW CASTLE AVENUE
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE



NOTES:
1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH
ASSESSOR'S MAP R-2 AS LOT 13
2) PARCEL IS LOCATED IN THE SRI (SINGLE RESIDENCE II ZONE)
3) PARCEL BOUNDARY WITH SAGAMORE CREEK IS SUBJECT TO
FLOODING TO ELEVATION 3 (MVD 1929) AS SHOWN ON FIRM
PANEL # 330319 001 B (MAY 17, 1921)
4) OWNER OF RECORD:
JOSEPH G. SAWTELLE, TRUSTEE
SAGAMORE LANDING TRUST
500 MARKET STREET, 2C
PORTSMOUTH, NH 03801
ROAD 2993/29
EASEMENT TO N.H. ELECTRIC & N.E. TELEPHONE 1379/774
APPROVED DEVELOPMENT PLANS AT RCRD D - 2240/B.

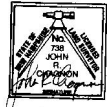
SITE PLANS
SAGAMORE LANDING
CONDOMINIUM
FOR
SAGAMORE LANDING TRUST
WALKER BUNGALOW ROAD
PORTSMOUTH, N.H.
COUNTY OF ROCKINGHAM
REV. 2 20 AUGUST 1993
REV. 1 17 AUGUST 1993
SCALE: 1" = 60' JULY, 1993
AMBIT SURVEY
225 GREENLEAF AVENUE
PORTSMOUTH, NH
1 603 4 4305022
SHEET 1 OF 2

LEGEND:
STONE BOUND TO BE SET
ROCKINGHAM COUNTY, REGISTRY OF DEEDS
IRON ROD
IRON PIPE
DRILL HOLE
STAKE
ASSESSORS MAP / LOT NUMBER
PLANNED UNIT DEVELOPMENT
LENGTH # 2
IRON ROD TO BE SET
WETLAND TYPE
CONARD WETLAND CLASSIFICATION SYSTEM
UNIT I BUILDABLE AREA
RECORD OF PROBATE

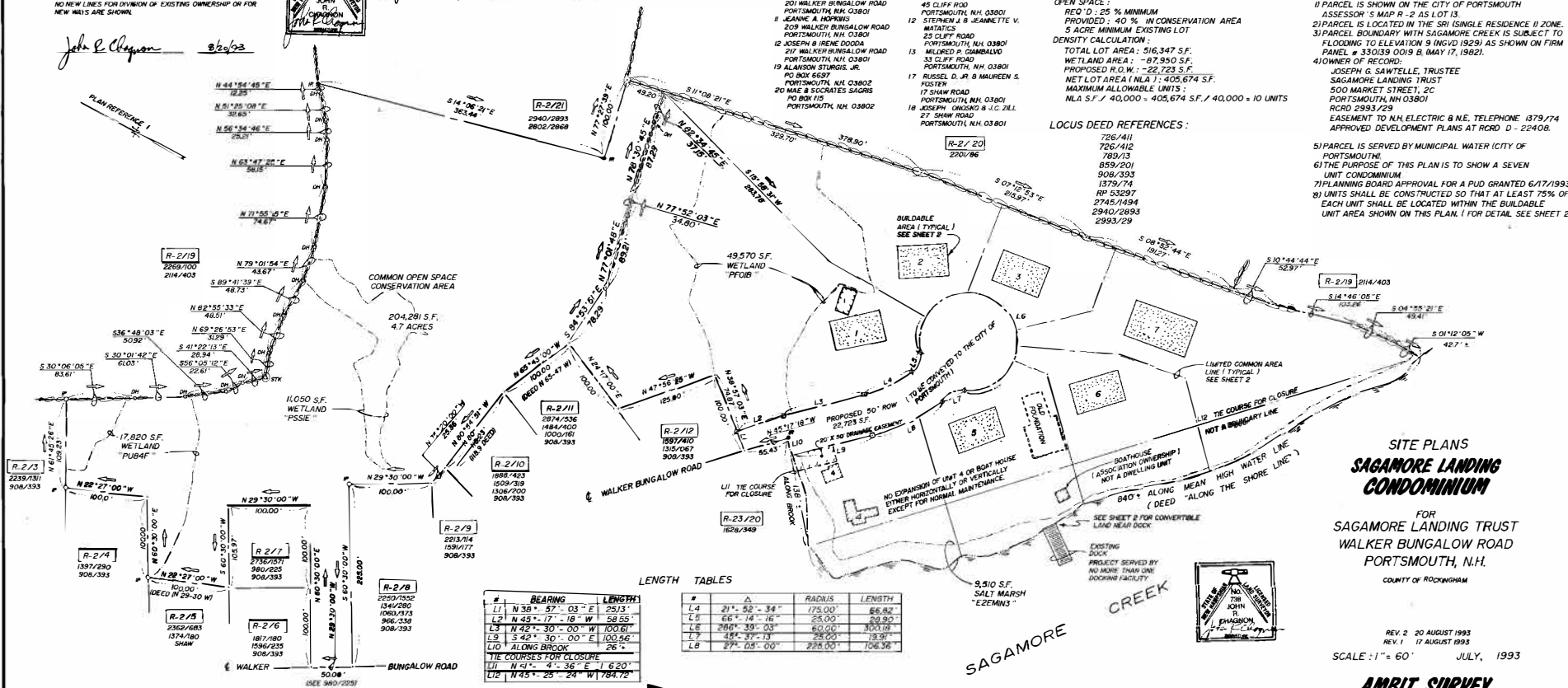
PLAN REFERENCES:
1) PLAN OF LAND FOR MARILYN I. & DONALD D. BRODY,
238 WALKER BUNGALOW ROAD, PORTSMOUTH, N.H.,
1" = 50', AUGUST 2, 1963, BY McNEANEY SURVEY
ASSOCIATES RCRD PLAN D - 19604.
2) LOT LINE RELOCATION PLAN, JOHN R. MAHER &
MARILYN I. AND DONALD D. BRODY, WALKER BUNGALOW
ROAD & MARTINE COTTAGE ROAD, PORTSMOUTH, N.H. REV. 3
20 AUGUST 1989, BY THIS OFFICE.
3) PLAN OF LOTS 11 & 50 FT. REVISED JUNE 1942,
JOHN W. DURSON, RCRD 1381/119 & 1381/425.

ABUTTERS LIST
MAP R-2
LOT
3 JOHN C. RUSSO
WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
4 WALTER S. MARJORIE SWAZEY
137 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
5 EARL S. DELORES BRIDE
147 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
6 SALLY ELDREDGE
159 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
7 JAMES S. THOMAS POLLEY
2 MANSFIELD COURT
MENDHAM, N.J. 07945
8 ANTHONY S. WEG BROOKS
17 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
9 SUSAN DIEHL
PO BOX 1250
PORTSMOUTH, NH 03801
10 CARL & NANCY SEAVEY
201 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
11 LEANNE A. HOPKINS
209 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
12 JOSEPH S. BENE DODDA
217 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
13 ALANSON STURGES, JR.
PO BOX 6637
PORTSMOUTH, NH 03802
20 MALE & ASSOCIATES SAGORS
PO BOX 115
PORTSMOUTH, NH 03802
21 JOHN R. MAHER
PO BOX 4406
PORTSMOUTH, NH 03802
MAP R-23
LOT
20 LAWRENCE & MARY COTTI
200 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
OTHER ABUTTERS
WITHIN 200'
MAP R-2
LOT
2 JOHN C. RUSSO
107 WALKER BUNGALOW ROAD
PORTSMOUTH, NH 03801
MAP R-23
LOT
11 JEFFREY R. ANDREWS
45 CLIFF ROAD
PORTSMOUTH, NH 03801
12 STEPHEN J. & JEANNETTE V.
MARTINES
25 CLIFF ROAD
PORTSMOUTH, NH 03801
13 MILKED R. GAMBALLO
33 CLIFF ROAD
PORTSMOUTH, NH 03801
17 RUSSEL D. JR. & MAUREN S.
ROSTER
17 SHAW ROAD
PORTSMOUTH, NH 03801
18 JOSEPH OMBRO & J.C. ZILL
27 SHAW ROAD
PORTSMOUTH, NH 03801

SITE PLAN CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN IS ACCURATE AND IS IN COMPLIANCE WITH
THE PROVISIONS OF NEW HAMPSHIRE RSA 336:820 AND ALL UNITS ON
PORTIONS THEREOF DERIVED ON ANY PORTION OF THE SUBMITTED LAND
OTHER THAN WITHIN THE BOUNDARIES OF ANY CONVERTIBLE LAND HAVE
BEEN SUBSTANTIALLY COMPLETED EXCEPT FOR UNITS 2, 3, 6, 8, 7
AND THAT UTILITY AND ROADWAY IMPROVEMENTS ARE NOT YET COMPLETED.



John E. Chapman 8/24/93

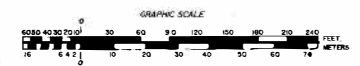


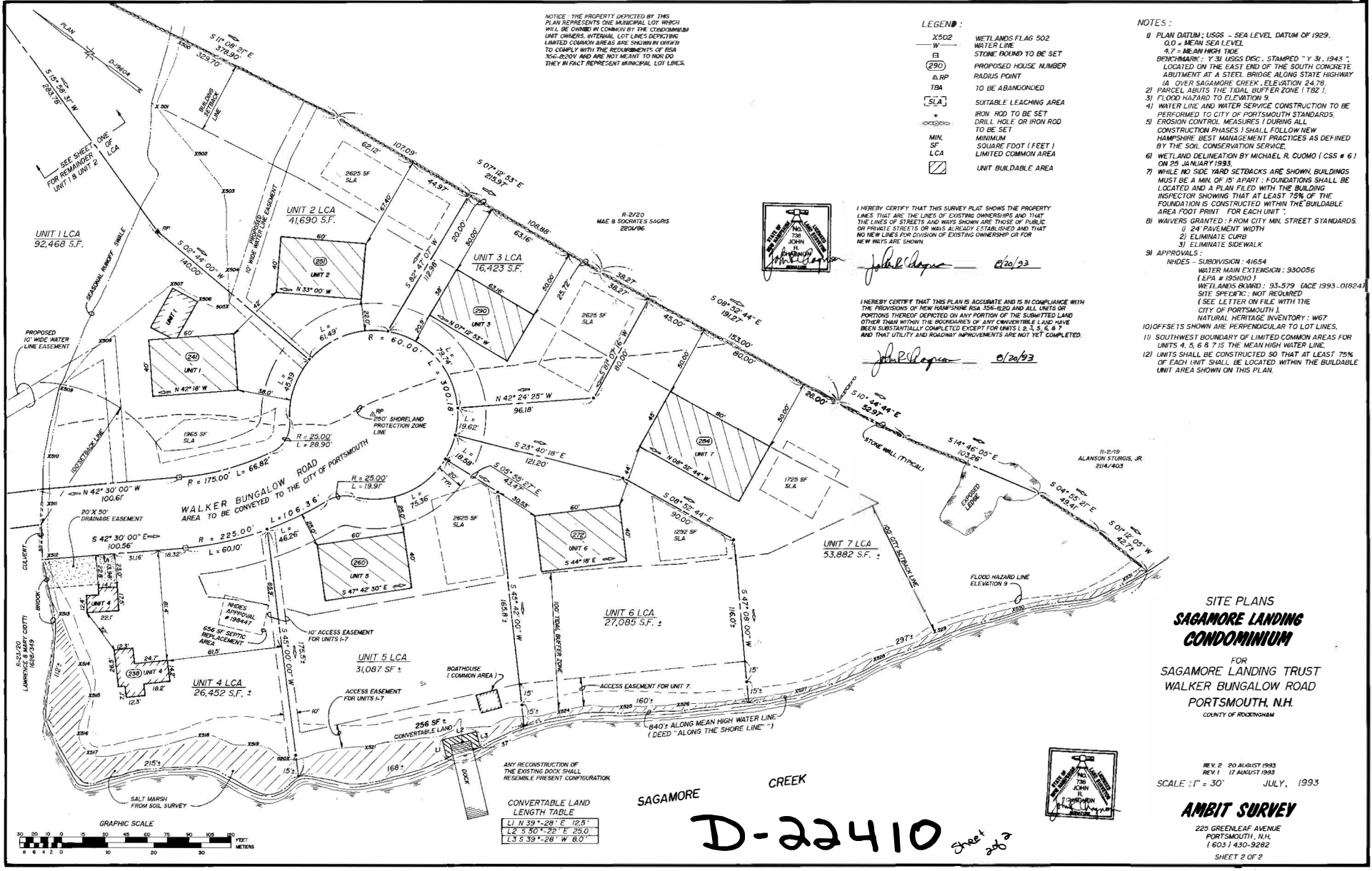
LENGTH TABLES

Table with columns: #, BEARING, LENGTH. Lists lot lengths L1 through L9.

Table with columns: #, Δ, RADIUS, LENGTH. Lists lot radii and lengths L4 through L9.

D-22410 sheet 1 of 2





NOTICE: THE PROPERTY DEPICTED BY THIS PLAN REPRESENTS ONE MUNICIPAL LOT WHICH WILL BE OWNED IN COMMON BY THE CONDOMINIUM UNIT OWNERS. INTERNAL LOT LINES DEPICTING LIMITED COMMON AREAS ARE SHOWN IN ORDER TO COMPLY WITH THE REQUIREMENTS OF RSA 256:200V AND ARE NOT MEANT TO INDICATE THEY IN FACT REPRESENT MUNICIPAL LOT LINES.

- LEGEND:**
- X502 WETLANDS FLAG 502
 - W WATER LINE
 - STONE BOUND TO BE SET
 - (290) PROPOSED HOUSE NUMBER
 - Δ, RP RADIUS POINT
 - TBA TO BE ABANDONED
 - [SLA] SUITABLE LEACHING AREA
 - IRON ROD TO BE SET
 - DRILL HOLE OR IRON ROD TO BE SET
 - MIN MINIMUM SQUARE FOOT (FEET)
 - LCA LIMITED COMMON AREA
 - [Hatched Box] UNIT BUILDABLE AREA

- NOTES:**
- 1) PLAN DATUM: USGS - SEA LEVEL DATUM OF 1929, 0.0 = MEAN SEA LEVEL, 4.7 = MEAN HIGH TIDE. BENCHMARK: Y 31 USGS DEC., STAMPED "Y 31, 1943". LOCATED ON THE EAST END OF THE SOUTH CONCRETE ABUTMENT AT A STEEL BRIDGE ALONG STATE HIGHWAY 1A OVER SAGAMORE CREEK. ELEVATION 24.79.
 - 2) PARCEL ADJUTS THE TIDAL BUFFER ZONE (TBS 1).
 - 3) FLOOD HAZARD TO ELEVATION 9.
 - 4) WATER LINE AND WATER SERVICE CONSTRUCTION TO BE PERFORMED TO CITY OF PORTSMOUTH STANDARDS.
 - 5) EROSION CONTROL MEASURES (DURING ALL CONSTRUCTION PHASES) SHALL FOLLOW NEW HAMPSHIRE BEST MANAGEMENT PRACTICES AS DEFINED BY THE SOIL CONSERVATION SERVICE.
 - 6) WETLAND DELINEATION BY MICHAEL R. CUOMO (CSS # 61) ON 25 JANUARY 1993.
 - 7) WHILE NO ONE YARD SETBACKS ARE SHOWN, BUILDINGS MUST BE A MIN. OF 10' APART; FOUNDATIONS SHALL BE LOCATED AND A PLAN FILED WITH THE BUILDING INSPECTOR SHOWING THAT AT LEAST 75% OF THE FOUNDATION IS CONSTRUCTED WITHIN THE BUILDABLE AREA FOOT PRINT FOR EACH UNIT.
 - 8) WAIVERS GRANTED: FROM CITY MIN. STREET STANDARDS
 - 1) 24' PAVEMENT WIDTH
 - 2) ELIMINATE CURB
 - 3) ELIMINATE SIDEWALK
 - 9) APPROVALS:
 - INDICES - SUBDIVISION: 41654
 - WATER MAIN EXTENSION: 930056 (EPA # 193010)
 - WETLANDS BOUND: 93-579 (ACE 1993-01624)
 - SITE SPECIFIC: NOT REQUIRED (SEE LETTER ON FILE WITH THE CITY OF PORTSMOUTH).
 - NATURAL HERITAGE INVENTORY: W67
 - 10) OFFSETS SHOWN ARE PERPENDICULAR TO LOT LINES.
 - 11) SOUTHWEST BOUNDARY OF LIMITED COMMON AREAS FOR UNITS 4, 5, 6 & 7 IS THE MEAN HIGH WATER LINE.
 - 12) UNITS SHALL BE CONSTRUCTED SO THAT AT LEAST 75% OF EACH UNIT SHALL BE LOCATED WITHIN THE BUILDABLE UNIT AREA SHOWN ON THIS PLAN.



I HEREBY CERTIFY THAT THIS SURVEY PLAT SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIPS AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

John P. Loggia 6/20/93

I HEREBY CERTIFY THAT THIS PLAN IS ACCURATE AND IS IN COMPLIANCE WITH THE PROVISIONS OF NEW HAMPSHIRE RSA 256:200 AND ALL UNITS OR PORTIONS THEREOF DEPICTED ON ANY PORTION OF THE SUBMITTED LAND OTHER THAN WITHIN THE BOUNDARIES OF ANY CONVERTIBLE LAND HAVE BEEN SUBSTANTIALLY COMPLETED EXCEPT FOR UNITS 1, 3, 5, 6 & 7, AND THAT UTILITY AND ROADWAY IMPROVEMENTS ARE NOT YET COMPLETED.

John P. Loggia 6/20/93

**SITE PLANS
SAGAMORE LANDING
CONDOMINIUM**

FOR
SAGAMORE LANDING TRUST
WALKER BUNGALOW ROAD
PORTSMOUTH, N.H.
COUNTY OF ROCKINGHAM

REV 2 20 AUGUST 1993
REV 1 17 AUGUST 1993
SCALE 1" = 30' JULY, 1993

AMBIT SURVEY

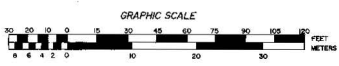
225 GREENLEAF AVENUE
PORTSMOUTH, N.H.
603-450-3282
SHEET 2 OF 2

ANY RECONSTRUCTION OF THE EXISTING DOCK SHALL RESEMBLE PRESENT CONFIGURATION.

CONVERTABLE LAND LENGTH TABLE

L1	N 39°-28' E	12.5'
L2	S 30°-22' E	25.0'
L3	S 39°-28' W	8.0'

D-22410 Sheet 2 of 2



**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-ONE
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # 2021-_____

BE IT RESOLVED:

WHEREAS, the Legal Department discovered that the City Council has never formally accepted certain roadway improvements at the end of Walker Bungalow Road, the cul-de-sac area;

WHEREAS, as part of the development of Sagamore Landing Condominium, the Portsmouth Planning Board approved in 1993 the construction of a cul-de-sac to be conveyed to the City constituting a dedication pursuant to RSA 674:41, I(b)(3);

WHEREAS, that cul-de-sac area to be conveyed is shown on a recorded plan titled "Site Plans Sagamore Landing Condominium for Sagamore Landing Trust, Walker Bungalow Road, Portsmouth, N.H." last revised August 20, 1993, prepared by Ambit Engineering and recorded at the Rockingham County Registry of Deeds at plan number D-22410;

WHEREAS, since its construction, the City has treated the cul-de-sac as a public way, but never formally accepted by vote of the City Council, as required by RSA 674:41, I(b)(4); and

WHEREAS, it is in the public interest to resolve this title ambiguity.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Portsmouth accepts as a road, the "Area to be conveyed to the City of Portsmouth" on a recorded plan titled "Site Plans Sagamore Landing Condominium for Sagamore Landing Trust, Walker Bungalow Road, Portsmouth, N.H." last revised August 20, 1993, prepared by Ambit Engineering and recorded at the Rockingham County Registry of Deeds at plan number D-22410.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

APPROVED:

Rick Becksted, Mayor

ADOPTED BY THE CITY COUNCIL

_____, 2021

Kelli L. Barnaby, City Clerk

RECEIVED

JUL 02 2021

CITY MANAGER
PORTSMOUTH, NH

To whom it might concern,

This is Maria Bernarda (Bernie) Salguero and I am contacting you regarding a 5k event that I would like to organize in the city of Portsmouth on Saturday October 23rd from 8:00 am to 12:00 pm. (Please, notice that hours can be readjusted if necessary)

My intentions are to collect money to donate to a shelter for pregnant and parenting homeless women named New Generation located in Greenland, NH.

New Generation started thanks to Ruthie and Patrick Ford, owners of the company I work for, Lodging Econometrics in Portsmouth, NH.

In Honor of Pat, who recently passed, I would like to surprise his family with the help of other employees by hosting a 5k in his memory.

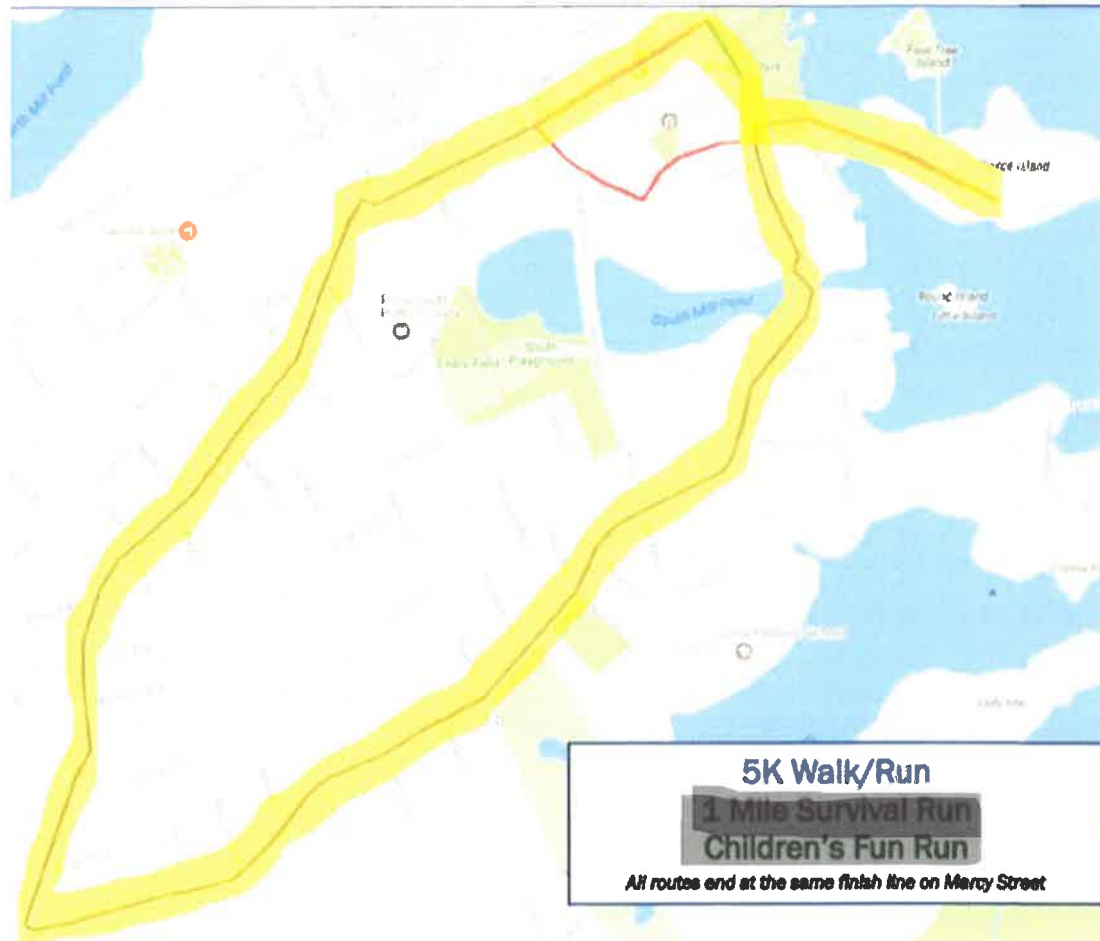
Recently, Catholic Charities acquired New Generation. Catholic Charities and New Generation will provide volunteers to set up the event and will also help with the promotion.

The starting point would be 105 Marcy Street in Portsmouth, NH 03801

The location at which the race will start is right by the Prescott Park. I went there and spoke with few folks that work at the park. I was told that the use of public restrooms for the event should be fine, but I just want to double check with you in case I need to submit any other separate request.

Below is the picture of the loop where the race will be taking place. Please, only consider the yellow highlighted portion of the map as this is where the 5 k will be. Any other line can be simply ignored.

Second Wind Race Timing and USATF will be the companies used for timing/online registration and event insurance respectively.



I am very excited to put this together and make such a wonderful event happen.

Thank you very much,

I look forward to hearing back from you,

Bernie.

MEMORANDUM

TO: Karen Conard, City Manager

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

DATE: June 16, 2021

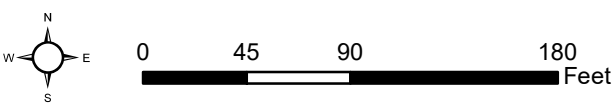
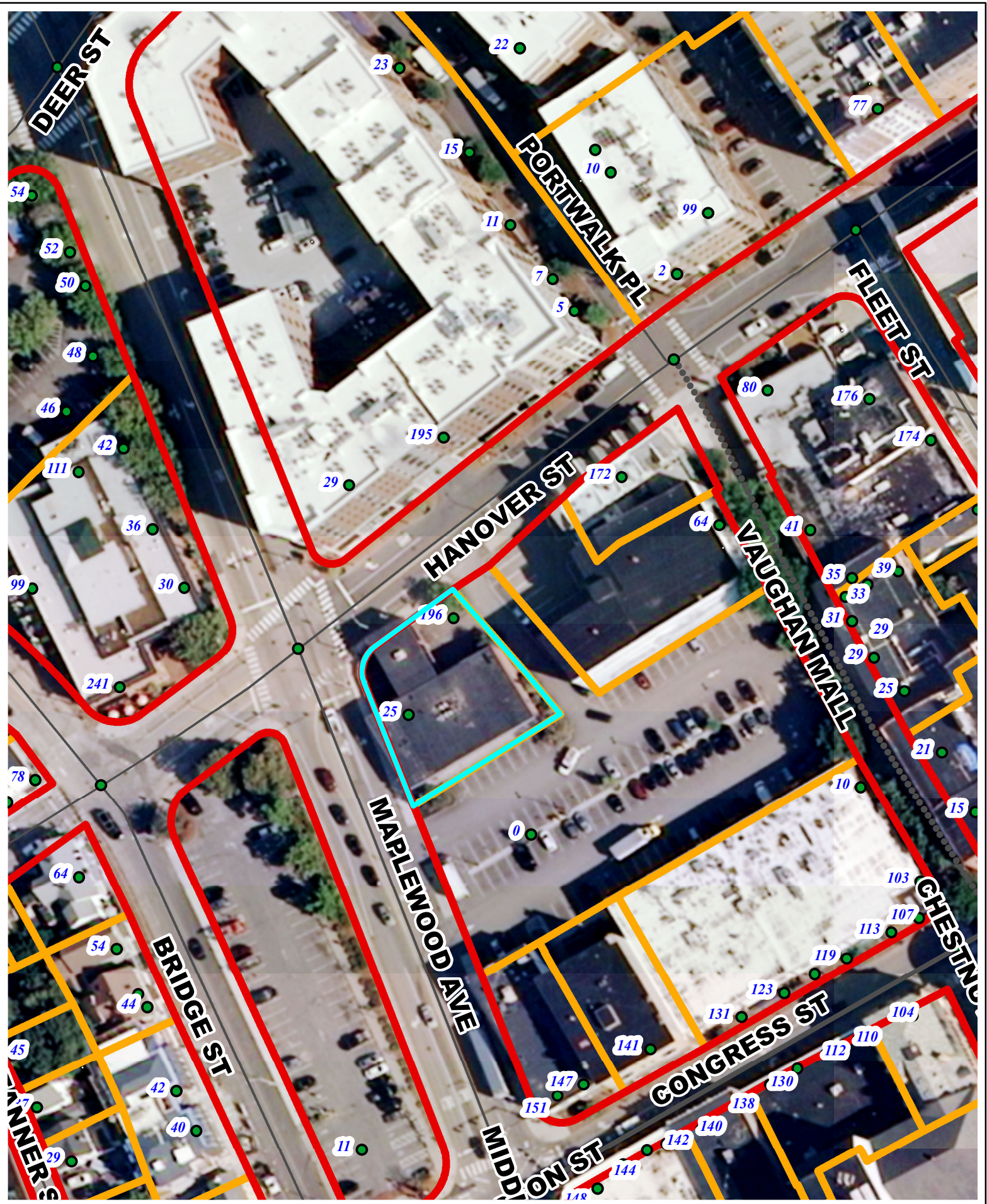
RE: City Council Referral – Projecting Sign
Address: 25 Maplewood Avenue unit 102
Business Name: CJ Physical Therapy
Business Owner: Carrie Jose

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

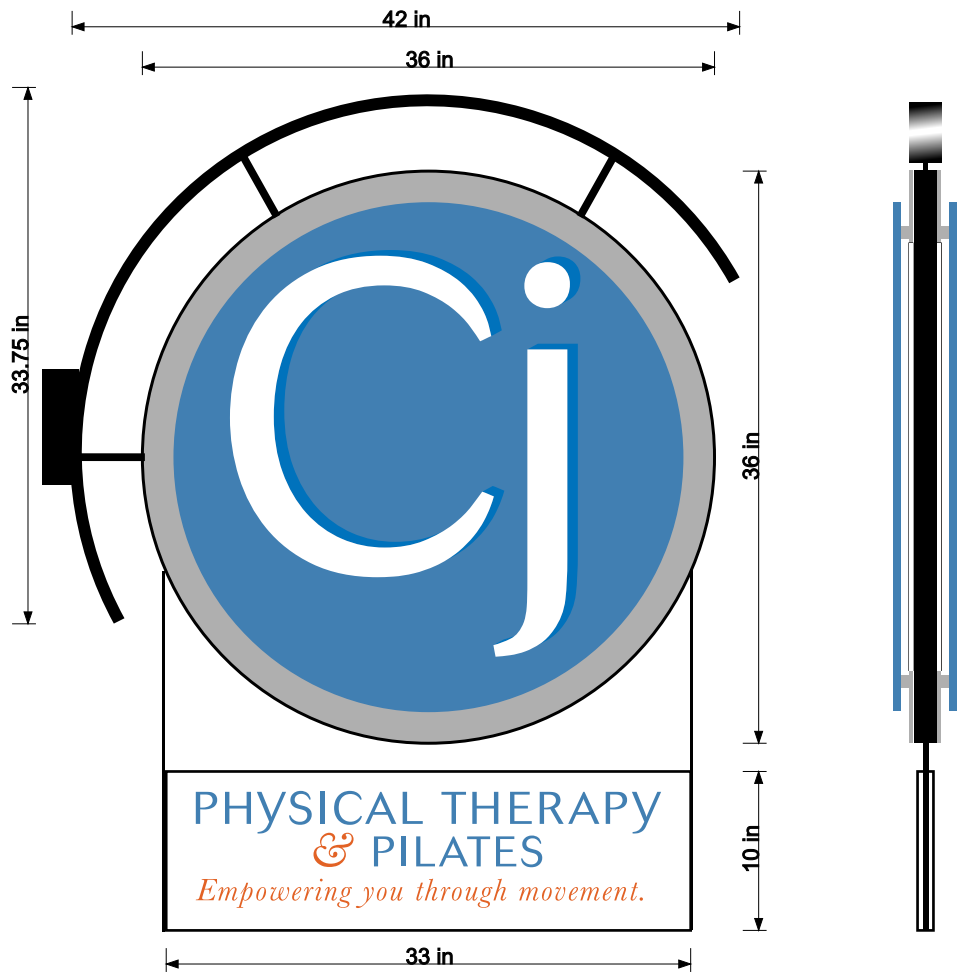
Sign dimensions: 46" x 36"
Sign area: 11.5 sq. ft.

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 signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



**Request for license
25 Maplewood Avenue Unit 102**



Custom Circular Bracket
 Circle Sign with raised panel that has
 "Cj" cut through to reveal white backer/sign center
 Drop sign with Text & tagline

Side view

 PortsmouthSign.com 603-436-0047	REVISION: All orders under \$250 include 1 revision only. All orders over \$250 include 2 revisions only. Additional revisions will be charged at \$25 per revision. PLEASE NOTE: Designs are NOT actual size and color may vary depending on printer and/or monitor.	6/16/2021 I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be used. Custom colors and specific matches to PMS colors will be an additional fee. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval. SIGNATURE: _____ Date: _____	Member of:  GREATER PORTSMOUTH CHAMBER OF COMMERCE the Greater York Region Chamber of Commerce
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©COPYRIGHT 2019, BY PORTSMOUTH SIGN COMPANY. All designs and custom artwork remain the property of Portsmouth Sign Company until the order is complete and paid in full.

Shop Use Only	Qty: SS <input type="checkbox"/> DS <input type="checkbox"/>	Materials:	Background Color:	Vinyl Color: HP <input type="checkbox"/> Int <input type="checkbox"/>	Other:
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 <p>PortsmouthSign.com 603-436-0047</p>	<p>REVISION: All orders under \$250 include 1 revision only. All orders over \$250 include 2 revisions only. Additional revisions will be charged at \$25 per revision.</p> <p>PLEASE NOTE: Designs are NOT actual size and color may vary depending on printer and/or monitor.</p>	<p>6/16/2021</p> <p>I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be used. Custom colors and specific matches to PMS colors will be an additional fee. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.</p> <p>SIGNATURE: _____ Date: _____</p>	<p>RETURN SIGNED TO: service@portsmouthsign.com</p>	<p>Member of:</p>  <p>GREATER PORTSMOUTH CHAMBER OF COMMERCE</p> 
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<p>Shop Use Only</p>	<p>Qty: SS <input type="checkbox"/> DS <input type="checkbox"/></p>	<p>Materials: _____</p>	<p>Background Color: _____</p>	<p>Vinyl Color: HP <input type="checkbox"/> Int <input type="checkbox"/></p>	<p>Other: _____</p>
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MEMORANDUM

TO: Karen Conard, City Manager

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

DATE: June 28, 2021

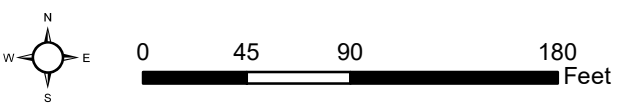
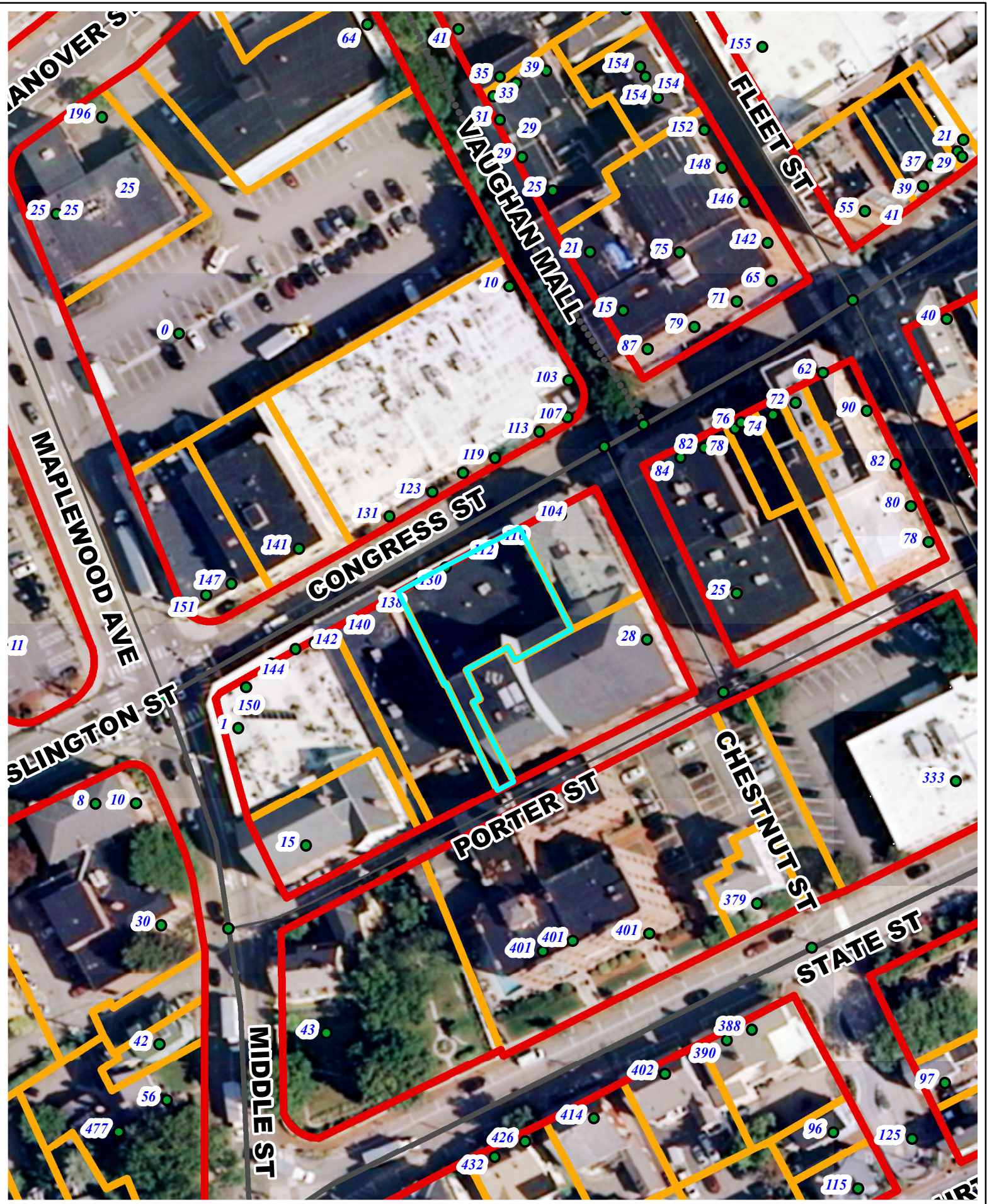
RE: City Council Referral – Projecting Sign
Address: 124 Congress Street
Business Name: Market Square Jewelers, Inc.
Business Owner: Peter T. Henry

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

Sign dimensions: 48" x 25.75"
Sign area: 8.5 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 signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



**Request for license
124 Congress Street**



**PROPOSED
5-20-21**

Updated : 6.25.21

Company: Market Square Jewelers

Job: 124 Congress St

Type: Projecting Sign

Quantity: 1

Size: 48" x 25.75"

14'6" Bottom Edge to Ground

Sides: 2

Style: Carved & Painted

Substrate: 2" HDU

Posts & Brackets: New

Colors: Dark Navy Blue & Black Edge

23K Goldleaf Text & Pinstripe

SUNDANCE SIGN • 89 OAK STREET DOVER, NH 03820 • 603-742-1517

Install: Y/N

Contact Info: Name XXX-XXX-XXXX / @.COM

Complete: Called/ Emailed Date: __/__/__ By: __

Projecting Sign



All proofs and drawings are original unpublished artwork, owned by Sundance Sign Company. Artwork is protected under the U.S. Copyright laws. It is being submitted for your viewing only, and is not to be shown to anyone outside of your organization. Any use, reproduction, copying or exhibiting this drawing without express written consent of Sundance Sign Company will constitute your agreement to incur all expenses involved with the creation of this drawing, and all legal costs to acquire those costs if required. I have verified the accuracy of all graphics shown with respect to sizes and content. The specifications are correct and represent our order requirements exactly. I authorize release to production according to this approval submittal.

Customer Approval _____ **Date:** _____



PORTSMOUTH PROFESSIONAL FIRE FIGHTERS

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1313

received
6/25/21

P.O. BOX 207 • PORTSMOUTH, NH 03802-0207

June 20th, 2021

Mayor Rick Becksted and City Council
Portsmouth City Hall
1 Junkins Ave.
Portsmouth, NH 03801

Honorable Mayor Becksted and members of the City Council:

The International Association of Firefighters (IAFF) is the largest contributor to the Muscular Dystrophy Association (MDA) nationwide. The Portsmouth Professional Firefighters Local 1313 membership are proud members of the IAFF and have annually supported the MDA with their fundraising efforts for many years. Last year the members of Local 1313 were unable to hold our Fill The Boot Campaign do to the pandemic and would like to hold our campaign again this year.

The Fill-the-Boot Drive is a voluntary "toll booth", which has been traditionally located at Market Square. During the event, firefighters collect donations for the MDA from passing motorists and pedestrians. Our Fill-the-Boot campaign has been so successful in the past because of the support of the City Council.

Once again, we are asking for the City Council to support our efforts in assisting the MDA. We respectfully request permission to hold a boot drives this year on **August 14th**. We would collect donations between the hours of 8am to 4 pm. We would like to continue to utilize the Market Square location as it has been highly successful for us in the past.

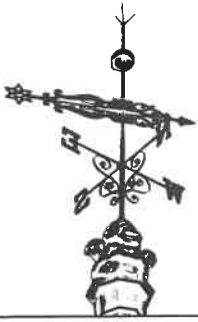
The Portsmouth Professional Firefighters began its fundraising efforts for MDA over 15 years ago. Each year the money collected has benefited afflicted children from Portsmouth, the surrounding seacoast, and across the State of New Hampshire. This year our goal is to raise \$10,000 for this worthy cause, and with the City Council's support we believe we can achieve this.

The Portsmouth Professional Firefighters look forward to working with you on this and would like to thank you for your continued support in our efforts to help the MDA. If there are any questions or concerns, please feel free to contact Firefighter Ezekial Tappin at 603-315-9187.

Sincerely,

Allan Scholtz, Secretary

Portsmouth Professional Firefighters Local 1313



North Church of Portsmouth
United Church of Christ
355 Spinney Road
Portsmouth, NH 03801
603.436.9109
603.436.6744 fax

RECEIVED

JUL 06 2021

CITY MANAGER
PORTSMOUTH, NH

Rev. Frank Newsome
Senior Pastor

Mrs. Lizbeth Good
Moderator

Mr. Nathan Amsden
Director of Music Ministry

Ms. Paula Schena
Administrative Assistant

July 1, 2021

Karen Conrad
Portsmouth City Manager
1 Junkins Avenue
Portsmouth, NH 03801

Dear Ms. Conrad:

North Church of Portsmouth is involved with Church World Service's (CWS) annual Crop Walk for Hunger. North Church participates as a member of the Seacoast Area Crop Walk group. In the past we have joined other area UCC churches for this walk in Exeter, NH at Swasey Park. The date for this year's Seacoast Area Crop Walk is Sunday October 17, 2021, which coincides with the 350th Anniversary Celebration for North Church. Because both events fall on the same day, North Church would like to have our members walk in Portsmouth at the conclusion of our Sunday morning worship service on that Sunday.

The walk for North Church would include approximately 20-25 walkers departing from the brickwork in front of North Church in Market Square, leaving at approximately 11:15am. The walkers would leave North Church, proceed down Congress St and onto Islington St staying on the sidewalks. They would then have a choice to proceed down any one of the side streets on Islington St and return to North Church via Middle St.

Does the City of Portsmouth have any requirements we need to be aware of regarding our plans? Any additional guidance you could provide would be greatly appreciated. You may contact me at your earliest convenience via email at mleach991@gmail.com, via telephone at 603-548-7035, or at the address above. I look forward to hearing from you soon.

Best Regards,

Marcia Leach, Mission Chairman
Rev. Frank Newsome, Senior Pastor

CITY COUNCIL E-MAILS

June 21, 2021 (after 5:00 p.m.) – July 8, 2021 (before 9:00 a.m.)

July 12, 2021 Council Meeting

Below is the result of your feedback form. It was submitted by Kate Mcloughlin (k.mcloughlin222@gmail.com) on Tuesday, June 22, 2021 at 17:34:00

address: 187 Myrtle Ave, Portsmouth NH

comments: RE: Bucephalus LLC item, 650 Maplewood Ave.

As a resident of the Myrtle Ave neighborhood, I strongly protest the use of 650 Maplewood Ave for motorcycle sales. This will not only be disruptive to the residents in the surrounding neighborhoods, but will also cause an unacceptable amount of traffic through Myrtle Ave, to the bypass. The increase in noise as well as traffic is not welcomed, or appreciated in this little neighborhood.

I also want to express my strong concern for both the safety of the children and families who attend the New Franklin school. With a motorcycle sales facility located so close to the school, this draws in people from out of town/state who have no idea how close the school is. Many children walk to school through this area, and don't need the added concern of those test driving motorcycles to worry about on their walk to school. As I am unable to attend this meeting, I would like to request that my vote is counted in protest of this facility being allowed.

Best,

Kate

includeInRecords: on

Below is the result of your feedback form. It was submitted by James A Hewitt (samjakemax@aol.com) on Tuesday, June 22, 2021 at 19:31:38

address: 726 Middle Road

comments: Dear Mayor Becksted and City Councilors:

I understand from the article below that Portsmouth is seeking ideas on how to spend its allotment of \$13 million of American Rescue Plan Act funds. I say let's take a proactive step on affordable housing for a change and have the city purchase the last two boarding houses in Portsmouth, one on Cabot Street and one on Hanover Street.

After the City did nothing to stop the destruction of affordable housing on 21 Brewster Street, (35 units) 151 Hill Street, (2 units) 179 Hill Street, (2 units) and played the door mat on West End Yards (54, 800 SF, 2-bedroom units for \$ 1,440 / mo. forever lost), its time this City takes a stand like Councilor-elect Rick Becksted did on October 24, 2017. Who can forget on that date when Citizen Becksted convinced the ZBA to deny variances needed to destroy 12 precious downtown apartments on 53 Columbia Street? Portsmouth NH studies how to spend \$13M in American Rescue Plan funds (seacoastonline.com)

<https://www.seacoastonline.com/story/news/local/2021/06/16/portsmouth-nh-american-rescue-plan-funds/7705773002/>

I hope the City will not squander yet another opportunity to preserve what little is left of its affordable housing stock.

Regards,

Jim Hewitt

includeInRecords: on

Below is the result of your feedback form. It was submitted by Jacqueline Cali-Pitts (cali0917@aol.com) on Saturday, June 26, 2021 at 11:20:29

address: 40 Bedford way apt 112

comments: What has happened T the park? I wanted to go down today but the mixed message of sold out and then park is always open to all is confusing. Vivid an excuse to limit public and increase funds. 829 dollar camps? Reserved pods.? I am confused thought Park was left for the enjoyment of residents and our guests who have supported the park over the last years. I would really like an explanation.

includeInRecords: on

Below is the result of your feedback form. It was submitted by Roy W. Helsel (royhelsel@aol.com) on Friday, July 2, 2021 at 10:21:28

address: 777 Middle Rd Unit 22

comments: In reference to the Peverly Hill Rd. project, I agree with Mayor Becksted and Councilor Trace. I thought the objective of the project was to slow down traffic and make it safe for people to walk and ride bikes on Peverly Hill neighborhood Rd? The elaborate project the city has suggested is not wanted by the majority of the residence that would take away a majority of the residences property. I travel this road daily, driving or walking and the traffic speed is horrendous but I also travel Maplewood Ave daily and the casual speed bumps always reminds one of your speed that you are traveling, so I suggest if all fails with the vehicle speed on Peverly Hill Rd., that the same speed bumps be introduced for this project. As Mr. Rice stated when he introduced the Maplewood project that it was a very sucessful project for this purpose throughout the country to slow down speed in neighborhoods.

Thank You

Roy W. Helsel

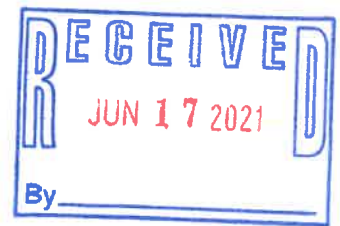
777 Middle Rd Unit 22

Portsmouth, N.H. 03801

603-433-4134

includeInRecords: on

Nancy & Kearn J. Knowles
198 Islington Street, Unit 8
Portsmouth, NH 03801



10 June 2021

Councilors and Chairperson
1 Junkins Avenue
Portsmouth, NH 03801

Subject: Neighborhood Parking Program Pilot

Dear Councilors and Chairperson,

Regarding the Neighborhood Parking Program Public Input Meeting on June 10, 2021, we were two of many interested individuals that addressed the subject and have a few follow-on thoughts after our meeting.

We regularly walk these neighborhood streets with our dog, but today we walked the streets highlighted on the map of streets presently included in the subject program primarily to see if any off-street parking was available. We observed many off-street parking spots were available, except for on McDonough St. near the row houses where none seem to be available. There are also some lots and other areas around these streets (McDonough and Rock) where it appears parking areas could exist but we do not know the status of the land or lots. Cars were parked in some of these areas but there were no markings and somewhere no pavement. More parking would be available too if some residents sacrificed part of their yards to add driveways or relocated sheds to enable more off-street parking.

We also believe that Parker Street should be removed from the scope as no parking is available on either side of the street and the 2 houses on the street appear to have off-street parking.

Islington Street was part of the original plan but was then removed and then added back in and out on a few different occasions. Why specifically has Islington Street been excluded? The 2-hour parking limits on Islington Street affect all residents in the neighborhood, although Islington Street residents suffer the biggest consequence.

Because the scope of the pilot program has changed, all residents in the revised targeted community should be polled to determine their buy in. If a majority is not in favor, then the pilot program should be discontinued as this is a very costly undertaking for which our tax dollars are being spent.

Bottom line, we all pay the same city taxes and all should be allowed to park on our city streets, no one should be deprived of this right.

Sincerely,

Nancy B. Knowles
Kearn J. Knowles, Sr.

CITY OF PORTSMOUTH
WORKFORCE HOUSING TRUST FUND

WHEREAS, on January 26, 2009, the Portsmouth City Council accepted the report of its Blue Ribbon Committee on Housing dated November 18, 2008, "A Road Map to Affordable Housing"; and

WHEREAS, one recommendation of the said report is to, "establish a Workforce Housing Trust Fund to facilitate Workforce Housing activities"; and

WHEREAS, the primary purpose of the Workforce Housing Trust Fund is to create new, and retain existing units, of workforce housing affordable to households earning between 80% and 120% of median family income, or such other criteria as may be deemed appropriate from time to time by the Portsmouth City Council; and

WHEREAS, the Blue Ribbon Committee on Housing has also recognized the need to retain existing units of housing affordable to households earning less than 80% of median family income; and

WHEREAS, the City Council of the City of Portsmouth desires to implement the foregoing recommendations of its Blue Ribbon Committee on Housing within the City;

NOW THEN, the City Council of the City of Portsmouth hereby authorizes the creation of this City of Portsmouth Workforce Housing Trust Fund under the following terms and conditions:

1. The City of Portsmouth Workforce Housing Trust Fund (the Trust) is established in accordance with the Workforce Housing principles announced in, "A Road Map to Affordable Housing".
2. The primary purpose of the Workforce Housing Trust Fund shall be to fund the creation of additional units of workforce housing affordable to those households earning between 80% and 120% of median family income as determined by

appropriate governmental entities, or such other criteria as may be deemed appropriate from time to time by the Portsmouth City Council.

3. The Workforce Housing Trust Fund shall be used by the City to facilitate activities consistent with the purposes for which the Trust is established. These activities may be in partnership with public, non-profit, and private housing developers.

Workforce Housing Trust Funds may be used for activities such as:

- Acquire land;
- Purchase and rehabilitate existing housing;
- Construct new housing;
- Retain existing housing; and
- Provide housing subsidies through programs such as the City's existing, first time homebuyer program, HomeTown.

4. The City of Portsmouth Workforce Housing Trust Fund is intended to provide a repository and an ongoing funding source from which the City of Portsmouth may authorize the expenditure of those sums deemed appropriate by the City Council for the purposes for which the Trust exists.
5. The Trustees of Trust Funds are authorized to accept, invest, reinvest and disburse funds or non-cash assets allocated to the City of Portsmouth Workforce Housing Trust Fund in accordance with the terms and conditions of this Trust document.
6. The Trustees of Trust Funds shall disburse funds from the Trust only when provided with written authorization by the City Manager of the City of Portsmouth certifying that the expenditure has been authorized by a majority vote of the Portsmouth City Council.
7. All funds with the Trust, whether designated as the corpus or income produced thereby, shall be available for expenditure by the City Council in the sole discretion of the City Council.
8. The Trustees may receive contributions to the corpus of the Trust from the City of Portsmouth or from any other person or entity making contributions thereto. Except, however, the Trustees shall not be required to accept any contributions deemed inappropriate by the Trustees.
9. The Trustees shall have the complete discretion to hold, liquidate or otherwise transfer any stocks or other non-cash assets contributed to the Trust, as long as any proceeds received from the transfer of such assets are paid into the Trust, except, however, that prior to the disposition by the Trustees of any real estate

the Trustees shall first request an advisory report from the Planning Board of the City of Portsmouth.

10. The funds in the Trust shall be held by the Trustees of Trust Funds of the City of Portsmouth to be invested and reinvested by the Trustees without restriction against pooling the assets of this Trust with any other Trust Funds held by the Trustees or the City, so long as the funds are the subject of separate accounting.
11. In the event that the Portsmouth City Council determines that the need for municipal support of workforce housing has ceased to exist, or for such other reasons deemed appropriate by the City Council, this Trust may be discontinued by a 2/3 vote of the City Council. In that case any funds held by the Trustees under the terms of this Trust shall be disbursed in accordance with the direction of the Portsmouth City Council to a housing related purpose or entity.

CITY OF PORTSMOUTH

Dated: 8-14-09



John P. Bohenko, City Manager

Pursuant to vote by the Portsmouth City Council on March 16, 2009.

Accepted by the Trustees of Trust Funds.

Dated: 9/3/09



Lea Aeschliman, Chairman

Dated: 9/3/09



Phyllis Eldridge

Dated: 9/3/09



Bradley Lown

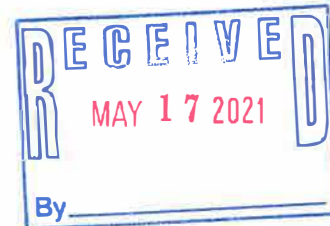
RAINBOTH, MURPHY & LOWN, PA
ATTORNEYS AT LAW • PROFESSIONAL ASSOCIATION

CM Info Item #2



MICHAEL P. RAINBOTH *†
KENNETH D. MURPHY **
BRADLEY M. LOWN *†
JAMES E. COUGHENOUR, JR.*†

May 14, 2021



ATTN: Nick Cracknell
City of Portsmouth
Planning Department
1 Junkins Ave.
Portsmouth, NH 03801

RE: Owner: Marcie Shearman
Property Address: 635 Lincoln Ave., Portsmouth, NH
Account Number 34572
Tax Map/Lot: 0148/0038/0000

Dear Nick,

On April 14, 2021, I wrote you about the above property, requesting that two merged lots be unmerged.

On May 11, 2021, I spoke with Roseann Maurice-Lentz about the prospects of unmerging the lots in the history of the 2 lots. Based on my conversation with Roseann, our client has decided to withdraw our request.

No further action need be taken, and I thank you for your help. I hope you're doing well.

Very truly yours,

A handwritten signature in blue ink that appears to read 'Bradley M. Lown'. The signature is fluid and cursive.

Bradley M. Lown

:aar

cc: Dr. John and Marcie Shearman
Roseann Maurice-Lentz

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: July 2, 2021
TO: Honorable Mayor and City Council Members
FROM: Robert P. Sullivan, City Attorney
CC: Karen S. Conard, City Manager
RE: Keno

At the June 21, 2021 meeting of the City Council letters were received by the Council from the former commander of the American Legion Post 6, George Remick as well as current Exalted Ruler of the Portsmouth Lodge of Elks, Michael Griffin. Each letter requested the Council to initiate the process which might result in the allowance of the game of chance Keno in the City. The Council referred the letter to the City Legal Department for a report back on the procedure to do so. This is that report.

The adoption of the game of Keno in a municipality in New Hampshire is regulated by RSA 284:51 (copy attached). Briefly, to implement Keno in the City of Portsmouth in accordance with the request of Messrs. Remick and Griffin, it would be necessary for the following to occur:

- 1) The City Council would be required to, “vote to place the question on the official ballot for the [next] regular municipal election”.
- 2) The question which would appear on the ballot is, “shall we allow the operation of Keno games within the City of Portsmouth”.
- 3) By statute the, “City Council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at

least two public places in the City and published in a newspaper of general circulation at least seven days before the hearing.

- 4) If a majority of those voting on the question vote “yes”, Keno games may be operated within the City in accordance with State law.

Attachment

cc: George Remick
Michael Griffin

TITLE XXIV

GAMES, AMUSEMENTS, AND ATHLETIC EXHIBITIONS

CHAPTER 284

HORSE AND DOG RACING

Keno

Section 284:51

284:51 Local Option. –

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of keno games may consider rescinding its action in the manner described in paragraph I of this section.

IV-a. An unincorporated place may allow the operation of keno games by majority vote of the county delegation, after a public hearing is held.

V. The lottery commission shall maintain a list of municipalities where keno is available.

Source. 2017, 229:1, eff. July 1, 2017. 2018, 332:1, eff. June 25, 2018.

**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: JULY 2, 2021

TO: KAREN S. CONARD, CITY MANAGER

FROM: SUZANNE M. WOODLAND, DEPUTY CITY ATTORNEY

RE: PEVERLY HILL ROAD IMPROVEMENT PROJECT,
PUBLIC NECESSITY AND EMINENT DOMAIN

Introduction.

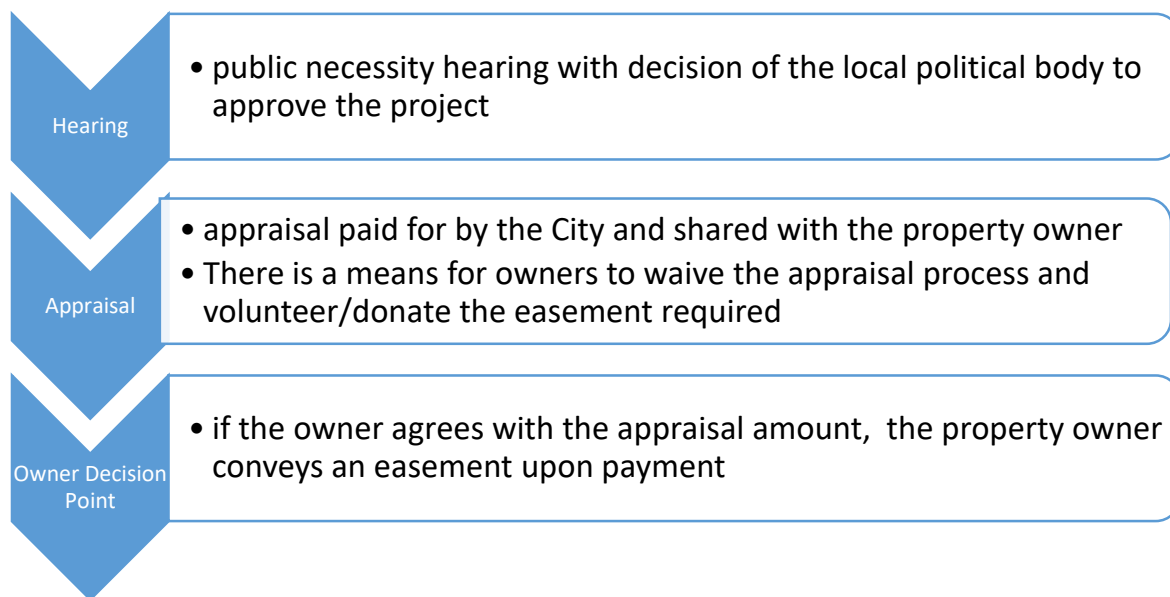
Questions have arisen with regard to the City's need to acquire permanent and temporary easements as part of the Peverly Hill Road Improvement Project and the process for obtaining those easements. This memorandum is intended to explain in greater detail the process and answer some of the known questions.

Easements Needed.

Under the current design, which includes both the sidewalk and the bike/ped path, nine (9) permanent easements are needed along with 17 temporary easements. Attached are the two slides from the recent presentations identifying the permanent and temporary easements needed for the current design of the project. Even under the sidewalk only design concept (the least impactful design), four permanent easements are required along with temporary easements. One property that will be impacted under any of the design concepts is the Krupp property on Greenleaf Avenue. That property is encumbered by a conservation restriction. In order to remove the conservation restriction from the easement area, an eminent domain must be commenced and the first step of that is the public necessity hearing with an affirmative vote of the City Council to proceed. The Hett farm property at 305 Peverly which is impacted in two of the design concepts discussed also has a conversation restriction.

Public Necessity Hearing and Eminent Domain Process.

The eminent domain process can be summarized as follows:



If the owner does not agree with the appraisal amount, the City continues the eminent domain process through a formal offer culminating in a filing of a declaration of taking with the NH Board of Tax and Land Appeals (BTLA). The BTLA has jurisdiction over disputes regarding the amount of compensation.

With regard to the two properties with conservation restrictions, the entire taking process will likely have to be completed with all formalities.

Must the City Council hold a public necessity hearing to advance the project?

Yes. This is true regardless of the configuration of the improvements (current design, sidewalk only or something else). The reasons for this are twofold: First, permanent easements are required from two properties that have conservation restrictions on them. The only way to relieve them of those restrictions (in the easement areas only) are through the eminent domain process which begins with a public necessity hearing. Second, the federal funds that are being used to help design and construct process require a formal process of acquisition of the easements needed to construct it.

What happens at the public necessity hearing? (1) the City Council takes a site walk of the easement areas; (2) a presentation by City staff and consultants describing the easement needs and the benefits of the roadway improvements; (3) an opportunity for public comment; and (4) a vote of the City Council adopting (or not) a resolution finding that the public benefit of the project outweighs the impact on private property.

Is there any improvement that can be done on Peeverly Hill Road without a public necessity hearing and the commencement of the eminent domain process? No. The only alternative is to make no improvements at all.

What if a property owner objects to the project? The eminent domain process is intended to allow the government to proceed to construct a project for the greater public good over the objection of an individual property owner and to set up a compensation mechanism for taken property interests. That is why the starting point is a public necessity hearing, at which the political body, in this case the City Council, has to determine that the public purpose and need for the project outweighs any conservation restriction or any individual impact on a property owner.

Why can't we negotiate at least of some of the easements the City needs now prior to a public necessity hearing? The federal funds that the City is receiving for this project dictate a certain process that begins with the public necessity hearing. City representatives are not allowed to negotiate easements at this point in time.

Would a multi-use shared path only still require permanent and temporary easements? Yes. Although the particular easement needs would change, the existing right-of-way is too narrow to accommodate a multi-use shared path and to provide the required stormwater treatment improvements.

Has the City used the eminent domain process for other recent projects? During the last 15 years, the eminent domain process was necessary to accomplish the following projects: replacement of the red-listed Route 33 bridge near the Plains ballfield; sewer separation and drainage work in the Islington Street corridor, and the Portsmouth Middle School Renovation and Expansion among others.

**BEFORE THE
NEW HAMPSHIRE**

PUBLIC UTILITIES COMMISSION

Docket - DT 20-104

Complaint by Town of Durham Public Works, City of Dover, City of Portsmouth, City of Somersworth, Town of Newmarket, Town of Newington and Town of Exeter Against Consolidated Communications of Northern New England Company, LLC d/b/a Consolidated Communications-NNE

SETTLEMENT AGREEMENT

WHEREAS, in July 2020 the New Hampshire municipalities of Dover, Newington, Newmarket, Durham, Somersworth, Exeter and Portsmouth (individually each is a “Community,” and collectively referred to hereinafter as the “Communities”) filed a letter complaint with the New Hampshire Public Utilities Commission (“PUC”) against Consolidated Communications of Northern New England Company, LLC (“Consolidated Communications”) concerning what are commonly referred to as “dual poles” or “double poles” in their respective communities (“the Complaint”); and

WHEREAS, the PUC opened the above-captioned docket (“Docket”), and Consolidated Communications has appeared in the Docket and responded to the complaint; and

WHEREAS, the Communities and Consolidated Communications have engaged in extensive settlement discussions aimed at resolving the dispute on terms acceptable to both parties, and avoiding the expense, costs, and uncertainty of litigation.

NOW THEREFORE, the Communities and Consolidated Communications, for good and valuable consideration acknowledged by all parties, agree as follows in settlement and resolution of the Complaint (this “Agreement”):

1. Removal of Identified Poles: Consolidated Communications shall, at no cost to the Communities, remove or cause to be removed all duplicate¹ utility poles identified within each Community in Exhibit A. The removal of all these identified duplicate poles shall be accomplished by Consolidated Communications at a rate of least 213 telephones poles per calendar year across all Communities, and all such removals shall be completed in full no later than June 1, 2025. The number of duplicate poles removed by Consolidated Communications in each Community per year shall correspond to the proportionate number

¹ Typically, retired or soon-to-be retired poles located beside the replacement pole are referred to as “dual poles” or “double poles”. Some of these poles are located in Eversource’s service territory and others in Consolidated Communication’s service territory. Some these poles have multiple attachers remaining on the retired poles and others only Consolidated Communication’s equipment. Consequently, the use the word “duplicate” in this Agreement is solely for purposes of referencing the poles in Exhibit A that are to be removed.

of that Community's duplicate poles as compared to all duplicate poles listed in Exhibit A, unless otherwise directed by the Communities (collectively) in order to efficiently facilitate an adjacent construction project or to address a priority issue such as safety or ADA compliance. Consolidated Communications may make a minor deviation from this proportionate number only in the event that it will result in increased removal efficiency. Such disproportionate removal, and the reasoning therefore, shall be noted in the relevant reporting detailed in paragraph 2, below. The fact that removal of any of the duplicate utility poles identified within Exhibit A first requires other attachées to move or relocate their equipment to a new pole shall not relieve Consolidated Communications of its obligations set forth in this Agreement. With respect to municipal attachments, the Communities shall ensure that all attachments are transferred in a timely fashion to enable Consolidated to transfer its attachments and/or remove duplicate utility poles. Paragraph 1 of this Agreement shall remain in place until such time as all identified poles in Exhibit A have been satisfactorily removed by Consolidated Communications, at which time the obligations in Paragraph 1 shall expire. All other provisions of this Agreement shall survive the expiration of Paragraph 1. To the extent a Community discovers additional dual poles that were not identified in Exhibit A, the Community may notify Consolidated and all other parties in writing and, provided all parties agree, Consolidated shall endeavor to remove such dual poles in the timeframe set forth in this agreement. The Parties recognize that, to the extent additional identified poles are numerous, such request may require additional time to complete, which shall be mutually agreeable to all parties.

2. Reporting: At least twice per calendar year, once in July and again in December, Consolidated Communications shall report to the Communities on Consolidated Communication's progress regarding duplicate telephone pole removals required in paragraph 1 above. Said report shall issue to the public works directors, or other designee, of each Community.
3. Complaints: Consolidated Communications shall designate a single point of contact for the Communities to address specific issues or concerns with respect to this Agreement; this initial point of contact shall be Attorney Sarah Davis. The Consolidated Communications' contact will work with the Communities to identify poles that require more immediate removal² understanding that Consolidated does not have unlimited resources to remove poles in any specific sequence.
4. Future Preventative Action by Consolidated Communications: Consolidated Communications agrees that it shall use best efforts and diligence to ensure the orderly and prompt (i) transition of all equipment and facilities to future, newly set poles in each Community by Consolidated Communications and all joint owners and attachées, and (ii) removal of the preexisting poles that the newly set pole is replacing. The aforesaid "best

² Certain poles listed in Exhibit A may sometimes require more immediate removal related to Americans with Disability Act access, snowplow activities, municipal construction projects, aesthetics in downtown areas and other safety reasons. While Consolidated Communications shall endeavor to remove said priority poles as soon as practical under existing circumstances, the parties recognize that not all requests of this nature can be met within any particular timeframe.

efforts and diligence” shall not consist solely of reliance on National Joint Utility Notification System (“NJUNS”), but shall also include such actions as documented personal contact (through email, telephone, or otherwise) with representatives of the joint owner or attachees and, if necessary, enforcement of attachment agreements, provided, however, Consolidated shall be under no obligation to file any type of action or complaint in any court of competent jurisdiction or the PUC.

5. Dismissal/Withdrawal of Complaint: Upon the execution of this Agreement by all parties, the Communities shall file a Joint Dismissal and Withdrawal of Complaint in the Docket, in which the Communities withdraw and dismiss their Complaint without prejudice; provided, however, no Community may file a complaint with the same claims as contained in the Complaint regarding the poles set forth in Exhibit A or any additional identified poles that Consolidated has agreed to remove under paragraph 1, so long as Consolidated is not in default under this Agreement.
6. Time is of the Essence: The parties agree that time is of the essence. All deadlines and times for completion set forth in this Agreement shall be strictly observed and met.
7. Binding; Enforceability of this Agreement; Venue: This Agreement represents resolution of a disputed claim. This Agreement is intended to bind Consolidated Communications and its successors or assigns. This Agreement is intended to create enforceable obligations against Consolidated Communications by each Community. Consolidated or any individual Community may enforce the obligations set forth in this Agreement in any venue with jurisdiction the Community chooses, which venue may include the PUC or a New Hampshire State Court of competent jurisdiction.
8. Reservation of Rights: Nothing within this Agreement is intended to in any way affect or preclude any Community from enforcing any provision of applicable law concerning or relating to public rights-of-way (“ROW”), including but not limited to provisions of RSA chapter 231 and/or other statutes, ROW licenses and/or permits issued by the Community, amendments to or revocation of ROW licenses issued by the Community, removal of poles or dual poles, or the installation of new poles, in the ROW as may be allowed by law, and/or enforcement of local ordinances, regulations, or requirements applicable to the ROW. Moreover, nothing in this Agreement is intended to in any way preclude the Communities, or any one of them, from deciding to opt into any other relief or program that may become available by way of statute, administrative rule, administrative order, or otherwise for the poles subject to this Agreement. The Communities expressly reserve all such rights.
9. Applicable Law: This Agreement shall be deemed to have been entered into in the State of New Hampshire and shall be construed in accordance with the laws of the State of New Hampshire.
10. Amendment: This Agreement may be amended, waived, or discharged only by an instrument in writing signed by all the parties hereto.

11. Authority: The parties below expressly represent and warrant that they are authorized and empowered to enter into this Agreement.
12. Recitals: The recitals set forth above are incorporated into this Agreement.
13. RSA 91-A: The parties acknowledge that this Agreement is a public record and is subject to public inspection as may be required by N.H. RSA 91-A:4, VI or other provisions of RSA chapter 91-A.
14. Jointly Drafted: This Agreement shall be deemed to have been jointly drafted by the parties.
15. Severability: In the event any of the provisions of this Agreement are held by a tribunal or court of competent jurisdiction to be contrary to any state or federal law, the remaining provisions of this Agreement shall remain in full force and effect. The parties agree to reform this Agreement to replace any such invalid or unenforceable provision with a valid enforceable provision that comes as close as possible to the intention of the stricken provision.
16. Entire Agreement: This Agreement, which may be executed electronically or otherwise in a number of counterparts, each of which shall be deemed an original, constitutes the entire Agreement and understanding between the parties and supersedes all prior agreements and understandings relating hereto.

**CONSOLIDATED COMMUNICATIONS OF
NORTHERN NEW ENGLAND COMPANY,
LLC**

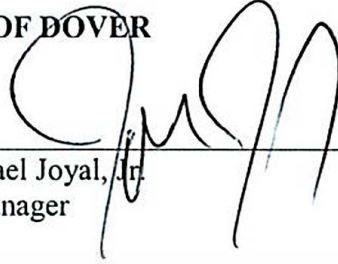
Dated: May 18, 2021

/s/ Patrick C. McHugh
Patrick C. McHugh, Esq.
770 Elm Street
Manchester, NH 03101
Patrick.McHugh@Consolidated.com
Sarah Davis, Esq.
5 Davis Farm Road
Portland, ME 04103
Sarah.Davis@Consolidated.com
*Counsel for Consolidated Communications of
Northern New England Company, LLC d/b/a
Consolidated Communications - NNE*

Dated: 5/27, 2021

CITY OF DOVER

J. Michael Joyal, Jr.
City Manager

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by 'M', 'J', and 'Jr.' in a cursive script.

CITY OF PORTSMOUTH

Dated: June 8, 2021




Karen S. Conard
City Manager

CITY OF SOMERSWORTH

Dated: May __, 2021

JUNE 9, 2021


CITY MANAGER

Dated: 6/3, 2021


TOWN OF DURHAM

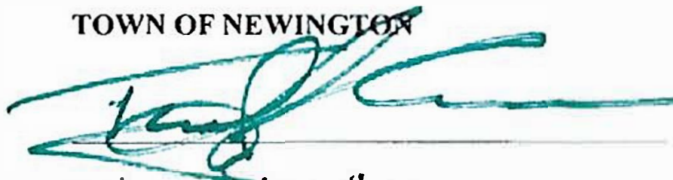


Todd I. Selig
Administrator
Town of Durham

RE: NH PUC Docket #DT 20-104 Settlement Agreement

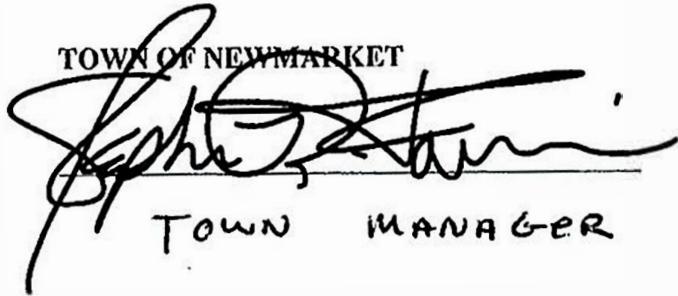
TOWN OF NEWINGTON

Dated: May 20, 2021

A handwritten signature in blue ink, appearing to be 'Timothy Ted Connors', written over a horizontal line.

Timothy "Ted" Connors, Chair
Board of Selectmen

TOWN OF NEWMARKET

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read "John J. Starni".

TOWN MANAGER

Dated: May ~~11~~, 2021
June 9, 2021

TOWN OF EXETER

Dated: 5/25, 2021



CITY OF DOVER, NH

City of Dover - Double Poles

Ticket	City	Street	Pole Number	Still on Pole	Next to Go
3940165	Dover	ABBEY SAWYER MEM DR	14/6	Telephone, catv and fiber	BCNH
3802974	Dover	ABBOTT ST	1/51A	Telephone	FPNHPT
3961786	Dover	ALUMNI DR	2A/6	Telephone	FIBNH
3910173	Dover	ARBOR DR	302/18XA	Telephone	FPNHPT
3927495	Dover	ARCH ST	204/7	Telephone	FPNHPT
3902936	Dover	ASH ST	603/6	Telephone, catv and fiber	186CNH
3960739	Dover	ATLANTIC AVE	120/7	Tel, catv	FPNHPT
3846278	Dover	BACK RD	146/9	Telephone, catv and fiber	FPNHPT
3958220	Dover	BACK RD	146/20	Telephone	BCNH
3960605	Dover	BACK RD	146/56	Telephone	FPNHPT
3927551	Dover	BACK RIVER RD	22/49A	Telephone	FPNHPT
3927563	Dover	BACK RIVER RD	22/32	Telephone	FPNHPT
3927580	Dover	BACK RIVER RD	22/36	Telephone	FPNHPT
3934511	Dover	BACK RIVER RD	22/42	Telephone	BCNH
3934532	Dover	BACK RIVER RD	22/53	Telephone, catv and fiber	FPNHPT
3934632	Dover	BACK RIVER RD	22/54	Telephone	FPNHPT
3945548	Dover	BACK RIVER RD	22/56	Telephone	FPNHPT
3951229	Dover	BACK RIVER RD	22/57	Telephone, catv and fiber	FPNHPT
3960668	Dover	BACK RIVER RD	22/58	Telephone	FPNHPT
3960700	Dover	BACK RIVER RD	22/59	Telephone, catv and fiber	FPNHPT
3987290	Dover	BASILS PL	11/14F	Telephone	FPNHPT
3466875	Dover	BELKNAP ST	46/3	Telephone, catv and fiber	FPNHPT
3878295	Dover	BELKNAP ST	46/7	Telephone, catv and fiber	FPNHPT
3878770	Dover	BELKNAP ST	24/1	Telephone	186CNH
3898569	Dover	BELKNAP ST	34/2	Telephone	FPNHPT
3951326	Dover	BELLAMY RD	302/20	Telephone	BCNH
3927528	Dover	BIRCH DR	28/11	Telephone	FPNHPT
3914872	Dover	BOSTON HARBOR AVE	173/10	Telephone	FPNHPT
2592297	Dover	Boston Harbor Rd	1/373	Telephone	PSNHRD
3914458	Dover	CATARACT AVE	301/8	Telephone	FPNHPT
4005119	Dover	CENTRAL AVE	1/136	Telephone, catv	NHOPS
4005121	Dover	CENTRAL AVE	1/137	Telephone, catv	NHOPS

4158998	Dover	CENTRAL AVE	1/140	Telephone, catv	FPNHPT
3898604	Dover	CENTRAL AVE	1/141	Telephone, catv	FPNHPT
3902952	Dover	CENTRAL AVE	1/142	Telephone, catv	FPNHPT
3903054	Dover	CENTRAL AVE	1/125	Telephone, catv	BCNH
3903062	Dover	CENTRAL AVE	1/101-1	Telephone	BCNH
3903074	Dover	CENTRAL AVE	1/93.	Telephone	BCNH
3910160	Dover	CENTRAL AVE	1/93A	Telephone	FPNHPT
3940184	Dover	CENTRAL AVE	1/91.	Telephone	BCNH
3941518	Dover	CENTRAL AVE	1/90A	Telephone	FPNHPT
3957766	Dover	CENTRAL AVE	1/78.	Telephone	FPNHPT
3958032	Dover	CENTRAL AVE	1/78A	Telephone	SGTLNH
3987162	Dover	CENTRAL AVE	1/67.	Telephone	BCNH
3987172	Dover	CENTRAL AVE	1/63.	Telephone, catv, fiber	BCNH
3685563	Dover	CENTRAL AVE	1/36.	Telephone, catv, fiber	FPNHPT
3685568	Dover	CENTRAL AVE	1/34.	Telephone, catv, fiber	PSNHRD
3934497	Dover	CHANDLER WAY	302/44	Telephone, catv, fiber	NHOPS
3960717	Dover	CHARLES ST	21/1	Telephone	FPNHPT
3877378	Dover	COCHECO ST	119/9	Telephone, catv	FPNHPT
3945508	Dover	COOK ST	703/1	Telephone	FPNHPT
3901446	Dover	COTE DR	158/2	Telephone	FPNHPT
3942899	Dover	COTE DR	158/3	Telephone	FPNHPT
3942904	Dover	COTE DR	158/9	Telephone	FPNHPT
4177464	Dover	COUNTY FARM CROSS RD	59/10	Telephone	FPNHPT
3755051	Dover	COUNTY FARM CROSS RD	59/22	Telephone	FPNHPT
3952649	Dover	COUNTY FARM RD	5/120	Telephone, catv	BCNH
3826971	Dover	COURT ST	142/1	Telephone, catv, fiber	BCNH
3941459	Dover	COURT ST	142/21	Telephone, catv, fiber	FPNHPT
3941471	Dover	COURT ST	142/24	Telephone, catv, fiber	FPNHPT
3941497	Dover	COURT ST	142/25	Telephone, catv, fiber	BCNH
3846235	Dover	CUSHING ST	48/1	Telephone, catv	FPNHPT
3878690	Dover	CUSHING ST	48/2	Telephone, catv	FPNHPT
4005109	Dover	DOVER POINT RD	1/157A	Telephone, catv	PSNHRD
1701504	Dover	Dover Point Rd	1/160	Telephone, catv	FPNHPT
1725750	Dover	Dover Point Rd	1/160A	Telephone, catv	PSNHRD

2374773	Dover	Dover Point Rd	1/162A	Telephone, catv	PSNHRD
3433548	Dover	DOVER POINT RD	1/167	Telephone, catv	PSNHRD
3898550	Dover	DOVER POINT RD	1/168	Telephone, catv	FPNHPT
3898633	Dover	DOVER POINT RD	1/168A	Telephone, catv	FPNHPT
3898678	Dover	DOVER POINT RD	1/170	Telephone	FPNHPT
3898689	Dover	DOVER POINT RD	1/171	Telephone	FPNHPT
3898696	Dover	DOVER POINT RD	1/172	Telephone	FPNHPT
3903094	Dover	DOVER POINT RD	1/179	Telephone	NHOPS
3935936	Dover	DOVER POINT RD	1/182A	Telephone, catv, fiber	NHOPS
3935940	Dover	DOVER POINT RD	1/189A	Telephone	NHOPS
3935985	Dover	DOVER POINT RD	1/192A	Telephone, catv, fiber	NHOPS
3935994	Dover	DOVER POINT RD	1/216	Telephone, catv, fiber	NHOPS
3936260	Dover	DOVER POINT RD	1/217	Telephone, catv, fiber	BCNH
3940060	Dover	DOVER POINT RD	1/228	Telephone	NHOPS
3671059	Dover	DOVER POINT RD	1/255	Telephone	FPNHPT
4001632	Dover	DREW RD	211/6	Telephone	FIBNH
3774676	Dover	DURHAM	2/62.	Telephone	FPNHPT
3774721	Dover	DURHAM RD	2.64.	Telephone	FPNHPT
3774740	Dover	DURHAM RD	2/65.	Telephone	FPNHPT
3774746	Dover	DURHAM RD	2/66.	Telephone	FPNHPT
3774754	Dover	DURHAM RD	2/67.	Telephone	FPNHPT
3839618	Dover	DURHAM RD	2/68.	Telephone	FPNHPT
3935911	Dover	DURHAM RD	2/41.	Telephone, catv	FPNHPT
3940050	Dover	E WATSON ST	152/3	Telephone, catv	FPNHPT
3910045	Dover	ELLIOT PARK	164/5	Telephone, catv	FPNHPT
3910114	Dover	ELLIOT PARK	164/6	Telephone, catv	FPNHPT
3935925	Dover	ELLIOT PARK	164/8	Telephone, catv	FPNHPT
3927458	Dover	ELM ST	32/6	Telephone	FPNHPT
3878458	Dover	ELMVIEW CIR	143/4	Telephone	FPNHPT
3951341	Dover	FAIRFIELD RD	300/2D	Telephone	FPNHPT
3826943	Dover	FAIRVIEW AVE	131/3	Telephone	FPNHPT
3936130	Dover	FEDERAL ST	149/7A	Telephone, catv	FPNHPT
3934421	Dover	FISHER ST	37/3	Telephone, catv	BCNH
4156018	Dover	GARRISON RD	24/3	Telephone, catv, fiber	FPNHPT

3927543	Dover	GARRISON RD	24/5	Telephone, catv, fiber	BCNH
3927605	Dover	GARRISON RD	24/7	Telephone, catv, fiber	FPNHPT
3958191	Dover	GEORGE ST	140/3	Telephone, catv, fiber	BCNH
3960614	Dover	GERRISH RD	166/2	Telephone	BCNH
3987247	Dover	GERRISH RD	166/4	Telephone, catv	FPNHPT
3960628	Dover	GROVE ST	604/14	Telephone, catv	FPNHPT
3940079	Dover	HAM ST	107/7	Telephone, catv	FPNHPT
3940202	Dover	HAM ST	107/9	Telephone, catv	FPNHPT
3951353	Dover	HARTSWOOD RD	300/2	Telephone	FPNHPT
4030529	Dover	HENRY LAW AVE	138/1	Telephone	SGTLNH
4030554	Dover	HENRY LAW AVE	138/2	Telephone	SGTLNH
4030568	Dover	HENRY LAW AVE	138/4	Telephone	BCNH
4030577	Dover	HENRY LAW AVE	138/5	Telephone, catv	SGTLNH
4030586	Dover	HENRY LAW AVE	138/6	Telephone, catv	SGTLNH
4030591	Dover	HENRY LAW AVE	138/7	Telephone, catv	SGTLNH
4030602	Dover	HENRY LAW AVE	138/8	Telephone, catv	SGTLNH
3847558	Dover	HENRY LAW AVE	138/20	Telephone	FPNHPT
3984258	Dover	HENRY LAW AVE	138/33	Telephone	BCNH
3984278	Dover	HENRY LAW AVE	138/37	Telephone	FPNHPT
3951671	Dover	INDUSTRIAL PARK	305/4	Telephone, catv	FPNHPT
4043847	Dover	IONA AVE	53A/1A	Telephone	FPNHPT
3927517	Dover	JAMES ST	22/45	Telephone	FPNHPT
3934408	Dover	KEATING AVE	170/9	Telephone	FPNHPT
3897998	Dover	KELLEY DR	205/1	Telephone	FPNHPT
3927488	Dover	KIRKLAND ST	4/8.	Telephone, catv	BCNH
3987269	Dover	KNOX MARSH RD	303/23	Telephone, catv, fiber	BCNH
3849561	Dover	LAURA LANE	73/23B	Telephone, catv	FPNHPT
3897980	Dover	LEXINGTON ST	400/11	nobody is transferred to new pole	FPNHPT
3927507	Dover	LINDA AVE	27/1	Telephone, catv	FPNHPT
3939957	Dover	LITTLEWORTH RD	3/90.	Telephone	FPNHPT
3958250	Dover	LITTLEWORTH RD	3/92.	Telephone, catv	FPNHPT
3958284	Dover	LITTLEWORTH RD	3/121	Telephone	FPNHPT
3958296	Dover	LITTLEWORTH RD	3/121A	Telephone	FPNHPT
3951647	Dover	LOCUST ST	40/12A	Telephone	FPNHPT

3960592	Dover	LOCUST ST	40/12	Telephone	FPNHPT
3987279	Dover	LOCUST ST	30/4	Telephone	FPNHPT
3987283	Dover	LOCUST ST	30/5	Telephone	FPNHPT
3910129	Dover	LOWELL AVE	69/5	Telephone, catv	BCNH
3914865	Dover	LOWELL AVE	69/6	Telephone, catv	BCNH
3878698	Dover	MAPLE ST	606/8	Telephone	FPNHPT
3941525	Dover	MAPLE ST	603/9B	Telephone	FPNHPT
4073239	Dover	MCKONE LN	139/2	Telephone	FPNHPT
3942940	Dover	MCKONE LN	139/3	Telephone	FPNHPT
3934389	Dover	MIDDLE RD	142/51	Telephone	FPNHPT
3957752	Dover	MIDDLE RD	142/152	Telephone	FPNHPT
3960643	Dover	MIDDLE RD	142/54	Telephone	FPNHPT
3910075	Dover	MIDDLEBROOK RD	161/7	Telephone	FPNHPT
3910093	Dover	MORNINGSIDE DR	26/3	Telephone	FPNHPT
3941417	Dover	MOUNT PLEASANT RD	144/3	Telephone	FPNHPT
3849603	Dover	NILES ST	138/21B	Telephone	FPNHPT
3895007	Dover	OAK HILL DR	66/3	Telephone	FPNHPT
3853571	Dover	Oak st	14/1	Telephone	NHOPS
3942917	Dover	OLD GARRISON RD	212/5A	Telephone	FPNHPT
3797283	Dover	OLD LITTLEWORTH RD	3/49S	Telephone	BCNH
3987137	Dover	OLD LITTLEWORTH RD	3/44.	Telephone	BCNH
3987151	Dover	OLD LITTLEWORTH RD	3/43.	Telephone	BCNH
3793645	Dover	OLD ROCHESTER RD	7/23.	Telephone	FPNHPT
3793667	Dover	OLD ROCHESTER RD	71/4S	Telephone	FPNHPT
3878330	Dover	OLD ROCHESTER RD	71/18	Telephone	FPNHPT
3935813	Dover	OLD ROCHESTER RD	71/22	Telephone	FIBNH
4091226	Dover	OLD STAGE RD	306/4	Telephone	FPNHPT
3878512	Dover	OLD STAGE RD	306/3	Telephone	FPNHPT
3903101	Dover	PARK ST	16/3	Telephone, catv	FPNHPT
3903112	Dover	PARK ST	16/6	Telephone, catv	FPNHPT
3940117	Dover	PARK ST	16/8	Telephone, catv	FPNHPT
3940129	Dover	PARK ST	16/7	Telephone, catv	FPNHPT
3803837	Dover	PEARL ST	103/7	Telephone	FPNHPT
3945524	Dover	PEARSON DR	172/2	Telephone	FPNHPT

3793977	Dover	PISCATAQUA RD	22/70	Telephone, catv	FPNHPT
3945539	Dover	PISCATAQUA RD	22/95	Telephone	FPNHPT
3951299	Dover	PISCATAQUA RD	22/86	Telephone	FPNHPT
3946821	Dover	POLLYANN MBL CT	167/2A	Telephone	FPNHPT
3951708	Dover	POLLYANN MBL CT	176/4	Telephone	FPNHPT
3987191	Dover	POLLYANN MBL CT	176/3	Telephone	FPNHPT
3878723	Dover	RICHARDSON DR	307/9	Telephone, catv	FPNHPT
3878466	Dover	RICHMOND ST	402/3	Telephone	FPNHPT
3945579	Dover	RIVER ST	135/5	Telephone	FPNHPT
2592312	Dover	Riverside Dr	156/5	Telephone, catv	PSNHRD
3916212	Dover	RIVERSIDE DR	156/12	Telephone	FPNHPT
3914883	Dover	ROBERTS RD	157/1X	Telephone	FPNHPT
3898121	Dover	ROBINWOOD AVE	208/1	Telephone	FPNHPT
3898208	Dover	ROBINWOOD AVE	208/6	Telephone	FPNHPT
3939997	Dover	ROCHESTER NECK RD	4/19.	Telephone	FPNHPT
3811996	Dover	RUTLAND ST	36/13	Telephone	FPNHPT
3847544	Dover	RUTLAND ST	36/14X	READY TO BE PULLED	FPNHPT
3898593	Dover	RUTLAND ST	36/10	Telephone, catv	FPNHPT
4174132	Dover	S WATSON LN	153/2	Telephone	FPNHPT
3914821	Dover	SALEM AVE	16/1	Telephone	PSNHRD
3914843	Dover	SHADOW DR	203/2	Telephone	FPNHPT
3927609	Dover	SHADOW DR	203/4	Telephone	FPNHPT
3914855	Dover	SHADY LANE	201/6	Telephone	FPNHPT
3927482	Dover	SHADY LANE	201/1	Telephone	FPNHPT
4153541	Dover	SILVER ST	3/17.	nobody is transferred to new pole	FPNHPT
4153564	Dover	SILVER ST	3/21.	Telephone	FPNHPT
3444856	Dover	SILVER ST	3/28.	Telephone	FPNHPT
3945564	Dover	SILVER ST	3/29.	Telephone	BCNH
3934429	Dover	SILVER ST EXT	303/2	Telephone, catv	FPNHPT
3856568	Dover	SPRUCE LANE	208/16	Telephone, catv	FPNHPT
3951685	Dover	SPRUCE LANE	206/8	Telephone	FPNHPT
3927591	Dover	SPUR RD	168/14	Telephone	FPNHPT
3958073	Dover	SPUR RD	168/17	Telephone	FPNHPT
3936147	Dover	ST THOMAS ST	40/4A	Telephone	BCNH

3914473	Dover	STARK AVE	1/192A	Telephone	BCNH
3914780	Dover	STARK AVE	1/189A	Telephone	FPNHPT
3878348	Dover	TENNYSON AVE	142A/5B	Telephone	FPNHPT
3945511	Dover	THOMPSON RD	138/32A	Telephone	FPNHPT
3878357	Dover	TOLEND AVE	4/107	Telephone, catv	FPNHPT
3878443	Dover	TOLEND AVE	4/108	Telephone, catv	FPNHPT
3895035	Dover	TOLEND RD	4/137	Telephone	FPNHPT
3987330	Dover	TOLEND RD	4/140	Telephone	FPNHPT
3940033	Dover	TOWLE AVE	3/25B	Telephone	FPNHPT
4053923	Dover	WASHINGTON ST	127/41	Telephone, catv, fiber	FPNHPT
4053930	Dover	WASHINGTON ST	4/59.	Telephone, catv, fiber	FPNHPT
3897962	Dover	WASHINGTON ST	4/61.	Telephone, catv, fiber	BCNH
3946767	Dover	WASHINGTON ST	4/51.	Telephone, catv, fiber	BCNH
3987311	Dover	WATSON RD	409/16	Telephone	FIBNH
3958106	Dover	WENTWORTH TERRACE	159/4	Telephone	FPNHPT
3878761	Dover	WESTWOOD CIRCLE	309/9	Telephone	FPNHPT
3878712	Dover	WESTWOOD DR	309/12	Telephone	FPNHPT
	Dover	BELLAMY RD	302/19	Telephone	
	Dover	BELLAMY RD	302/18X	Telephone	
		Central Ave	1/77A	ready to be pulled - need area blocked off	
		Central Ave	1/73.	ready to be pulled - need area blocked off	
	Dover	CHARLES ST	21/2	Telephone	
	Dover	CUSHING ST	48/5	Telephone, catv	
	Dover	CUSHING ST	48/6	Telephone, catv	
	Dover	DOVER POINT RD	1/268A	Telephone	
	Dover	DOVER POINT RD	1/277A	Telephone	
	Dover	DOVER POINT RD	1/293A	Telephone, catv	
	Dover	DOVER POINT RD	1/298	Telephone, catv	
	Dover	DOVER POINT RD	1/307	Telephone	
	Dover	DOVER POINT RD	1/311	Telephone	
	Dover	DOVER POINT RD	1/312	Telephone	
	Dover	DOVER POINT RD	1/313	Telephone	
	Dover	DOVER POINT RD	1/321	Telephone, catv	
	Dover	DOVER POINT RD	1/326	Telephone	

Dover	DOVER POINT RD	1/326A	Telephone, catv
Dover	DOVER POINT RD	1/333	Telephone
Dover	DOVER POINT RD	1/354	Telephone
Dover	E WATSON ST	152/4	Telephone, catv
Dover	E WATSON ST	152/5	Telephone, catv
	Elm St	32/8	cable still attached
Dover	GARRISON RD	24/9	Telephone
Dover	FISHER ST	37/5	Telephone, catv
Dover	KNOX MARSH RD	303/24	Telephone, catv, fiber
Dover	KNOX MARSH RD	303/40	Telephone, catv, fiber
Dover	LEXINGTON ST	400/8	Telephone
Dover	LITTLEWORTH RD	3/129	Telephone
Dover	LITTLEWORTH RD	3/130	Telephone
Dover	LITTLEWORTH RD	3/134	Telephone
Dover	LITTLEWORTH RD	3/125	Telephone, catv
Dover	LOCUST ST	30/14	Telephone
Dover	LOCUST ST	30/15	Telephone
Dover	LOCUST ST	30/16	Telephone
Dover	LOCUST ST	30/18	Telephone
Dover	MCKONE LN	139/4	Telephone
Dover	MIDDLE RD	142/55	Telephone
Dover	MT VERNON ST	608/26-1	Telephone
Dover	RUTLAND ST	36/8	Telephone
Dover	TOWLE AVE	3/25C	Telephone
Dover	WASHINGTON ST	4/49.	Telephone, catv
Dover	WASHINGTON ST	4/18B	Telephone, catv
Dover	WASHINGTON ST	4/48A1	Telephone, catv
Dover	WASHINGTON ST	4/44A	Telephone, catv
Dover	WASHINGTON ST	4/40.	Telephone, catv
Dover	WASHINGTON ST	4/35.	Telephone, catv
Dover	WENTWORTH TERRACE	159/5	Telephone, catv
Dover	WESTWOOD	309/25	Telephone
Dover	WOODMAN PARK DR	38/3	READY TO BE PULLED

TOWN OF DURHAM, NH

Town Of Durahm Dual Pole Listing - May 19, 2021

STREET NAME	POLE NUMBER
route 108	112/1110
route 108	112/1123
PISCATAQUA RD	10E/5
PISCATAQUA RD	10E/6
SMITH PARK LN @ MAIN ST	1/2
PACKERS FALLS RD	UNK
STATE HWY RTE 4	RT10 P45
STATE HWY RTE 4	RT10 P46
STATE HWY RTE 4	RT10 P48
STATE HWY RTE 4	RT10 P50
STATE HWY RTE 4	RT10 P51
STATE HWY RTE 4	RT10 P52
LANGLEY RD	RT12 P20
Bay Rd	9 95
Bennett rd	64/4
Coe Rd	82/8
	82/9
	82/10
	82/21
Cutts Rd	841/1
	841/4
	841/6
	841/11
	841/12
Dover Rd	841/26
	841/27
FFrost	840/14
	840/8
	840/6
	840/5
Longmarsh Rd	55/5
	55/6
	55/7
	55/8
	55/9
	55/10
	55/11
	55/12
	55/13
	55/14
	55/15
	55/16
	55/17

55/18
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55/22
55/23
55/24
55/25
55/26
55/27
55/28
55/29
55/30
55/31
55/32
55/33
55/34
55/35
55/36

Mill rd

7/49
7/44
7/45

Newmarket rd
Orchard st

3/7
87A/3

Packersfalls rd

5/33
5/6
5/1

Sandybrook
Young Dr
Winecellar

550/36
44/2
56/6
56/7
56/8
56/9

Total

75

TOWN OF EXETER, NH

City			City Notes	Comcast Notes?City notes	Comcast Complete
Exeter	Jubal Martin Rd @ Epping Rd	266/1	Phone, cable	Complete	yes
Exeter	12 Industrial Dr.	215/16	Phone, cable		yes
Exeter	104 Epping Rd.	61/27	Phone, cable		yes
Exeter	4 Michael Ave.	139/31	Phone		yes
Exeter	133 Brentwood Rd.	21/64	Cable		yes
Exeter	199 Front St.	no numbers	Phone		yes
Exeter	John West Rd.	108/8	Phone, cable		yes
Exeter	106 Front St	70/31	Phone, cable	fiber above comcast	No
Exeter	14 Front St.	70/30	Phone, cable		Yes
Exeter	10 Front St.	70/2	Phone, cable	fiber and power above comcast	No
Exeter	55 Kingston Rd.	219/35	Phone, cable	Fiber and fire alarm above Comcast	No
Exeter	37 Newfields Rd.	229/61-61/51	Phone, cable	Complete	yes
Exeter	20 Newfields Rd.	229/33	Phone, cable	No Comcast plant on pole	
Exeter	20 Newfields Rd.	229/34	Phone, cable	Complete Riser pole Difficult Transfer	yes
Exeter	20 Newfields Rd.	229/36	Phone, cable		Yes
Exeter	20 Newfields Rd.	229/37	Phone, cable		yes
Exeter	20 Newfields Rd.	229/38	Phone, cable		Yes
Exeter	11 Newfields Rd	229/30	Phone, cable		yes
Exeter	11 Newfields Rd	229/29	Phone, cable		yes
Exeter	330 Water St.	203/32	Phone, cable	No Comcast plant on pole	
Exeter	330 Water St.	203/33	Phone, cable	Hazard: pole leaning over sidewalk	yes
Exeter	330 Water St.	203/34	Phone, cable	Hazard: pole leaning over sidewalk	yes
Exeter	277 Water St.	203/25	Phone, cable	Hazard: pole leaning over sidewalk	yes
Exeter	277 Water St.	203/26	Phone, cable	Hazard: pole on blocks, plow wing hazard	yes
Exeter	277 Water St.	203/27	Phone, cable		yes
Exeter	277 Water St.	203/28	Phone, cable	No transfer needed only one pole	
Exeter	255 Water St.	203/20	Phone, cable	Complete	yes
Exeter	255 Water St.	203/21	Phone, cable	Complete utility 16" into sidewalk, sidewalk plow hazard	yes
Exeter	Water St. @ Spring St.	203/18	Phone, cable	Complete pole on blocks, plow wing hazard	yes
Exeter	Water St. @ Spring St.	203/19	Phone, cable	Complete pole on blocks, plow wing hazard	yes
Exeter	Spring St	180/3	Phone, cable		yes
Exeter	Spring St	180/4	Phone, cable		yes
Exeter	Spring St	180/5	Phone, cable		yes

Exeter	Spring St	180/6	Phone, cable	Hazard: pole in middle of sidewalk	yes
Exeter	3 Main St.	125/1	Phone, cable		Yes
Exeter	spruce st @ Washington	181/1	phone and cable	Complete	yes
Exeter	Spruce St.@ Cape Ln.	181/4	Phone, cable		yes
Exeter	23 Spruce St	#2	phone and cable	Complete	yes
Exeter	22 Spruce St.	#3	Power, phone, cable	Complete Also pole #2and pole #1 ready for transfer	yes
Exeter	Court St @ Pine St.	149/1	Cable		yes
Exeter	Alewife Ct.	87/1	Phone, cable		yes
Exeter	20 Court St.	45/4	Phone, cable	Complete	yes
Exeter	30 Court St.	45/5	Phone, cable	Complete	yes
Exeter	36 Court St.	45/7	Phone, cable	Complete	yes
Exeter	40 Court St.	45/8	Phone, cable	Complete	yes
Exeter	70 Court St.	45/17	Phone, cable		yes
Exeter	74 Court St.	45/18	Phone, cable		yes
Exeter	76 Court St.	45/19	Phone, cable		yes
Exeter	80 Court St.	45/21	Phone, cable		yes
Exeter	143 Court St.	45/44	Phone, cable		yes
Exeter	145 Court St.	45/45	Phone, cable		yes
Exeter	147 Court St.	45/46	Phone, cable		yes
Exeter	151 Court St.	45/48	Phone, cable		yes
Exeter	155 Court St.	45/50	Phone, cable		yes
Exeter	146 Court St.	45/52	Phone, cable		yes
Exeter	165 Court St.	45/54	Power, phone, cable	Power Supply transferd 10/22/20	Yes
Exeter	138 Powder Mill Rd	156/1	Phone		Yes
Exeter	Linden St. @ Gary Ln.	121/27	Phone, cable		Yes
Exeter	71 Linden St.	121/27A		No comcast on pole	
Exeter	64 Linden St.	121/24	Phone or cable?		Yes
Exeter	67 Linden St	121/25	Phone or cable?		Yes
Exeter	68 Linden St.	121/26	Phone or cable?		Yes
Exeter	Guinea Rd @ Hampton Rd.	88/1	Phone or cable?		Yes
Exeter	Auburn St @ Magnolia Ln	9/7	Phone, cable	Hazard: old pole split at bottom	Yes
Exeter	6 Leary Ct.	119/3	Phone, cable		Yes
Exeter	8 Leary Ct.	119/5	Phone, cable		Yes
Exeter	8 Leary Ct.	119/6	Phone, cable		Yes

Exeter	2 Webster Ave.	206/1	Phone, cable		yes
Exeter	4 Webster Ave.	206/2	Phone, cable		yes
Exeter	10 Webster Ave.	206/3	Phone, cable		Yes
Exeter	12 Webster Ave.	206/4	Phone, cable		yes
Exeter	14 Webster Ave.	206/5	Phone, cable	Phone drops above	NO
Exeter	69 Jady Hill Ave.	105/16	Phone, cable		yes
Exeter	203 High St.	99/58	Phone, cable		Yes
Exeter	High St. & Rocky Hill Ave.	166/1	Phone, cable	Complete	Yes
Exeter	Rocky Hill Ave	166/2	cable	Complete	Yes
Exeter	Rocky hill Ave	166/3	cable	Complete	Yes

TOWN OF NEWINGTON, NH

City	Street	Pole Number
Newington	Coleman Drive	29/1
Newington	Coleman Drive	29/2
Newington	Coleman Drive	29/2A
Newington	Fox Point Road	12/41
Newington	Fox Point Road	12/42
Newington	Fox Point Road	12/43
Newington	Fox Point Road	12/44
Newington	Fox Point Road	12/45
Newington	Fox Point Road	12/46
Newington	Fox Point Road	12/47
Newington	Fox Point Road	12/48
Newington	Fox Point Road	12/49
Newington	Fox Point Road	12/50
Newington	Fox Point Road	12/51
Newington	Fox Point Road	12/52
Newington	Fox Point Road	12/53
Newington	Fox Point Road	12/54
Newington	Fox Point Road	12/55
Newington	Fox Point Road	12/56
Newington	Fox Point Road	12/57
Newington	Fox Point Road	12/58
Newington	Fox Point Road	12/59
Newington	Fox Point Road	12/60
Newington	Fox Point Road	12/61
Newington	Fox Point Road	12/62
Newington	Fox Point Road	12/63
Newington	Fox Point Road	12/64
Newington	Fox Point Road	12/65
Newington	Fox Point Road	12/65s
Newington	Fox Point Road	12/66
Newington	Fox Point Road	12/67
Newington	Fox Point Road	12/68
Newington	Fox Point Road	12/69
Newington	Nimble Hill Rd.	1/131
Newington	Nimble Hill Rd.	1/130
Newington	Nimble Hill Rd.	1/129
Newington	Nimble Hill Rd.	1/128
Newington	Nimble Hill Rd.	1/127
Newington	Nimble Hill Rd.	1/126
Newington	Nimble Hill Rd.	1/125
Newington	Nimble Hill Rd.	1/124
Newington	Nimble Hill Rd.	1/123
Newington	Nimble Hill Rd.	1/122
Newington	Nimble Hill Rd.	1/121
Newington	Nimble Hill Rd.	1/120
Newington	Nimble Hill Rd.	1/119
Newington	Nimble Hill Rd.	1/118
Newington	Nimble Hill Rd.	1/118S
Newington	Nimble Hill Rd.	1/117
Newington	Nimble Hill Rd.	1/116
Newington	Nimble Hill Rd.	1/114
Newington	Nimble Hill Rd.	1/113
Newington	Nimble Hill Rd.	1/112
Newington	Nimble Hill Rd.	1/111
Newington	Nimble Hill Rd.	1/110
Newington	Nimble Hill Rd.	1/109
Newington	Nimble Hill Rd.	1/108
Newington	Nimble Hill Rd.	1/107
Newington	Nimble Hill Rd.	1/106
Newington	Nimble Hill Rd.	1/105
Newington	Nimble Hill Rd.	1/104
Newington	Nimble Hill Rd.	1/103
Newington	Nimble Hill Rd.	1/102
Newington	Nimble Hill Rd.	1/101
Newington	Nimble Hill Rd.	1/100

Newington	Nimble Hill Rd.	1/99
Newington	Nimble Hill Rd.	1/99S
Newington	Nimble Hill Rd.	1/98
Newington	Nimble Hill Rd.	1/97
Newington	Little Bay Road	7/9
Newington	Little Bay Road	7/20
Newington	Little Bay Road	7/30
Newington	Little Bay Road	7/32
Newington	Little Bay Road	7/34B
Newington	Little Bay Road	7/36
Newington	Little Bay Road	7/37
Newington	Little Bay Road	9/10
Newington	Little Bay Road	9/11
Newington	Little Bay Road	9/12
Newington	Old Post Road	6/1
Newington	Old Post Road	6/2
Newington	Old Post Road	6/3
Newington	Old Post Road	6/4
Newington	Old Post Road	6/5
Newington	Watson property	11/4
Newington	FOX POINT RD	1030/11
Newington	gosling road	131/3.5
Newington	gosling road	131/4
Newington	gosling road	131/5
Newington	gosling road	131/5.5
Newington	gosling road	131/6
Newington	gosling road	131/10
Newington	gosling road	131/12
Newington	gosling road	131/13
Newington	gosling road	131/15
Newington	WOODBURY AVE	927/2
Newington	AVERY RD	260B/2
Newington	SWAN ISLAND RD	106/44-1L
Newington	OLD POST RD	147/6
Newington	bloody point rd	958/5
Newington	FABYAN POINT RD	107/6
Newington	fabyan pt rd	107/1
Newington	SHORT ST	31
Newington	MERRIMAC DR	4-17R
Newington	PATTERSON LANE	260/6
Newington	NEWINGTON RD	RT106 P59
Newington	RIVER RD	RT103 P115

TOWN OF NEWMARKET, NH

StreetName	PoleNumber
Packers Falls Rd	7/2
ASH SWAMP RD	95/1A
Exeter Rd	5/99
JAN LN	851/4
JAN LN	851/12 TELL 701/11
JAN LN	851/10
S.MAIN ST	49/5
GERRY ST-EXETER RD	5/12
GERRY ST-EXETER RD	5/11
GERRY ST-EXETER RD	29/6
GERRY ST-EXETER RD	29/4
CHURCH-TASKER-BEECH ST	16/5
CHURCH-TASKER-BEECH ST	16/3
CHURCH-TASKER-BEECH ST	16/2
CHURCH-TASKER-BEECH ST	16/1
PACKERS FALLS RD-RAILROAD AVE	30/4
SOUTH MAIN ST	1/8
SOUTH MAIN ST	1/6
SOUTH MAIN ST	1/4
SOUTH MAIN ST	4/28YC
SOUTH MAIN ST	4/28YB
RIVER BEND RD	7A/11 FP# 40/2
WADLEIGH FALLS RD	4/65S
GREAT COVE DR.	191/1 F.P.# 52/1
GREAT COVE DR.	191/1 F.P.# 52A/1
LAMPRY RIVER TRPK	9A/4
PISCASSIC ST.	54/3
WADLEIGH FALLS RD	77/12
SOUTH ST	21/9
WADLEIGH FALLS RD	RT7 P122
Exeter	5/67
Exeter	5/65
Exeter	5/67A
SOUTH MAIN ST	4/28YAS

CITY OF PORTSMOUTH, NH

	A	B	C
1	Notes	Street	Pole Number
2	Comcast next to go	Aldrich Rd	103/16
3		Austin St	49/13
4		Austin St	49-2
5		Banfield Rd	226/13
6		Banfield Rd	226/23
7	Ready for pulling	Banfield Rd	226/55A
8	Ready for pulling	Banfield Rd	226/56
9	Ready for pulling	Banfield Rd	226/61
10		Barberry Ln	110/2
11		Bartlett St	176/7
12		Bartlett St	176/5
13		Bartlett St	176/9
14		Bartlett St	176/40T
15		Borthwick Ave	264/2A
16		Borthwick Ave	3101X/1-7
17		Borthwick Ave	7809/10
18		Bow St	7/10
19		Bow St	7/9
20		Boyan PL	248/2a
21		Brackett Rd	218/4
22		Broad St	94/24
23		Broad St	94/23
24		Broad St	94/19
25		Broad St	94/22
26		Broad St	94/25
27		Broad St	94/20
28		Broad St	94/21
29		Broad St	94/26
30		Cabot St	81
31		Cass St	100/13
32		Cass St	100/6
33		Ceres St	7/10A & 7/10B
34		Cliff Rd.	136/41 A
35		Cliff Rd.	136/41B
36		Coakley Rd	271/3a
37		Colonial	220/26
38		Colonial	220/24
39		Colonial	220/23
40		Colonial	222/22
41		Commerce	367/A2
42		Commerce	367/3
43		Commerce	367/A9
44		Commerce	367/8
45		Commerce	367/6A

	A	B	C
1	Notes	Street	Pole Number
46		Commerce	367/4
47		Commerce	367/5
48		Commerce	316/Y
49		Constitution Ave	313/2
50		Cottage St	183/8Y
51		Cottage St	183/8
52		Cutts Ave	505/6
53		Cutts Ave	251/2
54		Cutts Ave	188/7
55		Daniel St	1/04
56		Daniel St	1/05
57		Daniel St	1/11
58		Daniel St	1/6
59		Daniel St	1/7
60		Dearborn	163/2
61		Dearborn	163/1
62		Dennett St	165/16
63		Dennett St	165/10
64		Dennett St	165/3
65		Dennett St	165/6
66		Durham St	431/15
67		Edmond Ave	211/2
68		Elwyn Ave	86-9
69		Elwyn Rd	147/38
70		Elwyn Rd	147/39
71		Essex Ave	112/Y
72		Fairview Ave	32/26A
73		Fairview Ave	32/26B
74		Fairview Ave	32/26BS
75		Fairview Ave	32/32/26E
76		Fleet St	20/2
77		Franklin Dr	165/25C2
78		Franklin Dr	165/21C2
79		Franklin Dr	165/250
80		Grafton Dr	432/6YG
81		Greenland Rd	187/49
82		Greenland Rd	187/52
83		Greenland Rd	187/53
84		Greenland Rd	187/54
85		Harvard	159/2
86		Harvard	159/2Y
87		Highland Ave	92/3
88		Hillside Dr	214/4
89		Islington St	2/030
90		Islington St	2/30A

	A	B	C
1	Notes	Street	Pole Number
91		Islington St	2/034
92		Islington St	2/34
93		Islington St	2/17
94		Islington St	2/27A
95		Islington St	2/59Y
96		Jackson Hill	641/2
97		Jewel Ct	2/37A
98		Jones Ave	137/16
99		Kane St	188/7
100		Kearsarge Way	170/10
101		Kearsarge Way	170/11
102		Kearsarge Way	170/8
103		Kearsarge Way	170/8a
104		Lafayette Rd	146/121
105		Lafayette rd	146/132
106		Lafayette Rd	146/143A
107		Lafayette Rd	146/149
108		Lafayette Rd	146/27
109		Lafayette Rd	146/35
110		Lafayette Rd	146/34
111		Lafayette rd	146/80
112		Lafayette Rd	146/81
113		Lafayette Rd	146/82
114		Lafayette Rd	146/95
115		Lang Rd	225/5
116		Lang Rd	225/8
117		Langdon St	41/3
118		Langdon St	41/4
119		Langdon St	80/5
120		Leslie Dr	261/12
121		Leslie Dr	261/7y
122		Lincoln Ave	84/23y
123		Lovell St.	101/1
124		Maplewood Ave	32A/9
125		Maplewood Ave	32/2
126		Maplewood Ave	32/1A
127		Maplewood Ave	32/1
128	?	Maplewood Ave	32/2
129		Maplewood Ave	32A/11
130		Marcy St	59/13
131		Market St	10/16
132		Market St	10/17Y
133		Market St	10/17
134		Marsh Lane	641/2
135		McKinley	232/13

	A	B	C
1	Notes	Street	Pole Number
136		Meadows Rd	244/6
137		Melcher	73/2
138		Middle Rd	148/2
139		Middle Rd	148/26
140		Middle Rd	148/12
141		Middle St	6/26
142		Middle St	6/25
143		Mirona Rd	300/9A
144		Mirona Rd	300/10
145		Mirona Rd	300/5
146		Mirona Rd	300/7
147		Morning St	178/2
148		New Hampshire Ave	51A/2
149		Northwest St	166/4
150		Northwest St	166/3
151		Ocean Rd	
152		Orchard St	119/4
153		Park St	117/3
154		Park St	117/2
155		Pierce Island	53/2A
156		Pierce Island	53/3A
157		Pierce Island	%2/5
158		Pevery Hill Rd	145/14
159		Pevery Hill Rd	145/33
160		Pevery Hill Rd	145/39
161		Pevery Hill Rd	145/38Y
162		Pinehurst Rd	5/38E
163		Pinehurst Rd	5/38c
164		Princeton	159/2YA
165		Prospect	167/4
166		Rock St	Empty
167		Rockingham Ave	189/3s
168		Rockingham Ave	189/4s
169		Rockingham St	43/2
170		Route 1 Bypass NB	264/3
171		Route 1 Bypass SB	183/9
172		Route 1 Bypass SB	183/8Y
173		Route 1 Bypss SB	242/6
174		Route 1 Bypss SB	294/6A
175		Rt 1 Bypss	242/4
176		Sagamore Rd	136/51x
177		Sagamore Rd	136/62
178		Sagamore Rd	136/64
179		Sagamore Rd	136/65
180		Sagamore Rd	136/65S

	A	B	C
1	Notes	Street	Pole Number
181		Sagamore Rd	136/74
182		Sagamore Rd	136/75
183		Sagamore Rd	136/76
184		South St	5/71
185		South St	5/59
186		South St	5/65
187		South St	5/11
188		State St	3/23Y
189		State St	3/28
190		State St	3/28Y
191		Summer St	3/29
192		Summer St	3/28Y
193		Summer St	46/3
194		Summit Ave	301/1
195		Sylvester Rd	151/3
196		Taft	291/14
197		Union St	51/8
198		Union St	51/9
199		Union Rd	51/27Y
200		Union St	51/6
201		Union St	51/3
202		Union St	51/4
203		Ward	124/7A
204		Wentworth Rd	144/3
205		Wentworth Rd	144/4
206		Wentworth Rd	144/3 1/2
207		Wentworth Rd	144/3S
208		Wentworth Rd	144/6
209		Willard	120/4
210		Willard	120/3
211		Winchester	250/2
212		Winchester	250/04
213		Winchester	250/06
214		Woodbury Ave	177/84A
215		Woodbury Ave	177/11
216		Woodbury Ave	177/15
217		Woodbury Ave	177/4

CITY OF SOMERSWORTH, NH

<u>Street</u>	<u>Pole #</u>
Buffumsville Road	316/1 S
Buffumsville Road	6 288158
Cemetery Road	7 228917
Cemetery Road	6
Deer Creek Run	4
Flynn St.	5034/1 297989
Flynn St.	
Franklin St at Silver	18/5
Franklin St,	33/4 223993
Franklin Street	old pole, 33/15, new pole 18/13
Franklin Street.	18/6
Franklin Street	18/14
Green St.	20/54
Green St. in front #27 – POWER AND CATV STILL ATTACHED TO OLD POLE.	FP 20/12 224801
Green St. in front #9 – POWER AND CATV STILL ATTACHED TO OLD POLE.	FP 20/8 224801
Green Street	new Pole #20/23 ½; old Pole # 23 ½
Green Street	new Pole # 2/21; old Pole # 26 2/21
Green Street	new Pole #2/20; old Pole #2/20
Green Street	old Pole # 203/28X
Green Street (old pole # 203/28X)	20/64
Green Street (Old Pole # 203/34)	203-34
Green Street Pole # 20-5	25T 203/32
Green Street	old Pole #20/23; new pole # 206 20/23
Green Street at Pleasant St . pole is leaning toward sidewalk by granite wall	Pole # 2/4,
Green Street at Pole #20/22	new pole # 20/22
High Street @# 361, –suggest move meter to outside of pole, to allow safe passage of sidewalk tractor.	Pole # 3/68
Indigo Hill Road at Green St, , new pole 202/1, old pole is 202/1	202/21
Indigo Hill Road -old pole; new pole #7/146	1/146
Indigo Hill Road at RR track crossing – EVERSOURCE ONLY	
Indigo Hill Road by William Street, pole in sidewalk.	pole # 7/142
Main St.	1/17A
Maple Street @ #67A, Pole is leaning and looks unsafe.	Pole # 95/12 1
Noble Street (Pole #4)	225024
Noble Street	Pole # 12/56/5-new pole # 56/5
Noble Street	12/6 36 6-new pole # 56/6
Prospect Street	Pole # 8/15
Rocky Hill Road	Pole # 64/23
Rocky Hill Road	Pole # 65/ 290806 Pole # 49 50
Rocky Hill Road	Pole # 65/24
Stackpole Road (no # on old pole)	New Pole # 32/11
Union St @ Mt. Auburn St.	Pole # 35/15
Veterans Terrace	Pole # 5033/3