



**Regular City Council Meeting
December 5, 2017
Council Chambers
7:00 PM**

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
 - 2.1. Opening Prayer led by Roland E. Patnode Jr. American Legion Color Guard**
- 3. Presentation of the Colors**
 - 3.1. Pledge of Allegiance led by the Roland E. Patnode Jr. American Legion Color Guard**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1. Regular City Council Meeting: November 8, 2017 (Motion to Approve) P. 9**
 - 5.2. Special City Council Meeting: November 21, 2017 (Motion to Approve) P. 35**
- 6. Communications from the City Manager**
 - 6.1. Employee of the Month Award P. 38**
 - 6.2. City Manager's Report P. 37**
- 7. Communications from the Mayor**
- 8. Presentations of Petitions and Council Correspondence**
 - 8.1. Petition for Zoning Ordinance Amendment – MacKoul, Corey (Motion to Accept or Reject) P. 59**
- 9. Nominations, Appointments, Resignations, and Elections**
 - 9.1. Resignation: Travis D. Allen, School Board**

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City Clerk's Office

10. Reports of Committees

10.1. Appointments Review Committee P. 61

- 10.1.1. **Appointment:** Terese Dwyer, Planning Board, Regular Member, Term to Expire on 01/02/2021
- 10.1.2. **Appointment:** Kyle Starkweather, Planning Board, Regular Member, Term to Expire on 01/02/2020
- 10.1.3. **Appointment:** Mark Collopy, Planning Board, Alternate Member, Term to Expire on 01/02/2019
- 10.1.4. **Re-Appointment:** Nancy Carignan, Recreation and Arena Commission, Term to Expire on 01/02/2020

10.2. Codes and Ordinances Committee P. 63

- 10.2.1. **AB 66** Amendment to Chapter 19.1 of the General Ordinances of the City of Rochester Regarding Residential Recycling Bins *(Second Reading Required)* P. 67
- 10.2.2. **AB 67** Amendment to Chapter 19.8 of the General Ordinances of the City of Rochester Regarding Storage of Containers and Dumpsters *(Second Reading Required)* P. 69

10.3. Community Development Committee P. 71 & 75

- 10.3.1. **Committee Recommendation to the Full City Council:** That the downtown holiday lights be left on the trees until May 2018 *(Motion to Approve)* P. 72

10.4. Finance Committee P. 77

- 10.4.1. **AB 63** Amendment to the City of Rochester's General Ordinances Relative to Chapter 17.34 Entitled "Water Rate and Fee Schedule" *(First Reading and Refer to a Public Hearing)* P. 83
- 10.4.2. **AB 64** Amendment to the City of Rochester's General Ordinances Relative to Chapter 16.25 Entitled "Wastewater Rate and Fee Schedule" *(First Reading and Refer to a Public Hearing)* P. 85
- 10.4.3. **AB 70** Resolution Authorizing the Acceptance of an Internet Crimes Against Children (ICAC) Task Force Reimbursement and Supplemental Appropriation Connected Thereto in the amount of \$76,000.00 *(Second Reading Required)* P. 87

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City Clerk's Office

- 10.4.4. **Committee Recommendation to the Full City Council: AB 71 Resolution Authorizing Supplemental Appropriation to provide Funding for Consulting Services to Update the Riverwalk Master Plan in the amount of \$5,500 (*Resolution & Second Reading Required*)** P. 89
- 10.4.5. **Committee Recommendation to the Full City Council: AB 72 Resolution Authorizing the Acceptance of Radiological Emergency Preparedness (REP) Grant and Supplemental Appropriation Connected Thereto in an amount of \$12,697 (*Second Reading Required*)** P. 91
- 10.4.6. **Committee Recommendation to the Full City Council: That the City Council indicate support that the City Manager Include an Appropriation in his proposed Fiscal Year 2019 Budget for a City sponsored Fireworks display (*Motion to Approve*)** P. 80
- 10.5. Government Channel P. 93
- 10.6. Public Safety Committee P. 95
 - 10.6.1. **Committee Recommendation to the Full City Council: To place “no thru truck” signs on both ends of Quail Drive with the gross vehicle weights recommended by DPW (*Motion to Approve*)** P. 96
 - 10.6.2. **Committee Recommendation to the Full City Council: To extend the sidewalk from Irish Street to Charles Street using existing side walk funds (*Motion to Approve*)** P. 99
 - 10.6.3. **Committee Recommendation to the Full City Council: To Move the pole and streetlight in the middle of Irish Street to a new location outside of the paved roadway at the discretion of DPW(*Motion to Approve*)** P. 99
 - 10.6.4. **Committee Recommendation to the Full City Council: To Move the streetlight on Sullivan Farm Drive closer to the intersection (*but to also contact the two residents that would be affected by the action*) (*Motion to Approve*)** P. 99
- 10.7. Public Works and Building Committee P. 101
 - 10.7.1. **Committee Recommendation to the Full City Council: To send the matter of 24 Stone wall Drive – Easement to the Planning Board for review (*Motion to Approve*)** P. 102
- 11. Old Business
- 12. Consent Calendar

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City Clerk's Office

13. New Business

- 13.1. **AB 61** Resolution Authorizing the City of Rochester to Enter Into a Cable Franchise Agreement with Comcast (*Second Reading Required*) P. 107
- 13.2. **AB 68** Resolution Authorizing the Acceptance of A Conservation License Plate Grant [Moose Plate Grant] and Making a Supplemental Appropriation in Connection therewith in order to Fund the Preservation of 18th Century and 19th Century Municipal Documents in the Amount of \$9,025 (*Second Reading Required*) P. 153
- 13.3. **AB 62** Acceptance of the Economic Development Strategic Plan for Adoption to the City Master Plan (*Acceptance and Referral to the Community Development Committee*) P. 157
- 13.4. **AB 39** Amendment to Chapter 42.4 of the General Ordinances of the City of Rochester Regarding Variances (*Second Reading & Adoption*) P. 205
- 13.5. **AB 69:** Resolution Authorizing the Rochester Fire Department to Apply for a New Hampshire Department of Homeland Security Grant for the purpose of Swiftwater Rescue Equipment in the amount of \$60,000 (*Second Reading Required*) P. 209
- 13.6. **AB 59** Resolution Authorizing the Acceptance of Criminal Forfeitures and Supplemental Appropriation Connected Thereto in the amount of \$3,041.09 (*Second Reading Required*) P. 213
- 13.7. **AB 60** Resolution Authorizing the Acceptance of Criminal Forfeitures from the United States Government and Supplemental Appropriation Connected Thereto in the amount of \$1,525.27 (*Second Reading Required*) P. 228
- 13.8. **AB 65** Amendment to the City of Rochester General Ordinances Relative to Chapter 42.19 Dimensional Standards (*First Reading and Refer to the Planning Board & Schedule the City Council Public Hearing for January 18, 2018*) P. 225

14. Other

15. Non-Meeting/Non-Public Session

- 15.1. Non-Public Session, Land, RSA 91-A:3 II (d)
- 15.2. Non-Public Session, Personnel, RSA 91-A:3,II (a)

16. Adjournment

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City Clerk's Office

**Regular City Council Meeting
November 8, 2017
Council Chambers
7:00 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Barnett
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Keans
Councilor Hamann
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Willis
Mayor McCarley

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
City Attorney O'Rourke
Shane Tufts, Buildings and Grounds

COUNCILORS EXCUSED

Councilor Lachapelle

Minutes

1. Call to Order

Mayor McCarley called the Regular City Council meeting to order at 7:00 PM.

2. Opening Prayer

2.1. Opening Prayer led by Norman Sanborn Sr. of the Rochester Veterans Council

Norm Sanborn Sr., of the Rochester Veterans Council, led the opening prayer.

3. Presentation of the Colors

3.1. Pledge of Allegiance led by the Rochester Veterans Council

Norm Sanborn Sr., of the Rochester Veterans Council, led the Pledge of Allegiance.

3.2. Proclamation: Veterans Day

Mayor McCarley read the Veterans Day proclamation and declared November 11, 2017, as Veterans Day in the City of Rochester.

Norm Sanborn Sr., of the Rochester Veterans Council announced the upcoming events for the month of November. He invited the City Council members and the public to attend.

4. Roll Call

Kelly Walters, City Clerk, took the roll call. All Council members were present except for Councilor Lachapelle who had been excused.

5. Acceptance of Minutes

5.1. Regular City Council Meeting: Revised October 3, 2017 (Motion to Approve)

Councilor Bogan **MOVED** to **ACCEPT** the October 3, 2017, Regular City Council meeting minutes. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1. Employee of the Month Award

City Manager Fitzpatrick invited Shane Tufts to come forward to accept the Employee of the Month Award for the month of November. City Manager Fitzpatrick gave a brief overview of the nomination letter submitted to the Employee of the Month Committee.

6.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Contracts and documents executed since last month:

- City Clerk
 - Election Services – Letter of Understanding – Electronic Poll Book Pilot
- City Manager
 - McDuffee Cemetery – Permission to maintain
- Department of Public Works
 - Certificate of Appreciation
 - City Hall Annex Project – Change Order #8
 - Honeywell EBI System Upgrade
 - Raw Transmission Line – Dewatering/Repair

- Security Agreement – 65 & 73 Salmon Falls Road
- Security Agreement – 77, 81 & 95 Salmon Falls Road
- Security Agreement – 58, 62 & 143 Salmon Falls Road & 125 Milton Road
- Spring Household Hazardous Waste Commitment Letter
- Utility Easement – Trinity Circle – Sewer & Drainage
- Economic & Community Development
 - CDBG Environmental Review – Community Action Partnership
 - CDBG - Certification of Consistency
- Information Technology
 - Systems Engineering Server, Storage and Backup Solution Project
- Legal Department
 - Redemption – Royal Crest MHP
 - Tax Deeds – Whitehouse, Pebblestone, Royal Crest MHP & Maple St
- Planning Department
 - Crane Drive – Release of Covenants

Standard Reports:

- City Council Request & Inquiry Report - *No Items – No Report included*
- Monthly Overnight Travel Summary
- Permission & Permits Issued
- Personnel Action Report Summary

Councilor Keans asked if the three lots outlined in the City Council packet would be hooked up to the City Sewer at the owner's expense. City Manager Fitzpatrick replied yes.

Councilor Keans asked about the Security Agreements for 65 & 73 Salmon Falls Road. Attorney O'Rourke explained that the City had not secured the proper drainage easements prior to this point. The property owners have since granted the easement rights in favor of the City.

6.3. Presentation: Cable Franchise Agreement Representative

City Manager Fitzpatrick gave a brief overview of Cable Franchise Agreements. He said that one of the strong misconceptions about Cable Franchise Agreements in small committees is that only one Cable Company can have an exclusive franchise agreement with a community at one time; however, competition with a second cable company is not always possible but can be accomplished. In this case, the intent was to allow Comcast to service internet access for a Rochester Business located close to the

Rochester/Dover border. This resulted into Comcast wishing to start the first stages of a possible Cable Franchise Agreement with the City of Rochester.

City Manager Fitzpatrick invited Timothy Kelly, Vice President of Comcast, and Brian Christianson, Senior Manager of Government and Regulatory Affairs, to give a brief overview of their interest in serving the Rochester Community with a Cable Franchise Agreement.

Donna Bogan **MOVED** to suspend the rules in order to place the proposed Cable Franchise Agreement on the Agenda. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Bogan **MOVED** to declare a Public Hearing at the November 21, 2017, City Council Workshop, to allow Comcast to show their ability to provide cable service to the City of Rochester. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6.4. Recommendation: AB 56 Resolution Authorizing the Release of City Held Easement over 24 Stonewall Drive, Rochester, New Hampshire (Refer to the Public Works & Building Committee)

Councilor Bogan **MOVED** to refer this matter to the Public Works Committee. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Resolution Authorizing the Release of City Held Easement over 24 Stonewall Drive, Rochester, New Hampshire

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, due hereby authorize the release of a Fifty (50) foot wide easement over 24 Stonewall Road, Rochester, New Hampshire as shown on the "Lot Line Revision Plan, Pray Street/Stonewall Road, Rochester, NH for Gregory E. Pray," recorded at the Stafford County Registry of Deeds at Plan 81-65.

Further, the City Manager is authorized to execute any and all documents necessary to affect the purpose of this Resolution. **CC FY18 11-08 AB 56**

6.5. Zoning Amendment Petition: Refer to City Attorney to put into Legal Form

City Manager Fitzpatrick said he is in receipt of a Zoning Amendment

Petition. The first step is to refer the matter to the City Attorney to place into legal form. City Attorney O'Rourke explained that the second step is for the petition to come back to the City Council for a first reading and after that, it is to be referred to the Planning Board. Councilor Varney disagreed with the process. This request is concerning a location near the high school [R-2 Zone] and the City Council should discuss the matter early on in this process. He requested a detailed list of the potential permitted uses that would be allowed for such a zoning amendment to that area, prior to being placed into legal format. The City Council briefly discussed the matter. It was determined that the matter would be discussed at a City Council Workshop and more information about the differences between the current zone [mixed neighborhood] and the proposed zone [Residential-2] would be presented to the City Council at that time.

7. Communications from the Mayor

No discussion.

8. Presentations of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Resignation: Jacqueline Peters, Ward 3 Selectman

Councilor Bogan **MOVED** to **ACCEPT** the resignation of Jacqueline Peters, Ward 3, Selectman. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.2. Resignation: Raymond Turner, Utility Advisory Board

Councilor Bogan **MOVED** to **ACCEPT** the resignation of Raymond Turner, Utility Advisory Board. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

The City Clerk presented a letter of resignation from Nicole Danforth, Ward 4 School Board Seat A to Mayor McCarley for action. Councilor Bogan **MOVED** to **ACCEPT** the resignation. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.3. Municipal Election Vote Returns – November 7, 2017

Kelly Walters, City Clerk, submitted the results of the citywide votes cast to the Mayor. She announced that Anne Grassie, Candidate for the Ward 4 School Board Seat A is present this evening to take an oath of office if the

City Council so chooses. Councilor Gray said that no oath of office should be taken until the recount request period has ended. No action was taken at this time.

The City Clerk outlined the rest of the results for the City Council. Councilor Keans wished to delay the acceptance of the results until a paper copy was made available. The City Council briefly discussed the matter. Councilor Bogan **MOVED** to accept the vote returns, which would trigger the recount period. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mayor McCarley requested that the City Attorney give an opinion about the keno vote having won by a single vote. Attorney O'Rourke recommended that the City conduct a recount and said it could be accomplished by the City Clerk requesting such recount. The City Council briefly discussed the matter. The City Clerk requested a recount on the Keno ballot question. Councilor Willis **MOVED** to allow the City Clerk to conduct a recount on the Keno Ballot Question. Councilor Gates seconded the motion. The **MOTION FAILED** by a majority voice vote. It was determined that the City Council would wait until citizens requested the recount.

10. Reports of Committees

10.1. Appointments Review Committee

10.1.1. Appointment: Amy Cann, Arts & Culture Commission, Term to Expire January 2, 2020

Councilor Keans reviewed the Committee report. She recalled that two Alternate members [Terese Dwyer and Kyle Starkweather] should have already been elevated to the Regular member status; however, it is not mentioned in the previous set of City Council meeting minutes. The City Council briefly discussed the matter. She added that Mark Collopy's appointment would need to be delayed again if those appointments had not yet occurred. Councilor Gray recalled that the Committee had not yet made any Regular Member recommendations at this point. The City Clerk agreed to research the matter and report back to the City Council.

Mayor McCarley nominated Amy Cann, to be appointed to the Arts and Culture Commission with a term to expire on January 2, 2020. Councilor Bogan seconded the nomination. Mayor McCarley asked if there were any other nominations. No other nominations were made. Mayor McCarley announced that Ms. Cann has been appointed to the Arts and Culture Commission with a term to expire on January 2, 2020, by a unanimous ballot vote.

10.2. Codes and Ordinances Committee

10.2.1. Committee Item: Seeking direction from the full City Council about the formation of a Committee to watch over the City's Cemeteries [Trustees of the Cemeteries] if formed, this committee would take the responsibilities relative to cemeteries out of the City Manager's office.

Councilor Lauterborn reviewed the Committee's recommendation about the formation of a new Committee: Trustees of the Cemeteries. Councilor Willis asked how many cemeteries the City of Rochester is currently responsible. City Manager Fitzpatrick replied there are three City cemeteries. The City Council debated if the responsibilities of the cemeteries should be kept in the City Manager's office or if the City Council should seek to create a cemetery trustee. City Manager Fitzpatrick said that now that the City has researched their policy on the cemeteries, it seems that the current system should work out fine. He said there is a misconception that the Trustees of the Trust Fund have a large amount of funds when in fact, they have been entrusted with very few funds for the perpetual care of certain cemetery plots and not for entire cemeteries.

Councilor Keans recalled that former City Manager Scruton had been responsible for tasking the City Manager's office with the overseeing of the city's three cemeteries. She added that prior to that change, it has always been, and continues to be the Department of Public Works which cares for the City's three cemeteries without much direction.

Councilor Willis asked if there is a process in place if a citizen request to be buried in a City lot or has the 'rights' to be buried in such lot. City Manager Fitzpatrick said that no policy is in place at this time; however, the Commissioner of Public Works would be tasked with that responsibility. Councilor Willis gave his opinion about what is involved with having a traditional cemetery trustee.

10.2.2. Committee Item; Discussion about an Amendment to Chapter 19.8 rage of Containers and Dumpster

Councilor Lauterborn reviewed the Committee's recommendation about containers and dumpsters. Councilor Gates asked about screening the Waste Management toters. He questioned what would be accepted as "adequately screened" from view relative to requiring residents to screen their garbage toters. The City Council debated the proposed language of the Amendment. Councilor Keans suggested that the City Council meeting

minutes should be researched to ensure this amendment had not already taken place a few years ago. A debate ensued about whether or not a first reading could come straight out of the Committee without an official written Amendment. It was determined that the Amendment to Chapter 19.8 relative to screening the toters would be reviewed by Attorney O'Rourke and be sent back to the City Council for a first reading.

Councilor Lauterborn stated that a second amendment to Chapter 19.8 must be made in order to have citizens of Rochester be in compliance with the new recycle totter program. She said that Waste Management is distributing new recycle toters to residents to replace the previous recycle bin program. The Amendment must be made in order to correct the definition of what type of containers will be picked up by Waste Management for recyclables. Following this Amendment, no other bins would be accepted. Councilor Lauterborn **MOVED** to have the first reading of the Amendment to Chapter 19.8 definitions. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. This will be sent to the City Attorney to place in acceptable format and to be presented at the Regular City Council meeting in December for a second reading.

10.3. Finance Committee

10.3.1. Riverwalk Committee Grant Request

Mayor McCarley said that the Riverwalk Committee is seeking funds from the City to retain the services of CLD Engineers to update the Riverwalk Master Plan. This update would then allow the Riverwalk group to apply for grant funding. This request has been kept in Committee for another month.

10.3.2. Increase to Water and Sewer Rates

Mayor McCarley said that the Finance Committee reviewed the request made by the Utility Advisory Board to increase the water and sewer rates. Mayor McCarley said the Finance Committee worked with the Utility Advisory Board to reduce the increase as much as possible.

Mayor McCarley **MOVED** to recommend the increase to the Water Rate by 5% and the Sewer Rate to be increased by 3.5%. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. *[This will recommendation will be put into legal form and be sent to the December 5, 2017, Regular City Council meeting for a first reading.]*

10.3.3. Taser Purchase

Mayor McCarley said that the Police Chief had presented the idea of the Taser 60 Program to the Finance Committee. Mayor McCarley **MOVED** to

approve the use of this program. Councilor Bogan seconded the motion. Councilor Keans spoke against the replacement program. She said the current process of purchasing a certain number of tasers each year makes more sense. Councilor Gray wished to clarify that the City would own these units after the five year contract. Chief Toussaint spoke in favor of the Taser 60 program. He said essentially the City would receive all tasers and all equipment now. He added that the City would be under this contract for the next five years and once the financial contract has been completed would own the units. The City Council briefly discussed the matter. The **MOTION CARRIED** by a majority voice vote.

10.3.4. Internet Crimes Against Children Task Force Funding Opportunity

Mayor McCarley **MOVED** to **ACCEPT** the Reimbursement for Internet Crimes against Children Task Force funds in the amount of \$76,000 and to appropriate said funds to the Rochester Police Department. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. *[This item has been sent to the December 5, 2017, Regular City Council meeting for legal form and adoption of resolution.]*

Mayor McCarley said that the Finance Committee discussed the recommendation made by Councilor Barnett relative to increasing the Elderly Tax Credit as well as the Veterans Tax Credit. This has been kept in Committee to seek what kind of impact this would have on the taxpayers. Councilor Varney requested to have figures associated with how these increases would have on the taxes available at the next Finance Committee meeting.

10.4. Public Safety Committee

10.4.1. Recommended Committee Action: To place a "stop" sign and a "no left turn" sign on Crocker Court near City Hall going onto Wakefield Street

Councilor Hamann thanked Commissioner Nourse for hosting the Public Works Committee meeting at the Department of Public Works. He said the meeting included a presentation of the GIS system and new screen displays.

Councilor Hamann said many residents attended the meeting to discuss the Route 11 Light-Timing Study. A correspondence letter has been submitted to the State regarding the Nashoba Drive Intersection, along with a petition signed by residents of Cocheco River Estates. More information will be provided once it becomes available.

Councilor Hamann said the next Public Safety meeting is to take place at the Rochester Fire Department.

Councilor Hamann **MOVED** to place a “stop” sign and a “no left turn” sign on Crocker Court near City Hall going onto Wakefield Street. Councilor Bogan seconded the motion. Councilor Varney asked if the Committee had considered painting the turn signs on the street as opposed to erecting two more signs in this area. Councilor Hamann said that option had been discussed. Councilor Bogan **WITHDREW** the second to the motion. It was determined that no motion would be necessary to request to have the Department of Public Works paint the standard markings on said street at their discretion.

10.5. Public Works and Building Committee

10.5.1. Discussion: Dewey Street Pedestrian Bridge [Art Work Discussion]

Councilor Torr said it seems that it is too late in the project to start discussing a new art work project to be added to the Dewey Street Bridge; however, other City Councilors should be invited to give their opinion. Council discussed the proposed Art Work display. It was determined that there is value in the ten-foot girder(s) and they would be preserved at the Department of Public Works. Councilor Torr **MOVED** to continue with the Dewey Street Bridge project as planned without the proposed Artwork. Councilor Gates seconded the motion. Mayor McCarley clarified that the City council would continue the project without the girders; however, the girders would be preserved and the idea could be revisited in the spring. The **MOTION CARRIED** by a unanimous voice vote.

10.5.2. Recommended Committee Action: AB 44 Resolution Authorizing the Acceptance of a Donation from Ekimbor, LLC in the Amount of \$5,000.00 and Supplemental Appropriation Connected Thereto (Second Reading Required)

Councilor Torr reviewed the Committee’s recommendation to accept the donation of \$5,000. He cautioned the City Council that this donation would pay for the signalized crosswalk; however, the problem relative to the embankment on the opposite side of the street remains. This is currently a crosswalk which leads to an unfinished embankment. It seems logical to accept the donation but to realize more work is needed to have residents safely cross the street to reach their destination.

Councilor Bogan **MOVED** to read the resolution by title only for the

first time. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a Donation from Ekimbor, LLC in the Amount of \$5,000.00 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a donation from Ekimbor, LLC in the amount of Five Thousand Dollars (\$5,000.00).

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Five Thousand Dollars (\$5,000.00) to the Department of Public Works CIP Fund with the entirety of the supplemental appropriation being derived from the donation from Ekimbor, LLC.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. CC FY18 11-08 AB 44

Councilor Bogan **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Torr stated that the Department of Public Works Director had proposed the purchase of two pick-up trucks during the FY 18 budget process; however, the proposed purchase had been deleted during budget deliberations. The Commissioner of Public Works has confirmed there is enough cash within the three department's budget [DPW, Sewer, and Water] to make the purchase within the FY 18 budget. No motion to purchase the trucks is necessary although it seemed appropriate to bring this to the City Council's attention. If there are no objections the trucks will be purchased.

Councilor Varney asked if Commissioner Nourse had reached an agreement with the Chesley Hill Developer [*regarding the path width,*

pavement width, drainage and lighting concerns]. Commissioner Nourse replied yes. It was determined that the City Council did not need to take a formal vote. Councilor Torr said that the Planning Board should be made aware that the Public Works Committee felt strongly that in no way should the trees & shrubs be disturbed on the Easterly side of Chesely Hill Road. Councilor Torr said there is a ten percent grade/slope on this road, which is bound to be problematic for the City plowing and/or with the City sidewalks. Councilor Gray recalled that the grade/slope is now around 8.3%.

Councilor Willis announced that there would be a Government Channel Committee meeting on Monday, November 20, 2017, at 5:30 PM for the potential Comcast Franchise Agreement.

Councilor Lauterborn reminded the City Council and public that the Community Development Committee meetings are being held in the Annex Building Conference Room B moving forward.

11. Old Business

No discussion.

12. Consent Calendar (*Motion to Approve*)

Councilor Bogan **MOVED** to **ACCEPT** the Consent Calendar. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.1. AB 50 Resolution Deauthorizing funding related to the EMPG EOC Equipment Grant in the amount of \$4.72

Resolution Deauthorizing funding related to the EMPG EOC Equipment Grant in the amount of \$4.72

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That Four and 72/100 Dollars (\$4.72) of previously appropriated funds is deauthorized for the costs associated with the EMPG EOC Equipment Grant. No funds will be returned to the General Fund rather the City will seek less in reimbursement.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 11-08 AB 50**

12.2. AB 53 Resolution Deauthorizing funding related to the 2014 Bulletproof Vest Grant in the amount of \$670.64

Resolution Deauthorizing funding related to the 2014 Bulletproof Vest Grant in the amount of \$670.64

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That Six Hundred Seventy and 64/100 Dollars (\$670.64) of previously appropriated funds is deauthorized for the costs associated with the 2014 Bulletproof Vest Grant. No funds will be returned to the General Fund rather the City will seek less in reimbursement.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 11-08 AB 53**

12.3. AB 54 Resolution Deauthorizing funding related to the Highway Safety Bicycle and Pedestrian Grant in the amount of \$4,372.26

Resolution Deauthorizing funding related to the Highway Safety Bicycle and Pedestrian Grant in the amount of \$4,372.26

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That Four Thousand Three Hundred Seventy Two and 26/100 Dollars (\$4,372.26) of previously appropriated funds is deauthorized for the costs associated with the Highway Safety Bicycle and Pedestrian Grant. No funds will be returned to the General Fund rather the City will seek less in reimbursement.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 11-08 AB 54**

12.4. AB 55 Resolution Deauthorizing funding related to the Highway Safety STEP Grant in the amount of \$247.49

Resolution Deauthorizing funding related to the Highway Safety STEP Grant in the amount of \$247.49

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That Two Hundred Forty Seven and 49/100 Dollars (\$247.49) of previously appropriated funds is deauthorized for the costs associated with the Highway Safety STEP Grant. No funds will be returned to the General Fund rather the City will seek less in reimbursement.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 11-08 AB 55**

12.5. AB 47 Resolution Deauthorizing \$5,630,728.23 related to various projects funded from the Department of Public Works, Sewer, and Water Capital Improvement Plan Project Funds

Resolution Deauthorizing \$5,630,728.23 related to various projects funded from the Department of Public Works, Sewer, and Water Capital Improvement Plan Project Funds

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That Five Million Six Hundred Thirty Thousand Seven Hundred Twenty Eight and 23/100 Dollars (\$5,630,728.23) of previously appropriated funds is deauthorized from various completed, cancelled, or postponed projects in accordance with Exhibit A.

Further, in accordance with RSA 33:9, Five Million Five Hundred Twenty One Thousand Eight Hundred Ninety Seven and 23/100 Dollars (\$5,521,897.23) in previously authorized bonding authority is hereby revoked as shown in Exhibit A.

Still further, the amount of One Hundred Eight Thousand Eight Hundred Thirty One Dollars (\$108,831.00) shall be returned to the Sewer Fund unassigned retained earnings balance as identified in Exhibit A .

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 11-08 AB 47**

13. New Business

13.1 AB 59 Resolution Approving Cost Items Associated with Proposed City of Rochester School Department Multi-Year Collective Bargaining Agreement with American Federation of State, County and Municipal Employees Council 93, AFL-CIO Local 863 (Rochester School Custodians) (*Only One Reading Required*)

Mayor McCarley read the resolution by title only. Councilor Bogan **MOVED** to **APPROVE** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a majority voice vote. *See addendum A*

13.2 AB 41 Annual CDBG Action Plan (*refer to a public hearing to be held on November 21, 2017*)

Councilor Bogan **MOVED** to refer the matter to a Public Hearing to take place on November 21, 2017. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.3 AB 45 Resolution Authorizing the Acceptance of a New Hampshire Department of Environmental Services (NHDES) Cyanotoxin Monitoring Grant in the Amount of \$5,980.00 and Supplemental Appropriation Connected Thereto (*Second Reading Required*)

Councilor Bogan **MOVED** to read the resolution for the first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a New Hampshire Department of Environmental Services (NHDES) Cyanotoxin Monitoring Grant in the Amount of \$5,980.00 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a NHDES Cyanotoxin Monitoring Grant ("Grant") in the amount of Five Thousand Nine Hundred Eighty Dollars (\$5,980.00).

Further, the Mayor and City Council authorize the City Manager to enter into an agreement with NHDES to carry out the Grant purposes and to authorize the City Manager to execute any documents and agreements necessary for the grant's acceptance and execution.

Still further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Five Thousand Nine Hundred Eighty Dollars (\$5,980.00) to the Water Fund CIP account with the entirety of the

supplemental appropriation being derived from the Grant.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. **CC FY 18 11-08 AB 45**

Councilor Bogan **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only. Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.4 AB 46 Resolution Authorizing the Rochester Department of Public Works to Apply for a United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant in an Amount of up to \$400,000 - Property Located at 10 and 16 Wallace Street (Second Reading Required)

Councilor Bogan **MOVED** to read the resolution for the first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Rochester Department of Public Works to Apply for a United States Environmental Protection Agency (USEPA) Brownfields Cleanup Grant in an Amount of up to \$400,000

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Rochester Department of Public Works to apply for a grant in the amount of up to Four Hundred Thousand Dollars (\$400,000.00) from the USEPA Brownfields Cleanup Grant program in order to fund the remediation of soil contamination at City-owned property located at 10 and 16 Wallace Street. The City is eligible to receive up to Two Hundred Thousand Dollars (\$200,000.00) per parcel with a Twenty Percent (20%) cost share responsibility.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions

contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. **CC FY18 11-08 AB 46**

Councilor Bogan **MOVED** to suspend the rules and to read the resolution for the second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.5 AB 48 Resolution Authorizing the Acceptance of a Criminal Evidence Forfeiture in the amount of \$284.07 (Second Reading Required)

Councilor Bogan **MOVED** to read the resolution for the first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a Criminal Evidence Forfeiture in the amount of \$284.07 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a criminal evidence forfeiture in the amount of Two Hundred Eighty Four and 07/100 Dollars (\$284.07) from the case of *State v. Tina Gibney*.

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Two Hundred Eighty Four and 07/100 Dollars (\$284.07) to the Police Department operating budget account with the entirety of the supplemental appropriation being derived from the forfeiture.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. **CC FY18 11-08 AB 48**

Councilor Bogan **MOVED** to suspend the rules and to read the resolution for a second time by title only. Councilor Gates seconded the

motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.6 AB 49 Resolution Authorizing the Acceptance of a New Hampshire Department of Highway Safety DWI Patrol Grant in the amount of \$6,214.75 (Second Reading Required)

Councilor Bogan **MOVED** to read the resolution by title only for the first time. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a New Hampshire Department of Highway Safety DWI Patrol Grant in the amount of \$6,214.75 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a grant in the amount of Six Thousand Two Hundred Fourteen and 75/100 Dollars (\$6,214.75) from the New Hampshire Department of Highway DWI Patrol Grant Program. This grant requires a Twenty-five Percent (25%) match in funds from the City or One Thousand Five Hundred Fifty-Three and 69/100 Dollars (\$1,553.69).

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Seven Thousand Seven Hundred Sixty-Eight and 44/100 Dollars (\$7,768.44) to the Police Department operating budget account with Six Thousand Two Hundred Fourteen and 75/100 Dollars (\$6,214.75) of the supplemental appropriation being derived from the Grant and One Thousand Five Hundred Fifty Three and 69/100 Dollars (\$1,553.69) being derived from previously appropriated fiscal year 2018 operating budget funds and authorizing transfer of said funds to a special revenue fund established for expenditure of these grant funds.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. CC FY18 11-08 AB 49

Councilor Bogan **MOVED** to suspend the rules and to read the

resolution for the second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. Councilor Keans asked if the matching funds were available within the Police Department's budget. Chief Toussaint replied yes. The **MOTION CARRIED** by a unanimous voice vote.

13.7 AB 51 Resolution Authorizing the Acceptance of a New Hampshire Department of Highway Safety Sustained Traffic Enforcement (STEP) Grant in the amount of \$4,557.48 and Supplemental Appropriation Connected Thereto (Second Reading Required)

Councilor Bogan **MOVED** to read the resolution for a first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a New Hampshire Department of Highway Safety Sustained Traffic Enforcement (STEP) Grant in the amount of \$4,557.48 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a grant in the amount of Four Thousand Five Hundred Fifty Seven and 48/100 Dollars (\$4,557.48) from the New Hampshire Department of Highway Safety Bicycle and Pedestrian STEP Grant Program. This grant requires a Twenty-five Percent (25%) match in funds from the City or One Thousand One Hundred Thirty Nine and 37/100 Dollars (\$1,139.37).

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Five Thousand Six Hundred Ninety Six and 85/100 Dollars (\$5,696.85) to the Police Department operating budget account with Four Thousand Five Hundred Fifty Seven and 48/100 Dollars (\$4,557.48) of the supplemental appropriation being derived from the Grant and One Thousand One Hundred Thirty Nine and 37/100 Dollars being derived from previously appropriated fiscal year 2018 operating budget funds and authorizing transfer of said funds to a special revenue fund established for expenditure of these grant funds.

To the extent not otherwise provided for in this Resolution, the Finance

Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. **CC FY18 11-08 AB 51**

Councilor Bogan **MOVED** to suspend the rules and read the resolution for a second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.8 AB 52 Resolution Authorizing the Acceptance of a New Hampshire Department of Highway Safety Bicycle and Pedestrian Grant in the amount of \$4,557.48 and Supplemental Appropriation Connected Thereto (Second Reading Required)

Councilor Bogan **MOVED** to read the resolution for a first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a New Hampshire Department of Highway Safety Bicycle and Pedestrian Grant in the amount of \$4,557.48 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a grant in the amount of Four Thousand Five Hundred Fifty Seven and 48/100 Dollars (\$4,557.48) from the New Hampshire Department of Highway Safety Bicycle and Pedestrian Grant Program. This grant requires a Twenty-five Percent (25%) match in funds from the City or One Thousand One Hundred Thirty Nine and 37/100 Dollars (\$1,139.37).

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Five Thousand Six Hundred Ninety Six and 85/100 Dollars (\$5,696.85) to the Police Department operating budget account with Four Thousand Five Hundred Fifty Seven and 48/100 Dollars (\$4,557.48) of the supplemental appropriation being derived from the Grant and One Thousand One Hundred Thirty Nine and 37/100 Dollars being derived from previously appropriated fiscal year 2018 operating budget

funds and authorizing transfer of said funds to a special revenue fund established for expenditure of these grant funds.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. **CC FY18 11-08 AB 52**

Councilor Bogan **MOVED** to suspend the rules and to read the resolution for a second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.9 AB 58 Resolution Authorizing the Acceptance of a United States Department of Justice (USDOJ) Ballistic Vest Grant in the amount of \$4,424.25 (Second Reading Required)

Councilor Bogan **MOVED** to read the resolution for a first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing the Acceptance of a United States Department of Justice (USDOJ) Ballistic Vest Grant in the amount of \$4,424.25 and Supplemental Appropriation Connected Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a grant in the amount of Four Thousand Four Hundred Twenty-Four and 45/100 Dollars (\$4,424.45) from the USDOJ Ballistic Vest Grant Program.

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Four Thousand Four Hundred Twenty-Four and 45/100 Dollars (\$4,424.45) to the Police Department operating budget account with the entirety of the supplemental appropriation being derived from the Grant.

To the extent not otherwise provided for in this Resolution, the Finance

Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded. **CC FY18 11-08 AB 58**

Councilor Bogan **MOVED** to suspend the rules and to read the resolution for a second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.10 AB 57 Resolution in accordance with Ordinance 4.4 (c) Authorizing the City Manager to Sell Certain Tax Deeded Properties without an Auction or Sealed Bid Sale (Second Reading & 2/3's Vote Required, Roll Call Recommended)

Councilor Bogan **MOVED** to read the resolution for a first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution in accordance with Ordinance 4.4 (c) Authorizing the City Manager to Sell Certain Tax Deeded Properties without an Auction or Sealed Bid Sale

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, in accordance with Ordinance 4.4 (c), do hereby authorize the City Manager to dispose of manufactured homes located within mobile home parks which the City has taken by Tax Deed without using a sealed bid sale or an auction sale. This authorization includes both selling of the manufactured homes and demolitions of manufactured homes by the discretion of the City Manager.

Further, the City Manager is authorized to execute any and all documents necessary to effect the purpose of this Resolution. **CC FY18 11-08 AB 57**

Councilor Bogan **MOVED** to suspend the rules and to read the resolution for a second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Bogan **MOVED** to **ADOPT** the resolution. Councilor Gates seconded the motion. Councilor Keans questioned why the City would need this option. Attorney O'Rourke replied that the Mobile Home Park owners have consented to allow the City to either have an auction or sealed bid sale of manufactured mobile homes. The Mobile Home Park owners are losing out on lot rent while this process is occurring. There is not a demanding market to salvage these types of manufactured homes and in some cases they are no longer sellable. It makes sense to allow the City to make this determination on a case by case basis. Councilor Keans requested that City staff track which mobile homes are being taken and the end result of how the mobile home is disposed of either by sale or demolition. Councilor Willis asked if the option of selling such mobile homes for scrap is an option as opposed to simple demolition. City Manager Fitzpatrick said that a recommendation would be made by City staff as to how to move forward on such decisions. Councilor Keans asked if a sizeable number of residents have been displaced during this process. Attorney O'Rourke replied no; in most cases the mobile homes have been vacated. Councilor Lauterborn recommended a roll call vote. The **MOTION CARRIED** by a unanimous roll call vote of 12 to 0. Councilors Barnett, Keans, Lauterborn, Willis, Gray, Abbott, Torr, Hamann, Bogan, Gates, Varney, and Mayor McCarley voted in favor of the motion.

13. Other

Councilor Gray confirmed that Kyle Starkweather and Terese Dwyer are the two Alternate Members from the Planning Board seeking to achieve the Regular member status; however, these appointments have not been made at the September or October City Council meetings. He suggested that the City Council could act on those vacant seats this evening. Councilor Keans preferred to wait until the Officials Book has been updated with that information prior to making the Planning Board appointments.

Councilor Varney said that Council members should have received an electronic copy of the DOT Ten Year Plan. He requested that the matter be sent to the next Public Works and Buildings Committee meeting.

Councilor Varney informed the City Council that the full presentation made at the last Joint Building Committee is now available on the School Department's website. He added that the Committee had cut cost on the project by almost \$500,000.

14. Non-Meeting/Non-Public Session

14.1. Non-Public Session, Land, RSA 91-A:3 II (d)

14.2. Non-Public Session, Personnel, RSA 91-A:3,II (a)

Councilor Lauterborn **MOVED** to enter a Non-Public Session under Land, RSA 91-A:3 II (d) and under Personnel, RSA 91-A:3,II (a) at 8:55 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Bogan, Abbott, Varney, Willis, Gray, Barnett, Torr, Hamann, Gates, Keans, Lauterborn, and Mayor McCarley voted in favor of the motion.

Councilor Lauterborn **MOVED** to exit the Non-Public Sessions at 10:13 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Lauterborn **MOVED** to seal the minutes because it is determined that divulgence of this information likely would render a proposed action ineffective. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 12 to 0. Councilors Varney, Barnett, Keans, Lauterborn, Hamann, Abbott, Willis, Gates, Torr, Gray, Bogan, and Mayor McCarley voted in favor of the motion.

15. Adjournment

Councilor Lauterborn **MOVED** to **ADJOURN** the Regular City Council meeting at 10:13 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

**Resolution Approving Contract and Cost Items
Associated with Proposed City of Rochester School Department
Multi-Year Collective Bargaining Agreement
with
American Federation of State, County and Municipal Employees
Council 93, AFL-CIO Local 863
(Rochester School Custodians)**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHESTER, AS FOLLOWS:**

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the multi-year year collective bargaining agreement between the City of Rochester and the American Federation of State, County and Municipal Employees Council 93, AFL-CIO Local 863 (Rochester School Custodians) employee collective bargaining group, covering the period July 1, 2017 to June 30, 2020, as set forth in the proposed contract, a copy of which proposed contract has been made available to the Mayor and City Council, and with its financial impacts as more particularly detailed on the attached “EXHIBIT A: AFSCME Council 93/ AFL-CIO Local 863” dated November 8, 2017, which includes a summary financial analysis of the annual costs of the contract to the City provided by the Superintendent of Schools, is hereby approved, including, specifically, the cost items associated therewith.

EXHIBIT A: AFSCME Council 93/ AFL-CIO Local 863

Rochester School Department
AFSCME Salary Calculations

	<u>Starting Salary</u>	<u>Top Step Lump Sum</u>	<u>%</u>	<u>Merit</u>	<u>%</u>	<u>Total Salary</u>	<u>%</u>	<u>FICA</u>	<u>Health Ins</u>	<u>Dental</u>	<u>Total</u>	<u>% Increase</u>
<u>Based on a merit step, scale increasing by the CPI, Single Custodian stipends, Top Step Lump sum, and 87/13 split in health insurance</u>												
Current						1,227,056.48		93,869.82	359,979.62	6,173.44	1,687,079.36	
FY2017-2018	1,227,056.48	12,233.35	1.0%	48,732.32	4.0%	1,288,022.15	5.0%	98,533.69	353,435.70	6,173.44	1,746,164.98	3.5%
FY2018-2019	1,275,788.80	13,652.29	1.1%	36,025.60	2.8%	1,325,466.69	3.9%	101,398.20	371,107.48	6,173.44	1,804,145.81	3.3%
FY2019-2020	1,311,814.40	19,342.34	1.5%	32,968.00	2.5%	1,364,124.74	4.0%	104,355.54	389,662.85	6,173.44	1,864,316.57	3.3%

Single Custodian Stipend = \$2,475

Dated: November 8, 2017

**Rochester City Council Special Meeting
November 21, 2017
Council Chambers
9:14 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Barnett
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lauterborn
Councilor Torr
Councilor Willis
Deputy Mayor Varney

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Terence O'Rourke, City Attorney
Kelly Walters, City Clerk

COUNCILORS ABSENT/EXCUSED

Councilor Bogan
Councilor Lachapelle
Mayor McCarley

MINUTES

1. Call to Order

Deputy Mayor Varney called the Special Meeting to order at 9:14 PM. Cassie Givara, Deputy City Clerk, took a silent roll call. All councilors were present except for Councilor Bogan, Councilor Lachapelle and Mayor McCarley, who had been previously excused.

**2. Determine Rules of Procedure for Municipal Ballot Keno
Recount RSA 44:17**

Deputy Mayor Varney referred the Council to a summary statement from the City Clerk detailing the three possible methods for the municipal ballot keno recount. He advised Council that they would have to choose and

agree upon a method. Deputy Mayor Varney invited Kelly Walters, City Clerk, to approach the podium to share her preference for the recount method. Ms. Walters recommended to Council "Option 2," which would involve the City Clerk along with City staff performing the recount with observers present.

Councilor Hamann **MOVED** to approve the recount method. Councilor Gates **SECONDED** the motion. Councilor Keans stated that she felt that Option 2 or some variation thereof made the most sense. Councilor Lauterborn agreed that Option 2 would work best, but asked if the City Clerk would have adequate numbers of staff to carry out the process as she understood there would need to be a two-person recount team for each of the 6 city wards. Ms. Walters clarified that the recount would be done two wards at a time and that we would have adequate staffing.

Deputy Mayor Varney called for a vote on the motion. The **MOTION CARRIED** by a unanimous voice vote.

3. Adjournment

Deputy Mayor Varney **MOVED** to **ADJOURN** the Special meeting at 9:20 PM. The motion **CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167
www.RochesterNH.net

6. CITY MANAGER'S REPORT

December 5, 2017

6.1 The Employee(s) of the Month is: Kaitlin Taatjes – Fire Department **P. 38**

6.2 City Manager's Report **P.37**

Contracts and documents executed since last month:

- Assessing
 - Municipal Abatement Applications – Farmington Watershed Parcels **P. 39**
- City Manager
 - Letter from DES - Waste Management Application – Public Hearing Notice **P.40-41**
 - Letter from Waste Management – Public Hearing Notice **P.43-44**
 - Letter from Arts & Culture – Lighting in front of City Hall/Opera House **P.42**
- Department of Public Works
 - Cyanotoxin Monitoring Equipment and Training Grant **P.45**
 - NHDES DWSRF Loan Amendment – Time Extension – Water Treatment Plant Upgrade Project **P. 46**
 - Security Agreement – 161 Salmon Falls Road & 122 Milton Road **P. 47**
 - Security Agreement – 123 Salmon Falls Road/120 Milton Road/25 Denali Drive **P. 48**
- Economic & Community Development
 - CDBG Environmental Review – Community Action Partnership **P. 49**
 - CDBG Environmental Review – Community Action Partnership Weatherization **P.50**
 - ERZ Zone Expansion – Granite State Business Park **P. 51**
 - Sale of land – Innovation Drive **P. 52**
- Information Technology
 - Honeywell EBI Upgrade **P.53**
 - Systems Engineering Server, Storage and Backup Solution Project - Change Order #1 **P. 54**
- Recreation Department
 - Arena Roof Monitoring Project Proposal – Review of Funds **P. 55**

6.3 The following standard reports have been enclosed:

- City Council Request & Inquiry Report - **No Items – No Report included**
- Monthly Overnight Travel Summary – **None reported - No Report included**
- Permission & Permits Issued **P. 56**
- Personnel Action Report Summary **P. 57**

11/30/17
RECEIVED

OCT 16 2017

FINANCE OFFICE
CITY OF ROCHESTER

To: Assistant Chief, Mark Dupuis
From: Captain, Mark Avery
Re: Employee of the Month Nomination

Chief,

I would like to nominate Firefighter, Kaitlin Taatjes for Employee of the Month. Kaitlin was instrumental in planning and implementing a wonderful Fire Safety Festival on Saturday October 14, 2017. The Fire Safety Festival not only highlighted the mission of the Rochester Fire Department, and community safety, but brought a great deal of positive attention to downtown Rochester, along with a sizeable crowd.

The Fire Safety Festival spotlighted a helicopter landing by Life Flight of Maine, a fire sprinkler efficiency demonstration with live fire, a mock motor vehicle extrication demonstration using the Jaws of Life, a hands-on participatory activity demonstrating the proper use of fire extinguishers, antique fire apparatus on display and demonstrations of how an arson trained K-9 aids in fire investigation.

Community partners which Kaitlin invited to participate in the event shared information about the services they offer to the public. Participants included; Frisbie Memorial Hospital, Great Clips, Aflac, 1-800 BoardUp, Bernier Insurance, Liberty Mutual Insurance, Granite State College, the NH Fire Prevention Society, and the NH State Fire Marshal's Office. Many donors that Kaitlin enlisted to help, provided free food to keep the crowd hydrated and fed; Dunkin Donuts, Friendly's, Papa Gino's Pizza, and La Corona Restaurant.

Kaitlin also secured donations from local businesses that were raffled off at the event, adding yet another element for the public to take interest in. In addition, to the raffle Kaitlin needed to secure donations such as, construction material for the burn cells, the furnishing to outfit the burn cells, modeling them after a home bedroom, and of course a donated car to be cut up.

Kaitlin will be the first to tell you that she did not work alone on this event and that the credit for its success is to be shared by many people. However, this event would not have taken place without the hours of work she put into planning, communicating, coordinating, staffing and implementing the shared plan.

For all her tireless effort and for the success of the event, I wish to nominate Kaitlin for Employee of the Month.

Mark Avery, Captain



City of Rochester, New Hampshire

ASSESSORS OFFICE

19 Wakefield Street, Rochester, NH 03867
 (603) 332-5109 Assessor@rochester.net
www.rochesternh.net

CITY OF
 Received

NOV 27 2017

City Manager
 ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
 Blaine M. Cox, Deputy City Manager

FROM: Jonathan Rice, Chief Assessor

DATE: November 22, 2017

SUBJECT: Municipal Abatement Applications for Farmington Watershed
 Parcels TY2017

Attached please find two (2) tax year 2017 municipal abatement applications for the Farmington Watershed parcels. The abatements are being filed in response to Farmington removing these parcels from current use in compliance with RSA 79-A:2 IX and placing an ad valorem value on the parcels that exceed their fair market value.

The City is currently in discussion with the Town of Farmington to have the assessed values reviewed and revised by their contract assessor. The abatements are being filed to protect the City's interest. Once agreeable assessments for the parcels are reached a payment in lieu of taxes agreement will be negotiated.

If you have any questions please let me know, if not, please sign and pass on to the City Manager for signatures. These documents should be returned to the DPW for distribution.

Signature


 Blaine M. Cox, Deputy City Manager



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

11/30/17



VIA EMAIL AND REGULAR MAIL

November 17, 2017

Dan Fitzpatrick
 Dover-Rochester Solid Waste District
 31 Wakefield Street
 Rochester, NH 03867
 Email: dan.fitzpatrick@rochesternh.net

CITY OF
 Received
 NOV 22 2017
 City Manager
 ROCHESTER

**SUBJECT: Waste Management of New Hampshire, Inc., TLR-III Refuse Disposal Facility,
 90 Rochester Neck Road, Rochester, NH
 Permit No. DES-SW-SP-95-001**

Notice of Public Hearing

Standard Permit Application for Facility Expansion (Phases 15-17); Initial application received
 May 24, 2017; Assigned Activity No. 2017-28465

Dear Mr. Fitzpatrick:

Pursuant to RSA 149-M-9 and Solid Waste Administrative Rule Env-Sw 304.08, a public hearing has been scheduled to receive testimony on the above-referenced permit application. The public hearing will be held at the time and place stated in the enclosed public notice. Please post the public notice in a place accessible to the public.

Issuance or denial of the requested permit will occur following NHDES' comprehensive technical review of the permit application and all public comments generated during the hearing process.

If you have any questions, please contact me.

Sincerely,

Jaime M. Colby, P.E.
 Solid Waste Management Bureau
 Waste Management Division
 Tel.: (603) 271-5185
 Email: jaime.colby@des.nh.gov

encl. Notice of Public Hearing on Permit Application for a Solid Waste Landfill: TLR-III Refuse Disposal Facility,
 90 Rochester Neck Road, Rochester, NH

cc: Robert Magnusson, P.E., WM, email: bmagnusson@wm.com



**NOTICE OF PUBLIC HEARING
ON
PERMIT APPLICATION FOR A
SOLID WASTE LANDFILL**

**TLR-III Refuse Disposal Facility
90 ROCHESTER NECK ROAD, ROCHESTER, NH**

The New Hampshire Department of Environmental Services, Waste Management Division (NHDES) has received a Standard Permit Application, pursuant to RSA 149-M:9, from Waste Management of New Hampshire, Inc., whose mailing address is 30 Rochester Neck Road, Rochester, NH 03839, to expand the solid waste landfill known as the TLR-III Refuse Disposal Facility. The existing landfill is currently operating under Standard Permit No. DES-SW-SP-95-001 issued by NHDES. The applicant is proposing to expand the existing landfill footprint by 58.6 acres to increase facility life expectancy by about 10.6 years to 2034. The applicant has also submitted a request for waiver of Env-Sw 804.03(e) regarding a wetlands setback.

Pursuant to RSA 149-M:9 and Solid Waste Administrative Rule Env-Sw 304.08, a public hearing to receive testimony on this permit application will be held at the American Legion Post #7, 94 Eastern Avenue, Rochester, NH on Tuesday, December 19, 2017 at 6:30 PM.

The permit application is available for public review during regular business hours at the Rochester City Clerk's office, City Hall, 31 Wakefield Street, Rochester, NH; at Waste Management's office, 30 Rochester Neck Road, Rochester, NH; and at the NHDES' office, 29 Hazen Drive, Concord, NH. The application is also available electronically on the NHDES' OneStop website at <https://www.des.nh.gov/onestop>.

Testimony may be submitted in writing to NHDES at any time before close of the public hearing period, which is January 5, 2018 at 4:00 pm, in lieu of attending and/or providing oral testimony at the public hearing. This testimony must be submitted using either NHDES' mail address below or by email at solidwasteinfo@des.nh.gov to be officially included as public record. Comments sent to other addresses will not be included in the public record.

For additional information, please contact Jaime M. Colby, P.E., Civil Engineer V, at (603) 271-5185, email jaime.colby@des.nh.gov, or mail to the NH Department of Environmental Services, Waste Management Division, Solid Waste Management Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095.

Any individuals needing assistance or auxiliary communication equipment due to sensory impairment or other disability should contact Jaime M. Colby, P.E., NHDES, Waste Management Division, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095; TDD Access: relay NH1-800-735-2964; FAX (603) 271-2456; or email jaime.colby@des.nh.gov. Notification for assistance must be made no later than 4:00 PM, December 5, 2017.

11/30/17

CITY OF
Received
NOV 21 2017
City Manager
ROCHESTER



Commission for Arts & Culture
City of Rochester
31 Wakefield Street
Rochester, NH 03867

Wednesday, November 15th, 2018

To Daniel Fitzpatrick,

City Hall and the Rochester Opera House would benefit immensely from pointed outdoor lighting on the building.

Outdoor lighting would create an inviting atmosphere by highlighting the attractive features of City Hall. Mounted or pointed lights would also assist in creating ambient light for pedestrians and increase safety by illuminating potential dangers to passersby. Lighting would greatly contribute to the overall architectural styling of the building which is an electric blend of NeoClassical and Renaissance Revival.

Many residents of the City of Rochester and patrons of the theater drive by without seeing the building at all, especially at night.

The Rochester Opera House hosts more than 150 shows and events per year and patrons from out of town struggle to locate the building. Without enough available front lawn real estate for a large sign, the Opera House relies on city "way finding" signs and one small sign on the front lawn used to simply mark the location, which is not always visible to passing cars at night.

With so much action happening in City Hall, we would all benefit from illuminating the building in an attractive way in order to encourage more participation from residents and visitors from out of town. Lighting would give the building more of a "destination" feel and would positively enhance the perception of the historic downtown district by brightly highlighting one of our greatest architectural and historical landmarks.

Sincerely,

Matt Wyatt
Commission for Arts & Culture, Chairman
City of Rochester

**TURNKEY RECYCLING & ENVIRONMENTAL ENTERPRISE**

30 Rochester Neck Road
Rochester, NH 03839
603 330 2197
603 330 2130 Fax

Received
NOV 20 2017
City Manager
ROCHESTER

November 16, 2017

City of Rochester
31 Wakefield Street
Rochester, NH 03867

RE: Notice of Public Hearing
Application for Standard Permit
TLR-III Refuse Disposal Facility – South Area
Waste Management of New Hampshire, Inc.

Dear Sir/Madam:

This letter is intended to notify you of a public hearing that will be held by the New Hampshire Department of Environmental Services (NH DES) – Waste Management Division to receive public comment regarding an application for a Standard Permit for a solid waste landfill for the development of the South Area of the TLR-III Refuse Disposal Facility (TLR-III) located at 90 Rochester Neck Road in Rochester, New Hampshire. The permit number for the facility is DES-SW-SP-95-001. Waste Management of New Hampshire, Inc. (WMNH) whose mailing address is 30 Rochester Neck Road, Rochester, NH 03839, is the applicant for the project.

The South Area will provide 58.6 acres of additional lined landfill capacity adjacent to the existing TLR-III facility. The expansion will provide for continuation of operations and is projected to extend the site life of the facility by about ten years, from 2024 to 2034. This letter is being provided in accordance with the NH DES Solid Waste Rules since you own property, which abuts WMNH.

Copies of this permit application are available for review at WMNH's office at 30 Rochester Neck Road, Rochester, New Hampshire; the Rochester City Clerk's office at City Hall, 31 Wakefield Street, Rochester, New Hampshire and at the NH DES' office at 29 Hazen Drive in Concord, New Hampshire.

The public hearing is scheduled for December 19, 2017 at 6:30 pm at the American Legion Post #7 located at 94 Eastern Avenue in Rochester, New Hampshire. Testimony may be submitted in writing to the NH DES at the address below at any time before the close of the hearing notice period, which is January 5, 2018 at 4:00 pm, in lieu of attending and/or providing oral testimony at the public hearing. This testimony must be submitted using either the NH DES' mail address above or by email at solidwasteinfo@des.nh.gov.

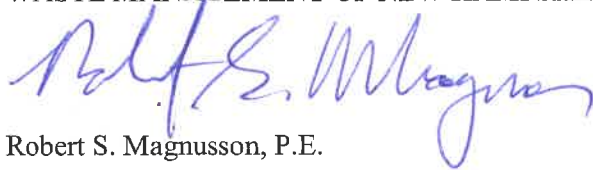
Any individuals needing assistance under the provisions of the Americans with Disabilities Act should contact the NH DES in advance of the hearing to request the necessary assistance. Notification for assistance must be made no later than 4:00 pm, December 5, 2017.

Information regarding this application may be obtained by calling Jaime Colby, P.E., at 603-271-5185 or by writing to her at the following address:

NH Department of Environmental Services
Waste Management Division – Solid Waste Management Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions concerning this matter, please contact me at 603-330-2164.

Sincerely,
WASTE MANAGEMENT OF NEW HAMPSHIRE, INC.



Robert S. Magnusson, P.E.
Senior District Manager

cc: Jaime Colby, P.E. – NH DES
Anne Reichert - WMNH

11/30/17



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

Fax (603) 335-4352

www.rochesternh.net

CITY OF
Received
NOV 21 2017
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Samantha Rodgerson, Senior Executive Assistant
FROM: Lisa J. Clark, Administrative Supervisor *LJC*
DATE: November 21, 2017
SUBJECT: 2017 Cyanotoxin Monitoring Equipment and Training Grant

Attached please find the Grant Agreement for the 2017 Cyanotoxin Monitoring Equipment and Training Grant that was approved at the November 8, 2017 City Council Meeting.

Please have the City Manager sign and initial each page as indicated, and please notarize as required.

These documents should be returned to the DPW for mailing with the total package of required documents.

11/30/17



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

Fax (603) 335-4352

www.rochesternh.net

CITY OF
Received
NOV 2 2017
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager/Finance Director
FROM: Lisa J. Clark, Admin Supervisor *LJC*
DATE: November 1, 2017
SUBJECT: NHDES DWSRF Loan Amendment – Time Extension
Water Treatment Plant - Raw Water Pump Station Upgrade Project
CC: Michael Bezanson, PE City Engineer
Peter C. Nourse, PE Director of City Services

Attached please find one copy of NHDES Form 1A and the Modification to Loan letter from NHDES. The project completion date is being modified from December 2, 2017 to July 1, 2018. This project is scheduled for bidding in November of 2017 and additional time is needed to complete construction.

Blaine, please sign the NHDES letter in appropriate spot and pass on to the City Manager for other necessary signatures.

Please return documents to the DPW for distribution.

11/30/17



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

Fax (603) 335-4352

www.rochesternh.net

CITY OF
ROCHESTER
Received
NOV 13 2017
City Manager

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Date: November 13, 2017
From: Owen Friend-Gray PE, Assistant City Engineer
SUBJECT: Security Agreements: 161 Salmon Falls Road and 122 Milton Road
CC: Terence O'Rourke, City Attorney

Please see the attached security agreement for signature on the repayment plan of the sewer service connection at 161 Salmon Falls Road with Ms. Vigneault and 122 Milton Road with Mr. Macaione.

If you have any questions please let me know, if not, please sign and send to the Legal Department.

11/30/17



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

Fax (603) 335-4352

www.rochesternh.net

CITY OF
Received
NOV 20 2017
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Date: November 17, 2017
From: Owen Friend-Gray PE, Assistant City Engineer
SUBJECT: Security Agreements: 123 Salmon Falls Road, 120 Milton Road,
and 25 Denali Drive
CC: Terence O'Rourke, City Attorney

Please see the attached security agreement for signature on the repayment plan of the sewer service connection at 123 Salmon Falls Road with Mr. Prince, 120 Milton Road with Mr. Banks, and 25 Denali Drive Mr. and Mrs. Sullivan.

If you have any questions please let me know, if not, please sign and send to the Legal Department.

11/30/17

Date: October 31, 2016
To: Dan Fitzpatrick
City Manager
From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
OCT 31 2017
City Manager
ROCHESTER

Re: FY 2016-2017 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2017-2018 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The City Council approved funding to the CAP weatherization program at the August 1, 2017 City Council meeting.

In the past, only the programmatic-level environmental review for this program was submitted for the City Manager's signature, but guidance received at a recent U.S. Department of Housing and Urban Development CDBG training has made it clear that project site-level reviews should also be signed by the City Manager.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: November 17, 2017

To: Dan Fitzpatrick
City Manager

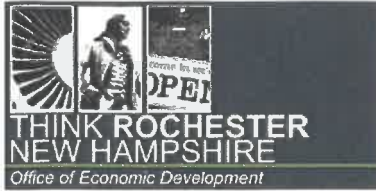
From: Julian Long
Community Development Coordinator/Grants Manager



Re: FY 2017-2018 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2017-2018 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The City Council approved funding to the CAP weatherization program at the August 1, 2017 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.



City of Rochester, New Hampshire
Office of Economic Development
 31 Wakefield Street
 Rochester, NH 03867
 (603) 335-7522/www.RochesterEDC.com



MEMO

TO: Dan Fitzpatrick, City Manager

CC: Karen Pollard, Economic Development Manager; Samantha Rodgers, Executive Secretary

FROM: Jennifer Marsh, Economic Development Specialist

DATE: November 7, 2018

RE: Expansion of the Economic Revitalization Zone (ERZ) at the Granite State Business Park

I have been in touch with Bridgett from the NH Department of Resources and Economic Development regarding the City's purchase of 3 lots at the GSBP. I have requested an expansion of the ERZ incentive for the three lots purchased as well as the church property to follow the new industrial park and TIF boundaries. Bridgett directed me to prepare a letter and map of the proposed changes with the City Manager's signature and mail those to her.

Please find attached:

1. Letter requesting the expansion of the ERZ
2. Map showing the expansion to include the 3 lots recently purchased and the church property.

Please let me know if you have any questions.

11/30/17



City of Rochester, New Hampshire

Division of Community Development

31 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.thinkrochester.biz

Date: November 22, 2017
To: Dan Fitzpatrick, City Manager
From: Karen Pollard, Economic Development Manager
Re: Sale of Land at Innovation Drive

CITY OF
Received
NOV 22 2017
City Manager
ROCHESTER

On November 21 the City Council approved the Purchase and Sale Agreement between the City of Rochester and Index Packaging of Milton, NH.

Attached for your signature is the original agreement.



City of Rochester, New Hampshire

INFORMATION TECHNOLOGY SERVICES

31 Wakefield St • Rochester, NH 03867

www.rochesternh.net

11/30/17

CITY OF
Received
NOV 13 2017
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Blaine M. Cox, Deputy City Manager

FROM: Sonja Gonzalez, Chief Information Officer

DATE: November 9, 2017

SUBJECT: Honeywell
EBI Upgrade - \$33,610

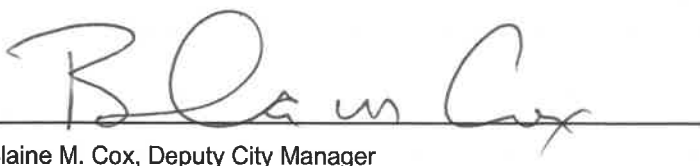
CC:

Attached please find one copy of EBI Upgrade No Server for Honeywell Server Upgrade. The work described in this scope of services is for installation and configuration of upgraded Honeywell server.

There is sufficient funding in Project Account 15011090-773800-16514.

If you have any questions, please let me know. If not, please sign and pass on to the City Manager for signature. This document should be returned to Sonja Gonzalez for distribution.

Signature


Blaine M. Cox, Deputy City Manager



City of Rochester, New Hampshire

INFORMATION TECHNOLOGY SERVICES

31 Wakefield St • Rochester, NH 03867

www.rochesternh.net

CITY OF
Received
NOV 9 2017
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Blaine M. Cox, Deputy City Manager

FROM: Sonja Gonzalez, Chief Information Officer

DATE: November 7, 2017

SUBJECT: Systems Engineering
Server, Storage and Backup Solution Project - Change order 1

Attached please find one copy of a change order for the Server, Storage and Backup Solution Project. This adjusts the following on the project:

	Quoted	Actual	Difference	Reason
Host Servers	\$ 46,449.96	\$ 48,496.29	\$ 2,046.33	Increase in VMware licensing to correct order = \$2,003.01; addition of server power cords = \$43.32
User & Svr Licensing	\$ 47,227.08	\$ 46,213.32	\$ (1,013.76)	Decrease in Datacenter licensing due to change to Open Government pricing
Backup Server	\$ 24,157.57	\$ 24,055.19	\$ (102.38)	Added server cable mgmt arm (+ \$46.94), addition of server power cords (+\$14.44), change to Open Govt MS license pricing (- \$163.76)
R730 License & Drives	\$ 2,017.80	\$ 1,772.16	\$ (245.64)	Changes to Open Govt MS licensing (- 245.64)
NetApp Storage	\$ 67,187.13	\$ 65,048.04	\$ (2,139.09)	Additional discounts given at time of order with vendor
Total	\$ 207,314.81	\$ 205,860.27	\$ (1,454.54)	Net Difference

If you have any questions, please let me know. If not, please sign and pass on to the City Manager for signature. This document should be returned to Sonja Gonzalez for distribution.

Signature

Blaine M. Cox, Deputy City Manager

11/30/17

CITY OF
Received
NOV 20 2017
City Manager
ROCHESTER

Date: November 14, 2017

To: Blaine Cox
Deputy City Manager

From: Chris Bowlen - *CJB*
Director of Recreation & Arena

RE: Letter of Transmittal – Roof Monitoring Project Proposal Review of Funds

Please find attached a Letter of Transmittal and Proposal regarding the Arena Roof Monitoring Project. As we discussed recently I am re-engaging with Safe Roof Systems (SRS) of Mattapoisett, MA as the only respondent from our bid #18-02 this past July. They have agreed to hold pricing that was offered as a project alternative to the comprehensive and cost prohibitive approach.

Would you kindly review the Letter of Transmittal and sign in the designated area so that I may forward to the City Manager for his signature on the proposal.

Please contact me at your convenience if you have any questions.

11/30/17

11-17 Permits Issued report - Nov 2017

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
10/31/2017	11/6/2017	EVENT	Dine to Donate - Buffalo Wild Wings	11/6/2017
11/3/2017	11/6/2017	EVENT	Homemakers Health Services - craft fair	12/2/2017
11/7/2017	11/13/2017	EVENT	Foley 5K	10/20/2018
10/10/2017	11/27/2017	EVENT	State Line Swap Meet	5/20/2018
11/2/2017		MESSAGE	St. Mary's Church - craft fair	11/11/2017
11/3/2017		MESSAGE	Bethany United Church - craft fair	11/11/2017
11/6/2017		MESSAGE	First United Methodist Church - holiday fair	11/18/2017
11/9/2017		MESSAGE	Rochester Area Senior Citizens - bake sale	11/18/2017
11/21/2017		MESSAGE	First United Methodist Church - concert	12/2/2017

	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	STEP (CBA)	COLA (CBA)	MERIT PAY ADJ	NU PAY ADJ	PROMOTION	OTHER	MISC. INFO
CITY CLERK	DAVID STEVENS	ELLECTIONS ASSISTANT	1			X											
CITY CLERK	DAVID STEVENS	ELLECTIONS ASSISTANT	1							X							
COMMUNICATIONS	REBECCA BEHR	DISPATCHER	1	X						X							
COMMUNICATIONS	REBECCA BEHR	DISPATCHER	1			X											PER DIEM
DPW	GREGG BARRON	MEO	1	X											X		
FIRE	MELISSA AYERS	FIREFIGHTER	1	X					X								
FIRE	MATT WOODBURY	FIREFIGHTER	1	X												X	EDUCATIONAL INCENTIVE
FIRE	CURT FITTON	FIREFIGHTER	1	X			X										
FIRE	DUANE MARSH	FIREFIGHTER	1	X			X										
FIRE	MATT PARKER	FIREFIGHTER	1	X							X						
FIRE	SAM MORRILL	FIREFIGHTER	1	X							X						
POLICE	KEITH MACKENZIE	PATROL OFFICER	1	X									X				
POLICE	JACOB GASTIN	PATROL OFFICER	1	X									X				
POLICE	SPENCER WILLIAM HU	PATROL OFFICER	1	X									X				
POLICE	JOSEPH ROUSSEAU	PATROL OFFICER	1	X									X				
POLICE	ELIZABETH TURNER	PATROL OFFICER	1	X									X				
POLICE	JACOB NANCE	PATROL OFFICER	1	X												X	CORRECTED SALARY
PUBLIC WORKS	JOSEPH SANBORN	LEO	1	X			X										
PUBLIC WORKS	THOMAS MARTINEAU	LEO	1	X			X										
PUBLIC WORKS	OWEN MOUND	SEASONAL WINTER	1			X	X										
PUBLIC WORKS	THOMAS MARCHAND	SEASONAL WINTER	1			X		X									
PUBLIC WORKS	BEN WASHOK JR	SEASONAL WINTER	1			X		X									
PUBLIC WORKS	KEN WHITTEN	SEASONAL WINTER	1			X		X									
PUBLIC WORKS	CHARLES WILLEY	SEASONAL WINTER	1			X		X									
PUBLIC WORKS	BARRY WILLEY	SEASONAL WINTER	1			X		X									
PUBLIC WORKS	DAVID COPE	SEASONAL WINTER	1			X		X									
PUBLIC WORKS	BRANDON TURCOTTE	WWTP MAINT. MECH	1	X			X										
PUBLIC WORKS	RICHARD CLEMENT	SEASONAL WINTER	1			X		X									
RECREATION	PAUL CORMIER	PROGRAM LEADER	1			X											

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left blank...*

City Clerk's Office

Petition for Zoning Ordinance Amendment



Date: Sept 21, 2017

The fillings of this petition and payment of the required fees, hereby propose a change in Chapter 42, Section _____, of the General Ordinances of the City of Rochester.

It is respectfully requested that the Honorable Mayor and City Council amend the above as follows:

(Note: Please give a completed description of the change requested; if a zoning change is proposed supply full legal description of the affected parcel or areas).


Request to rezone Wakefield Street area, which
is currently zoned RZ and change to mixed use.

Area is sandwiched b/w downtown commercial and
highway commercial.

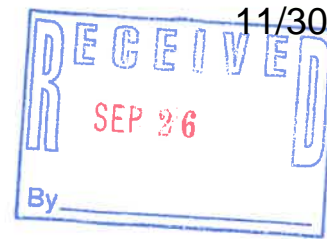
half of the area involved is Spaulding High School.

of remaining properties, only half are owner occupied.

Each petitioner must supply, printed name, signature, street address, and Map and Lot Number.

	Printed Name	Signature	Street Address	Map & Lot Number
1	Corey MacKoul		147 Wakefield	113 Lot 55
2				
3				
4				
5				
6				
7				
8				
9				
10				

11/30/17



September 21, 2017

I respectfully request that the City of Rochester consider re-zoning Wakefield Street as mixed use. The area in question is currently zoned R2, yet abuts downtown commercial on one end and highway commercial on the other end. A good portion of the land involved houses Spaulding High School. We are looking to afford the opportunity for small businesses to be located adjacent to the downtown district on pathway to commercial district. This would serve to increase the value of these properties, while improving the overall look of this underappreciated city road.

As owner of the property at 147 Wakefield Street, I currently have one business located in my property. I'd like the opportunity to convert other portions of the building to also accommodate businesses. At present my mother has her State Farm Insurance Agency in the front part of my building. I'd like to convert part of the downstairs to a beauty salon for my sister. I feel this is good for the neighborhood, as these are not businesses that would create a sound or traffic nuisance. Commercial buildings are more likely to be kept up and improve the aesthetic look of the community.

Thank you for considering this petition.

Respectfully submitted,

Corey MacKoul



City of Rochester, New Hampshire
 CITY COUNCIL – APPOINTMENTS COMMITTEE
 31 Wakefield Street • Rochester, NH 03867
 (603) 332-1167
www.RochesterNH.net

Appointments Committee Minutes
 October 4, 2017

Committee Members Present:

Sandra Keans, Chair
 Ray Barnett
 Tom Abbott

Absent:

Donna Bogan
 James Gray, Vice-Chair

The meeting was called to order at 6:30 p.m. on October 4, 2017.

After a substantial wait, it became clear there was a scheduling error. However after some discussion of the candidates, the committee decided because of two recent resignations. Several issues were discussed: (1) The potential lack of a quorum and not wanting the Planning Board's work to be held up thorough the holidays. (2) As alternate members they have been attentive to the position. (3) Mr. Starkweather has taken an active role as an alternate. Ms. Dwyer has served many years in the past before moving, including as chair.

Mr. Abbott moved approval of Ms. Dwyer, seconded by Mr. Barnett Unanimous

Mr. Barnett moved approval of Mr. Startkweather, seconded by Mr. Abbott. Unanimous

Respectfully submitted,

Sandra B. Keans, Chair

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City Clerk's Office

Codes and Ordinances Committee

Councilor Peter Lachapelle, Chair
Councilor Elaine Lauterborn, Vice Chair
Councilor Tom Abbott
Councilor Donna Bogan
Councilor Robert Gates



CODES AND ORDINANCES COMMITTEE

Of the Rochester City Council

Thursday, October 5, 2017

City Council Chambers

31 Wakefield Street, Rochester, NH

MINUTES

1. Call to Order

Councilor Lachapelle called the Codes and Ordinances Committee to order at 6:00 PM. All Committee members were present. Also present were Councilor Gray and City Attorney, Terence O'Rourke.

2. Public Input

Councilor Lachapelle opened Public Input at 6:03 pm.

Michelle Smith, resident, spoke about Chapter 63.2 of the General Ordinances of the City of Rochester with regards to the passing of items to or from the occupant of a motor vehicle on a road way

Ms. Smith spoke about Chapter 36 of the General Ordinances of the City of Rochester with regards to Cemeteries.

George Pelletier spoke about Chapter 19.8 of the General Ordinances of the City of Rochester with regards to the placement of Waste Management totes.

Councilor Lachapelle thanked Ms. Smith and Mr. Pelletier for speaking and closed public input at 6:13 PM.

3. Acceptance of the Minutes: June 1, 2017

Councilor Lauterborn **MOVED** to **ACCEPT** the minutes of June 1, 2017. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. **Review: Chapter 63.2** *The passing of Items to or from the Occupant of a Motor Vehicle on a Road Way.*

Terence O'Rourke, City Attorney, reported that enforcement of this ordinance is currently suspended to avoid any litigation, as a similar ordinance in another city had been brought before the NH State court and had been struck down by a federal judge ruling that the ordinance violates first amendment rights. Attorney O'Rourke had this on the agenda to ask the committee what they would like to do; Keep the current ordinance suspended as is and try to amend it, or scrap in all together? Councilor Gates asked if there were any other municipalities with a similar ordinance which had been found constitutional. Attorney O'Rourke stated none were found in NH. This will be kept in committee and Attorney O'Rourke will bring this back with revisions to the December 7th meeting.

5. **Review: Chapter 36** *Cemeteries*

A discussion ensued about whether or not to form a committee to oversee the cemeteries in Rochester. Councilor Bogan **MOVED** to bring to full council a motion for the idea of the formation of a Trustees of the Cemeteries Committee. If formed, this committee would take the responsibilities relative to cemeteries out of the City Manager's office. Councilor Abbott seconded the motion. The **MOTION CARRIED** by a majority voice vote.

6. **Review: Chapter 19.8** *Storage of Containers and Dumpsters*

Councilor Lachapelle led discussion on Chapter 19.8 and conversation was held regarding the section that reads "*and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way.*" Councilor Abbott recalls this being removed from the chapter initially, and does not know when it was added back. Councilor Lachapelle stated that we need to be careful on how this is enforced as written. Councilor Lauterborn **MOVED** to propose to the full City Council to remove "*and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way.*" from Chapter 19.8. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle also brought forward a change that needs to happen in the beginning of this chapter under **19.1 Definitions**. He stated that the City will be migrating to a second cart for streamline recycling within the next couple of months. In preparation of this, the definition v) **Residential Recycling Bin** needs to be changed to reflect this. His suggestion was to have the definition read exactly like y) **Rubbish and Waste Receptacles** with a minor change. Councilor Lachapelle **MOVED** to send the following proposed changes to the City Council: **v) Residential Recycling Bin Cart – ~~Any reusable container that is labeled for recycling. Containers shall be no larger than eighteen (18) gallons in size.~~ Shall be a specifically designed container with wheels or "cart" distributed by Waste Management to be used for the storage of acceptable recyclables in the automated collection process. No other receptacles will be permitted for collection by the City's waste collection contractor.** Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

7. Other

Councilor Lauterborn spoke on camping in Rochester parks. Councilor Lachapelle shared that he had received an e-mail from the Chief of Police. The chief will be researching this with the Recreation Department. There is an ordinance that specifically states that people cannot camp in Rochester parks. The Trustees of Trust Funds are also looking into this. Councilor Gray spoke about there being an ordinance stating that signs can be posted listing the park hours. With these signs posted, if a camper was found in a park they could be found in violation of park hours. Councilor Gray also inquired whether or not Hanson Pines is considered a park. Councilor Lachapelle asked City Attorney O'Rourke to look into this and report back at the December 7th meeting. If action needs to be taken, it will be taken at that time.

Councilor Lauterborn spoke on the Dewey Street Bridge Project. It was said during the site walks and meetings that motorized vehicles would not be allowed on the bridge. There will be barriers placed at either end of the bridge, but small motorized vehicles would be able to get around said barriers. Councilor Lauterborn inquired if the items from these previous meetings are enforceable, or if there needs to be a specific ordinance prohibiting vehicles such as snowmobiles and motorcycles. Councilor Lachapelle stated that the City can post a sign on either side of the bridge. Councilor Lauterborn just wants to make sure the police have what they need to enforce this. Councilor Lachapelle said that he can have Councilor Hamann put it on the agenda for the next Safety Committee meeting. City Attorney O'Rourke will look into whether or not we can just place signs, or if we need to do something else.

8. Adjournment

Councilor Gates **MOVED** to **ADJOURN** the Committee meeting at 6:38 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Susan Morris
Assistant City Clerk

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City Clerk's Office

**Amendment to Chapter 19 of the General Ordinances of the City of Rochester Regarding
Residential Recycling Bins**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 19 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

19.1 Definitions

v). Residential Recycling Bin Cart- ~~Any reusable container that is labeled for recycling. Container shall be no larger than eighteen (18) gallons.~~ It shall be a specifically designed wheeled container or cart distributed by Waste Management to be used for the storage of acceptable recyclables in the automated collection process. No other receptacles will be permitted for collection by the City's waste collection contractor.

The effective date of these amendments shall be upon passage.

CC FY 18 12-05 AB 66

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City Clerk's Office

**Amendment to Chapter 19 of the General Ordinances of the City of Rochester Regarding
Storage of Containers and Dumpsters**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 19 of the General Ordinances of the City of Rochester, currently before the Rochester City Council, be amended as follows:

19.8 Storage of Containers and Dumpsters. Except on the day scheduled for collection and during the time period provided in 19.6 of this chapter, no person shall place or store any refuse in any street, alley or other public place or upon any private property within the City of Rochester unless such refuse is placed in proper containers/dumpsters. ~~and such containers/dumpsters are stored in such a manner as to be adequately screened from view from any public way.~~

The effective date of these amendments shall be upon passage.

CC FY 18 2017, 12-05 AB 67

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City Clerk's Office



Rochester City Council

Community Development Committee

MEETING MINUTES

Elaine Lauterborn, Chairperson

Donna Bogan, Vice Chairperson

Tom Abbott

Ray Barnett

A. Raymond Varney, Jr.

Meeting Date:	November 13, 2017	
Members Present:	Councilor Abbott Councilor Barnett Councilor Bogan Councilor Lauterborn Deputy Mayor Varney	Members Absent: None
Guests/Staff:	Julian Long, Community Development Coordinator Angela Mills, Executive Director of Rochester Main Street Esther Turner, Rochester Community Vibrancy Committee Emily Pelletier, Rochester Community Vibrancy Committee	

Councilor Lauterborn called the meeting to order at 7:00 p.m. Motion was made by Councilor Barnett and seconded by Councilor Bogan to approve the September 11, 2017 minutes. The minutes were approved unanimously. Councilor Abbott entered the meeting at 7:01 p.m.

PUBLIC INPUT	There was no public input.
ROCHESTER MAIN STREET – New Executive Director	Angela Mills, executive director of Rochester Main Street, briefly reported on her transition into the executive director role from previous director Mike Provost. Ms. Mills discussed upcoming Main Street holiday-related events such as Shop Small Saturday and the Festival of Trees. Ms. Mills also talked about how she, as the new executive director, is focusing on rejuvenation of Main Street’s board of directors and getting back to the organization’s roots. Councilor Lauterborn welcomed Ms. Mills to Rochester Main Street and invited her to feel welcome to attend future Community Development Committee meetings.
DOWNTOWN HOLIDAY LIGHTS – Community Vibrancy Committee	Councilor Lauterborn asked who pays for the downtown holiday lights, and Councilor Varney replied that the City pays for the lights. Councilor Lauterborn then asked if the lights automatically turn off at a certain time, and Councilor Varney stated that he did not think so. Councilor Bogan added that the City could change that so the lights go on and off automatically. Councilor Varney stated he would check with the Department of Public Works (DPW) as to the cost of leaving the lights up and the possibility of automatic timing, as well as whether the lights are LED lights.

	<p>Councilor Varney asked when the lights should go off, and Councilor Bogan suggested either 12 a.m. or 1 a.m. Councilor Lauterborn asked about the directional LED lights that DPW was testing in the downtown, and Councilor Varney said he would follow up on that when making his other DPW inquiries. Councilor Bogan and Councilor Lauterborn discussed the safety concerns with a lack of lighting in the downtown, especially at crosswalks.</p> <p><i>Motion was made by Councilor Bogan and seconded by Councilor Barnett to recommend to the full City Council that the downtown holiday lights be left on the trees until May 2018.</i> Ms. Turner and Ms. Pelletier entered the meeting at this point and apologized for their delay, as they had been at the City Hall conference room rather than the City Hall Annex conference room B. Councilor Lauterborn provided a brief summary of the discussion, and Ms. Turner and Ms. Pelletier thanked the Committee for its support. <i>The motion passed unanimously.</i></p>
WORKFORCE HOUSING CHARRETTE APPLICATION – Potential Project Site	<p>Councilor Lauterborn suggested that the potential project site be located in the downtown. Councilor Bogan suggested the project site be the section of Portland Street between Columbus Avenue and Main Street, as many of the buildings are vacant. Councilor Abbot suggested the Fownes Mill project on Gagne Street, which has only been partially developed. Councilor Bogan asked if the project's owner would be receptive.</p> <p>Mr. Long stated that he had solicited suggestions from Planning Department and Economic Development Department staff prior to the meeting. Staff suggested the Fownes Mill project, the former Advanced Recycling site on Wallace Street, several vacant Hanson Street properties, and several vacant North Main Street properties. Councilor Lauterborn suggested that the Wallace Street property would not be suitable, and Councilor Varney suggested that the Wallace Street property be used for commercial purposes. Mr. Long stated that the City has just submitted an Environmental Protection Agency Brownfields Grant application to remediate the Wallace Street property and build a small business incubator at the site.</p> <p>Councilor Bogan asked if privately-owned properties can be used for a charrette, and Mr. Long said he believed so but would check with the Workforce Housing Coalition of the Greater Seacoast.</p> <p>The consensus of the committee was to proceed with an application with either the Fownes Mill property or the Portland Street property as the suggested project site.</p>
MOOSE PLATE GRANT APPLICATION – E. Rochester Fire Station Drape	<p>Mr. Long distributed materials to the Committee regarding the historic drapery currently housed in the former East Rochester Fire Station. It has been proposed that the City apply for a Moose Plate</p>

	<p>Grant to restore the drapery.</p> <p>Councilor Lauterborn asked if the drapery has to be displayed, and Mr. Long replied that the drapery would have to be displayed after restoration under the Moose Plate Grant terms. Councilor Lauterborn asked about the current status of the former East Rochester fire station, and Councilor Abbott replied that it is currently vacant. Councilor Varney suggested that the Committee request that Buildings and Grounds provide access to the former fire station so the Committee can assess. Councilor Lauterborn agreed that the Committee should do a site visit.</p> <p>Councilor Abbott asked what Moose Plate Grant funds can be used for, and Mr. Long replied that these funds can be used for historic documents, historic objects, and historic buildings. Councilor Lauterborn asked about the timeline for the grant application process, and Mr. Long replied that letters of intent are usually due in March and the full application is due in May.</p>
FY 2018-2019 CDBG ANNUAL ACTION PLAN	<p>Councilor Lauterborn provided a brief overview of the Community Development Block Grant (CDBG) for Ms. Mills. Mr. Long added that the Rochester Performing Arts Center façade project was funded through a CDBG subgrant to Rochester Main Street.</p> <p>Mr. Long stated that he has visited all six City wards to request input into the FY 2018-2019 annual action plan and has completed nearly all of the consultations with non-profit agencies, other governmental entities, etc. He added that the first public hearing on the annual action plan is scheduled for the November 21st City Council workshop and that FY 2018-2019 CDBG grant applications are due December 8th.</p> <p>Councilor Lauterborn asked if the timeline allows flexibility in case it takes a while to appoint the committees in 2018, and Mr. Long stated that the timeline does. The in-person grant application presentations are tentatively scheduled for the January 2018 Community Development Committee meeting but can be moved to the February 2018 meeting and still allow for the Committee to vote on its funding recommendations at the March 2018 meeting.</p>
PROGRAM REPORT – Current CDBG Projects, Continuing CDBG Projects, JOB Loan Program Report, Non-CDBG Grants	<p>Mr. Long presented a brief overview of continuing and current CDBG projects. The final FY 2016-2017 carryover project, the backup generator at the Homeless Center for Strafford County, is nearing completion. Mr. Long also mentioned that the Recreation Department and the Department of Public Works agreed to postpone the Community Center tennis court lights project until Spring 2018 due to concerns with the ground freezing.</p> <p>Councilor Bogan asked about the company P1T2 listed on the first quarter Job Opportunity Benefit (JOB) Loan Program report, and Mr.</p>

	Long replied that it is the registered name for Trigger Devils, which received a JOB loan in February 2017. Councilor Varney asked about the renovations at Rochester Eye Care, which received a JOB loan in March 2016, and Mr. Long replied that the renovations have been completed.
OTHER BUSINESS	There was no other business.

Motion to adjourn was made by Councilor Bogan and seconded by Councilor Barnett. The meeting was adjourned at 7:55 p.m.

Next Meeting – Wednesday, November 29, 2017 at 3 p.m. at the East Rochester Fire Station (23 Main Street, East Rochester, NH)

Topics – East Rochester Fire Station Drapery and Moose Plate Grant Application



Rochester City Council

Community Development Committee

MEETING MINUTES
Elaine Lauterborn, Chairperson
Donna Bogan, Vice Chairperson
Tom Abbott
Ray Barnett
A. Raymond Varney, Jr.

Meeting Date:	November 29, 2017	
Members Present:	Councilor Abbott Councilor Barnett Councilor Bogan Councilor Lauterborn Deputy Mayor Varney	Members Absent: None
Guests/Staff:	Sandra Keans, City Councilor Michael Riley, Municipal Services Supervisor Peter Nourse, Director of City Services Julian Long, Community Development Coordinator	

Councilor Lauterborn called the meeting to order at 3:02 p.m.

VIEWING OF FORMER EAST ROCHESTER FIRE STATION AND HISTORICAL DRAPE	<p>The meeting was convened at the former East Rochester fire station, which is currently vacant. The Committee viewed the fire station's stage curtain. Councilor Keans stated that, if the City of Rochester were to apply for a Moose Plate grant to restore the curtain, the restored curtain would have to be displayed in a publically accessible location.</p> <p>Councilor Varney asked if there would be required city funds if the City applied for a Moose Plate grant. Mr. Long replied that the Moose Plate grant does not require matching funds.</p> <p>Councilor Bogan suggested the Rochester Opera House, Frisbie Memorial Hospital, or one of the historic churches in the city as a possible location for the restored curtain. Mr. Riley suggested one of the current fire stations or Rochester Historical Society building. Councilor Keans asked about how long would the curtain be displayed if displayed in a building not owned by the city.</p> <p>Councilor Lauterborn suggested that the former East Rochester fire station building needs to be addressed before the curtain. She added that the curtain appears to be safe and in stable condition where it currently hangs.</p>
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	Councilors Keans suggested that there should be a community conversation regarding what should be done with the former East Rochester fire station. Councilor Bogan suggested that Rochester Listens could assist with such a conversation. Councilor Varney suggested that all of the Committee members brainstorm over the next few weeks on possible locations for the restored curtain, and the consensus of the Committee was to do so.
OTHER BUSINESS	The Committee decided to cancel its December 11, 2017 meeting. The next meeting will be in January 2018, specific date and time yet to be determined.

The meeting was adjourned at 3:20 p.m.

Next Meeting – January 2018, date and time TBD

Topics – FY 2018-2019 CDBG Annual Action Plan, CDBG Program, Non-CDBG Grant Program East Rochester Fire Station Curtain and Moose Plate Grant Application

FINANCE COMMITTEE

Meeting Minutes

Meeting Information

Date: November 14, 2017
Time: 7:00 P.M.
Location: City Council Chambers
31 Wakefield Street
Rochester, New Hampshire

Committee members present were: Mayor McCarley, Deputy Mayor Varney, Councilor Hamann, Councilor Gray, Councilor Lauterborn, Councilor Keans and Councilor Torr. Other City Councilors present: Councilor Barnett. City staff present were: City Manager Fitzpatrick, Deputy City Manager Cox, Police Chief Toussaint, Deputy Police Chief Boudreau, Fire Chief Klose, Assistant Fire Chief Dupuis, Deputy Fire Chief Powers, Chief Information Officer Gonzalez, IT Technician Watkins, Planning Director Campbell, City Clerk Walters, Chief Assessor Rice and Senior Accountant Sullivan. Others present: Chairperson Marchionni of the Riverwalk.

Agenda & Minutes

1. Call to Order

Mayor McCarley called the meeting to order at 7:00 P.M.

2. Public Input

There were no members of the public that addressed the Committee.

3. Unfinished Business

3.1 Riverwalk Funding Request

Riverwalk Committee Chair Marchionni provided the Finance Committee with a copy of a proposed "[Agreement Between Client and Engineer for Professional Services](#)." The contracted amount proposed is \$5,500, plus cost and services. The purpose of the contract would be to retain the services of Fuss & O'Neil, Inc. to update the scope as well as the budget estimates of the previously created [CLD Master Plan](#) for the Riverwalk created in 2007. **COUNCILOR LAUTERBORN MOVED TO RECOMMEND TO THE FULL CITY COUNCIL THAT \$5,500.00 BE APPROPRIATED FOR THE PROPOSED**

FUSS & O'NEIL CONTRACT TO UPDATE THE RIVERWALK MASTER PLAN AND FURTHER THAT THE FUNDS BE DERIVED FROM THE ECONOMIC DEVELOPMENT RESERVE FUND OR OTHER FUNDING SOURCE. The motion received a second. **COUNCILOR GRAY MOVED TO AMEND THE MOTION TO LIMIT THE FUNDING SOURCE TO THE ECONOMIC DEVELOPMENT RESERVE FUND ONLY.** The motion to amend received a second. **The MOTION TO AMEND FAILED upon a show of hands vote. The MAIN MOTION WAS ADOPTED.** Deputy Mayor Varney requested that all the private landowners along the proposed Riverwalk project be polled prior to full Council action upon the motion on December 5, 2017 as to whether they would be willing to cooperate with the project and allow access to their property as part of the project. Riverwalk Chair Marchionni expressed a willingness to conduct such a poll of landowners, however, she requested more time to carry it out and that the vote on December 5th not be delayed.

3.2 Elderly Exemptions

Senior Accountant Sullivan and Chief Assessor Rice provided data contained in a [Power Point Presentation](#) pertaining to Elderly Exemptions. The Mayor indicated that this item would be kept in committee for further discussion.

3.3 All Veterans' Tax Credit

Senior Accountant Sullivan and Chief Assessor Rice provided data contained in a [Power Point Presentation](#) pertaining to the All Veterans' Tax Credit. The Mayor indicated that this item would be kept in committee for further discussion

4. New Business

4.1 Police Department Overtime Expense Update

Police Chief Toussaint provided an update of the Police Department's fiscal year 2018 overtime expenses. He also provided background information upon what has caused the overtime expenditures.

4.2 Fire Department Overtime Expense Update

Fire Chief Klose provided an update of the Fire Department's fiscal year 2018 overtime expenses. He also provided background information upon what has caused the overtime expenditures.

4.3 Radiological Emergency Preparedness Program Grant

Fire Chief Klose informed the Finance Committee that the City is eligible for additional funds under the Radiological Emergency Preparedness (REP) program grant in the amount of \$12,697. **COUNCILOR LAUTERBORN MOVED TO RECOMMEND TO THE FULL CITY COUNCIL ACCEPTANCE AND APPROPRIATION OF THE ADDITIONAL \$12,697.00 FROM THE REP PROGRAM GRANT. THE MOTION RECEIVED A SECOND AND WAS ADOPTED.**

4.4 Chief Information Officer Update

Chief Information Officer Gonzalez appeared before the Finance Committee and provided an update of the progress the IT department has made over the past 4 months on several critical projects as well as planning for the near-term future. These include a network infrastructure refresh, problem reporting/ ticketing system, virtual server refresh, Micro-Soft Office standardization, upgrading security camera deployment, increased leverage of GIS and upgrading of the wireless access infrastructure.

4.5 Electronic Pollbook Update

City Clerk Walters provided a report on the trial use of an electronic pollbook system at the Ward 4 polls on November 7th. Ms. Walters reported that overall the system was very effective and useful. Councilors Gray and Hamann also provided feedback on the system.

4.6 Position of GIS Technician

The Finance Committee meeting materials contained the City Manager's recommendation for the creation of a new position of GIS Technician at a non-union pay grade of 9. The materials provided also included the meeting minutes of the Personnel Advisory Board (PAB) of September 29, 2017 at which time the PAB voted to recommend

the proposed position description as written as well as to recommend the pay grade of 9. Councilor Keans expressed concern that the position description did not contain enough emphasis upon construction inspection. The Mayor indicated that this item would be kept in committee.

4.7 Position of Senior Planner

The Finance Committee meeting materials contained the City Manager's recommendation for the creation of a new position of Senior Planner at a non-union pay grade of 8. The materials provided also included the meeting minutes of the Personnel Advisory Board (PAB) of September 29, 2017 at which time the PAB voted to recommend the proposed position description as written as well as to recommend the pay grade of 8. Councilor Lauterborn expressed concern and confusion that the Senior Planner position description requirements were more stringent for this pay grade 8 position (Bachelor's degree) than what was required for the GIS Technician position (2-year degree) at a pay grade 9. Councilor Keans requested and received clarification and verification from the City Manager that creation of new positions does not mean that additional staff will be hired. The Mayor indicated that this item would be kept in committee.

4.8 City Sponsored Fireworks Discussion

The Mayor reviewed the history of the City Council's recent past discussions pertaining to a City sponsored fireworks display. She also shared that she had recently discussed with the new Fairgrounds events manager, Vicky Poland, the idea of having the City fireworks event at the Fairgrounds. After a brief discussion, **COUNCILOR HAMANN MOVED TO RECOMMEND THAT THE FULL CITY COUNCIL INDICATE SUPPORT THAT THE CITY MANAGER INCLUDE AN APPROPRIATION IN HIS PROPOSED FISCAL YEAR 2019 BUDGET FOR A CITY SPONSORED FIREWORKS DISPLAY. THE MOTION RECEIVED A SECOND AND WAS ADOPTED.**

5. Finance Director's Report

5.1 General Fund Unassigned Fund Balance Update

There was no Finance Committee discussion regarding this agenda item.

5.2 Official Announcements & Posting Policy Amendment

Deputy Mayor Varney recommended that the proposed amendment to the policy be amended to indicate five “working” days as opposed to simply five days.

5.3 Fiscal Year 2019 Budget Process Discussion

Councilor Lauterborn expressed support for the proposed changes to the budget process and format. Deputy Mayor Varney suggested that capital project requests pertaining to vehicles contain a specific listing of the vehicles being sought.

5.4 Monthly Financial Report

There was no Finance Committee discussion regarding the monthly financial statements.

6. Other

Councilor Torr raised the issue of extending the hours that the Christmas Tree is lit daily during the holiday season. He also expressed disappointment that the City is still paving so late in cold weather.

Councilor Gray suggested that the Finance Committee members review the comments made at the November 9, 2017 School Board meeting regarding the School Department starting the fiscal year 2018 without a fully funded budget.

7. Adjournment

Councilor Hamann moved to adjourn the meeting and a second was received. The motion was adopted by a voice vote at 8:55 P.M.

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City Clerk's Office

Amendment to the City of Rochester's General Ordinances Relative to Chapter 17.34
Entitled "Water Rate and Fee Schedule"

THE CITY OF ROCHESTER ORDAINS:

I. That Chapter 17, Section 17.34 of the General Ordinances of the City of Rochester, entitled "Water Rate and Fee Schedule", be amended by deleting the portion of said ordinance entitled "Quarterly Water Rates" and by replacing such portion of the ordinance with the following:

17.34 Water Rate and Fee Schedule

Quarterly Water Rates

Residential Customers without exemption:	\$5.55	per 100 cu. ft. of water use
Residential Customers with exemption:	\$2.40	
Commercial and industrial customers:	\$5.55	

Unmetered Residential Customers:	
Per quarter per unit without exemption:	\$148.53
Per quarter per unit with exemption:	\$74.25

Minimum Fee:	
Per quarter per unit without exemption:	\$21.09
Per quarter per unit with exemption:	\$16.91

II. That this ordinance amendment shall take effect on February 1, 2018

CC FY 18 12-05 AB 63

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City Clerk's Office

Amendment to the City of Rochester's General Ordinances Relative to Chapter 16.25
Entitled "Wastewater Rate and Fee Schedule"

THE CITY OF ROCHESTER ORDAINS:

I. That Chapter 16, Section 16.25 of the General Ordinances of the City of Rochester, entitled "Wastewater Rate and Fee Schedule", be amended by deleting the portion of said ordinance entitled "Quarterly Wastewater Rates" and by replacing such portion of the ordinance with the following:

16.25 Wastewater Rate and Fee Schedule

Quarterly Wastewater Rates

Residential Customers without exemption:	\$6.75	per 100 cu. ft. of water use
Residential Customers with exemption:	\$4.49	per 100 cu. ft. of water use
Commercial and industrial customers:	\$6.75	per 100 cu. ft. of water use
High Volume Customer (I.e. customers using more than 5,000 units **monthly)	\$6.08	per 100 cu. ft. of water use

Unmetered Residential Customers:	
Per quarter per unit without exemption:	\$215.91
Per quarter per unit with exemption:	\$107.94

Sewer-Metered Customers:	\$6.75 per 100 cu. Ft.
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Minimum Fee:	
Per quarter per unit without exemption:	\$32.28
Per quarter per unit with exemption:	\$25.70

Septage Discharge:	\$52.00	per 500 gal. or portion thereof
RV Septage Discharge:	\$15.00	flat fee
Graywater Disposal	\$28.00	per 2000 gal. or portion thereof

II. That this ordinance amendment shall take effect on February 1, 2018

CC FY 18 12-05 AB 64

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City Clerk's Office

Resolution Authorizing the Rochester Fire Department to Apply for a New Hampshire Department of Homeland Security Grant for the Purpose of the Purchase of Swiftwater Rescue Equipment in the Amount of \$60,000.00

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Rochester Fire Department to apply for a grant in the amount of Sixty Thousand Dollars (\$60,000.00) from the New Hampshire Department of Homeland Security grant program in order to fund the purchase of Swiftwater Rescue Equipment.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

CC FY18 12-05 AB 69

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City Clerk's Office

Resolution Authorizing Supplemental Appropriation to provide Funding for Consulting Services to Update the Riverwalk Master Plan in the amount of \$5,500.00

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the sum of Five Thousand Five Hundred Dollars (\$5,500.00) be, and hereby is, appropriated as a supplemental appropriation for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the entering into an agreement with Fuss & O'Neill, Inc. to review and update the existing Master Plan for the proposed Riverwalk. Funds for the supplemental appropriation shall be derived from the Economic Development Reserve Fund and any shortfall shall be derived from the General Fund unassigned fund balance.

Further, the Mayor and City Council authorize the City Manager to enter into an agreement with Foss & O'Neil, Inc. and to execute all documents necessary to complete the transaction.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

CC FY18 12-05 AB 71

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City Clerk's Office

Resolution Authorizing the Acceptance of Radiological Emergency Preparedness (REP) Grant and Supplemental Appropriation Connected Thereto in the amount of \$12,697.00

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a REP Grant in the amount of Twelve Thousand Six Hundred Ninety Seven Dollars (\$12,697.00).

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Twelve Thousand Six Hundred Ninety Seven Dollars (\$12,697.00) to the Fire Department fiscal year 2018 operating budget with the entirety of said supplemental appropriation being derived from the aforementioned REP Grant.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

CC FY18 12-05 AB 72

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City Clerk's Office

**Rochester Government Channel Minutes
November 20, 2017 Meeting
City Council Chambers, 5:30PM**

Members Present:

City Councilor Tom Willis, Chair
James Graham, Resident
Celeste Plaia, Government Channel Coordinator
Others Present:
City Attorney Terence O'Rourke

DRAFT MINUTES

I. Call to Order

The meeting was called to order at **5:35 PM**. All members were present.

II. Approval of minutes July 10, 2017 meeting

A **MOTION** was made by James Graham to **accept** the minutes of the July 10, 2017 meeting. The motion was seconded by Councilor Willis. The **MOTION CARRIED** by a unanimous voice vote.

III. Public Input

There was no one present for public input.

IV. Discussion - Comcast

Councilor Willis stated that he called for a Government Channel meeting before the Public Hearing was scheduled to gain understanding and ask questions regarding the proposal of a Comcast cable franchise agreement as it relates to the Government Channel.

Terence O'Rourke gave an overview of Article 7 of the proposed agreement, which pertains to PEG access programming. Attorney O'Rourke highlighted some of the provisions including the 3 PEG channels, origination points, and PEG funding.

Jim Graham asked for clarification on how a Comcast franchise would work with the existing Metrocast system; are we looking to replace Metrocast or introduce competition? Attorney O'Rourke explained the nature of the Comcast "overbuild" as a separate system from the Metrocast system, including the fact that each cable system would be carrying the same content of the 3 PEG channels. There was also a brief discussion on unknowns as to how exactly the PEG channels get out to Comcast and how the 3rd channel in the Metrocast system, being a "local origination" channel with local regional content, would be handled.

The committee asked where things stood with Metrocast negotiations. Attorney O'Rourke stated negotiations were on hold due to the pending sale of Metrocast. The committee noted that it would be good for the residents to have a choice, but also discussed concerns regarding what would happen if Metrocast does not renew its contract with the city after December 2018. The committee was in agreement that there is an advantage to having a customer service center in Rochester, and that overall Metrocast has very good customer service. Councilor Willis stated he will bring concern regarding the customer service center location to the Public Hearing scheduled on 11/21.

Councilor Willis asked if this contract will be seeking approval from City Council soon. Attorney O'Rourke stated it was possible it could go before council within the next month. The Government Channel Coordinator stated that there were some concerns with the current proposal which still needed to be addressed; including local origination access points and system design, provisions for technologies available to commercial stations such as video on demand, itemized program guide, Government channels in the High Definition tier, and PEG grant money being passed to the cable subscriber. Councilor Willis stated he will bring the committees concerns to the public hearing on 11/21.

V. Other

Councilor Willis gave a brief update on the progress of the technology center and an approximate time line of construction. He stated that things are moving along quickly. The Government Channel Coordinator stated that she had been in touch with the school coordinator and they have been discussing possible scenarios of a shared space, and what shared equipment might meet both party's needs. The committee also discussed if PEG grant money could be used for any possible Public Access Studio. The Coordinator stated it could contribute, but would not cover the entire cost.

VI. Adjournment

Jim Graham **MOVED** to **ADJOURN** the meeting at 6:45 P.M. Tom Willis seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Respectfully submitted,
Celeste Plaia
Government Channel Coordinator

Public Safety Committee
Central Fire Station
November 15, 2017
7:00 PM

MEMBERS PRESENT

Councilor Peter Lachapelle, Vice Chair
Councilor Ray Barnett
Councilor Robert Gates
Councilor James Gray

MEMBERS ABSENT

Councilor Donald Hamann, Chair

OTHER PRESENT

Michael Bezanson, PE, City Engineer
Deputy Chief Gary Boudreau, P. D.
Mark Klose, Fire Chief
Deputy Chief Tim Wilder, Fire Marshal
Diane & Gerald Dooda, 7 Quail Drive
Heather Derrick, 82 Ebony Drive

Minutes

Councilor Lachapelle brought the meeting to order at 7:00 PM.

1. Approve Minutes from October 18, 2017

Councilor Gates made a motion to approve the October 18, 2017 minutes. The motion was seconded by Councilor Barnett. Unanimous voice vote carried the motion.

2. Quail Drive-Speed Limit Sign and Restricted Truck Access Signage

There were members of the public present for items that were on the agenda, so the committee moved the agenda items around. Diane & Gerald Dooda of 7 Quail Drive were there to discuss safety issues on Quail Drive. Deputy Chief Boudreau stated that if a road is not posted, the speed limit depends upon the type of road; this road is 35 mph. Mr. Bezanson said that Quail Drive is posted 35 mph on each end. The Doodas were not sure who requested speed limit signs, but they were present to request "No thru trucks" signs. Mrs. Dooda stated that there is a lot of truck traffic in the area including trash trucks, 18 wheelers and school buses that use this road. Mr. Dooda stated that the road is only a 1/2 mile long and there are cracks all over the road from the large vehicles that travel on it regularly. Deputy Chief Boudreau said that they cannot restrict

busses from traveling on Quail Drive because they are going to a destination. Mrs. Dooda said that the busses that travel down the street are not picking up children they are going to the Laidlaw bus company. They requested a "Local traffic only" sign. Councilor Lachapelle said that they can't stop all traffic from traveling the road. Mr. Dooda stated that they don't want the road ruined by commercial traffic. **Councilor Gates made a recommendation to full Council to place "no thru truck" signs on both ends of Quail Drive with the gross vehicle weights recommended by DPW. The motion was seconded by Councilor Barnett. Unanimous voice vote carried the motion.** Councilor Gray told Mr. and Mrs. Dooda that if the signs were approved they may not be put up until spring because of the weather.

3. Ebony Drive-Speed Issues (kept in committee)

Heather Derrick of 82 Ebony Drive was present to discuss the speeding issues on Ebony Drive. Deputy Chief Boudreau stated that they did extra patrols in the area and they are planning on placing the speed trailer on Ebony Drive. Mrs. Derrick said that would be great and asked how long it is usually placed in the area. Deputy Chief Boudreau said they usually place the speed trailer out for a week at a time and that they usually do not post actual speeds because some drivers will speed to see how fast they can go. Mrs. Derrick said there is a resident and a lawn care company that tend to go fast. She said there are currently 10 children on Ebony Drive. Councilor Gray said after the speed trailer is placed if there is still speeding in the area that she could try to get the license plate numbers and report them to the police, but cautioned to do so safely. Councilor Lachapelle said the speed trailer would be scheduled to be placed on Ebony Drive soon to collect the data.

4. Public Input

There were no other members of the public present.

5. Trinity Circle-Parking Concern

Councilor Lachapelle summarized the issue. Arwen Meyer of 44A Trinity Circle sent an e-mail to Councilor Hamann regarding the parking issue on Trinity Circle. She has lived there for 9 years and has watched the parking situation continuously get worse and now it has become a safety issue. There are now several more homes so the traffic has seemed to double. A lot of the residents of Trinity Circle tend to park on the side of the road instead of the driveways so the

road becomes very narrow and becomes passable to only 1 car at a time. She is concerned that emergency vehicles cannot safely pass through and the fire hydrants are being blocked. She also said that it is hard for her to back out of her driveway with cars parked directly behind her and at both edges. Councilor Gray suggested that the Police and Fire Departments visit the area to see how narrow the road gets and to see if the emergency vehicles can pass through safely. Fire Chief Klose said he will get input from all 4 shifts. This was kept in committee to get recommendations from the Police and Fire Departments.

6. Colby Street- Crosswalk Visibility (kept in committee)

Councilor Lachapelle summarized the issue. Councilor Lachapelle stated that he sees a lot of 18 wheelers on Colby Street. Deputy Chief Boudreau said that is the best route for the 18 wheelers because it is more difficult to access Route 125 from Main St. than it is from Colby St. He said there have only been 2 accidents in 5 years in the area and that there were no injuries involved. Councilor Gray wanted to know where the lights were. Mr. Bezanson said it was pretty dark in the area of the crosswalk; street lights are generally located on every other pole in downtown Gonic. Mr. Bezanson will research the lighting in this area. Councilor Lachapelle said if it meets the street light policy he would not want to change it. This was kept in committee and Mr. Bezanson will research the lighting in this area of Gonic.

7. Route 11 Light-Timing Study (kept in committee)

Councilor Lachapelle summarized the issue. Peter Nourse wrote a letter to the State of NH DOT to request modifying the signal timing for the signals on Route 11, as well as reviewing pedestrian safety and traffic signal warrants at Nashoba Drive. A response letter was received by Mr. Nourse that stated "the installation of traffic signals, if warranted, at a private drive or roadway would be the responsibility of the property owner. This responsibility would include completion of the traffic signal warrant analysis...". The response letter also addressed pedestrian safety, but did not address the request regarding the timing of existing traffic signals on Route 11. Councilor Gray suggested that DPW write a letter to him explaining that the review of the timing of existing signals was not addressed in the NHDOT response.

8. Downtown Crosswalk Signage (kept in committee)

Councilor Lachapelle summarized the issue. He stated that the lighting downtown does need to be fixed, from the China Palace on South Main St., to Wakefield St. past Profile Bank, Union Street to Bridge Street, and North Main St. back to Parson Main. Mr. Bezanson stated that Councilor Varney had also recently asked DPW about the status of the downtown lighting conversion to LED. Mr. Bezanson said three or four LED light set-ups were installed on North Main St. near Lilac City Grille. Some of these installations are brighter than others and some cast a lot of light upward, while other are shielded to cast light downward. Councilor Gates asked if the globes were glass or plastic. Mr. Bezanson said they were plastic. All of the downtown lights are scheduled to be replaced with LED and the globes to be replaced with new clear plastic globes; the issue will be discussed further at the Public Works & Buildings Committee meeting tomorrow night. Mr. Bezanson said that the consultant that reviewed the downtown crosswalks had several recommendations and that, as the committee began to discuss at last month's meeting, there were several signs recommended. Currently there are some pedestrian signs already installed in the downtown area. Councilor Barnett wanted to know if parked vehicles are blocking the view of pedestrians in crosswalks. Mr. Bezanson said he would need to check; the consultant has recommended no parking within 25' of the approach to a crosswalk. He also said that bright fluorescent signs were recommended. Councilor Gates asked if it was an issue that people couldn't see the crosswalk. He also asked if there was a schedule for the crosswalks to be painted. Mr. Bezanson said they were going to overlay the pavement in the spring, so they only repainted the long lines of the current downtown crosswalk markings. Councilor Gates asked if there was data regarding pedestrians being hit in crosswalks. Deputy Chief Boudreau said he did not have any figures on the top of his head. He also said that pedestrians also have to take some responsibility to look at their surroundings. Mr. Bezanson said he will see about repainting some of the crosswalks that need it. Kept in committee.

9. Strawberry/Cider Hill-Dark Corner (kept in committee)

Councilor Lachapelle summarized the issue. Deputy Chief Boudreau said the area is pretty dark. He passed a couple of photos around. Councilor Lachapelle said that the area does meet the street-light policy of every 3 poles and at intersections. Chevron signs could be placed at the corner, but the residents at the two houses on the corner should be notified first. The chevron signs would be installed right in front of their front yard. Kept in committee until the two residents are notified.

10. Other

Eversource Assessing Damage

Fire Chief Klose said that Eversource emailed him at 5:45 PM to let him know that they were going to have an aerial assessment done of the storm damage.

Irish Street - Extend Crosswalk to Charles Street

Mr. Bezanson said that Irish Street is one-way in then turns to a two-way. Before paving next spring DPW proposed extending the existing sidewalk on Irish St. to Charles Street, approximately 175 feet. Councilor Gray wanted to know if there was enough money in the sidewalk fund. ***Councilor Gray made a motion to extend the sidewalk from Irish Street to Charles Street using existing sidewalk funds. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.***

Irish Street - Relocate Pole and Light

Mr. Bezanson requested that the pole and street-light be moved from the middle of the road at the intersection of Irish St. and Charles St. ***Councilor Barnett made a motion to move the pole and street light in the middle of Irish Street to a new location outside of the paved roadway at the discretion of DPW. The motion was seconded by Councilor Gray. Unanimous voice vote carried the motion.***

Sullivan Farm Drive - Street Light

Mr. Bezanson said the intersection of Sullivan Farm Drive and Salmon Falls Road is dark. There is a street light on the pole that is 170' into Sullivan Farm Drive. Mr. Bezanson proposed that the street light be moved to the pole at the intersection. Fire Marshal Wilder said that when answering calls it is easier to see intersections and street name signs when the intersection is lit. ***Councilor Gray made a motion to move the street light closer to the intersection but contact the two residents that will be affected. The motion was seconded by Councilor Barnett. Unanimous voice vote carried the motion.***

Crosswalk at the Intersection of Lilac Mall

Mr. Bezanson updated the committee on the crosswalk on Miltion Road at the intersection of the Lilac Mall. Instead of blacking out the crosswalk markings at the intersection, a pedestrian phase will be added to the traffic signal in a couple of weeks.

Dry Hill Road by Oak Street

Councilor Lachapelle asked if they could have some directed patrols on Dry Hill Road by Oak Street.

Dry Hill Road - Street Sign

Councilor Lachapelle said there is a resident that lives at 26 Dry Hill Road and he wanted a street sign, as emergency personnel respond to the wrong place.. Kept in committee for further information.

Councilor Gates made the motion to adjourn the meeting at 8:32 PM. Councilor Barnett seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Laura Miller, Secretary II.

Public Works and Buildings Committee**November 16, 2017****Council Chambers****MEMBERS PRESENT**

Councilor Ralph Torr – Chairman

Councilor Sandy Keans

Councilor Donald Hamann

Councilor Thomas Willis

MEMBERS ABSENT

Councilor Ray Varney

OTHERS PRESENT

Councilor James Gray

Daniel Fitzpatrick, City Manager

Peter C. Nourse PE, Director of City Service

MINUTES

Chairman Torr called the Public Works and Buildings Committee to order at 7:00 PM.

1. Approve minutes from the October 19, 2017 Public Works & Buildings Meeting.

Chairman Torr requested comments or a recommendation on last month's meeting.

Councilor Hamann made a motion to accept minutes as presented for the October 19, 2017 Public Works Committee meeting. The motion was seconded by Councilor Keans. The Motion passed unanimously.

Chairman Torr asked if the the Committee would mind discussing the downtown lighting agenda item first as there are two people here for that topic. There were no objections.

- 2. Downtown Decorative Lighting Request** –Emily Pelletier stated that she is the Co-Chairman of the Rochester Community Vibrancy Group. She said that has come to the Public Works & Buildings Committee to discuss the lighting downtown. Ms. Pelletier stated that her group was looking to have the holiday lights in the trees left up until spring when the trees start to leaf out. Mr. Nourse stated that there is a downtown lighting project in progress. He stated this project is to replace the existing LED's with brighter and higher efficiency LED's and also to replace the globes which have become very yellow with age. He stated that there should be a significant impact to the brightness in the downtown area. Councilor Keans clarified the issue as not just safety but that this group was seeking an aesthetic benefit to leaving the lights up. Mr. Nourse stated that the lights that are used are not multi-seasonal lights. These are the simple lights that are the same as you would pick up for home use. He stated that they are run from the lamppost electrical fixtures to the trees and they would be difficult to maintain as they get blown around and the bulbs go out. Mr. Nourse stated that currently they are removed in early

January and that keeping them up much longer than that would be a maintenance problem. Chairman Torr asked if there were other lights that could be used. Mr. Nourse stated that there are some ornamental snowflakes used around the Central Square Park. He stated that these were mounted directly to the pole. He suggested that maybe the group could find something similar that was not just winter or holiday themed that might look nice and be easier to maintain. The Committee was in favor of some type of decorative lighting in the downtown area. Mr. Nourse stated that he would leave them up until they start to blow around or staff has to spend a significant amount of time to chase the outages. Councilor Willis stated that he is familiar with the process the DPW goes through with the current lights and he agrees that these types of lights might not be the best type for this application. Councilor Keans agreed that keeping them up as long as we can won't hurt. The Committee suggested that staff and the Community Vibrancy Group look into the pole mounted ornaments around Central Square park and bring it back for discussion next month.

Councilor Hamann made a motion to postpone the discussion until next month's meetings after the holiday lights have been up and on a few weeks. Councilor Willis seconded the motion. The motion passed unanimously.

3. Public Input - None

- 4. 24 Stonewall Drive – Easement** – Mr. Nourse stated that a Mr. Lawrence of 22 Stonewall Drive had written a letter to the City requesting the City to extinguish its 50foot right of way across his property. Mr. Nourse stated that the right of way was originally intended for connectivity from this development to the next one which is on Smoke Street. Mr. Nourse noted that the Smoke Street Development has an 18 foot right of way connecting to the 50 foot one coming in from Stonewall Drive. Mr. Nourse further stated that there is a letter from Seth Creighton from the Planning Department in the packet. The letter states that from a Planning Department perspective there is little to no value in the City maintaining the 50 foot right of way and if the City agrees it could be extinguished, or modified to skirt the edge of the property rather than dissect it down the middle. Councilor Gray stated that if the Planning Board requested the right of way, then the Planning Board should be the ones to make the decision or recommendation to change the notice of decision or extinguish the rights. Councilor Willis stated that this development was owned by the Pray family during the time of Planning Board approvals and he remembered that the family was adamant about leaving a particular right of way at within this project because it was an old road that had historical value. Councilor Willis suggested that the files be looked into to see what was documented. Chairman Torr stated he also remembered a roadway that was in that area that the senior Mr. Pray wanted preserved.

Councilor Hamann made a motion to have the full City Council send this item to the Planning Board for review. Councilor Willis seconded the motion. The motion passed unanimously.

5. **Strafford Square NHDOT Funding** – Mr. Nourse summarized the current NHDOT funding participation in this project. He stated that originally the actual participating construction costs were capped off in the amount of \$700,000. Mr. Nourse explained that this original \$700,000 in federal funds is from a program although it is still available to us, that program is no longer in operation. He stated that through conversations with NHDOT he has learned that there may be additional grant funds available for construction. Mr. Nourse stated he has sent a letter on behalf of the City requesting an additional amount of 2,166,230.00, which is the estimate for the participating portion of the project. He stated that NH DOT has determined that first part of the project for underground utility work with Fairpoint, Metrocast, and Eversource, are non-participating for grant funding. Mr. Nourse stated that he will keep the Committee updated on NHDOT's response. Mr. Nourse also stated that he is still pushing for the utility work to be completed next construction season but he is concerned for delays due to Fairpoint's delay in engineering their portion of the project which is quite complicated. He stated Fairpoint has contracted with a private engineering firm in hopes determining the scope and designing their underground network. Mr. Nourse stated that if the utility work is completed next season as planned then the roundabout construction should happen in the construction season of 2019. He stated he would continue to give the Committee updates. Councilor Keans asked if the underground work was just in the roundabout area. Mr. Nourse stated that it is just in the roundabout area and reaches out about 100 yards out from each roadway into the roundabout.
6. **20 Spaulding Avenue** – Mr. Fitzpatrick stated that as this property owner and the City are still in negotiations regarding this property and he advised that this subject not be discussed in a public forum tonight. Mr. Fitzpatrick stated that the City Attorney would be updating the full Council at the next City Council Workshop meeting on November 21, 2017.
7. **Chestnut Hill Rd – Service Connection** – Mr. Nourse stated that this item is on the agenda because of an inquiry Councilor Gray made through the City Manager's office regarding tying in a private property to the City's water main on Chestnut Hill Road. Mr. Nourse stated that this is in regards to the PFOA concerns with the property at 137 Chestnut Hill Road. Mr. Nourse stated that the State of NH Department of Environmental Services (NHDES) is supplying this home with bottled water and working on releasing the report regarding the completed testing of the area. Councilor Gray stated that this is the only property tested that was positive for PFOA contaminants above the acceptable limits and he believes that the City should connect the property to the City's water main and worry about collecting the funds to do so at a later date. Councilor Gray stated that the first step should be for the City to contact Lydall to make them aware of the process to get the water tied in. Mr. Nourse stated that he has had discussions with NHDES regarding the issue and he believes that either the property owner or the tenant does not want to have the water connected. Councilor Keans suggested that the City

Manager meet with all parties to determine the status of the issue and to determine the plan moving forward. Councilor Gray stated that he could not discuss the issue in a public forum but he has been updated and kept in the loop due to his Senate position in the State of N. Councilor Keans stated that she is not ready to spend public funds to connect the water to a private property if we do not know how it is going to be paid back. Councilor Gray suggested tabling the discussion for a month pending the report. He also suggested that the City should contact Lydall to see how the negotiations are going. Councilor Keans asked if by postponing or tabling the discussion that would limit the City Managers ability to discuss this issue with any of the parties. Mr. Fitzpatrick stated it would not. Councilor Hamann asked if NHDES was taking the lead on this and if it would be appropriate to allow them to do so. Councilor Gray stated that there are things happening on both the NHDES side and the Lydall side and that they are in contact with each other.

Councilor Willis made motion to table this item for discussion at the December Public Works & Buildings Committee Meeting. Councilor Hamann seconded the motion.

The motion passed unanimously.

Strafford Regional Planning Committee (SRPC)– Review of ten year Plan – Mr. Nourse stated that the City Council had received a briefing at the October 17th meeting from the Director of SRPC. The City Council asked that the SRPC Director put together a summary of the projects and long range plan that pertains to Rochester. Mr. Nourse stated that he has received the list with all of the projects. He stated that these projects were rated and scored and that there are no Rochester projects that made it into this cycle which runs through 2027-2028. He stated that the 125/Lowell Street Intersection plan is in there and it appears to be an error but he was not sure as to how or why it was put in the plan. Mr. Nourse stated that he intend to become much more involved with SRPC to ensure a solid link between the City and SRPC so that the City Councils goals are conveyed. Councilor Gray stated that Councilor Varney had requested that Rt 11 Corridor and traffic issues be submitted within the comment period. Mr. Nourse stated that this did not get submitted and that it would have to be in the next cycle. Chairman Torr and Councilor Willis stated their concern for safety in the area. Councilor Willis stated that as any future development in the Rt11 corridor will require driveway and other permits from NHDOT, the City staff should make sure that the State is on the same page as to the safety concerns and the timing of future projects in the area. Mr. Nourse stated he had written a letter to NHDOT regarding the concerns expressed by Cocheco Estates Community and the timing of the lights at Exit 15. The letter also discussed the high traffic volume and the need for sidewalks. Mr. Nourse stated he had received a letter back basically stating that any lights to be added would be the responsibility of the property owners or developers and that current traffic volumes were close but do not meet the criteria that would mandate a traffic light at Nashoba Drive (Cocheco Estates). He said the letter also stated that the sidewalks would be the City's responsibility and the

letter did not address the timing issue of the lights at Exit 15. Mr. Nourse stated he had two calls into the state regarding the light timings and he has not heard back from them as of today. Councilor Gray requested a letter from City Staff addressed to him regarding the timing of the lights and lack of NHDOT response to that item of concern. He stated he would forward this on to the NH DOT Commissioner for a response.

8. **Other**

Irish Street Sidewalk – Councilor Gray stated the Public Safety Committee (PSC) had discussed sidewalk to Irish Street and removing a utility pole at the intersection of Irish and Charles Street. He stated there is a sidewalk from Columbus Avenue on Irish Street that ends about half of the way to Charles Street but that they do not connect. Councilor Gray stated that the Public Works Department does sidewalk funds and the PSC is going to recommend to the full City Council that this section of sidewalk be added. Councilor Keans stated that there is no traffic on this street and that she did not feel this would be a good use for the sidewalk funding. She further stated that there are areas with much more traffic all over the City without sidewalks that have kids walking to schools and busses. Councilor Keans also stated that the utility pole should not be moved.

Sullivan Farm Lane St Light – Councilor Gray stated that the PSC will also be recommending the moving of a street light on Sullivan Farm Road.

Winkley Farm / Fiddlehead Lane Water Quality Issues – Councilor Willis stated that he is bringing this issue up stimulate discussion and long range planning. He stated that the City was made aware of the water quality issues on Winkley Farm Road and the surrounding area about a year or two ago. He stated that the results from the testing done showed no Mtbe contamination but extremely high iron and manganese. Councilor Willis suggested that the staff stay up to date on the rules that are being established on the Water Supply Trust Funds as this may be a project eligible for funding when the State is ready to start looking at projects. He suggested that in order to solve the water quality problem in the area the City would need to run the main line up Walnut Street to the intersection of Estes Road & Meaderboro Road. Councilor Willis suggested that this would be a multi-million dollar project in the area of 8 figures. Councilor Keans asked if the Water Supply Trust Funds were being set up for just Mtbe issues. Councilor Hamann stated that there are two funds being set up. One is for Mtbe issues and one is for other water quality issues. Councilor Keans asked where these funds came from. Councilor Willis stated that it was part of the Exxon settlement. Councilor Gray suggested that if this project would be so costly the City should try to think outside the box to engineer the solution for this issue.

Chairman Torr made a motion to adjourn at 8:07. Councilor Keans seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Lisa J. Clark, City of Rochester Administration and
Utility Billing Supervisor.

**Resolution Authorizing the City of Rochester to Enter Into a Cable Franchise Agreement
with Comcast**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHESTER, AS FOLLOWS:**

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, approve the Proposed Franchise Agreement (attached as Exhibit A) between the City of Rochester and Comcast, Inc and further authorize the City Manager to execute all documents necessary to effectuate said Agreement.

CC FY 18 12-05 AB 61

EXHIBIT A

CABLE TELEVISION FRANCHISE

GRANTED TO

COMCAST OF MAINE/NEW HAMPSHIRE, INC.

BY THE

CITY COUNCIL

**CITY OF ROCHESTER,
NEW HAMPSHIRE**

TERM: December 5, 2017 – December 4, 2027

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AGREEMENT

This Agreement, made this 5th day of December, 2017, between the City Council of the City of Rochester, NH as statutory Franchising Authority pursuant to RSA: 53-C, and Comcast of Maine/New Hampshire, Inc. ("Comcast").

WITNESSETH

WHEREAS, the Franchising Authority of the City of Rochester, New Hampshire, pursuant to RSA Chapter 53-C and the Cable Act, is authorized to grant one or more nonexclusive, revocable cable television franchises to construct, upgrade, operate and maintain a cable television system within the City of Rochester; and

WHEREAS, On November 21, 2017, the Franchising Authority conducted a public hearing and there has been opportunity for public comment, pursuant to Section 626(a) of the Cable Act, on November 21, 2017, to ascertain the future cable-related community needs and interests of Rochester; and

WHEREAS, the Franchising Authority and Comcast did engage in good faith negotiations and did agree on the terms and conditions contained in this Franchise Agreement.

NOW THEREFORE, in consideration of the mutual covenants herein contained and intending to be legally bound, the parties agree as follows:

ARTICLE 1

DEFINITIONS

Section 1.1-DEFINITIONS

For the purpose of this Franchise, the following words, terms, phrases and their derivations shall have the meanings given herein, unless the context clearly requires a different meaning. When not inconsistent with the context, the masculine pronoun includes the feminine pronoun, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word shall is always mandatory and not merely directory.

(1) Access: The right or ability of any Rochester resident and/or any Persons affiliated with a Rochester non-commercial institution to use designated facilities, equipment and/or channels of the Cable Television System, subject to the conditions and procedures established for such use.

(2) Access Channel: A video channel which the Franchisee shall make available to the Franchising Authority and/or its designees, without charge, for the purpose of transmitting non-commercial programming by members of the public, City departments and agencies, public schools, educational, institutional and similar organizations.

(3) Affiliate or Affiliated Person: When used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with, such person, excluding any entity related to the operations of NBC Universal.

(4) Basic Service: Any service tier which includes the retransmission of local television broadcast signals.

(5) Cable Act: Public Law No. 98-549, 98 Stat. 2779 (1984)(the Cable Communications Policy Act of 1984), as amended by Public Law No. 102-385, 106 Stat. 1460 (1992) (the Cable Television Consumer Protection and Competition Act of 1992), as further amended by Public Law No. 104-458, 110 Stat. 110 (1996) (the Telecommunications Act of 1996).

(6) Cable Service or Service: The one-way transmission to Subscribers of Video Programming or other Programming services, together with Subscriber interaction, if any, which is required for the selection or use of such Video Programming or other programming services, which the Franchisee may make available to Subscribers generally.

(7) Cable System or System: A facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide Cable Service which includes Video Programming and which is provided to multiple Subscribers within the City, but such term does not include (A) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (B) a facility that serves subscribers without using any public right-of-way; (C) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Cable Act, except that such facility shall be considered a cable system (other than for purposes of section 621(c) of the Cable Act) to the extent such facility is used in the transmission of video programming directly to subscribers unless the extent of such use is solely to provide interactive on-demand services; or (D) an open video system that complies with Section 653 of the Communications Act, or (E) any facilities of any electric utility used solely for operating its electric utility systems.

(8) City: The City of Rochester, New Hampshire.

(9) City Council: The City Council of the City of Rochester, New Hampshire.

- (10) Commercial Subscriber: A commercial, non-residential Subscriber to Cable Television Service.
- (11) Complaint: Complaint: Any written or verbal contact with the Franchisee in connection with subscription in which a Person expresses dissatisfaction with an act, omission, product or service that is (1) within the Franchisee's control, and (2) requires a corrective measure on the part of the Franchisee.
- (12) Converter: Any device changing the frequency of a Signal. A Subscriber Converter may expand reception capacity and/or unscramble coded Signals distributed over the Cable System.
- (13) Department of Public Works ("DPW"): The Department of Public Works of the City of Rochester, New Hampshire.
- (14) Digital Terminal Adapter ("DTA") A set-top box deployed by the Franchisee that converts digital service to analog to support video to analog television sets. The DTA can also deliver digital video distribution to digital television sets via the cable input. The DTA does not support Video on Demand services, Digital Video Recorder (DVR) or Premium Services.
- (15) Downstream Channel: A channel over which PEG Signals travel from the Cable System Headend to an authorized recipient of Programming.
- (16) Drop: The cable that connects each home or building to the feeder line of the Cable System.
- (17) Educational Access Channel: A specific channel(s) on the Cable System which is made available for use by, among others, educational institutions and/or educators wishing to present non-commercial educational programming and/or information to the public.
- (18) Effective Date of Franchise (the "Effective Date"): December 5, 2017.
- (19) FCC: The Federal Communications Commission, or any successor agency.
- (20) Franchise: The non-exclusive Cable Television Franchise granted to the Franchisee by this instrument.
- (21) Franchise Fee: The payments to be made by the Franchisee to the City, which shall have the meaning as set forth in Section 622(g) of the Cable Act.
- (22) Franchisee: Comcast of Maine/New Hampshire, Inc., or any successor or transferee in accordance with the terms and conditions in this Franchise.
- (23) Franchising Authority: The City Council of the City of Rochester, New Hampshire.
- (24) Government Access Channel: A specific channel(s) on the Cable System which is made available for use by the Franchising Authority and/or its designee(s) wishing to present non-commercial government Programming and/or information to the public.
- (25) Gross Annual Revenues: All revenues derived by the Franchisee and/or its Affiliates, calculated in accordance with Generally Accepted Accounting Principles ("GAAP"), from the operation of the Cable System for the provision of Cable Service(s) over the Cable System including, without limitation: the distribution of any Service over the Cable System; Basic Service monthly fees and all other Service fees; any and all Cable Service fees and/or charges received from Subscribers; installation, reconnection, downgrade, upgrade and any similar fees; all digital Cable Service revenues; all Commercial Subscriber revenues; all Pay Cable, Pay-Per-View revenues; any other services now or in the future deemed to be

Cable Services for purposes of computing Gross Annual Revenues by a court or forum of appropriate jurisdiction; video-on-demand Cable Services; fees paid for channels designated for commercial use; Converter, remote control and other cable-related equipment rentals and/or leases and/or sales;. Gross Annual Revenues shall also include the gross revenue of any other Person which is received directly or indirectly from or in connection with the operation of the Cable System to the extent that said revenue is received, through a means which has the effect of avoiding payment of Franchise Fees to the City that would otherwise be paid herein. It is the intention of the parties hereto that Gross Annual Revenues shall only include such revenue of such Affiliates and/or Persons relating to Signal carriage over the Cable System and not the gross revenues of any such Affiliate(s) and/or Person(s) itself, where unrelated to such Signal carriage. Gross Annual Revenues shall not include actual bad debt that is written off, consistent with GAAP; provided, however, that all or any part of any such actual bad debt that is written off, but subsequently collected, shall be included in Gross Annual Revenues in the period so collected. Gross Annual Revenues shall also include fees paid on Subscriber fees ("Fee on Fee") and home shopping revenues and advertising revenues on a pro-rata basis.

(26) Headend: The electronic center of the Cable System containing equipment that receives, amplifies, filters and converts incoming Signals for distribution over the Cable System.

(27) Hub or Hub Site: A sub-Headend, generally located within a cable television community, used for the purpose of either (i) Signal processing or switching, or (ii) placement of a fiber node, microwave link or transportation super trunk.

(28) Leased Channel or Leased Access: A video channel which the Franchisee shall make available pursuant to Section 612 of the Cable Act.

(29) Normal Business Hours: Those hours during which most similar businesses in the City are open to serve customers. In all cases, Normal Business Hours shall include some evening hours at least one (1) night per week and/or some weekend hours.

(30) Origination Capability: An activated cable and connection to an Upstream Channel, which allows User(s) to transmit a Signal(s) upstream to a designated location.

(31) Outlet: An interior receptacle, generally mounted in a wall that connects a Subscriber's or User's equipment to the Cable System.

(32) Pay Cable or Pay Service(s): Programming delivered for a fee or charge to Subscribers on a per-channel or group-of-channels basis.

(33) Pay-Per-View: Programming delivered for a fee or charge to Subscribers on a per-program or per-event basis.

(34) PEG: The acronym for "public, educational and governmental," used in conjunction with Access Channels, support and facilities.

(35) Pedestal: An environmental protection unit used in housing Cable Television System equipment and/or amplifiers.

(36) Person: An individual, partnership, association, joint stock company, trust, corporation, or governmental entity.

(37) Prime Rate: The prime rate of interest at Bank of America, or its successor.

(38) Programming or Video Programming: Programming provided by, or generally considered

comparable to programming provided by, a television broadcast station.

(39) Public Access Channel: A specific channel(s) on the Cable System which is made available for use by, among others, Rochester individuals and/or organizations wishing to present non-commercial programming and/or information to the public.

(40) Public Way or Street: The surface of, as well as the spaces above and below, any and all public streets, avenues, highways, boulevards, concourses, driveways, bridges, tunnels, parks, parkways, waterways, bulkheads, piers, dedicated public utility easements, and public grounds or waters and all other publicly owned real property within or belonging to the City, now or hereafter existing. Reference herein to "Public Way" or "Street" shall not be construed to be a representation or guarantee by the City that its property rights are sufficient to permit its use for any purpose, or that the Franchisee shall gain or be permitted to exercise any rights to use property in the City greater than those already possessed by the City.

(41) Scrambling/encoding: The electronic distortion of a Signal(s) in order to render it unintelligible or unreceivable without the use of a Converter or other decoding device.

(42) Signal: Any transmission of electromagnetic or optical energy which carries information from one location to another.

(43) State: The State of New Hampshire.

(44) Subscriber: Any Person, firm, corporation or other entity in the City who or which elects to subscribe to, for any purpose, a Service provided by the Franchisee by means of, or in connection with, the Cable System.

(45) Subscriber Network: The Cable System that is owned, operated and maintained by the Franchisee, over which Signals can be transmitted to Subscribers.

(46) Transfer: The disposal by the Franchisee, directly or indirectly, by gift, assignment, sale, merger, consolidation or otherwise, of ownership resulting in a change of control of the Cable System or of this Franchise, to a Person or a group of Persons.

(47) Trunk and Distribution System: That portion of the Cable System for the delivery of Signals, but not including Drops to Subscriber's residences.

(48) Upstream Channel: A channel over which PEG Signals travel from an authorized location to the System Headend.

(49) User: A Person utilizing the Cable System, including all related facilities for purposes of production and/or transmission of electronic or other Signals as opposed to utilization solely as a Subscriber.

ARTICLE 2

GRANT OF FRANCHISE

Section 2.1-GRANT OF FRANCHISE

Pursuant to the authority of RSA Chapter 53-C of the laws of the State of New Hampshire, and subject to the terms and conditions set forth herein, the City Council of the City of Rochester, New Hampshire, as the Franchising Authority of the City, hereby grants a non-exclusive Cable Television Franchise to the Franchisee, authorizing and permitting the Franchisee to upgrade, install, operate and maintain a Cable System within the corporate limits of the City of Rochester.

This Franchise is subject to the terms and conditions contained in Chapter 53-C of the Laws of New Hampshire; the Cable Act; the regulations of the FCC; and all City, State and federal statutes and ordinances of general application, all as may be amended during the term of this Franchise.

Subject to the terms and conditions herein, the Franchising Authority hereby grants to the Franchisee, the right to construct, upgrade, install, operate and maintain a Cable System in, under, over, along, across or upon the streets, lanes, avenues, alleys, sidewalks, bridges, highways and other public places under the jurisdiction of the City of Rochester within the municipal boundaries and subsequent additions thereto, including property over which the City has an easement or right-of-way, for the purpose of reception, transmission, collection, amplification, origination, distribution, and/or redistribution of Signals in accordance with the laws of the United States of America, the State of New Hampshire and the City of Rochester. In exercising rights pursuant to this Franchise, the Franchisee shall not endanger or interfere with the lives of Persons, interfere with any installations of the City, any public utility serving the City or any other Persons permitted to use Public Ways and places.

Grant of this Franchise does not establish priority for use over other present or future permit holders or the City's own use of Public Way and places. Any references herein to "Public Way" or "Street" shall not be construed to be a representation or guarantee by the City that its property rights are sufficient to permit its use for any purpose, or that the Franchisee shall gain or be permitted to exercise any rights to use property in the City greater than those already possessed by the City.

Section 2.2-TERM OF FRANCHISE

The term of this Franchise shall be for ten (10) years, commencing on December 5, 2017 and expiring on December 4, 2027, unless sooner terminated as provided herein.

Section 2.3-NON-EXCLUSIVITY OF THE FRANCHISE

(a) This Franchise shall not affect the right of the Franchising Authority to grant to any other Person a franchise or right to occupy or use the Public Ways or streets, or portions thereof, for the construction, installation, operation or maintenance of a Cable Television System within the City of Rochester; or the right of the Franchising Authority to permit the use of the Public Ways and places of the City for any lawful purpose whatsoever. The Franchisee hereby acknowledges the Franchising Authority's right to make such grants and permit such uses.

(b) Pursuant to RSA Chapter 53-C: 3-b(I), the grant of any additional Cable Television franchise(s) shall not be on terms more favorable or less burdensome than those contained in this Franchise.

Section 2.4-POLICE AND REGULATORY POWERS

By executing this Franchise, the Franchisee acknowledges that its rights are subject to the powers of the City to adopt and enforce generally applicable by-laws necessary to the safety and welfare of the public. The Franchisee shall comply with all generally applicable DPW regulations, and any generally applicable ordinances enacted by the City. Any conflict between the terms of this Franchise and any present or

future lawful exercise of the City's police and generally applicable regulatory powers shall be resolved by a court of appropriate jurisdiction.

Section 2.5-REMOVAL OR ABANDONMENT

Upon termination of this Franchise by passage of time or otherwise, and unless (1) the Franchisee renews its franchise for another term or (2) the Franchisee Transfers the Cable Television System to a transferee approved by the Franchising Authority, the Franchisee shall remove all of its supporting structures, poles, transmission and distribution systems, and all other appurtenances from the Public Ways and places and shall restore the areas, as close as possible, to their original condition. If such removal is not complete within six (6) months after such termination, the Franchising Authority may deem any property not removed as having been abandoned and may dispose of any such property in any way or manner it deems appropriate. Franchisee shall not be required to remove its Cable System or to sell the Cable System, or any portion thereof as a result of revocation, denial of renewal, or any other lawful action to forbid or disallow Franchisee from providing Cable Service, if the Cable System is actively being used to facilitate any other services not governed by the Cable Act.

Section 2.6-AMENDMENT BY MUTUAL AGREEMENT

This Franchise may only be amended by the mutual agreement of the Franchising Authority and the Franchisee, in writing, duly executed and signed by both parties, and attached hereto and made a part of this Franchise.

ARTICLE 3

TRANSFER AND ASSIGNMENT OF FRANCHISE

Section 3.1-TRANSFER OF THE FRANCHISE

(a) Subject to applicable law and compliance with the provisions in this Section 3.1, neither this Franchise, nor control thereof, nor any right thereto, shall be transferred, assigned or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any Person, company and/or other entity holding such Franchise to any other Person, company and/or other entity, without the prior written consent of the Franchising Authority, which consent shall not be unreasonably withheld or delayed. Such consent shall be given upon a written application therefor on forms prescribed by the FCC.

(b) The application for consent to a Transfer or assignment shall be signed by the Franchisee and by the proposed transferee or assignee or by their representatives, evidence of whose authority shall be submitted with the application.

(c) The Franchisee shall submit to the Franchising Authority an original and two (2) copies, unless otherwise directed, of its FCC Form 394 (or such other or successor form used to request consent to any such Transfer or assignment). The request for approval of Transfer or assignment shall also contain all reasonably appropriate documentation and such additional information as the Franchising Authority may reasonably require.

(d) The consent of the Franchising Authority shall be given only after a public hearing, if such a hearing is scheduled by the Franchising Authority, in writing, in a timely manner, or requested by the Franchisee, in writing, in a timely manner, to consider the written request for Transfer. The Franchising Authority shall complete review of the request for Transfer and make a decision thereto no later than one hundred twenty (120) days after receipt of the request for Transfer. If the Franchising Authority fails to render a final decision on such request within said 120 days, such request shall be deemed granted unless both parties hereto agree to an extension of time.

(e) For purposes of determining whether it shall consent to any such change of control and ownership, the Franchising Authority shall consider the legal, financial and technical qualifications of the prospective controlling or owning Person, and any other criteria allowable under State and/or federal law(s).

(f) Any proposed controlling or owning Person or transferee approved by the Franchising Authority shall be subject to all of the terms and conditions contained in this Franchise.

Section 3.2-EFFECT OF UNAUTHORIZED ACTION

(a) The taking of any action in violation of Section 3.1 herein shall be null and void, and shall be deemed a material breach of this Franchise.

(b) If the Franchising Authority denies its consent to any such action and a Transfer has nevertheless occurred, the Franchising Authority may revoke and terminate this Franchise.

(c) The grant or waiver of any one or more of such consents shall not render unnecessary any subsequent consent or consents, nor shall the grant of any such consent constitute a waiver of any other rights of the City.

Section 3.3-NO WAIVER OF RIGHTS

The consent or approval of the Franchising Authority to any assignment, lease, Transfer or sublease of the Franchise granted to the Franchisee shall not constitute a waiver or release of the rights of the City in and to the streets and Public Ways or any other rights of the City under this Franchise, and any such Transfer shall, by its terms, be expressly subordinate to the terms and conditions of the Franchise.

ARTICLE 4

SYSTEM DESIGN

Section 4.1-SUBSCRIBER NETWORK

(a) In accordance with the requirements of Article 5, the Franchisee shall construct, operate, maintain and make available to all residents of the City a Subscriber Network of at least 860 MHz.

(b) The Franchisee shall transmit all of its Signals to Subscribers in stereo, provided that such Signals are delivered to the Franchisee in stereo.

(c) The system design of the Cable Television System shall conform to all applicable FCC technical specifications.

Section 4.2-EMERGENCY ALERT SYSTEM

The Subscriber Network shall be in compliance with the FCC's Emergency Alert System ("EAS") regulations and in accordance with applicable New Hampshire laws and/or regulations.

Section 4.3-PARENTAL CONTROL CAPACITY

The Franchisee shall provide, upon request, Subscribers with the capability to control the reception of any channels being received on their television sets, at a cost, if any, pursuant to applicable law(s).

ARTICLE 5

CONSTRUCTION, INSTALLATION, LINE EXTENSION AND MAINTENANCE STANDARDS

Section 5.1-SERVICE AVAILABILITY

(a) The Franchisee shall make Cable Service substantially available in the City within 18 months of the start of construction.

(b) Upon completion of the initial service area, the Franchisee shall make Cable Service available to every remaining residential dwelling unit in the City in accordance with Section 5.1 (c) and (d) below, provided that the Franchisee is able to obtain any necessary easements and/or permits and subject to the completion of make-ready work. The Franchisee shall make every reasonable effort to obtain private rights-of-way and MDU access agreements and will comply with applicable State laws and regulations.

(c) The Cable System shall be extended automatically, at the Franchisee's sole cost and expense, to any and all remaining areas of the City containing twenty (20) dwelling units or more per aerial mile or thirty (30) dwelling units or more per underground mile of Cable System plant or fractional proportion thereof, both as measured from termination of the existing Trunk and Distribution System. For purposes of this section, a home shall only be counted as a "dwelling unit", if such home is within three (300) feet of the Public Way.

(d) Installation charges shall be non-discriminatory. A standard aerial installation charge shall be established by the Franchisee which shall apply to any residence located not more than three hundred feet (300') from the existing aerial Trunk and Distribution System and additions thereto. The Franchisee may charge residents located more than three hundred (300') feet from the existing aerial Trunk and Distribution System, and additions thereto, time and materials charges including a rate of return in accordance with applicable law in addition to the standard installation charge. The Franchisee shall have ninety (90) days to survey, design and install non-standard installations that are more than three hundred (300') feet from the existing Trunk and Distribution System, subject to Force Majeure. Underground installations are considered non-standard installations and may be subject to additional charge(s).

(e) The Cable Television System shall be further extended to all remaining areas in the City that do not meet the requirements of Section 5(c) above upon the request of dwelling unit owners in such areas and based upon the following cost calculation:

$$(C/LE) - (CA/P) = SC$$

- * C equals the cost of construction of new plant measured from termination of the existing Cable System plant;
- * LE equals the number of dwelling units requesting Service in the line extension area and who subsequently pay a contribution in aid;
- * CA equals the average cost of construction per mile in the City;
- * P equals the thirty (20) dwelling units per aerial or thirty (30) dwelling units per underground mile of aerial plant; and
- * SC equals the per dwelling unit contribution in aid of construction in the line extension area.

(f) Any dwelling unit owner located in an area of the City without Cable Service may request such Service from the Franchisee. In areas meeting the requirements of Section 5 (c) and (d) above, the Franchisee shall extend Service to the area subject to Force Majeure and the performance of make ready. In those areas with less than twenty (20) dwelling units per aerial or thirty (30) dwelling units per underground mile, both as measured from termination of the existing Trunk and Distribution System, the Franchisee shall, within thirty (30) days following a request for Service, conduct a survey to determine the number of dwelling units in the area and shall inform the requesting dwelling unit owner of the contribution in aid of construction (see Section 5 (d) above) that will be charged. The Franchisee shall apply for all necessary permits and pole attachment licenses within thirty (30) days of receiving the contribution in aid of construction from all participating dwelling units. Cable Service(s) shall be made available and fully activated to all requesting dwelling units who made a contribution in aid of construction within ninety (90) days of receipt of all necessary permits and pole attachment licenses by the Franchisee, subject to Force Majeure (including the performance of make-ready work).

(g) The Franchising Authority shall make its best efforts to provide the Franchisee with written notice of the issuance of building permits for planned housing developments in the Town/City.

Section 5.2-LOCATION OF CABLE TELEVISION SYSTEM

The Franchisee shall operate and maintain the Cable Television System within the City of Rochester. Poles, towers and other obstructions shall be erected so as not to interfere with vehicular or pedestrian traffic over Public Ways and places. The erection and location of all poles, towers and any other obstructions shall be in accordance with applicable City ordinances and regulations.

Section 5.3-UNDERGROUND FACILITIES

(a) In the areas of the City having telephone lines and electric utility lines underground, whether required by law or not, all of the Franchisee's lines, cables and wires shall be underground. At such time as these facilities are placed underground by the telephone and electric utility companies or are required to be placed underground by the City, the Franchisee shall likewise place its facilities underground at its sole cost and expense.

(b) Underground cable lines shall be placed beneath the pavement subgrade in compliance with applicable City ordinances, rules, regulations and/or standards. It is the policy of the City that existing poles for electric and communication purposes shall be utilized wherever possible and that underground installation is preferable to the placement of additional poles.

Section 5.4-TREE TRIMMING

In the installation of amplifiers, poles, other appliances or equipment and in stringing of cables and/or wires as authorized herein, the Franchisee shall avoid all unnecessary damage and/or injury to any and all shade trees in and along the streets, alleys, Public Ways and places, and private property in the City. The Franchisee shall comply with all generally applicable rules and/or regulations established by the Franchising Authority or its designee during the term of this Franchise regarding tree and/or root trimming and/or pruning.

Section 5.5-RESTORATION TO PRIOR CONDITION

Whenever the Franchisee takes up or disturbs any pavement, sidewalk or other improvement of any Public Way or place, the same shall be replaced and the surface restored in as good condition as before entry as soon as practicable. If the Franchisee fails to make such restoration within a reasonable time, the Franchising Authority may fix a reasonable time for such restoration and repairs and shall notify the Franchisee in writing of the restoration and repairs required and the time fixed for performance thereof. Upon failure of the Franchisee to comply within the specified time period, the Franchising Authority may cause proper restoration and repairs to be made and the reasonable expense of such work shall be paid by the Franchisee upon demand by the Franchising Authority.

Section 5.6-TEMPORARY RELOCATION

The Franchisee shall temporarily raise or lower its wires or other equipment upon the reasonable request of any Person holding a building moving permit issued by the City. The expense of such raising or lowering shall be paid by the party requesting such move. The Franchisee shall be given reasonable notice necessary to maintain continuity of service.

Section 5.7-DISCONNECTION AND RELOCATION

The Franchisee shall, without charge to the Franchising Authority and/or the City, protect, support, temporarily disconnect, relocate in the same street, or other Public Way and place, or remove from any street or any other Public Ways and places, any of its property as required by the Franchising Authority or its designee by reason of traffic conditions, public safety, street construction, change or establishment of street grade, or the construction of any public improvement or structure by any City department acting in a governmental capacity.

Section 5.8-SAFETY STANDARDS

The Franchisee shall construct, upgrade, install, operate, maintain and remove the Cable Television System in conformance with Occupational Safety and Health Administration regulations, the National Electric Code, the National Electrical Safety Code, Bell Telephone Systems Code of Pole Line Construction (when applicable), the rules and regulations of the FCC, all applicable building codes and land use restrictions as the same exist or may be amended hereafter.

Section 5.9-PEDESTALS

In any cases in which Pedestals housing passive devices are to be utilized, in City Public Ways or within the City public lay-out, such equipment must be installed in accordance with applicable regulations of the City; provided, however, that the Franchisee may place active devices (amplifiers, line extenders, power supplies, etc.) in a low-profile electronic control box at City approved locations to be determined when the Franchisee applies for a permit. All such equipment shall be shown on the Cable System maps submitted to the City in accordance with Section 5.12 below.

Section 5.10-PRIVATE PROPERTY

The Franchisee shall be subject to all generally applicable laws, by-laws and/or regulations regarding private property in the course of constructing, upgrading, installing, operating and maintaining the Cable Television System in the City. The Franchisee shall promptly repair or replace all private property, real and personal, damaged or destroyed as a result of the construction, upgrade, installation, operation or maintenance of the Cable Television System without charge to the Franchising Authority or the affected Subscriber(s).

Section 5.11-RIGHT TO INSPECTION OF CONSTRUCTION

(a) The Franchising Authority and/or its designee(s) shall have the right to inspect all construction and installation work performed subject to the provisions of this Franchise in order to ensure compliance with the terms and conditions of this Franchise and all other applicable law. Any such inspection shall not interfere with the Franchisee's operations, except in emergency situations.

(b) Any inspections conducted by the Franchising Authority and/or its designee(s) shall be at the sole cost and expense of the City and shall have the prior written approval of the Franchisee, which approval shall be given in a timely manner and which approval shall not be unreasonably denied or withheld. Unless otherwise mutually agreed upon, the City shall give at least fourteen (14) days prior notification to the Franchisee of its intention to conduct any inspection. The Franchisee shall be afforded the opportunity to be present during all such inspections.

Section 5.12-CABLE SYSTEM MAPS

(a) Upon written request, the Franchise shall file with the Franchising Authority strand maps of the Cable System plant. Said strand maps shall include the routing of the Cable System, including all underground and aerial plant.

(b) Upon written request, the Franchisee shall make available to the Franchising Authority for inspection “as-built” maps of all Cable System plant at a mutually-agreeable location in Rochester.

Section 5.13-COMMERCIAL ESTABLISHMENTS

The Franchisee shall make Cable Service(s) available to any commercial establishments in the City provided that said establishment(s) agrees to pay for installation and monthly subscription costs as lawfully established by the Franchisee, in accordance with applicable law(s) and/or regulation(s).

Section 5.14-SERVICE INTERRUPTION

Except where there exists an emergency situation necessitating a more expeditious procedure, the Franchisee may interrupt service for the purpose of repairing or testing the Cable System, only during periods of minimal use and, if practical, only after a minimum of twenty-four (24) hour notice to all affected Subscribers.

ARTICLE 6

SERVICES AND PROGRAMMING

Section 6.1-BASIC SERVICE

The Franchisee shall provide a Basic Service which shall include all Signals which are required to be carried by a Cable System serving the City pursuant to applicable statute or regulation.

Section 6.2-PROGRAMMING

(a) Pursuant to Section 624 of the Cable Act, the Franchisee shall maintain the mix, quality and broad categories of Programming set forth in **Exhibit 1** attached hereto and made a part hereof.

(b) The Franchisee shall provide the Franchising Authority and all Subscribers with thirty (30) days advance written notice of any change in its Rochester Programming line-up, if the change is within the control of the Franchisee.

Section 6.3-LEASED CHANNELS FOR COMMERCIAL USE

Pursuant to Section 612 (b)(1)(B) of the Cable Act, the Franchisee shall make available channel capacity for commercial use by Persons unaffiliated with the Franchisee.

Section 6.4-CABLE COMPATIBILITY

The Franchisee shall continue to maintain equipment compatibility in accordance with applicable law and regulation.

Section 6.5-CONTINUITY OF SERVICE

It shall be the right of all Subscribers to receive Service insofar as their financial and other obligations to the Franchisee are honored. The Franchisee shall ensure that all Subscribers receive continuous, uninterrupted Service, except for necessary Service interruptions. When necessary Service interruptions can be anticipated, the Franchisee shall notify Subscribers, if practical, in advance.

Section 6.6-FREE CONNECTIONS AND MONTHLY SERVICE TO PUBLIC BUILDINGS AND SCHOOLS

(a) The Franchisee shall, upon written request, provide and maintain one (1) standard aerial installation Subscriber Cable Drop of 300 feet, (1) Outlet and monthly Basic Service to public schools, public libraries and other public buildings along the Cable System Trunk and Distribution System included in **Exhibit 2**, attached hereto and made a part hereof, and any other public buildings and schools as designated by the Franchising Authority. The Franchisee shall coordinate the location of each Drop and Outlet with each of the aforementioned institutions newly receiving Service. There shall be no costs to the City or any designated institution for the standard installation and provision of monthly Basic Service and related maintenance.

(b) The Franchisee shall supply one (1) Digital Transport Adapter for each Outlet, if necessary, without charge to the City, for the reception of monthly Basic Service. The Franchisee shall maintain such Outlets and Converters for normal wear and tear, at its sole cost and expense; provided, however, that the City shall be responsible for repairs and/or replacement necessitated by any acts of vandalism or theft.

(c) The Franchisee shall discuss the location of each Drop and/or Outlet with the proper officials in each of the buildings, schools and/or institutions entitled to such Drops and Outlets, prior to any such installation. The Franchisee shall provide installation of such Drops and/or Outlets within sixty (60) days of any such requests from the Franchising Authority, subject to Force Majeure. (d) The Franchisee shall supply the same nu listed in **Exhibit 2**, attached hereto, and up to three (3) Converters at each location not showing any DTA's.

ARTICLE 7

PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS CHANNELS AND CAPITAL FUNDING

Section 7.1-PEG ACCESS PROGRAMMING

The Franchising Authority and/or its designee(s) shall be responsible for the provision of PEG Access Programming to Subscribers in the City.

Section 7.2-PEG ACCESS CHANNELS

(a) Subject to Section 7.2 (c) below, within eighteen (18) months of making Cable Service available to Subscribers in the City, the Franchisee shall make available to the Franchising Authority and/or its designee(s) three (3) Downstream Channels for Rochester PEG Access use, as follows:

(b) The Franchisee shall provide the three (3) activated Downstream Channels for PEG Access use in standard digital ("SD") format in the Franchisee's Basic Service, the Franchising Authority and/or its designee(s) shall be responsible for providing the PEG Access Channel Signal(s) in SD format to the demarcation point at the designated point of origination for the PEG Access Channel(s). The Franchisee shall distribute the PEG Access Channels Signal(s) on its Cable System in SD format without substantial alteration or deterioration. The Cable System shall be capable of transmitting color video signals received at the Headend in color, stereo audio signals received at the Headend in stereo and properly formatted closed captioned signals received at the Headend.

(c) Within eighteen (18) months of making Cable Service available to Subscribers in the City, in order to provide PEG Access Programming to subscribers, Franchisee and Franchising Authority shall utilize one of the following three methods of bringing PEG Access programming content onto the System:

1. from a City identified and designated point of demarcation;
2. via direct connections provided by Franchisee from specified PEG origination locations as set forth below in Section 7.3; or
3. by entering into an interconnection agreement with the existing provider of Cable Service in the city as set forth in Section 7.2(d).

(d) The Franchisee may, with the City's written approval (which will not be unreasonably withheld) and at Franchisee's expense, interconnect its Cable System with the existing cable operator's cable system(s) in order to cablecast, on a live basis, all PEG Access Programming carried by the existing cable operator consistent with this Agreement. The Franchisee shall take commercially reasonable steps to accomplish such interconnection within eighteen (18) months of the date Cable Service is first available to any Subscriber. Interconnection may be accomplished by reasonable method of connection that permits Franchisee to cablecast PEG programming concurrent with delivery to Franchisee's System, in substantially the form delivered to the Franchisee, without material alteration or deterioration in audio or video signal quality. Franchisee shall negotiate in good faith with the existing cable operator(s) respecting reasonable, mutually convenient, cost-effective, and technically viable interconnection points, methods, terms and conditions. If requested by Franchisee, the city shall make a good faith effort to have the existing cable operator(s) provide such interconnection to the Franchisee on reasonable terms and conditions. The Franchisee and the existing cable operator(s) shall negotiate the specific terms and conditions of the interconnection agreement. If requested by Franchisee, the City may use reasonable efforts to assist in informally mediating disputes.

(e) Said PEG Access Channels shall be used to transmit PEG Access Programming to Subscribers at no cost to the City and/or PEG Access Users.

(f) The Franchisee shall not move or otherwise relocate the channel location(s) of the PEG Access Channel(s), once established, without the advance, written notice to the Franchising Authority and/or its designee(s); such notice shall be at least thirty (30) days. The Franchisee shall use its best efforts, in good faith, to minimize any PEG Access Channel(s) relocations.

(g) The Franchising Authority and/or its designee(s) shall be responsible for the picture quality of PEG Access Programming at the input of the video transmitters that will be permanently located at each origination location listed below, which is the demarcation point between the video origination equipment owned, operated and maintained by the Franchisee and the Franchising Authority's and/or its designee(s) end-user equipment. The Franchisee may require access to said video transmitter(s) for the purpose of testing, maintaining, and/or adjusting output levels of the video transmitter; the Franchisee shall test and adjust the levels of such output as reasonably needed to ensure good picture quality. The Franchisee may request that the Franchising Authority and/or its designee(s) first test and determine if end-user equipment is the source of any apparent Signal problems.

Section 7.3-ORIGINATION POINTS

Rochester City Hall- 31 Wakefield Street
Rochester City Hall Annex – 33 Wakefield Street
Community Center-150 Wakefield Street
Rochester School Department- 150 Wakefield Street
Richard Creteau Technology Center – 140 Wakefield Street

Section 7.4-PEG ACCESS EQUIPMENT CAPITAL FUNDING

(a) The Franchisee shall provide funding to the Franchising Authority in the total amount of Two Hundred and Seventy Thousand Dollars (\$270,000.00) to be used for PEG Access capital and equipment purposes. The Franchisee shall provide such funding in ten equal payments of Twenty-Seven Thousand Dollars (\$27,000.00) to the City on an annual basis, no later than July 1st of each year of this Franchise.

(b) In the event that payments required to be made herein are not tendered on or before the dates fixed herein, interest due on such required payments shall accrue from the date due and shall be paid to the Franchising Authority, at the annual rate of two percent (2%) above the Prime Rate.

Section 7.5-EQUIPMENT OWNERSHIP AND MAINTENANCE

The City shall own and maintain (i) all PEG Access equipment in its possession, as of the Effective Date of this Franchise and (ii) all PEG Access equipment purchased with funding pursuant to this Franchise.

Section 7.6-PEG ACCESS CHANNEL(S) MAINTENANCE

The Franchisee shall monitor the PEG Access Channels for technical quality and shall ensure that they are maintained at standards commensurate with those which apply to the Cable System's commercial channels; provided, however, that the Franchisee is not responsible for the technical quality of PEG Access Programming. Upon written request, the Franchisee shall make available a copy of its most recent annual performance tests.

Section 7.7-CENSORSHIP

The Franchisee shall not engage in any program censorship or any other control of the content of the PEG Access Programming on the Cable System, except as otherwise required or permitted by applicable law.

Section 7.8-PEG ACCESSCABLECASTING

(a) In order that PEG Access Programming can be cablecast over the PEG Access Downstream Channels, all PEG Access Programming shall be encoded and then transmitted from the PEG Access

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Origination Locations specified herein to the Headend or Hub, where such PEG Access Programming shall be retransmitted in the downstream direction on one of the PEG Access Downstream Channel(s).

(b) It shall be the Franchisee's sole responsibility to ensure that said PEG Access Programming is properly switched electronically to the appropriate PEG Access Downstream Channel(s), in an efficient and timely manner. Any manual switching shall be the responsibility of the Franchising Authority and/or its designee(s). The Franchisee shall not charge the Franchising Authority and/or its designee(s) for such switching responsibility. The Franchisee and the Franchising Authority shall negotiate in good faith any difficulties that arise regarding cablecasting of PEG Access Programming.

(c) The Franchisee shall provide and maintain all other necessary switching and/or processing equipment located in its Headend facility in order to switch upstream PEG Access Signals from the City and/or its designee(s) to the designated Downstream PEG Access Channel(s). Nothing herein shall require the Franchisee to provide any other switching equipment or any other end-user equipment.

(d) In accordance with applicable law, the Franchisee reserves the right to pass-through or line-item costs associated with this Franchise, including the provision of PEG Access Programming to Subscribers.

ARTICLE 8

FRANCHISE FEES

Section 8.1-FRANCHISE FEE PAYMENTS

(a) The Franchisee shall pay to the Franchising Authority, throughout the term of this Franchise, a Franchise Fee equal to three percent (3%) of the Franchisee's Gross Annual Revenues, derived during each year of this Franchise. The Franchisee shall not be liable for Franchise Fees in excess of five percent (5%) of its Gross Annual Revenues; provided, however, that said five percent (5%) cap shall not include (i) the PEG Access capital funding (Section 7.4); (ii) any interest due herein to the Franchising Authority and/or its designee(s) because of late payments; and/or (iii) any damages (Section 12.2).

(b) Subject to paragraphs (b)(i) and (b)(ii) below, said payments shall be made to the Franchising Authority on the following quarterly basis: (i) on or before May 15th of each year of this Franchise for the previous (3) month period of January, February and March; (ii) on or before August 15th of each year of this Franchise for the previous three (3) month period of April, May and June; (iii) on or before November 15th of each year of this Franchise for the previous three (3) month period of July, August and September; and (iv) on or before February 15th of each year of this Franchise for the previous three (3) month period of October, November and December.

(i) The first 3% payment, for the period of the Effective Date through December 31, 2017 shall be made on or before February 15, 2018.

(ii) Subsequent 3% payments under this Franchise shall be made on the dates in paragraph (b) above.

(c) The Franchisee shall file with each such payment a statement, prepared by a financial representative of the Franchisee, documenting, in detail, the total of all Gross Annual Revenues of the Franchisee during the preceding year.

(d) In the event that the payments required herein are not tendered on or before the dates fixed herein, interest due on such payments shall accrue from the date due at the rate of two percent (2%) above the Prime Rate.

(e) In accordance with Section 622(h) of the Cable Act, nothing in the Cable Act or this Franchise shall be construed to limit any authority of the Franchising Authority to impose a tax, fee or other assessment of any kind on any Person (other than the Franchisee) with respect to Cable Service provided by such Person over the Cable System for which charges are assessed to Subscribers but not received by the Franchisee. For any twelve (12) month period, the fees paid by such Person with respect to any such Cable Service or any other communications service shall not exceed five percent (5%) of such Person's gross revenues derived in such period from the provision of such service over the Cable System.

Section 8.2-OTHER PAYMENT OBLIGATIONS AND EXCLUSIONS

The Franchise Fee payments shall be in addition to and shall not constitute an offset or credit against any and all taxes or other fees or charges which the Franchisee or any Affiliated Person shall be required to pay to the City, or to any State or federal agency or authority, as required herein or by law; the payment of said taxes, fees or charges shall not constitute a credit or offset against the Franchise Fee payments all of which shall be separate and distinct obligations of the Franchisee and each Affiliated Person. The Franchisee herein agrees that no such taxes, fees or charges shall be used as offsets or credits against the Franchise Fee payments in accordance with applicable federal law.

Section 8.3-LATE PAYMENT

In the event that the fees herein required are not tendered on or before the dates fixed in Section 8.1 above, interest due on such fee shall accrue from the date due at the rate of two percent (2%) above the Prime Rate. Any payments to the City pursuant to this Section 8.3 shall not be deemed to be part of the Franchise Fees to be paid to the City pursuant to Section 8.1 hereof and shall be within the exclusion to the term "franchise fee" for requirements incidental to enforcing the franchise pursuant to Section 622(g)(2)(D) of the Cable Act.

Section 8.4-RECOMPUTATION

(a) Tender or acceptance of any payment required herein shall not be construed as an accord that the amount paid is correct, nor shall such acceptance of payment be construed as a release of any claim that the City may have for additional sums including interest payable under this Section 8.4. All amounts paid shall be subject to audit and recomputation by the Franchising Authority and shall occur in no event later than two (2) years after each quarterly Franchise Fee is tendered with respect to such fiscal year.

(b) If the Franchising Authority has reason to believe that any such payment(s) are incorrect, the Franchising Authority shall notify the Franchisee of such belief in writing and the Franchisee shall have thirty (30) days from receipt of such written notification to provide the Franchising Authority with additional information documenting and verifying the accuracy of any such payment(s). In the event that the Franchising Authority does not believe that such documentation supports the accuracy of such payment(s), the Franchising Authority may conduct an audit of such payment(s). If, after such audit and recomputation, an additional fee is owed to the Franchising Authority, such fee shall be paid within thirty (30) days after such audit and recomputation. The interest on such additional fee shall be charged from the due date at the rate of two percent (2%) above the Prime Rate during the period that such additional amount is owed.

Section 8.5-AFFILIATES USE OF SYSTEM

Use of the Cable System by Affiliates shall be in compliance with applicable State and/or federal laws, and shall not detract from Services provided to Rochester.

Section 8.6-METHOD OF PAYMENT

All Franchise Fee payments by the Franchisee to the Franchising Authority pursuant to this Franchise shall be made payable to the City.

ARTICLE 9

RATES AND CHARGES

Section 9.1-RATE REGULATION

The Franchising Authority reserves the right to regulate the Franchisee's rates and charges to the extent allowable under applicable federal law.

Section 9.2-NOTIFICATION OF RATES AND CHARGES

(a) The Franchisee shall file with the Franchising Authority schedules which shall describe all Services offered by the Franchisee, all rates and charges of any kind, and all terms or conditions relating thereto. The Franchisee shall notify all Subscribers and the Franchising Authority of any impending rate increases no later than thirty (30) days prior to such increase(s) and provide each Subscriber with a schedule describing existing and proposed rates for each Service offered; provided, however, that this Section 9.2 shall not prohibit the Franchisee from offering or discontinuing promotional discounts upon less than thirty (30) day notice. No rates or charges shall be effective except as they appear on a schedule so filed.

(b) At the time of initial solicitation of Service, the Franchisee shall also provide each Subscriber with a detailed explanation of downgrade and upgrade policies and the manner in which Subscribers may terminate Cable Service. Subscribers shall have at least thirty (30) days from receipt of notification of any rate increase to either downgrade Service or terminate Service altogether without any additional charge.

(c) At least once a year during the term of this Franchise, the Franchisee shall distribute a written rate brochure to all Rochester Subscribers, which brochure shall list the lowest cost of Cable Service.

Section 9.3-PUBLICATION AND NON-DISCRIMINATION

All rates for subscriber Services shall be published and non-discriminatory. A written schedule of all rates shall be available upon request during business hours at the Franchisee's business office. Nothing in this Franchise shall be construed to prohibit the reduction or waiver of charges in conjunction with promotional campaigns for the purpose of attracting or maintaining subscribers.

Section 9.4-CREDIT FOR SERVICE INTERRUPTION

Under Normal Operating Conditions, in the event that the Franchisee's Service to any Subscriber is interrupted for twenty-four (24) or more consecutive hours, provided that said interruption is not caused by the Subscriber, the Franchisee shall grant such Subscriber upon request a pro rata credit or rebate in compliance with applicable law(s).

ARTICLE 10

INSURANCE AND BONDS

Section 10.1-INSURANCE

From the Effective Date and at all other times during the term of the Franchise, including the time for removal of facilities provided for herein, the Franchisee shall obtain, pay all premiums for, and file with the Franchising Authority, on an annual basis, copies of the certificates of insurance for the following policies:

- (1) A comprehensive general liability policy naming the Franchising Authority, the City, its officers, boards, committees, commissions, and employees as additional insured on a primary and noncontributory basis for all claims on account of injury to or death of a Person or Persons occasioned by the construction, installation, maintenance or operation of the Cable System or alleged to have been so occasioned, with a minimum liability of One Million Dollars (\$1,000,000.00) for injury or death or property damage in any one occurrence. The amount of such insurance for excess liability shall be Five Million Dollars (\$5,000,000.00) in umbrella form. Overall limits of liability may be met through any combination of primary and excess liability insurance policies.
- (2) Automobile liability insurance for owned automobiles, non-owned automobiles and/or rented automobiles in the amount of:
 - (a) One Million Dollars (\$1,000,000.00) combined single limit for bodily injury, consequent death and property damage per occurrence;
- (3) Worker's Compensation and Employer's Liability in the minimum amount of:
 - (a) Statutory limit for Worker's Compensation; and
- (4) The following conditions shall apply to the insurance policies required herein:
 - (a) Such insurance shall commence no later than the Effective Date of this Franchise.
 - (b) Such insurance shall be primary with respect to any insurance maintained by the City and shall not call on the City's insurance for contributions.
 - (c) Such insurance shall be obtained from brokers or carriers authorized to transact insurance business in New Hampshire.
 - (d) The Franchisee's failure to obtain to procure or maintain the required insurance shall constitute a material breach of this Franchise under which the City may immediately suspend operations under this Franchise, subject to the provisions of Section 12.1 herein.

Section 10.2-PERFORMANCE BOND

(a) The Franchisee shall obtain and maintain at its sole cost and expense throughout the entire term of the Franchise a faithful performance bond running to the City, with good and sufficient surety Franchised to do business in the State of New Hampshire in the sum of One Hundred Thousand Dollars (\$100,000.00). Said bond shall be conditioned upon the faithful performance and discharge of all of the obligations imposed by the Franchise.

(b) The performance bond shall be effective throughout the term of the Franchise, including the time for removal of all of the facilities provided for herein, and shall be conditioned that in the event that the Franchisee shall fail to comply with any one or more provisions of the Franchise, or to comply with any order, permit or direction of any department, agency, commission, board, division or office of the City having jurisdiction over its acts, or to pay any claims, liens or taxes due the City which arise by reason of the construction, maintenance, operation or removal of the Cable Television System, the City shall recover from the surety of such bond all damages suffered by the City as a result thereof, pursuant to the provisions of Sections 12.1 and 12.2 infra.

(c) The performance bond shall be a continuing obligation of this Franchise. In the event that the City recovers from the surety, the Franchisee shall take immediate steps to reinstate the performance bond to the \$100,000.00 required coverage herein. Neither this section, any bond accepted pursuant thereto or any damages recovered thereunder shall limit the liability of the Franchisee under the Franchise.

Section 10.3-REPORTING

The Franchisee shall submit to the Franchising Authority, or its designee(s), upon written request, copies of all current certificates regarding (i) all insurance policies as required herein, and (ii) the performance bond as required herein.

Section 10.4-INDEMNIFICATION

The Franchisee shall, at its sole cost and expense, indemnify and hold harmless the Franchising Authority, the City, its officials, boards, commissions, committees, agents and/or employees against all claims for damage due to the actions of the Franchisee, its employees, officers or agents arising out of the construction, installation, maintenance, operation and/or removal of the Cable Television System under the Franchise, including without limitation, damage to Persons or property, both real and personal, caused by the construction, installation, operation, maintenance and/or removal of any structure, equipment, wire or cable installed. Indemnified expenses shall include all reasonable attorneys' fees and costs incurred up to such time that the Franchisee assumes defense of any action hereunder. The Franchising Authority shall give the Franchisee timely written notice of its obligation to indemnify and defend the Franchising Authority. Any settlement requiring City remuneration must be with the advance, written consent of the Franchising Authority, which shall not be unreasonably denied

ARTICLE 11

ADMINISTRATION AND REGULATION

Section 11.1-REGULATORY AUTHORITY

The Franchising Authority and/or its designee(s) shall be responsible for the monitoring and oversight of the Cable Television System. The Franchising Authority shall enforce the Franchisee's compliance with the terms and conditions of this Franchise. The Franchising Authority shall notify the Franchisee in writing of any instance of non-compliance pursuant to Section 12.1 infra.

Section 11.2-PERFORMANCE EVALUATION HEARINGS

(a) The Franchising Authority may hold a performance evaluation hearing during each year of this Franchise. The Franchisee shall be provided timely notice of any such hearing. All such evaluation hearings shall be open to the public. The purpose of said evaluation hearing shall be to, among other things, (i) review the Franchisee's compliance with the terms and conditions of this Franchise, customer service and Complaint response, and PEG Access Channels, facilities and support; and (ii) hear comments, suggestions and/or Complaints from the public. The Franchising Authority shall provide the Franchisee with reasonable, advance notice regarding the hearing date and compliance matters.

(b) The Franchising Authority shall have the right to question the Franchisee on any aspect of this Franchise including, but not limited to, the operation, maintenance and/or removal of the Cable Television System. During review and evaluation by the Franchising Authority, the Franchisee shall cooperate fully with the Franchising Authority and/or its designee(s), and produce such documents or other materials as are reasonably requested from the City. Any Subscriber or other Person may submit comments during such review hearing, either orally or in writing, and such comments shall be duly considered by the Franchising Authority.

(c) Within sixty (60) days after the conclusion of such review hearing(s), the Franchising Authority shall issue a written report with respect to the adequacy of Cable System performance and quality of Service. If inadequacies are found which result in a violation of any of the provisions of this Franchise, the Franchising Authority shall notify the Franchisee in writing of any instance of non-compliance pursuant to Section 12.1 infra. The Franchisee shall subsequently respond and propose a plan for implementing any changes or improvements necessary, pursuant to Section 12.1 infra.

Section 11.3-NONDISCRIMINATION

The Franchisee shall not discriminate against any Person in its solicitation, Service or access activities, if applicable, on the basis of race, color, creed, religion, ancestry, national origin, geographical location within the City, sex, sexual orientation, disability, age, marital status, or status with regard to public assistance. The Franchisee shall be subject to all other requirements of federal and State laws or regulations, relating to nondiscrimination through the term of the Franchise.

Section 11.4-EMERGENCY REMOVAL OF PLANT

If, in case of fire or disaster in the City at any time, it shall become necessary in the reasonable judgment of the Franchising Authority or any designee, to cut or move any of the wires, cables, amplifiers, appliances or appurtenances of the Cable Television System, the City shall have the right to do so at the sole cost and expense of the Franchisee.

Section 11.5-REMOVAL AND RELOCATION

The Franchising Authority shall have the authority at any time to order and require the Franchisee to remove or relocate any pole, wire, cable or other structure owned by the Franchisee that is dangerous to life or property. In the event that the Franchisee, after notice, fails or refuses to act within a reasonable time, the Franchising Authority shall have the authority to remove or relocate the same,

which cost the Franchisee shall reimburse to the City.

Section 11.6-JURISDICTION

Jurisdiction and venue over any dispute, action or suit shall be in any court of appropriate venue and subject matter jurisdiction located in the State of New Hampshire and the parties by this instrument subject themselves to the personal jurisdiction of said court for the entry of any such judgment and for the resolution of any dispute, action, or suit.

ARTICLE 12

DETERMINATION OF BREACH, LIQUIDATED DAMAGES-FRANCHISE REVOCATION

Section 12.1-DETERMINATION OF BREACH

(a) In the event that the Franchising Authority has reason to believe that the Franchisee has defaulted in the performance of any or several provisions of this Franchise, except as excused by Force Majeure, the Franchising Authority shall notify the Franchisee in writing, by certified mail, of the provision or provisions which the Franchising Authority believes may have been in default and the details relating thereto. The Franchisee shall have sixty (60) days from the receipt of such notice to:

(b) Respond to the Franchising Authority in writing, contesting the Franchising Authority's assertion of default and providing such information or documentation as may be necessary to support the Franchisee's position; or

(c) Cure any such default (and provide written evidence of the same), or, in the event that by nature of the default, such default cannot be cured within such thirty (30) day period, to take reasonable steps to cure said default and diligently continue such efforts until said default is cured. The Franchisee shall report to the Franchising Authority, in writing, by certified mail, at twenty-one (21) day intervals as to the Franchisee's efforts, indicating the steps taken by the Franchisee to cure any such default and reporting the Franchisee's progress until any such default is cured.

(d) In the event that (i) the Franchisee fails to respond to such notice of default; (ii) the Franchisee fails to cure the default or to take reasonable steps to cure the default within the required thirty (30) day period; and/or (iii) the Franchising Authority is not satisfied with the Franchisee's response(s) or the Franchisee's efforts to cure, the Franchising Authority shall promptly schedule a public hearing no sooner than fourteen (14) days after written notice, by certified mail, to the Franchisee. The Franchisee shall be provided reasonable opportunity to offer evidence and be heard at such public hearing. Within thirty (30) days after said public hearing, the Franchising Authority shall determine whether or not the Franchisee is in default of any provision of this Franchise.

(e) In the event that the Franchising Authority, after such hearings, determines that the Franchisee is in default, the Franchising Authority may determine to pursue any of the following remedies, by written notice to the Franchisee:

- i. seek specific performance of any provision of the Franchise which reasonably lends itself to such remedy as an alternative to damages;
- ii. commence an action at law for monetary damages;
- iii. foreclose on all or any appropriate part of the security provided pursuant to Section 10.2 herein;
- iv. declare the Franchise to be revoked subject to Section 12.3 below and applicable law;
- v. invoke any other remedy available to the City.

Section 12.2-REVOCATION OF THE FRANCHISE

In the event that the Franchisee fails to comply with any material provision of this Franchise, the Franchising Authority may revoke the Franchise granted herein, subject to the procedures of Section 12.1 above and applicable law.

Section 12.3-TERMINATION

The termination of this Franchise and the Franchisee's rights herein shall become effective upon the earliest to occur of: (i) the revocation of the Franchise by action of the Franchising Authority, pursuant to Section 12.1 and 12.2 above; (ii) the abandonment of the Cable System, in whole or material part, by the Franchisee without the express, prior approval of the Franchising Authority; or (iii) the expiration of

the term of this Franchise, unless the Franchisee is otherwise permitted to continue operating the Cable System pursuant to applicable law(s).

Section 12.4-NOTICE TO OTHER PARTY OF LEGAL ACTION

In the event that either party intends to take legal action against the other party for any reason, such moving party shall first, except where injunctive relief is sought, (i) give the other party at least forty-five (45) day notice that an action will be filed, (ii) meet with the other party before it files any such action, and (iii) negotiate the issue, which is the subject of any proposed legal action, in good faith with the other party.

Section 12.5-NON-EXCLUSIVITY OF REMEDY

No decision by the Franchising Authority or the City to invoke any remedy under the Franchise or under any statute, law or ordinance shall preclude the availability of any other such remedy.

Section 12.6-NO WAIVER-CUMULATIVE REMEDIES

(a) Subject to Section 626(d) of the Cable Act, no failure on the part of the Franchising Authority to exercise, and no delay in exercising, any right in this Franchise shall operate as a waiver thereof, nor shall any single or partial exercise of any such right preclude any other right, all subject to the conditions and limitations contained in this Franchise.

(b) The rights and remedies provided herein are cumulative and not exclusive of any remedies provided by law, and nothing contained in this Franchise shall impair any of the rights of the Franchising Authority under applicable law, subject in each case to the terms and conditions in this Franchise.

(c) A waiver of any right or remedy by the Franchising Authority at any one time shall not affect the exercise of such right or remedy or any other right or remedy by the Franchising Authority at any other time. In order for any waiver of the Franchising Authority to be effective, it shall be in writing. The failure of the Franchising Authority to take any action in the event of any breach by the Franchisee shall not be deemed or construed to constitute a waiver of or otherwise affect the right of the Franchising Authority to take any action permitted by this Franchise at any other time in the event that such breach has not been cured, or with respect to any other breach by the Franchisee.

(d) Acceptance of the terms and conditions of this Franchise will not constitute, or be deemed to constitute, a waiver, either expressly or implied, by the Franchisee of any constitutional or legal right which it may have or may be determined to have, either by subsequent legislation or court decisions.

ARTICLE 13

SUBSCRIBER RIGHTS & CONSUMER PROTECTION

Section 13.1-TELEPHONE ACCESS

(a) The Franchisee shall comply with the FCC's Customer Service Obligations, at 47 C.F.R. 76.309(c)(1)(A)-(D).

(b) The Franchisee's business-customer service office shall have a publicly listed local or toll-free telephone number.

Section 13.2-CUSTOMER CALL CENTER

(a) The Franchisee shall maintain and operate its customer service call center twenty-four (24) hours a day, seven (7) days a week, including holidays. The Franchisee reserves the right to modify its business operations with regard to such customer service call center. The Franchisee shall comply with all State and federal requirements pertaining to the hours of operation of such customer service call center.

Section 13.3-FCC CUSTOMER SERVICE OBLIGATIONS

The Franchisee shall comply with the FCC's Customer Service Obligations, codified at 47 U.S.C. Section 76.309

Section 13.4-BUSINESS PRACTICE STANDARDS

The Franchisee shall provide the Franchising Authority and all of its Subscribers with the following information:

- (i) Notification of its Billing Practices;
- (ii) Notification of Services, Rates and Charges;
- (iii) Equipment Notification;
- (iv) Form of Bill;
- (v) Advance Billing and Issuance of Bills;
- (vi) Billing Due Dates, Delinquency, Late Charges and Termination of Service;
- (vii) Charges for Disconnection or Downgrading of Service;
- (viii) Billing Disputes; and
- (ix) Service Interruptions; and
- (x) Security Deposits.

Section 13.5-COMPLAINT RESOLUTION PROCEDURES

Complaints by any Person as to the operation of the Cable System may be filed in writing with the Franchising Authority, which shall within ten (10) days, forward copies of such complaints to the Franchisee. Franchisee will comply with RSA 53-C:3-d and RSA 53-C:3-e.

Section 13.6-CONSUMER SALES STANDARDS

At the time of initial solicitation or installation of service, the Franchisee shall provide written information to the prospective customer that lists (i) all rates and charges for all levels of Service; (ii) all tiers and other programming packages with a listing of channels or Services; and (iii) billing policies and procedures.

Section 13.7-BILLING PRACTICES INFORMATION AND PROCEDURES

(a) Billing procedures shall be as follows:

- (i) The Franchisee shall bill all Subscribers to its Cable Television System in a uniform, non-discriminatory manner, regardless of a Subscriber's level of Service(s). The bill shall have an explicit due date.
- (ii) The Franchisee shall provide all Subscribers with itemized bills that contain the information required by federal law and/or regulation.

- (iii) Subscribers shall have thirty (30) days from the due date of a bill in which to register a complaint or dispute concerning said bill.
- (iv) In the event that a bona fide billing dispute arises, the Franchisee shall respond to each Complaint within fifteen (15) days of receiving a written notification of said dispute from the Subscriber and shall make its best efforts to resolve each dispute within forty-five (45) days of receiving a written notification of said dispute from said Subscriber. If said dispute cannot be settled within the forty-five (45) day period and/or the results of the Franchisee's investigation into said dispute are unacceptable to the Subscriber, the Franchisee shall notify, and deliver to, the affected Subscriber its proposed resolution of the dispute
- (v) The affected Subscriber shall be responsible for paying only that portion of the bill that is not in dispute. In no event shall the Franchisee, prior to the resolution of a billing dispute, disconnect, assess a late payment charge or require payment of a late payment charge from the Subscriber for failure to pay bona fide disputed bills, or portions thereof, provided the Subscriber notifies the Franchisee of said dispute within thirty (30) days following the beginning of the billing period for which service was rendered under the disputed bill.

Section 13.8-DISCONNECTION AND TERMINATION OF CABLE SERVICES

In no event shall the Franchisee disconnect a Subscriber's Cable Service for nonpayment unless (1) the Subscriber is delinquent, (2) the Franchisee has given said Subscriber written notice of such past due amount in a clear and conspicuous manner and (3) said Subscriber has been given a second notice of delinquency, which may be as part of a monthly bill. Disconnection and/or termination of Cable Services shall be subject to applicable federal and/or State law(s) and regulation(s).

Section 13.9-CHANGE OF SERVICE

(a) Upon notification by a Subscriber to disconnect or downgrade Service, the Franchisee shall cease and/or adjust said Subscriber's monthly Service charges immediately or as of the Subscriber's specified disconnect or downgrade date. In no case shall said Subscriber be charged for Service(s) requested to be changed after the Franchisee is notified of said change(s). In the event that

(b) Subscribers request disconnection or downgrade of Service(s), the Franchisee's charges, if any, shall comply with applicable federal law or regulation.

Section 13.10-EMPLOYEE AND AGENT IDENTIFICATION CARDS

All of the Franchisee's employees and agents entering upon private property, in connection with the construction, installation, maintenance and operation of the Cable System, including repair and sales personnel, shall be required to carry an employee identification card issued by the Franchisee.

Section 13.11-PROTECTION OF SUBSCRIBER PRIVACY

The Franchisee shall comply with applicable federal and State laws including, but not limited to, the provisions of Section 631 of the Cable Act and regulations adopted pursuant thereto.

Section 13.12-PRIVACY WRITTEN NOTICE

At the time of entering into an agreement to provide Cable Service to a Subscriber and at least once a year thereafter, the Franchisee shall provide all Subscribers with the written notice required in Section 631(a)(1) of the Cable Act.

ARTICLE 14

REPORTS, AUDITS AND PERFORMANCE TESTS

Section 14.1-GENERAL

(a) Upon the written request of the Franchising Authority, the Franchisee shall promptly submit to the City any information regarding the Franchisee, its business and operations, or any Affiliated Person, with respect to the Cable System, any Service, in such form and containing such detail as may be specified by the City pertaining to the subject matter of this Franchise which may be reasonably required to establish the Franchisee's compliance with its obligations pursuant to this Franchise.

(b) If the Franchisee believes that the documentation requested by the Franchising Authority involves proprietary information, then the Franchisee shall submit the information to its counsel, who shall confer with the City Solicitor for a determination of the validity of the Franchisee's claim of a proprietary interest. If the City Solicitor agrees that the material is of a proprietary nature, the information furnished shall not be a public record, but the Franchisee shall make it available, on its premises, to the Franchising Authority, at times convenient for both parties. The Franchisee may require the Franchising Authority and/or its representatives to execute a confidentiality agreement before making any such information available. In the event of a disagreement, the parties may submit the matter to the appropriate appellate entity.

Section 14.2-SUBSCRIBER COMPLAINT LOG

(a) The Franchisee shall keep a record or log of all written Complaints received regarding quality of Service, equipment malfunctions, billing procedures, employee relations with Subscribers and similar matters. Such records shall be maintained by the Franchisee for a period of two (2) years.

(b) Such record(s) shall contain the following information for each Complaint received:

- (i) Date, time and nature of the Complaint;
- (ii) Investigation of the Complaint; and
- (iii) Manner and time of resolution of the Complaint.
- (iv) If the Complaint regards equipment malfunction or the quality of reception, the Franchisee shall file a report to the Franchising Authority, upon written request, indicating the corrective steps it has taken, with the nature of the problem stated.
- (v) Upon written request, the Franchisee shall make available to the Franchising Authority records of such Complaints, as allowed by applicable law.

Section 14.3-INDIVIDUAL COMPLAINT REPORTS

The Franchisee shall, within ten (10) business days after receiving a written request from the City, send a written report to the Franchising Authority with respect to any Complaint. Such report shall provide a full explanation of the investigation, finding(s) and corrective steps taken, as allowed by applicable law.

Section 14.4-ANNUAL PERFORMANCE TESTS

Upon request, the Franchisee shall provide copies of its Rochester Cable System performance tests to the Franchising Authority in accordance with applicable FCC regulations, as set out in 47 C.F.R. Section 76.601 et seq.

Section 14.5-QUALITY OF SERVICE

Where there exists evidence which, in the reasonable judgment of the Franchising Authority, casts doubt upon the reliability or technical quality of Cable Service(s), the Franchising Authority shall cite specific facts which casts such doubt(s), in a notice to the Franchisee. The Franchisee shall submit a written report to the Franchising Authority, within thirty (30) days of receipt of any such notice from the Franchising Authority, setting forth in detail its explanation of the problem(s).

Section 14.6-DUAL FILINGS

(a) Upon written request, and pursuant to Section 14.1(b), the Franchisee shall make available to the City, copies of any petitions or communications with any State or federal agency or commission pertaining to any material aspect of the Cable System operation hereunder.

(b) In the event that either the Franchising Authority or the Franchisee requests from any State or federal agency or commission a waiver or advisory opinion pertaining to any material aspect of the Cable System operation hereunder, it shall immediately notify the other party in writing of said request, petition or waiver.

Section 14.7-ADDITIONAL INFORMATION

At any time during the term of this Franchise, upon the reasonable written request of the Franchising Authority, the Franchisee shall not unreasonably deny any requests for further information which may be reasonably required to establish the Franchisee's compliance with its obligations pursuant to the Franchise, subject to Section 14.1 supra.

Section 14.8-INVESTIGATION

The Franchisee and any Affiliated Person(s) shall cooperate fully and faithfully with any lawful investigation, audit, or inquiry conducted by a City governmental agency as it related to Franchisee's compliance with the terms and conditions of this Franchise Agreement.

Section 14.9-ANNUAL CITY REVIEW

At the City's request, the Franchisee shall attend annual meetings with authorized City official(s) to review compliance with the terms of this Franchise and matters of interest to either party. No later than five (5) days prior to such meeting either party may submit a list of items to be reviewed.

ARTICLE 15

EMPLOYMENT

Section 15.1-EQUAL EMPLOYMENT OPPORTUNITY

The Franchisee shall comply with all applicable State and federal laws regarding Equal Employment Opportunity.

Section 15.2-NON-DISCRIMINATION

The Franchisee shall adhere to all federal, State and local laws prohibiting discrimination in employment practices.

ARTICLE 16

MISCELLANEOUS PROVISIONS

Section 16.1-ENTIRE AGREEMENT

This instrument contains the entire agreement between the parties, supersedes all prior agreements or proposals except as specifically incorporated herein, and cannot be changed orally but only by an instrument in writing executed by the parties.

Section 16.2-CAPTIONS

The captions to sections throughout this Franchise are intended solely to facilitate reading and reference to the sections and provisions of the Franchise. Such captions shall not affect the meaning or interpretation of the Franchise.

Section 16.3-SEPARABILITY

If any section, sentence, paragraph, term or provision of this Franchise is determined to be illegal, invalid or unconstitutional, by any court of competent jurisdiction or by any State or federal regulatory agency having jurisdiction thereof, such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which shall remain in full force and effect for the term of this Franchise.

Section 16.4-ACTS OR OMISSIONS OF AFFILIATES

During the term of this Franchise, the Franchisee shall be liable for the acts or omission of its Affiliates while such Affiliates are involved directly in the construction, upgrade, maintenance or operation of the Cable System for the provision of Service as if the acts or omissions of such Affiliates were the acts or omissions of the Franchisee.

Section 16.5-FRANCHISE EXHIBITS

The Exhibits to this Franchise, attached hereto, and all portions thereof, are incorporated herein by this reference and expressly made a part of this Franchise.

Section 16.6-WARRANTIES

The Franchisee warrants, represents and acknowledges, that, as of the Effective Date of this Franchise:

- (a) The Franchisee is duly organized, validly existing and in good standing under the laws of the State of New Hampshire;
- (b) The Franchisee has the requisite power and authority under applicable law and its by-laws and articles of incorporation and/or other organizational documents, is authorized by resolutions of its Board of Directors or other governing body, and has secured all consents which are required to be obtained as of the Effective Date of this Franchise, to enter into and legally bind the Franchisee to this Franchise and to take all actions necessary to perform all of its obligations pursuant to this Franchise; and
- (c) To the best of the Franchisee's knowledge, there is no action or proceedings pending or threatened against the Franchisee which would interfere with performance of this Franchise.

Section 16.7-FORCE MAJEURE

If by reason of force majeure either party is unable in whole or in part to carry out its obligations hereunder, said party shall not be deemed in violation or default during the continuance of such inability. The term "force majeure" as used herein shall mean the following: acts of God; acts of public enemies; orders of any kind of the government of the United States of America or of the State of New Hampshire or any of their departments, agencies, political subdivision, or officials, or any civil or military authority; insurrections; riots; epidemics; landslides; lightening; earthquakes; fires; hurricanes; volcanic activity;

storms; floods; washouts; droughts; civil disturbances; explosions; strikes; hazardous safety conditions; and unavailability of essential equipment and/or materials beyond the control of the Franchisee, the Franchising Authority and/or the City.

Section 16.8-APPLICABILITY OF FRANCHISE

All of the provisions in this Franchise shall apply to, and are enforceable against, the City, the Franchisee, and their respective successors and assignees.

Section 16.9-NOTICES

(a) Every notice to be served upon the Franchising Authority shall be delivered or sent shall be delivered or sent by certified mail (postage prepaid) or via nationally recognized overnight courier service to:

- (i) City of Rochester
Attn: City Council
31 Wakefield Street,
Rochester, NH 03867

or such other address(es) as the Franchising Authority may specify in writing to the Franchisee. The delivery shall be equivalent to direct personal notice, direction or order, and shall be deemed to have been given at the time of receipt of such notice(s).

(b) Every notice served upon the Franchisee shall be delivered or sent by certified mail (postage prepaid) or via nationally recognized overnight courier service to:

- (i) Comcast Cable Communications, Inc.
Attn: Government Affairs
181 Ballardvale Street-Suite 203
Wilmington, MA 01887

with copies to:

- (ii) Comcast Cable Communications, Inc.
Attn: Vice President, Government Affairs
676 Island Pond Road
Manchester, NH 03109
- (iii) Comcast Cable Communications, Inc.
Attn: Government Affairs
1701 John F. Kennedy Blvd
Philadelphia, PA 19103

or such other address(es) as the Franchisee may specify in writing to the Franchising Authority. The delivery shall be equivalent to direct personal notice, direction or order, and shall be deemed to have been given at the time of receipt of such notice(s).

(c) All required notices shall be in writing.

Section 16.10-CITY'S RIGHT OF INTERVENTION

The City hereby reserves to itself, and the Franchisee acknowledges the City's right as authorized by applicable law or regulation to intervene in any suit, action or proceeding involving this Franchise, or any provision in this Franchise.

Section 16.11-NO RECOURSE AGAINST THE FRANCHISING AUTHORITY

Pursuant to Section 635A(a) of the Cable Act, in any court proceeding involving any claim against the Franchising Authority or other governmental entity or any official, member, employee, or agent of the

- City of Rochester, NH – Cable Television Franchise –
Term: December 5, 2017 – December 4, 2027

Franchising Authority or such governmental entity, arising from the regulation of cable service or from a decision of approval or disapproval with respect to a grant, transfer, or amendment of this Franchise, any relief, to the extent such relief is required by any other provision of federal, State or local law, shall be limited to injunctive relief and declaratory relief.

Section 16.12-TERM

All obligations of the Franchisee and the Franchising Authority set forth in the Franchise shall commence upon the execution of this Franchise and shall continue for the term of the Franchise except as expressly provided for herein.

Section 16.13–NO THIRD PARTY BENEFICIARIES

Nothing in this Franchise is intended to confer third-party beneficiary status on any member of the public to enforce the terms of this Franchise.

EXHIBITS

EXHIBIT 1**PROGRAMMING AND INITIAL SIGNAL CARRIAGE**

The Franchisee shall provide the following broad categories of Programming:

- + News Programming;
- + Sports Programming;
- + Public Affairs Programming;
- + Children's Programming;
- + Entertainment Programming;
- + Foreign Language Programming; and
- + Local Programming.

**- City of Rochester, NH – Cable Television Franchise –
Term: December 5, 2017 – December 4, 2027**

EXHIBIT 2

FREE CONNECTIONS AND SERVICE TO PUBLIC BUILDINGS AND SCHOOLS

The following schools and public buildings shall receive Drops and the monthly Basic Cable Service at no charge.

1	East Rochester Annex	Cocheco Ave
2	East Rochester School	Portland St.
3	Rochester Community Center	Wakefield St.
4	Creteau Regional Vocational Center	Wakefield St.
5	Spaulding High School	Wakefield St.
6	Maple Street School	Maple St.
7	Rochester Middle School	Brock St.
8	McClelland School	Brock St.
9	William Allen School	Granite St.
10	Rochester Public Library	South Main St.
11	Rochester City Hall	Wakefield St.
12	School Street School	School St.
13	Chamberlain Street School	Chamberlain St.
14	Dept of Public Works	Old Dover Rd.
15	Gonic School	Railroad Ave.
16	Wastewater Treatment Plant	Pickering Rd.
17	Water Treatment Facility	Strafford Rd.
18	Rochester Arena	Lowell St.
19	Rochester Police Station	Wakefield St.
20	Rochester Fire Station	Wakefield St.
21	Gonic Fire Station	Main St Gonic
22	SAU Office	Wakefield St.
23	East Rochester Fire Station	Main Street E.R.
24	Rochester Historical Society	Hanson St.
25	East Rochester Library	Main Street E.R.
26	Nancy Loud School	Cocheco Avenue
27	City Hall Annex	Wakefield St.

SIGNATURE PAGE

In Witness Whereof, the Franchise is hereby issued as of December 5, 2017 by the City Council of the City of Rochester, New Hampshire, as Franchising Authority, and all terms and conditions are hereby agreed to by Comcast Of Maine/New Hampshire, Inc.

CITY OF ROCHESTER, NH

By:

Daniel Fitzpatrick, City Manager

COMCAST OF MAINE/NEW HAMPSHIRE, INC.

By:

Tracy L. Pitcher, Senior Vice President
Greater Boston Region

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City Clerk's Office

Resolution Authorizing the Acceptance of A Conservation License Plate Grant [Moose Plate Grant] and Making a Supplemental Appropriation in Connection therewith in order to Fund the Preservation of 18th Century and 19th Century Municipal Documents in the Amount of \$9,025.00

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a Conservation License Plate Grant (“Moose Plate Grant”) grant in the amount of Nine Thousand Twenty-Five Dollars (\$9,025.00) awarded to the City of Rochester is hereby accepted by the City of Rochester;

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Nine Thousand Twenty-Five Dollars (\$9,025.00) to a non-lapsing Special Revenue Fund to be created for the purpose of carrying out historic restoration work on 18th and 19th century municipal documents identified by the Rochester Historic Document Preservation Committee as historically important and worthy of preservation with the entirety of said supplemental appropriation being derived from the aforementioned Moose Plate Grant Grant:

FURTHER, that the City Manager is authorized to sign all applicant grant agreement documents required to enter into a grant agreement with the New Hampshire State Library to receive and administer the grant funds detailed above; and

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

CC FY 18 12-05 AB 68

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left blank...*

City Clerk's Office



11/30/17

City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

CC FY 18 AB 68

AGENDA SUBJECT

Moose Plate Grant Acceptance - Historic Documents Preservation Project

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	December 5, 2017		
DEPT. HEAD SIGNATURE	Karen Pollard, on file		
DATE SUBMITTED	November 20, 2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	3	

COMMITTEE SIGN-OFF

COMMITTEE	Historic Document Preservation Committee
CHAIR PERSON	Kelly Walters, on file

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Moose Plate Grant / State of NH
ACCOUNT NUMBER	TBD
AMOUNT	\$9,025
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

City Charter.

SUMMARY STATEMENT

The City of Rochester has been awarded a Conservation License Plate Grant ("Moose Plate Grant") from the NH State Library, in order to fund preservation of 18th and 19th century municipal documents, in the amount of \$9,025.00.

RECOMMENDED ACTION

Accept the grant, appropriate the necessary funds, authorize the City Manager to enter into a grant agreement with the NH State Library, and authorize the City Manager and the City Clerk to sign applicable grant agreement documents.



11/30/17

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

CC FY 18 AB 62

AGENDA SUBJECT

Approval of Economic Development Strategic Plan for Adoption to the City Master Plan

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	December 5, 2017	
DEPT. HEAD SIGNATURE	Karen Pollard, Economic Development Manager, Signatu	
DATE SUBMITTED	November 20, 2017	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	REDC Economic Development Commission
CHAIR PERSON	Susan DeRoy, Chairperson

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	N/a
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

SUMMARY STATEMENT

As part of the Master Plan document, the Rochester Economic Development Commission has completed an economic development strategic planning process. This document will guide economic development for the next 10 years.

RECOMMENDED ACTION

The Commission is submitting the final report for review and adoption.

**ECONOMIC DEVELOPMENT
STRATEGIC PLAN UPDATE**

CITY OF ROCHESTER, NEW HAMPSHIRE

REVISED DRAFT OCTOBER 23, 2017

Prepared for:

Rochester Economic Development
Commission

City of Rochester, NH
31 Wakefield Street
Rochester, NH 03867-1917

Prepared by:

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I. PLAN SUMMARY

The City of Rochester, New Hampshire, through its Economic Development Commission, has retained RKG Associates, Inc. (RKG) to assist in preparing an update to their 2005 economic development strategy (2005 Plan). This current plan offers a continuation of the 2005 Plan, acknowledging its accomplishments and identifying remaining challenges, in consideration of the current and foreseeable economic and market opportunities that may present themselves to the City. This current plan, as with the 2005 Plan, is intended to serve as a guideline of goals and actionable implementation items that the City of Rochester may undertake to ensure its continued economic growth and business diversity while fostering a high quality of life for the City's residents and business communities.

A. Key Findings

This section presents the summary key findings from this economic plan update. analysis. The research and findings on which these are based are presented in greater detail throughout other sections of this report.

- **Population** – The population of Rochester increased by 1,250 persons during the last census decade, at a rate lagging both Strafford County and the state. All three areas experienced an increase in the population 65 and older, and this cohort is projected to continue to grow. Conversely, all three areas realized a loss of the 25- to 44-year cohort, although some growth is projected for each during the 2016 to 2021 time-period. Both Rochester and the state experienced a loss of population under the age of 20 during the last census decade and Strafford County realized a small increase. This trend is expected to continue for both geographies over the 2016 – 2021 time-period.
 - **Implications** – The projected growth in the population aged 65 and older indicates a possible increase in demand for smaller homes, possible assisted living housing, and an increase in demand on supportive services (both City and private) for older residents. The loss of population among the 25- to 44-year cohort results in fewer family formations and potentially a diminished demand among first-time homebuyers, suggesting an opportunity for growth in the rental housing market. The loss of the young population has implications for the Rochester school system too, and although reflects a decline in the family formation population, may also relate to the inability to hold onto the City's youth once they have graduated (as occurring throughout many New Hampshire communities).
- **Education** – There was a near 40 percent increase in the population aged 25 and older with college degrees in Rochester during the last census decade, exceeding similar growth for either Strafford County or the state. Despite this growth, the percent of the total population aged 25 and older with a college degree remains around 30 percent for the City of Rochester, as compared to 40 percent for the county and the state. Although accounting for less than one percent of the population aged 25 and older, those with no

schooling have increased over the last census decade and are projected to continue to increase for all three geographies.

- **Implications** – Continued growth in the college educated population results in an educated workforce available for employment in the City and throughout the county. While there is competitively priced housing in Rochester compared with other Seacoast communities, many of the amenities associated with modern urban living are less than competitive. Younger workers coming out of college are looking to live and work in environments that include these amenities. This presents a disadvantage for Rochester in retaining and attracting residents with college degrees.
- **Housing** – Rochester experienced an increase of 1,520 housing units over the last census decade and nearly 930 households (i.e., occupied housing units), indicating an increase of nearly 600 vacant units. The increase in the number of vacant units in Rochester was nearly 148 percent, well ahead of the increase experienced across the county or statewide and may reflect a surplus of obsolete housing (since the other major source of vacant housing is seasonal, which is not prevalent in Rochester). The projected growth rate in vacant units for the city also exceeds that for either the county or the state.
 - **Implications** - Although all three geographies are projected to realize continued growth in households they are also projected to realize continued growth in vacancies (i.e., older housing units that may have become obsolete). For the City of Rochester this may manifest itself in a disinvestment in the housing stock, possibly creating opportunities for assembly of properties for other replacement development, for example in the downtown.
- **Income and Values** – Over the last Census decade, median household income in the City of Rochester increased but at a rate less than inflation. While incomes did increase overall, the fact that they did not keep up with inflation resulting in no real growth. Median household income growth for the county and the state both exceeded 24 percent but also fell short of inflation (26.6 percent) as measured by the CPI. All three areas realized a decline in the number of households earning less than \$50,000 and are projected to continue to do so. The county and state are also projected to see a decline in households in a middle-income range of \$50,000 to \$100,000, while Rochester is projected to experience a modest increase. Despite experiencing an increase in the median housing value over the 2000 to 2010 time-period, Rochester is projected to experience a decline in housing values (2010 to 2021) unlike the county or the state.
 - **Implications** – The projected decline in median housing values in Rochester may, in part, reflect the changing demographic (age) mix of residents along with income affordability issues. This may also be related to the increase in vacancies and potential disinvestment.
- **Employment** – Over 2015 and 2016 the unemployment rate for the City of Rochester declined from 4.4 percent to 2.2 percent, moderately above or below the county average, but always less than the state average. Typically, five percent unemployment is considered as full-employment. The City of Rochester makes up about one-fourth

- of the employment in Strafford County and one-fourth of the number of businesses. However, Rochester comprises 40 percent of the countywide retail employment.
- **Implications** – Nearly one-third of the jobs in Rochester are in lower wage sectors of retail trade, accommodations, and food services. This compares with approximately 22 percent countywide. While this designates Rochester as a destination location for retail and other similar services, it also restricts job growth opportunities, spending power, and homeownership opportunities for many workers/residents.
 - **Commuting** – Slightly more than one-third of Rochester residents who are in the labor force worked in the City in 2010. Overall, Rochester was a net exporter of employment by nearly 2,700 workers. In 2010, approximately 40 percent of the 12,590 jobs in Rochester were held by Rochester residents. Conversely, around 60 percent of the jobs in Rochester were held by out-of-City commuters.
 - **Implications** - The approximate 3,800 workers that commute into Rochester for employment may find the City a desirable alternative for a place of residence, providing appropriate properties are available, affordable and complete with the amenities of modern urban lifestyle such as a diversity of shops, services, access to dining and entertainment and the like. Similarly, residents who currently leave the city to work can serve to augment business retention and attraction efforts.
 - **Residential Sector** – Over the 2010 to 2015 time-period the number of residential permits in Rochester favored single-family units over multi-family units by an approximate 3:2 margin. The median selling price of single-family homes in Rochester increased by \$11,300 as compared to \$15,000 for the county and \$13,000 for the state over the same time-period. In 2016, per MLS (multiple listing service data for the real estate sector of the economy), approximately 80 percent of the single-family homes in Rochester sold in less than 60-days.
 - **Implications** – The changing demographics of the City suggest a need and opportunity for increased rental housing or smaller, empty-nester housing. Existing housing (three bedrooms are preferred) typically sell within two months of being placed on the market. The selling prices in Rochester represent a 20 to 25 percent discount relative to Strafford County, on one hand reflecting competitive prices, but also perhaps reflecting an older inventory ready for updating (for example, approximately 56 percent of the statewide housing stock was built prior to 1990, as compared with 78 percent of the housing stock in Rochester).
 - **Retail Sector**- Rochester is a net importer of more than \$180 million in consumer spending. Despite this, there are some sectors where the City does not meet local demand including furniture/furnishings and apparel/accessories.
 - **Implications** – Downtown Rochester has a strong base of restaurants, typically out-pacing local demand by \$9 million, but there are a limited number of stores for everyday shopper's goods, which help to generate multi-destination

shopping. The unmet market demand for such goods as furnishings and apparel equate to opportunities for smaller downtown storefronts thereby increasing occupancy and diversifying the mix, however, retail development generally follows residential development and an increase in downtown population is required to accommodate an increase in downtown retail. Another caveat is that an increase in downtown retail (and a broader mix of store types) would likely be led by home-grown entrepreneurs as opposed to regional or national chains.

- **Office and Industrial Sectors** – CB Richard Ellis (CBRE) reported a near 32 percent vacancy in the Rochester office market (base of 577,600 SF) in 2015 which is more than three times the vacancy rate for the overall Seacoast market and for the state, despite very competitive asking rents. The Rochester industrial marketplace is comprised of about 2.1 million square feet of space, of which around 8 percent is vacant. This is slightly more than the Seacoast, but less than the state. Like the office market, industrial asking rents for Rochester are very competitive at less than \$10 per square foot (SF).
 - **Implications** – While the City continues to “land bank” for future office and industrial development (primarily the latter) it may also need to revisit the existing inventory of available space with property owners, to identify any inadequacies or inefficiencies that may be hindering marketability.

1. Financial Tools and Incentives

The City of Rochester has several economic revitalization zones (ERZs) established throughout the City (maps appear in the Appendix). The ERZ is a tax credit program whereby short-term business tax credits are available for development projects that meet specific criteria and are located within designated areas (with a summary overview of ERZs presented at the end of this section).¹

The City also has two (2) designated TIF (tax increment financing) districts, whereby the incremental property taxes occurring as the result of new growth/development within a designated area (or district) may be retained and used to fund the necessary public and/or infrastructure improvements required to encourage the new development in the first place.² To date these have met with much success in Rochester, as noted elsewhere in this report.

1. Marketing and Outreach

There are several websites that offer an ongoing review of events, success stories, and opportunities within the City of Rochester. RKG recommends that each of these informative websites be linked to further enhance their usefulness in economic development overall, and for the downtown.

a) City of Rochester Economic Development

The Economic Development Department has recently re-launched its website which presents an overview of site selection and market characteristics, available properties and

¹ Summary provided by the City of Rochester, for additional information refers to State of New Hampshire RSA 162-N

² For additional information, refer to State of New Hampshire RSA 162-K

financial/development incentives, along with other resources (such as prior documents and studies). In addition to the previously mentioned “linkages and inter-connectivity” with other websites, RKG suggests that a “success” story/testimonial be included of recently (re)developed property (perhaps updated every other month or as appropriate); and, a single property that is available be highlighted (perhaps quarterly) for development potential and how it may fit in with the surrounding environment.

b) City of Rochester Economic Development

The Economic Development Department has recently re-launched its website which presents an overview of site selection and market characteristics, available properties and financial/development incentives, along with other resources (such as prior documents and studies). In addition to the previously mentioned “linkages and inter-connectivity” with other websites, RKG suggests that a “success” story/testimonial be included of recently (re)developed property (perhaps updated every other month or as appropriate); and, a single property that is available be highlighted (perhaps quarterly) for development potential and how it may fit in with the surrounding environment. This latter point will require coordination/cooperation with the local real estate community so no one firm believes that they are being disadvantaged. Further, to the extent applicable, any of the offered properties or sites that are tied into the City development zones or other financial/economic incentives, should so be flagged.

c) City of Rochester Main Street Program

Information about downtown Rochester is well represented by the Main Street Program’s website, offering news; current activities; opportunities to invest/donate; links to downtown businesses; and, a weekly newsletter, as examples. Rochester Main Street’s vision, as stated on their website, is “*devoted to restoring, preserving, enhancing and promoting the beauty, vitality and historic heritage of downtown Rochester.*” While Rochester Main Street does not serve as a development entity, it does act as a facilitator through engagement of businesses, property owners and other agencies. RKG’s review of their website did not reveal a direct link to the City’s economic development department, but perhaps a link is warranted particularly for available downtown properties, particularly where financial and other incentives are noted (such as the Economic Development website).

d) Greater Rochester Chamber of Commerce

The Chamber maintains a comprehensive website with a great deal of information about the City and local events with a calendar, local business listings, city information and links to the previously noted websites for information on downtown and economic development.

ERZ FAQs for Businesses

What is the ERZ Program?

ERZ stands for Economic Revitalization Zone. The ERZ tax credit program, which is detailed in RSA 162-N, offers a short term business tax credit for projects that improve infrastructure and create jobs in designated areas of a municipality.

Why were ERZs established?

The ERZs were established to stimulate economic redevelopment, expand the commercial and industrial base, create new jobs, reduce sprawl, and increase tax revenues within the state by encouraging economic revitalization in designated areas.

How is an ERZ defined?

An Economic Revitalization Zone means a zone with a single continuous boundary, designated in accordance with RSA 162-N:8, and having at least one of the following characteristics:

- (a) Unused or underutilized industrial parks; or
- (b) Vacant land or structures previously used for industrial, commercial, or retail purposes but currently not so used due to demolition, relocation of the former occupant's operations, age, obsolescence, deterioration, brownfields, or cessation of operation resulting from unfavorable economic conditions either generally or in a specific economic sector.

A community must request that a site or contiguous area be designated as an ERZ by DRED. Each ERZ is evaluated every five years to assess whether the designation is still eligible.

How much is available in tax credits?

The State of New Hampshire has designated \$825,000 statewide, per year, to be made available for ERZ tax credits.

How long will this initiative be in place?

This program will be in place until 2020, or until the State law governing ERZs is repealed or amended.

How does a business qualify?

For a business to qualify for an ERZ tax credit, it must create at least one (1) new job in the state and meet the following criteria:



- The business must be physically located in an approved ERZ;
- Investment in plant or equipment must be made directly by the business applying for the ERZ tax credit;
- Jobs created must be full time, direct employees, and not be contracted or 'temp' jobs;
- The investment and the job creation must take place within one calendar year.

What is the process for a business to apply for an ERZ tax credit?

To apply for the tax credits you must fill out form ERZ-2 available from the Department of Resources and Economic Development's [website](#).

The deadline to apply is Feb. 10 of the year following the applicant's tax year.

How is the credit calculated?

The credit is based on a percent of the salary for each new full time job created and the lesser of: either a percent of the actual cost incurred for the project or a maximum credit for each new job created in the fiscal year.

What is considered a full time job?

A full time job is at least 35 hours per week and is a permanent, year-round position.

How is the credit applied to my tax liability?

The tax credits shall be available to the taxpayer only for tax liabilities arising during tax periods including the tax period for which the tax credit is applied, up to an additional five (5) consecutive tax periods following the date of certification by the DRED commissioner.

The maximum amount of tax credit is \$240,000 per application, and the maximum applied per year by a taxpayer is limited to \$40,000.

Who do I call with additional questions?

Contact the Division of Economic Development at (603) 271-2591.

Revised 11/15

II. VISION, GOALS AND IMPLEMENTATION ACTIONS

The purpose of this study is to review and update the 2005 economic development strategy considering the many market and demographic changes that have occurred since that plan. Like the previous strategy, the objective is to identify new and future economic opportunities in Rochester and to refine the steps the City can take to make the most of them. Since this plan will be incorporated into the City's Master Plan, it will serve as the primary tool for guiding and implementing positive economic development change in the community over the next several years.

In general, the goals of a coherent and realistic economic development strategic plan are simple, namely to increase employment and incomes for Rochester residents, enhance the City's tax base, and positively add to the City's economic vitality and quality of life. By working to achieve many of the goals set out in the 2005 plan, the City has made great strides in these critical areas. By partnering with the private sector and encouraging investment, Rochester has grown in both size and fiscal strength. Looking ahead, the City needs to continue what it is doing and focus on achieving balanced growth that benefits all its citizens. Rochester is a great place to live and work; making it even more so should be the goal of this strategy.

A. Vision Statement

The 2005 Plan stated the following as the primary guiding vision for economic development:

Rochester is a thriving and vibrant micropolitan city, with an entrepreneurial and innovative spirit. We are a business-friendly community, eager to foster growth and economic diversity, and provide new opportunities. We aspire to be a destination for development due to our high Quality of Life, including easy access to excellent health care, outstanding educational opportunities, available skilled workforce and environmental appreciation and respect. We strive to have a diverse economy with stable taxes, with an accessible and responsible local government providing high quality services and professional support.

Discussions with representatives of the City of Rochester indicate that the 2005 Vision statement still rings true for this current analysis. However, as based on the findings of this analysis and a continuing discussion with those representatives and other local stakeholders, RKG suggests that the statement be modestly expanded to include the following:

Rochester also realizes that integral to maintaining its high Quality of Life is offering a broad mix of residential opportunities, owner and renter, at price points attractive to existing and new residents, to sustain and stimulate consumer spending potential and local economic activity. Further, that this ongoing economic potential represents development opportunities throughout the City including its downtown core.

B. Goals of the Plan

The 2005 Economic Development Strategic Plan laid out seven goals. For 2017, these goals have been updated to better reflect current and near-term economic, demographic, and fiscal circumstances.

1. **Provide direct support and professional services to commercial, retail, and industrial development that exists today or is seeking to locate in Rochester.**
 - Over the past decade, Rochester has successfully captured a large share of the regional supply of retail establishments, along with several strong industrial companies. Route 16 has served as a growth corridor for these businesses due to availability of land and regional access for consumers and employees.
 - *In moving forward from 2017*, the focus should turn toward the downtown, with efforts to strengthen the existing business base and encourage new mixed-use development with a range of residential components.
2. **Be responsive to business and industry needs and foster expansion of the City's established commercial and industrial base.**
 - The City has been and should continue to be responsive. Enlisting existing business owners and managers in the process can help leverage City resources.
 - *In moving forward from 2017*, the City should consider establishing "business representative panels" with regular quarterly meetings to discuss issues, progress, opportunities, and shortfalls. A representative mix from selected Rochester industry/commercial sectors should make up the membership. The City should work with these panels to develop an annual target or project with the goal of starting small and building on successes.
3. **Continue to make available marketable industrial and commercial sites within the City through strategic capital improvements, municipal programs, cooperation with owners and representatives, and other actions which may positively impact the City's future economic growth.**
 - The City has been moving forward on this and should continue to strategically acquire sites and/or leverage private investment in the expansion of industrial and commercial areas using available economic development tools.
 - *In moving forward from 2017*, while continuing these capital improvements throughout the City, a targeted development program to foster increased private sector investment in the downtown, particularly residential opportunities, should be considered. Often, the first "image" of a City is embodied in its downtown vitality.
4. **Foster discussion and enhance the sense of community relating to development and growth issues.**
 - While staff and elected representatives can be very effective in "selling" Rochester, its citizens and business owners - those with "skin in the game" - are the best sales force the City has.

- *In moving forward from 2017*, consider convening a task force, with private sector representation, to focus on expanding residential investment and opportunities.
5. **Continuously assess the City of Rochester's strengths and weaknesses as a location for industrial and business expansion.**
 - Continue to regularly monitor progress with a focus on the City's competitive positioning within the greater Seacoast market area, such as by identifying businesses with a desire for expansion, relocation or a second site in the City.
 - *In moving forward from 2017*, realize that continued business expansion also arises out of an expansion of local consumer wealth and spending potential as reflected through residential growth and diversification.
 6. **Provide economic opportunities for Rochester residents, not just in the short term but also well into the future, through continued education, supporting technology and a range of quality housing opportunities.**
 7. **Strengthen the City's fiscal stability through sustainable growth of the tax base and prosperity of its citizens.**
 - One metric is to set a desired ratio of commercial to residential tax base assessment, using it as a guide to policy decisions regarding planning and zoning (such as mix, proximity and density of future development).

C. Implementation Actions

The following presents the suggested implementation actions from the 2005 Plan and offers a status update, as many of these have been either fully or partially completed, and form the basis of the recommended actions for the current plan.

1. Implement the City's Route 11 Corridor Plan, including construction of the frontage road to the east. This will open-up additional land for a variety of commercial development (retail, office, light industrial) to accelerate job generation and tax base. Assess the ability to use Tax Increment Financing to achieve the improvements.
 - This has been completed and has resulted in continued commercial development largely in the retail and light industrial sectors in the City's periphery.
 - While it is important to continue to monitor this progress, and assist in affordable development opportunities, *moving forward from 2017* a Downtown Plan, and similar effort, should be considered.

Time Frame: Ongoing

Leadership: Rochester Economic Development Commission, Economic Development Director and City Manager. Consider initiating a downtown task force, with private sector representation, to identify and focus efforts to the City's core.

2. The Industrial Development Authority (IDA) should consider acquiring or expanding an existing business park, or develop a new business park. The IDA will be able to more actively leverage the community's land assets and attract new users.

- This is ongoing and recently the City has expanded acreage and development opportunities within the Granite State Business Park.
- *Moving forward from 2017*, the City may consider rezoning agricultural land, as serviced or easily serviceable by the appropriate infrastructure, to meet future needs as the base of industrially zoned land is diminishing or otherwise constrained.
- While the efforts of the IDA have met with success and are ongoing, similar efforts should be targeted to a Downtown Plan and Task Force *moving forward from 2017*.

Time Frame: Ongoing and 1 – 3 Years for Downtown Plan/Task Force

Leadership: Rochester Economic Development Commission, Economic Development Director and City Manager

3. Leverage public and private support to become a Main Street Community. This may encourage façade improvements, business support and retention, and improve upper floor occupancy in the downtown core.
 - Rochester now has a very active Main Street program which has been instrumental in stabilizing and expanding first floor retail occupancy and encouraging investments in downtown properties.
 - Less success has been achieved in utilizing upper story space and improving occupancy.
 - The City, in cooperation with Rochester Main Street, should consider identifying and inventorying upper story utilization throughout the downtown and establish order of magnitude cost estimates for re-positioning targeted properties.

Time Frame: Immediately

Leadership: CORE, City Council, Economic Development Director, City Manager and Rochester Main Street

4. Implement a customized Business Retention and Expansion program to cultivate and strengthen relationships with existing businesses.
 - Despite initial efforts in this regard, the continuation and overall success of this program has been geographically limited within the City and has otherwise been stalled elsewhere.
 - Consider restarting these efforts with a renewed focus towards downtown retail and service businesses. Focus on organic growth in business sectors already present in the Seacoast area, for example, food and beverage, precision machinery, and technology.

Time Frame: Immediately and Ongoing

Leadership: Rochester Economic Development Commission, Economic Development Director, City Manager, Mayor, City Council, Rochester Main Street, Greater Rochester Chamber of Commerce and the previously noted business and downtown task forces, with private sector representation.

5. Expand the capacity of the Economic Development Office to provide outstanding service to existing and potential businesses. Utilize the Rochester Economic Development Commission and have the members play an active leadership role.

- This has largely been accomplished and has proven successful in many economic sectors. These efforts should be ongoing, but with a lowered priority status.

Time Frame: Ongoing

Leadership: Rochester Economic Development Commission, Economic Development Director, City Manager, and City Council

6. Maximize the economic impact of Skyhaven Airport to the City of Rochester, separate and apart from the question of ownership. Develop a Business Plan for increasing impact and develop a marketing plan.

- This has been accomplished as the Skyhaven Airport is now owned and operated by the PDA (Pease Development Authority) and likely plays an important role in recruiting firms to Rochester and profiling the City's visibility.
- This being the case, the City may consider convening a focus group with selected City officials, private sector entities utilizing the airport and representatives of Skyhaven to identify efforts required, if any, to ensure sustaining and possibly expanding the airport's economic contribution (a 2015 report indicated that the airport had an overall economic impact, including direct, indirect and induced multipliers, of \$1.02 million).

Time Frame: Completed with potential additional considerations

Leadership: Pease Development Authority, Rochester Economic Development Commission, Economic Development Director, City Manager and City Council

7. Review and assess the City's development review process, including organizational structure. Ensure that the process is clearly defined, guarantees flexibility, projects a business-friendly attitude, and encourages high quality developments. Repeat at three to five year intervals.

- While some level of progress has been made in fostering a developer-friendly focus for Rochester, nonetheless, numerous stakeholder interviews identified code enforcement (from planning, permitting and receiving a certificate of occupancy) as either onerous and/or difficult to understand.
- Consider further streamlining the development process to the extent possible, perhaps by creating a *how-to primer* for small businesses. Bring code enforcement officers into the economic development process to better foster an "open for business" attitude and team spirit.
- This may include a "preliminary design" process for potential projects to better identify development requirements, constraints, and ways to resolve issues prior to initiating new projects.

Time Frame: Immediately and Ongoing
Leadership: Planning Board, Rochester Economic Development Commission, City Manager, Departments of Planning, Economic Development & Code Enforcement and representation of private sector developers.

8. Create an Educational Task Force to build on existing training programs and stimulate additional educational opportunities for Spaulding High students and residents of all ages. Focus on entrepreneurial and small business management, internships, mentoring and co-op programs.
 - Discussions with some area stakeholders indicated that they are privately engaged in student work, training, and internship programs. The City may consider a strategy session with select area businesses to further define and roll out similar programs on a broader scale. (in terms of participating entities and participants).

Time Frame: Ongoing
Leadership: Rochester School Department, Rochester Economic Development Commission, Greater Rochester Chamber of Commerce, Local Businesses, Mayor and City Council

9. Leverage funds to encourage the repositioning of underperforming properties in the City. These include facilities that are not currently operating at their highest and best use. For example, manufacturing located in prime retail space and underutilized upper floors in downtown buildings.
 - The City's efforts along the Route 11 corridor have been met with great success. Elsewhere in the City, most notably downtown, success has been less prominent. Downtown has lacked a key defining, catalytic project that could jumpstart reinvestment.
 - The City may consider creating a downtown TIF District to begin earmarking funds for re-investment and redevelopment, in conjunction with the Downtown ERZ.
 - Once the major goals of the existing TIFs are met, consider earmarking a portion of those TIF revenues for downtown redevelopment, if permissible.
 - As part of this process, the City should consider acquiring, or facilitating, underperforming or vacant properties for land assemblage and may need to become an active financial partner in a redevelopment project.
 - The City should expand its efforts with private sector developers to leverage mixed-use projects and consider increasing density allowances, or other zoning guidelines, to add value through redevelopment and lessen financial uncertainties/risk.

Time Frame: Immediately
Leadership: Rochester Economic Development Commission, Economic Development Director and City Manager

10. Create a Tax Increment Financing District (TIF) and a Business Improvement District (BID) in the following geographic areas to help fund infrastructure improvements. Explore the possibility of linking tax base growth in commercial corridors with downtown redevelopment efforts.

- Route 11 Corridor – Loop Road & water/sewer extensions
- Cross-city connector – Bridge Exit 14 to Lilac Mall
- Route 125 Corridor
- These have been completed and have met with economic success, to varying degrees, within these geographic areas. That being the case a similar TIF designation should be considered for the City’s downtown core.

Time Frame: Ongoing

Leadership: Rochester Economic Development Commission, Economic Development Director, City Manager, Mayor and City Council

11. Leverage resources to position Rochester as the region’s foremost Business Incubation Center, where entrepreneurs and new businesses can get started in a supportive and affordable environment.

- Growing interest in the arts, culture, and food/beverage industry sectors, coupled with affordable rents is attracting entrepreneurs and start-ups to the City. To the extent, it is financially-viable, the City should consider assisting in establishing incubator space for these sectors as well as the more traditional industrial and manufacturing sectors which are typical recipients of such efforts.
- Such space could include a downtown location(s) as part of the previously mentioned definitive or “kick-starter” development.

Time Frame: Ongoing

Leadership: NH Small Business Development Center, Rochester Economic Development Commission, Greater Rochester Chamber of Commerce, University of New Hampshire, New Hampshire Department of Resources and Economic Development and developers

12. Retain the services of a marketing or image consultant to reposition City Government and Rochester School District’s public image. Leverage resources from the local business community.

- This has been completed and the City is actively engaging with print, internet, and social media. Continued monitoring these efforts and revise marketing materials as necessary to ensure ongoing effectiveness.

Time Frame: Completed

Leadership: City Manager, Rochester School Department, Mayor and City Council

13. Invest in upgraded infrastructure and city services to improve neighborhoods in and around the downtown. Investments include water, sewer, drainage, streets, sidewalks, and community policing.

- As part of the establishment of a downtown task force and TIF district, specific improvements may include, but are not limited to:
 - Wayfinding signs
 - Create a sense of “there there”
 - Traffic calming measures, well-marked crosswalks, bump-outs
 - Pedestrian amenities (benches, street trees, etc.)

Time Frame: 1 - 5 Years

Leadership: Department of Public Works, City Manager, City Council, Rochester Main Street and the Greater Rochester Chamber of Commerce

14. Advocate and lobby the New Hampshire Department of Transportation to expedite the Spaulding Turnpike expansion, including Exit 10.

- Monitoring of continued highway and arterial improvements in and through Rochester is required to see that they meet the needs and sustain the city’s economic assets.

Time Frame: Completed and Ongoing

Leadership: Rochester Economic Development Commission, Economic Development Director and City Manager

15. Develop a Master Plan (including site plan, business plan, marketing strategy and capital improvement plan) for the Rochester Fairgrounds in cooperation with the Rochester Fairgrounds Association. Emphasis should be placed on:

- encouraging public and private sponsorships at the site
- expanding the number of days (i.e., take out the seasonality) the facility is used (equestrian shows, recreational vehicle camping, Laconia motorcycle events, classic car show and parts swap, mountain bike events, etc.)
- encouraging better physical connections with the downtown through the abutting residential corridor
- investing in the surrounding neighborhood (greenspace, sidewalks and streetscape enhancements, as examples)
- This is still relevant for the City of Rochester and has taken on a greater urgency and renewed focus considering the financial concerns of the Rochester Fairgrounds, reportedly including needs for capital improvements and deferred maintenance of many on-site structures.
 - An overall re-positioning of the Fairgrounds, while retaining a scaled back version of its current function(s), for mixed-use development may also serve as a downtown definitive and “kick-starter” project.

- While the City realizes that this may be an uphill task, the time for discussion and exploration of opportunities is now.

Time Frame: Immediate and Ongoing
Leadership: Rochester Fair Association, City Council, Rochester Economic Development Commission, and the Greater Rochester Chamber of Commerce/ Tourism Board

16. Facilitate the creation of a Downtown Building Owners Association with a mission to highlight potential technical assistance and resources and develop a unified voice for property owners.

- Although attempted, this action item has met with limited success in the City for a variety of reasons. These include absentee ownership of downtown properties and rent levels that limit significant reinvestment. The “purpose” and mission of such an association should be incorporated in the recommended establishment of a downtown task force.

Time Frame: 1 – 5 Years
Leadership: CORE Main Street, Greater Rochester Chamber of Commerce and City Council

17. Complete a comprehensive tax base analysis to determine and maximize the fiscal benefits of public and private tax base investments and stabilize the property tax rate. Sometimes communities concentrate their tax base investment focus on supporting new developments at the expense of its existing building stock. Targeted investment in existing neighborhoods and building stock is often more realistically achievable in stabilizing the property tax rate than encouraging new development alone. Based on the city’s tax base, development trends and current market conditions, a strategic investment plan should be developed. Furthermore, the City should evaluate the impact of the recent infrastructure improvements in Gonic and East Rochester on property values. The values of property (post improvements) in each respective neighborhood should be compared to those prior to the improvement projects to quantify the City’s return on investment.

Time Frame: Ongoing
Leadership: City Manager, Assessor, Mayor and City Council

18. Continue to Collaborate with the Greater Rochester Chamber of Commerce as the primary conduit for public/private interests.

- This is ongoing and the City should consider an expansion of the “voices” represented to include Rochester Main Street, the downtown task force and other interested private sector or civic entities.

Time Frame: Ongoing
Leadership: Economic Development Director and Greater Rochester Chamber of Commerce President

1. Downtown Specific Action Items

Since the 2005 Plan, the City of Rochester has realized a growth and expansion of its economic strengths, particularly in specific industry sectors including an expansion of its retail economy and geographically targeted throughout the City. Many of these efforts should be continued, albeit in a stewardship and monitoring capacity, moving forward. Many of the local stakeholders interviewed for this current analysis, as well as many of the observed socio-economic trends, indicate that now is the time for a similar focus specifically targeted for the City's downtown. The following recommendations and actions are offered to revitalize and diversify downtown Rochester.

- **Vacancies and business growth** – The goal is to strengthen and re-position downtown properties for new business growth (or expansion of existing businesses) and to reduce vacancies or to develop under-utilized properties to their highest and best use. Increasing the mix of dining and entertainment venues, coupled with an increase in small personal and professional office service, will help to diversify the mix of downtown economic activity and encourage/foster opportunities for residential development. This includes the following components:
 - Maintain an updated inventory of available properties with information that would typically be utilized in marketing a property, such as existing tenants, SF available, lease terms and concessions, if any, and broker contact(s).
 - While this inventory may be maintained by the City or its designees, it should be developed in coordination with area realtors/brokers representing the properties.
 - Consider initiating a downtown property co-operative whereby property owners and their marketing agents work together with a goal of “tenanting” downtown as opposed to any one property. As such, expenses associated with acquiring tenants, as well as commissions received, may be shared.
 - Initial targeted opportunities should include a mix of office space for professional and personal services, including small-scale “maker space” for artisans and specialized product makers, typically requiring smaller space (SF) needs. As identified in this analysis such sectors could include the finance, insurance, professional and technical services sectors.
 - Establish an urban medical campus in the downtown with office space for doctors, dentists, labs, clinics and the like.
- **Live, work, and play diversification** – A greater mix of commercial and residential development will strengthen downtown economic contributions; create an environment for multiple-use market activity, e.g., working, shopping and dining. The continuation of recreational and entertainment or “play” venues/activities in the downtown provide a quality of life amenity for existing and would be residents, as well as an attraction for visitors and day spenders.
- **Foster opportunities for a more diversified housing market** – Tenure of the citywide housing stock is relatively in alignment with national averages at about two-thirds owner-occupied and one-third renter-occupied. However, opportunities exist for an

increased presence of renter-occupied housing in the downtown, allowing for a greater density of housing downtown and a greater diversification of residents, such as by age and income metrics. A greater presence of proximate consumers in the downtown also enhances spending demand to support non-residential development.

- Identify existing properties that may be redeveloped for upper story residential development, or, conversely, assembled and demolished for new housing sites. If applicable, the city may be required to become an active participant in assembling otherwise blighted, vacant, under-utilized or tax lien properties for such redevelopment. Commitments should be in hand from private sector developers to proceed.
- This may require revisiting zoning regulations in the downtown for allowed uses, densities, setbacks and parking requirements, as examples, to insure their compatibility with such development. Additionally, such a revisiting should consider incentives for the private sector such as density bonuses, an easing of height restrictions or parking requirements.
- Explore the opportunity for downtown housing for the 55+ market and/or the assisted care market.
- **Marketing and Public Involvement** - Consider the opportunity for industry “roundtables” for each and any industry group, such as restaurateurs or general retail, to promote the City. These informal groups should consist of between eight and twenty representatives from the specific industry group, members of the City and/or their designees, and the community in general. The group should meet on a regular basis (typically quarterly) to discuss issues related to the ability to do business in Rochester. The City should also use this opportunity to disseminate information about current projects and programs being developed and/or revamped, including how these changes will influence the group. The on-line newsletters from the Rochester Main Street or Greater Rochester Chamber of Commerce may serve as guidelines. Simply put, this forum allows local businesses to participate in the economic development process, to learn of current events, and to provide feedback on additional efforts that may be undertaken.

III. DEMOGRAPHIC AND ECONOMIC CONDITIONS

The following presents selected sociodemographic and economic metrics for the City of Rochester; Strafford County and the state, in order to provide an overview of existing and projected characteristics to assist in understanding the market (and comparative) opportunities for enhancing economic development opportunities within the city and with a focus on the downtown. Rochester is situated in Strafford County along the Spaulding Turnpike (Route 16) corridor within the New Hampshire and Maine Seacoast region. Rochester is easily accessible from the Spaulding Turnpike (a toll road at points) and provides access to/from its “sister” communities of Dover, Somersworth and Portsmouth, each with some economic influence on one another. Rochester, independently, has a draw and economic influence on several communities to the north in the Lakes region; to western communities such as Northwood and Deerfield; and, eastward to many communities in neighboring Maine.

A. Demographic Profile

Selected trends and projections in population, educational attainment, housing/households and income are presented for the city, the county and the state.

1. Population

The population of Rochester increased by 4.4 percent from 2000 to 2010, or by 1,252 persons (Table 1). This rate of growth lags that of Strafford County (9.7 percent) and the state (6.5 percent) over the same time period. In comparison, the 2016 to 2021 projected population growth for all three areas varies more closely from 3.1 percent to 3.5 percent. All three areas experienced an increase in the population aged 65 and older from 2000 to 2010, ranging from a 15 percent increase for Rochester to a 20.2 percent increase for the state. The projected growth in this cohort, for all areas, is around 20 percent. Typically, those aged 65 and older have (or will be) downsizing their housing needs and as they enter retirement years could potentially seek assisted care facilities, representing an opportunity for downtown residential development.

All three areas experienced a decline in their population aged 25 to 45 years (2000 to 2010). Persons in this cohort are typically considered to be in their family formation, home buying and peak consumer consumption years. Despite population declines among this cohort in the last census decade, all three regions are projected to realize modest increases over the 2016 to 2021 time-period. Nonetheless, these modest increases do not offset the general aging of the resident population as witnessed by an increasing median age for the city, county and state.

Additionally, Rochester, as well as the state, lost population under the age of 20 during the last census decade, while there was a meager increase for Strafford County. All three areas are projected to experience a continued decline in this age cohort, following a decline in the family formation cohort and perhaps indicating an inability to retain the youth once they have graduated.

Table 1 – Selected Population Metrics

Selected Summary Demographics - Population		Census 2000	Census 2010	Change		Estimated 2016	Projected 2021	% Δ 2016 to 2021
				#	%			
Rochester, NH								
Total Population		28,500	29,752	1,252	4.4%	30,205	31,152	3.1%
Population > 65 years		3,822	4,397	575	15.0%	5,192	6,284	21.0%
Population 25 to 44 years		8,991	7,803	(1,188)	-13.2%	7,451	7,853	5.4%
Population < 20 years		7,905	7,189	(716)	-9.1%	6,868	6,805	-0.9%
Median Age		36.8	40.8	4.0	10.8%	42.0	42.6	1.5%
Strafford County, NH								
Total Population		112,252	123,143	10,891	9.7%	126,318	130,745	3.5%
Population > 65 years		12,620	14,645	2,025	16.0%	17,307	20,884	20.7%
Population 25 to 44 years		34,219	30,795	(3,424)	-10.0%	29,702	31,809	7.1%
Population < 20 years		31,658	31,677	19	0.1%	30,840	30,770	-0.2%
Median Age		34.4	36.8	2.4	6.9%	37.1	37.9	1.9%
New Hampshire								
Total Population		1,235,771	1,316,469	80,698	6.5%	1,330,946	1,374,630	3.3%
Population > 65 years		148,317	178,268	29,951	20.2%	210,566	253,511	20.4%
Population 25 to 44 years		381,557	323,650	(57,908)	-15.2%	313,917	325,910	3.8%
Population < 20 years		342,495	325,802	(16,693)	-4.9%	307,139	301,946	-1.7%
Median Age		37.2	41.2	4.0	10.7%	42.5	43.2	1.7%
Rochester as % of County								
Total Population		25.4%	24.2%	(0.012)	-4.8%	23.9%	23.8%	-0.4%
Population > 65 years		30.3%	30.0%	(0.003)	-0.9%	30.0%	30.1%	0.3%
Population 25 to 44 years		26.3%	25.3%	(0.009)	-3.6%	25.1%	24.7%	-1.6%
Population < 20 years		25.0%	22.7%	(0.023)	-9.1%	22.3%	22.1%	-0.7%
Median Age		107.0%	110.8%	0.039	3.6%	113.0%	112.5%	-0.5%
County as % of State								
Total Population		9.1%	9.4%	0.003	3.0%	9.5%	9.5%	0.2%
Population > 65 years		8.5%	8.2%	(0.003)	-3.5%	8.2%	8.2%	0.2%
Population 25 to 44 years		9.0%	9.5%	0.005	6.1%	9.5%	9.8%	3.2%
Population < 20 years		9.2%	9.7%	0.005	5.2%	10.0%	10.2%	1.5%
Median Age		92.5%	89.4%	(0.031)	-3.4%	87.5%	87.7%	0.2%

Source: US Census; Alteryx & RKG Associates, Inc.

2. Educational Attainment

Between 2000 and 2010, the City of Rochester realized a near 40 percent increase in the population aged 25 and older with college degrees (Table 2), exceeding the 31 percent growth countywide and the 26 percent growth statewide. The projected growth rates for 2016 to 2021, across all three areas, are more in line with one another. However, as a percent of the population aged 25 and older, the percent of Rochester residents with college degrees was (and is projected to remain) about ten percentage points less than for the county or the state. During the last census decade, the percentage of the population aged 25 and older that did not complete high school declined for all three areas by 25+ percent. Still, the percentage of the same cohort not completing high school is projected to increase in the 2016 to 2021 period. More importantly, the percentage of this population cohort with no schooling has increased over the last census decade for all three areas, and is projected to continue to do so. In the City of Rochester these residents accounted for 0.1 percent of the population cohort in 2000 and is projected to account for 0.7 percent in 2021, representing the greatest percent increase for all three areas.

Table 2 – Selected Educational Attainment Metrics

Selected Summary							
Demographics	Census	Census	Change		Estimated	Projected	% Δ 2016
Educational Attainment (pop 25+)	2000	2010	#	%	2016	2021	to 2021
Rochester, NH	19,145	20,914	1,769	9.2%	21,367	22,540	5.5%
Grades K - 11	3,254	2,391	(863)	-26.5%	2,253	2,343	4.0%
High School Graduate	7,272	7,409	137	1.9%	7,666	8,086	5.5%
Some College - no degree	4,010	4,659	649	16.2%	4,671	4,905	5.0%
College Degree(s)	4,583	6,366	1,783	38.9%	6,632	7,047	6.3%
<i>No Schooling</i>	26	89	63	242.3%	145	159	9.7%
Strafford County, NH	70,322	78,993	8,671	12.3%	81,120	86,569	6.7%
Grades K - 11	9,367	6,953	(2,414)	-25.8%	6,729	7,113	5.7%
High School Graduate	21,422	23,619	2,197	10.3%	23,796	25,264	6.2%
Some College - no degree	14,412	15,391	979	6.8%	15,692	16,725	6.6%
College Degree(s)	24,899	32,568	7,669	30.8%	34,347	36,862	7.3%
<i>No Schooling</i>	222	462	240	108.1%	556	605	8.8%
New Hampshire	823,999	906,121	82,122	10.0%	933,663	982,636	5.2%
Grades K - 11	100,666	72,074	(28,592)	-28.4%	71,223	74,099	4.0%
High School Graduate	70,322	78,993	8,671	12.3%	81,120	86,569	6.7%
Some College - no degree	164,647	171,201	6,554	4.0%	176,099	185,398	5.3%
College Degree(s)	307,882	387,749	79,867	25.9%	406,625	429,972	5.7%
<i>No Schooling</i>	3,081	5,183	2,102	68.2%	5,407	5,646	4.4%
Rochester as % of County	27.2%	26.5%	(0.0075)	-2.8%	26.3%	26.0%	-1.2%
Grades K - 11	34.7%	34.4%	(0.0035)	-1.0%	33.5%	32.9%	-1.6%
High School Graduate	33.9%	31.4%	(0.0258)	-7.6%	32.2%	32.0%	-0.7%
Some College - no degree	27.8%	30.3%	0.0245	8.8%	29.8%	29.3%	-1.5%
College Degree(s)	18.4%	19.5%	0.0114	6.2%	19.3%	19.1%	-1.0%
<i>No Schooling</i>	11.7%	19.3%	0.0755	64.5%	26.1%	26.3%	0.8%
County as % of State	8.5%	8.7%	0.0018	2.1%	8.7%	8.8%	1.4%
Grades K - 11	9.3%	9.6%	0.0034	3.7%	9.4%	9.6%	1.6%
High School Graduate	30.5%	29.9%	(0.0056)	-1.8%	29.3%	29.2%	-0.5%
Some College - no degree	8.8%	9.0%	0.0024	2.7%	8.9%	9.0%	1.2%
College Degree(s)	8.1%	8.4%	0.0031	3.9%	8.4%	8.6%	1.5%
<i>No Schooling</i>	7.2%	8.9%	0.0171	23.7%	10.3%	10.7%	4.2%

Source: US Census; Alteryx & RKG Associates, Inc.

3. Housing and Households

From 2000 to 2010, there was a near 13 percent growth in the number of Rochester housing units, from 11,852 to 13,372 – led by a near 600-unit increase in vacancies (Table 3). Nonetheless, both renter-occupied and owner-occupied housing units (households) increased, too. The citywide increase in occupied households, for both tenure types, as well as for vacant units, is projected to increase through 2021. The county and the state also both experienced housing/household growth over the last census decade and are projected to continue to do so through 2021. All three areas are predominately owner-occupied households with approximately two-thirds of the housing as owner-occupied and around one-third as renter-occupied. The 2000 to 2010 rate of growth for renter-occupied households was similar for the city, the county and the state while owner-occupied housing increased at a slightly greater percent for the county compared to the state, and for both compared to the city. The increase in vacancies in Rochester (at nearly 600-units) was the greatest percent increase across all three areas. As a result, in 2000 the Rochester vacant units accounted for 14 percent of those in Strafford County but accounted for nearly 22 percent by 2010. The status of these vacancies (whether seasonal, for rent and so on) on a unit-by-unit basis is a matter for additional research, but may represent an opportunity for site acquisition and assemblage in order to offer parcels for redevelopment and repositioning.

Table 3 – Selected Housing Metrics

Selected Summary		Census 2000	Census 2010	Change		% of Total Units		Estimated 2016	Projected 2021	% Δ 2016 to 2021
Demographics	Housing/Households			#	%	2000	2010			
Rochester, NH										
Total Housing Units		11,852	13,372	1,520	12.8%	100.0%	100.0%	13,505	14,097	4.4%
Occupied Units		11,449	12,378	929	8.1%	96.6%	92.6%	12,591	13,081	3.9%
Owner Households (<i>% of Occ</i>)		7,674	8,359	685	8.9%	67.0%	67.5%	8,267	8,563	3.6%
Renter Households (<i>% of Occ</i>)		3,775	4,019	244	6.5%	33.0%	32.5%	4,324	4,518	4.5%
Vacant Units		403	994	591	146.7%	3.4%	7.4%	914	1,016	11.2%
Average HH Size		2.49	2.40	(0.09)	-3.4%			2.40	2.38	-0.7%
Strafford County, NH										
Total Housing Units		45,547	51,697	6,150	13.5%	100.0%	100.0%	52,799	55,171	4.5%
Occupied Units		42,589	47,100	4,511	10.6%	93.5%	91.1%	48,469	50,535	4.3%
Owner Households (<i>% of Occ</i>)		27,483	31,242	3,759	13.7%	64.5%	66.3%	31,239	32,614	4.4%
Renter Household (<i>% of Occ</i>)		15,106	15,858	752	5.0%	35.5%	33.7%	17,230	17,921	4.0%
Vacant Units		2,958	4,597	1,639	55.4%	6.5%	8.9%	4,330	4,636	7.1%
Average HH Size		2.64	2.61	(0.02)	-0.8%			2.61	2.59	-0.7%
New Hampshire										
Total Housing Units		547,030	614,760	67,730	12.4%	100.0%	100.0%	620,033	646,544	4.3%
Occupied Units		474,607	518,977	44,370	9.3%	86.8%	84.4%	524,236	544,608	3.9%
Owner Households (<i>% of Occ</i>)		331,086	368,319	37,233	11.2%	69.8%	71.0%	366,484	380,976	4.0%
Renter Household (<i>% of Occ</i>)		143,521	150,658	7,137	5.0%	30.2%	29.0%	157,752	163,632	3.7%
Vacant Units		72,424	95,783	23,359	32.3%	13.2%	15.6%	95,797	101,936	6.4%
Average HH Size		2.60	2.54	(0.07)	-2.6%			2.54	2.52	-0.6%
Rochester as % of County										
Total Housing Units		26.02%	25.87%	(0.0016)	-0.6%	100.0%	100.0%	25.58%	25.55%	-0.1%
Occupied Units		26.88%	26.28%	(0.0060)	-2.2%	103.3%	101.6%	25.98%	25.89%	-0.4%
Owner Households (<i>% of Occ</i>)		27.92%	26.76%	(0.0117)	-4.2%	103.9%	101.8%	26.46%	26.26%	-0.8%
Renter Household (<i>% of Occ</i>)		24.99%	25.34%	0.0035	1.4%	93.0%	96.4%	25.10%	25.21%	0.5%
Vacant Units		13.62%	21.62%	0.0800	58.7%	52.4%	83.6%	21.11%	21.92%	3.8%
Average HH Size		94.45%	91.93%	(0.0251)	-2.7%			92.05%	92.05%	0.0%
County as % of State										
Total Housing Units		8.33%	8.41%	0.0008	1.0%	100.0%	100.0%	8.52%	8.53%	0.2%
Occupied Units		8.97%	9.08%	0.0010	1.1%	34.5%	35.1%	9.25%	9.28%	0.4%
Owner Households (<i>% of Occ</i>)		8.30%	8.48%	0.0018	2.2%	92.5%	93.5%	8.52%	8.56%	0.4%
Renter Household (<i>% of Occ</i>)		10.53%	10.53%	0.0000	0.0%	117.3%	116.0%	10.92%	10.95%	0.3%
Vacant Units		4.08%	4.80%	0.0072	17.5%	15.7%	18.6%	4.52%	4.55%	0.6%
Average HH Size		101.23%	103.07%	0.0184	1.8%			102.65%	102.50%	-0.1%

Source: US Census; Alteryx & RKG Associates, Inc.

4. Household Income and Value

The median household income for all three areas increased from 2000 to 2010 and is projected to continue to increase through 2021 (Table 4). However, from 2000 to 2010 the growth in median household income for all three areas fell short of the estimated inflation of 26.6 percent indicating that there was no real growth in income. The 24.4 percent growth statewide was the closest to achieving real growth. The number of households earning less than \$50,000 declined for all areas from 2000 to 2010 and are projected to continue to do so for the 2016 to 2021 timeframe. The percent decline among these households, at about 12 percent, was similar for all three areas between 2000 and 2010. All three areas also noted an increase in households earning \$50,000 to \$100,00 in the last census decade and a continuation of growth is projected (2016 to 2021) for the city, although at a nominal rate of less than one percent. Growth continues for households earning \$100,000 or more for all three areas. In terms of median housing values, all three areas realized an increase in the median housing value during the last census decade and at a rate that far exceeded the estimated inflation rate of 26.6 percent. For the City

of Rochester, the median housing value is projected to decline from approximately \$175,900/unit in 2010 to a projected \$173,300/unit in 2021.

However, on this latter point, it should be noted that the 2010 and the projected 2021 median housing values for the City of Rochester were developed by proprietary modeling from a secondary market/data vendor, Alteryx. Subsequent data from the City's Chief Assessor³ indicate that property values throughout the City, for all types of property, have risen since 2014 (the date of the last full revaluation) as reflected by sales activity and market appreciation. As a result, the projected 2021 median housing value, developed from a static model, likely understates the median housing value as it does not reflect the recent trends/activity as measured by the City's Assessor. The recent updated citywide assessed value (all properties) reflects an approximate nine percent increase over the values prior to the update. The estimated rate of inflation from 2014-2017 is slightly more than four percent, indicating that the observed citywide increase represents "real" growth (the next full revaluation is in 2019). Many communities across the state are witnessing an increase in home-ownership as young professionals (mid-late 30's) are forming families and purchasing housing thereby impacting prices and values, as is suggested for the City by the experiences of local realtors.

Table 4 – Selected Income and Value Metrics

Demographics -	Census	Census	Change	% of Total Units	Estimated	Projected	% Δ 2016
Income and Values	2000	2010	# %	2000 2010	2016	2021	to 2021
Rochester, NH							
Households by Income				% of Occupied Units			
earning less than \$50,000	7,227	6,381	(846) -11.7%	63.1% 51.6%	6,000	5,364	-10.6%
earning \$50,000 - \$100,000	3,473	4,087	614 17.7%	30.3% 33.0%	4,250	4,278	0.7%
earning more than \$100,000	711	1,910	1,199 168.6%	6.2% 15.4%	2,341	3,439	46.9%
Median Household Income	\$40,643	\$48,213	\$7,570 18.6%	(inflation 26.6%)	\$53,079	\$64,770	22.0%
Median Housing Value	\$89,454	\$175,942	\$86,488 96.7%		\$174,686	\$173,338	-0.8%
Strafford County, NH							
Households by Income				% of Occupied Units			
earning less than \$50,000	24,044	21,249	(2,795) -11.6%	56.5% 45.1%	19,823	17,286	-12.8%
earning \$50,000 - \$100,000	14,521	16,093	1,572 10.8%	34.1% 34.2%	16,616	16,469	-0.9%
earning more than \$100,000	3,970	9,758	5,788 145.8%	9.3% 20.7%	12,030	16,780	39.5%
Median Household Income	\$44,831	\$55,695	\$10,864 24.2%	(inflation 26.6%)	\$62,402	\$75,610	21.2%
Median Housing Value	\$111,161	\$219,058	\$107,897 97.1%		\$224,369	\$231,435	3.1%
New Hampshire							
Households by Income				% of Occupied Units			
earning less than \$50,000	239,850	209,435	(30,415) -12.7%	50.5% 40.4%	198,274	177,432	-10.5%
earning \$50,000 - \$100,000	169,472	179,346	9,874 5.8%	35.7% 34.6%	175,107	169,745	-3.1%
earning more than \$100,000	65,457	130,196	64,738 98.9%	13.8% 25.1%	150,855	197,431	30.9%
Median Household Income	\$49,514	\$61,607	\$12,093 24.4%	(inflation 26.6%)	\$66,115	\$77,213	16.8%
Median Housing Value	\$127,392	\$243,028	\$115,635 90.8%		\$256,035	\$288,459	12.7%
Rochester as % of County							
Households by Income				% of Occupied Units			
earning less than \$50,000	30.06%	30.03%	(0.0003) -0.1%	111.8% 114.3%	30.27%	31.03%	2.5%
earning \$50,000 - \$100,000	23.92%	25.40%	0.0148 6.2%	89.0% 96.6%	25.58%	25.98%	1.6%
earning more than \$100,000	17.91%	19.57%	0.0166 9.3%	66.6% 74.5%	19.46%	20.49%	5.3%
Median Household Income	90.66%	86.57%	(0.0409) -4.5%	(inflation 26.6%)	85.06%	85.66%	0.7%
Median Housing Value	87.26%	80.32%	(0.0694) -8.0%		77.86%	74.90%	-3.8%
County as % of State							
Households by Income				% of Occupied Units			
earning less than \$50,000	10.02%	10.15%	0.0012 1.2%	111.7% 111.8%	10.00%	9.74%	-2.6%
earning \$50,000 - \$100,000	8.57%	8.97%	0.0040 4.7%	95.5% 98.9%	9.49%	9.70%	2.2%
earning more than \$100,000	6.06%	7.49%	0.0143 23.6%	67.6% 82.6%	7.97%	8.50%	6.6%
Median Household Income	90.54%	90.40%	(0.0014) -0.2%	(inflation 26.6%)	94.38%	97.92%	3.8%
Median Housing Value	87.26%	90.14%	0.0288 3.3%		87.63%	80.23%	-8.4%

Source: US Census; Alteryx & RKG Associates, Inc.

³ In a memorandum from the Chief Assessor to Members of the City Council, dated September 13, 2017.

B. Economic Conditions

This section presents a discussion of economic indicators including employment, wages and businesses, by industry sector, comparing the City and the county. Similarly, unemployment trends for the City, county and state are presented. Commuting patterns, for 2010, for Rochester are summarized, as is a summary overview of the retail demand and sales (2016) for the City of Rochester among selected merchandise lines.

1. Economic Indicators

Total employment in the City of Rochester was slightly more than 11,500 in 2015 (Table 5) representing nearly 25 percent of the employment in Strafford County. Employment in the retail sector accounted for nearly 23 percent of the City employment and 14 percent of the county employment. Overall, the City represented nearly 41 percent of the countywide retail employment. The average weekly wage for city retail employment, at \$608, was 72 percent of the all City average weekly wage of \$843. In other words, the highest concentration of City employment was among one of the lower paying industry sectors. Nonetheless, the average weekly retail wage in Rochester was marginally greater than the countywide average of \$595.

Table 5 – Selected Economic Metrics – Rochester, NH and Strafford County, NH (2015)

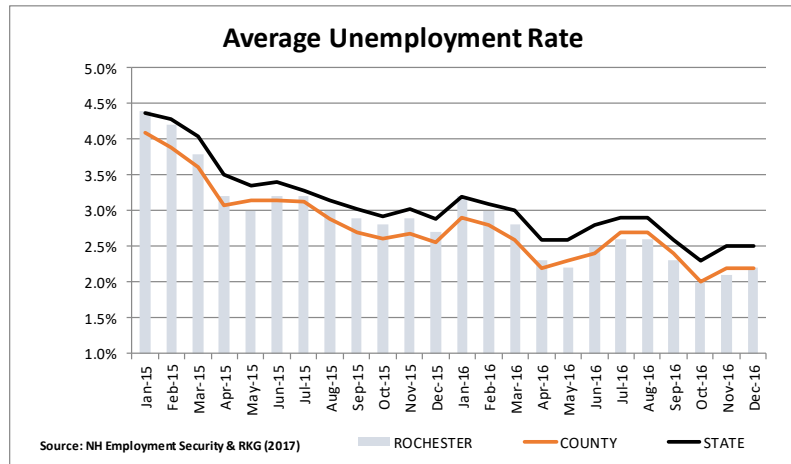
Selected Economic Indicators - 2015 for City of Rochester and Strafford County, NH	City of Rochester, NH			Strafford County, NH			City as % of County		
	2015 Employment	2015 Avg Weekly \$	2015 Businesses	2015 Employment	2015 Avg Weekly \$	2015 Businesses	% of Employment	% of Avg Weekly \$	% of Businesses
Total, All Industries	11,523	\$843	680	46,826	\$954	2,704	24.6%	88.3%	25.1%
23 - Construction	na	na	na	1,238	\$1,033	246	na	na	na
31-33 - Manufacturing	1,560	\$1,339	39	5,255	\$1,158	150	29.7%	115.6%	26.0%
42 - Wholesale Trade	134	\$1,851	24	1,087	\$1,358	156	12.3%	136.3%	15.4%
44-45 - Retail Trade	2,622	\$608	133	6,476	\$595	384	40.5%	102.2%	34.6%
48-49 - Transportation and Warehousing	160	\$486	9	837	\$775	43	19.1%	62.7%	20.9%
51 - Information	na	na	na	993	\$1,019	28	na	na	na
52 - Finance and Insurance	303	\$1,116	40	3,753	\$1,788	130	8.1%	62.4%	30.8%
53 - Real Estate and Rental and Leasing	92	\$818	29	335	\$784	92	27.5%	104.4%	31.5%
54 - Professional and Technical Services	342	\$882	38	1,391	\$1,191	246	24.6%	74.0%	15.4%
56 - Administrative and Waste Services	583	\$908	43	2,152	\$836	189	27.1%	108.7%	22.8%
62 - Health Care and Social Assistance	1,842	\$1,008	75	6,892	\$1,013	310	26.7%	99.5%	24.2%
71 - Arts, Entertainment, and Recreation	47	\$311	6	574	\$344	39	8.2%	90.6%	15.4%
72 - Accommodation and Food Services	1,162	\$290	77	4,053	\$322	266	28.7%	89.8%	28.9%
81 - Other Services, Ex. Public Admin	502	\$587	67	1,515	\$653	227	33.1%	90.0%	29.5%

Source : US Census Bureau, NH Department of Employment Security and RKG Associates, Inc. (2016)

Across all industry sectors the average weekly wage in Rochester, at \$843, represented 88 percent of the county average of \$954. However, there are several industry sectors where the City wage exceeds the county wage, notably including manufacturing, wholesale trade and administrative services. Except for transportation, finance and professional/technical services the average wages in the City are on par with the county. Similar to employment, the approximate 680 businesses in the City of Rochester represent 25 percent of the approximate 2,700 businesses countywide. Also similar to employment, the highest concentration of businesses in Rochester are retail related, again indicating better than average employment at less than average wages.

2. Unemployment

Since January 2015 through December 2016, the unemployment rate for the City of Rochester has generally declined (Graph 1), falling from 4.4 percent to 2.2 percent. Over much of this time the unemployment rate for the City was marginally greater than that for the county, which declined from 4.1 percent to 2.2 percent. At times, the City unemployment rate fell below that for the



Graph 1 – Comparative Unemployment Rates

county, most noticeably the sustainable trend since around the summer of 2016. In nearly all monthly measures, the unemployment rates for the City and county were slightly less than the state, which declined from 4.4 percent in January 2015 to 2.5 percent in December 2016. For all three areas and across the time-period, the unemployment rates were less than the five percent unemployment rate which the Federal Reserve generally acknowledges as full employment.

3. Commuting Patterns

In 2010 there were 15,262 workers residing in Rochester (Table 6) and approximately 34 percent (5,144) also worked in Rochester. Another 42 percent of the Rochester workforce commuted to neighboring communities as their place of work. In 2010 there were approximately 12,585 jobs in Rochester and approximately 41 percent (5,144) were held by Rochester residents. Slightly less than 30 percent of the Rochester employment commuted from neighboring communities, while another 30 percent of the workers commuted from elsewhere. These 3,800 workers may find Rochester as an alternative for residence, and thereby be closer to work, providing appropriate residential properties are available and affordable. As with office employment, downtown Rochester may offer such an alternative “home” again noting the desirability for proximity to other services, entertainment, hospitality and quality of life venues. Overall, Rochester was a net exporter of employment by nearly 2,700 workers.

Table 6 – Commuting Metrics 2010 – Rochester, NH

WORKERS IN RESIDENCE & PLACE WHERE THEY WORK				JOBS IN PLACE & PLACE WHERE WORKERS RESIDE					
Workers in Residence	#	Workplace of Rochester, NH - Working Residents	#	% of Residents	Local Jobs	#	Jobs in Rochester, NH - Held by Workers from	#	% of Jobs
Rochester, NH	15,262	Rochester, NH	5,144	33.7%	Rochester, NH	12,585	Rochester, NH	5,144	40.9%
		Top Tier	6,341	41.5%			Top Tier	3,685	29.3%
		Dover city	2,232	14.6%			Dover city	929	7.4%
		Portsmouth city	1,665	10.9%			Farmington town	831	6.6%
		Somersworth city	973	6.4%			Lebanon town	559	4.4%
		Durham town	607	4.0%			Somersworth city	521	4.1%
		Newington town	501	3.3%			Milton town	502	4.0%
		Kittery town	363	2.4%			Barrington town	343	2.7%
		Remainder	3,777	24.7%			Remainder	3,756	29.8%

Source: American Community Survey (2006-2010); & RKG Associates, Inc.

4. Retail Sales

The estimated 2016 household demand for a broad variety of retail goods is estimated at nearly \$326.4 million for the City of Rochester (Table 7) or about \$25,900 per household, annually. This household consumer demand is led by grocery demand (\$5,900 per household); followed by general merchandise demand (\$5,400 per household); and, the food and drink (\$3,400 per household). The estimated sales among stores in Rochester in 2016 was \$506.4 million, indicating that on the whole Rochester was an importer of retail sales by \$180 million. In other words, the retailers in the City sold to a customer base much broader than the City residents. However, not all retail categories resulted in a surplus of sales, notably the City underperformed within the furniture/furnishings sector, apparel, sporting goods, books and hobby shops. Each of these retail sectors could present an opportunity for new store development in Rochester. Conversely, retail segments where Rochester could further capitalize on its over-performance, or destination draw, include restaurants. From the data (Table 7), there are more than 200 retail outlets in Rochester comprising nearly 1.2 million SF of development. This equates to an estimated retail density of 39.8 SF/capita, slight less than the national average of nearly 45.0 SF/capita.

Table 7 – Retail Indicators for Rochester, NH (2016)

Estimated Retail Demand & Sales - City of Rochester, New Hampshire (2016 dollars)	NAICS Code	City of Rochester, New Hampshire						Estimated SF per Capita
		Demand/HH for City	Demand	Sales	(Under) / Over	Store Count	Estimated SF of Retail	
Total		\$25,923	\$326,391,745	\$506,398,951	\$180,007,206	223	1,192,126	39.78
Furniture & Home Furnishings Stores	442	\$912	\$11,477,533	\$3,052,585	(\$8,424,948)	7	13,642	0.45
Furniture Stores	4421	\$521	\$6,556,619	\$1,120,929	(\$5,435,690)	3	3,736	0.12
Home Furnishings Stores	4422	\$390.83	\$4,920,914	\$1,931,656	(\$2,989,258)	4	9,906	0.33
Electronics & Appliance Stores	443	\$1,597	\$20,113,562	\$27,064,990	\$6,951,428	4	91,746	3.04
Bldg Materials, Garden Equip. & Supply Stores	444	\$2,095	\$26,376,347	\$54,221,655	\$27,845,308	17	141,901	4.70
Bldg Material & Supplies Dealers	4441	\$1,907	\$24,008,643	\$51,415,756	\$27,407,113	12	128,539	4.26
Lawn & Garden Equip & Supply Stores	4442	\$188	\$2,367,704	\$2,805,899	\$438,195	5	13,361	0.44
Food & Beverage Stores	445	\$5,931	\$74,678,003	\$166,673,580	\$91,995,577	19	302,504	10.02
Grocery Stores	4451	\$5,335	\$67,177,692	\$160,999,524	\$93,821,832	14	292,726	9.69
Specialty Food Stores	4452	\$351	\$4,414,724	\$4,268,058	(\$146,666)	4	8,452	0.28
Beer, Wine & Liquor Stores	4453	\$245	\$3,085,587	\$1,405,998	(\$1,679,589)	1	1,326	0.04
Health & Personal Care Stores	446,4461	\$1,888	\$23,773,630	\$42,077,286	\$18,303,656	15	109,292	3.62
Clothing & Clothing Accessories Stores	448	\$1,757	\$22,118,495	\$14,499,648	(\$7,618,847)	15	42,779	1.42
Clothing Stores	4481	\$1,221	\$15,368,409	\$3,177,305	(\$12,191,104)	5	11,554	0.38
Shoe Stores	4482	\$228	\$2,876,210	\$9,837,804	\$6,961,594	8	29,812	0.99
Jewelry, Luggage & Leather Goods Stores	4483	\$308	\$3,873,876	\$1,484,539	(\$2,389,337)	2	1,414	0.05
Sporting Goods, Hobby, Book & Music Stores	451	\$1,289	\$16,223,967	\$12,723,850	(\$3,500,117)	19	56,211	1.86
Sporting Goods/Hobby/Musical Instr Stores	4511	\$1,115	\$14,035,497	\$12,401,577	(\$1,633,920)	17	55,118	1.82
Book, Periodical & Music Stores	4512	\$174	\$2,188,470	\$322,273	(\$1,866,197)	2	1,092	0.04
General Merchandise Stores	452	\$5,373	\$67,648,987	\$115,363,028	\$47,714,041	17	265,998	8.81
Department Stores Excluding Leased Depts.	4521	\$4,304	\$54,186,608	\$87,608,092	\$33,421,484	5	173,481	5.74
Other General Merchandise Stores	4529	\$1,069	\$13,462,379	\$27,754,936	\$14,292,557	12	92,516	3.06
Miscellaneous Store Retailers	453	\$1,710	\$21,526,050	\$20,856,333	(\$669,717)	34	76,948	2.86
Florists	4531	\$61	\$772,737	\$1,150,146	\$377,409	3	3,834	0.13
Office Supplies, Stationery & Gift Stores	4532	\$288	\$3,620,805	\$3,534,812	(\$85,993)	6	16,067	0.53
Used Merchandise Stores	4533	\$147	\$1,849,488	\$2,480,036	\$630,548	12	9,359	0.31
Other Miscellaneous Store Retailers	4539	\$1,214	\$15,283,020	\$13,691,339	(\$1,591,681)	13	57,047	1.89
Food Services & Drinking Places	722	\$3,372	\$42,455,171	\$49,865,996	\$7,410,825	76	91,105	3.02
Special Food Services	7223	\$111	\$1,396,715	\$210,301	(\$1,186,414)	2	657	0.02
Drinking Places - Alcoholic Beverages	7224	\$53	\$662,713	\$241,916	(\$420,797)	1	605	0.02
Restaurants and Other Eating	7225	\$3,208	\$40,395,743	\$49,413,779	\$9,018,036	73	89,843	2.97

Source: US Census, ESRI, Dun & Bradstreet, ULI and RKG Associates, Inc. (2017)

IV. REAL ESTATE CONDITIONS

Trends in the residential and non-residential real estate markets for the City of Rochester are offered first, including a comparison of real estate indicators with the county and the state. This is followed by a discussion of trends and existing conditions in the commercial sector (office and industrial) and develops estimates of future employment growth and resulting demand for additional SF of non-residential space by selected industry sector.

A. Residential

Trends in residential building permit activity, sales and gross rents are presented next for the City of Rochester and contrasted, where appropriate, to Strafford County and the state.

1. Building Permit Activity

As reported by the New Hampshire Office of Energy and Planning, between 2010 and 2015 there were 151 building permits issued for single-family construction in Rochester (Table 8), resulting in a 2.3 percent increase from 2010. In comparison, over the same time period, there was a 3.1 percent increase in Strafford County representing 908 units. Over the 2010 to 2015 time-period, the single-family permits in Rochester, as a percent of the county, declined nominally but still accounted for about one-fifth of the countywide permit activity. Strafford County's representation of the state held constant at 7.6 percent despite a faster growth rate in the county. In terms of multi-family permit activity Rochester realized an increase of 2.4 percent, similar to that for single family permits. The growth rate in the City for multi-family permits lagged that of the county, at 4.2 percent, and the state, at 3.4 percent. Over the time, the representation of multi-family permits in the City relative to the county, and in the county relative to the state, remained more or less constant. Preliminary information provided by the City of Rochester Planning Department indicates that approvals have been granted (since 2013) for slightly more than 400 additional residential units.

Table 8 – Residential Permit Activity

Residential Permit Activity (units)	Rochester		Strafford County		New Hampshire		City as % of County		County as % of State	
	Single Family	Multi Family	Single Family	Multi Family	Single Family	Multi Family	Single Family	Multi Family	Single Family	Multi Family
2010 Base	6,622	4,349	29,485	17,127	389,662	188,724	22.5%	25.4%	7.6%	9.1%
2010	20	31	159	63	1,546	740	12.6%	49.2%	10.3%	8.5%
2011	20	-	164	133	1,307	765	12.2%	0.0%	12.5%	17.4%
2012	39	-	144	41	1,368	1,174	27.1%	0.0%	10.5%	3.5%
2013	-	-	116	190	1,579	794	0.0%	0.0%	7.3%	23.9%
2014	27	24	151	200	1,828	1,457	17.9%	12.0%	8.3%	13.7%
2015	45	51	174	99	1,877	1,490	25.9%	51.5%	9.3%	6.6%
2015 Base	6,773	4,455	30,393	17,853	399,167	195,144	22.3%	25.0%	7.6%	9.1%
# Δ 2010 to 2015	151	106	908	726	9,505	6,420	16.6%	14.6%	9.6%	11.3%
% Δ 2010 to 2015	2.3%	2.4%	3.1%	4.2%	2.4%	3.4%	na	na	na	na

Source : NH Office of Energy and Planning (OEP) and RKG Associates (2017)

2. Selected Sales Activity

From 2010 through the 3rd quarter of 2016, the median selling price of Rochester homes increased from \$165,000 to \$176,300, or by \$11,300 (6.8 percent) as indicated in Table 9. During the same period the median selling price of homes across all of Strafford County increased by 7.7 percent or \$15,000; and by six percent or \$13,000 statewide. The median selling price in Rochester typically accounted for around 75 to 85 percent that for the county indicating that while Rochester housing prices are at a competitive price point to the county, they may also reflect an older housing stock.

Table 9 – Median Selling Price for Residential

ALL Homes by Year	Rochester		Strafford County		New Hampshire		City as % of County	County as % of State
	Median Sales Price	% Δ Sales Price (prior)	Median Sales Price	% Δ Sales Price (prior)	Median Sales Price	% Δ Sales Price (prior)	Sales Price	Median Sales Price
2010	\$ 165,000	na	\$ 195,000	na	\$ 215,000	na	84.6%	90.7%
2011	\$ 150,000	-9.1%	\$ 186,000	-4.6%	\$ 207,000	-3.7%	80.6%	89.9%
2012	\$ 145,000	-3.3%	\$ 187,900	1.0%	\$ 205,000	-1.0%	77.2%	91.7%
2013	\$ 150,000	3.4%	\$ 200,000	6.4%	\$ 220,000	7.3%	75.0%	90.9%
2014	\$ 148,700	-0.9%	\$ 210,000	5.0%	\$ 219,000	-0.5%	70.8%	95.9%
2015	\$ 155,000	4.2%	\$ 205,000	-2.4%	\$ 221,000	0.9%	75.6%	92.8%
2016 (1)	\$ 176,300	13.7%	\$ 210,000	2.4%	\$ 228,000	3.2%	84.0%	92.1%
Average Annual % Δ in Sales Price 2010 - 2016		1.1%		1.2%		1.0%		

Source : NHHFA Purchase Price Database and RKG Associates (2017)

(1) Reflects data for January through August of 2016

MLS (multiple listing service) data provided by the City of Rochester (Table 10) indicates that in 2016 there were 661 listings of single-family residential properties for sale and that 521 (or 79 percent) sold within an average 72-days on the market. The average selling price was \$161,700 for all units (regardless of bedroom count). Of the units unsold, the average asking price was \$205,900 or 27 percent greater than the average selling price.

Table 10 – MLS Data for 2016 – City of Rochester, NH

Residential Sales Activity - City of Rochester, NH (2016)	Total Listings	Total Sold	% Sold	Avg \$ Sold	Days on Market	Avg List \$ of Unsold	Unsold \$ / Sold \$
Single Family Units							
1 BR Units	13	7	53.8%	\$ 77,214	38	\$ 103,104	133.5%
2 BR Units	173	125	72.3%	\$ 92,824	55	\$ 121,388	130.8%
3 BR Units	351	300	85.5%	\$ 175,438	68	\$ 212,818	121.3%
4 BR Units	99	74	74.7%	\$ 217,585	108	\$ 261,271	120.1%
5+ BR Units	25	14	56.0%	\$ 231,716	158	\$ 276,122	119.2%
TOTAL	661	521	78.8%	\$ 161,699	72	\$ 205,946	127.4%

Source : City of Rochester, NH and RKG Associates, Inc. (2017)

3. Gross Rent Indicators

The median gross rent in Rochester increased by 6.6 percent, or \$61, over the 2010 to 2016 time-period (Table 11) from \$929 to \$990. The estimated average annual increase was 1.1 percent. This is somewhat less than the estimated annual average increase in Strafford County, at 1.8 percent, and well below that estimated for the state at 2.4 percent. In general, the median gross rent in the City mirrors that for the county.

Table 11 – Median Gross Rent for Residential

Median Gross Rent - ALL Units by Year	Rochester		Strafford County		New Hampshire		City as % of County	County as % of State
	Median Rent	% Δ Median Rent (prior)	Median Rent	% Δ Median Rent (prior)	Median Rent	% Δ Median Rent (prior)	Median Rent	Median Rent
2010	\$ 929	na	937	na	\$ 980	na	99.1%	95.6%
2011	\$ 932	0.3%	\$ 935	-0.2%	\$ 984	0.4%	99.7%	95.0%
2012	\$ 969	4.0%	\$ 950	1.6%	\$ 1,005	2.1%	102.0%	94.5%
2013	\$ 959	-1.0%	\$ 942	-0.8%	\$ 1,018	1.3%	101.8%	92.5%
2014	\$ 1,000	4.3%	\$ 974	3.4%	\$ 1,037	1.9%	102.7%	93.9%
2015	\$ 982	-1.8%	\$ 992	1.8%	\$ 1,069	3.1%	99.0%	92.8%
2016	\$ 990	0.8%	\$ 1,043	5.1%	\$ 1,133	6.0%	94.9%	92.1%
Average Annual % Δ in Median Rent 2010 - 2016		1.1%		1.8%		2.4%		

Source : NHHFA Residential Rental Cost Survey and RKG Associates (2017)

B. Office

From 2010 to 2015, the office SF in Rochester increased by nearly 100,000 SF or by 20.4 percent (Table 12) as compared with a 5.8 percent increase in the Seacoast market and a 5.3 percent increase statewide. Over the same time period the vacancy in Rochester declined by less than 7,000 SF declining from a 2010 vacancy rate of 39.9 percent to a 2015 vacancy rate of 31.9 percent. This contrasts to a near 646,300 SF drop in office vacancies across the Seacoast market and a resulting drop in the vacancy rate from 18.3 percent in 2010 to 9.8 percent in 2015. The vacant SF across the state declined by more than 1.5 million SF over the same time period declining from 17.1 percent to 11.3 percent. However, during the same time period the average asking rent in Rochester increased by \$1/SF or 15.4 percent as compared with a decline of nearly \$1/SF (or an eight percent drop) in the Seacoast, possibly indicating that increased occupancy across all of the Seacoast came about, in part, from declining rents. As a result, the average rent for office space in Rochester represented 55 percent of that for the Seacoast in 2010 and 61 percent that of the Seacoast in 2015, indicating overall competitive Rochester rents for office space when compared with the Seacoast.

Table 12 – Comparative Trends in the Office Market

MARKET TRENDS	City of Rochester	Seacoast and I-95 Market	New Hampshire	Rochester as % of Seacoast market
Office 2010				
Total SF	479,274	8,164,433	29,007,111	1.7%
Available SF	191,069	1,494,183	4,963,768	3.8%
Vacancy Rate	39.9%	18.3%	17.1%	na
Asking Rent / SF \$	6.50	\$ 12.38	\$ 11.76	55.3%
Office 2012				
Total SF	483,394	8,139,781	29,216,659	1.7%
Available SF	228,775	1,070,242	4,061,783	5.6%
Vacancy Rate	47.3%	13.1%	13.9%	na
Asking Rent / SF \$	6.00	\$ 10.24	\$ 10.88	55.1%
Office 2015				
Total SF	577,619	8,640,046	30,591,312	1.9%
Available SF	184,140	847,885	3,456,386	5.3%
Vacancy Rate	31.9%	9.8%	11.3%	na
Asking Rent / SF \$	7.50	\$ 11.42	\$ 12.25	61.2%
Δ 2012 to 2015				
Total SF (%)	20.5%	5.8%	5.5%	na
Available SF (%)	-3.6%	-43.3%	-30.4%	na
Vacancy Rate (abs)	(0.080)	(0.085)	(0.058)	na
Asking Rent / SF (%)	15.4%	-7.8%	4.2%	na

Source : CB Richard Ellis (CBRE) and RKG Associates, Inc. (2017)

C. Industrial

Total industrial space in Rochester increased from 1.87 million SF in 2010 to 2.08 million SF in 2015, representing an 11.6 percent increase or nearly 216,100 SF (Table 13). Nearly one-half of the 441,700 SF increase in industrial SF in the Seacoast market occurred in Rochester over the 2010 to 2015-time period. However, the vacancy in Rochester declined by 72,400 SF compared 1.15 million SF across the Seacoast. For the state, the inventory of industrial SF increased by 2.3 million SF and the vacancy declined by 2.7 million SF. All three areas experienced an increase in average rents, with the \$1/SF in Rochester well ahead of the \$0.17/SF increase in the Seacoast and the \$0.48/SF increase statewide. As a result, the average asking rent in Rochester increased from 66 percent of the Seacoast (2010) to 78 percent (2015), still indicating comparatively competitive rents for Rochester industrial space. As recently reported in the *Union Leader*, the City of Rochester has voted to acquire an additional 18-acres of land along Route 108, adjacent to the Granite State Business Park, in order to augment their inventory of available land for future development.

Table 13 – Comparative Trends in the Industrial Market

MARKET TRENDS	City of Rochester	Seacoast and I-95 Market	New Hampshire	Rochester as % of Seacoast market
Industrial 2010				
Total SF	1,867,462	16,223,057	57,536,083	3.2%
Available SF	237,129	2,091,850	7,975,607	3.0%
Vacancy Rate	12.7%	12.9%	13.9%	na
Asking Rent / SF \$	3.50	\$ 4.87	\$ 5.33	65.7%
Industrial 2012				
Total SF	1,897,462	16,396,281	57,886,277	3.3%
Available SF	86,429	1,454,230	6,462,143	1.3%
Vacancy Rate	4.6%	8.9%	11.2%	na
Asking Rent / SF \$	3.50	\$ 4.95	\$ 5.86	59.7%
Industrial 2015				
Total SF	2,083,531	16,664,740	59,864,166	3.5%
Available SF	164,791	940,059	5,225,532	3.2%
Vacancy Rate	7.9%	5.6%	8.7%	na
Asking Rent / SF \$	4.50	\$ 5.04	\$ 5.81	77.5%
Δ 2012 to 2015				
Total SF (%)	11.6%	2.7%	4.0%	na
Available SF (%)	-30.5%	-55.1%	-34.5%	na
Vacancy Rate (abs)	(0.048)	(0.073)	(0.051)	na
Asking Rent / SF (%)	28.6%	3.5%	9.0%	na

Source : CB Richard Ellis (CBRE) and RKG Associates, Inc. (2017)

D. Downtown

RKG completed an informal street walk survey of the core downtown of Rochester, noting that ground floor occupancy, for retail uses, has improved. Conversations with the Executive Director of Rochester Main Street indicate a 75 percent occupancy in 2009 and an improvement to nearly 85 percent for 2016. Upper floor vacancies remain problematic and there are several core downtown properties, some for sale, that are nearly 100 percent vacant. The mix of downtown properties includes several restaurants and specialty, niche retailers, reportedly with a strong and geographically diversified customer base. RKG's street walk indicated that there are a limited number of retailers engaged in everyday shopper's goods, or the types of businesses that drive daily traffic and customer activity. As such, the downtown does not offer a mix of services that typically foster multi-destination shopping. Per conversations with Main Street, typical ground floor leases are \$7.50 to \$12.00 per SF (triple

net). Also, since 2006 and through 2016 there was an investment of \$11.4 million in downtown properties (includes everything from redevelopment to electrical upgrades) representing 917 “projects”. This has picked up strongly since end of Great Recession, as “projects” totaled 475 from 2006 through 2012 with a value of \$6.1 million.

1. Absentee Ownership

Conversations with a broad spectrum of Rochester stakeholders indicated that a challenge in effecting greater downtown development, or a repositioning of the existing building stock and uses, is a result of absentee ownership. Working with the City assessment database, RKG identified 331 parcels in the downtown with approximately 60 percent (in terms of assessed value) owned by Rochester residents (Table 14). The total assessed value of these downtown parcels is \$127.5 million, with nearly \$37.8 million accounted for other New Hampshire residents and nearly \$14.4 million by out-of-state residents.

Table 14 – Characteristics of Ownership for Downtown Rochester, NH Properties

Characteristics of Downtown Property Ownership - Rochester, NH	Property Count	Land Value	% of Total Land \$	Total Property Value	% of Total \$	Acreage	% of Acreage
Rochester resident	195	\$ 14,513,900	60.1%	\$ 76,392,700	59.9%	149.0	63.8%
Other NH resident	99	\$ 6,463,400	26.8%	\$ 37,776,700	29.6%	65.9	28.2%
Out-of-State resident	37	\$ 3,152,400	13.1%	\$ 13,361,500	10.5%	18.6	8.0%
TOTAL	331	\$ 24,129,700	100.0%	\$ 127,530,900	100.0%	233.5	100.0%

Source : RKG Associates, Inc. (2017)

Many of the downtown properties that are owned by out-of-state residents are clustered along primary arterials in the downtown (Figure 1).

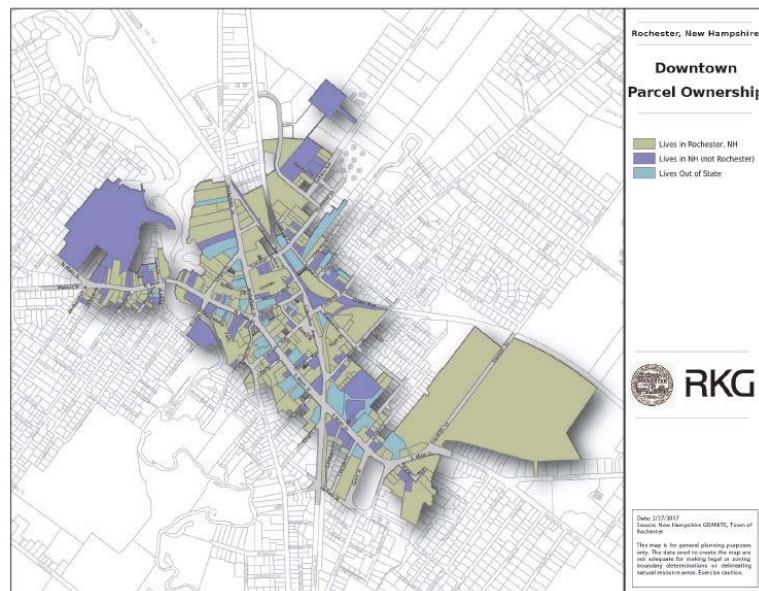


Figure 1 – Property Ownership for Downtown Rochester, NH

E. Projected Employment and Space Needs

RKG next considered the projected demand for additional development, or more appropriately, square footage (SF) needs across all of Strafford County. RKG applied the countywide projected employment growth rates, by selected industry sector, as presented by the New Hampshire Department of Employment Security, to Strafford County employment levels in 2015. These employment projections (2025) were converted into estimates of space or SF needs utilizing industry standards for the average SF per employee by specific industry sector. The estimated SF demands reflect the change in employment from 2015 to 2025 on an annual basis use (Table 15). RKG cautions that the projected demand for additional SF does not necessarily equate to a demand for newly built SF. Typically, much of the demand may be accommodated by existing vacancies in the market area or by a better utilization of existing space. Across all industry sectors there is a projected annual demand for nearly 70,300 SF needs, noting a decline in demand for manufacturing space. A portion of this projected demand may be applicable for capture by the City of Rochester, provide appropriate sites for new development, existing vacancies for re-tenanting or repositioning.

Table 15 – Projected Employment, Space Needs and Location Quotient – Strafford County, NH

Estimated Employment and SF Needs by Selected Industry Sector Annual 2015 - 2025	Strafford County, NH				
	Avg/SF per Emp	2025 Employ	Change from 2015	Est. Gross Annual Demand - SF	LQ 2015 - County to State
OFFICE/FLEX					
Information	175	1,044	51	890	1.10
Finance/Insurance	200	4,166	413	8,264	1.78
Real Estate	200	352	17	343	0.68
Professional/Technical	175	1,705	314	5,504	0.57
Administration/Waste Services	200	2,666	514	10,284	0.85
Subtotal		9,934	1,310	25,284	1.01
INSTITUTIONAL					
Health Care/Social Assistance	150	8,358	1,466	21,986	1.06
Subtotal		8,358	1,466	21,986	1.06
COMMERCIAL					
Arts and Entertainment	150	604	30	443	0.69
Retail Trade	175	6,868	392	6,861	0.93
Accommodations/Food Services	175	4,473	420	7,345	0.96
Other exc. Public Administration	150	1,593	78	1,172	1.02
Subtotal		13,537	919	15,821	0.94
INDUSTRIAL					
Construction	150	1,460	222	3,327	0.69
Manufacturing	1,000	5,184	(71)	(7,136)	1.06
Wholesale Trade	750	1,177	90	6,722	0.54
Transportation/Warehousing	1,000	880	43	4,272	0.87
Subtotal		8,700	283	7,185	0.87
TOTAL		40,529	3,978	70,276	0.96

Source : US Census Bureau, NH Department of Employment Security and RKG Associates, Inc. (2016)

under performs

over performs

1. Location Quotients

RKG also reviewed the location quotients (LQ), by industry selected industry sector, for Strafford County. The LQ provides a comparative measurement of the relative health of a local economy (such as a county) by reviewing the employment levels within each industry sector to a broader economy, such as the state. An LQ of 0.80 to 1.20 generally indicates that a local economy is performing on par with the state, for that industry sector. An LQ of less than 0.80 suggests an under performance while an LQ greater than 1.20 indicates an over

performance in that sector. With an LQ of 1.78 the financial services sector in Strafford County performs well above that for the state and there is a projected annual demand of 8,300 SF countywide. As noted previously, employment in this sector in Rochester accounts for eight percent of the county and may represent a target industry sector for growth in Rochester.

Conversely, there are several industry sectors in Strafford County that underperform relative to the state, notably including real estate and professional services. The annual demand for additional professional services space is projected to be 5,500 SF, which along with the financial sector present opportunities for additional development in Rochester, which currently accounts for nearly 25 percent of the countywide employment. Both of these sectors are often represented by smaller, independent businesses that may find downtown Rochester as an attractive location for business growth or expansion given appropriate locations (buildings) and accompanied by accessible amenities such as restaurants and “like” businesses.

2. Available Properties

As of February 2017, RKG sampled available for lease (Table 16) and for sale properties in the City of Rochester, indicating more than 299,500 SF available on a basis of 1.45 million SF (overall vacancy of nearly 21 percent) and the following with respect to for lease properties:

- **Industrial** - This sample includes 175,636 SF of industrial/flex space available for lease with an average asking rent of \$5.37 per SF, ranging from \$3.50 per SF to \$11.00 per SF. Much of the available space is linked to the historic brick row landmark building, at 10 Main Street in downtown Rochester. Advertised available space ranges from 1,200 SF to as much as 99,000 SF. The total sample of industrial space, at 359,800 SF, indicates an overall vacancy rate of 48.8 percent for these properties. Most rent terms are modified gross, whereby a tenant typically pays base rent at the lease's inception but in subsequent years pays the base plus a proportional share of some of the other costs associated with the property, such as property taxes, utilities, insurance and maintenance.
- **Office** – The sample includes 77,920 SF of available office space on an inventory of 300,416 SF for a vacancy rate of nearly 26 percent for these properties. Available space ranges from around 1,300 SF to as much as 44,000 SF with an average asking rent of \$7.00 per SF. Asking rents range from \$5.50 per SF to \$16.00 per SF. Most rent terms are triple-net (NNN), whereby a tenant typically agrees to pay all real estate taxes, building insurance, and maintenance (the three “nets”) on the property in addition to any normal fees that are expected under the agreement (rent, utilities, etc.).
- **Retail** – Available and advertised retail space equates to 45,965 SF for a vacancy rate of 5.8 percent on the sampled 785,735 SF. Asking lease rates are typically NNN. Available space ranges from 2,070 SF to as much as nearly 12,700 SF.

The currently advertised 77,620 SF of available office space, in Rochester, represents a three-year supply of the estimated annual demand for Strafford County (Table 15). The advertised 179,636 SF of industrial/flex space represents a multi-year supply of the projected annual county demand countywide (Table 15). The currently advertised 45,965 SF of retail spaces accounts for a three-year supply of estimated countywide demand (Table 15) for other commercial uses.

Table 16 – Available Properties for Lease (February 2017)

TYPE of SPACE	Available SF	Total SF	% Available	Asking Rent/SF	Terms
Industrial/Flex					
7 Amarosa Drive	99,000	125,139	79.1%	\$ 4.75	NNN
7 Amarosa Drive	9,799		7.8%	\$ 4.75	NNN
10 Main Street A108	6,000	146,963	4.1%	\$ 9.00	ModGross
10 Main Street A114	2,000		1.4%	\$ 3.50	ModGross
10 Main Street A115	2,000		1.4%	\$ 3.50	ModGross
10 Main Street A117	1,200		0.8%	\$ 3.50	ModGross
10 Main Street M102	7,113		4.8%	\$ 11.00	ModGross
10 Main Street M113	5,600		3.8%	\$ 6.00	ModGross
10 Main Street M304	5,200		3.5%	\$ 8.00	ModGross
10 Main Street M401	5,800		3.9%	\$ 3.50	ModGross
10 Main Street M402	10,050		6.8%	\$ 3.50	ModGross
9 Great Falls Avenue	15,000	73,618	20.4%	\$ 6.50	ModGross
45 Allen Street	3,437	14,080	24.4%	\$ 7.00	NNN
45 Allen Street #5	1,937		13.8%	\$ 7.00	NNN
45 Allen Street #9	1,500		10.7%	\$ 7.00	NNN
subtotal	175,636	359,800	48.8%	\$ 5.37	
Office					
1 Old Dover Road #10C	93	14,916	0.6%	\$ 25.81	Gross
1 Old Dover Road #12	510		3.4%	\$ 14.12	NNN
1 Old Dover Road #3A	130		0.9%	\$ 18.46	Gross
1 Old Dover Road #4A	100		0.7%	\$ 24.00	Gross
1 Old Dover Road #6B	450		3.0%	\$ 16.00	Gross
1 Old Dover Road #8	1,000		6.7%	\$ 14.40	NNN
1 Old Dover Road #9	475		3.2%	\$ 12.63	NNN
35 E Industrial Way #1	1,291	210,000	0.6%	\$ 6.50	NNN
35 E Industrial Way #2	1,993		0.9%	\$ 6.50	NNN
35 E Industrial Way #3	3,233		1.5%	\$ 6.50	NNN
35 E Industrial Way #35E	7,500		3.6%	\$ 6.50	NNN
35 E Industrial Way #4	1,282		0.6%	\$ 6.50	NNN
35 E Industrial Way #5	1,889		0.9%	\$ 6.50	NNN
35 E Industrial Way #6	1,474		0.7%	\$ 6.50	NNN
Route 125, Suite #1	7,500	7,500	100.0%	\$ 8.00	NNN
120 Washington Place	5,000	5,000	100.0%	\$ 16.00	NNN
36 Industrial Way	44,000	63,000	69.8%	\$ 5.50	NNN
subtotal	77,920	300,416	25.9%	\$ 7.00	
Retail					
92 Farmington Road	12,671	307,396	4.1%	neg	NNN
160 Washington Street	9,600	304,500	3.2%	neg	NNN
306 N Main Street	10,794	40,200	26.9%	neg	NNN
38 Hanson Street	6,300	6,300	100.0%	\$ 6.00	NNN
7 Amarosa Drive	4,530	125,139	3.6%	\$ 10.00	NNN
323 Gonic Road	2,070	2,200	94.1%	\$ 0.97	ModGross
subtotal	45,965	785,735	5.8%	na	
TOTAL	299,521	1,445,951	20.7%	na	

Source : LoopNet services and RKG Associates, Inc. (2017)

For sale properties (Table 17) in Rochester indicate nearly 85,100 SF of office space, in three separate properties, with an average asking price of \$42 per SF; nearly 34,350 SF of retail space in multiple properties with an average asking price of \$90 per SF; and, some land parcels, averaging \$64,200 per acre as an asking price, along with the former VFW Hall (\$70 per SF) and the Gonic Mill building (\$25 per SF).

Table 17 – Available Properties for Sale (February 2017)

TYPE of SPACE	Available	Asking	
Industrial/Flex and Specialty	SF/Acres	Price	\$/SF/Acre
43 Highland Street (VFW hall)	6,799	\$475,000	\$70
10 Main Street (Gonic Mill)	138,281	\$3,500,000	\$25
subtotal	145,080	\$3,975,000	\$27
Office			
10 South Main Street	4,231	\$249,900	\$59
22 South Main Street	18,360	\$450,000	\$25
36 Industrial Way	62,470	\$2,900,000	\$46
subtotal	85,061	\$3,599,900	\$42
Land			
181 Highland	6.46	\$325,000	\$50,310
4 Rochester Neck Road	12.06	\$649,000	\$53,814
13 Hanson Street	0.24	\$229,900	\$957,917
subtotal	18.76	\$1,203,900	\$64,174
Retail			
50 North Main Street	1,387	\$475,000	\$342
45 North Main Street	3,400	\$325,000	\$96
63 Milton Road	4,500	\$299,900	\$67
114 - 118 South Main Street	2,688	\$365,000	\$136
38 Hanson Street	6,300	\$339,000	\$54
1 Old Dover Road	14,216	\$1,050,000	\$74
682 Columbus Avenue	1,856	\$250,000	\$135
subtotal	34,347	\$3,103,900	\$90
TOTAL	na	na	na

Source : LoopNet services and RKG Associates, Inc. (2017)

V. LAND USE AND TAX BASE CONDITIONS

The following reviews selected land use and tax base characteristics in the City of Rochester.

A. Land Use and Tax Base

RKG received a copy of the City of Rochester Assessor's data for review and thematic analysis (Table 18 and Figure 2), indicating the following:

- There are 12,891 parcels of land citywide totaling 26,506 acres and averaging 2.06 acres per parcel. The citywide land value, at \$584.6 million represents 23 percent of the citywide total assessed value of \$2.5 billion. The average acre of land has an assessed value of \$22,050.
 - Residential uses (1 to 3 units) account for 24.5 percent of the citywide land area (acreage) and slightly more than 52 percent of the total citywide value. At an average size of 0.63-acres, these residential properties are about 31 percent of the citywide average, but the average land value per acre, at \$46,700 is more than double the citywide average acreage value.
 - Multifamily (and congregate) uses account for 256 parcels and 361-acres of land (1.4 percent of City) and 3.7 percent of the citywide assessed value, at \$92.7 million.
 - Restaurant and retail uses represent 5.6 percent of the citywide value and total \$141.6 million. The average acre has a value of \$109,420 or nearly five times the citywide average.
 - Industrial uses account for 976-acres of land and contribute \$98.1 million to the citywide assessed value, or nearly four percent.

Table 18 – City of Rochester, NH Selected Land Uses and Tax Base Metrics

Selected Land Uses	Parcel Count	Acres	% of City	Average Acreage	Land Assess	Avg. \$ per Acre	TOTAL Assess	% of City	Unit Count
Residential (1 -3 units)	10,252	6,490	24.5%	0.63	\$302,929,600	\$46,674	\$1,320,139,400	52.1%	11,059
Multifamily or Congregate	256	361	1.4%	1.41	\$13,354,300	\$37,032	\$92,720,200	3.7%	1,978
Mixed Use	318	7,643	28.8%	24.03	\$43,469,789	\$5,688	\$169,232,989	6.7%	816
Restaurant / Retail	120	326	1.2%	2.72	\$35,650,800	\$109,418	\$141,579,300	5.6%	370
Auto Centric	68	146	0.5%	2.14	\$15,089,700	\$103,617	\$35,511,200	1.4%	67
Office / Bank	108	74	0.3%	0.68	\$6,168,100	\$83,579	\$43,545,000	1.7%	159
Industrial	48	976	3.7%	20.34	\$51,231,052	\$52,478	\$98,055,452	3.9%	86
Subtotal these Uses	11,170	16,015	60.4%	1.43	\$467,893,341	\$29,216	\$1,900,783,541	75.0%	14,535
CITY Totals	12,891	26,506	na	2.06	\$584,551,943	\$22,054	\$2,534,414,443	na	16,294

Source : City of Rochester Assessor and RKG Associates, Inc. (2017)

As presented in Figure 2, the City's industrial land is generally clustered and on the peripherals of the City. However, there are numerous industrial uses in "smaller pockets" of the City and abutting residential and other non-industrial uses.

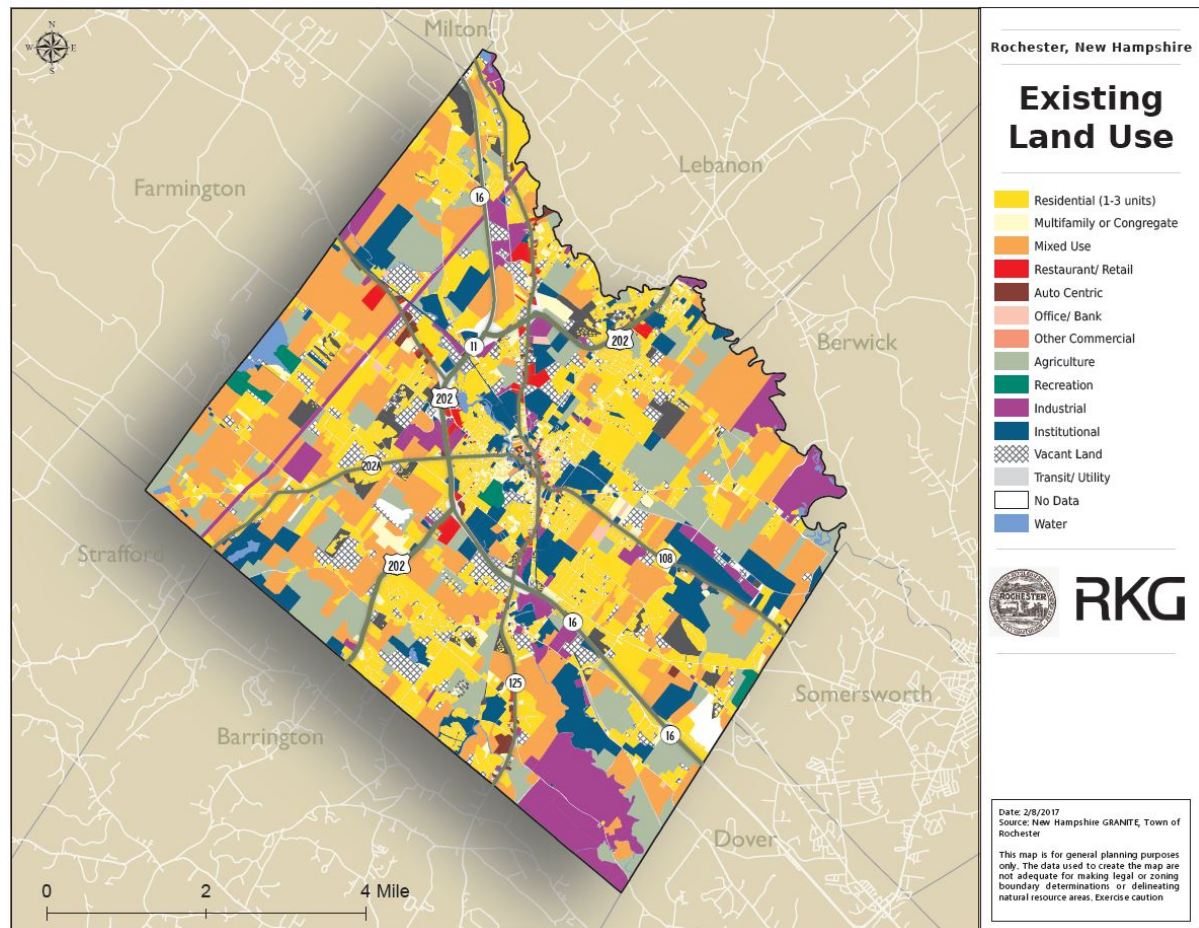


Figure 2 – Land Uses for the City of Rochester, New Hampshire

1. Downtown Land Use and Tax Base

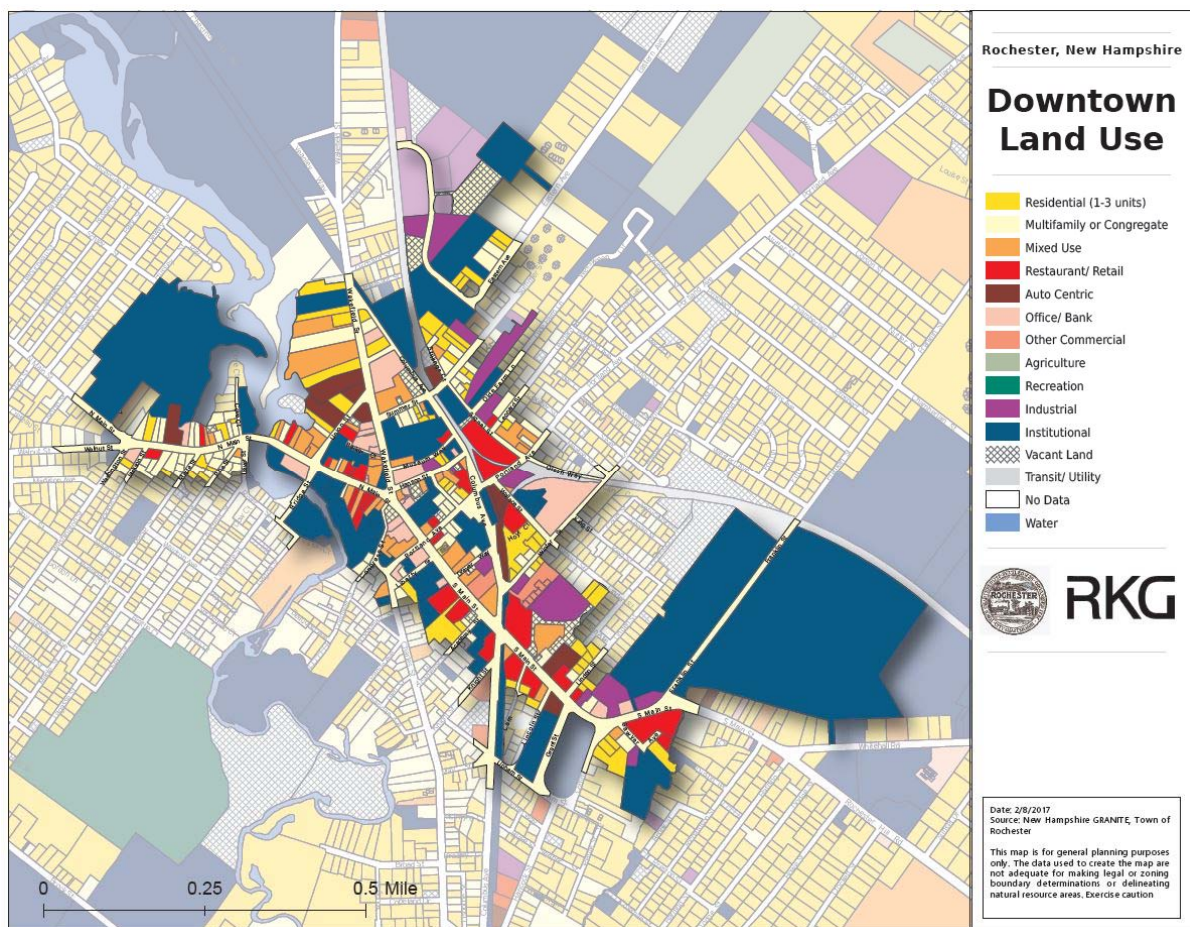
The approximate 347 parcels in downtown Rochester (refer to Table 19 and Figure 3) comprise 245-acres of land, accounting for less than one-percent of the citywide total acreage, while the selected downtown land uses account for 86 percent of the downtown acreage. The assessed value of downtown institutional properties totals nearly \$45.3 million representing nearly 1.8 percent of the City total and slightly more than 35 percent of the downtown total. Put another way, slightly more than one-third of the downtown property value is represented by tax-exempt properties.

The approximate 162-units of residential use (1 to 3 units) in the downtown account for 1.6 percent of the citywide residential units. Multifamily units in downtown account for a little more than eight percent of the citywide multifamily units. Multifamily acreage in the downtown has an average assessed value of nearly \$170,200 per acre, widely exceeding the citywide average of \$37,000 for the same uses. Restaurant and retail uses in downtown represent 17 percent of such uses citywide.

Table 19 – Downtown Rochester, NH Selected Land Uses and Tax Base Metrics

Selected Land Uses - Downtown Rochester	Parcel Count	Acres	% of City	Average Acreage	Land Assess	Avg. \$ per Acre	TOTAL Assess	% of City	Unit Count
Residential (1 -3 units)	114	23	0.09%	0.21	\$4,459,600	\$190,337	\$13,840,600	0.55%	178
Multifamily or Congregate	33	7	0.03%	0.21	\$1,169,200	\$170,189	\$6,492,600	0.26%	162
Mixed Use	41	11	0.04%	0.26	\$3,005,100	\$277,121	\$12,203,900	0.48%	205
Restaurant / Retail	34	16	0.06%	0.46	\$3,661,900	\$232,605	\$13,051,200	0.51%	63
Auto Centric	10	8	0.03%	0.78	\$1,176,400	\$151,794	\$2,675,600	0.11%	9
Office / Bank	37	15	0.06%	0.41	\$2,708,900	\$179,279	\$14,781,500	0.58%	64
Institutional	37	131	0.49%	3.54	\$5,237,700	\$39,995	\$45,299,100	1.79%	45
Subtotal these Uses	306	211	0.79%	0.69	\$21,418,800	\$101,652	\$108,344,500	4.27%	726
ALL of Downtown	347	245	0.9%	0.71	\$24,990,900	\$102,022	\$128,392,100	5.1%	1,311
Selected Uses as % of Downtown	88.2%	86.0%	na	68.9%	85.7%	99.6%	84.4%	na	55.4%
CITY Totals	12,891	26,506	na	2.06	\$584,551,943	\$22,054	\$2,534,414,443	na	16,294

Source : City of Rochester Assessor and RKG Associates, Inc. (2017)

**Figure 3 – Land Uses for Downtown Rochester, New Hampshire**

2. Land Inventories

Per the Rochester Assessor files, there are approximately 1,206 acres of developable land, 144 acres of potentially developable land and 165 acres of undevelopable land in Rochester (Table 20). Slightly more than 800 acres of the developable land is classified as residential with another approximate 200 acres, each, classified as commercial and as industrial. This land

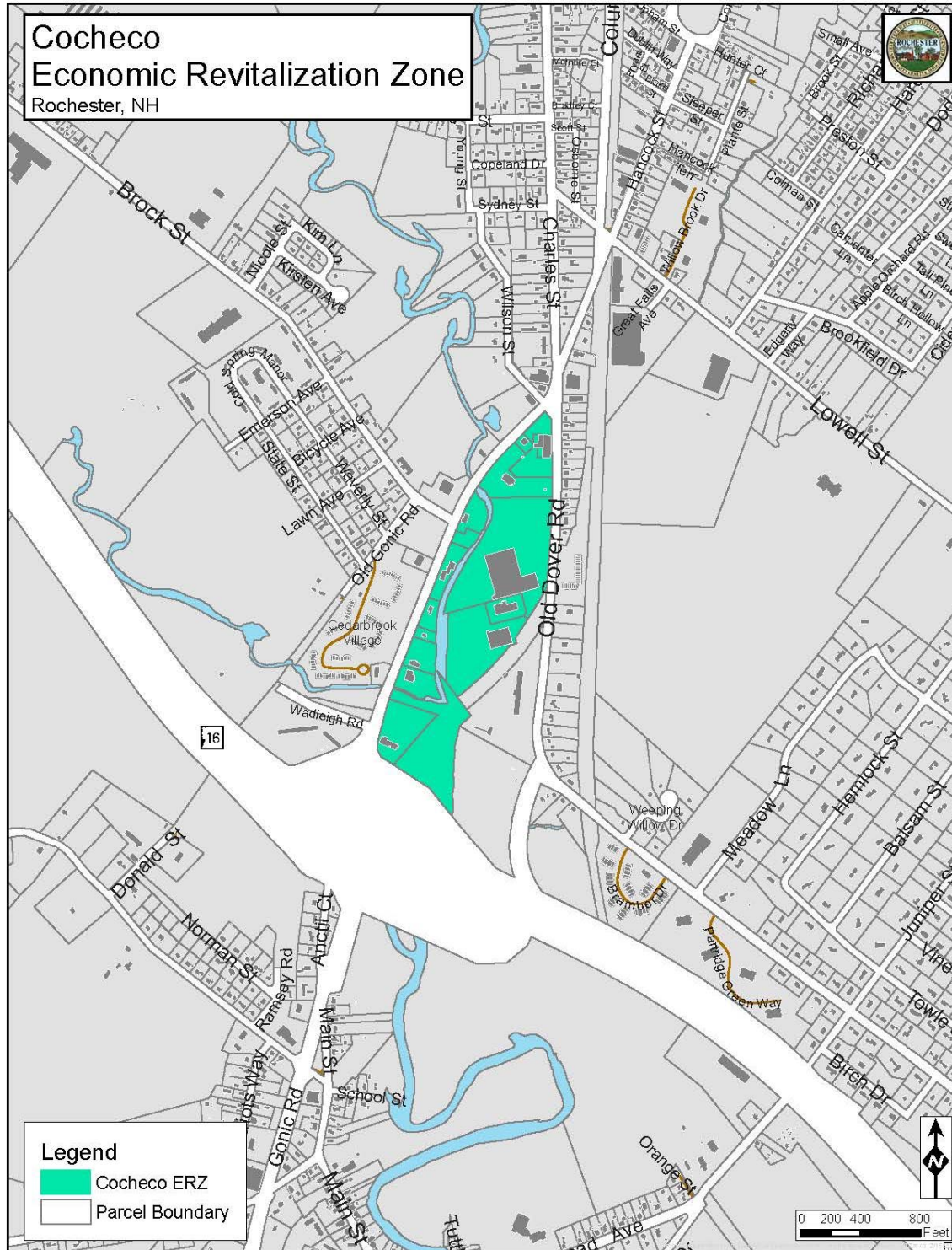
represents a potential land bank inventory for future development in the City. RKG recommends that the City undertake a cursory evaluation of these parcels for their suitability of future development and recognize that changes or more flexible zoning may be required to stimulate such development.

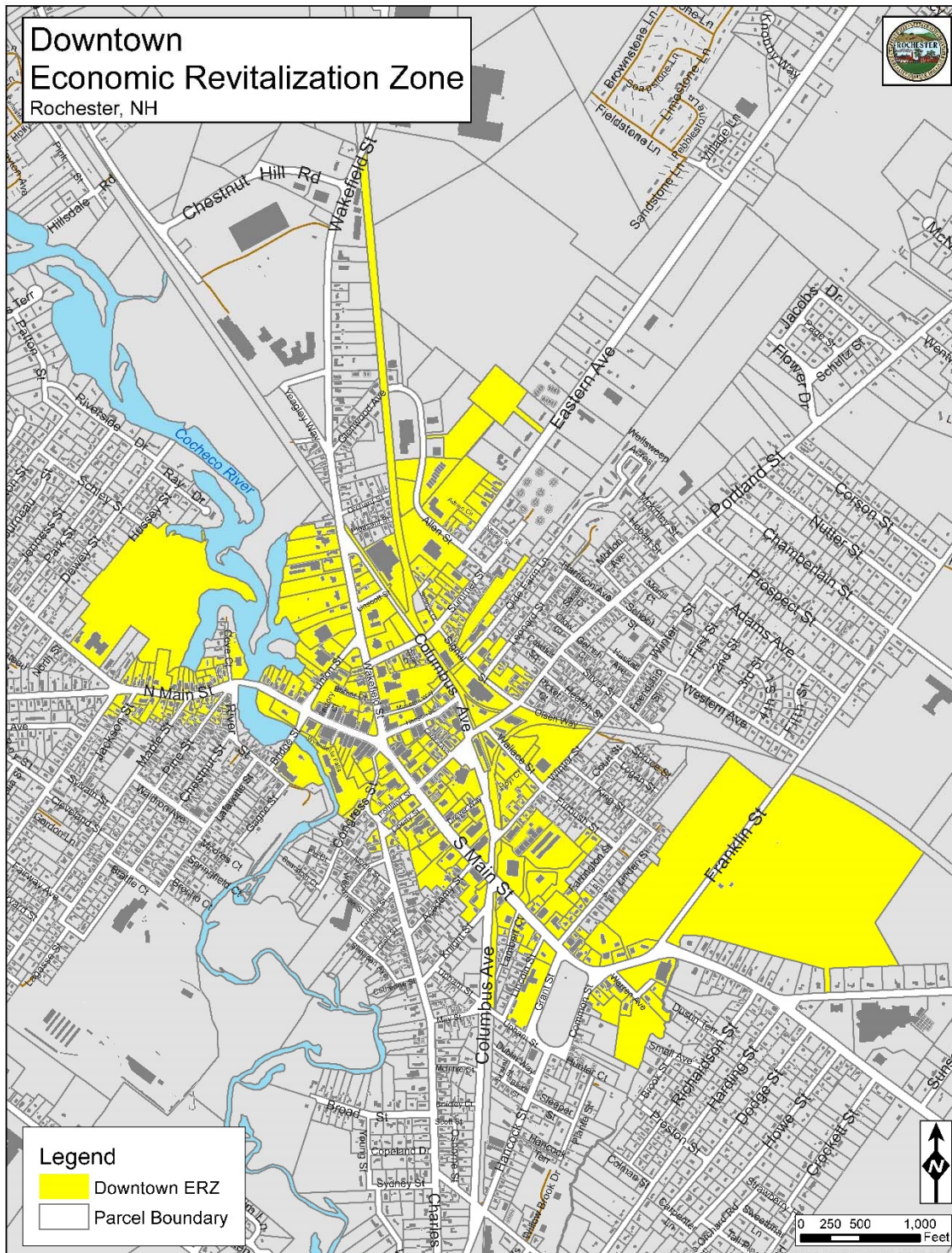
Table 20 – Selected Land Inventories – City of Rochester, NH

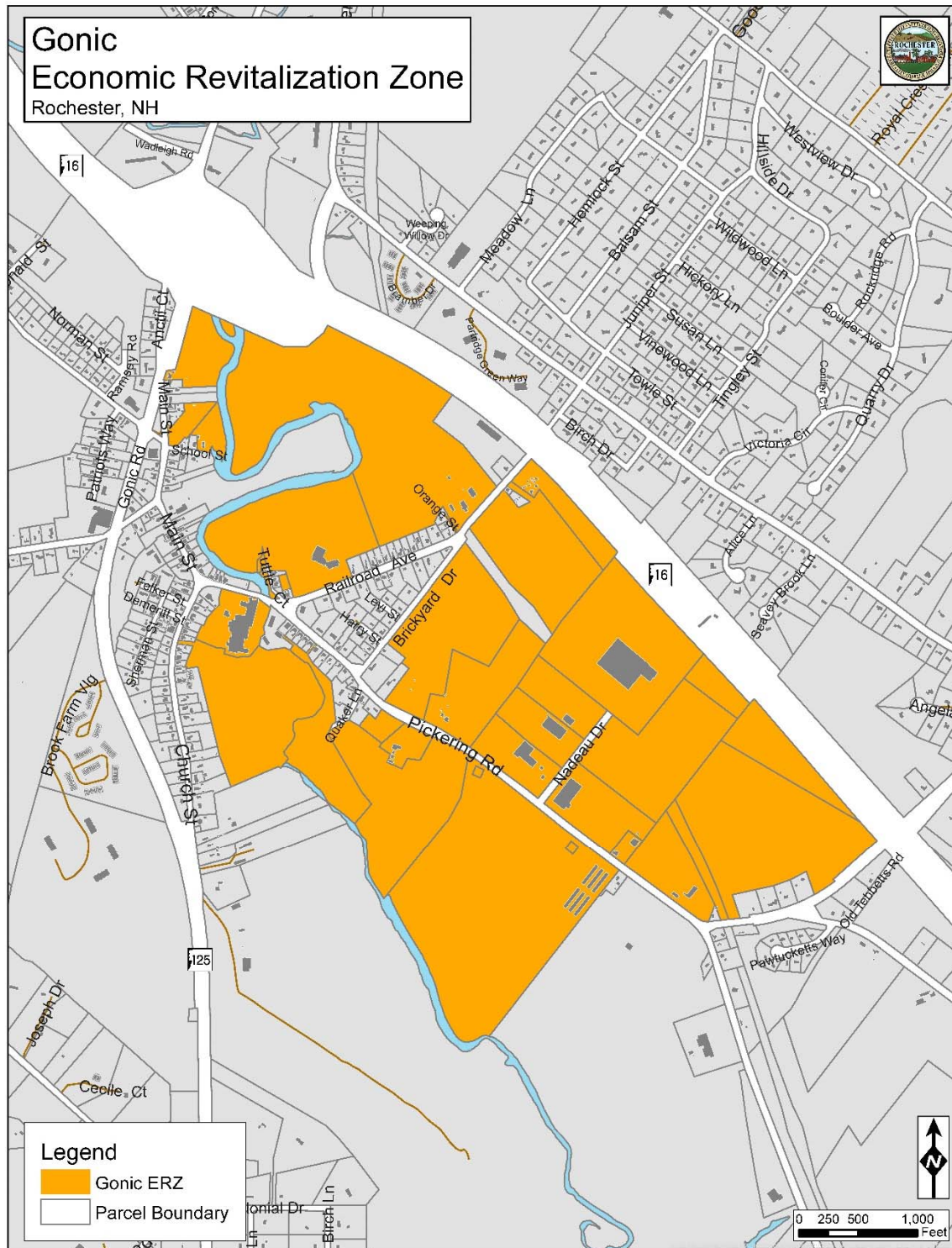
Selected Land Uses	Acreage			Total Assessed Value \$			Average \$ per Acre			TOTALS		
	Residential	Commercial	Industrial	Residential	Commercial	Industrial	Residential	Commercial	Industrial	Acres	Assess \$	\$/Acre
Developable	803	195	209	\$13,770,300	\$9,360,400	\$4,657,800	\$17,156	\$47,990	\$22,314	1,206	\$27,788,500	\$23,033
% of Total	75.0%	88.3%	93.3%	95.9%	98.1%	97.6%	128.0%	111.1%	104.7%	79.6%	96.9%	121.8%
Potentially Developable	135	1	8	\$460,200	\$3,300	\$77,600	\$3,403	\$3,929	\$9,316	144	\$541,100	\$3,747
% of Total	12.6%	0.4%	3.7%	3.2%	0.03%	1.6%	25.4%	9.1%	43.7%	9.5%	1.9%	19.8%
Undevelopable	133	25	7	\$127,000	\$178,100	\$35,300	\$955	\$7,104	\$5,237	165	\$340,400	\$2,066
% of Total	12.4%	11.3%	3.0%	0.9%	1.9%	0.7%	7.1%	16.5%	24.6%	10.9%	1.2%	10.9%
CITY Totals	1,071	221	224	\$14,357,500	\$9,541,800	\$4,770,700	\$13,408	\$43,183	\$21,316	1,516	\$28,670,000	\$18,916

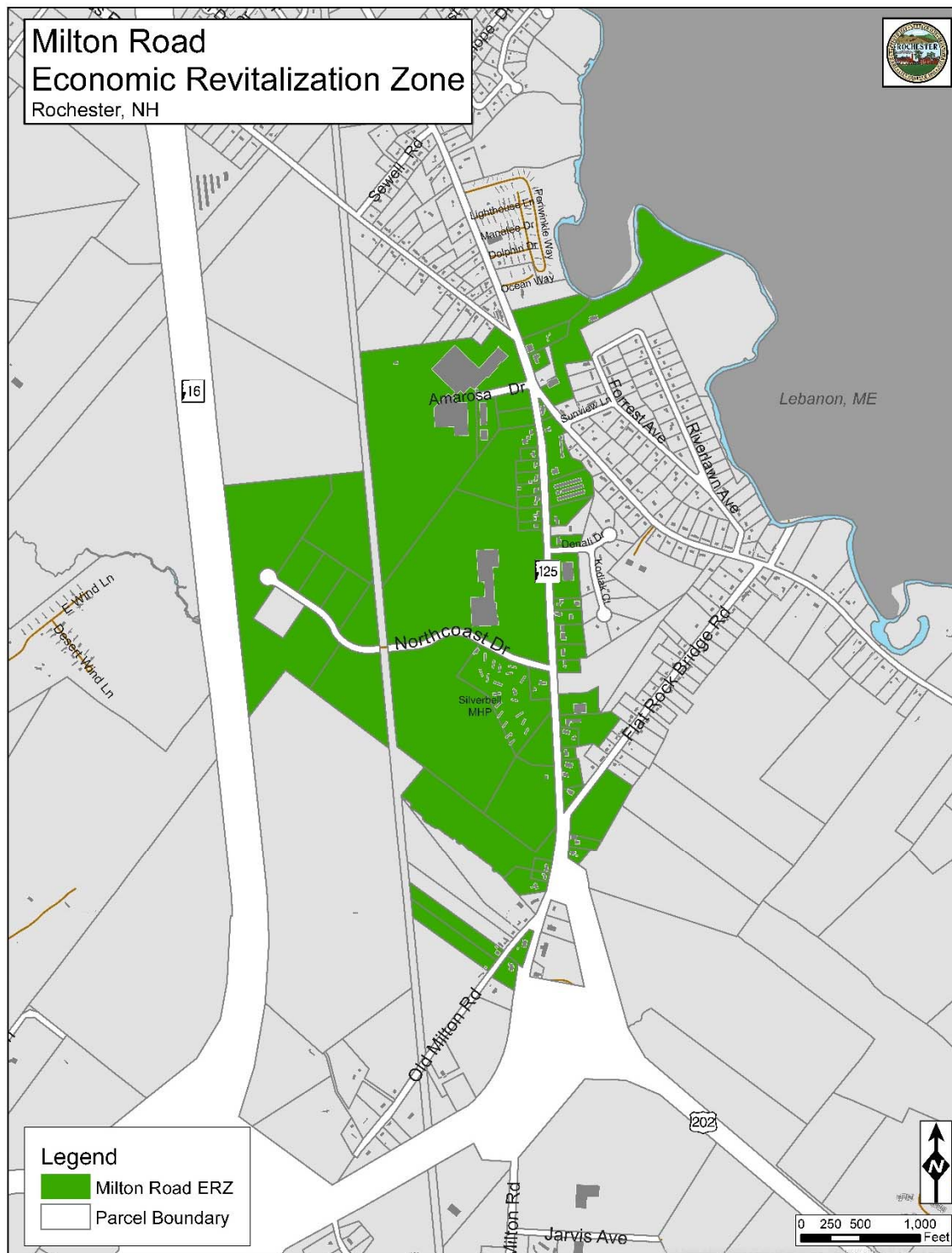
Source : City of Rochester Assessor and RKG Associates, Inc. (2017)

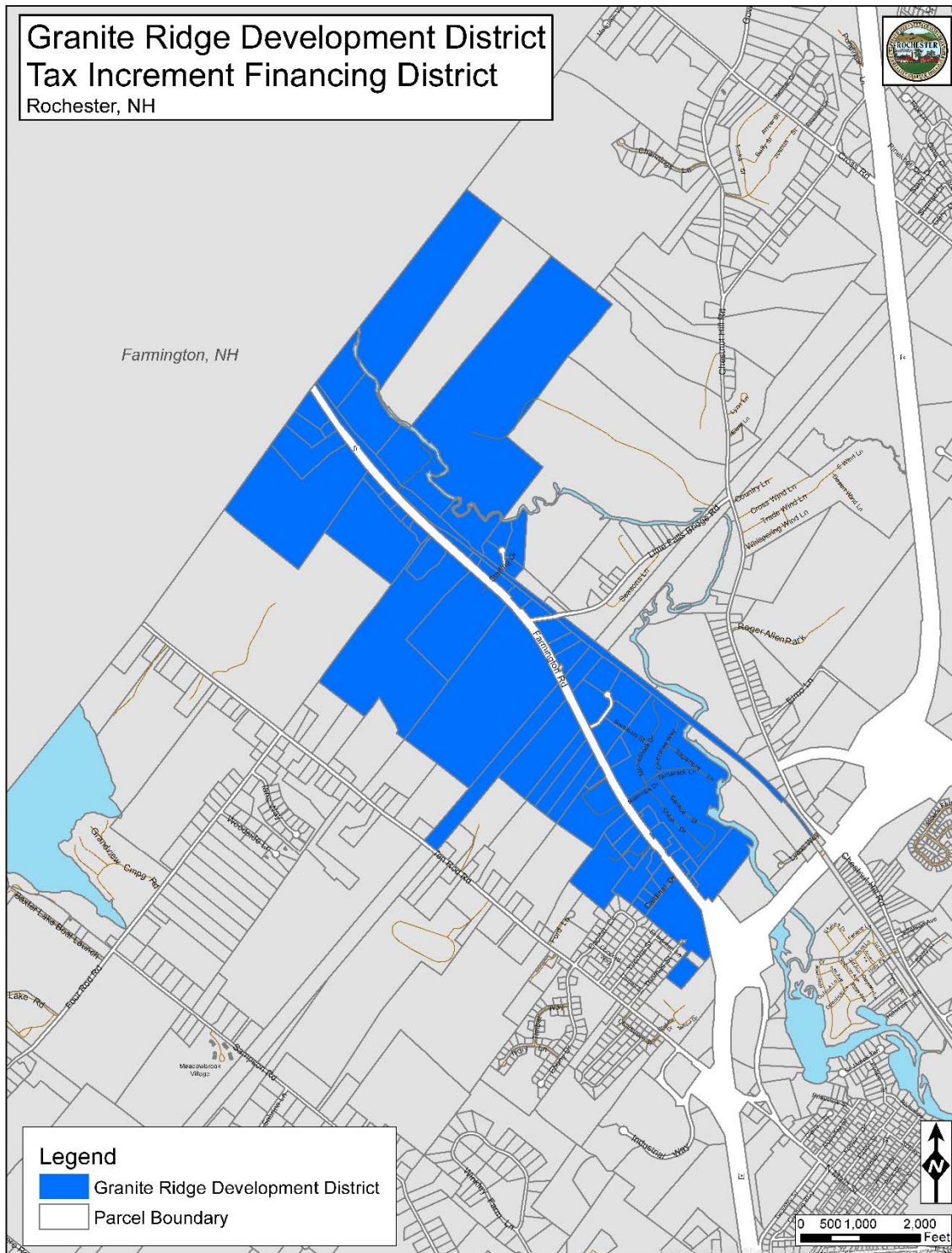
VI. APPENDIX

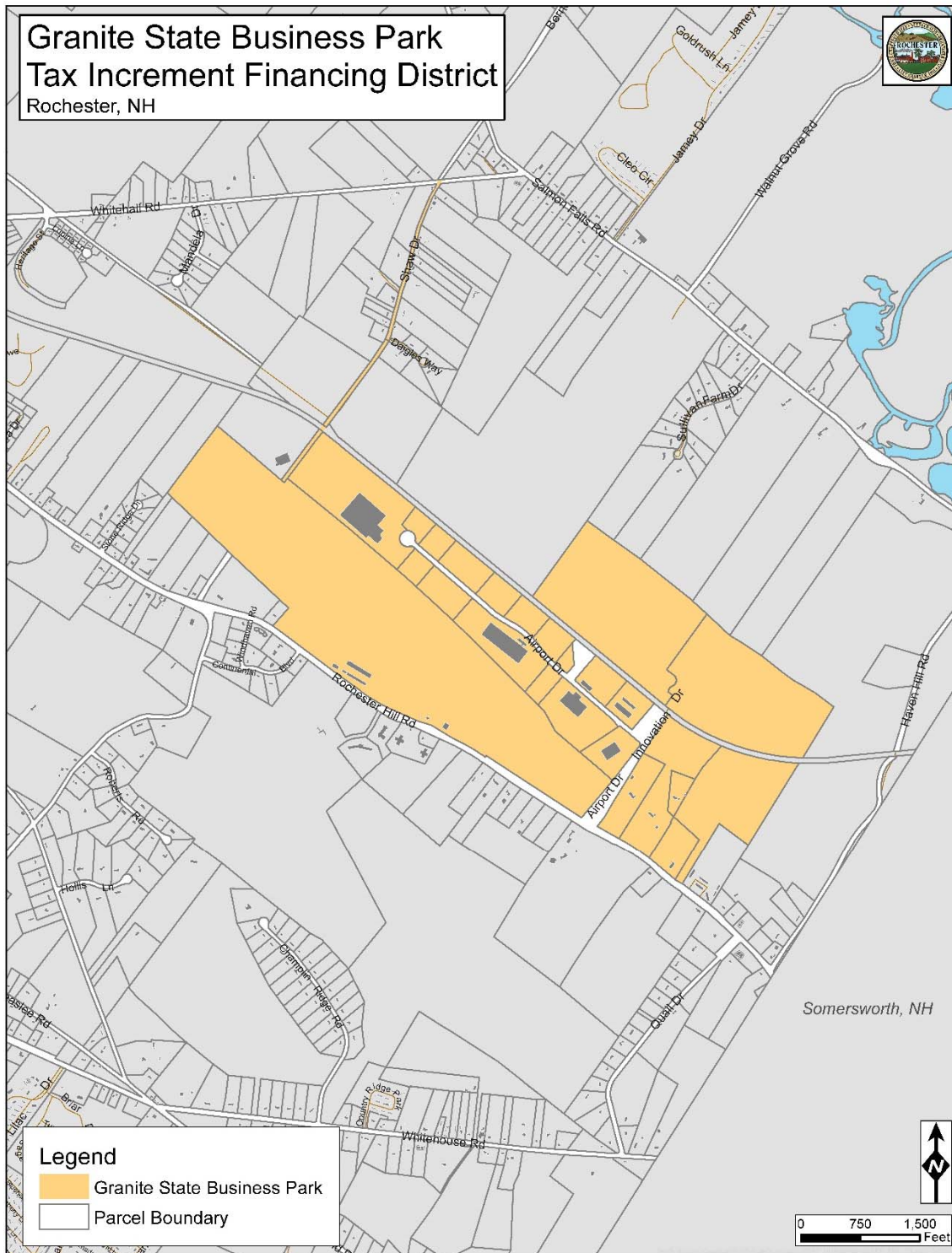












**AMENDMENT TO CHAPTER 42 OF THE GENERAL ORDINANCES OF THE CITY OF
ROCHESTER REGARDING VARIANCES**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

42.4 Zoning Board of Adjustment and Building Code Board of Approval

*
*
*

2. Variances.

I. The board may authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if it determines that all of the following conditions are met:

- a.*** The variance will not be contrary to the public interest;
- b.*** The spirit of the ordinance is observed;
- c.*** Substantial justice is done;
- d.*** The values of the surrounding properties are not diminished; and
- e.*** Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship, as follows:

i. For the purposes of this condition, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(a) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

(b) The proposed use is a reasonable one.

ii. If the criteria in subparagraph i, above, are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

II. *The board shall determine whether to grant a variance by voting on each of the criteria in subparagraph I separately. The board shall grant a variance only if each of the five (5) criteria receives at least three (3) votes in the affirmative.*

III. *Each criteria receiving at least three (3) votes in the affirmative or negative, must include findings of fact to support such vote, said findings of fact must each receive at least three (3) votes in the affirmative.*

IV. *Notwithstanding Subparagraphs I and II, the board may grant a variance from the*

11/30/17
terms of a zoning ordinance without a finding of a hardship arising from conditions of a premise subject to the ordinance, when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises, provided that:

a. An variance granted under this paragraph shall be in harmony with the general purpose and intent of the zoning ordinance; *and*

b. In granting any variance pursuant to this paragraph, the zoning board of adjustment may provide, in a finding including in the variance, that the variance shall survive only so long as the particular person has a continuing need to use the premises.

The effective date of these amendments shall be upon passage.



11/30/17

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT Amendment to Ordinance 42.4 regarding voting for variances
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--	--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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AGENDA DATE	October 3, 2017		
DEPT. HEAD SIGNATURE	Terence O'Rourke, City Attorney		
DATE SUBMITTED	September 19, 2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	6	

COMMITTEE SIGN-OFF

COMMITTEE	Planning Board
CHAIR PERSON	Nel Sylvain, Chairman

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

RSA 675:6

SUMMARY STATEMENT

The recommended changes to Ordinance 42.4 would require the Zoning Board of Adjustment (ZBA) to vote individually on the five (5) criteria necessary to obtain a variance and to make accompanying findings of fact. These recommended changes were unanimously approved by the Planning Board on September 18, 2017.

RECOMMENDED ACTION

First reading and refer to Public Hearing.

Resolution Authorizing the Rochester Fire Department to Apply for a New Hampshire Department of Homeland Security Grant for the Purpose of the Purchase of Swiftwater Rescue Equipment in the Amount of \$60,000.00

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Rochester Fire Department to apply for a grant in the amount of Sixty Thousand Dollars (\$60,000.00) from the New Hampshire Department of Homeland Security grant program in order to fund the purchase of Swiftwater Rescue Equipment.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

CC FY18 12-05 AB 69

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City Clerk's Office



11/30/17

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT

2018 NH State Homeland Security GrantCOUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☐ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	12/5/2017		
DEPT. HEAD SIGNATURE	Mark E. Klose, Fire Chief		
DATE SUBMITTED	11/20/2017		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	Signature on file
SOURCE OF FUNDS	State of NH - Homeland Security Grant
ACCOUNT NUMBER	
AMOUNT	Up to 60,000.00
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

In accordance with NH Commissioner of Safety, John J. Barthlemes, Rochester FD seeks City Council Approval to apply for the FFY 2018 NH Homeland Security Grant (see attached letter) RFD would apply for Swiftwater Rescue (SWR) Equipment to replace its current 36-year old 14' aluminum boat/9.9 hp propeller motor, and trailer.

This is a 100% funded Homeland Security Grant. No Matching/or in-kind funding. City purchases equipment submits invoices for reimbursement

The new equipment will have improved the state of readiness for RFD for its emergency response capabilities within the city and beyond.

Deadline for grant application is December 20, 2017.

RECOMMENDED ACTION

City Council approval to allow Chief Klose and RFD apply for the 2018 NHHS Grant.

**Resolution Authorizing the Acceptance of Criminal Forfeitures and Supplemental
Appropriation Connected Thereto in the amount of \$3,041.09**

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept criminal forfeitures in the amount of Three Thousand Forty One and 09/100 Dollars (\$3,041.09) from three (3) criminal cases.

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of Three Thousand Forty One and 09/100 Dollars (\$3,041.09) to the Police Department fiscal year 2018 operating budget with the entirety of the supplemental appropriation being derived from the aforementioned forfeitures.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

CC FY18 12-05 AB 59

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City Clerk's Office



11/30/17

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

CC FY 18 AB 59

AGENDA SUBJECT

State Forfeiture funds

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	Next November 2017 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	10/30/17		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	4

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	State Funds
ACCOUNT NUMBER	Fund 61032010-561032-185XX
AMOUNT	\$3041.09
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking approval from Council to accept the forfeiture funds in the amount of \$3,041.09 from the State of NH. See breakdown below for the total amount.

\$1,194.07 Case # 16-1165-AR

\$1,074.60 Case # 16-1347-AR

\$ 772.42 Case # 16-1075-AR

RECOMMENDED ACTION

Accept the State forfeiture funds.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # CFDA # Grant # Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

**Resolution Authorizing the Acceptance of Criminal Forfeitures from the United States
Government and Supplemental Appropriation Connected Thereto in the amount of
\$1,525.27**

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept criminal forfeitures in the amount of One Thousand Five Hundred Twenty Five and 27/100 Dollars (\$1,525.27) from the United States Government.

Further, the Mayor and City Council hereby authorize a supplemental appropriation in the amount of One Thousand Five Hundred Twenty Five and 27/100 Dollars (\$1,525.27) to the Police Department fiscal year 2018 operating budget with the entirety of the supplemental appropriation being derived from the aforementioned forfeiture.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

CC FY18 12-05 AB 60

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City Clerk's Office



11/30/17

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

CC FY 18 AB 60

AGENDA SUBJECT

Federal Forfeiture Funds

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	Next November 2017 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	10/30/17		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	Federal Funds
ACCOUNT NUMBER	Fund 61032010-561032-185XX
AMOUNT	\$1,525.27
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking approval from Council to accept the forfeiture funds in the amount of \$1,525.27 for case # 17-521-AR from the Federal Government through the State of NH.

RECOMMENDED ACTION

Accept the Federal forfeiture funds.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # CFDA # Grant # Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

**Amendment to Chapter 42 of the General Ordinances of the
City of Rochester Regarding Dimensional Standards**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

42.19 Dimensional Regulations

b. Dimensional Provisions. General dimensional regulations and other regulations (as well as clarifications, notes, and references) specifically referenced to the tables follow.

- 8. Density Rings.** The density rings are shown on the Official City of Rochester's Zoning Map that is adopted as part of this Ordinance and only apply to multi-family dwellings/developments ***not within the DC Zone***. The rings are as follows:

The minimum lot area per dwelling unit within a one (1) mile radius of the center of Rochester shall be 5,000 square feet. The minimum lot area per dwelling unit outside of the one (1) mile radius of the center of Rochester. Shall be 7,500 square feet.

The minimum lot area per dwelling unit within a one-half (1/2) mile radius of the center of Gonic and East Rochester, shall be 5,000 square feet. The minimum lot area per dwelling unit outside of the one-half (1/2) mile radius of the center of Gonic and East Rochester, shall be 7,500 square feet.

For multi-family dwellings/developments within the DC Zone, the minimum lot per dwelling unit shall be 500 square feet.

Any lot that is partially within the radius of a density ring shall be treated as if it were entirely within the radius of the density ring.

The effective date of these amendments shall be upon passage.

CC FY 18 12-05 AB 65

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City Clerk's Office



11/30/17

City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

CC FY 18 AB 65

AGENDA SUBJECT

Amendment to Ordinance 42.19 regarding voting for variances

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒

* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	December 5, 2017		
DEPT. HEAD SIGNATURE	Terence O'Rourke, City Attorney		
DATE SUBMITTED	November 20, 2017		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	Rochester Economic Development Council
CHAIR PERSON	Susan Deroy, Chairman

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

LEGAL AUTHORITY

RSA 675:6

SUMMARY STATEMENT

The recommended changes to Ordinance 42.19 would change the dimensional standards for the Downtown Commercial District to allow for more residential density.

RECOMMENDED ACTION

First reading, refer to the January Planning Board Meeting, schedule Public Hearing for Jan. 16, 2018.