



Regular City Council Meeting  
March 1, 2016  
Council Chambers  
7:00 PM

Agenda

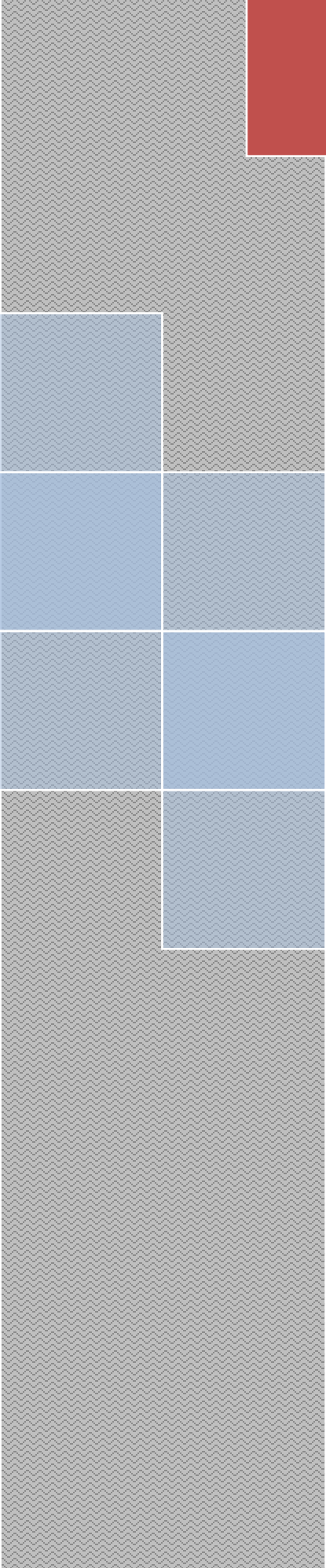
1. Call to Order
2. Pledge of Allegiance
  - 2.1. **Presentation of the Colors:** The Spaulding High School AFJROTC Color Guard
3. Opening Prayer
4. Roll Call
5. Acceptance of Minutes
  - 5.1. [February 2, 2016, Regular City Council Meeting](#)
6. Communications from the City Manager
  - 6.1. Employee of the Month Award **P.10**
  - 6.2. City Manager's Report **P. 9**
7. Communications from the Mayor
  - 7.1. **Special Committee Appointed by Mayor:** Entertainment Zone Committee
  - 7.2. **Announcement:** State of the City Breakfast 2016
8. Presentations of Petitions and Council Correspondence
  - 8.1. **Correspondence:** Meeting Minutes of the Tri-City Coalition – February 12, 2016 **P. 43**
  - 8.2. **Correspondence:** Letter from Rochester School Department Relative to the 2016-2017 School Calendar **P. 45**



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9. Nominations, Appointments, Resignations, and Elections
10. Reports of Committees:
  - 10.1. Codes and Ordinances Committee P. 49
  - 10.2. Community Development Committee P. 61
  - 10.3. Finance Committee P. 65
  - 10.4. Government Channel Committee P. 87
  - 10.5. Public Safety Committee P. 89
  - 10.6. Public Works Committee P. 93
11. Old Business
12. Consent Calendar
  - 12.1. **AB 102** Resolution De-Authorizing Funding From the SWAT Ballistic Vest CIP Fund **First Reading and Adoption** P. 99
  - 12.2. **AB 112** Resolution De-Authorizing Funding from the Highway Safety Operation Safe Commute Grant **First Reading and Adoption** P. 105
13. Items Removed From Consent Calendar
14. New Business
  - 14.1. **AB 113** Resolution Authorizing the Rochester Fire Department to Apply for an Emergency Management Performance Grant (EMPG) for Electronic Signs **First Reading and Adoption** P. 113
  - 14.2. **AB 114** Resolution Authorizing the Rochester Fire Department to Apply for an Emergency Management Performance Grant (EMPG) for a Generator **First Reading and Adoption** P. 117
  - 14.3. **AB 111** Resolution Accepting Highway Safety Motorcycle Lease Grant and Supplemental Appropriation Thereof **First Reading, Second Reading, and Adoption** P. 121



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## New Business Continued:

- 14.4. **AB 121** Resolution Accepting Highway Safety Sustained Traffic Enforcement Grant and Supplemental Appropriation Thereof **First Reading, Second Reading, and Adoption** P. 127
- 14.5. **AB 110** Resolution Authorizing Supplemental Appropriation to the Department of Public Works Capital Improvement Plan (CIP) Fund **First Reading, Second Reading, and Adoption** P. 141
- 14.6. **AB 123** William Allen School – Approval to Post Parking Restrictions on Woodman Street and DavyAnne Locke Lane **Motion to Approve One of the Two Parking Ban Options** P.147
- 14.7. **AB 108** Resolution De-Authorizing Funding From the New Hampshire Bureau of Emergency Management (NHBEM) Hazard Mitigation Grant **First Reading and Adoption** P. 153
- 14.8. **AB 109** Resolution Authorizing Supplemental Appropriation to the 2015-2016 Capital Improvements Budget of the City of Rochester Department of Public Works for the So-Called Howard Brook Culvert Replacement Project **First Reading and Refer to a Public Hearing** P. 159
- 14.9. **AB 115** Supplemental Appropriation in Connection with Public Infrastructure Improvements to be made within the So-Called Granite Ridge Development District and Authorizing Bonding and/or Borrowing in Connection Therewith **First Reading and Refer to a Public Hearing** P. 165
- 14.10. **AB 118** Amendment to Chapter 15 of the General Ordinances of the City of Rochester Regarding Pavement **First Reading and Adoption** P. 171
- 14.11. **AB 116** Amendment to Chapter 26.1 of the General Ordinances of the City of Rochester Regarding the Licensing Board **First Reading and Adoption** P. 175
- 14.12. **AB 117** Amendment to Chapter 40 of the General Ordinances of the City of Rochester Regarding Permits **First Reading and Adoption** P. 181
- 14.13. **AB 120** Amendment to Chapter 26.10 of the General Ordinances of the City of Rochester Regarding Outdoor Dining on City Property **First Reading and Adoption** P. 187



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New Business Continued:

- 14.14. **AB 119** Proposal to Reconfigure the Boundary Lines for Wards Three and Four in order to Facilitate a More Convenient and Accessible Polling Location for Voters in Ward Three **Motion to Refer to a Public Hearing P. 191**
- 14.15. **AB 124** Proposed Changes to the City Council Rules of Order **Motion to Approve P. 195**
- 15. Other
- 16. Adjournment



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## *City of Rochester, New Hampshire*

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

### **CITY MANAGER'S REPORT March 1, 2016**

The Employee of the Month is: Molly Martuscello, Police Department **P-10**

For your information, please see the enclosed Management Team Meeting minutes:

- January 25, 2016 **P-12**
- February 1, 2016 **P-15**
- February 8, 2016 **P-18**

Contracts and documents executed since last month:

- Department of Public Works
  - Columbus Avenue – municipal parking lot site plan **P-20**
  - Partial Release of Lien – Little Quarry Development **P-22**
  - Rochester Reservoir- West End Dam Spillway – Certificate of Substantial Completion **P. 23**
  - City Manager authorization to submit an SRF Grant application **P. 41**
  - Rochester Reservoir West End Dam – Change Order # 2 **P-24**
  - Rochester Reservoir West End Dam – Change Order #3 **P-25**
  - Water Filter Plant Upgrade – Certificate of Substantial Completion **P-26**
  - Water Storage Tank Rehabilitation – Change Order #1 **P-27**
- Economic & Community Development
  - Bike Racks Project – Release of Funds **P-28**
  - Environmental Review – Rochester Eye Care JOB Loan **P-29**
- Police Department
  - Highway Safety Grant – In-Car Video **P-30**
  - Highway Safety Grant – Traffic Enforcement **P-31**
  - Housing Authority Contract – Amendment **P-32**
- Recreation Department
  - Ice Rate Information **P-33**
  - Software Agreement **P-35**
- School Department
  - Election – School use **P-36**
  - Reallocate Funds Request **P-37**

The following standard reports have been enclosed:

- City Council Request & Inquiry Report **P-38**
- Permission & Permits Issued **P-39**
- Personnel Action Report Summary **P-40**

**EMPLOYEE OF THE MONTH NOMINATION FORM****EMPLOYEE'S NAME** Molly Martuscello**DEPARTMENT** Police Department

Provide examples of how the employee has performed actions that were above and beyond those normally expected for the employee's position. The more examples you can give adds to the strength of the nomination. If more room is needed, please use reverse side.

**SERVICE TO THE COMMUNITY**

(Example: Volunteering at a blood drive, actively participating in the Adopt-a-Spot Program, chairing or sponsoring programs such as Toys For Tots or the Summer Fun Festival.)

Molly Martuscello is the Coalition Coordinator for Bridging the Gaps, for whom the City of Rochester is fiscal agent. Molly's an employee under the Police Department. As Bridging the Gaps coordinator, Molly provides tireless outreach to the Rochester community, especially Rochester youth, regarding substance use prevention. This includes managing Youth to Youth teams at the high school, organizing community-wide events such as Prescription Drug Take-Back Day, assisting in the monthly Teen Nights at the Community Center, participating in the county opioid taskforce, and much more. Molly is the face of Bridging the Gaps both within Rochester and beyond, and she has done a lot to restore community confidence in the coalition.

**QUALITY CUSTOMER SERVICE (EXTERNAL/INTERNAL)**

(Example: A City employee helping the elderly to their car in bad weather, creating special events for staff such as the Christmas party or the Chili-Cook-Off.)

Molly has been a pleasure to work with ever since she was hired as Bridging the Gaps' new coalition coordinator. She responds to emails and phone calls very quickly and is always quick to offer assistance with project large and small. She is a driven hard-worker who is also calm, collected, and unfailingly pleasant and polite.

**PROFESSIONALISM AND COMMITMENT BEYOND WHAT IS EXPECTED FOR THE EMPLOYEE'S POSITION**

(Example: He/she gives extra hours to the job when necessary to get the job done.)

When Molly was hired as coalition coordinator for Bridging the Gaps, she faced incredible challenges right from the very start. The coalition was facing corrective action from its overseeing federal agency due to a number of issues with past personnel and performance, and Molly had to learn a lot very rapidly as well as beginning the required corrective action from day one. She's succeeded in all of these challenges in her short time with Bridging the Gaps and the City of Rochester—establishing good relationships with the federal agency, earning the

trust of community partners, and doing a lot of activity planning and implementation in a fairly short period of time.

YOUR NAME: Julian Long DATE: 2/10/2016

PLEASE NOTE: You may use either this form or a letter, whichever is more convenient for you. Thank you for your time and interest in the Employee of the Month Program!

ANY OF THE ABOVE ITEMS IS ENOUGH TO NOMINATE AN EMPLOYEE.



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2/25/16

**MANAGEMENT TEAM MEETING**

**January 25, 2016  
9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
John Storer, Director of City Services  
Brian Sylvester, Library Director  
Mike Allen, Police Chief  
Norm Sanborn, Fire Chief

Seth Creighton, Chief Planner  
Jim Grant, Director BZLS  
Terence O'Rourke, City Attorney  
Chris Bowlen, Director of Recreation  
Karen Pollard, Economic Development Manager  
Jennifer Murphy Aubin, Executive Secretary

**MINUTES**

City Manager Fitzpatrick called the Management Team meeting to order at 9:02 A.M.

**1. Management Team Minutes – January 11, 2016**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

Director Storer confirmed he will send follow up memos for each inquiry to be read as a part of the City Manager's report for City Council.

Director Storer confirmed with Manager Pollard that lights at 10 Rod Road Business Park sign have not been electrified yet, when they are illuminated, the electricity cost will come out of the street light budget line.

**3. City Calendar for Week**

Reviewed the upcoming meetings and topics for the week, noting the Annual Planning Board retreat and there is no City Council meeting scheduled for Friday, January 29<sup>th</sup> 2016.

**4. Right to Know Requests**

All requests are up to date.

**5. Other**

**City Manager Fitzpatrick**

- Advised the City is in negotiations with Waste Management regarding the contract.
- Encouraged staff to submit information on positive happenings throughout the City and press releases will be submitted to local media outlets.
- Requested Deputy Manager Cox to update the State of the City financial data.

**Director Sylvester**

- Advised that the Joint Loss Management Committee will be scheduling an inspection of the Gonic Fire Station and swimming pools.
- Advised that the Rochester Library will host the monthly Library Director's Consortium.
- Advised that the Library is seeking authors for participation in the Author's Fair.

**Director Storer**

- Advised that the Route 125 bridge installation occurred on Saturday, January 23<sup>rd</sup>.

- Advised that he will be setting up a meeting Friday, February 5<sup>th</sup> with Director ~~2/25/16~~ Director Grant and Manager Pollard to go over the Annex plans with the architects.
- Advised that he will be attending the Seacoast Storm Water Coalition.
- Reviewed Waterstone Phase II timeline for state and local permitting process and coordinating the design the City's part of the development.
- Discussed the history of land uses throughout Rochester.
- Expressed interest in learning more about the Master Plan Transportation Study.

#### **Director Grant**

- Advised that View Permit software will go live this week with custom reports and tests for accuracy.
- Advised that the transition from the old system, BMSI, will be complete by the end of the week.

#### **Chief Allen**

- Advised that he attended an Open House for Hope on Haven Hill and was interviewed by Geraldo Rivera, which will appear on Fox news in the future.
- Advised that the Hillary Campaign visit was uneventful, Secret Service was pleased.
- Advised that he scheduled a negotiation meeting with Frisbie Hospital for the dispatch contract.
- Advised that Active Shooter training was held for school administrators and principals. The feedback was positive with requests for the training to be offered to every teacher.

#### **Manager Pollard**

- Advised that there are two JOB Loan requests in process. There are more funds available and business referrals are welcome.
- Advised that the last time the Transportation Chapter of the Master Plan was done there was no Downtown Master Plan or Economic Development Master Plan. A new one would take those into account.
- Advised that State of the City invites will be going out soon, theme to be determined.
- Advised that the office is working on several manufacturing and downtown business prospects.
- Advised that January has been a busy month with business inquiries and activities.

#### **Chief Sanborn**

- Advised that it was a busy weekend providing mutual aid to other communities, including a house fire in Somersworth.
- Advised that the first of three drills with 50 participants for Emergency Planning in Seabrook is starting at the end of this month, and continuing through February and March. Grading by Federal Agency will occur in March.

#### **Director Bowlen**

- Advised that ice season at the Arena will be concluding soon.
- Advised that the City Manager's Corner will be coming to the Recreation Department.

#### **Attorney O'Rourke**

- Provided a litigation update.
- Advised that there will be an intern from UNH starting this month until May, a mandatory provision for legal students and pro-bono services for the City.

#### **Deputy City Manager Cox**

- Advised that the FY15 Financial Audit will be finalized by the end of the month.
- Advised that new MIS Technician, Andrew Watkins, has started.
- Advised that an offer was extended to fill the vacant Accountant I position and the offer has been accepted.

- Advised that the Codification RFP is in process.
- Advised that Electronic Time Keeping RFP is in process.

2/25/16

**Chief Planner Creighton**

- Advised that the Planning Board retreat is scheduled for January 25<sup>th</sup>. There will be a Draft RFQ for the Transportation Chapter of the Master Plan, along with a “complete streets” initiative, which takes into account all modes of transportation.
- Advised that Waterstone Phase II preliminary design phase is in process.
- Advised that the February 1<sup>st</sup> Planning Board should be busy, with 8 – 9 applications in process.
- Advised that Conservation Commission is working to get two pieces of land ready to be conserved. The State prefers the conservation to occur in the same town that the wetlands were impacted.
- Discussed conservation sites that have beneficial wells for community use with Director Storer.

The Management Team meeting adjourned at 9:55 AM.

Respectfully submitted,

Jennifer A. Murphy Aubin  
Executive Secretary



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2/25/16

**MANAGEMENT TEAM MEETING**

**February 1, 2016  
9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
John Storer, Director of City Services  
Brian Sylvester, Library Director  
Mike Allen, Police Chief  
Norm Sanborn, Fire Chief

Jim Campbell, Director of Planning  
Jim Grant, Director BZLS  
Terence O'Rourke, City Attorney  
Chris Bowlen, Director of Recreation  
Karen Pollard, Economic Development Manager  
Samantha Rodgers, Executive Assistant

**MINUTES**

City Manager Fitzpatrick called the Management Team meeting to order at 9:03 A.M.

**1. Management Team Minutes – January 25, 2016**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

There were no new items for discussion.

**3. City Calendar for Week**

Reviewed the upcoming meetings and topics for the week.

**4. Right to Know Requests**

All requests are up to date.

**5. State of the City**

City Manager Fitzpatrick suggested to the departments to put together any data they have that shows trends and growth factors and he would incorporate that into his State of the City presentation.

**6. Electronic Time Keeping**

Deputy City Manager Cox stated that the group is making progress and advised departments to start thinking about using electronic time keeping and to think about any unique factors that need to be incorporated when setting up system.

**7. PPM review**

Director Sylvester on behalf of the Joint Loss Management Committee discussed the need to review the Temporary Alternate Duty and Slip, Trip & Fall policies periodically in order to maintain a discounted rate. He advised to send any changes to him.

**8. Other**

**Director Campbell**

- Advised that there were many items to be discussed at the Planning Board meeting tonight.

**Director Grant**

- Advised that they finished using BMSI and would begin using ViewPoint tomorrow.
- Advised that they were to be upgraded to Office2007 software today.
- Advised that staff would receive training on the iPads this week.

**Director Bowlen**

- Advised they had a facility issue over the weekend with the boiler going down. They will be putting together an action plan to address it.

**Chief Sanborn**

- Advised that they would be holding the 1<sup>st</sup> of 3 Seabrook reception center drills at the Middle School this week. The final drill will be in March.
- Advised that they will hold an EOC (Emergency Operations Center) drill next week.
- Advised that they provided mutual aid to Somersworth for a house fire over the weekend.

**Manager Pollard**

- Advised that Executive Secretary Aubin was pregnant and would be on maternity leave in August.
- Discussed briefly recommendation of the committee of the Community Development Commission to withdraw Rochester Main Street's lease of Factory Court in order to lease it to Revolution. The issue would be voted on at Tuesday's Council meeting.

**Chief Allen**

- Advised that that there was a serious assault over the weekend and that an investigation is underway.
- Advised that there was a good article in the paper regarding the increase in drug related arrests.
- Advised that he completed the draft Active Shooter Emergency Response plan for City employees. Ms. Rodgers would format it as a PPM.
- Advised that the department was participating in a Career Fair on Wednesday at the Creteau Tech Center.
- Advised that they would be attending the Public Safety Appreciation Dinner held at the Frisbie Conference Center for emergency responders.
- Advised that they would be issuing awards at the Police Commission meeting on Wednesday.
- Advised that he was contacted to provide active shooter training to Chamber members.
- Advised that they are looking through applicants for the open positions.

**Attorney O'Rourke**

- Provided a litigation update
- Advised on policy of political signs on State property. No staff resources, needs to be addressed with the State AG's office.

**Director Storer**

- Advised that he would be seeking to setup a meeting with the departments that will locate in the Annex to go over the next phase of design plans.
- Advised that he was approached last week by Unifit in regards to locating natural gas lines up to Granite Ridge and the impact it might have to some local streets. He will discuss further with staff at a meeting following this one.
- Advised that he would be attending the Technical Advisory Committee at Strafford Regional Planning Commission on Friday.



- Advised that the Route 125 pedestrian bridge work should be completed and opened for traffic within the next few days. Advised that the wooden fencing would be put back in place and that they will look at replacing it in the Spring.
- Discussed the East Rochester fire station and its condition.

**Deputy City Manager Cox**

- Advised that the FY15 Financial Audit has been finalized. Some of the items that came out of it were:
  - SEFA – Schedule of Expenditures of Federal Awards.
  - Recreating revenue for all capital projects for the last 20 years.
- Advised that they would be looking at recalling some bonds, it would have the potential to save \$500,000 to \$700,000.

**Director Sylvester**

- Advised that there is an opening for a Library Page position.
- Advised that they have many supervised visits taking place and that they can cause some disruption to other patrons. He will be reaching out to social service agencies for guidance.

The Management Team meeting adjourned at 9:56 AM.

Respectfully submitted,

Samantha Rodgerson  
Executive Assistant



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2/25/16

**MANAGEMENT TEAM MEETING**

**February 8, 2016  
9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
John Storer, Director of City Services  
Brian Sylvester, Library Director  
Mike Allen, Police Chief  
Norm Sanborn, Fire Chief

Seth Creighton, Chief Planner  
Jim Grant, Director BZLS  
Jenn Mutolo, Executive Assistant-Paralegal  
Chris Bowlen, Director of Recreation  
Karen Pollard, Economic Development Manager  
Samantha Rodgers, Executive Assistant

**MINUTES**

City Manager Fitzpatrick called the Management Team meeting to order at 9:00 A.M.

**1. Management Team Minutes – February 1, 2016**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

Items 1-3 are on the Finance Committee agenda, items closed. Items 4 & 8 have been addressed, items are closed. Items 5-7 are on the agenda for the Public Works Committee, items are closed.

**3. City Calendar for Week**

Reviewed the upcoming meetings and topics for the week.

**4. Right to Know Requests**

One new request was received on Friday.

**5. DOT Letter – Discontinuance of a portion of Old Route 11**

Staff will review and make sure any City interests are kept in place if necessary.

**6. Other**

**Director Sylvester**

- Advised that a light pole in the Library parking lot had been knocked over.

**Deputy City Manager Cox**

- Advised that Shirley McCrillis' last day was Friday, the new Accountant, Samantha Kelly would be starting on February 16.

**Director Bowlen**

- Advised that they had over 140 participants at Teen Night on Saturday.
- Advised that they have had to rent a portable heating unit as they address the one that went down.

**Manager Pollard**

- Advised that they would reach out about postponing tonight's Community Development Committee meeting due to the weather.

- Advised that they had many storm related calls on Friday.
- Advised that Deputy Chief Wilder would be attending the National Fire Academy this week.
- Advised that the 2<sup>nd</sup> of 3 EOC (Emergency Operations Center) drills for Seabrook would be held on Wednesday.
- Advised that the Fire Department attended the First Responders dinner that Frisbie Hospital hosted.
- Advised that Deputy Chief Wilder attended the career fair at the high school last week and that it was well attended by the students.

**Chief Allen**

- Advised that they are investigating a robbery at Aroma Joe's that occurred last night.
- Advised that the Active Shooter Training for the Chamber members at the Frisbie Conference Center has been scheduled for March 15.
- Advised that the Codes & Ordinances Committee suggested that the draft pawnshop ordinance be revised and brought back.

**Executive Assistant – Paralegal Mutolo**

- Provided a litigation update.

**Director Storer**

- Advised that they would be working with the managers of the polling location facilities regarding snowplowing and making sure the areas will be clear for the voters.
- Advised that he would be attending a special meeting with IT to discuss wiring needs for the annex.
- Advised that the plan sets for the annex have been distributed for review. A meeting to discuss will be setup.
- Advised that the Route 125 bridge is complete and that the old wooden guardrails and sidewalk concerns would be addressed in the Spring.
- Discussed that he has invested a lot of time looking into the nitrogen/pollution concerns that the EPA has addressed in regards to discharge at Great Bay.

**Planner Creighton**

- Advised that there were 8 applicants at last week's Planning Board meeting, 3 or 4 of those have been continued. Staff will be working with those applicants.
- Advised that they were expecting some new submittals by tomorrow for the next meeting.
- Advised that there would be 1 item on this week's Historic District Commission agenda.
- Advised that staff will be working with Strafford Regional Planning Commission and the Dover and Somersworth communities to work on a transportation plan for Route 108.

The Management Team meeting adjourned at 9:40 AM.

Respectfully submitted,

Samantha Rodgers  
Executive Assistant



## City of Rochester, New Hampshire

### PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

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[www.rochesternh.net](http://www.rochesternh.net)

2/25/16

CITY OF  
Received  
FEB 22 2016  
City Manager  
ROCHESTER

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### INTEROFFICE MEMORANDUM

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**TO:** Dan Fitzpatrick, City Manager  
**FROM:** Owen Friend-Gray, PE, Assistant City Engineer  
**DATE:** February 22, 2016  
**SUBJECT:** Columbus Ave Municipal Parking – Nonresidential Site Plan  
**CC:** John Storer, PE, Director of Public Works  
Michael Bezanson, PE, City Engineer

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The City of Rochester is currently working with Tighe & Bond (design consultant) on the design of an extension to the municipal parking lot located on Columbus Ave. adjacent to the China Palace restaurant.

As part of the construction, the Department of Public Works, to ensure city civil projects follow the same procedure that private projects follow, are requesting for the City Manager to sign the attached Non-Residential Site Plan Application. This application will allow for the project to be recorded officially with multiple city departments, will allow for the Technical Review Group to see the project, and will include notification of abutters.

If you could please sign this and then send back to the Department of Public Works, that would be appreciated.

(Continued Nonresidential Site Plan application Tax Map: 125 Lot: 151 Zone R2 )

## Comments

Please feel free to add any comments, additional information, or requests for waivers here:

Please refer to enclosed Waiver Request Letter

## Submission of application

This application must be signed by the property owner, applicant/developer (if different from property owner), and/or the agent.

*I (we) hereby submit this Site Plan application to the City of Rochester Planning Board pursuant to the City of Rochester Site Plan Regulations and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant/developer (if different from property owner)/as agent, I attest that I am duly authorized to act in this capacity.*

Signature of property owner: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of applicant/developer: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of agent: \_\_\_\_\_

Date: \_\_\_\_\_

## Authorization to enter subject property

*I hereby authorize members of the Rochester Planning Board, Zoning Board of Adjustment, Conservation Commission, Planning Department, and other pertinent City departments, boards and agencies to enter my property for the purpose of evaluating this application including performing any appropriate inspections during the application phase, review phase, post-approval phase, construction phase, and occupancy phase. This authorization applies specifically to those particular individuals legitimately involved in evaluating, reviewing, or inspecting this specific application/project. It is understood that these individuals must use all reasonable care, courtesy, and diligence when entering the property.*

Signature of property owner: \_\_\_\_\_

2/25/16



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CITY OF  
Received

FEB 11 2016

City Manager  
ROCHESTER

### INTEROFFICE MEMORANDUM

**TO:** Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Director of Finance & Administration  
Terence O'Rourke, City Attorney

**FROM:** Owen Friend-Gray, PE, Assistant City Engineer

**DATE:** February 11, 2016

**SUBJECT:** Partial Release of Lien Agreement for Little Quarry Development

**CC:** Jim Grant, Director of Building, Zoning, and Licensing Services

Attached is the partial release of water main lien agreement for two parcels in the Little Quarry development located off of Old Dover Rd in Rochester NH. The release is for two properties, 50 Constitution Way (Map and Lot: 256-61-11) and 51 Constitution Way (Map and Lot 256-61-16) for which we have received the pre-requisite payment of \$1,661.08 from the owner, CBDA LLC. I recommend that we perform the partial release for these two properties in accordance with the signed lien agreement dated December 31, 2012 as one of the necessary steps for issuance of the Certificate of Occupancy for these building lots.

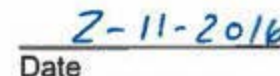
#### Legal Review

  
Terence O'Rourke  
City Attorney

  
Date

#### Financial Review

  
Blaine Cox  
Deputy City Manager/Director of Finance & Administration

  
Date

Please contact me with any questions. If approved, please have the City Manager sign the document and return the signed document to me at Public Works. Thank you.





## City of Rochester, New Hampshire

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### INTEROFFICE MEMORANDUM

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**TO:** Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Director of Finance & Administration  
Terence O'Rourke, City Attorney

**FROM:** Michael Bezanson, PE, City Engineer *MBS*

**DATE:** February 11, 2016

**SUBJECT:** Rochester Reservoir West End Dam Spillway Modifications -  
Certificate of Substantial Completion

**CC:** John Storer, PE, Director of City Services

---

Attached are three (3) copies of the Certificate of Substantial Completion for the Rochester Reservoir West End Dam Spillway Modifications project, which have been submitted for the City's signature. Attached to the Certificate of Substantial Completion is a punch list of outstanding items, as well as an updated punch list dated 2/8/2016. I recommend that the City accepts this Certificate of Substantial Completion.

#### Legal Review

\_\_\_\_\_  
Terence O'Rourke  
City Attorney

\_\_\_\_\_  
Date

#### Financial Review

*Blaine Cox*  
\_\_\_\_\_  
Blaine Cox  
Deputy City Manager/Director of Finance & Administration

*2/16/2016*  
\_\_\_\_\_  
Date

Please contact me with any questions. If approved, please have the City Manager sign the **three** documents and return the signed documents to me at Public Works.

Thank you.



## 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](http://www.rochesternh.net)

CITY OF  
ROCHESTER  
Received  
FEB 18 2016  
City Manager

### INTEROFFICE MEMORANDUM

**TO:** Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Director of Finance & Administration  
Terence O'Rourke, City Attorney

**FROM:** Michael Bezanson, PE, City Engineer *MJB*

**DATE:** February 11, 2016

**SUBJECT:** Rochester Reservoir West End Dam Spillway Modifications -  
Change Order No. 2

**CC:** John Storer, PE, Director of City Services

Attached are three (3) copies of Change Order No. 2 for the Rochester Reservoir West End Dam Spillway Modifications project. This change order document reflects an increase in contract price of \$2,417.01 and an increase in contract time of two (2) days. There is sufficient funding available for this change in the current project budget (Account # 55016010-771000-15537).

#### Legal Review

*Terence O'Rourke*  
Terence O'Rourke  
City Attorney

*2/12/16*  
Date

#### Financial Review

*Blaine Cox*  
Blaine Cox  
Deputy City Manager/Director of Finance & Administration

*2/16/2016*  
Date

Please contact me with any questions. If approved, please have the City Manager sign the **three** documents and return the signed documents to me at Public Works.

Thank you.



2/25/16



## City of Rochester, New Hampshire

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CITY OF  
Received  
FEB 18 2016  
ROCHESTER

### INTEROFFICE MEMORANDUM

**TO:** Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Director of Finance & Administration  
Terence O'Rourke, City Attorney

**FROM:** Michael Bezanson, PE, City Engineer *MJB*

**DATE:** February 11, 2016

**SUBJECT:** Rochester Reservoir West End Dam Spillway Modifications -  
Change Order No. 3

**CC:** John Storer, PE, Director of City Services

Attached are three (3) copies of Change Order No. 3 for the Rochester Reservoir West End Dam Spillway Modifications project. This change order document reflects a decrease in contract price of \$995.00 and no change in contract time. This credit offsets a cost that will be incurred for specialized cable that the contractor needed for a repair that they are responsible for.

#### Legal Review

Terence O'Rourke  
City Attorney

*2/12/16*

Date

#### Financial Review

Blaine Cox  
Deputy City Manager/Director of Finance & Administration

*2/16/2016*

Date

Please contact me with any questions. If approved, please have the City Manager sign the **three** documents and return the signed documents to me at Public Works.

Thank you.

2/25/16



## 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](http://www.rochesternh.net)



### INTEROFFICE MEMORANDUM

**TO:** Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Director of Finance & Administration  
Terence O'Rourke, City Attorney

**FROM:** Michael Bezanson, PE, City Engineer *MB*

**DATE:** February 8, 2016

**SUBJECT:** Water Filtration Plant Upgrades - Certificate of Substantial Completion

**CC:** John Storer, PE, Director of City Services

Attached are four (4) copies of the Certificate of Substantial Completion for the Water Filtration Plant Upgrades project, which have been submitted for the City's signature. Attached to the Certificate of Substantial Completion is a general punch list of outstanding items, an additional electrical punch list, and an additional instrumentation punch list. In addition to the punch lists, the sand filter and dual media filter have work remaining to meet the project specifications. I recommend that the City accepts this Certificate of Substantial Completion.

#### Legal Review

Terence O'Rourke  
City Attorney

*2/10/16*  
Date

#### Financial Review

Blaine Cox  
Deputy City Manager/Director of Finance & Administration

*2/10/2016*  
Date

RECEIVED

FEB 10 2016

FINANCE OFFICE  
CITY OF ROCHESTER

Please contact me with any questions. If approved, please have the City Manager sign all four documents and return the signed documents to me at Public Works. Thank you.



2/25/16



## 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](http://www.rochesternh.net)

CITY OF  
Received  
FEB 10 2016  
City Manager  
ROCHESTER

### INTEROFFICE MEMORANDUM

**TO:** Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Director of Finance & Administration  
Terence O'Rourke, City Attorney

**FROM:** Michael Bezanson, PE, City Engineer *MJB*

**DATE:** February 8, 2016

**SUBJECT:** Water Storage Tank Rehabilitation - Change Order No. 1

**CC:** John Storer, PE, Director of City Services

Attached are three (3) copies of Change Order No. 1 for the Water Storage Tank Rehabilitation project. This change order reflects a \$39,000.00 decrease in contract price and a 161-day increase in contract time. I recommend approval of this change order.

#### Legal Review

*Terence O'Rourke*  
\_\_\_\_\_  
Terence O'Rourke  
City Attorney

*2/10/16*  
\_\_\_\_\_  
Date

#### Financial Review

*Blaine Cox*  
\_\_\_\_\_  
Blaine Cox  
Deputy City Manager/Director of Finance & Administration

*2/10/2016*  
\_\_\_\_\_  
Date

Please contact me with any questions. If approved, please have the City Manager sign all **three** documents and return the signed documents to me at Public Works.

Thank you.

RECEIVED

FEB 10 2016

FINANCE OFFICE  
CITY OF ROCHESTER

Date: February 3, 2015  
To: Dan Fitzpatrick  
City Manager  
From: Julian Long  
Community Development Coordinator/Grants Manager



Re: Bicycle Racks Project – Request for Release of Funds

Please see attached the U.S. Department of Housing and Urban Development Request for Release of Funds related to the upcoming bicycle racks installation project. This project was approved as part of the FY 2015-2016 CDBG Annual Action Plan at the May 5, 2015 City Council meeting. The environmental analysis conducted by the Community Development Coordinator resulted in a Finding of No Significant Impact (FONSI). The FONSI and Notice of Intent to Request the Release of Funds were published jointly in the local newspaper of general circulation on January 14, 2016. No comments or objections have been received.

The Request for Release of Funds requires the signature of the City Manager as the authorized City official. Please sign and return to Julian.

Thank you very much. Please contact Julian with any questions or concerns.

Date: February 18, 2015  
To: Dan Fitzpatrick  
City Manager  
From: Julian Long  
Community Development Coordinator/Grants Manager

CITY OF  
Received  
FEB 22 2016  
City Manager  
ROCHESTER

Re: FY 2015-2016 Environmental Review – Rochester Eye Care JOB Loan

Please see attached the FY 2015-2016 Community Development Block Grant (CDBG) environmental review analysis for the Rochester Eye Care renovation project that is being funded through the City's JOB Loans Program. The City Council approved funding for the JOB Loans Program at the May 5, 2015 City Council meeting, and the JOB Loans Committee approved Rochester Eye Care's JOB Loan application on January 21, 2016. The environmental review analysis requires the signature of the City Manager.

Thank you very much. Please contact Julian with any questions or concerns.

2/25/16



## ROCHESTER POLICE DEPARTMENT

23 WAKEFIELD STREET  
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127

FAX (603) 330-7159

[www.rochesterpd.org](http://www.rochesterpd.org)

*"Dedication, Pride, Integrity"*

POLICE COMMISSION

DEREK J. PETERS

*Chairman*

BRUCE E. LINDSAY

*Vice Chairman*

LUCIEN G. LEVESQUE

*Commissioner*

MICHAEL J. ALLEN

*Chief of Police*



February 11, 2016

TO: Daniel Fitzpatrick  
City Manager

FROM: Michael J. Allen *MJA*  
Chief of Police

RE: Highway Safety Grant – In-Car Video

CITY OF  
Received  
FEB 12 2016  
City Manager  
ROCHESTER

Dear Mr. Fitzpatrick:

Back in September you signed agenda bills for the Police Department to apply for highway safety grant funds. The attached document is the next step for the in-car video grant that requires your signature.

In Car Video Grant

\$11,200.00

This is a new format for the grants to comply with federal reporting requirements. Please sign where tabbed and additionally please initial each page.

Please let me know if you have any questions in this regard.



2/25/16



MICHAEL J. ALLEN  
Chief of Police

## ROCHESTER POLICE DEPARTMENT

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ROCHESTER NH, 03867-1933

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POLICE COMMISSION

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*Chairman*

BRUCE E. LINDSAY


*Vice Chairman*

LUCIEN G. LEVESQUE

*Commissioner*

February 11, 2016

TO: Daniel Fitzpatrick  
City Manager

FROM: Michael J. Allen   
Chief of Police

RE: Highway Safety Grant – Traffic Enforcement



Dear Mr. Fitzpatrick:

Back in September you signed agenda bills for the Police Department to apply for highway safety grant funds. The attached document is the next step for the Traffic Enforcement grant that requires your signature.

Traffic Enforcement Grant \$4,372.26

This is a new format for the grants to comply with federal reporting requirements. Please sign where tabbed, and additionally initial each page.

Please let me know if you have any questions in this regard.

2/25/16



## ROCHESTER POLICE DEPARTMENT

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BRUCE E. LINDSAY

*Vice Chairman*

LUCIEN G. LEVESQUE

*Commissioner*

MICHAEL J. ALLEN  
*Chief of Police*

February 18, 2016



TO: Daniel Fitzpatrick  
City Manager

FROM: Michael J. Allen  
Chief of Police

RE: Housing Authority Contract - Amended

CITY OF  
Received

FEB 22 2016

City Manager  
ROCHESTER

Dear Mr. Fitzpatrick:

As you know the Police Department maintains a contract with the Rochester Housing Authority and funded by them to provide a police officer for their properties.

The contract was recently amended to provide for the understanding that during the course of our duties the Police Department could have access to protected health information through existing Business Associate Agreements that the Rochester Housing Authority maintains. We are bound by the same obligations with respect to protecting and keeping confidential the information we may access.

I am requesting your signature on this amended contract. Thank you for your consideration. Please let me know if you need further from me in this regard.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Michael J. Allen".

Michael J. Allen  
Chief of Police



2/25/16



CITY OF  
Received

FEB 22 2016

City Manager  
ROCHESTER

Informational Memo

To: Dan Fitzpatrick ✓  
City Manager

Cc: Dave Anctil, Commission Co-Chair  
Sheila Colson, Commission Co-Chair

From: Chris Bowlen — CB  
Recreation & Arena Director

Date: February 17, 2016

RE: 2016-2017 Ice Rate Information

On February 11, 2016 the Recreation & Arena Commission met and reviewed the current ice rates for the Rochester Arena. That rate is \$260 per hour (50 minutes on ice and 10 minutes for ice cleaning) for prime time and \$180 for non-prime. Prime time versus non-prime is simply a designation of the most popular and desirable times of the day.

Rochester is one of the higher per hour ice rates in the area (and state) ranking only behind Exeter and Dover locally. In a statewide review of rates for municipal rinks, Rochester is approximately 10% higher than the average. The attached file shows this in detail in an "apples to apples" review by adjusting all rates to the same duration of sixty minutes.

The Commission understands that the rates will have to be reviewed and adjusted most likely for 2017-2018 season.

The customer base is starting to come back in terms of overall numbers and it is important to keep that revenue stream improving. Therefore, the commission endorses keeping the ice rates the same for the 2016-2017 ice season. We will send this information along to our customers.

## 2015/2016 NH Ice Rink Rate Comparison\*

MUNICIPAL		2015/2016 60 Minute Rate	Compared to AVG Municipal
Dover	Dover Arena	\$ 320	16%
Rochester	Rochester Arena	\$ 303	10%
Concord	Everett Arena	\$ 298	8%
Manchester	JFK Arena	\$ 255	-7%
Manchester	Westside Arena	\$ 255	-7%
Wolfeboro	Pop Whalen Arena	\$ 218	-21%
	AVG	\$ 275	
PRIVATE FOR PROFIT		2015/2016 60 Minute Rate	
Exeter	"Rinks" at Exeter	\$ 321	
Hooksett	Ice Den	\$ 300	
Hooksett	Tri-Town	\$ 265	
	AVG	\$ 295	
SCHOOL / COLLEGE		2015/2016 60 Minute Rate	
Exeter	Phillips Exeter	\$ 295	
Durham	Whittemore Center	\$ 264	
Manchester	St. Anslem's	\$ 260	
Plymouth	Hanaway	\$ 235	
Henniker	Lee Clement (NE College)	\$ 220	
Tilton	Tilton School	\$ 185	
Andover	Proctor Academy	\$ 135	
	AVG	\$ 228	
PRIVATE NON-PROFIT		2015/2016 60 Minute Rate	
Hanover	James Campion	\$ 231	
Conway	Ham Arena	\$ 220	
Laconia	Laconia Arena	\$ 255	
Nashua	Conway Arena	\$ 235	
	AVG	\$ 235	

\* as compiled by staff at the Everett Arena in Concord NH and reformatted for review purposes

2/25/16



CITY OF  
Received  
FEB 5 2016

City Manager  
ROCHESTER

## Letter of Transmittal

**To:** Dan Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/ Director of Finance  
Terence O'Rourke, City Attorney

**From:** Chris Bowlen, Recreation & Arena Director

**Date:** February 5, 2016

**Subject:** Signature of Software Agreement

Please accept this Letter of Transmittal for your approval and signature of the attached "Software as a Service Master Agreement" (SaaS) for the new management software system for the Recreation & Arena Department. This system is by Maximum Solutions, Incorporated and the product is MaxGalaxy. This system is specifically made as a comprehensive management tool for recreation services providers. The purchase orders have already been executed as part of the approved FY16 CIP.

City Manager signature is required on page seven (7) of the attached agreement.

Kindly inform me if you have any questions.

LEGAL REVIEW

  
Terence O'Rourke  
City Attorney

Date

2/5/16

FINANCE REVIEW

  
Blaine Cox  
Deputy City Manager – Director of Finance

Date

2/5/2016

Upon Legal and Finance sign-off, kindly forward to City Manager's office for final approval.

## City of Rochester School Department

**Mr. Michael Hopkins**  
Superintendent of Schools  
e-mail: hopkins.m@rochesterschools.com

**Mrs. Mary A. Moriarty**  
Assistant Superintendent of Schools  
e-mail: moriarty.m@rochesterschools.com

**Ms. Linda Casey**  
Business Administrator  
e-mail: casey.l@rochesterschools.com

**Mrs. Christiane Allison**  
Director of Student Services  
e-mail: allison.c@rochesterschools.com

**Office of the Superintendent**  
150 Wakefield Street  
Suite #8  
Rochester, NH 03867-1348  
(603) 332-3678  
FAX: (603) 335-7367



February 15, 2016

CITY OF  
Received

FEB 17 2016

City Manager  
ROCHESTER

Mr. Daniel Fitzpatrick, City Manager  
and the Rochester City Council  
Rochester City Hall  
31 Wakefield Street  
Rochester, NH 03867

Dear Mr. Fitzpatrick and Council Members:

I am writing to inform you that the School Board voted unanimously to amend the 2016-2017 School Year Calendar to enable use of the Rochester Middle School and possibly the East Rochester School for the General Election on November 8, 2016.

I have been made aware of possible concerns with some current election/polling sites for the State Primary in September. If the Council wants to use the East Rochester School as part of the September Primary, the Board would need to decide to cancel school for all students that day, or just East Rochester students. Please let me know if the Council has that request.

Sincerely,

Michael L. Hopkins  
Superintendent of Schools

MLH/mgm

cc Mrs. Kelly Walters, City Clerk  
Rochester School Board



## City of Rochester School Department

**Mr. Michael Hopkins**  
Superintendent of Schools  
e-mail: hopkins.m@rochesterschools.com

**Mrs. Mary A. Moriarty**  
Assistant Superintendent of Schools  
e-mail: moriarty.m@rochesterschools.com

**Ms. Linda Casey**  
Business Administrator  
e-mail: casey.l@rochesterschools.com

**Mrs. Christiane Allison**  
Director of Student Services  
e-mail: allison.c@rochesterschools.com

**Office of the Superintendent**  
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Suite #8  
Rochester, NH 03867-1348  
(603) 332-3678  
FAX: (603) 335-7367



February 15, 2016

CITY OF  
Received  
FEB 17 2016  
City Manager  
ROCHESTER

**Mr. Daniel Fitzpatrick, City Manager**  
and the Rochester City Council  
Rochester City Hall  
31 Wakefield Street  
Rochester, NH 03867

Dear Mr. Fitzpatrick and Council Members:

At its regular meeting of February 11, 2016, the Rochester School Board voted to approve a request to City Council to reallocate funds in the Roof Line (CIP #15019000-743000-15104) in the amount of \$170,000; and reauthorize those funds for construction of an Athletic/Music Storage Barn.

I request that this be placed on the agenda for your next City Council meeting and to advise us of the date when the request will be considered. We will be happy to attend the meeting to answer any questions you may have.

Sincerely,

**Michael L. Hopkins**  
Superintendent of Schools

MLH/mgm

cc Rochester School Board

## Council Inquiry report 20160222

NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION
1	Varney	11/10/2015 Finance Committee	The budget implications of the recently increased Veteran's Tax Credit.	<b>discussed at February Finance meeting. Item closed</b>
2	Varney	11/10/2015 Finance Committee	The estimated final construction cost numbers for the East Rochester School Project.	<b>discussed at February Finance meeting. Item closed</b>
3	Varney	11/10/2015 Finance Committee	The Annual Reports for the City's Tax Increment Financing Districts	<b>discussed at February Finance meeting. Item closed</b>
4	Varney	1/21/2016 Public Works Committee	Director to provide the map and plan as discussed in regards to the William Allen School parking and bus issue.	<b>item closed</b>
5	Varney	1/21/2016 Public Works Committee	Asked for count on number of parking spaces at City Hall.	<b>item closed</b>
6	Varney	1/21/2016 Public Works Committee	asked the Director to do an analysis on cost savings that could be realized if they were to authorize funds earlier in the season as opposed to waiting until July.	<b>item closed</b>
7	Varney	1/21/2016 Public Works Committee	Status of Fieldstone Village meter project	<b>item closed</b>
8	Gray	1/20/2016 Public Safety Committee	Suggested sending a note to Planning about lining up the streetlights at the proposed intersection for Davis Boulevard as a condition of future development.	<b>item closed</b>

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
1/26/2016	2/9/2016	BANNERS	Arts & Culture Commission - banners at Community Center	Feb 1 - June 1
1/26/2016	2/9/2016	EVENT	Children's Dyslexia Center 5K Run/Walk	4/2/2016
1/28/2016	2/9/2016	TAG	Rochester Middle School Baseball	Feb. 26 & 27, 2016
1/28/2016	2/9/2016	TAG	Spaulding High School Soccer Boosters	Aug. 12 & 13 / Sept. 9 & 10, 2016
1/29/2016	2/22/2016	TAG	DAV - Forget-Me-Not Drive	July 1,2 &3, 2016
2/5/2016	2/9/2016	TAG	VFW - Poppy Drive	July 8-9, May 27-28, 2016
2/9/2016	2/9/2016	TAG	Spaulding High School Ski Team	Feb. 19-20, 2016
2/10/2016	2/22/2016	TAG	Spaulding High School Girls LAX	April 7-8, 2016
2/10/2016	2/22/2016	EVENT	Harvest Praise of God - National Day of Prayer	5/5/2016
2/10/2016	2/22/2016	TAG	Rochester Babe Ruth	June 3-4, 2016
2/11/2016	2/22/2016	TAG	American Cancer Society - Relay for Life Everyday Angels	April 24 & June 5, 2016
2/11/2016	2/22/2016	TAG	SHS Girls LAX	April 1-2, 2016
2/18/2016	2/22/2016	RAFFLE	Friends of the Library	annual
2/18/2016	2/22/2016	TAG	Knights of Columbus	Aug. 26-27, 2016

[illegible]





## City of Rochester Dept of Public Works

45 Old Dover Road  
Rochester, NH 03867  
Phone: (603) 332-4096  
Fax: (603) 335-4352

# Memo

**To:** Dan Fitzpatrick, City Manager  
**From:** John B. Storer, P.E. Director of City Services  
**CC:** Blaine Cox, Deputy City Manager  
**Date:** February 24, 2016  
**Re:** SRF Asset Management Grant Application

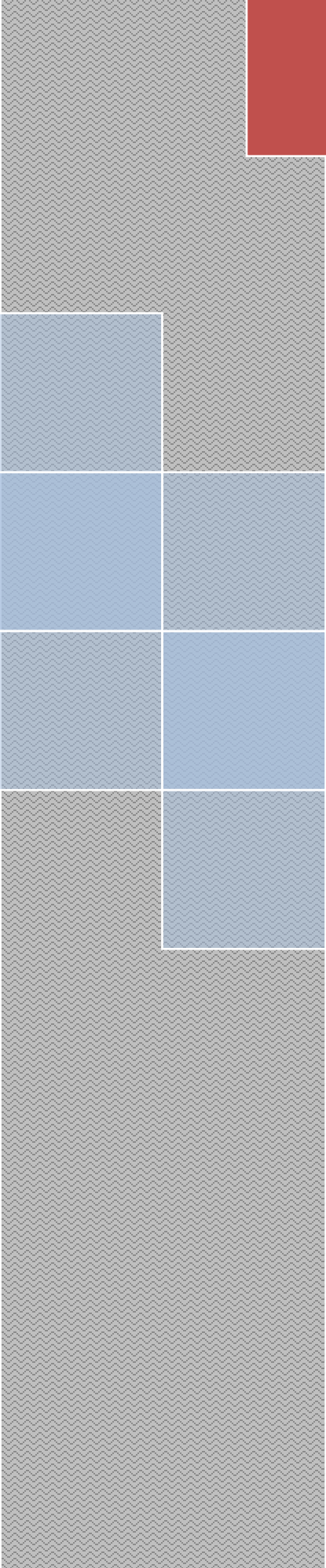
Requesting permission to submit an SRF loan application to the NH Department of Environmental Services. DES has a program available where the City might qualify for over \$60,000 in principal forgiveness towards our planned stormwater infrastructure mapping effort. Time is critical, as funds are available on a first-come, first-served basis. If successful, at a later date we would submit an Agenda Bill to the City Council to determine if they wanted to proceed with the funding assistance.

At the December 1, 2015 City Council Meeting, a re-appropriation of existing CIP funds was authorized to proceed with a \$162,500 mapping effort to locate all of our stormwater outfall pipes and collection system. The planned effort was to comply with pending MS4 Stormwater Regulations. The proposed work also included mapping for various water, sewer & highway features.

In meetings with other municipalities and representatives from DES, representatives from DES expressed enthusiasm for Rochester's proposed efforts. DES requested a meeting with City staff to share information on some of their financial programs that can provide grant assistance for mapping-related projects, but primarily ones that focused on asset management. DES indicated our proposed effort would likely qualify for an initial 20% principal forgiveness, with eligibility for another \$30,000 on top of that. We discussed the potential for grant assistance in excess of \$60,000.

The requested action is to apply for the SRF assistance to supplement our current proposed effort. Thereby we could do \$220,000+/- in work for the City's commitment of \$162,500. The mapping effort is critical, but DES's participation is contingent on focusing on "asset management" as part of the overall effort. This would simply require a more detailed initial assessment of our infrastructure during the mapping effort. Our consultants would conduct assessments of each piece of infrastructure and then work with us to develop an on-going plan to inspect, monitor and repair the assets.

DES will be requiring that municipalities develop Asset Management Programs in order to qualify for future SRF assistance. They feel these programs force municipalities into active monitoring and maintenance of their systems, thus ensuring they are properly maintained.



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**TRI-CITY COALITION  
MINUTES OF MEETING  
FEBRUARY 12, 2016  
SOMERSWORTH CITY HALL – EXECUTIVE CONFERENCE ROOM**

**MEMBERS PRESENT:** Mayor Dana Hilliard (Somersworth), Councilor David Witham (Somersworth), Councilor Dale Sprague (Somersworth), Mayor Karen Weston (Dover), Councilor Deborah Thibodeaux (Dover), Councilor Donald Hamann (Rochester), Councilor Elaine Lauterborn (Rochester)

**OTHERS PRESENT:** City Manager Robert Belmore (Somersworth)

The meeting was called to order by Chair Deb Thibodeaux at 5:00pm. After attendee introductions Mayor Weston (Dover) shared a number of legislative initiatives that could impact the Tri-Cities. In particular she spoke of a bill that would remove recreation immunities from municipalities and school districts. The list was provided and she suggested that the Councils in Rochester and Somersworth consider weighing in with the State Legislative Body formally either in support of or against particular legislation.

Manager Belmore shared with the group that he, Manager Joyal (Dover) and Manager Fitzpatrick (Rochester) met to discuss cooperative efforts in two specific areas, Assessing and Health Inspections. He noted that Dover and Somersworth contract out assessing while Rochester has a City staff department. In addition, although Dover and Somersworth use the same contract service, they both use different software. As such, the Manager's do not support a cooperative effort at this time. Manager Belmore also noted that Health Inspection services were a non-starter as that is currently handled by the State of NH at no cost.

Committee members discussed how many of these issues would benefit the County as a whole and not just the Tri-Cities. To that end they agreed to invite the Strafford County Commissioners, Administrator and Register of Deeds to the next meeting to discuss County Wide assessing among other issues.

The committee members then had a general discussion on other cooperative efforts to possibly explore that included such items as fleet maintenance, hanging banners (bucket truck), tire purchase, chemical purchase (water/waste water) and fuel.

The committee wrapped up the meeting by asking Manager Belmore to share with the other Managers the need to meet regularly and to continue looking for cooperative efforts.

**Next Meeting:** Thursday, March 17, 2016 at 5pm, Dover City Hall.

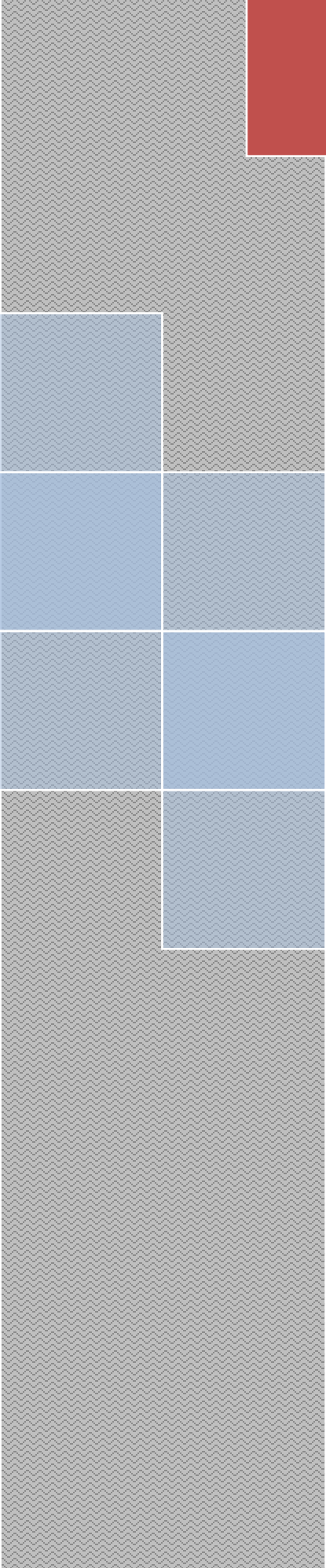
Meeting adjourned at 6:00pm

Respectfully Submitted:




---

David A. Witham, Recording Secretary  
Tri-City Coalition



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## City of Rochester School Department

**Mr. Michael Hopkins**  
Superintendent of Schools  
e-mail: hopkins.m@rochesterschools.com

**Mrs. Mary A. Moriarty**  
Assistant Superintendent of Schools  
e-mail: moriarty.m@rochesterschools.com

**Ms. Linda Casey**  
Business Administrator  
e-mail: casey.l@rochesterschools.com

**Mrs. Christiane Allison**  
Director of Student Services  
e-mail: allison.c@rochesterschools.com

Office of the Superintendent  
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Rochester, NH 03867-1348  
(603) 332-3678  
FAX: (603) 335-7367



February 15, 2016

Mr. Daniel Fitzpatrick, City Manager  
and the Rochester City Council  
Rochester City Hall  
31 Wakefield Street  
Rochester, NH 03867

Dear Mr. Fitzpatrick and Council Members:

I am writing to inform you that the School Board voted unanimously to amend the 2016-2017 School Year Calendar to enable use of the Rochester Middle School and possibly the East Rochester School for the General Election on November 8, 2016.

I have been made aware of possible concerns with some current election/polling sites for the State Primary in September. If the Council wants to use the East Rochester School as part of the September Primary, the Board would need to decide to cancel school for all students that day, or just East Rochester students. Please let me know if the Council has that request.

Sincerely,

Michael L. Hopkins  
Superintendent of Schools

MLH/mgm

cc Mrs. Kelly Walters, City Clerk  
Rochester School Board



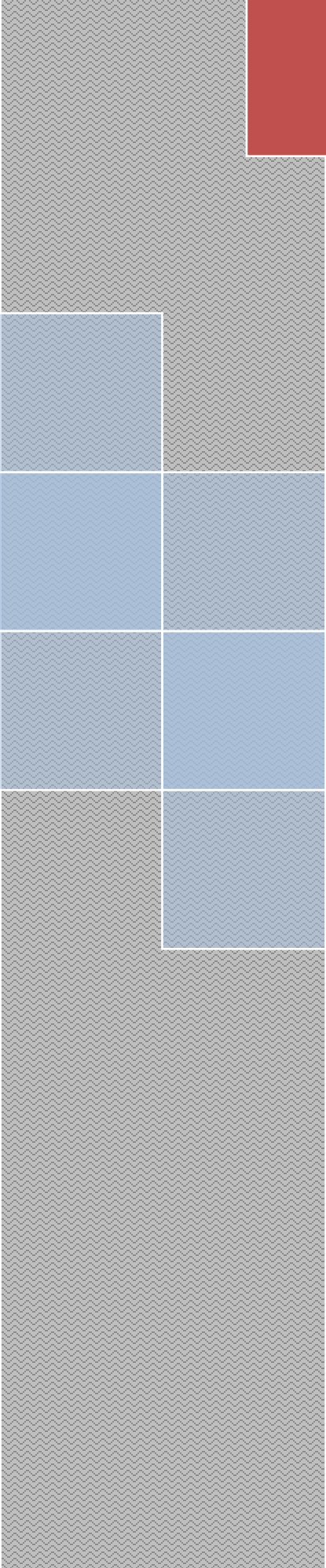
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## Reports of Committees

February 2016

- Codes and Ordinances Committee - 2/04/2016
- Community Development - 2/23/2016
- Finance Committee - 2/09/2016
- Government Channel - 2/17/2016
- Public Safety Committee – 2/17/2016
- Public Works and Building Committee – 2/18/2016



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**CODES AND ORDINANCES COMMITTEE**

Of the Rochester City Council

**February 4, 2016**

City Council Chambers

31 Wakefield Street, Rochester, NH

7:02 PM

**Committee Members Present**

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

**Others Present**

Kelly Walters, City Clerk  
Terence O'Rourke, City Attorney  
Police Chief Michael Allen  
Councilor Ray Varney  
Councilor James Gray  
Marilyn Tucker, Trinity  
Anglican Church Thrift Shop  
Mark Saxby, Collec-Tiques  
Pat Rainboth, Victims Inc.  
Scott Douglas, American  
Used Auto Parts  
Tracey Frisbee, Quick Cash  
Todd Berrios, Skele-Tone  
Records  
Marilyn Tucker, Trinity  
Anglican Church Thrift Shop  
David Hynes, Ward 4 Resident  
MaryAnn Digilio, Trinity Anglican  
Church Thrift Shop

**MINUTES**

**1. Call to Order**

Councilor Lachapelle called the Committee meeting to order at 7:02 PM. All members were present.

**2. Public Input**

Councilor Lachapelle invited the Public to come forward to speak about topics/issues, which were not listed on the agenda. No member of the public came forward. Councilor Lachapelle closed public input at 7:03 PM.

**3. Approval of the Codes and Ordinances Committee Minutes**

- **December 3, 2015**

Councilor Lauterborn **MOVED** to **ACCEPT** the Committee Meeting minutes of December 3, 2015 as written. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

#### **4. Pawnbrokers/Second Hand Dealers Ordinance Amendments**

Attorney O'Rourke stated that the holding period was removed from the proposed Amendment to Chapter 34 of the General Ordinances, under Section 34.8 Junk Dealers.

Marilyn Tucker, Trinity Anglican Church Thrift Shop, questioned why there was no language exempting a nonprofit agency from the holding period and to the recording requirements. Attorney O'Rourke replied that "donated" items are excluded under Section 34.9 (3). He said Ms. Tucker's thrift shop is basically a consignment shop and cannot be exempt from obtaining a Secondhand Dealer's License **nor** from abiding to the City's General Ordinances.

The Committee discussed group shops such as the one located on Union Street. Jim Grant, Building, Zoning, and Licensing Services, said at this time, such consignment shops would be required to obtain only one secondhand dealer's license under the retailers name.

Councilor Abbott suggested giving the secondhand dealers and pawnbrokers more options to meet the proposed new regulations. He said the goal is to locate stolen items which have been pawned. He said items could be easily tracked by obtaining the identification of the customer. This could greatly reduce holding periods imposed on the business owner.

Scott Douglas, American Used Auto Parts, questioned if the junk dealers would be exempt from uploading photographs and entering specific data into the software provided. He stated that this would cause a financial burden on his business. Councilor Lachapelle confirmed that the junk dealers are exempt from the holding period; however, they would **not** be exempt from this requirement.

Pat Rainboth, Victims, Inc., questioned if Victims, Inc. would need to obtain a secondhand dealer's license. She explained that Victims, Inc. accepts donations for sales, and that three times a year they hold a holiday weekend. It was clarified that this activity would not require a secondhand dealer's license under the current and proposed Amendment. Mr. Grant explained that Victims, Inc. would need to submit a Project Narrative Form to the Planning Department in order to continue to hold these yard sales. He

added that, at some point, the Planning Department may stipulate that the yard sale, *and clean-up*, ends on the third day of the sale, in order to stay in compliance with the ordinance.

Tracey Frisbee, Co-Owner of Quick Cash Trading Center, informed the Committee that implementing this Ordinance as written would greatly affect his business. This Ordinance would require a photograph to be uploaded to the provided software and much time would be spent with typing the information into the computer for individual items. The paper copy would have to be held for a year. Lastly, there is no more room at his location to hold items for an additional 7 days. He added that this would impact the quality of service given to the customer as they wait for the transaction to be completed. Councilor Gates requested collaboration between the secondhand dealers and the local police department to draft an ordinance which is acceptable to both the Police Department and the secondhand dealer shops. Mr. Frisbee replied that he has been in compliance with the current General Ordinance for the last twenty years or more. He added that the Dover Police Department sends out letters and emails to the surrounding secondhand dealer shops in order to retrieve stolen items. This process has proven to work.

Councilor Gray questioned the need to keep written documentation along with the electronic documentation. Attorney O'Rourke clarified that the information would be entered into a computer and submitted to the local police department. Additionally, the documentation would be printed and signed by the owner and kept on file at the secondhand dealer's location for one year.

Councilor Varney requested a more specific list of items which are most often stolen. This would/could reduce or eliminate the holding period for some specific items. Chief Allen explained that he could provide such a list; however, the Police Department's goal is to protect all stolen property and return items to the rightful owner. He said it would be impossible to predict what items would be popular to steal/pawn this year as opposed to what might become most popular to pawn in the years to come.

Attorney O'Rourke opposed making a list of items to require a holding period. He said when a list is created the items which are **not** on that list will quickly become the next most popular items to steal. Chief Allen agreed and said another option would be to exempt certain items from the holding period such as clothing and furniture.

Councilor Abbott said the City must provide more options for these business owners to comply with the ordinance; otherwise, the City would see more citizens dumping items and less recycling of items.

Councilor Lauterborn pointed out that one pawnshop owner had a gift card scam/fraud here in the City of Rochester; however, the Rochester Police Department was able to shut that operation down under the existing ordinance. Chief Allen agreed that the situation had been resolved; however, it was not due to the current ordinance that is in place. He said this particular pawnbroker's license had expired and that the City did not allow this shop to renew the pawnbroker's license. He added that the current ordinance needs revision.

Chief Allen said the proposed Amendment would have a one-year trial basis, which would allow for an evaluation of the data after one year. Councilor Gates questioned if the City Council could pass an ordinance with an expiration date. Councilor Varney replied yes, it would be treated like the sunset clause.

Councilor Lauterborn questioned why the Rochester Police Department is not sending out a list of stolen items to pawnbrokers/secondhand dealers, as the Dover Police Department is currently doing. Chief Allen stated that the Dover Police Department is not sending out such information for each theft that occurs and it would not be practical to do so.

Councilor Abbott reiterated that the most common sense items to place a holding period on would be fine jewelry, firearms, and expensive electronics.

Todd Berrios, Skele-Tone Records, suggested implementing a simple system that would require customers to obtain notarized verification forms from the Police Department in order to pawn certain items.

MaryAnn Digilio, Trinity Anglican Church Thrift Shop, questioned why the thrift shop is not exempt from the new requirements as previously stated at the December 3, 2015, Codes and Ordinance Committee meeting. Attorney O'Rourke said not enough information had been provided at that time and reiterated that the Trinity Anglican Church Thrift Shop cannot be exempt because they are a consignment shop which must obtain a secondhand dealers license. Ms. Digilio strongly suggested that this Amendment not be passed until all of these questions have been answered and all the issues have been resolved. Councilor Gray clarified that under the proposed ordinance articles of clothing would **not** be required to have a

holding period: *"Individually identifiable articles. Articles that are individually identifiable by a serial number or other applied numbers, letters, characters or markings or other unique features that serve to distinguish it from any other similar article and can be used to establish ownership."*

Mark Saxby, Collec-Tiques, volunteered to be part of the next discussion to resolve some of the issues brought to the Committee's attention this evening. He questioned why a nonprofit group such as Trinity Anglican Church Thrift Shop must abide by the same requirements as the other shops in the City. He further questioned why the facility operating on Union Street, which has over 150 individual booths set up, is only required to obtain one secondhand dealer's license.

Councilor Lauterborn stated that Section 34.2 is in need of a grammatical correction: **34.2** *For purposes of this definition, yard sales, flea markets, garage sales, attic sales or similar commercial activity established as business for the sale of other people's property as described in this Ordinance ~~or if~~ such a sale ~~that~~ exceeds three days duration or is held more than three times a year shall be considered a second-hand dealer. **No motion is needed to make this correction.***

Councilor Lauterborn stated that the following sentence is included in the current ordinance [34.2]; however, it had been eliminated in the proposed ordinance:

*"In the event any such articles are taken in trade for another or similar article by a retail or wholesale establishment, such transactions shall not be considered as coming within the requirements of this ordinance."*

Councilor Lauterborn wished for more information as to why this language was not carried over into the proposed ordinance. Attorney O'Rourke and the Director of Building, Zoning, and Licensing Services agreed to get back to the Committee with this information.

Several Committee members gave clarification as to what would be needed for the next proposal:

- Include a revision date of the proposed draft
- Exemption to "non-profit" agencies [*for at least some of the additional requirements*] or at least provide more information on the matter
- Modify the proposed Amendment to ensure that it is written more clearly

- Rid the 30-day holding period and exclude certain items from the 7-day holding period
- More options for compliance

Councilor Lauterborn encouraged the Rochester Police Department to start notifying the Secondhand Dealers and Pawnbrokers of stolen items.

Councilor Lachapelle stated that this item would stay in Committee and would be discussed again at the next meeting scheduled for March 3, 2016.

- **Polling locations**

Councilor Lachapelle stated that if there were no objections the Committee would discuss polling locations. He invited Dave Hynes, resident of Ward 4, to address the Committee.

Mr. Hynes stated he had no objection to holding the City's elections at Home Depot; however, he questioned if any consideration had been given to holding the City's elections at Lowe's Home Improvement Store, which is also located in Ward 4.

The Committee discussed the Ward 3 polling location and holding elections in schools. Councilor Lachapelle stated that the City Council recommended changing the Ward boundary lines for Ward 3 which would Middle School as provide for a better polling location for Ward 3. Councilor Lachapelle suggested finding out more about the Lowe's Home Improvement Store. At this point, it may make more sense to look into the possibility of changing the Ward 3 boundary lines to include the Lowes Home Improvement Store. Councilor Varney requested more information be provided at the next City Council Workshop meeting. Councilor Abbott **MOVED** to recommend to the full City Council that the Ward 3 boundary lines be changed to include Lowes Department Store, pending on Lowe's Department Store's willingness to accommodate the City's needs for elections. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

## **5. Rules of Order**

Councilor Gray suggested a change to the Rules of Order under 3.8 to accurately mimic what is outlined in the City Charter [mayoral veto].



Councilor Lauterborn agreed and **MOVED** to recommend to the full City Council that Section 3.8 be amended as outlined below. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

### **SECTION 3.8 MAYORAL VETO - EXERCISE AND VOTE TO OVERRIDE**

To be effective, the right of veto accorded to the Mayor under the provisions of Section 10-A of the Rochester City Charter, must be exercised, and notice of such exercise must be communicated in writing to the City Clerk, within one hundred forty-four (144) hours after action by the Council. As soon as practicable after receipt of the Mayor's written notice of exercise of the veto power, and in no event later than seventy-two (72) hours after receipt of such notice, the City Clerk shall inform the Council in writing of the Mayor's exercise of such veto. The Council may override said veto by a two-thirds (2/3) vote of all Councilors (**mayor excluded**) serving in office, as provided for in Section 10-A of the Rochester City Charter, no later than the close of the next regular meeting of Council.

Councilor Abbott took issue with the Rules of Order under Section 4.14 Election By Ballot:

### **SECTION 4.14 ELECTIONS BY BALLOT**

In all elections by ballot on the part of the City Council, blank ballots and all ballots for persons not eligible shall be reported to the Council. To be elected, any person seeking election must receive a majority of the votes of those members present and voting. Tally of the ballots shall be reported to the Council and recorded in the minutes. Unless otherwise directed by the Council, all ballots shall be destroyed after being reported.

A. Boards and Commissions appointments shall be elected by ballot of the City Council with the exception of a single candidate. Single candidates upon nominations ceasing will be elected by City Council voice vote that the City Clerk cast one ballot for that candidate.

Councilor Abbott provided information from 91-A stating that secret ballots are not permitted in a public meeting and noted that the City Charter should be adjusted accordingly too. The Committee debated the matter. Attorney O'Rourke replied that State Law supersedes the City Charter. Attorney O'Rourke agreed to supply the Committee with a legal opinion on the matter. This Section of the Rules of Order will stay in Committee.

Councilor Varney stated that Section 1.4 should be amended to reflect what is currently the order of business at the Regular Meeting(s).

Councilor Abbott **MOVED** to recommend to the full City Council that Section 1.4 be amended as outlined below. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

#### **SECTION 1.4 ORDER OF BUSINESS**

(a) The order of business for regular meetings of the City Council shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Prayer
4. Roll Call
5. Approval of the Minutes of the Previous Meeting
6. Communications from the ~~Mayor~~ **City Manager**
7. Communications from the ~~City Manager~~ **Mayor**
8. Presentations of Petitions and Council Correspondence [and Disposal thereof by Reference or Otherwise]
9. Nominations, Appointments, and Resignations
10. Reports of Committee
11. Old Business [Items Remaining from Prior Meetings]
12. New Business
13. Other
14. Adjournment

Councilor Varney stated that all packet material should be provided to the City Council at least five days prior to the meeting; however, if an important item must be added to the Agenda after that point, then the Agenda should be sent out as revised.

Councilor Lachapelle **MOVED** to recommend to the full City Council that Section 4.1 be amended as outlined below. Councilor Gates seconded the motion. The **MOTION CARRIED** by a majority voice vote.

#### **SECTION 4.1 AGENDA PREPARATION**

The agenda for each Council meeting shall be prepared by the Mayor, the Deputy Mayor and the City Manager in conjunction with the City Clerk. Any Councilor may place an item on the agenda provided that the items be submitted in writing or email to the City Clerk, the Mayor, the Deputy Mayor or the City Manager seven (7) days prior to the meeting of Council. The City Clerk shall provide Council members with copies of the agenda, resolutions, and subject matter, to be presented to the Council, at least five (5) days

before **prior** to the meeting of the Council. ~~All resolutions, and subject matter, to be presented to the Council shall be made available to the members prior to said Council meeting.~~

The Committee discussed the requirement of two readings and the current policy of Section 4.12 Ordinances and Resolutions; however, no action was taken.

Councilor Barnett pointed out that Section 4.7 is not clear when it comes to public input at Committee meetings.

Councilor Lauterborn **MOVED** to recommend to the full City Council that Section 4.7 be amended as outlined below. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

#### **SECTION 4.7 PUBLIC INPUT AT WORKSHOP OR COMMITTEE**

V. Public Input shall not be a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager, or administrative staff; **with the exception of Committee meetings when allowed by the Chair**; and,

The Committee briefly discussed Section 4.22 Inaugural Meeting, Order exercise: To include all Election Officials to receive the Oath of Office, however, no action was taken.

Councilor Lauterborn **MOVED** to recommend the following amendments to the next Regular City Council meeting for adoption. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

- **SECTION 1.4 ORDER OF BUSINESS**
- **SECTION 3.8 MAYORAL VETO - EXERCISE AND VOTE TO OVERRIDE**
- **SECTION 4.1 AGENDA PREPARATION**
- **SECTION 4.7 PUBLIC INPUT AT WORKSHOP OR COMMITTEE**

#### **6. Penalties - Chapter 40.2**

Councilor Bogan **MOVED** to recommend the Amendment to Chapter 40.2 to the full City Council. Councilor Abbott seconded the motion. The Committee discussed the proposed Amendment. Several Councilors recalled that Mr. Beaudion intended to focus on adopting new legislation that would

provide the Director of Building, Zoning, and Licensing Services the ability to seek action against a tenant; specifically to remove junk from a yard, which they [tenant] would not remove themselves. Councilor Lauterborn stated that this fine/fee schedule is much more complex than that.

Sheldon Perkins, Compliance Officer for the City of Rochester, supported the Amendment to Chapter 40.2. He said, currently, it takes too long for junk to be removed from a tenant's yard. He added that there is a false perception made by tenants, who believe the City should/could only give a citation to the landlord. The ability to write a summons to the tenant on the spot would resolve the matter.

Councilor Abbott gave a detailed explanation of why he believed that RSA 31:39-d cannot apply to the Building Code and therefore would be invalid. He supported enacting RSA 31:39-d, to a Property Maintenance Code, which could/would be treated as a Building Code for single-family homes [which can still be used for a land use citation] and then modify the Building Code for multifamily homes under a Housing Code in order to make it applicable to duplexes and above. The Committee had a lengthy debate on the matter and it was determined that more information would be needed.

Councilor Bogan **WITHDREW** her **MOTION** and Councilor Abbott **WITHDREW** his **SECOND** to the motion. This matter will be revisited at the next Codes and Ordinance Committee meeting in March.

## **7. Licensing Board Established - Chapter 26.1**

Councilor Lachapelle **MOVED** to recommend that the full City Council approve the Amendment as outlined below. Councilor Gates seconded the motion. Councilor Gray suggested that language be included to allow the City Manager, Police Chief, or Fire Chief's designee to be appointed. The motion was restated to include this language as outlined below. Councilor Lachapelle requested a vote on the motion as amended. The **MOTION CARRIED** by a unanimous voice vote.

### **26.1 Licensing Board Established**

There is hereby established a Licensing Board for the City of Rochester which shall consist of the City Manager, Chief of Police, **and Chief of the Fire Department, or their designees.** ~~, and one other person to be appointed by the Mayor in accordance with the provisions of Section 74 of the Rochester City Charter, at the first January meeting of the City Council following the regular municipal election for a term of two (2) years.~~

## 8. Polling Locations - Discussion

*This discussion took place earlier in the meeting.*

## 9. Permits - Chapter 40.16

Councilor Gray suggested adding language to the last sentence of Chapter 40.16 (c) by authorizing the City Manager to approve exemptions. Attorney O'Rourke stated that the City Manager cannot be given the authority to waive fees arbitrarily.

Councilor Abbott stated that the Building, Zoning, and Licensing Services Department cannot deny the issuance of a building permit due to non-payment of taxes; furthermore, the State RSA that outlines the collection of taxes has given specific requirements for collecting taxes and withholding building permits is not listed. He **MOVED** to strike paragraph (c) completely. Councilor Gates seconded the motion. The **MOTION FAILED** by a 2 to 3 show-of-hands vote.

The Committee discussed the matter further. Councilor Lachapelle **MOVED** to recommend that the full City Council accept the Amendment to Chapter 40.2 at the next Regular City Council meeting. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a 3 to 2 show-of-hands vote.

### **AMENDMENT TO CHAPTER 40.2 OF THE GENERAL ORDINANCES OF THE CITY OF ROCHESTER REGARDING PERMITS**

*40.2 (c) The Director of Building, Zoning, and Licensing Services shall issue no building permit, certificate of occupancy, and or/other construction permit for improvement or changes in real property for any real property for which there are delinquent municipal taxes, sewer user charges, assessments, penalties and/or fines.*

*(d) The City Manager is authorized to waive the provisions of subsection (c) for natural persons seeking a building permit, certificate of occupancy, and or/other construction permit for improvement or changes to the person's homestead property, if the person qualifies for an elderly tax exemption pursuant to RSA 72:39-a, a disability tax exemption pursuant to RSA 72:37-a or a elderly or disability tax deferral pursuant to RSA 72:38-a.*

## 10. Other

No discussion.

## 11. Adjournment

Councilor Gates **MOVED** to **ADJOURN** the Codes and Ordinance Committee meeting at 9:50 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters  
City Clerk





# Rochester City Council

## Community Development Committee

### MEETING MINUTES

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

<b>Meeting Date:</b>	Tuesday, February 23, 2016	
<b>Members Present:</b>	Councilor Abbott Councilor Lauterborn Deputy Mayor Varney	<b>Members Absent:</b> Councilor Barnett Councilor Bogan
<b>Guests/Staff:</b>	Julian Long, Community Development Coordinator Susan Ford, Homeless Center for Strafford County Pamela Thyng, Community Partners Melissa Silvey, SOS Recovery Community Center Mike Kimball, Triangle Club, Inc. Bob O'Connell, My Friend's Place Julie Reynolds, Cornerstone VNA Allie Joseph, MY-TURN Linda Howard, The Homemakers Sandy Beaudry, Cross Roads House Doug Surina, Community Action Partnership of Strafford County Jenny Sheehan, Court-Appointed Special Advocates of New Hampshire Colene Arnold, Hope on Haven Hill Kerry Norton, Hope on Haven Hill	

Councilor Lauterborn called the meeting to order at 7:01 p.m. Motion was made by Deputy Mayor Varney and seconded by Councilor Abbott to approve the January 28, 2016 minutes. The minutes were approved unanimously.

<b>Public Input</b>	There was no public input.
<b>Presentations by FY 2016-2017 Grant Applicants</b>	<p>Ms. Ford from the Homeless Center for Strafford County presented on grant applications requesting operational funds and funds to install a new back-up generator at the shelter. The Homeless Center for Strafford County provides cold-weather shelter for homeless women and families within Strafford County. Ms. Ford mentioned that the current generator has been down four times within the last year.</p> <p>Ms. Thyng from Community Partners presented on a grant application requesting funds to install a new elevator at their Dover office location. Community Partners is the designated Community Mental Health Center, Developmental Services Provider and Family Support Center for Strafford County. Ms. Thyng also read a letter from a client and employee of Community Partners who experiences difficulties in performing his job duties due to the current elevator's malfunctions. Deputy Mayor Varney asked about the costs of replacement versus repair, and Ms. Thyng stated that repair is not a feasible option due to the current elevator's age</p>

and current building codes.

Ms. Silvey from the SOS Recovery Community Center presented on a grant application requesting funds to lease or purchase building space to house a recovery center for residents experiencing substance abuse addiction. The recovery center is to host recovery coaching, peer to peer support, and other services. Potential locations include Portland Street and the former Artstream building. Deputy Mayor Varney and Councilor Lauterborn inquired into the project's overall budget, and Ms. Silvey stated that the recovery center anticipates operational funding from a \$1.4 million state RFP funding opportunity, as well as \$50,000 committed by the New Hampshire Charitable Foundation.

Mr. Kimball from the Triangle Club presented on a grant application requesting funds to expand the second floor of the organization's building located in Dover. Mr. Kimball stated that the Triangle Club serves as a regional recovery center for those experiencing substance abuse addiction, including heroin addiction, and is staffed entirely by volunteers. Councilor Lauterborn asked whether the Triangle Club would be seeking funds from other communities it serves, as well, and Mr. Kimball stated that a grant application will be submitted to the City of Dover's CDBG program requesting partial funds for the project.

Mr. O'Connell from My Friend's Place presented on a grant application requesting operational funds. My Friend's Place is a homeless shelter located in Dover that provides services to the region's homeless populations. Mr. O'Connell stated that he works closely with the City of Rochester and Rochester's welfare director, Todd Marsh, to serve Rochester's homeless residents.

Ms. Reynolds from Cornerstone VNA presented on a grant application for general City funds to cover partial expenses of providing assistive health care and home care services to Rochester residents. Ms. Reynolds discussed sources of funding, decreases in Medicaid reimbursements, and payment reform concerns. Councilor Lauterborn asked if the organization works with local hospices, and Ms. Reynolds stated that they have a contract arrangement with Hyder House. Deputy Mayor Varney asked how the requested amount of funds was determined, and Ms. Reynolds stated that it was based on the percentage of Rochester residents (38%) who receive services.

Ms. Joseph from MY-TURN presented on a grant application for operational expenses related to increased hours for the organization's business engagement staff person. MY-TURN provides educational and vocational services to low-income youth in Rochester and the surrounding region. Councilor Lauterborn asked about the location and age range of the organization, and Ms. Joseph stated that the location is still on Hanson Street but that the age range served has expanded to 16-24.

Ms. Howard from The Homemakers presented on a grant application for general City funds to cover partial expenses of providing assistive health care and home care services to Rochester residents. Ms. Howard stated

that 73% of services are provided to low-income persons. Deputy Mayor Varney asked about the sale status of the property located in front of The Homemaker's building, and Ms. Howard stated that the land had been sold to Frisbie Memorial Hospital and an assisted living facility but 140 acres remains unsold. Councilor Lauterborn asked whether there was an overlap of services with Cornerstone VNA, and Ms. Howard stated that there was some overlap but that The Homemakers bridges gaps in services not provided by Cornerstone VNA.

Ms. Beaudry from Cross Roads House presented on a grant application for operational expenses. Cross Roads House is located in Portsmouth and is the largest regional homeless shelter. Ms. Beaudry stated that the organization serves the entire Seacoast region and houses single men as well as women and families. Mr. Long mentioned that in the FY 2015-2016 grant application summary prepared for the Community Development Committee last year, it was stated incorrectly that Cross Roads House had requested \$3,500; the actual request had been \$12,000. Deputy Mayor Varney asked if Cross Roads House was funded last year, and Mr. Long confirmed that they were.

Mr. Surina from the Community Action Partnership of Strafford County (CAP) presented on a housing rehabilitation grant application requesting funds for CAP's weatherization assistance program and a grant application for general City funds to cover partial expenses of providing services to Rochester residents. CAP provides a range of services, including weatherization assistance, fuel assistance, Head Start services, and other services, to residents of Strafford County. Mr. Surina stated that the general City funds application is the most important as these funds are used to meet the match requirements of other grant sources. Deputy Mayor Varney asked about the unspent FY 2015-2016 grant funds awarded to the weatherization assistance program, and Mr. Surina stated that there had been problems with contractor performance that led to slow expenditure of funds but that CAP's new contractor has been performing well.

Ms. Sheehan of Court-Appointed Special Advocates of New Hampshire (CASA) presented on a grant application for expenses related to volunteer recruitment and training. CASA provides guardians ad litem to represent and protect children's interests in child abuse and neglect court cases. Councilor Lauterborn expresses support for CASA's work.

Dr. Arnold and Ms. Norton presented on a grant application requesting funds to renovate the Hope on Haven Hill facility to bring the building into code compliance. Hope on Haven Hill will provide supportive medical services to pregnant women experiencing homelessness and substance abuse addiction. Dr. Arnold and Ms. Norton stated that currently there is only one facility in the state providing such services, and it is located in Nashua and only has seven beds, with a six to eight week waiting list. They also mentioned that Hope on Haven Hill will be partnering with CAP for case management for women not yet admitted to the facility. Councilor Lauterborn asked whether the organization has other funding sources, and Dr. Arnold and Ms. Norton stated that they will be pursuing \$1.5

	million in state funds earmarked for such services, as well as private fundraising. Within the last two months, \$20,000 in private funds has been raised. Deputy Mayor Varney asked whether the organization anticipates future CDBG grant requests for operational expenses, and Dr. Arnold and Ms. Norton stated that they do not anticipate requiring CDBG funds for operational expenses, which they intend to fund through federal and state grants and Medicaid reimbursements.
<b>CDBG FY 2016-2017 Annual Action Plan</b>	Mr. Long gave a brief overview of the draft FY 2016-2017 Annual Action Plan and the proposed timeline for review and acceptance. The Committee discussed several proposed projects and activities, including past performance of organizations previously funded. The Committee also discussed and decided upon a general approach to deciding on funding recommendations to the full City Council.
<b>CDBG Projects Program Report</b>	<p>Mr. Long gave brief updates on the CDBG program, including status of facilities projects and recent U.S. Department of Housing and Urban Development trainings attended by the Community Development Coordinator. Councilor Abbott asked about why the bicycle racks project had not been completed yet, and Mr. Long stated that it was a low-priority project and other facilities projects had taken precedence. Mr. Long also mentioned that all facilities projects are anticipated to conclude by the end of the fiscal year or shortly thereafter.</p> <p>The Committee requested that Mike Provost of Rochester Main Street be invited to the March Community Development Committee meeting regarding accessibility improvements to Central Square. Mr. Long stated he would do so.</p>
<b>Other Business</b>	Mr. Long stated that he had been contacted by Kate Kirkwood, an independent lead consultant, and asked if the Committee would like to invite her to present on federal lead grant opportunities. Mr. Long reminded the Committee that Ms. Kirkwood had presented last year, as well, and that the City Council had voted not to apply for the grant. The Committee discussed its interest in such a presentation and requested that Ms. Kirkwood be invited to the April Community Development Committee. Mr. Long stated that he would do so.

Motion to adjourn was made by Councilor Abbott and seconded by Councilor Lauterborn. The vote to adjourn was unanimous. The meeting was adjourned at 8:50 p.m.

**Next Meeting** – Monday, March 14, 2016 at 7:00 p.m. in the City Council Conference Room at City Hall

**Topics** – CDBG FY 2016-2017 Annual Action Plan (Second Review and Adoption), Central Square Accessibility Improvements, CDBG Projects Program Report, Other Business

## FINANCE COMMITTEE

### Meeting Minutes

#### Meeting Information

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Date: February 9, 2016  
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 Keans and Councilor Torr. Committee members excused were: Councilor Lauterborn, Councilor Hamann and Councilor Gray. Other city Councilors present were: Councilor Barnett. City staff present were: City Manager Fitzpatrick, Deputy City Manager Cox, Senior Accountant Sullivan, Recreation Director Bowlen and Public Works Director Storer.

#### Agenda & Minutes

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1. Call to Order

Mayor McCarley called the meeting to order at 7 PM.

2. Public Input

Mayor McCarley announced that the meeting was open for public input. However, no members of the public addressed the committee.

3. Unfinished Business – none.

4. New Business

4.1 Summer Lifeguard Program

Recreation Director Bowlen appeared before the Committee and requested that the Recreation Department be authorized to proceed at this time with their summer lifeguard hiring process. He indicated that this is the same request made each year so that lifeguards can be hired for the upcoming summer pool season before the budget is approved. Mayor McCarley informally polled the Committee and

determined that the sense of the Committee was to grant the Recreation Department's request.

#### 4.2 Arena Fund Budgeting

Deputy City Manager Cox provided the committee with a three-page handout (copy attached) regarding Arena Fund budgeting. He explained that the information showed that for fiscal year 2015 the arena had an operating surplus of \$40,705. In addition, the arena had debt service expenses of \$111,203. The net of these two figures resulted in a fiscal year 2015 deficit of \$70,498. Mr. Cox reminded the committee that the Council had discussed during the fiscal year 2016 budget development process the idea of offsetting Arena Fund deficits with General Fund funding. The two options outlined were: (1) a retroactive supplemental appropriation from General Fund fund balance and (2) budgeting during the budget development process a transfer from General Fund to Arena Fund. **Deputy Mayor Varney moved to recommend to the full City Council a supplemental appropriation from General Fund fund balance to the Arena Fund in the amount of \$70,498 to offset the Arena Fund's fiscal year 2015 deficit. Councilor Keans provided a second to the motion which was then adopted.**

#### 4.3 CIP Projects & Debt Service

Deputy City Manager Cox and Senior Accountant Sullivan distributed and reviewed a 10-page handout (copy attached) regarding the City's General Fund statutory debt limit as well as the tax cap implications of the City's current and proposed bonded debt. Public Works Director Storer also provided information regarding the City's capital improvements plan, specifically regarding the projects known as Wakefield Street and Woodman Myrtle. After a lengthy discussion the Committee took no action on this item.



#### 4.4 Economic Development Budgeting

Deputy City Manager Cox distributed a three-page handout (copy attached) containing information regarding the budgeting process for the Economic Development Reserve Fund. The Committee discussed elimination of the Economic Development Reserve fund and moving the appropriations now in this fund into the Economic Development Department annual operating budget. After a brief discussion, the committee took no action on this item.

#### 4.5 Budget Development FY2017 Calendar

Deputy City Manager Cox briefly reviewed the tentative budget development calendar for fiscal year 2017.

### 5. Finance Director's Report

Deputy City Manager Cox reviewed with the committee several items contained in his written report to the Committee in the meeting packet. **Councilor Keans moved to recommend to the full city Council that the nonunion employee salary ranges be increased by 2.4% effective July 1, 2016. Councilor Torr provided a second to the motion which was then adopted.** The Committee also provided direction to the Deputy City Manager to close out the Rochester Industrial Development Fund account and transfer any residual funds to the General Fund.

### 6. Monthly Financial Statements

There was no discussion regarding the monthly financial statements.

### 7. Other

Deputy Mayor Varney inquired of Public Works Director Storer as to whether the recent reductions in oil prices had any effect on the City's costs for asphalt.

### 8. Non-Public – none.

### 9. Non-Meeting – none.

### 10. Adjournment

Councilor Torr moved to adjourn the meeting. Deputy Mayor Varney provided a second to the motion which was then adopted. The meeting adjourned at 7:56 PM.



# General Fund-Contribution Options

## Recommended Alternative

**1**

### **Fund Balance**

- Presented at Fiscal Year End Actual Deficit-Pre Final Audited Entries
- No Tax Cap Impact

**2**

### **Budget Process**

- Appropriate Total Principal & Interest, or
- Appropriate Estimated Deficit
- Any Surplus Retained by Arena
- Counts Against Tax Cap Unless GF Fund Balance is used

## **ARENA FUND-CONTRIBUTION SUMMARY**

### **1) Funding-General Fund-Fund Balance:**

Recommended Alternative

At fiscal year end the Arena's deficit is calculated. A Supplemental Appropriation is created, retroactive to June 30<sup>th</sup>, and only the amount needed to satisfy the deficit is transferred to the Arena Fund. Funding is designated as General Fund-Fund Balance. This method has no direct Tax Cap implications, and is sound method for short term assistance.

### **2) Funding Full Principal & Interest Payments from Property Taxes:**

This has Tax Cap implications and would have to be appropriated during budget adoption. This amount can not be adjusted for Arena's actual fiscal year end deficit.

If the appropriation is for \$140,000, and at fiscal year end Arena's deficit is only \$50,000 the surplus would be retained by the Arena Fund. However, Arena Fund could apply that surplus as a carry over to the next fiscal year, and reduce the subsequent fiscal year appropriation request.

# CITY GENERAL FUND-FY16 DEBT LIMIT ANALYSIS

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2/25/16

As of April-2015 City General Fund  
Debt Limitation was **\$62.1 Million.**  
(3% of \$2.071 billion DRA Equalized Assessed Valuation)

Debt is at **68%** of Total Limitation, or  
**\$42.4 Million.**

Current Available Margin \* **\$19.7 Million**

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\* Includes City General Fund, Arena & Community Center



# CITY GENERAL FUND-FY16 DEBT LIMIT ANALYSIS

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2/25/16

FY16 City General Fund **\$9.2 Million** in  
Bonded Appropriations approved.

Oct-15 City General Fund Net Authorized  
but Unissued Debt is **\$19.6 Million**  
(Excludes TIF 162 of \$1.1M)

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# CITY GENERAL FUND-FY17 DEBT LIMIT ANALYSIS

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2/25/16

As of October 2015 City General Fund  
Debt Limitation was **\$63.4 Million.**

(3% of \$2.116 billion DRA Equalized Assessed Valuation)

Debt is at **78%** of Total Limitation, or  
**\$49.5 Million.**

Current Available Margin \* **\$13.9 Million**

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\* Includes City General Fund, Arena & Community Center

# CITY GENERAL FUND-FY17 DEBT LIMIT ANALYSIS

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2/25/16

## Factors that Increase Margin

Increases in State Equalized Assessed Values

Principal Payments

Bond Project De-Authorizations

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# CITY GENERAL FUND-FY17

## DEBT LIMIT ANALYSIS

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2/25/16

2015 State Equalized Assessed Value  
increased \$45 Million.

Debit Limit Ceiling increased \$1.3 M

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# CITY GENERAL FUND-FY17 DEBT LIMIT ANALYSIS

2/25/16

## New Bond Issues & Authorizations

January 2016 Director Storer Presented a  
Public Works Project Timetable Analysis

### Time Table Identifies

**\$30 Million in Bond Issues by 2020**

\$17 Million of Existing Authorized Debt

\$13 Million of New Debt FY17-FY19

# City General Fund-FY16-FY26

## Principal & Interest-Tax Cap Impacts

2/25/16

### **\$15M Bond Issues-Reductions to \$8M (20 YR at 3.0%)**

	CITY CURRENT DEBT	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
A	Current 20 Schedule P&I	\$3,871,520	\$3,431,439	\$3,300,055	\$2,978,555	\$2,825,670	\$2,573,760	\$2,282,279	\$2,225,474	\$2,021,038	\$1,969,192	\$1,121,967
	Change from Prior FY		(\$440,081)	(\$131,384)	(\$321,500)	(\$152,885)	(\$251,910)	(\$291,481)	(\$56,805)	(\$204,436)	(\$51,846)	(\$847,225)
B	CITY NEW BOND ISSUES											
	Auth & Unissued 2018 Cycle \$15M	\$0	\$0	\$1,200,000	\$1,177,500	\$1,155,000	\$1,132,500	\$1,110,000	\$1,087,500	\$1,065,000	\$1,042,500	\$1,020,000
	Auth & Unissued 2020 Cycle \$15M	\$0	\$0	\$0	\$0	\$1,200,000	\$1,177,500	\$1,155,000	\$1,132,500	\$1,110,000	\$1,087,500	\$1,065,000
	Auth & Unissued-2022 Cycle \$8M	\$0	\$0	\$0	\$0	\$0		\$640,000	\$628,000	\$616,000	\$604,000	\$592,000
	Auth & Unissued-2024 Cycle \$8M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$640,000	\$628,000	\$616,000
	Total New Bond Issues P&I	\$0	\$0	\$1,200,000	\$1,177,500	\$2,355,000	\$2,310,000	\$2,905,000	\$2,848,000	\$3,431,000	\$3,362,000	\$3,293,000
C	Total P&I	\$3,871,520	\$3,431,439	\$4,500,055	\$4,156,055	\$5,180,670	\$4,883,760	\$5,187,279	\$5,073,474	\$5,452,038	\$5,331,192	\$4,414,967
D	Percent Change Prior Year		-11.37%	31.14%	-7.64%	24.65%	-5.73%	6.21%	-2.19%	7.46%	-2.22%	-17.19%
E	3% Tax Cap-Estimated Debt Increase		\$3,987,665	\$4,107,295	\$4,230,514	\$4,357,430	\$4,488,153	\$4,622,797	\$4,761,481	\$4,904,326	\$5,051,455	\$5,202,999
F	Variance TC Debt Increase vs Total P&I		\$556,226	(\$392,760)	\$74,459	(\$823,240)	(\$395,607)	(\$564,482)	(\$311,992)	(\$547,712)	(\$279,737)	\$788,032
	TIF 205C P&I	\$274,118	\$281,224	\$282,019	\$287,139	\$292,082	\$296,849	\$297,025	\$300,987	\$304,750	\$312,727	\$315,376
	TIF 162K P&I	\$55,301	\$119,213	\$481,813	\$467,013	\$452,213	\$437,413	\$424,463	\$411,513	\$398,563	\$389,313	\$381,913
	TIF TOTALS P&I	\$329,419	\$400,437	\$763,831	\$754,151	\$744,294	\$734,261	\$721,488	\$712,499	\$703,312	\$702,040	\$697,288
	* City New Bond Issues Assmues 20 Year											
	Level Principal, Declining Interest											
	Non Taxable Debt Issues											

# **CITY GENERAL FUND-FY16 DEBT LIMIT ANALYSIS**

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2/25/16

## **Impacts of New Debt Authorizations**

\$ 30 to \$ 40 Million over 3-6 years

Debt Limit would be approached quicker.  
Nearing upper limit by FY2019- FY2020.

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# **CITY GENERAL FUND-FY17 DEBT LIMIT ANALYSIS**

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2/25/16

## **New Bond Authorizations-2017-2020**

\$13 Million- Public Works-2017-2019

\$ 7 Million Estimate -All Other

**\$20 Million Total Estimate**

**Average- \$5 Million Per Fiscal Year**

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# CITY GENERAL FUND-FY17 DEBT LIMIT ANALYSIS

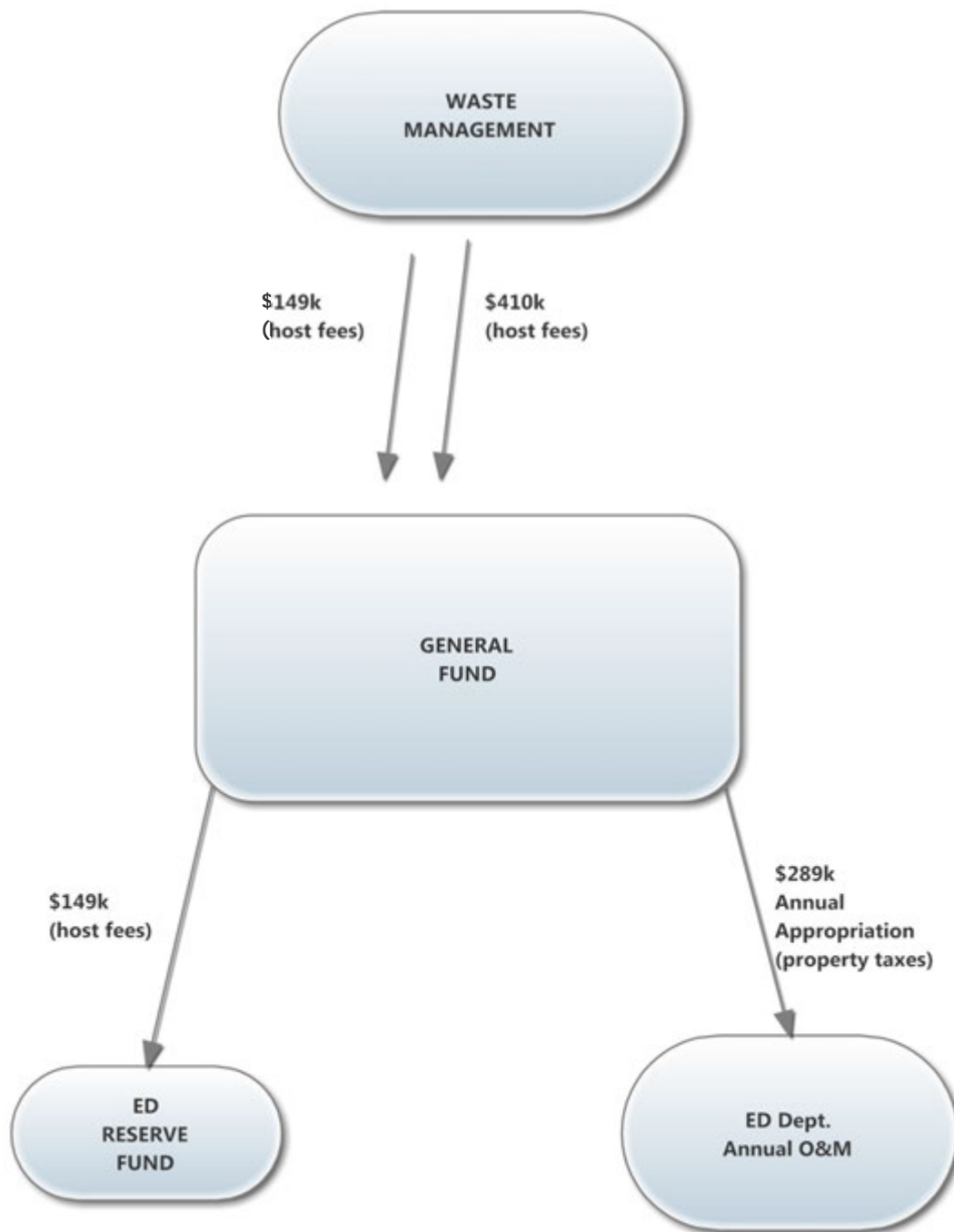
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2/25/16

## **\$20 Million New Authorizations by 2020**

Debt Limit Available Margin Estimate  
\$8M to \$10M in 2020

# Economic Development Appropriations Current Model (FY2015 Data)



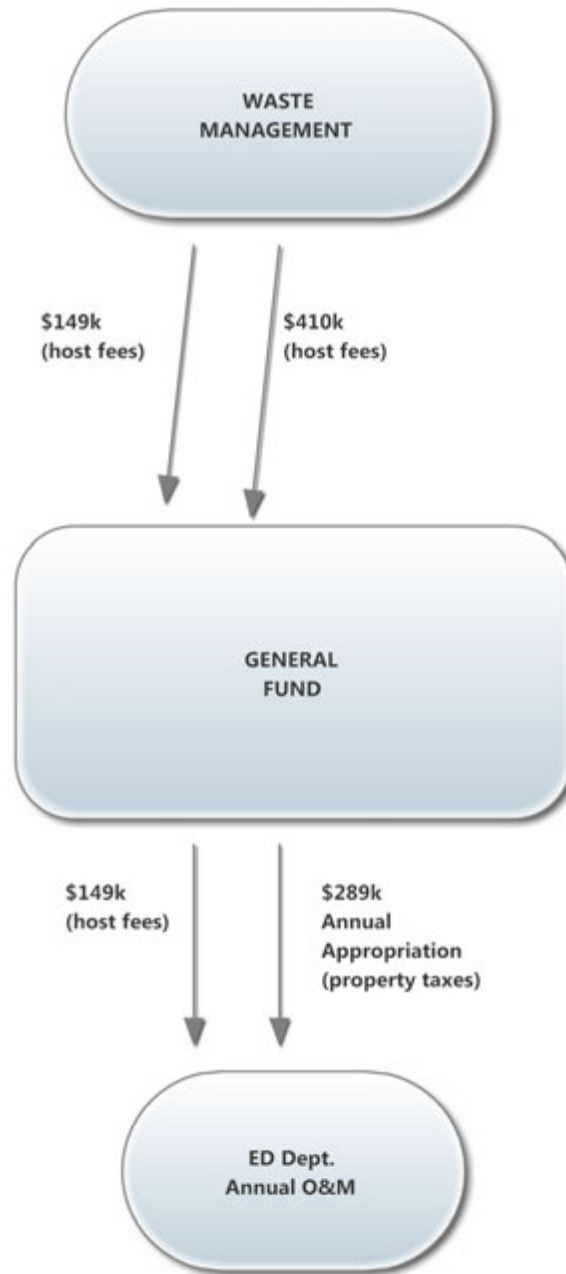
\* These funds are appropriated annually, however, unspent funds remain in the fund.

\* Appropriations include:  
Consulting (Buxton, Artstream)  
Marketing (travel, conferences)  
Community Services (Main Street)  
CIP Projects

\* These funds are appropriated annually, however, unspent funds lapse back to GF fund balance

\* Appropriations include:  
Salaries & Benefits  
Staff Development  
Travel  
Publications  
Dues & Fees

**Economic Development Appropriations  
Proposed Model  
(FY2015 Data)**



\* These funds would be appropriated annually, however, unspent funds lapse back to GF fund balance.

\* Appropriations include:

- Salaries & Benefits
- Staff Development
- Travel
- Publications
- Dues & Fees
- Consulting
- Marketing
- Community Services
- CIP Projects

\* The existing General Ordinance 11.20 would be eliminated.

## **GENERAL ORDINANCES**

### **CHAPTER 11 FINANCE**

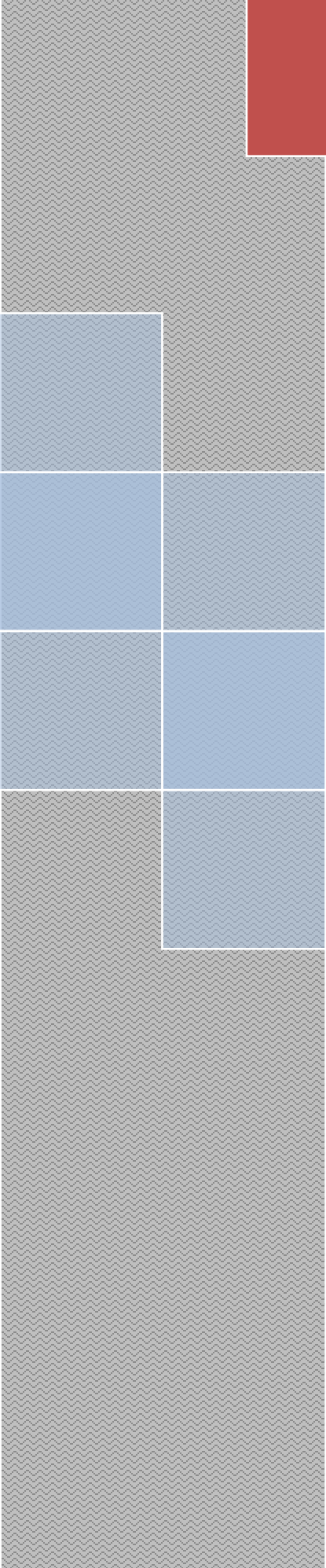
#### 11.20 City of Rochester Economic Development Special Reserve Fund.

(a) City of Rochester Economic Development Special Reserve Fund – Statement of Purpose. The City of Rochester currently serves as the “Host Community” for the Turnkey Recycling and Environmental Enterprises Waste Disposal Facility (“TREE”) currently operated by Waste Management of New Hampshire, Inc., and located on the Rochester Neck Road. By virtue of its status as Host Community for TREE, the City of Rochester, in addition to incurring significant expenses in connection with such facility, receives significant financial benefits in the form of real property taxes, users fees (in the form of so-called “Host Community Fees”) and various other benefits relative to the cost to the City and its inhabitants of the disposal and/or recycling of various solid waste, including reduced and/or eliminated fees for the disposal and/or recycling of solid waste generated within the City of Rochester. It is currently estimated that the permitted capacity of the TREE Waste Disposal Facility (TLR-III) will be reached in approximately the year 2023. When such facility is filled to its permitted capacity, it is anticipated that the City will experience a loss in revenues, and the City and its inhabitants will experience increased costs associated with the disposal and/or recycling of solid waste, particularly in the form of reduced and/or lost users fees and reduced property tax revenues, as well as increased costs associated with the disposal and/or recycling of solid waste. Therefore, in an effort to offset the expected loss of revenues and increased costs occurring to the City as a result of the anticipated filling of the TREE Waste Disposal Facility to its permitted capacity and to promote the general fiscal strength and well-being of the City, it is necessary that economic development in the City of Rochester be promoted and/or maintained to insure the existence and/or expansion of a vibrant economic base for the City and its inhabitants. Therefore, **the City Council of the City of Rochester**, pursuant to the authority granted by RSA 47:1-b and RSA 47:1-c, **hereby establishes a special revenue reserve fund from the specific source identified in subsection (b) of this Section 11.20 for the specific purpose of paying expenditures associated with the promotion of new, and maintenance of current sources and levels of economic development within the City of Rochester.** The special reserve fund established in subsection (b) of this Section 11.20 shall be known as the “City of Rochester Economic Development Special Reserve Fund.” No expenditure from the said City of Rochester Economic Development Special Reserve Fund shall be made without an appropriation of such funds having been adopted by the Rochester City Council, which appropriation shall provide that such appropriation is for economic development purposes and shall contain a statement and/or finding by the City Council indicating the manner in which it is anticipated that such appropriation is related to the economic development of the City of Rochester. [2]

#### (b) City of Rochester Economic Development Special Reserve Fund.

There is **hereby created a non-lapsing budgetary account** within the City of Rochester, pursuant to the authority granted to the City by the provisions of RSA 47:1-b, such special reserve fund to be **known as the ‘City of Rochester Economic Development Special Reserve Fund’.** Such fund **shall be funded on an annual basis by the appropriation by the City Council to such special reserve fund of an amount not less than \$100,000 from the funds annually payable to the City of Rochester by Waste Management of New Hampshire, Inc. from the so-called “Host Community Fees” payable to the City pursuant to the provisions of the “Host Agreement” between the City and Waste Management of New Hampshire, Inc., or of**

any successor to such Agreement. In addition to such minimum funding level, the City Manager may, during any fiscal year of the City, upon written notification to, and appropriation by, the City Council, transfer to said 'City of Rochester Economic Development Special Reserve Fund' unappropriated 'Host Community Fees' in an amount not to exceed the difference between the total amount of Host Community Fees received from Waste Management of New Hampshire, Inc. during such fiscal year and the amount of such 'Host Community Fees' previously appropriated by the Rochester City Council during such fiscal year (having in mind the minimum funding/appropriation requirement provided for herein and any other appropriation of such fiscal year's 'Host Community Fees' by the City Council during such fiscal year). The 'City of Rochester Economic Development Special Reserve Fund' shall, upon appropriation by the City Council to such fund, include funds currently in Account #1501-324400, in the amount of \$1,537,613.54, as of the date of adoption of this ordinance, and such funds shall be expended only for the specific purpose set forth in subsection (a) of this Section 11.20 and shall be expended only in accordance with the provisions of subsection (a) of such Section.



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**Rochester Government Channel  
MEETING  
February 17, 2016**

**Members Present:**

City Councilor Tom Willis, Chair  
James Graham - Resident Volunteer  
Rick Healey - Resident Volunteer

**Others Present:**

Celeste Plaia, Government Channel Coordinator  
City Manager Daniel Fitzpatrick  
City Attorney Terence O'Rourke

**MINUTES**

**Call to Order**

The meeting was called to order at 7:04 PM. Introductions of the Committee were made.

**Public Input**

There was no one for Public Input.

**Discussion**

Tom Willis, Chair (newly appointed) noted that the committee has not met in some time. He asked what was discussed at the last meeting. He stated that the two areas for concern were MetroCast Ch.12 changes and the upcoming Franchise agreement.

Topics for discussion of the last RGC meeting (held in May 2013) regarded new updates to Government Channel equipment (which had been implemented in 2013-2014) and Government Channel program policy re-write.

The Committee gave more background information regarding policy programming re-write. A draft was completed and agreed upon by the Government Channel Committee; however, policy was not brought to City Council. One of the main issues that the Committee clarified at the time is whether to consider underwriting. The committee voted to not use underwriting on Government Channel productions.

The Chair brought up the current issue of Metrocast Local Origination Programming services ceasing in March. There was much discussion on clarifying the differences between local origination and Public Access programming. It was also discussed whether the Government Channel Committee should revisit the programming policy to

consider expanding types of programming in lieu of Metrocast not providing production services. The Coordinator will provide to the Committee copies of original Government Policy Paper and Draft that was created by the Committee in 2013. The Committee also asked what kind of programming could be considered and what an “in between stage” to Public Access could look like. The Coordinator will provide some ideas for policy wording and examples of programming for next meeting.

The Committee discussed whether to move towards a Public Access station. Several comments have been made that there has not been a lot of feedback from the public yet, but the City Manager’s Office and the Coordinator have both had some complaints and requests for public access programming. The Committee agreed to be in a “wait and see” position regarding public reaction for lack of Channel 12. It was noted that the public is not aware that the public access station is an option.

### **Franchise Renewal**

Terence O'Rourke, City Attorney, gave a summary and time line of the upcoming Franchise renewal process. The Committee was asked if they would like a representative on the Franchise Committee in addition to the Government Channel Coordinator. There was some discussion on whether the Government Channel Committee should work as a sub-committee to the Franchise Committee to submit suggestions. Also in question is whether the Mayor should review the make-up of the Government Channel Committee before any action is taken as no one has been appointed for several years.

### **Other**

The Committee will meet on March 23, 2016, at 7:00 PM.

### **Adjournment**

The meeting adjourned at 8:40 PM.

Respectfully submitted,

Celeste Plaia  
Government Channel Coordinator

Public Safety Committee  
Council Chambers  
February 17, 2016  
7:00 PM

**MEMBERS PRESENT**

Councilor Donald Hamann  
Councilor Robert Gates  
Councilor James Gray

**MEMBERS ABSENT**

Councilor Peter Lachapelle (excused)  
Councilor Ray Barnett (excused)

**OTHERS PRESENT**

Michael Bezanson, PE, City Engineer  
Captain Paul Toussaint, P.D.  
David Walker, 34 Brock Street

Minutes

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

1. Approve Minutes from January 20, 2016

The first order of business was to approve the January 20, 2016 minutes. *Councilor Gates made a motion to approve the January 20, 2016 minutes. The motion was seconded by Councilor Gray. Unanimous voice vote carried the motion.*

2. Public Input

No public was present to discuss any issues or concerns.

3. King Street and Farrington Street Stop Sign Request (resident request)

Councilor Hamann summarized the issue. Councilor Gray stated that DPW should check to see if there was a stop sign there before. If there was, DPW can replace the sign without having to get Council Approval. Whether there was a stop sign there or not, a stop line can be painted at the end of Farrington Street. *Councilor Gray made a motion to have DPW check to see if there was a stop sign at the end of Farrington Street in the past, and if so to replace the sign; also, to have DPW paint a stop line at the end of Farrington Street. The motion was seconded by Councilor Gray. Unanimous voice vote carried the motion.*

4. Gear Road-Traffic Speed

Councilor Hamann summarized the issue. Captain Toussaint said that the speed trailer had not been placed on Gear Road yet because the snow banks are in the way, but they have done extra patrols in the area and that they see no problem at this time. This was kept in committee until the speed trailer can be placed on Gear Road.

5. Gonic Crosswalk

Councilor Hamann summarized the issue. Captain Toussaint said that the speed trailer has not been placed in Gonic because the snow banks are in the way. This was kept in committee until the speed trailer could be placed in the area.

6. Betts/Cross Road Intersection Concerns (kept in committee)

Councilor Hamann summarized the issue. Mr. Bezanson stated that a tree near the intersection of Betts/Cross Roads was part of the line-of-sight issue. There is also a stone wall on top of an earthen mound. Mr. Bezanson recommended that removing the tree should be the first step toward addressing the line-of-sight issues. Councilor Gray said they need to check to see if the tree is on private property. Mr. Bezanson stated that DPW would talk to the homeowner and work on getting the tree removed. This was kept in committee pending the results of those efforts.

7. Knight Street/Columbus Avenue (kept in committee)

Councilor Hamann summarized the issue. Mr. Bezanson stated that DPW had worked with their engineers to develop three options for improving the Knight St./Columbus Ave. intersection. Each of the options involved restricting movements out of the Cumberland Farms driveway; two of the options added a curbed island; and one of the options involved a property acquisition from the parcel that currently contains the Jimmy Jones Locker seafood restaurant. One of the restrictions at the intersection is a heavily used utility pole, which DPW could look into having moved, if warranted. Mr. Bezanson suggested that there did not seem to be a perfect solution. The Committee discussed the Police Department's previous report that there have not been big problems in this area, three minor accidents. Councilor Gates said the City Council is not going to spend money if there are no big problems in the area. No action was taken.

## 8. Other

## Washington Street Directed Patrols

Councilor Gates asked if the Police Department was still conducting directed patrols on Washington Street. Captain Toussaint said no that they faded out.

## Woodman Area Update

Mr. Bezanson updated the committee on the Woodman area issue. Mr. Storer is going to bring this up to this month's Public Works Committee. DPW is planning to notify residents of the pending posting of "no parking" on Woodman Street and Davyanne Locke Lane. The "no parking" areas will allow two-way traffic on Woodman Street and allow large vehicles, including emergency vehicles and buses to access Woodman and Davyanne Locke. Following notification, "no parking" signs would be installed on the north side of Woodman Street and on the corner of Davyanne Locke Lane. Councilor Hamann said the school needs at least a 1 week notice prior to swapping the bus and parent drop-off/pick-up routes. Mr. Walker said that school vacation is next week. Councilor Hamann stated that the school did several trial runs with the buses to make sure that they could make the turn onto Davyanne Locke Lane. The Superintendent of Schools, Mike Hopkins, personally rode the bus during the trials.

***Councilor Gates made a motion to adjourn the meeting at 7:22 PM. Councilor Hamann seconded the motion. The motion passed unanimously.***

Minutes respectfully submitted by Laura Miller, Secretary II.



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**Public Works and Buildings Committee**

**February 18, 2016**

**Council Chambers**

**7PM**

**MEMBERS PRESENT**

Councilor Ralph Torr – Chairman

Councilor Ray Varney- Vice Chairman

Councilor Sandy Keans

Councilor Donald Hamann

Councilor Thomas Willis

**OTHERS PRESENT**

Councilor James Gray

Councilor Robert Gates

Dan Fitzpatrick, City Manager

John B. Storer, Director of City Services

Chris Bowlen, Director of Recreation, Arena & Youth Services

Peter Bruckner, Historic Commission

Mark Sullivan, 25 Denali Drive

Chris Bowlen, Director of RAYS

**MINUTES**

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

**1. Approve minutes from January 21, 2016 meeting -**

The Chairman requested a recommendation on last month's minutes.

*Councilor Varney made a motion to accept minutes as presented for the January 21, 2016 Meeting. The motion was seconded by Councilor Hamann. The Motion passed unanimously.*

**2. Public Input**

Mark Sullivan of 25 Denali Drive asked if the residents that are in the Milton Road Economic Development Grant Sewer Extension project would be receiving informational letters regarding tying into to the sewer system and the cost associated with that work. Mr. Storer explained that the project is out to bid now and once the results are received they would have the necessary information to put that letter out. The bid opening is March 17, 2016. Mr. Sullivan inquired about the ordinance that requires residents to connect to the sewer during the project, or when their current system fails, or the property transfers ownership. Specifically he would like to know if there is a system in place that triggers the required connection. Councilor Willis stated that when he was the City Engineer this came up often and all realtors are aware of the ordinance. Mr. Storer stated he would look into it and get back to Mr. Sullivan.



Councilor Gates stated he was at the meeting to discuss the exterior brick and mortar on the Annex Building. He stated that he and Councilor Abbott were discussing the subject and that Councilor Abbott had suggested due to better insulation and heating retention the existing brick and mortar structure would not see the same warming and drying cycle. Councilor Gates suggested that this could cause additional deterioration of the outside brick structure. Mr. Storer assured the Councilor that this had been discussed with the architects and that they are aware of the concerns of the Councilors. Mr. Bruckner also stated that this issue is being addressed and will be taken into consideration of final plans.

**Arena Roof Concerns** – Chris Bowlen the Director of Recreation, Arena and Youth Services asked to speak to the Committee regarding the Arena roofing project. He stated that he has previously discussed roof issues with the City Council and he distributed a hand out depicting the roof structure of the building. He stated that the Consultant is looking to determine the cost of the current project. He stated that the project requires a large amount of steel and labor intensive steel work to bring the structure up to current building codes. He stated that early estimates put the project about one hundred and fifty thousand dollars over budget. He stated they are still looking at other alternatives. Mr. Bowlen also stated that there is currently a floor system project scheduled for FY18 and that they would hold off on the roof project in order to do all of the construction at the same time. He stated that it would plan construction for summer of 2017. There was discussion of weighing the cost of the construction of a new building against the cost of all of the renovations necessary. Mr. Bowlen stated he would keep the Council up to date with regards to findings and would continue to watch snow loads and contract snow removal as necessary.

### 3. **City Hall Annex**

Mr. Storer stated that the Annex project is at 65% design and there have been no floor plan changes, with the minor exception to the administrative area of both planning and Building, Licensing and Zoning. The Reception desks have been adapted to address the Councilor concerns regarding the security of the work spaces during afterhours meetings. The Reception areas will have gates that can be slid into place for security. Mr. Storer stated that the cost estimate for restoration of the historic façade is now at fifty-five thousand and he believes that with the current budget estimates that could be included into the base bid costs. He said that there will be other aesthetic bid alternatives to be separated out and completed based on funding. He cited the cupola as one bid add on. Mr. Bruckner stated that he is still looking for grants and private funding sources. He stated that the L-CHIP grant administrators have encouraged us to participate by submitting an application and stated that project reimbursements after the fact are not completely ruled out. Mr. Storer asked for direction as to future updates or presentations. Councilor Varney stated to continue providing summaries and updates should be sufficient, but he did not see the need for additional Consultant presentations at this time.

The Committee was in agreement and stated that updates with plan drawings were helpful.

#### **4. William Allen School Traffic Pattern Change**

Mr. Storer stated that the City Councils' previous direction was for the DPW to implement the necessary changes and to put up no parking signs at their discretion to make the new traffic pattern work. He stated that he and the engineers have looked at the new proposed traffic pattern change around the school and that they have had the busses run the route, and the areas of concern are on the North side of Woodman Street, between Myrtle and Davyanne Locke Lane and on the east corner of Davyanne Locke Lane and Woodman Street. He stated that these areas should be posted no parking in order to accommodate the bus and safety vehicle traffic. His initial recommendation would be to post no parking permanently in these areas but believed he should discuss this with the Committee. If that is acceptable Mr. Hopkins says that with one weeks' notice he can make the change. Councilor Keans stated that it should not be 24 hour no parking it should be only the times when school is in session. Councilor Willis stated in order for it to be enforceable for the Police Department it must state specific times. Mr. Storer stated that he would recommend ½ hour before and after the times that the traffic for school begins. Councilor Varney stated that he thought it should come back to Council at the next meeting with a recommendation for times. Mr. Storer stated that he would get that on the agenda.

#### **5. Winter Operations and Parking Bans**

Mr. Storer stated that the current email alert system seems to be working. He stated that of the 27 cars that called into the PD for being in the way this last storm, only 5 were towed. He stated that the current system and all other email or text systems that staff had looked into require that the residents sign up for the notifications. This includes the current Code Red system used by the Police Department. Mr. Storer stated that we could implement the phone recorded system for residents to dial into with minimal costs. We would post seasonal signage with the number. Councilor Keans stated that the problem is most likely worse when it is for the downtown clean up after the storms and people might not realize there is a ban. Mr. Storer stated that the staff posted the electronic message boards out during the day in hopes of additional notification and removed them when the work was completed. Councilor Varney stated that it all seemed to be working and no changes were warranted.

#### **6. City Hall Parking Lot**

Mr. Storer stated that he had had been ask to check into the parking situation at the City Hall Complex area. He stated that he had counted approximately 99 employee needed spaces at peak City Hall, PD and RFD operating hours. With the addition of 4 more spots needed for Economic Development moving to the Annex that would be 103. He stated that there are approximately 135 spots available with an additional 8 spaces on Wakefield Street. Councilor Varney stated that the parking is limited and that makes it

even more important for staff to avoid using the spaces that are reserved for visitor parking.

**7. Underground Fuel Storage Removal:**

Mr. Storer stated that staff had obtained a quote for the estimated cost to remove the underground fuel storage tank located between City Hall and the new Annex building. He stated the estimate for removal is estimate is four thousand one hundred and fifty dollars. Mr. Storer said that he had gone with the preference of the Committee for complete removal and pending any contamination results he stated he could get the removal completed. Mr. Storer asked for the Committee recommendation for funding the project. Councilor Varney suggested a general fund cash supplemental appropriation. Mr. Storer stated he would do an agenda bill for the next Council Meeting.

**8. Downtown Crosswalk /Sidewalk Illumination**

Mr. Storer stated that he had been asked to look into the Councilor and Resident complaints of poor lighting on crosswalks and sidewalks in the downtown area. Mr. Storer stated that he had looked at additional mast arm type lights that could be added to existing light poles, but stated that at some crosswalks there are no light post near enough to help illuminate the crosswalks. There was discussion on the addition of signage. Councilor Willis stated that there are recommendations in the Manual of Uniform Traffic Control Devices (MUTCD) but stated that in the downtown historic districts these often conflict with the historical intentions of the area. Councilor Keans mentioned that there is a crosswalk at the traffic signal near the Central Fire Station that does not have pedestrian crossing button. Mr. Storer asked if the addition of light poles, signage and crosswalk locations in the downtown should be presented as a capital improvement project of its own. Mr. Fitzpatrick stated that he would like to see a capital project proposed.

**9. Fieldstone Village –** Mr. Storer stated that since the mention of this project at last month's committee meeting he has met with staff and reviewed the consultant reports to determine the scope of the project. He stated that he has also been discussing the project with Mr. Creteau from SUR Construction. Mr. Storer stated that the department would like to do the project as a design build with SUR using the pricing in the Construction Contracted Services bid to save the City the expense of drawing up bid documents and going out to formal bid. Mr. Storer stated that the project basically entails running a parallel line down Village Lane to tie in the existing lines and services to that main. He stated that we would have a master meter for billing and determining leaks within the private piping servicing the cooperative. This would meet the Co-ops expectations and the State of NH expectations.

**10. Paving Cost and Paving Priorities –** Mr. Storer stated that staff had looked into the cost of asphalt and the impact of the low petroleum costs on the asphalt. He stated that he was surprised that there was not a significant cost savings due to the low petroleum cost. He stated that the City's current bid with Pike Industries does have a clause for the escalation

and de-escalation of asphalt cost. He stated that the work is basically a per ton cost. Councilor Varney suggested appropriating funds in advance of the City's CIP Budget process in order to get this year's FY17 paving done early in the season when the temperatures are better for doing so. Mr. Storer stated that he may or may not need to do a contract extension with Pike. He stated that he would look into that. The Committee was in agreement to fund the paving in advance and the City Manager stated he would look into the impacts for the budget with Blaine Cox. Councilor Varney suggested paving Lowell Street all the way to the intersection. Mr. Storer agreed that the area near the Arena and the culvert replacement is also rough. Councilor Gray asked about the Union Street Parking lot and Mr. Storer stated that it is not in the best shape. He believed this was going to be an Economic Development CIP Project. Councilor Keans stated it was not in that bad of shape. Mr. Storer discussed the need for a pavement evaluation process that placed numerical values on roads in regards to the onsite conditions. He stated the UNH Technical Center no longer does the Road Surface Management System (RSMS) evaluations, but he believes there are other programs out there. He has been in discussion with the Director from Dover regarding their ongoing Pavement Condition Index Program that they recently awarded. Mr. Storer estimates it might cost \$60,000 to \$70,000 for a consultant to do a similar assessment for Rochester. Mr. Storer stated that he will get up to date pavement estimates for the Whitehouse Road, Tebbetts Road (Lowell to Rt 108), Lowell Street (Tebbetts to Columbus), Old Dover Road/Columbus Intersection and Hansonville Road. He stated that he will bring the estimates back to the committee next month with the total funding amount to be requested. The Committee was in favor of a supplemental appropriation for the total amount prior to the FY2017 budget.

#### **11. Paving Moratorium**

Mr. Storer stated that the current Chapter 15 City Ordinance places a 3 year moratorium for cutting into newly paved streets. He stated that the City currently invests a considerable amount of funds paving and reconstructing streets and when a street is cut into it immediately reduces the integrity of the pavement. He stated that he would like to see the moratorium extended to five (5) years. Mr. Storer stated that he has tentatively placed this ordinance change on the agenda for the next Codes and Ordinance Committee. Councilor Keans and Haman stated they are in support of the change. Councilor Varney stated that this does not need to go to the other Committee. He stated that this committee can make a recommendation to the full Council. The Council can approve or send it to the committee. Mr. Storer stated that there is a large project in the works that may want to cut into several newly paved streets. Councilor Willis stated that when the pavement is cut the constructor is supposed to submit plans and specifications for restoration and there are times where bonds need to be placed.

*Councilor Hamman made a motion to recommend that the Chapter 15 Ordinance be*

*updated to state a 5 year moratorium for cutting into newly paved streets. The motion was seconded by Councilor Willis. The Motion passed unanimously.*

**12. Salmon Falls Sewer EDA Project**

Mr. Storer stated that the EDA Project is now out to bid. Mr. Storer stated that the original project budget was 3.8 million. He stated that he had looked through the minutes of last year's meetings and noticed where Mr. Nourse had let the Committee know that running the sewer across the Kodiak & Denali Roads through to Salmon Falls Road was going to cost additional funds. He stated that current engineering estimates are for 4.5 million. Mr. Storer also stated that there are three sections of the project that the EDA has deemed non-participating. He stated he would have the definite bid results for next month's committee meeting and he would update the committee then.

**13. Franklin Street, Western Ave and Western Ave Pump Station**

Mr. Storer stated that the project is on track to go out to bid in March. He stated that one permit was still pending with NHDES. He informed the committee that the project has been given a 319 Grant in the amount of one hundred and twenty-five thousand for a stormwater piece that includes a rain garden. He stated he would update the committee next month.

**14. Other**

**China Palace Parking Lot** – Mr. Storer stated that the current plan is going before the Technical Review Group and that staff will be reaching out to Stella Goon regarding the plans for funding the project 50/50 City Funds/Private contribution.

**Winter Maintenance** – Mr. Storer stated that he had looked at the budget due to Councilor Keans's questions at last weeks City Council meeting. He stated that there have been 17 treatable events and that we have put down 2500 tons of salt to date. He stated that although it seems like very little snow and freezing temperatures have occurred, we have been out more than it would seem. He said that there are times when it is said we are doing too much, and times when it is said that we are doing too little. He believes the department has a good balance and that the safety of the public is always our top concern.

**Eastern Avenue** – Councilor Gray stated that he had noticed marking on Eastern Avenue and wanted to know if the Director knew what they were for. Mr. Storer stated that he would look into it. Mr. Willis suggested an Eversource project in the area might be the reason.

*Councilor Varney made a motion for adjournment at 8:57 PM. Councilor Willis seconded the motion. The motioned passed unanimously.*

Minutes respectfully submitted by Lisa J. Clark, City of Rochester Office Manager.

**RESOLUTION DEAUTHORIZING FUNDING FROM THE SWAT BALLISTIC VEST CIP  
FUND**

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

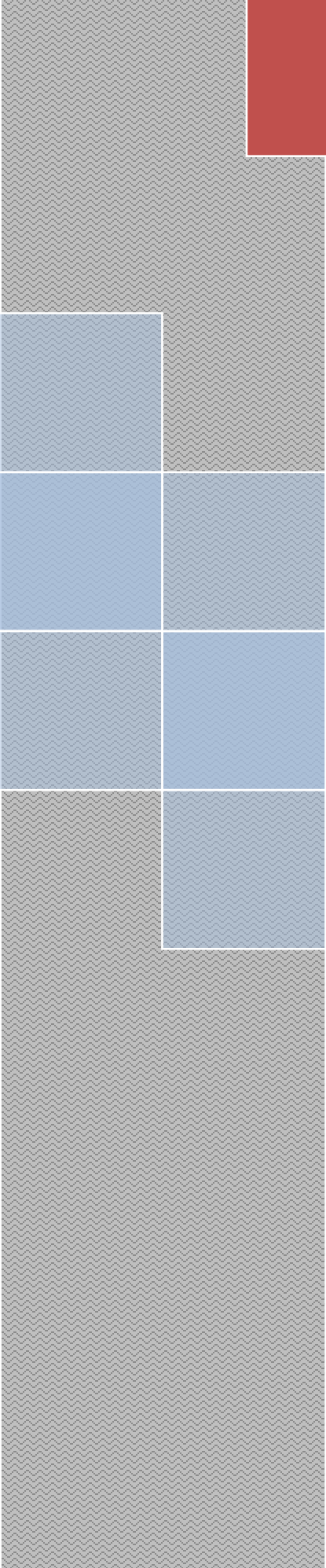
**WHEREAS**, by virtue of a certain resolution adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated funds to the Rochester Police Department Operating Budget derived from the Ballistic Vest CIP Fund, and

**WHEREAS**, Five Thousand Nine Hundred Twenty Dollars (\$5,920.00) of the original appropriation remains unexpended;

**NOW THEREFORE**, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Five Thousand Nine Hundred Twenty Dollars (\$5,920.00) of the previous appropriation of funds. The funds should be returned to the General Fund unassigned fund balance.

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 16 03-01 AB 102**



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2/25/16

**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**

Seeking permission from Council to de-authorize SWAT Ballistic Vest CIP funds in the amount of \$5,920.00 and transfer the balance back into the general fund unassigned fund balance.

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 February 2016 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	1/29/16		
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	
CITY MANAGER	

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Local
ACCOUNT NUMBER	15012010-773150-12521
AMOUNT	\$5,920.00
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

Council action required.

**SUMMARY STATEMENT**

Seeking permission from Council to accept de-authorization for SWAT Ballistic Vest CIP funds in the amount of \$5,920.00 and transfer the balance back into the general fund unassigned fund balance.

**RECOMMENDED ACTION**

De-authorize funds in the amount of \$5,920.00.

## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: Seeking permission from Council to de-authorize SWAT Ballistic Vest CIP funds in the amount of \$5,920.00.

Date: 1/29/16

Fiscal Year: FY16

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	15012010	773150	12521	-	-	\$5,920.00 -
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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**RESOLUTION DEAUTHORIZING FUNDING FROM THE HIGHWAY SAFETY  
OPERATION SAFE COMMUTE GRANT**

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

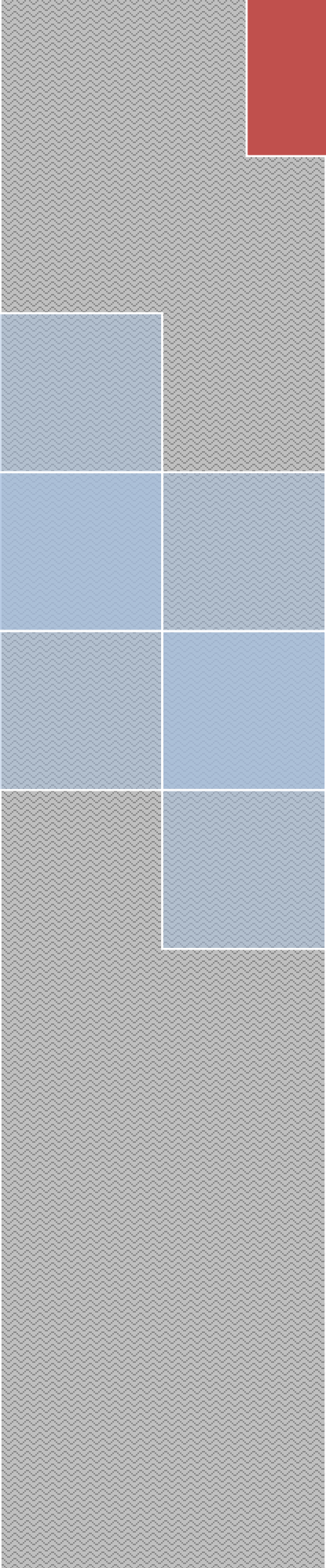
**WHEREAS**, by virtue of a certain resolution adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated the amount of Four Thousand Five Hundred Eighty-Six Dollars (\$4,586.00) to the Rochester Police Department Operating Budget derived from the Highway Safety Operation Safe Commute Grant, and

**WHEREAS**, One Thousand Eight Hundred Twenty-One and 51/100 Dollars (\$1,821.51) of the original appropriation remains unexpended;

**NOW THEREFORE**, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of One Thousand Eight Hundred Twenty-One and 51/100 Dollars (\$1,821.51) of the previous appropriation of funds. This will decrease the total amount the Police Department will seek in reimbursement from the Highway Safety Operation Safe Commute Grant fund.

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 16 03-01 AB 112



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2/25/16

## 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

Seeking permission from Council to de-authorize Highway Safety Operation Safe Commute Grant funds in the amount of \$1,821.51

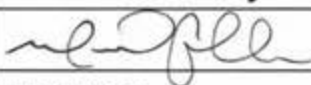
COUNCIL ACTION ITEM ☒  
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒

\* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	Next February 2016 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	2/11/16		
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	
CITY MANAGER	

## FINANCE &amp; BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	State of NH
ACCOUNT NUMBER	61072010-15558
AMOUNT	\$1,821.51
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

## LEGAL AUTHORITY

Council action required.

**SUMMARY STATEMENT**

Seeking permission from Council to accept de-authorization for Highway Safety Operation Safe Commute Grant funds in the amount of \$1,821.51.

**RECOMMENDED ACTION**

De-authorize funds in the amount of \$1,821.51.



## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: Seeking permission from Council to de-authorize Highway Safety Operation Safe Commute grant funds in the amount of \$1,821.51.

Date: 2/11/16

Fiscal Year: FY16

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	61072010	513001	15558	-	\$1,437.17	-
2	61072010	522000	15558	-	\$21.06	-
3	61072010	523000	15558	-	\$363.28	-
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 # 968578153

CFDA # 20.600

Grant # 315-15A-067

Grant Period: From 10/1/14  
To 9/13/15

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☒Funds will be returned ☐

# CITY OF ROCHESTER

## 315-15A-067 OPERATION SAFE COMMUTE GRANT

FOR 2016 08

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENC/REQ	AVAILABLE BUDGET	PCT USED
<b>6107 FY15 POLICE GRANTS</b>							
<b>6107003 FY15 POLICE GRANTS</b>							
6107003 402179 15558 FEDERAL GRANTS	-4,586	-4,586	-2,764.89	.00	.00	-1,821.51	60.3%*
TOTAL FY15 POLICE GRANTS	-4,586	-4,586	-2,764.89	.00	.00	-1,821.51	60.3%
<b>61072010 FY15 POLICE GRANTS</b>							
61072010 513001 15558 OVERTIME - RE	3,615	3,615	2,178.23	.00	.00	1,437.17	60.2%
61072010 522000 15558 SOCIAL SECURI	52	52	31.36	.00	.00	21.06	59.8%
61072010 523000 15558 RETIREMENT	919	919	555.30	.00	.00	363.28	60.5%
TOTAL FY15 POLICE GRANTS	4,586	4,586	2,764.89	.00	.00	1,821.51	60.3%
TOTAL FY15 POLICE GRANTS	0	0	.00	.00	.00	.00	.0%
TOTAL REVENUES	-4,586	-4,586	-2,764.89	.00	.00	-1,821.51	
TOTAL EXPENSES	4,586	4,586	2,764.89	.00	.00	1,821.51	
GRAND TOTAL	0	0	.00	.00	.00	.00	.0%

\*\* END OF REPORT - Generated by Rhonda Young \*\*

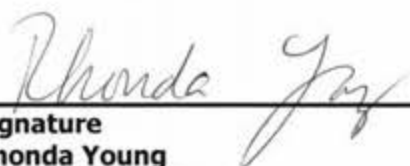
61072010 - 513001 - 15558 = \$1,437.17  
 " - 522000 - " = \$ 21.06  
 " - 523000 - " = \$ 363.28  
 De-Authorize \$ 1,821.51

# Rochester Police Department

## *Interoffice Memo*

To: Michael J. Allen, Chief of Police  
From: Rhonda Young, Account Clerk  
Date: February 11, 2016  
Subject: De-authorizing Operation Safe Commute grant funds.

All funding could not be spent because we lost the month of October which is when the grant started and we couldn't fill all the positions posted along with November 26<sup>th</sup> 1600-1900 shift being cancelled due to a blizzard.

  
\_\_\_\_\_  
**Signature**  
**Rhonda Young**  
**Account Clerk II**



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**RESOLUTION AUTHORIZING THE ROCHESTER FIRE DEPARTMENT TO APPLY  
FOR AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR  
ELECTRONIC SIGNS**

**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, approve the submission of a grant application in an amount up to Seventy Thousand Dollars (\$70,000.00) to the Emergency Management Performance Grant program in order to fund the purchase of two (2) electronic community announcement signs.

CC FY16 02-02 AB 113



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2/25/16

## 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 Application to apply for EMPG Grant for Electronic Sign

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	March 1, 2016		
DEPT. HEAD SIGNATURE	<i>Tom Ambrose Jr.</i>		
DATE SUBMITTED	February 11, 2016		
ATTACHMENTS	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

## COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

## DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

## FINANCE &amp; BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED	YES NO

## LEGAL AUTHORITY

Council Action Required

**SUMMARY STATEMENT**

EMPG Grant for electronic sign. We are asking permission to apply for this grant to pay for 100% of the total cost of an electronic sign. This grant requires a 50% match and the match will be covered by the purchase of the first electronic sign. The approximate total cost for sign #1 is \$70,000.00. Total project cost for grant will be \$140,000.00 for two signs. Sign #1 is already included in the FY 16 Budget. Sign #2 will be purchased with funds from the grant.

**RECOMMENDED ACTION**

City Council to approve permission to apply for Emergency Management Performance Grant (EMPG).



**RESOLUTION AUTHORIZING THE ROCHESTER FIRE DEPARTMENT TO APPLY  
FOR AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR A  
GENERATOR**

**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, approve the submission of a grant application in an amount up to Fifty-Five Thousand Dollars (\$55,000.00) to the Emergency Management Performance Grant program in order to fund the purchase of one (1) generator for Fire Station 1.

CC FY16 02-02 AB 114



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2/25/16

## 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 Application to apply for EMPG Grant for Generator at Station 1

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	March 1, 2016	
DEPT. HEAD SIGNATURE	<i>Norm Bambam Jr.</i>	
DATE SUBMITTED	February 11, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

## COMMITTEE SIGN-OFF

COMMITTEE	N/A
CHAIR PERSON	N/A

## DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

## FINANCE &amp; BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	To be determined if awarded grant
ACCOUNT NUMBER	N/A
AMOUNT	
APPROPRIATION REQUIRED YES NO	

## LEGAL AUTHORITY

Council Action Required

**SUMMARY STATEMENT**

EMPG Grant for generator at Station 1. We are asking permission to apply for this grant to pay for 50% of the total cost of a generator at Station 1. This grant requires a 50% match and will be included in the FY17 Capital Budget. The total cost of this project will be approximately \$110,000.00. The City will be responsible for \$55,000.00 which has been proposed in the FY17 Capital Budget for Public Buildings.

**RECOMMENDED ACTION**

City Council to approve permission to apply for Emergency Management Performance Grant (EMPG).

**RESOLUTION ACCEPTING HIGHWAY SAFETY MOTORCYCLE LEASE GRANT  
AND SUPPLEMENTAL APPROPRIATION THEREOF**

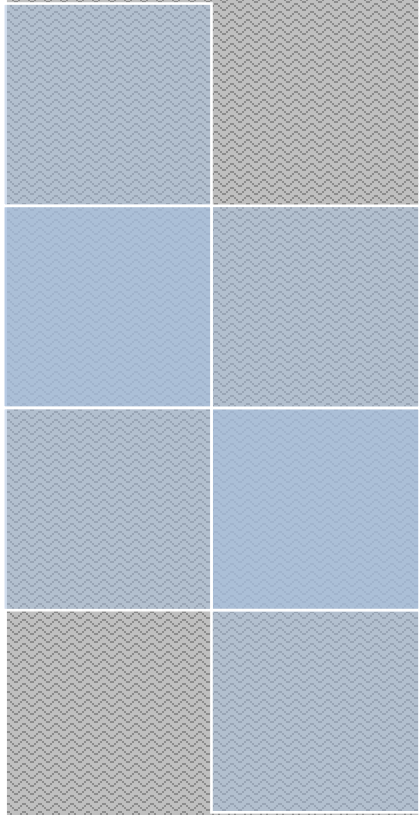
**BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:**

**WHEREAS**, that a Highway Safety Motorcycle Lease Grant in the amount of Seven Hundred Fifty Dollars (\$750.00) to the City of Rochester Police Department is hereby accepted by the City of Rochester.

**FURTHER**, that the sum of Seven Hundred Fifty Dollars (\$750.00) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Police Department Operating Budget, with such sums to be placed in a special non-lapsing reserve account to be established/designated by the Finance Director, such funds to be used exclusively for grant purposes. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant.

**FURTHER**, 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 FY16 02-02 AB 111



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2/25/16

**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**

Seeking permission from Council to accept Highway Safety funds in the amount of \$750.00 for a partial payment (3 months July - Sept 2016) of our motorcycle lease.

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 February 2016 meeting	
DEPT. HEAD SIGNATURE		
DATE SUBMITTED	2/11/16	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**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	
SOURCE OF FUNDS	State
ACCOUNT NUMBER	TBD
AMOUNT	\$750.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

Council action required.

**SUMMARY STATEMENT**

Seeking permission from Council to accept funds in the amount of \$750.00 for partial payment of a motorcycle lease.

**RECOMMENDED ACTION**

Accept funds in the amount of \$750.00.



## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: Seeking permission from Council to accept Highway Safety funds in the amount of \$750.00 for a motorcycle lease.

Date: 2/11/16

Fiscal Year: FY16

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	TBD	TBD	TBD	-	\$750.00	-
2				-	-	-
3				-	-	-
4				-	-	-

## Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD	TBD	-	\$750.00	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # TBD

CFDA # TBD

Grant # TBD

Grant Period: From FY17  
To FY17

If de-authorizing Grant Funding appropriations: (select one)

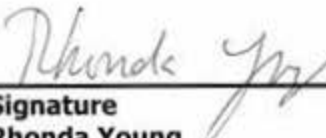
Reimbursement Request will be reduced ☐Funds will be returned ☐

# Rochester Police Department

## *Interoffice Memo*

To: Michael J. Allen, Chief of Police  
From: Rhonda Young, Account Clerk  
Date: February 11, 2016  
Subject: Partial Motorcycle Lease Grant Funding.

We will be asking for funds in the amount of \$750.00 to cover July – September 2016 instead of the original amount of \$1,250.00 because we already budgeted for the full Motorcycle Lease amount of \$3,300.00 in our current FY16 budget. Spending the funds this FY16 would be considered supplanting. I did discuss with Luann Speikers at the grant office and since their FY runs October – September she is allowing us to spend the funds in our FY17 to cover the months of July – September. This way it isn't considered supplanting because we will reduce our budget by \$750.00 in FY17.

  
\_\_\_\_\_  
**Signature**  
**Rhonda Young**  
**Account Clerk II**

**RESOLUTION ACCEPTING HIGHWAY SAFETY SUSTAINED TRAFFIC  
ENFORCEMENT GRANT AND SUPPLEMENTAL APPROPRIATION THEREOF**

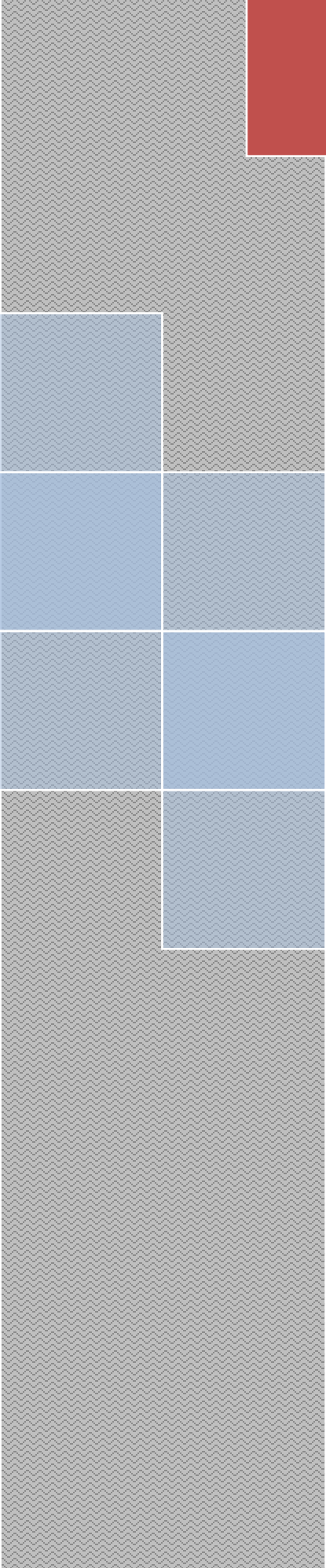
**BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:**

**WHEREAS**, that a Highway Safety Sustained Traffic Enforcement Patrol Grant in the amount of Four Thousand Three Hundred Seventy Two and 26/100 Dollars (\$4,372.26) to the City of Rochester Police Department is hereby accepted by the City of Rochester.

**FURTHER**, that the sum of Four Thousand Three Hundred Seventy Two and 26/100 Dollars (\$4,372.26) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Police Department Operating Budget, with such sums to be placed in a special non-lapsing reserve account to be established/designated by the Finance Director, such funds to be used exclusively for grant purposes. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant.

**FURTHER**, 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 FY16 03-01 AB 121



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intentionally left  
blank.





2/25/16

**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**

Seeking permission from Council to accept the Highway Safety Sustained Traffic Enforcement Patrol Grant funds in the amount of \$4,372.26.

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 February 2016 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	2/17/16		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	6

**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	
SOURCE OF FUNDS	State
ACCOUNT NUMBER	TBD
AMOUNT	\$4,372.26
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

**LEGAL AUTHORITY**

Council action required.

**SUMMARY STATEMENT**

Seeking permission from Council to accept the Highway Safety Sustained Traffic Enforcement Patrol Grant funds in the amount of \$4,372.26.

**RECOMMENDED ACTION**

Accept funds in the amount of \$4,372.26.

## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: Seeking permission from Council to accept the Highway Safety Sustained Traffic Enforcement Patrol Grant funds in the amount of \$4,372.26.

Date: 2/17/16

Fiscal Year: FY16

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	TBD	TBD	TBD	-	\$4,372.26	-
2				-	-	-
3				-	-	-
4				-	-	-

## Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD	TBD	-	\$4,372.26	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # 968576153

CFDA # 20.600

Grant # 315-16A-025

Grant Period: From 10/1/15  
To 9/30/16

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☐Funds will be returned ☐

mailed  
2/25/16  
2/17/16

**Rhonda Young**

---

**From:** Michael Allen  
**Sent:** Wednesday, February 10, 2016 11:23 AM  
**To:** Scott Dumas; Rhonda Young  
**Subject:** Fwd: Rochester STEP Grant - Project #315-16A-025  
**Attachments:** RochesterStepPg1-3.pdf; ATT00001.htm; RochesterSTEPPg4-16.pdf; ATT00002.htm; RochesterStepPg17ExhibitC1.pdf; ATT00003.htm

Sent from my iPhone

Begin forwarded message:

**From:** "Farinella, Deborah" <Deborah.Farinella@dos.nh.gov>  
**Date:** February 10, 2016 at 11:09:34 AM EST  
**To:** "'michael.allen@rochesternh.net'" <michael.allen@rochesternh.net>  
**Cc:** "'todd.pinkham@rochesternh.net'" <todd.pinkham@rochesternh.net>, "Speikers, Luann" <Luann.Speikers@dos.nh.gov>  
**Subject:** Rochester STEP Grant - Project #315-16A-025 (Traffic Inf. Grant Step)

The Office of Highway Safety would like to thank you for your patience and support as we go through the necessary changes to comply with federal requirements and begin to operate in a more efficient manner.

Attached is **your contract for the STEP Grant** in PDF format that we ask you to please print out and complete. Once your contract has been completed and signed, **please mail hard copy and all documents** to the Office of Highway Safety. **Please do not begin your project** (conduct enforcement patrols, purchase equipment, etc.) until you have received your signed contract and final approval back from the Office Highway Safety.

Please ensure that the following have been completed in your Grant Agreement:

- All sections are completed and have the required signatures (two signatures required i.e. police chief and town official).
- Make sure your DUNS# (section 1.4.2.) has been registered and is active with SAM (System for Award Management). Your DUNS# must be renewed **annually** on SAM. [www.SAM.gov](http://www.SAM.gov) to be active.
- A Signature of Notary Public or Justice of the Peace (seal) has been provided
- The Subrecipients (Police Chief/County Sheriff) and town official have initialed and dated at the bottom of all required pages.
- An authorized contract signatory is required to sign on Page 12.
- **DO NOT** fold the contract to fit into a #10 envelope. This contract will be scanned and emailed back to you.
- **Please mail your contract to:**  
33 Hazen Drive, Room 109A  
Concord, NH 03305



2/25/16

We look forward to working with you to achieve the common goal to minimize potential crashes and the unnecessary deaths and injuries that occur on our New Hampshire roadways. Thank you.

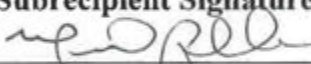
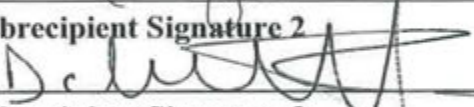
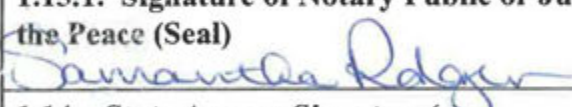
Sincerely,  
John Clegg  
Program Manager  
Office of Highway Safety

Debbie

**Deborah Farinella**  
Administrative Supervisor  
Office of Highway Safety  
33 Hazen Drive, Room 109A  
Concord, NH 03305  
Telephone: 603-271-2132  
Fax: 603-271-3790  
email: [deborah.farinella@dos.nh.gov](mailto:deborah.farinella@dos.nh.gov)

The State of New Hampshire and the Subrecipient hereby  
Mutually agree as follows:  
GENERAL PROVISIONS

## 1. Identification and Definitions.

<b>1.1. State Agency Name</b> New Hampshire Department of Safety Office of Highway Safety		<b>1.2. State Agency Address</b> 33 Hazen Drive, Room 109A Concord, NH 03305	
<b>1.3. Subrecipient Name</b> Rochester Police Department		<b>1.4. Subrecipient Address</b> 23 Wakefield Street, Rochester, NH 03867	
<b>1.4.1 Subrecipient Type (State Govt, City/Town Govt, County Govt, College/University, Other (Specify) City</b>		<b>1.4.2 DUNS</b> 968578153	
<b>1.5. Subrecipient Phone #</b> 330-7132	<b>1.6. Effective Date</b> 10/01/15	<b>1.7. Completion Date</b> 09/30/16	<b>1.8. Grant Limitation</b> \$4,372.26
<b>1.9. Grant Officer for State Agency</b> LuAnn Speikers		<b>1.10. State Agency Telephone Number</b> 271-2197	
"By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
<b>1.11. Subrecipient Signature 1</b> 		<b>1.12. Name &amp; Title of Subrecipient Signor 1</b> Michael J. Allen Chief of Police	
<b>Subrecipient Signature 2</b> 		<b>Name &amp; Title of Subrecipient Signor 2</b> Daniel W. Fitzpatrick, City Manager	
<b>Subrecipient Signature 3</b>		<b>Name &amp; Title of Subrecipient Signor 3</b>	
<b>1.13. Acknowledgment:</b> State of New Hampshire, County of <u>Stafford</u> , on <u>2/12/16</u> , before the undersigned officer, personally appeared the person(s) identified in block 1.12., known to me (or satisfactorily proven) to be the person(s) whose name is signed in block 1.11., and acknowledged that he/she executed this document in the capacity indicated in block 1.12.			
<b>1.13.1. Signature of Notary Public or Justice of the Peace (Seal)</b> 		<b>1.13.2 Name &amp; Title of Notary Public or Justice of the Peace</b> Samantha Redger Notary Public - New Hampshire My Commission Expires September 18, 2018	
<b>1.14. State Agency Signature(s)</b>		<b>1.15. Name &amp; Title of State Agency Signor(s)</b>	
<b>1.16. Approval by Attorney General (Form, Substance and Execution) (if G &amp; C approval required)</b>  By: Assistant Attorney General, On: / /			
<b>1.17. Approval by Governor and Council (if applicable)</b>  By: On: / /			

2. **SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-P:55-63, the Subrecipient identified in block 1.3 (hereinafter referred to as "the Subrecipient"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project").

3. AREA COVERED. Except as otherwise specifically provided for herein, the Subrecipient shall perform the Project in, and with respect to, the State of New Hampshire.
4. EFFECTIVE DATE; COMPLETION OF PROJECT.
- 4.1. This Agreement, and all obligations of the parties hereunder, shall become effective on the date of approval of this Agreement by the Governor and Council of the State of New Hampshire if required (block 1.17), or upon signature by the State Agency as shown in block 1.6 ("the effective date").
- 4.2. Except as otherwise specifically provided herein, the Project, including all reports required by this Agreement, shall be completed in ITS entirety prior to the date in block 1.7 (hereinafter referred to as "the Completion Date").
5. GRANT AMOUNT; LIMITATION ON AMOUNT; VOUCHERS; PAYMENT.
- 5.1. The Grant Amount is identified and more particularly described in EXHIBIT B, attached hereto.
- 5.2. The manner of, and schedule of payment shall be as set forth in EXHIBIT B.
- 5.3. In accordance with the provisions set forth in EXHIBIT B, and in consideration of the satisfactory performance of the Project, as determined by the State, and as limited by subparagraph 5.5 of these general provisions, the State shall pay the Subrecipient the Grant Amount. The State shall withhold from the amount otherwise payable to the Subrecipient under this subparagraph 5.3 those sums required, or permitted, to be withheld pursuant to N.H. RSA 80:7 through 7-c.
- 5.4. The payment by the State of the Grant amount shall be the only, and the complete payment to the Subrecipient for all expenses, of whatever nature, incurred by the Subrecipient in the performance hereof, and shall be the only, and the complete, compensation to the Subrecipient for the Project. The State shall have no liabilities to the Subrecipient other than the Grant Amount.
- 5.5. Notwithstanding anything in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made, hereunder exceed the Grant limitation set forth in block 1.8 of these general provisions.
6. COMPLIANCE BY SUBRECIPIENT WITH LAWS AND REGULATIONS. In connection with the performance of the Project, the Subrecipient shall comply with all statutes, laws regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Subrecipient, including the acquisition of any and all necessary permits.
7. RECORDS and ACCOUNTS.
- 7.1. Between the Effective Date and the date three (3) years after the Completion Date the Subrecipient shall keep detailed accounts of all expenses incurred in connection with the Project, including, but not limited to, costs of administration, transportation, insurance, telephone calls, and clerical materials and services. Such accounts shall be supported by receipts, invoices, bills and other similar documents.
- 7.2. Between the Effective Date and the date three (3) years after the Completion Date, at any time during the Subrecipient's normal business hours, and as often as the State shall demand, the Subrecipient shall make available to the State all records pertaining to matters covered by this Agreement. The Subrecipient shall permit the State to audit, examine, and reproduce such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, data (as that term is hereinafter defined), and other information relating to all matters covered by this Agreement. As used in this paragraph, "Subrecipient" includes all persons, natural or fictional, affiliated with, controlled by, or under common ownership with, the entity identified as the Subrecipient in block 1.3 of these provisions.
8. PERSONNEL.
- 8.1. The Subrecipient shall, at its own expense, provide all personnel necessary to perform the Project. The Subrecipient warrants that all personnel engaged in the Project shall be qualified to perform such Project, and shall be properly licensed and authorized to perform such Project under all applicable laws.
- 8.2. The Subrecipient shall not hire, and it shall not permit any subcontractor, subgrantee, or other person, firm or corporation with whom it is engaged in a combined effort to perform the Project, to hire any person who has a contractual relationship with the State, or who is a State officer or employee, elected or appointed.
- 8.3. The Grant Officer shall be the representative of the State hereunder. In the event of any dispute hereunder, the interpretation of this Agreement by the Grant Officer, and his/her decision on any dispute, shall be final.
9. DATA; RETENTION OF DATA; ACCESS.
- 9.1. As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations,
- computer programs, computer printouts, notes, letters, memoranda, paper, and documents, all whether finished or unfinished.
- 9.2. Between the Effective Date and the Completion Date the Subrecipient shall grant to the State, or any person designated by it, unrestricted access to all data for examination, duplication, publication, translation, sale, disposal, or for any other purpose whatsoever.
- 9.3. No data shall be subject to copyright in the United States or any other country by anyone other than the State.
- 9.4. On and after the Effective Date all data, and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason, whichever shall first occur.
- 9.5. The State, and anyone it shall designate, shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, all data.
10. CONDITIONAL NATURE OR AGREEMENT. Notwithstanding anything in this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability or continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available or appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Subrecipient notice of such termination.
11. EVENT OF DEFAULT; REMEDIES.
- 11.1. Any one or more of the following acts or omissions of the Subrecipient shall constitute an event of default hereunder (hereinafter referred to as "Events of Default"):
- 11.1.1 Failure to perform the Project satisfactorily or on schedule; or
- 11.1.2 Failure to submit any report required hereunder; or
- 11.1.3 Failure to maintain, or permit access to, the records required hereunder; or
- 11.1.4 Failure to perform any of the other covenants and conditions of this Agreement.
- 11.2. Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:
- 11.2.1 Give the Subrecipient a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Subrecipient notice of termination; and
- 11.2.2 Give the Subrecipient a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the Grant Amount which would otherwise accrue to the Subrecipient during the period from the date of such notice until such time as the State determines that the Subrecipient has cured the Event of Default shall never be paid to the Subrecipient; and
- 11.2.3 Set off against any other obligation the State may owe to the Subrecipient any damages the State suffers by reason of any Event of Default; and
- 11.2.4 Treat the agreement as breached and pursue any of its remedies at law or in equity, or both.
12. TERMINATION.
- 12.1. In the event of any early termination of this Agreement for any reason other than the completion of the Project, the Subrecipient shall deliver to the Grant Officer, not later than fifteen (15) days after the date of termination, a report (hereinafter referred to as the "Termination Report") describing in detail all Project Work performed, and the Grant Amount earned, to and including the date of termination.
- 12.2. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall entitle the Subrecipient to receive that portion of the Grant amount earned to and including the date of termination.
- 12.3. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall in no event relieve the Subrecipient from any and all liability for damages sustained or incurred by the State as a result of the Subrecipient's breach of its obligations hereunder.
- 12.4. Notwithstanding anything in this Agreement to the contrary, either the State or, except where notice default has been given to the Subrecipient hereunder, the Subrecipient, may terminate this Agreement without cause upon thirty (30) days written notice.
13. CONFLICT OF INTEREST. No officer, member or employee of the Subrecipient, and no representative, officer or employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or



- approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.
14. SUBRECIPIENT'S RELATION TO THE STATE. In the performance of this Agreement the Subrecipient, its employees, and any subcontractor or subgrantee of the Subrecipient are in all respects independent contractors, and are neither agents nor employees of the State. Neither the Subrecipient nor any of its officers, employees, agents, members, subcontractors or subgrantees, shall have authority to bind the State nor are they entitled to any of the benefits, workmen's compensation or emoluments provided by the State to its employees.
15. ASSIGNMENT AND SUBCONTRACTS. The Subrecipient shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the State. None of the Project Work shall be subcontracted or subgranted by the Subrecipient other than as set forth in Exhibit A without the prior written consent of the State.
16. INDEMNIFICATION. The Subrecipient shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Subrecipient or subcontractor, or subgrantee or other agent of the Subrecipient. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.
17. INSURANCE AND BOND.
- 17.1 The Subrecipient shall, at its own expense, obtain and maintain in force, or shall require any subcontractor, subgrantee or assignee performing Project work to obtain and maintain in force, both for the benefit of the State, the following insurance:
- 17.1.1 Statutory workmen's compensation and employees liability insurance for all employees engaged in the performance of the Project, and
- 17.1.2 Comprehensive public liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury or death any one incident, and \$500,000 for property damage in any one incident; and
- 17.2. The policies described in subparagraph 17.1 of this paragraph shall be the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State of New Hampshire. Each policy shall contain a clause prohibiting cancellation or modification of the policy earlier than ten (10) days after written notice thereof has been received by the State.
18. WAIVER OF BREACH. No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event, or any subsequent Event. No express waiver of any Event of Default shall be deemed a waiver of any provisions hereof. No such failure of waiver shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other default on the part of the Subrecipient.
19. NOTICE. Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses first above given.
20. AMENDMENT. This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Council of the State of New Hampshire, if required or by the signing State Agency.
21. CONSTRUCTION OF AGREEMENT AND TERMS. This Agreement shall be construed in accordance with the law of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assignees. The captions and contents of the "subject" blank are used only as a matter of convenience, and are not to be considered a part of this Agreement or to be used in determining the intent of the parties hereto.
22. THIRD PARTIES. The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.
23. ENTIRE AGREEMENT. This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings relating hereto.
24. SPECIAL PROVISIONS. The additional provisions set forth in Exhibit C hereto are incorporated as part of this agreement.

**EXHIBIT A****Scope of Services**

1. The Office of Highway Safety Agency (hereinafter referred to as The State) is awarding the Rochester Police Department (hereinafter referred to as the Subrecipient) \$4,372.26 for STEP Patrols, as further described in the Subrecipient's application, which is hereby incorporated by reference and made a part of this Grant Agreement.

Budget (Provide itemization as called for on Schedule B) and Source of Funds					
Cost Category	Total Budget	Federal Budget	Local Budget	State Budget	Other Funds
a. Personnel Services	\$4,372.26	\$4,372.26			
b. Current Expenses					
c. Equipment					
d. Indirect Costs & Audit					
e. Contractual Services					
f. Travel					
Total Approved Costs (Include Non-Federal Share)	\$4,372.26	\$4,372.26			

2. It is agreed that quarterly reports will be made to the Office of Highway Safety for the duration of the contract summarizing the progress being made in implementing the project and identifying any problems being encountered. A final report will be made upon completion of the project. Reports will be submitted within 20 days of the project termination date.
3. All publications, public information or publicity released in conjunction with this project shall state that "this project is being supported in part through a grant from the Office of Highway Safety with Federal funds provided by the National Highway Traffic Safety Administration, US Department of Transportation", or words to that effect.



**EXHIBIT B****Grant Amount and Method of Payment****1. GRANT AMOUNT**

FEDERAL BUDGET AND PERSONNEL DATA	
a. Personnel Services Salary	\$4,372.26
b. Current Expenses	
c. Equipment	
d. Indirect Costs and Audit Expense	
e. Contractual Services	
f. Travel Expenses	
Total	\$4,372.26

Project Cost is 80% Federal Funds, 20% Applicant Share
Awarding Agency: Office of Highway Safety (OHS)
Project Title: Rochester STEP Grant #315-16A-025
PSP & Task #: 16-03, 05
Award Title & #: Highway Safety Grant # 402 Funds
Catalog of Federal Domestic Assistance (CFDA) Number: 20.600
In Kind Match: \$1,093.07

**2. PAYMENT SCHEDULE**

- a. The Subrecipient agrees that the total payment by the State under this grant agreement shall be up to \$4,372.26.
- b. At least quarterly, the Subrecipient shall submit the Reimbursement form (HS-20) and activity reports (HS-200) to the State, along with supporting documentation and proof of payment, i.e., copies of purchase orders, vendor invoices, and/or cancelled checks. Each Reimbursement form must be accompanied by match documentation. The Subrecipient shall submit proper match documentation by submitting a completed Match Tracking for Personnel and Other Costs, the form of which is attached hereto as Exhibit B-1. Upon review and approval of the submitted forms, reports and supporting documentation, the State will forward the funds to the Subrecipient. The Subrecipient will continue this

Rev. 11/2015

Grantee Initials

Page 2 of 12

Date

FEB 12 2016

process until they have drawn down the 20% federal match for the total amount of the project (25% of the federal award amount).

- c. If no enforcement patrols took place during the quarter, an email is required stating that your department will not be seeking reimbursement for that quarter.
- d. The quarterly submission due dates are as follows:

**January 15<sup>th</sup>** for October-December (Quarter 1)

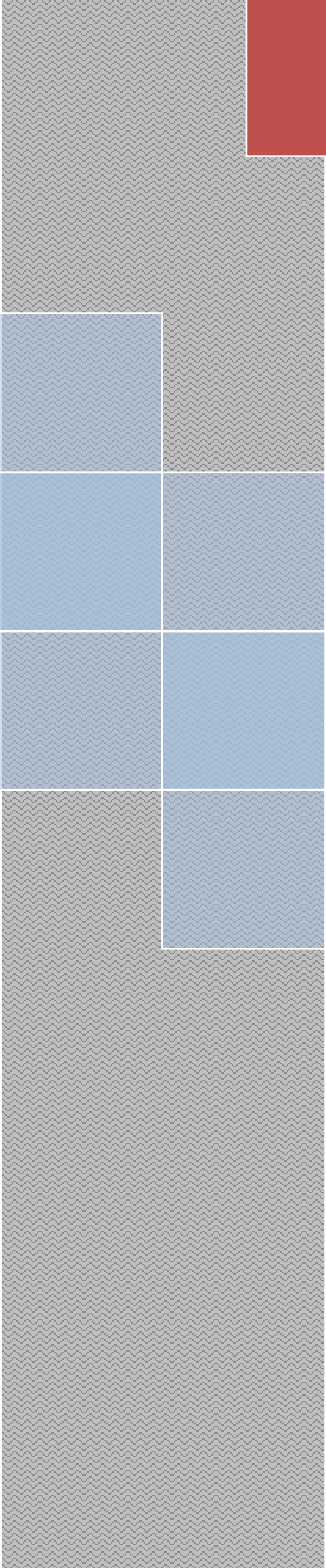
**April 15<sup>th</sup>** for January-March (Quarter 2)

**July 15<sup>th</sup>** for April-June (Quarter 3)

**October 15<sup>th</sup>** for July-September (Quarter 4)

- e. Failure to file required reports by the submission due dates can result in grant termination or denial of future grants.
- f. The Reimbursement form must be signed and dated by the Chief or another Authorized Signatory. Individuals working the enforcement patrol may not sign off on the Reimbursement form (HS-20). If the Chief works the enforcement patrol, a community official must sign off on the Reimbursement form (HS-20). In addition, the Chief may not sign off on the Reimbursement form (HS-20) if his/her spouse, child or sibling works the same enforcement patrol.
- g. The Subrecipient agrees to have an audit conducted in compliance with 2 CFR part 200, subpart F, if applicable. If a compliance audit is not required, at the end of each audit period the Subrecipient will certify in writing that they have not expended the amount of federal funds that would require a compliance audit (\$750,000). If required, they will forward for review and clearance a copy of the completed audit(s) to the State.
- h. Additionally, the Subrecipient has or will notify their auditor of the above requirements prior to performance of the audit. The Subrecipient will also ensure that, if required, the entire grant period will be covered by a compliance audit, which in some cases will mean more than one audit must be submitted. The Subrecipient will advise the auditor to cite specifically that the audit was done in accordance with 2 CFR part 200, subpart F. The Subrecipient will also ensure that all records concerning this grant will be kept on file for a minimum of three (3) years from the end of this audit period.





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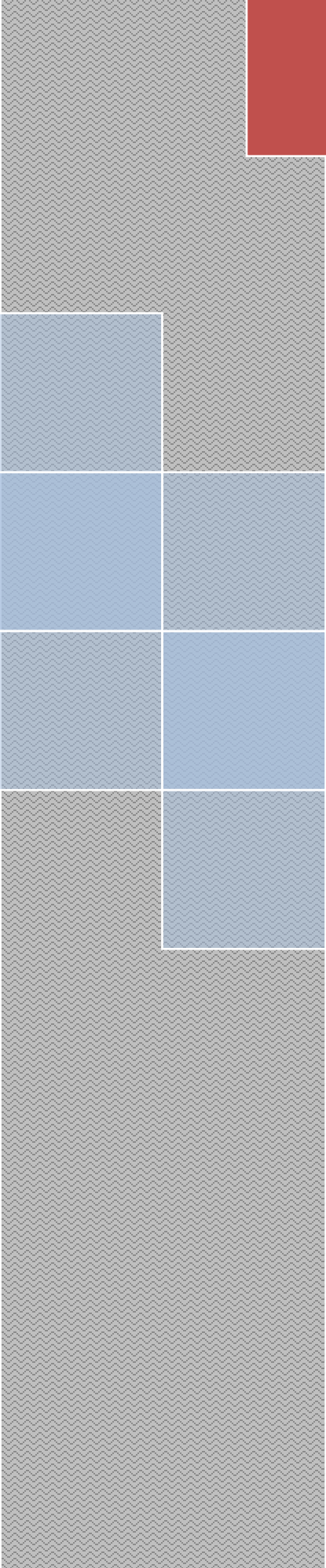
**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE DEPARTMENT OF PUBLIC BUILDINGS CAPITAL IMPROVEMENT PLAN  
(CIP) FUND**

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

That a sum not to exceed Five Thousand Dollars (\$5,000.00) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Department of Public Buildings CIP Fund, for the purpose of providing funds necessary to pay costs and/or expenditures associated with the removal of an underground fuel storage tank located between City Hall and the City Hall Annex and provided further that funds for such supplemental appropriation shall be derived in their entirety from the General Fund unassigned fund balance.

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 FY16 02-02 AB 110



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2/25/16

## 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 CITY HALL UNDERGROUND FUEL STORAGE TANK REMOVAL-Supplemental Appropriation
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input 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 checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--

AGENDA DATE	March 1, 2016		
DEPT. HEAD SIGNATURE	Original with Signature is on File at City Clerks Office		
DATE SUBMITTED	2/22/2016		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

#### COMMITTEE SIGN-OFF

COMMITTEE	Public Works & Building Committee
CHAIR PERSON	Ralph Torr

#### DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

#### FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	15011090-771000-xxxxx
AMOUNT	\$5,000.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

#### LEGAL AUTHORITY

City Council Action

**SUMMARY STATEMENT**

The PWC discussed the necessary removal of the underground fuel storage tank located between City Hall and the City Hall Annex building. The Committee made a recommendation to remove the tank and to approve a supplemental appropriation from the Fund Balance account in the General fund. The estimate received was in the amount of \$4150. The department is requesting \$5000 for the project due to the possibility of additional soil testing and other contingencies.

**RECOMMENDED ACTION**

1. Resolution for a supplemental appropriation of \$5000 from the general fund balance account.

---

**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: Annual Lapsing ☐ Multi-year 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	15011090	771000	16xxx			5,000.00
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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2/25/16

**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**

William Allen School - Approval to post parking restrictions on Woodman Street and DavyAnne Locke Lane.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	John B. Storer, P.E. (signature on file in City Clerk's Office)	
DATE SUBMITTED	February 23, 2016	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	4

**COMMITTEE SIGN-OFF**

COMMITTEE	Public Works
CHAIR PERSON	Ralph Torr

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

#### **SUMMARY STATEMENT**

The Department of Public Works seeks Council authorization to post "No Parking" signs along the north side of Woodman Street, and for one corner lot on DavyAnne Locke Lane. The attached map shows the proposed restricted areas highlighted in red. The green shading shows projected turning movements for school buses approaching the William Allen School.

Two sign options are attached: one is a full-time ban; the other is a ban only while school is in session. Another attachment includes 2 photos that illustrate how congested the travel lane is on Woodman Street.

The Public Safety Committee recommended a complete ban of parking, with the placement of signs to be posted at DPW's discretion. However, the Public Works Committee, at their February 18 meeting, felt parking restrictions should only be in effect during times school was in session. Their recommendation was to check with the School Department to verify appropriate times for posting parking restrictions, and to create signs accordingly.

In discussion with School Superintendent Mike Hopkins, the proposed parking restrictions would go into effect Monday thru Friday, from 7:30 AM to 3:30 PM. The restrictions will be effective throughout the School Year, and the signs will post the time period of August 26 thru June 20.

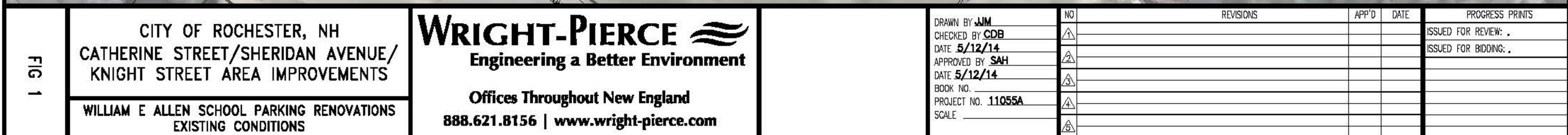
The intent of the parking restrictions was to create clear access for school buses approaching the William Allen School, while still trying to accommodate on-street residential parking within the neighborhood.

#### **RECOMMENDED ACTION**

Authorize one of the two parking ban options, as proposed.

This supports recommendations from the Public Safety Committee to restrict parking on Woodman and DavyAnne, with additional guidance from the Public Works Committee to ensure the parking restrictions only applied during times school was in session.









12 inches

2/25/16

18 inches

6 inches

**NO  
PARKING**

**MON - FRI  
7:30AM - 3:30PM**



**EFFECTIVE  
AUG 26 thru JUN 20**



**Photo taken 2/23/16 – looking down Woodman, north side on right**



**Photo taken 2/23/16 – end of Woodman, near DavyAnne Locke, parking on both sides of street restricts vehicle passage**





**RESOLUTION DEAUTHORIZING FUNDING FROM THE NEW HAMPSHIRE BUREAU  
OF EMERGENCY MANAGMENT (NHBEM) HAZARD MITIGATION GRANT**

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

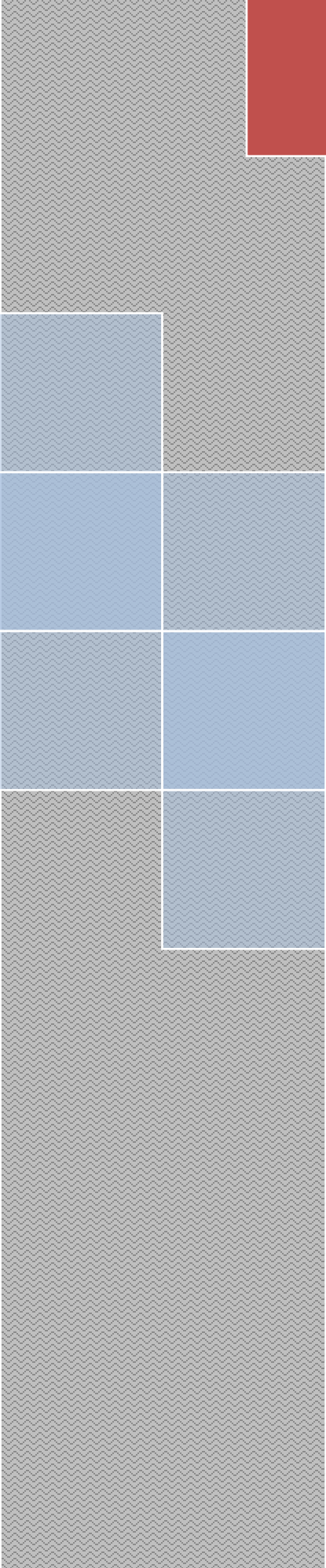
**WHEREAS**, by virtue of a certain resolution adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated One Hundred Thirty Thousand Two Hundred Eighty-Two Dollars (\$130,282.00) to the Rochester Department of Public Works CIP account, funding to be derived from the NHBEM Hazard Mitigation Grant for the so-called Howard Brook Culvert Replacement Project (the "Project"), and

**WHEREAS**, the Project was deemed ineligible to receive funds from the NHBEM Hazard Mitigation Grant;

**NOW THEREFORE**, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of One Hundred Thirty Thousand Two Hundred Eighty-Two Dollars (\$130,282.00) of the previous appropriation of 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.

**CC FY 16 03-01 AB 108**



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2/25/16

**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 HOWARD BROOK CULVERT REPLACEMENT PROJECT-DE-AUTHORIZATION
---

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 checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--

AGENDA DATE	March 1, 2016		
DEPT. HEAD SIGNATURE	Original with signature is on file with City Clerks Office		
DATE SUBMITTED	February 16, 2016		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

**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	
SOURCE OF FUNDS	Grant
ACCOUNT NUMBER	15013010-771000-12512
AMOUNT	\$130,282.00
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY****City Council Resolution**

**SUMMARY STATEMENT**

When this project was originally funded in FY2012 for the amount of \$173,830.00 the City had applied for a NHBEM Hazard Mitigation Grant and expected to receive grant funds at 75%. The City appropriated the project and funded it \$43,548 cash and \$130,282 grant proceeds. Those Grant funds will not be received as this project does not meet the minimum requirements necessary to be considered eligible. The minimum requirements necessitate more severe weather impacts than we are currently experiencing. The DPW is proceeding with this project and has since appropriated an additional \$350,000 in bond funding to do so. This AB is to de-authorize the previous grant funded portion. The cash amount will remain as is.

**RECOMMENDED ACTION**

1. City Council Resolution to de-authorize the previously appropriated grant funding in the amount of \$130,282 in the General fund CIP Account # 15013010-771000-12512.



## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: HOWARD BROOK CULVERT REPLACEMENT

Date: 02/16/16

Fiscal Year: 2016

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	15013010	771000	12512	-	-	\$130,282.00 -
2				-	-	-
3				-	-	-
4				-	-	-

## Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

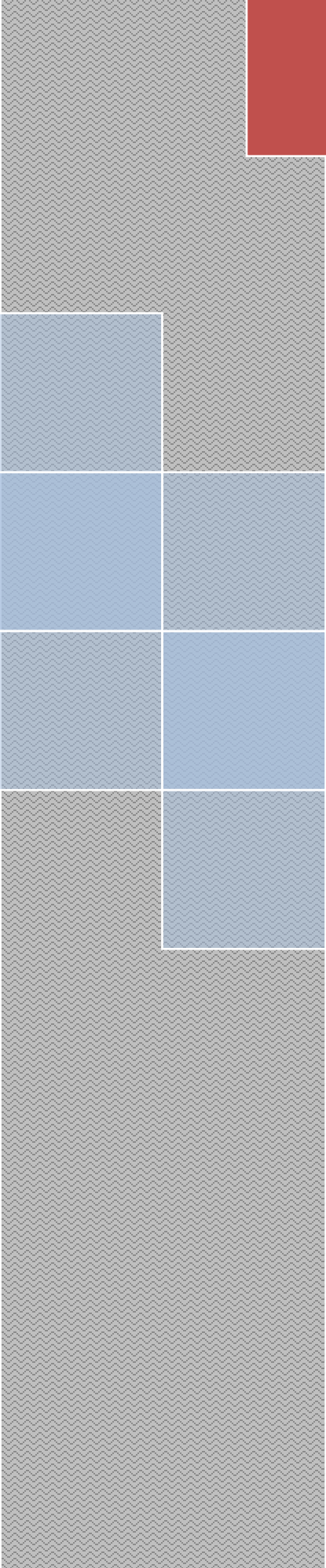
## Revenue

	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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**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION**  
**TO THE 2015-2016 CAPITAL IMPROVEMENTS BUDGET OF THE**  
**CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS**  
**FOR THE SO-CALLED HOWARD BROOK CULVERT REPLACEMENT PROJECT**

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

That the sum of One Hundred Thirty Thousand Two Hundred Eighty-Two Dollars (\$130,282.00) be, and hereby is, appropriated as a supplemental appropriation to the 2015-2016 capital improvements budget of the City of Rochester, Department of Public Works, Water Works, for the purpose of providing sums necessary to pay costs and/or expenditures with respect to the so-called Howard Brook Culvert Replacement Project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonding/borrowing to be undertaken by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of One Hundred Thirty Thousand Two Hundred Eighty-Two Dollars (\$130,282.00) through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

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 FY16 03-01 AB 109



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2/25/16

**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 HOWARD BROOK CULVERT REPLACEMENT PROJECT -SUPPLEMENTAL APPROPRIATION
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input 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 checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--

AGENDA DATE	March 1, 2016		
DEPT. HEAD SIGNATURE	Original with signature is on file at City Clerks Office		
DATE SUBMITTED	February 16, 2016		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

**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	
SOURCE OF FUNDS	Bond
ACCOUNT NUMBER	15013010-771000-XXXXXX
AMOUNT	\$130,282.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY****City Council Resolution**

**SUMMARY STATEMENT**

When this project was originally funded in FY2012 for the amount of \$173,830.00 the City had applied for a NHBEM Hazard Mitigation Grant and expected to receive grant funds at 75%. The City appropriated the project and funded it \$43,548 cash and \$130,282 grant proceeds. As Those Grant funds will not be received because this project does not meet the minimum requirements necessary to be considered eligible we have de-authorized the \$130,282 in grant funding and now need to appropriate those funds with bonding as the funding source.

**RECOMMENDED ACTION**

1. City Council Resolution to authorize \$130,282 in the General Fund CIP with bonding as the funding source for the Howard Brook Culvert Replacement Project.

## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: HOWARD BROOK CULVERT REPLACEMENT

Date: 02/16/16

Fiscal Year: 2016

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	15013010	771000	XXXX	-	-	130,282.00 -
2				-	-	-
3				-	-	-
4				-	-	-

## Revenue

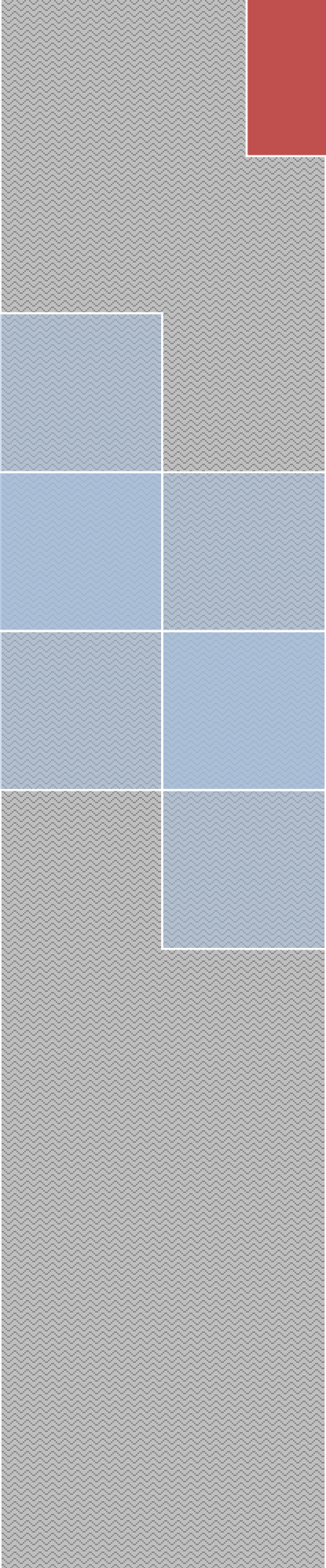
	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

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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**SUPPLEMENTAL APPROPRIATION IN CONNECTION WITH**  
**PUBLIC INFRASTRUCTURE IMPROVEMENTS**  
**TO BE MADE WITHIN THE SO-CALLED**  
**GRANITE RIDGE DEVELOPMENT DISTRICT - PHASE 2**  
**AND AUTHORIZING BONDING AND/OR BORROWING**  
**IN CONNECTION THEREWITH**

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

That the sum of Five Million Dollars (\$5,000,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2015-2016 fiscal year capital budget for the City of Rochester for Economic Development, such funds to be used for the purpose of paying for costs and expenses incurred with respect to the planning, design, construction, administration, implementation and related actions and activities incident to the construction/reconstruction and extension of certain Public Infrastructure Improvements, including within such undertaking the construction/extension/accommodation of accompanying public and private utilities, including, but not limited to, roads, sidewalks, water and sewer services, drainage and other related infrastructure improvements (the "Project"), the same to be located on the Easterly and Westerly sides of, as well as within, NH Rte. 11, both north and south of its intersection with the so-called Little Falls Bridge Road, within the so-called Granite Ridge Development District Phase 2, so as to promote economic development, including particularly commercial economic development, for the purposes of furthering the goals and objectives of the so-called "Granite Ridge Development District: Tax Increment Development Program & Financing Plan", and the implementation of the goals set forth therein, as well as to promote the creation and availability of developable land, within the Granite Ridge Development District, for commercial and other economic development purposes.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are, authorized to borrow the sum of up to Five Million Dollars (\$5,000,000.00), through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate. The useful life for the aforesaid Project is 30 years.

Additionally, the above borrowing and repayment of the sums expended in furtherance of the Project described in the first paragraph of this resolution, is authorized in, and is to be repaid by utilizing the, tax increment financing mechanism authorized and set forth in Chapter 162-K of the New Hampshire Revised Statutes Annotated (including specifically, but not limited to RSA 162-K:8 through RSA 162-K:10.

Further, to the extent not otherwise provided for in this Resolution the City Manager and/or

his designee(s) is authorized to sign all documents necessary to implement the purposes of this resolution, including the signing of any engineering and/or services, materials, construction and or similar or related type contract(s) necessary to carry out the purposes of this resolution.

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.

The City reasonably expects to issue tax exempt bonds in the future to finance certain expenses related to this Project, the proceeds of which may be used, in part, to reimburse the City for Project expenses paid prior to the issuance of such bonds, including those authorized above. To that end, without in any way committing the City to issue such bonds, and/or notes, and/or other legal forms of borrowing, this Resolution shall be deemed to constitute the City's "official intent" with respect to such plans within the meaning of IRS Reg. 1.150-2.

CC FY16 03-01 AB 115



2/25/16

**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**

Supplemental Appropriation - Granite Ridge Phase 2 TIF

**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	March 1, 2016	
DEPT. HEAD SIGNATURE	Original with signature is on file at City Clerks Office	
DATE SUBMITTED	02/23/2016	
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED

**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	
SOURCE OF FUNDS	
ACCOUNT NUMBER	61083010-771000-16XXX
AMOUNT	\$5,000,000.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

**LEGAL AUTHORITY****City Council Authorization**

**SUMMARY STATEMENT**

AB is for funding of phase 2 of the Granite Ridge TIF District. The amount is five million dollars (\$5,000,000.00).

**RECOMMENDED ACTION**

Authorize supplemental appropriation the Granite Ridge Phase 2 TIF Infrastructure project.

## 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	61083010	771000	XXXXX	-	-	5,000,000.00 -
2				-	-	-
3				-	-	-
4				-	-	-

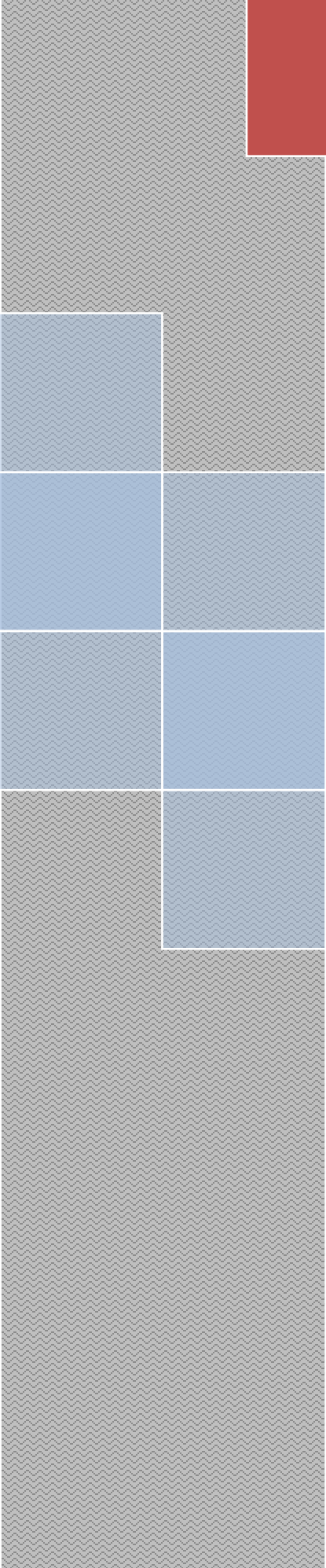
## Revenue

	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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**AMENDMENT TO CHAPTER 15 OF THE GENERAL ORDINANCES OF THE CITY  
OF ROCHESTER REGARDING HIGHWAYS, SIDEWALKS, BRIDGES AND STREET  
LIGHTING**

THE CITY OF ROCHESTER ORDAINS:

That subsection 15.5 (b) of Chapter 15 of the General Ordinances of the City of Rochester regarding Permits for Excavation Upon Highway or Sidewalk and currently before the Rochester City Council, be amended as follows:

**15.5 Permit for Excavation Upon Highway or Sidewalk.**

(b) For a period of ~~five (5)~~<sup>three (3)</sup> years, beginning with the date of completion of the final paving of a public street or way relating to the construction or reconstruction of said street or way, no person, firm or corporation or any agent servant thereof shall excavate, construct or in any way encumber the paved or traveled portion of the street or way in the City of Rochester at any time, except for emergencies as may be deemed necessary by the Commissioner of Public Works and then only upon the posting by such entity of sufficient security, as determined by the Commissioner of Public Works and the agreement of such entity, to pay the cost of restoring such street or way to its original condition or with the approval by majority vote of the City Council.

**The effective date of these amendments shall be upon passage.**



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2/25/16

**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**

Approve Change to City Ordinance, Chapter 15 - Highways, Bridges, Sidewalks and Street Lighting to extend the current moratorium on excavating newly paved City streets from 3 years to 5 years.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	John B. Storer, P.E. (original on file with City Clerk)	
DATE SUBMITTED	February 22, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**COMMITTEE SIGN-OFF**

COMMITTEE	Public Works
CHAIR PERSON	Ralph Torr

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

City Council Resolution

**SUMMARY STATEMENT**

Chapter 15 of the City Ordinances regulates excavation work within City Streets. The Ordinances restrict any excavation work from occurring within any sections of newly paved City Streets. The restriction is only for a period of 3 years. Section 15.5.b states that "for a period of three (3) years, beginning with the date of completion of the final paving of a public street or way relating to the construction or reconstruction of said street or way, no person, firm or corporation or any agent servant thereof shall excavate....."

Emergency exemptions may be granted by a majority vote of the City Council.

To maintain the integrity of our City streets, staff recommends an extension of the moratorium period from 3 years to 5 years.

**RECOMMENDED ACTION**

Increase the moratorium limit on excavating within newly paved City streets from 3 years to 5 years.

**AMENDMENT TO CHAPTER 26 OF THE GENERAL ORDINANCES OF THE CITY  
OF ROCHESTER REGARDING THE LICENSING BOARD**

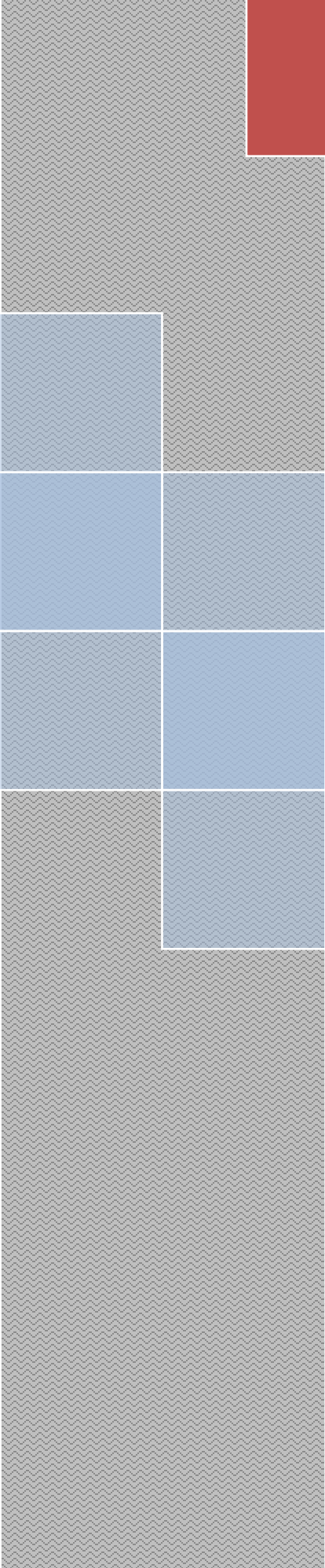
THE CITY OF ROCHESTER ORDAINS:

That subsections 26.1 of Chapter 26 of the General Ordinances of the City of Rochester regarding Permits and currently before the Rochester City Council, be amended as follows:

**26.1 Licensing Board Established.**

There is hereby established a Licensing Board for the City of Rochester which shall consist of the City Manager, Chief of Police, and *Chief of the Fire Department, or their designee.*, ~~and one other person to be appointed by the Mayor in accordance with the provisions of Section 74 of the Rochester City Charter, at the first January meeting of the City Council following the regular municipal election for a term of two (2) years.~~ The Licensing Board shall have such powers and duties as are prescribed in RSA 286.

**The effective date of these amendments shall be upon passage.**



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2/25/16

**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**

Approve Change to the General Ordinances of the City of Rochester Chapter 26.1 Relative to the Licensing Board.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk	
DATE SUBMITTED	February 22, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**COMMITTEE SIGN-OFF**

COMMITTEE	Codes and Ordinances
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

City Council.

**SUMMARY STATEMENT**

The Codes and Ordinances Committee recommends that the full City Council approve the changes to Chapter 26.1 Licensing Board Established. More information can be found in the attached page of minutes.

**RECOMMENDED ACTION**

Accept the Amendment to Chapter 26.1



provide the Director of Building, Zoning, and Licensing Services the ability to seek action against a tenant; specifically to remove junk from a yard, which they [tenant] would not remove themselves. Councilor Lauterborn stated that this fine/fee schedule is much more complex than that.

Sheldon Perkins, Compliance Officer for the City of Rochester, supported the Amendment to Chapter 40.2. He said, currently, it takes too long for junk to be removed from a tenant's yard. He added that there is a false perception made by tenants, who believe the City should/could only give a citation to the landlord. The ability to write a summons to the tenant on the spot would resolve the matter.

Councilor Abbott gave a detailed explanation of why he believed that RSA 31:39-d cannot apply to the Building Code and therefore would be invalid. He supported enacting RSA 31:39-d, to a Property Maintenance Code, which could/would be treated as a Building Code for single-family homes [which can still be used for a land use citation] and then modify the Building Code for multifamily homes under a Housing Code in order to make it applicable to duplexes and above. The Committee had a lengthy debate on the matter and it was determined that more information would be needed.

Councilor Bogan **WITHDREW** her **MOTION** and Councilor Abbott **WITHDREW** his **SECOND** to the motion. This matter will be revisited at the next Codes and Ordinance Committee meeting in March.

## **7. Licensing Board Established - Chapter 26.1**

Councilor Lachapelle **MOVED** to recommend that the full City Council approve the Amendment as outlined below. Councilor Gates seconded the motion. Councilor Gray suggested that language be included to allow the City Manager, Police Chief, or Fire Chief's designee to be appointed. The motion was restated to include this language as outlined below. Councilor Lachapelle requested a vote on the motion as amended. The **MOTION CARRIED** by a unanimous voice vote.

### **26.1 Licensing Board Established**

There is hereby established a Licensing Board for the City of Rochester which shall consist of the City Manager, Chief of Police, **and Chief of the Fire Department, or their designees.** ~~, and one other person to be appointed by the Mayor in accordance with the provisions of Section 74 of the Rochester City Charter, at the first January meeting of the City Council following the regular municipal election for a term of two (2) years.~~



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**AMENDMENT TO CHAPTER 40 OF THE GENERAL ORDINANCES OF THE CITY  
OF ROCHESTER REGARDING PERMITS**

THE CITY OF ROCHESTER ORDAINS:

That subsections 40.16 of Chapter 40 of the General Ordinances of the City of Rochester regarding Permits and currently before the Rochester City Council, be amended as follows:

**40.16 Permits.**

\*

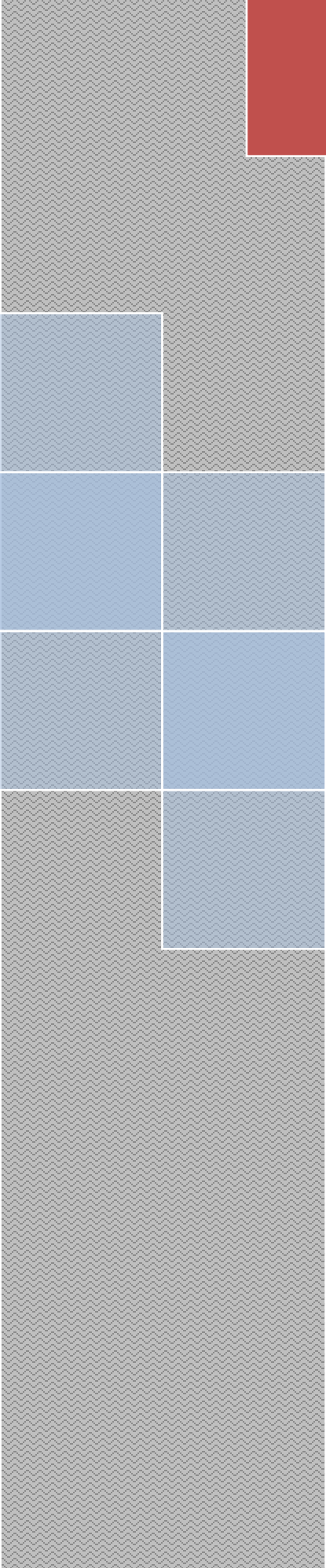
\*

\*

*(c) The Director of Building, Zoning, and Licensing Services shall issue no building permit, certificate of occupancy, and or/other construction permit for improvement or changes in real property for any real property for which there are delinquent municipal taxes, sewer user charges, assessments, penalties and/or fines.*

*(d) The City Manager is authorized to waive the provisions of subsection (c) for natural persons seeking a building permit, certificate of occupancy, and or/other construction permit for improvement or changes to the person's homestead property, if the person qualifies for an elderly tax exemption pursuant to RSA 72:39-a, a disability tax exemption pursuant to RSA 72:37-a or a elderly or disability tax deferral pursuant to RSA 72:38-a.*

The effective date of these amendments shall be upon passage.



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2/25/16

**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**

Approve Change to the General Ordinances of the City of Rochester Chapter 40 Regrading Permits.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk	
DATE SUBMITTED	February 22, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**COMMITTEE SIGN-OFF**

COMMITTEE	Codes and Ordinances
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

City Council.

**SUMMARY STATEMENT**

The Codes and Ordinances Committee recommends that the full City Council approve the changes to Chapter 40. More information can be found in the attached page of minutes.

**RECOMMENDED ACTION**

Accept the Amendment to Chapter 40.

## 8. Polling Locations - Discussion

*This discussion took place earlier in the meeting.*

## 9. Permits - Chapter 40.16

Councilor Gray suggested adding language to the last sentence of Chapter 40.16 (c) by authorizing the City Manager to approve exemptions. Attorney O'Rourke stated that the City Manager cannot be given the authority to waive fees arbitrarily.

Councilor Abbott stated that the Building, Zoning, and Licensing Services Department cannot deny the issuance of a building permit due to non-payment of taxes; furthermore, the State RSA that outlines the collection of taxes has given specific requirements for collecting taxes and withholding building permits is not listed. He **MOVED** to strike paragraph (c) completely. Councilor Gates seconded the motion. The **MOTION FAILED** by a 2 to 3 show-of-hands vote.

The Committee discussed the matter further. Councilor Lachapelle **MOVED** to recommend that the full City Council accept the Amendment to Chapter 40.2 at the next Regular City Council meeting. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a 3 to 2 show-of-hands vote.

### **AMENDMENT TO CHAPTER 40.2 OF THE GENERAL ORDINANCES OF THE CITY OF ROCHESTER REGARDING PERMITS**

*40.2 (c) The Director of Building, Zoning, and Licensing Services shall issue no building permit, certificate of occupancy, and or/other construction permit for improvement or changes in real property for any real property for which there are delinquent municipal taxes, sewer user charges, assessments, penalties and/or fines.*

*(d) The City Manager is authorized to waive the provisions of subsection (c) for natural persons seeking a building permit, certificate of occupancy, and or/other construction permit for improvement or changes to the person's homestead property, if the person qualifies for an elderly tax exemption pursuant to RSA 72:39-a, a disability tax exemption pursuant to RSA 72:37-a or a elderly or disability tax deferral pursuant to RSA 72:38-a.*

## 10. Other

No discussion.



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**AMENDMENT TO CHAPTER 26 OF THE GENERAL ORDINANCES OF THE CITY  
OF ROCHESTER REGARDING OUTDOOR DINING ON CITY PROPERTY**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 26 of the General Ordinances of the City of Rochester regarding a Public License for outdoor dining on city property and currently before the Rochester City Council, be amended as follows:

**CHAPTER 26**

**PUBLIC LICENSE**

**26.10 Use of City Property for Outdoor Dining.**

1. ----
2. ----
3. The terms and conditions of any such requests that are approved by the City Manager in any given year shall be described in an annual Area Service Agreement, which includes a clear depiction of the area approved for outdoor dining use and the time period of approved use ("Season"), with said Area Service Agreement to be signed by the City Manager and the party or parties making the request. The Season shall run from April 1st ~~May 1<sup>st</sup>~~ through October 31<sup>st</sup> ~~the day after Columbus Day.~~
4. ---
5. ---
6. ---
7. The Area specified for outdoor dining use in the Area Service Agreement shall be restored upon termination of the Area Service Agreement at Season's end. Specifically, at Season's end, the enclosure system, tables, chairs and all other materials in their entirety shall be removed from the City-owned area with the area left in an unobstructed, undamaged, clean and sanitary condition at no cost to the City. ~~Semi-permanent objects may remain in the Area at Season's end at the discretion of the City Manager.~~

**This Ordinance shall take effect upon the passage by the City Council.**



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2/25/16

**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**

Approve Change to the General Ordinances of the City of Rochester Chapter 26.10 Regrading Permits.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk	
DATE SUBMITTED	February 22, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**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	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council.

**SUMMARY STATEMENT**

Proposed Changes to Chapter 26.10 Outside Dining Ordinance.

**RECOMMENDED ACTION**

Accept the Amendment to Chapter 26.10.



2/25/16

**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

Proposal to reconfigure the Boundary Lines for Wards Three and Four.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk	
DATE SUBMITTED	February 25, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**COMMITTEE SIGN-OFF**

COMMITTEE	Codes and Ordinances
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

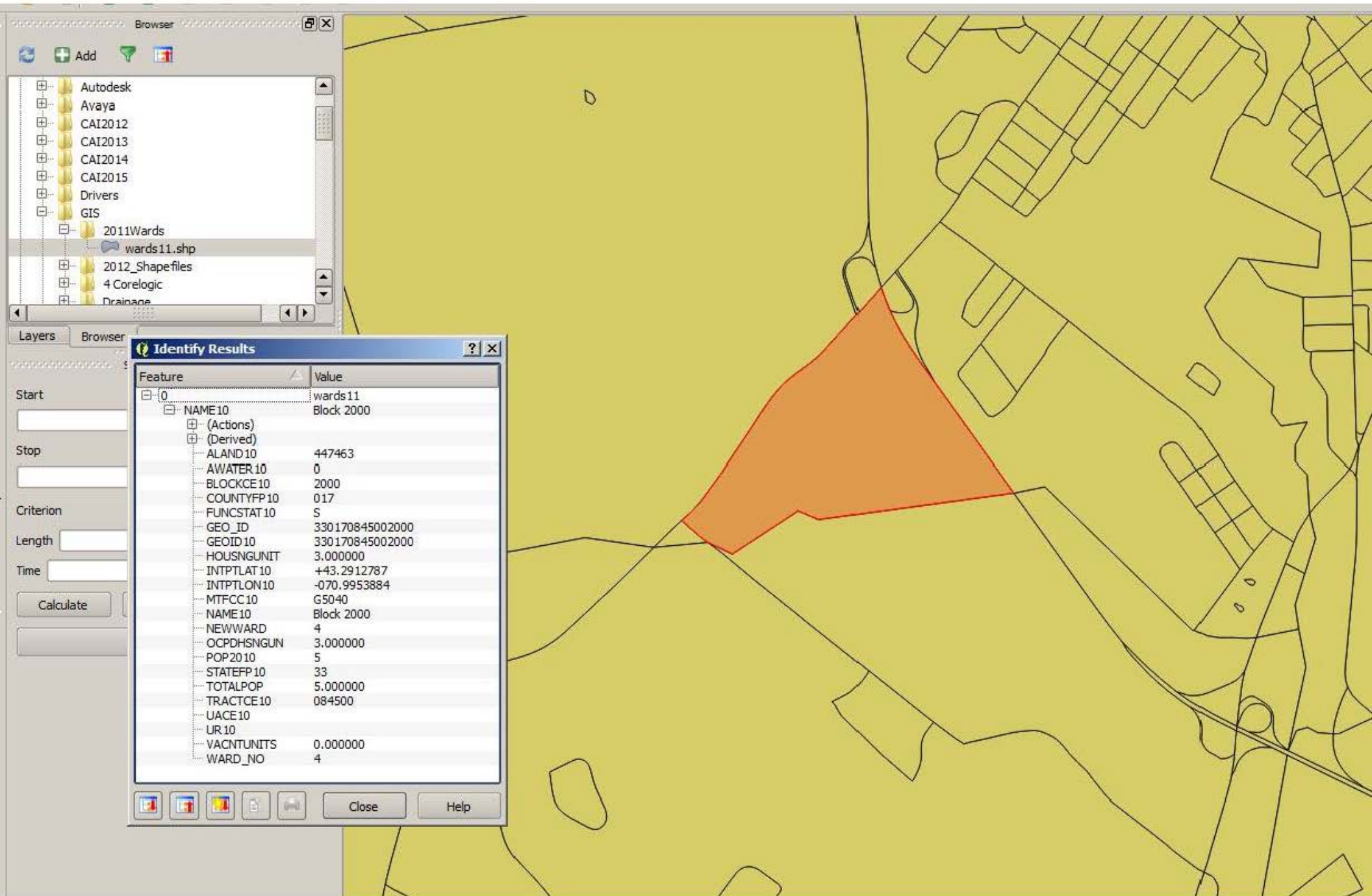
City Council.

**SUMMARY STATEMENT**

Proposal to reconfigure the boundary lines for Wards Three and Four in order to facilitate a more convenient and accessible polling location for voters in Ward Three.

**RECOMMENDED ACTION**

Refer the matter to a Public Hearing.





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2/25/16

**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

Proposed changes to the City Council Rules of Order.

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	March 1, 2016	
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk	
DATE SUBMITTED	February 25, 2016	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**COMMITTEE SIGN-OFF**

COMMITTEE	Codes and Ordinances
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

City Council.

**SUMMARY STATEMENT**

The Codes and Ordinances Committee recommended the changes to the City Council Rules of Order on the following page.

**RECOMMENDED ACTION**

Motion to approve.

## City Council Rules of Order Memorandum

TO: Mayor and City Council

From: Kelly Walters, City Clerk

DATE: February 22, 2016

RE: Proposed changes to the City Council Rules of Order

The Codes and Ordinances Committee voted unanimously [February 4, 2016] to recommend the following changes be accepted by the full City Council. The changes are as follows:

**SECTION 1.4 ORDER OF BUSINESS**

(a) The order of business for regular meetings of the City Council shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Prayer
4. Roll Call
5. Approval of the Minutes of the Previous Meeting
6. Communications from the ~~Mayor~~ **City Manager**
7. Communications from the ~~City Manager~~ **Mayor**
8. Presentations of Petitions and Council Correspondence [and Disposal thereof by Reference or Otherwise]
9. Nominations, Appointments, and Resignations
10. Reports of Committee
11. Old Business [Items Remaining from Prior Meetings]
12. New Business
13. Other
14. Adjournment

**SECTION 3.8 MAYORAL VETO - EXERCISE AND VOTE TO OVERRIDE**

To be effective, the right of veto accorded to the Mayor under the provisions of Section 10-A of the Rochester City Charter, must be exercised, and notice of such exercise must be communicated in writing to the City Clerk, within one hundred forty-four (144) hours after action by the Council. As soon as practicable after receipt of the Mayor's written notice of exercise of the veto power, and in no event later than seventy-two (72) hours after receipt of such notice, the City Clerk shall inform the Council in writing of the Mayor's exercise of such veto. The Council may override said veto by a two-thirds (2/3) vote of all Councilors **(mayor excluded)** serving in office, as provided for in Section 10-A of the Rochester City Charter, no later than the close of the next regular meeting of Council.

#### **SECTION 4.1 AGENDA PREPARATION**

The agenda for each Council meeting shall be prepared by the Mayor, the Deputy Mayor and the City Manager in conjunction with the City Clerk. Any Councilor may place an item on the agenda provided that the items be submitted in writing or email to the City Clerk, the Mayor, the Deputy Mayor or the City Manager seven (7) days prior to the meeting of Council. The City Clerk shall provide Council members with copies of the agenda, resolutions, and subject matter, to be presented to the Council, at least five (5) days before **prior** to the meeting of the Council. ~~All resolutions, and subject matter, to be presented to the Council shall be made available to the members prior to said Council meeting.~~

#### **SECTION 4.7 PUBLIC INPUT AT WORKSHOP OR COMMITTEE**

V. Public Input shall not be a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager, or administrative staff; **with the exception of Committee meetings when allowed by the Chair**; and